



City of Malibu

MEMORANDUM

To: Mayor Grisanti and the Honorable Members of the City Council, Chair Jennings and Members of the Planning Commission, City Manager, Department Heads, City Attorney, Planning Department, Malibu Times, Malibu Surfside News and Malibu Patch

From: Kathleen Stecko, Administrative Assistant *Kathleen Stecko*

Date: July 1, 2021

Re: Actions from the June 30, 2021 Special Planning Commission meeting

At the Special Planning Commission meeting on June 30, 2021, the Planning Commission took the actions listed below:

- 1) Adopted Planning Commission Resolution No. 21-47, as amended: 1) recommending to the City Council the adoption of Initial Study No. 21-001 and Mitigated Negative Declaration No. 21-001 prepared for the project pursuant to the California Environmental Quality Act and approval of Coastal Development Permit No. 17-086, Conditional Use Permit No. 21-001, General Plan Amendment No. 21-001, General Plan Map Amendment No. 17-002, Local Coastal Program Amendment No. 16-006, Zoning Map Amendment No. 17-002, Zoning Text Amendment No. 20-001, Development Agreement No. 21-001, Lot Merger No. 20-002, and Demolition Permit No. 20-19 to rezone and change the land use designation of the properties from Community Commercial to Commercial Visitor Serving-Two a new Sea View Hotel Overlay District with associated development standards, including the proposed floor area ratio of 0.52 for the public benefits provided by the project, and a new 26,734 square foot, 39-room hotel, involving the remodel of an existing four-story, 15,392 square foot commercial building and a 9,500 square foot parking level at 22741 Pacific Coast Highway (PCH) and construction of a new two-story, 11,342 square foot addition plus a basement on an adjacent parcel at 22729 PCH, and authorizing the Planning Director to submit a letter of public convenience or necessity for the use. The project includes a restaurant/bar, spa, rooftop deck, swimming pool, new surface parking lot, hardscape, landscaping, grading, retaining wall, lighting, utilities, and an upgrade and expansion of the existing onsite wastewater treatment system and associated lot merger of the two involved (Grey Granite, LLC; Las Tunas Beach, LLC; and Sea View Terrace, LLC); 2) Add condition of approval to require payment of in-lieu fee for overnight luxury accommodations of \$110,000; 3) Amend Condition No. 30 to require installation of the check valve replacement at the time of certificate of compliance; 4) Amend Condition No. 35 to allow the incorporation of colors including light shades consistent with the existing colors; 5) Add condition of approval to require adequate staff shall be provided to manage traffic entering and existing the site to ensure that traffic does not back up onto PCH; 6) Add condition of approval requiring valet for all parking; 7) Revise Local Coastal Program Amendment and Sea View Hotel Overlay development standards to require temporary use permits for all events; 8) Add conditions of approval regarding sound: a) No amplified sound, including a pager system, is permitted which creates a nuisance. All sound emanating from the site shall comply with MMC Chapter 8.24 (Noise Ordinance); b) All speakers shall be down facing and the sound limiter built into the sound system shall be used at all times; c) The Planning Director shall have the ability to lower the approved sound level if verified complaints are received; d) The operator shall cease the use of the amplified music/sound system upon notice by the Planning Director of three sequential violations of the noise conditions; 9) Add condition of approval to require the Planning Department staff conduct a review of hotel operations and compliance with conditions of approval one year and five years after hotel operations commence;

- 10) Add condition of approval to grant the Planning Director authority to review monument signs, with lighting type determined by safety alternatives; 11) Add condition of approval prohibiting joint parking; 12) Add condition of approval to require delivery trucks to park onsite, not in median; 13) Add condition of approval to grant authority to the Planning Director to approve the relocation of the restaurant from the first level to the fifth level, given that the service area must remain unchanged, and exterior walls must be sound tight; 14) Add condition of approval to prohibit use of the private patios for public use, patios attached to hotel rooms may be accessed by hotel patrons only; 15) Add condition of approval to require that the five car lifts are removed from the project plans; 16) Prohibit off-site sales of alcohol, require that all alcohol purchased is consumed onsite; and 17) Add condition of approval prohibiting linens from being laundered onsite (Contract Planner Rudolph).
- 2) Adopted Planning Commission Resolution No. 21-40, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 18-008 and Coastal Development Permit No. 18-032 for Verizon Wireless to install an omnidirectional canister antenna on top of a replacement streetlight pole reaching a maximum height of 32 feet, 3 inches and electrical support equipment, including Variance No. 18-039 to permit a streetlight pole over 28 feet in height and Site Plan Review No. 18-034 to install and operate a wireless communications facility within the public right-of-way located at 22651.5 Pacific Coast Highway (Verizon Wireless); and 2) eliminating Condition of Approval No. 30, which states: "If not already completed, permittee shall enter into the appropriate agreement with the City, as determined by the City, prior to constructing, attaching, or operating a facility on municipal infrastructure. This permit is not a substitute for such agreement" as it was inapplicable to the project (Assistant Planner Eaton).
- 3) Adopted Planning Commission Resolution No. 21-42, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 19-020 and Coastal Development Permit No. 20-019 for Verizon Wireless to install replacement wireless communications facility antennas at a height of 30 feet, 6 inches and electrical support equipment mounted on a 39-foot tall replacement wooden utility pole, including Variance No. 19-049 to permit an upgraded wireless communications facility mounted over 28 feet in height and Site Plan Review No. 20-020 to install and operate a wireless communications facility within the public right-of-way located at 18921.5 Pacific Coast Highway (Verizon Wireless); and 2) eliminating Condition of Approval No. 30, which states: "If not already completed, permittee shall enter into the appropriate agreement with the City, as determined by the City, prior to constructing, attaching, or operating a facility on municipal infrastructure. This permit is not a substitute for such agreement" as it was inapplicable to the project (Assistant Planner Eaton).
- 4) Adopted Planning Commission Resolution No. 21-52, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Communications Facility No. 20-005 and Coastal Development Permit No. 20-031 for Verizon Wireless to install a new omnidirectional canister antenna on top of a replacement streetlight pole reaching a maximum height of 32 feet, 3 inches and, pole-mounted electrical support equipment, including Variance No. 20-021 to permit a new wireless communications facility mounted over 28 feet in height and Site Plan Review No. 20-037 to install and operate a wireless communications facility within the public right-of-way located at 22340.5 Pacific Coast Highway (Verizon Wireless); and 2) eliminated Condition of Approval No. 30, which states: "If not already completed, permittee shall enter into the appropriate agreement with the City, as determined by the City, prior to constructing, attaching, or operating a facility on municipal infrastructure. This permit is not a substitute for such agreement" as it was inapplicable to the project (Assistant Planner Eaton).
- 5) Directed staff to recommend City Council create a Telecommunications Commission.