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JANUARY 20, 2009

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MINUTES

REGULAR PLANNING COMMISSION MEETING

JANUARY 20, 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 VICE CHAIRWOMAN BAYER.

2. **PLEDGE OF ALLEGIANCE**

VICE CHAIRWOMAN BAYER led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present: O'Day, Southwell, Rein, Scott, Vice Chairwoman Bayer
Commissioners Absent: Chairman Conway
Staff Present: Planning Director Wahba, Principal Planner Cutler,
Assistant Planner Masters

4. **APPROVAL OF MINUTES**

VICE CHAIRWOMAN BAYER suggested that item 7A on the agenda include that the applicant was not present.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF DECEMBER 15, 2008, AS AMENDED.

There being no objection, VICE CHAIRWOMAN BAYER 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. QUARTERLY CODE ENFORCEMENT REPORT.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,

TO APPROVE THE CONSENT CALENDAR.

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

7. BUSINESS ITEMS

- A. A RESOLUTION OF THE PLANNING COMMISSION (PA-24-07) APPROVING A REQUEST FOR A PRECISE PLAN OF DESIGN (PPD), A CONDITIONAL USE PERMIT (CUP), A VESTING TENTATIVE TRACT MAP (VTTM), A GRADING PLAN, A VARIANCE TO EXCEED THE MAXIMUM PERMITTED BUILDING HEIGHT, AND AN ENVIRONMENTAL IMPACT REPORT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), FINDING THAT THE PROJECT, WITH MITIGATION MEASURES, WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT FOR THE CONSTRUCTION OF A 29,642 SQUARE FOOT MEDICAL OFFICE CONDOMINIUM BUILDING ON A .66 ACRE PARCEL. APPLICANT: RICHARD EDLER (SILVERDES) LOCATION: 828 SILVER SPUR ROAD

COMMISSIONER REIN moved, seconded by COMMISSIONER O'DAY,
TO ADOPT RESOLUTION NO. PA-24-07.

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

8. PUBLIC HEARINGS

- A. 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 advised the Commission that Staff has reached a compromise on all aspects of the proposal and is support of the Variance and Minor Deviation.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,
TO OPEN THE PUBLIC HEARING.

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

At VICE CHAIRWOMAN BAYER'S invitation, Barbara Greene (project designer) came forward and summarized the alterations made to the project. Ms. Greene also read a letter from Ben Choi (neighbor at 47 Empty Saddle Road) in support of the revisions. Mr. Choi reiterated his view that relocating the second story closer to the center of the home would have a negative impact on his property.

COMMISSIONER O'DAY discussed with Ms. Greene the alternatives and design constraints. COMMISSIONER O'DAY and Ms. Greene also discussed the flow of the recreation area with no interior entry and whether it could be used as a separate unit.

At VICE CHAIRWOMAN BAYER'S invitation, Loren Miller (neighbor at 26 Empty Saddle Road) came forward in opposition to the project. Mr. Miller reiterated his desire to see the addition more centrally located due to the towering effect.

Jonathan Evans (neighbor at 28 Empty Saddle Road) came forward, speaking on behalf of himself and the Chalfins (30 Empty Saddle Lane). Mr. Evans commented that the privacy issue has improved somewhat, but the mass, scale and change in neighborhood are still of concern, and he would like to see the addition pushed to the middle of the house.

Barbara Greene re-approached the Commission and reiterated the applicant's desire for vaulted ceilings and light coming in.

Mr. Evans commented that he would rather see the Commission issue a Variance and put in skylights, rather than expand the second story.

COMMISSIONER SCOTT asked whether Staff saw any problem with a second story under Neighborhood Compatibility. Planning Director Wahba responded that there is a precedent in the neighborhood, which is beyond just this one street.

COMMISSIONER SCOTT commented that moving the addition toward the center would be significantly larger and would have an immediate and significant privacy concern to the backyard at 46 Empty Saddle. If there is no objection to second stories, then this is a modestly done design, and there is no objection.

COMMISSIONER REIN commented that the cul-de-sac is very crowded with big houses on small lots. There is still a lot of house on the lot, and COMMISSIONER REIN would like to see it reduced further.

COMMISSIONER SOUTHWELL agreed that the revisions are a big improvement, but the addition should be smaller. The placement of the second floor looks disjointed and asymmetric. It is more compatible with the neighborhood in a more centralized location with a more standard wedding cake effect. The concern for Neighborhood Compatibility has to be much stronger than the concern for interior vaulted ceilings. The decision should be based on the entire neighborhood. Also, the elevations are difficult to visualize with the current plans.

COMMISSIONER O'DAY agreed that the applicant has made progress. There will be plenty of light in the house. The redesign of the floor plan could have used more thought and more work. This is a borderline case as to whether it is compatible with the neighborhood, and other options should be given more thought, although this may be the best option. The property owner does have rights to develop their property.

VICE CHAIRWOMAN BAYER agreed in part with what the Commissioners have said. The cooperation with Staff is appreciated. If the property owner is within their rights in this building, then the Commission has to follow the codes and ordinances. Neighborhood Compatibility is the issue. Second stories are existing in the Empty Saddle neighborhood, but it could be more compatible with the neighborhood.

COMMISSIONER SCOTT stressed the immediate and direct privacy issue if the addition is moved more centrally, which is more substantial than the issues with the neighbors below.

COMMISSIONER REIN suggested that the applicant continue to scale back the addition to increase chances of Neighborhood Compatibility.

COMMISSIONER O'DAY outlined possible alternatives for the applicant to look at, and Planning Director Wahba pointed out that he discussed the same alternatives with the architect.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,

TO CONTINUE PA-32-08 TO A DATE UNCERTAIN TO GIVE THE APPLICANT TIME TO WORK WITH STAFF.

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

B. PLANNING APPLICATION NO. 37-08; APPLICANT: THE WYNNE CORPORATION; LOCATION: 905 DEEP VALLEY DRIVE; A REQUEST TO AMEND CONDITION OF APPROVAL NO. 56 OF CITY COUNCIL RESOLUTION NO. 2054 TO PERMIT SKINNERS PHARMACY TO BE LOCATED AT 905 DEEP VALLEY DRIVE.

Principal Planner Cutler gave a brief Staff Report, as per written material, and recommended approval subject to conditions.

COMMISSIONER SOUTHWELL asked what would happen to the resident community room, and Principal Planner Cutler gave an overview of the original intent for the space.

COMMISSIONER SCOTT moved, seconded by COMMISSIONER O'DAY,

TO OPEN THE PUBLIC HEARING.

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

At VICE CHAIRWOMAN BAYER'S invitation, Ted Wynne (applicant) came forward for questions.

COMMISSIONER SCOTT, Mr. Wynne and Planning Director Wahba again reviewed the intent for the space as a condition of approval and the original intent of the city to use the space as flex space. The project has not been marketed to include a recreational facility. Because the Mediterranean Village has been approved, there is now adequate parking to serve that space, and the move would retain an existing tenant.

COMMISSIONER O'DAY agreed that this is in line with the intent of the initial application.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,

TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER O'DAY moved, seconded by COMMISSIONER SCOTT,

TO APPROVE PA-37-08 FOR RECOMMENDATION TO CITY COUNCIL.

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

9. COMMISSION ITEMS

Planning Director Wahba updated COMMISSIONER O'DAY on the substandard property and its cleanup.

COMMISSIONER REIN asked for an update on the Butcher project. Planning Director Wahba estimated it would come before the Commission in the summer.

10. DIRECTOR'S ITEMS

Planning Director Wahba advised that staff is recommending to Council that VICE CHAIRWOMAN BAYER will be the new Chairwoman at the next meeting, and COMMISSIONER SOUTHWELL will be the Vice Chairman.

Planning Director Wahba asked for rotations of the Traffic & Safety and Equestrian Committees. COMMISSIONER O'DAY will sit on the Traffic & Safety Committee this year, and COMMISSIONER SOUTHWELL will rotate to it next year. COMMISSIONER REIN will remain on the Equestrian Committee.

11. MATTERS OF INFORMATION

A. CITY COUNCIL ACTIONS (JANUARY 13, 2009).

COMMISSIONER REIN moved, and COMMISSIONER O'DAY seconded,

TO RECEIVE AND FILE ITEM 11A.

There being no objection, VICE CHAIRWOMAN BAYER so ordered.

12. ADJOURNMENT

At 8:40 p.m. CHAIRMAN CONWAY adjourned the Planning Commission meeting to February 2, 2009, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk