

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

September 25, 2023
6:01pm – 7:34 pm

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

CALL TO ORDER REGULAR MEETING

Vice-Chair Opel called the Regular Meeting of the Dana Point Planning Commission to order at 6:01 pm.

PLEDGE OF ALLEGIANCE

Commissioner Boughen led the Pledge of Allegiance.

ROLL CALL

Planning Commission Members Present: Vice-Chair Mary Opel, Commissioner Eric Nelson and Commissioner Luke Boughen.

Planning Commission Members Absent: Chair Ashok Dhingra.

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Kurth Nelson, (Principal Planner), Alyssa Gonzalez (Assistant Planner) and Martha Ochoa (Senior Administrative Assistant).

A. APPROVAL OF MINUTES

ITEM 1: MINUTES OF REGULAR PLANNING COMMISSION FROM SEPTEMBER 11, 2023

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Boughen, to approve the Minutes of the Regular Planning Commission Meeting of September 11, 2023. Motion carried 3-0-0.

AYES: Opel, Nelson, Boughen
NOES: None
ABSENT: Dhingra
ABSTAIN: None

B. PUBLIC COMMENTS

There were no Public Comments.

**CITY OF DANA POINT
PLANNING COMMISSION**

September 25, 2023
6:01pm – 7:34 pm

REGULAR MEETING ACTION MINUTES

PAGE 2

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARING

ITEM 2: SITE DEVELOPMENT PERMIT SDP22-0033 TO ALLOW A NEW MIXED USE STRUCTURE WITH INCREASED LOT COVERAGE AND TWO ROOF DECKS ON A VACANT LOT AND CONDITIONAL USE PERMIT CUP22-0010 TO ALLOW A RESIDENTIAL UNIT AS AN ACCESSORY USE ON THE SECOND STORY LOCATED AT 26852 CALLE HERMOSA

Applicant: Lule Hoda, AIA

Location: 26852 Calle Hermosa (APN: 123-355-15)

Request: A request to develop a vacant parcel with a two-story mixed use structure with increased lot coverage and featuring a 2,323 square foot first and second-story office use, and a 2,204 square foot second story single family dwelling (SFD) use, and roof decks for both uses located in the Professional/Residential (P/R) Zoning District.

Recommendation: That the Planning Commission adopt the draft Resolution approving Conditional Use Permit CUP22-0010 and Site Development Permit SDP22-0033.

Environmental: This project is categorically exempt (Class 3 - Section 15303(c) – New Construction or Conversion of Small Structures) from the provisions of the California Environmental Quality Act (CEQA) since the project involves the construction of a commercial building that does not exceed 10,000 square feet in floor area on site zoned for such use, and does not involve the use of significant amounts of hazardous substances, and all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive.

Alyssa Gonzalez (Assistant Planner) provided a staff report and answered questions from the Planning Commissioners.

**CITY OF DANA POINT
PLANNING COMMISSION**

September 25, 2023
6:01pm – 7:34 pm

REGULAR MEETING ACTION MINUTES

PAGE 3

PUBLIC COMMENTS

Hank Thomas (Capistrano Beach) provided a handout and spoke in support of the project.

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Boughen, to approve Site Development Permit SDP22-0033 to allow a new mixed use structure with increased lot coverage and two roof decks on a vacant lot and Conditional Use Permit CUP22-0010 to allow a residential unit as an accessory use on the second story, with added conditions: 1) that staff work with the applicant prior to issuance of a grading permit to explore widening the landscape parkway on Calle Verano, and 2) during all construction phases, direct employees to park on-site, when feasible, and construction related vehicles used for grading operations and building materials shall be stored on the subject site at 26852 Calle Hermosa. Motion carried 3-0-0.

AYES: Opel, Nelson, Boughen
NOES: None
ABSENT: Dhingra
ABSTAIN: None

ITEM 3: COASTAL DEVELOPMENT PERMIT CDP23-0034 AND MINOR SITE DEVELOPMENT PERMIT SDP23-0024(M) TO DEMOLISH A SINGLE-FAMILY DWELLING WITH AN ATTACHED GARAGE, AND CONSTRUCT A NEW, 3,696 SQUARE FOOT, ONE-STORY, SINGLE-FAMILY DWELLING WITH AN ATTACHED 534 SQUARE FOOT, TWO-CAR GARAGE AND MULTIPLE LANDSCAPE RETAINING AND SCREEN WALLS LOCATED AT 32512 SEVEN SEAS DRIVE

Applicant: Eyoh Design

Location: 32512 Seven Seas Drive (APN: 670-083-14)

Request: Approval of a Coastal Development Permit and Minor Site Development Permit to demolish a single-family dwelling with an attached garage, and construct a new, 3,696 square foot, one-story, single-family dwelling with an attached 534 square foot, two-car garage and multiple landscape retaining and screen walls. The project is in the coastal Overlay District as defined by the City's Zoning Map and includes site walls which exceed district maximums within the front yard, therefore approval of a Coastal Development Permit

CITY OF DANA POINT
PLANNING COMMISSION

September 25, 2023
6:01pm – 7:34 pm

REGULAR MEETING ACTION MINUTES

PAGE 4

and a Minor Site Development Permit are required, respectively.

Recommendation: That the Planning Commission continue the item to the October 23, 2023, Planning Commission Meeting.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(a) (Class 3 – New Construction) in that the project involves construction of one single-family dwelling and retaining walls in a residential zone.

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Commissioner Boughen, seconded by Commissioner Nelson, to continue the request for Coastal Development Permit CDP23-0034 and Minor Site Development Permit SDP23-0024(M) to the October 23, 2023, Planning Commission Meeting. Motion carried 3-0-0.

AYES: Opel, Nelson, Boughen
NOES: None
ABSENT: Dhingra
ABSTAIN: None

ITEM 4: MASTER TEMPORARY SITE DEVELOPMENT PERMIT MTSDP23-0060 TO ALLOW TWENTY-FOUR, NON-CONSECUTIVE SPECIAL EVENTS WITHIN A CALENDAR YEAR CONSISTING OF LIVE MUSIC AT AN EXISTING RESTAURANT (PROJECT SOCIAL) LOCATED AT 24040 CAMINO DEL AVION, SUITE J

Applicant: Kortney Jones, General Manager of Project Social

Location: 24040 Camino Del Avion, Suite J (APN: 672-482-13)

Request: To permit up to twenty-four, non-consecutive special events within a calendar year, consisting of live music at an existing restaurant (Project Social).

Recommendation: That the Planning Commission adopt the Resolution approving Master Temporary Site Development Permit MTSDP23-0060.

**CITY OF DANA POINT
PLANNING COMMISSION**

September 25, 2023
6:01pm – 7:34 pm

REGULAR MEETING ACTION MINUTES

PAGE 5

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15301 of the CEQA Guidelines (Class 1 – Existing Facilities) in that the project proposes to allow live entertainment at an existing restaurant.

Brenda Wisneski (Director of Community Development) provided a staff report and answered questions from the Planning Commissioners.

PUBLIC COMMENTS

Donna Molinda (Dana Point) spoke in opposition of the project.

Kortney Jones (Applicant) provided an oral presentation and made herself available to address any questions from the Planning Commissioners.

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Boughen, to approve Master Temporary Site Development Permit MTSDP23-0060 with amended conditions to: 1) allow for twelve non-consecutive live events with no more than two per month, and 2) an acoustical engineer shall recommend measures to reduce the noise levels associated with the live music at an existing restaurant (Project Social) located at 24040 Camino Del Avion, Suite J. Motion carried 3-0-0.

AYES: Opel, Nelson, Boughen
NOES: None
ABSENT: Dhingra
ABSTAIN: None

E. OLD BUSINESS

ITEM 5: PROJECT UPDATE FOR THE VICTORIA BOULEVARD SPECIFIC PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT LOCATED AT 26126 VICTORIA BOULEVARD

Applicant: Toll Brothers Apartment Living

Location: 26126 Victoria Boulevard (APN: 668-361-01)

Request: Receive and file.

**CITY OF DANA POINT
PLANNING COMMISSION**

September 25, 2023
6:01pm – 7:34 pm

REGULAR MEETING ACTION MINUTES

PAGE 6

Recommendation: That the Planning Commission receive a project update on the Victoria Boulevard Specific Plan and Final Environmental Impact Report (EIR) and solicit public comments.

Environmental: Pursuant to the provisions of the California Environmental Quality Act (CEQA), an Environmental Impact Report (SCH# 2021070304) has been prepared for the proposed project and the Final EIR is available on the City's website for public review.

Belinda Deines (Principal Planner) provided a staff report and answered questions from the Planning Commissioners.

PUBLIC COMMENTS

Richard Law (Capistrano Beach) spoke neutrally on the project and commented regarding the heights of the building on Sepulveda Avenue.

Rick Morgan (San Clemente) provided a handout and spoke in opposition of the project.

Jim Schad (Dana Point) spoke in opposition of the project.

Steven Carpenter (Capistrano Beach) spoke in opposition of the project.

Debbi Mellah (Capistrano Beach) spoke in opposition of the project.

Douglas Matranga (Laguna Niguel) spoke in opposition of the project.

Michael McCann (Applicant) provided an oral presentation and made himself available to address any questions from the Planning Commissioners.

ACTION: No action needed. Received and filed.

G. STAFF REPORTS

Brenda Wisneski (Director of Community Development) commented that the October 9, 2023 Planning Commission meeting will be cancelled. Next meeting of the Planning Commission will take place on October 23, 2023.

H. COMMISSIONER COMMENTS

Commissioner Nelson commented he attended the Redo Market this weekend, well done, seems to be a very popular event.

CITY OF DANA POINT
PLANNING COMMISSION

September 25, 2023
6:01pm – 7:34 pm

REGULAR MEETING ACTION MINUTES

PAGE 7

Vice-Chair Opel added she attended the Redo Market, it was a very successful event.

I. ADJOURNMENT

Vice-Chair Opel adjourned the meeting at **7:34 pm**. The *next* Regular Meeting of the Planning Commission will be held on Monday, October 23, 2023, 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.



Mary Opel, Planning Commission Vice-Chair