

MINUTES

REGULAR PLANNING COMMISSION MEETING

AUGUST 16, 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

4. **APPROVAL OF MINUTES**

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF JULY 19, 2004.

There being no objection, CHAIRMAN KILLEN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

None.

7. **BUSINESS ITEMS**

A. PLANNING APPLICATION NO. 32-04; APPLICANT: MR. & MRS. ALLAN FORK; LOCATION: 4957 ROLLING MEADOWS ROAD; A REQUEST FOR APPROVAL OF A FREESTANDING TRELIS TO BE PERMITTED IN THE FRONT YARD AND TO DETERMINE IF THIS TYPE OF STRUCTURE SHOULD BE PROCESSED UNDER THE CITY'S PILASTER PERMIT APPLICATION.

Planner Wong gave a staff report (as per written material) and recommended that the Planning Commission direct staff to use the Pilaster Permit application with the above-stated criteria (in the staff report) for review and approval of a freestanding trellis to be located in the front yard and approve PA-32-04.

COMMISSIONER O'DAY said the "language" of the statute MC 17.06.365 was very clear and he was not sure why they were considering other options. Director Wahba commented that the Planning Commission has allowed flagpoles and fountains, and the application form does allow for "other" decorative features, and that this is essentially two pilasters and archway. He gave some history on the Code and rationale for it.

Applicant, Mr. Allan Fork stated he was present to answer any questions the Commissioners may have.

COMMISSIONER O'DAY pointed out that Section A of the Pilaster Code was so broad, that it would include even an enclosed structure and that the Commissioners should look at the language for the future. He added that any structure made out of wood would qualify.

COMMISSIONER SOMERS stated that he felt over the years that people understood pilasters would be something other than a trellis.

CHAIRMAN KILLEN asked the COMMISSIONERS if they felt it would be necessary to direct staff to tighten up the "language" of the staff-recommended criteria in the staff report.

Director Wahba stated that there is some gray area and if they could not support the issue, they would bring the issue before the Commission.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO APPROVE STAFF'S RECOMMENDATION FOR PA-32-04.

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

NOES:

ABSTAIN:

ABSENT:

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

B. PLANNING APPLICATION NO. 29-04; APPLICANT: MR. & MRS. CRAIG KILLAM; LOCATION: 60 BUCKSKIN LANE; A REQUEST TO APPROVE A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS TO AN EXISTING SINGLE STORY HOME. NOTE THAT THIS REQUEST SUPERCEDES A PREVIOUS APPROVAL FOR SINGLE STORY ADDITIONS AND REMODEL, AND THAT THE EXISTING HOME HAS BEEN LARGELY DEMOLISHED.

Planner Wong gave a staff report (as per written material) and recommended that the Planning Commission approve PA-29-04 with the conditions in the staff report.

COMMISSIONER VANDEN BOS could not reconcile the numbers as stated on the plans and asked for clarification. Director Wahba commented that the square foot was doubled.

COMMISSIONER BAYER asked about the horse trail and stated that it looks like two driveways going to the property. Director Wahba clarified the horse trail and path and stated that the driveway to the north is for horsekeeping purposes at the rear yard and that there are other similar driveways in the neighborhood.

COMMISSIONER O'DAY asked if the Dapplegray HOA approved this also. Director Wahba stated that they did approve the plans.

CHAIRMAN KILLEN asked about the side entrance way for the front door. Director Wahba discussed the issues and stated he was comfortable with the side entrance way and that there are others in the neighborhood.

Ms. Kristi Skelton, architect for the project, stated that the strip would be grasscrete. She discussed the side entrance way and stated that the owners prefer the privacy of the walk up. She discussed the tower and the perception of mass, she stated they have tried to maintain a ranch style.

COMMISSIONER SOMERS discussed a previous approval for a side entrance and asked Ms. Skelton if she were comfortable with the side entrance.

COMMISSIONER VANDEN BOS discussed the plans and the fireplace at the front of the home, which will be removed, as indicated by the applicant.

COMMISSIONER REIN asked about the site sticks and commented he was pleasantly surprised that it is not as massive as it appears on the plans, and discussed the elevation of the site. Director Wahba stated that the site sticks were in the correct location as they have been certified.

COMMISSIONER VANDEN BOS discussed the massive size of the construction.

Ms. Hope Heib, neighbor across the street, stated that she would be delighted for Killam's to build as large as they would like to, because that would only increase the value of the property. She stated that she hopes they finish because she was tired of looking at sticks.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO APPROVE PA-29-04 WITH STAFFS CONDITIONS.

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

NOES:

ABSTAIN:

ABSENT:

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

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

Planner Wong gave a staff report (as per written material) and recommended that the Planning Commission approve PA-31-04 with the condition that the applicant implement a maintenance plan for the retractable silver fabric sunshades to ensure the fabric's appearance is kept clean on a regular basis and free from weather damage, such as fading, tearing, sagging, etc.

COMMISSIONER CONWAY asked about the loss of a parking space.

CHAIRMAN KILLEN asked about the "N" north direction on the plans and asked Director Wahba if he were comfortable with the retractable sunshade and concern for the maintenance. Director Wahba discussed his concerns and clarified that adding in the maintenance condition as a condition of approval would assist in the enforcement issue.

CHAIRMAN KILLEN asked for clarification of the materials to be used for the retractable sunshade.

COMMISSIONER VANDEN BOS asked about the signage.

Director Wahba discussed the signage, and addressed and advised the Commission that the sign consistency and the high-end lighting that is proposed would enhance the building. He also discussed the architectural style and that it was in keeping with the 1950's modern style of the building.

COMMISSIONER VANDEN BOS asked about the tenant signage. Director Wahba stated that the City has in the past ten years become more flexible in the signage for master sign plans and suggested that if the Commission felt it was excessive, they could modify the plan.

The applicant's representative, Mr. Austin Kelly of Xten Architecture, responded to the parking space question and stated they did not lose a space and that they relocated the trash dumpster to the underground and restriped the parking. He discussed the zinc metal surface and sunshade, and that it has been used in Switzerland, which has harsher weather elements and it has held up over ten years and the maintenance requirements are to be cleaned every 24 months. He discussed the change from retractable to stationary with staff. He also addressed the "green building" and energy management for the building.

COMMISSIONER CONWAY had the following three questions:

1. Did the applicant have an objection to maintenance plan?
2. Please explain the reasons behind the sunshade structure and the energy management green building.
3. Will the outdoor dining area take away a parking space?

Mr. Kelly responded that they have no objection to the maintenance plan. The green building was a cost-saving action and that the outdoor dining area did not take the parking space away (they did not lose a parking space).

CHAIRMAN KILLEN asked about the original architect and the ceramic tile. Mr. Kelly informed him that they could not find the architect or the original plans, although they have tried extensively. He discussed the upcoming "mock-up" they plan to have ready in a couple of weeks. He also discussed various elements of the proposed changes and presented the "model" rendering. He also addressed the awning on the ground floor and that they are keeping with the same line, not projecting out any further towards the street.

COMMISSIONER BAYER moved, and seconded by COMMISSIONER VANDEN BOS TO

CONTINUE PA-31-04 TO THE NEXT AVAILABLE MEETING TO ALLOW THE APPLICANT TO PUT UP A MOCK-UP OF THE SUNSHADE AND SILVER ZINC MATERIAL ON THE BUILDING; AND FOR STAFF AND THE APPLICANT TO WORK TOGETHER TO CREATE A MAINTENANCE PROGRAM FOR THE SUNSHADE.

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

NOES:

ABSTAIN: O'Day

ABSENT:

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 RECREATIONAL PURPOSES.

Senior Planner Cutler summarized 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 PA-30-04 recommending to the City Council approval of Ordinance No. 628 revising Chapter 16.08 of the City of Rolling Hills Estates Municipal Code.

COMMISSIONER VANDEN BOS asked how the numbers were calculated for 16.08.040 and 16.08.050 fees and land dedication. Planner Cutler discussed the calculation.

COMMISSIONER O'DAY advised the Commissioner that mathematical constants followed by values are multiplied. He also asked about the mixed-use plan for the Deep Valley Drive area, and if Staff knew how many acres are required for location of a park there. He also expressed concern of requiring the dedication of usable land in that properties have both flat and hilly acreage. Director Wahba responded that in the Master Plan, the park is about one-third to one-half acre.

COMMISSIONER CONWAY recommended that under 16.08.020 all dedications be contiguous to avoid having little strips dedicated; he asked about why the densities have decreased as opposed to risen under 16.080.030; and stated he struggled with 16.080.040 "Amount determination" and felt it was not proportionate with the formula given. Also 16.080.050 land dedication, he suggested fair market value shall be determined by appraisal at the time of filing the final map in accordance with the following: by appraisal and highest and best use and fair market value as entitled; and item 16.080.060 he suggested that balconies not be included; and 16.080.070, subsection C, he addressed an inconsistency; 16.080.090 he asked about what the fees would be used for and suggested they be used for "programming" or event scheduling; 16.08.080, B, on subdivisions involving 50 lots or less, should that be lots or units instead; and with regard to the resolution in the preamble, asked about the residential issue; and the fourth Whereas asked for change from "wherever" to "however".

The COMMISSIONERS discussed the various calculations, with the school district recreational facilities. They were searching for a balance in their analysis. They also discussed at length the issues of fair market value and appraisals and the various elements of the Quimby Act.

COMMISSIONER O'DAY asked about the language and "Programming" and asked for a legal opinion due to the precise terminology used and that in his opinion prior case law and precedent previously used, and mixed-use plan implementation. Director Wahba suggested they have the City's legal counsel review the language suggested.

COMMISSIONER VANDEN BOS suggested that they remove the school district land and they should try to get four acres per 1,000 population. He discussed the calculation for the school district requirements.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO OPEN THE PUBLIC HEARING FOR PA-30-04.

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

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO CONTINUE THE PUBLIC HEARING FOR PA-30-04 TO THE NEXT REGULARLY-SCHEDULED PLANNING COMMISSION MEETING FOR STAFF AND THE CITY ATTORNEY TO REVIEW THE SUGGESTED MODIFIED LANGUAGE.

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

B. PLANNING APPLICATION NO. 27-03; APPLICANT: JUDY CHAI; LOCATION: 5883 CREST ROAD AT THE NORTHEAST CORNER OF CREST ROAD AND HIGHRIDGE ROAD. THE APPLICANT IS REQUESTING APPROVAL OF:

1. A PRECISE PLAN OF DESIGN (PPD) FOR SITE AND BUILDING IMPROVEMENTS.
2. A MINOR DEVIATION TO EXCEED MAXIMUM ALLOWABLE COVERAGE OF THE LOT;
3. A VARIANCE TO PERMIT SMALLER PARKING SPACE DIMENSIONS THAN REQUIRED BY CODE;
4. A GRADING PLAN TO PERMIT IMPORTATION OF APPROXIMATELY 167 CUBIC YARDS OF FILL AND A MAXIMUM CUT DEPTH OF 4';
5. A MITIGATED NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), FINDING THAT THE PROJECT, WITH MITIGATION MEASURES WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

Senior Planner Cutler 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 a Precise Plan of Design, a Minor Deviation to exceed maximum allowable coverage of the lot, a grading plan to permit importation of approximately 167 cubic yards of fill and a maximum cut depth of 4' and a Mitigated Negative Declaration subject to site plan modifications to increase the width of parking spaces 1-14 and to 9' and subject to the conditions of approval identified in this report for the meeting of September 20, 2004.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO OPEN THE PUBLIC HEARING FOR PA-27-03.

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

The applicant's representative, Mr. Dale Ulman, discussed previous issues from the last meeting and discussed their issues.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO CLOSE THE PUBLIC HEARING FOR PA-27-03.

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

COMMISSIONER CONWAY asked about limiting the retail usage, and felt the limitation was invalid; and commented about the limitation on hours and the hedge to be determined with the HOA.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO DIRECT STAFF TO PREPARE A RESOLUTION FOR THE NEXT MEETING TO APPROVE PA-27-03 PER STAFF'S RECOMMENDATION AND TO COORDINATE WITH THE DEVELOPER TO PROPERLY SCREEN THE DEVELOPMENT FROM THE SEAVIEW DRIVE SOUTH CONDOS TO THE SATISFACTION OF THE PLANNING DIRECTOR.

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

9. COMMISSION ITEMS

COMMISSIONER BAYER asked for a correction to her vote for the Simmeral (63 Rollingwood Drive) item.

10. DIRECTOR'S ITEMS

Director Wahba announced that the next Planning Commission meeting for September 7, 2004 would be a joint meeting with City Council to discuss the Chandler and Rolling Hills Country Club re-use plans, and asked who would be in attendance.

COMMISSIONER CONWAY stated he would not be able to attend.

11. MATTERS OF INFORMATION

A. CITY COUNCIL ACTIONS, AUGUST 3, 2004.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,
TO RECEIVE AND FILE ITEM 11A .

There being no objection, CHAIRMAN KILLEN so ordered.

12. ADJOURNMENT

At 9:38 p.m. CHAIRMAN KILLEN adjourned the Planning Commission meeting to September 20, 2004, at 7:30 p.m.

Judith Trujillo
Minutes Secretary

Douglas R. Prichard
City Clerk