

MINUTES

REGULAR PLANNING COMMISSION MEETING

JUNE 2, 2003

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 SOMERS.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

Commissioners Present: Rein, O'Day, Zerunyan, Bayer,
Chairman Somers

Commissioners Absent: Killen, Conway

Staff Present: Director Wahba, Assistant Planner Tran,
Assistant Planner Wong

4. **APPROVAL OF MINUTES** (May 19, 2003)

The draft minutes were not yet available due to the length of the meeting.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

The following routine matters will be approved in a single motion with the unanimous consent of the Planning Commission. There will be no separate discussion of these items unless good cause is shown by a member of the Commission or the public expressed under audience items prior to the roll call vote. (Items removed will be considered under Business Items.)

- A. Waive reading in full all resolutions that are presented for Planning Commission consideration on tonight's agenda and all such resolutions shall be read by title only.

There being no objection, Chairman Somers so ordered.

7. **BUSINESS ITEMS**

- A. A RESOLUTION (PA-29-01"A") RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT; PLANNING APPLICATION NO. 29-01; APPLICANT: ROLLING HILLS COVENANT CHURCH; LOCATION: 2221/2222 PALOS VERDES DRIVE NORTH.

Chairman Somers asked if there was any discussion.

COMMISSIONER ZERUNYAN moved, seconded by COMMISSIONER BAYER

TO APPROVE ITEM 7a.

AYES: Bayer, Rein, Zerunyan, Chairman Somers
NOES: O'Day
ABSTAIN:
ABSENT: Killen, Conway

- B. A RESOLUTION (PA-29-01 "B") RECOMMENDING THAT THE CITY COUNCIL DENY PA-29-01; APPLICANT: ROLLING HILLS COVENANT CHURCH; LOCATION: 2221,2222 PALOS VERDES DRIVE NORTH.

COMMISSIONER ZERUNYAN moved, seconded by COMMISSIONER BAYER

TO APPROVE ITEM 7b.

AYES: Bayer, Rein, Zerunyan, O'Day, Chairman Somers
NOES:
ABSTAIN:
ABSENT: Killen, Conway

Director Wahba stated that the resolutions will be sent to City Council and a Public Hearing on this project is tentatively scheduled for June 24, 2003.

- C. PLANNING APPLICATION NO. 12-03; APPLICANT: MR. & MRS. STEVE SIMERAL; LOCATION: 63 ROLLINGWOOD DRIVE; A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A FIRST STORY ADDITION ON THE WEST SIDE AND A SECOND STORY ADDITION ON AN EXISTING SINGLE STORY HOME.

Assistant Planner Wong gave a staff report (as per written material) and recommended the Planning Commission determine the view impacts from the homes located at 4813 and 4821 Kingspine Road and 4835 Elmdale Road and after making their findings on the views to choose one of the following:

- a. Approve PA-12-03; or
- b. Continue this application to a date uncertain to allow the applicant, residents and staff to work further on redesigning this project; or
- c. Continue this application to a date uncertain to allow the applicant to work with staff on a first story addition with the condition that a second story addition is not in keeping with the View Protection Ordinance; or
- d. Deny PA-12-03

COMMISSIONER BAYER stated that although it is in her neighborhood, she lives far enough away to avoid any conflict. She stated that she did have a concern that it would appear as a solid mass and asked if it was the same height as the home next door. She also asked if they had explored the idea of expanding on ground level rather than going up. She also asked about previous additions and discretionary records on the property.

Director Wahba responded that according to the plans and researching the files, the proposal would be about 3 feet lower, but stated that the silhouette appears higher. He stated that the applicant may have previously done recent "over-the-counter" interior work.

In response to a question from COMMISSIONER O'DAY, Director Wahba stated that the silhouette doesn't require staking of the chimney in the profile of the building.

The applicant's architect, Mr. Louis Skelton, discussed the history of the renovations prior to the applicant's ownership 14 years ago. He stated that they had worked with staff and considered various options with the size of the lot 8,520 square feet and there were not many options, but they did try to be respectful of the neighbors when redesigning.

Mr. Steve Simeral, the applicant, discussed their options of expanding their current home or buying another. They understand that some neighbors may disagree, but they have shown the plans to their neighbors and they have approved the plans. He stated that the prior remodel in 1988 was very extensive.

Mr. Bernie Van Wie, 4835 Elmdale Drive, discussed his "dream" home with view of the Vincent Thomas Bridge. He stated that when Commissioner O'Day visited he commented that the applicant would only be blocking a small percentage of that view. Mr. Van Wie stated that he does not understand why they have to give up any of their view of the Vincent Thomas Bridge, and discussed his history with the bridge, and their view and their investment would be impacted. He suggested there might be other means of improvement rather than going up. Mr. Van Wie stated that this is a prime example of why ordinances and Planning Commissions are in place to take a closer look at projects such as this.

Mrs. Van Wie stated that approving "just a minimal loss of a view" adds up and gradually many views will disappear in Rolling Hills Estates.

Mr. Jack Zannelia, 4821 Kingspine Road, discussed the applicant's trees and their impact on his view, and stated that now he wants to take away more of his view and the negative impact the chimney would have on his view. He suggested to the applicant to buy another bigger house, he has been there 33 years.

Helen De Berard, 44 Rollingwood, stated that the home would not impact her view but asked if there was a geological study conducted, due to the lots slipping. She also wondered if it was approved whether it would this set a precedence on the view side.

CHAIRMAN SOMERS asked if there were any others wishing to speak.

COMMISSIONER O'DAY discussed his concerns with the rights of the property owner and the lot coverage limits nearly preventing the applicant from doing anything with the first story, and the only alternative is to dig under the property. He appreciated the compromises the he has made, and the status of the chimney. He stated that the view statute gives some guidance and the objections of the neighbors, whose view are going to be obstructed, such that the view ordinance would have to take precedence. He stated that this is a tough call for him.

COMMISSIONER BAYER concurred with COMMISSIONER O'DAY, agreeing that the view ordinance takes precedence.

COMMISSIONER ZERUNYAN stated that there is a balancing act of the right of the property owner to develop and enjoy their property versus the right to a view based on a municipal ordinance. He disagreed with his colleagues, and stated that he felt the ordinance referred to degradation of highly scenic and natural, historical, or open areas. He stated that the he agreed with staff that for the neighbors it is not a major loss of view, as the pictures show.

CHAIRMAN SOMERS stated that he agreed with COMMISSIONER ZERUNYAN, and added that he studied the pictures and also went to the site. He stated that the view impairment was insignificant, and what is important is the right of the homeowner to develop their property. He stated that this homeowner has done everything possible to be a good neighbor and not to overly build his property. He stated that he compromised the height to help his neighbors. He added that it was a small lot with less area to develop the property, and usually they try to be more lenient with those with 10,000 square foot lots or less. He suggested that they should go to their neighbors and ask them to trim their trees to open up their views.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER ZERUNYAN

TO APPROVE PA-12-03 WITH THE CONDITIONS THAT THE FIREPLACE BE ELIMINATED OR CONVERTED TO A GAS VENT SYSTEM AND THE ROOF SELECTION BE A BROWN COLOR WITH ASPHALT SHINGLES ACCEPTABLE, TO THE SATISFACTION OF THE PLANNING DIRECTOR.

AYES: Zerunyan, O'Day, Chairman Somers
NOES: Bayer
ABSTAIN: Rein
ABSENT: Killen, Conway

Director Wahba stated that there is a 20 day appeal period.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 10-03; APPLICANT: ROLLING HILLS UNITED METHODIST CHURCH; LOCATION: 26438 CRENSHAW BOULEVARD. THE APPLICANT IS REQUESTING APPROVAL OF A CONDITIONAL USE PERMIT APPLICATION TO AMEND CUP-101-79 TO EXTEND THE PRESCHOOL HOURS OF OPERATION AND INCREASE STUDENT ENROLLMENT.

Planner Tran gave a staff report (as per written material) and recommended that the Planning Commission Open the Public Hearing; Take public testimony; Close the Public Hearing; Discuss the issues; and Direct staff to prepare a Resolution approving Planning Application No. 10-03 for a Conditional Use Permit amendment to extend the existing preschool hours for buildings B, C, and D from 9:00 am through 2:00 p.m. to 8:00 am through 3:30 pm, for Buildings E and F from 9:00 am through 6:00 pm to 7:30 am through 6:00 pm and to increase student enrollment from 66 to 82 students, with the condition that all preschool class sessions shall not begin until 9:00 am.

COMMISSIONER ZERUNYAN moved, seconded by COMMISSIONER BAYER

TO OPEN THE PUBLIC HEARING FOR PLANNING APPLICATION NO. 10-03.

AYES: Bayer, Rein, Zerunyan, O'Day, Chairman Somers
NOES:
ABSTAIN:
ABSENT: Killen, Conway

Ms. Susan Welch, Chair of the Preschool, was present for any questions, and stated that staff has summarized the changes adequately.

COMMISSIONER BAYER moved, and seconded by COMMISSIONER ZERUNYAN

TO CLOSE THE PUBLIC HEARING FOR PLANNING APPLICATION NO. 10-03.

AYES: Bayer, Rein, Zerunyan, O'Day, Chairman Somers
NOES:
ABSTAIN:
ABSENT: Killen, Conway

COMMISSIONER BAYER moved, seconded by COMMISSIONER ZERUNYAN

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA-10-03 AS OUTLINED IN THE REPORT.

AYES: Bayer, Rein, Zerunyan, O'Day, Chairman Somers
NOES:
ABSTAIN:
ABSENT: Killen, Conway

Director Wahba stated that staff would bring back a Conditional Use Permit resolution at the next meeting.

9. COMMISSION ITEMS

COMMISSIONER ZERUNYAN advised the Commission that he has been invited to run for City Council and has agreed to run.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

None.

12. ADJOURNMENT

At 8:37 p.m. CHAIRMAN SOMERS adjourned the Planning Commission meeting to the Meeting of June 16, 2003 at 7:30 p.m.

Judith Trujillo
Minutes Secretary

Douglas R. Prichard
City Clerk