CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 18-56


LOCATED IN THE RURAL RESIDENTIAL-TWO ACRE ZONING DISTRICT AT 24840 PACIFIC COAST HIGHWAY (JOHNSON FAMILY TRUST)

The Planning Commission of the City Of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. August 3, 2015, the Planning Commission adopted Resolution No. 15-68, approving Coastal Development Permit (CDP) No. 13-047, Site Plan Review No. 13-045, Minor Modification Nos. 13-016 and 13-017, and Demolition Permit (DP) No. 13-022 to allow the demolition of an existing 7,316 square foot single-family residence, and the construction of a new 6,843 square foot two-story single-family residence with a 791 square foot basement, a 979 square foot detached subterranean garage, a 468 square foot pool cabana, a 348 square foot gym, a 48 square foot guard station, 89 square foot seating room, an alternative onsite wastewater treatment system, and other ancillary improvements, Site Plan Review No. 13-045 for height in excess of 18 feet in height (up to 24 feet for a flat roof), Minor Modification No. 13-016 for a 20 percent reduction in the cumulative side yard setback, and Minor Modification No. 13-017 for a 50 percent reduction in the front yard setback.

B. On September 1, 2015, an application for an amendment to CDP No. 13-047 was submitted by Benjamin Suber of Schmitz and Associates, Inc., on behalf of the Johnson Family Trust, requesting removal of Condition No. 71, pertaining to colors and exterior building materials, from Resolution No. 15-68.

C. On October 19, 2015, the Planning Commission held a duly noticed public hearing on the CDP Amendment application, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information in the record and adopted Resolution No. 15-92, approving CDP Amendment No. 15-007, modifying Condition No. 71 of Planning Commission Resolution No. 15-68.
A. July 27, 2018, an extension request was submitted to the Planning Department by applicant Knickerbocker and Associates.

B. On August 23, 2018, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500 foot radius of the subject property.

C. On September 17, 2018, the Planning Commission held a duly noticed public hearing on the subject time extension request, reviewed and considered the staff report, reviewed and considered written correspondence, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Commission previously determined the project to be categorically exempt pursuant to CEQA Guidelines Sections 15301—Existing Facilities and 15303—New Construction. As such, Categorical Exemption (CE) No. 15-082 was filed for CDP No. 13-047 and CE 15-166 was filed for CDPA 15-007.

SECTION 3. Findings of Fact.

Pursuant to Local Coastal Program Local Implementation Plan Section 13.21, the Planning Commission, having considered the staff report, all written correspondence and oral testimony presented at the public hearing, hereby finds that the applicant has demonstrated due cause for the necessity of a time extension of the approval of the coastal development permit and associated requests.


A. The approvals set forth in Planning Commission Resolution Nos. 15-68 and 15-92 are hereby extended for an additional one-year term. The approval is now set to expire on August 3, 2019.

B. No other changes to the conditions contained in Planning Commission Resolution Nos. 15-68 and 15-92 are made and all other findings, terms and/or conditions contained in Planning Commission Resolution Nos. 15-68 and 15-92 are shall remain in full force and effect.

SECTION 5. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 17th day of September, 2018.

CHRIS MARX, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary
LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and proper appeal fee. The appellant shall pay fees as specified in the Council adopted fee resolution in effect at the time of the appeal. Appeal forms and fee schedule may be found online at www.malibucity.org/planningforms, in person at City Hall, or by calling (310) 456-2489, extension 245.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 18-55 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 17th day of September, 2018, by the following vote:

AYES: 5 Commissioners: Jennings, Mazza, Pierson, Uhring, Marx
NOES: 0
ABSTAIN: 0
ABSENT: 0

[Signature]
KATHLEEN STECKO, Recording Secretary