

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
MAY 6, 2019
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Uhring 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 Steve Uhring; and Commissioners Kraig Hill, Chris Marx, and John Mazza

ABSENT: Vice Chair Jennings

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Bonnie Blue, Planning Director; Jessica Colvard, Associate Planner; Philip Coronel; Planning Technician; David Eng, Assistant Planner; Justine Kendall, Assistant Planner; Richard Mollica, Senior Planner; and Kathleen Stecko, Senior Office Assistant

PLEDGE OF ALLEGIANCE

Charles Santos 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 26, 2019.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Marx seconded a motion to approve the agenda, continuing Item No. 5.C. to the May 20, 2019 Regular Planning Commission meeting.

The Commission discussed the motion.

The motion carried 4-0, Vice Chair Jennings absent.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Staff Update on the Woolsey Fire Rebuild Process

Planning Director Blue and Senior Planner Mollica provided an update on the Woolsey Fire rebuild process.

ITEM 2.A. PUBLIC COMMENTS

Patt Healy commented on Southern California Edison's (SCE) Vegetation Management Program.

Paul Grisanti commended the Planning Department and Building Safety Division on the progress being made in the rebuilding process.

Neil Witt commented on the debris removal process, permitting fees, and whether the tax provisions of Proposition 13 should be carried over to a new home if an owner was building like-for-like.

ITEM 2.B. COMMISSION / STAFF COMMENT

In response to Mr. Witt, Commissioner Mazza stated fees and fee reimbursement would be discussed at the next Administration and Finance City Council Subcommittee meeting.

In response to Commissioner Mazza, Planning Director Blue stated a final inspection of Whole Foods at the Park would be conducted prior to their opening to ensure conditions were met.

Commissioner Hill stated the definition of what constituted major vegetation removal should take into consideration that larger limbs were relatively static even during heavy winds and that smaller limbs were more of a safety concern. He stated he attended a presentation regarding traffic management being employed in Victoria, Australia. He stated Los Angeles County Sheriff's Department Lieutenant Seetoo expressed interest in adapting the tiered program utilizing wristbands for entry into checkpoints for use in Malibu for emergency traffic management. He commented on the potential use of solar panels and progressive energy sources during emergencies in Malibu similar to what was being employed in Oxnard.

Commissioner Marx stated the City of Oxnard was in an opportunity zone, according to new tax law, so it would have benefits for tax codes that Malibu might not be able to utilize in the same way.

Planning Director Blue stated there was information on tree trimming by SCE in a latitude/longitude format, and efforts were being made to provide it in a more user-friendly format.

Commissioner Marx added the website had a useful feature where you could search locations and pin them to the map.

Chair Uhring stated the community needed to attract residents with students to increase enrollment in the school system.

In response to Chair Uhring, Planning Director Blue stated the conditions of approval for the Whole Foods in the Park project were available as a public document in the form of the adopted resolution.

Planning Director Blue stated the SCE website as well as the City's website had information SCE's Vegetation Management Program. She stated the City was working SCE to provide safety for the community and protection for the environment and that the City had retained an arborist to assist in those efforts. She introduced new Planning Department staff members Assistant Planner David Eng and Planning Technician Philip Coronel. She announced upcoming City Council meeting topics, including Primary View Determinations in Woolsey Fire affected areas, a presentation by SCE on their Vegetation Management Program, and a discussion item regarding sending a letter of objection to the Los Angeles County Board of Supervisors opposing the proposed ordinance to allow camping in environmentally sensitive habitat areas. She stated the Civic Center Water Treatment Facility was going into Phase Two and residents would be given the option to apply to opt-in to Phase Two.

In response to Commissioner Mazza, Assistant City Attorney Rusin stated that the gift for public funds issue would not be determinative of whether it was the 75 percent or 100 percent of the fees for like for like, or like for like plus 10 percent reimbursement, and that the City would analyze the impacts.

ITEM 3 CONSENT CALENDAR

- A. Previously Discussed Items
None.
- B. New Items
None.

ITEM 4 CONTINUED PUBLIC HEARINGS

None.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit Amendment No. 18-006, Site Plan Review No. 19-016, and Extension No. 19-002 – An application to amend Coastal Development Permit No. 11-056 to allow for additional grading, reduce the size and location of the garage, relocation of the previously approved onsite wastewater treatment system, and addition of a basement, and a two-year extension of Coastal Development Permit No. 11-056 and Site Plan Review Nos. 11-029 and 16-010
Location: 24157 Malibu Road, within the appealable coastal zone
APN: 4458-018-010
Owner: The Lyn and Laurie Konheim Trust
Case Planner: Assistant Planner Kendall, 456-2489 ext. 301
Recommended Action: Adopt Planning Commission Resolution No. 19-32 determining the project is categorically exempt from the California Environmental Quality Act, granting a two-year extension of Coastal Development Permit 11-056

and Site Plan Review Nos. 11-029 and 16-010 for two years, and approving Coastal Development Permit Amendment No. 18-006 amending Coastal Development Permit No. 11-056 to allow for an additional 9,778 cubic yards of remedial grading, relocation and reduction of the previously approved garage from 481 square feet to 400 square feet, relocation of the previously approved onsite wastewater treatment system, and the conversion of 2,059 square feet of the previously approved crawl space to basement, and the overall reduction of the square footage of the previously approved single-family residence; including Site Plan Review No. 19-016 to allow remedial grading, located in the Single-Family Medium Density zoning district at 24157 Malibu Road (The Lyn and Laurie Konheim Trust).

Assistant Planner Kendall presented the staff report.

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

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

Speakers: Charles Santos and Sara Wan.

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.

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

MOTION

Commissioner Mazza moved and Chair Uhring seconded a motion to adopt Planning Commission Resolution No. 19-32 determining the project is categorically exempt from the California Environmental Quality Act, granting a two-year extension of Coastal Development Permit 11-056 and Site Plan Review Nos. 11-029 and 16-010 for two years, and approving Coastal Development Permit Amendment No. 18-006 amending Coastal Development Permit No. 11-056 to allow for an additional 9,778 cubic yards of remedial grading, relocation and reduction of the previously approved garage from 481 square feet to 400 square feet, relocation of the previously approved onsite wastewater treatment system, and the conversion of 2,059 square feet of the previously approved crawl space to basement, and the overall reduction of the square footage of the previously approved single-family residence; including Site Plan Review No. 19-016 to allow remedial grading, located in the Single-Family Medium Density zoning district at 24157 Malibu Road (The Lyn and Laurie Konheim Trust).

The Commission discussed the motion.

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

B. Coastal Development Permit No. 18-030 and Minor Modification Nos. 18-017 and 19-003 – An application for an interior and exterior remodel of and addition to an existing one-story, single-family residence and associated development

Location: 6810 Wildlife Road, within the appealable coastal zone

APN: 4466-005-020

Owner: The Cameron and Karen Farrer Living Trust

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

Recommended Action: Adopt Planning Commission Resolution No. 19-28 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-030 to allow an interior and exterior remodel of an existing 2,954 square foot, one-story, single-family residence, 11.5 percent demolition of exterior walls, construction of a 784 square foot attached second residential unit, new swimming pool and spa, hardscaping and demolition of a 163 square foot storage shed; including Minor Modification No. 18-017 for a 16 percent reduction in the front yard setback and Minor Modification No. 19-003 for a 20 percent reduction of the cumulative side yard setback located in the Rural Residential-One Acre zoning district at 6810 Wildlife Road (The Cameron and Karen Farrer Living Trust).

Associate Planner Colvard presented the staff report.

Disclosures: Commissioners Marx and Mazza, and Chair Uhring.

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

Speaker: Lester Tobias.

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.

The Commission directed questions to staff and Mr. Tobias

MOTION

Commissioner Mazza moved and Commissioner Hill seconded a motion to adopt Planning Commission Resolution No. 19-28 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 18-030 to allow an interior and exterior remodel of an existing 2,954 square foot, one-story, single-family residence, 11.5 percent demolition of exterior walls, construction of a 784 square foot attached second residential unit, new swimming pool and spa, hardscaping and demolition of a 163 square foot storage shed; including Minor Modification No. 18-017 for a 16 percent reduction in the front yard setback and Minor Modification No. 19-003 for a 20 percent reduction of the cumulative side yard setback located in the Rural Residential-One Acre zoning district at 6810 Wildlife Road (The Cameron and Karen Farrer Living Trust).

The Commission discussed the motion.

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

- C. Coastal Development Permit No. 12-004, Stringline Modification Review No. 12-001, Demolition Permit Nos. 12-002, 19-012 and 19-013, Lot Merger No. 12-001 and Offer-to-Dedicate No. 19-001 – An application for a lot merger, demolition of three existing single-family beachfront residences and associated development and construction of a new single-family beachfront residence and associated development

Locations: Lot A – 22230 Pacific Coast Highway
Lot B – 22224 Pacific Coast Highway
Lot C – 22214 Pacific Coast Highway
Within the appealable coastal zone

APNs: Lot A – 4451-006-018
Lot B – 4451-006-040
Lot C – 4451-006-020

Owners: Carbonview Limited, LLC and Malibu Realty, LLC

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

Recommended Action: Adopt Planning Commission Resolution No. 19-30 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit No. 12-004 to construct a new 13,419 square foot, two-story, single-family beachfront residence including an attached two-car garage, decks, exterior stairs to the beach, landscaping and hardscaping, 42-foot wide view corridor, installation of a new onsite wastewater treatment system and shoreline protection device; including Stringline Modification Review No. 12-001 for the single-family residence to extend 11 feet beyond the building stringline, Demolition Permit Nos. 12-002, 19-012 and 19-013 to demolish three existing single-family beachfront residences and associated development, Lot Merger No. 12-001 to consolidate three legal lots and Offer-to-Dedicate No. 19-001 for a lateral access easement across the properties located in the Single-Family Medium residential zoning district at 22214, 22224 and 22230 Pacific Coast Highway (Carbonview Limited, LLC and Malibu Realty, LLC).

This item was continued to the May 20, 2019 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.

ADJOURNMENT

MOTION At 8:16 p.m., Commissioner Mazza moved and Commissioner Marx seconded a motion to adjourn the meeting. The motion carried 4-0, Vice Chair Jennings absent.

Approved and adopted by the Planning Commission
of the City of Malibu on June 17, 2019.



STEVE UHRING, Chair

ATTEST:



KATHLEEN STECKO, Recording Secretary