



November 5, 2024

Cameron Castillo  
11121 Langley Drive  
Los Alamitos, CA 90720

**CITY OF DANA POINT  
ADMINISTRATIVE PERMIT  
MINOR CONDITIONAL USE PERMIT CUP24-0005(M)**

**PROJECT APPLICANT:** Cameron Castillo

**PROPERTY OWNER:** Raintree Partners

**LOCATION:** 24471 Del Prado Avenue, Suite C (APN: 682-232-12)

**REQUEST:** A request to establish a Recreational Use (Sweat House OC) located within an existing vacant suite on the ground floor of an existing mixed-use building located within the Town Center Mixed Use (TC-MU) Zoning District. Recreational Uses on the ground floor are permitted, subject to review and approval of a Minor Conditional Use Permit.

**ENVIRONMENTAL:** Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15301(a) of the CEQA Guidelines (Class 1 – Existing Facilities) since the project consists of leasing an existing unit within an existing private structure and proposes minor alterations to the existing structure to accommodate the proposed use.

**DETERMINATION:** The Community Development Director hereby  
\_\_\_\_ APPROVES  
\_\_\_\_ DENIES  
the requested ENTITLEMENT described herein subject to the attached findings and applicable conditions.

---

Brenda Wisneski, Director  
Community Development Department

**BACKGROUND/DISCUSSION:**

- The proposed use is located within a first floor, vacant suite within the Prado West mixed-use development with a suite address of 24471 Del Prado Avenue, Suite C. The project site is zoned Town Center Mixed Use (TC-MU), as designated by the City of Dana Point Zoning Map, and is within the boundaries of the Dana Point Town Center Plan (TCP).
- The subject site is improved with a four-story, mixed-use structure: commonly referred to as Building 1 of three buildings comprising the Prado West development.
- The project site is surrounded by other mixed-use structures and a variety of commercial uses/structures within the TC-MU District.
- The applicant is requesting approval to establish a Recreational Use (Sweat House OC) on the ground level at 24471 Del Prado Avenue Suite C.
- Pursuant to the Land Use Matrix within the Dana Point Town Center Plan, a Recreational Use on the ground floor is permitted, subject to review and approval of a Minor Conditional Use Permit (CUP(M)).
- The 1,206 square foot tenant space currently has an open floor plan, and the applicant proposes tenant improvements that include the addition of a restroom, and the associated plumbing and electrical improvements to needed to update the suite space for occupancy.
- Recreational Uses are parked at a rate of one (1) stall per 100 square feet of gross floor area pursuant to Dana Point Zoning Code Section 9.35.080(e)(54). Although this parking rate requires 12 parking stalls for the subject use, the Prado West received approval of a shared parking program by the Planning Commission on July 8, 2024, through approval of Conditional Use Permit CUP23-0004. With the modest square footage (1,206 square feet) of the suite in question, the change from a retail use would result in an approximate increase of six (6) parking spaces based on the shared parking demand for CUP23-0004. With a surplus of at least 17 parking spaces in the CUP23-0004 shared parking study, the additional six (6) parking spaces can easily be absorbed by the change from a Retail to a Recreational Use for the proposed suite.
- The proposed business (Sweat House OC) is a health/fitness club that offers personal training, health and wellness workouts, fitness and group workouts. The business will operate Monday through Friday from 5:30 AM to 8:00 PM and Saturday through Sunday from 7:00 AM to 12:00 PM.
- Staff recommends approval subject to the attached findings and conditions of approval.

**FINDINGS:**

- A. Based on the evidence presented at the public hearing, the Director of Community Development makes the following findings and approves Minor Conditional Use Permit CUP24-0005(M), subject to conditions of approval:
1. The proposed conditional use is consistent with the City of Dana Point General Plan **in that, the proposed Recreational Use (Sweat House OC) is consistent with Land Use Policy 1.2 of the Dana Point Town Center Plan (DPTCP), which states that uses should “Encourage retail businesses and mixtures of land uses that help generate positive pedestrian character of the area.” The implementation of the new Recreational Use for the subject mixed-use building will offer a mixture of uses that encourage pedestrians to visit the Dana Point Town Center promoting Land Use Policy 1.2.**
  2. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the proposed, conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures **in that, the proposed Recreational Use is proposed inside an existing suite within a mixed-use building within the TC-MU District. All activities associated with the proposed Recreational Use will take place within the confines of the subject suite. The proposed use is compatible with and complimentary to existing development in the project’s vicinity as conditioned, and would not be materially detrimental to adjacent uses, buildings, or structures.**
  3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other land use development features prescribed in the Dana Point Municipal Code in order to integrate the use with existing and planned uses in the **in that, the site is located in a recently completed mixed-use development built in compliance with the entitlements for the project as well as the other land use development features prescribed by the DPTCP and Dana Point Zoning Code (DPZC). Additionally, the Recreational Use is proposed within a vacant suite and requires minor interior tenant improvements (except for any exterior signage) and any existing, exterior site improvements will remain unchanged. The proposed use is within a 1,206 square foot suite, and the change from a retail use to a recreational use would result in an approximate increase of six (6) parking spaces based on the shared parking demand for CUP23-0004. With a surplus of at least 17 parking spaces in the CUP23-0004 shared parking study, the additional six (6) parking spaces can easily be absorbed by the change from a Retail to a Recreational Use for the proposed suite.**

- B.** Based on the foregoing, the Director of Community Development determines that this project is Categorically Exempt pursuant to Section 15301 (Class 1 – Existing Facilities) since the project involves the establishment of a “Recreational Use” within an existing suite and proposed minor alterations to the suite to accommodate the proposed use.

**CONDITIONS OF APPROVAL:**

The City of Dana Point hereby grants approval of Minor Conditional Use Permit CUP24-0005(M) for the referenced project. This permit is valid subject to the following conditions of approval:

**A. General:**

1. Approval of this application permits the establishment of a Recreational Use (Sweat House OC) inside of an existing vacant suite within a multi-tenant, mixed use development (Prado West) located at 24471 Del Prado Avenue Suite C. Subsequent changes to the approved scope-of-work shall be in substantial compliance with those plans presented to the Community Development Director, and in compliance with applicable provisions of the City of Dana Point General Plan and Municipal and Zoning Codes. (PLN)
2. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions. (PLN)
3. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the amendment as for the approved plot plan, he may approve the amendment without requiring a new public hearing. (PLN)

4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit. (PLN)
5. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify and hold harmless the city shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action or proceeding.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions or proceedings against the City, its officers, employees, or agents arising out of or resulting from negligence of the applicant or the applicant's agents, employees or contractors. Applicant's duty to defend, indemnify and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation. (PLN)

6. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site. (PLN)
7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expenses in ensuring compliance with these conditions. (PLN)
8. The applicant shall obtain all applicable permits for the proposed tenant improvements. (PLN)
9. All proposed activities shall comply with the provisions of the City's Noise Ordinance (Dana Point Municipal Code Section 11.10) at all times. (PLN)
10. All recreational use related activities shall be held within the interior of 24471 Del Prado Avenue, Suite C. At no point shall any recreational use activities be allowed outside of the subject suite or within the front, side, or rear yards of the site. (PLN)

11. Any proposed exterior building signage shall be reviewed and approved under a separate permit. (PLN)

12. The City shall maintain the option to reconsider the Conditional Use Permit (and conditions contained herein), at any time if the Community Development Director finds it necessary to re-evaluate the impacts of the use on the surrounding community. (PLN)

13. The proposed hours of operation are Monday through Friday, 5:30 AM to 8:00 PM, and Saturday and Sunday from 7:00 AM to 12:00 PM.

**C. Prior to the issuance of a Building Permit or release on certain related inspections, the applicant shall meet the following conditions:**

14. The subject "Conditions of Approval" section of this permit shall be copied in its entirety, placed directly onto a separate plan sheet in both the City and job plan sets prior to the Planning Division signing off for the building final. (PLN)

15. All approvals from outside Departments and Agencies are required.

**D. Prior to final approval/permit close-out from the Building Division for the project, the applicant shall meet the following conditions:**

16. The applicant shall contact the Planning Division to conduct an inspection of the completed project including compliance with all conditions prior to contacting the Building and Safety Division for final project sign-off. (PLN)