# INDEX REGULAR PLANNING MINUTES NOVEMBER 20, 2006

# PAGE SUBJECT

1 CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

**ROLL CALL** 

APPROVAL OF MINUTES (November 6, 2006)

**AUDIENCE ITEMS** 

#### **CONSENT CALENDAR**

- A. WAIVE READING IN FULL OF ALL RESOLUTIONS THAT ARE PRESENTED FOR PLANNING COMMISSION CONSIDERATION ON TONIGHT'S AGENDA AND ALL SUCH RESOLUTIONS SHALL BE READ BY TITLE ONLY.
- B. PLANNING APPLICATION NO. 02-06; APPLICANT: ST. LUKE'S PRESBYTERIAN CHURCH; LOCATION: 26815 ROLLING HILLS ROAD. A REQUEST FOR AN EXTENSION OF TIME FOR A PREVIOUSLY-APPROVED NEIGHBORHOOD COMPATIBILITY DETERMINATION, A VARIANCE TO PERMIT FEWER PARKING SPACES THAN REQUIRED BY CODE, A VARIANCE TO PERMIT LARGER SIGNS THAN REQUIRED BY CODE, A GRADING APPLICATION, A PRECISE PLAN OF DESIGN FOR A SIGN LOGO, AND AMENDMENTS TO CONDITIONAL USE PERMITS (CUP-104-84 AND CUP-101-92) PERMITTING A CHURCH AND PRIVATE SCHOOL FOR THE EXPANSION AND REMODEL OF AN EXISTING CHURCH FACILITY.

#### **BUSINESS ITEMS**

- A. PLANNING APPLICATION NO. 26-06; APPLICANT: MR. & MRS. ALAN ABRAHAMSON; LOCATION: 4 PALOMINO LANE; A NEIGHBORHOOD COMPATIBILITY FOR A SECOND STORY ADDITION OVER THE GARAGE.
- 5 B. PLANNING APPLICATION NO. 30-06; APPLICANT: MR. & MRS.
  MICHAEL THOMAS; LOCATION: 14 CERRITO PLACE; A
  NEIGHBORHOOD COMPATIBILITY FOR PROPOSED ONE AND TWOSTORY ADDITIONS TO AN EXISTING TWO-STORY RESIDENCE.

#### 7 PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 54-05; APPLICANT: MR. RICK EDLER; LOCATION: 608 SILVER SPUR ROAD; A CONDITIONAL USE PERMIT REQUESTING MEDICAL OFFICE USE OF A PORTION OF AN EXISTING GENERAL OFFICE BUILDING IN THE COMMERCIAL-GENERAL (CG/MIXED-USE OVERLAY) ZONE.
- 8 B. PLANNING APPLICATION NO. 28-06; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: COMMERCIAL-GENERAL, OFFICE & LIMITED ZONING DISTRICTS; RECOMMENDING THAT THE CITY COUNCIL ADOPT A ZONE CHANGE PROHIBITING MEDICAL MARIJUANA DISPENSARIES WITHIN THE COMMERCIAL GENERAL, OFFICE & LIMITED ZONING DISTRICTS WITHIN THE CITY.

#### 9 COMMISSION ITEMS

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#### MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES. (NOVEMBER 7, 2006)
- B. CITY COUNCIL ACTIONS. (NOVEMBER 14, 2006)

#### **ADJOURNMENT**

#### **MINUTES**

#### **REGULAR PLANNING COMMISSION MEETING**

#### **NOVEMBER 20, 2006**

#### 1. CALL MEETING TO ORDER

A regular meeting of the Planning Commission of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by CHAIRMAN REIN.

#### 2. PLEDGE OF ALLEGIANCE

CHAIRMAN REIN led the assembly in the Pledge of Allegiance to the Flag.

#### 3. ROLL CALL

Commissioners Present: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen,

Chairman Rein

Commissioners Absent: None

Staff Present: Planning Director Wahba, Senior Planner Cutler, Assistant

Planner Masters

#### 4. APPROVAL OF MINUTES

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER.

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF NOVEMBER 6, 2006.

There being no objection, CHAIRMAN REIN so ordered.

#### 5. <u>AUDIENCE ITEMS</u>

None.

#### 6. <u>CONSENT CALENDAR</u>

- A. WAIVE READING IN FULL OF ALL RESOLUTIONS THAT ARE PRESENTED FOR PLANNING COMMISSION CONSIDERATION ON TONIGHT'S AGENDA AND ALL SUCH RESOLUTIONS SHALL BE READ BY TITLE ONLY.
- B. PLANNING APPLICATION NO. 02-06; APPLICANT: ST. LUKE'S PRESBYTERIAN CHURCH; LOCATION: 26815 ROLLING HILLS ROAD. A REQUEST FOR AN EXTENSION OF TIME FOR A PREVIOUSLY-APPROVED NEIGHBORHOOD COMPATIBILITY DETERMINATION, A VARIANCE TO PERMIT FEWER PARKING SPACES THAN REQUIRED BY CODE, A VARIANCE TO PERMIT LARGER SIGNS THAN REQUIRED BY CODE, A GRADING APPLICATION, A PRECISE PLAN OF DESIGN FOR A SIGN LOGO, AND AMENDMENTS TO CONDITIONAL USE PERMITS (CUP-104-84 AND CUP-101-92) PERMITTING A CHURCH AND PRIVATE SCHOOL FOR THE EXPANSION AND REMODEL OF AN EXISTING CHURCH FACILITY.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER KILLEN,

#### TO APPROVE THE CONSENT CALENDAR.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein

NOES: None ABSTAIN: None ABSENT: None

#### 7. BUSINESS ITEMS

A. PLANNING APPLICATION NO. 26-06; APPLICANT: MR. & MRS. ALAN ABRAHAMSON; LOCATION: 4 PALOMINO LANE; A NEIGHBORHOOD COMPATIBILITY FOR A SECOND STORY ADDITION OVER THE GARAGE.

Assistant Planning Masters gave a Staff Report, as per written material, and reported that the architect over-calculated the living square footage, so the Planning Department utilized data from the Los Angeles County Assessors, and this residence will no longer be the largest in the neighborhood. The minimum square footage will increase by 544 square feet from 3,459 square feet to 4,003 square feet. Staff does not support the Neighborhood Compatibility determination.

Planning Director Wahba added that the architectural style is compatible with the house, but the second story sits on top of the garage, and the Planning Department would like to see it set back further into the house and further integrated with the house. Also, there is an external staircase with no internal access to the room above the garage.

COMMISSIONER O'DAY asked how the size of the home would compare with the neighborhood. Assistant Planner Masters responded that it would be in the top three. Planning Director Wahba added that the lot size is average for the neighborhood.

COMMISSIONER BAYER asked how this project would be different than the design next door with the addition right above the garage. Planning Director Wahba responded that it was approved before Neighborhood Compatibility and the external staircase is on the side of the property.

At CHAIRMAN REIN's invitation, Laura Abrahamson (applicant) came forward and passed out pictures to the Planning Commission. Ms. Abrahamson has resided in the South Bay more than 40 years. She has three children, and her husband is a sports writer currently using the dining area at home as his office. The family needs five bedrooms and in-law quarters. Ms. Pearl Hicks is a nanny who has been with the Abrahamson family since 1968. When this property was purchased, the goal was to add a bedroom and complete the project by the summer of 2007. An architect was consulted when the property was still in escrow, and the proposal was designed to minimize the impact of the addition. The existing footprint, lot coverage and topography are not being changed; there's no impact on the view or impact on privacy; the typical ranch element was incorporated; and the design fits the neighborhood. The Staff Report addresses neighborhood character, scale and style. Ms. Abrahamson discussed the pictures of the homes in the neighborhood, pointing out some two-story homes, and stated that this property looks out of place, and the addition will be more compatible and consistent. Using the new data from the Tax Assessor, the issue of scale has already been addressed. This project is not out of character for the street or neighborhood, which is not wedding cake-style. This proposal is less obtrusive and less massive than the neighboring homes. The addition can't be moved back farther without losing a bedroom, and it is above the garage, so that the footprint does not increase. The addition has the support of the neighbors. The staircase is on a side yard, so that a bedroom does not get lost. It is more than the required setbacks and won't be visible from the street.

COMMISSIONER VANDEN BOS asked whether there was any discussion of the orientation of the roof on the addition, and Ms. Abrahamson responded that there was not

COMMISSIONER O'DAY asked why the addition cannot be in another location without losing a bedroom. Roger North (architect at 2360 Plaza Del Amo, Torrance) came forward in response. Mr. North showed the existing floor plan and explained that moving the addition over the existing living area would require bedroom space for access stairs. Also, the owners would be disrupted during construction. COMMISSIONER O'DAY

suggesting placing the external staircase in the rear of the home. Ms. Abrahamson explained that there is no room for an external staircase on the outside towards the back. Mr. North added that an external staircase on the side yard would come down in front of windows. COMMISSIONER O'DAY explained that he has done an identical addition on his home, and there are other options and physical reason a staircase can't be put on the rear left side. Mr. North stated that the owners don't want to have a satellite bedroom, but want them grouped together. Ms. Abrahamson added that she doesn't want the addition over the existing bedrooms. COMMISSIONER O'DAY responded that there are silent floors and other options. Ms. Abrahamson explained that there is a barbeque as part of the back yard, but if you put the staircase on the side with 18 feet and cement, no landscaping is lost.

Mr. North continued, stating that the owners have a need for an additional room for a live-in caretaker of 39 years. The addition is not a guesthouse, rental or second dwelling unit, but an addition to a single-family residence. The design has been held back from the street so that it's not a flush two-story appearance in the front and to maintain some roof over the face of the garage.

COMMISSIONER VANDEN BOS asked about extending the garage and putting the stairwell inside the garage. Mr. North responded that rather than maximize the project, the preference is to leave it the way it is designed. The neighboring houses have additions flush to the front. The proposed addition would be more neighborhood friendly. There is no increase to lot coverage or front yard coverage; no change to the existing landscaping or natural features; does not affect privacy or views; maintains existing open space in the front, sides and rears; and exceeds all height and setback requirements.

Jill Lerner (6 Palomino Lane) came forward on behalf of herself and her husband, Barry Hiller. Ms. Lerner spent a lot of time reviewing the plans and how they would be impacted by size and privacy. The addition does not detract from compatibility. This is not a cookie cutter street but an eclectic group of homes. The applicant's house is set back on the street and the least obtrusive. The addition does not look bulky and is of minimal impact to the neighbors, including the staircase. There is no issue for the neighbors or issue of compatibility, and Ms. Lerner urge the Planning Commission to give the applicant green light to move forward.

Alan Abrahamson (applicant) come forward and explained that he is a sports writer with NBC sports. Mr. Abrahamson would like this project to be a win-win. Ms. Hicks has been with family for four decades, and this project would give her some space and Mr. Abrahamson a place to work. The Abrahamsons have attempted to satisfy Staff's concerns and hope for a green light.

COMMISSIONER BAYER asked for clarification of the stairway. Mr. and Mrs. Abrahamson explained that there is a gate for privacy, and because of that gate the staircase would not be visible from the street. A staircase on the other side in the back yard would create privacy issues and would be more obtrusive to the neighbors.

COMMISSIONER O'DAY explained that the concern is that it will be a duplex look with a staircase on the outside, and it wouldn't be obvious that it's not a duplex.

Mr. Abrahamson responded that the stairway cannot be seen from the street.

COMMISSIONER CONWAY commented Ms. Hicks is a senior citizen, and contemplating a second story residence for her golden years might be inadvisable over time. Mr. Abrahamson responded that Ms. Hicks is now 71 years old, and the plan would be to make the addition into an office. COMMISSIONER CONWAY then stated that if an office was going to be an ultimate use, interior access would be advisable. Mr. Abrahamson responded that a bedroom would be lost in that process.

COMMISSIONER VANDEN BOS asked about working the stairway into the back of the garage. Mr. Abrahamson responded that he would entertain any idea that would make the design over the garage work. Mrs. Abrahamson asked for approval with the condition that the applicant design an internal stairway on the other side of the garage. Mr. North Roger added that the location of the addition is the paramount concern. Moving the stairs could be explored.

CHAIRMAN REIN asked Staff how this addition would be categorized according to Code. Planning Director Wahba responded that it would not be separate residence because there is no kitchen.

COMMISSIONER CONWAY asked Staff if there was any fire code that would affect the dwelling as a result of having cars loaded with gasoline in the garage. Mr. North responded that whether the garage is side-by-side or below the living area, there's no difference, and a one-hour separation is required between the garage and any adjacent walls. Planning Director Wahba added that there cannot be an opening from a garage directly into a bedroom.

COMMISSIONER BAYER commented that this project is similar to the Masongate project with no opposing neighbors, similar houses on both sides, and it won't be the biggest house in the neighborhood. The camel's nose is already in the tent, and COMMISSIONER BAYER would have a hard time denying the ability to go forward. However, the outdoor stairway is of concern.

COMMISSIONER VANDEN BOS commented that the applicant has control of the design, and the Planning Commission is to comment on the design, not redesign the project. This proposes something being dropped on top of the garage. The roofs of the other homes are oriented the other way, which gives a distinct look of a second residence or a duplex, particularly with the stairs. The fence and foliage can change over time, so those elements do not come into play in the decision-making process. COMMISSIONER VANDEN BOS is not opposed to the addition over the garage, but is opposed to the architectural style.

CHAIRMAN REIN commented that the addition over the garage would loom over the front of the property, where the other homes appear to be set back farther from the street, so there is a lot of house that could support a second-story addition farther back. Also, it's unfortunate that the second residence issue cannot be discussed in more detail. The suggestion of a second residence makes people in the city concerned.

COMMISSIONER O'DAY commented that he did a similar addition to his home, which he placed it in the rear for more of a wedding cake style, and is not opposed to an external staircase, but it belongs in a private place. It is not compatible with the neighborhood to have a building that looks like a duplex. COMMISSIONER O'DAY is not opposed to the addition being over the garage if it looks like the original designer intended it to be there but can't support the proposal at this time.

COMMISSIONER CONWAY stated that it is difficult to contemplate this design over the garage from a Neighborhood Compatibility issue because it is always approached from a wedding cake perspective, but this neighborhood isn't built on wedding cakes. COMMISSIONER CONWAY is supportive of the location of the second-story consistent with Neighborhood Compatibility, but not the external staircase.

COMMISSIONER SOUTHWELL commented that his preference would be for the second story addition to be moved toward the rear of the house, but that's not an overriding concern. The exterior stairs are the only element of the current plan that COMMISSIONER SOUTHWELL absolutely couldn't' agree with.

COMMISSIONER KILLEN commented that the addition is too close to the front of the building. The garage is intended to be set further forward than the balance of the house, creating an internal entry to the building. An addition at this location will make that entry space seem like it has a looming element coming over the top. There are more inspiring designs that could come out of this. The external staircase is also troubling. COMMISSIONER KILLEN can't support the exterior stair and would like to see the addition pushed back further.

COMMISSIONER O'DAY agreed with COMMISSIONER KILLEN'S comments about the proposal looking like an addition.

Mrs. Abrahamson commented that moving the addition doesn't work for a host of reasons, but an interior staircase can be considered. The addition can't be moved farther back. Mrs. Abrahamson didn't expect it to be an issue because of the houses on both side of them and was surprised when it came up.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO CONTINUE PA 26-06 TO A DATE UNCERTAIN TO ALLOW THE APPLICANT TO ADDRESS THE ISSUE OF THE INTERIOR STAIRCASE, APPROVE THE ADDITION OVER THE GARAGE, AND ALLOW THE

# APPLICANT TO TWEAK THE DESIGN IF POSSIBLE, BUT THE INABILITY TO DO SO WOULD NOT BE A BASIS FOR DENYING THE PLANS.

AYES: Southwell, Conway, Bayer

NOES: O'Day, Vanden Bos, Killen, Chairman Rein

ABSTAIN: None ABSENT: None

COMMISSIONER VANDEN BOS commented that his reason for voting against the motion is to allow him an opportunity to see the new design.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER KILLEN,

TO CONTINUE PA 26-06 TO A DATE UNCERTAIN TO ALLOW APPLICANT TO WORK WITH STAFF AND BRING BACK ANOTHER STAFF REPORT.

AYES: Southwell, Conway, O'Day, Vanden Bos, Killen, Chairman Rein

NOES: Bayer ABSTAIN: None ABSENT: None

B. PLANNING APPLICATION NO. 30-06; APPLICANT: MR. & MRS. MICHAEL THOMAS; LOCATION: 14 CERRITO PLACE; A NEIGHBORHOOD COMPATIBILITY FOR PROPOSED ONE AND TWO-STORY ADDITIONS TO AN EXISTING TWO-STORY RESIDENCE.

Assistant Planner Masters gave a Staff Report, as per written material, and recommended approval.

CHAIRMAN REIN asked for the definition of a front yard, which Assistant Planner Masters outlined for him.

COMMISSIONER O'DAY pointed out that Neighborhood Compatibility findings state that this is a ranch-style home, but this is Spanish style. Planning Director Wahba responded that it was originally more Spanish and is still a stretch to call it ranch. However, because there were a handful of others in the neighborhood similar to what is being proposed, Staff supported the architectural style. COMMISSIONERS O'DAY and REIN and Planning Director Wahba discussed the S-tile roof.

At CHAIRMAN REIN's invitation, Mike Thomas (applicant) came forward and pointed out that there are a number of homes in the neighborhood that have gone through remodels with a variety of styles, so this project is compatible with the diversity in the neighborhood and huge improvement to the current look.

COMMISSIONER O'DAY discussed the window, garage door and roof elements with the applicant, stating that the Planning Commission would like the project to looks like it was built at the same time the subdivision was built with a timeless style.

Phyllis Thomas (applicant) came forward and explained that the home already has a clay tile roof, and the intent was to avoid replacing the roof.

COMMISSIONER VANDEN BOS commented that the roof seems like a different element than the rest of the house.

COMMISSIONER O'DAY added that his red flags are the roof style, archways and garage door.

COMMISSIONER KILLEN pointed out the west elevation of the addition and suggested that centering that between the two upper windows could solve a myriad of problems, including the roofs that come together, and he would like to see some exposed beams.

Mr. Thomas explained that this home is pretty small, there is a variety of styles in the neighborhood, and the neighbors have approved and signed off on the drawings.

COMMISSIONER BAYER asked how this design over the garage is so much different from the previous agenda item. Planning Director Wahba explained that the home is at the end of a cul-de-sac, the second floor sits over a good part of the house, and there's no other place to go. The property has a retaining wall and an unusable hillside behind the home, and the backyard is a small area, so to expand is nearly impossible. The

master bedroom is very small, and that's the only place to add on, and the home is not close to an adjacent neighbor to the rear. Also, the square footage is relatively small. There is no alternative, short of denying it, as opposed to a modest addition.

COMMISSIONER BAYER expressed concern that the Planning Commission is not being consistent. Planning Director Wahba responded that the previous case is a large home with a number of options, so that case has fewer constraints. COMMISSIONER VANDEN BOS added that it also doesn't look like an addition. CHAIRMAN REIN added that it's a style issue.

COMMISSIONER KILLEN explained that the Planning Commission would like to see the building have a little more of a ranch quality to it. As it exists it's caught in between styles, and some ways to backtrack the trend toward Spanish is to create larger overhangs and create beams.

COMMISSIONER KILLEN moved, seconded by COMMISSIONER CONWAY,

TO APPROVE PA 30-06 WITH THE CONDITIONS THAT THE PROJECT INCORPORATE ROOF EAVES THE SAME SIZE AS THE CURRENT PREDOMINANT EAVES, THE FASCIA BOARDS BE EXPOSED WOOD, THE EAVES HAVE AN EXPOSED WOOD CHIP LAP AND EXPOSED WOOD 2×6 STARTER BOARD, THE PRIMARY GABLE ENDS HAVE A WOOD RIDGE BEAM THAT WOULD EXTEND OUT PAST THE OVERHANG, AND INCORPORATE A FLAT-TILE ROOF, SUBJECT TO PLANNING DIRECTOR REVIEW.

