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MINUTES

REGULAR PLANNING COMMISSION MEETING

SEPTEMBER 19, 2005

1. **CALL MEETING TO ORDER**

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: Southwell, Conway, Rein, Vanden Bos, Bayer, Chairman Killen
Commissioners Absent: O'Day
Staff Present: Planning Director Wahba, Senior Planner Cutler, Assistant Planner Wong

4. **APPROVAL OF MINUTES**

COMMISSIONER CONWAY commented that he was absent from the last meeting; however, he appeared in the minutes sporadically moving a couple of items. The recording will be reviewed, and the minutes will be amended.

COMMISSIONER BAYER moved, seconded by COMMISSIONER REIN,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF SEPTEMBER 6, 2005, AS AMENDED.

There being no objection, CHAIRMAN KILLEN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

A. WAIVE READING IN FULL ALL RESOLUTIONS THAT ARE PRESENTED FOR PLANNING COMMISSION CONSIDERATION TONIGHT.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE CONSENT CALENDAR.

There being no objection, CHAIRMAN KILLEN so ordered.

7. **BUSINESS ITEMS**

None.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 27-05; APPLICANT: MR. & MRS. LOUIS PERSICHINA; LOCATION: 47 DAPPLEGRAY LANE; A NEIGHBORHOOD COMPATIBILITY FOR CONSTRUCTION OF A NEW ATTACHED GARAGE AND CONVERSION OF EXISTING GARAGE INTO A FAMILY ROOM. A MINOR DEVIATION IS REQUIRED FOR DECREASING THE FRONT YARD AREA BY LESS THAN 10%. VARIANCES ARE REQUIRED FOR PROJECTING BEYOND THE FORWARDMOST BUILDING LINE AND CONTINUING ALONG A LEGAL NON-CONFORMING SIDE YARD SETBACK INTO THE FRONT YARD.

Assistant Planner Wong gave a brief Staff Report (as per written material) and reported that Staff is in support of the Variance applications and recommended adopting the Resolution.

COMMISSIONER VANDEN BOS asked Staff to clarify how the impact of the bulk of the property impacts the Variance findings, as opposed to other findings regarding Neighborhood Compatibility, to which Planning Director Wahba responded that Neighborhood Compatibility ties in to finding number 4, in addition to preserving the perception of more open space in the front yard.

CHAIRMAN KILLEN asked Staff about the elevations that are labeled as stucco or wood siding and whether the applicant has options at those locations (e.g., new garage front). Planning Director Wahba responded that it was left open for the Planning Commission or Staff to determine.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,
TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Conway, Rein, Vanden Bos, Bayer, Chairman Killen
NOES: None
ABSTAIN: None
ABSENT: O'Day

Lou Persichina (47 Dapplegray Lane), Applicant, came forward at Chairman Killen's invitation. Mr. Persichina summarized the changes to the plans in cooperation with Staff, including lowering the overall size of the construction and eliminating the greater than 10% usage in the front yard. The other Variances were needed, and these changes are the results of working with the Staff.

CHAIRMAN KILLEN asked applicant if he was agreeable to a condition to work with Staff to decide on the materials for the front elevation, to which the applicant responded affirmatively.

Ilse Persichina (47 Dapplegray Lane), Applicant, came forward. Mrs. Persichina pointed out that in order to put a garage in front, it would look like a house with a garage entrance without a side yard setback. Applicant's goal was a better focal view in the front of the house. Mrs. Persichina passed pictures to the Commission.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,
TO CLOSE THE PUBLIC HEARING

AYES: Southwell, Conway, Rein, Vanden Bos, Bayer, Chairman Killen
NOES: None
ABSTAIN: None
ABSENT: O'Day

COMMISSIONER BAYER stated that she went to the property and agreed that the project couldn't be worked any other way and is in favor of the project.

COMMISSIONER VANDEN BOS expressed concern about the bulk of the garage, but there are no reasonable options and is, therefore, in favor of the project.

COMMISSIONER BAYER moved, seconded by COMMISSIONER VANDEN BOS,

TO APPROVE RESOLUTION NO. PA-27-05 WITH THE CONDITION THAT APPLICANT WILL WORK WITH STAFF ON THE ELEVATION MATERIALS.

AYES: Southwell, Conway, Rein, Vanden Bos, Bayer, Chairman Killen
NOES: None
ABSTAIN: None
ABSENT: O'Day

Planning Director Wahba explained the 20-day appeal period.

B. PLANNING APPLICATION NO. 33-04; APPLICANT: BUTCHER RANCH SUBDIVISION; LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND PALOS VERDES DRIVE EAST; A REQUEST FOR APPROVAL OF A TENTATIVE TRACT MAP AND GRADING PLAN TO ESTABLISH A SUBDIVISION INCLUDING 13 RESIDENTIAL LOTS, TWO LANDSCAPE LOTS, AND ONE COMMERCIAL RECREATION (C-R) DESIGNATED LOT IN THE RA-20,000 AND C-R ZONES.

