



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521
FAX (310) 377-7288

**AGENDA
ADJOURNED REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF ROLLING HILLS
7:30 AM
TUESDAY, JANUARY 15, 2019**

MEET AT 13 PORTUGUESE BEND ROAD

1. CALL MEETING TO ORDER
2. ROLL CALL
3. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA
4. FIELD TRIPS
 - A. **ZONING CASE NO. 953**
13 Portuguese Bend Road (Lot 77-RH) Rolling Hills, CA, (Cardenas)

PROPOSED PROJECT:

Request for a Conditional Use Permit to construct a new 2,464 square foot stable with a 758 square foot tack room and 896 square foot loft; and a Site Plan Review for 1,470 cubic yards of grading.

RECOMMENDED ACTION:

1. Motion to continue public hearing to regular evening meeting.

5. ADJOURNMENT

Documents pertaining to an agenda item received after the posting of the agenda are available for review in the City Clerk's office or at the meeting at which the item will be considered.

All zoning case items have been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines unless otherwise stated.



MEMORANDUM TO RECUSE

TO: Honorable Planning Commissioners

FROM: Yvette Hall, City Clerk

SUBJECT: Zoning Case No. 953
13 Portuguese Bend Road

DATE: January 15, 2019

Due to the proximity of the property of **Planning Commissioner Cardenas** to the subject property, **Commissioner Cardenas** should recuse himself from consideration of Zoning Case No. 953 at 13 Portuguese Bend Road. He may, however, take a seat in the audience and participate as a resident.



MEMORANDUM TO RECUSE

TO: Honorable Planning Commissioners

FROM: Yvette Hall, City Clerk

SUBJECT: Zoning Case No. 953
13 Portuguese Bend Road

DATE: January 15, 2019

Due to the proximity of the property of **Planning Commissioner Seaburn** to the subject property, **Commissioner Seaburn** should recuse himself from consideration of Zoning Case No. 953 at 13 Portuguese Bend Road. He may, however, take a seat in the audience and participate as a resident.



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INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
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Agenda Item No. 4A
Mtg. Date: 01-15-2019

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: JULIA STEWART, SENIOR PLANNER

THRU: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO.	ZONING CASE NO. 953
SITE LOCATION:	13 PORTUGUESE BEND ROAD (LOT 77-RH)
ZONING AND SIZE:	RAS-1, 2.12 ACRES (GROSS)
APPLICANT:	SEAN CARDENAS
REPRESENTATIVE:	TAVISHA NICOLSON, BOLTON ENGINEERING
PUBLISHED:	NOVEMBER 29, 2018

PROJECT DESCRIPTION AND RECOMMENDATION

The Project

The applicant is proposing to demolish the existing stable and construct a new stable with a loft.

Site Plan Review

The applicant is requesting a Site Plan Review for the grading required to construct a new stable. The total combined grading for this project will consist of 1,470 cubic yards of cut and fill.

Conditional Use Permit

A Conditional Use Permit is requested for the construction of a 2,464 square foot stable, which includes a 702 square foot tack room and 56 square foot bathroom, plus 1,024 square feet of stable covered porches, and a 896 square foot loft.

Recommendation

It is recommended that the Planning Commission view the project in the field, open the public hearing, take brief public testimony and continue the meeting to the evening meeting of the Planning Commission or provide other direction to staff.

BACKGROUND

Demolition

The applicant proposes to retain the existing corral but demolish the existing stable (single-story, 1,505 square feet). There is a 100 square foot shed next to the existing stable that is also proposed to be demolished.

Zoning and Land Size

The property is zoned RAS-1 and the gross lot area excluding is 2.12 acres. For development purposes the net lot area of the lot is 79,761 square feet or 1.83 acres.

Driveway and Motor Court

The applicants propose to retain the existing driveway apron, and to construct a new pervious section of driveway off the existing that will provide vehicular access to the new stable.

Past Property Approvals

The property was previously approved with a 3,436 square foot residence, 1,213 square foot detached garage, the stable and a swimming pool & spa.

MUNICIPAL CODE COMPLIANCE

Grading and Stabilization

As stated previously, the total combined grading for this project will consist of 1,470 cubic yards of cut and fill. Construction activities will include grading of 735 cubic yards of cut (including 550 cubic yards of overexcavation) and 735 cubic yards of fill (including 550 of recompaction). No dirt will be exported, as it will be balanced on site.

Disturbance

All work is proposed to be conducted within the previously disturbed portion of the lot. The existing legal non-conforming disturbed area is 67.1%. No variance is needed.

Height

The height of the highest ridgeline of the proposed stable will be 24 feet. A cupola above the highest ridge is also proposed.

Drainage

Storm water runoff and erosion control will comply with City's Low Impact Development requirements and LA County requirements for utilizing Best Management Practices (BMPs) for storm water management. The existing drainage

direction on the property is not anticipated to change, but will be reviewed by the Building Department drainage and grading engineer.

Lot Coverage

The existing structural coverage on the lot is 8,514 (with deductions) or 10.67%. The overall structural net lot coverage once the proposed project is included is 10,497 square feet (with deductions) or 13.16% (20% max. permitted). The total lot coverage proposed (structural and flatwork) is proposed to be 21,637 square feet overall (with deductions) or 27.13% (35% max. permitted). This is an increase from the previous overall coverage by 3.85%

The residential building pad is 24,360 square feet, which is a slight increase of 445 square feet. The total pad structural coverage is 6,909 square feet (with deductions) or 28.36%, (30% guideline). The coverage includes the residence, detached garage, swimming pool & spa, pool equipment, and service yard structures.

The stable building pad is proposed to be 12,170 square feet (which includes a slight decrease of 410 square feet) with a proposed pad coverage of 3,342 square feet (with deductions) or 27.46%(30% guideline).

Walls

There are no additional exterior walls included in the proposed project.

Stable Access

Stable access is proposed for vehicles off the main driveway. There are two potential paths of access for horses from the rear of the property off Blackwater Canyon Trail or from the easement that runs along the corral off of Portuguese Bend Road. Access to the loft will be taken from an exterior staircase.

CONDITIONAL USE PERMIT SUMMARIES

A Conditional Use Permit is required for the stable pursuant to Section 17.18.060.

The proposed stable will have a 2,464 square foot footprint including the 702 square foot tack room and 56 square foot bathroom; plus a 896 square feet loft area but excluding the covered porches and exterior stairway.

The following requirements must be met for a stable:

Pursuant to the zoning code requirements the following is applicable to this request:

REQUIREMENTS	PROPOSED
Not less than 6' wide roughened access; if greater than 1,000 sq.ft. stable access to comply with Fire Dept. requirements.	Proposed slightly less than 20' wide vehicular access off driveway and over 6' horse access from easement and bridal trail.
Stable, corral not to be located on slopes greater than 4:1	Located on area with a slope no greater than 4:1

Not in front yard or side or front setback. May be located up to 25' in rear setback.	Stable and corral comply
Min. 35' from any residential structure	Complies with requirement- over 50 feet from neighboring structures
Building to be designed for rural and agricultural uses only, but may include storage of vehicles and household items	Building is proposed to look like a stable and be used for a stable
Size to include the entire footprint including loft, if any	4,475 sq.ft., including the stable footprint with loft, covered porches and exterior stairway.
Minimum of 60% of the size of the structure shall be maintained for agricultural uses	Agricultural spaces include 4 stalls, and storage and tool rooms and is 71% of the size of the structure
Maximum of 40% of the size of the structure, but not to exceed 800 s.f. may be maintained for a tack room	Tack room of 702 sq.ft. (plus 56 square foot bathroom) - 29% of the structure
Tack room may have sanitary and kitchenette amenities	Proposed bathroom adjacent to Tack Room
Tack room may have glazed openings	No window proposed in tack room
Entry doors to agricultural space to be min. 4' wide & 8' high; appearance of a stable door	To comply- to be reviewed by the Architectural Committee.
Loft is permitted	896 s.f. loft proposed
Loft plate height may not exceed 7'	To comply
Exterior area of stables may not to be paved	Unpaved corral adjacent to the stable; D.G. on one side only to allow for vehicular and Fire Dept. access
Corral shall be fenced	Proposed fenced corral
Access not to exceed 25%	Access complies
Corral to be contiguous to stable. Planning Commission may determine the size of a corral based on the size of the stable	Corral to be contiguous to stable.
Commercial uses or sleeping is not allowed	Applicant is not proposing any commercial uses or sleeping in the stable

Utility Lines / Septic Tank

It will be a requirement that utility lines to all of the proposed structures be placed underground.

If a new septic tank is being considered for installation it must be reviewed by the Los Angeles County Department of Public Health.

General

Non-conforming Conditions

There is one permitted existing non-conforming use on the property. The existing residence has a small portion of the structure located within the front setback. The shed located in the side setback will be demolished.

Applicant's Justification

The applicant states the following in regards to the project:

“[The applicant is] building a new barn with a hay loft to replace [the] existing barn as allowed per Zoning Code 17.16.210.A.4. The new barn/stable will include the desired features for equestrian use including run-ins, tack room, hay storage and stalls.

The proposed conditional use is consistent with the current use and the General Plan. The proposed stable will be used for equestrian purposes and will meet all requirements for the CUP.

The surrounding lots all (11,14 & 15 PBR & 1 Lower Blackwater) have been developed in a similar manner with stables. The adjacent structure at 11 PBR is also a stable.

The proposed stable will be located in the same area as the existing stable and will not require any variances.

All applicable development standards are being met by keeping the size, location, design and disturbance within the standards”.

Rolling Hills Community Association Review

Rolling Hills Community Association will review this project at a later date.

Planning Commission Responsibilities

When reviewing a development application, the Planning Commission must consider whether the proposed project meets the criteria for a Site Plan Review and Conditional Use Permit, as attached below.

Environmental Review

The project has been determined to be categorically exempt pursuant to Class 3, Section 15303 of the California Environmental Quality Act (CEQA) guidelines.

Project Summary

SITE PLAN REVIEW	EXISTING	PROPOSED OVERALL TOTAL
RAS- 1 ZONE SETBACKS Front: 50 ft. from front easement line Side: 20 ft. from property line Rear: 50 ft. from rear easement line	SINGLE FAMILY RESIDENCE WITH GARAGE, POOL AND STABLE.	SINGLE FAMILY RESIDENCE WITH GARAGE, POOL AND LARGER STABLE.
(Site Plan Review required for	Residence	3,436 sq.ft.
	Residence	3,436 sq.ft.

grading, new structures including new residence and if size of addition increases by more than 999 s.f. in a 36-month period).	Garage	1,213 sq.	Garages	1,213 sq.ft.
	Pool	565 sq.ft.	Pool and spa	565 sq.ft.
	Pool Equipment	64 sq. ft.	Pool Equipment	64 sq. ft.
	Stable	1,505sq. ft.	Stable	2,464 sq.ft.
	Service Yard	96 sq.ft.	Service yard	96 sq.ft.
	Porches	1,335 sq. ft.	Porches	2,359 sq.ft.
	Shed	200 sq. ft.	Shed	200 sq.ft.
	Stable shed	100 sq. ft.	Stable shed	0 sq. ft.
	TOTAL	8,514 sq.ft	TOTAL	10,397 sq.ft
<u>STRUCTURAL LOT COVERAGE</u> (20% maximum)	10.67%		13.16% (with deductions)	
<u>TOTAL LOT COVERAGE</u> (35% maximum)	23.28%		27.13%	
<u>BUILDING PADS (30% guideline)</u> Residence, pool, other miscl. structures	26.95% residence pad coverage		26.45% residence pad coverage	
<u>STABLE</u>	12.75% stable pad coverage		27.46% stable pad coverage	
<u>GRADING</u> Site Plan Review required if excavation and/or fill or combination thereof that is more than 3 feet in depth and covers more than 2,000 sq.ft.) must be balanced on site.	Unknown		735 c.y. cut and 735 c.y. fill to be balanced on site Over-excavation 550 c.y. Re-Compaction 550 c.y. No dirt. exported from site (Overall, 1,470 c.y.)	
<u>DISTURBED AREA</u> (40% maximum; any graded building pad area, any remedial grading (temporary disturbance), any graded slopes and building pad areas, and any nongraded area where impervious surfaces exist.)	67.1%		67.1% (no change)	
<u>STABLE (min. 450 SQ.FT. & 550 SQ.FT. CORRAL)</u>	Existing stable 1,505 s.f. Existing corral ~12,000 s.f.		CUP required - 2,464 sq. ft. stable and ~12,000 sq. ft. corral (existing)	
<u>STABLE ACCESS</u>	From rear pathway off bridal trail		Vehicular access from existing driveway; Horse access from easement and existing pathway	
<u>ROADWAY ACCESS</u>	Existing driveway approach		Existing driveway approach	
<u>VIEWS</u>	N/A		Planning Commission review	
<u>PLANTS AND ANIMALS</u>	N/A		Planning Commission review	

SITE PLAN REVIEW CRITERIA

17.46.010 Purpose.

The site plan review process is established to provide discretionary review of certain development projects in the City for the purposes of ensuring that the proposed project is consistent with the City's General Plan; incorporates environmentally and aesthetically sensitive grading practices; preserves existing mature vegetation; is compatible and consistent

with the scale, massing and development pattern in the immediate project vicinity; and otherwise preserves and protects the health, safety and welfare of the citizens of Rolling Hills.

17.46.050 *Required findings.*

A. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review application.

B. No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal, unless the following findings can be made:

1. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;

2. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot;

3. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;

4. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls);

5. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;

6. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;

7. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas;

8. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and

9. The project conforms to the requirements of the California Environmental Quality Act.

CRITERIA FOR APPROVAL OF CONDITIONAL USE PERMIT:

17.42.050 *Basis for approval or denial of conditional use permit.*

The Commission (and Council on appeal), in acting to approve a conditional use permit application, may impose conditions as are reasonably necessary to ensure the project is consistent with the General Plan, compatible with surrounding land use, and meets the provisions and intent of this title. In making such a determination, the hearing body shall find that the proposed use is in general accord with the following principles and standards:

A. That the proposed conditional use is consistent with the General Plan;

B. That the nature, condition and development of adjacent uses, buildings and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, building or structures;

C. That the site for the proposed conditional use is of adequate size and shape to accommodate the use and buildings proposed;

D. That the proposed conditional use complies with all applicable development standards of the zone district;

E. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities;

F. That the proposed conditional use observes the spirit and intent of this title.

SOURCE: City of Rolling Hills Zoning Ordinance

JOHN F. GEBHARD, M.D.
LESLIE JAYNE GEBHARD
#11 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

RECEIVED

JAN 09 2019

City of Rolling Hills
By _____

January 8, 2019

HAND DELIVERED

ROLLING HILLS PLANNING COMMISSION

C/O Julia Stewart

Dear Ms. Stewart,

This letter is in follow-up to, and in addition to my letter to you dated December 3, 2018. I have attached a copy of my previous letter for your reference. In addition to our three principal concerns outlined in that letter, we have expanded and additional concerns now that the proposed site of construction has been flagged over this past weekend.

The size and height of the proposed structure has even more mass than conjured up from the drawn plans. There is absolutely no doubt that the structure will impact and limit the light entering the entire South-side of our home. There is little doubt the structure will impact and limit the air flowing into the South -side of our home.

We are concerned that the increased square-footage of the structure will have a negative impact on the water-drainage from the South-side of the hill which is always a problem during even moderate rains.

**JOHN F. GEBHARD, M.D.
LESLIE JAYNE GEBHARD**
#11 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

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We are particularly concerned that from a Planning Commission of five individuals, two had to recuse themselves from the process of evaluating this project. The potential conflict that here is suspicious to say the least.

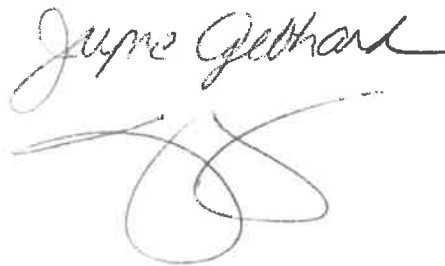
While the structure may have met the building requirements of the City of Rolling Hills, it does not fit the Community. Where is there another property in the city where anyone's home is adjacent to a Two-story building? This structure is at least 35 feet above our property elevation. It looks directly down on our bedrooms, bathroom and patio and pool. It will greatly affect our privacy

Mr. Seabourne, the recused commissioner, during the comment period of the December 12 meeting stated that he supported the project because it would increase his property values if approved. I have absolutely no doubt it will do the opposite to my home's value. Put this structure adjacent to Mr. Seabourne's "backyard" and he would no doubt have a different perspective. The simple fact is that we are the only family negatively impacted by this project.

Finally, we have been residents of Rolling Hills since 1981. We have tried to be good citizens and good neighbors. We want Sean and Monique to have a new barn, but not this concept. It's the wrong place and the wrong size.

We end, after all the negative stuff, by thanking Sean for fishing my two-year-old grandson out of our pool on a cold winter day. Where he came from we still don't know, but for that we will be eternally grateful.

Jayne and John Gebhard

The image shows two handwritten signatures in black ink. The top signature is cursive and appears to read 'Jayne Gebhard'. The bottom signature is also cursive and appears to read 'John Gebhard'. The signatures are positioned to the right of the typed names 'Jayne and John Gebhard'.

JOHN F. GEBHARD, M.D.
LESLIE JAYNE GEBHARD
411 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

RECEIVED

DEC - 4 2018

City of Rolling Hills
By _____

Dec. 3, 2018

HAND DELIVERED

Dear Julia Stewart,

We appreciate being made aware of the process for Rolling Hills' consideration of the proposed barn construction at 13 Portuguese Bend Rd. We have three principal concerns:

The first is the proximity of the proposed barn to our property line. It appears to be ten feet closer. Is the barn as proposed within a setback area? Would a location further away be acceptable?

The second is the size and height of the barn. Twenty-five feet tall and 2700 square feet is a big barn. Again it will be closer to our house. A smaller structure would be more palatable to us.

Finally, we noted the loft area of the proposed barn has plumbing. Is the barn intended as a dwelling unit? The possibility of human habitation so close to our house is not appealing.

Would you please make the Planning Commission aware of our concerns? We are happy to appear at the Planning Commission meeting scheduled next week. Thank you for your consideration.

John and Jayne Gebhard