AYES: Southwell, Conway, O'Day, Vanden Bos, Killen, Chairman Rein

NOES: Bayer ABSTAIN: None ABSENT: None

Planning Director Wahba explained the 20-day appeal period.

#### 8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 54-05; APPLICANT: MR. RICK EDLER; LOCATION: 608 SILVER SPUR ROAD; A CONDITIONAL USE PERMIT REQUESTING MEDICAL OFFICE USE OF A PORTION OF AN EXISTING GENERAL OFFICE BUILDING IN THE COMMERCIAL-GENERAL (CG/MIXED-USE OVERLAY) ZONE.

Senior Planner Cutler gave a Staff Report, as per written material.

COMMISSIONER VANDEN BOS asked for clarification between the 72 spaces in the Staff Report and the 77 spaces in the DKS Associates report. Senior Planner Cutler clarified that 72 spaces is correct. Also, the DKS Associates study says that the plan proposes 80 spaces, and it's really 79.

COMMISSIONER O'DAY asked about hazardous waste issues, and Staff responded that the project needs to comply with all local, state and federal laws.

COMMISSIONER KILLEN asked about the previous Conditional Use Permit to install and operate cellular telephone communication and personal wireless service equipment and asked whether there is any code that says they cannot be exposed. Planning Director Wahba responded that the new architecture does a better job of screening them from the street level.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

#### TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Rein

NOES: None ABSTAIN: None ABSENT: None

At CHAIRMAN REIN's invitation, Rick Edler (applicant) came forward and summarized the project. Over the next couple of years with the proposed projects in the village

corridor, many doctors will be forced to relocate. There is also an underlying current that the doctors are unable to do tenant improvements and commit on long-term leases. Current parking does not use as much space as currently available at 41% of the national average for similar structures. The medical use would be during a short-term period of 10 years and would accommodate the doctors on the hill.

COMMISSIONER VANDEN BOS asked about the tenants in the building when the study was done. Mr. Edler explained that 22,000 square feet was occupied by a school, attorneys, two writers, computer companies, a securities firm and real estate brokerage. COMMISSIONER VANDEN BOS then asked what has changed in the tenant mix since then. Mr. Edler explained that the tenant mix has increased with the school taking another 2,000 square feet and leasing out another 1,500 square feet. COMMISSIONER VANDEN BOS then pointed out that the study was done three days before Christmas, so that is not a standard parking situation.

COMMISSIONER VANDEN BOS then reviewed some data and calculations and commented that it doesn't add up.

CHAIRMAN REIN asked about allowing parking on Silver Spur, and Planning Director Wahba explained that the parking needs to stand on its own.

COMMISSIONER CONWAY also discussed data and calculations and commented that the methodology seemed very convenient.

COMMISSIONER KILLEN suggested adding conditions of penance should parking problems develop in the future, such as a professional attendant business. Planning Director Wahba responded that a Conditional Use Permit can also be called back up at any time. As a discretionary permit, it can be called up and reviewed and modified at any time during its existence.

Planning Director Wahba explained that this project is as a result of what's happening with Peninsula Village and the concern that there are doctors leaving who want to stay on the hill. This building has been remodeled and can provide immediate occupancy for a doctor to come in. Ten years is the amortization period for a doctor to recoup tenant improvement costs.

Senior Planner Cutler advised that Staff is not happy with the results of the parking study, but based on the precise tenant mix, any time any tenant mix changes with any affect of required parking, an updated parking analysis could determine whether that parking would still be adequate. An updated parking count could be required with a new analysis at any point, and it's difficult to turn a blind eye to the abundant on-street parking.

COMMISSIONER CONWAY suggested adding the recommendations in the parking study to the conditions of approval, along with an attendant condition with inadequate parking.

COMMISSIONER KILLEN agreed, adding that the doctors have vested themselves into the something that allows the city to say we think there are issues that are occurring over there, and we'd like you to look into the idea of having an attendant there and utilize the parking lot differently, that affects their business as well, so they are sensitive to the fact that if people can't get in there, they're going to get complaints.

Planning Director Wahba suggested that the Planning Commission could also add the future ability to enter into a reciprocal parking agreement and come back before the city with adequate spaces in close proximity of the project, rather than just locking them into an attendant.

COMMISSIONER KILLEN moved, seconded by COMMISSIONER CONWAY,

TO CLOSE THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Rein

NOES: None ABSTAIN: None ABSENT: None COMMISSIONER CONWAY moved, seconded by COMMISSIONER KILLEN,

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA-54-05, WITH THE CONDITIONS STATED IN THE STAFF REPORT AND INCORPORATING THE RECOMMENDATIONS IN THE TRAFFIC STUDY AND THAT SHOULD CONDITIONS WARRANT, A TRAFFIC ATTENDANT BE HIRED TO MANAGE THE SITE.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Rein

NOES: None ABSTAIN: None ABSENT: None

B. PLANNING APPLICATION NO. 28-06; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: COMMERCIAL-GENERAL, OFFICE & LIMITED ZONING DISTRICTS; RECOMMENDING THAT THE CITY COUNCIL ADOPT A ZONE CHANGE PROHIBITING MEDICAL MARIJUANA DISPENSARIES WITHIN THE COMMERCIAL GENERAL, OFFICE & LIMITED ZONING DISTRICTS WITHIN THE CITY.

Planning Director Wahba gave a Staff Report, as per written material, and reported that the federal government does not allow these facilities, but the state does, Torrance recently shut one down. The City of Palos Verdes Estates was recently approached, and other cities have has issues with facilities misrepresenting themselves as herbal locations or other types of uses. Therefore, the City Attorney felt the city should be proactive.

COMMISSIONER O'DAY asked whether there were other materials from the City Attorney in terms of cases that have shown that this is useful to cities. Planning Director Wahba responded that this is not specified in the allowable use.

COMMISSIONER VANDEN BOS expressed his concern over abuse of these facilities would be different than a prescription drug abuser or an alcoholic. Planning Director Wahba responded that this is something that came down from the City Attorney, and members of the City Council are aware of it, and the Planning Commission needs to review and recommend approval before the City Council can adopt an ordinance. Other cities have done moratoriums to further consider the item.

COMMISSIONER BAYER expressed concern over someone with a prescription not having a place to go and commented that there are licensing agencies that can regulate proper use of the facility. Planning Director Wahba stated that the city would not like to see this type of facility in a commercial district near the schools and other areas, as it could become a public nuisance with the high incidences of black-market.

Several Commissioners commented that they would like the City Attorney to come speak at a future Planning Commission meeting.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Rein

NOES: None ABSTAIN: None ABSENT: None

COMMISSIONER BAYER CONWAY moved, seconded by COMMISSIONER KILLEN,

TO CLOSE THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Rein

NOES: None ABSTAIN: None ABSENT: None COMMISSIONER BAYER moved, seconded by COMMISSIONER KILLEN,

TO CONTINUE PA 28-06 TO THE NEXT MEETING OF DECEMBER 4.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Rein

NOES: None ABSTAIN: None ABSENT: None

# 9. <u>COMMISSION ITEMS</u>

COMMISSIONER KILLEN gave his notice that he will be leaving the Planning Commission at the end of the year, due to his work schedule. COMMISSIONER KILLEN has enjoyed his stay with the Staff and the Commission. The Planning Commission expressed their appreciation for COMMISSIONER KILLEN's expertise and exceptional input into the process.

COMMISSIONER O'DAY asked about the new vinyl fence allowance, and that was discussed.

### 10. <u>DIRECTOR'S ITEMS</u>

Planning Director Wahba discussed the holiday party and got RSVPs for the events on December 2.

#### 11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES. (NOVEMBER 7, 2006)
- B. CITY COUNCIL ACTIONS. (NOVEMBER 14, 2006)

COMMISSIONER CONWAY moved, and COMMISSIONER KILLEN seconded,

TO RECEIVE AND FILE ITEMS 11A THROUGH 11B.

There being no objection, CHAIRMAN REIN so ordered.

# 12. <u>ADJOURNMENT</u>

At 10:30 p.m. CHAIRMAN REIN adjourned the Planning Commission meeting to December 4, 2006, at 7:30 p.m.

Julie Cremeans	 Douglas R. Prichard	
Minutes Secretary	City Clerk	