

**INDEX**  
**REGULAR PLANNING MINUTES**  
**MARCH 6, 2006**

<b><u>PAGE</u></b>	<b><u>SUBJECT</u></b>
1	<u>CALL MEETING TO ORDER</u> <u>PLEDGE OF ALLEGIANCE</u> <u>ROLL CALL</u> <u>APPROVAL OF MINUTES (FEBRUARY 6, 2006)</u> <u>AUDIENCE ITEMS</u> <u>CONSENT CALENDAR</u> None.
	<u>BUSINESS ITEMS</u>
1-3	A. PLANNING APPLICATION NO. 51-05; APPLICANT: MR. RANDY KARP; LOCATION: 4645 ROCKBLUFF DRIVE; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS AT THE FRONT, SIDE AND REAR YARDS. A MINOR DEVIATION IS REQUIRED FOR THE FRONT YARD ADDITION TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS ALSO REQUIRED TO EXCEED THE MAXIMUM FRONT YARD COVERAGE.
3-5	B. PLANNING APPLICATION NO. 05-06; APPLICANT: MR. & MRS. ROBERT DASILVA; LOCATION: 5166 WILLOW WOOD ROAD; A NEIGHBORHOOD COMPATIBILITY FOR SINGLE AND SECOND STORY ADDITIONS INCLUDING A DECK ON A SINGLE STORY HOME.
	<u>PUBLIC HEARINGS</u>
5-8	A. PLANNING APPLICATION NO. 03-06; APPLICANT: MR. & MRS. DANA MALTUN; LOCATION: 11 COUNTRY MEADOW ROAD; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS AT THE FRONT, SIDE AND REAR YARDS. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS REQUIRED TO ENCROACH INTO THE HEIGHT-TO-SETBACK RATIO.
8-10	B. PLANNING APPLICATION NO. 06-06; APPLICANT: MR. RAM K. MITTAL; LOCATION: 18 GOLDEN SPAR PLACE; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS TO AN EXISTING SPLIT-LEVEL HOME. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. A GRADING APPLICATION IS REQUIRED TO CREATE A BUILDING PAD FOR NEW ADDITIONS AT THE LOWER LEVEL AND TO EXPAND THE BACK YARD AREA. VARIANCES ARE REQUIRED FOR REDUCING THE REQUIRED SIDE YARD SETBACK AND EXCEEDING THE MAXIMUM FRONT YARD COVERAGE. (WW)
	<u>COMMISSION ITEMS</u>
	<u>DIRECTOR'S ITEMS</u>
	A. APPOINTMENT OF LOMITA RESERVOIR SUBCOMMITTEE.
	<u>MATTERS OF INFORMATION</u>
	A. PARK AND ACTIVITIES COMMISSION MINUTES (FEBRUARY 7, 2006). B. CITY COUNCIL ACTIONS (FEBRUARY 14, 2006). C. CITY COUNCIL ACTIONS (FEBRUARY 28, 2006).
11	<u>ADJOURNMENT</u>

**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**MARCH 6, 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, Assistant Planner Wong

4. **APPROVAL OF MINUTES**

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER O'DAY,

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

There being no objection, CHAIRMAN REIN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

None.

7. **BUSINESS ITEMS**

A. PLANNING APPLICATION NO. 51-05; APPLICANT: MR. RANDY KARP; LOCATION: 4645 ROCKBLUFF DRIVE; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS AT THE FRONT, SIDE AND REAR YARDS. A MINOR DEVIATION IS REQUIRED FOR THE FRONT YARD ADDITION TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS ALSO REQUIRED TO EXCEED THE MAXIMUM FRONT YARD COVERAGE.

Assistant Planner Wong gave a brief Staff Report (as per written material) and stated that the applicant has made modifications, but Staff still finds the modifications not compatible with the other homes in the Rollingwood neighborhood in terms of architectural design and mass and bulk. Also, Staff was not able to make the required Variance findings.

CHAIRMAN REIN asked whether this was a business item or a public hearing, and Planning Director Wahba clarified that it was incorrectly listed on the agenda and is a public hearing because of the Variance.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER CONWAY,  
TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Killen, Chairman Rein  
NOES: None  
ABSTAIN: Bayer  
ABSENT: None

COMMISSIONER CONWAY asked Staff to clarify the reference in the report to side yard setbacks. Planning Director Wahba confirmed that it is now only one Variance for the front yard coverage. COMMISSIONER CONWAY then asked if there would still be a Variance requirement if the proposed expansion did not affect the front yard, to which Planning Director Wahba responded no.

COMMISSIONER KILLEN asked Staff to specify the concern of the second story dominance. Planning Director Wahba stated the concern is predominantly with the east elevation.

COMMISSIONER O'DAY asked Staff whether the chimney was exempt from the height limit in the height-to-setback ratio, which Planning Director Wahba confirmed, adding that the chimney must comply with the minimum of that required for the building code.

Tom Blair (architect located at 1957 W. Carson Street in Torrance) came forward and showed the articulation of the elevations with a rendering and explained that the project size has been reduced, and the design has been articulated further and refined more. The only thing that triggers the Variance issue is a small bay window that the applicant would like in the living area, although it's not a major issue and would be a nominal change in the front yard coverage area.

COMMISSIONER O'DAY asked for confirmation that without the bay window, a Variance is not required, and Mr. Blair confirmed that statement.

COMMISSIONER VANDEN BOS asked Mr. Blair to comment on how this house compares to other second story homes in the neighborhood. Mr. Blair discussed some other homes that he designed in the neighborhood and reiterated that there is a lot of depth to this home, referring again to the rendering with shades and shadows. Mr. Blair stated that this home has a 6 x 12 roof pitch, which is steeper than the mostly 4 x 12 homes in the area.

COMMISSIONER O'DAY asked about using hip on the roof next to the chimney to reduce the height of the chimney and avoid a factory look. Mr. Blair stated that he could move the chimney over because it's going to be a metal fireplace.

COMMISSIONER CONWAY asked Mr. Blair to explain the exception and extraordinary circumstances or conditions that of property that would merit a Variance for a bay window. Mr. Blair responded that with the planning guidelines laid down for Rollingwood, a normal home could not be built if the guidelines were followed from scratch. Therefore, the requirements, themselves, are a hardship. There would be no change of lifestyle if it wasn't removed.

COMMISSIONER O'DAY asked Staff about raising the bay window and cantilevering it out. Planning Director Wahba stated that if it's more than a foot from grade and doesn't project out more than three feet, then it's exempt as an architectural projection. Mr. Blair agreed that would be another good option.

COMMISSIONER O'DAY asked Mr. Blair about the east elevation. Mr. Blair referred to the shades and shadows rendering and explained that it is articulated, pointing out specific design elements. Mr. Blair further pointed out that this is a modest home, which is in keeping with the neighborhood.

COMMISSIONER KILLEN asked whether the 6 x 12 roof could go down to 4½ or 5 x 12, which would be more in keeping with the neighborhood. Mr. Blair agreed that would work fine and was possible but wasn't addressed because this home did not have a massing issue. COMMISSIONER KILLEN further suggested making the master bath a

foot smaller and go to 12'6" or making the master bedroom a foot smaller and go to 14'6", keeping the symmetry but not the effect extending out over the backside of the building. Mr. Blair was surprised at the preference for a vertical plane versus a cantilevered plane. COMMISSIONER KILLEN preferred a wedding cake look, but the east elevation is projecting out. Mr. Blair suggested a porch roof off the kitchen. COMMISSIONER O'DAY agreed that was a good suggestion and also suggested a hip roof or turning the gable the other direction.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER KILLEN,

TO CLOSE THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Killen, Chairman Rein  
NOES: None  
ABSTAIN: Bayer  
ABSENT: None

COMMISSIONER KILLEN asked if the Commission should remove the Variance condition by stating that the applicant can either eliminate or raise the bay window and make recommendations of 4½ x 12 pitch and adding a porch across the backside of the building. COMMISSIONER O'DAY agreed and added that the chimney should also be incorporated. COMMISSIONER SOUTHWELL asked about the second floor of the east elevation, and COMMISSIONER KILLEN stated that the Commission was suggesting a porch on the outside of the kitchen so that it will step back, giving a wedding cake appearance.

COMMISSIONER CONWAY moved, and COMMISSIONER KILLEN seconded,

TO APPROVE PLANNING APPLICATION NO. 51-05 ON THE CONDITION THAT THE VARIANCE IS ELIMINATED FROM THE APPLICATION AND STAFF FOLLOWS THE INSTRUCTIONS OF THE PLANNING COMMISSION RELATIVE TO ARCHITECTURAL REVISIONS.

AYES: Southwell, Conway, O'Day, Vanden Bos, Killen, Chairman Rein  
NOES: None  
ABSTAIN: Bayer  
ABSENT: None

Planning Director Wahba explained the 20-day appeal period.

B. PLANNING APPLICATION NO. 05-06; APPLICANT: MR. & MRS. ROBERT DASILVA; LOCATION: 5166 WILLOW WOOD ROAD; A NEIGHBORHOOD COMPATIBILITY FOR SINGLE AND SECOND STORY ADDITIONS INCLUDING A DECK ON A SINGLE STORY HOME.

Assistant Planner Wong gave a brief Staff Report (as per written material) and stated that the applicant made revisions to the previous plans on Staff's comments to avoid Variances but did not wish to relocate their second story further back from the front elevation or move it closer to the center of the home.

COMMISSIONER VANDEN BOS stated that he drove the neighborhood and saw similar homes, and he asked Staff whether 5256 Willow Wood was before the Commission or was done before the Neighborhood Compatibility ordinance. COMMISSIONER BAYER responded that home predates Neighborhood Compatibility, and Planning Director Wahba agreed.

COMMISSIONER BAYER asked whether the house next door had come before the Commission. Planning Director Wahba responded that it was built in the late 90s. COMMISSIONER BAYER was surprised because it's massive looking over Silver Spring, which is one of her concerns with this project.

COMMISSIONER O'DAY asked whether 5052 Willow Wood, which was recently approved with the dormers, is the only other house in the neighborhood with that architectural style. Planning Director Wahba stated that was a single-story and remodel, which are typically handled administratively, unless there's a Variance.

COMMISSIONER O'DAY asked if this was a planning issue or the location of the second story. Planning Director Wahba responded that the second story should, ideally, be set back further from the front but also mentioned some other design elements.

COMMISSIONER O'DAY added that it's also awkward because there's, effectively, a tunnel to the door. Planning Director Wahba suggested a few ways to articulate that and stated that if it was more of an L-shaped addition, most of the problems would be solved, which is common in the neighborhood.

John Peterkovich, San Pedro, the project's designer, came forward and noted that the applicant worked with Staff to ensure no Variances were required, all setback requirements were met, the profile was kept low to avoid impacting the neighbors, and the design and bulk were arrived at by expanding and modernizing their kitchen. Mr. Peterkovich then discussed the design aspects for blending the home all back together. The intent was to tie the structure back together to make sure that it did not look like an addition, and they have done a good job.

COMMISSIONER O'DAY questioned some elements that are not consistent with other homes built in the period and also stated that the stone needs to be compatible with other homes in the neighborhood.

COMMISSIONER KILLEN explained that it's easier to deal with requirements as they are with the Planning Department, but when projects come before the Commission for discretionary review, the opinions of a number of members of the Commission are expressed, and it is scrutinized from individual perspectives or backgrounds. COMMISSIONER KILLEN stated he was willing to accept portions of the design on the last project that weren't optimal because there was a consistency of design and intricacy of detailing that is missing from this project and pointed out several elements for restudy.

COMMISSIONER VANDEN BOS also expressed his struggles with the entryway also looking odd compared to other homes, which would make it look like it was flopped on the top of the building. Mr. Peterkovich responded that the second story in the front is set back 25 feet from the front of the garage and 5 feet from the front of the house. COMMISSIONER KILLEN then pointed out that the issue is with the relationship to the other masses, and it could use some extra effort.

COMMISSIONER O'DAY then summarized the Neighborhood Compatibility ordinance, giving homes a timeless quality. Mr. Peterkovich stated that was what the applicant is attempting to do. COMMISSIONER O'DAY suggested that Mr. Peterkovich study the other homes in the neighborhood for appropriate design elements.

Robert Dasilva (owner) came forward to express his pleasure with working with Mr. Peterkovich and his desire to continue working with Staff.

COMMISSIONER VANDEN BOS asked if a redesign of the addition is capable of satisfying the privacy concerns, to which Planning Director Wahba responded affirmatively, stating that the project has more of a massing issue.

Rolando Ventura (owner of 5152 Willow Wood Road) came forward to express his concern that the addition of the deck grants the owner a view and invokes a view preservation limit on his property, restricting any future additions. Therefore, Mr. Ventura would like to ensure that an undesired precedent is not set of gaining views through additions.

COMMISSIONER REIN asked Staff about the issue raised by Mr. Ventura. Planning Director Wahba discussed view preservation of existing city views and pastoral landmarks and stated that a new vantage point giving a view into a backyard is more of a privacy issue.

COMMISSIONER VANDEN BOS then asked whether a city view being created with an addition would restrict the property owner next door from building a second story and interfering with the new view. Planning Director Wahba referred to a similar case in the early 90s, where City Council determined that an acquired view by going up does not guarantee view preservation.

COMMISSIONER O'DAY restated that there is a lot of work needing to be done in order to make the plans more compatible with the neighborhood, including massing, vinyl shutters, foam trim and the odd mix of materials.

COMMISSIONER O'DAY also mentioned the four carriage lights and reminded the applicant of the ordinance regarding lighting around the property.

COMMISSIONER VANDEN BOS moved, and COMMISSIONER KILLEN seconded,

TO CONTINUE PLANNING APPLICATION NO. 05-06 TO A DATE UNCERTAIN  
TO ALLOW THE APPLICANT TO WORK WITH STAFF ON FURTHER  
REDESIGNING THE PROJECT.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 03-06; APPLICANT: MR. & MRS. DANA MALTUN; LOCATION: 11 COUNTRY MEADOW ROAD; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS AT THE FRONT, SIDE AND REAR YARDS. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS REQUIRED TO ENCROACH INTO THE HEIGHT-TO-SETBACK RATIO.

Assistant Planner Wong gave a brief Staff Report (as per written material) and stated that Staff analyzed the privacy concern and determined that the concern was not valid given that the homes are located approximately 90 feet away from each other and is located across the street. Applicant did not wish to eliminate the Variance, based on other homes found in the neighborhood.

COMMISSIONER O'DAY asked Staff about the tendency in the neighborhood of homes built to one side of the lot, effectively putting second story additions on the side further from the property line. Planning Director Wahba confirmed that to be the case and added that when these homes were built, the height-to-setback ratio didn't exist. Since the height-to-setback ratio requirement was adopted in the late 80s, there haven't been very many Variances granted, if any.

COMMISSIONER O'DAY then referred to the other homes over 5,000 square feet on lots of 20,000 square feet and asked Staff if this is then appropriate and not an overly large house. Planning Director Wahba stated that it's not the largest home and is below the top.

COMMISSIONER CONWAY asked about setbacks on the south elevation and the conflicting measurements. Planning Director Wahba responded that he didn't know how that one setback got to be just under 10'. A minor deviation could be done, but the issue is that the added area encroaches into the height-to-setback ratio.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,  
TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

Olympia Greer (80034 Camino Santa Elise, Indio), the architect on the project, came forward and summarized the project and the reasons for the addition. The current home has an established Williamsburg style in front, which gets diluted around the sides and in the back. The goal was to maintain and enhance the existing style, carry the theme around house and add symmetry. Ms. Greer referred to the applicant's review of homes in the vicinity and requested approval of the Variance application and separation of the front yard minor deviation from the Variance, as the two are not related.

COMMISSIONER CONWAY reminded Ms. Greer that the Commission has to contemplate findings in order to approve a Variance and asked what would prevent the applicant from setting back the second story an additional three feet. Ms. Greer responded that it's not just setting back, but how that front elevation is going to look. This home is tied to symmetry so much that one would have to set back the other side equally as much in order to make it happen, which was not a good solution. COMMISSIONER CONWAY pointed out that is an architectural reason, to which

Ms. Greer responded that everything projects into the neighborhood and into the street, and achieving the best possible end result is the goal.

COMMISSIONER VANDEN BOS again asked for an explanation of what about the property would allow him to make a finding that there are extraordinary circumstances applicable to the property, not the structure. Ms. Greer stated that the property has a side yard on that side at an angle. There are some properties in the neighborhood that are not in a radial pattern, and the applicant doesn't have as many possibilities on that side as they would on the opposite side because of the setback being so tight. COMMISSIONER CONWAY again pointed out that Ms. Greer was describing characteristics of the building and not the property itself and how it's different than other properties in the neighborhood.

Ms. Greer then mentioned that this is only a portion of the roof, and all the walls are complying within the building envelope. COMMISSIONER CONWAY agreed that they are shown that way but is not sure it is correct. Ms. Greer stated that prior to the survey, measurements from the existing corner to the property were 11', so that was the reason for the discrepancy, but they're still clipping the plate line and not affecting the wall. COMMISSIONER CONWAY again pointed out that the information on the plan is conflicting with two dimensions on two different pages of the plan.

COMMISSIONER O'DAY asked Ms. Greer to explain the thinking on the arch windows and how they fit in with the neighborhood. Ms. Greer referenced several examples of arch windows in the packet.

COMMISSIONER KILLEN asked about the flat roof area, and Ms. Greer explained the existing area and the light coming into the library. COMMISSIONER KILLEN expressed his concerns about drainage, and he and Ms. Greer discussed the roofline and drainage issue, and Ms. Greer will work on it further.

Anita Maltun (owner) came forward and summarized the project, what her goals were and how the choices were made. The original designer of the community watered down the sides, and Ms. Maltun wanted the windows and doors to all fit together. The Williamsburg has flat arches, and she wanted to make it authentic. Ms. Maltun stated that her neighbor to the west couldn't come to the meeting but asked Ms. Maltun to convey to the Commission that she's very happy with the proposed project, especially the façade that faces her side.

Dana Maltun (owner) came forward and explained to the Commission that they are the fifth owners, and a few years ago he had some business dealing with some other architects, and they came out and measured and provided as-built plans, which showed the property line to the house as 11'. That's where the new architect took her first cues from, and there was no attempt to mislead. It is 9'8", so that is what will be worked with. Also, in response to the Commission's question about why this house should have some special dispensation, Mr. Maltun explained that the ranch is a unique, gated neighborhood of 139 houses that was built in two stages. This home's original style is J style, and there were 16 Js built; 14 of the 16 Js had the room built over the garage originally. All of those 14 Js either had straight up and down sides, or the house comes forward so that the second story is bigger, like a reverse wedding cake.

COMMISSIONER O'DAY explained that the Commission is looking at the lot when looking at a Variance, and not what's already built there, but the conditions that the physical dirt or land puts on the house causing a hardship. Mr. Maltun responded that each Commissioner brings their own experience, and he can't satisfy all seven discretionary experiences; some people will feel that there is a hardship, and others may not. COMMISSIONER O'DAY expressed his appreciation that the applicant is running into a conflict because there is a Neighborhood Compatibility ordinance, but the laws have changed, so sometimes it is impossible under the law to look like it was built by the original developer. Mr. Maltun explained that he is trying to achieve a balance, and the home is compatible with those houses that have been remodeled in the ranch, and the second floor has been set back, both in the front and on the side, in an effort to comply as best as possible, and if it's brought in more, there won't be enough room to make it worth building.

COMMISSIONER CONWAY stated that the frontage is 112', which is a substantial frontage, and to support a finding that there is an extraordinary circumstance that prevents the applicant from setting back the second 3' would be difficult. If the Commission supports this Variance and is able to make findings, there will be many

more with the same argument that it's an architectural reason as opposed to a topographical issue, and the Commission is not willing to open up those gates.

Ms. Green approached the Commission again willing to compromise and suggesting changing the direction of the gable, although that would eliminate some of the windows and the side doors on the east and west. COMMISSIONERS CONWAY and BAYER gave positive feedback to the suggestion.

COMMISSIONER CONWAY stated that the Commission tries to be objective in its decision making and referred to an addition he did on his own house a number of years ago, for which he could not get a Variance for the height-to-setback ratio, even though his lot is substantially smaller than this one, and he had to set his second story back an additional 5'. The redesign is superior to the original one, and it achieves the vision that the City is seeking, which is to have some open-view corridors. Individually, this might seem capricious at times, but overall the City benefits by holding as firm as they can to those.

Katina Beach (9 Country Meadow Road) came forward and pointed out that her current view looks down at the top of the roof of their garage, and she and her husband appreciate the doors and windows that have been selected and that the design goes around the home. Ms. Beach further stated that the project will benefit the neighborhood as a whole.

Linda Phillips (14 Country Meadow Road) came forward. Ms. Phillips lives across from this house and has owned her home since 1979 when it was originally built. There are only two homes of the 139 homes that face media rooms to media rooms and master bedroom to master bedroom. When she stands in her master bedroom and sits in her bonus room, she can watch the Maltuns in their garage and see what they're doing and what they have in there. The new media room is now, all of a sudden, in her face, and she's lost her privacy of 27 years. Ms. Phillips supports improving the neighborhood but is concerned about her privacy and asked the Commission to reconsider the design of the windows to preserve her privacy. Ms. Phillips then expressed concern about the pilasters shining into her home all night, and COMMISSIONER O'DAY reminded Ms. Phillips of the city ordinance that would prevent that.

COMMISSIONER BAYER asked for confirmation from Ms. Phillips that during the day somebody 95' away could see into the rooms of her house. Ms. Phillips responded positively, stating that they have a big enough window, and she can see into their house, and they can see into hers. COMMISSIONER BAYER stated that she can look out her window to the neighbor less than 95' away with their blinds open during the day and can't see anything, to which Ms. Phillips responded that this would be face-to-face right across the street. COMMISSIONER O'DAY asked if anyone walking down the street could see into her house, and Ms. Phillips answered not if they're down at street level, but looking straight across, yes.

COMMISSIONER KILLEN moved, seconded by COMMISSIONER CONWAY,

TO CLOSE THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

COMMISSIONER BAYER referenced the 139 houses in the neighborhood, and stated this will only be the fourth house over 5,000 square feet, which raises a concern to opening the door to larger and larger additions. COMMISSIONER BAYER also agreed with Staff that the proposed addition is a design issue, and the Commission can't make the necessary findings, which are objective not subjective.

COMMISSIONER VANDEN BOS stated that it's a very tastefully designed improvement over the existing house, and he's glad the neighbors like the house, but the law has changed about setbacks, and the Commission has an objective standard to follow. The house is pretty and doesn't seem overly large. However, he can't make a finding, even with the great design and that it fits in the neighborhood. COMMISSIONER VANDEN BOS then commented that people would love to have 90' between their houses second story to second story, and the amount of separation is sufficient that privacy shouldn't be a concern.



COMMISSIONER KILLEN concurred about the design of the building and appreciated the effort to make it an attractive building. However, he'd like to see the flat roof area go away and commented that there are ways to avoid the Variance. COMMISSIONER KILLEN further explained the state law that the Commission has to deal with to make four findings. Three findings could probably be made, but the one that is being struggled with is what is extraordinary about the property that gives the Commission the right to make this Variance. The Commission is bound to try to work with the findings, and that one finding can't be met, even with a stretch.

COMMISSIONER SOUTHWELL agreed that the overall design is quite attractive, and he can support it on grounds of compatibility, but the first finding can't be met, so he can't support a Variance.

COMMISSIONER O'DAY agreed, stating that he wished every applicant took the time to pay attention to the aesthetic elements of the house and the design and that this is an excellent plan. COMMISSIONER O'DAY expressed his appreciation for the applicant trying to make the look consistent around the entire home, which will make for a better house, and is sympathetic to the applicant's frustration to the fact that the laws have changed and are in conflict with each other. Variance issues override Neighborhood Compatibility issues, and the findings can't be supported. COMMISSIONER O'DAY then reminded the applicant of the code and possible lighting problems and suggested that Staff work with the applicant to make sure the lighting is appropriate for the neighborhood.

COMMISSIONER CONWAY asked how many Colonial Williamsburg designs are in the tract. Planning Director Wahba stated that there are several, and they're also mixed into Rolling Hills Park Estates next door. COMMISSIONER CONWAY asked if it would be a stretch to say, under the first finding, relative to its intended use as a Colonial home of being an extraordinary circumstance. Planning Director Wahba responded that would still be about the design and not the physical hardship of the lot itself.

Planning Director Wahba then discussed hip roofs versus gable roofs and asked that COMMISSIONER KILLEN address the roof with the applicant.

COMMISSIONER O'DAY agreed that this would be the fourth largest home of 139, so it's in the top 4%. COMMISSIONER O'DAY has been in support of a number of 5,000 square foot homes, but they've been on 30,000 or 40,000 square foot lots, but these are 20,000 square foot lots. COMMISSIONER BAYER agreed that it's a concern, but there are other homes that are larger.

COMMISSIONER BAYER moved, and COMMISSIONER KILLEN seconded,

TO CONTINUE PLANNING APPLICATION NO. 03-06 TO A DATE UNCERTAIN TO ALLOW THE APPLICANT SUFFICIENT TIME TO WORK WITH STAFF TO TRY TO ELIMINATE THE VARIANCE APPLICATION AS IDENTIFIED IN THE REPORT, PURSUANT TO THESE DISCUSSIONS.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

B. PLANNING APPLICATION NO. 06-06; APPLICANT: MR. RAM K. MITTAL; LOCATION: 18 GOLDEN SPAR PLACE; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS TO AN EXISTING SPLIT-LEVEL HOME. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. A GRADING APPLICATION IS REQUIRED TO CREATE A BUILDING PAD FOR NEW ADDITIONS AT THE LOWER LEVEL AND TO EXPAND THE BACK YARD AREA. VARIANCES ARE REQUIRED FOR REDUCING THE REQUIRED SIDE YARD SETBACK AND EXCEEDING THE MAXIMUM FRONT YARD COVERAGE.

Assistant Planner Wong gave a brief Staff Report (as per written material) and stated that Staff has worked with the applicant and was able to come to a compromise.

COMMISSIONER VANDEN BOS asked Staff to explain to the applicant whether the roof or the tiles needed to be flat. Assistant Planner Wong clarified that the tiles should be flat.

COMMISSIONER KILLEN expressed his concern over the roof plan and suggested that the applicant work with Staff to revise the roof plan, and Planning Director Wahba agreed.

COMMISSIONER BAYER moved, seconded by COMMISSIONER VANDEN BOS,  
TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

Heidi Puskar, the architect, Frazier Park, came forward and summarized the project, stating that this is a uniquely shaped house on a pie-shaped lot that slopes down drastically at the rear, and there are no neighbors in the back. The house currently has no style right now, and the applicant would like to keep a round-ish tile, rather than flat, to go better with the new style and showed a sample.

COMMISSIONER O'DAY asked if there were any other homes in the neighborhood with that tile on it, and Planning Director Wahba responded that there are a number of other homes with the low profile tile. There has been a little bit of infiltration of the red tile on the re-roofs that have taken place, but on sizable remodels, the Planning Department is trying to get people to go back to more of a ranch-style flat tile. This would be a compromise because it still has a lower undulation than the class S or the two-piece tile, and it's brown, not red or terracotta. Ms. Puskar added that this house doesn't look like a ranch house at all.

COMMISSIONER O'DAY asked about the material for the glass fence in the front and the pillars. Ms. Puskar explained the pillars are wood, and the glass is tempered glass for the light well, which needs a 3' rail around it.

COMMISSIONER KILLEN readdressed the roof plan and suggested a possible solution. Ms. Puskar commented that the roof has been designed by several different architects and engineers, and none of them have come up with a better solution.

Ram Mittal (owner) came forward and reiterated the need for the addition. Mr. Mittal commented that he had a wonderful time working with the Planning Department and appreciates their help and input. Mr. Mittal also stated that the neighbors are very happy.

COMMISSIONER CONWAY asked Mr. Mittal about the sequence of events and possible grading work done before a grading permit was issued. Mr. Mittal responded that there was no grading work done. There was seepage into the daughter's bedroom, and while that was being fixed, there were upgrades being done outside for a wedding.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER KILLEN,  
TO CLOSE THE PUBLIC HEARING.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

COMMISSIONER BAYER expressed her appreciation that the applicant and Staff were able to come to a compromise, and the Commission is able to make the findings and approve the resolution.

COMMISSIONER CONWAY added that there is an extraordinary condition about this property with the curved 57' wide access. It is clearly an issue with the lot and not the architecture that drives the findings for these Variances. COMMISSIONER BAYER fully agreed.

COMMISSIONER O'DAY expressed his concern with the modern look of the tempered glass and would prefer a 3-rail or wood fence there. The stone elements should also be worked out with Staff. COMMISSIONER O'DAY supports the effort to restore the wood shake roof elements that were originally 100% of the neighborhood and would like to get the whole neighborhood back to the wood shake look.

COMMISSIONER BAYER suggested that the architect talk with COMMISSIONER KILLEN about the rooflines. COMMISSIONER KILLEN suggested approving the project and asking the applicant to work with Staff for a better roof design. COMMISSIONER VANDEN BOS added that it will end up far away from the look of the neighborhood if some of those elements aren't kept. COMMISSIONER KILLEN stated with the conditions of the roof, a flat tile is better. COMMISSIONERS VANDEN BOS and O'DAY agreed.

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,

TO APPROVE PLANNING APPLICATION NO. 06-06 WITH STAFF'S RECOMMENDATIONS IN ADDITION TO STAFF REVIEWING AND APPROVING A REVISED ROOF PLAN.

AYES: Southwell, Conway, O'Day, Vanden Bos, Bayer, Killen, Chairman Rein  
NOES: None  
ABSTAIN: None  
ABSENT: None

Planning Director Wahba explained the 20-day appeal period.

9. COMMISSION ITEMS

COMMISSIONER O'DAY stated that he was looking in the neighborhood and noticed the Simmerals had put up some plastic shutters and other details that do not conform with their plans. Planning Director Wahba stated that the Planning Department is going to be taking a look at that.

COMMISSIONER VANDEN BOS pointed out the excessive lighting on Palos Verdes Drive North before Palos Verdes Estates on Rolling Meadows Road, the first house on the right side.

COMMISSIONER VANDEN BOS also asked for an update on the Linares property, and Planning Director Wahba advised that it is still in court.

10. DIRECTOR'S ITEMS

Planning Director Wahba presented COMMISSIONER KILLEN with an award for his service as Chairman of the Planning Commission.

Planning Director Wahba also mentioned that the annual policy devolvement session meeting with the City Council was held Saturday, and they talked about the master plan in the commercial district. Also, the McDonalds building is being demolished, and one of the electricians was electrocuted and passed away. COMMISSIONER KILLEN relayed a similar incident at one of his projects on Friday.

Planning Director Wahba also advised that the City Council is going to consider having the Planning Commission meetings televised.

A. APPOINTMENT OF LOMITA RESERVOIR SUBCOMMITTEE.

Planning Director Wahba stated that the City Council is working with the City of Lomita and looking to appoint someone from the Planning Commission to sit with City Council on the Commission to deal with the Local Area Formation Commission issues in giving that land to Lomita. COMMISSIONER CONWAY asked for some details and was then nominated to sit on the subcommittee, which he accepted.

11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES COMMISSION MINUTES (FEBRUARY 7, 2006).
- B. CITY COUNCIL ACTIONS (FEBRUARY 14, 2006).
- C. CITY COUNCIL ACTIONS (FEBRUARY 28, 2006).

COMMISSIONER KILLEN moved, and COMMISSIONER BAYER seconded,

TO RECEIVE AND FILE ITEMS 11A THRU 11C.

There being no objection, CHAIRMAN REIN so ordered.

12. ADJOURNMENT

At 10:18 p.m. CHAIRMAN REIN adjourned the Planning Commission meeting to March 20, 2006, at 7:30 p.m.

---

Julie Cremeans  
Minutes Secretary

---

Douglas R. Prichard  
City Clerk