

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
MARCH 5, 2018
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

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

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

PLEDGE OF ALLEGIANCE

Vice Chair 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 22, 2018, with the amended agenda properly posted on March 1, 2018.

APPROVAL OF AGENDA

MOTION Commissioner Mazza moved and Commissioner Uhring seconded a motion to approve the agenda, continuing Item Nos. 4.A., 4.B., 5.D., and 5.E. to a date uncertain, and Item No. 5.A. to the April 16, 2018 Regular Planning Commission meeting. The motion carried unanimously.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Election of Chair and Vice Chair

MOTION Commissioner Mazza moved and Commissioner Uhring seconded a motion nominating Vice Chair Marx to serve as Chair of the Planning Commission. The motion carried unanimously.

MOTION Commissioner Mazza moved and Chair Marx seconded a motion nominating Commissioner Uhring to serve as Vice Chair of the Planning Commission. The motion carried unanimously.

ITEM 2.A. PUBLIC COMMENTS

Norman Haynie requested the Planning Commission continue Item No. 4.A. (Malibu Beach Inn) and Item No. 4.B. (Hertz Rental Car) to a specific date in late March 2018 rather than a date uncertain.

Tony Canzoneri stated sufficient information had been submitted to the Planning Department to have Item No. 4.A. (Malibu Beach Inn) and Item No. 4.B. (Hertz Rental Car) scheduled to be heard by the Planning Commission.

ITEM 2.B. COMMISSION / STAFF COMMENTS

In response to public comment, Commissioner Jennings stated it was not at the Planning Commission's discretion to schedule hearings and that staff would schedule matters to be considered by the Planning Commission when it was satisfied all information necessary to make a recommendation had been provided.

In response to Commissioner Mazza, Planning Director Blue stated an item on the former Beau Rivage restaurant property was anticipated to come before the Commission soon. She stated an item on Soho House and Nobu was scheduled to come before the Planning Commission on April 2, 2018. She provided an update on agenda items for upcoming Planning Commission meetings.

Commissioner Mazza announced the Malibu Township Council would be holding a symposium on offshore drilling proposed by the federal government in Southern California at 1:30 p.m. on Saturday, March 24, 2018, at Malibu City Hall.

CONSENSUS

By consensus, the Commission stated its preference would be to have some Planning Commission meetings begin at 5:30 p.m. rather than holding special meetings in order to process applications more expeditiously.

In response to Commissioner Pierson, Planning Director Blue provided a tentative timeline for noticing and scheduling the Malibu Beach Inn and Hertz Rental Car projects for public hearing.

Commissioner Pierson wished Chair Marx well as Planning Chair and stated it was an honor to serve the community as a Planning Commissioner.

Commissioner Mazza thanked Commissioner Pierson for serving as Planning Commission Chair.

Vice Chair Uhring congratulated Chair Marx for having been elected Planning Commission Chair and thanked Commissioner Pierson for his assistance during his time on the Planning Commission. He discussed lighting issues at the Malibu High School parking lot and encouraged those who lived nearby to observe lighting was only present when there was activity in the parking lot.

In response to Chair Marx, Planning Director Blue stated draft documents were not available in advance of the release of agenda reports, however notification of public hearing notices could be provided to the Commissioners. Commissioner Pierson discussed the benefits of waiting for the completed project report to be provided rather than prematurely monitoring future projects.

In response to Commissioner Mazza, Planning Director Blue stated the City launched its new website and was collecting feedback. She stated the short-term rental draft ordinance would be considered by the Planning Commission sometime in May 2018 rather than it going before City Council on March 26, 2018, as previously noticed.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.2. was pulled by Commissioner Mazza.

Commissioner Jennings moved and Commissioner Mazza seconded a motion to approve the Consent Calendar except for Item No. 3.B.2. The motion carried unanimously.

The Consent Calendar consisted of the following item:

- A. Previously Discussed Items
None.
- B. New Items
 - 1. Approval of Minutes
Recommended Action: Approve the minutes for the January 16, 2018 Regular Planning Commission meeting and February 20, 2018 Regular Planning Commission meeting.

The following item was pulled for individual consideration:

- 2. Administrative Coastal Development Permit No. 17-048, Site Plan Review No. 17-040, Minor Modification 17-012, and Demolition Permit No. 18-001 – An application for a more than 50 percent demolition of and addition to an existing two-story single-family residence and associated development
Location: 7040 Grasswood Avenue, not within the appealable coastal zone
APN: 4466-013-032
Owner: Ocean Point Development
Case Planner: Senior Planner Fernandez, 456-2489, ext. 482
Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit No. 17-048.

Disclosures: Commissioner Pierson and Vice Chair Uhring.

The Commission directed questions to staff.

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

Speaker(s): None.

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

CONSENSUS By consensus, the Commission received and filed the Planning Director's report on Administrative Coastal Development Permit No. 17-048.

ITEM 4 CONTINUED PUBLIC HEARINGS

A. Coastal Development Permit No. 17-092, Variance Nos. 15-041 and 17-037, Conditional Use Permit No. 17-012, Conditional Use Permit Amendment No. 15-004, Joint Use Parking Agreement No. 17-001, and Lot Tie No. 17-001 – An application to permit the continued operation of an existing legal, non-conforming hotel use, construct accessory hotel facilities, remove 'guest only condition' for existing restaurant and expand the use, relocate required onsite parking offsite to and tie the lot with 22853 Pacific Coast Highway (Continued from December 18, 2017)

Location: 22878 Pacific Coast Highway, within the appealable coastal zone
APNs: 4452-005-029, -030, and -031
Owner: Mani MBI (DE), LLC
Tenant: Malibu Beach Inn
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.

B. Coastal Development Permit No. 17-091, Variance Nos. 17-038 and 17-043, Minor Modification No. 17-018, Joint Use Parking Agreement No. 17-001, Extension of Amortization No. 17-001, and Lot Tie No. 17-001 – An application to install stacked parking lifts on a site currently occupied by a legal non-conforming car rental business, to accommodate required parking for the offsite hotel/restaurant use at 22878 Pacific Coast Highway (Continued from December 18, 2017)

Location: 22853 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-005-031
Owner: MB North Lot (DE), LLC
Tenant: Hertz Rental Car
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.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit No. 16-064, Variance No. 17-011, Site Plan Review No. 17-042, and Minor Modification No. 17-008 – An application to construct a new one-story, single-family residence and associated development
Location: 5263 Horizon Drive, within the appealable coastal zone
APN: 4469-005-002
Owners: Daniel and Susan Marcus
Case Planner: Associate Planner Colvard, 456-2489, ext. 234
Recommended Action: Continue this item to the April 2, 2018 Regular Planning Commission meeting.

This item was continued to the April 16, 2018 Regular Planning Commission meeting upon approval of the agenda.

- B. Coastal Development Permit No. 15-060 – An application to remodel an existing two-story main residence and detached cabana, including an expansion of an existing rear yard deck on a beachfront parcel
Location: 31134 Broad Beach Road, within the appealable coastal zone
APN: 4470-015-033
Owner: MOT Trust UDT 11-11-2011
Case Planner: Associate Planner Contreras, 456-2489, ext. 265
Recommended Action: Adopt Planning Commission Resolution No. 18-16 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-060 for an interior and exterior remodel to an existing beachfront single-family residence and detached cabana, including a 30 square foot addition to the detached cabana, new spa with a 506 square foot rear yard deck with glass windscreen, 540 square foot rear deck extension, new barbeque, and hardscape located within the Single-Family Medium zoning district and Trancas Beach Overlay District at 31134 Broad Beach Road (MOT Trust UDT 11-11-2011).

Associate Planner Contreras presented the staff report.

Disclosures: Commissioners Mazza and Pierson and Vice Chair Uhring.

The Commission directed questions to staff.

As there were no other questions for staff, Chair Marx opened the public comment portion of the public hearing.

Speaker: Michael Mekeel.

As there were no other speakers present, Chair Marx closed the public comment portion of the public hearing. No further discussion occurred.

MOTION Vice Chair Uhring moved and Commissioner Mazza seconded a motion to adopt Planning Commission Resolution No. 18-16 determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-060 for an interior and exterior remodel to an existing beachfront single-family residence and detached cabana, including a 30 square foot addition to the detached cabana, new spa with a 506 square foot rear yard deck with glass windscreen, 540 square foot rear deck extension, new barbeque, and hardscape located within the Single-Family Medium zoning district and Trancas Beach Overlay District at 31134 Broad Beach Road (MOT Trust UDT 11-11-2011). The motion carried unanimously.

C. Coastal Development Permit No. 15-053 and Site Plan Review No. 15-041 – An application for the construction of a new two-story single-family residence, detached second unit, detached pool house, and associated development

Location: 5849 Murphy Way, not within the appealable coastal zone
APN: 4467-003-036
Owner: 5849 Murphy Way, LLC
Case Planner: Senior Planner Fernandez, 456-2489, ext. 482
Recommended Action: Adopt Planning Commission Resolution No. 18-02, determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-053 to allow the construction of a new 6,666 square foot, two-story single-family residence with a 774 square foot basement, 899 square foot second unit, 894 square foot pool house, swimming pool, spa, fencing, entry gates, hardscape, landscaping, and new alternative onsite wastewater treatment system; including Site Plan Review No. 15-041 for construction in excess of 18 feet in height but not to exceed 28 feet for a pitched roof in the Rural Residential-Ten Acre zoning district at 5849 Murphy Way (5849 Murphy Way, LLC).

Senior Planner Fernandez presented the staff report.

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

The Commission directed questions to staff.

As there were no other questions for staff, Chair Marx opened the public comment portion of the public hearing.

Speakers: Jason Aryeh, Norman Haynie, Gerard Reynaga, and Kathleen Rasmussen.

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

The Commission directed questions to staff.

As there were additional disclosures from Commissioner Mazza, Chair Marx reopened the public comment portion of the public hearing.

Speakers: Oliver Damavandi, Mr. Reynaga, and Mr. Haynie.

As there were no other speakers present, Chair Marx closed the public comment portion of the public hearing. No further discussion occurred.

MOTION Commissioner Mazza moved and Commissioner Pierson seconded a motion to adopt Planning Commission Resolution No. 18-02, determining the project is categorically exempt from the California Environmental Quality Act, and approving Coastal Development Permit No. 15-053 to allow the construction of a new 6,666 square foot, two-story single-family residence with a 774 square foot basement, 899 square foot second unit, 894 square foot pool house, swimming pool, spa, fencing, entry gates, hardscape, landscaping, and new alternative onsite wastewater treatment system; including Site Plan Review No. 15-041 for construction in excess of 18 feet in height but not to exceed 28 feet for a pitched roof in the Rural Residential-Ten Acre zoning district at 5849 Murphy Way (5849 Murphy Way, LLC). The question was called and the motion carried unanimously.

D. Coastal Development Permit No. 14-073, Variance Nos. 18-002, 18-003, 18-004, 18-008, 18-009, and 18-010, and Minor Modification No. 18-001 – An application for a new single-family residence and associated development

Location: 33386 Pacific Coast Highway, within the appealable coastal zone

APN: 4473-019-007

Owner: 180 PCH, LLC.

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

Recommended Action: Continue this item to the March 19, 2018 Regular Planning Commission meeting.

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

E. Coastal Development Permit No. 14-072, Lot Merger No. 17-007, Lot Line Adjustment No. 14-004, Variance Nos. 17-050, 17-051, 18-001, 18-005, 18-006, and 18-007, and Minor Modification No. 17-022 – An application for a new single-family residence, associated development, lot merger, and lot line adjustment

Location: 33398 and 33390 Pacific Coast Highway, within the appealable coastal zone

APNs: 4473-019-005 and 4473-019-006

Owners: 180 PCH, LLC.

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

Recommended Action: Continue this item to the March 19, 2018 Regular Planning Commission meeting.

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

ITEM 6 OLD BUSINESS

None.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

MOTION At 7:43 p.m., Commissioner Mazza moved and Commissioner Pierson 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 19, 2018.



CHRIS MARX, Chair

ATTEST:



KATHLEEN STECKO, Recording Secretary