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REGULAR PLANNING MINUTES

JULY 20, 2009

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MINUTES

REGULAR PLANNING COMMISSION MEETING

JULY 20, 2009

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 VICE CHAIRMAN SOUTHWELL.

2. **PLEDGE OF ALLEGIANCE**

COMMISSIONER CONWAY led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present: O'Day, Conway, Rein, Scott, Huff, Vice Chairman Southwell
Commissioners Absent: Chairwoman Bayer
Staff Present: Planning Director Wahba

4. **APPROVAL OF MINUTES**

COMMISSIONER CONWAY, seconded by COMMISSIONER REIN,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF JULY 6, 2009.

There being no objection, VICE CHAIRMAN SOUTHWELL so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

None.

7. **BUSINESS ITEMS**

A. PLANNING APPLICATION NO. 17-09; APPLICANT: MR. & MRS. AL SINDONI; LOCATION: 7 SPINNING WHEEL LANE; A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A ONE-STORY ADDITION IN THE REAR YARD.

Planning Director Wahba gave a brief Staff Report, as per written material, and summarized the changes made to the design. If approved the applicant would need to further develop the landscaping plan. This is a very tough lot to expand on. It's not ideally something the City wants to promote, but it is sunken down and a distance from neighboring properties. Given the applicant's situation, this is something Staff can support.

COMMISSIONER HUFF and Planning Director Wahba discussed the retaining walls, Code requirements and neighboring retaining walls.

COMMISSIONER SCOTT and Planning Director Wahba discussed the three-car garage and office space.

COMMISSIONER HUFF and Planning Director Wahba discussed the necessity to disguise the cantilever as a condition of approval in order to help mitigate the massiveness and not send the wrong message to others within the city. COMMISSIONER SCOTT asked whether there is anything in the Code prohibiting cantilevering, and Planning Director Wahba responded that it is only a matter of Neighborhood Compatibility.

COMMISSIONER O'DAY and Planning Director Wahba discussed the possible precedent of a home being built on stilts. COMMISSIONER O'DAY suggested that the addition be made to look more like a two-story, such as skirting or screening the underside of the house and letting the deck cantilever out.

COMMISSIONER CONWAY asked staff about the previous two Neighborhood Compatibility issues, which were cantilevering and stark, unbroken walls and massive appearance. Planning Director Wahba responded that with the addition of a landscape requirement and the elimination of the tower and reworking of the roof, the design is not as massive as it was before. Planning Director Wahba is confident that with these changes the design complies with Neighborhood Compatibility. However, if there were no landscaping the view under the house would give a massive appearance.

COMMISSIONER REIN commented that the project is a modest addition. The cantilever aspect is controversial, but that's driven by the topography. This isn't the direction the City wants to go in for hillsides. Planning Director Wahba responded that what makes this lot unique is that the addition is not visible.

COMMISSIONER REIN and Planning Director Wahba discussed possible ways to screen the area under the cantilevered section.

COMMISSIONER O'DAY asked about lowering the addition to make split-level, and Planning Director Wahba responded that the applicant was adamant about keeping the addition all on one level.

COMMISSIONER SOUTHWELL commented that his main concern is the cantilever and suggested that fire retardant skirting would be a good way to mitigate it, in addition to the landscaping.

At VICE CHAIRMAN SOUTHWELL'S invitation, Kirk Wright (#7 Spinning Wheel Lane) came forward in support of the project. Mr. Wright summarized the changes made to the design and the possibility of enclosing the cantilevering. Mr. Wright described the landscaping plan and discussed the retaining walls and irrigation. Mr. Wright also advised the Commission that the addition needs to be handicap-friendly, so a split-level will not meet their needs.

COMMISSIONER SCOTT commented that he appreciates the need to establish a downstairs unit for the benefit of a couple of elderly people with limited mobility, but this goes far beyond that and does it in a way that is problematic for the City. COMMISSIONER SCOTT reviewed the floor plan where some areas clearly have substantial room to be smaller and still be quite spacious. There are alternatives to the design that came back, and the applicant could have made a bigger effort to shrink the size of the overhang and wrap a portion around the side and still have comfortable living quarters. The City does not want to go in the direction of overhangs, and there are compromises that could be made to shrink the size of this overhang and ultimately the depth from the bottom of the addition to the grade.

COMMISSIONER CONWAY commented that he doesn't find his purview to be design and site planning for the applicant. The Commission's issue is whether or not the property constraints compel cantilevering to achieve the same level of development that that adjoining properties enjoy. This site is difficult to expand a home on, and in order to avoid grading, which is an element of the city that people hold dear, cantilevering is an appropriate alternative, mitigated by landscaping. The cantilevering is going to be marginally viewable from offsite sources. It can be screened or mocked up to appear single-story, and it is an appropriate approach to achieving the desires of the property owner without impacting the aesthetics of the adjoining properties.

COMMISSIONER HUFF agreed and added that looking at the location she was impressed how noninvasive it was, considering the size of the enlargement in terms of privacy and view by the surrounding neighborhood because it is off the back of the house where no one else sees it. Cantilevering is not an issue in terms of the effect that

it has on the bedrock. It's very secure. The landscaping would more than adequately block any unpleasant view from someone who happened to be climbing the hill.

COMMISSIONER O'DAY commented that he sees this as a precedent because it wouldn't be done but for the back of the property not being visible. There are many decks and porches on stilts, but they are not structures where someone is living. There are cities that do allow structures to go out over the edge, but it is not something that has been dealt with in the Code. There is a policy that needs to be thought of for the City going forward. Absent that, what would be more common would be to do a terrace, stepped down and taken down two or three feet lower. The Code allows for 2½-story structures. The roof concern was addressed, but COMMISSIONER O'DAY would like to see the second story floor plan. The concern is about setting a precedent of building a house on stilts. A deck going out on stilts is perfectly fine, and an addition is perfectly fine, but this building pad doesn't allow for it.

COMMISSIONER HUFF commented that because of the size and the situation of the lot, it wouldn't set a precedent because it's an isolated pad, and Staff says this is the only way to do it.

Planning Director Wahba stated that it can be interpreted both ways. Just because you can't see it shouldn't give carte blanche to do anything, but when you look at the merits of the entire project, it is something the City could do. This situation will not be seen throughout the city. Maneuvering wheelchairs through spaces is difficult. It's a very small area that they're building out onto, and even making the rooms smaller it would still be sitting out on stilts. The ideal reduction would be 20%, but it's not something the applicant was willing to do at the Staff level. This is an isolated situation, and there would be a precedent set, but would be a small precedent. Having the deck there and the landscaping underneath it makes it more compatible, but maybe the screening could be set back under the house, so as the stilts wouldn't be visible.

COMMISSIONER REIN agreed that this is a rare lot. When there is talk about setting precedents it is usually about pushing lots to the max, but that's not the case here. This is driven by the topography.

COMMISSIONER SOUTHWELL commented that this might be establishing a precedent as to the slope allowed to build on and asked whether there should be a slope that is no longer considered a buildable slope for a habitable residence. COMMISSIONER REIN added that the only governing factor would be the interpretation of the Building & Safety Department, and municipalities do not put restrictions on building on slopes. It's controlled by the budget of the homeowner more than the laws of the city.

COMMISSIONER O'DAY stated that he could get behind this project if it looked more like a proper structure with a proper foundation. COMMISSIONER SCOTT asked if the cantilevering could be a basement floor, and Staff responded yes, and that some people have done storage areas.

COMMISSIONER REIN reminded the Commission that the City has always had a policy of not using landscaping to cover up architectural features.

COMMISSIONER SCOTT wanted to go on record to reiterate that this lot is unique, and all views of it are from above or from a very great distance, and the massiveness is substantially mitigated by the massiveness of the cantilevered structure, and for that reason it does not run the risk of looking as massive as a similar structure would be that was visible from below.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER O'DAY,

TO APPROVE PA-17-09 FOR WITH THE RETAINING WALLS NOT EXCEEDING 5 FEET TO THE SATISFACTION OF THE PLANNING DIRECTOR AND SCREENING OF THE CANTILEVERED AREA WITH A SOLID APPEARING FOUNDATION OR SOME TYPE OF PANELING, TOGETHER WITH LANDSCAPING, TO THE SATISFACTION OF THE PLANNING DIRECTOR.

AYES: O'Day, Conway, Rein, Scott, Huff, Vice Chairman Southwell
NOES: None
ABSTAIN: None
ABSENT: Chairwoman Bayer

Planning Director Wahba explained the 20-day appeal period.

8. PUBLIC HEARINGS

None.

9. COMMISSION ITEMS

COMMISSIONER O'DAY stated that there was a traffic snarl on PVDN past Crenshaw that was not directed by the police or properly labeled as to where the road was closed. Motorists were driving over things and running lights. COMMISSIONER SCOTT pointed out that it was an emergency with a partial telephone pole hanging in the air. COMMISSIONER SOUTHWELL added that there was a deputy sheriff eventually out there.

The Commission discussed among themselves their role as a governing body, whether to include site planning and design in their decision making process or provide insight and guidance in that area to the applicants.

Planing Director Wahba commented that the purpose of the dynamic group is because everybody has a background that they bring to the Commission, and it is helpful to have the varying input so that nothing gets overlooked. Floor plans are helpful when you have a relationship to space of a neighbor's property. Neighborhood Compatibility is a loosely-knit way of looking at projects to hopefully make them better for the applicant and the community.

The Commission then briefly discussed the State's budget approval and the potential impacts that it may have on the City.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES MINUTES (JULY 7, 2009).

COMMISSIONER CONWAY moved, and COMMISSIONER O'DAY seconded,

TO RECEIVE AND FILE ITEM 11A.

There being no objection, VICE CHAIRMAN SOUTHWELL so ordered.

12. ADJOURNMENT

At 8:30 p.m. VICE CHAIRMAN SOUTHWELL adjourned the Planning Commission meeting to August 3, 2009, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk