

MINUTES

REGULAR PLANNING COMMISSION MEETING

APRIL 19, 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: Conway, Vanden Bos, Bayer, Somers, Rein, O'Day, Killen

Commissioners Absent:

Staff Present: Planning Director Wahba, Assistant Planner Wong,
City Attorney Richard Terzian

4. **APPROVAL OF MINUTES**

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF MARCH 15, 2004.

There being no objection, CHAIRMAN KILLEN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

Due to extensive discussion regarding the Quarterly Code Enforcement Report, this item was moved to "Business Items."

7. **BUSINESS ITEMS**

A. QUARTERLY CODE ENFORCEMENT REPORT

Mr. Beall, Code Administrator, discussed the impending status and of the Crawford Property and the Porter Property with the Commissioners.

* COMMISSIONER KILLEN returned from his three-month leave of absence and took over as Chairman. Plaque presentation will take place at the next Planning Commission meeting.

- B. PLANNING APPLICATION NO. 10-04; APPLICANT/LOCATION: MR. STEVEN FAFARD; LOCATION: 22 ROLLINGWOOD DRIVE, A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A SECOND STORY ADDTION ON A SINGLE STORY HOME.

Assistant Planner Wong summarized the staff report (as per written material) and stated that Staff recommends the Planning Commission approve PA-10-04 with the specified conditions:

1. That all construction shall be conformance with the approved plans. Any alterations or additions to the approved plans, or any changes to the exterior treatment including but not limited to exterior building materials or the size, shape or location of windows or other openings, or changes to the size, location or amount of any hardscape shall be reviewed by the Planning Director to determine if further Planning commission approval is necessary.
2. That the applicant shall obtain building permits within two years of approval of this application.
3. That the demolition of the existing home shall not exceed 50%.

COMMISSIONER BAYER asked if anyone viewed the silhouette from 5033 Elmdale Drive. Assistant Planner Wong advised the Commissioner that the residents were notified but staff was unable to gain access to their home.

COMMISSIONER O'DAY asked if the 7' plate height on both stories if the silhouette were right and if they were completed by a licensed engineer. Director Wahba stated that the silhouette was certified and that the plate heights are at 8" on both levels.

CHAIRMAN KILLEN asked about the trees. Discussion ensued about topping and/or removing trees. COMMISSIONER SOMERS stated that if there were an issue, they would usually visit the site again. Director Wahba stated that if the trees are removed, the view corridor could change for others and he also stated that he had a concern about including landscaping conditions.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS

TO APPROVE PA-10-04 WITH STAFF RECOMMENDATIONS.

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

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

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 01-04; APPLICANT: MS. AMY FORTUNE; LOCATION: 12 ENCANTO DRIVE. A NEIGHBORHOOD COMPATIBILITY FOR CONSTRUCTION OF FIRST STORY ADDITIONS TO THE SIDES (NORTH AND SOUTH) AND REAR YARDS. A VARIANCE IS REQUIRED TO EXCEED THE MAXIMUM FRONT YARD COVERAGE.

Planner Wong 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 Continue the application to a date uncertain to allow the applicant, residents, and staff to work further on redesigning the project; or Continue this application to a date uncertain to allow the applicant to work with staff on a first story addition because a second story addition is not in keeping with the Neighborhood Compatibility Ordinance; or deny PA-01-04.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SOMERS

TO OPEN THE PUBLIC HEARING FOR PA-01-04.

CHAIRMAN KILLEN so ordered.

The applicant, Amy Fortune, discussed the project changes made for privacy issues, since the last meeting.

COMMISSIONER BAYER asked about windows in the kitchen area. Ms. Fortune discussed the courtyard and windows.

COMMISSIONER SOMERS asked how many people would reside at the residence. Ms. Fortune stated that her mother, herself and her partner and the expected baby would reside there.

Mr. Mike Song, architect for the project, discussed the project changes.

CHAIRMAN KILLEN discussed his roof massing concerns and advised Mr. Song that the roof would not look too compatible with the area and asked if he would restudy the design.

COMMISSIONER O'DAY asked Staff if they would require a three-car garage. Director Wahba stated there was no current requirement.

COMMISSIONER O'DAY discussed the pool issue and asked about moving it due to the extensive work around the pool. CHAIRMAN KILLEN discussed possible alternatives.

COMMISSIONER CONWAY discussed the issues and overall lot coverage of 28% and that the site planning was well thought out.

COMMISSIONER SOMERS stated he concurred with Staff that the proposed plan is out of place in the neighborhood and asked the Commissioners to revisit the site for a better perspective.

COMMISSIONERS CONWAY stated that he visited the site and this project needs to reflect the configuration of the property, as it is long and rectangular. He felt it was an appropriate plan.

COMMISSIONER BAYER stated that she did not view the addition as massive when she visited the site.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO CLOSE THE PUBLIC HEARING FOR PA-01-04.

CHAIRMAN KILLEN so ordered.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER TO

APPROVE PA-01-04 WITH THE STATED AMENDMENTS WITH RESPECT TO THE ROOF BEING REDESIGNED TO THE SATISFACTION OF THE PLANNING DIRECTOR.

AYES: Conway, Vanden Bos, Bayer, Killen

NOES: Somers, Rein, O'Day

ABSTAIN:

ABSENT:

Director Wahba stated a Resolution will be brought back to the Planning Commission for formal adoption at the next meeting.

- B. PLANNING APPLICATION 07-04; APPLICANT: MR. DAVE FARRELL; LOCATION: 10 HIDDEN VALLEY ROAD. A NEIGHBORHOOD COMPATIBILITY DETERMINATION TO ALLOW AN AFTER-THE-FACT ACCESSORY STRUCTURE BUILT IN THE EAST SIDE YARD; AND A VARIANCE FOR A DECREASE IN THE 10' SIDE YARD SETBACK FOR THE STRUCTURE.

Planner Wong 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 work with the applicant with one of the following choices which would eliminate the Variance application:

- a. Relocate the accessory structure to the required 10' side yard setback; or
- b. Move the accessory structure back to 85' from the front property line that maintains a 35' distance from an off-side residence.

Director Wahba discussed with the Commissioners the plans, the accessory structure and possible options with the Variance application.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS

TO OPEN THE PUBLIC HEARING FOR PA-07-04.

CHAIRMAN KILLEN so ordered.

The applicant, Mr. Farrell apologized to the Commissioners for the addition being there after the fact. He stated that his architect had misunderstood the requirements. He discussed the circumstances and the issues, and presented a letter from a neighbor.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER CONWAY

TO CLOSE THE PUBLIC HEARING.

CHAIRMAN KILLEN so ordered.

COMMISSIONER CONWAY stated that he could not support the request for a Variance. COMMISSIONER SOMERS concurred and discussed the situation and alternatives.

CHAIRMAN KILLEN stated that they are bound by State mandated laws and they must interpret them. He asked the City Attorney, Mr. Terzian if he had any suggestions or interpretations to assist with this application. The Commissioners discussed at length the possible options, alternatives and the Variance requirements, and the code sections with Director Wahba and requested the assistance of the legal counsel.

Mr. Terzian suggested that the Commission could direct staff to research this issue.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER

TO CONTINUE PA-07-04 TO THE MEETING OF MAY 3, 2004.

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

NOES:

ABSTAIN:

ABSENT:

9. COMMISSION ITEMS

The Commissioners welcomed back CHAIRMAN KILLEN.

10. DIRECTOR'S ITEMS

- A. Director Wahba asked for volunteers for the Hazard Mitigation Plan Committee. He stated that he would obtain the various Committee appointments.
- B. Director Wahba discussed the Contract Cities Indian Wells Conference, May 20-23, 2004.
- C. Director Wahba advised the Commissioners of COMMISSIONER VANDEN BOS' birthday and everyone sang Happy Birthday to him.

11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES, APRIL 6, 2004.
- B. CITY COUNCIL ACTIONS, MARCH 23, 2004.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO RECEIVE AND FILE ITEMS 11A AND B.

There being no objection, CHAIRMAN KILLEN so ordered.

12. ADJOURNMENT

At 9:00 p.m. CHAIRMAN KILLEN adjourned the Planning Commission meeting to May 3, 2004, at 7:30 p.m.

Judith Trujillo
Minutes Secretary

Douglas R. Prichard
City Clerk