

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

May 13, 2024
6:02 p.m. – 8:42 p.m.

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioner Dhingra led the Pledge of Allegiance.

ROLL CALL

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

Planning Commission Members Absent: None

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Kurth B. Nelson III (Principal Planner), Danny Giometti (Senior Planner), Chris Johnson (Principal Planner), Martha Ochoa (Management Analyst) and Deanna Despot (Senior Administrative Assistant)

A. APPROVAL OF MINUTES

ITEM 1: MINUTES OF REGULAR PLANNING COMMISSION FROM APRIL 22, 2024

ACTION: Motion made by Commissioner Dhingra, seconded Commissioner Boughen to approve the Minutes of the Regular Planning Commission Meeting of April 22, 2024. Motion carried 5-0-0.

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

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 2: ANTENNA USE PERMIT AUP24-0001; COASTAL DEVELOPMENT PERMIT CDP24-0007 AND MINOR CONDITIONAL USE PERMIT CUP24-0002 TO PERMIT THE INSTALLATION OF PANEL AND MICROWAVE ANTENNAS HOUSED WITHIN A FAUX MANSARD ROOFTOP ENCLOSURE, PROJECTING A MAXIMUM OF 7.29-FEET ABOVE THE TOP OF THE EXISTING ROOFLINE. THE PROJECT ALSO INCLUDES THE INSTALLATION OF WALL MOUNTED PANEL ANTENNAS HOUSED WITHIN AN ENCLOSURE ALONG THE SOUTHERN SIDE WALL OF THE EXISTING BUILDING

Applicant: Peter Blied/Plancom Inc.

Owner: Blue Lantern Property, LLC

Location: 34085 Pacific Coast Highway (APN: 672-231-07)

Request: Approval of entitlements to permit the installation of roof and wall mounted panel and microwave antennas on an existing building located at 34085 Pacific Coast Highway.

Recommendation: This item has been pulled by staff. No action is necessary.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15301 of the CEQA Guidelines (Class 1 – Existing Facility) since the project consists of a minor alteration to an existing structure.

PUBLIC COMMENTS

There were no Public Comments.

ACTION: No action taken. This item was pulled by staff.

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ITEM 3: COASTAL DEVELOPMENT PERMIT CDP23-0025 AND MINOR SITE DEVELOPMENT PERMIT SDP24-0012(M) FOR THE PARTIAL DEMOLITION, ADDITION AND REMODEL TO AN EXISTING NONCONFORMING, TWO-STORY, SINGLE-FAMILY DWELLING LOCATED ON A COASTAL BLUFF LOT

Applicant: Ali Samsami at CJ Light and Associates

Owner: Jeffrey and Orsi Crawford

Location: 33 Monarch Bay Drive (APN 670-141-39)

Request: Approval of a Coastal Development Permit and Minor Site Development Permit for the partial demolition, addition and remodel to a nonconforming, two-story, single-family dwelling within the City's Coastal Zone and the Appeals Jurisdiction of the California Coastal Commission.

Recommendation: That the Planning Commission adopt the attached resolution approving Coastal Development Permit CDP23-0025 and Minor Site Development Permit SDP24-0012(M).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301(a) (Class 1 – Existing Facilities) in that the project involves alterations to an existing single-family dwelling.

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

PUBLIC COMMENTS

There were no Public Comments.

ACTION: **Motion made by Commissioner Dhingra, seconded by Commissioner Christakes to adopt the resolution approving Coastal Development Permit CDP23-0025 and Minor Site Development Permit SDP24-0012(M). Motion carried 5-0-0.**

AYES: Opel, Nelson, Boughen, Christakes, Dhingra

NOES: None

ABSENT: None

ABSTAIN: None

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ITEM 4: COASTAL DEVELOPMENT PERMIT CDP24-0006 TO ESTABLISH A CAFE WITHIN AN EXISTING BUILDING AND TO DEVELOP AN OUTDOOR PATIO, LOCATED AT 24200 DANA POINT HARBOR DRIVE

Applicant: Jim Miller (Coffee Importers)

Owner: County of Orange

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

Request: A request to establish a café (Coffee Importers) within an existing 2,613 square foot building and the development of a 1,250 square foot outdoor dining area.

Recommendation: That the Planning Commission adopt the Resolution approving Coastal Development Permit CDP24-0006.

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.

Alyssa Gonzales (Associate Planner) provided a staff report and answered questions from the Planning Commissioners.

PUBLIC COMMENTS

Steven Carpenter (Capistrano Beach) spoke in support of the item.

Toni Nelson (Capo Cares) spoke in support of the item.

ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to adopt the Resolution approving Coastal Development Permit CDP24-0006. Motion carried 5-0-0.

AYES: Opel, Nelson, Boughen, Christakes, Dhingra

NOES: None

ABSENT: None

ABSTAIN: None

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ITEM 5: GENERAL PLAN AMENDMENT GPA20-0002, ZONE CHANGE ZC24-0001, SPECIFIC PLAN SP24-0001, LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002, COASTAL DEVELOPMENT PERMIT CDP20-0005, SITE DEVELOPMENT PERMIT SDP20-0007, VESTING TENTATIVE PARCEL MAP VTPM20-0001, DEVELOPMENT AGREEMENT DA24-0001, AND CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT TO ALLOW THE SUBDIVISION OF THE SUBJECT SITE AND THE CONSTRUCTION OF A 306 UNIT APARTMENT COMPLEX, SIX LEVEL PARKING STRUCTURE, RECREATIONAL AMENITIES, AND SITE IMPROVEMENTS AT 26126 VICTORIA BOULEVARD

Applicant: Toll Brothers Apartment Living

Owner: Capistrano Unified School District

Location: 26126 Victoria Boulevard (APN: 668-361-01)

Request: A request for a General Plan Amendment, Zone Change, Specific Plan, Local Coastal Program Amendment, Coastal Development Permit, Site Development Permit, Vesting Tentative Parcel Map and development agreement to allow a 306-unit apartment complex with a six level (one basement level) 586 space parking structure, recreational amenities, and site improvements.

Recommendation: That the Planning Commission:

- (1) Adopt a Resolution recommending City Council approval and adoption General Plan Amendment GPA20-0002, (Action Document 1);
- (2) Adopt a Resolution recommending City Council approval and adoption Zone Change ZC24-0001, (Action Document 2);
- (3) Adopt a Resolution recommending City Council approval and adoption Local Coastal Program Amendment LCPA20-0002, (Action Document 3);
- (4) Adopt a Resolution, recommending City Council approval and adoption certification of Final Environmental Impact Report SCH#2021070304 (Action Document 4);

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- (5) Adopt a Resolution recommending the City Council enter into a Development Agreement DA24-0001 with the property owners (Action Document 5);
- (6) Adopt a Resolution recommending City Council approval of the Victoria Boulevard Specific Plan SP24-0001 (Action Document 6); and
- (7) Adopt a Resolution approving Coastal Development Permit CDP20-0005, Site Development Permit SDP20-0007, and Vesting Tentative Parcel Map VTPM20-0001 (Action Document 7).

Environmental: Pursuant to the provisions of the California Environmental Quality Act (CEQA), an Environmental Impact Report (SCH# 2021070304) has been prepared for the proposed project and the Final EIR is available on the City's website for public review.

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

Michael McCann (Toll Prothers Apartment Living) provided a presentation.

Giancarlo Ganddini, PE, PTP (Ganddini Group, Inc) answered questions from the Planning Commissioners.

PUBLIC COMMENTS

Chase Preciado (Lozeau Drury LLP) spoke in opposition of the item.

Don Kappauf (Capo Beach) spoke in support of the item.

Richard Law (Capo Beach) spoke in opposition of the item.

Brent Neumeyer (Capo Beach) spoke opposition of the item.

Tom McNicholas (Langa Niguel) spoke in support of the item.

Jim Schad (Dana Point) spoke in opposition of the item.

Steven Carpenter (Capistrano Beach) spoke in opposition of the item.

Keith Johannes (Dana Point Historical Society) spoke neutrally of the item.

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Chip Ahlswede (Apartment Association of Orange County) spoke in support of the item.

Rick Morgan (Dana Point) spoke in opposition of the item.

Melissa Caldwell (DHHS PTSA) spoke in support of the item.

Toni Nelson (Capo Cares) spoke in support of the item.

Debbi Mellah (Capo Beach) spoke in opposition of the item.

Katie Andersen (Dana Hills High School) spoke in support of the item.

Joe Soto (Capo Beach) spoke in opposition of the item.

John Tafoya (Western States Regional Council of Carpenters) spoke in opposition of the item.

Zen Ziejewski (Capo Beach) spoke in support of the item.

Larry Dorn (Newport Beach) spoke in opposition of the item.

Rachael Palisin (Capo Beach) spoke in opposition of the item.

ACTION: Motion made by Commissioner Dhingra, seconded by Vice-Chair Nelson to approve (1) adopt a Resolution recommending City Council approval and adoption General Plan Amendment GPA20-0002, (2) adopt a Resolution recommending City Council approval and adoption Zone Change ZC24-000, (3) adopt a Resolution recommending City Council approval and adoption Local Coastal Program Amendment LCPA20-0002, (4) adopt a Resolution recommending City Council approval and adoption certification of Final Environmental Impact Report SCH#2021070304, (5) adopt a Resolution recommending the City Council enter into a Development Agreement DA24-0001 with the property owners, (6) adopt a Resolution recommending City Council approval of the Victoria Boulevard Specific Plan SP24-0001, (7) adopt a Resolution approving Coastal Development Permit CDP20-0005, Site Development Permit SDP20-0007, and Vesting Tentative Parcel Map VTPM20-0001 with an added Condition, 102. Prior to offering on-site parking to San Felipe de Jesus Church, any other off-site property or business, the applicant shall obtain a Minor Site Development Permit per Dana Point Zoning Code Section 9.35.060(c)(3), to allow joint parking. Motion carried 5-0-0.

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

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

There was no New Business.

G. STAFF REPORTS

Brenda Wisneski (Community Development Director) announced the upcoming General Plan Advisory Committee Community Open House scheduled for June 5, 2024 at 6:00 p.m. at the Dana Point Community Center.

H. COMMISSIONER COMMENTS

There were no Commissioner Comments.

I. ADJOURNMENT

Chair Opel adjourned the meeting at **8:48 p.m.** The *next* Regular Meeting of the Planning Commission will be held on Monday, May 27, 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.



Mary Opel, Planning Commission Chair