

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

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August 26, 2019  
6:04 p.m. – 8:08 p.m.

Community Center  
34052 Del Obispo, Room C  
Dana Point, CA 92629

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**CALL TO ORDER REGULAR MEETING**

Chair Roy Dohner called the Regular Meeting of the Dana Point Planning Commission to order at 6:04 p.m.

**PLEDGE OF ALLEGIANCE**

**Commissioner McKhann** led the Pledge of Allegiance.

**ROLL CALL**

Planning Commission Members Present: Chair Roy Dohner, Vice-Chair Mary Opel, Commissioner Eric Nelson, Commissioner Danni Murphy, Commissioner Scott McKhann

Planning Commission Members Absent: None

Staff Present: Matt Schneider (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Jonathan Ciampa (Senior Planner), Sean Nicholas (Senior Planner), Brandy Boka (Senior Civil Engineer), and Staci Hudson (Senior Administrative Assistant)

**A: APPROVAL OF MINUTES**

**ITEM 1: Minutes of the Regular Planning Commission Meeting July 22, 2019**

**ACTION:** Motion made by Commissioner Murphy seconded by Commissioner Nelson to approve the Minutes of the Regular Planning Commission Meeting of July 22, 2019. Motion carried 4-0-1.

**AYES:** Dohner, Opel, Nelson, Murphy  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** McKhann

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

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**D. PUBLIC HEARING**

**ITEM 2: Coastal Development Permit CDP19-0010 and Minor Site Development Permit SDP19-0018 to allow the construction of a new, two-story, single-family dwelling with an attached three-vehicle garage and to allow the measurement of the structure from atop a maximum of 30 inches or fill to create positive drainage to the street on a vacant coastal bluff lot at 35485 Camino Capistrano.**

Applicant: Mr. and Mrs. Terry Walker

Address: 35485 Camino Capistrano (APN 691-192-20)

Recommendation: That the Planning Commission adopt the attached resolution approving Coastal Development Permit CDP19-0010 and Minor Site Development Permit 19-0018.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorical Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Small Structures) in that it proposes construction of one new single-family dwelling with an attached garage in a residential zone.

Request: Approval of a Coastal Development Permit to construct a two-story, 3,250 square foot, single-family dwelling with an attached, 866 square foot garage and to allow the measurement of the structure from atop a maximum of 30 inches of fill to create positive drainage to the street on a coastal bluff lot.

**Jonathan Ciampa** (Senior Planner) provided a presentation and answered questions from the Planning Commission.

**PUBLIC COMMENTS**

**Jack Garland** (Applicant/Architect) spoke regarding the drainage on the property in response to a question from the Planning Commission.

**ACTION: Motion made by Commissioner McKhann, seconded by Commissioner Murphy approving Resolution No. 19-08-26-17, approving Coastal Development Permit CDP19-0010 and Minor Site Development Permit SDP19-0018 to allow the construction of a new, two-story, single-family dwelling with an attached three-vehicle garage and to allow the measurement of the structure from atop a maximum of 30 inches or fill to create positive drainage to the street on a vacant coastal bluff lot at 35485 Camino Capistrano. Motion carried 5-0-0.**

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**AYES:** Dohner, Opel, Nelson, Murphy, McKhann  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ITEM 3: Coastal Development Permit CDP16-0014/Conditional Use Permit CUP16-0005 to construct a new 51-room hotel and associated parking facilities. The applicant is requesting a lot merger, valet and tandem parking, modified parking garage ramps, and for architectural features that are less than 10 feet above the district building height limit at 34482 Green Lantern.**

Applicant: Yenny Ng, AIA, YNG Architects

Address: 34482 Green Lantern  
(APNs: 672-234-07 & 672-234-08)

Recommendation: That the Planning Commission adopt the attached draft Resolution approving Coastal Development Permit CDP16-0014/Conditional Use Permit CUP16-0005 (Action Document 1).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects) California Code of Regulations. Section 32 of the CEQA Guidelines stipulates that projects that are consistent with the applicable general plan and zoning regulations, and that are less than five acres and substantially surrounded by urban uses with no habitat value, and would result in no significant effects relating to traffic, noise, air or water quality and can be served by all required utilities and public services are categorically exempt from CEQA.

Request: A request to construct a new 51-room hotel and associated parking facilities, lot merger, valet and tandem parking, reduced width for parking garage ramps, and architectural features that are less than 10 feet above the district building height limit.

**Sean Nicholas** (Senior Planner) provided a presentation and answered questions from the Planning Commission.

### **PUBLIC COMMENTS**

**Merry Wong** (Dana Point) spoke in opposition to the project, citing conservation concerns in regards to local flora and fauna.

**Tyler Hee** (Dana Point) spoke in opposition to the project and stated that the bulk and massing of the project was out of character for the neighborhood.

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**Michael Buckingham** (Dana Point) spoke in opposition to the project by reading a letter he previously submitted to the Planning Commission. He voiced his concerns regarding traffic safety and building height of the project.

**Diann Buckingham** (Dana Point) spoke in opposition to the project, stating it is not visually compatible with the area and views will be impacted. She also spoke regarding parking, noise, and conservation concerns.

**Wayne Dolberg** (Scottsdale) voiced his concerns regarding building height, public views, and traffic.

**Rona Lindl** (Dana Point) spoke in opposition to the project, with concerns regarding building height relative to other commercial and residential properties in the neighborhood.

**Marshall Lichterman** (Dana Point) spoke in favor of the project, and commended the Planning Commission for their scrutiny and adherence to the rules and regulations.

**Danuta Lipscomb** (Dana Point) spoke in opposition to the project, and voiced her concerns regarding the building height and geotechnical report.

**Sajar Patel** (Applicant) answered questions from the Planning Commission regarding drainage, check in/out times, and room rates.

**Yenny Ng** (Architect) answered questions from the Planning Commission regarding the roof deck and roof canopies.

**Rich Barretto** (LLG) answered questions from the Planning Commission regarding traffic concerns.

**Brandy Boka** (City of Dana Point) answered questions from the Planning Commission regarding the geotechnical report.

**ACTION:** Motion made by Commissioner Nelson, seconded by Commissioner McKhann approving Resolution No. 19-08-26-18, approving Coastal Development Permit CDP16-0014 to construct a new 51-room hotel and associated parking facilities, with the following added condition of approval:

1. The architectural features on the roof that exceed the height limit were denied by Planning Commission and shall be removed from the construction documents. If coverings are desired by the applicant above the exterior stairwell or access to the roof deck, any improvements must be consistent with the 35 foot height limit.

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**The applicant is requesting a lot merger, valet and tandem parking, and modified parking garage ramps, but the architectural features that are less than 10 feet above the district building height limit are denied at 34482 Green Lantern. Motion carried 5-0-0.**

**AYES:** Dohner, Opel, Nelson, Murphy, McKhann  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

There was no New Business.

**G. STAFF REPORTS**

**Matt Schneider** (Director of Community Development) thanked staff for their efforts to move the meeting to the Community Center and let the Commissioners know that Council Chambers should be available for the next Regular Meeting of the Planning Commission on September 9, 2019.

**H. COMMISSIONER COMMENTS**

**I. ADJOURNMENT**

Chair Dohner adjourned the meeting at 8:08 p.m. The *next* Regular Meeting of the Planning Commission will be held on Monday, September 9, 2019, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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Roy Dohner, Planning Commission