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**PUBLIC NOTICE**  
**CITY OF DANA POINT**  
**NOTICE OF PUBLIC HEARING**

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NOTICE IS HEREBY GIVEN THAT a public hearing will be held by the City Council of the City of Dana Point to consider the following:

**APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY AND UPHOLD THE COMMUNITY DEVELOPMENT DIRECTOR'S DENIAL OF ACCESSORY DWELLING UNIT PERMIT PLN25-0003:** On April 28, 2025, the Planning Commission denied the request for an Accessory Dwelling Unit Permit to allow the conversion of an attached two-car garage into a 384 square foot one-bedroom Accessory Dwelling Unit (ADU) in association with an existing nonconforming two-story, multi-family dwelling on the basis that the project does not comply with Dana Point Zoning Code (DPZC) Section 9.07.210(f)(1)(C), since the existing site contains nonconforming parking conditions per DPZC Section 9.35. On May 6, 2025, an appeal of the Planning Commission's decision to deny the application was filed by the property owner, Travis Mellem.

**Project Numbers:** Accessory Dwelling Unit Permit PLN25-0003  
**Project Location:** 33861 Malaga Drive (APN: 682-263-17)  
**Applicant/Owner:** Travis and Cora Mellem  
**Environmental:** Pursuant to the California Environmental Quality Act (CEQA), determining the status of the application is not a "project" per CEQA Guidelines Section 15378 and it qualifies for the "common sense" exemption since denial of the project has no potential for causing a significant effect on the environment. If the proposed project were approved, pursuant CEQA, the project may be found to be Categorically Exempt per Section 15303(e) (Class 3 – New Construction or conversion of small structures) since the project consist of converting existing garage space into an ADU.  
**Hearing Date:** Tuesday, June 3, 2025  
**Hearing Time:** 6:00 PM (or as soon thereafter as possible)  
**Hearing Location:** 33282 Golden Lantern, Dana Point, CA 92629 (Dana Point City Hall)

Those desiring to be heard in favor of or in opposition to this item will be given an opportunity to do so during such hearing to be conducted at the above address or by writing to the City Council at: 33282 Golden Lantern, Suite 203, Dana Point, California 92629, Attention: City Clerk; or via email at [comment@danapoint.org](mailto:comment@danapoint.org). Please reference hearing title and date of hearing in any correspondence. For further information, you may contact the City Clerk at (949) 248-3505.

Any petition for judicial review of a decision of the Dana Point City Council is controlled by the statute of limitations provisions set forth in Sections 2.50.010 and 2.50.020 of the Dana Point Municipal Code and Sections 1094.5 and 1094.6 of the California Code of Civil Procedure. Any action or proceeding to attack, review, set aside, or void any decision of the Dana Point City Council is controlled by Section 2.50.010 and Section 2.50.020 of the Dana Point Municipal Code. In any such action or proceeding seeking judicial review of, which attacks or seeks to set aside, or void any decision of the Dana Point City Council, shall be limited to those issues raised at the hearing as provided in Chapter 2.50 of the Dana Point Municipal Code. Copies of the procedures for the conduct of City Council public hearings are available from the City Clerk.

  
SHAYNA SHARKE, CITY CLERK

STATE OF CALIFORNIA                     )  
COUNTY OF ORANGE                 ) ss AFFIDAVIT OF POSTING  
CITY OF DANA POINT                 )

Shayna Sharke, being first duly sworn, deposes and says that she is the duly appointed and qualified City Clerk of the City of Dana Point and that by May 16, 2025 she caused the above notice to be posted in three (3) public places in the City of Dana Point, to wit: City Hall, the Dana Point Post Office, the Capistrano Beach Post Office.

  
SHAYNA SHARKE, CITY CLERK