

CITY OF DANA POINT

Monday
April 22, 2024
6:00 p.m.



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

PLANNING COMMISSION REGULAR MEETING AGENDA

PUBLIC COMMENT MAY BE PROVIDED IN-PERSON, ELECTRONICALLY, OR BY MAIL ATTN: PLANNING DEPARTMENT, 33282 GOLDEN LANTERN, DANA POINT, CA 92629. IN ORDER TO BE PROVIDED TO THE PLANNING COMMISSIONERS *PRIOR* TO THE MEETING, COMMENTS MUST BE RECEIVED BY 4:00P.M. ON THE DAY OF THE MEETING. ALL WRITTEN COMMENTS SHOULD INCLUDE THE DATE OF THE MEETING AS WELL AS REFERENCE TO THE AGENDA NUMBER, IF APPLICABLE. WRITTEN COMMENTS WILL NOT BE READ ALOUD DURING THE MEETING BUT WILL BE INCLUDED IN THE MEETING RECORD.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Chair Mary Opel, Vice-Chair Eric Nelson, Commissioner Luke Boughen, Commissioner Deana Christakes, Commissioner Ashok Dhingra

A. APPROVAL OF MINUTES

ITEM 1: [MINUTES OF REGULAR PLANNING COMMISSION FROM APRIL 8, 2024](#)

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.

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING AGENDA**

April 22, 2024
6:00 p.m.

PAGE 2

C. CONSENT CALENDAR

D. PUBLIC HEARING

ITEM 2: COASTAL DEVELOPMENT PERMIT CDP24-0008 TO ESTABLISH HOURS OF PUBLIC ACCESS FOR THE HEADLANDS CONSERVATION PARK TRAIL SYSTEM

Applicant: City of Dana Point

Owner: City of Dana Point

Location: Dana Point Headlands Conservation Park (Planning Area 7) (APN: 672-591-11)

Request: A request to Establish Hours of Public Access for the Dana Point Headlands Conservation Park Trail System within the Coastal Overlay District and the Appeals Jurisdiction of the California Coastal Commission. Because the subject action affects public access, a Coastal Development Permit is required.

Environmental: Pursuant to the provisions of the California Environmental Quality Act (CEQA), Environmental Impact Report (SCH#2001071015) (the "EIR") was prepared and certified for the Headlands Development project. Furthermore, the establishment of hours of the public access to the trail system is found to be Categorically Exempt per Section 15323 (Class 23 – Normal Operations for Public Facilities) and per Section 15301 (Class 1 – Existing Facilities) in that the project involves negligible or no expansion of use.

Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP24-0008.

Staff Contact Information: Chris Johnson (Principal Planner)
Email: cjohnson@danapoint.org
Phone: (949) 248-3570

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING AGENDA**

April 22, 2024
6:00 p.m.

PAGE 3

ITEM 3: **COASTAL DEVELOPMENT PERMIT CDP24-0006 TO ESTABLISH A CAFE WITHIN AN EXISTING BUILDING AND TO CONSTRUCT AN OUTDOOR PATIO AT THE OCEAN INSTITUTE**

Applicant: Jim Miller

Owner: County of Orange

Location: 24200 Dana Point Harbor (APN: 682-171-05)

Request: A request to establish a café within an existing building and development of an outdoor patio for dining at the Ocean Institute in Dana Point Harbor. Because it is a change of intensity of the use, a Coastal Development Permit is required.

Environmental: This project is categorically exempt (Class 1 - Section 15301(a) – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA) since the project involves leasing an existing building and proposes minor interior and exterior alterations to accommodate the proposed use.

Recommendation: That the Planning Commission continue the subject item to the May 13, 2024 Planning Commission meeting.

Staff Contact Information: Alyssa Gonzalez (Associate Planner)
Email: agonzalez@danapoint.org
Phone: (949) 248-3556

ITEM 4: **COASTAL DEVELOPMENT PERMIT CDP23-0034 AND MINOR SITE DEVELOPMENT PERMIT SDP23-0024(M) TO DEMOLISH A SINGLE-FAMILY DWELLING AND CONSTRUCT A 3,696 SQUARE FOOT, ONE-STORY, SINGLE-FAMILY DWELLING WITH AN ATTACHED TWO-CAR GARAGE AND RETAINING AND FREESTANDING WALLS AT 32512 SEVEN SEAS DRIVE**

Applicant: Eyoh Design

Owner: Peter and Karen Burke

Location: 32512 Seven Seas Drive (APN: 670-083-14)

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING AGENDA**

April 22, 2024
6:00 p.m.

PAGE 4

Request: Approval of a Coastal Development Permit and Minor Site Development Permit to demolish a single-family dwelling with an attached garage, and construct a 3,696 square foot, one-story, single-family dwelling with an attached, two-car garage and multiple retaining and screen walls. The project is in the Coastal Overlay District as defined by the City's Zoning Map and includes freestanding walls which exceed the maximum height permitted within the front yard, therefore approval of a Coastal Development Permit and a Minor Site Development Permit are required.

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 of a single-family dwelling and retaining walls in a residential zone.

Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP23-0034 and Site Development Permit SDP23-0024(M).

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

ITEM 5: **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: The Corcoran Group Collaborative

Owner: Bruno and Beatrice Del Bianco

CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING AGENDA

April 22, 2024
6:00 p.m.

PAGE 5

- 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 contingent upon City Council approval of ZTA07-01 and ZC23 0001.
- Environmental: A Mitigated Negative Declaration (MND) has been prepared in accordance with Section 15070 of the California Environmental Quality Act (CEQA) for the project for the Commission's review and recommendation to the City Council. A notice of intent to adopt a MND was posted with the County Clerk and mailed to property owners within 500 feet of the subject site on March 25, 2024. The MND was also posted with the State Clearinghouse (SCH No. 2024031110). The review period ended April 15, 2024. Any Comments received after distribution of this report will be attached as an appendix to the Negative Declaration for the Commission's consideration.

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING AGENDA**

April 22, 2024
6:00 p.m.

PAGE 6

Recommendation: That the Planning Commission:

- (1) Adopt a Resolution recommending City Council approval and adoption of a Mitigated Negative Declaration;
- (2) Adopt a Resolution recommending City Council approval and adoption Zone Change ZC23-0001 and Zone Text Amendment ZTA07-01; and
- (3) Adopt a Resolution approving Tentative Tract Map TTM 16970 and Site Development Permit SDP07-06 and contingent upon City Council approval of ZC23-0001 and ZTA07-01.

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

E. OLD BUSINESS

F. NEW BUSINESS

G. STAFF REPORTS

Status of the General Plan Update process (Brenda Wisneski, Director of Community Development)

H. COMMISSIONER COMMENTS

I. ADJOURNMENT

The *next* Regular Meeting of the Planning Commission will be held on May 13, 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.

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING AGENDA**

April 22, 2024
6:00 p.m.

PAGE 7

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 April 18, 2024, I caused the above notice to be posted at Dana Point City Hall and danapoint.org.



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.