

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

June 24, 2024
6:01 p.m. – 8:00 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 6:01 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 Deana Christakes, Commissioner Ashok Dhingra

Planning Commission Members Absent: Commissioner Luke Boughen

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Kurth B. Nelson III (Principal Planner), John Ciampa (Principal Planner), Danny Giometti (Senior Planner), Alyssa Gonzalez (Associate Planner) and Martha Ochoa (Management Analyst)

A. APPROVAL OF MINUTES

ITEM 1: MINUTES OF REGULAR PLANNING COMMISSION FROM JUNE 10, 2024

ACTION: Motion made by Commissioner Dhingra, seconded Vice-Chair Nelson to approve the Minutes of the Regular Planning Commission Meeting of June 10, 2024. Motion carried 4-0-0.

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

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

ITEM 2: SIGN PROGRAM PERMIT SPP24-0001 FOR AN EXISTING TWO-STORY MIXED-USE STRUCTURE (WINKLER DEVELOPMENT) LOCATED AT 24452 DEL PRADO AVENUE

Applicant: Ohan Filhanessian

Owner: Lantern District, LLC

Location: 24452 Del Prado Avenue (APN: 682-234-06)

Request: Approval of a Sign Program Permit for an existing two-story mixed-use structure (Winkler Development) located at 24452 Del Prado Avenue.

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) in that the project consists of minor alterations to an existing two-story mixed-use structure.

Recommendation: That the Planning Commission adopt the draft Resolution approving Sign Program Permit SPP24-0001 for a two-story mixed-use structure (Winkler Development) located at 24452 Del Prado Avenue.

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to adopt the draft Resolution approving Sign Program Permit SPP24-0001 for a two-story mixed-use structure (Winkler Development) located at 24452 Del Prado Avenue. Motion carried 4-0-0.

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

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D. PUBLIC HEARING

ITEM 3: MINOR CONDITIONAL USE PERMIT CUP24-0003 TO ALLOW A ONE-TIME ADDITION OF LESS THAN 10% OF THE GROSS FLOOR AREA OF A STRUCTURE CONTAINING A NONCONFORMING RESIDENTIAL USE AND SITE DEVELOPMENT PERMIT SDP23-0003 TO CONVERT AN EXISTING ONE-CAR GARAGE INTO A 292 SQUARE FOOT ATTACHED ACCESSORY DWELLING UNIT AND THE CONSTRUCTION OF A ROOF DECK LOCATED AT 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 one-time addition of less than ten (10) percent to a structure containing a nonconforming residential use and Site Development Permit to allow the conversion of an existing one (1) car garage to a 292 square-foot, Accessory Dwelling Unit (ADU) and the construction of a 300 square foot roof deck on a lot with an existing nonconforming Multiple Family Dwelling in the Residential Duplex 14 Zoning District.

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 converting existing garage space into an ADU, 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.

Recommendation: This item pulled by staff. No action necessary.

PUBLIC COMMENTS

There were no Public Comments.

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

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ITEM 4: TENTATIVE PARCEL MAP TPM22-0001 AND MINOR SITE DEVELOPMENT PERMIT SDP24-0009(M) TO SUBDIVIDE ONE LOT INTO THREE RESIDENTIAL LOTS AND ONE LETTER LOT, CONSTRUCT ONE SINGLE-FAMILY RESIDENCE ON EACH LOT, AND A RETAINING WALL UP TO 6-FEET IN HEIGHT, AT 35372 DEL REY UNIT C

Applicant: Capo Beach Development LLC

Owner: Capo Beach Development LLC

Location: 35372 Del Rey, Unit C (APN: 691-441-20)

Request: Approval of a Tentative Parcel Map to subdivide one lot in the Residential Single Family 7 (RSF 7) zoning district into three residential lots and one lettered lot and a Minor Site Development Permit for the approval of three single-family residential structures and a retaining wall up to six feet in height.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15315 (Class 15 – Minor Land Divisions) and Section 15332 (Class 32 – In-Fill Development Projects) in that the project involves the subdivision of one lot, which is less than 5 acres in size, into three number lots and one lettered lot, three single-family residences, and an over height retaining wall.

Recommendation: That the Planning Commission adopt the Resolution approving Tentative Parcel Map and Minor Site Development Permit.

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

PUBLIC COMMENTS

Eugenia Jones (Dana Point) spoke in support of the item.

Shawn McKinney (Dana Point) spoke in opposition of the item.

Rita McKinney (Dana Point) spoke in opposition of the item.

Norma Pate (Capo Beach) spoke in opposition of the item.

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Michael Graber (Dana Point) spoke in opposition of the item.

Nolan Clark (Capo Beach Development LLC) spoke in support of the item.

Leah Alperin (Capo Beach Development LLC) spoke in support of the item.

