

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

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March 22, 2021  
6:02 p.m. – 8:11 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 Opel called the Regular Meeting of the Dana Point Planning Commission to order at 6:02 p.m.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

Planning Commission Members Absent: None

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Jeff Rosaler (Community Development Manager), Johnathan Ciampa (Senior Planner), Carline Hua (Planning Intern), Allison Peterson (Senior Administrative Assistant), and Eve Cuddihy (Administrative Assistant)

**ITEM 1: Swearing-In Ceremony for Chair Mary Opel and Commissioner John Gabbard**

**Kathy Ward** (City Clerk) performed the swearing-in ceremony. Chair Mary Opel and Commissioner John Gabbard were sworn in to the Planning Commission.

**ITEM 2: Reorganization of the Planning Commission**

- a) Select nominations and vote for Chairperson

**ACTION: Motion made by Commissioner Dohner, seconded by Chair Opel to appoint Vice Chair Nelson to serve as Chair of the Planning Commission. Motion carried 5-0-0.**

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

- b) Select nominations and vote for Vice-Chairperson

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**ACTION: Motion made by Vice-Chair Nelson, seconded by Chair Opel, to appoint Commissioner Dohner to serve as Vice-Chair of the Planning Commission. Motion carried 5-0-0.**

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

**A: APPROVAL OF MINUTES**

**ITEM 3: Minutes of the Regular Planning Commission Meeting February 22, 2021**

**ACTION: Motion made by Vice-Chair Nelson, seconded by Commissioner Murphy, to approve the Minutes of the Regular Planning Commission Meeting of February 22, 2021. Motion carried 4-1-0.**

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

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARING**

**ITEM 4: Coastal Development Permit CDP20-0022 and Site Development Permit SDP20-0021 to permit a 328 square foot addition and remodel to a historic house and a 354 square foot addition to the detached non-historic garage for a second story office at 24721 El Camino Capistrano**

Applicant: Carl Iverson

Address: 24721 El Camino Capistrano (APN: 682-202-09)

Request: A request to permit a 328 square foot addition and remodel to a single-family dwelling (SFD) and a 354 square foot addition to the detached non-historic garage for a second story office.

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Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP20-0022 and Site Development Permit SDP20-0021.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Sections 15301 (Class 1 – Existing Facilities) and 15331 (Class 31 – Historic Resource Restoration/Rehabilitation) of the CEQA Guidelines since the project consists of an addition and remodel to a historic SFD and detached garage that complies with the Secretary of the Interior’s Standards for Rehabilitation.

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

### **PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Vice-Chair Nelson, seconded by Commissioner Dohner, to approve Coastal Development Permit CDP20-0022 and Site Development Permit SDP20-0021 to permit a 328 square foot addition and remodel to a historic house and a 354 square foot addition to the detached non-historic garage for a second story office at 24721 El Camino Capistrano. Motion carried 5-0-0.

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

**ITEM 5:** Tentative Parcel Map TPM20-0003 and Conditional Use Permit CUP21-0005 to allow the condominium conversion of a residential duplex for individual ownership

Applicant: Jay Skjerven

Address: 26392 Via Canon units A and B (APN:123-173-13)

Request: Approval of a Tentative Parcel Map and Conditional Use Permit for condominium purposes to allow individual ownership of a previously approved duplex in the Residential Duplex (RD 14) zoning district.

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Recommendation: That the Planning Commission adopt the Draft Resolution approving Tentative Parcel Map TPM20-0003 and Conditional Use Permit CUP21-0005.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301 (Class 1 – Existing Facilities) and Section 153015 (Minor Land Divisions) in that project involves the division of a previously approved two (2) unit residential duplex into a common interest ownership subdivision where no physical changes are occurring that are otherwise exempt.

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

### **PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Commissioner Dohner, seconded by Commissioner Gabbard, to approve Coastal Development Permit CDP20-0022 and Site Development Permit SDP20-0021 to permit a 328 square foot addition and remodel to a historic house and a 354 square foot addition to the detached non-historic garage for a second story office at 24721 El Camino Capistrano. Motion carried 5-0-0.

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

**ITEM 6:** Tentative Parcel Map TPM20-0002, Variance V20-0003, Minor Site Development Permit SDP20-0014(M), and Administrative Modifications of the Standards AMS21-0001 for a triplex condominium that proposes to exceed the maximum height for the zoning district, retaining walls with increased height, and a reduction in the required common open space at 25022 Selva Road

Applicant: Robert Williams, Studio 6 Architects

Address: 25022 Selva Road (APN: 682-123-38)

Request: Approval of a Tentative Parcel Map, Variance, Minor Site Development Permit, and an Administrative Modification of Standards to construct a triplex condominium which would

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exceed the maximum building height, site retaining walls with increased height, and a reduction in the required common area open space.

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

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 triplex condominium with accessory site improvements.

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

#### **PUBLIC COMMENTS**

**Jon Pitzen** (Dana Point) spoke in opposition of the project.

**Bret Lindstrom** (Dana Point) spoke in opposition of the project.

**Shannon Lindstrom** (Dana Point) spoke in opposition of the project.

**Tim Wolford** (Dana Point) spoke in opposition of the project.

**Donald White** (Dana Point) spoke in opposition of the project.

**Kimberly Larson** (Dana Point) spoke in opposition of the project.

**Robert Williams** (Applicant) spoke in favor of the project.

**ACTION:** Motion made by Vice-Chair Nelson, seconded by Commissioner Dohner, to approve Tentative Parcel Map TPM20-0002, Variance V20-0003, Minor Site Development Permit SDP20-0014(M), and Administrative Modifications of the Standards AMS21-0001 for a triplex condominium that proposes to exceed the maximum height for the zoning district, retaining walls with increased height, and a reduction in the required common open space at 25022 Selva Road with the following conditions:

1. Amend Condition 19 to clarify that future roof decks would not be allowed
2. Add condition, no generators may be used during the construction process

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**3. Add condition, only one unit may be permitted to operate as a short-term rental**

**Motion carried 5-0-0.**

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

**E. OLD BUSINESS**

**ITEM 7: Short-Term Rental Subcommittee Update**

**Brenda Wisneski** (Director of Community Development) commented that existing business regulations and recommended modifications will be presented to the Planning Commission at the next meeting on April 12, 2021.

**Vice-Chair Nelson** (Subcommittee Member) mentioned that the committee agreed that noticing the entire community is appropriate.

**Brenda Wisneski** (Director of Community Development) stated that the City is envisioning to a citywide mailout just prior to the next phase starting.

**Commissioner Dohner** (Subcommittee Member) commented that overcommunication is extremely important. He also wanted to ensure that the mailer would go out after the completion of Phase 1 so that the City Council could have updated documentation of the proposed enforcement issues.

**Brenda Wisneski** (Director of Community Development) confirmed that the City Council is scheduled to hear the business regulations at their second meeting in April, and the mailer would possibly be going out around the same time.

**F. NEW BUSINESS**

**ITEM 8: 2020 Annual Housing Element Progress Report**

Location: Citywide

Request: To review the 2020 Annual Housing Element Progress Report, as required by State law, to show progress on the General Plan Housing Element.

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Recommendation: That the Planning Commission review the 2020 Annual Housing Element Progress Report and forward to the City Council.

Environmental: In accordance with CEQA, a Negative Declaration was prepared as required for adoption of the 5<sup>th</sup> Cycle 2014-2021 Housing Element. The Annual Housing Element Progress Report does not require further CEQA action.

**Carline Hua** (Planning Intern) provided a presentation and answered questions from the Planning Commission.

**ITEM 9: 2021-2019 Housing Element and Safety Element Update**

Location: Citywide

Recommendation: That the Planning Commission receive the presentation providing the status of the Housing Element and Public Safety Element update process.

**Colin Drukker** (PlaceWorks Consultant) provided a presentation and answered questions from the Planning Commission.

**G. STAFF REPORTS**

There were no Staff Reports.

**H. COMMISSIONER COMMENTS**

**Vice-Chair Nelson** welcomed Commissioner Gabbard and thanked Chair Opel for her service.

**Commissioner Gabbard** thanked Chair Opel for her service as he has watched all the meetings from the past year, saying she has been a true servant to the community. He also expressed his excitement for being a member of the Commission.

**Chair Opel** stated she looks forward to the next four years on the Commission. She mentioned that she would like to see more diversity and inclusivity and would like future resolutions to read “Chair” or “Chairperson” so that people can identify how they wish.

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**I. ADJOURNMENT**

Chair Opel adjourned the meeting at 8:11 p.m. The *next* Regular Meeting of the Planning Commission will be held on Monday, April 12, 2021 in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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Eric Nelson, Planning Commission