

CITY OF DANA POINT

Monday
October 25, 2021
6:00 p.m.



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

PLANNING COMMISSION REGULAR MEETING AGENDA

REVISED SAFETY ALERT (EFFECTIVE AS OF JUNE 2, 2020)

AS A RESULT OF THE COVID-19 VIRUS, AND RESULTING ORDERS AND DIRECTION FROM THE PRESIDENT OF THE UNITED STATES, THE GOVERNOR OF THE STATE OF CALIFORNIA, AND THE ORANGE COUNTY HEALTH CARE AGENCY, AS WELL AS THE CITY OF DANA POINT EMERGENCY DECLARATION, THE PUBLIC HAS NOT BEEN PERMITTED TO PHYSICALLY ATTEND DANA POINT PLANNING COMMISSION MEETINGS SINCE MID MARCH, 2020. AS COVID-19 RELATED RESTRICTIONS EASE, THE PUBLIC WILL NOW BE ALLOWED TO ATTEND PLANNING COMMISSION MEETINGS PROVIDED SOCIAL DISTANCING GUIDELINES ARE FOLLOWED. THESE GUIDELINES WILL RESULT IN VERY LIMITED OPPORTUNITIES, ON A FIRST COME BASIS, FOR THE PUBLIC TO OBSERVE THE PLANNING COMMISSION MEETING FROM THE FOYER WHICH IS ADJACENT TO THE COUNCIL CHAMBER AND TO ENTER THE CHAMBER TO MAKE PUBLIC COMMENTS. MEMBERS OF THE PLANNING COMMISSION MAY CONTINUE TO PARTICIPATE IN MEETINGS TELEPHONICALLY IF THEY CHOOSE PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20.

PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY OR BY MAIL. IF YOU CHOOSE TO ATTEND THE MEETING AND WISH TO DELIVER PUBLIC COMMENT IN PERSON, YOU ARE ENCOURAGED TO WEAR FACE COVERINGS AND MAINTAIN SOCIAL DISTANCING. TEMPERATURE SCREENINGS ARE MANDATORY FOR ALL PERSONS ENTERING CITY HALL. CITY STAFF IN ATTENDANCE AT THE MEETING WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS WHEN PUBLIC COMMENT IS OPEN. THERE WILL BE LIMITED SPACE AT THE PLANNING COMMISSION MEETING FOR MEMBERS OF THE PUBLIC TO SIT OR STAND TO OBSERVE THE MEETING LIVE FROM THE FOYER ADJACENT TO THE COUNCIL CHAMBER. IF THAT SPACE IS EXCEEDED, PERSONS WISHING TO PRESENT PUBLIC COMMENT IN PERSON WILL BE PERMITTED TO LINE UP OUTSIDE AND WILL BE ALLOWED TO SPEAK. AFTER SPEAKING, HOWEVER, THEY WILL BE REQUIRED TO GO BACK OUTSIDE UNLESS ONE OF THE LIMITED SPOTS INSIDE THE FOYER BECOME AVAILABLE. MEMBERS OF THE PUBLIC WILL BE REQUIRED TO FOLLOW STAFF'S DIRECTIONS. ALTERNATIVELY, YOU MAY SUBMIT COMMENTS ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO "PLANNING COMMISSION" 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO COMMENT@DANAPPOINT.ORG. ALL COMMENTS RECEIVED BY 4:00 P.M. ON THE DATE OF THE MEETING WILL BE PROVIDED TO THE PLANNING

COMMISSION IN ADVANCE TO ALLOW TIME FOR THE COMMISSIONERS TO READ THEM. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES, MAILED OR EMAILED COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING (ALTHOUGH ALL COMMENTS WHENEVER RECEIVED WILL BE SHARED WITH THE COMMISSIONERS). EMAILS SHOULD INCLUDE "PUBLIC COMMENT" AND THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE THE AGENDA ITEM NUMBER, IF APPLICABLE. MAILED COMMENTS SHOULD PROMINENTLY INCLUDE A SIMILAR REFERENCE AT THE TOP OF THE FIRST PAGE. MAILED AND EMAILED COMMENTS WILL NOT BE READ BY THE CHAIR DURING THE MEETING, BUT WILL BE INCLUDED IN THE RECORD.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Chair Eric Nelson, Vice-Chair Roy Dohner, Commissioner Mary Opel, Commissioner John Gabbard

ITEM 1: Swearing-In Ceremony for Commissioner Ashok Dhingra

A: APPROVAL OF MINUTES

ITEM 2: Minutes of the Regular Planning Commission Meeting September 27, 2021

B. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15 minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

C. CONSENT CALENDAR

ITEM 3: Withdrawal of the Appeal and Director's Determination of substantial compliance for Tentative Parcel Map TPM20-0002, Variance V20-0003, Minor Site Development Permit SDP20-0014(M), and Administrative Modifications of the Standards AMS21-0001 for a triplex condominium that exceeds the maximum height for the Zoning District, retaining walls with increased height, and a reduction in the required common open space

Applicant: Robert Williams, Studio 6 Architects

Address: 25022 Selva Road (APN: 682-123-38)

Recommendation: That the Planning Commission receive and file the Community Development Director's substantial compliance determination for the Selva Triplex.

Staff Contact Information: Johnathan Ciampa (Senior Planner)
Email: jciampa@danapoint.org
Phone: (949) 248-3591

D. PUBLIC HEARING

ITEM 4: Coastal Development Permit CDP21-0007/Site Development Permit SDP21-0019/Minor Conditional Use Permit CUP21-0008(M) for a new 57 room hotel, 4,000 square foot restaurant space with outdoor dining, 40-bed hostel, visitor center, retaining walls greater than 30 inches in height, and tandem parking for employees/valet, Wave Resort (Headlands Commercial Site)

Applicant: Headlands Investments, LLC (Owner)/Stoutenborough Inc.
(Applicant/Architect)

Address: 34075 Pacific Coast Highway (APNs: 672-592-13, 672-592-14, and 672-592-15)

Request: A request for a new 57 room hotel, 4,000 square foot restaurant space with outdoor dining, 40-bed hostel, visitor center, retaining walls greater than 30 inches in height visible from the public right-of-way, and tandem parking for employees/valet at 34075 Pacific Coast Highway (Headlands Commercial Site) within the coastal zone.

Recommendation: That the Planning Commission adopt the draft resolution approving Coastal Development Permit CDP21-0007/Site

Development Permit SDP21-0019/Minor Conditional Use Permit CUP21-0008(M) (Action Document 1).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), this project is Categorically Exempt per Section 15332 (Class 32-In-Fill Development Projects). CEQA guidelines-Section 15332 "In-fill Development Projects" qualifies for in-fill development projects on lots that are 5 acres or less, surrounded by urban uses, and do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources are Categorically Exempt from the provisions of CEQA. The proposed project meets the necessary conditions to qualify for this exemption. Further, under Public Resource Code Section 2116 and 14 Cal. Code of Regulations Section 15162 the City cannot require additional CEQA review of this project as a Master Environmental Impact Report (EIR) was prepared for the Headlands Development and Conservation Plan (HDCP) and the project is within the scope of that EIR.

Staff Contact Information: Johnathan Ciampa (Senior Planner)
Email: jciampa@danapoint.org
Phone: (949) 248-3591

E. OLD BUSINESS

ITEM 5: Public Art Component for Prado West Mixed-Use Project

Applicant: Dylan Barreira, Raintree Partners

Address: 34135 Pacific Coast Highway/34201 Amber Lantern/24471 Del Prado (Building 1);
34137 Pacific Coast Highway/34200 Amber Lantern/24501 Del Prado (Building 2); and
34155 Pacific Coast Highway/34185 Violet Lantern/24591 Del Prado (Building 3).

Request: Approval of the public art component of the Prado West Mixed-Use project.

Recommendation: That the Planning Commission adopt the draft Resolution approving the proposed public art components for the Prado West Mixed-Use project.

Environmental: Pursuant to Section 15061 (b)(3) the proposed activity will cause no significant effect on the environment and is therefore not subject to the California Environmental Quality Act (CEQA).

Staff Contact Information: Brenda Wisneski (Community Development Director)
Email: bwisneski@danapoint.org
Phone: (949) 248-3560

ITEM 6: Short-Term Rental Subcommittee Update

F. NEW BUSINESS

ITEM 7: A request for Historical Resource Designation and participation in the Mills Act Program at 24422 Santa Clara (Historic Resource Application HRA21-0001)

Applicant: Edward and Kathleen Lambert

Address: 24422 Santa Clara (APN 682-071-12)

Request: The applicants seek to have a residential structure placed on the Dana Point Historic Resource Register. The applicants also request a recommendation to enter into an agreement with the City for participation in the Mills Act Program.

Recommendation: That the Planning Commission adopt a Resolution designating the residential structure located at 24422 Santa Clara as a locally significant historical structure on the City's Historic Register and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act Program.

Environmental: The designation of the property on the Dana Point Historic Resource Register is not a project pursuant to the California Environmental Quality Act (CEQA) as there is no possible effect to the environment via this designation.

Staff Contact Information: Johnathan Ciampa (Senior Planner)
Email: jciampa@danapoint.org
Phone: (949) 248-3591

G. STAFF REPORTS

H. COMMISSIONER COMMENTS

I. ADJOURNMENT

The *next* Regular Meeting of the Planning Commission will be held on November 22, 2021, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chambers located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Brenda Wisneski, Community Development Director of the City of Dana Point, do hereby certify that on or before October 21, 2021, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, and the Dana Point Post Office, and the Dana Point Library.



Brenda Wisneski, Director
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.