

**CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT**

DATE: APRIL 12, 2021

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT
BRENDA WISNESKI, DIRECTOR
JOHN CIAMPA, SENIOR PLANNER

SUBJECT: TENTATIVE PARCEL MAP TPM19-0004 FOR THE SUBDIVISION OF ONE LOT INTO TWO LOTS AT 35356 DEL REY

RECOMMENDATION: That the Planning Commission adopt the attached resolution approving Tentative Parcel Map TPM19-0004.

PROPERTY OWNER: Willy K. Lohse and William W. Lohse

APPLICANT: Robert D'Amaro

REQUEST: Approval of a Tentative Parcel Map to allow the subdivision of one lot into two lots.

LOCATION: 35356 Del Rey
Assessor Parcel Number (APN): 691-441-17

NOTICE: Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius on April 1, 2021, published within a newspaper of general circulation on April 2, 2021, and posted on April 1, 2021 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library.

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorical Exempt per Section 15315 (Class 15 - Minor Land Divisions).

ISSUES:

- *Is the project consistent with the City's adopted General Plan and Municipal Code.*
- *Is the project compatible with and an enhancement to the site and surrounding neighborhood.*
- *Does the project satisfy all required findings pursuant to the City's Municipal and Zoning Codes to approve a TPM.*

BACKGROUND

The subject property measures 24,127 square feet (.56 acres) and is located within the Capistrano Beach community of Dana Point. The property is zoned Residential Single Family 7 (RSF 7) and is improved with two single-family residential structures. The property fronts Del Rey (street) with neighboring lots developed with residential structures and the parcel to the west is occupied by the Capistrano Beach Care Center (skilled nursing facility).

DISCUSSION

The application proposes to subdivide the residential lot into two conforming lots that have frontage along Del Rey. The subdivision would split the property down the center along the Del Rey street frontage to create two legal lots that would allow each parcel to take vehicular access from Del Rey. The subject property is improved with two single-family residential structures. The single-family residence located towards the front of the lot is the subject of a long-standing Code Enforcement case for the illegal renovations and the disrepair of the structure since 2017. The illegal improvements and the neglect of the structure has rendered it uninhabitable. Condition #28 requires the structure to be demolished and all code violations to be resolved prior to approval of the Final Map. The demolition of the structure would ensure the proposed application complies with the RSF 7 zoning standards of one residential unit per lot. The residential structure located towards the rear of the lot would remain and would take vehicular access from Del Rey.

Table 1: RSF 7 Minimum Lot Size and Dimensions

| | Min Required | Parcel A (Proposed) | Parcel B (Proposed) |
|------------------|---------------------|--------------------------------|--------------------------------|
| Lot Area | 5,000 sq. ft. | 12,050 sq. ft. | 12,076 sq. ft. |
| Lot Width | 50 ft | 75 | 75 |
| Lot Depth | 75 feet | 162 | 162 |

Tentative Parcel Map TPM19-0004

The subject project proposes the subdivision of one lot into two lots. Section 7.05.060 of the Dana Point Municipal Code stipulates a minimum of 11 findings to approve a subdivision of land, requiring:

- 1. That the proposed map is consistent with the City's General Plan;*
- 2. That the design and improvement of the proposed subdivision is consistent with the City's General Plan;*

3. *That the site is physically suitable for the proposed type of development;*
4. *That the requirements of the California Environmental Quality Act have been satisfied;*
5. *That the site is physically suitable for the proposed density of development;*
6. *That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;*
7. *That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems;*
8. *That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and these will be substantially equivalent to ones previously acquired by the public;*
9. *That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations pursuant to Section 7.05.055;*
10. *That the subdivision is not located in a fee area or, if located in a fee area, the subdivider has met the requirements for payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required;*
11. *That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services.*

The proposed subdivision conforms to the design and development standards of the Dana Point Municipal and Zoning Codes. Staff's recommended findings to approve the TPM request are provided in the attached draft resolution (Attachment 1 - Draft Planning Commission Resolution).

CORRESPONDENCE: To date, no correspondence has been received for this project.

CONCLUSION: Staff finds that the subject project is consistent with the policies and provisions of the City of Dana Point General Plan, Municipal and Zoning Codes. As the project has been found to comply with all standards of development, staff recommends

the Planning Commission adopt the attached resolution, approving TPM19-0004, subject to findings and conditions of approval.



