

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

November 27, 2023
6:02 pm – 6:52 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 6:02 pm.

PLEDGE OF ALLEGIANCE

Commissioner Boughen led the Pledge of Allegiance.

ROLL CALL

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

Planning Commission Members Absent: Chair Ashok Dhingra

Staff Present: Brenda Wisneski (Director of Community Development), Patrick Munoz (City Attorney), Kurth Nelson, (Principal Planner), Belinda Deines (Principal Planner), Danny Giometti (Senior Planner), Alyssa Gonzalez (Associate Planner) and Martha Ochoa (Management Analyst)

A. APPROVAL OF MINUTES

ITEM 1: MINUTES OF REGULAR PLANNING COMMISSION FROM OCTOBER 23, 2023

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Boughen, to approve the Minutes of the Regular Planning Commission Meeting of October 23, 2023. Motion carried 4-0-0.

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

B. PUBLIC COMMENTS

There were no Public Comments.

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C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARING

ITEM 2: COASTAL DEVELOPMENT PERMIT CDP23-0034 AND MINOR SITE DEVELOPMENT PERMIT SDP23-0024(M) TO DEMOLISH A SINGLE-FAMILY DWELLING AND CONSTRUCT A 3,696 SQUARE FOOT, ONE-STORY, SINGLE-FAMILY DWELLING WITH AN ATTACHED TWO-CAR GARAGE AND RETAINING AND FREESTANDING WALLS 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 3,696 square foot, one-story, single-family dwelling with an attached, two-car garage and multiple retaining and screen walls. The project is in the Coastal Overlay District as defined by the City's Zoning Map and includes freestanding walls which exceed the maximums within the front yard, therefore approval of a Coastal Development Permit and a Minor Site Development Permit are required, respectively.

Recommendation: That the Planning Commission table the item to a date uncertain.

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 a single-family dwelling and retaining walls in a residential zone.

Danny Giometti (Senior Planner) provided a staff report and answered questions from the Planning Commissioners.

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PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Christakes, to table the item to a date uncertain. Motion carried 4-0-0.

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

ITEM 3: COASTAL DEVELOPMENT PERMIT CDP20-0017 AND SITE DEVELOPMENT PERMIT SDP20-0017(M) TO PERMIT THE DEMOLITION OF EXISTING RETAINING WALLS AND CONSTRUCTION OF TWO (2), SIX (6) FOOT HIGH, TERRACED RETAINING WALLS LOCATED IN THE REAR, EXTERIOR SIDE AND FRONT YARD AREAS AT 26382 PALISADES DRIVE

Applicant: Advanced Civil Group

Location: 26382 Palisades Drive (APN: 123-233-01)

Request: A request to permit the demolition of existing retaining walls and the construction of a retaining wall structure consisting of two (2), six (6) foot high, terraced retaining walls which merge into a single six (6) foot high retaining wall, following the rear and exterior side and front yard property lines terminating at the front of the lot. The wall structure is proposed to be setback from the property line and landscaped with a mixture of drought tolerant plants to visually screen the wall from Palisades Drive. The project is in the Coastal Overlay District and includes a series of walls which exceed requisite height limits; therefore, approval of a Coastal Development Permit and a Minor Site Development Permit are required, respectively.

Recommendation: That the Planning Commission adopt the draft resolution approving Coastal Development Permit CDP20-0017 and Site Development Permit SDP20 0017(M).

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Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303 (a) (Class 3 – Construction or Conversion of Small Structures).

Danny Giometti (Senior Planner) provided a staff report and answered questions from the Planning Commissioners.

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Boughen, to approve Coastal Development Permit CDP20-0017 and Site Development Permit SDP20-0017(M) to permit the demolition of existing retaining walls and construction of two (2), six (6) foot high, terraced retaining walls located in the rear, exterior side and front yard areas, with added condition that the type of wall construction and finish materials of the structure shall be reviewed and approved by the Director of Community Development during plan check at 26382 Palisades Drive. Motion carried 4-0-0.

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

ITEM 4: SITE DEVELOPMENT PERMIT SDP22-0010 TO CONSTRUCT A 794 SQUARE FOOT TWO-BEDROOM DETACHED ACCESSORY DWELLING UNIT ON A SITE DEVELOPED WITH AN EXISTING NONCONFORMING TWO-STORY, DUPLEX LOCATED AT 26525 VIA SACRAMENTO

Applicant: Nicholas Huizar

Location: 26525 Via Sacramento (APN: 123-151-19)

Request: Approval of a Site Development Permit to construct a detached 794 square foot, two-bedroom, Accessory Dwelling Unit (ADU) on a site developed with an existing nonconforming two-story, duplex in the Residential Duplex 14 (RD 14) Zoning District.

Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP22-0010.

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Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(e) (Class 3 – New Construction or conversion of small structures) since the project consists of constructing a detached ADU.

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

PUBLIC COMMENTS

Liz Roteliuk (Owner) provided an oral presentation and made herself available to address any questions from the Planning Commission.

ACTION: Motion made by Commissioner Nelson, seconded by Commissioner Christakes, to approve Site Development Permit SDP22-0010 to construct a 794 square foot two-bedroom detached Accessory Dwelling Unit on a site developed with an existing nonconforming two-story duplex, with added condition prior to submittal for building plan check, the project shall be modified to establish the parking space to be dedicated to the ADU to be at least 20-feet in length, provided that the modified design is in substantial compliance of this subject SDP, or a Site Development Permit is obtained per DPZC Section 9.35.110 located at 26525 Via Sacramento. Motion carried 4-0-0.

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

ITEM 5: COASTAL DEVELOPMENT PERMIT CDP22-0019 TO DEMOLISH A SINGLE-FAMILY DWELLING AND ATTACHED GARAGE AND CONSTRUCT A TWO STORY, SINGLE-FAMILY DWELLING WITH AN ATTACHED GARAGE AND MINOR SITE DEVELOPMENT PERMIT SDP22-0056(M) TO ALLOW RETAINING WALL HEIGHTS OVER 30 INCHES AND COMBINATION RETAINING/SITE WALLS EXCEEDING HEIGHT MAXIMUMS IN THE REQUIRED FRONT, SIDE AND REAR YARDS LOCATED AT 56 MONARCH BAY

Applicant: Jason Richart

Location: 56 Monarch Bay (APN: 670-131-38)

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Request: A request to demolish an existing single-family dwelling (SFD) and attached garage and construct a 4,826 square-foot, two story, SFD with attached garage and associated exterior improvements including a request to allow retaining wall heights over 30 inches and combination retaining/site walls exceeding height maximums in the required front, side, and rear yards.

Recommendation: That the Planning Commission adopt the draft resolution approving Coastal Development Permit CDP22-0019 and Minor Site Development Permit SDP22-0056(M).

Environmental: This project is categorically exempt (Class 3 - Section 15303(a) – New Construction) from the provisions of the California Environmental Quality Act (CEQA) since the project involves the construction of a single-family residence in a residential zone and accessory retaining walls.

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

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Commissioner Boughen, seconded by Commissioner Christakes, to approve Coastal Development Permit CDP22-0019 to demolish a single-family dwelling and attached garage and construct a two story, single-family dwelling with an attached garage and Minor Site Development Permit SDP22-0056(M) to allow retaining wall heights over 30 inches and combination retaining/site walls exceeding height maximums in the required front, side and rear yards located at 56 Monarch Bay. Motion carried 4-0-0.

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

E. OLD BUSINESS

There was no Old Business.

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F. NEW BUSINESS

ITEM 6: APPOINTMENTS TO THE DANA POINT GENERAL PLAN ADVISORY COMMITTEE (GPAC)

Applicant: City of Dana Point

Location: Citywide

Request: A request to appoint a representative to serve on the Dana Point General Plan Advisory Committee to provide input and make recommendations regarding updates to the Land Use and Circulation Elements.

Recommendation: That the Planning Commission appoint a representative to the Dana Point General Plan Advisory Committee.

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

PUBLIC COMMENTS

There were no Public Comments.

ACTION: Motion made by Vice-Chair Opel, to appoint Commissioner Nelson to serve on the Dana Point General Plan Advisory Committee (GPAC). Motion carried 4-0-0.

AYES: Opel, Boughen, Christakes, Nelson

NOES: None

ABSENT: Dhingra

ABSTAIN: None

G. STAFF REPORTS

There was no Staff Reports.

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H. COMMISSIONER COMMENTS

Commissioner Nelson commented on participating in the Dana Point Turkey Trot. He acknowledged the city's work on the amazing display, well run event, and for selling out to over 10,000 people.

Commissioner Boughen commented that he attended the Turkey Trot, thanked the city for a good job in making us a destination.

I. ADJOURNMENT

Vice-Chair Opel adjourned the meeting at **6:52 pm**. The *next* Regular Meeting of the Planning Commission will be held on Monday, December 11, 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