

# CITY OF DANA POINT

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Monday  
February 13, 2023  
6:00 p.m.



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

## **PLANNING COMMISSION REGULAR MEETING AGENDA**

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### **REVISED SAFETY ALERT (EFFECTIVE AS OF MARCH 1, 2022)**

**AS COVID-19 RELATED RESTRICTIONS ARE UPDATED, THE PUBLIC WILL 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 COUNCIL CHAMBER AND ADJACENT FOYER. MEMBERS OF THE PUBLIC MAY CHOOSE TO WATCH A RECORDING OF THE PLANNING COMMISSION MEETING ON THE CITY'S YOUTUBE CHANNEL.**

**PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY, OR BY MAIL. CITY STAFF WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS DURING PUBLIC COMMENT AND MANAGING AVAILABLE SEATING CAPACITY THROUGHOUT THE MEETING. THEIR DIRECTIONS MUST BE FOLLOWED. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES AND PROVIDED TO PLANNING COMMISSION PRIOR TO THE MEETING, COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING. ALL COMMENTS, WHENEVER RECEIVED, WILL BE SHARED WITH THE PLANNING COMMISSIONERS. EMAILS SHOULD INCLUDE "PUBLIC COMMENT", THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE TO 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 SENIOR ADMINISTRATIVE ASSISTANT DURING THE MEETING BUT WILL BE INCLUDED IN THE RECORD.**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

**ROLL CALL** Chair Ashok Dhingra, Vice-Chair Mary Opel, Commissioner Roy Dohner, Commissioner Eric Nelson, Commissioner Abigail Margolle

**A: APPROVAL OF MINUTES**

**ITEM 1: [Minutes of Regular Planning Commission from January 9, 2023](#)**

**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 2: [One-year extension of the Tentative Tract Map TTM 18164 to consolidate the underlying legal lots associated with the demolition of an existing restaurant and construction of a new 100-room resort hotel with a restaurant, café, spa, and associated parking, at 34344 Green Lantern.](#)**

Applicant: David Davutoglu, Managing Member Berk Workshop, LLC

Location: 34344 Green Lantern (APN: 672-232-06)

Request: A one-year time extension of Tentative Tract Map TTM 18164 to consolidate the underlying legal lots associated with the demolition of an existing restaurant and construction of a new 100-room resort hotel, with a restaurant, café, spa, and associated parking.

Recommendation: That the Planning Commission approve a one-year time extension for Tentative Tract Map TTM 18164 subject to all applicable conditions of Planning Commission Resolution No. 18-06-11-17.

Staff Contact Information: Kurth Nelson (Principal Planner)  
Email: [knelson@danapoint.org](mailto:knelson@danapoint.org)  
Phone: (949) 248-3572

**D. PUBLIC HEARING**

**ITEM 3:** Coastal Development Permit CDP22-0022 to construct a 9,551 square-foot, two story, single-family dwelling with an attached 2,313 square-foot multi-vehicle garage and a Minor Site Development Permit SDP22-0029(M) to allow multiple freestanding and retaining walls located within the required setback areas to exceed 42-inches and 30-inches in height, respectively, at 1 Monarch Cove.

Applicant: Casa Arte Group

Location: 1 Monarch Cove (APN: 672-461-20)

Request: Approval of Coastal Development Permit and Site Development Permit to construct a single-family dwelling and multiple walls within a residential single-family zone, Coastal Overlay District, and the Appeals Jurisdiction of the California Coastal Commission.

Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP22-0022 and SDP22-0029(M).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(a) (Class 3 – New Construction) in that the project involves construction a single-family dwelling and multiple retaining walls in a residential zone.

Staff Contact Information: Danny Giometti (Senior Planner)  
Email: [dgiometti@danapoint.org](mailto:dgiometti@danapoint.org)  
Phone: (949) 248-3569

**ITEM 4:** Appeal of the Community Development Director's determination that establishment of an Accessory Dwelling Unit (ADU) at 34101 Alcazar violates the Dana Point Municipal Code.

Appellant: Tobias Ullman

Property Owner: Maryam Gerami

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Location: 34101 Alcazar (APN: 682-294-16)

Request: That the item be pulled from the agenda.

Recommendation: It is recommended that the item be brought back at a later time after it is re-noticed.

Environmental: The California Environmental Quality Act (CEQA) does not apply to items pulled from the agenda.

Staff Contact Information: Danny Giometti (Senior Planner)  
Email: [dgiometti@danapoint.org](mailto:dgiometti@danapoint.org)  
Phone: (949) 248-3569

**E. OLD BUSINESS**

**F. NEW BUSINESS**

**ITEM 5: "Plan Dana Point" – General Plan Visioning Introduction**

Applicant: City of Dana Point

Location: Citywide

Recommendation: That the Planning Commission provide feedback on the proposed Community Engagement Program and General Plan visioning and receive and file the presentation from RRM Design Group.

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 resource evaluation activities strictly for information gathering purposes.

Staff Contact Information: Belinda Deines (Principal Planner)  
Email: [bdeines@danapoint.org](mailto:bdeines@danapoint.org)  
Phone: (949) 248-3570

**G. STAFF REPORTS**

**H. COMMISSIONER COMMENTS**

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**I. ADJOURNMENT**

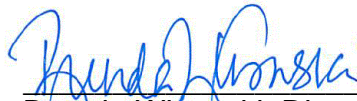
The *next* Regular Meeting of the Planning Commission will be held on February 27, 2023, beginning at 6:00 p.m. (or as soon thereafter) at the Dana Point Community Center located at 34052 Del Obispo Street, Dana Point, California.

**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 February 9, 2023, 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, Dana Point Post Office, and the Dana Point Library.



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Brenda Wisneski, Director  
Community Development Department

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH A DISABILITY WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A MEETING, INCLUDING AUXILIARY AIDS OR SERVICES, MAY REQUEST SUCH MODIFICATION OR ACCOMMODATION FROM THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563 (TELEPHONE) OR (949) 248-9920 (FACSIMILE). NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.