

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

August 26, 2024
6:01 p.m. – 6:52p.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 Boughen 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 (Principal Planner), Kurth Nelson (Principal Planner), Alyssa Gonzalez (Associate Planner) and Martha Ochoa (Management Analyst)

A. APPROVAL OF MINUTES

ITEM 1: MINUTES OF REGULAR PLANNING COMMISSION FROM JULY 22, 2024

ACTION: Motion made by Commissioner Dhingra, seconded Vice-Chair Nelson to approve the Minutes of the Regular Planning Commission Meeting of July 22, 2024. Motion carried 4-0-1.

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

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

D. PUBLIC HEARING

ITEM 2: COASTAL DEVELOPMENT PERMIT CDP23-0047 TO ALLOW THE LANTERN BAY VILLAS ASSOCIATION (HOA) TO PROHIBIT SHORT-TERM RENTALS IN THEIR COMMUNITY

Applicant/

Location:

Lantern Bay Villas Association – Near the intersection of Golden Lantern St. and Lantern Bay Drive

Request:

Approval of Coastal Development Permits to prohibit STRs from operating within the Lantern Bay Villas Association.

Environmental:

Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301 (Class 1 – Existing Facilities) in that the prohibition of short-term rentals in a Homeowners Association does not result in a change of use or intensification of the Property. Alternatively, the prohibition of STRs in the HOA does not qualify as a “project” because it does not authorize any new construction or development in the City. Further, in the event the actions in adopting the CDPs are not exempt, the City has satisfied its CEQA obligations and no additional review is required pursuant 14 CCR 15162, as the City has previously adopted a Mitigated Negative Declaration by Resolution 13-12-03-08 relating to short term rentals.

Recommendation:

That the Planning Commission adopt the resolution approving the referenced Coastal Development Permit.

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

PUBLIC COMMENTS

There were no Public Comments.

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ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Dhingra to adopt the resolution approving the referenced Coastal Development Permit. Motion carried 5-0-0.

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

ITEM 3: COASTAL DEVELOPMENT PERMIT CDP21-0020, SITE DEVELOPMENT PERMIT SDP21-0035, ADMINISTRATIVE MODIFICATION OF STANDARDS AMS24-0006 FOR A LOT LINE ADJUSTMENT TO THE SUBJECT PROPERTY AND THE ADJACENT LOT AT 35811 BEACH ROAD AND TO CONSTRUCT A 5,174 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH A 2,357 SQUARE FOOT ATTACHED GARAGE

Applicant: David Gutierrez, Project Manager

Owner: Jahan Realty Investments LLC

Location: 35815 Beach Road (APN: 691-332-01)

Request: Approval of Coastal Development Permit CDP21-0020, Site Development Permit SDP21-0035, and Administrative Modification of Standards AMS24-0006 to construct a 5,174 square-foot two-story, single-family dwelling with a lower level 2,357 square foot garage. The project requests a lot line adjustment with the adjacent parcel at 35811 Beach Road to increase the size of the parcel and an Administrative Modification of Standards to allow the entry stairs to be located eight feet, six inches from the front property line and the stairs on the seaward side of the house to extend 15 feet beyond the structure stringline for the property located within the City's Floodplain Overlay District, Coastal Overlay District, and the Appeals Jurisdiction of the California Coastal Commission.

Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP21-0020, Site Development Permit SDP21-0035, and Administrative Modification of Standards AMS24-0006.

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

PUBLIC COMMENTS

David Gutierrez (Project Manager) answered questions from the Planning Commission.

ACTION: Motion made by Commissioner Dhingra, seconded by Vice-Chair Nelson to adopt the resolution approving Coastal Development Permit CDP21-0020, Site Development Permit SDP21-0035, and Administrative Modification of Standards AMS24-0006. Motion carried 4-1-0.

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

ITEM 4: **COASTAL DEVELOPMENT PERMIT CDP23-0050 TO DEMOLISH AN EXISTING SINGLE-FAMILY DWELLING (SFD) WITH AN ATTACHED GARAGE AND CONSTRUCT A 4,624 SQUARE FOOT, TWO (2) STORY SFD WITH AN ATTACHED TWO (2) CAR GARAGE**

Applicant: Tom Nicholson

Owner: 23502 Seaward Isle LLC

Location: 23502 Seaward Isle (APN: 672-061-24)

Request: A request to demolish an existing single-family dwelling (SFD) with an attached garage and construct a 4,624 square foot, two (2) story SFD with an attached two (2) car garage located within the Planned Residential Development 3 (PRD 3)/Residential Single Family 4 (RSF 4) Zoning District.

Environmental: This project is categorically exempt (Class 3 - Section 15303(a) – New Construction) from the provisions of the California Environmental Quality Act (CEQA) since the project consists of the construction of one single-family residence in a residential zone.

Recommendation: That the Planning Commission adopt the draft Resolution approving Coastal Development Permit CDP23-0050.

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

PUBLIC COMMENTS

Robert Bolin (Applicant) spoke in support of the project and made himself available for any questions from the Planning Commission.

ACTION: Motion made by Commissioner Boughen, seconded by Commissioner Christakes to adopt the draft Resolution approving Coastal Development Permit CDP23-0050. Motion carried 5-0-0.

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

ITEM 5: **SITE DEVELOPMENT PERMIT SDP23-0003 TO DEMOLISH AN EXISTING SINGLE-FAMILY DWELLING STRUCTURE AND DEVELOP A 2,395 SQUARE FOOT, TWO-STORY SINGLE-FAMILY DWELLING WITH AN ATTACHED, 576 SQUARE FOOT, ACCESSORY DWELLING UNIT RESULTING IN A GROSS FLOOR AREA OF 2,971 SQUARE FEET. THE PROJECT ALSO INCLUDES MULTIPLE RETAINING WALLS AND AN INCREASE IN HEIGHT TO THE EXISTING, DETACHED TWO (2) CAR GARAGE WHICH IS LOCATED WITHIN THE FRONT YARD SETBACK**

Applicant: David Bailey, Architect, Inc.

Owner: John and Lori Wright

Location: 34041 Blue Lantern (APN: 682-245-05)

Request: Approval of a Site Development Permit to demolish an existing single-family dwelling structure and develop a 2,395 square foot, two-story, single-family dwelling with an attached, 576 square foot accessory dwelling unit, resulting in a gross floor area of 2,971 square feet. The SDP request also includes multiple retaining walls.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(e) (Class 3 – Construction and Conversion of Small Structures) since the project consists of the construction of a new residential

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structure with an attached ADU and a series of retaining walls on a residentially zoned lot.

Recommendation: This item has been pulled by staff. No action is necessary.

PUBLIC COMMENTS

There were no Public Comments.

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

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

There was no New Business.

G. STAFF REPORTS

Brenda Wisneski (Director of Community Development) stated that two prior actions taken by the Planning Commission were appealed, Victoria Storage Facility and the Del Rey subdivision and are scheduled to go before the City Council on September 3, 2024. The GPAC meeting for August 27, 2024 has been cancelled while staff continues to work on the traffic analysis based upon the recommended land use changes. Next GPAC meeting is tentatively scheduled to take place in September followed by a briefing to the Planning Commission.

H. COMMISSIONER COMMENTS

There were no Commissioner Comments.

I. ADJOURNMENT

Chair Opel adjourned the meeting at **6:52 p.m.** The *next* Regular Meeting of the Planning Commission will be held on Monday, September 9, 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