

INDEX

REGULAR PLANNING MINUTES

FEBRUARY 4, 2008

<u>PAGE</u>	<u>SUBJECT</u>
1	<u>CALL MEETING TO ORDER</u> <u>PLEDGE OF ALLEGIANCE</u> <u>ROLL CALL</u> <u>PLANNING COMMISSION REORGANIZATION</u> <u>APPROVAL OF MINUTES (January 14, 2008)</u> <u>AUDIENCE ITEMS</u> <u>CONSENT CALENDAR</u> 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.
1-2	<u>BUSINESS ITEMS</u> A. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES (PA-33-07), GRANTING A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A ONE-STORY ADDITION TO A SINGLE STORY RESIDENCE; A MINOR DEVIATION TO CONTINUE A LEGAL NON-CONFORMING SIDE YARD SETBACK; AND VARIANCES TO 1) DECREASE THE FRONT YARD AREA BY GREATER THAN 10%; AND 2) ENCROACH INTO THE REQUIRED HEIGHT-TO-SETBACK RATIO; APPLICANT: MR. & MRS. WARREN ARATA; LOCATION: 5185 BLUEMOUND ROAD.
2-4	<u>PUBLIC HEARINGS</u> A. PLANNING APPLICATION NO. 16-07; APPLICANT: TED WYNNE; LOCATION: 927 DEEP VALLEY DRIVE; A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A 75-UNIT CONDOMINIUM PROJECT IN THE COMMERCIAL GENERAL (C-G)/MIXED USE OVERLAY ZONE; A PRECISE PLAN OF DESIGN FOR SITE AND BUILDING IMPROVEMENTS INCLUDING DEMOLITION OF EXISTING ON-SITE IMPROVEMENTS AND CONSTRUCTION OF CONDOMINIUMS AND 2,000 SQUARE FEET OF FLEX SPACE; TENTATIVE TRACT MAP NO. 67528 FOR A ONE-LOT SUBDIVISION FOR THE SALE OF CONDOMINIUMS; A GRADING PLAN AND A MITIGATED NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), FINDING THAT THE PROJECT, WITH MITIGATION MEASURES, WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT. <u>COMMISSION ITEMS</u>
5	<u>DIRECTOR'S ITEMS</u> <u>MATTERS OF INFORMATION</u> A. Park and Activities Minutes (January 15, 2008). B. City Council Actions (January 22, 2008). <u>ADJOURNMENT</u>

MINUTES

REGULAR PLANNING COMMISSION MEETING

FEBRUARY 4, 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 7:31 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by CHAIRMAN VANDEN BOS.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

Commissioners Present: Southwell, Conway, Bayer, Rein, Golida, Chairman
Vanden Bos
Commissioners Absent: O'Day
Staff Present: Planning Director Wahba, Senior Planner Cutler
City Consultants Present: Deborah Pracilio, LSA Associates, Inc.; Traffic Engineer
Erik Zandvliet

4. **PLANNING COMMISSION REORGANIZATION**

5. **APPROVAL OF MINUTES**

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION
MEETING OF JANUARY 14, 2008.

There being no objection, CHAIRMAN VANDEN BOS so ordered.

6. **AUDIENCE ITEMS**

None.

7. **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.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE CONSENT CALENDAR.

There being no objection, CHAIRMAN VAN DEN BOS so ordered.

8. **BUSINESS ITEMS**

A. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES (PA-33-07), GRANTING A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A ONE-STORY ADDITION TO A SINGLE STORY RESIDENCE; A MINOR DEVIATION TO CONTINUE A LEGAL NON-CONFORMING SIDE YARD SETBACK; AND VARIANCES TO 1) DECREASE THE FRONT YARD AREA BY GREATER THAN 10%; AND 2)

ENCROACH INTO THE REQUIRED HEIGHT-TO-SETBACK RATIO;
APPLICANT: MR. & MRS. WARREN ARATA; LOCATION: 5185 BLUEMOUND
ROAD.

COMMISSIONER CONWAY MOVED, SECONDED BY COMMISSIONER GOLIDA,

TO CONTINUE RESOLUTION PA-33-07 TO THE NEXT PLANNING
COMMISSION AGENDA OF FEBRUARY 19, 2008.

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

9. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 16-07; APPLICANT: TED WYNNE; LOCATION:
927 DEEP VALLEY DRIVE; A REQUEST FOR A CONDITIONAL USE PERMIT
TO ALLOW A 75-UNIT CONDOMINIUM PROJECT IN THE COMMERCIAL
GENERAL (C-G)/MIXED USE OVERLAY ZONE; A PRECISE PLAN OF DESIGN
FOR SITE AND BUILDING IMPROVEMENTS INCLUDING DEMOLITION OF
EXISTING ON-SITE IMPROVEMENTS AND CONSTRUCTION OF
CONDOMINIUMS AND 2,000 SQUARE FEET OF FLEX SPACE; TENTATIVE
TRACT MAP NO. 67528 FOR A ONE-LOT SUBDIVISION FOR THE SALE OF
CONDOMINIUMS; A GRADING PLAN AND A MITIGATED NEGATIVE
DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA), FINDING THAT THE PROJECT, WITH MITIGATION MEASURES,
WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

Senior Planner Cutler gave a brief Staff Report, as per written material, and advised that Staff is preparing a response to comments document, including the review of further information from the applicant's biologist and traffic engineer. Staff recommends continuing the public hearing to the meeting of February 19, 2008.

COMMISSIONER CONWAY asked about the timing for completion of the ESA prior to issuing of the grading or building permit, and requested that the ESA be completed prior to the demolition permit. Deborah Pracilio, LSA Associates, responded that it could be modified to state prior to a grading, building or demolition permit.

COMMISSIONER CONWAY asked questions regarding surface runoff in an effort to assure that demands are not increased on the storm drain infrastructure and asked that Ms. Pracilio return to the next meeting with clarification as to whether there will be additional runoff.

COMMISSIONER CONWAY further asked about the hydrology mitigation measure to provide for appropriate permanent measures to reduce storm water pollutant loads and storm water from the development of the site and whether such measures have already been established. Ms. Pracilio will respond to this issue at the next meeting.

CHAIRMAN VANDEN BOS asked about the five intersections reviewed in the traffic study versus the broader range of intersections reviewed as part of the Village Overlay plan and individual projects. Traffic Engineer Zandvliet responded that the distribution of trips is particular on a case-by-case basis, and in this case the net number of trips of the five direct distributions away from the project are negative, so expanding out from those intersections is unnecessary.

CHAIRMAN VANDEN BOS then questioned the outbound trip generation determination that 0% of the people leaving the project will go down Silver Spur Road beyond Hawthorne, and Traffic Engineer Zandvliet confirmed the correctness of that determination because this is a residential type of use.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO OPEN THE PUBLIC HEARING.

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

At CHAIRMAN VANDEN BOS' invitation, Ted Wynne (applicant) came forward and expressed his appreciation to Staff and introduced the team of available experts.

Randy Morris (Architect at 2104 Via Acalones, Palos Verdes Estates) came forward and outlined the details of the project. The project has no Variances and meets or exceeds all City planning code requirements in all aspects.

Richard Barretto (Traffic Engineer with LLG Engineers, 1580 Corporate Drive, Costa Mesa) came forward and summarized the May 2007 traffic study and its methodology, which considered the direct impact on this project, as well as the cumulative impacts over 20 projects in RPV and RHE. Individually or cumulatively, the project doesn't trip any thresholds outlined within the city's criteria establishing level of significance.

COMMISSIONER BAYER asked about the current use of the building, how many offices are in that building and whether the study took them into consideration with the number of trips generated each day from a commercial building versus a residential facility. Mr. Barretto responded that the study used trip generation rates published in the ITE trip generation manual, and fewer trips will be generated per day with a residential building than a commercial building.

COMMISSIONER SOUTHWELL asked whether a sensitivity analysis was performed, and Mr. Barretto responded that trip generation for residential uses are based on the number of dwelling units, not the density of residents.

CHAIRMAN VANDEN BOS asked how many standards there are in the industry for determining trip generations and the differences in methodologies, and Mr. Barretto outlined various standards.

COMMISSIONER CONWAY asked whether there were any intersection studies of an LOS C, D, E or F that had been negatively impacted by this development to any degree. Mr. Barretto responded that the project's increment does not change significantly.

COMMISSIONER CONWAY further asked whether if 100% of the vehicles continued along Silver Spur across Hawthorne, that would have a significant impact on the following intersection at Silver Spur and Palos Verdes Drive North. Mr. Barretto responded that it would not.

Samuel Reed (Biologist with TERACOR Resource Management, 28999 Old Town Front Street, Temecula) came forward and spoke about the biological assessment of the property and made some clarifications. Mr. Reed also responded to the comment letter received by Julie Reynolds. There were no monarch butterflies onsite during a recent revisit on February 2, 2008, and there has not been any evidence of raptor nesting on the property.

COMMISSIONER CONWAY asked Mr. Reed to confirm that there were no sensitive species, either floral or animal, identified on the project, and Mr. Reed did confirm that fact and that there is no potential for them to occur.

Scott Anastasi (Marketing Consultant at 1031 4th Street, Hermosa Beach) came forward and discussed the buyer profile for the community. The predominate buyer profile would be a senior buyer or empty-nester. Next would be single professionals and then young couples.

Lisa Counts (Urban Planner at 4979 Silver Arrow Drive, RPV) came forward and expressed her excitement to see quality mixed-use development occurring in the Peninsula district, adding life and energy to an area that desperately needs it. Ms. Counts addressed the arguments against the project, which are the fear of increased development in a commercial district and the impacts it might have on traffic, parking and pollution. A regional shopping mall has been built in an area where the region is small and isolated, and the mall and other businesses struggle to survive.

Additional development will begin to bring more life to the Peninsula Center commercial district and revitalize the district. The project will not have a significant impact on the nearby intersections and places no pressure on available street parking. The new development replaces an older, energy-inefficient building with the latest green building design.

CHAIRMAN VANDEN BOS asked about the reduction on the carbon footprint and pollution pointed out by Ms. Counts and given that the current office tenants will probably continue to provide the same services somewhere else in the community, whether there is really less traffic and pollution generated.

Brian Wynne (of Wynne Development Company at 927 Deep Valley Drive) came forward and stated that some tenants will stay within the city, some will move to Torrance and some will retire or close.

Mr. Barretto expanded further, stating that some traffic will disappear, some will get redirected within the city and some will get redirected out of the city. In such redirections to different uses, those uses have already been evaluated and the impacts associated with those trips already accounted for or will be evaluated if it is a new project.

COMMISSIONER GOLIDA added that these may be speculative issues and are not beneficial when looking at a project and strict interpretation under CEQA. If any of the tenants do move to a new project, then that impact will be evaluated in conjunction with that project. Also, carbon footprints are not currently an impact analyzed under CEQA.

Barry Cossette came forward in support of the project, stating that the developers have met all City rules, and the application should be approved.

Robert Visser (27105 Diamondhead Lane) stated that he is looking forward to living in the Mediterranean Village project and walking to the post office, doctor, library and theater and never use his car.

Mike Giglia (11 Golden Spar Place) came forward as a resident and merchant and stated that he would like to see more business and vitality in the downtown area. There is a current impact on his restaurant (Mike's Brickwalk Café) parking by workers in the medical buildings, and he is looking forward to having residents who can walk to the restaurant.

Patrick Hart (PVE resident) stated that the project has character and fits very nicely on Deep Valley Drive. The village atmosphere is well laid out and very attractive, and he may want to sell and buy a unit himself in a couple of years.

Jack Downville (RPV resident) stated that he is in favor of the current development as proposed, and to go further with investigation under some element of CEQA would be wasteful of time, energy and money. The redevelopment is overdue, and the change to residential makes sense. The traffic impact results are pessimistic, as residents will be walking.

Austin Phillips stated that he would like to bring his family back on the hill and provide for his children what he had when he was growing up.

Susan Nakali expressed her pride and spirit for what the community has, and she would like to see a great city.

Liz Griggs (Avenue of the Peninsula General Manager at 550 Deep Valley Drive) stated that she would like to see the third level converted to professional offices. The majority of businesses in the area aren't looking for large commercial space, but smaller spaces of 1,000 to 1,400 square feet and have less than 10 people working for them.

Michael Melton stated that the design will add vitality and all requirements have been met.

Tony Skelly owns Skinner's Pharmacy and is looking for a new location and asked that the project be approved.

Cathy Brankineer stated that her house is getting too big, and she is looking forward to living in one of the units as part of a vibrant community. Without this project, many businesses will close up. All City codes have been met, and the project will reduce traffic and increase parking and should be approved.

Joan Lee agreed with Ms. Brankineer, adding that there are so many positives, and it does meet all the codes.

Mary Sheridan stated that after what she's heard tonight, she's ready to buy one of the units. To walk everywhere is a wonderful place to be.

Renee Morey stated that she would like to be able to do everything here in Palos Verdes.

Dennis Brangoner stated that he is nervous that the project is now down to 75 units, and he doesn't like traffic, but there is good and bad traffic. The project needs to go forward approved based on facts, not be held back by fear.

Stella Bukes pointed out that foot traffic is a good thing and is what the community needs.

Dan Bolton (Civil Engineer with Bolton Engineering, 707 Silver Spur Road) came forward, and COMMISSIONER CONWAY asked him to confirm that there would be no net increase in runoff and asked about conditions to approval. Mr. Bolton responded that there are measures onsite to prevent an increase in runoff via filtration.

Hugh Muller (19 Seahurst Road) approached in opposition to the project and expressed his desire to conserve open space. The project will damage the city. There has to be more traffic. It is imperative that we wait to see what the approved projects will mean to the city.

Julie Reynolds (4643 Browndeer Lane, RHE) reiterated the points made in her comment letter and reminded the Commission of the city's 50 years of country living with style. Ms. Reynolds is pro business, but how many seniors are going to want to live next to 3-bedroom families with children? Also, the children will need to be driven to and picked up from the schools, which will impact traffic. If there is an increase in traffic an air quality study should be conducted. Another issue is where the children will play. If we proceed with this project, let's get some parks going. Also, 900 units could outvote the city on issues such as horses. Two years ago, the developers were looking at one group of projects. CEQA prohibits piecemealing them into individual projects so that they're not analyzed as a whole. A formal EIR needs to be done with actual traffic counts to show the large environmental impact.

Richard Conway commented that he is not happy with the project as it stands. Common sense rules need to be applied. Traffic density has an impact, including road rage. These units will provide a low cost entry price for low-income families wanting to come up on the hill and into the school district. There is insufficient parking available now. The regional shopping center was built without enough people to support it, and an additional 900 units wouldn't save the situation.

COMMISSIONER CONWAY asked about the predominant traffic flow and the reduction of such, and Mr. Conway responded that the gross trips would be reduced, but the increase in commute time is what he is concerned about. COMMISSIONER CONWAY then directed him to figures 8 and 9 in the traffic report.

Ruth Hattersly stated that it is time to take a step back and rethink the proposed plans and see what the impact is from the approved projects.

Steve Zernacian opposed the project for the same reasons as Ms. Reynolds.

Jeff Petow (26134 Marina Drive) came forward as a representative of the Marloma Homeowners Association. Mr. Petow stated that 377 units proposed would be 1,000 new people, which would guarantee more traffic and change RHE completely. The mitigated negative declaration should be disproved as not comprehensive, and the Master Plan needs to be analyzed.

Joan Moe stated that she is very pro business, but it needs to stimulate and advocate business on the hill. The residents need to stay on the hill and not go off. This will increase retail sales. Another look needs to be taken, and the city needs to step back and consider alternatives and wait and see the impact of the approved projects.

Tom Judge (28 Rollingwood Drive) commented that a year ago the Traffic & Safety Commission looked at all the intersections, and the LOS is not the real concern. Mr. Judge discussed traffic and parking issues and also pointed out that in all his

walking, he has never seen another person on the sidewalk and doubts that residents will be walking as much as is projected. Also, the Deep Valley bank is not stable.

Joyce Zernacian supported all the negative comments and would like to wait for the cumulative effect. Also, the setback doesn't look like more than 5 feet.

Dave Pierson (4 Lariat Lane) stated that there is currently a traffic problem, and he can't see how adding more people is going to help. The project will create a compact bedroom community.

Kit Fox (Associate Planner for the City of RPV) responded to Ms. Counts' comments, stating that the project is undermining legalities, and he shares the skepticism of the impacts, the baseline assumptions and the proposed mitigation measures.

Brad Brunskill (7 Harbor Sight Drive) stated that this project will change the character of the city, pointing out that the General Plan's single-family character does not mean condos. The current residents will still be driving, not walking.

Dick Moe (Managing Director of the Norris Center) stated that the Norris Center helps the community out by increasing business. He said that he drove, not walked, between businesses, and added that there will be children, and the area is not ready to accommodate families.

Meredith Bloss stated that there is a lot of retail space that is underused. Developers came to the city and built, and now we have too much and have to revitalize. Ms. Bloss asked that the city look at the projects as a whole.

Jerry Schwartz pointed out that law enforcement has not been addressed, which will increase the number of people needed in the Sheriff's department. The city needs another shopping center and more stores like it needs a hole in the head.

Richard Gerlack (32 Santa Bella Road) referred to the City's 50-year country living document without any condo pictures in it; however, the slippery slope that the city is on is heading towards condo living. Soon there will be Home Depot, Lowes and parking lots. What is going on is a travesty and should be stopped until the city sees what happens with what's already being built. This is a beautiful project, but the European living will be awful. The city can plan right now the policies that will set into motion the next 50 years of country living or not.

Mike Giglia re-approached the Commission in support of the project and pointed out that people equals business, and everything that's being proposed is under the General Plan that has been in existence for 50 years.

Maricella Gozert restated the initial points that the project meets all the requirements and is based on the studies that are available today. All the rules are being met, and it cannot be denied based on a series of speculation and opinion.

At CHAIRMAN VANDEN BOS' invitation, Randy Morris re-approached in rebuttal. It is a 13-year-old General Plan that established the mixed-use overlay on the hill, and it has taken 11 years for the first project to come out of the ground based on that plan. The projects that have already been approved are diverse with different demographics. Sub-prime mortgages and the requirement to prove the income has wiped out most of the market, and another project won't be developed in five to six years. This project is benign when adding or subtracting to the cumulative impact. Rancho Palos Verdes' cumulative impact on 11 projects will be 11,000 cars each day, and they have come to advise the Commission to be very considerate of this project and restrict the RHE economic viability. The soil engineer went down 30 or 40 feet to bedrock, and if you go east from the senior project, the bedrock rises and lowers as you go west. Therefore, this is the project to build, if any, as it will be most stable with bedrock closer to the surface than any other place on Deep Valley.

Tony Lee (Soil Engineer for the Wynne Development) came forward and explained that the bedrock on this site is very stable geologically.

Mr. Morris again came forward and clarified that the senior project at 901 Deep Valley Drive has an average 15-foot setback with a 5-foot minimum front yard. This is a fantastic project for the city and will do what the planners hoped it would do in 1993

through 1996 when they established the zone, and there should be no fear of cumulative impacts, unless looking out ten years.

COMMISSIONER BAYER and Planning Director Wahba discussed the parking on Deep Valley Drive and enforcement of the two-hour parking.

COMMISSIONER GOLIDA encouraged Staff to take a look and provide detailed responses, especially to Ms. Reynolds' PowerPoint.

COMMISSIONER CONWAY raised the issue of how construction noise would impact the daycare center, and COMMISSIONER GOLIDA added to that concern regarding the seniors who will be moved in by then.

CHAIRMAN VANDEN BOS asked that Staff clarify the frontage on the street in the Staff Report and respond to the SCAG comment. Also, regarding peak traffic counts and differentiating between the different uses, Staff should clarify how the traffic engineers came up with the traffic flow pattern.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY

TO CONTINUE PA-16-07 TO THE NEXT MEETING OF FEBRUARY 19.

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

10. COMMISSION ITEMS

None.

11. DIRECTOR'S ITEMS

Planning Director Wahba again encouraged the Commissioners to attend the annual Planner's Institute, which Senior Planner Cutler will be attending this year.

12. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES MINUTES (JANUARY 15, 2008).

B. CITY COUNCIL ACTIONS (JANUARY 22, 2008).

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,

TO RECEIVE AND FILE ITEMS 11A AND 11B.

There being no objection, CHAIRMAN VANDEN BOS so ordered.

13. ADJOURNMENT

At 11:00 p.m. CHAIRMAN VANDEN BOS adjourned the Planning Commission meeting to February 19, 2007, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk