

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

November 22, 2021
5:03 p.m. – 7:03 p.m.

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

CALL TO ORDER REGULAR MEETING

Chair Nelson called the Regular Meeting of the Dana Point Planning Commission to order at 5:03 p.m.

PLEDGE OF ALLEGIANCE

Vice-Chair Dohner led the Pledge of Allegiance.

ROLL CALL

Planning Commission Members Present: Chair Eric Nelson, Vice-Chair Dohner, Commissioner Mary Opel, Commissioner John Gabbard, Commissioner Ashok Dhingra

Planning Commission Members Absent: None

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Danny Giometti (Senior Planner), and Allison Peterson (Management Analyst)

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code 54956.9(d)(2) (1 case).

RECESS OF PLANNING COMMISSION UNTIL 6:02 PM

RECONVENE PLANNING COMMISSION

A: APPROVAL OF MINUTES

ITEM 1: Minutes of the Regular Planning Commission Meeting October 25, 2021

ACTION: Motion made by Commissioner Dhingra, seconded by Commissioner Gabbard, to approve the Minutes of the Regular Planning Commission Meeting of October 25, 2021. Motion carried 4-0-1.

AYES: Nelson, Opel, Gabbard, Dhingra
NOES: None
ABSENT: None

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ABSTAIN: Dohner

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARING

ITEM 2: A request to approve a Tentative Parcel Map located at 26371 Via Canon A & B and 26373 Via Canon A & B to establish four units, currently under construction, as individual condominiums. In 2015, entitlements were approved for the subdivision of 26371 Via Canon into two lots and the construction of two, detached, residential duplexes on each of the new lots located at 26371 and 26373 Via Canon.

Applicant: Adam Tancredi

Address: 26371 and 26373 Via Canon (APN: 123-141-28.1 & 28.2)

Request: Approval of a Tentative Parcel Map and a Conditional Use Permit located at 26371 Via Canon A & B (Parcel 1) and 26373 Via Canon A & B (Parcel 2) to convert four units, currently under construction, into individual condominiums. In 2015, entitlements were approved for the subdivision of 26371 Via Canon into two parcels and the construction of two, detached, residential duplexes on each of the new parcels located at 26371 and 26373 Via Canon.

Recommendation: That the Planning Commission adopt the resolution approving Tentative Parcel Map TPM20-0004 and Conditional Use Permit CUP21-0012.

Environmental: The proposed project qualifies as a Class 15 (Section 15315) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the division of two (2) duplex dwellings into common-interest ownership where no physical changes occur which are not otherwise exempt.

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Danny Giometti (Senior Planner) provided a presentation and answered questions from the Planning Commission.

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Commissioner Dhingra, seconded by Commissioner Opel, to approve Tentative Parcel Map located at 26371 Via Canon A & B and 26373 Via Canon A & B to establish four units, currently under construction, as individual condominiums, located at 26371 and 26373 Via Canon. Motion carried 5-0-0.

AYES: Nelson, Dohner, Opel, Gabbard, Dhingra
NOES: None
ABSENT: None
ABSTAIN: None

ITEM 3: A request to approve Site Development Permit SDP21-0025 approving a 1,118 square foot accessory dwelling unit (ADU) to be constructed above an existing detached garage, located at 26582 Via California.

Applicant: Wayne & Jodie Collins

Address: 26582 Via California (APN 123-183-41)

Request: A request to permit a 1,118 square foot accessory dwelling unit (ADU) to be constructed above an existing detached garage.

Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP21-0025.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be categorically exempt per Section 15303 (Class 3 - Construction and Conversion of Small Structures).

Brenda Wisneski (Director of Community Development) provided a presentation and answered questions from the Planning Commission.

PUBLIC COMMENTS

Wayne Collins (Applicant) made comments regarding the purpose of constructing an ADU and addressed neighbor concerns.

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Amy Lindsay (Capo Beach) spoke on behalf of Phillip Duke and expressed concerns related to the project.

Derek Ketcham (Capo Beach) expressed concerns related to the project impacting his home.

ACTION: Motion made by Commissioner Gabbard, seconded by Vice-Chair Dohner, to approve Site Development Permit SDP21-0025 for a 1,118 square foot accessory dwelling unit (ADU) to be constructed above an existing detached garage, located at 26582 Via California, with additional conditions and corrections stated in memorandum. Motion carried 5-0-0.

AYES: Nelson, Dohner, Opel, Gabbard, Dhingra
NOES: None
ABSENT: None
ABSTAIN: None

ITEM 4: Site Development Permit SDP21-0023 approving a two-story, detached, 1,200 square foot accessory dwelling unit (ADU) with a roof deck in conjunction with a single-family dwelling (SFD).

Applicant: Arktech – Michael Ta-Wei Lu

Address: 34011 Ruby Lantern (APN 682-242-02)

Request: A request to permit a two-story, detached, 1,200 square foot accessory dwelling unit (ADU) with a roof deck in conjunction with a single-family dwelling (SFD).

Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP21-0023.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be categorically exempt per Section 15303 (Class 3 - Construction and Conversion of Small Structures).

Danny Giometti (Senior Planner) provided a presentation and answered questions from the Planning Commission.

PUBLIC COMMENTS

There were no Public Comments.

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ACTION: Motion made by Chair Nelson, seconded by Commissioner Gabbard, to continue item to the next Planning Commission meeting scheduled for Monday, December 13, 2021, for Applicant to be present for discussion. Motion carried 5-0-0.

AYES: Nelson, Dohner, Opel, Gabbard, Dhingra
NOES: None
ABSENT: None
ABSTAIN: None

E. OLD BUSINESS

There was no Old Business.

ITEM 5: Short-Term Rental Subcommittee Update

Chair Nelson (Subcommittee Member) stated they had a great outreach meeting, and he was please with the participation. He said it was exactly the type of feedback the subcommittee was hoping for, and he looks forward to the next step.

Brenda Wisneski (Director of Community Development) commented that the subcommittee is working hard to work through the public comments, and they will be bringing back a framework and program potentially to the Planning Commission in January 2022.

F. NEW BUSINESS

There were no New Business.

G. STAFF REPORTS

There were no Staff Reports.

H. COMMISSIONER COMMENTS

Vice-Chair Dohner mentioned it was nice to meet Commissioner Dhingra and wished a Happy Thanksgiving.

Commissioner Dhingra thanked Vice-Chair Dohner and wished all a Happy Thanksgiving.

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I. ADJOURNMENT

Chair Nelson adjourned the meeting at 7:03 p.m. The *next* Regular Meeting of the Planning Commission will be held on Monday, December 13, 2021 in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

Eric Nelson, Planning Commission

DRAFT