Robert Chade (Dana Point) spoke in opposition to the item.

Allison McKenzie (Capo Beach) spoke neutrally to the item.

ACTION: Motion made by Commissioner Dhingra, seconded by Vice-Chair Nelson to adopt the Resolution approving Tentative Parcel Map and Minor Site Development Permit, with revision to Condition 23 to require it be implemented “prior to issuance of any permit” and relocate Condition 53 in the resolution to ensure it is implemented at the proper time during the construction process. Motion carried 4-0-0.

AYES: Opel, Nelson, Christakes, Dhingra

NOES: None

ABSENT: Boughen

ABSTAIN: None

ITEM 5: COASTAL DEVELOPMENT PERMIT CDP24-0010 AND SITE DEVELOPMENT PERMIT SDP24-0017 TO ALLOW THE DEMOLITION OF EXISTING IMPROVEMENTS AND CONSTRUCTION OF TWO THREE-STORY SELF-STORAGE BUILDINGS LOCATED AT 25802 AND 25831 VICTORIA BOULEVARD

Applicant: LaTerra Development

Owner: Pickering Properties, LLC

Location: 25802 and 25831 Victoria Boulevard (APN: 668-341-45 and APN: 121-254-43)

Request: A request to allow the demolition of existing improvements and the construction of two three-story, self-storage buildings with parking, hardscaping and landscaping.

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Environmental: Pursuant to the California Environmental Quality Act (CEQA), this project is Categorically Exempt per Section 15332 (Class 32-In-Fill Development Projects) in that Class 32 exemptions provides for in-fill development projects on project sites that are five acres or less, are surrounded by urban uses, are consistent with all applicable General Plan designations and policies and all Zoning designations and regulations, do not have a significant effects relating to Land Uses, Habitat, Traffic, Noise, Air Quality or Water Quality, can be adequately served by all required utilities and public resources, and there are no unusual circumstances associated with the project site.

Recommendation: That the Planning Commission adopt the draft resolution approving Coastal Development Permit CDP24-0010 and Site Development Permit SDP24-0017.

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

PUBLIC COMMENTS

Reid Weaver (American Mini Storage) spoke in opposition of the item.

Amir Sadr (American Mini Storage) spoke in opposition of the item.

Bryan Miranda (LaTerra Development, LLC) provided a handout and spoke in support of the item.

David Palmer (Callahan & Blaine) spoke in opposition of the item.

Bob Chade (Capistrano Beach) spoke in support of the item.

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

Brian Wright-Bushman (Legal Counsel for Applicant) addressed remarks in support of the item.

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ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to adopt the draft resolution approving Coastal Development Permit CDP24-0010 and Site Development Permit SDP24-0017. Motion carried 3-1-0.

AYES: Opel, Nelson, Dhingra

NOES: Christakes

ABSENT: Boughen

ABSTAIN: None

ITEM 6: **SITE DEVELOPMENT PERMIT SDP24-0008 TO ALLOW THE CONSTRUCTION OF A DETACHED ACCESSORY DWELLING UNIT ON A LOT CONTAINING A NONCONFORMING DUPLEX DWELLING LOCATED AT 34101 CALLE LA PRIMAVERA**

Applicant: Keith Lee

Owner: Joyce Altman Interpreters INC

Location: 34101 Calle La Primavera (APN: 682-142-07)

Request: A request to allow the construction of a 996 square foot, two-bedroom, detached Accessory Dwelling Unit (ADU) on a lot containing an existing nonconforming duplex dwelling in the Residential Single Family 4 (RSF 4) Zoning District.

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) since the project consists of the construction of a 996 square foot ADU.

Recommendation: That the Planning Commission adopt the Resolution approving Site Development Permit SDP24-0008.

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

PUBLIC COMMENTS

Keith Lee (Applicant) answered questions from the Planning Commissioners.

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ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to deny Site Development Permit SDP24-0008. Motion failed 2-2-0.

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

Commissioner discussion ensued.

ACTION: Motion made by Chair Opel, seconded by Commissioner Christakes to adopt the Resolution approving Site Development Permit SDP24-0008. Motion carried 3-1-0.

AYES: Opel, Christakes, Dhingra
NOES: Nelson
ABSENT: Boughen
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) stated the next General Plan Advisory Committee will take place on June 25, 2024. Staff will provide a summary regarding the June 5, 2024 GPAC Community Open House, in addition discussion will be held regarding Opportunity Sites and General Plan Policies. An overall detailed update of the process and next steps will be provided to the Planning Commission and City Council in the month of July.

H. COMMISSIONER COMMENTS

There were no Commissioner Comments.

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I. ADJOURNMENT

Chair Opel adjourned the meeting at **8:00 p.m.** The *next* Regular Meeting of the Planning Commission will be held on Monday, July 8, 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