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DECEMBER 17, 2007

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MINUTES

REGULAR PLANNING COMMISSION MEETING

DECEMBER 17, 2007

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 O'DAY.

2. **PLEDGE OF ALLEGIANCE**

CHAIRMAN O'DAY led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present: Southwell, Vanden Bos, Bayer, Rein, Golida, Chairman O'Day
Commissioners Absent: Conway
Staff Present: Planning Director Wahba, Associate Planner Thom

4. **APPROVAL OF MINUTES**

COMMISSIONER BAYER moved, seconded by COMMISSIONER VANDEN BOS,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF DECEMBER 3, 2007.

There being no objection, CHAIRMAN O'DAY so ordered.

5. **AUDIENCE ITEMS**

None.

6. **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. A RESOLUTION (PA-10-07) OF THE PLANNING COMMISSION DENYING A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A GUEST HOUSE AND TENNIS COURT IN THE REQUIRED FRONT YARD; VARIANCES TO 1) CONSTRUCT A STRUCTURE IN THE REQUIRED FRONT YARD; 2) TO CONSTRUCT A FENCE GREATER THAN 2' IN HEIGHT IN THE REQUIRED FRONT YARD; AND 3) TO EXCEED ALLOWABLE FRONT YARD COVERAGE; A SPECIAL USE PERMIT TO CONSTRUCT A MAXIMUM 12' HIGH FENCE ENCLOSURE FOR THE PROPOSED TENNIS COURT; AND A GRADING APPLICATION TO REMOVE 1,690 CUBIC YARDS AND FILL 1,625 CUBIC YARDS. APPLICANT: MR. & MRS. WALLACE KREAG; LOCATION: 2715 PALOS VERDES DRIVE NORTH.

COMMISSIONER VANDEN BOS asked that the Resolution item be moved to Business Items.

COMMISSIONER BAYER moved, seconded by COMMISSIONER VANDEN BOS,
TO APPROVE THE REMAINDER OF THE CONSENT CALENDAR.

There being no objection, CHAIRMAN O'DAY so ordered.

7. BUSINESS ITEMS

- A. A RESOLUTION (PA-10-07) OF THE PLANNING COMMISSION DENYING A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A GUEST HOUSE AND TENNIS COURT IN THE REQUIRED FRONT YARD; VARIANCES TO 1) CONSTRUCT A STRUCTURE IN THE REQUIRED FRONT YARD; 2) TO CONSTRUCT A FENCE GREATER THAN 2' IN HEIGHT IN THE REQUIRED FRONT YARD; AND 3) TO EXCEED ALLOWABLE FRONT YARD COVERAGE; A SPECIAL USE PERMIT TO CONSTRUCT A MAXIMUM 12' HIGH FENCE ENCLOSURE FOR THE PROPOSED TENNIS COURT; AND A GRADING APPLICATION TO REMOVE 1,690 CUBIC YARDS AND FILL 1,625 CUBIC YARDS. APPLICANT: MR. & MRS. WALLACE KREAG; LOCATION: 2715 PALOS VERDES DRIVE NORTH.

COMMISSIONER BAYER moved, seconded by COMMISSIONER REIN,
TO APPROVE RESOLUTION PA-10-07.

AYES: Bayer, Rein, Chairman O'Day
NOES: Southwell, Vanden Bos
ABSTAIN: Golida
ABSENT: Conway

Planning Director Wahba explained the 20-day appeal period.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 36-07; APPLICANT: MR. & MRS. ANDREW POWER; LOCATION: 77 DAPPLEGRAY LANE; A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR ONE AND TWO-STORY ADDITIONS EXCEEDING MORE THAN 50% OF THE EXISTING SQUARE FOOTAGE OF THE HOME. MINOR DEVIATIONS ARE REQUESTED 1) FOR THE EXISTING SINGLE STORY TO ENCROACH INTO THE REQUIRED SIDE SETBACK AND 2) FOR ENCROACHMENT INTO THE REQUIRED FRONT YARD WHICH DOES NOT PROJECT CLOSER TO THE PROPERTY LINE THAN THE FORWARDMOST BUILDING LINE AND TO DECREASE THE FRONT YARD AREA BY NOT MORE THAN 10%. A VARIANCE IS REQUESTED FOR THE EXISTING RESIDENCE TO ENCROACH INTO THE REQUIRED HEIGHT-TO-SETBACK RATIO.

Associate Planner Thom gave a brief Staff Report, as per written material, advised that there is a letter from the applicant on the dais and stated that Staff is in support of the application.

COMMISSIONER GOLIDA asked for clarification of the statement in the Staff Report that the view criteria appear to have been met. Associate Planner Thom explained that the criteria have met. However, the neighbor's concern has been given airing for discussion.

COMMISSIONER VANDEN BOS asked for further clarification of the statements that the neighborhood's view is not considered a protected view; however, in previous cases the View Protection Ordinance has been applied protecting the neighbor's primary view. Planning Director Wahba explained that the View Protection Ordinance should not be applied at all. Canyon pastoral views are more unique, open views (i.e., the George F. Canyon trail or the Chandler Preserve space).

COMMISSIONER REIN asked whether on projects with more than 50% remodel all current nonconforming conditions need to be brought into compliance. Planning Director Wahba explained that all nonconforming conditions have been brought into compliance, with the exception of the side yard setback, and the applicant has applied for a Minor Deviation for the nonconforming side yard setback and a Variance for the height-to-setback ratio.

CHAIRMAN O'DAY asked about the statistics and the calculation of the 30 feet in square footage of the remodel that is triggering the Variance finding for the added square footage over 50%. CHAIRMAN O'DAY also asked whether a lot that doesn't have a minimum lot width under the current zoning district qualifies for a Variance. There are a number of lots in the city that don't meet the criteria, and CHAIRMAN O'DAY is concerned about the precedent being set. Planning Director Wahba pointed out that there is also a bridle trail, which further reduces the usability of the width of the lot. Also, if the applicant kept the project under 50% added area, there would be no Variance request; however, there would be a number of other items that would remain nonconforming.

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

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

At CHAIRMAN O'DAY's invitation, Olympia Greer (architect at 80034 Camino Santa Elise, Indio) came forward and summarized the expansion. There was an attempt to minimize the expansion and preserve views as much as possible.

COMMISSIONER BAYER asked whether the Dapplegray Homeowner's Association has approved the project, and Ms. Greer responded that they had.

Andrew Power (applicant) came forward and discussed his family and their future needs in their home.

COMMISSIONER VANDEN BOS asked the architect to comment on the long exposed spaces and what she has done to break up the walls. Ms. Greer summarized her design process with this project.

CHAIRMAN O'DAY asked the architect about the possibility of reducing the project by 30 square feet, and Ms. Greer responded that the project has been reduced and is as small as it can get.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER GOLIDA
TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER REIN made general comments regarding homeowners/architects who frequently and consistently ignore community guidelines to follow ranch-style architecture. The style in the community cannot be defined clearly, and this project as presented is completely devoid of any ranch-style elements. The neighbor's concerns about the bulk of the project are not irrelevant. It is a small lot, and the house is crammed in. It is a disservice to all the neighbors to constantly build bigger and bigger houses on smaller lots. The authors of the Compatibility Ordinance intended to preserve the ranch-style architecture and equestrian lifestyle heritage of the City, not the architectural fads of the day.

COMMISSIONER VANDEN BOS pointed out some of the elements of the home that are ranch-style but also other Mediterranean elements, pushing the envelope. However, the design is very tasteful, and there are several similar houses that have been approved.

CHAIRMAN O'DAY agreed that this project is borderline. However, the Neighborhood Compatibility Ordinance talks about the other homes in the neighborhood, and the Dapplegray neighborhood has started to drift with a number of elements that the original designer of the neighborhood would never have considered. This home is not out of character for the neighborhood. A number of things could be incorporated into the Code to help protect the true ranch-style look and feel.

COMMISSIONER BAYER commented that there is a fine line between preserving the neighborhood and the homeowners' rights. It's unfortunate that the concerned neighbor isn't at the meeting, but this home is well designed, and the findings can be met.

Planning Director Wahba added that Staff spends a significant amount of time with the applicants to maintain ranch-style elements. However, the applicants come in with pictures of the neighborhood and what other homeowners have done. Direction from City Council is that homeowners should be given latitude as architecture and trends change. The process is a struggle. People remodeling are generally not in favor of small, single-story ranch-style homes that do not meet today's needs.

COMMISSIONER VANDEN BOS commented that there are small elements on this home that make it look Mediterranean and are the types of things that should be discouraged at the Staff level, such as arched windows.

COMMISSIONER BAYER moved, seconded by COMMISSIONER GOLIDA,

TO DIRECT STAFF TO BRING BACK A RESOLUTION APPROVING PA-36-07

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

9. COMMISSION ITEMS

COMMISSIONER BAYER commented that the holiday party was great.

COMMISSIONER REIN asked Staff about the Environmental Impact Report for the Silverdes Project. Planning Director Wahba explained the EIR process and the Commission briefly discussed the project and the public's concerns.

COMMISSIONER VANDEN BOS asked Staff about the status of the car wash, and Planning Director Wahba explained that the project is moving forward.

COMMISSIONER VANDEN BOS asked Staff when the entitlements will expire at the Chi property on Crest, and Planning Director Wahba explained that it is in the building permit phase, where the permit can be renewed.

10. DIRECTOR'S ITEMS

Planning Director Wahba advised the Commission that there is only one meeting in January, which will be on the 14th.

11. MATTERS OF INFORMATION

None.

12. ADJOURNMENT

At 8:25 p.m. CHAIRMAN O'DAY adjourned the Planning Commission meeting to January 14, 2007, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk