

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
JUNE 20, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Stack 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 Roohi Stack; Vice Chair John Mazza; and Commissioners David Brotman, Jeffrey Jennings, and Mikke Pierson.

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Richard Mollica, Senior Planner; Stephanie Hawner, Associate Planner; Carlos Contreras, Associate Planner; Jamie Peltier, Planning Technician; and Kathleen Stecko, Recording Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Pierson led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on June 9, 2016.

APPROVAL OF AGENDA

MOTION Vice Chair Mazza moved to approve the agenda, continuing Item Nos. 4.A., 5.C., and 5.D. to the July 18, 2016 Regular Planning Commission meeting. The motion failed due to lack of second.

MOTION Commissioner Brotman moved and Commissioner Jennings seconded a motion to approve the agenda, continuing Item Nos. 5.C. and 5.D. to the July 18, 2016 Regular Planning Commission meeting.

The Commission discussed the motion.

The question was called and the motion carried 4-1, Vice Chair Mazza dissenting.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

Bob LaMasney spoke about the importance of retaining local control of placement of wireless telecommunications facilities as it relates to the Spectrum Act.

Dana Christiaansen stated his concerns about wireless telecommunications facilities.

Chris Ferrar stated his concerns about the extent of work being performed on a project at 6847 Wildlife Road that was approved by the Planning Commission on January 20, 2015.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Commissioner Brotman, Vice Chair Mazza, and Chair Stack commented on the scope of work occurring at 6847 Wildlife Road.

In response to concerns raised by Chris Ferrar and the Commission, Planning Director Blue stated the matter would be researched and she would follow up.

CONSENSUS

Directed staff to provide an update on the Planning Commission's approved scope of work for Coastal Development Permit No. 14-024 at 6847 Wildlife Road and the work under construction.

In response to comments made by Bob LaMasney and Dana Christiaansen, Planning Director Blue stated City Council approved funds for a consultant specializing in wireless telecommunications facilities and Assistant City Attorney Rusin stated provisions of the Spectrum Act will be integrated into an update of the Malibu Municipal Code.

Vice Chair Mazza thanked former Planning Manager Christopher Deleau and departing City Clerk Lisa Pope for their service to the City of Malibu and spoke about comments made at the recent California Coastal Commission appeal hearing of the Santa Monica College Malibu Campus Project regarding granting variances, a study on the safety of microwaves as it may relate to wireless telecommunications facilities, and inquired about the status of the comprehensive zoning code update.

In response to Vice Chair Mazza, Planning Director Blue stated the process of the comprehensive zoning code update has been partially completed and will be addressed in sections rather than as a whole.

Commissioner Pierson commented on the complexity involved in the Planning Commission making decisions on wireless telecommunications facilities and inquired about upcoming changes to the manner in which coastal development permit extensions will be processed that will be considered by City Council.

In response to Commissioner Pierson, Planning Director Blue stated the City Council is scheduled to consider initiating a Local Coastal Program amendment that will clarify the existing provisions that address extensions.

Commissioner Brotman commented on what constitutes commencement of construction and suggested language be put in place to address stoppage of work.

Planning Director Blue provided an update on upcoming City meetings, the adjusted fee schedule for the upcoming fiscal year, and the wastewater treatment facility groundbreaking ceremony being held on June 29, 2016 at 10:00 a.m.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.3. was pulled for discussion by Vice Chair Mazza.

MOTION Commissioner Brotman moved and Vice Chair Mazza seconded a motion to approve the Consent Calendar. The motion carried 5-0.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Extension of Coastal Development Permit No. 04-058 and Site Plan Review No. 06-015 – A request to extend the Planning Commission’s approval of an application for the construction of a new single-family residence and associated development

Location: 28916 Wight Road

APN: 4467-034-003

Owner: Amir Tahmasebi

Case Planner: Contract Planner Janowicz, 456-2489 ext. 345

Recommended Action: Adopt Planning Commission Resolution No. 16-48 granting a one-year extension of Coastal Development Permit No. 04-058 and Site Plan Review No. 06-015, an application for the construction of a new single-family residence and associated development in the Single-Family Low zoning district located at 28916 Wight Road (Tahmasebi).

2. Extension of Coastal Development Permit No. 10-019 and Site Plan Review No. 10-014 – A request to extend the Planning Commission’s approval of an application for the construction of a new single-family residence and associated development

Location: 6156 Zumirez Drive

APN: 4467-013-019

Owner: D and G Homes Inc., a California corporation

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

Recommended Action: Adopt Planning Commission Resolution No. 16-46 granting a one-year extension of Coastal Development Permit No. 10-019 and Site Plan Review No. 10-014, an application for the construction of a new single-family residence and associated development in the Rural

Residential-Five Acre zoning district located at 6156 Zumirez Drive (D and G Homes Inc., a California corporation).

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

3. Administrative Coastal Development Permit No. 16-014 and Temporary Use Permit No. 16-006 – An application for the 45th Annual Malibu Arts Festival on July 30, 2016 and July 31, 2016

Location: 23525 Civic Center Way, not within the appealable coastal zone

APN: 4458-022-904

Owner: The County of Los Angeles

Case Planner: Planning Technician Peltier, 456-2489 ext. 244

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 16-014 and Temporary Use Permit No. 16-006.

Planning Director Blue presented the staff report.

The Commission directed questions to staff.

The Commission deliberated on the matter.

MOTION Vice Chair Mazza moved and Commissioner Pierson seconded a motion to receive and file the Planning Director's report on Administrative Coastal Development Permit No. 16-014 and Temporary Use Permit No. 16-006.

The Commission discussed the motion.

The motion carried 5-0.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Administrative Plan Review No. 15-089, Site Plan Review Nos. 16-004, 16-005, 16-007 – An application for improvements to an existing single-family residence and guest house with associated development

Location: 31948 Pacific Coast Highway

APN: 4473-012-020

Owner: Jill and Wayne Cohen

Recommended Action: Adopt Planning Commission Resolution No. 16-53 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 15-089 to permit modifications to an existing single-family residence and guest house, exterior site work; Site Plan Review (SPR) No. 16-004 for a 50 percent reduction of the required front yard setback; SPR No. 16-005 for a 20 percent reduction of the required side yard setback; SPR No. 16-007 for the construction over 18 feet in height in the Single-Family Medium zoning district located at 31948 Pacific Coast Highway (Cohen).

Senior Planner Mollica presented the staff report.

Disclosures: Commissioners Brotman and Pierson and Vice Chair Mazza.

The Commission directed questions to staff.

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

Speakers: Wayne Chevalier, Wayne Cohen, and John Bowman.

Wayne Cohen provided rebuttal to the public comment.

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 Pierson seconded a motion to continue the matter to the July 18, 2016 Regular Planning Commission meeting.

The Commission discussed the motion.

The question was called and the motion failed 1-4, Commissioners Brotman, Jennings, and Pierson and Chair Stack dissenting.

MOTION Commissioner Brotman moved and Commissioner Jennings seconded a motion to adopt Planning Commission Resolution No. 16-53 determining the project is categorically exempt from the California Environmental Quality Act, and approving Administrative Plan Review No. 15-089 to permit modifications to an existing single-family residence and guest house, exterior site work; Site Plan Review (SPR) No. 16-004 for a 50 percent reduction of the required front yard setback; SPR No. 16-005 for a 20 percent reduction of the required side yard setback; SPR No. 16-007 for the construction over 18 feet in height in the Single-Family Medium zoning district located at 31948 Pacific Coast Highway (Cohen).

The Commission discussed the motion.

The question was called and the motion carried 4-1, Vice Chair Mazza dissenting.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit No. 16-010 and Demolition Permit No. 16-014 – An application to demolish an existing single-family residence and construct a new single-family beachfront residence and associated development

Location: 31302 Broad Beach Road, within the appealable coastal zone

APN: 4470-016-005

Owner: Stephen and Jean Moran Kaplan

Recommended Action: Adopt Planning Commission Resolution No. 16-27 determining the project is categorically exempt from the California Environmental Quality Act, approving Demolition Permit No. 16-014 to demolish the existing single-family residence and associated development, and approving Coastal Development Permit No. 16-010 to construct a new 5,047 square foot single-family residence, a 2,012 square foot two-story detached accessory structure consisting of a garage, theater, second unit and gym, a covered bridge connecting the single-family residence to the accessory structure, 1,378 square feet of covered areas, new spa, fire pit, roof deck, roof solar panels on the accessory structure, hardscape, and installation of a new alternative onsite wastewater treatment system, including a 14.8 foot wide contiguous view corridor located in the Single-Family Medium residential zoning district at 31302 Broad Beach Road (Kaplan).

Associate Planner Hawner presented the staff report.

Disclosures: Commissioner Brotman and Vice Chair Mazza.

The Commission directed questions to staff.

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

Speaker: John Bowman

As there were no other speakers present, Chair Stack closed the public hearing. No further discussion occurred.

MOTION

Vice Chair Mazza moved and Commissioner Pierson seconded a motion to adopt Planning Commission Resolution No. 16-27 determining the project is categorically exempt from the California Environmental Quality Act, approving Demolition Permit No. 16-014 to demolish the existing single-family residence and associated development, and approving Coastal Development Permit No. 16-010 to construct a new 5,047 square foot single-family residence, a 2,012 square foot two-story detached accessory structure consisting of a garage, theater, second unit and gym, a covered bridge connecting the single-family residence to the accessory structure, 1,378 square feet of covered areas, new spa, fire pit, roof deck, roof solar panels on the accessory structure, hardscape, and installation of a new alternative onsite wastewater treatment system, including a 14.8 foot wide contiguous view corridor located in the Single-Family Medium residential zoning district at 31302 Broad Beach Road (Kaplan).

The question was called and the motion carried 5-0.

B. Coastal Development Permit No. 14-081 – An application to construct a new detached studio/home office and associated development

Location: 3989 Villa Costera, within the appealable coastal zone
APN: 4451-011-011
Owner: Michael Klein

Recommended Action: Adopt Planning Commission Resolution No. 16-50 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-081 to construct a new 2,025 square foot detached two-story accessory structure to serve as a studio, home office, and workshop, and associated improvements that include a new driveway, new retaining wall, grading, decks, hardscape, and installation of a new alternative onsite wastewater treatment system, located in the Rural Residential One Acre zoning district located at 3989 Villa Costera (Klein).

Associate Planner Contreras 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: Michael Klein and A. Thomas Torres.

As there were no other speakers present, Chair Stack closed the public hearing. No further discussion occurred.

MOTION

Vice Chair Mazza moved and Commissioner Brotman seconded a motion to adopt Planning Commission Resolution No. 16-50 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 14-081 to construct a new 2,025 square foot detached two-story accessory structure to serve as a studio, home office, and workshop, and associated improvements that include a new driveway, new retaining wall, grading, decks, hardscape, and installation of a new alternative onsite wastewater treatment system, located in the Rural Residential One Acre zoning district located at 3989 Villa Costera (Klein).

The question was called and the motion carried 5-0.

C. Coastal Development Permit No. 14-054 and Variance No. 15-001 – An application to remove existing retaining walls and construct a new, two-story, single-family residence and associated development

Location: 21106 Pacific Coast Highway, within the appealable coastal zone

APN: 4450-010-023

Owners: Doerken 2003 Charitable Remainder Unitrust

Recommended Action: Continue this item to the July 18, 2016 Regular Planning Commission meeting.

The item was continued to the July 18, 2016 Regular Planning Commission upon approval of the agenda.

D. Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 – An application for the installation of a new wireless telecommunications facility within the public right-of-way

Location: 29970.5 Harvester Road
APN: 4469-013-021
Owners: City of Malibu Public Right-of-Way
Applicant: Carver Chiu of Crown Castle NG West, Inc.

Recommended Action: Adopt Planning Commission Resolution No. No. 16-59 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 to allow the installation of a new wireless telecommunications facility, including a new antenna attached to an existing utility pole at a height of 28 feet, 8 inches and electrical support equipment in a new underground vault with two above ground vents, located in the public right-of-way at 29970.5 Harvester Road (Crown Castle NG West, Inc.).

The item was continued to the July 18, 2016 Regular Planning Commission meeting upon approval of the agenda.

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

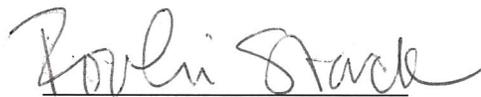
ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 8:27 p.m., Vice Chair Mazza moved and Chair Stack seconded a motion to adjourn the meeting. The motion carried 5-0.

Approved and adopted by the Planning Commission
of the City of Malibu on July 18, 2016.


ROOHI STACK, Chair

ATTEST:


KATHLEEN STECKO, Recording Secretary