

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

October 28, 2024
6:00 p.m. – 6:57 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 6:00 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), John Ciampa (Planning Manager), Alyssa Gonzalez (Associate Planner) and Martha Ochoa (Management Analyst)

A. APPROVAL OF MINUTES

ITEM 1: **MINUTES OF REGULAR PLANNING COMMISSION FROM OCTOBER 14, 2024**

ACTION: **Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to approve the Minutes of the Regular Planning Commission Meeting of October 14, 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

ITEM 2: ONE-YEAR EXTENSION OF COASTAL DEVELOPMENT PERMIT CDP21-0007, SITE DEVELOPMENT PERMIT SDP21-0019, AND MINOR CONDITIONAL USE PERMIT CUP21-0008(M) FOR A NEW 57 ROOM HOTEL, 4,000 SQUARE FOOT RESTAURANT SPACE WITH OUTDOOR DINING, 52-BED HOSTEL, VISITOR CENTER, RETAINING WALLS GREATER THAN 30 INCHES IN HEIGHT, AND TANDEM PARKING FOR EMPLOYEES/VALET, WAVE RESORT (HEADLANDS COMMERCIAL SITE) LOCATED AT 34075 PACIFIC COAST HIGHWAY

Applicant: Headlands Investments, LLC

Owner: Headlands Investments, LLC

Location: 34075 Pacific Coast Highway (APNs: 672-592-13, 672-592-14, and 672-592-15)

Request: A one-year time extension of Coastal Development Permit CDP21-0007, Site Development Permit SDP21-0019, Minor Conditional Use Permit CUP21-0008(M) for a new 57 room hotel, 4,000 square foot restaurant space with outdoor dining, 52-bed hostel, visitor center, retaining walls greater than 30 inches in height visible from the public right-of-way, and tandem parking for employees/valet at 34075 Pacific Coast Highway (Headlands Commercial Site) within the coastal zone.

Recommendation: That the Planning Commission adopt the draft Resolution approving a one-year time extension for Coastal Development Permit CDP21-0007, Site Development Permit SDP21-0019, and Minor Conditional Use Permit CUP21-0008(M).

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to approve the Consent Calendar. Motion carried 5-0-0.

AYES: Opel, Nelson, Boughen, Christakes, Dhingra

NOES: None

ABSENT: None

ABSTAIN: None

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D. PUBLIC HEARING

ITEM 3: A REQUEST FOR HISTORICAL RESOURCE DESIGNATION AND PARTICIPATION IN THE MILLS ACT PROGRAM AT 35145 BEACH ROAD (HISTORIC RESOURCE APPLICATION 24-0001)

Applicant/Owner: Timothy Gibson

Location: 35145 Beach Road (APN: 691-142-06)

Request: The applicant seeks to have a residential structure placed on the Dana Point Historic Resource Register. The applicant also requests a recommendation to enter into an agreement with the City for participation in the Mills Act Program.

Environmental: The designation of the property on the Dana Point Historic Resource Register is not a project pursuant to the California Environmental Quality Act (CEQA) as there is no possible effect to the environment via this designation.

Recommendation: That the Planning Commission adopt a Resolution designating the residential structure located at 35145 Beach Road as a locally significant historical structure on the City's Historic Register and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act Program.

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

PUBLIC COMMENTS

Keith Johannes (Dana Point Historic Society) spoke in support of the item.

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ACTION: Motion made by Commissioner Dhingra, seconded by Commissioner Christakes to adopt a Resolution designating the residential structure located at 35145 Beach Road as a locally significant historical structure on the City's Historic Register and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act Program. Motion carried 5-0-0.

AYES: Opel, Nelson, Boughen, Christakes, Dhingra

NOES: None

ABSENT: None

ABSTAIN: None

ITEM 4: **MINOR CONDITIONAL USE PERMIT CUP24-0003(M) TO ALLOW AN ADDITION TO THE SECOND STORY OF A NONCONFORMING MULTIPLE FAMILY DWELLING A MINOR SITE DEVELOPMENT PERMIT 23-0033(M) TO ALLOW THE CONSTRUCTION OF A ROOF DECK LOCATED AT 34572 CAMINO CAPISTRANO**

Applicant: Michael Fox

Owner: Pankaj and Sonal Kadakia

Location: 34572 Camino Capistrano (APN: 691-382-06)

Request: Approval of a Minor Conditional Use Permit to allow a 396 square foot addition to the existing second story of a nonconforming multiple family dwelling located within the Residential Duplex 14 (RD 14) Zoning District and approval of a Minor Site Development Permit to allow the construction of a 300 square foot roof deck atop the proposed addition.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(e) (Class 3 – New Construction or conversion of small structures) and Section 15301(e)(1) (Class 1 – Existing Facilities) since the project consists of the construction of a 300 square foot roof deck, and an addition that is less than 50 percent of the floor area of the structure before the addition.

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Recommendation: That the Planning Commission adopt the Resolution approving Minor Conditional Use Permit CUP24-0003(M) and Minor Site Development Permit SDP23-0033(M).

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

PUBLIC COMMENTS

Rajesh J.K. (Dana Point) spoke in support of the item.

Toni Nelson (Capo Cares) spoke in opposition to the item.

Kristin T. (Capistrano Beach) spoke in opposition to the item.

Michael Fox (Architect) spoke in support of the item and answered questions from the Planning Commissioners.

ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to adopt the Resolution approving Minor Conditional Use Permit CUP24-0003(M) and Minor Site Development Permit SDP23-0033(M) with an added condition of approval that prior to the issuance of a building permit, the applicant shall submit evidence to the Community Development Director that the third unit on the property legally exists either as a result of a legal nonconforming multifamily dwelling or other legal doctrine. Motion carried 5-0-0.

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.

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G. STAFF REPORTS

Brenda Wisneski (Director of Community Development) shared that the General Plan Advisory Committee met last week to review land use changes and potential mixed use policies. A briefing will be provided to the Planning Commission during their December 9th meeting.

H. COMMISSIONER COMMENTS

Commissioner Dhingra congratulated John Ciampa on his promotion as Planning Manager.

Vice-Chair Nelson and Commissioner Boughen second Commissioner Dhingra's comments.

I. ADJOURNMENT

Chair Opel adjourned the meeting at **6:57 p.m.** The *next* Regular Meeting of the Planning Commission will be held on Monday, November 11, 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