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REGULAR PLANNING MINUTES

OCTOBER 20, 2008

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**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**OCTOBER 20, 2008**

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 VICE CHAIRWOMAN BAYER.

2. **PLEDGE OF ALLEGIANCE**

COMMISSIONER SCOTT led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

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

4. **APPROVAL OF MINUTES**

COMMISSIONER GOLIDA noted that on pages three and four, the voting shows him both as "AYES" and "ABSENT." The minutes will be corrected to remove COMMISSIONER GOLIDA from the "AYES" votes on those pages.

COMMISSIONER SCOTT moved, seconded by COMMISSIONER O'DAY,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF SEPTEMBER 15, 2008 WITH CORRECTIONS.

There being no objection, VICE CHAIRWOMAN BAYER so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

A. QUARTERLY CODE ENFORCEMENT REPORT.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,

TO APPROVE THE CONSENT CALENDAR.

There being no objection, VICE CHAIRWOMAN BAYER so ordered.

7. **BUSINESS ITEMS**

A. PLANNING APPLICATION NO. 26-08; APPLICANT: THE PROMENADE (STOLTZ MANAGEMENT); LOCATION: 550 DEEP VALLEY DRIVE; A PRECISE PLAN OF DESIGN TO AMEND THE MASTER SIGN PLAN FOR THE PROMENADE OF THE PENINSULA.

Associate Planner Thom gave a brief Staff Report, as per written material, and recommended approval.

COMMISSIONER O'DAY asked what else is under review by the Planning Department with this project, and Planning Director Wahba summarized the activities, including an upcoming joint meeting between the Planning Commission and City Council.

At VICE CHAIRWOMAN BAYER'S invitation, Chuck Eldred (Operations Manager) came forward and discussed the sign package.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER GOLIDA,  
TO APPROVE PA-26-08.

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

Planning Director Wahba explained the 20-day appeal period.

B. MR. & MRS. ROBERT COLLINS; LOCATION: 4 RANCHVIEW ROAD; A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A FIRST STORY ADDITION AT THE FRONT, SIDE AND REAR OF AN EXISTING SINGLE STORY RESIDENCE. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%. NOTE: THIS APPLICATION REPLACES PA-25-06, WHICH WAS APPROVED BY THE PLANNING COMMISSION ON FEBRUARY 20, 2007.

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

COMMISSIONER SCOTT asked why the previously approved project didn't move forward, and Assistant Planner Masters explained that there would have been significant foundation work, and in order to stay within budget the applicants have decided to use the current foundation and add a basement instead of going up.

At VICE CHAIRWOMAN BAYER'S invitation, Elizabeth and Robert Collins (applicants) came forward and added that with the previous application there were some issues with neighbors and with this current application there are no issues.

VICE CHAIRWOMAN BAYER asked whether the applicant had considered moving the garage, and Ms. Collins responded that it would be too costly and complicated with grading issues.

COMMISSIONER REIN moved, seconded by COMMISSIONER O'DAY,

TO APPROVE PA-27-08 WITH CONDITIONS AS DEFINED BY THE PLANNING DEPARTMENT.

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

Planning Director Wahba explained the 20-day appeal period.

C. MR. & MRS. RICHARD LUNDQUIST; LOCATION: 11 CELESTE PLACE; A GRADING APPLICATION TO CUT AND FILL 167 CUBIC YARDS OF EARTH MATERIAL AS PART OF A REAR YARD LANDSLIDE REPAIR AT 11 CELESTE PLACE, AND 16 & 18 VISTA REAL DRIVE.

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

COMMISSIONER SCOTT advised Staff that this project is in his neighborhood but probably outside of 500 feet and asked whether he should abstain. Planning Director Wahba advised that the Code does not require notification for grading applications, but if the project is in his neighborhood and impacts his property by an amount greater than \$10,000, he can use that criteria to opt out of voting. COMMISSIONER SCOTT stated that it does not impact him and is a slope issue that is common to the community, and there is no reason to recuse himself.

COMMISSIONER GOLIDA asked how long the slope had been in this condition, and Assistant Planner Masters responded that it has probably been several years. COMMISSIONER GOLIDA then further asked whether the work at 9 Celeste had been done, and Assistant Planner Masters responded that it has been done and was successful.

COMMISSIONER O'DAY asked for clarification of the involvement and the rights of 16 and 18 Vista Real in conjunction with this project.

AT VICE CHAIRWOMAN BAYER'S invitation, Richard Lundquist (applicant) came forward and explained the involvement of 16 and 18 Vista Real, the history of the project and the insurance issues.

VICE CHAIRWOMAN BAYER asked whether the Commission should only be concerned with the grading application, with other issues being addressed by Building & Safety.

COMMISSIONER O'DAY, the applicant and Staff discussed the retaining wall and whether it would be exposed and how much excavation would ultimately be exported.

VICE CHAIRWOMAN BAYER agreed that there are unanswered questions but asked whether the Commission needed to be concerned with those questions. Planning Director Wahba suggested that the Commission continue the application in order to have answers to these questions.

COMMISSIONER REIN suggested that an engineering report be required, as there is not enough information to approve the project, and it should be looked at in more depth. Planning Director Wahba then clarified that the Planning Commission's review is only germane to the aesthetics, impacts to neighbors, landscaping, etc., and that Building & Safety reviews the engineering report.

COMMISSIONER O'DAY agreed that it would be a fair request to require more information regarding the visual impacts and the quantity of dirt that will be leaving the site.

Mr. Lundquist suggested that the Commission approve the project because this is a serious matter, and it's getting later in the year. The details should be left to the Planning and Building Departments.

COMMISSIONER SCOTT pointed out to the Commission that the applicant's concern is that the neighbor's hill has fallen away from his property, leaving him exposed for lack of support. If the Commission imposes a 6' visual restriction, and the neighbors won't participate, it can't be done to support the pool and the yard as it existed before the slippage, and that leaves the entire yard subject to subsidence going into a rainy season.

Planning Director Wahba agreed and stated that a Variance would be required if the exposed portion of the retaining wall exceeded 5' in height.

COMMISSIONER SCOTT further asked about what the edge of the Lundquist yard looks like from below and above. Assistant Planner Masters responded that the drop is all on 18 Vista Real, not adjacent to the proposed retaining wall which is on Celeste.

COMMISSIONER GOLIDA asked how long the project would take, and the applicant was not sure of the timetable.

COMMISSIONER O'DAY commented to the applicant that he appreciates the urgency of the matter but wants to make sure it's done right. The applicant agreed that all parties want to make sure it's done right.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER REIN,

TO CONTINUE PA-28-08 TO THE NEXT PLANNING COMMISSION MEETING TO ALLOW TIME FOR STAFF TO GATHER ADDITIONAL INFORMATION REGARDING: 1) THE GRADING FOR THE PYLONS, 2) WHETHER THERE IS ANY AMOUNT OF THE RETAINING WALL THAT WOULD BE VISUALLY EXPOSED THAT WOULD EXCEED THE LIMITS UNDER THE CODE, 3) THE IMPACT TO THE NEIGHBOR AT 16 VISTA REAL, AND 4) A TIMETABLE FOR THE REPAIRS.

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

8. PUBLIC HEARINGS

NONE.

9. COMMISSION ITEMS

COMMISSIONER O'DAY asked for an update on the property at the corner of Conestoga and Estribo Drives, and Planning Director Wahba responded that the permits and entitlements have all expired, so the substandard section of the Code will be looked at and Code Enforcement will continue on the property.

COMMISSIONER BAYER asked about the repairs of the landslide at Foxpoint and Silver Spring landslide and whether grading applications were required. Planning Director Wahba responded that it went straight to Building & Safety, as it was just one property impacted, and it was treated as an emergency repair situation with no changes such as a new retaining wall.

10. DIRECTOR'S ITEMS

Planning Director Wahba advised the Commissioners that if they're interested in the Planning Commission training session coming up, they should let him know.

11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES (SEPTEMBER 16, 2008).
- B. PARK AND ACTIVITIES MINUTES (OCTOBER 7, 2008).
- C. CITY COUNCIL ACTIONS (SEPTEMBER 9, 2008).
- D. CITY COUNCIL ACTIONS (SEPTEMBER 23, 2008).
- E. CITY COUNCIL ACTIONS (OCTOBER 14, 2008).

COMMISSIONER O'DAY moved, and COMMISSIONER GOLIDA seconded,

TO RECEIVE AND FILE ITEMS 11A through E.

There being no objection, VICE CHAIRWOMAN BAYER so ordered.

12. ADJOURNMENT

At 8:13 p.m. VICE CHAIRWOMAN BAYER adjourned the Planning Commission meeting to November 3, 2008, at 7:30 p.m.

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Julie Cremeans  
Minutes Secretary

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Douglas R. Prichard  
City Clerk