

MINUTES

REGULAR PLANNING COMMISSION MEETING

NOVEMBER 4, 2002

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 Chairman Zerunyan.

2. **PLEDGE OF ALLEGIANCE**

CHAIRMAN ZERUNYAN led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present: Zerunyan, Killen, Bayer, Somers, Rein

Commissioners Absent: Conway

Staff Present: Planning Director Wahba, Assistant Planners Tran and Wong

4. **APPROVAL OF MINUTES**

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 14, 2002.

There being no objection, CHAIRMAN ZERUNYAN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

A. WAIVE READING IN FULL ALL RESOLUTION THAT ARE PRESENTED FOR THE PLANNING COMMISSION CONSIDERATION ON TONIGHT'S AGENDA AND ALL SUCH RESOLUTIONS SHALL BE READ BY TITLE ONLY.

B. A RESOLUTION OF THE PLANNING COMMISSION (PA-37-02) GRANTING A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR FIRST STORY ADDITIONS AT THE FRONT AND REAR OF THE HOME, A BASEMENT ADDITION (PARTIALLY VISIBLE FROM THE SIDE AND REAR), A SECOND STORY ADDITION, AND A DETACHED TWO-CAR GARAGE TO THE REAR; A MINOR DEVIATION FOR A FRONT YARD PORCH TO DECREASE THE FRONT YARD AREA BY LESS THAN 10%; AND A VARIANCE TO MAINTAIN A LEGAL NON-CONFORMING SOUTH SIDE YARD SETBACK. APPLICANT: MR. & MRS. MARK TIEMAN; LOCATION: 66 BUCKSKIN LANE.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS,

TO APPROVE CONSENT CALENDAR ITEMS 6A AND 6B.

AYES: Bayer, Somers, Rein, Killen, Zerunyan
NOES:
ABSTAIN:
ABSENT: Conway

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

7. BUSINESS ITEMS

- A. PLANNING APPLICATION NO. 36-02; APPLICANT: SUNNY YUEN; LOCATION: 18 SAN MIGUEL; APPROVAL OF A GRADING PERMIT TO EXTEND A BUILDING PAD (WITH A 3' RETAINING WALL) ONTO AN EXISTING SLOPE FOR THE CONSTRUCTION OF A TRELLIS, SWIMMING POOL, AND SPA IN THE REAR YARD.

The Planning Commission waived the reading of the staff report.

COMMISSIONER BAYER said that although she still was not able to view the property, she would go along with whatever decision the rest of the Planning Commission made.

In response to a question from CHAIRMAN ZERUNYAN, Planning Director Wahba explained that this application was similar to #9 San Miguel (PA-35-02), which was called up by the City Council and scheduled for the meeting of November 26, 2002. He stated that the two applications should be heard together by the City Council.

COMMISSIONER KILLEN said that aesthetically he had no problem with the project, but it seemed to him that the developers crowded as many homes as they could knowing that retaining walls would be needed in the future.

COMMISSIONER SOMERS stated that the proposed retaining wall will make the common slope more aesthetically pleasing. COMMISSIONER REIN agreed with COMMISSIONER SOMERS and added that the retaining wall would also make the common slope more uniform in appearance.

COMMISSIONER SOMERS moved, seconded by COMMISSIONER REIN,

TO APPROVE PA-36-02 WITH THE CONDITION THAT THE VANTAGE POINTE HOMEOWNERS ASSOCIATION AMEND THE CC&Rs TO THE SATISFACTION OF THE CITY MANAGER AND CITY ATTORNEY, SPECIFIC TO THE IMPROVEMENTS REQUESTED IN THE STAFF REPORT.

AYES: Bayer, Somers, Rein, Zerunyan
NOES: Killen
ABSTAIN:
ABSENT: Conway

Planning Director Wahba explained the 20-day appeal period for item 7A.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 38-02; APPLICANT: Sam Maus; LOCATION: 3717 Palos Verdes Drive North; A Neighborhood Compatibility Determination for first and second story additions located on the front, sides, and rear of an existing two-story home; construction of a second story deck to the rear of the home, and a hillside gazebo. A Minor Deviation is required to decrease the front yard by less than 10%. A Variance is required to decrease the front setback by less than 25'.

Assistant Planner Wong summarized the Staff Report (as per written material).

In response to a question from CHAIRMAN ZERUNYAN, Planning Director Wahba said that this project was exempt from the CEQA guidelines for scenic corridors, as the proposed improvements are minor in nature and have been determined to be compatible in terms of height, mass, bulk, architectural style and materials.

In response to a question from COMMISSIONER KILLEN, Planning Director Wahba stated that the Minor Deviation is tied to the Variance.

COMMISSIONER KILLEN moved, seconded by COMMISSIONER SOMERS to,

OPEN THE PUBLIC HEARING.

AYES: Bayer, Somers, Rein, Killen, Zerunyan
NOES:
ABSTAIN:
ABSENT: Conway

Julie Oakes, Architect, said that the existing second story deck is 3'6" out from the front face of the building and that the powder room will come out 6" less than the existing deck. She added that due to the uniqueness of the lot, there is little way that the applicants can expand their home. She added that the neighbors have no problem with the gazebo.

In response to a question from COMMISSIONER BAYER, Planning Director Wahba said that if the upper level deck columns did not go to the ground, the Variance would be eliminated.

COMMISSIONER KILLEN stated that this proposal only made a difference of 1% decrease in the required front yard. He said that the applicant was not adding to their interior space, but was making an aesthetic enhancement of the property that would improve the look of the neighborhood. He added that the gazebo should be nestled down 1½ - 2'.

COMMISSIONER SOMERS said that although he has no concern with this project, he feels that it changes the long standing policy of a 25' setback from Palos Verdes Drive North. He said he was afraid that this will open the door for other property owners to make similar applications for encroachments to inch out further and further.

COMMISSIONER BAYER said that although she understood the points that COMMISSIONERS KILLEN and SOMERS made, she was in favor of the proposal because it is a unique property that is already nonconforming and that it was a challenge to make it aesthetically pleasing. She added that the Variance was due to the two columns, which was not a problem for her. She agreed with nestling the gazebo down a bit. She felt that the Planning Commission will look at future cases individually so she felt the 25' setback policy wouldn't be changed.

COMMISSIONER REIN stated that he agreed with COMMISSIONER SOMERS that the proposed addition increases the mass and moves it closer towards the street.

CHAIRMAN ZERUNYAN stated that almost every application has unique properties. He stated that the 1% difference in front yard reduction was negligible, and that the work would be aesthetically pleasing.

COMMISSIONER BAYER moved, seconded by COMMISSIONER KILLEN to,

CLOSE THE PUBLIC HEARING.

AYES: Bayer, Rein, Killen
NOES: Somers, Zerunyan
ABSTAIN:
ABSENT: Conway

COMMISSIONER BAYER moved, to

APPROVE PA-38-02 WITH THE CONDITION THAT THE APPLICANT WORK WITH STAFF TO NESTLE THE GAZEBO DOWN 1½ - 2' AND DIRECT STAFF TO BRING A RESOLUTION OF APPROVAL FOR THE MEETING OF NOVEMBER 18, 2002.

The motion died for lack of a second.

There was much discussion regarding the fact that although this case doesn't try to capture interior space and the proposal improves the appearance, there was concern that once a Variance is granted, future Variances are most likely to be granted.

COMMISSIONER BAYER moved, seconded by COMMISSIONER KILLEN,

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA-38-01 WITH THE CONDITION THAT THE APPLICANT NESTLE THE GAZEBO DOWN 1½ - 2'.

AYES: Bayer, Rein
NOES: Killen Somers, Zerunyan
ABSTAIN:
ABSENT: Conway

COMMISSIONER SOMERS moved, seconded by COMMISSIONER REIN, to

CONTINUE PA-38-02 TO A DATE UNCERTAIN TO ALLOW THE APPLICANT TO REDESIGN THE PROJECT TO ELIMINATE THE VARIANCE AND MINOR DEVIATION APPLICATIONS, AND TO MITIGATE NEIGHBORHOOD COMPATIBILITY CONCERNS AS INDICATED IN THE REPORT.

AYES: Bayer, Rein, Somers, Zerunyan
NOES: Killen
ABSTAIN:
ABSENT: Conway

B. PLANNING APPLICATION NO. 15-02; APPLICANT: Edison Mera; LOCATION: 2721 Palos Verdes Drive North. A Neighborhood Compatibility Determination for driveway and walkway additions. A Variance is required to exceed the maximum front yard coverage of 30%.

Assistant Planner Wong summarized the Staff Report (as per written material).

In response to a request from COMMISSIONER KILLEN, Assistant Planner Wong showed the Planning Commission the "as built" plans.

Planning Director Wahba said that the Traffic Engineer did not review the driveway when the project was approved two years ago.

COMMISSIONER BAYER moved, seconded by COMMISSIONER KILLEN to,

OPEN THE PUBLIC HEARING.

AYES: Bayer, Rein, Somers, Zerunyan, Killen
NOES:
ABSTAIN:
ABSENT: Conway

Charles Belak Berger, Architect, stated that they had reduced the hardscape from 40% to 34%, far under lot coverage, that it was approximately 75-85' from the curb, and there is lots of shrubbery so that it is not visible from the public right-of-way. He said the slope was very steep and they needed more room for cars to turn around in the driveway so they would not have to back out to Palos Verdes Drive North. He said that several cars had gotten stuck or hit the walls because of the slope. He added that as it was now, there was only room for three guests to park.

The Planning Commission discussed the project and whether or not more room was needed, and if so, where it would come from.

Edison Mera, the applicant, stated that the Planning Commission should come to his property with their cars and see how difficult it was to maneuver and park.

In response to the Planning Commission, Planning Director Wahba stated that it was difficult for him to maneuver his car on the property as well.

COMMISSIONER KILLEN moved, seconded by COMMISSIONER BAYER

TO CONTINUE PA-15-02 TO A DATE UNCERTAIN SO THAT THE APPLICANT CAN WORK FURTHER WITH STAFF.

AYES: Bayer, Rein, Somers, Zerunyan, Killen
NOES:
ABSTAIN:
ABSENT: Conway

9. COMMISSION ITEMS

None.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES MINUTES, OCTOBER 15, 2002.

B. CITY COUNCIL ACTIONS, OCTOBER 22, 2002.

COMMISSIONER KILLEN moved, seconded by COMMISSIONER BAYER

TO RECEIVE AND FILE ITEMS 11.A AND B.

There being no objection, CHAIRMAN ZERUNYAN SO ORDERED.

13. ADJOURNMENT

At 9:40 p.m. CHAIRMAN ZERUNYAN adjourned the Planning Commission meeting to November 18, 2002, at 7:30 p.m.

Hollis Jackson
Minutes Secretary

Douglas R. Prichard
City Clerk