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REGULAR PLANNING MINUTES

APRIL 18, 2005

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MINUTES

REGULAR PLANNING COMMISSION MEETING

APRIL 18, 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, O'Day, Chairman Killen
Commissioners Absent: Bayer
Staff Present: Planning Director Wahba, Assistant Planner Wong

4. **APPROVAL OF MINUTES**

COMMISSIONER REIN moved, seconded by COMMISSIONER VANDEN BOS.

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF MARCH 14, 2005.

There being no objection, CHAIRMAN KILLEN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

None.

7. **BUSINESS ITEMS**

None.

8. **PUBLIC HEARINGS**

A. PLANNING APPLICATION NO. 15-05; APPLICANT: MR. & MRS. BRYAN TIMM; LOCATION: 5009 RANGEHORSE LANE; A NEIGHBORHOOD COMPATIBILITY FOR FRONT, SIDE AND REAR YARD ADDITIONS, AND FOR CONSTRUCTION OF A NEW REAR YARD DECK. A GRADING APPLICATION IS REQUIRED TO RELOCATE THE EXISTING HILLSIDE DRIVEWAY. MINOR DEVIATIONS ARE REQUIRED TO DECREASE THE REQUIRED FRONT YARD BY LESS THAN 10%, AND TO EXTEND A LEGAL NONCONFORMING BUILDING LINE IN THE SIDE YARD. A VARIANCE IS REQUIRED TO EXCEED THE MAXIMUM GRADE OF 15%.

Assistant Planner Wong gave a brief Staff Report (as per written material) and reported that Mr. Hawk Lee at 5001 Rangehorse Lane notified Staff by phone about his concerns

with the proposed additions, and Staff took pictures from Mr. Lee's home. Staff is of the opinion that the proposed addition will result in significant visual impact from Mr. Lee's home. However, the Planning Commission should view the silhouette to evaluate the potential view impacts. Staff cannot support the proposed additions because of the potential view impact and recommends that the Planning Commission open the Public Hearing, take public testimony, discuss the issues and either continue this item to a date uncertain or close the Public Hearing and direct Staff to bring back a resolution denying PA-15-05.

COMMISSIONER O'DAY asked Staff whether the proposed change in the driveway would result in the least sloping driveway possible, to which Planning Director Wahba answered that it is about the best that can be done there.

CHAIRMAN KILLEN suggested the possibility of the garage being brought into the ground, which, because of the grade, may be something that could or should be looked at.

COMMISSIONER O'DAY mentioned a letter that was received today and asked if a survey was done on the property, which Assistant Planner Wong confirmed.

COMMISSIONER REIN questioned "the newly defined property line that reduces our frontage by about 3 feet" in the letter, dated April 18, 2005, and asked if the surveyor found that the property line was not where they thought it was, which Assistant Planner Wong confirmed.

COMMISSIONER REIN moved, seconded by COMMISSIONER O'DAY,

TO OPEN THE PUBLIC HEARING.

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

NOES:

ABSTAIN:

ABSENT: Bayer

Russ Barto, architect representing Mr. and Mrs. Timm on this application, expressed his disappointment running up against the negative recommendation of the Staff this far into the project. As part of the application process, signatures were collected from the neighbors, indicating their support, and Mr. Lee signed twice and then voiced concerns when the flags went up. Possible mitigation measures have been discussed with Staff, including moving the entry to the driveway as far north as possible in order to lower the start and increase the length, reducing the slope; reducing the roof slope over the addition from 4 and 12 to 3 and 12, which brings the ridge height down about a foot; and incorporating a hip-roof design on that wing of the house, rather than the gable, which would move the high point of the ridge back closer to the house. Regarding the letter, the dispute is about some plantings that go across the property line. The issue is not at the property line, but up at the front.

COMMISSIONER REIN questioned Mr. Barto on how much floor space would be eliminated from the project and what the impact would be if the roofline were lowered that can be seen off of the neighbor's patio, stating that it is difficult to tell from the drawing, and he confirmed with Mr. Barto that the neighbor signed off on the plans twice just based on the drawings before the flags went up.

COMMISSIONER CONWAY asked for clarification of Mr. Barto leaning towards one of Staff's recommendations to continue the application and work with Staff to lower the ridge height. Mr. Barto stated that he would rather have it approved, even if conditionally.

COMMISSIONER SOUTHWELL suggested the possibility of moving the addition northward, to which Mr. Barto responded that the access to the master bedroom would be lost, and views would be cut off from the living room.

CHAIRMAN KILLEN suggested that it would not be too onerous to try to set the addition down, as well as the ridgeline, three or four steps, and stair-stepping some of the other area. Mr. Barto felt that would be the last step he would take in terms of mitigating the view issue.

COMMISSIONER O'DAY suggested raising the garage in order to get the slope to 15 percent grade and having a step-down entrance into the house in order to avoid the Variance.

COMMISSIONER VANDEN BOS agreed that a combination of the ridgeline suggestion and stair-stepping could be a way to work with Staff.

CHAIRMAN KILLEN asked if the existing nonconforming driveway still allows the Applicant to develop the balance of the additions, pointing out that the driveway issue is overly cumbersome and perhaps could be addressed at a later date, which would leave only the view to be addressed.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,

TO CLOSE THE PUBLIC HEARING

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

NOES:

ABSTAIN:

ABSENT: Bayer

COMMISSIONER VANDEN BOS stated that he would not like to see the view impaired and suggested that there are several alternatives available.

COMMISSIONER REIN stated that it is disingenuous to present the drawings to the neighbors and get approval without silhouettes, because the drawings do not fully convey the impact of the project on the neighbors. He suggested that there is room for improvement for the Applicant to work with the neighbors and recommended continuing the matter. COMMISSIONERS O'DAY, CONWAY and SOUTHWELL and CHAIRMAN KILLEN agreed, with COMMISSIONER O'DAY suggesting that Staff examine the possibility of raising the driveway area to conform with the 15% code for safety purposes, and CHAIRMAN KILLEN stated that what has been done on the driveway is probably all that can be done.

COMMISSIONER CONWAY moved, and COMMISSIONER VANDEN BOS seconded,

TO CONTINUE THIS ITEM TO A DATE UNCERTAIN TO ALLOW THE APPLICANT TO WORK WITH STAFF ON LOWERING THE RIDGE HEIGHT AND DECREASE THE EXPANSION OF THE FIRST STORY ADDITION AT THE BACK OF THE HOME WITH THE FINDING THAT A FIRST STORY ADDITION EXPANSION AT THE REAR OF THE HOME IS NOT IN KEEPING WITH THE VIEW PROTECTION AND NEIGHBORHOOD COMPATIBILITY ORDINANCE.

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

NOES:

ABSTAIN:

ABSENT: Bayer

- B. PLANNING APPLICATION NO. 16-05; APPLICANT: MR. STEVE BADOUR; LOCATION: 21 ROLLINGWOOD DRIVE; A NEIGHBORHOOD COMPATIBILITY FOR FRONT, SIDE AND REAR YARD ADDITIONS, AND FOR CONSTRUCTION OF A NEW REAR YARD DECK. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD BY LESS THAN 10%. A VARIANCE IS REQUIRED TO ENCROACH INTO THE FRONT YARD SETBACK AND TO REESTABLISH A LEGAL NONCONFORMING FRONT SETBACK OF LESS THAN 25'.

Assistant Planner Wong gave a brief Staff Report (as per written material) and reported that Mr. Robert Martin at 20 Rollingwood Drive notified Staff in person and in writing about his concerns with the proposed additions, and Staff took pictures of the silhouettes from Mr. Martin's home. Staff is of the opinion that the proposed additions would result in a significant visual impact from Mr. Martin's home. However, the Planning Commission should view the silhouette to evaluate the potential view impacts. Staff is not able to make the Variance findings because of the Neighborhood Compatibility section of the report and, therefore, recommends against the Variance applications. Staff also does not support the proposed Mediterranean architectural style and the rear yard deck and recommends that the Planning Commission open the Public Hearing,

take public testimony, discuss the issues, determine the view impact from the home at 21 Rollingwood Drive and either continue this application to a date uncertain or close the Public Hearing and direct Staff to bring back a resolution denying PA-16-05.

COMMISSIONER O'DAY asked Staff to confirm that the only complaint was from the one neighbor to the left, which Assistant Planner Wong did confirm. COMMISSIONER O'DAY then asked whether a two-story structure was proposed at any time, which Assistant Planner Wong confirmed was silhouetted but would not have been feasible.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER VANDEN BOS,

TO OPEN THE PUBLIC HEARING.

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

NOES:

ABSTAIN:

ABSENT: Bayer

Michael Goodson (1456 San Lorenzo Road, Palm Springs), planning consultant representing the property owner at 21 Rollingwood, reviewed with the Commission the addendum he supplied to Staff, which was the Staff Report with Mr. Goodson's highlighted comments to the Staff Report and an analysis of the view impact with photographs. Mr. Goodson pointed out the latest redesign having a bit of a slope on either end of the building, which is a bit of a hip instead of a gable. Mr. Goodson stated that there is a view impact on the property owner at 20 Rollingwood as the property currently exists, but suggested the owner has the ability to add a second floor to gain an unobstructed view. In order to expand the property and maintain the Neighborhood Compatibility, there would have to be a pitched roof, which is a constraint on this property. This issue is being able to balance the desire to expand and the neighbors' view impact.

Ike Mbelu (4415 W. 145th Street, Lawndale), project architect, expressed his surprise at the Staff Report referring to the architecture as Mediterranean and stated that it is compatible with the neighborhood and is a ranch style.

COMMISSIONER O'DAY pointed out that the exterior does not have natural elements and no wood siding. Mr. Mbelu pointed out that those elements do not exist on the current house and stated that the entrance is craftsman or modern ranch.

COMMISSIONER O'DAY pointed out that the style of the entry is not seen in the neighborhood and stands out.

CHAIRMAN KILLEN asked for a copy of the page 3.3 roof plan in order to determine what the roof would look like, particularly on the south elevation where the two gable elements come together. CHAIRMAN KILLEN went on to state that the square footage and staying at a single story is not unreasonable, but the difficulty is the issue with the existing dwelling at the elevation it's laid out and what has to be done to work around that, which Assistant Planner Wong stated had not been discussed.

COMMISSIONER O'DAY stated that the roof plan is the issue and thought the lower gables were interesting. Mr. Mbelu agreed that the issue can be resolved because the current slope is 4 and 12, and going to 3 and 12 might achieve the result. CHAIRMAN KILLEN agreed that doing so and going to a truer ranch or craftsman style would address the issue.

Tom Judge (28 Rollingwood) stated that he is opposed to raising the roof at all and is concerned when the City allows the setting of new precedents and cited the house at 63 Rollingwood as an example, which was based on a precedent of the house approved at 9 Rollingwood. It is not fair to residents on the south side to allow residents on the north side to do any modifications that increases their own value and decreases others'. Mr. Judge also opposed the rear yard addition, due to hill slippages with overbuilding in the area, and opposed the proposed deck that will hang out over Silver Spur. He also expressed his frustration at watching the flags for the last year. He then pointed out the absurdity of the suggestion of getting his view back by putting in a second story and took exception to information coming in on the night of the meeting, which does not provide the residents an opportunity for review. Mr. Judge went on to point out that the hills have not been compacted and suggested that the Planning Commission consider whether the hill be able to maintain building on it and the effect it will have on other residents.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VANDEN BOS,

TO CLOSE THE PUBLIC HEARING

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

COMMISSIONER O'DAY pointed out that the Applicant will have to go through Engineering, get soils studies done, drill pylons, etc.

COMMISSIONER CONWAY stated that the views and the character are the most important assets in the community, and he would have difficulty approving an application that impedes a view, with which COMMISSIONERS REIN and VANDEN BOS agreed.

COMMISSIONER VANDEN BOS stated that he was astounded at some of the items included in the addendum provided by Mr. Goodson, such as suggesting that the neighbors build up or that vegetation devalues their view.

COMMISSIONER O'DAY agreed that the view is the issue, and it's a well-planned community that causes difficulties for anyone trying to do an addition. Also, the house would stand out in that neighborhood, looking more characteristic of Palos Verdes Estates than Rollingwood. COMMISSIONER SOUTHWELL agreed that the view is the issue, but the styling isn't in conformance with the rest of the neighborhood.

CHAIRMAN KILLEN expressed frustration at trying to make suggestions without surveys. It is not unreasonable to look to have a 2,600 square foot house or to stay with a single story in order to reduce view impacts. The project is a candidate for maybe encroaching into the front yard setback or incorporating some of the side yard more in order to gain some of the space. Roof plans and surveys need to be insisted on.

COMMISSIONER CONWAY asked if the Applicant preferred to go to City Council or work with Staff, and Mr. Mbelu answered that they would like to continue working with Staff. The commissioners again reiterated that the issues were with the view impact represented by the ridgeline and the inappropriate architectural style for the neighborhood, with COMMISSIONER REIN expressing his interest in the impact of the structure from Silver Spur Road.

CHAIRMAN KILLEN raised the issue of the deck, and Planning Director Wahba asked for direction for the Applicant and Staff. COMMISSIONER O'DAY advised the Applicant to come back later with a deck plan because it complicates things for the Applicant, and CHAIRMAN KILLEN suggested that the Applicant get a soils report and maybe tuck it in so it's not as onerous. Mr. Goodson asked for clarification of whether the screening of the deck would be considered, which the Commission agreed is a fine line, but landscape screening would be well received. Mr. Mbelu then asked that the Commission to entertain putting the deck on the sides and leaving the slope natural.

COMMISSIONER CONWAY moved, and COMMISSIONER O'DAY seconded,

TO CONTINUE THIS APPLICATION TO A DATE UNCERTAIN TO ALLOW THE APPLICANT TO WORK WITH STAFF ON A FIRST STORY ADDITION WITH THE CONDITION THAT A FIRST STORY ADDITION OF INCREASING THE ROOF RIDGE OF THE HOME IS NOT IN KEEPING WITH THE VIEW PROTECTION AND NEIGHBORHOOD COMPATIBILITY ORDINANCE.

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

9. COMMISSION ITEMS

COMMISSIONER VANDEN BOS asked the status of the Applicant (5030 Rangehorse Lane) at the previous meeting going to City Council, and Planning Director Wahba stated that it is going to City Council at the next meeting of April 26, 2005.

CHAIRMAN KILLEN notified the Commission that he will be in Italy for three weeks and would miss both meetings in May.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES COMMISSION MINUTES (MARCH 15, 2005).
- B. CITY COUNCIL ACTIONS (MARCH 22, 2005).
- C. CITY COUNCIL ACTIONS (APRIL 12, 2005).

COMMISSIONER CONWAY moved,

TO RECEIVE AND FILE ITEMS 11A THROUGH 11C.

There being no objection, CHAIRMAN KILLEN so ordered.

12. ADJOURNMENT

At 8:55 p.m. CHAIRMAN KILLEN adjourned the Planning Commission meeting to May 2, 2005, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk