

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

CALL TO ORDER

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

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Lisa Soghor, Assistant City Manager; Stephanie Hawner, Senior Planner; Richard Mollica, Senior Planner; Jessica Colvard, Associate Planner; and Kathleen Stecko, Recording Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Stack led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on August 26, 2016.

APPROVAL OF AGENDA

MOTION Commissioner Pierson moved and Commissioner Brotman seconded a motion to approve the agenda, continuing Item Nos. 3.A.1. and 5.A. to a date uncertain and Item Nos. 4.A. and 4.B. to the September 19, 2016 Regular Planning Commission meeting. The motion carried 5-0.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

None.

ITEM 2.B. COMMISSION / STAFF COMMENTS

Planning Director Blue introduced Assistant City Manager Lisa Soghor to the Commission.

The Commission welcomed Assistant City Manager Soghor and invited her to address the Commission; in response she provided information on her background.

Commissioner Pierson announced the Surfaid International fundraising event.

Chair Mazza announced a screening of The Maltese Falcon at the Adamson House in honor of the 75th anniversary of the film.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.B.1., 3.B.2., and 3.B.3. were pulled for discussion by Commissioner Pierson.

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

The Consent Calendar consisted of the following items:

B. New Items

4. Administrative Coastal Development Permit Amendment No. 16-004 – An application to construct a new 570 square-foot, single-story, 12-foot high second dwelling unit

Location: 28981 Cliffside Drive, within the appealable coastal zone

APN: 4466-010-001

Owners: Edward and Melissa Akkaway

Case Planner: Senior Planner Hawner, 456-2489 ext. 276

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit Amendment No. 16-004.

5. Approval of Minutes

Recommended Action: Approve the minutes for the August 15, 2016 Regular Planning Commission meeting.

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

A. Previously Discussed Items

1. General Plan consistency finding regarding proposed vacation of a portion of the Rambla Pacifico public right-of-way easement (Continued from August 1, 2016)

Location: 3849 Rambla Pacifico

APN: 4451-022-007

Easement Holder: City of Malibu

Applicant: Neil Strum

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

Recommended Action: Continue this item to a date uncertain.

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

Chair Mazza requested information be provided on waterlines and boundaries on the property located at 3849 Rambla Pacifico when Item No. 3.A.1. is discussed at a future meeting.

In response to Chair Mazza, Planning Director Blue stated the item is expected to be heard at the September 19, 2016 Regular Planning Commission meeting and the report will contain the requested information.

The following items were pulled from the Consent Calendar for individual consideration:

B. New Items

1. Extension of Coastal Development Permit No. 06-043, Variance No. 07-019, Site Plan Review No. 06-030, Coastal Development Permit Amendment No. 13-003, Variance No. 13-035, Site Plan Review No. 13-032, and Minor Modification No. 14-004 – 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: 30015 Andromeda Lane

APN: 4469-004-027

Owners: Anatoly Shamison

Case Planner: Senior Planner Hawner, 456-2489 ext. 276

Recommended Action: Adopt Planning Commission Resolution No. 16-70 granting a one-year extension of Coastal Development Permit No. 06-043, Variance No. 07-019, Site Plan Review No. 06-030, Coastal Development Permit Amendment No. 13-003, Variance No. 13-035, Site Plan Review No. 13-032, and Minor Modification No. 14-004, an application for the construction of a new single-family residence and associated development in the Rural Residential-Five Acre zoning district located at 30015 Andromeda Lane (Shamison).

Senior Planner Hawner presented the staff report.

Disclosures: None.

The Commission directed questions to staff.

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

Speaker(s): None.

As there were no speakers present, Chair Mazza closed the public comment. No further discussion occurred.

MOTION Commissioner Brotman moved and Commissioner Pierson seconded a motion to adopt Planning Commission Resolution No. 16-70 granting a one-year extension of Coastal Development Permit No. 06-043, Variance No. 07-019, Site Plan Review No. 06-030, Coastal Development Permit Amendment No. 13-003, Variance No. 13-035, Site Plan Review No. 13-032, and Minor Modification No. 14-004, an application for the construction of a new single-family residence and associated development in the Rural Residential-Five Acre zoning district located at 30015 Andromeda Lane (Shamison). The motion carried 5-0.

2. Administrative Coastal Development Permit No. 13-071 and Site Plan Review Nos. 13-066 and 13-067 – An application to construct a new single-family residence and associated development

Location: 6075 Murphy Way, not within the appealable coastal zone
APN: 4467-004-013
Owner: Daniel Thompson
Case Planner: Senior Planner Hawner, 456-2489 ext. 276
Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-071 and Site Plan Review Nos. 13-066 and 13-067.

Senior Planner Hawner presented the staff report.

Disclosures: Chair Mazza.

The Commission directed questions to staff.

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

Speaker: Vitus Matare.

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

The Commission directed questions to Vitus Matare.

MOTION Commissioner Stack moved and Commissioner Pierson seconded a motion to receive and file the Planning Director's report on Administrative Coastal Development Permit No. 13-071 and Site Plan Review Nos. 13-066 and 13-067. The motion carried 5-0.

3. Administrative Coastal Development Permit No. 15-055, Site Plan Review No. 15-036, Minor Modification No. 15-010, and Demolition Permit No. 16-020 – An application for an addition and remodel of an existing single-family residence and associated development

Location: 29201 Larkspur Lane, not within the appealable coastal zone
APN: 4468-009-019
Owners: Raju and Madelene Shah
Case Planner: Associate Planner Colvard, 456-2489 ext. 234
Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 15-055, Site Plan Review No. 15-036, Minor Modification No. 15-010, and Demolition Permit No. 16-020.

Commissioner Stack recused herself due to the proximity of her residence being within 500 feet of the project site and left the dais at 6:51 p.m.

Associate Planner Colvard presented the staff report.

Disclosures: Commissioner Pierson and Chair Mazza.

The Commission directed questions to staff.

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

Speaker: Christopher Sorensen.

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

The Commission directed questions to staff and Christopher Sorensen.

MOTION Commissioner Pierson moved and Commissioner Brotman seconded a motion to receive and file the Planning Director's report on Administrative Coastal Development Permit No. 15-055, Site Plan Review No. 15-036, Minor Modification No. 15-010, and Demolition Permit No. 16-020. The motion carried 4-0, Commissioner Stack absent.

Commissioner Stack returned to the dais at 7:04 p.m.

ITEM 4 CONTINUED PUBLIC HEARINGS

- A. Coastal Development Permit No. 14-028 and Variance Nos. 14-012 and 15-013 - An application for the construction of a new beachfront single-family residence, accessory structure, and associated development (Continued from August 15, 2016)
Location: 31438 Broad Beach Road, within the appealable coastal zone
APN: 4470-017-065
Owner: Ben Lingo
Case Planner: Senior Planner Mollica, 456-2489 ext. 346
Recommended Action: Continue the item to the September 19, 2016 Regular Planning Commission meeting.

The item was continued to the September 19, 2016 Regular Planning Commission meeting upon approval of the agenda.

- B. 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 (Continued from August 15, 2016)
Location: 29970.5 Harvester Road
Nearest APN: 4469-013-021

Owner: City of Malibu Public Right-of-Way
Applicant: Carver Chiu of Crown Castle NG West, Inc.
Case Planner: Senior Planner Fernandez, 456-2489 ext. 482
Recommended Action: Continue the item to the September 19, 2016 Regular Planning Commission meeting.

The item was continued to the September 19, 2016 Regular Planning Commission meeting upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit No. 14-003, Variance Nos. 16-010 and 16-023, and Minor Modification No. 15-016 – An application for a new single-family beachfront residence and associated development

Location: 25306 Malibu Road, within the appealable coastal zone
APN: 4459-016-013
Owner: Chambers Creek, LLC
Case Planner: Associate Planner Colvard, 456-2489 ext. 234
Recommended Action: Continue the item to a date uncertain.

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

- B. Coastal Development Permit Amendment No. 16-001 and Extension No. 16-022 - An application to amend Coastal Development Permit No. 12-074 to modify the design of a previously approved pool and spa to include a recreation room underneath and to extend the approval of the previously issued permit for an additional year

Location: 6015 Murphy Way, not within the appealable coastal zone
APN: 4467-004-034
Owner: Dahlia Toberoff
Case Planner: Senior Planner Mollica, 456-2489 ext. 346
Recommended Action: Adopt Planning Commission Resolution No. 16-76 approving Coastal Development Permit Amendment No. 16-001 to amend Coastal Development Permit (CDP) No. 12-074 to allow for the modification of a previously approved pool and spa to include a recreation and equipment room underneath and granting a one-year extension of CDP No. 12-074 and Site Plan Review No. 12-068 previously approved to allow for new accessory development at an existing single-family residence in the Rural Residential-Ten Acre zoning district located at 6015 Murphy Way (Toberoff).

Senior Planner Mollica presented the staff report.

Disclosures: Commissioner Brotman and Chair Mazza.
The Commission directed questions to staff.

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

Speaker(s): None.

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

MOTION Commissioner Stack moved and Commissioner Pierson seconded a motion to adopt Planning Commission Resolution No. 16-76, as amended: 1) approving Coastal Development Permit Amendment No. 16-001 to amend Coastal Development Permit (CDP) No. 12-074 to allow for the modification of a previously approved pool and spa to include a recreation and equipment room underneath and granting a one-year extension of CDP No. 12-074 and Site Plan Review No. 12-068 previously approved to allow for new accessory development at an existing single-family residence in the Rural Residential-Ten Acre zoning district located at 6015 Murphy Way (Toberoff); 2) adding a condition requiring the applicant/property owner to provide a pre-construction assessment of the existing condition of Winding Way to the subject parcel, be responsible for repairs of any damage to the road that may result during the construction phase of the proposed project, and submit a post-construction assessment of the road; and 3) adding a condition to state: "Upon completion of rough grading for the recreation and equipment room pad, an elevation survey shall be submitted to the Planning Department demonstrating an elevation consistent with a finished floor elevation of 572 feet based on the benchmark referenced on the October 21, 2015 survey completed by Civil Engineering and Land Surveying. In no event shall the height of the recreation room and pool exceed 18 feet in height from existing grade. In the event that finished grade is lower than existing grade, finished grade shall be used for the height measurement."

The Commission discussed the motion.

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

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

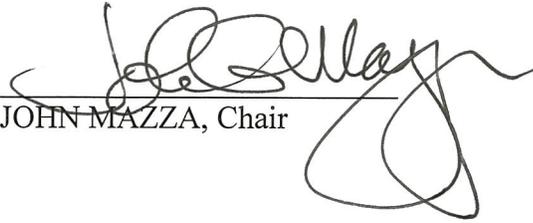
ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 7:23 p.m., Commissioner Stack moved and Vice Chair Jennings 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 September 19, 2016.



JOHN MAZZA, Chair

ATTEST:



KATHLEEN STECKO, Recording Secretary