

**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**OCTOBER 4, 2004**

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 KILLEN.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

Commissioners Present: Somers, Conway, Vanden Bos, Bayer, Rein, O'Day,  
Chairman Killen  
Commissioners Absent: None  
Staff Present: Planning Director Wahba, Senior Planner Cutler,  
Assistant Planner Wong, Zoning & Code Administrator Beall

4. **APPROVAL OF MINUTES**

COMMISSIONER O'DAY asked for a correction to his comments on page 5 for the PA-28-03, to state "that the additions have a higher standard for view impairment".

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION  
MEETING OF SEPTEMBER 20, 2004 AS AMENDED.

There being no objection, CHAIRMAN KILLEN so ordered.

5. **AUDIENCE ITEMS**

Mr. Jud Norrell, Finance Director for the City, informed the Commissioners that effective October 27, 2004, he would be leaving for a position at Half Moon Bay. He thanked the Commissioners for their dedicated service to the community and said he was impressed with the continued effort of all involved over the five years that he has been with the City.

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.

- A. Waive the 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 CONWAY commented that the code enforcement activity actions have been greatly reduced and complimented the effort.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS

TO RECEIVE AND FILE CONSENT CALENDAR ITEMS A AND B.

7. BUSINESS ITEMS

None.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO 30-04; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: CITYWIDE. A CITY-INITIATED REQUEST CONSIDERATION OF ORDINANCE NO. 628 AMENDING CHAPTER 16.08 (PARK AND RECREATION FACILITIES) OF THE ROLLING HILLS ESTATES MUNICIPAL CODE TO MAKE CERTAIN CHANGES IN CONFORMANCE WITH REQUIREMENTS OF SECTION 66477 OF THE CALIFORNIA GOVERNMENT CODE (THE QUIMBY ACT) RELATED TO THE DEDICATION OF LAND AND/OR COLLECTION OF FEES FROM RESIDENTIAL SUBDIVIDERS FOR PARKS AND RECREATION PURPOSES.

Senior Planner Cutler presented the recommended revisions from the previous meeting and stated that the Public Hearing was still open from the previous meeting.

COMMISSIONER BAYER asked for a clarification of "recreational facilities". Senior Planner Cutler responded that there was no clear definition in State law and that it may have been purposefully vague.

Director Wahba stated that they have broad discretion and historically they have used the monies for play equipment, drinking fountains and ADA improvements, tennis and basketball court improvements, etc.

COMMISSIONER O'DAY asked if they were going to be using four acres or if they were they waiting for City Council to make a decision of a higher number. Senior Planner Cutler stated that they have revised the documents to reflect the payment of in-lieu fees or the dedication of land to provide four acres per thousand as opposed to the 2.5 that is presently required.

COMMISSIONER O'DAY again asked if they would examine the four acres question if that was consistent with other cities.

COMMISSIONER VANDEN BOS stated that he had done some research to locate how many acres of park land the City has. He stated that the City website has 50.5 acres listed. He continued that they have four per thousand with 12,000 residents and with their current park size still be in compliance. He asked if they knew what the fee would be for new developments that want to come into the City and if there was a concern about the fee level.

COMMISSIONER CONWAY stated that with that calculation they could have eight acres per thousand.

COMMISSIONER O'DAY asked if they could find out what other cities have done and what was the reasonable range regarding the acres.

Senior Planner Cutler responded that the Quimby Act permits up to five acres and that they would be able to acquire the five acres per thousand instead of the requiring the factor of .004 and change it to .005 (five acres).

COMMISSIONER O'DAY asked that they include that information to City Council. Director Wahba advised that the resolution would be changed to five acres and the recommendation to Council as well.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY

TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO ADOPT RESOLUTION PA-30-04 RECOMMENDING CITY COUNCIL APPROVAL OF ORDINANCE NO. 628 AS AMENDED REQUIRING FIVE ACRES OF PARK LAND DEDICATION PER 1,000 PEOPLE.

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

B. PLANNING APPLICATION NO 35-04; APPLICANT: ROLLING HILLS METHODIST CHURCH; LOCATION: 26438 CRENSHAW BOULEVARD. A REQUEST FOR APPROVAL TO AMEND CONDITIONAL USE PERMIT NO. 101-79 AND PA-10-03 TO INCREASE STUDENT ENROLLMENT FROM 82 TO 102.

Assistant Planner Wong presented the staff report (as per written material) and recommended the Planning Commission: Open the Public Hearing; Take public testimony; Discuss the issues; Close the Public Hearing; and Adopt Resolution No. PA-35-04 for a Conditional Use Permit amendment to increase student enrollment from 82 to 102.

COMMISSIONER SOMERS asked when CEQA would apply if someone asks for only a 25% increase and would be exempt from the Initial Study under CEQA.

COMMISSIONER O'DAY asked if this same applicant had submitted and was approved application one year ago. Director Wahba confirmed.

COMMISSIONER BAYER asked about the sharing situation with Country Day School. Director Wahba discussed what facilities they shared and suggested they refer the question to the applicant.

COMMISSIONER CONWAY asked for clarification of terminology using either "enrollment" or "occupancy".

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO OPEN THE PUBLIC HEARING.

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

Senior Pastor Jonathan Chute confirmed they had made a request the previous year and they had stated their goal at that time was to reach a total of 100 students and he also discussed their current goals for the Commission. He discussed the question of enrollment versus occupancy and stated that they will follow whatever direction is mandated by the Commissioners.

COMMISSIONER CONWAY asked about the current enrollment and discussed with Pastor Chute occupancy numbers for the facility.

Myra Ghabral discussed their program. She stated that they have a schedule for Monday, Wednesday and Friday; another schedule for Tuesday and Thursday; and an afternoon program and an enrichment program. She stated that at any time they do not have an occupancy above 82 students and are also under the jurisdiction of the Department of Social Services.

COMMISSIONER O'DAY commented that the question was about the total occupancy as opposed to the "enrollment".

The COMMISSIONERS discussed with the applicant the programs schedule and worked on clarification of terminology of occupancy versus enrollment.

Director Wahba discussed the CEQA issue of parking and traffic and hours of operation, all of which are relative to occupancy (i.e. actual use).

Ms. Ghabral responded that the use employs staggered traffic and parking for drop-off and pick-up of students.

COMMISSIONER SOMERS asked if a child is in attendance at the school would they also be enrolled. Ms. Ghabral stated they would need to be for insurance purposes.

COMMISSIONER CONWAY asked if they had any plans to make improvements to the property. Ms. Ghabral and Pastor Chute stated they did not, and that there was no more room.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO CLOSE THE PUBLIC HEARING.

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

COMMISSIONER CONWAY asked about segmenting from a CEQA standpoint but given there isn't construction of any improvements, that the applicant presented enough information to remove any doubt.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO ADOPT PA-35-04 FOR A CONDITIONAL USE PERMIT AMENDMENT TO INCREASE STUDENT OCCUPANCY FROM 82 TO 102 AND TO HAVE THE RESOLUTION AS PREPARED CONFORM TO MAXIMUM OCCUPANCY AS OPPOSED TO ENROLLMENT.

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

Director Wahba explained the 20-day appeal period.

9. COMMISSION ITEMS

COMMISSIONER CONWAY asked about the dead Long Island Pine tree near his home. Director Wahba said they would investigate the matter.

COMMISSIONER BAYER asked about the Remax office on the corner of Palos Verdes Drive East and Palos Verdes Drive North. Director Wahba discussed the building and potential plans, stating that this corner property would be part of the Butler Subdivision.

10. DIRECTOR'S ITEMS

Director Wahba discussed the Mixed-Use joint meeting plans for October 25, 2004 and the plans to cancel the Planning Commission meeting of October 18, 2004.

11. MATTERS OF INFORMATION

A. PARKS & ACTIVITIES, September 21, 2004.

B. CITY COUNCIL ACTIONS, August 28, 2004.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO RECEIVE AND FILE ITEMS 11A and 11B.

There being no objection, CHAIRMAN KILLEN so ordered.

12. ADJOURNMENT

At 8:20 p.m., CHAIRMAN KILLEN adjourned the Planning Commission meeting.

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Judith Trujillo  
Minutes Secretary

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Douglas R. Prichard  
City Clerk