John Ciampa,
Senior Planner



Brenda Wisneski
Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 21-04-12-XX

Supporting Documents

2. Vicinity Map
3. Site Photos
4. Tentative Parcel Map 19-0004

ACTION DOCUMENT 1: Draft Planning Commission Resolution No. 21-04-12-XX

RESOLUTION NO. 21-04-14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP TPM19-0004 AND TO ALLOW THE SUBDIVISION OF ONE LOT INTO TWO LOTS WITHIN THE RESIDENTIAL SINGLE FAMILY 7 (RSF 7) ZONING DISTRICT AT 35356 DEL REY

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, Willy K. Lohse and William W. Lohse (the "Applicant"), is the owner of real property commonly referred to as 35356 Del Rey (Assessor Parcel Number [APN] 691-441-17) (the "Property"); and

WHEREAS, the Applicant filed a verified application for a Tentative Parcel Map to allow the subdivision of one lot into two lots; and

WHEREAS, said verified application constitutes a request as provided by Titles 7 and 9 of the Dana Point Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), the project is categorically exempt per Section 15315 (Class 15 - Minor Land Divisions); and

WHEREAS, the Planning Commission did, on the 12th day of April, 2021, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Tentative Parcel Map TPM19-0004.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

- A. That the above recitations are true and correct.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves TPM19-0004 subject to conditions:

Findings:

Tentative Parcel Map TPM19-0004

1. That the proposed map is consistent with the City's General Plan **in that, it satisfies the intent of Goal No. 1 of the Land Use Element which states: "Achieve a desirable mixture of land uses to meet the residential, commercial, industrial, recreational, open space, cultural**

PLANNING COMMISSION RESOLUTION NO. 21-04-12-XX
TPM19-0004
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and public service needs of the City residents,” as well as through compliance with standards in the General Plan’s implementing Zoning Code by proposing new lots that conform to dimensional, area and access requirements of the RSF 7 Zoning District.

2. That the design and improvement of the proposed subdivision is consistent with the City’s General Plan in that, **the subdivision conforms to design and policy standards of the property’s “Residential Single Family 7 DU/AC” General Plan Land Use Designation and the lots conform minimum lot size and dimension requirements specified in the RSF 7 Zoning District.**
3. That the site is physically suitable for the proposed type of development in that, **each of the two, new lots comply with design and size requirements for the RSF 7 Zoning District and possess topography that would adequately accommodate uses and structures permitted in the RSF 7 zoning district.**
4. That the requirements of the California Environmental Quality Act (CEQA) have been satisfied in that, **project qualifies for a Class 15 (Section 15315 - Minor Land Divisions) Categorical Exemptions since the project proposed to subdivide one lot into two conforming lots in the RSF 7 Zoning District.**
5. That the site is physically suitable for the proposed density of development in that, **the two new lots created by the proposed subdivision meet area and dimensional requirements of the RSF 7 Zoning District. The new lots will be capable of accommodating development in compliance with standards of the Dana Point Zoning Code as specified in the underlying RSF 7 Zoning District.**
6. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife habitat in that, **the subdivision is located within an urbanized area and proposed in a location not cited as an environmentally sensitive area (ESA) by the Conservation/Open Space Element of the City’s General Plan.**
7. That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems in that, **the proposed subdivision is found to comply with all applicable standards of design and; all proposed development is permitted in the property’s Residential Single Family 7 (RSF 7) Zoning District.**
8. That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or

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acquired by the public at large for access through or use of property within the proposed subdivision **in that, existing on-site easements have been identified by survey of the subject property, subsequently illustrated on the project's subdivision map and to ensure no conflicts would occur with subdivision of land.**

9. That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations **in that, the two lots created by the proposed subdivision would comply with the dimensional and area requirements of the RSF 7 Zoning District.**
10. That the subdivision is not located in a fee area, or if located in a fee area, the subdivider has met the requirements or payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required **in that, a condition of approval has been included herein that all project fees as well as improvement or related project bonds will be paid and/or collected prior to issuance of a certificate of occupancy for the property.**
11. That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services **in that, the subdivision is proposed in an urbanized area already containing utilities infrastructure and receiving public services. The project has been reviewed by outside agencies and entities (including those responsible for trash collection and water provision) with confirmation included in the record that services can and will be provided to the property and its proposed development.**

A. General:

1. Approval of this application allows the subdivision of one lot into two lots as described and illustrated on Tentative Parcel Map TPM 19-0004 (Orange County Tentative Parcel Map No. 2019-004), at 35356 Del Rey. Subsequent submittals for this project shall be in substantial compliance with the maps and plans presented to the Subdivision Committee (Planning Commission), and in compliance with the applicable provisions of the Dana Point General Plan, Municipal and Zoning Codes.
2. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be

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null and void.

3. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on approved maps and plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plot plan, he may approve the amendment without requiring a new public hearing.
4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
5. The Applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The Applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the Applicant or the Applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding. The Applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.

The Applicant and owner, and their successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.

6. The Applicant and Applicant's successors in interest shall be responsible for

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payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.

7. The Applicant shall be responsible for coordination with SDG&E, AT&T California, SCWD, Southern California Gas Company, and Cox Communication Services for the provision of all utilities.
8. The project shall meet all water quality requirements.
9. The applicant shall be responsible for coordination with water district, sewer district, SDG&E, AT&T California and Cox Communication Services for the provision of water, sewer, electric, telephone and cable television services.
10. Prior to any submittal to the City of Dana Point, an address assignment shall be submitted to the Public Works Department for the addresses of any proposed development.
11. All property shall be maintained in accordance with City of Dana Point Municipal Code including permanent BMP's, including landscaping, shall be installed as needed.
12. Any damage to existing public or adjacent private property facilities shall be repaired or replaced to the satisfaction of the City Engineer.
13. The Applicant shall obtain all applicable permits for the proposed improvements, including any that may be required from outside agencies.
14. All documents prepared by a professional shall be wet-stamped and signed.

C. Prior to Approval of the Final Parcel Map the Applicant Shall Meet the Following Conditions:

15. A Final Map shall be submitted for review and approval in accordance with requirements of the Public Works Department and Community Development Department. The final map must be in substantial compliance with Tentative Parcel Map, as determined by the Director of Community Development and the Director of Public Works/City Engineer. Said map shall be prepared as required by the City of Dana Point Subdivision Code.
16. The Final Map application shall include the owner information for the neighboring lots to confirm compliance with the subdivision map act and any historic/previous subdivision action.
17. All taxes and fees shall be paid to the County of Orange and the County Treasurer-Tax Collector's Certificate shall be signed. The Parcel Map

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signed by the County Treasurer-Tax Collector prior to final submittal to the City and prior to City Engineer and City Clerk signature. The Treasurer-Tax Collector signature will require additional coordination with the Title Company.

18. All existing and proposed easements shall be shown and labeled on the Final Map clearly indicating the easement ownership, location, purpose and width. A copy of the recorded easements shall be included along with the plan submittal for review by the City Engineer. The Final Map shall also include a note to identify any easements proposed to be vacated with the Map.
19. Utility easements shall be provided to the specifications of the appropriate utility companies, as needed, and subject to review and approval by the Director of Public Works.
20. The applicant shall submit the Final Map to the County of Orange Surveyor for technical review and approval. A copy of the approval shall be submitted to the Public Works Department.
21. Applicant shall provide to the City a copy of a current title report not less than six months old and any other survey documentation in relation to the subject subdivision.
22. The applicant shall provide a subdivision guarantee from an insured Title Company prior to City Engineer signature.
23. The applicant shall submit evidence of the availability of an adequate water supply for fire protection for review and approval by the Fire Chief. A copy of the documentation shall be submitted to the Public Works and Engineering Department.
24. The applicant shall submit "will serve" letters from the applicable water and sewer districts.
25. Prior to the recordation of a subdivision map, a note shall be placed on the map stating that all residential structures shall be protected by an approved automatic fire sprinkler system.
26. All monuments shall be set, or a security provided, to ensure all monuments will be set in accordance with the County of Orange Surveyor and City of Dana Point standards.
27. The applicant shall submit, to the Public Works and Engineering Department, a copy of the recorded Final Map as approved by the City Council and recorded with the Office of the County Recorder.

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28. Prior to approval of the Final Map a building permit shall be obtained and the single-family residence located adjacent to Del Rey shall be demolished and all outstanding Code Enforcement cases on the property shall be resolved.
29. All work in the right-of-way shall be completed in conformance with the Encroachment Permit, the Encroachment Permit Conditions.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 12th day of April, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eric Nelson, Chairperson
Planning Commission

ATTEST:

Brenda Wisneski, Director
Community Development Department

SUPPORTING DOCUMENT 2: Vicinity Map



Vicinity Map

35356 Del Rey
TPM19-0004



SUPPORTING DOCUMENT 3: Site Photos





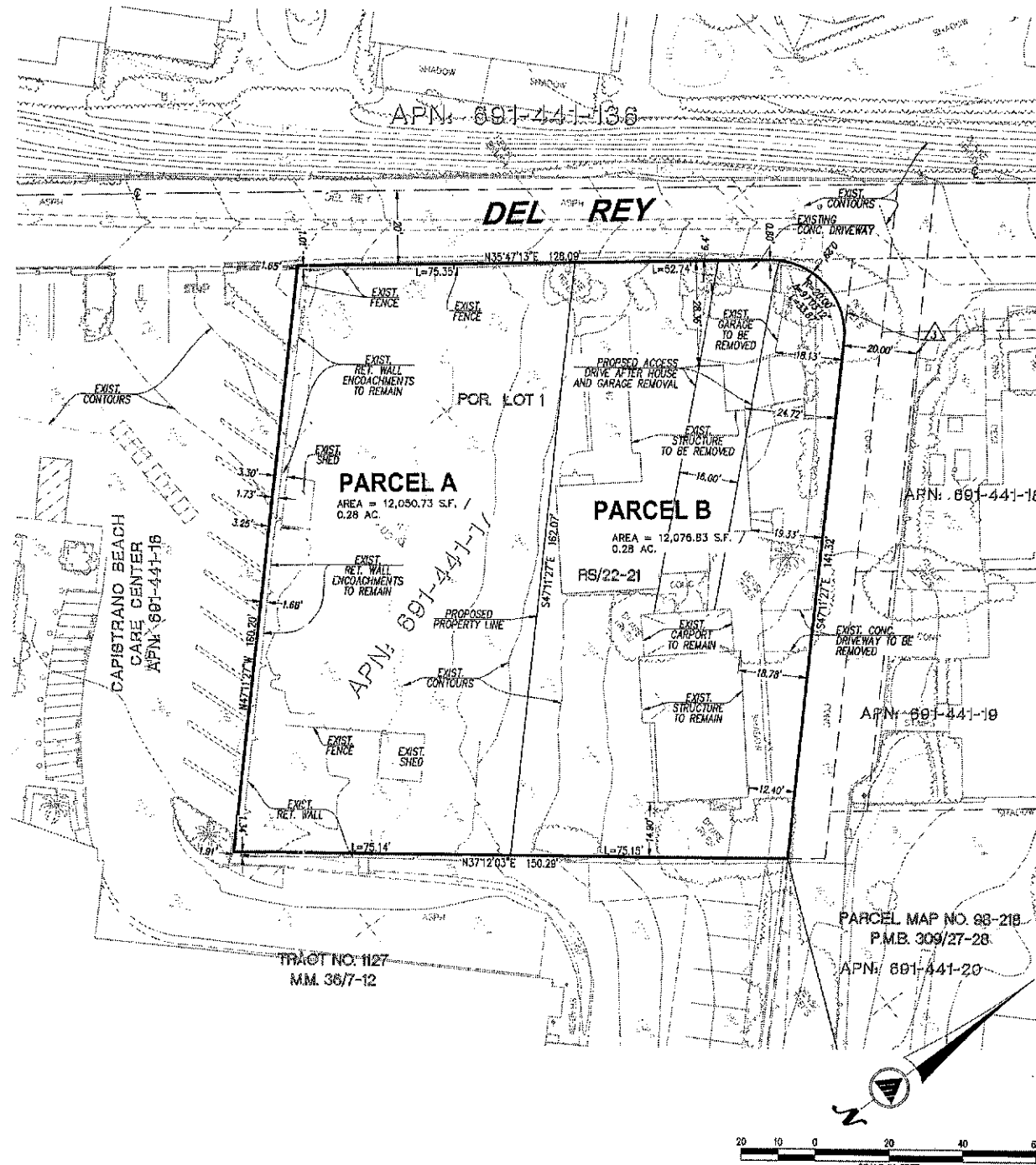


SUPPORTING DOCUMENT 4: Tentative Parcel Map 19-0004

ATTACHMENT

TENTATIVE PARCEL MAP NO. 19-0004

THAT PORTION OF LOT 1 OF TRACT NO. 1127, IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA,
AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 36, PAGES 7 TO 12, INCLUSIVE OF MISCELLANEOUS MAPS.



- SECTION 9.09.030
RESIDENTIAL DEVELOPMENT STANDARD
RESIDENTIAL ZONING DISTRICT (1) RSF7
- a. MINIMUM LOT SIZE: (2) 5,000 SF
 - b. MINIMUM LOT WIDTH - (2) 50 FT
 - STANDARD LOT: 50 FT
 - CUL-DE-SAC (AT FRONT BUILDING SETBACK LINE): 20 FT
 - FLAG LOT (FOR ACCESS EXTENSION): 20 FT
 - c. MINIMUM LOT DEPTH: (2) 75 FT
 - d. MAXIMUM LOT COVERAGE: 80% (12)
 - e. MINIMUM LAND AREA PER UNIT: (3) 5,000 SF
 - f. MAXIMUM HEIGHT: 28 FT
 - 2
 - STORIES (4)
 - g. MINIMUM FRONT YARD BUILDING SETBACK - (5)
 - FROM ULTIMATE PUBLIC STREET ROW LINE: 20 FT
 - FLAG LOT (FROM CONNECTION WITH ACCESS EXTENSION): 10 FT
 - h. MINIMUM SIDE YARD SETBACK - (5)
 - INTERIOR SIDE: 5 FT
 - EXTERIOR SIDE: 10 FT
 - FLAG LOT: (6) 5 FT
 - i. MINIMUM REAR YARD SETBACK - (5)
 - STANDARD LOT: 25 FT
 - FLAG LOT AND CUL-DE-SAC LOT: 25 FT
 - ADJACENT TO ALLEY: (13) 15 FT
 - j. MINIMUM OPEN SPACE (PRIVATE): N/A
 - k. MINIMUM LANDSCAPE COVERAGE: 25%
 - l. MINIMUM BUILDING SEPARATION: - (BETWEEN PRIMARY AND ACCESSORY BUILDING ON THE SAME LOT): 10 FT

- FOOTNOTES FOR SECTION 9.09.030:
- (1) SEE CHAPTER 9.75 FOR DEFINITIONS AND ILLUSTRATIONS OF DEVELOPMENT STANDARDS.
 - (2) DEVELOPMENT STANDARD APPLIES TO ANY PROPOSED SUBDIVISION OF LAND. THESE STANDARDS DO NOT APPLY TO EXISTING LOTS WHERE NO SUBDIVISION IS PROPOSED NOR TO PROPOSED CONDOMINIUMS OR OTHER COMMON LOT SUBDIVISIONS.
 - (3) LAND AREA PER DWELLING UNIT MAY NOT BE ROUNDED UP. (EXAMPLE: 14,250 SQUARE FEET/2,500 SQUARE FEET OF LAND PER DWELLING UNIT = 5.7 DWELLING UNITS WHICH EQUALS 5 DWELLING UNITS, NOT 6 DWELLING UNITS.)
 - (4) SUBJECT TO THE MEASUREMENT AND DESIGN CRITERIA IN SECTION 9.05.110(A).
 - (5) FOR EXISTING LOTS LESS THAN FIFTY (50) FEET WIDE AND/OR LESS THAN ONE HUNDRED (100) FEET DEEP. SEE SECTION 9.05.190 FOR REDUCED FRONT, SIDE AND REAR BUILDING SETBACKS.
 - (7) (8) (9) (10) (11) N/A
 - (13) SUBJECT TO STANDARDS IN SECTION 9.35.040(E) FOR GARAGE SETBACKS.

TITLE INFORMATION:
THE TITLE INFORMATION SHOWN HEREON IS PER PRELIMINARY REPORT ORDER NO. 00113576-986-S01-RT4 DATED JULY 10, 2019 AS PREPARED BY F.M.T.O. BUILDER SURVIVORS, SAN DIEGO, CA [TITLE OFFICER: THERESA ROBERTSON, TELEPHONE: (619) 521-3552] NO RESPONSIBILITY OF CONTENT, COMPLETENESS OR ACCURACY OF SAID COMMITMENT IS ASSUMED BY THIS MAP OR THE SURVEYOR.

LEGAL DESCRIPTION:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF DANA POINT, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 (APN: 691-441-17):
THAT PORTION OF LOT 1, TRACT NO. 1127, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 36, PAGES 7 THROUGH 12 INCLUSIVE OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 35°00'40" EAST, 319.09 FEET AND SOUTH 47°58' EAST, 20 FEET FROM THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE IN THE NORTHWESTERLY LINE OF SAID LOT 1, SHOWN ON SAID MAP AS NORTH 42°02' EAST, 435.80 FEET; THENCE SOUTH 47°58' EAST, 160.20 FEET; THENCE NORTH 36°25'30" EAST, 150.29 FEET; THENCE NORTH 47°58' WEST, 141.32 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 20 FEET AND A CENTRAL ANGLE OF 97°01'20"; THENCE SOUTHWESTERLY ALONG SAID CURVE 28.96 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 35°00'40" WEST, 128.09 FEET TO THE POINT OF BEGINNING.

SAID LAND IS ALSO SHOWN ON A MAP FILED IN BOOK 22, PAGE 21 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY.

EXCEPTING THEREFROM ANY AND ALL COAL, OIL AND OTHER MINERALS WITHIN OR UNDERLYING SAID LAND, INCLUDING ANY AND ALL INORGANIC SUBSTANCES (INCLUDING OIL AND NATURAL GAS), BUT WITHOUT THE RIGHT TO USE ANY OF THE SURFACE OF SAID LAND, AS RESERVED IN THE DEED FROM CONSOLIDATED PACIFIC INVESTMENT CO., A CALIFORNIA CORPORATION, TO CAPISTRANO BEACH ACREAGE COMPANY, A CALIFORNIA CORPORATION, RECORDED DECEMBER 06, 1945 IN BOOK 1375, PAGE 186 OF OFFICIAL RECORDS.

PARCEL 2:
A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES AND INGRESS AND EGRESS OVER A STRIP OF LAND 20 FEET IN WIDTH ADJOINING AND LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT 1, TRACT NO. 1127, AND EXTENDING SOUTHWESTERLY FROM THE INTERSECTION OF THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF PARCEL 1, ABOVE DESCRIBED, WITH THE NORTHWESTERLY LINE OF SAID LOT 1, TO THE NORTHEASTERLY LINE OF CAMINO CAPISTRANO AS SHOWN ON SAID MAP.

TITLE EXCEPTIONS AND EASEMENTS

- A. PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE FISCAL YEAR 2019-2020.
- B. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OR PART 2, CHAPTER 3, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.

1. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.
2. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER MATTERS SHOWN ON MAP IN BOOK 22, PAGE 21 OF RECORDS OF SURVEY.

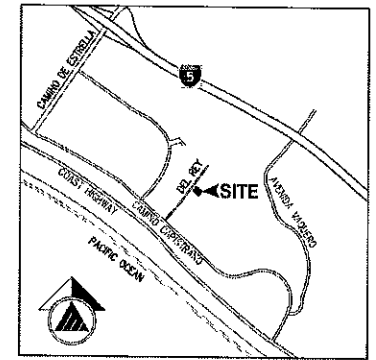
△ EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA
PURPOSE: GAS PIPES, MAINS, METERING, REGULATING AND OTHER APPURTENANCES
RECORDING DATE: OCTOBER 04, 1968
RECORDING NO: BOOK 8743, PAGE 688 OF OFFICIAL RECORDS
AFFECTS: A PORTION OF SAID LAND AS MORE PARTICULARLY DESCRIBED IN SAID DOCUMENT

UTILITY CONTACT INFO

SOUTHERN CALIFORNIA GAS CO.....GAS.....(877) 238-0092
SOUTH COAST WATER DISTRICT..WATER/SEWER.....(949) 342-1140.
SAN DIEGO GAS & ELEC...ELECTRIC.....(800) 811-7343
AT&T... TELEPHONE.....(844) 383-4389
COX COMMUNICATIONS...INTERNET/TV.....(844) 499-7619

IMPROVEMENTS NOTE:
ALL UTILITY CONNECTIONS, ACCESS AND ALL OTHER IMPROVEMENTS ARE PER SEPARATE PLAN AND PERMIT AND NOT A PART OF THIS MAP.



VICINITY MAP
NOT TO SCALE

RECORD OWNER
WILLY K. LOHSE AND WILLIAM W. LOHSE AS CO-TRUSTEES OF THE SURVIVOR'S TRUST OF THE LOHSE TRUST DATED JANUARY 24,2003
2878 CALLE HERALDO
SAN CLEMENTE, CA 92673
(949) 363-3743
EMAIL: RSIERRA3@YAHOO.COM
PROPERTY ADDRESS
35356 DEL REY
CAPISTRANO BEACH, CA 92624

ASSESSOR PARCEL NO.
APN: 891-441-17

BENCHMARK
FD 3 3/4" O.C.S. ALUMINUM BENCHMARK DISK STAMPED "3SS-1-82", SET IN THE SOUTHERLY END OF AN 8 FT. LONG CONCRETE HEADWALL. MONUMENT IS LOCATED ALONG THE EASTERLY SIDE OF AVENIDO VAQUERO, 214 FT. NORTHERLY OF THE CENTERLINE OF VIA MONTECITO AND 31 FT. EASTERLY OF THE CENTERLINE OF AVENIDO VAQUERO. MONUMENT IS SET 1.0 FT. ABOVE SIDEWALK.
ELEV = 84.987
DATUM = NAVD 88

BASIS OF BEARING
THE BASIS OF BEARINGS SHOWN HEREON ARE BASED ON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. 4336 AND STATION GPS NO. 4337, BEING N 53°26'28" W PER RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEY.

AREA
PARCEL 1 GROSS LAND AREA = 24127 S.F. / 0.55 AC.

MAP PREPARED BY:
ROBERT D'AMARO
MASSON & ASSOCIATES, INC.
200 E WASHINGTON AVENUE, SUIT 200
ESCONDIDO, CA 92025
PHONE: (760) 741-3570
FAX: (760) 741-1786
EMAIL: ROBDAMARO@MASSON-ASSOC.COM

OWNER'S STATEMENT:
I HEREBY STATE THAT I AM THE SOLE OWNER OF THIS PROPERTY, AND THAT I CONSENT TO THE FILING OF THIS TENTATIVE MAP.

WILLY K. LOHSE TRUSTEE OF THE SURVIVOR'S TRUST OF THE LOHSE TRUST DATED JANUARY 24,2003

WILLIAM W. LOHSE TRUSTEE OF THE SURVIVOR'S TRUST OF THE LOHSE TRUST DATED JANUARY 24,2003

ENGINEER'S STATEMENT:
THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION.

ROBERT D'AMARO, RCE C081699
EXPIRES 03/31/2022



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| REVISION | DESCRIPTION | APPROVED | DATE | SCALE: | DESIGNED: | DRAWN: | CHECKED: | PLANS PREPARED BY: | BENCHMARK | APPROVED BY THE CITY OF DANA POINT: | DATE | CITY OF DANA POINT | PLAN CHECK NO. |
|----------|-------------|----------|------|---------------|------------------|---------|----------|---|-----------|---|------|---|----------------|
| | | | | 1" = 20' | | OWOCKER | | MASSON AND ASSOCIATES, INC. 200 E WASHINGTON AVE. SUITE 200 ESCONDIDO CA 92025 PHONE: (760)-741-3570 FAX: (760)-741-1786 | | THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE: | | TENTATIVE PARCEL MAP NO. 19-0004 | PA19-0072 |
| | | | | ACAD FILE NO. | | | | | | MATTHEW V. SINACORI, CITY ENGINEER RCE #59239 EXP. 06/30/21 | | 35356 DEL REY CAPISTRANO BEACH, CA 92624 | 1 OF 1 SHEETS |
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| | | | | | ENGINEER OF WORK | | | | | CITY PLANNING DEPARTMENT | | | |

ORIGINAL SCALE: 1" = 20'