



Supplement Commission Agenda Report

Planning Commission
Meeting
04-04-22

**Item
4.A.**

To: Chair Hill and Members of the Planning Commission

Prepared by: Adrian Fernandez, Assistant Planning Director

Approved by: Richard Mollica, Planning Director

Date prepared: April 1, 2022

Meeting date: April 4, 2022

Subject: Conditional Use Permit Amendment No 13-006 and Joint Use Parking Agreement No. 14-001 – An application to amend Conditional Use Permit No. 09-009 and Joint Use Parking Agreement No. 10-001 to reduce the restaurant service area in order to accommodate for the creation of a new retail tenant space, and decrease the number of required off-site parking spaces (Aviator Nation) (Continued from January 11, 2022)

Locations: 22969 and 22959 Pacific Coast Highway

APNs: 4452-019-004 and -005

Owners: SKA Group, LLC and Surfrider Plaza, LLC

Tenant: Aviator Nation Dreamland/Aviator Nation

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 22-01 (Attachment 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit Amendment No. 13-006 and Joint Use Parking Agreement (JUPA) No. 14-001 amending Conditional Use Permit No. 09-009 and JUPA No. 10-001 for the reduction of the restaurant service area in order to accommodate the permanent expansion of existing retail tenant space, and decrease the number of required off-site parking spaces (22959 Pacific Coast Highway) in the JUPA to reflect the new number of required offsite parking spaces at an existing restaurant (Aviator Nation Dreamland) located in the Commercial Visitor Serving-One zoning district at 22969 and 22959 Pacific Coast Highway (SKA Group, LLC).

DISCUSSION: This supplemental report is provided to clarify that the subject project is a distinct and sperate project from Coastal Development Permit No. 09-067 (Malibu Inn Motel). In addition, this report is provided to correct statements contained in the original report for this hearing and to provide clarity regarding the JUPA request. The *Background and Existing Approvals* section of the original report states that the separate

application for the Malibu Inn Motel (22959 PCH) on the immediately adjacent parking lot property is scheduled before the Planning Commission on the same hearing date as the subject application. This is no longer the case as the Malibu Inn Motel item will be continued to a date uncertain.

The *Correspondence* section of the original report states that the proposed JUPA amendment is directly related to the proposed motel on the adjacent lot. These two items are inherent linked because they have common ownership and JUPA No. 09-001 was issued for the Malibu Inn to occupy 31 parking spaces on the adjacent parking lot. However, the subject item consists of a separate and independent application from the Malibu Inn Motel and should be considered based on its own merits.

The original staff report for this hearing states that the subject item includes an amendment to JUPA No. 09-001 and therefore, includes the adjacent parking lot by reference. The Public Hearing Notice for this project also included both properties. In any event, the proposed JUPA amendment would not grant an entitlement to the adjacent parking lot. Therefore, a separate resolution for the adjacent parking lot is not required. This is consistent with past practice and consistent with the original JUPA granted for Malibu Inn. The recommended action and project information on the cover sheet have been updated to include the adjacent parking lot information. Corollary changes would be recommended for Planning Commission Resolution No. 22-01.

ATTACHMENTS: None