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FEBRUARY 17, 2009

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MINUTES

REGULAR PLANNING COMMISSION MEETING

FEBRUARY 17, 2009

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 CHAIRWOMAN BAYER.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

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

4. **APPROVAL OF MINUTES**

Hearing no objections, CHAIRWOMAN BAYER approved the minutes of the regular Planning Commission meeting of February 2, 2009.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

None.

7. **BUSINESS ITEMS**

- A. PLANNING APPLICATION NO. 06-09; APPLICANT: CVS PHARMACY;
LOCATION: 901 SILVER SPUR ROAD; A PRECISE PLAN OF DESIGN TO
AMEND THE MASTER SIGN PLAN FOR TOWN & COUNTRY SHOPPING
CENTER TO ALLOW FOR NEW SIGNAGE AT CVS PHARMACY.

Associate Planner Thom gave a brief Staff Report, as per written material, and recommended approval with the condition that only black vinyl screening without window sign graphics be allowed for privacy purposes.

CHAIRWOMAN BAYER and Associate Planner Thom briefly discussed the significance of the black vinyl and the use of vinyl on windows in other CVS stores.

At CHAIRWOMAN BAYER'S invitation, Don Kim with Icon Identity Solutions explained the typical use of vinyl on windows by CVS.

CHAIRWOMAN BAYER, COMMISSIONER SCOTT and Planning Director Wahba discussed the Sign Ordinance and Master Sign Plan.

Planning Director Wahba advised the Commission that Staff could work with the applicant for the address sign.

COMMISSIONER REIN moved, seconded by COMMISSIONER SOUTHWELL,
TO APPROVE PA-06-09 WITH THE CONDITIONS AS OUTLINED IN THE
STAFF REPORT.

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

8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 27-06; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: PORTIONS OF CYPRESS STREET AND 262ND STREET. TO CONSIDER ORDERING THE VACATION OF CERTAIN PORTIONS OF CYPRESS STREET AND 262ND STREET WITHIN THE CITY'S BOUNDARIES (IN ACCORDANCE WITH SECTION 8320 [B] [1-2] OF THE CALIFORNIA STREETS AND HIGHWAY CODE) AND TO MAKE FINDINGS OF GENERAL PLAN CONFORMITY.

Planning Director Wahba gave a brief Staff Report, as per written material, and recommended adoption of the resolution.

CHAIRWOMAN BAYER, COMMISSIONER SCOTT and Planning Director Wahba discussed to whom the property would be vacated, its ownership and any necessary transference of ownership.

COMMISSIONER SCOTT moved, seconded by COMMISSIONER SOUTHWELL,
TO OPEN THE PUBLIC HEARING.

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

At CHAIRWOMAN BAYER'S invitation, Nancy Wildiman (34 Pony Lane) came forward and asked why the land is being given to the City of Lomita without consideration.

Planning Director Wahba explained the history of the piece of land and his belief that it was originally a mapping error. Planning Director Wahba also explained the Chandler project and the land swap with the City of Torrance.

COMMISSIONER SCOTT commented that this vacation of property is of great benefit to the City of Rolling Hills Estates.

COMMISSIONER SCOTT moved, seconded by COMMISSIONER REIN,
TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER SCOTT asked that the wording "and may transfer any interest therein to the City of Lomita" be added to the language of the resolution.

COMMISSIONER SCOTT moved, seconded by COMMISSIONER SOUTHWELL,
TO ADOPT RESOLUTION PA-27-06 AS AMENDED.

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

- B. PLANNING APPLICATION NO. 32-08; APPLICANT: MR. & MRS. MASATOSHI MATSUO LOCATION: 48 EMPTY SADDLE ROAD. A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A FIRST AND SECOND STORY ADDITION TO AN EXISTING SINGLE STORY HOME. A MINOR DEVIATION IS REQUIRED TO DECREASE THE REQUIRED FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS REQUIRED TO EXCEED THE ALLOWABLE FRONT YARD COVERAGE.

Assistant Planner Masters gave a brief Staff Report, as per written material, and recommended adoption of the resolution.

COMMISSIONER SCOTT and Assistant Planner Masters discussed the specific windows at issue for privacy concerns, their location, height, distance and angle from neighbors and possible use of obscure glass.

COMMISSIONER REIN moved, seconded by COMMISSIONER SCOTT,
TO OPEN THE PUBLIC HEARING.

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

At CHAIRWOMAN BAYER'S invitation, Barbara Greene (project designer) came forward and summarized the changes made to the project.

COMMISSIONER BAYER expressed her appreciation to Ms. Greene and the applicant for their efforts and their cooperation with Staff. COMMISSIONER BAYER and Ms. Greene then discussed landscape and driveway changes.

COMMISSIONER SCOTT and Ms. Greene then discussed window locations and heights. Ms. Greene clarified that obscured glass will not be used because the windows are now further away from the neighboring property.

Angela Tang (26 Empty Saddle) came forward and thanked the Commission for their service to the City. Ms. Tang requested that the neighbors work together to put proper landscaping in place to minimize privacy issues.

Michael Hawkins (44 Empty Saddle) came forward and welcomed his new neighbors. Mr. Hawkins pointed out that the changes made have shifted the impact from one neighbor to another. Mr. Hawkins would like to maintain his privacy and would like to have more of an opportunity to view the new set of plans. Mr. Hawkins would also like to keep the neighborhood single story and not set a precedent for the other homes on the street.

Sudhanshu Ange (46 Empty Saddle) came forward to express his privacy concerns and requested assurance that the neighbors can work together to ensure that landscaping is put into place to mitigate his vulnerability.

Planning Director Wahba clarified the orientation of the homes, the locations and angles of the windows and pointed out that there is no direct line of sight and also that there is a very sizable distance between neighboring windows. Mr. Wahba suggested that the neighbors get together and plant vegetation.

CHAIRWOMAN BAYER and Planning Director Wahba further clarified that the only situation in which view is protected by the City is in the cases of impacts to city or ocean views, not neighboring views. View preservation is not privacy preservation.

Mr. Hawkins re-approached the Commission and asked whether the neighborhood overlay for the lanes district is now abandoned, and CHAIRWOMAN BAYER explained that the neighborhood is all of the Empty Saddle area, not just the street, and there are many two-story homes in the neighborhood. Planning Director Wahba further explained that there are no restrictions on building two-story homes in Rolling Hills Estates, but there is a Neighborhood Compatibility ordinance.

Jonathan Evans (28 Empty Saddle) came forward and echoed the same concerns about changing the character of the neighborhood, which is currently only one-story homes.

Mr. Evans and Planning Director Wahba then discussed sizes of other homes in the neighborhood.

Ms. Greene re-approached the Commission, stating that she appreciates all the comments about the vegetation and assured the neighbors that the applicants also value their own privacy and will be very good neighbors and ensure proper landscaping is in place.

COMMISSIONER SCOTT applauded the architect and homeowners for their substantial shift in design and their admirable relocation of windows. This is a very solid compromise, and the City does not have the right to bar the homeowners from building a second story.

COMMISSIONER REIN asked about the square footages of this and other homes in the neighborhood then commented that this project has been greatly improved and has the least impact.

COMMISSIONER SOUTHWELL agreed that this design is a great improvement. There is a lot of concerns about Neighborhood Compatibility, but the homeowners cannot be barred from building the addition. The City can only request that they comply with Code, which they have done.

CHAIRWOMAN BAYER again thanked the designer and applicant for their tremendous effort to work with Staff. CHAIRWOMAN BAYER walked through the yards and recognized the difference in impact with the new silhouette, and Staff has made all Variance findings. CHAIRWOMAN BAYER also expressed her confidence that the neighbors can work together to mitigate privacy concerns.

COMMISSIONER REIN moved, seconded by COMMISSIONER SCOTT,

TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER SCOTT moved, seconded by COMMISSIONER REIN,

TO ADOPT RESOLUTION PA 32-08 AS SUBMITTED.

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

Planning Director Wahba explained the 20-day appeal period.

9. COMMISSION ITEMS

COMMISSIONER SCOTT and Planning Director Wahba discussed the solar panel application, which is set for March 2.

The upcoming League of California Cities event was then discussed among the Commissioners and Staff.

10. DIRECTOR'S ITEMS

Planning Director Wahba pointed out that this meeting will be adjourned to a Joint Planning Commission/Equestrian Committee meeting on Monday, February 23, 2009, at 7:00 p.m. in the City Hall Council Chambers.

The Commissioners and Staff then briefly discussed zoning and the differences between CUPs and SUPs.

11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES (FEBRUARY 3, 2009).
- B. CITY COUNCIL ACTIONS (FEBRUARY 10, 2009).

COMMISSIONER REIN moved, and COMMISSIONER SCOTT seconded,
TO RECEIVE AND FILE ITEMS 11A and 11B.

There being no objection, CHAIRWOMAN BAYER so ordered.

12. ADJOURNMENT

At 8:55 p.m. CHAIRWOMAN BAYER adjourned the Planning Commission meeting to a Joint Planning Commission/Equestrian Committee meeting on Monday, February 23, 2009, at 7:00 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk