

**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**SEPTEMBER 20, 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:

Staff Present: Planning Director Wahba, Senior Planner Cutler,  
Assistant Planner Wong, Administrative Analyst Greg Grammer

4. **APPROVAL OF MINUTES**

COMMISSIONER CONWAY moved, seconded by COMMISSIONER O'DAY

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF August 16, 2004.

There being no objection, CHAIRMAN KILLEN so ordered.

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.

- 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. A Resolution (PA-27-03) of the Planning Commission of the City of Rolling Hills Estates approving a Precise Plan of Design (PPD) to permit a new 5,760 sq. ft. retail/office building, a Minor Deviation to exceed the maximum allowable coverage of the lot, and a Grading permit. APPLICANT: Ms. Judy Chai; LOCATION: 5883 Crest Road.

CHAIRMAN KILLEN stated that Item B, will be moved to Business Items as it requires a roll call vote.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO RECEIVE AND FILE CONSENT CALENDAR.

There being no objection, CHAIRMAN KILLEN so ordered.

7. BUSINESS ITEMS

Item 6B was taken out of order.

6B. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES, APPROVING A PRECISE PLAN OF DESIGN, A MINOR DEVIATION TO EXCEED ALLOWABLE COVERAGE OF THE LOT, AND A GRADING PLAN TO PERMIT IMPORTATION OF APPROXIMATELY 167 CUBIC YARDS OF FILL AND A MAXIMUM CUT DEPTH OF 4 FT FOR A 5,760 SQUARE FOOT OFFICE/COMMERCIAL BUILDING A ON A .51 ACRE PARCEL. APPLICANT: JUDY CHAI, P.O. BOX 2843, RANCHO PALOS VERDES, CA 90275; LOCATION 5883 CREST ROAD.

COMMISSIONER BAYER requested the report correctly identify Ms. Chai.

COMMISSIONER O'DAY stated that they had previously agreed with the list of retail businesses applicant submitted. Director Wahba stated that they could add an additional list of uses allowed and/or prohibited.

Senior Planner Cutler commented that the condition read in her notes from the previous meeting "as recommended by Staff".

COMMISSIONER CONWAY asked for clarification on Item 38 "the hedge shall be maintained" and for clarification about the cover letter referring to the size of the parking spaces, 9' for spaces 1-14. Director Wahba responded that the hedge should be maintained by the property owner where the hedge is located and regarding the parking stalls size, that they are all 9' wide, in compliance with code.

COMMISSIONER BAYER asked for a correction to Item 20 to read "to be 4" thick".

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO APPROVE RESOLUTION 27-03 AS AMENDED.

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

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

A. JOINT NATURAL HAZARDS MITIGATION PLAN

Administrative Analyst, Greg Grammer, gave a staff report (as per written material) and recommended that the Planning Commission review the plan and provide comments prior to review and adoption.

COMMISSIONER O'DAY asked why Rolling Hills Estates collaborated with Rancho Palos Verdes and not the other cities locally. He also asked if relief would be given to the City or to the residents of the city, and if there were a disaster that is not covered under the plan, would the City be covered because the Joint Mitigation Hazards Plan was in place.

Mr. Grammer responded that the other cities had their own plans, and that if the Joint Mitigation  
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Hazards Plan was in place it would give relief to the City, and if there were a disaster not listed, the City would still be covered because the Joint Mitigation Hazards Plan was in place.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS

TO RECOMMEND ACCEPTANCE TO THE CITY COUNCIL.

There being no objection, CHAIRMAN KILLEN so ordered.

- B. PLANNING APPLICATION NO. 31-04; APPLICANT: THE EDLER GROUP; LOCATION: 608 SILVER SPUR ROAD. A REQUEST TO APPROVE A PRECISE PLAN OF DESIGN FOR EXTERIOR IMPROVEMENTS (FAÇADE, MASTER SIGN PLAN, LIGHTING AND NEW LANDSCAPING) TO AN EXISTING THREE-STORY COMMERCIAL OFFICE BUILDING.

Assistant Planner Wong gave a update on this continued application (as per written material) and recommended that the Planning Commission continue PA-31-04 to a date uncertain to allow the applicant to change the silver zinc material and that the solar shading be mounted upright onto the windows instead of being mounted in an angled fashion from the windows and be limited to areas in front of windows only.

COMMISSIONER VANDEN BOS asked about the recommendation of mounting the screens parallel to the windows. He asked if they discussed this with the applicant and their need for the placement of the shades. Director Wahba responded that Staff wanted the applicant to have a more vertical screen.

COMMISSIONER SOMERS asked about the change for silver zinc screen or copper color. Director Wahba expressed his concerns for the change to the look of the tower. He discussed his concerns of the community on the futuristic look of the building. He stated that the applicant was present and would present their mock-ups and models.

Mr. Austin Kelly, the architect for the building, discussed the plans and presented the models utilizing the silver zinc shade and the copper façade versions.

COMMISSIONER VANDEN BOS asked about the color fastness of the shade. Mr. Kelly stated there was a 10 year warranty on the silver zinc shade for the color and the maintenance plan. He discussed their attempt to have a more vertical fashion for a better street presence and the shade for the ground floor.

CHAIRMAN KILLEN asked about changing the windows to a more efficient window. Mr. Kelly responded that the solar shade is estimated at about \$200,000.00 and the changes for the windows would be about \$2.2 million.

COMMISSIONER VANDEN BOS asked about the shades at the top of the building. Mr. Kelly responded that it was a functional requirement to screen the items on the roof.

COMMISSIONER SOMERS asked about the maintenance plan and the cleaning of the screens. Mr. Kelly discussed the angle of the screens and their plan to keep the runoff of each floor contained to that floor level. He added that the material does not fray and it would be cleaned every six months on the maintenance contract. He also discussed the concern for the tiles that are falling off; the grout lines would need to be redone, and the current water damage has been a problem with the epoxy stucco. He presented a copper mock up for the Commissioners. He discussed the beauty and the life expectancy of the copper.

CHAIRMAN KILLEN appreciated the mock-ups and models, and stated that the building was a classic mid-century and his concerns of the "stacked card effect" of the shades and if they would stand the test of time as the building has.

COMMISSIONER SOMERS asked about the angle of the screen on the first floor. Mr. Kelly

discussed the shade for the public, tenants of the first floor and the people walking.

COMMISSIONER VANDEN BOS asked about the vintage of the air conditioners. Mr. Kelly stated it was upgraded in 1990.

COMMISSIONER BAYER stated that she liked it the first time and still likes it at this time.

COMMISSIONER SOMERS stated that he liked the energy efficiency and he did visit the site and he stated that he could hardly distinguish between the windows and the shades. He stated that he was reluctantly going to agree.

COMMISSIONER VANDEN BOS commented that he understood the situation with the tiles and tower.

COMMISSIONER CONWAY commented that he liked what the applicant was trying to do.

COMMISSIONER O'DAY was impressed and would have to abstain on his vote as his wife works for the Edler Group.

COMMISSIONER REIN commented that they have been presented with a substantial redesign of a landmark building, that the shading and the cost of the air conditioning bill are significant issues and there is more design work that needs to be done.

CHAIRMAN KILLEN commented that the tower does work for him, he hoped that the issue of the tiles could be resolved and that the screens change in angle was more appealing and he discussed the screens as a creative solution and the opportunity to do a variety of things in the area.

Director Wahba asked the Commissioners for more clarification and more specific direction.

The COMMISSIONERS discussed various issues and concerns, such as silver zinc or copper and the advantages of each.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY

TO APPROVE PA-31-04 SUBJECT TO THE CONDITION THAT THE TOP LEVEL BE REPLACED FROM THE FABRIC SUNSHADE TO METAL SIMILAR TO THAT PROPOSED FOR THE TOWER.

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

Director Wahba stated there is a 20-day appeal.

C. PLANNING APPLICATION NO. 28-03; APPLICANT: MR. KEN SHOOR; LOCATION: 17 SILVER SADDLE LANE; A REQUEST FOR APPROVAL OF A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A FIRST AND SECOND STORY ADDITIONS LOCATED AT THE SIDE AND REAR YARDS OF A SINGLE STORY HOME.

Assistant Planner Wong presented the staff report (as per written material).

COMMISSIONER O'DAY asked how high was the chimney and if it were gas or wood burning. Director Wahba stated that it was wood burning.

Mr. Keith Johnson, applicant's representative, briefly discussed the small addition and the second story.

CHAIRMAN KILLEN asked about the pitch of the roof and if they could keep the pitch the same as the rest of the house and lower the wall plate heights. Mr. Johnson responded that keeping the pitch the same was not as important as keeping with the 8' plate.

Mr. Bill Combs resident of 19 Silver Sadde, stated that his concern was that the second story overviews his backyard and more importantly the windows see into his bathroom.

COMMISSIONER BAYER asked Mr. Combs if he had discussed this issue with anyone. Mr. Combs stated that he had discussed this problem with Assistant Planner Wong.

CHAIRMAN KILLEN asked Mr. Combs if they frosted the windows or raised them if this would be satisfactory to him. Mr. Combs stated he would consider these alternatives.

Mr. Gene Allen resident of 51 Ranchview, advised the Commissioners that they had just finished a major remodel and the their view would be taken away with the second story.

CHAIRMAN KILLEN asked Mr. Allen if he had seen the pictures that were take of the view in the packet on August 31, 2004. Mr. Allen discussed the position of the pictures with the Commissioners and with Assistant Planner Wong and the position of the flags.

Mr. Allen also discussed the fireplace chimney that would be 2' above the roof and asked if there were other options for construction.

COMMISSIONER VANDEN BOS asked about the chimney but not the one on the second story. Mr. Johnson replied that it was to meet the fire code.

COMMISSIONER O'DAY asked about the existing fireplace that would have to be extended through the existing roof, would they consider removing the fireplace altogether in the existing living room. Mr. Johnson discussed the possibility of changing the fireplace if it were gas as opposed to wood to meet the fire code.

COMMISSIONER CONWAY commented about their historic view impairment issue and from reviewing the pictures, the vegetation and its impact are insignificant and marginal.

COMMISSIONER O'DAY stopped by and could not see the view or view impact. He felt that the code applied to new construction only. He stated that his interpretation would be that the additions have a higher standard for view impairment. He would be inclined to vote no.

COMMISSIONER SOMERS felt their was no significant view impairment and the complaint was for one block away from the construction. He stated his concerns were for the neighbor next door and should suggest glass that would obscure the view for privacy purposes.

COMMISSIONER VANDEN BOS apologized for not having a business card to present and would remedy that. He commented that there was no view impairment.

COMMISSIONER BAYER commented about the Rollingwood issue on view impairment with the fireplace issue pitting neighbor against neighbor. She stated that her concerns are for the neighbor that presents an issue on view impairment and she felt the code was very specific on this issue and it would be a dilemma.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SOMERS

TO APPROVE PA-28-03 WITH THE CONDITIONS AS STATED IN THE STAFF REPORT, IN ADDITION THE WINDOWS THAT OVERLOOK 19 SILVER SADDLE SHALL EITHER BE OBSCURE OR ABOVE THE LINE OF VISION.

AYES: Somers, Conway, Vanden Bos, Rein, Chairman Killen

NOES: Bayer, O'Day

ABSTAIN:  
ABSENT:

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

- D. PLANNING APPLICATION NO. 34-04; APPLICANT: MR. & MRS. JOE BRADY; LOCATION: 56 DAPPLEGRAY LANE; A REQUEST TO APPROVE A GRADING PERMIT FOR FRONT AND REAR YARD IMPROVEMENTS (RETAINING WALLS, PILASTERS, HARDSCAPE, POOL AND SPA.

Assistant Planner Wong gave a staff report (as per written material) and recommended that the Planning Commission approve PA 34-04 with the stated conditions.

COMMISSIONER O'DAY asked about the grading permits and what was done to mitigate the truck traffic. Director Wahba suggested possible use of the country club parking lot access and their timing of access. He also commented that the grading would not be done all at once and they would not typically want that much traffic in a residential neighborhood, but that if it were staged over time, that it would not impact the neighborhood too heavily.

COMMISSIONER VANDEN BOS asked who determines the calculation of cut and fill. Director Wahba responded that the applicant's engineer usually makes that determination.

COMMISSIONER O'DAY asked if there were any compaction involved or erosion concerns. Director Wahba stated that they would need to submit for plan check and erosion control plans as they enter the rainy season from October 15 to April 15.

Mr. Carl Vella, the applicant's representative discussed the grading, and front and rear yard improvements and stated that the construction would not start until after the rainy season schedule.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER O'DAY

TO APPROVE PA 34-04 AS CONDITIONED IN THE STAFF REPORT.

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

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

## 8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO 30-04; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: CITYWIDE. THIS IS A CITY INITIATED REQUEST FOR PLANNING COMMISSION 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.

Director Wahba stated this item was to be continued to the next meeting.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY

TO CONTINUE PA 30-04 TO THE MEETING OF OCTOBER 4, 2004.

CHAIRMAN KILLEN so ordered.

9. COMMISSION ITEMS

COMMISSIONER BAYER asked about the McDonalds project vote. Director Wahba stated that it was a 5-0 vote in favor.

COMMISSIONER CONWAY discussed the city celebration.

COMMISSIONER VANDEN BOS announced that the City won the trophy for the volleyball match for the first time in seven years.

10. DIRECTOR'S ITEMS

DIRECTOR WAHBA discussed the joint meeting plans for the upcoming Mixed-Use projects.

11. MATTERS OF INFORMATION

- A. Park and Activities Minutes, August 17, 2004
- B. City Council Actions, August 24, 2004
- C. City Council Actions, September 14, 2004

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO RECEIVE AND FILE ITEMS 11A, 11B, 11C .

There being no objection, CHAIRMAN KILLEN so ordered.

12. ADJOURNMENT

At 9:25 p.m. CHAIRMAN KILLEN adjourned the Planning Commission meeting to October 4, 2004, at 7:30 p.m.

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Judith Trujillo  
Minutes Secretary

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Douglas R. Prichard  
City Clerk