Senior Planner Cutler gave a brief Staff Report (as per written material) and reported that only the letter received from the state Department of Fish and Game came back from the State Clearinghouse distribution. Also, a letter was received from the City of Rancho Palos Verdes, and 13 letters were received from members of the Monticello Community regarding the possibility of a small park on the property. Senior Planner Cutler mentioned that the City is preempted by state law from requiring parkland dedication for projects under 50 lots. A letter was also received at the dais from Barbara Sattler of the California Native Plant Society. Staff recommended that the Planning Commission discuss the issues and continue the project to the next available Planning Commission meeting to allow for written response from the Department of Fish and Game. Senior Planner Cutler also advised that Kristin Pelletier, Assistant City Attorney, is present this evening, as well as Susan O'Carroll from Willdan, the City's Environmental Consultant.

COMMISSIONER VANDEN BOS asked Staff why the Commission doesn't get the Staff input and responses to materials all at the next public hearing. Planning Director Wahba suggested that the Commission get input that wasn't received at the last meeting regarding the layout and design of the subdivision or any other comments. Senior Planner Cutler added that the item was placed on today's agenda in the event that comments were not received from Fish and Game, and the Commission could proceed.

COMMISSIONER CONWAY asked Staff about the steep grade on lot 1 at the access to the cul-de-sac and what percentage the grade is. Planning Director Wahba responded that he would check that to see if it meets the maximum allowed grade.

COMMISSIONER CONWAY then asked about the 10' storm drain easement terminating in the cul-de-sac. Planning Director Wahba responded that it is connecting to an existing 24" storm drain and goes under the street to the middle. CHAIRMAN KILLEN clarified that it goes to a catch basin in front of lot 10 and then north with another easement. Planning Director Wahba added that the street easement will double for storm drain purposes, which is common to see.

COMMISSIONER CONWAY asked about the 25' of fill. COMMISSIONER CONWAY then asked what was deducted from the gross area of the lots to come up with net area, and Senior Planner Cutler responded that the private street is deducted.

COMMISSIONER CONWAY continued by asking about the detention basin referred to on the plans. Planning Director Wahba advised that there is no detention basin, and that note should be removed.

COMMISSIONER VANDEN BOS asked whether the width of the street was within Code requirements for a public street and whether the 3/1 slope was within requirements, to which Planning Director Wahba responded affirmatively.

COMMISSIONER VANDEN BOS then asked whether there had been further discussion with the developer about the ending of the horse trail. It was clarified that the discussion was more of someday having a tunnel underneath Palos Verdes Drive North to connect to the trail on the south side of Palos Verdes Drive North. Planning Director Wahba then

added that lot 14 is zoned Commercial Recreation, not Residential, and the idea is to do a land swap with the portion that says "not part of this subdivision" with the Kramer Club for parking or other facility expansion. At that point, the bridal trail would bisect what they're trying to do there. Although the project is in a Horse Overlay Zone, direct trail access is not required.

COMMISSIONER CONWAY asked why the road is private and not public. Planning Director Wahba responded that it was being proposed as a private road and therefore does not get maintained by the City, which is typically what the City would request, and the irrevocable offer of dedication would be available for 25 years.

CHAIRMAN KILLEN asked Staff about lot 13's 8,800 square foot difference between gross and net, to which Planning Director Wahba answered that it was part of the rezoning of the property, and the City was attempting to avoid a General Plan amendment.

CHAIRMAN KILLEN then asked whether the horizontal lines on the engineer's drawings were the same. Planning Director Wahba agreed that the lines are misleading how they are drawn using different scales, but the slope complies.

Stanley Lamport came forward on behalf of the applicant and stated that he would wait until the next meeting to make his comments.

Tim Scott (President of the Monticello Homeowners Association) came forward representing the Monticello homeowners and the Neighborhood Coalition. Mr. Scott lamented the loss of the Butcher field, but the project appears to be consistent with the General Plan, and the community is not opposing it. The August 9 comments stand and have been repeated before and will be again. The proposal doesn't address the Commercial Recreational lot or take into account the adjacent residential lot. If the swap is not completed, the Monticello community will be impacted by the displacement of off-road parking and leave a residential lot at the corner, resulting in additional Neighborhood Compatibility concerns. Mr. Scott strongly urged the developer to come to terms with the Kramer Club for a swap and urged the City not to approve a residential tract where the use of the first lot is wholly unaddressed. Also, the first Commercial Recreational lot is not a legal lot for the Commercial Recreational area and needs to go to the Kramer Club.

Mr. Scott addressed the failure to provide a berm between Casaba Road and Monticello Drive in the design and also that the development would result in a little used dead-end trail. The berm is vital for maintaining the scenic corridor nature of the area. The City right-of-way is substantially wider than the existing walking/bike trail, and the community would not object to design consideration being given to using a portion of that property to create a successful berm that would enhance the visual aspects of the development. The bridal trails in the community are part of the rural character and are widely used. Therefore, access is valuable, and trails should be readily accessible to all wherever practical. This would be a significant improvement for the general character of trails in the City. Dead-end trails tend to look like dead-end trails—unused and not maintained.

Mr. Scott stated that the City consultant dismissed any need for a cumulative impacts traffic analysis at this time but would be done at a later date on other projects, ignoring several major projects, including a project on the naval housing site that will generate a fair amount of rush-hour traffic. The community is gravely concerned with having a precedent out there that is a report where a City-paid consultant concludes that future projects don't matter. Mr. Scott urged the Committee to probe the traffic consultant's conclusion and assure the community that the process is being properly followed and the right analysis given and disavow the unfounded assumptions of the consultant regarding other projects which are clearly foreseeable and which will impact Monticello Drive.

On behalf of the Monticello Homeowners Association, the comments today and the August 9 letter reflect the consensus of the Board, and the Association does not support calls for property forfeiture or dedication of parkland by the developer, which the City is precluded from demanding under the state law.

COMMISSIONER CONWAY asked Mr. Scott whether it was his thought to have the horse trail running behind the commercial lot and then wrap around to connect with Casaba. Mr. Scott responded that wrapping around to Casaba isn't necessary, but the Commercial Recreation lot will be paved as parking, and a license easement can be

provided for access to the beginning of the trail so that one could walk across the parking lot and start the trail.

COMMISSIONER CONWAY then asked if the intent was to extend the existing parking lot into lot 14, to which Mr. Scott answered that a number of things have been looked at, and one of the Kramer Club's stated desires was to get more parking, and that is clearly their need.

Barbara Sattler (President of South Coast Chapter of California Native Plant Society) came forward. The Society reviewed the biological studies provided by the City, and their concerns remain. The Frank Hovore and Associates analysis of 2003 states that the ravine is an Ecological Overlay Zone, is a remnant of a historical slope and canyon topography and is riparian woodland with a wildlife habitat that it evaluates as moderate. Riparian habitats in Southern California are listed as highest inventory priority communities by the California Department of Fish and Game. The Glenn Lukos 2002 study also characterizes the vegetation as a small arroyo willow forest. However, alarmingly, it stated that habitat alteration had occurred. There was an apparent attempt made to clear the riparian vegetation immediately preceding the survey, which is appalling. Dr. Peter Bowler, from UC Irvine, stated in 1990 that "there is no question that riparian habitat, itself, is endangered in Southern California." The California Department of Fish and Game is recommending to the Commission that it be protected, and the Society strongly supports Fish and Game's position on this matter.

COMMISSIONER BAYER commented that when she looks at the renderings, all she sees is garages, and she hopes that the community will not be focused on three-car garages and cars, but more focused on community and homes that are inviting to other people.

COMMISSIONER VANDEN BOS stated that he shares Mr. Scott's concern about lot 14 and the project proceeding forward without an agreement. It could be a sore thumb and create a problem for the Monticello community and should be addressed as part of this procedure.

CHAIRMAN KILLEN asked whether the access would be internal if lot 14 does turn into a parking lot, so that it isn't accessing off of Casaba. Planning Director Wahba responded that they could come through their existing parking lot or get an easement from Casaba to gain access from Casaba Road. CHAIRMAN KILLEN continued by asking if the traffic study takes into consideration that this may become parking. Planning Director Wahba stated that it doesn't address it because it isn't part of this project..

CHAIRMAN KILLEN concurred with the view that lot 14 should be addressed and tied to the application instead of wrestling with it later on and asked Staff if the removing of the vegetation should have been cited by the City or an environmental agency. Planning Director Wahba pointed out that the City stopped them when they started. There was a little damage done before the stop-work order was issued.

CHAIRMAN KILLEN indicated that the amount of grading is significant, and 87,000 cubic yards of dirt would be displaced and moved around. Over each acre, the grade is adjusted seven feet. This is not typical of the Rolling Hills community but instead typical of a Corona development. The canyons and ravines should be respected and worked with, and he cannot support a project that has that amount of cut and fill.

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,

TO CONTINUE PLANNING APPLICATION NO. 33-04 TO NOVEMBER 7, 2005
TO ALLOW FOR FURTHER REVIEW OF THE PROJECT.

There being no objection, CHAIRMAN KILLEN so ordered.

9. COMMISSION ITEMS

COMMISSIONER CONWAY asked Staff about trimming trees in his neighborhood. Planning Director Wahba suggested that he contact Andy Clark, Community Services Director.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES MINUTES (SEPTEMBER 6, 2005).

B. CITY COUNCIL ACTIONS (SEPTEMBER 13, 2005).

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,
TO RECEIVE AND FILE ITEMS 11A and 11B.

There being no objection, CHAIRMAN KILLEN so ordered.

12. ADJOURNMENT

At 8:34 p.m. CHAIRMAN KILLEN adjourned the Planning Commission meeting to
October 17, 2005, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk