

Staci Sheaks

From: Danny P. Giometti
Sent: Monday, July 11, 2022 2:22 PM
To: Brenda Wisneski; Staci Sheaks
Subject: Fwd: CUP22-0004 Hearing Tonight Please Read In Advance of the Meeting
Attachments: MR Danny Giometti - CUP22-0004.pdf

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From: Kevin Rausch <kevin@rauschpt.net>
Sent: Monday, July 11, 2022 2:14:34 PM
To: Danny P. Giometti <DGIOMETTI@DanaPoint.org>
Cc: Ross Lewis <Rlewis@transtar.com>; Nicole Birdsall <nickib@rauschpt.net>; Jonathan Meltzer <jonathan@rauschpt.net>
Subject: RE: CUP22-0004 Hearing Tonight Please Read In Advance of the Meeting

Good Afternoon Mr. Giometti -

Unfortunately, I will not be able to attend the meeting tonight but I hope you will read and consider my letter of opposition to this CUP for Spine and Sport Physical Therapy.

I am a physical therapist myself and a PT business owner of 4 locations throughout Orange County and I am well aware of the parking needs of a PT business.

Danny Giometti
Dana Point Senior Planner
CUP22-0004(M)
7/11/2022

Dear Mr. Danny Giometti:

RE: Spine and Sport Physical Therapy, CUP22-0004(m)

I am writing to you in reference to the upcoming meeting concerning the Conditional Use Permit for Spine and Sport Physical Therapy located at 24591 Del Prado Ave.

I am in opposition to this CUP because of the parking issue already present which is bound to be severely worsened by adding another Physical Therapy practice to this area. And although I will not be present at the meeting tonight, I hope that you will consider my letter of opposition.

I am a Physical Therapist and PT business owner of 4 practices in South Orange County. One of which is directly across Del Prado from the proposed location of this CUP. Parking for my clients and patients used to be fine, prior to the new buildings. However, now parking is already difficult for my patients and

if you approve of this CUP for another PT practice, parking will be impossible for ALL of our businesses in the area.

I wanted to reference something that my team pointed out for me at the first CUP meeting that took place at your office a few months previous. Where the representatives for Spine and Sport and the Raintree Group noted that the proposed CUP business would only bring a few cars per hour to the area. This is maliciously false information, as I know for a fact that a practice of the 2000-3500 sqft size would bring the following number of cars per hour / day.

Employees:

1- Manager
4-6 Physical Therapists
4-6 Aides / Techs
2-3 Front Desk Receptionists
Employee Total = 11-16 cars per day

Patients/Clients:

Typically therapists see 2.5 patients per hour
4 Therapists x 2.5 patients per hour x 8 hours = 80 visits per day
6 Therapists x 2.5 patients per hour x 8 hours = 120 visits per day
Total = 80-120 patient cars per day

I hope you understand that I am a huge and lifelong fan of the Physical Therapy Profession and the good it brings to the community as a whole. In fact, I think Spine and Sport Physical Therapy is a great organization; however, this is not the right location for them. The parking impacts of this CUP approval for this business location would be harmful to their business itself and a severe and potentially disastrous impact would be felt for the surrounding existing businesses as well.

I hope that you will NOT approve this CUP22-0004(M)

Regards,

Kevin Rausch, PT

Kevin Rausch
President & Founder
Rausch Physical Therapy & Sports Performance
kevin@rauschpt.net mobile (949) 300-4294

Kevin Rausch, P.T.
President, Rausch PT INC.



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Dana Point Senior Planner
CUP22-0004(M)
7/11/2022

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Regards,

Kevin Rausch, PT

Kevin Rausch

President & Founder

Rausch Physical Therapy & Sports Performance

kevin@rauschpt.net mobile (949) 300-4294

Staci Sheaks

From: Danny P. Giometti
Sent: Monday, July 11, 2022 2:39 PM
To: Brenda Wisneski; Staci Sheaks
Subject: Fwd: Town Center Parking Appeal
Attachments: CCF_000066.pdf; CCF_000067.pdf

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From: Kyle O'Kelly <kyle@okellypacific.com>
Sent: Monday, July 11, 2022 2:36:15 PM
To: Danny P. Giometti <DGIOMETTI@DanaPoint.org>
Subject: Fwd: Town Center Parking Appeal

Hi Danny,

Good afternoon. Bill asked me to share this email with you to share with the other staff who will be at the meeting tonight.

See you at 6pm.

All my best,

Kyle O'Kelly - **949.289.5700**
Principal Broker/Owner
DRE #01336643
O'Kelly Pacific Real Estate
Investing in you and your address for 15+ years!
CA DRE #01523594
Email @ Kyle@OKellyPacific.com
Web @ www.OKellyPacific.com

----- Forwarded message -----

From: Bill McCormack <sixstarbill@cox.net>
Date: Sun, Jul 3, 2022 at 1:17 PM
Subject: Town Center Parking Appeal
To: Bill McCormack <sixstarbill@cox.net>

Agenda Item No. 3
7/11/2022

The Dana Point Planning Commission's approval of Conditional Use Permit 22-0004(M) allowing another Prado West building 3 commercial tenant to conduct business without onsite parking has been appealed by the owners of the combined equal size adjacent commercial properties located at 34157 Pacific Coast Highway (Harbor House Café), 34192 San Juan (Quick Building) and 24621 Del Prado (Killer Dana Surf Shop). A copy of the appeal notice is attached to this email.

The People voted no on Measure I and yes on Measure H on 6/7/2016 requiring a Local Coastal Plan Amendment from the California Coastal Commission for the purpose of implementing an in-lieu parking program and requiring voter approval of all zoning or construction code changes to the Town Center Area, removing the City Council's authority to approve changes to the Town Center Plan itself. During the construction of Prado West Building 3 the required 26 onsite public parking stalls designated for commercial parking were replaced with 26 offsite public parking stalls located 7 properties or 1/8 mile away without obtaining a Local Coastal Plan Amendment. Also, it appears that providing zero onsite commercial parking stalls at Prado West Building 3 does not fulfill the requirements of Measure H, the Town Center Plan, zoning requirements and ADA requirements.

The Prado West Building 3 in-lieu parking arrangement is not working now and will obviously get worse as more commercial space is leased. If Spine and Sport Physical Therapy has early hours the staff and customers will arrive for work early, like Prado West Building 3's other tenants and customers including Chase Bank, and take all of the public parking spaces and continue to park in our 46 private onsite spaces if we don't watch them carefully, so this will directly affect our tenants and their businesses. All businesses and residences located in the Town Center will be negatively affected. Most every day 95% of the Prado West Building 3 Violet Lantern Street facing stalls are occupied while 95% of the Prado West Building 1 and 2 underground stalls located at Blue Lantern and the Alley are unoccupied.

We request that Raintree and the City of Dana Point ammend the Prado West 3 Plans and provide the 26 onsite commercial parking stalls required in the original plans for the mutual benefit of all parties.

Interested persons are entitled to express their opinions at the upcoming appeal hearing on 7/11/22 at 6 PM. We hope that you will attend and also forward this information to other interested persons.

Thanks,

Bill McCormack

Naomi Yang,

Mindy Quick



City of Dana Point
Public Hearing Notice for CUP22-0004(M)
 Danny Giometti, Senior Planner
 Community Development Department
 33282 Golden Lantern
 Dana Point, CA 92629-1805



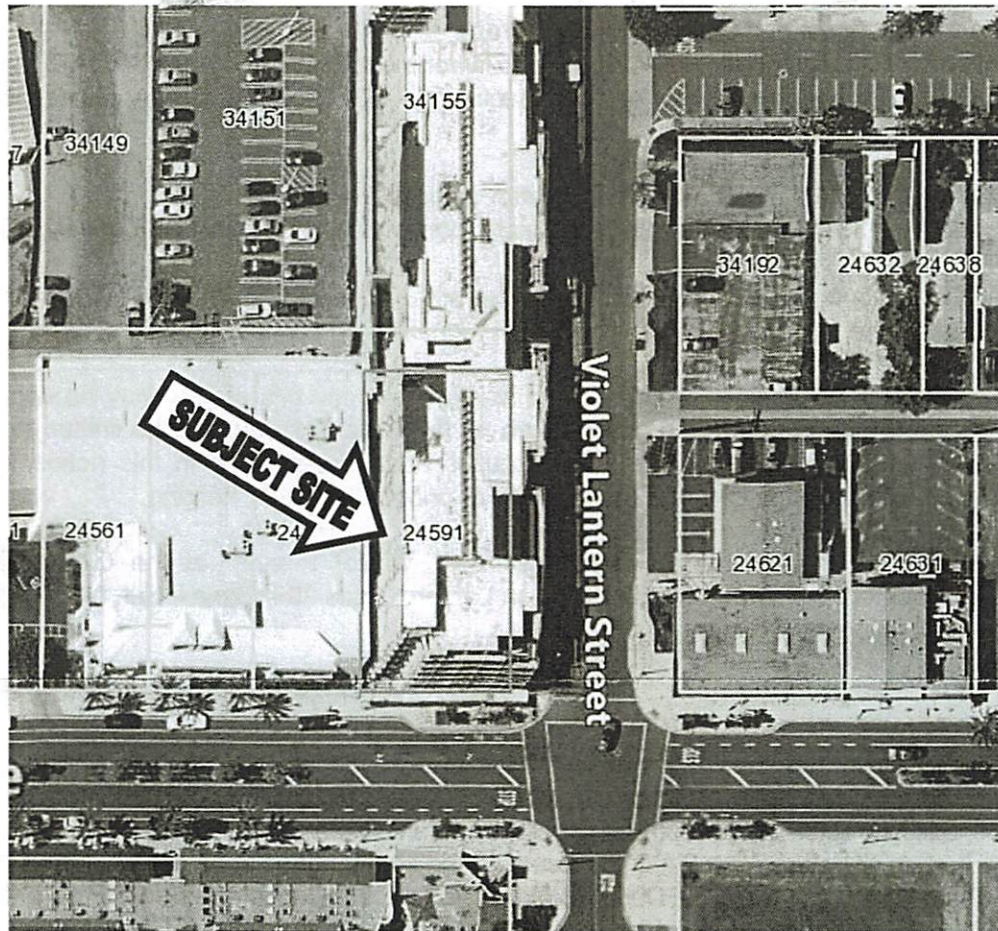
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 THIS MAY AFFECT YOUR PROPERTY**

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 WILLIAM MC CORMACK
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 NEWPORT BEACH CA 92660

VICINITY MAP



Project : CUP22-0004(M)
Applicant: Spine and Sport Physical Therapy
Location: 24591 Del Prado Avenue



PUBLIC NOTICE
CITY OF DANA POINT
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a public hearing will be held by the Planning Commission of the City of Dana Point to consider the following:

APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL OF CONDITIONAL USE PERMIT CUP22-0004(M): A request to permit the establishment of a combined Clinical Services and Recreation Use business within a suite on the ground floor of an existing mixed-use building (Prado West Development) fronting the Street of Violet lantern within the Dana Point Town Center plan, located at 24591 Del Prado Avenue was approved by the Community Development Director on May 17, 2022. On May 24, 2022, an appeal of the Community Development Director's approval was filed by Naomi Yang, restaurant owner and Bill McCormack, a commercial property owner.

Project Number: CUP22-0004(M)
Project Location: 24591 Del Prado Avenue (APN: 682-321-08)
Property Owner: Raintree Del Prado, LLC
Applicant: Spine and Sport Physical Therapy
Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section(s) 15301 of the CEQA Guidelines (Class 1) Existing Facilities.
Hearing Date: Monday, July 11, 2022
Hearing Time: 6:00 p.m. (or as soon thereafter as possible)
Hearing Location: 33282 Golden Lantern, Council Chambers, Dana Point, California 92629

All persons either favoring or opposing this proposal are invited to present their views on the above referenced project to the Planning Commission at this hearing.

Note: A decision by the Planning Commission to approve or deny this project may be appealed to the City's City Council. If you challenge the action taken on this proposal, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Dana Point on or prior to the public hearing.

For further information, please contact Danny Giometti, Senior Planner at the City of Dana Point, Community Development Department, 33282 Golden Lantern, Suite 209, Dana Point, by calling (949) 248-3569, or via e-mail: dgiometti@danapoint.org.

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss AFFIDAVIT OF POSTING
CITY OF DANA POINT)

I, Brenda Wisneski, Director of the Community Development Department of the City of Dana Point, do hereby certify that on or before June 27, 2022, I caused the above notice to be posted in four places in the City of Dana Point, to wit: City Hall, the Dana Point Post Office, the Capistrano Beach Post Office, and the Dana Point Library. Notice is also provided pursuant to Section 9.26.010(f) of Dana Point Town Center Plan (DPTCP).



Brenda Wisneski, Director
Community Development Department

Staci Sheaks

From: Danny P. Giometti
Sent: Monday, July 11, 2022 3:59 PM
To: Staci Sheaks; Brenda Wisneski
Subject: Fwd: Time Sensitive Re: 6PM Hearing

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From: Bill McCormack <sixstarbill@cox.net>
Sent: Monday, July 11, 2022 3:57:22 PM
To: Danny P. Giometti <DGIOMETTI@DanaPoint.org>
Subject: Time Sensitive Re: 6PM Hearing

To: Danny Giometti, Senior planner, City of Dana Point

Hello Danny,

Please forward this email letter to all members of the Planning Commission prior to the beginning of the hearing scheduled for 6PM Tonight.

The Dana Point Planning Commission's approval of Conditional Use Permit 22-0004(M) allowing another Prado West building 3 commercial tenant to conduct business without onsite parking has been appealed by the owners of the combined equal size adjacent commercial properties located at 34157 Pacific Coast Highway (Harbor House Café), 34192 San Juan (Quick Building) and 24621 Del Prado (Killer Dana Surf Shop). A copy of the appeal notice is attached to this email.

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