

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

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July 25, 2022  
6:00 pm – 6:27 pm

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

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**CALL TO ORDER REGULAR MEETING**

**Chair Gabbard** called the Regular Meeting of the Dana Point Planning Commission to order at 6:00 pm.

**PLEDGE OF ALLEGIANCE**

**Danny Giometti** led the Pledge of Allegiance.

**ROLL CALL**

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

Planning Commission Members Absent: Commissioner Roy Dohner

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

**ITEM 1: Minutes of the Regular Planning Commission Meeting July 11, 2022**

**ACTION:** Motion made by Commissioner Nelson, seconded by Vice-Chair Dhingra, to approve the Minutes of the Regular Planning Commission Meeting of July 11, 2022, with correction to term used in Vice-Chair Dhingra's Commissioner Comment. Motion carried 4-0-1.

<b>AYES:</b>	Gabbard, Dhingra, Nelson, Opel
<b>NOES:</b>	None
<b>ABSENT:</b>	Dohner
<b>ABSTAIN:</b>	None

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARINGS**

**Chair Gabbard** motioned for Item 3 to be held prior to Item 2.

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**ITEM 2:** Coastal Development Permit CDP21-0013 and Tentative Parcel Map TPM21-0002 approving the subdivision of a residential lot located at 35291 Camino Capistrano; and

Coastal Development Permit CDP21-0012 approving the demolition of an existing single-family dwelling and the construction of a single-family dwelling on a lot located at 35301 Camino Capistrano.

Applicant: Jonsson and Foerstel Architects

Location: 35291 and 35301 Camino Capistrano  
(APN: 691-182-07 & 08)

Request: A request to approve a subdivision to divide a coastal bluff lot into two separate coastal bluff lots located at 35291 Camino Capistrano.

A request to approve the demolition of an existing single-family dwelling and the construction of a new single-family dwelling on a coastal bluff lot located at 35301 Camino Capistrano.

Recommendation: That the Planning Commission adopt the resolutions approving:

- 1) Coastal Development Permit (CDP21-0013) and Tentative Parcel Map (TPM21-0002) authorizing the subdivision of a coastal bluff lot located at 35291 Camino Capistrano, and
- 2) Coastal Development Permit (CDP21-0012) authorizing the demolition of an existing single-family dwelling and construction of a single-family dwelling on the coastal bluff lot located at 35301 Camino Capistrano.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Sections 15303 & 15315 of the CEQA Guidelines (Classes 3 and 15) since the project includes the subdivision and lot line adjustment of a vacant residentially zoned lot and the construction of a SFD on a residentially zoned lot and.

**Danny Giometti** (Senior Planner) provided a staff report and answered questions from the Commissioners.

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**PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Commissioner Nelson, seconded by Vice-Chair Dhingra, to approve Coastal Development Permit CDP21-0013 and Tentative Parcel Map TPM21-0002 approving the subdivision of a residential lot located at 35291 Camino Capistrano. Motion carried 4-0-1.

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

Motion made by Commissioner Opel, seconded by Commissioner Nelson, to approve Coastal Development Permit CDP21-0012 approving the demolition of an existing single-family dwelling and the construction of a single-family dwelling on a lot located at 35301 Camino Capistrano, with the condition the Owner remove and replace the existing chain link perimeter fence with an approved alternative material. Motion carried 4-0-1.

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

**ITEM 3:** Variance V20-0002; Minor Site Development Permit SDP22-0011(M) and Variance V22-0001; Minor Site Development Permit SDP22-0012(M) located at 34456 Via Gomez Lots 30 and 31: A request to allow the construction of two single-family dwellings exceeding the maximum allowable building height, each to include a roof deck, and each located on a separate lot.

Applicant: John Salat

Location: 34456 Via Gomez (Lot 30 and 31)

Request: Continue the item to August 8, 2022

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303 of the CEQA Guidelines (Class 3 Construction or Conversion of Small Structures) since

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the project consists of the construction of new SFD's with roof decks.

**Brenda Wisneski** (Director of Community Development) requested the item be continued to the Planning Commission Meeting scheduled for August 8, 2022.

**PUBLIC COMMENT**

**Ricardo Garcia** (Dana Point) spoke in opposition of the project.

**ACTION:** Motion made by Vice-Chair Dhingra, seconded by Commissioner Nelson, to continue item to the Planning Commission Meeting scheduled for August 8, 2022. Motion carried 4-0-1.

<b>AYES:</b>	Gabbard, Dhingra, Nelson, Opel
<b>NOES:</b>	None
<b>ABSENT:</b>	Dohner
<b>ABSTAIN:</b>	None

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

There was no New Business.

**G. STAFF REPORTS**

**Brenda Wisneski** (Director of Community Development) updated the Planning Commission on the progress of the Short-Term Rental Program, saying City Council met on July 12th and July 19th. She stated the Coastal Development Permit was approved to allow STRs in the Coastal Zone and is currently in the appeal period with the Coastal Commission. The deadline to submit an appeal to the Coastal Commission is July 27, 2022, at 5:00pm. She confirmed that any aggrieved party or the Coastal Commission can submit an appeal.

**H. COMMISSIONER COMMENTS**

**Commissioner Nelson** commented that he used the City trolley and had a great time at the Concert in the Park. He gave kudos to the City's Recreation Department.

**Chair Gabbard** stated he also had a great time at the concert.

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**I. ADJOURNMENT**

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**Chair Gabbard** adjourned the meeting at 6:27 pm. The *next* Regular Meeting of the Planning Commission will be held on Monday, August 8, 2022, in the City Council Chambers, located at 33282 Golden Lantern, Suite 210, Dana Point, California.



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John Gabbard, Planning Commission Chair