



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
REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF ROLLING HILLS
6:30 PM

TUESDAY, FEBRUARY 19, 2019
ROLLING HILLS CITY HALL
2 PORTUGUESE BEND ROAD, ROLLING HILLS, CA 90274

1. CALL MEETING TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA
5. APPROVAL OF MINUTES
 - A. February 20, 2018 Regular Meeting of the Planning Commission
 - B. December 12, 2018 Regular Meeting of the Planning Commission
 - C. January 15, 2019 Adjourned Regular Meeting of the Planning Commission

6. RESOLUTIONS

ZONING CASE NO. 953. 13 PORTUGUESE BEND ROAD, (LOT 77-RH) (CARDENAS).

Due to lack of quorum this case is being continued to the March 19, 2019 Planning Commission meeting.

7. PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

- A. **ZONING CASE NO. 808** -Appeal of a determination of a condition of approval of a previously approved project, **7 Ringbit Road East** – (Shadden).

RECOMMENDED ACTION:

1. Motion to approve the request and to bring an amended Resolution memorializing the approval; OR

2. Motion to deny the request and leave the Resolution standing as is.

- B. ZONING CASE NO. 954.** Request for a Variance to construct a new 894 square foot attached 3-car garage with a basement under the footprint of the garage addition, where portions of both will encroach up to 10' into the side yard setback on a property zoned OZD-1-Overlay Zoning District, at **9 Williamsburg Lane** (Lot 27-RH), Rolling Hills, CA (MacLean).

RECOMMENDED ACTION:

1. Motion to direct staff to prepare a resolution of approval/denial for project as proposed.

8. NEW PUBLIC HEARINGS

- A. ZONING CASE NO. 956.** Request for a Site Plan Review for grading and to construct a new 7,364 square foot residence with 1,157 square foot garage and 1,172 square foot pool & spa; a Conditional Use Permit to construct a new 800 square foot guesthouse; and Variances for a driveway that covers more than 20% of the front yard setback area and exceeding the maximum 40% allowance for disturbance at **8 Middleridge Lane South** (Lot 254-UR), Rolling Hills, CA (ZHANG).

RECOMMENDED ACTION:

1. Motion to continue the hearing to a field trip to be held on March 19, 2019.

9. NEW BUSINESS

- A.** Request for time extension to commence construction:

1. 1 Middleridge Lane N. – Zoning Case No. 915

RECOMMENDED ACTION:

1. Motion to grant the time extension and approve the accompanying amended Resolution; **OR**
2. Motion to deny the time extension

10. OLD BUSINESS

11. SCHEDULE OF FIELD TRIPS (March 19, 2019)

5 El Concho
8 Middleridge Ln. South

12. ITEMS FROM STAFF

13. ITEMS FROM THE PLANNING COMMISSION

14. ADJOURNMENT

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting due to your disability, please contact the City Clerk at (310) 377-1521 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility and accommodation for your review of this agenda and attendance at this meeting.

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

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DRAFT

**Agenda Item No. 5-A
Meeting Date: 02-19-19**

MINUTES OF A
REGULAR MEETING
OF THE PLANNING COMMISSION
OF THE
CITY OF ROLLING HILLS
FEBRUARY 20, 2018

CALL MEETING TO ORDER

A regular meeting of the Planning Commission of the City of Rolling Hills was called to order by Chairman Chelf at 6:30 p.m. on Tuesday, February 20, 2018 in the City Council Chamber, at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

ROLL CALL

Commissioners Present: Cardenas, Cooley, Seaburn and Chairman Chelf.

Commissioners Absent: Kirkpatrick.

Others Present: Yolanta Schwartz, Interim City Manager.
Julia Stewart, Interim Planning Director.
Jane Abzeg, Assistant City Attorney.
Yvette Hall, City Clerk.
Leah Mirsch, 4 Cinchring Road.
John Resich, 8 Outrider Road.
Daniel Rentsch, Belzberg Architects.
Gary Wynn, Wynn Engineering, Inc.
Jill Smith, Stable Ad Hoc Committee.
Jack Smith, Stable Ad Hoc Committee.

APPROVAL OF THE AGENDA

Approved as presented.

PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

John Resich, 8 Outrider Road, expressed concern with the length of time it has taken to complete a residence on Eastfield Drive that backs up to Outrider Road. Mr. Resich commented on various concerns related to construction at the subject property including debris, dirt, traffic, infringement and encroachment on trails and easements, and disturbance.

In response to Chairman Chelf's inquiry on this matter, Interim City Manager Schwartz stated that a report on the status of the subject project could be provided at the next Planning Commission (PC) meeting.

Commissioner Cardenas moved that the Planning Commission direct staff to agendize a project update on 40 Eastfield Drive to the March 20, 2018 Planning Commission meeting. Commissioner Seaburn seconded the motion. By consensus, the motion carried without objection (Kirkpatrick absent).

APPROVAL OF MINUTES

January 16, 2018 Regular Meeting of the Planning Commission

Commissioner Seaburn moved that the Planning Commission approve the minutes of the regular meeting of the Planning Commission held on January 16, 2018 as presented. Commissioner Cardenas seconded the motion, which carried without objection (Kirkpatrick absent).

January 16, 2018 Adjourned Regular Meeting of the Planning Commission

Commissioner Cooley moved that the Planning Commission approve the minutes of the adjourned regular meeting of the Planning Commission held on January 16, 2018 as presented. Commissioner Seaburn seconded the motion, which carried without objection (Kirkpatrick absent).

RESOLUTIONS

RESOLUTION NO. 2018-02. RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A SITE PLAN REVIEW AND VARIANCE TO LEGALIZE AND RETAIN PREVIOUSLY GRADED PATH AT THE REAR OF THE PROPERTY AND TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT IN ZONING CASE NO. 935, **1 MIDDLE RIDGE LANE NORTH** (LOT 15, 16, 17-MR), ROLLING HILLS, CA. (CIPOLLA). THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15303.

Commissioner Cardenas recused himself from consideration of Zoning Case No. 935 at 1 Middleridge Lane North due to the proximity of his residence.

Chairman Chelf introduced the item and asked for staff's comments. Interim City Manager Schwartz reviewed the applicant's request for a Site Plan Review to legalize a previously graded path, consisting of 15,250 square feet, which resulted in a code enforcement matter. She stated that the PC requested that a Resolution of Approval be prepared with conditions. She explained one condition was to prepare a landscaping plan below the path up to the 3-rail fence and above the path, up to the 3-rail fence. She reviewed the proposed landscaping plan. She indicated that there is a ten foot easement line and a 3-rail fence which the Rolling Hills Community Association (RHCA) approved. Interim City Manager Schwartz stated that staff feels that the proposed landscaping is adequate. She reviewed the additional conditions as follows: 1) Applicant must deposit a financial obligation with the City for the cost of the proposed landscaping; 2) Animals are to be kept in corrals; 3) The landscaping is to be completed within six months; and 4) Commencement of a winterization/erosion control plan.

Chairman Chelf indicated that he received comments from the neighbors that there is a lot of debris on the property.

Interim City Manager Schwartz stated that the PC could add a condition to the Resolution, for example, that states that within two weeks of approval of the Resolution, the applicant must clean up the site of all debris.

Chairman Chelf requested that all construction debris and flags be removed from the site within two weeks of approval of the Resolution. There were no objections from the PC.

Chairman Chelf called for public comment. Hearing none, he closed public comments.

Following discussion, Commissioner Seaburn moved that the Planning Commission adopt Resolution 2018-02 granting approval of the applicant's request in Zoning Case 935 at 1 Middleridge Lane North and to include an amendment to add a condition to the Resolution that all debris and construction material be removed within two weeks of the adoption of the Resolution. Commissioner Cooley seconded the motion, which carried without objection (Cardenas recused, Kirkpatrick absent).

Commissioner Cardenas returned to the dais at this time.

PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

ZONING CASE NO. 934-REVISED LOCATION. Request for a Site Plan Review and Conditional Use Permit to construct a detached 2,210 square foot mixed use structure including a garage and grading of 779 cubic yards of dirt for the structure at **8 Crest Road East**, (Lot 192-A-2-MS), Rolling Hills, CA, (John Tu). Currently the property is being developed with a new single-family residence and accessory amenities. The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA).

Chairman Chelf introduced the item and asked for staff's comments. Interim City Manager Schwartz indicated that this item is a public hearing regarding a request to construct a 2,210 square foot mixed use structure at 8 Crest Road East consisting of a garage and storage area in the rear. She stated that at the field visit the PC provided direction to the applicant to relocate the structure and lower it to reduce the visibility from Georgeff Road. She indicated that the applicants did move the structure approximately 30 feet and tucked it into the hillside. Interim City Manager Schwartz stated the applicants are also proposing to install additional landscaping to screen the structure from Georgeff Road. She noted that the PC requested additional landscaping of the structure. Interim City Manager Schwartz stated that the applicant this evening will present changes they made to the landscaping and to the structure that were submitted after the staff report was completed. She stated the height of the mixed use structure will be 19 feet and one inch and that additional trees are proposed. She reviewed the elevation and monitor roof. She indicated that the property is in a R2 Zone, is a large lot consisting of 5 acres and that all development standards are within the zoning code. She noted that a Variance was previously granted for this project for the disturbance of the lot. Interim City Manager Schwartz indicated that correspondence was received from the surrounding neighbors indicating support of the proposed project and thanking the PC for their efforts on the placement of the mixed use structure.

Chairman Chelf opened the public hearing.

Dan Rentsch, Belzberg Architects, showed landscaping plans to the PC, made a PowerPoint presentation, and spoke on the following items: 1) New trees were added to block the view from Georgeff Road; 2) The structure was moved directly up the hill from where it was before; 3) The structure was moved up 31 feet and the applicant's kept the same ridge height; 4) The structure was

sunken into the ground more than it was before; and 5) In the earlier sketch that was provided to the PC there was a small retaining wall; however, Mr. Rentsch believes this wall can be avoided by adjusting some of the contours. Mr. Rentsch concluded that the only change in the structure between the previous submittal and the current submittal is the addition of the stairs on the side because they are sinking the structure into the ground so much that clearance is needed for the eave on the south side.

Commissioner Seaburn commented on the project being sunken into the ground.

Commissioner Cardenas asked for the measurement of the cut on the hillside.

Mr. Rentsch stated that the cut is approximately three feet.

Commissioner Seaburn expressed concern with walls being built.

Mr. Rentsch responded that the walls are attached to the structure to allow for space that is needed for access around it.

In response to Chairman Chelf's question, Interim City Manager Schwartz stated that the walls on the stairs are allowed and are not in the setback.

In response to Commissioner Seaburn's question, Interim City Manager Schwartz stated that no other comments were received this evening aside from resident Clint Patterson's letter.

Chairman Chelf commented that the landscape plan does not appear to provide adequate shielding for Georgeff Road and would like to see more trees.

Mr. Rentsch indicated that the tree canopies on the landscape plan are not representational of the actual tree canopies.

Chairman Chelf commented that he would like the updated landscape plan to be brought back to the PC before final approval and thanked Mr. Rentsch for moving the structure and modifying the roofline.

Leah Mirsch, 4 Cinchring Road, thanked the PC for making their recommendations as the changes make a difference on the overall project. She indicated that even though the structure is more visible, she feels there is nothing wrong with seeing a beautiful barn and thanked the applicants for making the changes for a better project.

Interim City Manager Schwartz clarified that the structure is not a barn but a mixed use structure that is going to be used as a garage and storage area, but will look like a barn.

There being no further comments, Chairman Chelf closed the public hearing.

The Planning Commissioners each expressed support of the project.

Following public comment and discussion, Commissioner Seaburn moved that the Planning Commission direct staff to prepare a Resolution granting approval of the applicant's request in Zoning Case No. 934 at 8 Crest Road East with the standard findings of fact and conditions of approval with an amendment to add a condition to the Resolution to include an updated landscape plan. Commissioner Cardenas seconded the motion, which carried without objection (Kirkpatrick absent).

ZONING CASE NO. 937. Request for a Variance to construct a new retaining wall with a maximum height of up to 4 1/2 feet located within a setback area, and allow an as-built portion of a riding arena located in the front yard setback. The request is related to two previous zoning cases on the site and will allow for completion of those approved projects. The subject property is **11 Saddleback Road** (Lot 48-1-RH 48-2-RH) Rolling Hills, CA, (Warren). The project has been determined to be categorically exempt (Class 3) pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303.

Chairman Chelf introduced the item and asked for staff's comments. Acting Planning Director Stewart stated that this was a request for two Variances at 11 Saddleback Road for a wall and dressage arena. She indicated that both structures are located in setback areas. She stated that because the property has roadway easement frontage on three sides, this enlarges the setback area, thus it is more likely that structures would be located in the setback. She stated that the Variances are to allow completion of the dressage arena which was part of a previous project. She stated that there was a proposed residence remodel, swimming pool, stable, and arena that were previously approved, including a retaining wall that was in the rear setback just off the bridle trail. She explained that in the previous approval a portion of the dressage arena was allowed in the front yard area; however, at that time it was not located in the setback. Acting Planning Director Stewart stated that the retaining wall that is proposed is a maximum of four and a half feet high and the portion of the dressage arena that encroaches into the setback is 700 square feet. She stated that the PC visited the site this morning and a comment was made concerning the rear portion of the dressage arena being visible without adequate screening. She stated that there were questions from the PC regarding any landscape that was proposed from the previous approval. She reviewed the landscaping from the previous approval, most of which was to provide ground cover for where the grading was done. She noted that there is no landscaping bond from the previous approval and that if the PC were to direct staff to prepare a Resolution of Approval, they could include stipulations for any landscaping enhancement in the rear and for a landscaping bond. Acting Planning Director Stewart stated that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Chairman Chelf opened the public hearing.

Gary Wynn, Wynn Engineering Inc., commented that his clients have been grading for nine months which was discussed with the PC at the site visit. Mr. Wynn indicated there is a lot of vegetation covering some of the slopes and that the rear retaining wall was eliminated.

There being no further comments, Chairman Chelf closed the public hearing.

Commissioner Seaburn stated that he would like to see the project covered up better with additional landscaping but supports the project overall.

Chairman Chelf commented that the applicant should provide an updated landscape plan.

Commissioner Cardenas expressed support of the project; however, he stated that the applicant should add additional trees around the backside of the arena.

Commissioner Cooley concurred with the aforementioned comments made by Commissioners Seaburn and Cardenas.

Following public comment and discussion, Commissioner Cardenas moved that the Planning

Commission direct staff to prepare a Resolution granting approval of the applicant's request in Zoning Case 937 at 11 Saddleback Road with the standard findings of fact and conditions of approval with an amendment to add a condition to the Resolution to include an updated landscaping plan for the installation of mature trees on the west end of the arena. Commissioner Cooley seconded the motion, which carried without objection (Kirkpatrick absent).

NEW PUBLIC HEARINGS

None.

NEW BUSINESS

PRESENTATION AND DISCUSSION OF DRAFT EQUESTRIAN FACILITY GUIDELINES FOR STABLE AND CORRAL CONSTRUCTION.

Acting Planning Director Stewart presented a summary of the draft Equestrian Facility Guidelines (Guidelines) for Stable and Corral Construction as follows: 1) At the request of the City Council in 2016, a Stable Ad Hoc Committee (Committee) was formed consisting of two members of the PC and three members of the Caballeros Club; 2) The Committee received input from the RHCA; 3) The Committee reviewed industry standards and current issues within the City such as height; 4) The Committee reviewed exceptional stable examples and attended a field visit to a stable site that they felt was a good example of a healthy stable; 5) All of the information that was provided to the Committee is provided in the Guideline appendices; and 6) The Committee came up with the 60/40 guideline related to the size of the stable which states that the stable should only make up 40% of the total area designated for equestrian uses and 60% for the corral area. Acting Planning Director Stewart reviewed the recommended Guideline categories as follows: Location of stables; size of stables; size of corrals; building design and materials; stable access; location of corrals; height of stables; non-equestrian uses of stables; and stable and corral 'set asides.' Acting Planning Director Stewart thanked the Committee members for participating in the process.

Chairman Chelf thanked Acting Planning Director Stewart for her efforts and that the Committee came up with great recommendations.

Commissioner Cooley thanked staff and the Committee members for creating a consolidated and useful document.

Commissioner Cardenas commented that there was a lot of healthy discussion from the community and he is happy with the outcome.

Chairman Chelf called for public comment.

John Resitch, 8 Outrider Road, commented that the Committee did a good job on drafting the Guidelines; however, he feels that they did not address small lots and lots that are not flat which have limited space. He expressed concern that a Conditional Use Permit (CUP) would have to be requested for a small stable and that a CUP is an expensive and time consuming process. Mr. Resitch expressed concern with the turnout requirement being 60% or greater and felt the Guidelines are not encouraging residents to have horses.

Commissioner Cooley commented that it was not the PC's intention to require a turnout.

Acting Planning Director Stewart clarified that Mr. Resitch was using the terms corral and turnout interchangeably.

Chairman Chelf responded that he feels the CUP process is not difficult.

Discussion ensued among the PC and staff regarding the CUP process, small lots and streamlining the process.

Jill Smith, 10 Georgeff Road, commented that she has three horses and a small lot. Ms. Smith stated that she is a member of the Committee that came up with the 60/40 percent ratio. She stated that the Committee tried hard to draft guidelines that will encourage residents to have horses and to build barns.

Jack Smith, 12 Johns Canyon, commented that he is the retired President of the Caballeros Club and a Committee member. He thanked the PC for their efforts and expressed that he feels the guidelines are great and much improved.

There being no further comments, Chairman Chelf closed the public hearing.

There was concurrence by the PC that the Committee did an excellent job and they expressed their support of the Guidelines.

Commissioner Cooley inquired if a run-in-shed that is under 200 square feet would still be allowed and if the zoning code needs to be amended.

Assistant City Attorney Abzug commented that it would be useful to keep any proposed zoning changes separate from the Guidelines.

Following public comment and discussion, Commissioner Seaburn moved that the Planning Commission forward the draft Equestrian Facility Guidelines for Stable and Corral Construction to the City Council for their review and consideration at a future City Council Meeting. Chairman Chelf seconded the motion, which carried without objection (Kirkpatrick absent).

SCHEDULE OF FIELD TRIPS (March 20, 2018)

The Planning Commission scheduled a field trip to the following property to be held on Tuesday, March 20, 2018 beginning at 7:30 a.m.:

2910 Palos Verdes Drive N.

OLD BUSINESS:

None.

ITEMS FROM STAFF

None.

ITEMS FROM THE PLANNING COMMISSION

None.

ADJOURNMENT

Hearing no further business before the Planning Commission, Chairman Chelf adjourned the meeting at 7:43 p.m. to an adjourned regular meeting of the Planning Commission scheduled to be held on Tuesday, March 20, 2018 beginning at 7:30 a.m. for the purpose of conducting a site visit to 2910 Palos Verdes Drive North. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, March 20, 2018 beginning at 6:30 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Yvette Hall
City Clerk

Approved,

Brad Chelf
Chairman

**REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF ROLLING HILLS
6:30 P.M.
WEDNESDAY, DECEMBER 12, 2018
ROLLING HILLS CITY HALL
2 PORTUGUESE BEND ROAD, ROLLING HILLS, CA 90274**

CALL MEETING TO ORDER

A regular meeting of the Planning Commission of the City of Rolling Hills was called to order by Chairman Chelf at 6:31 p.m. on Wednesday, December 12, 2018 in the City Council Chamber, at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

ROLL CALL

Commissioners Present: Cardenas, Cooley, Kirkpatrick, Seaburn and Chairman Chelf.

Commissioners Absent: None.

Others Present: Yolanta Schwartz, Planning Director.
Jane Abzug, Assistant City Attorney.
Julia Stewart, Senior Planner.
Karla Rangel, Administrative Clerk.
Jeff Manquen, Applicant, 26 Middleridge Lane South.
Jesus Rivas, Project Manager, EZ Plans, Inc., 2 Chuckwagon.
Deborah Richie-Bray, Richie-Bray Architects, 15 Georgeff Road.
Jay Ahluwalia, President, Storm Properties, Inc.
Claudia Grzywacz, Applicant, Storm Hill Lane.
Dr. John Gebhard, Resident, 11 Portuguese Bend Rd.
Matt Seaburn, Resident, 14 Portuguese Bend Rd.
Sean Cardenas, Applicant, 13 Portuguese Bend Rd.

APPROVAL OF THE AGENDA

Approved as presented.

PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

None.

APPROVAL OF MINUTES

September 25, 2018 Regular Meeting of the Planning Commission
October 23, 2018 Adjourned Regular Meeting of the Planning Commission
October 23, 2018 Regular Meeting of the Planning Commission
April 17, 2018 Regular Meeting of the Planning Commission

Commissioner Seaburn moved that the Planning Commission approve the minutes of the Regular Meeting of the Planning Commission held on September 25, 2018 as presented. Commissioner Cardenas seconded the motion, which carried without objection.

Commissioner Cooley moved that the Planning Commission approve the minutes of the Adjourned Regular Meeting of the Planning Commission held on October 23, 2018 as presented. Vice Chairman Kirkpatrick seconded the motion, which carried without objection.

Commissioner Seaburn moved that the Planning Commission approve the minutes of the Regular Meeting of the Planning Commission held on October 23, 2018 as presented. Commissioner Cardenas seconded the motion, which carried without objection.

Commissioner Seaburn moved that the Planning Commission approve the minutes of the Regular Meeting of the Planning Commission held on April 17, 2018 as presented. Commissioner Cardenas seconded the motion, which carried without objection.

RESOLUTIONS

ZONING CASE NO. 951

26 Middleridge Lane South (Lot 248-A-2-UR) Rolling Hills, CA, (Manquen)
Request for: Site Plan Review, Variances

RESOLUTION TITLE:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR RESIDENTIAL ADDITIONS AND VARIANCES TO CONSTRUCT RESIDENTIAL ADDITION AND DECK ADDITION IN THE SIDE YARD SETBACK, GARAGE ADDITION IN THE FRONT YARD SETBACK TWO AS-BUILT SHEDS IN THE FRONT YARD AND SIDE YARD SETBACK, AND THE STABLE AND CORRAL SET ASIDE AREA IN THE FRONT YARD AND FRONT YARD SETBACK IN ZONING CASE NO. 951 AT 26 MIDDLE RIDGE LANE SOUTH, LOT 248-A-2-UR, (JEFF AND CAMILLE MANQUEN).

Chairman Chelf introduced the item and asked for staff's comments. Senior Planner Stewart reviewed the applicant's request in Zoning Case No. 951 at 26 Middleridge Lane South. She reviewed the site location and stated that the project includes site plan review for residential additions in several areas of the house and out of grade deck, and multiple variances for encroachment with the additions into the side and front setbacks and with a stable and corral set aside area into the front setback and front yard area. She stated that there are two sheds on the property that are located in setbacks and require a Variance and were not mentioned previously nor were they included in the original Notice of Public hearing. Since the applicant indicated that he would like to keep them and legalize them, a Notice was re-circulated for the request. She pointed out the property line, easement line and setback lines and

stated that there is an easement for a bridle trail going through the property and that the area of the lot outside the building pad is very steep. She stated that some of the findings that staff made in the resolution of approval, should the Planning Commission wish to include one or both of the as built sheds, is that because there is a fairly limited buildable area within the setbacks that that would be part of the justification for allowing the sheds to remain. She stated that alternate locations would also result in requiring a variance or more grading. She stated that the Planning Commission could approve one, both or neither of the sheds. She further explained the project stating that the additions add up to 1087 square feet, the net gain for the porch would be 194 square feet and that the out of grade condition of the deck will be broken up by planters in front of the deck. She stated that at the last meeting Commissioners requested that the applicant indicate what kind of landscaping would be going into the planter. They are proposing to plant imperial blue flowers. Further discussion ensued regarding the planting and the Commission recommended that the condition in the Resolution for landscaping include additional landscaping to the rear of the deck.

Assistant City Attorney Jane Abzug stated that she would like to remind the Commission that each piece of construction that needs a variance from a requirement needs to meet all of the findings and that she wanted to give the Commission the opportunity to ask the applicant or staff questions that would provide evidence to support each of those findings for both sheds. She then reviewed the criteria for variances as stated under the City of Rolling Hills municipal code zoning ordinance section 17.38.050.

In response to Commissioner Cardenas', Assistant City Attorney Jane Abzug stated that the Commission need to readdress the findings discussed during the field trip, for the record.

Senior Planner Stewart stated that there must be a finding for each variance that the Commission grants. She also stated that staff has started to write resolution findings breaking out each request individually, so that if there are components that the Commission doesn't feel meet the findings it can pull them from the resolution as part of its motion.

Discussion ensued regarding planting in between the walls and on the slope below the lower wall. Chair Chelf stated that he would like to see both areas being planted to shield the walls and slopes from the neighbors. Senior Planner Stewart, stated that there is a standard condition included in the resolutions requiring slopes to be planted. However, a more specific condition could be added.

Commissioner Seaburn asked that the Commission discuss the project with the owner.

Jeff Manquen, 26 Middleridge Lane South, stated that the sheds were there when he bought the property. He stated that the pool shed is not in any view of any of the neighbors and that it is on the slope near the pool. Mr. Manquen stated that he supposes it was placed on the slope, because the slope does drop off quite a bit from the pool pad and the shed already exists in the setback. He stated that a lot of the house is in a setback; that the side shed, by the garage, is on foundation and that there are mature landscape bushes along the road and trees that screens that.

In response to Commissioner Seaburn, Mr. Manquen stated that one shed is to hide the pool equipment so it's not visible and the other shed is just storage.

Additional discussion ensued among the Commissioners and Chair Chelf wanted to clarify that the one shed is actually for the pool equipment and, if yes, then it does not have to be considered a shed but pool equipment.

Mr. Manquen stated that it's not an enclosed shed, but that there is a roof on it.

Commissioner Kirkpatrick inquired as to the uses of the sheds, and he stated that one of the sheds is right in the front and that's the first thing you see and it has a window in the front.

Mr. Manquen stated that when his daughters were young they used to use it as a playhouse, but now he uses it for storage.

Chair Chelf stated that this is a problematic lot, because of the way the flat portion is situated in the owners' front yard, it makes it difficult to find other places to put the sheds or any construction. He stated that if the owners were to try to comply they would have to push the pad into the canyon creating greater walls. Chair Chelf asked the owner about the screening of the wall to soften up the wall looks.

The owner reiterated that everything outside of the pad drops off the slope and that he is open to do the same screening in front of the wall as is proposed for the area between the walls to make it consistent.

Chair Chelf closed the public comment portion and asked for comments from the Planning Commissioners.

Commissioners Seaburn and Kirkpatrick stated that with the landscaping they do not object to the project and that with the limited size and the location of the building pad, there just is not enough room to build out the area.

Chair Chelf commented on the challenges of the lot and the hardship to place anything new elsewhere. He stated that he is comfortable with making the variance findings for the sheds. He stated that it is a plus to put the pool equipment in a shed so that noise doesn't reach the neighbors.

Senior Planner Stewart stated that a finding in the resolution speaks to the fact that having the pool equipment in the shed actually lessens the noise, so it's an advantage.

In response to a comment made by Commissioner Kirkpatrick regarding ventilation for the shed, Mr. Manquen stated that there are no doors on the side toward the canyon and there is a chimney where the heater is.

Commissioner Cardenas stated that his concern was the neighbors looking down across at the wall below the extension of the deck and that's why it needs to be screened.

Commissioner Cooley stated that she has no questions and agrees with the other Commissioners.

Commissioner Seaburn moved that the Planning Commission adopt Resolution No. 2018-16 granting approval of the applicant's request in Zoning Case No. 951 at 26 Middleridge Lane South as presented with additional condition for landscaping. Commissioner Cardenas seconded the motion, which carried without objection.

PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

ZONING CASE NO. 952

2 Chuckwagon Road (Lot 38-A/39-B-EF) Rolling Hills, CA, Galvin/Kirmse)

PROPOSED PROJECT:

Request for a Conditional Use Permit for the construction of a 660 square foot detached garage and a Variance to encroach with the garage and with a new 308 square foot residential addition into the rear yard setback.

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that the Planning Commission visited the site in the morning. She stated that 2 Chuckwagon Road is a lot that is surrounded by two streets, Eastfield Drive and Chuckwagon Road and is a constrained lot, because it has 30-foot road easements on both sides and is irregular in size. She stated that the lot is located in RAS-1 zone and the net lot area after all of the deductions of the easements is less than 1 acre and is developed with a residence and a garage which is attached to the residence via a breezeway. She indicated that there are two driveways one off of each street. She described the project and explained that it consists of an addition of 308 square feet to the existing garage, where the entire area will become a living space attached via the breezeway to the main house making the house 3,170 sq. ft. The conditional use permit is for a detached 660 sq. ft. garage located to the side of the residence. The applicants also propose closure of the driveway off of Chuckwagon Road. There is no change proposed to the driveway off of Eastfield. She further stated that a set-aside area for a 1,000 square foot stable and corral is proposed on the side of the new garage. The variances are to encroach with the addition about 12 feet into the rear yard setback and with the garage 3 feet into the rear yard setback. She explained that the area of the driveway that will be closed off will be planted and short terraced walls constructed to create flat areas for planting. She stated that the lot is non-confirming as far as the lot disturbance is concerned however there is no additional grading proposed for this project. She stated that at the field trip the Commissioners viewed the silhouette and had no questions or concerns with the project and asked staff to bring a resolution of approval. She stated that for this evening the Commission should open the public hearing to see if there is anyone that would like to speak on this project.

Chair Chelf asked if there is anyone who would like to speak regarding this project.

Jesus Rivas, Project Manager stated that he could answer any questions. There being no questions, Chair Chelf closed the public comment portion of the hearing.

Commissioner Seaburn stated that the owners have limited options and that it's a nice project for the space that they have. All Commissioners stated that they agree and that they are pleased that the second driveway will be closed off and landscaped.

Commissioner Seaburn moved that the Planning Commission direct staff to draft a Resolution granting approval of the applicant's request in Zoning Case No. 952 at 2 Chuckwagon Road as presented. Commissioner Cardenas seconded the motion, which carried without objection.

ZONING CASE NO. 948

15 Georgeff Road (Lot 29-GF) Rolling Hills, CA, (Hatch)

PROPOSED PROJECT:

Request for Variances to construct a new 200 square foot parking pad which will encroach into the allowable frontage and a service yard that will encroach into the side yard setback.

Chairman Chelf introduced the item and asked for staff's comments. Senior Planner Stewart stated that this item is a project at 15 Georgeff Road and it is a request for a parking pad and a new trash area and that the Planning Commission viewed the project in the field earlier this morning. She stated that originally the applicants proposed an addition to the garage, but have since removed that request, but that the request for a trash area in the front yard on the other side of the house is still proposed. She pointed out the proposed location of the parking pad and trash area. She stated that the applicants are changing out the existing paving so that it is partially permeable, which helps with some of their flat work coverage. She stated that the parking pad is proposed at 200 sq.ft. She stated that the parking pad would be 17 feet to the road pavement, and that if the parking pad was less than 30 feet to the roadway easement staff could approve it over the counter; however, in the proposed location it requires a variance. She described the remainder of the project, which consists of re-doing the entire entranceway to the house and garage with stairs and new planters. Senior Planner Stewart stated that if the project is approved staff recommends including a special condition of approval that there couldn't be any vehicular storage outside of what code allows, which limits outdoor vehicular storage to three recreational vehicles and cannot be within 50 feet of the roadway easement. She stated that there really is no area in the front yard where they could legally park such vehicles.

In response to Commissioner Kirkpatrick, Planning Director Schwartz stated that no boat or RV or any other recreational vehicle is allowed to be stored closer than 50' to roadway easement and that only three could be stored for indefinite time if they meet the 50' requirement. She stated that no such vehicle, including trailers or storage containers could be legally stored on the proposed pad.

Discussion ensued regarding enforcement of storage of such vehicles and Senior Planner Stewart stated that enforcement is based on complaints. The Commissioners concurred that a condition should be included, if the project is approved, to remind the owners of the code requirement.

Chair Chelf asked for public comments.

Deborah Richie-Bray, landscape architect for the project stated that the project is very reasonable and that it will improve the usability of the property. She commented that it is difficult to pull out of the driveway if there is another car parked there. She stated that the new parking pad would be dropped down so it will be less visible from the road, will have permeable surface and will be screened from the road with landscaping. She stated that they meet the criteria to be granted a variance.

Commissioner Cooley stated that the permeable surface will help soften the pad's visibility and a practical way to provide more parking.

Commissioner Cardenas stated that the lot is unique in size and shape and that he'd rather see the parking pad on the property than have a car parked in the roadway easement. Commissioner Kirkpatrick concurred.

Commissioner Seaburn stated that he is not in favor of the parking pad, but has no objections to the other improvements. He stated that the property already has a 4-car garage and the pad is too close to the road, regardless of how they screen it and that it will not look attractive.

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Chair Chelf stated that Georgeff is a narrow street and the driveway on this property is not very long. The parking pad will help in maneuverability of the cars in the driveway in that cars will not have to back up directly into the street. He further stated that with the language to prohibit recreational vehicles from parking on this pad he does not have any objections.

Commissioner Kirkpatrick concurred and stated that the owners are going to modify that entire front by adding stairs and pathway and the project makes sense and will help a unique parking situation.

Commissioner Seaburn reiterated that he feels the parking pad will be too obvious from the street and with a 4-car garage it may not be necessary.

There being no further discussion Commissioner Cardenas moved that the Planning Commission direct staff to draft a Resolution granting approval of the applicant's request in Zoning Case No. 948 at 15 Georgeff Road as presented, with a condition restricting storage of recreational vehicles. Vice Chair Kirkpatrick seconded the motion, which carried with one objection from Commissioner Seaburn.

ZONING CASE NO. 949

Storm Hill Lane (APNS 7570-024-014, 7570-024-015, 7570-024-016 & 7570-024-017 by Parcel Map No. 26356) Rolling Hills, CA, (Storm Properties)

PROPOSED PROJECT:

Request for a Certificate of Compliance for Lot Line Adjustment between four parcels of land.

Chair Chelf introduced the item and asked for staff's comments.

Planning Director Schwartz stated that the Planning Commission visited the project in the morning. She gave a short background on the lots and pointed out the existing and proposed lot lines. She stated that all of the lots will have access from a street, once the street is constructed, and that no development of homes is proposed at this time. She stated that the lot lines of the parcels will be finalized when a road is approved for this project Mr. Ahluwalia addressed the Planning Commission and stated that the applicants would prefer that the lot line adjustments be reviewed after the environmental review is completed for the proposed road and the project comes back to the Planning Commission in its entirety.

Commissioner Cardenas moved to hold off on decision making in Zoning Case No. 949 until the necessary environmental review process in Zoning Case No. 950 is completed and the case returns to the Planning Commission for deliberation. Vice Chair Kirkpatrick seconded the motion, which carried with one objection from Commissioner Seaburn.

ZONING CASE NO. 950

Storm Hill Lane (APNS 7570-024-014, 7570-024-015, 7570-024-016 & 7570-024-017 by Parcel Map No. 26356) Rolling Hills, CA, (Storm Properties)

CEQA: Environmental Determination Pending

PROPOSED PROJECT:

Request for a Site Plan Review for grading and construction of a road for access to 3 vacant parcels.

Chair Chelf stated that given that the road requires environmental review, this case will be postponed to a different date.

Commissioner Cardenas moved to continue the case. Vice Chairman Kirkpatrick seconded the motion which carried without objection.

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 702 square foot tack room and including an 896 square foot loft; and a Site Plan Review for 1,470 cubic yards of grading.

Chair Chelf introduced the item. Senior Planner Stewart stated that the public hearing for this project was to start in the field this morning, but was postponed to the evening meeting because the silhouette was not erected, due to unavailability of a contractor, but that the evening meeting was properly noticed and posted. She stated that the project is to construct a 2,464 square foot stable with covered porches and exterior stair case and requires a conditional use permit and a site plan review for 1,470 cubic yards of grading and that most of the grading is for over excavation and recompaction to accommodate the foundation for the new stable. The proposal also includes an existing corral that is proposed to remain as is. She stated that it is in the front yard area and a very small portion of it is in the side setback. She stated that it is an existing legal non-conforming condition, because the applicant is not proposing to change any element of the corral. Senior Planner Stewart reviewed the location of the existing stable in relation to the corral and to where the new stable is proposed. She reviewed the floor plan and the loft. She stated that it does include a 702 square feet tack room and a bathroom. She stated that there is plumbing only on the first floor for the bathroom and any sinks serving the tack room. She reviewed a section of the stable to show the tack room location in relation to the covered porches. She stated that the stalls will have a center breezeway and that there would be a loft above the center isle only. She stated that lofts may have a window opening, and if they're used for storage, the openings may be glazed, but they cannot be permanent glazed windows; they must be removable. She reviewed the elevations to show the view from the street, the easement, from the next-door property, garage, driveway, and rear portion of the property. She stated that the tack room together with the bathroom is under is under 800 square feet. The coverages for the proposed project all fall within the acceptable limits. The disturbance is existing non-conforming at 67.1%, and there is no proposed change to that and the grading is primarily for excavation and recompaction. There is no import or export of dirt proposed. She stated that staff received an inquiry and written communication in opposition to this project, which is included in Commissioners' packet. One of the questions, was the proximity of the stable to the property line. She stated that the proposed stable will be 31 feet from the closest portion of the property line. They are allowed to be within 25 feet, so they are a little bit beyond that. The height for the stable is proposed at 24ft. She reviewed the vicinity map. Senior Planner Stewart stated that the project is categorically except from CEQA requirements.

Chair Chelf asked for public comments.

Dr. Gebhard, stated he is a neighbor to the North of Mr. Cardenas. Dr. Gebhard stated that he had some concerns in regards to the size and height of the stable. He stated that from his perspective, this new stable is 10 feet closer than the present stable. Dr. Gebhard stated, that considering the size of the stable he feels it will impinge on his privacy. He stated that the height is of particular concern, because it's going to be twice the height as the present stable. Dr. Gebhard stated, that since the height will be 24ft and his grade is 10 ft below that grade, he really is going to be looking up at a potentially, over 30-foot height. Dr. Gebhard reiterated that he is concerned about the size, proximity, and the height. He stated that he would wait until the flags are up, to see how it looks; but that he still wanted to express his

concerns. Mr. Gebhard stated that he feels he will be the only person with potentially negative concern, since no one else, in the area, lives anywhere close to this project.

Chair Chelf stated, that the Commission will schedule a field trip for the next meeting and the project will be flagged. Chair Chelf invited Dr. Gebhard to attend the field trip.

Dr. Gebhard reiterated that the height of the barn would be overlooking his bedroom.

In response to Dr. Gebhard, Chair Chelf stated, that it would be beneficial if the Commission could view the property from Dr. Gebhard's backyard during the field trip.

Dr. Gebhard stated, he would encourage the Commission to view the silhouette of the stable from his back yard.

Matt Seaburn, of 14 Portuguese Bend, stated that he is a neighbor and lives directly across the street from the project, and will be looking at the project every day for as long as it is there. He stated, that he wants to voice his support of the project and that the barn is a wonderful idea. He further stated, that his wife and he agree that it is exactly what we want in our neighborhood and that he also thinks it will increase property values in the area.

Sean Cardenas, of 13 Portuguese Bend stated that he is the applicant. He stated that he instructed his architect that this project has to meet all of the City requirements and be beyond reproach. He did not want to request any variances. Mr. Cardenas stated that he didn't want to do any grading, but that it is necessary for leveling the grade and for excavation and recompaction underneath the foundation. Mr. Cardenas stated that he considered moving the new barn closer to the garage, but that there were two challenges; it would be difficult to bring in hay in a truck and the corner of the stable would get really close to the path that comes up from Lower Black Water Canyon Trail. Mr. Cardenas, stated that he did look at alternatives to keep it from pointing at any direction other than towards his house, but that it is not feasible to push it any further than he has already. Mr. Cardenas stated that he will mention to the architect to see if there is any way of shifting it into the corral or doing anything to move it even if it is just a couple of feet.

The Planning Commission, by consensus, continued Zoning Case No. 953 at 13 Portuguese Bend Road to a field trip meeting to be held on January 15, 2018 at 7:30 am. (Cardenas, and Seaburn recused).

NEW PUBLIC HEARINGS

None.

NEW BUSINESS

23 Crest Road East (Lot 132-A-MS) Rolling Hills, CA, (Hynes)

PROPOSED REQUEST:

A 2-year time extension to commence construction per Resolution No. 1202

Planning Director Schwartz stated that the applicants request a two-year time extension to commence construction of a previously approved project consisting of a new residence with accessory structures and a driveway. In response to Commissioner Cardenas, Planning Director Schwartz stated that the applicants have all the necessary approvals to construct from the City and RHCA, but that they have not

Minutes

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submitted for plan check to the Building Department yet, and that according to the letter of request, the property is for sale.

Following staff's presentation and discussion, Vice Chair Kirkpatrick moved to approve Resolution No. 2018-17 granting a two-year time extension to commence construction on 23 Crest Road East. Commissioner Seaburn seconded the motion, which carried with one objection from Commissioner Cardenas.

OLD BUSINESS

DISCUSSION: Office trailers and storage trailers/containers during construction

Following discussion, the Planning Commission, by consensus, agreed to include the recommended standard condition in resolutions of approval regulating office trailers and storage trailers/containers during construction. The Planning Commission also agreed that a similar condition will be placed on administratively approved plans.

The Commission agreed to the following language of the condition:

"Placement of one construction and one office trailer may be permitted for the duration of on-site construction activities during an active building permit; each shall be no larger than 8' x 40' in size, and must be authorized by City staff with such authorization being revoked at any point deemed reasonable by City staff. Such trailers, to maximum extent practicable shall be located in a manner not visible from the street. Unless otherwise approved by staff, with proof of a good cause, such trailers shall not be located in any setback or front yard, may be placed on the site no more than 15 calendar days prior to commencement of construction and must be removed within 15 calendar days of expiration of a building permit, revocation, or finalization of the project."

DISCUSSION: Temporary Construction Fences

Following staff's presentation and discussion, the Planning Commission, by consensus, agreed to include the recommended standard condition in resolutions of approval regulating placement of construction fences during construction. The Planning Commission also agreed that a similar condition will be placed on administratively approved plans.

The Commission agreed on the following language for the condition:

"A construction fence may be allowed or may be required by the City or the Building Department staff for the duration of the construction of the project. City staff shall approve the location and height of the fence. The construction fence shall not be placed more than 15 calendar days prior to commencement of the construction and shall be removed within 15 calendar days of substantial completion of the project as determined by City staff or at any given time at the discretion of City staff".

SCHEDULE OF FIELD TRIPS (January 15, 2019)

The Planning Commission scheduled a field trip to the following property to be held on, January 15, 2019 beginning at 7:30 am.

13 Portuguese Bend Road

ITEMS FROM STAFF

AB 1234 Ethics Training (oral)

Planning Director Schwartz stated that it is recommended that all appointed Commissioners complete the AB 1234 Ethics Training, which could be completed on line.

Format for Making Motions (oral)

Planning Director Schwartz stated that the format of the Agenda is being changed to aid the Planning Commissioners in making succinct motions.

ITEMS FROM THE PLANNING COMMISSION

None.

ADJOURNMENT

Hearing no further business before the Planning Commission, Chairman Chelf adjourned the meeting at 8:37 p.m. to an adjourned regular meeting of the Planning Commission scheduled to be held on Tuesday, January 15, 2019 beginning at 7:30 a.m. for the purpose of conducting a site visit to 13 Portuguese Bend Road. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, January 15, 2019 beginning at 6:30 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Karla Rangel
Administrative Clerk

Approved,

Brad Chelf
Chairman

MINUTES OF AN
ADJOURNED REGULAR MEETING
OF THE PLANNING COMMISSION
JANUARY 15, 2019

PRESENT FOR THE FIELD TRIP WERE:

Chairman Chelf, Commissioners Cooley and Kirkpatrick, (Commissioners Cardenas and Seaburn -recused)

Yolanta Schwartz, Planning Director

Julia Stewart, Senior Planner

Dr. and Mrs. Gebhard, neighbors 11 Portuguese Bend Road

Sean Cardenas, applicant

Matt Seaburn, neighbor 14 Portuguese Bend Road

Chairman Chelf called the meeting to order at 7:30 AM at 13 Portuguese Bend Road.

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 an 896 square foot loft; and a Site Plan Review for 1,470 cubic yards of grading.

Senior Planner Stewart reviewed the project and stated that the existing stable will be demolished and a new one constructed. She stated that the corral is non-conforming, as it is located in the front yard and front setback of the property; however it is an existing condition and no changes to the corral are proposed. She stated that the ridgeline of the loft area would be at 24' high. Dr. Gebhard stated that he objects to the location and massing of the stable because it is too close to his property and his house and being so high will block light to his house. He requested that the Commissioners view the proposed stable from his property. Chairman Chelf noted that the loft is proposed to be constructed over the middle portion of the stable only and, when constructed will not be obtrusive.

The applicant, Mr. Cardenas, stated that he asked his engineer if the stable could be moved 5' or so to the south and was told that he would lose access to the trail

that exists below the proposed stable and there wouldn't be sufficient room for the horses to go around the stable.

All present walked to the rear of the stable and discussed the proposed porches and configuration of the stable.

Everyone walked over to Dr. and Mrs. Gebhard's property to view the silhouette from their perspective. As requested by the Gebhards, everyone stood along the south side of the residence looking towards the proposed stable. Vice-Chair Kirkpatrick noted that the Gebhards had planted trees on their side of the easement and that those will help to screen the stable. He also stated that additional shrubs or trees could be planted to screen the stable even further.

Dr. Gebhard stated that the stable is too high and that it looms over his house and blocks light, and that he will be looking out on a solid wall, whereas now he looks up and sees trees and the sky.

Discussion continued about the screening of the stable, and the applicant stated that he does not have room on his property to plant along the north side of the stable (facing Gebhards), because any planting would either have to be in the side easement or too close to the horses.

There being no further discussion, the public hearing in Zoning Case No. 953 was continued to the evening meeting beginning at 6:30 pm.

Respectfully Submitted,

Yolanta Schwartz
Planning Director

Date

Approved:

Brad Chelf, Chairman

Date



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 Item No. 7A

Mtg. Date: 02-19-19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO. ZONING CASE NO. 808 -APPEAL OF STAFF'S DETERMINATION
SITE LOCATION: 7 RINGBIT ROAD E. (LOT 38 SF)
ZONING AND SIZE: RA-S-1, 1.22 ACRES
APPLICANT: JOHN SHADDEN
REPRESENTATIVE: SELF
NOTICED: ADJACENT PROPERTIES- FEBRUARY 7, 2019

Attachments: Applicant's request
City's prior approval
Resolution No. 2012-01
Covenant Agreement

REQUEST AND RECOMMENDATION

1. The applicant, Mr. Shadden, is appealing staff's determination of a condition placed in a Resolution of approval of a Conditional Use Permit in 2012. The approval was granted by Resolution No. 2012-01. The applicant requests a modification to Condition M of Section 9 of the resolution, regarding the type of material used on the exterior of the structure.

2. The Planning Commission visited and viewed the structure in the field in the morning of February 19, 2019. It is recommended that the Planning Commission continue the public hearing and provide direction to staff

BACKGROUND

3. In 2012 the Planning Commission approved a CUP to retain a 225 square foot two-story structure, used as a guest room on the top level and utility storage room on the first level and which was constructed as a tack room in 1965. At one time there was a small stable in proximity of the tack room, which from the records indicates that it was demolished when the pool was constructed in 1997. With the 2012 application, the applicant set aside an area for a future stable and coral elsewhere on the lot.

4. In 2012, the Planning Commission concluded that the structure has charm, conforms to the character of structures in Rolling Hills, is inconspicuous and that it would be unreasonable to consider the lower level as habitable, as it does not meet the definition of a "habitable" space. The Los Angeles County Building Code requires a minimum of 7' tall ceiling in "habitable space". Non-habitable spaces, such as, kitchens, hallways or bathrooms may have a ceiling of not less than 6'8".

As a condition of the 2012 approval, the applicant was required to record a "Use Covenant" agreeing to maintain the upper 225 sq.ft. as a guesthouse and the lower room, same size, for utility storage.

5. Condition M of the Resolution states as follows:

M. The exterior of the structure shall not be modified, except for maintenance, and there shall be no additional door or window openings in the structure than currently exist.

6. The applicant wishes to change out the exterior of the structure from siding to stucco. He states that this is necessary due to dry rot and termite infestation, and constitutes maintenance. Staff made a determination that the intent of condition "M" is to keep the existing look of the structure, which includes exterior surfaces.

Other work of the exterior is also proposed, which would be considered maintenance and therefore permitted, such as replacement of the roof and paint. Staff determined that changing out of windows and doors would also constitute maintenance, as long as the improvements were like for like.

ZONING CODE APPLICABILITY

7. Pursuant to Chapter 17.55 of the Zoning Ordinance, an applicant may appeal to the Planning Commission a decision made by the City Manager or a designee. Action on appeal by the Planning Commission is appealable to the City Council.

8. The project is exempt from the requirements of the California Environmental Quality Act (CEQA).

December 26, 2018

City of Rolling Hills
Planning Commission
2 Portuguese Bend Road
Rolling Hills, CA 90274

Attn: Planning Commission Board Members;

Regarding CUP interpretation of Resolution No. 2012-01 for property 7 Ringbit Road East
Owners: John and Patricia Shadden

Our interpretation of the original resolution was the existing structure could remain as built but the maintenance and up-keep would be acceptable to match the quality and look when compared to the main residence on the property. When we purchased the property in 2011 it was not disclosed that the then designated guest house had not been properly permitted. We proceeded with the purchase and completely remodeled the main house while working with the planning department to properly permit the guest house resulting in the CUP, Resolution No. 2012-01 with the intent to improve the guest house at a later date. With the recent rains over the last several years the time has come to complete those improvements as outlined below:

Current maintenance to the property requires the items below:

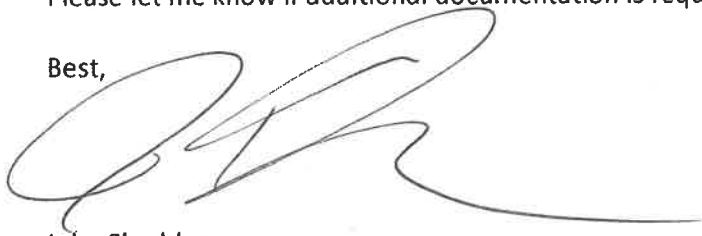
1. Remove termite and dry rot ridden partial wood siding, followed by stucco on the entire guest house to match the main house.
2. Replace windows and doors with matching new weather protected product to match the main house and prevent current leaks.
3. Re-paper roof and replace broken roof tiles to eliminate current leaks.
4. Paint trim and eaves to match main house.

The attachments are outlined below:

1. Building Elevations
2. Rolling Hills examples of matching the look of the main house with the secondary structure.

Please let me know if additional documentation is required.

Best,



John Shadden
Owner 7 Ringbit Road East

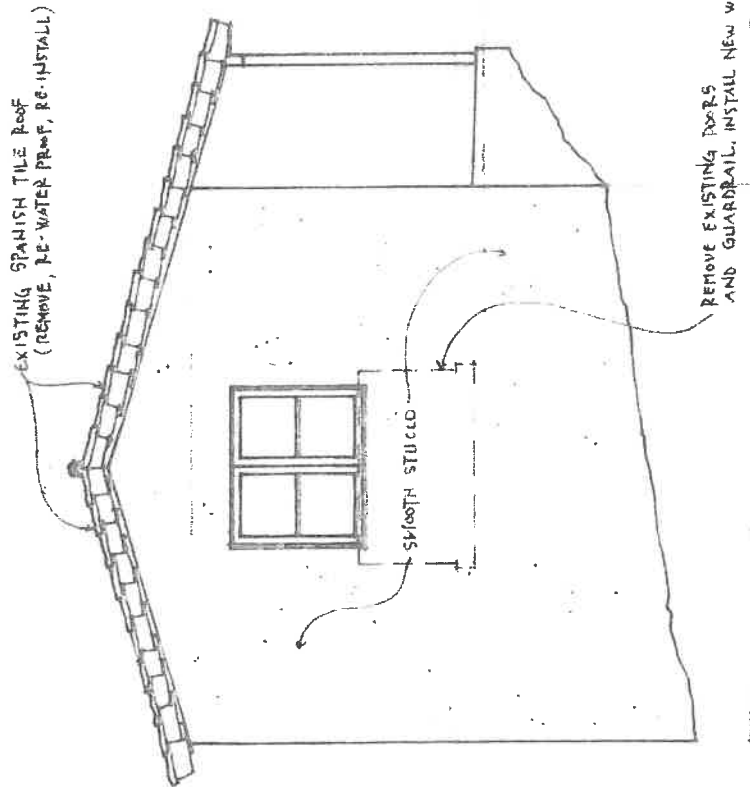
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JAN 18 2019

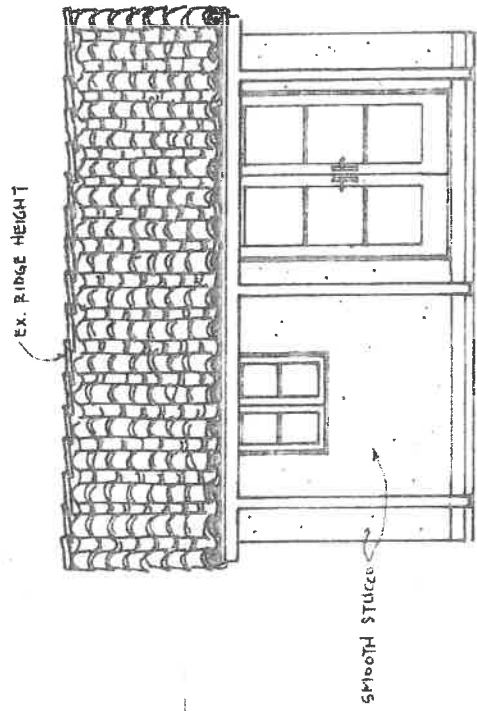
City of Rolling Hills
By _____

JAN 18 2019

City of Rolling Hills
By _____



SOUTH ELEVATION



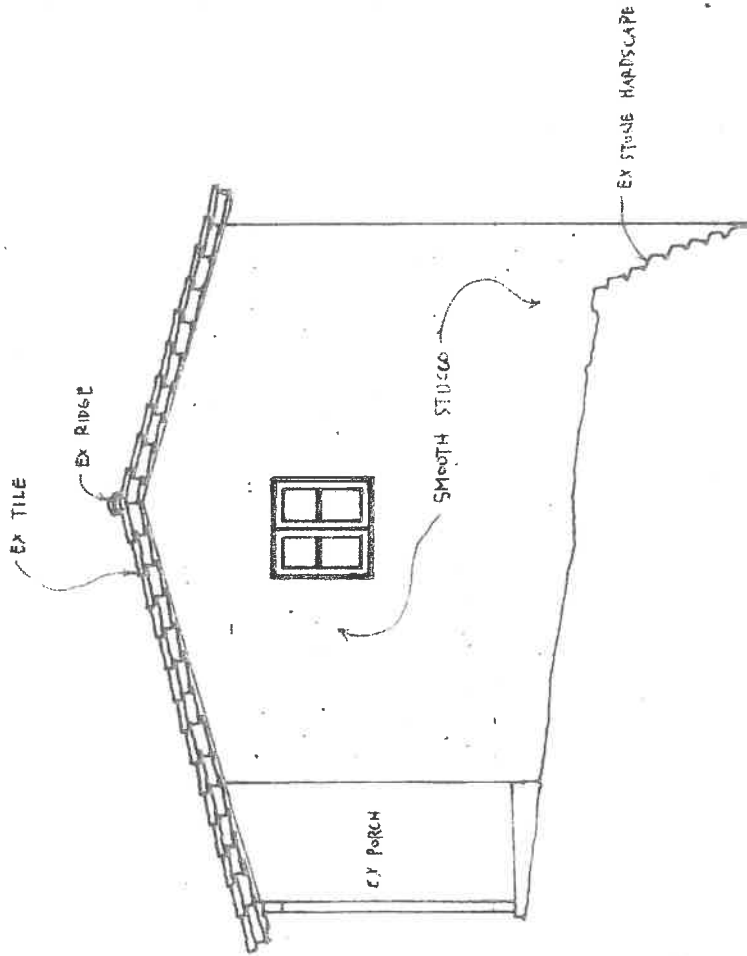
EAST ELEVATION

RECEIVED

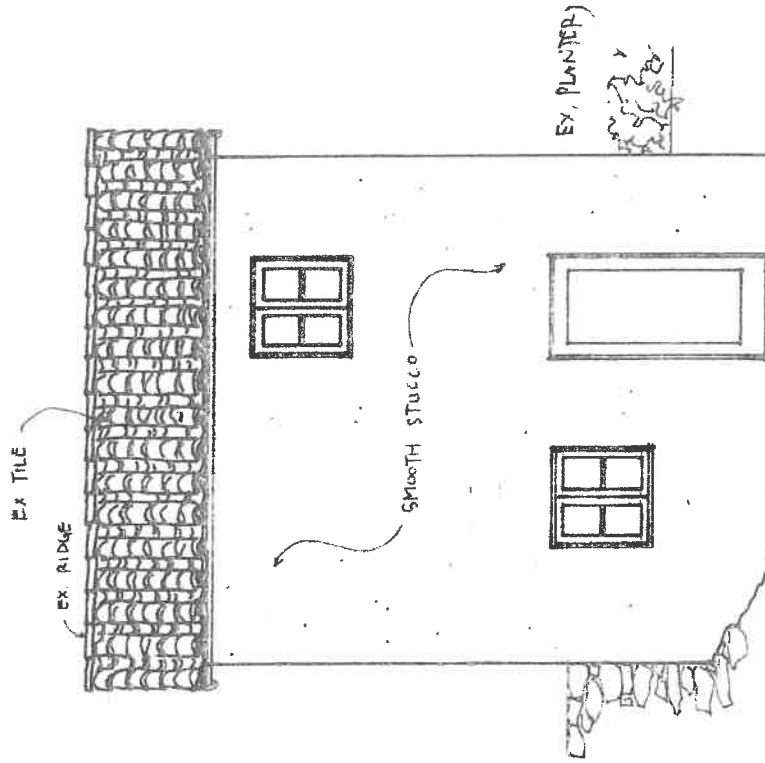
JAN 18 2019

City of Rolling Hills

By _____



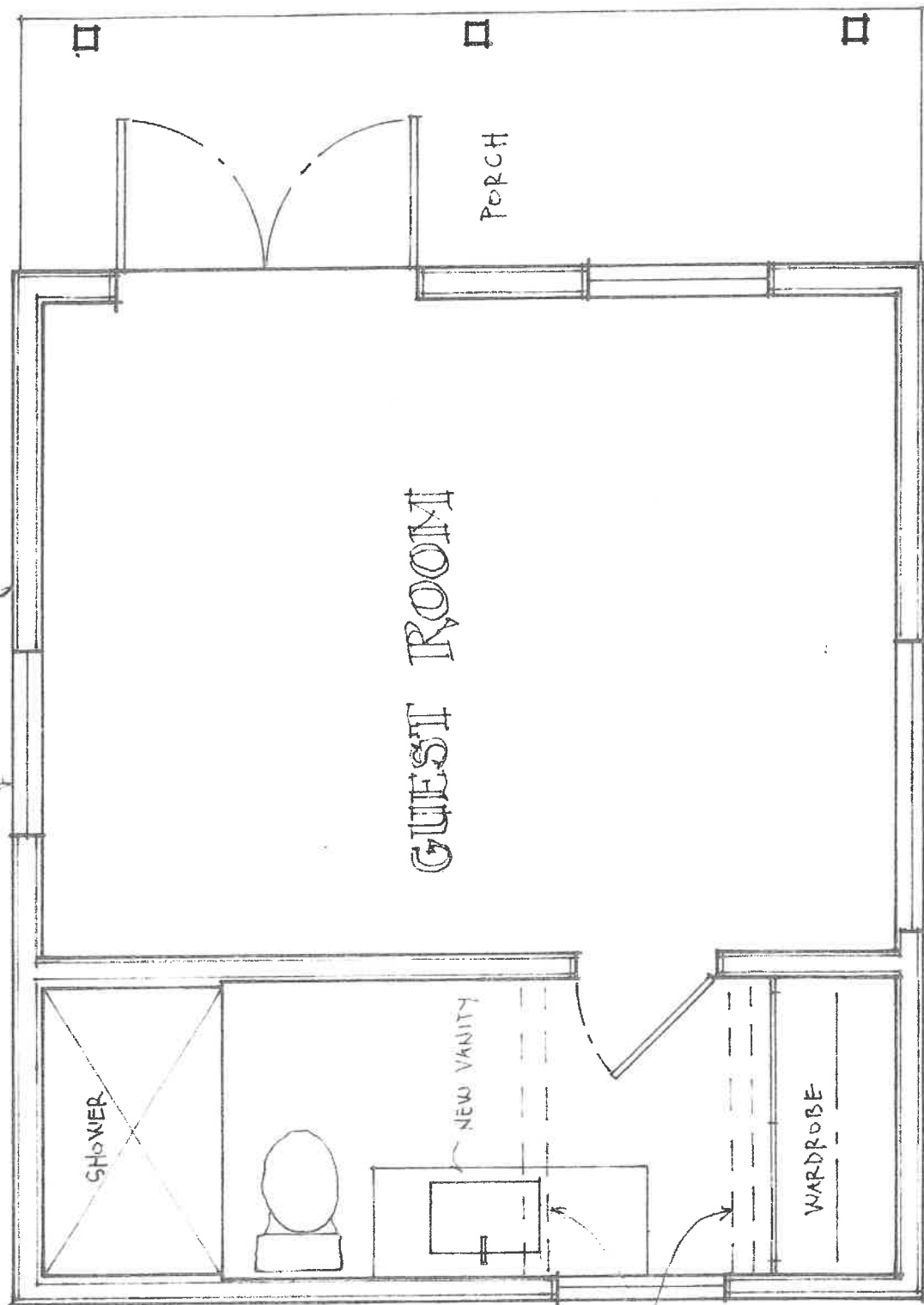
NORTH ELEVATION



WEST ELEVATION

REMOVE EXTERIOR SIDING
ADD PLY AND SMOOTH STUCCO

REPLACE ALL WINDOWS
AND EXTERIOR DOORS



REMOVE EX. BALCONY
AND DOORS

REMOVE TWO
EX. WALLS

RECEIVED

JAN 18 2019

City of Rolling

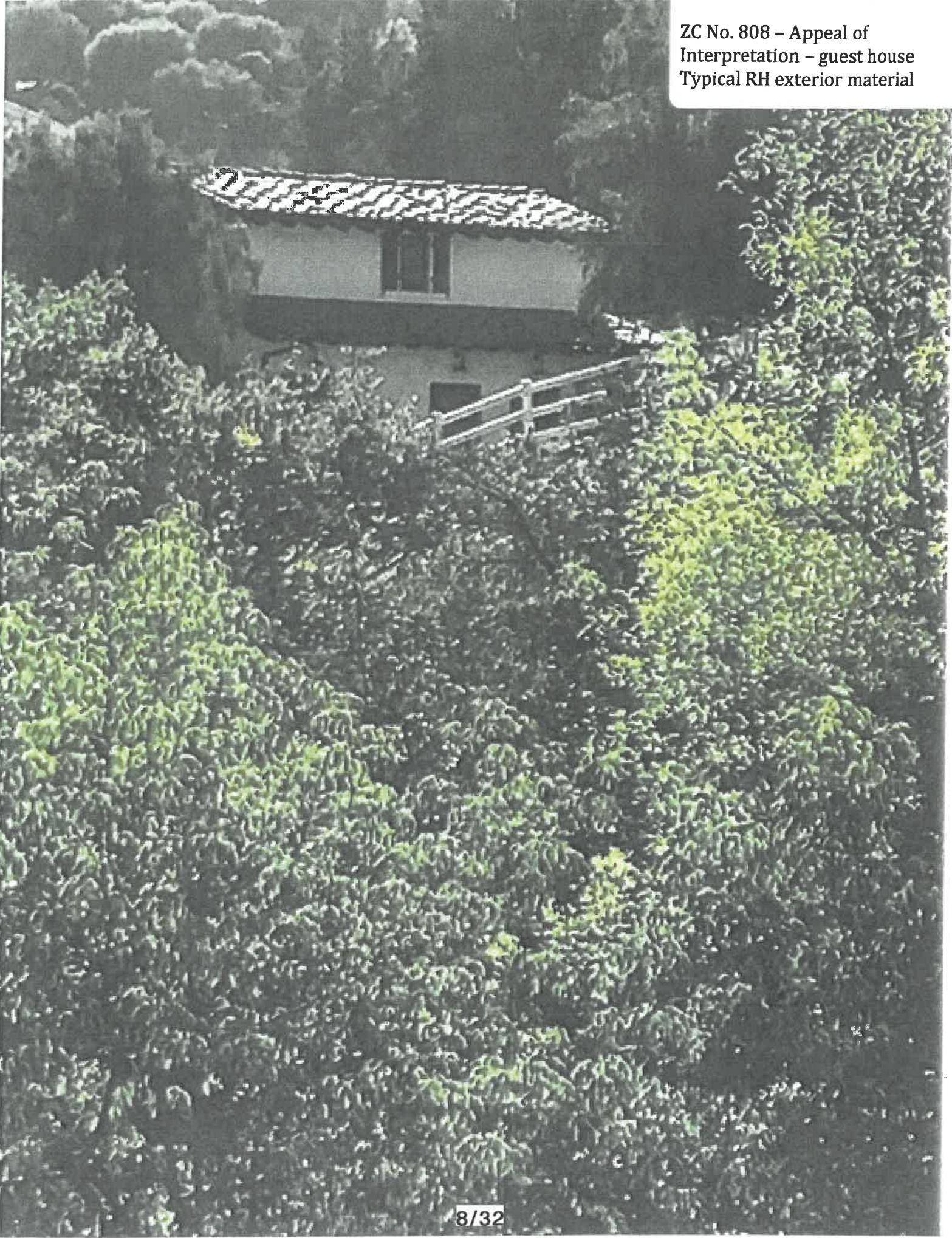
By _____

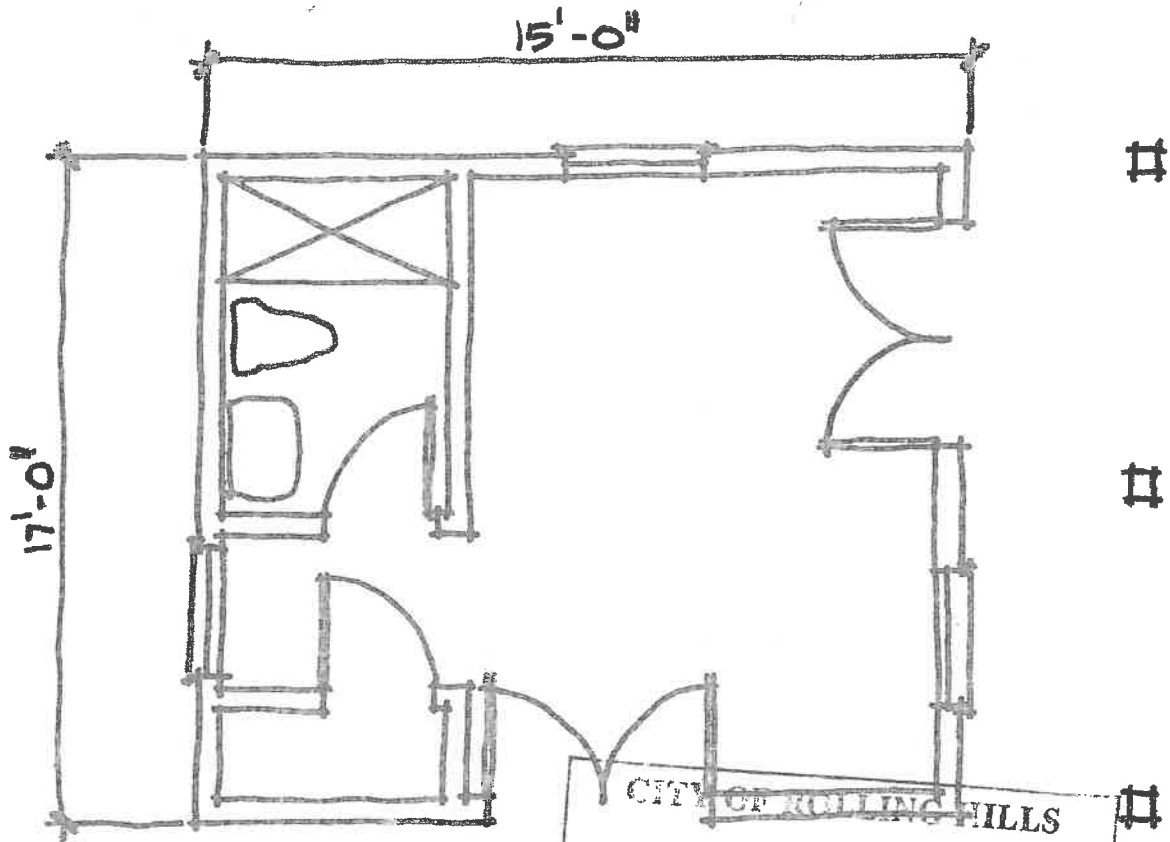
SHARPE NOV 30 18

ZC No. 808 - Appeal of
Interpretation - guest house
Typical RH exterior material



ZC No. 808 – Appeal of
Interpretation – guest house
Typical RH exterior material

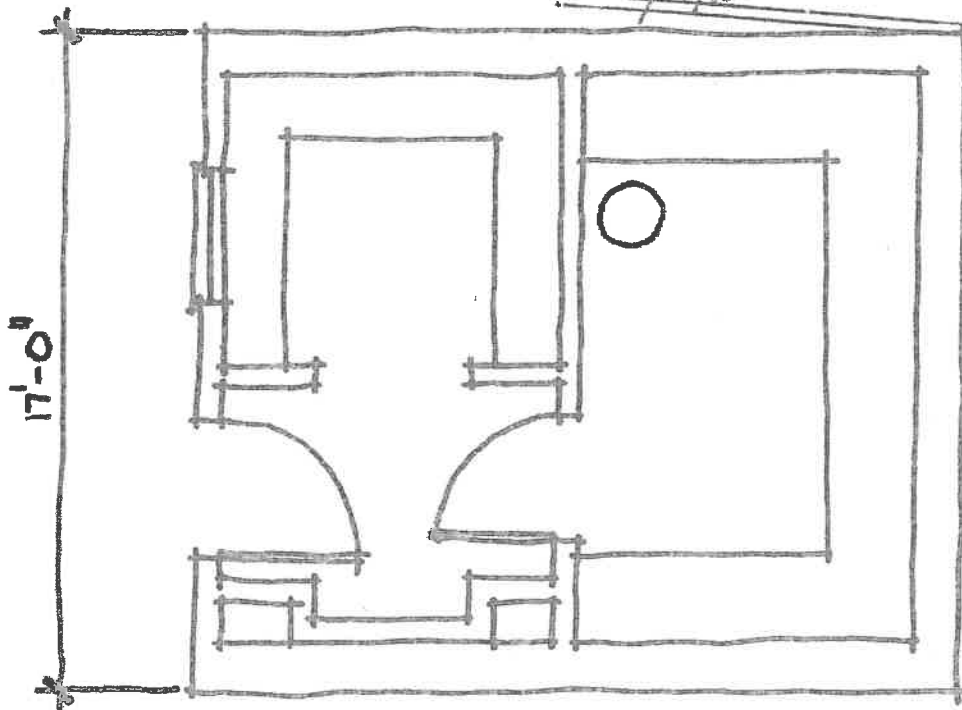




UPPER FLOOR

SCALE 1/4" = 1'-0"

CITY OF ROLLING HILLS
 Approved By Resolution 2012-01
 PLANNING DEPARTMENT Commission
 w/condition restricting uses
 Date 1/17/12



LOWER FLOOR

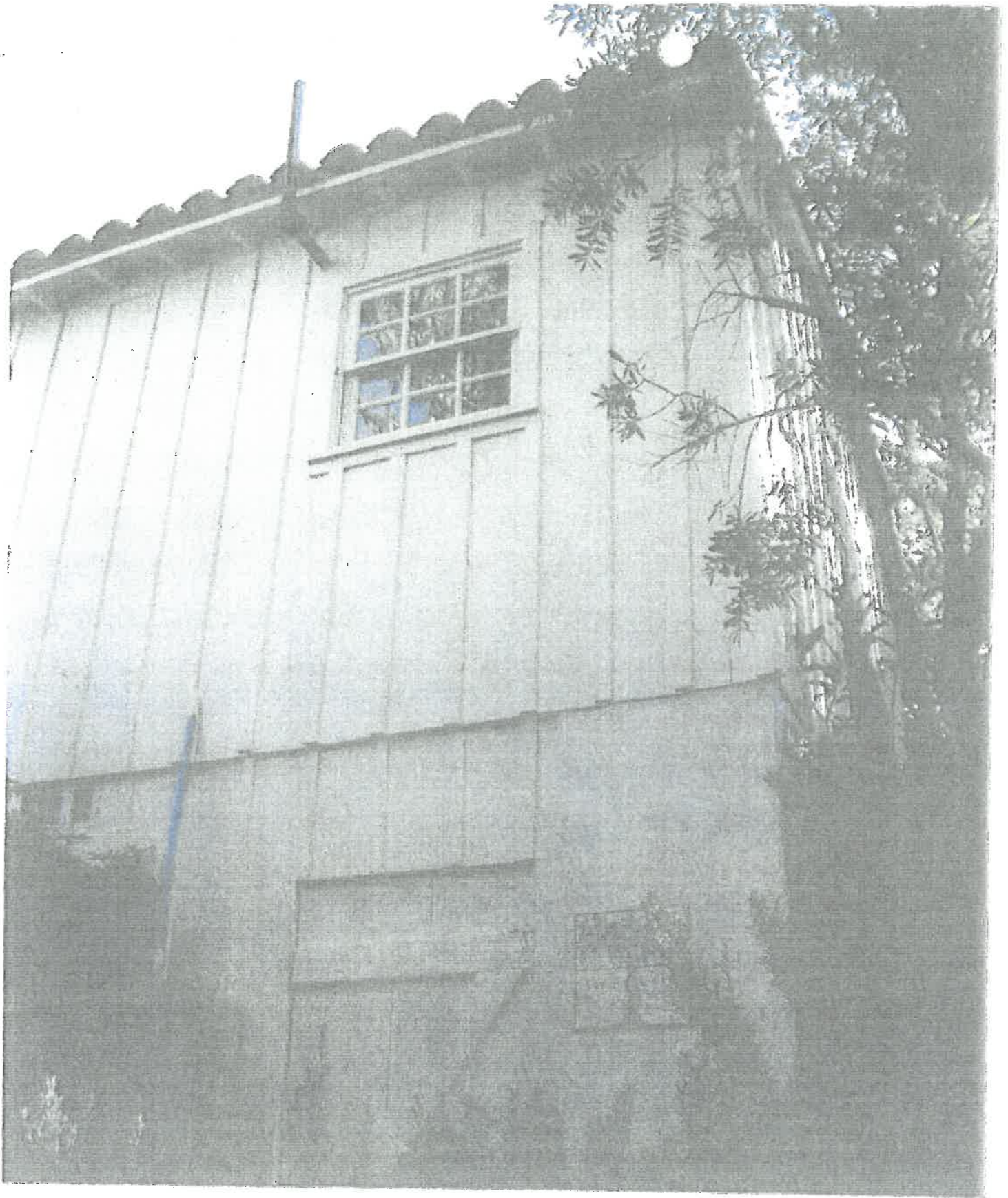
RECEIVED

JAN 04 2012

City of Rolling Hills

Z.C. 808

7 RINGBIT E.



Existing door to underfloor area to be removed and filled in with wood siding to match existing siding

WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

RECORDING REQUESTED BY AND
MAIL TO:

CITY OF ROLLING HILLS
PLANNING DEPARTMENT
2 PORTUGUESE BEND RD.
ROLLING HILLS, CA 90274

(310) 377-1521
(310) 377-7288 FAX



↑ RECORDER'S USE ONLY
THE REGISTRAR-RECORDER'S OFFICE REQUIRES THAT THE FORM BE NOTARIZED BEFORE
RECORDATION.

AFFIDAVIT OF ACCEPTANCE FORM

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

ZONING CASE NO. 808

XX CONDITIONAL USE PERMIT; XX VARIANCE

I (We) the undersigned state

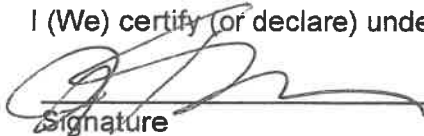
I am (We are) the owner(s) of the real property described as follows:
7 RINGBIT ROAD EAST, ROLLING HILLS, CA 90274 (LOT 38-SF)

This property is the subject of the above numbered case and conditions of approval

I am (We are) aware of, and accept, all the stated conditions in said ZONING CASE NO. 808

XX CONDITIONAL USE PERMIT XX VARIANCE

I (We) certify (or declare) under the penalty of perjury that the foregoing is true and correct.


Signature

John T. Shadden
Name typed or printed

Patricia Shadden
Signature

Patricia Shadden
Name typed or printed

Address 7 Ringbit Road East
Rolling Hills, CA 90274
City/State

Address 7 Ringbit Road East
Rolling Hills, CA 90274
City/State

3
Signatures must be acknowledged by a notary public.
See Attached Exhibit "A", RESOLUTION OF APPROVAL NO. 2012-01

State of California)
County of Los Angeles)

On February 6, 2012 before me,

Kathleen J. Howard, Notary Public,

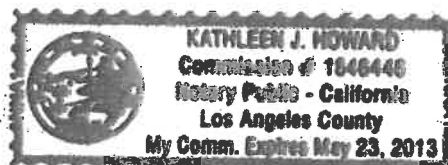
Personally
appeared John T. Shadden and Patricia Shadden

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/ are subscribed to the within instrument and acknowledged to me that he/ she/ they executed the same in his/her/their authorized capacity(ies) and that by his/ her /their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS by hand and official seal.

Signature of Notary Kathleen J. Howard (Seal)



4

RESOLUTION NO. 2012-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A CONDITIONAL USE PERMIT TO RETAIN A GUEST ROOM, PREVIOUSLY APPROVED AND CONSTRUCTED AS A TACK ROOM AND REQUEST FOR A VARIANCE TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT, IF A STABLE AND CORRAL ARE CONSTRUCTED IN THE FUTURE, ON A PROPERTY DEVELOPED WITH A SINGLE FAMILY RESIDENCE AND ACCESSORY STRUCTURES IN ZONING CASE NO. 808, AT 7 RINGBIT ROAD EAST, (LOT 38-SF), (SHADDEN). THE PROJECT HAS BEEN DETERMINED TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Application was duly filed by Mr. and Mrs. John Shadden with respect to real property located at 7 Ringbit Road East requesting a Conditional Use Permit to retain as is converted 255 square foot guest room, which includes a bathroom, and storage/utility room below the guest room originally constructed as a tack room and to set aside an area for a future stable and corral elsewhere on the lot; and a Variance to exceed the maximum permitted disturbance of the lot, if and when the stable and corral are constructed in the future.

Section 2. A two-story tack room was constructed on the property in 1965. The applicants request a CUP is to retain the two-story structure and which has been used for storage on the first level and guest room on the second level for many years. At the time of the construction of the tack room, records indicate, that a small stable was also constructed in proximity of the tack room. Staff believes the stable was demolished when the pool was constructed in 1997. The applicant proposes to set aside an area for a future stable and coral elsewhere on the lot, which when constructed would require grading.

Section 3. The Planning Commission conducted duly noticed public hearings on the subject application in the field on November 15, 2011 and at public hearings at City Hall on November 15 and December 20, 2011. The applicants were notified of the public hearings in writing by first class mail. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff and the Planning Commission having reviewed, analyzed and studied said proposal. The applicant's representative was in attendance at the hearings.

Section 4. The Planning Commission concluded that the structure is attractive, unobtrusive, conforms to the character of structures in Rolling Hills, located substantial distance from any neighbor and that it would be unreasonable to deem the lower level as habitable space. A neighbor at 5 Ringbit Road E. was present at the public hearings and

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stated that he has no objections to the use of the structure in the same manner as it has been in the recent past, which is for a guest room and storage.

Section 5. Based on the opinion of the City Attorney, the Planning Commission further found that Rolling Hills Municipal Code ("RHMC") Section 17.16.080 restricts buildings within the City to one-story. However, "one-story" is defined as "meaning no interior habitable space shall exist over any other habitable space, except over basements." The lower level of the structure is not habitable space. The applicants do not use, and state that they have no intention to use, the level underneath the living area as "habitable space." Because this is not habitable space, it does not violate the limitation in RHMC Section 17.16.080. With this CUP approval the lower level will be restricted in use to storage and utility equipment storage only and there shall be no habitation of any kind on the lower level. Further, these restrictions will be recorded in title as a covenant to make it more obvious to subsequent purchasers.

Section 6. The Planning Commission finds that the project qualifies as a categorical exemption from environmental review under the California Environmental Quality Act.

Section 7. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of a Variance from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity. A Variance to Section 17.16.070 (B) is required because it states that the lot disturbance shall be limited to 40.0% of the net lot area. The applicant is requesting a Variance because total disturbance of the net lot area is proposed to be 43.1% when, and if the future, stable, corral and access thereto are constructed. Currently, the disturbed area of the lot is 40.6%. With respect to this request for a Variance, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances and conditions applicable to this property that do not apply generally to the other properties in the same zone. The property is unique in that the front area of the property does not lend itself to construction of a future stable and corral, as it is developed with accessory structures. There is a suitable area in the rear for the future construction of a stable and corral, however it would require grading. 40.6% of the lot was previously disturbed and the additional 2.5% disturbance is minimal for the construction of the future stable and corral.

B. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, but which would be denied to the property in question absent a variance. Many of the properties in the area were graded and disturbed to a greater extent that is currently

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allowed and the City's requirement for a set aside for a future stable and corral requires additional grading on this property. There is no other area on the lot suitable for a stable. The overage is of 2.5% over the existing disturbance is not significant and the property owner should not be denied the privilege of a future stable and corral because the topographic nature of the lot and the configuration of the existing structures make it infeasible to comply strictly with Section 17.16.170.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located. Significant portions of the lot will be left undeveloped so as to maintain open space on the property. The additional graded area, if graded in the future, is on a portion of the lot which is not intrusive to surrounding properties, and will be screened and landscaped with trees and shrubs from nearby residences and from the street so that the graded condition will not impact the view or privacy of surrounding neighbors, and will permit the owners to enjoy their property without deleterious infringement on the rights of surrounding property owners. It is a requirement that any future grading and construction of a stable be subject to a Conditional Use Permit and be reviewed by the Planning Commission and neighbors notified.

D. In granting the variance, the spirit and intent of the Zoning Ordinance will be observed. The purpose of the Zoning Ordinance is to regulate development in an orderly fashion and in a manner consistent with the goals and policies of the General Plan. Approval of the variance will not impede any goals of the Zoning Ordinance or the General Plan. Rather, the variance will allow the property owner to enjoy the same rights and privileges afforded to other property owners in the vicinity, where the topography of the lots dictate grading requirements for future stable and corral. The overage requested is not substantial and does not undermine the spirit or intent of the Zoning Ordinance.

E. The variance does not grant special privileges to the applicant. To the contrary, absent a variance, the property owner would be deprived of the same rights and privileges afforded to other property owners in the vicinity. Unique circumstances applicable to the subject property make it infeasible for the property owner to comply with Section 17.16.070. The minor overage requested will allow the property owner to enjoy the same rights and privileges afforded to many other properties in the vicinity and zone.

F. The variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

G. The variance request is consistent with the General Plan. The proposed project, together with the variance, will be compatible with the objectives, policies, general land uses, and programs specified in the General Plan.

Section 8. Section 17.16.210(A)(5) of the Rolling Hills Municipal Code permits approval of a guest house under certain conditions, provided the Planning Commission approves a Conditional Use Permit for guest houses over 200 square feet. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

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A. The granting of a Conditional Use Permit for the guest room would be consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the use is consistent with similar uses in the community, meets all the applicable development standards of the Zoning Ordinance and no deviations from the development standards are requested.

B. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the retention of the previously constructed guest room will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the guest room is of sufficient distance from nearby residences and is screened so that the guest room does not impact the view or privacy of surrounding neighbors.

C. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the guest room complies with the low profile residential development pattern of the community, is located in an area that is flat and is screened from neighbors' view.

D. The proposed conditional use complies with all applicable development standards of the zone district because the 255 square foot size of the guest room does not exceed the maximum permitted under the Municipal Code and the guest room does not encroach into any setback areas and is not located in the front.

E. The proposed conditional use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

F. The proposed conditional use observes the spirit and intent of Title 17 of the Zoning Code because the proposed project meets all of the development standards of the Zoning Regulations and there is adequate room for a future stable and corral.

G. The project conforms to the requirements of the California Environmental Quality Act and is exempt.

Section 9. Based upon the foregoing findings in Sections 7 and 8 the Planning Commission hereby approves the Conditional Use Permit and Variance in Zoning Case No. 808 to retain an "as built" guest room with storage/utility room on the lower level as shown on the Site Plan stamp dated December 1, 2011 and a floor plan stamp dated January 4, 2012 subject to the following conditions:

A. The Conditional Use Permit and Variance approvals shall expire within two years from the effective date of approval as defined in Sections 17.46.080, 17.38.080 and 17.42.070, unless otherwise extended pursuant to the requirements of these sections. The CUP shall run with the land, until such time as the guest room is demolished.

B. It is declared and made a condition of this approval that if any conditions thereof are violated, this approval shall be suspended and the privileges granted thereunder shall lapse; provided that the applicant has been given written notice to cease such violation, the opportunity for a hearing has been provided, and if requested,

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has been held, and thereafter the applicant fails to correct the violation within a period of thirty (30) days from the date of the City's determination.

C. All requirements of the Buildings and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in this permit, or shown otherwise on an approved plan.

D. Building permit shall be obtained for the previously made modifications to the structure, including installation of a water heater and for any modifications proposed and/or required by this resolution.

E. A covenant agreement shall be prepared by the applicant, reviewed by the City Attorney and recorded against the title of the property at 7 Ringbit Road East, restricting the use of the structure to a guest room on the second level and storage and utility room on the lower level. Further, the covenant shall state that at no time may the lower level be converted to habitable space; that there shall be no additional window openings or doors to either level of the structure and any modification to the structure shall be subject to review and in accordance with City's regulations.

F. Structural lot coverage of the lot shall not exceed 5,999 square feet or 13.7% of the net lot area, which includes the minimum required 450 sq.ft. stable, in conformance with lot coverage limitations (20% maximum).

G. The total lot coverage proposed, including structures and flatwork shall not exceed 12,269 square feet or 28%, of the net lot area, in conformance with lot coverage limitations (35% max).

H. There shall be no grading for the future stable and corral until such use is approved by the Planning Commission and shall be subject to a Site Plan Review and a CUP. The disturbed area, including for the future stable and corral shall not exceed 43.1% of the net lot area.

I. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190 E), pertaining to lighting on said property, roofing material requirements (RHMC 17.16.190), and all other Zoning and Building Code requirements.

J. The guest room shall not exceed 255 square feet on each level, and shall meet all requirements of the zoning ordinance regarding construction, occupancy and access thereto, Section 17.16.210(5).

K. No parking pad or driveway shall be constructed within 50-feet of the guest room.

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L. The use of the two story structure shall be restricted to a guest room on the upper level and storage room with utility equipment on the lower level and it shall not be modified, except for maintenance.

M. The exterior of the structure shall not be modified, except for maintenance, and there shall be no additional door or window openings in the structure than currently exist.

N. All conditions of the Conditional Use Permit and Variance approvals, that apply, shall be complied with prior to the issuance of any other approvals on the property.

O. The applicant shall execute an Affidavit of Acceptance of all conditions of this permit pursuant to Zoning Ordinance, or the approval shall not be effective, and record the Resolution with the County Recorder's Office. In addition, a covenant agreement shall be prepared and recorded regarding the use of the two-story guest room/storage and utility room structure, as specified in paragraph "E" above.

P. Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Code of Civil Procedure Section 1094.6.

Q. The project must be reviewed and approved by the RHCA.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF JANUARY 2012


JEFF PIEPER, CHAIRMAN

ATTEST:


HEIDI LUCE, DEPUTY CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I certify that the foregoing Resolution No. 2012-01 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A CONDITIONAL USE PERMIT TO RETAIN A GUEST ROOM, PREVIOUSLY APPROVED AND CONSTRUCTED AS A TACK ROOM AND REQUEST FOR A VARIANCE TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT, IF A STABLE AND CORRAL ARE CONSTRUCTED IN THE FUTURE, ON A PROPERTY DEVELOPED WITH A SINGLE FAMILY RESIDENCE AND ACCESSORY STRUCTURES IN ZONING CASE NO. 808, AT 7 RINGBIT ROAD EAST, (LOT 38-SF), (SHADDEN). THE PROJECT HAS BEEN DETERMINED TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

was approved and adopted at regular meeting of the Planning Commission on January 17, 2012 by the following roll call vote:

AYES: Commissioners Henke, Smith, Vice Chairman Chelf and Chairman Pieper.

NOES: None.

ABSENT: None.

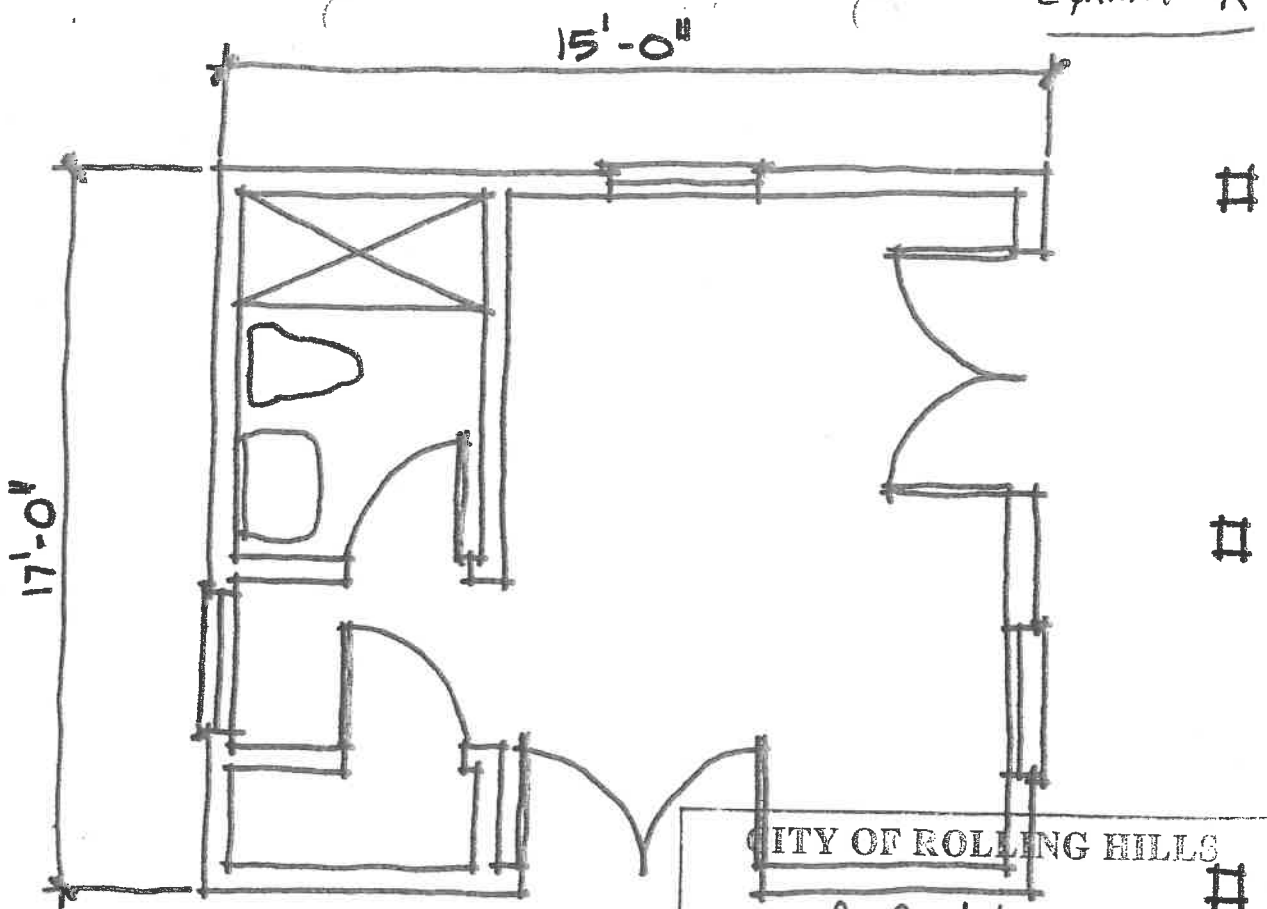
ABSTAIN: Commissioner Mirsch.

and in compliance with the laws of California was posted at the following:

Administrative Offices



HEIDI LUCE, DEPUTY CITY CLERK



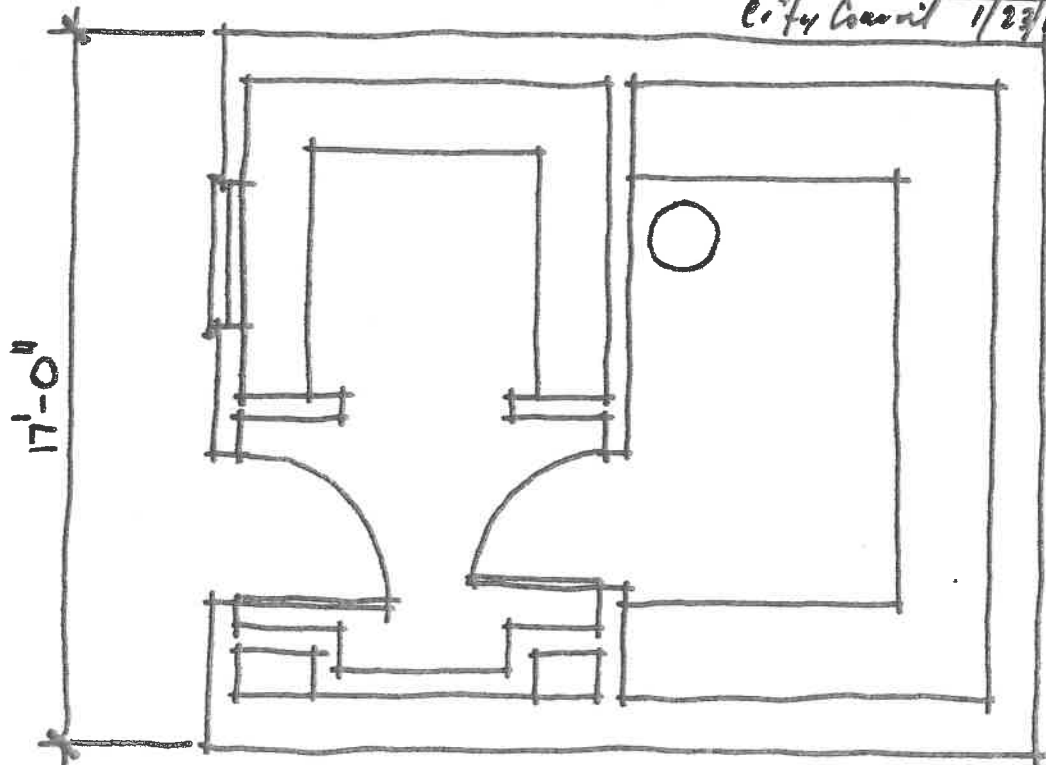
UPPER FLOOR

SCALE 1/4" = 1'-0"

CITY OF ROLLING HILLS

Approved By Resolution 2012-01
PLANNING DEPARTMENT Commission
with condition restricting use
Date 1/17/12 & covenant agreement

City Council 1/23/12



LOWER FLOOR

22/32

RECEIVED

JAN 04 2012

City of Rolling Hills

By _____

7 RINGBIT E.

Z.C. 808

RECORDING REQUESTED BY:

City of Rolling Hills

WHEN RECORDED MAIL TO:

City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274
Attention: Planning Director



Space Above Line For Recorder's Use
[Exempt from payment of recording fees pursuant to Government Code § 6103]

AGREEMENT IMPOSING RESTRICTIONS ON REAL PROPERTY

THIS AGREEMENT IMPOSING RESTRICTIONS ON REAL PROPERTY is entered into this 19 day of July, 2013 by and between the CITY of Rolling Hills (hereinafter "City") and John T. Shadden and Patricia W. Shadden (hereinafter "Owners").

RECITALS:

A. Owners are the legal owners of real property in the City of Rolling Hills, located at 7 Ringbit Road East, and developed with a single family residence, swimming pool and a detached structure utilized for a guest room and storage room, more particularly described as Lot 38, per Record of Survey as recorded in Book 59, Pages 8-10 of Surveys in the office of Los Angeles County Recorder, APN NO. 7567-010-034 (hereinafter referred to as the "Subject Property").

B. Owners desire to make improvements in compliance with City of Rolling Hills Planning Commission Resolution 2012-01 adopted January 17, 2012, attached hereto and incorporated herein by reference. On that date, the Planning Commission determined the detached 255 square foot accessory two-level structure on the Subject Property, referred to as "Guest House" in Resolution 2012-01, being the upper level of the structure, to be a legal nonconforming use. The Planning Commission also determined that the lower level of the detached structure, referred to as "storage" in Resolution No. 2012-01, does not violate the City's Zoning Ordinance definition for a single story, because it is not a habitable space. The Conditional Use Permit (CUP) restricts the lower level to storage and utility equipment storage only and there shall be no habitation of any kind on the lower level. Further, the CUP provides that no exterior modification to the structure be made, including additional doors or windows. The

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CUP requires that a covenant stipulating said conditions be recorded in the Office of the County Recorder.

C. The City will allow the guest room to remain on the upper level and the storage area on the lower level to continue to exist as a legal nonconforming uses with agreement by Owners to the conditions contained in Resolution No 2010-01.

D. Owners intend by this Agreement that the Subject Property is held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to the following covenants, conditions and restrictions. All such covenants, conditions and restrictions shall run with the Subject Property and be binding upon all parties having or acquiring any right, title or interest therein or any part thereof, and shall inure to the benefit of the City, the public and neighboring land owners and be binding upon each successor in interest of the owners thereof.

NOW, THEREFORE, in consideration of the foregoing and the terms, conditions and covenants contained herein, the parties agree as follows:

1. CONDITIONS, COVENANTS AND RESTRICTIONS.

Owners covenant, promise and guarantee that:

A. The 255 square foot two story accessory structure shall be used as a guest room (upper level only) and storage and utility storage room (lower level) only.

B. The lower level shall at no times be converted to a habitable use and the use of the entire structure as a separate dwelling unit shall be prohibited.

C. Owners shall obtain all necessary building permits for the heating and other utility unit(s) installed or planned to be installed in the storage area.

D. No parking pad or driveway shall be located within 50-feet of the guest room.

2. OWNERS' REPRESENTATIONS.

A. Owners represent and warrant that they are the lawful owners of the Subject Property, hereafter known as 7 Ringbit Road East.

B. The execution and delivery of this Agreement by Owners and its agreement to the restrictions set forth herein will not, to Owners' knowledge (i) violate any judgment, order, injunction, decree, regulation or ruling of any court or governmental entity or (ii) conflict with, result in a breach of, or constitute a default under any note or other evidence of indebtedness, any mortgage, deed of trust or indenture, or any lease or other material agreement or instrument to which Owners are a party or by which Owners may be bound.

3. ENFORCEMENT ATTORNEYS' FEES AND COSTS.

Owners consent and agree that the City Manager of the City of Rolling Hills or his/her representative may enter the Subject Property at any reasonable time for the purpose of ensuring Owners' compliance with this Agreement and only for such purpose. In addition to any other remedy provided for by the City's Municipal Code, Owners agree that the City may seek specific performance, including interim relief (such as a temporary restraining order or stay) to enforce the provisions of this Agreement, and that damages alone are an inadequate remedy to satisfy the City's zoning ordinance requirements. Any transaction that results in a breach of the terms of this Agreement shall be void and of no effect. In any action brought by the City to enforce this Agreement, the City shall be entitled to recover its reasonable attorney's fees, expert fees and costs of suit.

4. SEVERABILITY.

In the event any limitation, condition, restriction, covenant or provision contained in this Agreement is held to be invalid, void or unenforceable by any court of competent jurisdiction, the remaining portions of this Agreement shall, nevertheless be and remain in full force and effect.

5. NOTICES.

All notices required under this Agreement shall be sent by certified mail, return receipt requested, to the following addresses:

TO THE CITY OF ROLLING HILLS: City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274
Attention: Planning Director

TO THE OWNER: John T. Shadden and Patricia W. Shadden
7 Ringbit Road East
Rolling Hills, CA 90275

Any party may change the address to which notices are to be sent by notifying the other parties of the new address, in the manner set forth above.

6. HOLD HARMLESS; INDEMNIFICATION.

As between the City and the Owners, the Owners assume responsibility and liability for, and shall indemnify, defend and hold harmless the City and its City Council,

boards and commissions, officers, agents, servants, and employees from and against any and all claims, loss, damage, liability, charge or expense, whether direct or indirect, to which the City or its City Council, boards and commissions, officers, agents, servants, or employees may be put or subjected, by reason of any damage, loss or injury of any kind or nature whatever to persons or property caused by any action, or any neglect, omission or failure to act when under a duty to act, on the part of the Owners or any of Owners' agents, employees or contractors in their performance hereunder, except for liability arising out of the sole negligence or wrongful conduct of the City.

7. BURDEN TO RUN WITH PROPERTY

The covenants and conditions herein contained shall apply to and bind the heirs, successors and assigns of all the parties hereto and shall run with and burden the Subject Property for the benefit of the City, the public, and surrounding landowners. Owners shall expressly make the conditions and covenants contained in this Agreement a part of any deed or other instrument conveying any interest in the property.

8. AUTHORITY

Each party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement and bind the party for whom he or she is signing. No consent, waiver, approval or authorization is required from any person or entity in connection with the execution and delivery of this Agreement or the restrictions contemplated hereby by Owner.

9. INTEGRATED AGREEMENT

This Agreement constitutes the entire integrated agreement between the parties and supersedes all prior negotiations, representations or agreements, written or oral, regarding the subject matter hereof. This Agreement may be amended or terminated only by a written instrument signed by the parties hereto.

10. APPLICABLE LAW

All questions pertaining to the validity and interpretation of this Agreement shall be determined in accordance with the laws of California applicable to contracts made in and to be performed within the state. Venue for any lawsuit brought to enforce the terms of this Agreement shall lie in the Superior Court of the County of Los Angeles.

11. NO JOINT VENTURE

Nothing contained in this Agreement shall be construed to render the City in any way or for any purpose a partner, joint venture or associated in any relationship with Owners, nor shall this Agreement be construed to authorize any party to act as agent for

the other.

12. RECORDING OF AGREEMENT.

City shall cause this Agreement to be recorded against the title to the Subject Property in the Official Records of the County of Los Angeles, the burdens and benefits of which shall run with the land for the benefit of City in the performance of its duties under its Municipal Code and be binding on all Owners' successors in interest, assigns and heirs.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

ATTEST:

CITY OF ROLLING HILLS,
a municipal corporation

BY



Heidi Luce
Deputy City Clerk

BY


~~Arden Bahlerbruch, City Manager~~
Steve Burrell
Interim City Manager

APPROVED AS TO FORM:



Michael Jenkins
City Attorney

Owner:

By


John T. Shadden

By


Patricia W. Shadden

7

ACKNOWLEDGMENT

State of California
County of Los Angeles

On July 19, 2013 before me,

Kathleen J. Howard, Notary Public
(insert name and title of the officer)

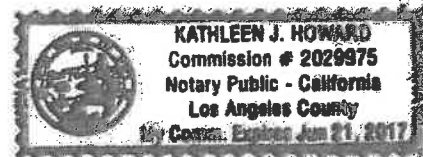
personally appeared

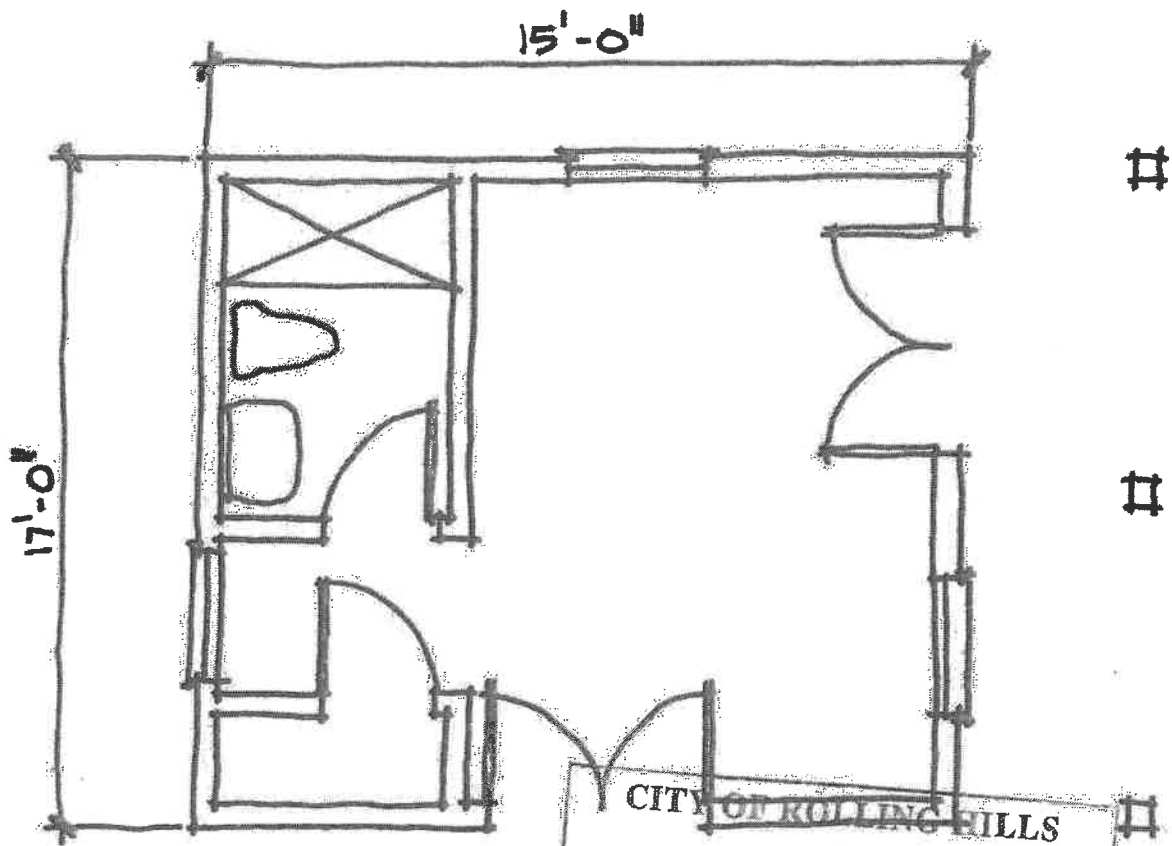
John T. Shadden and Patricia W. Shadden, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kathleen J. Howard (Seal)

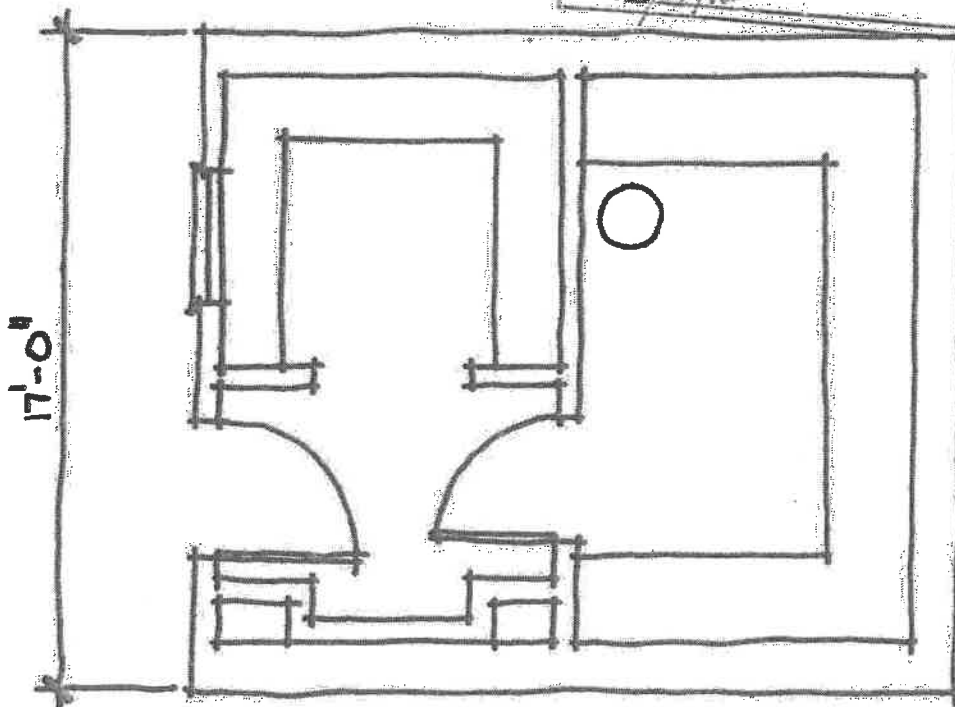




UPPER FLOOR

SCALE 1/4" = 1'-0"

CITY OF ROLLING HILLS
 Approved *By Resolution 2012-01*
 PLANNING DEPARTMENT *Commission*
w/condition restricting uses
 Date *1/17/12*



LOWER FLOOR

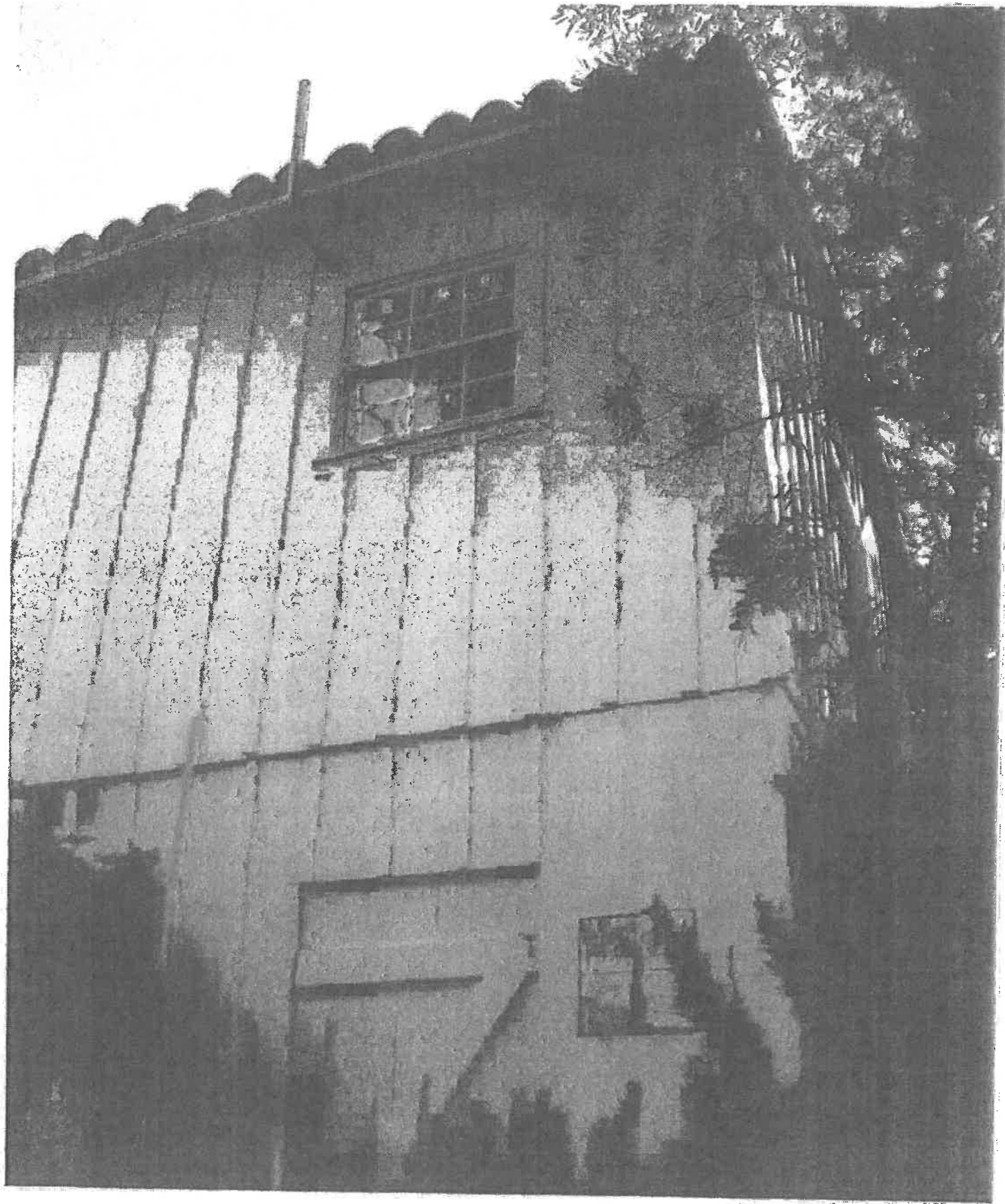
RECEIVED

JAN 04 2012

City of Rolling Hills

Z.C. 808

7 RINGBIT E.



Existing door to underfloor area to be removed and filled in with wood siding to match existing siding

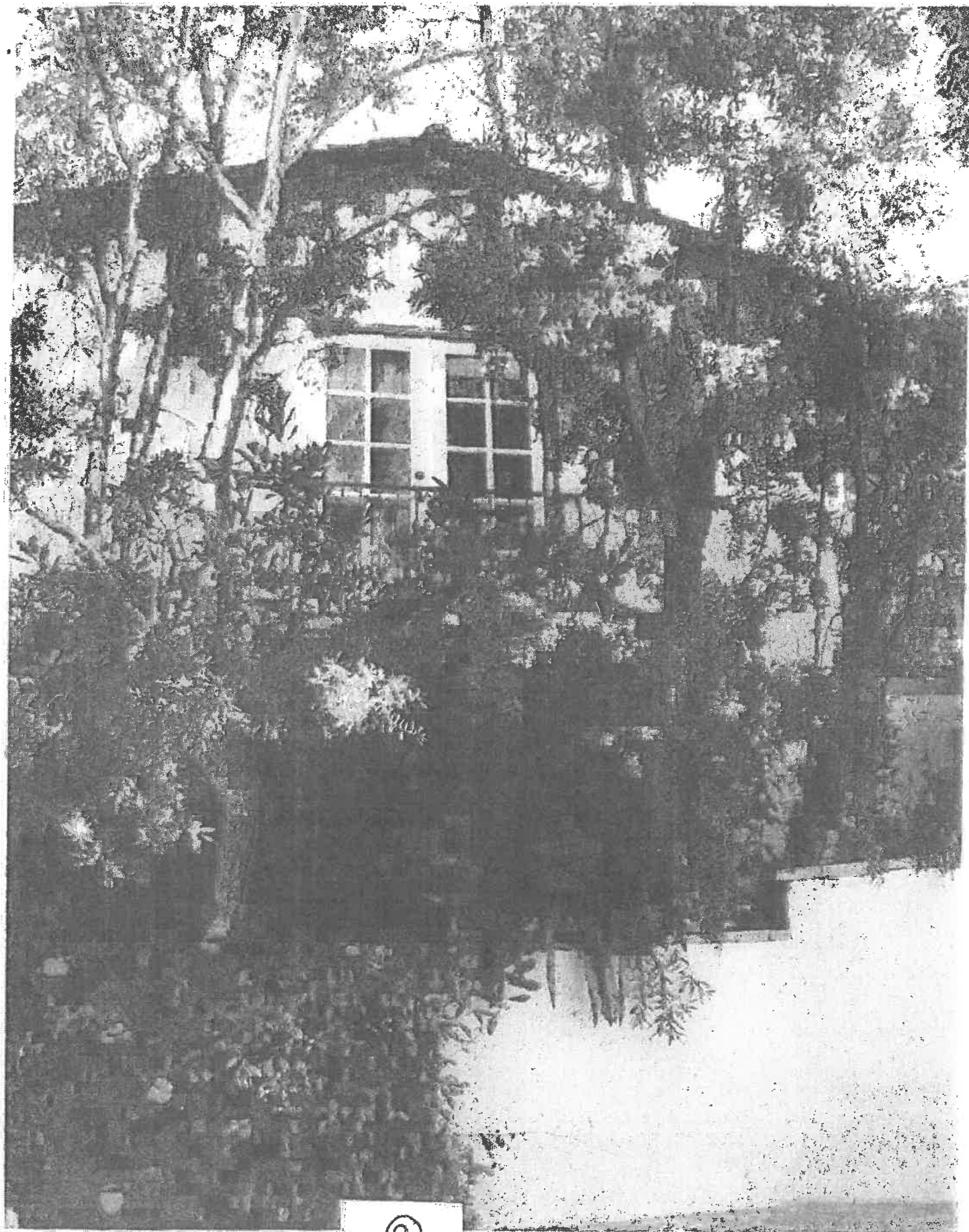
⑦

WEST ELEVATION



NORTH ELEVATION

(10)



⑨

SOUTH ELEVATION



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 Item No. 7B
Mtg. Date: 2-19-19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO. ZONING CASE NO. 954
SITE LOCATION: 9 WILLIAMSBURG LANE (LOT 27-RH)
ZONING AND SIZE: RAS-1, (OZD-1), 2.4 ACRES (GROSS)
APPLICANT: MACLEAN
REPRESENTATIVE: DAL-MO CHONG ASSOCIATES, INC.

PUBLISHED: FEBRUARY 7, 2019

RECOMMENDATION

It is recommended that the Planning Commission review the project, continue the public hearing and provide direction to staff.

The Planning Commission opened a public hearing in this matter at the field trip on the morning of February 19, 2019 and continued the hearing to the evening meeting.

LOT DESCRIPTION

OZD-1 zone

The lot is Zoned RAS-1 with an overlay of OZD-1; where development is subject to Chapter 17.17 of the Zoning Ordinance for properties in the Overlay Zoning District. The overlay zoning district was established in 2012 to promote redevelopment of older homes and construction of new homes in certain areas where most homes in the neighborhood were developed to less than the currently required 50' front setback; lots that are smaller than typical and lots that are divided by a road or have difficult terrain for redevelopment. Williamsburg Lane is one of the neighborhoods designated as OZD-1 district. Although this lot is over 2 acres in size and is flat, it's part of the

neighborhood due to the other lots in the area qualifying for the OZD-1 category; and the house and stable were developed in what would currently be the 50' front setback.

REQUEST AND PROJECT DESCRIPTION

The Project

The applicant is requesting a Variance to construct a new 894 square foot garage attached to the existing residence with a basement of the same size and within the footprint of the garage, which (both) would encroach up to 10' into the side yard setback. Also proposed is a basement light well. The existing garage will be converted into living space. The existing driveway apron is proposed to remain, but the driveway will be reconfigured and widened to gain access around the new garage to the rear yard.

Variance

The applicant requests a variance to encroach at a maximum 10 feet into the required 20-foot side yard setback with a proposed 894 square foot garage addition and basement. Approximately 170 square feet of the addition and basement will encroach into the side setback.

Other construction

The trash service yard will remain in its current location, behind the new garage; a light well to the basement will be constructed and a front portion of the existing garage will be demolished. The driveway will be widened and a short retaining wall will be demolished to allow for the construction of the driveway. The basement will generate 276 cubic yard of dirt, which the applicant plans to use on site for leveling of the driveway. The proposed improvements do not constitute grading for the purpose of a Site Plan Review nor create greater than existing disturbance of the lot, which is 51.4% and is legal nonconforming.

BACKGROUND

Zoning, Land Size and Existing Conditions

The property is zoned RAS-1, OZD-1 and the gross lot area is 2.4 acres (excluding roadway easement). For development purposes the net lot area of the lot is 92,022 square feet or 2.1 acres. Williamsburg Lane is a narrow street, with a total of 30' roadway easement; 15' on each side of the street.

Properties in the OZD-1 are eligible for reduced front yard setbacks to up to 30' from the roadway easement (rather than the 50' setback in other zones). However, the side yard setback is 20' from the side property line for new construction; but if a portion of a residence or attached garage encroach into the side yard setback, (by no more than 10'), that portion of the structure, if demolished, could be reconstructed to the pre-existing setback. Other requirements of the OZD-1 zone include allowing only one driveway and the front must be landscaped.

The lot is developed with a 3,482 sq.ft. residence with 457 sq.ft. garage, 590 sq.ft. swimming pool, 473 sq.ft. cabana, 1,163 sq.ft. stable with a riding ring, a 2,269 sq.ft. sports court and other outdoor amenities. The paved access to the stable is legal non-conforming and is allowed to remain. There were several sheds on the property that encroached into the side setback, but they were already demolished.

Past Approval for the Property

Building permits indicate that the house was built in 1951 and in 1994 an addition was constructed and the house was remodeled; the stable was constructed in 1958 and the pool, cabana and sports court between 1951-1955. In 2003 the stable porch was enclosed and stable remodeled and repairs to the house and pool were made.

MUNICIPAL CODE COMPLIANCE

Grading and Stabilization

No grading is proposed for this project, except for excavation for the basement of 276.3 cubic yards of dirt to be used to level the proposed driveway area and backfill the short wall.

Disturbance

The total disturbed area for the project site is 47,292 square feet or 51.4%, and is legal non-conforming. The proposed project will not create greater disturbance at this time. The areas of the lot where the work will take place have been previously disturbed.

Height

The finished roof height of the proposed garage addition will be between 21'2" and will match the residence. Height is measured from the finished grade. Williamsburg Lane is permitted by the CC&Rs to have a colonial architecture with dormer windows.

Drainage

As part of the review the Building Department may require a drainage plan.

Utility Lines / Septic Tank

The house utility lines are undergrounded, and the addition will be connected to the existing service. The applicant will have to meet Los Angeles County Public Health Department requirements for septic tank.

Lot Coverage

The structural net lot coverage is proposed at 11,115 square feet or 12.07%, in conformance with the lot coverage limitations, (20% max. permitted). The total lot coverage proposed (structural and flatwork) will be 18,183 square feet or 19.75%, in conformance with the lot coverage limitations, (35% max. permitted).

The building pad coverage on the 26,165 square foot residential building pad will be 9,296 square feet or 35.5%, (accounting for deductions including the trellis); (the guideline is 30%).

The stable pad is 24,850 square feet and the coverage on this pad is 4.7%.

Walls

The existing 2.5' retaining wall located in the driveway will be moved to the south to allow for the new driveway. The City allows up to 3' high retaining walls in setbacks along walkways or driveways.

Stable and Corral or Set Aside

A stable, corral and a riding ring exist on the property.

Environmental

The project is categorically exempt (Class 1- Existing facilities-additions) pursuant to the California Environmental Quality Act (CEQA) Guidelines.

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 Variance, as described below.

Project Summary

DEVELOPMENT STANDARDS	EXISTING		PROPOSED	
RA-S- 1 (OZD-1) ZONE SETBACKS Front: 30 ft. from front easement line Side: 20 ft. from side property line Rear: 50 ft. from rear property line	SINGLE FAMILY RESIDENCE, GARAGE AND ACCESSORY STRUCTURES		NEW ATTACHED GARAGE	
Variance is required for encroachment into side yard.	Residence	3482 s.f.	Residence	3821 s.f.
	Garage	457 s.f.	Garage	894 s.f.
	Stable	1163 s.f.	Stable	1163 s.f.
	Cabana	473 s.f.	Cabana	473 s.f.
	Pool/pool eqp.	610 s.f.	Pool/pool eqp.	610 s.f.
	Sports Crt.	2269 s.f.	Sports Crt.	2269 s.f.
	BBQ Area	472 s.f.	BBQ Area	472 s.f.
	Attach porch	30 s.f.	Attach porch	30 s.f.
	Attached trellis	536 s.f.	Attached trellis	536 s.f.
	Service yard	420 s.f.	Service yard	420 s.f.
	Basement	0	Basement	894 s.f.
	TOTAL	9,882	TOTAL	11,115
GRADING 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.	N/A		276.3 cubic yards to level off the driveway and backfill wall (no discretionary permit is triggered)	
STRUCTURAL LOT COVERAGE (20% maximum)	10.7% of 92,022 sq.ft. net lot area		12.07% of 92,022 sq.ft. net lot area	
TOTAL LOT COVERAGE (35% maximum)	6.75% of 92,022 sq.ft. net lot area		19.75% of 92,022 sq.ft. net lot area	
BUILDING PAD COVERAGE (30% maximum-guideline) Residential	32.1% of 26,165 sf pad		35.5% of 26,165 sf pad	
Stable	4.7% of the 24,850 sf pad area		4.7% of the 24,850 sf pad area	
DISTURBED AREA (40% maximum; any graded building pad area, any remedial grading (temporary disturbance), any graded slopes and building pad areas, and any non-graded area where impervious surfaces exist.)	51.4% -existing		51.4% existing	
STABLE (min. 450 S.F. & 550 S.F. CORRAL)	Existing		Existing	
STABLE ACCESS	Existing drwy		Existing drwy	
ROADWAY ACCESS	Existing driveway approach		Existing apron; drwy to be widened	
VIEWS	N/A		Planning Commission review	
PLANTS AND ANIMALS	N/A		Planning Commission review	

CRITERIA FOR VARIANCES

17.38.050 Required findings. In granting a variance, the Commission (and Council on appeal) must make the following findings:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
- B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question;
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity;
- D. That in granting the variance, the spirit and intent of this title will be observed;
- E. That the variance does not grant special privilege to the applicant;
- F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities; and
- G. That the variance request is consistent with the general plan of the City of Rolling Hills.

SOURCE: City of Rolling Hills Zoning Ordinance.

APPLICANT'S JUSTIFICATION/COMMENTS

Applicant's agent states that other properties on Williamsburg encroach into setbacks, including side setbacks, and that the proposed garage development is compatible with the neighborhood. He says that the proposed location for the garage will be the least disrupting to the lot as the driveway already exists, and no grading is required. Any other location for a garage would require relocating the sports court or the pool and cutting a new driveway, all of which would require grading and further disturbance of the lot.



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 Item No. 8A
Mtg. Date: 02-19-19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO.	ZONING CASE NO. 956
SITE LOCATION:	VACANT LOT APN: 7569-020-004
	8 MIDDLE RIDGE LANE SOUTH (LOT 254-UR)
ZONING AND SIZE:	RAS-2, 3.45 ACRES (EXCL. ROADWAY EASEMENT)
APPLICANT:	KEVIN ZHANG
REPRESENTATIVE:	CRISS GUNDERSON, ARCHITECT
PUBLISHED:	FEBRUARY 7, 2019

LOCATION AND LOT DESCRIPTION

Zoning and Land Size

The property is zoned RAS-2 and excluding roadway easement the lot is 3.45 acres in size. For development purposes the net lot area is 3.1 acres, (137,810 sq.ft.). The lot is vacant and it was never before developed. The lot is long and narrow, having a very long frontage on Middleridge Lane South. The rear of the lot slopes to a bridle trail that crosses it.

PROJECT DESCRIPTION AND RECOMMENDATION

The Project

The applicant is proposing to construct a new single family residence with garage, basement, covered porches and trellis; a swimming pool, outdoor kitchen and related structures; a guest house and a new driveway and driveway apron. A set aside area for a future stable and corral is also proposed. The house design follows the shape of the lot, which is long and narrow.

Site Plan Review

The applicant is requesting a Site Plan Review for grading of 5,835 cubic yards of cut and 5,835 cubic yards of fill (to be balanced on site) and to construct a 7,364 square foot residence with 2,000 square foot basement, 1,157 square foot garage, 1,457 square foot covered porches, 200 square foot Porte cochere, 237 square foot trellis, 1,172 square foot swimming pool with 40 square foot pool equipment, 100 square foot water feature, 400 square foot outdoor kitchen, and 100 square foot service yard area.

Conditional Use Permit

A Condition Use Permit is requested to construct an 800 square foot guest house with 337 square foot attached porch.

Variances

The applicant is requesting Variances to exceed the maximum permitted disturbance of the lot by 7% to up to 47%, where maximum permitted is 40%; and to exceed the 20% maximum permitted coverage of a setback with a driveway. The driveway is proposed to cover 33.3% of the front setback. The proposed driveway follows the length of the house and its configuration is dictated by the Fire Department, based on the design of the residence.

Recommendation

It is recommended that the Planning Commission review the staff report, open the public hearing, take public testimony and schedule a field visit to the project site.

TRAFFIC COMMISSION REVIEW

Driveway

Prior to applying to the City for development and a driveway, the architect developed a conceptual plan of the house, fitting it on the flattest portion of the lot, where least amount of grading would be required, and submitted the plan to the Fire Department. For the proposed design, the Fire Department requires a 20' wide driveway, plus two turn-out areas for the fire trucks, so that they could access the rear of the house with fire hoses.

Subsequently, the architect submitted an application to the Traffic Commission for a driveway apron. Originally, he proposed the driveway apron along the bend of Middleridge Ln. S., approximately 240' south of the northerly property line of the lot. The City's Traffic Engineer questioned the sight distance for visibility of on-coming traffic for the proposed apron, and after providing a sight distance triangle study and a proposal to remove some vegetation on the property for clearer visibility, the Traffic Engineer concurred that this would be an acceptable location. The applicant staked the driveway apron and Traffic Commissioners went to the field to view it. Several adjacent property owners objected to the location of the proposed driveway apron on the basis that it would be too close to their driveways across the street, and if leaving at the same time, the lights from the car could blind the drivers from across the street. They also felt

that it would be located in the most curved portion of the road and be dangerous. In the field, several other options were explored. Some of the residents suggested that the driveway apron be moved further up the road and up the hill, on the opposite side of the property line. Another property owner objected to that location, and the Traffic Engineer also recommended against it. A suggestion was made to locate the driveway apron further north along the road, in an area where the road is not curving. The Traffic Commissioners agreed to that location. The Traffic Engineer had no objection to this preferred driveway location, (by the Traffic Commissioners and neighbors). Following discussion regarding the amount of grading required for this proposed configuration and the length of the driveway, the Traffic Commission voted to recommend that the driveway apron be located near the northerly property line of the site, as suggested at the field trip. This recommendation will be provided to the City Council when the project is presented to them, following Planning Commission's decision on the development. The City Council makes the final decision on Traffic Commission's recommendations.

MUNICIPAL CODE COMPLIANCE

Grading

The low point if the proposed development is the northwesterly corner of the site. Grading will consist of cut and fill of 5,835 cubic yards each and will be balanced on site. The eastern portion of the proposed building pad will be cut to up to 10' in depth (southerly portion of driveway spur along the eastern side of the house); and the western portion of the building pad is proposed to be filled to maximum of 15' at the west end of the residence. A portion of the existing flat area of the building pad is proposed to be lowered 5-6 feet to preserve views over the new house from homes to the south. The resulting slopes will range from 3:1 in the front area to 2.5:1 and 2:1 in the rear of the house.

Soils investigation was done on the lot by the applicant, and the soils engineer deemed the lot buildable.

Disturbance

The disturbance of the lot is proposed to be 64,200 square feet or 47%; a variance is requested.

Height

The highest ridgeline of the house is proposed at 19'2" and the guest house at 14'10" along the north elevation and 13'10' elsewhere.

Drainage

The drainage design will collect and convey storm runoff from the project area to the northwest corner and discharge into the street, (near the proposed drwy entry). Energy dissipation will be provided to slow the discharge. Biofiltration units and other LID

BMPs will be utilized, as required by the Building Department to treat and retain the runoff. The rear portion that will be undisturbed will continue sheet flow to the rear. This proposed project is subject to the Low Impact Development requirements pertaining to stormwater management, including provisions for retention of run-off on the property.

Lot Coverage

The proposed structural coverage on the lot is 13,594 square feet or 9.86%, in conformance with the lot coverage limitations, (20% max. permitted); the proposed total coverage, (structures and flatworks) will be 30,454 square feet or 22.1%, in conformance with the lot coverage limitations, (35% max. permitted).

Once graded, the residential building pad will be 36,150 square feet. There exists approximately 4,000 square foot of level area, which will become a part of the larger pad; and will be lowered by about 5' from its current elevation. The structural coverage on this pad is proposed to be 12,212 square feet (accounting for deductions), or 33.8% of the pad, (30% guideline).

Walls

Two, not to exceed 5' high retaining walls, approximately 40' and 60' long respectively, are proposed in two locations along the driveway, and will average out to 2.5' in height.

Guest house

Section 17.16.210 (5) of the RH Zoning Ordinance allows guest homes with a Conditional Use Permit with the following restrictions.

- Shall not exceed 800 sq.ft.
- Shall not be located in the front yard or any setback
- A kitchenette and sanitary facility of shower, sink, toilet shall be permitted
- No vehicular access or paved parking area shall be developed within fifty feet of the guest house
- Renting of a guest house is prohibited
- Occupancy of the guest house shall be limited to persons employed on the premises, the immediate family of the occupants of the main residence or by the temporary guests of the occupants of the main residence. No temporary guest may remain in occupancy for more than thirty days in any six-month period
- All requirements of this title must be complied with unless otherwise set forth in the permit or approved plan
- A landscaping plan shall be submitted to the City of Rolling Hills Planning Department staff or Planning Commission, if requested, for approval. The plan submitted must comply with the purpose and intent of site plan review as specified in Chapter 17.16. of this Title.

The proposed guest house meets these conditions; a floor plan will be required to be submitted.

Utility Lines / Septic Tank

All utility lines for the development shall be placed underground. The Los Angeles County Public Health department will review the septic system.

Stable/corral

A 1,000 square foot area for a future stable and corral has been designated in the north area of the lot, in proximity to the driveway entrance to the lot. Access will be taken from the driveway.

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, Conditional Use Permit and Variances, as written below.

Environmental Review

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

PUBLIC PARTICIPATION

During the Traffic Commission's review several residents objected to the location of the originally proposed driveway apron. One resident objected to the location of the house, size and massing and stated that the house would block his view. Following notification for the Planning Commission meeting the owners of 6 Middleridge Lane S. reviewed the plans and expressed objections to the location of the driveway apron, which is approximately 40 feet from their driveway. Other neighbors on the street reviewed the plans and expressed concerns with the massing and size of the house, visibility of the long driveway, which parallels Middleridge Lane and inquired about screening of the driveway. Few other neighbors reviewed the plans and did not express objections, but stated that the house is big.

NEIGHBORING PROPERTIES

Address	Lot Size In Acres- Excl. Roadway Easement	Size In Sq.Ft. House; Garage if known
1 Middleridge S.	5.75	4,541 / 2,263
3 Middleridge S.	3.4	5,190 / 1,038
5 Middleridge S.	3.27	2,650
7 Middleridge S.	3.48	4,095 / 947
9 Middleridge S.	5.69	5,600 / 800
11 Middleridge S.	3.20	3,626
2 Middleridge S.	1.88	5,239 / 980
4 Middleridge S.	1.84	2,790

6 Middleridge S.	3.40	3,869/806
10 Middleridge S.	2.34	3,544
Proposed: 8 Middleridge S.	3.48	7,364/1157

Project Summary

SITE PLAN REVIEW	EXISTING		PROPOSED	
<u>RA-S- 2 ZONE SETBACKS</u> Front: 50 ft. from front easement line Side: 35 ft. from property line Rear: 50 ft. from rear easement line	VACANT LOT		NEW SINGLE FAMILY RESIDENCE WITH GARAGE, BASEMENT; GUEST HOUSE, NEW DRIVEWAY; MISCL. ACCESSORY STRUCTURES	
Construction of a new residence/garage requires a SPR; Guest house requires a CUP			Residence	7364 sq.ft.
			Garage	1157 sq.ft.
			Pool/spa	1172 sq.ft.
			Pool eqpm.	40 sq.ft.
			Guest house	800 sq.ft.
			Stable-future	450 sq.ft.
			Attch. porches	1794 sq.ft.
			Porte cochere	200 sq.ft.
			Attcht. Trellis	237 sq.ft.
			Outdoor kitchen	400 sq.ft.
			Water feature	100 sq.ft.
			Service yard	100 sq.ft.
			Basement (not counted towards coverages)	2,000 sq.ft.
			TOTAL	13,814 sq.ft.
<u>STRUCTURAL LOT COVERAGE</u> (20% maximum)			13,594 sq.ft. (w/deductions) or 9.86 % of 137,810 sq.ft. net lot area	
<u>TOTAL LOT COVERAGE</u> (35% maximum)			30,454 sq.ft. or 22.1 % of 137,810 sq.ft. net lot area	
<u>BUILDING PADS (30% guideline)</u> Residence, pool, guest hs, & miscl. Stable			12,212 sq.ft. or 33.8% of 36,150 sq.ft. pad 36% of 1,250 sq.ft. pad -future	
<u>GRADING</u> Site Plan Review required if excavation and/or fill or combination thereof that is more than 3’ and covers more than 2,000 sq.ft.) must be balanced on site.			5,835 c.y. cut and 5,835 c.y. fill to be balanced on site	
<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.)			64,200 sq.ft. or 47% of the net lot area	
<u>STABLE (min. 450 SQ.FT.</u>			Set aside 1,000 sf	

ZC No. 956 vacant lot known as 8 Middleridge Ln. S.

6

& 550 SQ.FT. CORRAL)		
STABLE ACCESS		Future
ROADWAY ACCESS-		Proposed new driveway approach. Variance requested for covering 33.3% of the front setback (max. permitted 20%)
VIEWS		Planning Commission review
PLANTS AND ANIMALS		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 VARIANCES

17.38.050 Required findings. In granting a variance, the Commission (and Council on appeal) must make the following findings:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
- B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question;
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity;
- D. That in granting the variance, the spirit and intent of this title will be observed;
- E. That the variance does not grant special privilege to the applicant;
- F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities; and
- G. That the variance request is consistent with the general plan of the City of Rolling Hills.

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

Justification from Applicant

The Applicant's representative states, in part as follows:

Site Plan Review -

- The construction of a single family residence with accessory structures is a permitted use in the City. Grading is required, and the pad will be pushed down 5-6' in the middle of the lot to preserve views of homes to the south.
- The project is slightly larger in size than its neighbors. Its lot area is also larger. Setbacks are exceeded, substantially for most of the construction.
- The building pad is created with a cut or slice of earth that parallels the existing topography and the road. The earth generated is placed in natural appealing curved shape which fills and existing depression.
- With the pad pitched as the existing site slopes, fill slopes follow Middleridge in a natural form. There is no grading in the canyon and all drainage courses remain the same.
- Existing street trees will mostly remain and fire fuel plants and dead vegetation will be removed. The canyon area will remain untouched.
- The residence is sited on a spacious pad with large setback separation beyond the minimum. The large lot at over 3 acres net allows for this rambling house to follow the topography of the lot in a harmonious manner.
- The Traffic Commission, Traffic Engineer and the neighbors agreed on the location of the driveway apron. A path for pedestrians is preserved at the street and there is ample off-street parking due to Fire Prevention access requirement.
- All proposed grading and excavation shall be balanced on site. All standard Best Management Practices for grading and construction shall be employed.

Variances -

- The property is unimproved, and therefore a new driveway is proposed. The Traffic Commission determine the best location of the apron be located towards the north-east corner of the property.
- Topography dictates the residence be sited to the east. Also Fire Prevention requires access to the east and north-east wings of the home. These requirements force driveway front yard coverage of 33% and area of disturbance of 47%.
- Middleridge Ln. S. has exceptionally poor sight lines due to tight curves and steepness. The selected driveway apron location leads to a long driveway in the front setback and additional grading. The recommended location of the apron controls design parameters.

Conditional Use Permit-

- Guest houses are a permitted use and are common in Rolling Hills.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No.: 9A Mtg. Date 02/19/19

**TO: HONORABLE CHAIRMAN AND MEMBERS OF THE
PLANNING COMMISSION**

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR
SUBJECT: REQUEST FOR TIME EXTENSION - 1 Middleridge Lane North

ZONING CASE NO. 915 Request for a Site Plan Review for the construction of 1,750 square feet addition and 1,750 square feet of underlying basement, 380 square feet of covered porches, and a 441 square foot (2-car) garage to be attached by a 120 square foot breezeway, for a total of 4,650 square foot residence with 909 square feet garages and grading of 2,510 cubic yards, total cut and fill: request for CUP to widened one of the two driveways and Variances to encroach with portions of the proposed development, including the basement and garage into the front yard setback and to increase the disturbed area from 35.5% to 37.3%.

BACKGROUND

Attached is a request from Chaz and Emily Cipolla, owners of 1 Middleridge Lane North for a two-year time extension to commence construction of a previously approved project consisting of construction of additions to a single family residence with basement and garage, grading, widening of driveway and encroach with portions of the project into the front yard setback Zoning Case No. 915. The Planning Commission approved this project on April 18, 2017. (Commissioner Cardenas recused).

Section 9 (A) of Resolution No. 2017-03 requires that the project grading or construction commence within two years from date of the resolution, April 2019. Pursuant to Section 17.46.080 and Section 17.42.070 of the Zoning Ordinance, approvals are valid for the time period specified in a Resolution of approval, but not to exceed two years. The Planning Commission may extend the approval for up to a maximum of two years.

Applicants state that due to family health issues the project was delayed. Recently, they submitted plans to the County of LA Building Department for review and processing.

RECOMMENDATION

It is recommended that the Planning Commission consider the request and adopt Resolution No. 2019-04 granting a two-year time extension to commence construction of this project. If granted, the entitlement for construction would expire on April 18, 2021.

January 9th, 2019

To whom it may concern,

My wife, Emily Cipolla, and myself, Chaz Cipolla would like to extend our original approval construction deadline for additional two years (April 2021). We found out during the process that Emily was pregnant and for unforeseen health issues that arose during pregnancy resulted in delay in process. Therefore we are requesting additional time. We thank you for your consideration and will forward on the \$200 extension fee. If you have any additional questions or concerns please email me chazbcipolla@gmail.com and/or emilycipollaip@gmail.com.

Best Regards,
Chaz Cipolla
1 Middleridge Lane North

RECEIVED

JAN 14 2019

City of Rolling Hills

By _____

RESOLUTION NO. 2019-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A TWO-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED PROJECT FOR SITE PLAN REVIEW, VARIANCES AND CONDITIONAL USE PERMIT IN ZONING CASE NO. 915, AT MIDDLELIDGE LANE NORTH, (PORTION OF LOTS 15, 16, 17-MR, CIPOLLA).

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Chaz and Emily Cipolla with respect to real property located at 1 Middleridge Lane North requesting a two-year time extension to comply with the requirements of Planning Commission Resolution No. 2017-03 to commence construction of the approved project.

Section 2. The Commission considered this item at a meeting on February 19, 2019 at which time information was presented by the applicants indicating that additional time is needed to commence construction of this project.

Section 3. The Planning Commission finds that pursuant to RHMC Section 17.46.080 the expiration would constitute an undue hardship upon the property owner; and the continuation of the approval would not be materially detrimental to the health, safety and general welfare of the public.

Section 4. Based upon information and evidence submitted, the Planning Commission grants two year time extension and does hereby amend Paragraph A of Section 9 of Planning Commission Resolution No. 2017-03, dated April 18, 2017 to read as follows:

- Section 9.
- A. The Site Plan, Conditional Use Permit and Variance approvals shall expire within four years from the effective date of approval if construction pursuant to this approval has not commenced within that time period, as required by Sections 17.46.080 and 17.38.070(A) of the Rolling Hills Municipal Code, or the approval granted is otherwise extended pursuant to the requirements of those sections.

Section 5. Except as herein amended, the provisions and conditions of Resolution No. 2017-03 shall continue to be in full force and effect.

PASSED, APPROVED AND ADOPTED THIS 19th DAY OF FEBRUARY 2019.

BRAD CHELF, CHAIRMAN

ATTEST:

YVETTE HALL, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I certify that the foregoing Resolution No. 2019-04 entitled

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A TWO-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED PROJECT FOR SITE PLAN REVIEW, VARAINCES AND CONDITIONAL USE PERMIT IN ZONING CASE NO. 915, AT MIDDLE RIDGE LANE NORTH, (PORTION OF LOTS 15, 16, 17-MR, CIPOLLA).

was approved and adopted at a regular meeting of the Planning Commission on February 19, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices

YVETTE HALL
CITY CLERK