

MINUTES
MALIBU PLANNING COMMISSION
SPECIAL MEETING
APRIL 29, 2019
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Uhring called the meeting to order at 6:31 p.m.

ROLL CALL

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

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

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Bonnie Blue, Planning Director; Raneika Brooks, Associate Planner; Kathleen Stecko, Senior Office Assistant; and Adam Chase, Assistant Public Works Director

PLEDGE OF ALLEGIANCE

Carey Upton led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Senior Office Assistant Stecko reported that the agenda for the meeting was properly posted on April 12, 2019.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Marx seconded a motion to approve the agenda. The motion carried unanimously.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

None.

ITEM 2.B. COMMISSION / STAFF COMMENT

Commissioner Hill suggested the recurring Woolsey Fire Rebuild Update Presentation on the Planning Commission's Regular meeting agenda be supplemented to include anecdotal stories of techniques and strategies such as green building and fire-safe steel studs instead of wood.

In response to Commissioner Hill, Planning Director Blue stated building information would more likely be gathered by the Building Safety Department and could possibly be provided during the Staff Update on Disaster Responses and Recovery at City Council meetings.

In response to Chair Uhring, Planning Director Blue stated implementing fire resiliency measures would be explored and taken into consideration when rebuilding. She stated the Short-term Rental (STR) ordinance would be considered by the City Council after the additional information requested by the City Council and the consultant analysis on the implications of a STR ban was completed.

In response to Commissioner Mazza, Planning Director Blue provided a timeline of June 2019 for the Commission to consider the ordinance altering the maximum total development square footage.

Chair Uhring commented on the impact allowing short-term rentals would have on school attendance from the loss of permanent residents.

Planning Director Blue announced the California Coastal Commission (CCC) would be holding public hearings on Thursday, May 9, 2019, in Oxnard on the affordable housing Local Coastal Program (LCP) amendment and the LCP Public Access Map certification.

In response to Commissioner Mazza, Planning Director Blue stated the item on the Accessory Dwelling Unit Ordinance, which would bring the Malibu Municipal Code in to alignment with the Malibu Local Coastal Program and California state law, would be brought back to the Planning Commission prior to being considered by the City Council.

Chair Uhring encouraged community members to access the agenda for the May 9, 2019, meeting of the CCC on its website and stated it were accepting comments from the public prior to the meeting.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.1. was pulled for individual consideration by Commissioner Mazza.

A. Previously Discussed Items

None.

B. New Items

1. Formula Retail Clearance No. 19-002 – Malibu Country Mart Shopping Center

Location: 23401 Civic Center Way, Unit Number D5

APN: 4458-020-010

Owner: Malibu Cross Creek LTD

Tenant: BA&SH

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

Recommended Action: Receive and file the Planning Director's report on the approval of Formula Retail Clearance No. 19-002.

Assistant Planner Thompson presented the staff report.

The Commission directed questions to staff.

CONSENSUS By consensus, the Commission received and filed the Planning Director's report on the approval of Formula Retail Clearance No. 19-002.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

- A. Malibu Schools Alignment Project - Initial Study No. 19-002 and Mitigated Negative Declaration No. 19-001, Coastal Development Permit No. 18-065, Conditional Use Permit No. 19-003, and Lot Merger No. 19-001 – An application for the construction of eight portable classrooms, one portable administration building, and one portable restroom on the Point Dume Marine Science Elementary School site in order to combine the Juan Cabrillo Elementary students at the Point Dume Site

Location: 6955 Fernhill Drive (Point Dume Marine Science Elementary School), not within the appealable coastal zone

APN: 4466-012-900

Owner: Santa Monica-Malibu Unified School District

Case Planner: Associate Planner Brooks, 456-2489 ext. 279

Recommended Action: Adopt Planning Commission Resolution No. 19-31 adopting Initial Study No. 19-002 and Mitigated Negative Declaration No. 19-001, and approving Coastal Development Permit No. 18-065 to allow development necessary to accommodate the transfer of approximately 185 students, plus staff and teachers, from Juan Cabrillo Elementary School to Point Dume Elementary School, which has approximately 195 students, consisting of the construction of eight portable classrooms, one portable administration building, and one portable restroom, resulting in an additional 9,440 square feet of gross floor area, a reconfigured 48-space visitor parking lot, the replacement of a 336 square foot shade structure, interior improvements to an existing single-story building located at the southwest portion of the campus (Building A), site grading, retaining walls, and including Conditional Use Permit No. 19-003 for the operation of a public educational institution on the Point Dume site and Lot Merger No. 19-001 for consolidation of four existing legal lots of the Point Dume site into one legal lot, in the Institutional zoning district located at 6955 Fernhill Drive (Santa Monica-Malibu Unified School District).

Associate Planner Brooks presented the staff report.

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

The Commission directed questions to staff.

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

Speakers: Ben Drati, Stan Barankiewicz, Roui Israel, Pat Cairns, Mary Tafi, Deborah Kramer, Stephanie Rocco, Todd Doyle, Ann Russell Shurgot, Steven Grahek, and Norman Haynie.

Mr. Barankiewicz and Craig Foster provided rebuttal to public comment.

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

RECESS At 8:10 p.m., Chair Uhring recessed the meeting. The meeting reconvened at 8:20 p.m. with all Commissioners present.

The Commission directed questions to staff, Mr. Barankiewicz, Brian Merchetti, Steve Massetti, Carey Upton, Dr. Drati, and Mr. Haynie.

MOTION Commissioner Mazza moved and Vice Chair Jennings seconded a motion to adopt Planning Commission Resolution No. 19-31, as amended: 1) adopting Initial Study No. 19-002 and Mitigated Negative Declaration No. 19-001, and approving Coastal Development Permit No. 18-065 to allow development necessary to accommodate the transfer of approximately 185 students, plus staff and teachers, from Juan Cabrillo Elementary School to Point Dume Elementary School, which has approximately 195 students, consisting of the construction of six portable classrooms, one portable administration building, and one portable restroom, resulting in an additional 7,634 square feet of gross floor area, a reconfigured 48-space visitor parking lot, the replacement of a 336 square foot shade structure, interior improvements to an existing single-story building located at the southwest portion of the campus (Building A), site grading, retaining walls, and including Conditional Use Permit No. 19-003 for the operation of a public educational institution on the Point Dume site and Lot Merger No. 19-001 for consolidation of four existing legal lots of the Point Dume site into one legal lot, in the Institutional zoning district; 2) requiring operation of a school bus from Juan Cabrillo or another location not in Point Dume approved by the Planning Director for one year, and continuing the second and following years unless ridership falls below 10 passes sold for a three month period during the school year; 3) requiring the School District to provide a report to the Planning Commission every three months during the school year until terminated or modified by the Planning Commission, on traffic conditions, bus use problems and potential solutions; 4) removing the two portable classrooms closest to Fernhill Drive from the plans, resulting in the approval of six classroom, one office and one restroom portable buildings, avoiding the removal of native tree no. 24, with staff to remove all tree mitigation measures no longer required since tree no. 24 will not be affected; and; 5) modifying Mitigation Measure CUL-1 to require a qualified professional archaeologist to be onsite during all excavation activities (6955 Fernhill Drive) (Point Dume Marine Science Elementary School).

The Commission discussed the motion.

The question was called and the motion carried unanimously.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

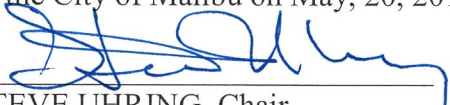
ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 10:20 p.m., Commissioner 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 May, 20, 2019.



STEVE UHRING, Chair

ATTEST:



KATHLEEN STECKO, Recording Secretary