

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

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January 22, 2024  
6:00 pm – 6:37 pm

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

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**CALL TO ORDER REGULAR MEETING**

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

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

Planning Commission Members Absent: Commissioner Deana Christakes

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), John Ciampa (Principal Planner), Natalie Tran (Assistant Planner) and Martha Ochoa (Management Analyst)

**A. APPROVAL OF MINUTES**

**ITEM 1:**     MINUTES OF REGULAR PLANNING COMMISSION FROM  
NOVEMBER 27, 2023

**ACTION:**     **Motion made by Commissioner Nelson, seconded by Vice-Chair Opel, to approve the Minutes of the Regular Planning Commission Meeting of November 27, 2023. Motion carried 3-0-1.**

**AYES:**       Opel, Boughen, Nelson  
**NOES:**       None  
**ABSENT:**     Christakes  
**ABSTAIN:**   Dhingra

**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 4 was moved up on the agenda by Chair Dhingra.

**ITEM 4:     ZONE CHANGE ZC23-0001 AND ZONE TEXT AMENDMENT ZTA07-01 TO ESTABLISH A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRDO) DISTRICT AND ASSOCIATED DEVELOPMENT STANDARDS, TENTATIVE TRACT MAP TTM 16970 TO SUBDIVIDE THE 1.99-ACRE PARCEL INTO 11 NUMBERED AND ONE (1) LETTERED LOTS, AND SITE DEVELOPMENT PERMIT SDP07-06 TO: (1) ALLOW THE CONSTRUCTION OF 11 THREE-STORY, SINGLE-FAMILY DWELLINGS LOTS, (2) FOR RESIDENTIAL STRUCTURES IN A HILLSIDE CONDITION AND (3) FOR ROOF DECKS, AND TO ALLOW (4) SITE RETAINING WALLS THIRTY (30) INCHES OR GREATER IN HEIGHT AT ASSESSOR'S PARCEL NUMBER 691-401-37**

Applicant:             Bruno and Beatrice Del Bianco

Location:            Assessor's Parcel No.: 691-401-37 (south of the intersection Camino Capistrano/Via Canon

Request:             A request to establish a Planned Residential Development Overlay District at the subject parcel by changing the Zoning Map from Residential Single Family 7 to Planned Residential Development 28, and adding development regulations for Planned Residential Development (PRD) 28 to Appendix B of the Dana Point Zoning Code (DPZC), with corresponding requests for a tentative tract map to subdivide the subject site into 11 numbered and one (1) lettered lots consistent with the proposed PRD 28 development standards, and accompanying Site Development Permits to allow the construction of a three-story, single-family dwelling on each of the 11 proposed lots that contain a hillside condition per DPZC Section 9.05.110(a)(4), each with roof decks in accordance with DPZC Section 9.05.230, and for site retaining walls thirty (30) inches or greater in height per DPZC Section 9.05.120(d)(2) and incumbent upon City Council approval of ZTA07-01 and ZC23 0001.

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Recommendation: That the Planning Commission continue the item to the April 8, 2024, Planning Commission Meeting.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects) California Code of Regulations. Section 32 of the CEQA Guidelines stipulates that projects that are consistent with the applicable general plan and zoning regulations, and that are less than five acres and substantially surrounded by urban uses with no habitat value, and would result in no significant effects relating to traffic, noise, air or water quality and can be served by all required utilities and public services are categorically exempt from CEQA.

**Brenda Wisneski** (Director of Community Development) provided brief comments.

**PUBLIC COMMENTS**

**Mary Ellen Murphy** (Dana Point) inquired about the project.

**Steve Budman** (Capistrano Beach) inquired about access to the project.

**ACTION:** Motion made by Vice-Chair Opel, seconded by Commissioner Boughen, to continue the item to the April 8, 2024, Planning Commission Meeting. Motion carried 4-0-0.

**AYES:** Dhingra, Opel, Boughen, Nelson

**NOES:** None

**ABSENT:** Christakes

**ABSTAIN:** None

**ITEM 2:** COASTAL DEVELOPMENT PERMIT CDP22-0001, SITE DEVELOPMENT PERMIT SDP22-0001, VARIANCE V23-0001 AND ADMINISTRATIVE MODIFICATION OF STANDARDS AMS23-0004 TO CONSTRUCT A NEW 2,627 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH A 1,025 SQUARE FOOT ATTACHED GARAGE, AND BALCONIES AT 35665 BEACH ROAD

Applicant: David Gutierrez, Project Manager

Location: 35665 Beach Road (APN: 691-162-15)

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Request:

Approval of Coastal Development Permit CDP22-0001, Site Development Permit SDP22-0001, Variance V23-0001, and Administrative Modification of Standards AMS23-0004 to demolish an existing single-family dwelling and construct a new 2,627 square-foot two-story, single-family dwelling with a lower level 1,025 square foot garage, Variance for a reduced first and second-floor setback to six feet from the front property line, Administrative Modification of Standards is requested to allow stairs to be located seven feet, nine inches from the front property line for the property located within the City's Floodplain Overlay District, Coastal Overlay District, and the Appeals Jurisdiction of the California Coastal Commission.

Recommendation:

That the Planning Commission adopt the resolution approving Coastal Development Permit CDP22-0001, Site Development Permit SDP22-0001, Variance V23-0001, and Administrative Modification of Standards AMS23-0004.

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 the construction of a new house in a residential zone.

**John Ciampa** (Principal Planner) provided a staff report and answered questions from the Planning Commissioners.

**PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Commissioner Nelson, seconded by Vice-Chair Opel, to adopt the resolution approving Coastal Development Permit CDP22-0001, Site Development Permit SDP22-0001, Variance V23-0001, and Administrative Modification of Standards AMS23-0004. Motion carried 3-1-0.

**AYES:** Dhingra, Opel, Nelson  
**NOES:** Boughen  
**ABSENT:** Christakes  
**ABSTAIN:** None

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**ITEM 3: COASTAL DEVELOPMENT PERMIT CDP23-0037 TO PERMIT A 205-SQUARE-FOOT ADDITION TO A ONE-STORY, SINGLE-FAMILY DWELLING LOCATED AT 224 MONARCH BAY DRIVE**

Applicant: Eric Trabert & Associates

Location: 224 Monarch Bay Drive (APN: 670-111-16)

Request: A request to permit additions totaling 205-square feet to a one story, single-family dwelling located within the Monarch Bay community and the appealable area of the Coastal Overlay District. Pursuant to Dana Point Zoning Code (DPZC) Section 9.69.040(b)(2)(B), for structures located within the Appeals Jurisdiction of the California Coastal Commission, an increase in the floor area in any amount when improvements to the structure have previously been exempted in compliance with this subsection, may be permitted subject to the approval of a Coastal Development Permit.

Recommendation: That the Planning Commission adopt the draft Resolution approving Coastal Development Permit CDP23-0037.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301(e)(1) (Class 1 – Existing Facilities) since the project consists of an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less.

**Natalie Tran** (Assistant Planner) provided a staff report and answered questions from the Planning Commissioners.

**PUBLIC COMMENTS**

There were no Public Comments.

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**ACTION:** Motion made by Commissioner Boughen, seconded by Vice-Chair Opel, to adopt the draft Resolution approving Coastal Development Permit CDP23-0037. Motion carried 4-0-0.

**AYES:** Dhingra, Opel, Boughen, Nelson

**NOES:** None

**ABSENT:** Christakes

**ABSTAIN:** 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) introduced Deanna Despot, new Senior Administrative Assistant.

**H. COMMISSIONER COMMENTS**

**Commissioner Nelson** commented on the first General Plan Advisory Committee meeting scheduled for January 23, 2024 taking place at the Dana Point Community Center.

**I. ADJOURNMENT**

**Chair Dhingra** adjourned the meeting at **6:37 pm**. The *next* Regular Meeting of the Planning Commission will be held on Monday, February 12, 2024, 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.

  
Ashok Dhingra, Planning Commission Chair