

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
AUGUST 5, 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; Vice Chair Jeffrey Jennings; and Commissioners Kraig Hill, Chris Marx, and John Mazza

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

PLEDGE OF ALLEGIANCE

Vitus Matare 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 July 26, 2019, with the amended agenda properly posted on August 1, 2019.

APPROVAL OF AGENDA

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

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Staff Update on the Woolsey Fire Rebuild Process

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

ITEM 2.A. PUBLIC COMMENTS

Bruce Silverstein commented on the Bell property being used as a staging area by Southern California Edison. He indicated concern about any environmentally

sensitive habitat existing at the site and stated proper procedures had not been observed in obtaining permits to use the property.

ITEM 2.B. COMMISSION / STAFF COMMENT

Commissioner Hill stated rather than shifting Planning Commission meetings from Mondays to Tuesdays, it would be more beneficial if agendas and reports could be released earlier. He stated power systems for water pumps should be pursued since fire season was approaching. He stated the Big Rock area was trying to coordinate with Southern California Edison, Los Angeles County Waterworks District No. 29, and residents to facilitate generators to power water pumps.

Commissioner Mazza stated some residents were already using backup generators during power outages.

In response to Chair Uhring, Planning Director Blue stated the Farmers Market would need to apply for a conditional use permit amendment to be able to use the Chili Cook-off site for parking.

Commissioner Marx wanted to acknowledge the recent tragedies in El Paso Texas and Dayton Ohio.

In response to Chair Uhring, Planning Director Blue stated the green walls at the Whole Foods in the Park shopping center were projected to take 18 to 24 months to grow in and some adjustments had been made to locations.

Planning Director Blue announced Andrew Sheldon was the Acting Environmental Sustainability Director upon Craig George's August 1, 2019 retirement, and that recruitment for his replacement was underway. She stated the Local Coastal Program Amendments for the Housing Element and Public Access Map updates would be discussed at the August 26, 2019 Regular City Council meeting.

ITEM 3 CONSENT CALENDAR

MOTION Vice Chair Jennings moved and Commissioner 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. Administrative Coastal Development Permit No. 19-024 – An application to install a new onsite wastewater treatment system to replace the existing onsite wastewater treatment system serving existing multi-family condominiums

Location: 31228 Bailard Road, partially within the appealable coastal zone
APN: 4470-002-039
Owner: Malibu Colony West Home Owners Association
Case Planner: Associate Planner Thompson, 456-2489 ext. 280
Recommended Action: Receive and file the Planning Director's report on the approval of Administrative Coastal Development Permit No. 19-024.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Administrative Plan Review No. 17-095 and Variance No. 18-046 - An application for the construction of a new swimming pool, pool equipment, and exterior stairs at an existing single-family residence (Continued from July 15, 2019)

Location: 3095 Rambla Pacifico Street
APN: 4451-013-026
Owner: Silent Creek, Inc.
Case Planner: Assistant Planner Kendall, 456-2489, ext. 301
Recommended Action: Adopt Planning Commission Resolution No. 19-48 determining the project is categorically exempt from the California Environmental Quality Act and approving Administrative Plan Review No. 17-095 to allow the construction of a new 540 square foot swimming pool and associated pool equipment, as well as three sets of exterior concrete stairs; including Variance No. 18-046 for construction on slopes steeper than 2.5 to 1, at an existing single-family residence located in the Rural Residential-One Acre zoning district at 3095 Rambla Pacifico Street (Silent Creek, Inc).

Assistant Planner Kendall presented the staff report.

Disclosures: Commissioner Hill.

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.

Speaker: Vitus Matare.

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. Matare.

MOTION Commissioner Mazza moved and Commissioner Hill seconded a motion to adopt Planning Commission Resolution No. 19-48, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act and approving Administrative Plan Review No. 17-095 to allow the construction of a

new 540 square foot swimming pool and associated pool equipment, as well as three sets of exterior concrete stairs; including Variance No. 18-046 for construction on slopes steeper than 2.5 to 1, at an existing single-family residence located in the Rural Residential-One Acre zoning district at 3095 Rambla Pacifico Street (Silent Creek, Inc.); and 2) requiring the removal of the existing railroad tie stairs descending from the rear of the existing residence.

The Commission discussed the motion.

The question was called and the motion carried unanimously.

B. Coastal Development Permit Amendment No. 18-004 and Site Plan Review No. 18-032 – An application to amend Coastal Development Permit No. 16-029 to construct a new single-family residence and associated development (Continued from July 15, 2019)

Location: 31479 Pacific Coast Highway, within the appealable coastal zone

APN: 4470-009-029

Owner: MPV Malibu, LLC

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

Recommended Action: Adopt Planning Commission Resolution No. 19-37 determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit Amendment No. 18-004 amending Coastal Development Permit No. 16-029 to construct a new 9,746 square foot, two-story, single-family residence with a revised design no longer including a subterranean garage and basement, including an attached three-car garage, fire department turnaround, grading, retaining walls, decks, roof mounted solar panels, abandon the existing leach fields and septic tank, and install a new onsite wastewater treatment system; including Site Plan Review No. 18-032 for construction up to 24 feet in height for a flat roof rather than a 28 foot pitched roof, located in the Rural Residential-Five Acre zoning district at 31479 Pacific Coast Highway (MPV Malibu, LLC).

Associate Planner Colvard presented the staff report.

Disclosures: Commissioners Hill and Marx, 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.

Speaker: Arshia Mahmoodi.

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. Mahmoodi, Brent Mandel, and Michael Parsee.

MOTION Commissioner Mazza moved and Vice Chair Jennings seconded a motion to adopt Planning Commission Resolution No. 19-37, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, approving Coastal Development Permit Amendment No. 18-004 amending Coastal Development Permit No. 16-029 to construct a new 9,746 square foot, two-story, single-family residence with a revised design no longer including a subterranean garage and basement, including an attached three-car garage, fire department turnaround, grading, retaining walls, decks, roof mounted solar panels, abandon the existing leach fields and septic tank, and install a new onsite wastewater treatment system; including Site Plan Review No. 18-032 for construction up to 24 feet in height for a flat roof rather than a 28 foot pitched roof, located in the Rural Residential-Five Acre zoning district; and 2) incorporating into Planning Commission Resolution No. 19-37 a revision to Condition 55 of Planning Commission Resolution No. 17-62 to clarify removal of all impermeable surfaces outside of the 10,000 square foot development envelope is required.

The Commission discussed the motion.

The question was called and the motion carried unanimously.

ITEM 5 NEW PUBLIC HEARINGS

- A. Conditional Use Permit No. 18-005 – An application to allow the operation of a new restaurant, Café D’ Amore, including the onsite sale and consumption of alcohol

Location: 23401 Civic Center Way, Unit 1C
APN: 4458-022-030
Owner: The Park at Cross Creek, LLC
Tenant: Café D’ Amore
Case Planner: Contract Planner Rudolph, 456-2489, ext. 238
Recommended Action: Continue this item to the August 19, 2019 Regular Planning Commission meeting.

This item was continued to the August 19, 2019 Regular Planning Commission meeting upon approval of the agenda.

- B. Coastal Development Permit No. 19-025 and Conditional Use Permit No. 19-005 – An application to permit the establishment and temporary use of a laydown yard which took place under Emergency Coastal Development Permit Nos. 19-005 and 19-014, the continued temporary use of the laydown yard, and the permanent retention of the gravel, gates, and fencing

Location: 23833 Stuart Ranch Road, not within the appealable coastal zone

APN: 4458-021-175
Property Owner: Surfrider Partners, LLC
Case Planner: Assistant Planner Kendall, 456-2489, ext. 301
Recommended Action: Continue this item to the August 19, 2019 Regular Planning Commission meeting.

This item was continued to the August 19, 2019 Regular Planning Commission meeting upon approval of the agenda.

- C. Coastal Development Permit No. 13-064, Variance Nos. 19-007, 19-020, and 19-021, Demolition Permit No. 19-016, and Code Violation No. 19-006 – A follow-up Coastal Development Permit for emergency slope and drainage repair, and for demolition of unpermitted work and permitting after-the-fact hardscape

Location: 32640 Pacific Coast Highway, within the appealable coastal zone

APN: 4473-016-001
Owner: Jonathan Frank
Case Planner: Assistant Planner Kendall, 456-2489, ext. 301
Recommended Action: Continue this item to a date uncertain.

This item was continued to a date uncertain upon approval of the agenda.

- D. Coastal Development Permit No. 16-024, Site Plan Review No. 18-027, and Demolition Permit No. 19-022 – An application for the demolition of an existing foundation, swimming pool, spa and onsite wastewater treatment system and construction of a new one-story, single-family residence and associated development

Location: 22271 Carbon Mesa Road, not within the appealable coastal zone

APN: 4451-012-043
Owner: Map Properties, LLC
Case Planner: Associate Planner Colvard, 456-2489, ext. 234
Recommended Action: Continue this item to the September 16, 2019 Regular Planning Commission meeting to allow the applicant time to provide an exhibit depicting existing and proposed fuel modification zones.

The item was continued to the September 16, 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 7:45 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 October 7, 2019.



STEVE UHRING, Chair

ATTEST:



KATHLEEN STECKO, Recording Secretary