

CALIFORNIA COASTAL COMMISSION

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**W26**

DATE: June 9, 2010
TO: Coastal Commissioners
FROM: Peter M. Douglas, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of APRIL 14-16, 2010
Ventura County Board of Supervisors Chambers
800 S. Victoria Avenue
Ventura, CA 93009

WEDNESDAY, APRIL 14, 2010 pages 1 to 6

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 10:00 a.m. by Vice Chair Shallenberger.
2. **ROLL CALL.** Present: Vice Chair Shallenberger, Achadjian, Blank, Bloom, Burke, Secord (alternate), Kruer, Gurney (alternate), Wright (alternate), Sanchez, Stone, Wan.
3. **GENERAL COMMENT.** Jean Rountree, representing Beacon Foundation; Gordon Birr; Vickie Finan; Lee Quaintaince, representing Beacon Foundation; Leslie Wawrzeniak; Gina Natoli, representing Counting of Los Angeles; Trevor Smith, representing Sierra Club; Bert Perello; Jack Reveler, representing County of Ventura Harbormaster; Brad Howes; Vonne Barnes; Tom Barnes; Fran Gibson, representing Coastwalk California; Derek Jones, representing EMC Development; Andy Killian; Jayne Ziv, Habitat for Hollywood Beach; Ellen Spiegel.

SOUTH COAST DISTRICT (Orange County)

4. **CONSENT CALENDAR.** See item [4a] on page 3 of the meeting notice. Staff recommended approval with conditions. There being no objection, Vice Chair Shallenberger ruled that the vote was unanimous in favor of approval. **Passed.**
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SOUTH COAST DISTRICT (Orange County)

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Sarb reported on matters not requiring a public hearing and on comments from the public.

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [9a] to the expanded consent calendar and recommended approval with special conditions.

Motion & vote: Bloom moved to approve per staff, seconded by Kruer and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

7. **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **City Of Newport Beach LCP Amendment No. NPB-MAJ-1-9 (AERIE).** Staff recommended approval as submitted.

The following persons submitted requests to speak on Items 7a & 8a in opposition to the project:

Marco Gonzalez, representing Residents for Responsible Development; Marilyn Beck; Lisa Vallejo, representing Residents for Responsible Development.

The following persons submitted requests to speak on Items **7a & 8a** in favor of the project:

Betty Jo Way; G. Scott Bergey; Karen Julian, an applicant; Kent Moore; Thomas Phillips; William McCaffrey; Rick Julian, an applicant; Brion Jeannette; Beverley Johnson; Bud Rasner; James Campbell, representing City of Newport Beach.

Motion & vote: Blank moved to certify the Land Use Plan as submitted, seconded by Achadjian and recommended a yes vote. The roll call vote was 5 in favor (Achadjian, Blank, Bloom, Secord, Wright) and 7 opposed (Burke, Kruer, Gurney, Sanchez, Stone, Wan, Vice Chair Shallenberger). **Denied.**

8. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-09-162 (Advanced Group 99-D/AERIE, Newport Beach)** Staff recommended approval with conditions.

Motion & vote: Wan moved to approve per staff, seconded by Sanchez and recommended a no vote. The roll call vote was 7 in favor of the no vote (Burke, Kruer, Gurney, Sanchez, Stone, Wan, Vice Chair Shallenberger) and 5 opposed (Achadjian, Blank, Bloom, Secord, Wright). **Denied.**

LUNCH RECESS. The Commission recessed for lunch at 1:30 p.m and returned at 3:00 p.m.

Report of CLOSED SESSION. In closed session the received advice on threatened litigation.

- b. **Application No. 5-09-186 (Surfside Colony Limited Homeowners Assoc., Seal Beach)** Staff recommended approval with conditions.

Marshall Innis, representing Marshall Design Group Architect, submitted a request to speak in favor of the project.

Motion & vote: Sanchez moved to approve per staff, seconded by Secord and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

- c. **Application No. 5-09-208 (De La Pena, Laguna Beach) [POSTPONED]**
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9. **PERMIT AMENDMENTS.**

- a. **Permit No. 5-04-167-A (Orange Coast College, Newport Beach)** Moved by staff to the expanded consent calendar. **Approved.**
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ENFORCEMENT

10. **ENFORCEMENT REPORT.** Chief of Enforcement, Lisa Haage reported on the Statewide Enforcement Program.
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11. **Commission Cease and Desist Order No. CCC-10-CD-02 (Stevan & Rona Gromet-Laguna Beach, Orange Co.)** Staff recommended issuance of the cease and desist order.

Stevan Gromet submitted a request to speak in favor of the staff recommendation; Jayne Ziv, representing Sierra Club, submitted a request to speak; Fran Gibson, representing Coastwalk California, submitted a request to speak in favor of the staff recommendation.

Motion & vote: Wan moved to issue the cease and desist order, seconded by Bloom and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

12. **Commission Restoration Order No. CCC-10-RO-02 (Stevan & Rona Gromet-Laguna Beach, Orange Co.)** Staff recommended issuance of the restoration order.

Stevan Gromet submitted a request to speak in favor of the staff recommendation.

Motion & vote: Wan moved to issue the restoration order, seconded by Bloom and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

SAN DIEGO DISTRICT

13. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Sarb reported on matters not requiring a public hearing and comments from the public.
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14. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items [15b, 15c] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Secord moved to approve, seconded by Achadjian and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

14.5 **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **City of Del Mar LCP Amendment No. DMR-MAJ-1-09 (Modifications to Parking Requirements).** [POSTPONED]

15. COASTAL PERMIT APPLICATIONS.

- a. **Appeal No. A-6-PSD-09-43 (San Diego Unified Port District, San Diego)** Staff recommended approval with conditions.

Mikaela Gladden, representing Navy Broadway Complex Coalition, submitted a request to speak; Dan Wood submitted a request to speak in opposition to the project; Ian Trowbridge, representing NBCC, submitted a request to speak; Diane Coombs, representing NBCC, submitted a request to speak in opposition to the project; Douglas Carstens, representing Save Everyone's Access, submitted a request to speak in opposition to the project; Scott Andrews, representing Save Everyone's Access, submitted a request to speak; Pat Flannery submitted a request to speak in opposition to the project; Stephanie Saathoff, representing Sen. Christine Kehoe, submitted a request to speak in favor of the project; George Palermo, representing San Diego Port Tenants Assoc., submitted a request to speak in favor of the project; Bill Anderson, representing City of San Diego, submitted a request to speak in favor of the project; Angelika Villagrana, representing San Diego Regional Chamber of Commerce, submitted a request to speak in favor of the project; Ray Ashley, representing Maritime Museum of San Diego, submitted a request to speak in favor of the project; Jerry Trammer, representing Lane Field San Diego, submitted a request to speak in favor of the project; Sue Schaffner, Hostelling International San Diego, submitted a request to speak in favor of the project; Rich Benard, representing Midway Museum, submitted a request to speak in favor of the project; Janelle Reilla submitted a request to speak in favor of the project; Robert Valderama, representing Port of San Diego, submitted a request to speak; Gary Bosse, representing Center City Development Corp., submitted a request to speak; Darlene Nicandro, representing Port of San Diego, submitted a request to speak; Shaun Sumner, representing Port of San Diego, submitted a request to speak; Charlie Wurster, representing Port of San Diego, submitted a request to speak; Steven Kaufman, representing San Diego Unified Port District, submitted a request to speak in favor of the project.

Motion & vote: Blank moved to approve per staff, seconded by Secord and recommended a yes vote. The roll call vote was 5 in favor (Achadjian, Blank, Bloom, Secord, Greer) and 5 opposed (Gurney, Sanchez, Stone, Wan, Vice Chair Shallenberger). **Denied.**

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- b. **Application No. 6-10-2 (Coronado opportunist sand program)** Moved by staff to the expanded consent calendar. **Approved.**

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- c. **Application No. 6-10-8 (Kohn, San Diego)** Moved by staff to the expanded consent calendar. **Approved.**

STATEWIDE

16. **APPROVAL OF MINUTES.** **Approved.**

17. **COMMISSIONER REPORTS.** Commissioner Wan reported on decision by the International Whaling Commission to resume whaling and asked for a resolution for a moratorium on whaling activities.

Motion & vote: Wan moved to direct staff to construct a resolution and draft a letter for signature by the Commission Chair, seconded by Mirkarimi and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

18. **CONSERVANCY REPORT.** Informational only.

19. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Informational only.

20. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

21. **EXECUTIVE DIRECTOR'S REPORT** Executive Director Douglas reported on AB2228(Lieu) and recommended opposition to the bill.

Motion & vote: Stone moved to oppose AB2228 and communicate the opposition to all interested parties, seconded by Secord. The roll call vote was 7 in favor (Bloom, Secord, Gurney, Sanchez, Stone, Wan, Vice Chair Shallenberger) and 2 abstentions (Achadjian, Greer). **Passed.**

a. **Proposed 2011 meeting dates.** **Approved.**

THURSDAY, APRIL 15, 2010 pages 7 to 12

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order by Vice Chair Shallenberger at 9:00 a.m.
2. **ROLL CALL.** Present: Vice Chair Shallenberger, Achadjian, Bloom, Kruer, Mirkarimi, Stone, Wan. Blank and Secord (alternate) arrived at 9:05 a.m., Sanchez arrived at 9:20 a.m., Chair Neely arrived at 11:30 a.m. Absent: Burke.
3. **GENERAL COMMENT.** David Barish, representing We Are Marina del Rey; Bruce Russell, We Are Marina del Rey; Carla Andrus; Nancy Marino, representing We Are Marina del Rey; Charles Kimbell, representing Gaviota Planning Advisory Committee; Jeff Edward; Julie Tacker; Jon Nahhas, representing the Boating Coalition; Leslie Purcell.

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

4. **ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY.** Executive Director Douglas reported on matters not requiring a public hearing and comments from the public.
 - a. **Status Report on Remediation and Restoration of Former Guadalupe Oil Field Site.** [POSTPONED]

5. **FEDERAL CONSISTENCY.**
 - a. **CD-002-10 (Corps of Engineers, San Luis Obispo Co.)** [POSTPONED]

NORTH CENTRAL COAST DISTRICT

6. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lester reported on matters not requiring a public hearing and on comments from the public.
7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item (8a) the expanded consent calendar and recommended approval with conditions.

Motion & vote: Secord moved to approve, seconded by Achadjian and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

8. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 2-07-20 (Draper, Marin County)** Moved by staff to the expanded consent calendar. **Approved.**

Scott Hochstrassen, representing IPA, Inc., submitted a request to speak in favor of the project; Tom Hardy submitted a request to speak in favor of the project.

CENTRAL COAST DISTRICT

9. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lester reported on matters not requiring a public hearing and on comments from the public.
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10. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item (13a) the expanded consent calendar and recommended approval with conditions.

Motion & vote: Achadjian moved to approve, seconded by Secord and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

11. **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **San Luis Obispo County LCP Amendment No. SLO-2-09 Part 1 (Mobilehome Park Closure).** Staff requested a continuance.

Charles Knottenberg submitted a request to speak in opposition to the project; Steve MacElvaine, representing SLO County Mobilehome Park Owners Assoc., submitted a request to speak in opposition to the project; Debbie Rudd, representing RRM Design Group, submitted a request to speak in favor of the staff recommendation.

Motion & vote: Achadjian moved to continue, seconded by Secord and recommended a yes vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

- b. **San Luis Obispo County LCP Amendment No. SLO-2-09 Part 2 (Inclusionary Housing).** [POSTPONED]

c. **Santa Cruz County LCP Amendment No. SCO-3-09 (Clean-Up).** Staff recommended approval as submitted.

Motion & vote: Stone moved to reject as submitted, seconded by Mirkarimi and recommended a no vote. Vice Chair Shallenberger ruled that the vote was unanimous in favor of the no vote. **Passed.**

12. **NEW APPEALS.**

a. **Appeal No. A-3-SLO-06-43 (SDS Family Trust, San Luis Obispo Co.) [POSTPONED]**

b. **Appeal No. A-3-SLO-07-35 (Stolo, San Luis Obispo Co.)** Staff recommended the Commission find substantial issue exist. There being no objection, Vice Chair Shallenberger ruled that the Commission found substantial issue and opened the hearing on the merits of the project. Staff also recommended approval with conditions.

Justin Stolo, representing Treviti Wines, submitted a request to speak in favor of the project; Matt Bennetti submitted a request to speak in favor of the project; Bill Kesselring, representing KVCS, Inc., submitted a request to speak in favor of the project; Joe Prian, representing Coldwell Banker, submitted a request to speak in favor of the project; John Livin submitted a request to speak in favor of the project; Mary Ann Carson, representing Cambria Chamber of Commerce, submitted a request to speak in favor of the project; Bruce Black submitted a request to speak in favor of the project; Kirsten Fiscalini submitted a request to speak in opposition to the project; Richard Hawley, representing Greenspace, submitted a request to speak in opposition to the project; Peggy Sonoda submitted a request to speak in favor of the project; Elizabeth Kendall submitted a request to speak in favor of the project; Robert Clark submitted a request to speak in favor of the project; Dawn Dunlap submitted a request to speak in favor of the project; Barbara Walter submitted a request to speak in favor of the project; Maria Bennetti submitted a request to speak in favor of the project; Anthony Bennetti submitted a request to speak in favor of the project; Jim Bahringer submitted a request to speak in favor of the project; Dave Neish, representing the applicant, submitted a request to speak in favor of the project; Jamie Kirk submitted a request to speak in favor of the project; Don Stolo, an applicant, submitted a request to speak in favor of the project; Steve Orosz submitted a request to speak in favor of the project; Rachel Kovesdi submitted a request to speak in favor of the project; Steven Kaufman, representing the applicant, submitted a request to speak in favor of the project.

[Chair Neely arrived during the hearing of this item but did not participate]

Motion: Achadjian moved to approve per staff recommendation, seconded by Blank and recommended a yes vote.

Amending motion & vote: Achadjian moved to amend Condition 8 to only prohibit public tours and special events, seconded by Sanchez and recommended a yes vote. The roll call vote was 8 in favor (Achadjian, Blank, Bloom, Secord, Kruer, Mirkarimi, Sanchez, Vice Chair Shallenberger) and 2 opposed (Stone, Wan). **Passed.**

Vote on main motion: The roll call vote was 9 in favor (Achadjian, Blank, Bloom, Secord, Kruer, Mirkarimi, Sanchez, Stone, Vice Chair Shallenberger) and one opposed (Wan). **Passed.**

13. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-09-49 (Wheeler, Pacific Grove)** Moved by staff to the expanded consent calendar. **Approved.**

LUNCH RECESS. The Commission recessed for lunch at 12:30 p.m. and returned at 2:00 p.m. [*Blank did not return after lunch*]

Report of CLOSED SESSION. In the matters of Cannery Row v. CCC, the Commission rejected a settlement offer; City of Malibu v. CCC, the Commission received advice on litigation strategy; Jackson-Grube v. CCC, the Commission authorize a settlement offer; Ventura County Channel Islands Harbor v. CCC, the Commission authorized a settlement offer; Venice Stakeholders v. CCC, the Commission authorized a settlement offer.

NORTH COAST DISTRICT

14. **DEPUTY DIRECTOR'S REPORT.** District Manager Bob Merrill reported on matters not requiring a public hearing and on comments from the public.

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15. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item to the expanded consent calendar and recommended approval with conditions. [*Kruer out of the room during the vote.*]

Motion & vote: Sanchez moved to approve, seconded by Mirkarimi and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

16. **NEW APPEALS.**

- a. **Appeal No. A-1-DNC-09-48 (Border Coast Regional Airport Authority, Del Norte Co.)** Staff recommended the appeal **raised substantial issue**. There being no objection, Chair Neely ruled that the Commission **found substantial issue** and opened and continued the matter to a future hearing.
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17. **COASTAL PERMIT APPLICATIONS.**

- a. **Appeal No. A-1-MEN-05-37 (Piety & Panelli, Mendocino Co.)** [**POSTPONED**]
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- b. **Appeal No. A-1-TRN-08-46 (Marshall, Trinidad)** Staff recommended approval with conditions.

Motion & vote: Secord moved to approve, seconded by Achadjian and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

- c. **Application No. 1-09-17 (Cohan, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved.**
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18. **REVISED FINDINGS.**

- a. **Appeal No. A-1-MEN-07-28 (Jackson-Grube Family, Inc., Mendocino Co.)** [**POSTPONED**]
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- b. **Appeal No. A-1-MEN-07-28-R (Jackson-Grube Family, Inc., Mendocino Co.)** [**POSTPONED**]

SOUTH CENTRAL COAST DISTRICT

19. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Ainsworth reported on matters not requiring a public hearing and on comments from the public.
- a. **City of Carpinteria LCP Amendment No. MIN-1-10 (Nonconcentration of Certain Uses).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chair Neely ruled that the Commission concurred.
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20. **CONSENT CALENDAR (removed from Regular Calendar).** None.
- _____
21. **LOCAL COASTAL PROGRAMS (LCPs).**
- a. **City of Malibu LCP Amendment No. MAJ-2-09-B. [POSTPONED]**
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- b. **County of Santa Barbara LCP Amendment No. MAJ-1-09-A (County Land Use and Development Code). [POSTPONED]**
- _____
- c. **County of Santa Barbara LCP Amendment No. MAJ-1-09-B (Montecito Land Use and Development Code and Rezone). [POSTPONED]**
- _____
- d. **City of San Buenaventura LCP Amendment No. SBV-MAJ-1-08 (Midtown Corridors Development Code) and SBV-MAJ-2-08 (Downtown Specific Plan). Time Extension.** Staff recommended approval of the time extension.

Motion & vote: Secord moved to grant the time extension, seconded by Mirkarimi and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

The Commission recessed for the day at 3:30 p.m.

FRIDAY, APRIL 16, 2010 pages 13 to 16

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order
2. **ROLL CALL.** Present: Chair Neely, Vice Chair Shallenberger, Achadjian, Blank, Bloom, Parker (alternate), Secord (alternate), Mirkarimi, Stone, Wan. Sanchez arrived at 9:05 a.m. Absent: Kruer.
3. **GENERAL COMMENT.** Kristi Birney Rieman, Environmental Defense Center, gave the Commission an update on EDC's work on Ocean Acidification; Ian Hogan, Environmental Defense Center, spoke about a project at Goleta Beach; Michelle Hoffman; Bob Banfill.

SOUTH COAST DISTRICT (Los Angeles County)

4. **CONSENT CALENDAR.** See item **4a** on page 13 of the meeting notice. Staff recommended approval with conditions.
Motion & vote: Sanchez moved to approve, seconded by Secord and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

SOUTH COAST DISTRICT (Los Angeles County)

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Ainsworth reported on matters not requiring a public hearing and on comments from the public.
6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items (**8a, 8c**) to the expanded consent calendar and recommended approval with conditions.
Motion & vote: Secord moved to approve, seconded by Mirkarimi and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

7. **NEW APPEALS.**

- a. **Appeal No. A-5-MNB-10-54 (City Of Manhattan Beach, Manhattan Beach)**

Staff recommended the Commission find no substantial issue exists.

Laurie Jester, representing City of Manhattan Beach, submitted a request to speak in favor of the project.

Motion & vote: Mirkarimi moved to find no substantial issue, seconded by Achadjian and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed. No Substantial Issue found.**

8. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-10-30 (Caltrans, City of Los Angeles).** Moved by staff to the expanded consent calendar. **Approved.**

- b. **Application No. 5-09-190 (City of Los Angeles, San Pedro)** Staff recommended approval with conditions.

Frank O'Brien, representing Los Angeles Harbor Watts, submitted a request to speak in favor of the project.

Motion & vote: Sanchez moved to approve, seconded by Secord and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

- c. **Application No. 5-09-223 (Department Of Beaches & Harbors, County Of Los Angeles, Venice)** Moved by staff to the expanded consent calendar. **Approved.**

SOUTH CENTRAL COAST DISTRICT

9. **LOCAL COASTAL PROGRAMS (LCPs) .**

- a. **City of Santa Barbara LCP Amendment No. MAJ-2-09 (Meigs & Lighthouse Roads).** Staff recommended approval as submitted.

Motion & vote: Secord moved to certify the land use plan as submitted, seconded by Achadjian and recommended a yes vote. The roll call vote was 8 in favor (Achadjian, Blank, Bloom, Parker, Secord, Mirkarimi, Stone, Chair Neely) and 3 opposed (Sanchez, Shallenberger, Wan). **Passed.**

Motion & vote: Secord moved to reject as submitted, seconded by Achadjian and recommended a no vote. The roll call vote was 8 in favor of the no vote (Achadjian, Blank, Bloom, Parker, Secord, Mirkarimi, Stone, Chair Neely) and 3 opposed (Sanchez, Shallenberger, Wan). **Passed.**

10. **NOTICE OF IMPENDING DEVELOPMENT.**

- a. **UCSB Notice of Impending Development No. 8-08 (Lagoon Management Plan Restoration).** [POSTPONED]
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11. **RECONSIDERATION.**

- a. **Application No. P-9-23-76-8961-A2-R (Breskal, Los Angeles Co.)** Staff recommended the Commission deny the request for reconsideration. The applicant requested a continuance.

Alan Block, representing the applicant, submitted a request to speak in favor of the project; Norm Haynie, an applicant, submitted a request to speak.

Motion & vote: Mirkarimi moved to continue the matter, seconded by Secord and recommended a yes vote. Chair Neely ruled that the vote was unanimous in favor of the motion. **Passed.**

12. **REVISED FINDINGS.**

- a. **City of Malibu LCP Amendment No. MAJ-2-09-A ("Crummer Trust" Parcel).** Staff recommended the Commission adopt the revised findings.

Robert Gold submitted a request to speak in favor of the project; Joyce Parker Bozlyziski, representing the City of Malibu, submitted a request to speak; Fran Gibson, representing Coastwalk California, submitted a request to speak; Norm Haynie submitted a request to speak in favor of the project.

Motion & vote: Vice Chair Shallenberger moved to adopt the findings, seconded by Wan and recommended a yes vote. The hand vote was 10 in favor (Achadjian, Blank, Bloom, Parker, Secord, Mirkarimi, Shallenberger, Stone, Wan, Chair Neely) and none opposed. **Passed.**

Motion: Secord moved to waive the 6 month period to refile an amendment, seconded by Bloom and recommended a yes vote.

Amending Motion & vote: Mirkarimi moved to waive the time-line with regard to the gate but not the park, seconded by Wan and recommended a yes vote. The roll call vote was 5 in favor (Mirkarimi, Sanchez, Shallenberger, Stone, Wan) and 6 opposed (Achadjian, Blank, Bloom, Parker, Secord, Chair Neely). **Failed.**

Vote on main motion: The roll call vote was 9 in favor (Achadjian, Blank, Bloom, Parker, Secord, Mirkarimi, Shallenberger, Stone, Chair Neely) and 2 opposed (Sanchez, Wan). **Passed.**

There being no old or new business, the Commission adjourned 10:30 a.m.

Respectfully,

Peter Douglas
Executive Director

Approved by Commission
as written at meeting of
, 2010.

BONNIE NEELY
Chairperson