

MINUTES  
MALIBU PLANNING COMMISSION  
REGULAR MEETING  
MARCH 21, 2016  
COUNCIL CHAMBERS  
6:30 P.M.

**CALL TO ORDER**

Chair Stack called the meeting to order at 6:32 p.m.

**ROLL CALL**

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

PRESENT: Chair Roohi Stack; Vice Chair John Mazza; and Commissioner David Brotman.

ABSENT: Commissioners Jeffrey Jennings and Mikke Pierson.

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Christopher Deleau, Planning Manager; Adrian Fernandez, Senior Planner; and Kathleen Stecko, Recording Secretary.

**PLEDGE OF ALLEGIANCE**

Vice Chair Mazza led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

MOTION Vice Chair Mazza moved to approve the agenda, continuing Item Nos. 5.A. and 5.C. to the April 4, 2016 Regular Planning Commission meeting. The motion failed due to lack of second.

MOTION Vice Chair Mazza moved to approve the agenda, continuing Item No. 5.C. to the April 4, 2016 Regular Planning Commission meeting, and to move Item No. 5.A. after Item No. 6.A. The motion failed due to lack of second.

MOTION Commissioner Brotman moved to approve the agenda, continuing Item No. 5.C. to the April 4, 2016 Regular Planning Commission meeting. The motion failed due to lack of second.

MOTION Vice Chair Mazza moved and Chair Stack seconded a motion to approve the agenda, continuing Item No. 5.C. to the April 4, 2016 Regular Planning Commission meeting, and to move Item No. 5.A. after Item No. 6.A. The question was called and the motion carried 2-1, Commissioner Brotman dissenting and Commissioners Jennings and Pierson absent.

## **REPORT ON POSTING OF AGENDA**

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on March 11, 2016, with the amended agenda properly posted on March 15, 2016.

### **ITEM 1 CEREMONIAL/PRESENTATIONS**

None.

### **ITEM 2.A. PUBLIC COMMENTS**

Mimi Goh provided information about SoCal Gas regarding their advanced meter system being implemented throughout Southern California.

Derek Sampson further elaborated on the SoCal Gas advanced meter system.

Paul Grisanti expressed the endorsement by the Malibu Chamber of Commerce of the SoCal Gas advance meter project.

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

Planning Director Blue extended an invitation to the City of Malibu 25<sup>th</sup> Anniversary event being held on March 28, 2016 and announced the upcoming public hearing on the Coastal Commission's suggested modifications to the trail dedication incentive program and parkland and trails system map scheduled for the April 11, 2016 Regular City Council meeting.

Commissioner Brotman encouraged Planning Commissioners, City Council members, and Malibu school students to read the recently released book by David Randall entitled The King and Queen of Malibu, as the subject matter provides insight into land use.

Vice Chair Mazza added that the author recently spoke at Pepperdine University and he used the Pepperdine digital archive for research in writing the book.

### **ITEM 3 CONSENT CALENDAR**

**MOTION** Commissioner Brotman moved and Vice Chair Mazza seconded a motion to approve the Consent Calendar. The motion carried 3-0, Commissioners Jennings and Pierson absent.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Administrative Coastal Development Permit No. 13-008 and Demolition Permit No. 16-005 – An application to demolish and reconstruct the pool, pool deck, and cabana; and to construct retaining walls, driveway improvements, and additional hardscape areas

Location: 22545 Carbon Mesa Road, not within the appealable coastal zone  
APN: 4451-007-004  
Zoning: Rural Residential–Two Acre (RR-2)  
Applicant: Santos Planning and Permitting  
Owner: Philip Erlanger  
Application Filed: February 14, 2013  
Case Planner: Contract Planner Rudolph, 456-2489 ext. 238

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-008.

2. Administrative Coastal Development Permit No. 15-036 – An application to install a new alternative onsite wastewater treatment system to replace the existing onsite wastewater treatment system at a commercial restaurant facility

Location: 6800 Westward Beach Road, within the appealable coastal zone  
APN: 4468-022-001  
Zoning: Commercial Visitor Serving–One (CV-1)  
Applicant: Aloha Expediting  
Tenant: The Sunset Restaurant  
Owner: Francesco Simplicio  
Application Filed: May 21, 2015  
Case Planner: Assistant Planner Colvard, 456-2489 ext. 234

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 15-036.

3. Approval of Minutes

Recommended Action: Approve the minutes for the February 29, 2016 Special Planning Commission meeting and the March 7, 2016 Regular Planning Commission meeting.

Staff contact: Planning Director Blue, 456-2489 ext. 258

**ITEM 4 CONTINUED PUBLIC HEARINGS**

None.

**ITEM 5 NEW PUBLIC HEARINGS**

- B. Coastal Development Permit No. 14-070, Variance No. 15-045, Site Plan Review No. 14-051, Minor Modification No. 14-015, and Demolition Permit No. 15-011 – An application for the demolition of a stable and guest house, major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, and associated development

Location: 27545 Pacific Coast Highway, not within the appealable coastal zone  
APN: 4460-007-003  
Zoning: Rural Residential – Two Acres (RR-2)  
Applicant: Burdge & Associates Architects, Inc.  
Owners: James W. Barge and Susan S. Barge, as Trustees of the James W. Barge Revocable Trust  
Application Filed: November 7, 2014  
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 16-29, determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 14-070 to allow a major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, grading and retaining walls for a new riding ring and circular driveway around the new stables and alternative onsite wastewater treatment system, Variance No. 15-045 for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches, Site Plan Review No. 14-051 for several buildings over 18 feet in height but to not exceed 28 feet for a pitched roof, Minor Modification No. 14-015 for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet, Demolition Permit No. 15-011 for the partial demolition of the existing

single-family residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house located in the RR-2 zoning district at 27545 Pacific Coast Highway (James W. Barge Revocable Trust).

Senior Planner Fernandez presented the staff report.

Disclosures: Commissioner Brotman.

The Commission directed questions to staff.

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

Speakers: Susan Barge and Joseph Lezama.

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

#### MOTION

Commissioner Brotman moved and Chair Stack seconded a motion to adopt Planning Commission Resolution No. 16-29, determining the project is categorically exempt from the California Environmental Quality Act and approving Coastal Development Permit No. 14-070 to allow a major remodel of and addition to the existing two-story single-family residence constituting a replacement structure, and construction of new stables with a second floor accessory structure, detached second unit with a one-car carport and second floor gym, pool cabana, grading and retaining walls for a new riding ring and circular driveway around the new stables and alternative onsite wastewater treatment system, Variance No. 15-045 for the reduction of the rear yard setback from the required 61 feet, 6 inches to the proposed 40 feet, 10 inches, Site Plan Review No. 14-051 for several buildings over 18 feet in height but to not exceed 28 feet for a pitched roof, Minor Modification No. 14-015 for the reduction of the cumulative side yard setbacks from the required 47 feet, 7 inches to the proposed 47 feet, Demolition Permit No. 15-011 for the partial demolition of the existing single-family residence and full demolition of an existing, unpermitted stable and barn that was illegally converted into a guest house located in the RR-2 zoning district at 27545 Pacific Coast Highway (James W. Barge Revocable Trust).

#### FRIENDLY AMENDMENT

Vice Chair Mazza moved to add a condition requiring wildlife permeable fencing. The amendment was not accepted.

The question was called and the motion carried 3-0, Commissioners Jennings and Pierson absent.

C. Coastal Development Permit No. 15-010, Lot Line Adjustment No. 15-002, and Minor Modification No. 15-006 - An application for a new, single-family residence with basement, guest house, pool and spa, and associated development

Location: 6708 Wildlife Road, within the appealable coastal zone  
APN: 4466-004-039  
Zoning: Rural Residential–One Acre (RR-1)  
Applicant: Standard LLP  
Owner: Wildlife Properties, LLC  
Application Filed: February 23, 2015  
Case Planner: Planning Manager Deleau, 456-2489 ext. 273

Recommended Action: Continue this item to the April 4, 2016 Regular Planning Commission meeting.

The item was continued upon approval of the agenda.

D. Coastal Development Permit No. 15-038, Variance Nos. 15-019 and 15-020, Stringline Modification Review No. 16-001, and Offer to Dedicate No. 16-001 - An application for the construction of a new single-family residence and associated development

Location: 21100 Pacific Coast Highway, within the appealable coastal zone  
APN: 4450-010-022  
Zoning: Multifamily Beachfront (MFBF)  
Applicant: Clive Dawson A.I.A. Architecture and Planning  
Owner: Blue Daisy, LLC  
Application Filed: May 26, 2015  
Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Adopt Planning Commission Resolution No. 16-33 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-038 to allow for the construction of a new 2,354 square foot single-family residence, that includes a garage, rooftop deck with spa and barbeque area, beachfront decks, alternative onsite wastewater treatment system, seawall, view corridors, gates, fencing, hardscape and landscaping, including Variance (VAR) No. 15-019 to allow for construction on slopes steeper than 2.5 to 1, VAR No. 15-020 to allow for the reduction in required onsite parking from four spaces to two enclosed parking spaces, Stringline Modification Review No. 16-001 to allow for the use of alternative corner of the residence located to the east of the subject property that is more typical of neighboring development, and Offer to Dedicate No. 16-001 to grant a public lateral access easement at the rear of the property, located in the Multifamily Beachfront zoning district at 21100 Pacific Coast Highway (Blue Daisy, LLC).

Senior Planner Mollica presented the staff report.

Disclosures: Commissioner Brotman, Vice Chair Mazza, and Chair Stack.

The Commission directed questions to staff.

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

Speakers: Clive Dawson and Alan Ruzicka.

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

The Commission directed questions to staff.

**MOTION** Vice Chair Mazza moved and Commissioner Brotman seconded a motion to adopt Planning Commission Resolution No. 16-33 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-038 to allow for the construction of a new 2,354 square foot single-family residence, that includes a garage, rooftop deck with spa and barbeque area, beachfront decks, alternative onsite wastewater treatment system, seawall, view corridors, gates, fencing, hardscape and landscaping, including Variance (VAR) No. 15-019 to allow for construction on slopes steeper than 2.5 to 1, VAR No. 15-020 to allow for the reduction in required onsite parking from four spaces to two enclosed parking spaces, Stringline Modification Review No. 16-001 to allow for the use of alternative corner of the residence located to the east of the subject property that is more typical of neighboring development, and Offer to Dedicate No. 16-001 to grant a public lateral access easement at the rear of the property, located in the Multifamily Beachfront zoning district at 21100 Pacific Coast Highway (Blue Daisy, LLC). The motion carried 3-0, Commissioners Jennings and Pierson absent.

**ITEM 6 OLD BUSINESS**

- A. Follow-up on Annual Report of Conditional Use Permit No. 13-004 for the Operation of Restaurant Located at 26023 Pacific Coast Highway (Ranch at Solstice Canyon)

Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Receive and file, and direct staff to provide an annual report in March 2017.

Senior Planner Mollica presented the staff report.

The Commission directed questions to staff.

MOTION Vice Chair Mazza moved to allow the conditional use permit to remain in place and direct staff to provide a report in one year. The motion failed due to lack of a second.

The Commission directed questions to staff.

MOTION Vice Chair Mazza moved and Commissioner Brotman seconded a motion to schedule a revocation hearing for Conditional Use Permit No. 13-004 at the first Planning Commission meeting in October. The question was called and the motion carried 3-0, Commissioners Jennings and Pierson absent.

**ITEM 7 NEW BUSINESS**

None.

**ITEM 8 PLANNING COMMISSION ITEMS**

None.

Vice Chair Mazza departed the meeting at 7:32 p.m.

**ITEM 5 NEW PUBLIC HEARINGS**

- A. Zoning Text Amendment No. 16-001 – An Amendment to Malibu Municipal Code Title 17 Regulating Formula Retail Stores

Staff contact: Planning Director Blue, 456-2489 ext. 258

Recommended Action: Adopt Planning Commission Resolution No. 16-36 recommending the City Council approve Zoning Text Amendment No. 16-001 amending Malibu Municipal Code Title 17 to regulate formula retail establishments in the City.

The item was continued to the April 4, 2016 Regular Planning Commission meeting due to lack of quorum.

**ADJOURNMENT**

Due to lack of quorum, the meeting was adjourned at 7:34 p.m.

Approved and adopted by the Planning Commission  
of the City of Malibu on April 4, 2016.

  
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JOHN MAZZA, Vice Chair

ATTEST:

  
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KATHLEEN STECKO, Recording Secretary