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REGULAR PLANNING MINUTES

AUGUST 20, 2007

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MINUTES

REGULAR PLANNING COMMISSION MEETING

AUGUST 20, 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 7:35 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by VICE CHAIRMAN VANDEN BOS.

2. **PLEDGE OF ALLEGIANCE**

VICE CHAIRMAN VANDEN BOS led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

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

4. **APPROVAL OF MINUTES**

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF AUGUST 6, 2007.

There being no objection, VICE CHAIRMAN VANDEN BOS 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. PLANNING APPLICATION NO. 27-07; APPLICANT: WACHOVIA; LOCATION: 4-A PENINSULA CENTER; A PRECISE PLAN OF DESIGN FOR A LOGO ON MULTIPLE BUSINESS ID SIGNS.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER GOLIDA,

TO APPROVE THE CONSENT CALENDAR.

AYES: Conway, Bayer, Golida, Vice Chairman Vanden Bos

NOES: None

ABSTAIN: None

ABSENT: Southwell, Rein, Chairman O'Day

Planning Director Wahba explained the 20-day appeal period.

7. BUSINESS ITEMS

- A. PLANNING APPLICATION NO. 28-07; APPLICANT: ROLLING HILLS COVENANT CHURCH; LOCATION: 735 SILVER SPUR ROAD; A PRECISE PLAN OF DESIGN TO MAKE EXTERIOR IMPROVEMENTS TO AN EXISTING CHURCH FACILITY, INSTALL NEW IDENTIFICATION SIGNS, AND REPLACE LANDSCAPING.

Planning Director Wahba gave a brief Staff Report, as per written material, and noted that staff and applicant have worked together for a few months, the plans are well done, and Staff is recommending approval.

At VICE CHAIRMAN VANDEN BOS' invitation, Nicos Katsellis (architect with Leo A Daly at 550 South Hope Street in Los Angeles) came forward as the project manager and advised the Commission that the only change is aesthetic.

COMMISSIONER CONWAY asked about the gate, and Mr. Katsellis responded that it is an existing lift.

COMMISSIONER BAYER commented that this is a great project.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE PA 28-07.

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

Planning Director Wahba explained the 20-day appeal period.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 25-07; APPLICANT: MR. LINO LAURO; LOCATION: 2649 PALOS VERDES DRIVE NORTH; A NEIGHBORHOOD COMPATIBILITY FOR A FIRST STORY ADDITION TO AN EXISTING SINGLE STORY RESIDENCE. A MINOR DEVIATION IS REQUIRED TO REDUCE THE FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS REQUIRED TO CONSTRUCT A GARAGE IN THE REQUIRED FRONT YARD BEYOND THE FORWARDMOST BUILDING LINE.

Assistant Planner Masters gave a brief Staff Report, as per written material, and stated that Staff is in support of the Neighborhood Compatibility, Minor Deviation and Variance and recommend approval with the condition that the applicant incorporate wood siding into the proposed additions.

VICE CHAIRMAN VANDEN BOS discussed with Staff the distance between the bay window and the neighbors next door.

COMMISSIONER GOLIDA asked whether staff had discussed with applicant the feasibility of relocating the garage to the west. Assistant Planner Masters responded that doing so would block the front entryway and represent a design issue with the floor plan. Planning Director Wahba added that turning the garage would create more noise and lights.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO OPEN THE PUBLIC HEARING.

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

At VICE CHAIRMAN VANDEN BOS' invitation, Lino Lauro (applicant) came forward and addressed the Commission. Mr. Lauro summarized the proposed addition, noting that

almost half of the property consists of front yard and is located on the busiest portion of PVDN with heavy traffic flow.

Keith and Nanette Watts (2641 PVDN) came forward and addressed the Commission with their concerns of loss of view and natural lighting and the possibility of additional weight adversely affecting the retaining wall that is already not properly footed. Mr. and Mrs. Watts suggested compromising by building the garage on the west side of the home (attached to the home with access straight in from the street), in which case the Watts would see a garage but not a stark wall.

COMMISSIONER CONWAY commented that is a significant request and would block access to the walkway to the front of the house, and cause a significant redesign.

VICE CHAIRMAN VANDEN BOS added that the retaining wall issue is in the purview of the county Building & Safety Department.

Mr. Lauro re-approached the Commission and stated that the Watts signed the plans two years ago and just became concerned within the last six weeks. Also, moving the garage to the far western portion of the property would require grading and tree removal and block access to the front of the home, forcing a significant redesign and increase in expense. Mr. Lauro advised the Commission that he offered to move the garage along the western wall, which was rejected by the Watts. The Watts would not be losing a scenic view, just a view of the Lauro front yard.

COMMISSIONER CONWAY suggested the new concerns arose due to the silhouettes that were put up four weeks ago.

VICE CHAIRMAN VANDEN BOS asked whether the offer to move the garage along the western wall was still good, and Mr. Lauro responded that would require tearing down a chimney and requesting a second Variance for front yard area.

Mr. Lauro added that he had a lighting study done, and it showed that there is no shadow until 5:15 or 5:30 in the evening, and with the western neighbor's large trees all lighting is blocked by 6:30 in the evening.

COMMISSIONER GOLIDA commented that this is an issue of looking at open space versus looking at wall, and this is not a view that is protected under the city's Municipal Code; however, there are considerations that the Commission does take into account.

Beth Lauro (applicant) came forward and stated the family's reasons for the addition and discussed their rights as property owners.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO CLOSE THE PUBLIC HEARING.

AYES: Conway, Bayer, Golida, Vice Chairman Vanden Bos

NOES: None

ABSTAIN: None

ABSENT: Southwell, Rein, Chairman O'Day

COMMISSIONER BAYER asked Staff whether the garage door is required to open from the side, and Planning Director Wahba responded that it is not, but it would give the project better architecture and is the best solution.

COMMISSIONER BAYER pointed out that coming straight out onto PVDN from the driveway during rush hour would be difficult.

VICE CHAIRMAN VANDEN BOS and Planning Director Wahba discussed the suggested fire-free roof.

COMMISSIONER BAYER expressed her empathy for the Watts; however, the view is not protected, and the owner has certain property rights.

COMMISSIONER CONWAY stated that the only guidance on the issues is under the third Variance finding, indicating that the Variance will not be materially detrimental to the public welfare or injurious to property improvements. The loss of that portion of the view would not be materially detrimental to the public welfare and would not be injurious

to property improvements. Thus, if the project is within setbacks, height limits and lot coverage, there is no basis to support the neighbor's concerns.

COMMISSIONER GOLIDA concurred with his fellow Commissioners, adding that view is a difficult issue when it doesn't fall into one of the categories listed in the Municipal Code, and the applicant doesn't have any choice for the driveway from a safety standpoint off of PVDN. The property owner should add onto their home as permitted under the Municipal Code, and Staff has done a good job supporting the findings.

VICE CHAIRMAN VANDEN BOS commented that there is a view protection ordinance within the city talking about proposed additions, to protect visual quality and not degrade highly scenic, natural or historic areas. The Planning Commission has consistently found this sort of view not to be highly scenic.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA 25-07 WITH THE CONDITION OUTLINED IN THE STAFF REPORT.

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

B. PLANNING APPLICATION NO. 26-07; APPLICANT: MR. DONOVAN IVAN; LOCATION: 29 STRAWBERRY LANE; A NEIGHBORHOOD COMPATIBILITY DETERMINATION IS REQUESTED FOR THE DEMOLITION OF A ONE-STORY RESIDENCE TO CONSTRUCT A NEW TWO-STORY RESIDENCE, NEW DRIVEWAY, AND ACCESSORY STRUCTURE IN THE REAR YARD. A MINOR DEVIATION IS REQUESTED FOR AN ENCROACHMENT INTO THE REQUIRED FRONT YARD WHICH DOES NOT PROJECT CLOSER TO THE PROPERTY LINE THAN THE FORWARDMOST ESTABLISHED BUILDING LINE. A GRADING APPLICATION IS REQUESTED FOR THE IMPORTATION/EXPORTATION OF EARTH MATERIALS GREATER THAN 20 CUBIC YARDS. A SPECIAL USE PERMIT IS REQUESTED FOR A 12' HIGH FENCE FOR A PADDLE TENNIS COURT ENCLOSURE IN THE REAR YARD.

Associate Planner Thom gave a brief Staff Report, as per written material, and suggested a resolution with conditions.

COMMISSIONER CONWAY asked Staff for the average square footage in the neighborhood, and Associate Planner Thom responded with 3,457 square feet.

COMMISSIONER GOLIDA asked Staff for the finding for scale, and Associate Planner Thom responded that there are some concerns with the scale because of the plate heights, but if the first and second story plate heights are reduced, the criteria should be met.

VICE CHAIRMAN VANDEN BOS and Planning Director Wahba discussed the recreation room and accessory building, and whether they are calculated as part of the residence and add to the size and bulk of the project.

COMMISSIONER BAYER and Associate Planner Thom discussed the discrepancy between the floor area calculations on the plans and on the project statistics sheet.

VICE CHAIRMAN VANDEN BOS asked when the city began evaluating Neighborhood Compatibility, and Planning Director Wahba responded that it was in the mid-1980s. COMMISSIONER BAYER then asked about the property on Empty Saddle, and Planning Director Wahba responded that it was done in the early 1980s.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER GOLIDA,

TO OPEN THE PUBLIC HEARING.

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

At VICE CHAIRMAN VANDEN BOS' invitation, Rand Relatores (architect with Rand Architecture at 26302 South Western Avenue in Lomita) came forward and summarized the project, adding that the project stayed within all guidelines and is well below the 25% lot coverage at 18.3%.

COMMISSIONER CONWAY asked about Staff's plate height recommendation, and Mr. Relatores responded that he didn't think it was a good idea. The rooms are large enough now and wouldn't feel comfortable spatially.

VICE CHAIRMAN VANDEN BOS and Mr. Relatores discussed the retaining wall, guesthouse/recreation room, paddle tennis court and grading.

Donovan Ivan (applicant) came forward and discussed the project further, adding his family's history in the city. The original proposal was 6,900 square feet (well within the 25% limit), but he has been working closely with Staff and making compromises, and the current proposal is 18.2%. The massing has scaled back, and the project has always been based on Neighborhood Compatibility. Strawberry Lane is a unique area with large lots. Everything follows code. Scale has to do with compatibility in the residential neighborhood but also within the whole of the rural character of the city, and there is a 2-page list of homes over 5,000 square feet, some on smaller lots.

Lemoure Eliasson (32 Pepper Tree Lane) came forward in support of the applicant. Pursuant to Neighborhood Compatibility, scale is addressed four ways. Several homes within the city and the immediate vicinity have homes 5,000 square feet and larger, and many larger homes in the city have smaller lots. Strawberry Lane has some of the largest lots in the city, and the attributes of this project minimize the scale. In a February 6, 2006, Planning Commission meeting, COMMISSIONER BAYER stated that the proposed plan of 5,300 square feet on a 20,000 square foot lot was the type of home that would be appropriate on Strawberry Lane. Several homes in Strawberry Lane appear overbuilt, including the surrounding residences. In addition to scale, the Neighborhood Compatibility ordinance also addresses natural amenities, style, privacy, landscaping, views, architecture and materials, which were all considered and met in the Staff Report. The proposed plan fully complies with all regulations and is supported by the neighbors and the homeowners association, it enhances the neighborhood and will be a win-win.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER CONWAY stated that he doesn't generally have a strong disfavor for large homes on large lots; however, of the 30 homes in the neighborhood only 7 are over 4,000 square feet and only 2 over 5,000 square feet. The Commission generally seeks to control mansionization of the neighborhoods, and this house would be close to the largest, but the other two are clustered around this one. The testimony was thorough and convincing, but the Commission is faced with 71% higher than average square footage in the neighborhood.

COMMISSIONER GOLIDA commented that the applicants did a wonderful and thorough job, but the Commission must interpret the ordinance and has a set of rules to follow. Strawberry Lane does have a unique character, and the setback from the street is convincing, but the proposed house is three times the size of the existing house. Making it the second largest house would contribute to setting a trend, and the Commission has to be conscious of that.

COMMISSIONER BAYER echoed the sentiments of her fellow Commissioners and added that she is concerned with the size and mansionization of the city, which has been happening in other communities. This proposal is not in keeping with other homes in the neighborhood. In addition to the house lot coverage, there is the recreation room, which has been called a guesthouse, and the size of the garage, which is a lot of coverage already on that lot. The design is beautiful but too big on Strawberry Lane.

VICE CHAIRMAN VANDEN BOS agreed that the applicant has done an excellent job representing his point of view. The design is tasteful. It's a large structure, but nobody's looking at that backyard. The retaining wall looks out of character. In the Neighborhood Compatibility ordinance, there is a study on the Strawberry Lane area, which includes a walking tour of the neighborhood and its compatible characteristics. The recent trend to completely tear down older homes and replace them with much larger homes has started a shift out of the traditional one-story homes, and mansionization is posing a threat. These changes detract from the rural feeling, if proper mitigation measures are not imposed. This is a 48,000 square foot lot, but it has a large slope. This project can be stepped back more to get it closer in line and not be constantly pushing the envelope.

Planning Director Wahba asked for guideline, and there was much discussion among Staff and the Commission as to square footage and possible guidelines and the possibility of denying the application and sending it to City Council.

COMMISSIONER GOLIDA moved, seconded by COMMISSIONER CONWAY,

TO RE-OPEN THE PUBLIC HEARING.

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

Mr. Ivan re-approached the Commission, and stated that he'd like to get approval with guidelines for working with Staff.

COMMISSIONER CONWAY clarified that administrative decision-making is done by Staff without guidance, and after those matters are complied with, the discretionary matters are handled by the Commission, which is made up of members of the community who try their best to apply their experiences and knowledge of land use and talk about discretionary issues. COMMISSIONER CONWAY suggested that the applicant get direction from the entire Commission, including the three not present tonight.

There was further lengthy discussion among Staff, the Commission and the applicant as to how to proceed with guidance.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO CONTINUE PA 26-07 TO A DATE UNCERTAIN TO ALLOW APPLICANT AND STAFF TO WORK TOGETHER TO COME UP WITH A PLAN THAT WILL MEET STAFF REQUIREMENTS OUTLINED IN THE STAFF REPORT AND ADDRESS THE SIZE AND MASSING OF THE HOUSE.

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

9. COMMISSION ITEMS

COMMISSIONER CONWAY asked about street sweeping on Larga Vista, and Planning Director Wahba responded that street sweeping is done on Thursdays (the day after trash pickup).

10. DIRECTOR'S ITEMS

Planning Director Wahba asked if all Commissioners would be in attendance on September 4, as there are pending cases but nothing to schedule, except one resolution. COMMISSIONER CONWAY responded that he would not be in attendance, and Planning Director Wahba recommended cancelling the meeting.

Planning Director Wahba advised the Commissioners of a first look meeting at 6:00 p.m. on August 28 in the Council Chambers and a September 11 workshop to meet with the Housing Element consultant at 6:00 p.m.

11. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES MINUTES (AUGUST 7, 2007).

B. CITY COUNCIL ACTIONS (AUGUST 14, 2007).

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,

TO RECEIVE AND FILE ITEMS 11A AND 11B.

There being no objection, VICE CHAIRMAN VANDEN BOS so ordered.

12. ADJOURNMENT

At 10:05 p.m. VICE CHAIRMAN VANDEN BOS adjourned the Planning Commission meeting to August 28, 2007 for the joint Planning Commission/City Council meeting at 6:00 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk