

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

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December 9, 2019  
6:03 p.m. – 7:06 p.m.

City Hall Offices  
Council Chamber (#210)  
33282 Golden Lantern  
Dana Point, CA 92629

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**CALL TO ORDER REGULAR MEETING**

Chair Dohner called the Regular Meeting of the Dana Point Planning Commission to order at 6:03 p.m.

**PLEDGE OF ALLEGIANCE**

**Vice-Chair Opel** 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: Kelly Reenders (Interim Director of Community Development), Jennifer Farrell (Deputy City Attorney), Belinda Deines (Interim Principal Planner), Matt Kunk (Principal Engineer), Johnathan Ciampa (Senior Planner), Staci Hudson (Assistant Administrative Analyst), and Eve Cuddihy (Administrative Assistant)

**A: APPROVAL OF MINUTES**

**ITEM 1: Minutes of the Regular Planning Commission Meeting November 25, 2019**

**ACTION: Motion made by Commissioner McKhann, seconded by Commissioner Nelson to approve the Minutes of the Regular Planning Commission Meeting of November 25, 2019. Motion carried 5-0-0.**

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

**B. PUBLIC COMMENTS**

**Leslie Ann** (Dana Point), while representing the artist Wyland, had questions for the City regarding art in Dana Point.

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**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARING**

**ITEM 2: Tentative Parcel Map TPM19-0003, Conditional Use Permit CUP19-0005, Site Development Permit SDP19-0014, and Administrative Modification of Standards AMS19-0005 to allow a condominium conversion for three detached units and the addition of uncovered parking with a reduced setback and the reduction of required setbacks for the expanded garages in the Residential Multiple Family 14 (RMF 14) zoning district at 33950 and 33952 Copper Lantern Street and 33961 Mariana Drive**

Applicant: Robert Williams

Address: 33950 & 33952 Copper Lantern Street and 33961 Mariana Drive  
(APN: 682-123-18)

Recommendation: That the Planning Commission adopt the attached resolution approving Tentative Parcel Map, Conditional Use Permit, Site Development Permit, and Administrative Modifications of Standards.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorical Exempt per Section 15301(e)(1) (Class 1 – Existing Facilities) in that the project involves the conversion of existing structures into condominiums, façade enhancements to the existing units, the expansion of the existing garages, new uncovered parking, and new landscaping for the site.

Request: Preliminary review for a Tentative Parcel Map, Conditional Use Permit, Site Development Permit, and Administrative Modifications of the Standards to allow a condominium conversion, provide additional uncovered parking in the required setback for three residential units located at 33950 and 33952 Copper Lantern Street and 33961 Mariana Drive.

**Commissioner Nelson** recused himself at 6:06 p.m. due to a conflict of interest.

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

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**PUBLIC COMMENTS**

**Rob Williams** (Applicant) was available for questions from the Planning Commission.

**ACTION:** Motion made by Commissioner McKhann, seconded by Commissioner Murphy approving Resolution No. 19-12-09-27 approving Tentative Parcel Map TPM19-0003, Conditional Use Permit CUP19-0005, Site Development Permit SDP19-0014, and Administrative Modification of Standards AMS19-0005 to allow a condominium conversion for three detached units and the addition of uncovered parking with a reduced setback and the reduction of required setbacks for the expanded garages in the Residential Multiple Family 14 (RMF 14) zoning district at 33950 and 33952 Copper Lantern Street and 33961 Mariana Drive, with the following added condition of approval:

1. Prior to Certificate of Occupancy or the sale of any condominium unit, the project CC&Rs as approved by the City of Dana Point shall be recorded with the Office of the County Recorder.

Motion carried 4-0-1.

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

**Commissioner Nelson** re-entered Council Chambers.

**ITEM 3:** Variance V19-0002 and Site Development Permit SDP19-0022 to allow the development of a three story, single family dwelling and attached garage that exceeds the maximum allowable building height in Residential Single Family 7 (RSF 7) zoning district.

Applicant: James F. Carlson

Address: 33911 Calle La Primavera  
(APN 682-141-07)

Recommendation: That the Planning Commission adopt the attached Resolution approving Variance V19-0002 and Site Development SDP19-0022

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Environmental: The proposed project qualifies as a Class 3 (Section 15303) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the construction of a single-family residence.

Request: A request for a Variance and Site Development Permit to allow the development of a three-story, single-family dwelling and attached garage to exceed the maximum allowable building height in Residential Single Family 7 (RSF 7) Zoning District.

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

### **PUBLIC COMMENTS**

**James Carlson** (Applicant) was available for questions from the Planning Commission.

**Peter Haverkamp** (Contractor) was available for questions from the Planning Commission.

**Jim Berens** (Laguna Niguel, Owner) spoke in favor of the project, noting consideration for neighbors was taken in regards to noise, privacy, and the layout of the proposed structure.

**Bob DiGruccio** (Dana Point) spoke in opposition to the project, voicing concerns regarding impact to his views and the accuracy of storypoling.

**Michael Hickey** (Dana Point) spoke in opposition to the project, voicing concerns regarding impacts to his views due to the height variance and proposed use of live oak trees.

**Rick Yerger** (Dana Point) spoke in opposition to the project, stating that he bought his home with the understanding his views wouldn't be impacted by any potential development due to City height restrictions.

**John Nemarnik** (Dana Point) spoke in opposition to the project, voicing concerns regarding the height of the proposed project.

**ACTION: Motion made by Commissioner McKhann, seconded by Vice-Chair Opel approving Resolution No. 19-12-09-28 approving Variance V19-0002 and Site Development Permit SDP19-0022 to allow the development of a three story, single family dwelling and attached garage that exceeds the maximum allowable building height in Residential Single Family 7 (RSF 7) zoning district with the following added condition of approval:**

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1. **The final landscape plan shall remove the Live Oak Trees proposed in the canyon and shall replace them with shrubs that are an appropriate size and type for the area.**

**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**

**Kelly Reenders** (Interim Director of Community Development) reminded the Planning Commissioners that the City will be closed from December 24, 2019 through January 1, 2020, and wished everyone happy holidays.

**H. COMMISSIONER COMMENTS**

**Commissioner Murphy** wished staff happy holidays.

**Chair Dohner** attended the Boat Parade and said it was a great show, and wished everyone happy holidays.

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**I. ADJOURNMENT**

Chair Dohner adjourned the meeting at 7:06 p.m. The *next* Regular Meeting of the Planning Commission will be held on Monday, January 13, 2020 in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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Roy Dohner, Planning Commission

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