To: Chair Jennings and Members of the Planning Commission

Prepared by: Kathleen Stecko, Administrative Assistant

Approved by: Bonnie Blue, Planning Director

Date prepared: February 6, 2020

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the January 21, 2020 and February 3, 2020 Regular Planning Commission meetings.

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

ATTACHMENTS:

1. January 21, 2020 Regular Planning Commission Meeting
2. February 3, 2020 Regular Planning Commission Meeting
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; Raneika Brooks, Associate Planner; Adam Chase, Assistant Public Works Director; David Eng, Assistant Planner; Richard Mollica, Assistant Planning Director; Shaveta Sharma, Contract Planner; Kathleen Stecko, Senior Office Assistant

PLEDGE OF ALLEGIANCE

Dennis Smith led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Administrative Assistant Stecko reported that the agenda for the meeting was properly posted on January 10, 2020.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Commissioner Marx seconded a motion to approve the agenda, continuing Item No. 5.A. to the February 3, 2020 Regular Planning Commission meeting, and hearing Item No. 4.A. after Item No. 6.A. 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

None.
ITEM 2.B. COMMISSION / STAFF COMMENT

Commissioner Hill discussed his experiences over the past year while serving on the Planning Commission.

Commissioner Hill and Vice Chair Mazza stated Planning Commissioners were available for the public to discuss their interests and concerns as they related to the Planning Commission’s subject matter jurisdiction.

Commissioner Marx stated he would like more clarity about the calculation used to determine the service area of a restaurant.

Chair Jennings discussed his experience rebuilding after the Woolsey Fire and stated the Planning Commission had little to no role in the rebuilding process.

Planning Director Blue stated the application for the temporary skate park and the accessory dwelling unit ordinance would be considered by the Planning Commission at the February 3, 2020 Regular Planning Commission meeting.

ITEM 3 CONSENT CALENDAR

MOTION Commissioner Uhring moved and Vice Chair Mazza seconded a motion to approve the Consent Calendar. The motion carried unanimously.

The Consent Calendar consisted of the following item:

A. Previously Discussed Items
   None.
B. New Items
   1. Extension of Coastal Development Permit No. 14-035 – A request to extend the Planning Commission’s approval of an application for the replacement of an existing onsite wastewater treatment system (OWTS) with a new OWTS and associated development
      Location: 25321 Malibu Road
      APN: 4459-014-002
      Owners: Alessandro and Irene Dazzan
      Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346
      Recommended Action: Adopt Planning Commission Resolution No. 20-14, granting a one-year extension of Coastal Development Permit No. 14-035 to allow the abandonment of an existing onsite wastewater treatment system and dewatering well, and installation of a new onsite wastewater treatment system, and a new dewatering well in the Rural Residential-Two Acre zoning district located at 25321 Malibu Road (Dazzan).
ITEM 5  NEW PUBLIC HEARINGS

A. Coastal Development Permit No. 13-054, Lot Line Adjustment No. 18-001, Variance Nos. 19-022 and 19-023, Site Plan Review Nos. 13-053 and 13-54 — An application for a lot line adjustment and the construction of a new single-family residence
Locations / APNs: 3469 Cross Creek Road / 4458-023-003
3441 Cross Creek Road / 4458-023-004
Applicant: Malibu Realty, LLC
Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346
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.

Item Nos. 5.B. and 5.C. were heard concurrently.

B. Administrative Plan Review No. 19-141, Variance No. 19-032 — An application for new electrical equipment and cabinets at the rear of a building at an existing commercial shopping center
Location: 23359 Pacific Coast Highway
APN: 4452-011-043
Applicant: Black and Veatch, on behalf of Electrify America
Owner: Jamestown Premier Malibu Village LP
Case Planner: Assistant Planner Eng, 456-2489, ext. 372
Recommended Action: Adopt Planning Commission Resolution No. 20-12 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-141 for construction of new electrical equipment and cabinets at the rear of an existing building, including Variance No. 19-032 for a reduction of the side yard setback at an existing commercial shopping center located in the Commercial Visitor-Serving-One zoning district at 23359 Pacific Coast Highway (Jamestown Premier Malibu Village LP).

C. Administrative Plan Review No. 19-142 and Variance No. 19-033 — An application for new electric vehicle charging stations and associated equipment in the parking lot of an existing commercial shopping center
Location: 3822 Cross Creek Road
APN: 4452-011-042
Applicant: Black and Veatch, on behalf of Electrify America
Owner: Jamestown Premier Malibu Village LP
Case Planner: Assistant Planner Eng, 456-2489, ext. 372
Recommended Action: Adopt Planning Commission Resolution No. 20-13 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-142 for construction of new electric vehicle charging stations and associated equipment in an existing parking lot, including Variance No. 19-033 to allow for a three-foot rear yard setback where a 63 foot rear yard setback is required at an existing commercial...
Assistant Planner Eng presented the staff report.

Disclosures: Commissioners Hill and Uhring and Vice Chair Mazza.

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: Breanne Mocaby and Nadir Hossain.

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 and Mr. Hossain.

MOTION Vice Chair Mazza moved and Commissioner Marx seconded a motion to adopt Planning Commission Resolution No. 20-12 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-141 for construction of new electrical equipment and cabinets at the rear of an existing building, including Variance No. 19-032 for a reduction of the side yard setback at an existing commercial shopping center located in the Commercial Visitor-Serving-One zoning district at 23359 Pacific Coast Highway (Jamestown Premier Malibu Village LP). The motion carried unanimously.

MOTION Vice Chair Mazza moved and Commissioner Marx seconded a motion to adopt Planning Commission Resolution No. 20-13 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 19-142 for construction of new electric vehicle charging stations and associated equipment in an existing parking lot, including Variance No. 19-033 to allow for a three-foot rear yard setback where a 63 foot rear yard setback is required at an existing commercial shopping center located in the Commercial Visitor-Serving-One zoning district at 3822 Cross Creek Road (Jamestown Premier Malibu LP). The motion carried unanimously.

ITEM 6 OLD BUSINESS

A. Three-Month Report on Traffic and Circulation at Malibu Elementary School
Location: 6955 Fernhill Drive (Malibu Elementary School)
APN: 4466-012-900
Owner: Santa Monica-Malibu Unified School District
Case Planner: Associate Planner Brooks, 456-2489, ext. 276
Recommended Action: Receive and file.
Associate Planner Brooks presented the staff report.

Disclosures: Vice Chair Mazza.

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: Steve Massetti.

As there were no other speakers present, Chair Jennings closed the public comment portion of the public hearing. No further discussion occurred.

CONSENSUS

By consensus, the Commission received and filed the three-month report on traffic and circulation at Malibu Elementary School.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit Amendment No. 17-009 and Conditional Use Permit Amendment No. 17-010 – An application to amend Coastal Development Permit No. 05-107 (.20 FAR project) to make design changes to the La Paz Development Agreement Project with no increase in gross floor area and to amend the siting and operating hours for restaurants, including Addendum No. 2 to the Certified 2008 La Paz Development Agreement Project Final Environmental Impact Report (Continued from the 4:00 p.m. Special Planning Commission meeting)

Location: 23465 Civic Center Way, not within the appealable coastal zone

APNs: 4458-022-023 and 4458-022-024

Owner: Malibu Development Company, LLC

Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346

Recommended Action: Consider Addendum No. 2 to the Certified La Paz Development Agreement Project Final Environmental Impact Report (2008 EIR) and adopt Planning Commission Resolution No. 20-17 making findings in support thereof and approving Coastal Development Permit Amendment No. 17-009 and Conditional Use Permit Amendment (CUPA) No. 17-010, amending Coastal Development Permit No. 05-107 to make changes to the approved development on Parcels A and B of the La Paz Development Agreement (.20 FAR) Project involving building layout, architecture and onsite circulation, and removal of Condition No. 41, with no increase in the approved 112,058 square feet of gross floor area for Parcels A and B, including an amendment to CUP No. 05-004 to allow the previously approved 10,000 square feet of restaurant uses to be located anywhere on Parcel A and to allow coffee/juice establishments to open at 6:00 a.m. and dining establishments serving breakfast to open at 7:00 a.m., located at 23465 Civic Center Way (formerly 3700 La Paz Lane), in the Community Commercial (CC) zoning district in the Town Center Overlay (Malibu Development Company, LLC).

Planning Director Blue 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 the public comment portion of the public hearing.

Speakers: Bryan Gordon, Ron Radziner, James Arnone, Julie Tumamait-Stenslie, Robyn Ritter Simon, Mary Ellen Sherry, Katarina Vinegrad, Paul Grisanti (Ani Dermenjian deferred time to Mr. Grisanti), Jefferson Wagner, and Norman Haynie.

Mr. Gordon provided rebuttal to public comment.

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 and Mr. Gordon.

Additional Disclosures: Vice Chair Mazza.

The Commission directed questions to staff, Mr. Gordon, and Jeff Searock.

RECESS At 9:42 p.m., Chair Jennings recessed the meeting. The meeting reconvened at 9:49 p.m. with all Commissioners present.

MOTION Chair Jennings moved and Vice Chair Mazza seconded a motion considering Addendum No. 2 to the Certified La Paz Development Agreement Project Final Environmental Impact Report and adopted Planning Commission Resolution No. 20-17, as amended: 1) making findings in support thereof and approving Coastal Development Permit Amendment No. 17-009 and Conditional Use Permit Amendment (CUPA) No. 17-010, amending Coastal Development Permit No. 05-107 to make changes to the approved development on Parcels A and B of the La Paz Development Agreement Project involving building layout, architecture and onsite circulation, and removal of Condition No. 41, with no increase in the approved 112,058 square feet of gross floor area for Parcels A and B, including an amendment to CUP No. 05-004, located at 23465 Civic Center Way (formerly 3700 La Paz Lane), in the Community Commercial (CC) zoning district in the Town Center Overlay (Malibu Development Company, LLC);

2) making technical corrections to mitigation measures and changes to conditions proposed by the applicant as presented to the Planning Commission by staff, including updating mitigation measures E-1, E-4, E-6, F-3, I-6, I-9, and J-11, and revising Condition No. 6 of Planning Commission Resolution No. 20-17 to state that if coffee and breakfast establishments open before 8:00 a.m., they must close the same amount of time earlier, and updating Condition No. 60 of City Council Resolution No. 08-52 to add that the evacuation plan should include an emergency access driveway to the Park at Cross Creek and to the property to the west;
3) incorporating staff’s proposed changes, including updating Section 5 to also reference City Council Resolution No. 08-51 and incorporate it along with Resolution No. 08-52 by reference and revising Condition 2(c) to specify grading shall be consistent with TCO standards;

4) and adding conditions including the following: limiting restaurant service area to 10,000 square feet, with no more than 4,000 square feet of outdoor dining in the aggregate and no more than 40% of the seating for any individual restaurant outdoors and defining the service area as the exterior perimeter around all of the seating area, prohibiting outdoor restaurant service after 11:00 p.m., limiting large truck delivery times and trash and recycling pickup times, prohibiting loading and unloading of delivery trucks from Civic Center Way, requiring the project to comply with the parking lot safety standards of MMC Section 17.48.070, requiring control of drainage and screening and coverings for trash storage areas, requiring submittal of an as-built survey of tenant spaces with square footages, prohibiting the use of pesticides and requiring submittal of an integrated pest management plan, requiring conditions for colors and materials, requiring specific construction management techniques, prohibiting fire pits, requiring a qualified Native American resources monitor or archaeologist to be present during excavation, limiting all subterranean areas to parking, equipment room or storage, and requiring submittal to the Planning Director of a plan for disposal of water generated from cleaning of the parking garage.

The Commission discussed the motion.

FRIENDLY AMENDMENT
Commissioner Uhring amended the motion to prohibit any monument sign facing north toward residences from being lit.

The Commission discussed the amendment.

The amendment was accepted by the maker and the seconder.

The question was called and the amended motion carried unanimously.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 11:22 p.m., Vice Chair Mazza moved and Commissioner Marx seconded a motion to adjourn the meeting. The motion carried unanimously.
Approved and adopted by the Planning Commission of the City of Malibu on ____________________.

__________________________
JEFFREY JENNINGS, Chair

__________________________
KATHLEEN STECKO, Recording Secretary
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; Jesse Bobbett, Community Services Director; Rob Duboux, Public Works Director / City Engineer; Jessica Cleavenger, Associate Planner; Rachel Cummings, Recreation Coordinator; Tyler Eaton; Assistant Planner; Richard Mollica, Assistant Planning Director; Kristen Riesgo, Community Services Deputy Director; Kathleen Stecko, Administrative Assistant; and Jessica Thompson, Associate Planner

PLEDGE OF ALLEGIANCE

Douglas Burdge led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Administrative Assistant Stecko reported that the agenda for the meeting was properly posted on January 24, 2020, with the amended agenda properly posted on January 29, 2020.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved and Chair Jennings seconded a motion to approve the agenda, continuing Item Nos. 4.A. and 5.C. to the February 18, 2020 Regular Planning Commission meeting.

