

May 6, 2025

Riley McDonald 104 Via Galicia San Clemente, CA 92672

ADMINISTRATIVE PERMIT MINOR CONDITIONAL USE PERMIT CUP25-0002(M)

PROJECT APPLICANT: Riley McDonald

PROPERTY OWNER: Sam Kollias

LOCATION: 34116 Pacific Coast Highway Suite B (APN:682-241-20)

REQUEST: A request to establish Personal Service Use (Strands & Co.)

in an existing vacant suite within a commercial building with services to include hairstyling, located in the Town Center

Mixed Use (TC-MU) Zoning District.

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 public or private structure and proposes minor alterations to the

existing structure to accommodate the proposed use.

<u>DETERMINATION:</u> 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

Supporting Document 1: Project Plans

BACKGROUND/DISCUSSION:

- The subject site, 34116 Pacific Coast Highway, is located within the boundaries of Dana Point Town Center Plan (TCP) and is with the Town Center Mixed-Use (TC-MU) Zoning District, as designated by the City of Dana Point Zoning Map, and contains an existing multi-tenant commercial building. The site is surrounded by Commercial uses to the east and west of the structure, a vacant lot and commercial structures to south, and multi-family residential structures to the north across San Marino Place.
- The commercial building includes two (2) suites, one (1) of which is a retail use (Unit A), and the other is vacant (Unit B).
- The subject suite, Unit B, is 524 square feet and was previously occupied by a Personal Service Use/Retail Use (The Beach Dogue) that included pet grooming services and sold pet products.
- The applicant is requesting approval to establish a Personal Service Use (Strands & Co.) within the vacant commercial suite at 34116 Pacific Coast Highway suite B.
- Pursuant to the Land Use Matrix within the Dana Point TCP, Personal Service Uses are permitted, subject to review and approval of a minor Conditional Use Permit (CUP(M)).
- The proposed Personal Service Use (Strands & Co.) would be open Monday through Sunday from 8:00 AM to 6:00 PM. The proposed personal service use (Strands & Co.) would include services such as hairstyling, coloring, cutting, and extension installation.
- The parking rate for Personal Service uses is one (1) stall per 300 square feet of gross floor area. Since the proposed use (Strands & Co.) and previous use (The Beach Douge) are both defined as a Personal Service Use there would be no impact on the parking demand. The parking demand for the existing retail use (one (1) stall per 220 square feet of gross floor area) of Suite A is four (4) stalls, and the subject suite (Suite B) requires a total of two (2) parking stalls. Thus, requiring a total of six (6) parking spaces to accommodate all uses on site. The subject site has a parking lot behind the commercial structure with seven (7) parking stalls, which results in a surplus of one (1) parking stall for the required parking demand.
- The subject suite is currently a shell containing minimal partitions forming a bathroom and unidentified enclosed space. The applicant will apply for a building permit for tenant improvements to accommodate the function of the Personal Service Use, and to meet ADA requirements.
- 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 CUP25-0002(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 conditional use is consistent with Land Use Element Goal 6, Policy 6.1 of the City of Dana Point General Plan, which aims to "Provide a diversity of retail, office and residential land uses that establish the Town Center as a major center of social and economic activity in the community." The proposed Personal Service Use, will provide a mixture of uses in the subject commercial building that encourage pedestrians to visit the Dana Point Town Center promoting Land Use Element Policy 6.1.
 - 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 requested Personal Services Use (Strands & Co) is proposed within an existing suite in an existing commercial building within the TC-MU District. All activities associated with the proposed Personal Services use will take place within the confines of the subject suite. The proposed use is compatible with and complimentary to existing development within 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 Zoning Code (DPZC) in order to integrate the use with existing and planned uses in the vicinity in that the proposed use is identified as a conditionally permitted use within the Land Use Matrix of the Town Center Plan. The parking rate for Personal Service uses is one (1) stall per 300 square feet of gross floor area. Since the proposed use (Strands & Co.) and the previous use (The Beach Douge) are both Personal Service Uses, there would be no impact on the parking demand. The parking demand for the two (2) uses on site (existing retail use and proposed personal service use) is six (6) stalls. The subject site contains a parking lot with seven (7) parking stalls and consequently results in a surplus of one (1) parking stall for the DPZC required parking demand. Additionally, the proposed Personal Service Use is to be located within a vacant suite that requires only minor interior tenant improvements and minor exterior site improvements for future tenant signage and therefore is in order to implement the new use.

B. The requirements of the California Environmental Quality Act have been satisfied in that the project qualifies as a Class 1 (Section 15301 Existing Facilities) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) since the project consists of leasing an existing unit within an existing public or private structure and proposes minor alterations to the existing structure to accommodate the proposed use.

CONDITIONS OF APPROVAL:

The City of Dana Point hereby grants approval of Minor Conditional Use Permit CUP25-0002(M) for the referenced project. This permit is valid subject to the following conditions of approval:

A. General:

- Approval of this application is a request to establish Personal Service Use (Strands & Co.) in an existing vacant suite within a commercial building addressed as 34116 Pacific Coast Highway, Unit B. 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. 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 this 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)
- 3. 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)

- 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 expense in ensuring compliance with these conditions. (PLN)
- 8. The applicant shall obtain all applicable permits for the proposed improvements. (BLD) (ENG)
- 9. Any proposed exterior building signage shall be reviewed and approved under a separate permit. (PLN)

- 10. 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 impacts of the use on the surrounding community.
- 11. The proposed hours of operation are Monday through Sunday from 8:00am to 6:00pm.
- B. Prior to the issuance of a Building Permit or release on certain related inspections, the applicant shall meet the following conditions:
 - 12. 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 building final. (PLN)
 - 13. All approvals from outside Departments and Agencies are required.
- C. Prior to issuance of a certificate of use and occupancy/permit close-out from the Building Division for the project, the applicant shall meet the following conditions:
 - 14. 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)

SUPPORTING DOCUMENT 1: Project Plans

ATTACHMENT











