

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

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October 25, 2021  
6:02 p.m. – 7:06 p.m.

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

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**CALL TO ORDER REGULAR MEETING**

Chair Nelson called the Regular Meeting of the Dana Point Planning Commission to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE**

**Commissioner Opel** led the Pledge of Allegiance.

**ROLL CALL**

Planning Commission Members Present: Chair Eric Nelson, Commissioner Mary Opel, Commissioner John Gabbard, Commissioner Ashok Dhingra

Planning Commission Members Absent: Vice-Chair Dohner

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Johnathan Ciampa (Senior Planner), and Allison Peterson (Management Analyst)

**ITEM 1: Swearing-In Ceremony for Commissioner Ashok Dhingra**

Swearing-in was done prior to the meeting. No action required.

**A: APPROVAL OF MINUTES**

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

**ACTION:** Motion made by Commissioner Opel, seconded by Commissioner Gabbard, to approve the Minutes of the Regular Planning Commission Meeting of September 27, 2021. Motion carried 3-0-2.

**AYES:** Nelson, Opel, Gabbard  
**NOES:** None  
**ABSENT:** Dohner  
**ABSTAIN:** Dhingra

**B. PUBLIC COMMENTS**

There were no Public Comments.

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**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.

**Johnathan Ciampa** (Senior Planner) provided a presentation and answered questions from the Planning Commission.

**PUBLIC COMMENTS**

There were no Public Comments.

**ACTION: Motion made by Commissioner Gabbard, seconded by Commissioner Opel, to approve the Consent Calendar. Motion carried 4-0-1.**

**AYES:** Nelson, Opel, Gabbard, Dhingra

**NOES:** None

**ABSENT:** Dohner

**ABSTAIN:** None

**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, 52-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)

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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, 52-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.

**Johnathan Ciampa** (Senior Planner) provided a presentation and answered questions from the Planning Commission.

## **PUBLIC COMMENTS**

**Rick Erkeneff** (Dana Point) spoke in opposition of the project.

**Todd Stoutenborough** (Applicant) spoke in favor of the project.

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**ACTION:** Motion made by Chair Nelson, seconded by Commissioner Opel, to approve 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, 52-bed hostel, visitor center, retaining walls greater than 30 inches in height, and tandem parking for employees/valet, Wave Resort (Headlands Commercial Site), with the conditions to modify condition 27 to reflect correct date and remove condition 31. Motion carried 3-1-1.

**AYES:** Nelson, Opel, Dhingra  
**NOES:** Gabbard  
**ABSENT:** Dohner  
**ABSTAIN:** None

**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).

**Dylan Barreira** (Raintree Partners) provided a presentation and answered questions from the Planning Commission.

**PUBLIC COMMENTS**

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There were no Public Comments.

**ACTION: Motion made by Commissioner Opel, seconded by Commissioner Gabbard, to adopt the draft Resolution approving the proposed public art components for the Prado West Mixed-Use project, with correction to the resolution to reflect the Prado West Mixed-Use project on page 1. Motion carried 4-0-1.**

**AYES:** Nelson, Opel, Gabbard, Dhingra  
**NOES:** None  
**ABSENT:** Dohner  
**ABSTAIN:** None

**ITEM 6: Short-Term Rental Subcommittee Update**

**Brenda Wisneski** (Director of Community Development) stated the next meeting will be canceled and instead the STR Subcommittee will conduct a virtual Short-Term Rental Public Meeting. She stated a postcard went out to the community, and that a summary of the discussion will be brought back to the Planning Commission. There will also be a recording of the meeting posted to the Dana Point website after the fact.

**Eric Nelson** (Chair) questioned if Planning Commissioners would be allowed to participate if they are not on the Short-Term Rental Subcommittee.

**Brenda Wisneski** (Director of Community Development) confirmed only Planning Commissioners that on the Short-Term Rental Subcommittee would be allowed to attend due to the recent passing of Bill AB361.

**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

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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.

**Johnathan Ciampa** (Senior Planner) provided a presentation and answered questions from the Planning Commission.

### **PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Commissioner Gabbard, seconded by Chair Nelson, to approve Historical Resource Designation and participation in the Mills Act Program at 24422 Santa Clara (Historic Resource Application HRA21-0001). Motion carried 4-0-1.

**AYES:** Nelson, Opel, Gabbard, Dhingra  
**NOES:** None  
**ABSENT:** Dohner  
**ABSTAIN:** None

### **G. STAFF REPORTS**

There were no Staff Reports.

### **H. COMMISSIONER COMMENTS**

**Commissioner Opel** mentioned attending the car show with her son and said there was a huge turn out and it was enjoyable.

**Commissioner Dhingra** stated that he is looking forward to working with fellow Commissioners, Staff, and Council. He said he was grateful that Chair Nelson took time to meet with him prior.

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**I. ADJOURNMENT**

Chair Nelson adjourned the meeting at 7:06 p.m. The *next* Regular Meeting of the Planning Commission will be held on Monday, November 22, 2021 in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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Eric Nelson, Planning Commission