FRIENDLY AMENDMENT

Commissioner Uhring amended the motion to continue Item No. 5.B. to the February 18, 2020 Regular Planning Commission meeting.

The Commission directed questions to Mr. Burdge.

The Commission discussed the amendment.

The amendment was accepted by the maker and the seconder.

The amended 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

None.

ITEM 2.B. COMMISSION / STAFF COMMENT

Commissioner Uhring expressed concerns regarding the accuracy of amendments made to Planning Commission resolutions and commented on the process staff used to ensure the accuracy of resolutions incorporating amendments by the Commission, specifically citing concerns regarding the recent amended resolution for the La Paz Ranch project and potential lack of public notice regarding service area.

Vice Chair Mazza suggested requiring any amended resolutions be brought back on the Consent Calendar for adoption to allow the Commission to review and approve any changes in the resolution from what was presented with the staff report. He questioned whether Resolution No. 20-17 regarding the La Paz project should be brought back.

Commissioner Hill agreed that a more formal process to review amended resolutions should be implemented and commented on the La Paz project.

In response to Commissioner Marx, Planning Director Blue stated the term “outdoor dining” was not defined by the Local Implementation Plan (LIP), but was self-explanatory, in terms of being dining that is outside. She stated service area had never been defined in the LIP and was only mentioned in the parking section. She stated certain terms developed functional definitions over time.

Chair Jennings stated there were three separate issues at hand: the question of whether adequate notice that service area would be discussed was provided, the definition of service area, and whether the resolution accurately reflected the Commission’s intent.

In response to the Commission, Planning Director Blue stated that the Commission had an opportunity to clarify its amendments when the Assistant City Attorney read back the motion during the hearing. She stated outdoor dining was specifically addressed in the conditional use permit (CUP) findings of the original project and was illustrated on the site plan included in the agenda report for the CUP amendment application for informational purposes and that she did not believe there was a conflict in the way the condition was added to Resolution No. 20-17. She stated an earlier start time was proposed for a special meeting to avoid the
Commission having to make decisions late into the evening, but the special meeting was adjourned to the regular meeting out of the Commission’s concern that the public would not have the opportunity to provide input at a meeting held earlier in the day. In response to Vice Chair Mazza, she stated the circumstance surrounding the inaccuracies he cited for the fire resistant landscape ordinance was an isolated incident.

Assistant City Attorney Rusin suggested that the Commission diligently give direction to staff on a case by case basis on whether the Commission would like to have amended resolutions brought back on the Consent Calendar for adoption.

CONSENSUS

By consensus, the Commission agreed to table Commission/Staff Comments and the discussion surrounding amended resolutions being brought back to the Commission on the Consent Calendar to the end of the agenda in order to address the other items.

In response to Commissioner Hill, Planning Director Blue stated the City had not actively promoted the concept of fire resistant basements and cellars because the City’s position was aligned with the fire department’s Ready, Set, Go protocol rather than shelter in place.

ITEM 3 CONSENT CALENDAR

MOTION Vice Chair Mazza moved and Commissioner Uhring seconded a motion to approve the Consent Calendar. The motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items
   None.

B. New Items
   1. Approval of Minutes
      Recommended Action: Approve the minutes for the January 6, 2020 Regular Planning Commission meeting.
   2. Administrative Coastal Development Permit No. 19-051 – An application to install a new onsite wastewater treatment system to replace the existing onsite wastewater treatment system serving an existing single-family residence and second unit
      Location: 32518 Pacific Coast Highway, within the appealable coastal zone
      APN: 4473-015-005
      Owner: TMP Holding
      Case Planner: Assistant Planner Kendall, 456-2489, ext. 301
      Recommended Action: Receive and file the Planning Director’s report on the approval of Administrative Coastal Development Permit No. 19-051.
3. **Administrative Coastal Development Permit No. 19-081** — An application to install a new onsite wastewater treatment system to replace the existing onsite wastewater treatment system serving an existing single-family residence

   **Location:** 6316 Busch Drive, partially within the appealable coastal zone
   **APN:** 4467-029-005
   **Owner:** Hubschman Family Trust
   **Case Planner:** Associate Planner Thompson, 456-2489, ext. 280
   **Recommended Action:** Receive and file the Planning Director’s report on Administrative Coastal Development Permit No. 19-081.

4. **De Minimis Waiver No. 19-012** — An application for a new onsite wastewater treatment system

   **Location:** 30010 Andromeda Lane, not within the appealable coastal zone
   **APN:** 4469-004-011
   **Owner:** 30010 Andromeda Lane, LLC
   **Case Planner:** Assistant Planner Eaton, 456-2489, ext. 273
   **Recommended Action:** Receive Planning Director’s report on De Minimis Waiver No. 19-012 for a new onsite wastewater treatment system (OWTS) to replace the existing OWTS.

**ITEM 4 CONTINUED 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 (Continued from January 6, 2020)

   **Location:** Citywide
   **Applicant:** City of Malibu
   **Case Planner:** Assistant Planner Kendall, 456-2489, ext. 301
   **Recommended Action:** Continue this item to the February 18, 2020 Regular Planning Commission meeting.

   The item was continued to the February 18, 2020 Regular Planning Commission meeting upon approval of the agenda.

B. **Coastal Development Permit No. 19-003 and Demolition Permit No. 19-024** — A follow-up application for soldier pile bluff stabilization, plus additional soldier pile installation and associated development (Continued from November 4, 2019)

   **Location:** 28820 Cliffside Drive, within the appealable coastal zone
   **APN:** 4466-009-032
   **Owner:** TES Trust
   **Case Planner:** Assistant Planner Kendall, 456-2489, ext. 301
   **Recommended Action:** Adopt Planning Commission Resolution No. 20-19 determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 19-003 to approve the construction of 20 soldier piles tied together by a grade beam and demolition of a
portion of the existing single-family residence, which took place under Emergency Coastal Development Permit (ECDP) No. 15-009, as well as to allow the construction of 14 additional soldier piles and a permanent wall at the demolished portion of the house, including Demolition Permit No. 19-024 to memorialize the demolition which took place under ECDP No. 15-009, located in the Rural Residential-One Acre zoning district at 28820 Cliffside Drive (TES Trust).

Assistant Planner Kendall presented the staff report.

Disclosures: None.

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

Speakers: Norman Haynie and Fred Gaines

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. Haynie, Mr. Gaines, and Mark Barrett.

MOTION Commissioner Hill moved and Commissioner Uhring seconded a motion to adopt Planning Commission Resolution No. 20-19, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 19-003 to approve the construction of 20 soldier piles tied together by a grade beam and demolition of a portion of the existing single-family residence, which took place under Emergency Coastal Development Permit (ECDP) No. 15-009 and construction of a permanent wall at the demolished portion of the house, including Demolition Permit No. 19-024 to memorialize the demolition which took place under ECDP No. 15-009, located in the Rural Residential-One Acre zoning district at 28820 Cliffside Drive (TES Trust); 2) denying the construction of 14 additional soldier piles; 3) adding a condition requiring a report to the Planning Commission on the erosion of the bluff face 20 years from the date of approval and every five years thereafter; 4) adding a condition requiring landscaping to be drought-tolerant; 5) adding a condition that a swale shall be located along the top of the bluff; and 6) directing staff to examine the indemnity provisions to see if they need to be adjusted to deal with any issues related to erosion of the bluff.

The Commission discussed the motion.

The question was called and the motion carried 3-2, Commissioner Marx and Chair Jennings dissenting.
ITEM 5

NEW PUBLIC HEARINGS

A. Coastal Development Permit No. 19-083 – An application for construction of a 12,320-square foot Temporary Skate Park and associated development

Location: 24250 Pacific Coast Highway, not within the appealable coastal zone
APNs: 4458-018-906 and 4458-018-907
Owner: City of Malibu
Case Planner: Associate Planner Thompson, 456-2489, ext. 280

Recommended Action: Consider Addendum No. 2 to the Crummer Site Subdivision Final Environmental Impact Report and adopt Planning Commission Resolution No. 20-15 approving Coastal Development Permit No. 19-083 to allow for the installation of a 12,320-square foot above-ground temporary skate park, including construction of various skating equipment, fencing, and benches (elements) to be placed on a portion of a new 24,176-square foot asphalt lot, along with a drop-off/pick-up area including two ADA parking spaces, plus a dirt parking lot with 40 spaces and a cross-walk over Winter Mesa Drive and associated development, located on Lot 7 of the Crummer/Case property in the Planned Development and Public Open Space zoning districts located at 24250 Pacific Coast Highway (City of Malibu).

Associate Planner Thompson presented the staff report.

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

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

Speakers: Judy Villablanca, Finn Murphy, Robert Gold, Scott Gillen, Hamish Patterson, Jodi Gourson, Layla Polito, Max Gourson, Chris Wyatt, Jaden Mitchell, and Heather Gardner.

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. Villablanca, Mr. Murphy, Mr. Patterson, and Mr. Gillen.

MOTION Chair Jennings moved and Commissioner Uhring seconded a motion to: 1) consider Addendum No. 2 to the Crummer Site Subdivision Final Environmental Impact Report; and 2) adopt Planning Commission Resolution No. 20-15, as amended, eliminating Condition 38 which limited the hours of operation from 8:00 a.m. to sunset or 7:00 p.m. (whichever is earlier), seven days a week, and approving Coastal Development Permit No. 19-083 to allow for the installation of a 12,320-square foot above-ground temporary skate park, including construction of various skating equipment, fencing, and benches (elements) to be placed on a portion of a new 24,176-square foot asphalt lot, along with a drop-off/pick-up area including two ADA parking spaces, plus a dirt parking lot with 40 spaces and a cross-walk
over Winter Mesa Drive and associated development, located on Lot 7 of the Crummer/Case property in the Planned Development and Public Open Space zoning districts located at 24250 Pacific Coast Highway (City of Malibu).

The Commission discussed the motion.

The question was called and the motion carried unanimously.

B. Coastal Development Permit No. 17-071 and Site Plan Review No. 17-036 - An application for an interior and exterior remodel of, and addition to, an existing single-family residence

Location: 33608 Pacific Coast Highway, within the appealable coastal zone
APN: 4473-021-010
Owner: Michael Price
Case Planner: Associate Planner Cleavenger, 456-2489, ext. 301

Recommended Action: Adopt Planning Commission Resolution No. 20-11 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 17-071 to allow an interior and exterior remodel of, and 1,159 square feet of additions to, an existing 2,547 square foot, two-story, single-family residence, involving 15 percent demolition of exterior walls; including Site Plan Review No. 17-036 for construction up to 24 feet in height with flat roofs for the residence located in the Rural Residential-Two Acre zoning district at 33608 Pacific Coast Highway (Price).

The item was continued to the February 18, 2020 Regular Planning Commission meeting upon approval of the agenda.

C. Coastal Development Permit No. 13-054, Lot Line Adjustment No. 18-001, Variance Nos. 19-022 and 19-023, Site Plan Review Nos. 13-053 and 13-054 and Demolition Permit No. 19-048 – An application for a lot line adjustment and the construction of a new single-family residence

Locations: 3469 and 3441 Cross Creek Road, within the appealable coastal zone
APNs: 4458-023-003 and 4458-023-004
Owner: Malibu Realty, LLC
Case Planner: Assistant Planning Director Mollica, 456-2489, ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 20-16 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 13-054 to construct a new 5,056 square foot, single-story, single-family residence with a 920 square foot basement, landscaping, riparian habitat restoration, Lot Line Adjustment No. 18-001 to allow for a lot line adjustment between 3469 and 3441 Cross Creek Road, Variance (VAR) No. 19-022 to allow for unenclosed parking to replace enclosed parking, VAR No. 19-023 to allow for the proposed residence’s fuel modification to extend into the required Environmentally Sensitive Habitat Area buffer, Site Plan Review (SPR) No. 13-053 to allow for a 28 foot tall pitched roof, and SPR No. 13-054 to allow for construction on slopes steeper than 3:1 but flatter than 2.5:1 and
Demolition Permit No. 19-048 to allow for the demolition of the existing accessory structure located in the Rural Residential-Five Acre zoning district at 3469 and 3441 Cross Creek Road (Malibu Realty, LLC).

The item was continued to the February 18, 2020 Regular Planning Commission meeting upon approval of the agenda.

**ITEM 6 OLD BUSINESS**

None.

**ITEM 7 NEW BUSINESS**

None.

**ITEM 8 PLANNING COMMISSION ITEMS**

None.

**ITEM 2.B. COMMISSION / STAFF COMMENT (continued)**

The Commission discussed options for ensuring the accuracy of resolutions amended by the Commission and suggested all amended resolutions with substantive changes be brought back to the Commission on the Consent Calendar.

**ADJOURNMENT**

**MOTION** At 9:53 p.m., Vice Chair Mazza moved and Commissioner Marx seconded a motion to adjourn the meeting. The motion carried unanimously.

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

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JEFFREY JENNINGS, Chair

ATTEST:

__________________

KATHLEEN STECKO, Recording Secretary