



November 16, 2021

Salon Maison
34185 Violet Lantern, Suite F
Dana Point, CA. 92629

**CITY OF DANA POINT
ADMINISTRATIVE PERMIT
MINOR CONDITIONAL USE PERMIT CUP21-0010(M)**

PROJECT APPLICANT: Heidi Landers, Salon Maison, Inc.

PROPERTY OWNER: Raintree Prado East, LLC.

LOCATION: 34185 Violet Lantern, Suite F (APN: 682-231-076)

REQUEST: A request to establish a Personal Service use (beauty salon) within the work portion of a live/work suite in a multi-tenant mixed use development (Prado West).

ENVIRONMENTAL: The project is categorically exempt per Section 15301 of the CEQA Guidelines (Class 1 – Existing Facilities).

DETERMINATION: The Community Development Director hereby
_____ APPROVES
_____ DENIES
the requested ENTITLEMENT described herein subject to the attached findings and applicable conditions.

Brenda Wisneski, Director
Community Development Department

BACKGROUND/DISCUSSION:

- The project site is located inside of 34185 Violet Lantern, Suite F within the Prado West mixed-use development. Suite F is the work portion of one of the seven live/work units in the building bordering Pacific Coast Highway, Violet Lantern and Del Prado Avenue that is part of the Prado West development within the Town Center Mixed-Use District (TC-MU).
- Suite F has never been occupied prior to the proposed Personal Service Use.
- The project site is surrounded by commercial development to the north and east across Pacific Coast Highway and Violet Lantern respectively. To the east is the United States Postal Service post office and associated parking lot and a mixed use development across Del Prado Avenue.
- The applicant is requesting to establish a Personal Service Use (beauty salon — Salon Maison) that will also include accessory retail sales.
- Salon Maison will service customers by appointment only and offers services to clients such as hair styling and makeup for special occasions such as weddings. The retail sale of special occasion beauty related products will be an accessory use to the beauty services performed.
- Pursuant to the Land Use Matrix within the Dana Point Town Center Plan (DPTCP) Personal Service Uses are permitted, subject to review and approval of a minor Conditional Use Permit.
- Staff recommends approval subject to the attached findings and conditions of approval.

FINDINGS:

- A. Based on the evidence presented at the public hearing, the Director of Community Development makes the following findings and approves Minor Conditional Use Permit CUP21-0010(M), subject to conditions of approval:
1. The proposed conditional use is consistent with the City of Dana Point General Plan **in that the proposed Personal Service Use is identified as a conditionally permitted use in the Land Use Matrix of the DPTCP. The DPTCP contains requirements, which implement the City’s General Plan through the establishment of permitted uses and development standards for properties within the plan area. The proposed personal service use is also consistent with Goal 6, Policy 6.2 of the Land Use Element of the Dana Point General Plan and Policy 1.2 of the Town Center Plan Policy which states that the use should “encourage retail businesses and mixtures of land uses that help to generate positive pedestrian activity in the area.” With the implementation of the new Personal Service Use (beauty salon), which also offers onsite retail sales, the subject mixed-use building will continue to provide a mixture of businesses that will help to encourage pedestrians to visit the Lantern District.**

2. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the proposed, conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures **in that the proposed personal service use will be established within an existing suite inside of a mixed-use building within the TC-MU District. All services and retail sales will take place within the confines of work portion of the live/work unit designated as 34185 Violet Lantern, Suite F. The proposed Personal Service Use is accordingly compatible with and complimentary to existing development within the projects vicinity and as conditioned would not be materially detrimental to adjacent uses, building or structures.**
3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other land use development features prescribed in the Dana Point Municipal Code in order to integrate the use with existing and planned uses in the **in that the site is located in a recently completed mixed-use development built in compliance with the entitlements for the project as well as the other land use development features prescribed by the DPTCP and Dana Point Zoning Code (DPZC). Additionally, the proposed Personal Service Use is proposed in a vacant suite and requires only minor interior tenant improvements (except for any exterior signage) and any existing, exterior site improvements will remain unchanged with the introduction of the use.**
4. The requirements of the California Environmental Quality Act have been satisfied **in that the project qualifies as a Class 1 (Section 15301 Existing Facilities) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) because the project involves the establishment of a "Personal Service" use within an existing suite with only minor, interior improvements proposed.**

CONDITIONS OF APPROVAL:

The City of Dana Point hereby grants approval of Minor Conditional Use Permit CUP21-0010(M) for the referenced project. This permit is valid subject to the following conditions of approval:

A. General:

1. Approval of this application permits the establishment of a Personal Service Use (beauty salon) inside of an existing, previously unoccupied suite within a multi-tenant, mixed use development (Prado West) located at 34185 Violet Lantern, Suite F. Subsequent changes to the approved scope-of-work shall be in substantial compliance with those plans presented to the Community

Development Director, and in compliance with applicable provisions of the City of Dana Point General Plan and Municipal and Zoning Codes.

2. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced within such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions.
3. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved 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 of Community Development determines that the proposed change complies with the provisions and the spirit and intent of the 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 the CITY's attorney 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 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 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.

6. The applicant and applicant's 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.
7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
8. The applicant shall obtain all applicable permits for the proposed improvements.
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. All proposed activities shall comply with the provisions of the City's Noise Ordinance at all times.
11. The parking stalls located on Violet Lantern and in front of Suite F shall remain open for public use and therefore will not be designated parking for the salon use or any other use on site.
12. Any proposed exterior building signage shall be reviewed and approved under a separate permit.
13. The City shall maintain the option to reconsider the Conditional Use Permit (and conditions contained herein), at any time if the Community Development Director finds it necessary to re-evaluate impacts of the use on the surrounding community.
14. Services and ancillary retails sales associated with the Personal Service Use (beauty salon) shall be limited to the confines of the work portion of the live/work unit addressed as 34185 Violet Lantern, Suite F. Any retail activities associated with the Personal Service Use proposed outside of 34185 Violet Lantern, Suite F shall conform to the requirements of the Dana Point Town Center Plan.
15. The proposed hours of operation are Monday through Saturday, 9:30 A.M. to 6:30 P.M.
16. The subject "Conditions of Approval" section of this permit shall be copied in its entirety, placed directly onto a separate plan sheet in both the City and job plan

sets prior to the Planning Division approval of the Certificate of use and occupancy and/or tenant improvement plans issued for the proposed personal service use.

B. Prior to the issuance of a certificate of use and occupancy or during operation of the project the applicant shall meet the following:

17. Verification of all conditions of approval are required by all City Departments.

18. All approvals from outside Departments and Agencies are required.

19. The applicant shall contact the Planning Division to conduct an inspection of the completed project including compliance with all conditions prior to contacting the Building/Safety Division for final project sign-off.

20. Building/Safety Division sign off is required to finalize building permits.