

September 20, 2023

TO: Danny Giometti, Senior Planner, City of Dana Point

FROM: Gerald Molina, 24015 Atun, Dana Point, CA 92629

SUBJECT: Permit MTSDP23-0060

Dear Sir;

This letter is to inform you of my wife's and my vehement opposition to the above permission request to have Project Social allowed live music up to 24 times per year.

Citing herein the previous and current examples of noise disturbances from this business from its inception (and noting that you were present during their request for their original Conditional Use Permit), and also including "problems" from other businesses in the strip mall below us, allowing their use of amplified music in this natural amphitheater destroys the "quality of life" in this RESIDENTIAL neighborhood. I use the term "quality of life" specifically, due to its use by the representative of the Dana Point Chamber of Commerce in the minutes of the Traffic Commission Hearing of May 31, 2022, which was to allow the center extra Niguel Road parking spaces for their businesses.

Continual notifications and the need for a City Dropbox, for time-stamped video and photos, initiated by Assistant City Manager Kelly Reenders to document past and current noise problems has not ceased.

I hope that the City of Dana Point makes the correct decision regarding catering to this "bad neighbor", which is in fact more of a "bar" than a restaurant and doesn't continue to degrade the "quality of life" for the entire city.

Thank you for the opportunity to hear our opinion.

Sincerely,  
Jerry and Donna Molina

**Gerald Molina, 24015 Atun, Dana Point, 92629**

**THE TEXT BELOW WAS READ INTO THE PUBLIC RECORD AT THE DANA POINT TRAFFIC COMMISSION HEARING ON MAY 31, 2022**

On May 26, this last Thursday, my wife was wakened at 545am by noisy construction taking place in the strip mall behind and below our neighborhood. Loud power tools were being used in the urgent care suite. AGAIN AT 545AM. She drove down to the site and started a video documentation per Asst City Manager Kelley Reenders' instructions, and which is being sent to her Dropbox for this issue. While filming, she informed the project superintendent that no work was allowed to be performed until 7am, but was threatened immediately by a Mr. Harris of the RAM construction company to not only leave the premises, but to leave the public space outside the suite. My wife then called the OC Sheriffs, again per Kelly Reenders instructions, to help mitigate the issue. They arrived, she made a report, and she left the scene.

**THESE ARE THE BAD NEIGHBORS THAT THE CITY OF DANA POINT IS CATERING TO WHEN THEY REQUEST MORE PARKING SPACES FOR THEIR COMMERCIAL BUSINESSES.**

And on this last Friday, May 27, cones were set up blocking off the bike lane of Camino Del Avion near the empty lot behind the same urgent care suite, and adjacent to the Moulton Niguel Water District property. A request had been made to the City of Laguna Niguel to restripe the bike lane in anticipation of having an easement approved for a driveway in to the empty lot, also for extra parking, per Mr. Sinacori at the meeting in these chambers on April 20 of this year. According public records, that final approval had not been given by the city of Laguna Niguel, and a Public Works employee from Laguna Niguel was sent to stop work by Mr Harris again and the RAM construction company..

This is just another example of construction work being done surreptitiously by an agent of the strip mall owner or owners.

For example, a large commercial electrical fuse box being replaced at 3am in the back alley behind the Monarch Beach market a few years ago. If you believe that didn't wake anybody, you'd be wrong.

Recently remodeling a business, Posh Nails, between midnight and 1am.

Party noises and music from Project Social that rivaled the loudest concert I have ever heard. OC Sheriffs again called

Delivery trucks coming as early as 530am offloading pallets with pallet jacks and power lift gates. All these instances documented and sent to Asst City Manager Kelly Reenders.

November 22, 2021

TO: City of Dana Point  
Joe Muller, Mayor Pro Tem  
Richard Viczorek, Councilman  
James Federico, Councilman  
Mike Frost, Councilman  
Michael Villar, Councilman  
Mike Killebrew, City Manager

FROM: Gerald Molina, 24015 Atun, Dana Point, CA, 92629; (949) 370-4887

SUBJECT: Excessive Noise Complaint, November 21, 2021, Project Social

This is a letter of complaint to inform you of the horrendously loud noise that was emanating from the the Project Social business on November 21, 2021, from 7pm-10pm. I was informed that a DJ was playing his "music" (debatable) at the loudest decibels and that he had the full permission of the City of Dana Point.

When attempting to call police services at the non-emergency number of (949)770-6011, there was no answer for several attempts, but simply a recording stating that the line was busy. Being left to call 911, to assist in connecting me to the non-emergency operator, I finally was able to explain the situation, which was difficult due to the at least 100 decibel noise level coming through my back window. Using an average decibel level of 80 for a commercial street and 100-120 for a freeway, this was definitely more than the 50-55 db level allowed by Title 11.10 of the Dana Point City Ordinance.

The unbelievable part of the conversation I had with the operator was when she explained that the business had a permit issued by the City to play music "as loud as they wanted to until 10pm." I was shocked to hear those words, and that a issued permit had that proviso written into it. My question to you is, "Is That True?" Ignoring your own ordinance to accomodate what I would portray as a "Public Nuisance?"

When the Conditional Use Permit for Project Social was discussed years ago with then Interim City Planner Danny Giometti, these were the exact issues presented by the residents in close proximity, especially with the history of being "bad neighbors" by a couple of other tenants in the strip mall, regarding excessive noise levels in a residential area, remodeling/construction without a permit, and construction between 10pm and 5am, to avoid said permit. These are all past documented complaints with DP City Code Enforcement employees and OC Sheriffs.

I hope events that happened last night, and the past instances that have occurred, will not eventually turn Dana Point, our home for almost 25 years, into a seedy example of a community that I've heard our local government leaders want to avoid. And since I have put pen to paper, I would expect a response in kind.

Sincerely,  
Jerry Molina

FROM THE DESK OF

**Tom Baker**

September 20, 2023

City of Dana Point  
Community Development Department  
33282 Golden Lantern, Suite 209  
Dana Point, CA. 92629

Dear Brenda Wisneski,

We are writing this letter to oppose the Master Temporary Site Development Permit MTSDP23-0060 at 24040 Camino Del Avion (Project Social Restaurant). In particular, the managers at Project Social do not adhere to their current noise rules, and the police do not respond to complaints from neighbors, especially when it is permitted.

The Project Social management repeatedly violates their current agreement to control their noise pollution. Employees do not enforce noise rules by telling loud guests to be quiet. We regularly hear employees dumping beer bottles and heavy garbage into the dumpsters after their 10 PM curfew. Sometimes employees gather in the patio area and have loud conversations after closing.

During the infamous "wedding DJ" event that they had, calling the police had no effect to stop the noise because they had a permit filed to make noise. The management at Project Social should have asked the DJ to lower the volume but they did not.

Here are some suggestions to coexist with their neighbors in a fair way: Can they invest some money to build an enclosure around their back patio? Can they plant some trees on the slope to buffer the noise? Can they locate live bands inside their property instead of on the back patio? I think a clause in the permit should be a sound pressure level (SPL) limit that they cannot exceed. This makes the noise level something that is easily measurable and enforceable.

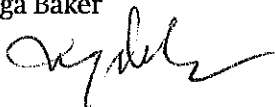
We request that the City denies the request for this permit until the surrounding community can agree on reasonable terms for added entertainment at Project Social.

Sincerely yours,



Tom Baker

Nga Baker



City of Dana Point  
Community Development Department  
33282 Golden Lantern, Suite 209  
Dana Point, Ca 92629

September 21, 2023

Re: Master Temporary Site Development Permit, MTSDP23-0060  
Project Social Restaurant

Dear Brenda Wisneski,

We are opposed to the above Permit being granted to the Project Social Restaurant.

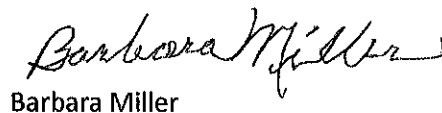
This location was the focus of complaints by the neighbors when Project Social hosted a wedding reception in the past. Excessive noise emanated from the site. A number of neighbors notified Police Services at that time. Others were unable to contact Police Services through the telephone number listed. Police Services did nothing to abate the noise at that time and Project Social also did nothing to appease the neighbors.

We do not wish to experience the loud music and voices from the amplified microphone that is requested through the permit. Project Social has demonstrated that they are not neighbor friendly and should be denied their request for the Permit. Review by the City of Dana Point prior to an event will not guarantee compliance.

It is requested that the subject permit be denied.

Very truly yours,

  
George Miller

  
Barbara Miller

24005 Atun  
Dana Point, Ca 92629  
(949) 487-9996

**From:** [Brenda Wisneski](#)  
**To:** [Danny P. Giometti](#); [Martha Ochoa](#)  
**Subject:** FW: Mraster Temporary Site Development Permit MDSTP25-0060  
**Date:** Wednesday, September 20, 2023 10:02:36 AM

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For distribution.

**From:** Terry Walsh <terenceewalsh@gmail.com>  
**Sent:** Wednesday, September 20, 2023 9:04 AM  
**To:** Brenda Wisneski <BWisneski@DanaPoint.org>  
**Cc:** George Miller <papageo13@aol.com>  
**Subject:** Fwd: Mraster Temporary Site Development Permit MDSTP25-0060

To: Planning Commissioners

I agree with everything George Miller wrote in opposition to the request detailed in Master Temporary Site Development Permit MDSTP25-0060.

We say **absolutely not**.

With this restaurant, we do not have to speculate or predict the lack of concern for the residents in the community or the noise generated by "special events" as they demonstrated their attitude previously. The last event was a wedding that had a band creating noise at such a level that some residents just above the restaurant could not hear their TV when the windows and doors were closed. This demonstrated a total lack of concern on the owner. They did not even an apology. I was horrible and ruined much of the day for residents.

The homes on the bluff just above the restaurant are just too close for special events and bands. We live in one of those homes on the bluff facing the slope and the noise which was in-tolerable.

Please **deny** the request.

Terry and Lee Walsh