

MINUTES  
MALIBU PLANNING COMMISSION  
REGULAR MEETING  
MARCH 6, 2017  
COUNCIL CHAMBERS  
6:30 P.M.

**CALL TO ORDER**

Chair Mazza called the meeting to order at 6:33 p.m.

**ROLL CALL**

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

PRESENT: Chair John Mazza; Vice Chair Mikke Pierson; and Commissioners Jeffrey Jennings, Chris Marx, and Steve Uhring

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Carlos Contreras, Associate Planner; and Kathleen Stecko, Senior Office Assistant

**PLEDGE OF ALLEGIANCE**

Commissioner Marx 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 February 23, 2017, with the amended agenda properly posted on March 2, 2017.

**APPROVAL OF AGENDA**

MOTION Vice Chair Pierson moved and Commissioner Marx seconded a motion to approve the agenda.

**FRIENDLY AMENDMENT**

Chair Mazza amended the motion to continue Item No. 3.B.3. to the March 20, 2017 Regular Planning Commission meeting.

The amendment was accepted by the maker and the seconder. The motion carried unanimously.

**ITEM 1 CEREMONIAL/PRESENTATIONS**

None.

**ITEM 2.A. PUBLIC COMMENTS**

None.

**ITEM 2.B. COMMISSION / STAFF COMMENTS**

Planning Director Blue provided an update on the recent Zoning Ordinance Revisions and Code Enforcement Subcommittee meeting, upcoming City meetings, and upcoming California Coastal Commission meeting.

In response to Chair Mazza, Planning Director Blue provided clarification on the status of the Parklands and Trails Map as it relates to the former Trails Incentive Program, the upcoming agenda item that involves a formula retail conditional use permit application, the offsite parking zoning text amendment process, and agreed the Dark Sky Ordinance lighting tour should be held on an evening when moonlight is minimal.

**ITEM 3 CONSENT CALENDAR**

Item No. 3.B.2. was pulled by Vice Chair Pierson.

**CONSENSUS**

By consensus, the Commission approved the Consent Calendar unanimously, except Item No. 3.B.2.

The Consent Calendar consisted of the following items:

**B. New Items**

1. Approval of Minutes  
Recommended Action: Approve the minutes for the February 21, 2017 Regular Planning Commission meeting.  
Staff contact: Planning Director Blue, 456-2489 ext. 258
3. Administrative Coastal Development Permit No. 15-061 and Demolition Permit No. 16-019 – An application for an addition and remodel to an existing single-family residence and associated development  
Location: 6420 Delaplane Road, not within the appealable coastal zone  
APN: 4467-005-030  
Owner: Paradise Cove View Trust  
Case Planner: Assistant Planner Magaña, 456-2489 ext. 353  
Recommended Action: Continue this item to the March 20, 2017 Regular Planning Commission meeting.

The following item was pulled from the Consent Calendar for individual consideration:

2. Extension of Coastal Development Permit No. 06-069, Lot Merger No. 08-005, Variance Nos. 06-019 And 08-058, Site Plan Review No. 06-060, Minor Modification No. 08-022, and Demolition Permit No. 08-042 – A sixth request to extend the Planning Commission’s previous approval of a new single-family residence, lot merger, and associated development  
Location: 27061 Sea Vista Drive  
APN: 4460-010-013  
Owner: Moo, LLC  
Case Planner: Senior Planner Hawner, 456-2489 ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 17-12 granting a one-year extension of Coastal Development Permit No. 06-069, Lot Merger No. 08-005, Variance Nos. 06-019 and 08-058, Site Plan Review No. 06-060, Minor Modification No. 08-022, and Demolition Permit No. 08-042, an application for the construction of a new single-family residence, lot merger, and associated development in the Rural Residential–Two Acre zoning district located at 27061 Sea Vista Drive (Moo, LLC).

Planning Director Blue presented the staff report.

Disclosures: Vice Chair Pierson.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Mazza opened public comment.

Speaker: Norman Haynie.

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

The Commission directed questions to staff.

#### MOTION

Vice Chair Pierson moved and Commissioner Jennings seconded a motion to continue the item to the March 20, 2017 Regular Planning Commission meeting to allow the applicant time to provide more detailed due cause justification. The question was called and the motion carried unanimously.

#### ITEM 4 CONTINUED PUBLIC HEARINGS

- A. Conditional Use Permit No. 16-004 – An application to permit the continued operation of an existing legal, non-conforming racket club with lighted sport courts, and onsite restaurant use (Malibu Racquet Club), including service of beer and wine (continued from February 6, 2017)

Location: 23847 Stuart Ranch Road

APN: 4458-021-002

Owner: Malibu Racquet Club, LLC

Case Planner: Associate Planner Contreras, 456-2489 ext. 265

Recommended Action: Adopt Planning Commission Resolution No. 17-05 determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 16-004 to permit the continued operation of an existing legal, non-conforming tennis club (Malibu Racquet Club) with lighted sport courts and ancillary onsite restaurant use, including a California Department of Alcoholic Beverage Control License Type 41 (On-Sale Beer and Wine Eating Place) to allow re-establishment of the service of beer and wine in the Community Commercial zoning district located at 23847 Stuart Ranch Road (Malibu Racquet Club, LLC).

Associate Planner Contreras presented the staff report.

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

The Commission directed questions to staff.

As there were no further questions for staff, Chair Mazza opened the public hearing.

Speaker: Drew Purvis.

Trey Waltke submitted a request to speak but declined.

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

The Commission directed questions to staff, Drew Purvis, and Mr. Waltke.

**MOTION** Vice Chair Pierson moved and Commissioner Marx seconded a motion to adopt Planning Commission Resolution No. 17-05, as amended: 1) determining the project is categorically exempt from the California Environmental Quality Act, and approving Conditional Use Permit No. 16-004 to permit the continued operation of an existing legal, non-conforming tennis club (Malibu Racquet Club) with lighted sport courts and ancillary onsite restaurant use, including a California Department of Alcoholic Beverage Control License Type 41 (On-Sale Beer and Wine Eating Place) to allow re-establishment of the service of beer and wine in the Community Commercial zoning district located at 23847 Stuart Ranch Road (Malibu Racquet Club, LLC); 2) Condition No. 8 to state: "any live entertainment shall be acoustic at the subject site and shall be in compliance with the Malibu Municipal Code Section 8.24 Noise Ordinance unless otherwise authorized by a temporary use permit;" 3) Condition No. 11 to limit the total restaurant service area to 600 square feet, with only 450 square feet external to the building and requiring the applicant to submit an updated plan to reflect the external maximum of 450 square feet; and 4) Condition No. 28 to indicate no signage is authorized under this application and a sign permit shall be submitted and approved by the Planning Department prior to the installation of any sign, and that a permit be obtained for any existing signs requiring a permit, and be in compliance. The question was called and the motion carried unanimously.

**ITEM 5 NEW PUBLIC HEARINGS**

None.

**ITEM 6 OLD BUSINESS**

None.

**ITEM 7 NEW BUSINESS**

None.

**ITEM 8 PLANNING COMMISSION ITEMS**

None.

**ADJOURNMENT**

**MOTION** At 8:09 p.m., Vice Chair Pierson moved and Chair Mazza seconded a motion to adjourn the meeting. The motion carried unanimously.

Approved and adopted by the Planning Commission  
of the City of Malibu on March 20, 2017.

  
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JOHN MAZZA, Chair

ATTEST:

  
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KATHLEEN STECKO, Recording Secretary