

CITY OF DANA POINT

Monday
March 14, 2022
6:00 p.m.



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

PLANNING COMMISSION REGULAR MEETING AGENDA

REVISED SAFETY ALERT (EFFECTIVE AS OF JUNE 2, 2020)

AS A RESULT OF THE COVID-19 VIRUS, AND RESULTING ORDERS AND DIRECTION FROM THE PRESIDENT OF THE UNITED STATES, THE GOVERNOR OF THE STATE OF CALIFORNIA, AND THE ORANGE COUNTY HEALTH CARE AGENCY, AS WELL AS THE CITY OF DANA POINT EMERGENCY DECLARATION, THE PUBLIC HAS NOT BEEN PERMITTED TO PHYSICALLY ATTEND DANA POINT PLANNING COMMISSION MEETINGS SINCE MID MARCH, 2020. AS COVID-19 RELATED RESTRICTIONS EASE, THE PUBLIC WILL NOW BE ALLOWED TO ATTEND PLANNING COMMISSION MEETINGS PROVIDED SOCIAL DISTANCING GUIDELINES ARE FOLLOWED. THESE GUIDELINES WILL RESULT IN VERY LIMITED OPPORTUNITIES, ON A FIRST COME BASIS, FOR THE PUBLIC TO OBSERVE THE PLANNING COMMISSION MEETING FROM THE FOYER WHICH IS ADJACENT TO THE COUNCIL CHAMBER AND TO ENTER THE CHAMBER TO MAKE PUBLIC COMMENTS. MEMBERS OF THE PLANNING COMMISSION MAY CONTINUE TO PARTICIPATE IN MEETINGS TELEPHONICALLY IF THEY CHOOSE PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20.

PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY OR BY MAIL. IF YOU CHOOSE TO ATTEND THE MEETING AND WISH TO DELIVER PUBLIC COMMENT IN PERSON, YOU ARE ENCOURAGED TO WEAR FACE COVERINGS AND MAINTAIN SOCIAL DISTANCING. TEMPERATURE SCREENINGS ARE MANDATORY FOR ALL PERSONS ENTERING CITY HALL. CITY STAFF IN ATTENDANCE AT THE MEETING WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS WHEN PUBLIC COMMENT IS OPEN. THERE WILL BE LIMITED SPACE AT THE PLANNING COMMISSION MEETING FOR MEMBERS OF THE PUBLIC TO SIT OR STAND TO OBSERVE THE MEETING LIVE FROM THE FOYER ADJACENT TO THE COUNCIL CHAMBER. IF THAT SPACE IS EXCEEDED, PERSONS WISHING TO PRESENT PUBLIC COMMENT IN PERSON WILL BE PERMITTED TO LINE UP OUTSIDE AND WILL BE ALLOWED TO SPEAK. AFTER SPEAKING, HOWEVER, THEY WILL BE REQUIRED TO GO BACK OUTSIDE UNLESS ONE OF THE LIMITED SPOTS INSIDE THE FOYER BECOME AVAILABLE. MEMBERS OF THE PUBLIC WILL BE REQUIRED TO FOLLOW STAFF'S DIRECTIONS.

ALTERNATIVELY, YOU MAY SUBMIT COMMENTS ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO “PLANNING COMMISSION” 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO COMMENT@DANAPOINT.ORG. ALL COMMENTS RECEIVED BY 4:00 P.M. ON THE DATE OF THE MEETING WILL BE PROVIDED TO THE PLANNING COMMISSION IN ADVANCE TO ALLOW TIME FOR THE COMMISSIONERS TO READ THEM. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES, MAILED OR EMAILED COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING (ALTHOUGH ALL COMMENTS WHENEVER RECEIVED WILL BE SHARED WITH THE COMMISSIONERS). EMAILS SHOULD INCLUDE “PUBLIC COMMENT” AND THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE THE AGENDA ITEM NUMBER, IF APPLICABLE. MAILED COMMENTS SHOULD PROMINENTLY INCLUDE A SIMILAR REFERENCE AT THE TOP OF THE FIRST PAGE. MAILED AND EMAILED COMMENTS WILL NOT BE READ BY THE CHAIR DURING THE MEETING, BUT WILL BE INCLUDED IN THE RECORD.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Chair Eric Nelson, Vice-Chair Roy Dohner, Commissioner Mary Opel, Commissioner John Gabbard, Commissioner Ashok Dhingra

A: APPROVAL OF MINUTES

ITEM 1: Minutes of Regular Planning Commission from February 28, 2022

B. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a “Request to Speak” form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15 minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

C. CONSENT CALENDAR

D. PUBLIC HEARING

ITEM 2: Site Development Permit SDP21-0018 to permit the construction of a three-story, single-family dwelling on a hillside lot with a roof deck and retaining walls, located at 25172 Manzanita Drive.

Applicant: Peters Architecture

Address: 25172 Manzanita Drive (APN: 682-137-08)

Request: Approval of a Site Development Permit to permit the construction of a three-story, single-family dwelling (SFD) on a hillside lot with a roof deck and retaining walls.

Recommendation: That the Planning Commission adopt the draft Resolution approving Site Development Permit SDP21-0018.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15303 of the CEQA Guidelines (Class 3 - Construction or Conversion of Small Structures) since the project consists of the construction of a new SFD on a hillside condition lot with a roof deck and retaining walls.

Staff Contact Information: Danny Giometti (Senior Planner)
Email: dgiometti@danapoint.org
Phone: (949) 248-3569

ITEM 3: Coastal Development Permit CDP22-0005 and Site Development Permit SDP21-0013, to permit the construction of a third story addition to an existing nonconforming, three-story, single-family dwelling located on a lot with a hillside condition and Administrative Modification of Standards AMS21-0006 to permit a reduction in the setback for a proposed third story deck associated with the proposed addition, located at 34191 Blue Lantern Street.

Applicant: Mike Carey

Location: 34191 Blue Lantern (APN: 682-245-19)

Request: Approval of a Coastal Development Permit and Site Development Permit to permit the construction of a third

story addition to an existing, nonconforming, three-story, single-family dwelling located on a lot with a hillside condition, and an Administrative Modification of Standards to permit a reduction in the setback for a proposed third story deck associated with the proposed addition.

Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP22-0005, Site Development Permit SDP21-0013, and Administrative Modifications of Standards.

Environmental: The designation of the property on the Dana Point Historic Resource Register is not a project pursuant to the California Environmental Quality Act (CEQA) as there is no possible effect to the environment via this designation.

Staff Contact Information: Justin Poley (Assistant Planner)
Email: jpoley@danapoint.org
Phone: (949) 248-3575

E. OLD BUSINESS

ITEM 4: Short Term Rental Subcommittee Update

F. NEW BUSINESS

ITEM 5: A request for Historical Resource Designation and participation in The Mills Act Program at 33812 El Encanto (Historic Resource Application 22-0001).

Applicant: Victoria Pilko

Location: 33812 El Encanto (APN: 682-103-52)

Request: The applicant seeks to have a residential structure placed on the Dana Point Historic Resource Register. The applicant also requests a recommendation to enter into an agreement with the City for participation in the Mills Act Program.

Recommendation: That the Planning Commission adopt a Resolution designating the residential structure located at 33812 El Encanto as a locally significant historical structure on the City's Historic Register and recommend to the City Council that the City enter into an agreement with the property owner for participation in the Mills Act Program.

Environmental: The designation of the property on the Dana Point Historic Resource Register is not a project pursuant to the California Environmental Quality Act (CEQA) as there is no possible effect to the environment via this designation.

Staff Contact Information: John Ciampa (Senior Planner)
Email: jciampa@danapoint.org
Phone: (949) 248-3591

G. STAFF REPORTS

H. COMMISSIONER COMMENTS

I. ADJOURNMENT

The *next* Regular Meeting of the Planning Commission will be held on March 28, 2022, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chambers located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Brenda Wisneski, Community Development Director of the City of Dana Point, do hereby certify that on or before March 10, 2022 I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, and the Dana Point Post Office, and the Dana Point Library.

Brenda Wisneski, Director
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.