

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION MINUTES**

May 10, 2021
6:00 p.m. – 7:21 p.m.

City Hall Offices
Council Chamber (#210)
33282 Golden Lantern
Dana Point, CA 92629

CALL TO ORDER REGULAR MEETING

Chair Nelson called the Regular Meeting of the Dana Point Planning Commission to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Gabbard led the Pledge of Allegiance.

ROLL CALL

Planning Commission Members Present: Chair Eric Nelson, Vice-Chair Roy Dohner, Commissioner Mary Opel, Commissioner John Gabbard

Planning Commission Members Absent: Commissioner Danni Murphy

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Belinda Deines (Principal Planner), Kurth Nelson (Principal Planner), Danny Giometti (Interim Senior Planner), Brandy Boka (Senior Civil Engineer), Allison Peterson (Senior Administrative Assistant), and Eve Cuddihy (Administrative Assistant)

A: APPROVAL OF MINUTES

ITEM 1: Minutes of the Regular Planning Commission Meeting April 26, 2021

ACTION: Motion made by Commissioner Opel, seconded by Commissioner Gabbard, to approve the Minutes of the Regular Planning Commission Meeting of April 26, 2021. Motion carried 3-0-2.

AYES: Nelson, Opel, Gabbard
NOES: None
ABSENT: Murphy
ABSTAIN: Dohner

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARING

ITEM 2: Coastal Development Permit CDP19-0014 authorizing the demolition of an existing single-family dwelling and the construction of a new, two-story single-family dwelling with two attached garages on a coastal bluff lot, with Minor Site Development Permit SDP19-0023(M) requested to measure building height from not more than thirty (30) inches of fill to achieve positive drainage to the street located at 35491 Camino Capistrano

Applicant: FoxLin Architects

Address: 35491 Camino Capistrano (APN 691-083-33)

Request: A request authorizing the demolition of an existing single-family dwelling (SFD) and the construction of a new, two-story SFD with two attached garages on a coastal bluff lot, with a minor Site Development Permit request to measure building height from not more than thirty (30) inches of fill in order to achieve positive drainage to Camino Capistrano, in accordance with Dana Point Zoning Code Section 9.05.110(a)(3).

Recommendation: That the Planning Commission adopt the Resolution approving Coastal Development Permit CDP19-0014 and Minor Site Development Permit SDP19-0023(M).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15303 of the CEQA Guidelines (Class 3 – New Construction or Conversion of Small Structures because the project includes the construction of one SFD in a residential zone.

Danny Giometti (Interim Senior Planner) provided a presentation and answered questions from the Planning Commission.

Brandy Boka (Senior Civil Engineer) answered questions from the Planning Commission on slope stability.

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PUBLIC COMMENTS

Michael Fox (Applicant) answered questions from the Planning Commission on coastal bluff contouring and impact on the bluff during construction.

David Daly (Capo Beach) spoke in opposition of the project.

Mike Bojorquez (San Clemente) spoke in favor of the project.

ACTION: Motion made by Vice-Chair Dohner, seconded by Commissioner Opel, to approve Coastal Development Permit CDP19-0014 authorizing the demolition of an existing single-family dwelling and the construction of a new, two-story single-family dwelling with two attached garages on a coastal bluff lot, with Minor Site Development Permit SDP19-0023(M) requested to measure building height from not more than thirty (30) inches of fill to achieve positive drainage to the street located at 35491 Camino Capistrano. Motion carried 4-0-1.

AYES: Nelson, Dohner, Opel, Gabbard
NOES: None
ABSENT: Murphy
ABSTAIN: None

ITEM 3: Coastal Development Permit CDP20-0018 to reconstruct an existing guardhouse at the Monarch Bay residential community entrance and associated improvements in and adjacent to the community recreation area, and Minor Site Development Permit SDP21-0008(M) to permit freestanding and retaining walls to exceed maximum height limits located at 32581 Monarch Bay Drive and adjoining parcels

Applicant: FoxLin Architects and Summers/Murphy & Partners, Inc.

Address: 32581 Monarch Bay Drive (recreation area) and near the intersection of Pacific Coast Highway and Monarch Bay Drive/Crown Valley Parkway (guardhouse -no sites address) Association), (APN(s): 670-131-13, -14, and -15).

Request: A request to permit the demolition and reconstruction of an existing guardhouse at the Monarch Bay residential community entrance, and improvements to the adjacent community recreation area. Additionally, a request to permit various freestanding and retaining walls exceeding maximum height limits when located in required yard areas or visible from the

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right-of-way. Associated improvements include remodeled sport courts, enclosures and their adjacent recreation areas, and facilities, and rehabilitated landscaping and hardscaping on the subject sites.

Recommendation: That the Planning Commission adopt the draft resolution approving Coastal Development Permit CDP20-0018 and Minor Site Development Permit SDP21-0008(M).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15302 of the CEQA Guidelines (Class 2 –Replacement or Reconstruction of Existing Structures and Facilities) since the project consists of the construction of a freestanding wall and associated appurtenant structures.

Danny Giometti (Interim Senior Planner) provided a presentation and answered questions from the Planning Commission.

PUBLIC COMMENTS

Mike Mann (Summers/Murphy & Partners, Inc.) answered questions from the Planning Commission on landscape.

ACTION: Motion made by Commissioner Opel, seconded by Commissioner Gabbard, to approve Coastal Development Permit CDP20-0018 to reconstruct an existing guardhouse at the Monarch Bay residential community entrance and associated improvements in and adjacent to the community recreation area, and Minor Site Development Permit SDP21-0008(M) to permit freestanding and retaining walls to exceed maximum height limits located at 32581 Monarch Bay Drive and adjoining parcels. Motion carried 4-0-1.

AYES: Nelson, Dohner, Opel, Gabbard
NOES: None
ABSENT: Murphy
ABSTAIN: None

E. OLD BUSINESS

ITEM 4: Short-Term Rental Subcommittee Update

Brenda Wisneski (Director of Community Development) stated that City Council reviewed the Planning Commission's recommendation to update business regulations.

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City Council provided staff recommended changes to the ordinance that will be brought back to the next City Council meeting. She also commented that the Subcommittee met to discuss Phase Two and the best way to efficiently pursue development of the pilot program.

Chair Nelson commented that he attended the City Council meeting on behalf of the Subcommittee, and it was a good discussion. He believes the next phase will be a challenging one with a lot of interested parties with varying opinions, and he looks forward to working with Vice-Chair Dohner and Staff.

Vice-Chair Dohner stated he was pleased that Chair Nelson represented the Subcommittee at the meeting. He mentioned we have one set of regulations for all residential housing in Dana Point and the Coastal Commission area does not have a separate type of zoning, emphasizing that what is adopted is adopted over all of Dana Point. Chair Nelson wished to reiterate that short-term rentals will be required based on the influence of the Coastal Commission.

F. NEW BUSINESS

ITEM 5: Doheny Village Zoning District Update Draft EIR Community Workshop

Applicant: City of Dana Point

Address: Doheny Village

Recommendation: That the Planning Commission conduct a community workshop on the Doheny Village Zoning Code Update Draft Environmental Impact Report (EIR) which shall include a staff/consultant presentation, Commissioner questions and comments, as well as public comments.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15306 (Class 6 – Information Collection) in that the project involves basic data collection, research, and information gathering purposes leading to an action which a public agency has not yet approved or adopted.

Belinda Deines (Principal Planner) and **Eddie Torres** (Michael Baker International Consultant) provided a presentation and answered questions from the Planning Commission.

G. STAFF REPORTS

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There were no Staff Reports.

H. COMMISSIONER COMMENTS

There were no Commissioner Comments.

I. ADJOURNMENT

Chair Nelson adjourned the meeting at 7:21 p.m. The *next* Regular Meeting of the Planning Commission will be held on Monday, May 24, 2021 in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

Eric Nelson, Planning Commission