



Commission Agenda Report

Planning Commission
Meeting
02-03-20

**Item
3.B.1.**

To: Chair Jennings and Members of the Planning Commission

Prepared by: Kathleen Stecko, Administrative Assistant

Approved by: Bonnie Blue, Planning Director 

Date prepared: January 23, 2020

Meeting date: February 3, 2020

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the January 6, 2020 Regular Planning Commission meeting.

DISCUSSION: Staff has prepared draft minutes for the above-referenced Planning Commission meeting and hereby submits the minutes for the Commission's consideration.

ATTACHMENTS: January 6, 2020 Regular Planning Commission Meeting

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JANUARY 6, 2020
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Jennings called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Jeffrey Jennings; Vice Chair John Mazza; and Commissioners Kraig Hill, Chris Marx, and Steve Uhring

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Bonnie Blue, Planning Director; Chris Dean, Contract Geologist; Ryan Carr; Planning Technician; Jessica Cleavenger, Associate Planner; Tyler Eaton; Assistant Planner; David Eng, Assistant Planner; Adrian Fernandez, Principal Planner; Richard Mollica, Assistant Planning Director; Shaveta Sharma, Contract Planner; Kathleen Stecko, Senior Office Assistant; Jessica Thompson, Associate Planner; and Johanna Valencia, Planning Technician

PLEDGE OF ALLEGIANCE

Don Schmitz led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Administrative Assistant Stecko reported that the agenda for the meeting was properly posted on December 24, 2019.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Marx seconded a motion to approve the agenda, continuing Item No. 5.A. the February 3, 2020 Regular Planning Commission meeting. The motion carried unanimously.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Staff Update on the Woolsey Fire Rebuild Process

Assistant Planning Director Mollica provided an update on the Woolsey Fire rebuild process.

ITEM 2.A. PUBLIC COMMENTS

Jefferson Wagner commented on a letter that was submitted by the Law Offices of Brian P. Kamel and Associates as correspondence to the Planning Commission regarding staff's contact with the Malibu Canyon Village Home Owners Association regarding the Civic Center sidewalk project.

ITEM 2.B. COMMISSION / STAFF COMMENT

Commissioner Uhring requested an update at a future meeting on City Council Policy No. 43 regarding code enforcement.

Commissioner Hill commented on backup power not being adequate related to fires. He stated the zero tolerance policy for evacuation non-compliance was in direct conflict with the suggestion that people needed to stay and protect their own property. He commented on the fires in Australia and encouraged measures be taken to resolve communication challenges in Malibu during emergencies.

Planning Director Blue stated the Accessory Dwelling Unit Ordinance item was continued to the February 3, 2020 Planning Commission meeting and the Fire Resistant Landscaping Ordinance and Overnight Parking Ordinance would be considered by the City Council at the January 13, 2020 regular meeting.

In response to Vice Chair Mazza, she stated the Malibu Lumber Yard signage application was an administrative review by the Planning Director and stated an update on Soho House and Nobu would be provided in February, and that they were working with Caltrans to resolve their traffic challenges.

In response to Mr. Wagner and the Commission, she stated Public Works Director Rob Duboux had contacted the attorney who had submitted the letter concerning his contact with the Malibu Canyon Village Home Owners Association regarding the Civic Center sidewalk project.

In response to the Commission's concern over the 4:00 p.m. start time for a Special Planning Commission meeting on January 21, 2020, Planning Director Blue stated it was in an effort to allow enough time for the Commission consider the La Paz Ranch project in addition to the items that were noticed and scheduled for the January 21, 2020 Regular Planning Commission meeting.

She introduced new Planning Technicians Ryan Carr and Johanna Valencia.

ITEM 3 CONSENT CALENDAR

Item No. 3.A.1. was pulled by Chair Jennings, and Item Nos. 3.B.5. and 3.B.6. were pulled by Commissioner Hill.

MOTION Vice Chair Mazza moved and Commissioner Marx seconded a motion to approve the Consent Calendar except for Item Nos. 3.A.1., 3.B.5., and 3.B.6. The motion carried unanimously.

The Consent Calendar consisted of the following items:

B. New Items

1. Approval of Minutes

Recommended Action: Approve the minutes for the October 21, 2019, November 18, 2019, and December 2, 2019 Regular Planning Commission meetings.

2. De Minimis Waiver No. 19-009 — An application for a new onsite wastewater treatment system

Location: 6755 Dume Drive, partially within the appealable coastal zone

APN: 4468-008-015

Owners: Robert and Sarah Wells

Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 19-009 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS which does not meet the requirements of the development approved under Planning Verification – Woolsey Fire No. 19-159.

3. De Minimis Waiver No. 19-004 — An application for a new onsite wastewater treatment system

Location: 4727 Avenida Del Mar, not within the appealable coastal zone

APN: 4473-010-034

Owner: ISHC Lompoc, LLC

Case Planner: Contract Planner Sharma, 456-2489, ext. 380

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 19-004 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS which does not meet the requirements of the development approved under Planning Verification – Woolsey Fire No. 19-143.

4. De Minimis Waiver No. 19-007 — An application for a new onsite wastewater treatment system

Location: 6720 Wandermere Road, not within the appealable coastal zone

APN: 4468-008-008

Owners: Anthony J Walczuk and Dana S Walczuk

Case Planner: Assistant Planner Eaton, 456-2489, ext. 273

Recommended Action: Receive Planning Director's report on De Minimis Waiver No. 19-007 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS.

The following items were pulled from the Consent Calendar for individual consideration:

A. Previously Discussed Items

1. Coastal Development Permit No. 19-040, Variance No. 19-043, Site Plan Review Nos. 19-089 and 19-090, Demolition Permit No. 19-037 and Offer-to-Dedicate No. 19-003 - An application for the demolition of an existing single-family residence, construction of a new bluff-top, two-story single-

family residence and associated development (Continued from December 2, 2019)

Location: 27530 Pacific Coast Highway, within the appealable coastal zone

APN: 4460-031-001

Owner: Jinpar 1031, LLC

Case Planner: Principal Planner Fernandez, 456-2489, ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 20-03 determining that the California Environmental Quality Act does not apply to the project and denying Coastal Development Permit No. 19-040 for the construction of a 8,303 square foot, two-story, bluff-top single-family residence, swimming pool, cantilevered deck, driveway, landscaping, grading and onsite wastewater treatment system, including Variance No. 19-043 for the residence to extend higher than the adjacent road grade, Site Plan Review (SPR) No. 19-089 for construction over 18 feet in height, SPR No. 19-090 for construction on slopes between 3 to 1 and 2.5 to 1, Demolition Permit No. 19-037 for the demolition of an existing 839 square foot, single-family residence and Offer-to-Dedicate No. 19-003 to grant a lateral beach access easement located in the Rural Residential–Two Acre Zoning District at 27530 Pacific Coast Highway (Jinpar 1031, LLC).

As there were no questions for staff, Chair Jennings opened public comment.

Speakers: John Henning (Wayne Chevalier, Sheryl Beebee, and Robert Hrtica deferred time to Mr. Henning) and Adin Dunning.

As there were no other speakers present, Chair Jennings closed public comment and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION

Vice Chair Mazza moved and Chair Jennings seconded a motion to adopt Planning Commission Resolution No. 20-03 determining that the California Environmental Quality Act does not apply to the project and denying Coastal Development Permit No. 19-040 for the construction of a 8,303 square foot, two-story, bluff-top single-family residence, swimming pool, cantilevered deck, driveway, landscaping, grading and onsite wastewater treatment system, including Variance No. 19-043 for the residence to extend higher than the adjacent road grade, Site Plan Review (SPR) No. 19-089 for construction over 18 feet in height, SPR No. 19-090 for construction on slopes between 3 to 1 and 2.5 to 1, Demolition Permit No. 19-037 for the demolition of an existing 839 square foot, single-family residence and Offer-to-Dedicate No. 19-003 to grant a lateral beach access easement located in the Rural Residential–Two Acre Zoning District at 27530 Pacific Coast Highway (Jinpar 1031, LLC).

The Commission discussed the motion.

FRIENDLY AMENDMENT

Chair Jennings amended the motion to add the December 2, 2019 vote of 4-1, Chair Jennings dissenting, to Recital F. The amendment was accepted by the maker.

The Commission discussed the amended motion.

The question was called and the amended motion carried unanimously.

B. New Items

5. Extension of Coastal Development Permit No. 14-003, Variance Nos. 16-010 and 16-023, Minor Modification No. 15-016, and Offer-to-Dedicate No. 16-006 – A request to extend the Planning Commission’s approval for a new single-family beachfront residence and associated development

Location: 25306 Malibu Road

APN: 4459-016-013

Owner: 31438 Broad Beach Road, LLC

Case Planner: Associate Planner Cleavenger, 456-2489, ext. 234

Recommended Action: Adopt Planning Commission Resolution No. 20-10, granting a two-year extension of Coastal Development Permit No. 14-003, for the construction of a new 5,094 square foot, two-story, single-family beachfront residence with an attached garage, decks, return walls, retaining walls, installation of a new alternative onsite wastewater treatment system, and removal of existing timber walls; including Variance (VAR) No. 16-010 for the installation of a new bulkhead sited seaward of the shoreline protection device stringline, VAR No. 16-023 for construction on slopes steeper than 2.5 to 1, Minor Modification No. 15-016 for a reduced front yard setback, and Offer-to-Dedicate No. 16-006 for a lateral access easement across the property located in the Multi-Family Beachfront zoning district located at 25306 Malibu Road (31438 Broad Beach Road, LLC).

Associate Planner Cleavenger presented the staff report.

As there were no questions for staff, Chair Jennings opened public comment.

Speaker: Sharone Karsh.

As there were no other speakers present, Chair Jennings closed public comment and returned the matter to the table for discussion.

Disclosures: Commissioners Hill, Marx, and Uhring, Vice Chair Mazza, and Chair Jennings.

The Commission directed questions to staff, Joseph Lezama, and Norman Haynie.

MOTION

Commissioner Hill moved and Vice Chair Mazza seconded a motion to adopt Planning Commission Resolution No. 20-10, as amended, granting a one-year extension of Coastal Development Permit No. 14-003, for the construction of a new 5,094 square foot, two-story, single-family beachfront residence with an attached garage, decks, return walls, retaining walls, installation of a new alternative onsite wastewater treatment system, and removal of existing timber walls; including Variance (VAR) No. 16-010 for the installation of a new bulkhead sited seaward of the shoreline protection device stringline, VAR No. 16-023 for construction on slopes steeper than 2.5 to 1, Minor Modification No. 15-016 for a reduced front yard setback, and Offer-to-Dedicate No. 16-006 for a lateral access easement across the property located in the Multi-Family Beachfront zoning district located at 25306 Malibu Road (31438 Broad Beach Road, LLC).

The Commission discussed the motion.

The question was called and the motion carried unanimously.

6. Administrative Coastal Development Permit No. 16-013 and Site Plan Review No. 16-014 – An application for a 7,317 square foot single-family residence and attached garage, 1,120 square foot detached garage, new onsite wastewater treatment system, associated development, and a site plan review application to allow for construction above 18 feet in height, up to 21 feet in height for a Woolsey Fire affected parcel

Location: 5909 Philip Avenue, not within the appealable coastal zone

APN: 4469-003-022

Owner: Harrick Family Trust

Case Planner: Contract Planner Sharma, 456-2489, ext. 380

Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 16-013.

Contract Planner Sharma presented the staff report.

Disclosures: Commissioners Hill and Uhring, Vice Chair Mazza, and Chair Jennings.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Jennings opened public comment.

Speaker(s): None.

As there were no speakers present, Chair Jennings closed public comment and returned the matter to the table for discussion.

CONSENSUS

By consensus, the Commission received and filed the Planning Director's report on the approval of Administrative Coastal Development Permit No. 16-013.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

- A. Local Coastal Program Amendment No. 18-002 and Zoning Text Amendment No. 18-004 - An Amendment to Title 17 (Zoning) of the Malibu Municipal Code and the Local Coastal Program to Update Accessory Dwelling Unit Regulations

Location: Citywide

Applicant: City of Malibu

Case Planner: Assistant Planner Kendall, 456-2489, ext. 301

Recommended Action: Continue this item to the February 3, 2020 Regular Planning Commission meeting.

The item was continued to the February 3, 2020 Regular Planning Commission meeting

- B. Conditional Use Permit Amendment No 19-001, Administrative Plan Review No. 19-158 and Demolition Permit No. 19-046 – An application to amend Conditional Use Permit No 14-008 to expand the existing dining room service area and allow the restaurant to close at 10:00 p.m. instead of 8:30 p.m. daily at an existing restaurant (Lily’s Malibu)

Location: 29211 Heathercliff Road

APN: 4468-010-017

Zoning: Community Commercial (CC)

Owner: Dume Plaza I, II, & II, LLC

Tenant: Lily’s Malibu

Case Planner: Assistant Planner Murillo, 456-2489, ext. 353

Recommended Action: Adopt Planning Commission Resolution No. 20-07 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit Amendment No. 19-001 amending Conditional Use Permit No. 14-008 and Administrative Plan Review No. 19-158 to expand the existing dining room service area by 199 square feet for a total of 443 square feet, Demolition Permit No. 19-046 to allow for the demolition of an existing 528 square foot multi-purpose structure located in the shopping center parking lot that is currently used for a postal authorized shipping center with ancillary uses commonly known as “R Quick Stop,” located on the southern corner of the parcel to allow for additional parking spaces and allow the existing restaurant to close at 10:00 p.m. instead of 8:30 p.m. daily (Lily’s Malibu), located in the Community Commercial zoning district at 29211 Heathercliff Road (Dume Plaza I, II, & III, LLC).

Assistant Planning Director Mollica presented the staff report.

Disclosures: Commissioners Hill, Marx, and Uhring, Vice Chair Mazza, and Chair Jennings.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Jennings opened the public comment portion of the public hearing.

Speaker: Lily Castro.

As there were no other speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Ms. Castro, and Andramelech Ortiz.

MOTION Vice Chair Mazza moved and Commissioner Uhring seconded a motion to adopt Planning Commission Resolution No. 20-07, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit Amendment No. 19-001 amending Conditional Use Permit No. 14-008 and Administrative Plan Review No. 19-158 to expand the existing dining room service area by 199 square feet for a total of 443 square feet, Demolition Permit No. 19-046 to allow for the demolition of an existing 528 square foot multi-purpose structure located in the shopping center parking lot that is currently used for a postal authorized shipping center with ancillary uses commonly known as “R Quick Stop,” located on the southern corner of the parcel to allow for additional parking spaces and allow the existing restaurant to close at 10:00 p.m. instead of 8:30 p.m. daily (Lily’s Malibu), located in the Community Commercial zoning district at 29211 Heathercliff Road (Dume Plaza I, II, & III, LLC); 2) correcting references to the word “formally” to “formerly”; 3) reducing the amount of additional seating to 20 from the requested 26; and 4) changing the compliance review from “within one year” and “within five years” to “at the end of one year” and “at the end of five years.”

The Commission discussed the motion.

The question was called and the motion carried unanimously.

RECESS At 8:20 p.m., Chair Jennings recessed the meeting. The meeting reconvened at 8:30 p.m. with all Commissioners present.

C. Conditional Use Permit No. 19-008 – An application for a conditional use permit to allow the operation of a new 190 square foot wine tasting room (bar), serving wine and accompanying pre-packaged foods, located within an existing retail space in the Malibu Village shopping center

Location: 3822 Cross Creek Road, Unit 3822

Applicant: Wine Apothecary, LLC

Owner: Jamestown Premier Malibu Village LP

APN: 4452-011-042

Case Planner: Assistant Planner Eng, 456-2489, ext. 372

Recommended Action: Adopt Planning Commission Resolution No. 20-08 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 19-008 to allow for the operation of a new wine tasting room (bar), “Wine Apothecary”, with onsite sale, service, and consumption of alcohol to be located in a 190 square foot “shop-in-

shop” space within the existing 4,033 square foot “Fred Segal” retail store (no new square footage to be added) at the Malibu Village shopping center located in the Commercial Visitor Serving-One district at 3822 Cross Creek Road (Jamestown Premier Malibu Village LP).

Assistant Planner Eng presented the staff report.

Disclosures: Commissioner Marx and Vice Chair Mazza.

As there were no questions for staff, Chair Jennings opened the public comment portion of the public hearing.

Speakers: Graeme Clifford, William Dim, and Stacey Spigel Dim.

As there were no other speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Mr. Dim, and Ms. Dim.

MOTION Commissioner Hill moved to deny on the basis that the project did not follow the General Plan, Conditional Use Permit No. 19-008, an application for a conditional use permit to allow the operation of a new 190 square foot wine tasting room (bar), serving wine and accompanying pre-packaged foods, located within an existing retail space in the Malibu Village shopping center. The motion died due to lack of second.

MOTION Commissioner Hill moved and Vice Chair Mazza seconded a motion to continue to a date uncertain to allow staff to provide clarification on the overconcentration of off-sale alcohol businesses in the area – Conditional Use Permit No. 19-008, an application for a conditional use permit to allow the operation of a new 190 square foot wine tasting room (bar), serving wine and accompanying pre-packaged foods, located within an existing retail space in the Malibu Village shopping center (3822 Cross Creek Road, Unit 3822 / Wine Apothecary, LLC)

The Commission directed questions to staff.

The Commission discussed the motion.

The question was called and the motion carried unanimously.

D. Conditional Use Permit No. 17-005 – An application to memorialize an existing community stage theater use (Malibu Playhouse), including a change to the existing weekend (Friday and Saturday) closing hours of operation from 8:00 p.m. to 10:00 p.m.

Location: 29243 Pacific Coast Highway
APN: 4467-022-009
Owner: Rainforest Malibu, LLC
Tenant: Malibu Playhouse
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Adopt Planning Commission Resolution No. 20-20 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 17-005 to allow for the establishment and continued operation of a community stage theater (Malibu Playhouse) for the use in the Rural Residential–Five Acre zoning district located at 29243 Pacific Coast Highway (Rainforest Malibu LLC).

Associate Planner Thompson presented the staff report.

Disclosures: Commissioners Hill, Marx, and Uhring, Vice Chair Mazza, and Chair Jennings.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Jennings opened the public comment portion of the public hearing.

Speakers: Don Schmitz, Shoshana Kuttner, and Graeme Clifford.

As there were no other speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Mr. Schmitz, and Ms. Kuttner.

MOTION Vice Chair Mazza moved and Commissioner Uhring seconded a motion to adopt Planning Commission Resolution No. 20-20, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 17-005 to allow for the establishment and continued operation of a community stage theater (Malibu Playhouse) for the use in the Rural Residential–Five Acre zoning district; 2) adding a condition specifying that the office building shall not be used except as an ancillary use to the theater; 3) changing the compliance review from “within one year of commencement of operations” to “after one year of commencement of operations, but no later than 60 days after one year”; 4) changing the phrase “restaurant operations” to “community stage theater operations”; and 5) removing the phrase “or lawfully existing structure” from the condition that states: “A conditional use permit that is valid and in effect and was granted pursuant to the provisions of the MMC, shall run with the land and continue to be valid upon change of ownership of the land”

The Commission discussed the motion.

The question was called and the motion carried unanimously.

E. Coastal Development Permit No. 17-040, Variance Nos. 17-004, 17-005, 17-053, and 18-035, and Site Plan Review No. 17-015 - An application for the construction of a new single-family residence and associated development

Location / APNs: 5180 Horizon Drive / 4469-005-019 (Residence)
5243 Horizon Drive/ 4469-005-027 (Street Improvements)
5246 Horizon Drive / 4469-005-013 (Street Improvements)

Owners: Andrew Edwards and Joanne Eleri Edwards

Case Planner: Associate Planner Cleavenger, 456-2489, ext. 234

Recommended Action: Adopt Planning Commission Resolution No. 20-05 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-040 to construct a new 3,560 square foot, two-story, single-family residence with an attached two-car carport, swimming pool, spa, decks, landscaping, hardscape, new onsite wastewater treatment system and offsite private street improvements proposed adjacent to 5243 and 5246 Horizon Drive; including Variance (VAR) No. 17-004 to reduce the Environmentally Sensitive Habitat Area buffer, VAR No. 17-005 for a greater than 50 percent reduction of the front yard setback, VAR No. 17-053 for construction on slopes steeper than 2.5 to 1, VAR No. 18-035 for a reduction in the parkland setback, and Site Plan Review No. 17-015 for construction up to 28 feet with pitched roofs for the residence located in the Rural Residential-Two Acre zoning district at 5180 Horizon Drive (Edwards).

Associate Planner Cleavenger presented the staff report.

Disclosures: Commissioners Hill and Marx and Chair Jennings.

As there were no questions for staff, Chair Jennings opened the public comment portion of the public hearing.

Speaker(s): None.

As there were no speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION Vice Chair Mazza moved and Commissioner Uhring seconded a motion to adopt Planning Commission Resolution No. 20-05 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-040 to construct a new 3,560 square foot, two-story, single-family residence with an attached two-car carport, swimming pool, spa, decks, landscaping, hardscape, new onsite wastewater treatment system and offsite private street improvements proposed adjacent to 5243 and 5246 Horizon Drive; including Variance (VAR) No. 17-004 to reduce the Environmentally Sensitive Habitat Area buffer, VAR No. 17-005 for a greater than 50 percent reduction of the front yard setback, VAR No. 17-053 for construction on slopes steeper than 2.5 to 1, VAR No. 18-035 for a reduction in the parkland setback, and Site Plan Review No. 17-015 for construction up to 28 feet with

pitched roofs for the residence located in the Rural Residential-Two Acre zoning district at 5180 Horizon Drive (Edwards).

The Commission discussed the motion.

The question was called and the motion carried 3-2, Commissioners Hill and Marx dissenting.

F. Coastal Development Permit No. 14-079, Variance No. 14-058, Site Plan Review No. 14-056, Minor Modification No. 14-017, and Lot Merger No. 14-001 – An application to combine two adjacent lots into one and construct a new single-family residence, detached art studio and associated development

Location: 27136 Sea Vista Drive, within the appealable coastal zone

APNs: 4460-009-006 and 4460-009-007

Owner: Santa Barbara Land Company, LLC

Case Planner: Principal Planner Fernandez, 456-2489, ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 20-06 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-079 for the construction of a new 4,725 square foot, two-story single-family residence with a 593 square foot attached garage and 1,000 square foot basement, 600 square foot detached art studio, swimming pool, spa, flatwork, grading, fencing, gates, landscaping, soldier pile slope stabilization, onsite wastewater treatment system; including Variance No. 14-058 for construction on slopes greater than 2.5 to 1, Site Plan Review No. 14-056 for a height increase over 18 feet but not to exceed 24 feet for a flat roof, Minor Modification No. 14-017 for a 50 percent reduction of the required front yard setback, and Lot Merger No. 14-001 to combine two adjacent legal lots into one in the Rural Residential-Two Acre zoning district located at 27136 Sea Vista Drive (Santa Barbara Land Company, LLC).

Principal Planner Fernandez presented the staff report.

Disclosures: Commissioners Hill, Marx, and Uhring, Vice Chair Mazza, and Chair Jennings.

As there were no questions for staff, Chair Jennings opened the public comment portion of the public hearing.

Speakers: Don Schmitz and Leon Johnson.

As there were no other speakers present, Chair Jennings closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Mr. Schmitz, and Jake Holt.

MOTION Vice Chair Mazza moved and Commissioner Marx seconded a motion to adopt Planning Commission Resolution No. 20-06 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-079 for the construction of a new 4,725 square foot, two-story single-family residence with a 593 square foot attached garage and 1,000 square foot basement, 600 square foot detached art studio, swimming pool, spa, flatwork, grading, fencing, gates, landscaping, soldier pile slope stabilization, onsite wastewater treatment system; including Variance No. 14-058 for construction on slopes greater than 2.5 to 1, Site Plan Review No. 14-056 for a height increase over 18 feet but not to exceed 24 feet for a flat roof, Minor Modification No. 14-017 for a 50 percent reduction of the required front yard setback, and Lot Merger No. 14-001 to combine two adjacent legal lots into one in the Rural Residential–Two Acre zoning district located at 27136 Sea Vista Drive (Santa Barbara Land Company, LLC).

The Commission discussed the motion.

The question was called and the motion carried unanimously.

Commissioner Jennings recused himself due to the project site being within 500 feet of his residence and left the dais at 10:35 p.m.

G. Coastal Development Permit No. 18-064, Variance No. 19-031, Site Plan Review Nos. 19-003, 19-004 and 19-037, and Minor Modification No. 19-002 - An application for the construction of a new single-family residence and associated development

Location: 5942 Busch Drive, within the appealable coastal zone

APN: 4467-028-031

Owner: Douglas Cyril Land and Victoria Margaret Cooper-Lane Living Trust

Case Planner: Associate Planner Cleavenger, 456-2489, ext. 234

Recommended Action: Adopt Planning Commission Resolution No. 20-04 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-064 to construct a new two-story, 3,679 square foot, single-family residence, attached two-car garage, attached 900 square foot second unit, a 790 square foot second story deck, understructure mechanical area, 20-foot wide access driveway, hardscape, grading, landscaping and advanced onsite wastewater treatment system; including Variance No. 19-031 to reduce the Environmentally Sensitive Habitat Area buffer, Site Plan Review (SPR) No. 19-003 for construction on slopes between 3 to 1 and 2.5 to 1, SPR No. 19-004 for construction up to 28 feet with pitched roofs, SPR No. 19-037 for a hillside residential development standard exemption, and Minor Modification No. 19-002 for a 50 percent front yard setback reduction located in the Rural Residential-Two Acre zoning district at 5942 Busch Drive (Douglas Cyril Land and Victoria Margaret Cooper-Lane Living Trust).

Associate Planner Cleavenger presented the staff report.

Disclosures: Commissioner Uhring and Vice Chair Mazza.

As there were no questions for staff, Vice Chair Mazza opened the public comment portion of the public hearing.

Speaker(s): None.

As there were no speakers present, Vice Chair Mazza closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff.

MOTION Commissioner Uhring moved and Commissioner Hill seconded a motion to adopt Planning Commission Resolution No. 20-04 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-064 to construct a new two-story, 3,679 square foot, single-family residence, attached two-car garage, attached 900 square foot second unit, a 790 square foot second story deck, understructure mechanical area, 20-foot wide access driveway, hardscape, grading, landscaping and advanced onsite wastewater treatment system; including Variance No. 19-031 to reduce the Environmentally Sensitive Habitat Area buffer, Site Plan Review (SPR) No. 19-003 for construction on slopes between 3 to 1 and 2.5 to 1, SPR No. 19-004 for construction up to 28 feet with pitched roofs, SPR No. 19-037 for a hillside residential development standard exemption, and Minor Modification No. 19-002 for a 50 percent front yard setback reduction located in the Rural Residential-Two Acre zoning district at 5942 Busch Drive (Douglas Cyril Land and Victoria Margaret Cooper-Lane Living Trust).

The Commission discussed the motion.

The question was called and the motion carried 4-0, Chair Jennings absent.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 10:44 p.m., Commissioner Marx moved and Commissioner Uhring seconded a motion to adjourn the meeting. The motion carried 4-0, Chair Jennings absent.

Approved and adopted by the Planning Commission
of the City of Malibu on _____.

JEFFREY JENNINGS, Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary