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**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**APRIL 16, 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 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, Conway, Vanden Bos, Bayer, Golida, Chairman O'Day  
Commissioners Absent: Rein  
Staff Present: Planning Director Wahba, Assistant Planner Masters

CHAIRMAN O'DAY welcomed Jay Golida to the Commission.

4. **APPROVAL OF MINUTES**

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF MARCH 5, 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. PLANNING APPLICATION NO. 04-07; APPLICANT: I SOLD IT ON EBAY; LOCATION: 50E PENINSULA CENTER; A PRECISE PLAN OF DESIGN FOR A LOGO ON A BUSINESS IDENTIFICATION SIGN AND ON A BLADE SIGN.
- C. QUARTERLY CODE ENFORCEMENT REPORT.

COMMISSIONER VANDEN BOS moved the Quarterly Code Enforcement Report item "6 C" to Business Items for a question.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE REMAINDER OF THE CONSENT CALENDAR.

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

Planning Director Wahba explained the 20-day appeal period for item 6 B.

7. BUSINESS ITEMS

6 C. QUARTERLY CODE ENFORCEMENT REPORT.

COMMISSIONER VANDEN BOS asked Staff to elaborate on the resolution of the Linares Property.

Planning Director Wahba explained that the item has not been resolved, and there will be another court date in early July.

COMMISSIONER BAYER asked about the Bluemound Property, and Planning Director Wahba explained that it was pulled out of Code Enforcement because the property owner is working with Staff.

COMMISSIONER BAYER moved, seconded by COMMISSIONER VANDEN BOS,  
TO RECEIVE AND FILE THE QUARTERLY CODE ENFORCEMENT REPORT.

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

- A. PLANNING APPLICATION NO. 09-07; APPLICANT: ANTHONY & LEAH MAES; LOCATION: 42 ENCANTO DRIVE; A NEIGHBORHOOD COMPATIBILITY FOR SINGLE STORY ADDITIONS AT THE FRONT AND REAR OF A SINGLE STORY HOME. MINOR DEVIATIONS ARE REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10% AND TO EXCEED LOT COVERAGE BY LESS THAN 10%. A GRADING APPLICATION IS REQUIRED TO IMPORT 157 CUBIC YARDS OF EARTH FOR CONSTRUCTION OF A 5' RETAINING WALL.

Assistant Planner Masters gave a brief Staff Report, as per written material, and recommend approval as proposed.

COMMISSIONER VANDEN BOS pointed out an error with the report referencing maintaining a wedding cake design.

COMMISSIONER CONWAY asked for clarification of whether the Neighborhood Compatibility Determination for natural amenities was met, and Assistant Planner Masters stated that it had been met.

COMMISSIONER O'DAY asked whether the project will go through geotechnical review, and Planning Director Wahba explained that it will go through County Building & Safety.

COMMISSIONER GOLIDA asked for the average square footage in the area, and Planning Director Wahba advised that the average in the neighborhood is about 2,500 square feet.

At CHAIRMAN O'DAY's invitation, Curt Dittman (5117 Macafee Road, Torrance) came forward on behalf of the applicant. Mr. Dittman explained that there is no view or privacy impact.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,  
TO APPROVE PA-04-07.

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

Planning Director Wahba explained the 20-day appeal period.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 06-07; APPLICANT: MS. SYLVIA LITTY;  
LOCATION: 79 BUCKSKIN LANE; A SPECIAL USE PERMIT TO MAINTAIN  
FIVE HORSES IN LIEU OF THE CODE-PERMITTED TWO.

Assistant Planner Masters gave a brief Staff Report, as per written material, and advised that the lot square footage has been updated to 20,731, which allows for 4 horses. Staff recommended approval as proposed and provided recently received letters from neighbors to the Commission.

COMMISSIONER GOLIDA asked whether there is a time restriction and whether conditions can be imposed on a Special Use Permit, and Planning Director Wahba explained the process.

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

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

At CHAIRMAN O'DAY's invitation, applicant Sylvia Litty came forward and stated that she was not aware of the violation until she received a notice and immediately complied by removing a horse. Ms. Litty also addressed the Association's issues.

Sherie Keller (25421 Cypress Street, Lomita) came forward in support of the application. Ms. Keller is one of the boarders on Ms. Litty's property, and she explained the events that led up to conflicts on this matter.

Theresa Bateman (62 Strawberry Lane) came forward in support of the application. Ms. Bateman brought pictures of the Litty property representing how it is maintained.

Anne Edmisten (48 Dapplegray Lane) came forward in support of the application. Ms. Edmisten is a previous boarder at the Litty residence.

Jerry Gliksman (87 Dapplegray Lane) came forward on behalf of the Dapplegray Lane Property Owners Association in opposition to the application. Mr. Gliksman presented the Association's concerns related to boarder confrontations with neighbors, parking, traveling over the trails with vehicles and consistency of approval or denial among all similar applications.

Kirk Retz came forward as President of the Association in opposition to the application. Mr. Retz elaborated on the confrontation issue and vehicle traffic on the trails. The Association vote was unanimous against the increase of boarders and against the increase of a permit.

CHAIRMAN O'DAY advised Mr. Retz that the issue of boarders is not something the Commission has jurisdiction over, and those statutes should be addressed with City Council.

Kathy Gliksman (87 Dapplegray) came forward on behalf of the Association's Trail Committee in opposition to the application and asked that the Commission abide by the City statutes for all residents.

Virginia Geresh (83 Buckskin Lane) came forward in opposition to the application and asked the Commission to uphold the ordinance. Ms. Geresh is concerned with a snowball effect and parking and traffic for outside services.

Bill Fox (64 Dapplegray) came forward in opposition to the application. Mr. Fox expressed his concerns with future similar applications if this application is approved.

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

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

COMMISSIONER CONWAY pointed out that the property is well maintained, and the homeowner has a history of five horses. However, the parking and traffic noise and dust conflicts increase with the number of horses.

COMMISSIONER BAYER agreed with COMMISSIONER CONWAY and added that the five horses have not previously been an issue over the last 20 years. Some of the concerns are petty, and unwarranted conflict could be controlled with cooperation on both sides. The city would like to keep Rolling Hills Estates a horse property community.

COMMISSIONER VANDEN BOS added that the lot is well laid out for hoses and provides easy access in and out to the trails. Dapplegray is a perfect place to have a horse and to bring a horse to. This property is perfectly well designed to support five horses.

COMMISSIONER SOUTHWELL stated that the lot size barely meets the threshold for four horses. However, the property owners have been maintaining this property for 30 years with five horses and no complaints until six months ago.

COMMISSIONER GOLIDA agreed with COMMISSIONER VANDEN BOS that it is a case-by-case analysis and would like to add the condition that the applicant inform and enforce with her boarders the Association's requirements regarding pickups and deliveries.

CHAIRMAN O'DAY commented that the statute is clear on the number of horses allowed and is a legal right. The Special Use Permit would be outside of that scope and can have conditions associated with it. The detriment to public welfare or injurious to properties could be mitigated with a condition. However, the due consideration finding cannot be met because of opposition from the neighbors and suggested continuing the item for the parties to work together and discuss options.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER BAYER,

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA 06-07  
WITH THE CONDITION THAT ALL DELIVERIES AND PICKUPS BE MADE  
CONCURRENTLY FOR ALL FIVE STALLS AND COMPLY WITH ALL  
ASSOCIATION RULES.

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

Planning Director Wahba explained the 20-day appeal period.

B. PLANNING APPLICATION NO. 07-07; APPLICANT: MR. & MRS. JOHN VISSERS; LOCATION: 29 HARBOR SIGHT DRIVE; A NEIGHBORHOOD COMPATIBILITY FOR SINGLE STORY ADDITIONS TO A SINGLE-STORY HOME. MINOR DEVIATIONS ARE REQUIRED FOR ENCROACHMENT INTO THE REQUIRED FRONT YARD AND TO EXCEED LOT COVERAGE BY LESS THAN 10%. A VARIANCE IS REQUIRED TO ENCROACH INTO THE HEIGHT-TO-SETBACK RATIO.

Assistant Planner Masters gave a brief Staff Report, as per written material, and advised that Staff is not in support of the height-to-setback ratio.

COMMISSIONER VANDEN BOS asked why the application does not comply, and Staff and Commissioners discussed the noncompliance.

COMMISSIONER BAYER moved, seconded by COMMISSIONER GOLIDA,

TO OPEN THE PUBLIC HEARING.

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

At CHAIRMAN O'DAY's invitation, applicant John Visser came forward, summarized the project and provided the Commission with letters in support of the project.

COMMISSIONER VANDEN BOS asked for clarification of why the variance is needed and suggested that there are no exceptional and extraordinary circumstances or conditions of the property, and other options available to the applicant.

Staff, Commissioners and applicant discussed possible options.

Architect Bob Garstein (2175 W. 236th Street) came forward on behalf of the applicant and further discussed options with the Commission.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,

TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE PA-07-07 WITHOUT THE VARIANCE ON THE CONDITION THAT THE APPLICANT WORK WITH STAFF TO RESOLVE THE HEIGHT-TO-SETBACK RATIO.

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

Planning Director Wahba explained the 20-day appeal period.

C. PLANNING APPLICATION NO. 08-07; APPLICANT: TORRANCE MEMORIAL MEDICAL CENTER; LOCATION: 65 PENINSULA CENTER; A CONDITIONAL USE PERMIT FOR A BREAST DIAGNOSTIC CENTER.

Assistant Planner Masters gave a brief Staff Report, as per written material, and provided the Commission with a letter recently received.

COMMISSIONER CONWAY and CHAIRMAN O'DAY asked about the limits imposed on the number of patients and hours of operation. Planning Director Wahba suggested that some extra leeway be added.

COMMISSIONER GOLIDA asked about additional handicapped parking requirements, and Planning Director Wahba advised no additional spaces would be required.

COMMISSIONER BAYER asked about possible radiation, and Planning Director Wahba advised that would be part of the plan check and also referenced in the CUP resolution.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,

TO OPEN THE PUBLIC HEARING.

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

At CHAIRMAN O'DAY's invitation, Michael Thomas (3330 Lomita Boulevard, Torrance) came forward on behalf of the applicant and summarized the project and the use of the project.

Janice Scott (44 Peninsula Center) came forward in support of the application. Ms. Scott is the Director of Property Management and explained the handicapped parking requirements.

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

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

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,  
TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA-08-07, INCLUDING SPECIAL CONDITIONS OUTLINED IN THE STAFF REPORT WITH THE NUMBER OF PATIENTS INCREASED TO 100 PER DAY AND THE HOURS OF OPERATION BE EXTENDED TO 7:00 PM AND AN ADDITIONAL CONDITION OF APPROPRIATE MEASURES TO PROTECT THE COMMUNITY FROM RADIATION, AS REQUIRED BY THE PHYSICIST REPORT,

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

Planning Director Wahba explained the 20-day appeal period.

D. PLANNING APPLICATION NO. 10-07; APPLICANT: MR. & MRS. WALLACE KREAG; LOCATION: 2715 PALOS VERDES DRIVE NORTH; A NEIGHBORHOOD COMPATIBILITY TO CONSTRUCT A GUEST HOUSE AND TENNIS COURT IN THE FRONT YARD. A SPECIAL USE PERMIT IS REQUIRED FOR A RECREATIONAL FENCE GREATER THAN 6' IN HEIGHT. A GRADING APPLICATION IS REQUIRED TO ACCOMMODATE THE PROPOSED TENNIS COURT AND GUEST HOUSE. VARIANCES ARE REQUIRED TO CONSTRUCT A STRUCTURE IN THE REQUIRED FRONT YARD, TO CONSTRUCT A RECREATIONAL ENCLOSURE GREATER THAN 24" IN HEIGHT, AND TO EXCEED ALLOWABLE FRONT YARD COVERAGE.

Assistant Planner Masters gave a brief Staff Report, as per written material, and recommended continuing the application.

COMMISSIONER VANDEN BOS and Assistant Planner Masters discussed the front yard coverage calculations.

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

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

At CHAIRMAN O'DAY's invitation, landscape architect Daniel Weedon (1216 Elm Street, Venice) came forward on behalf of the applicant and provided a colored plan to the Commission and letters in support of the project. Mr. Weedon summarized the project and addressed drainage, view and noise issues.

COMMISSIONER VANDEN BOS discussed tennis court sloping and possibly moving the tennis court back with Mr. Weedon.

Applicant Debbie Kreag came forward and addressed the issues in opposition to the project.

Carrie Welch (2679 Palos Verdes Drive North) came forward in opposition to the project and discussed the aesthetic issues and noise issues with respect to horsemanship safety.

Lou Aguilar (2679 Palos Verdes Drive North) came forward in opposition to the project. Mr. Aguilar objected to the aesthetics of the chain-link fence and the additional horse spooking hazard presented.

Kirk Retz came forward as President of the Dapplegray Association in opposition to the application. Mr. Retz discussed equine law and the City's potential liabilities.

Sheryl Steckel (3 Strawberry Lane) came forward in support of the project. Ms. Steckel is an avid horsewoman and advised the Commission that she regularly rides past tennis courts without issue.

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

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

COMMISSIONER CONWAY stated that the application wouldn't respect the natural topography and neighborhood character, the Special Use Permit could not be mitigated in regard to impact to public welfare and injuries to adjoining property owners, and there will be privacy and noise issues.

COMMISSIONER VANDEN BOS agreed, adding that there are several potential solutions available to the applicant for beautiful use of the property.

COMMISSIONER BAYER also agreed and stated that the specific findings cannot be met for the variances requested, and attempting to camouflage the tennis court would require massive greenery.

COMMISSIONER SOUTHWELL added that the tennis court cut and fill will change the topography at an unacceptable level.

COMMISSIONER GOLIDA concurred, stating that there is a challenge to balance the private right to have a tennis court on the property, as well as the interest of the horse overlay community. Noise and shade and shadow studies may need to be conducted.

CHAIRMAN O'DAY also agreed and pointed out that the guest house has gone unmentioned on. The lot is not conducive to a tennis court.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER CONWAY,  
TO CONTINUE PA-10-07 TO A DATE UNCERTAIN TO ALLOW STAFF TO  
WORK WITH THE APPLICANT TO ADDRESS THE ISSUES DISCUSSED IN  
THE REPORT WITH DIRECTION GIVEN BY THE COMMISSION.

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

9. COMMISSION ITEMS

COMMISSIONER BAYER stated that Planner's Institute was a great conference, and she got a lot out of it.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES MINUTES (MARCH 20, 2007).

B. CITY COUNCIL ACTIONS (MARCH 27, 2007).

C. CITY COUNCIL ACTIONS (APRIL 10, 2007).

COMMISSIONER VANDEN BOS moved, and COMMISSIONER CONWAY seconded,

TO RECEIVE AND FILE ITEMS 12A THROUGH 12C.

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

12. ADJOURNMENT

At 11:00 p.m. CHAIRMAN O'DAY adjourned the Planning Commission meeting to April 30, 2007, at 7:30 p.m.

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Julie Cremeans  
Minutes Secretary

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Douglas R. Prichard  
City Clerk