

**MINUTES**

**CITY COUNCIL MEETING**

**MAY 8, 2007**

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:50 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR SEAMANS.

**PLEDGE OF ALLEGIANCE**

MAYOR SEAMANS led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

City Council Members Present: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Staff Present: City Manager Doug Prichard  
City Attorney Kristin Pelletier  
Assistant City Manager Sam Wise  
Planning Director David Wahba  
Administrative Services Director Michael Whitehead  
Senior Planner Niki Cutler  
Assistant to the City Manager Greg Grammer

Others Present: Dale Allen, Park and Activities Commission

**4. CEREMONIAL ITEMS**

NONE

**5. ROUTINE MATTERS**

**A. CITY COUNCIL MINUTES OF APRIL 24, 2007**

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE THE CITY COUNCIL MINUTES OF APRIL 24, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

**B. DEMANDS AND WARRANTS – MAY**

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE WARRANTS 41783 THROUGH 41837 FOR A GRAND TOTAL OF \$121,991.70.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**6. CONSENT CALENDAR**

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN  
TO APPROVE ITEMS A-F.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. RESOLUTION NO. 2128 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES VACATING A STORM DRAIN EASEMENT AND ADOPTING AN AGREEMENT PRESCRIBING THE CONDITIONS FOR VACATION.

ADOPTED.

C. BUDGET ADJUSTMENTS

Recommendation: That the City Council approve the additional Year-End Expenditure and Revenue Budget Amendments for Fiscal Year 2006-2007.

APPROVED THE ADDITIONAL YEAR-END EXPENDITURE AND REVENUE BUDGET AMENDMENTS FOR FISCAL YEAR 2006-2007.

D. AUTHORIZING SUBMITTAL OF REQUESTS FOR USED OIL RECYCLING BLOCK GRANT FUNDS

Recommendation: That the City Council adopt Resolution No. 2127, authorizing staff to prepare and submit annual applications to the California Integrated Waste Management Board (CIWWB) for the purpose of soliciting used oil recycling grants funds.

1. RESOLUTION NO. 2127 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR USED OIL RECYCLING AND HOUSEHOLD HAZARDOUS WASTE GRANTS.

ADOPTED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED APRIL 20, 2007

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED APRIL 27, 2007

RECEIVED AND FILED.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**7. AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS**

---

- A. MAYOR PRO TEM ZERUNYAN referred to the Planning Commission minutes of April 30, 2007 and requested Planning Application No. 06-07; Applicant: Ms. Sylvia Litty; Location: 79 Buckskin Lane be called up for consideration by the COUNCIL at a future meeting.

**8. PUBLIC HEARINGS/MEETINGS**

NONE

**9. NEW BUSINESS**

NONE

**10. OLD BUSINESS**

- A. CONTINUED DISCUSSION FROM ADJOURNED CITY COUNCIL MEETING OF MAY 8, 2007 REGARDING PENINSULA VILLAGE OVERLAY UPDATE

*Previously discussed at the adjourned May 8, 2007 meeting.*

- C. CONTINUED DISCUSSION FROM ADJOURNED CITY COUNCIL MEETING OF MAY 8, 2007 REGARDING DKS REPORT – **(Taken out of order)**

Extensive discussion ensued regarding the following proposed traffic mitigation measures:

*#8 Suggested Mitigation for Crenshaw Boulevard/Silver Spur Road:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable.

*#14 Suggested Mitigation for Silver Spur Road/Palos Verdes Drive North:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable.

*#15 Suggested Mitigation for Hawthorne Boulevard/Palos Verdes Drive North:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable. Staff was directed to further investigate the possibility of maintaining a small raised median on the approaches where they currently exist.

*#17 Suggested Mitigation for Palos Verdes Drive East/Palos Verdes Drive North:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable.

*#18 Suggested Mitigation for Crenshaw Boulevard/ Pacific Coast Highway:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable, provided the City of Torrance concurs.

*#19 Suggested Mitigation for Rolling Hills Road/ Palos Verdes Drive North:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable.

*#21 Suggested Mitigation for Hawthorne Boulevard/ Pacific Coast Highway:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable, provided the City of Torrance concurs.

*#25 Suggested Mitigation for Dapplegray School Road/ Palos Verdes Drive North:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable. Staff was directed to further investigate the engineering of these improvements for immediate consideration.

*#1 Suggested Mitigation for Silver Spur Road/ Roxcove Drive:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable. Staff was directed to explore other interim options in dealing with traffic conditions.

*#9 Suggested Mitigation for Deep Valley Drive/ Silver Spur Road:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable. Staff was directed to explore other interim options in dealing with traffic conditions.

*#12 Suggested Mitigation for Indian Peak/ Hawthorne*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable if modified. Staff was directed to explore other interim options in dealing with traffic conditions.

*#13 Suggested Mitigation for Silver Spur Road/ Hawthorne Boulevard:*

It was the consensus of the COUNCIL that, if and when the number of cars is sufficient enough to trigger mitigation measures, the staff recommendation as listed in the report would be acceptable if modified. Staff was directed to explore other interim options in dealing with traffic conditions, including preservation of existing medians and a shared right/through lane on westbound Silver Spur approaching Hawthorne..

*#16 Suggested Mitigation for Crenshaw Boulevard/ Palos Verdes Drive North:*

It was the consensus of the COUNCIL that the southbound mitigation measure for Crenshaw Boulevard was acceptable, but that northbound conditions should remain the same.

After extensive discussion, it was the consensus of the COUNCIL

TO APPROVE IN CONCEPT A VARIETY OF THE PROPOSED TRAFFIC MITIGATION MEASURES AND DIRECT STAFF TO UNDERTAKE FURTHER ENGINEERING FEASIBILITY ANALYSIS AT CERTAIN INTERSECTIONS AND PREPARE COST ESTIMATES AND ASSESSMENT OPTIONS FOR COUNCIL CONSIDERATION.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. CONTINUED DISCUSSION FROM ADJOURNED CITY COUNCIL MEETING OF MAY 8, 2007 REGARDING MIG REPORT

MAYOR PRO TEM ZERUNYAN noted he was not in favor of infringing on a property owner's right to build. COUNCILMAN ZUCKERMAN strongly disagreed stating that the City needs to act responsibly and regulate how the impacts would affect the commercial district as it creates false and unrealistic expectations for the developers. He noted that the City must set boundaries and make a decision.

COUNCILMAN ADDLEMAN suggested that a history timeline of Deep Valley Drive from 1998 to the present along with a fact sheet be distributed to the surrounding community, residents, businesses and other agencies. He concurred with COUNCILMAN ZUCKERMAN'S comments stating that the master plan will have a cumulative impact and noted that the City can only do so much for developers.

MAYOR PRO TEM ZERUNYAN reiterated that he found it offensive to intrude on anyone's constitutional rights with respect to their property. He noted that those rights are subject to the EIR and was confident that the number of units can be limited based on effective environmental analysis and appropriate mitigation measures.

COUNCILMAN ZUCKERMAN noted that it is the City's responsibility to draw a firm line. He noted that one of the more important elements not yet discussed is air quality, and it was his opinion that this poses an unavoidable impact.

COUNCILWOMAN MITCHELL noted that, while the commercial district is in a mixed-use area, there are development standards that are still part of the DEIR needing to be addressed. She then commented that the City is basically looking to replace existing buildings rather than looking for new construction stating that when residential replaces commercial, it reduces the overall traffic impacts. She believed that it would be expedient to have boundaries in order to focus the City's attention on Deep Valley Drive.

MAYOR SEAMANS concurred with COUNCILWOMAN MITCHELL and MAYOR PRO TEM ZERUNYAN'S comments and believed that it was premature for the COUNCIL to limit the overlay zone to only the south side of Deep Valley Drive. She noted that the original boundaries from Drybank Drive/Silver Spur Road and Roxcove Drive/Deep Valley Drive areas should be included in the overlay zone, but that it is too early to remove any other areas at this time. Additionally, she noted that the City is waiting to receive statements of qualifications to conduct an economic analysis.

MAYOR PRO TEM ZERUNYAN noted that he does not understand the reasoning behind setting a boundary as it appears that the City has the tools to consider applications on a case-by-case basis.

COUNCILMAN ZUCKERMAN commented that to leave things vague and open-ended serves no purpose. He emphatically stated that a decision must be made and suggested limiting the Peninsula Village overlay to 300 units.

COUNCILWOMAN MITCHELL suggested the north and south sides of Deep Valley Drive as a reasonable boundary for the project at the existing density of 22 units per acre.

COUNCILMAN ZUCKERMAN noted that development has overtaken existing environmental constraints and that any other projects would require a statement of overriding consideration..

City Manager Prichard provided a brief history of this endeavor indicating that the COUNCIL put the DEIR on hold in January in order to take a step back and receive public input. He noted that the COUNCIL has received that input and chose to delay a decision until after the traffic mitigation measures have been considered. He noted that there are options to consider, such as: 1) Having the existing DEIR move forward with the project description; 2) Stopping the process altogether and relying on existing zoning to take each project on a case-by-case basis under the existing code; or 3) Revising the DEIR to include additional project alternative boundaries and/or unit limits.

COUNCILMAN ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO PREPARE A NEW ENVIRONMENTAL IMPACT REPORT FOR THE PENINSULA VILLAGE PROJECT BY: 1) ESTABLISHING THE PENINSULA VILLAGE BOUNDARIES AS THOSE AREAS ON THE SOUTH SIDE OF DEEP VALLEY DRIVE BETWEEN THE AVENUE OF THE PENINSULA AND SILVER SPUR ROAD, INCLUDING THE FORMER MC DONALD'S PROPERTY; 2) MAINTAINING THE ABILITY TO CONSTRUCT RESIDENTIAL DEVELOPMENT WITHIN THE PENINSULA VILLAGE BOUNDARIES AT A DENSITY OF 22 DWELLING UNITS PER ACRE; AND 3) REMOVING THE MIXED-USE OVERLAY DESIGNATION AND THE ABILITY TO CONSTRUCT RESIDENTIAL DEVELOPMENT ON ALL COMMERCIAL DISTRICT AREAS OUTSIDE OF THE PENINSULA VILLAGE BOUNDARIES.

AYES: Addleman, Zuckerman  
NOES: Mitchell, Seamans, Zerunyan

After further discussion, COUNCILWOMAN MITCHELL moved,

TO DIRECT STAFF TO: 1) ESTABLISH THE PENINSULA VILLAGE BOUNDARIES AS THE AREA ON BOTH THE NORTH AND SOUTH SIDES OF DEEP VALLEY DRIVE AND SILVER SPUR ROAD, INCLUDING THE FORMER MC DONALD'S SITE; 2) MAINTAIN RESIDENTIAL DEVELOPMENT WITH A DENSITY OF 22 UNITS PER ACRE 3) REMOVE THE MIXED-USE OVERLAY DESIGNATION IN THE COMMERCIAL DISTRICT OUTSIDE THOSE BOUNDARIES; AND 4) CREATE A NEW PROJECT DESCRIPTION TO BEGIN A NEW EIR PROCESS.

*The motion died for lack of a second.*

After further discussion, MAYOR SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO INCLUDE CONSIDERATION OF ALTERNATIVES FOR 450 AND 375 UNITS ALONG WITH THE EXISTING PROJECT.

AYES: Mitchell, Seamans  
NOES: Addleman, Zerunyan, Zuckerman

City Manager Prichard noted that, whatever the COUNCIL decides, staff will undertake further study based upon the parameters designated by the COUNCIL.

MAYOR PRO TEM ZERUNYAN requested the COUNCIL review overriding considerations in a broader sense. He noted that he would support 375 units as suggested by COUNCILMAN ZUCKERMAN if the boundaries included the north side of Deep Valley Drive and was optimistic that this number of units could work.

COUNCILWOMAN MITCHELL inquired about the possibility of establishing the boundaries as the north and south sides of Deep Valley Drive without identifying a specific number of units.

MAYOR PRO TEM ZERUNYAN noted that he would concur with COUNCILWOMAN MITCHELL as long as the amount of units does not surpass 459.

Planning Director Wahba noted that the DEIR has a theoretical build out and that the amount of commercial development could be adjusted within the scope of the DEIR.

Traffic Engineer Zandvliet noted that, since the City went to the Los Angeles County trip generation rates, this would change the commercial components.

COUNCILMAN ADDLEMAN inquired as to why the City would want to raise developers' expectations when the cumulative impact would otherwise affect this area. He suggested waiting until more facts are realized for the City to decide on which direction to take.

City Manager Prichard noted that a particular density of units per acre is not necessary at this time as the project area could be defined, and a number of acceptable units identified through the environmental review process, which would then yield the appropriate density for establishing zoning regulations.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR SEAMANS

TO APPROVE: 1) REMOVING LITTLE SILVER SPUR ROAD FROM THE PENINSULA VILLAGE OVERLAY BOUNDARY; 2) UNDERTAKING AN INTERIM ANALYSIS TO CONSIDER IMPACTS RESULTING FROM A TOTAL OF 375 AND 450 DWELLING UNITS, LIMITING THE BOUNDARY OF THE DISTRICT TO PROPERTIES LOCATED ON BOTH SIDES OF DEEP VALLEY DRIVE FROM DRYBANK DRIVE TO SILVER SPUR ROAD, EXEMPTING THE LIBRARY, TOWN & COUNTRY AND THE POST OFFICE, BUT INCLUDING THE SOUTHWEST CORNER OF SILVER SPUR AND CRENSHAW; AND 3) BRINGING BACK THAT ANALYSIS TO COUNCIL FOR REVIEW TO CONSIDER CREATION OF A NEW PROJECT DESCRIPTION FOR A NEW PROGRAM ENVIRONMENTAL IMPACT REPORT.

AYES: Mitchell, Seamans, Zerunyan

NOES: Addleman, Zuckerman

D. CONTINUED DISCUSSION FROM ADJOURNED CITY COUNCIL/PLANNING COMMISSION MEETING OF MAY 8, 2007 REGARDING LAING URBAN FIRST LOOK MEETING

*Previously discussed at adjourned meeting.*

E. DISCUSSION REGARDING REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) PROCESS

---

It was noted that Planning Director Wahba will attend the South Bay Cities Council of Governments (SBCCOG) meeting on May 14, 2007 for discussion of this issue, with direction to voice objection to the City being required to accept any further housing allocation requirements.

**11. CITY ATTORNEY ITEMS**

NONE

**12. CITY COUNCIL/REGIONAL COMMITTEE REPORTS:** This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendaized.

NONE

**13. MAYOR AND COUNCIL ITEMS:** - This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendaized for future consideration and/or make announcements of interest to the public.

- A. MAYOR SEAMANS was pleased to report that SB 886 was amended to include an extra seat representing the South Bay on the Air Quality Management District (AQMD) Board.
- B. MAYOR PRO TEM ZERUNYAN announced that the California Contract Cities Association Annual Business Seminar will take place on May 17-20, 2007.
- C. MAYOR SEAMANS commented that the Concert in the Park held on May 8 at Howlett Park was enjoyable.

**14. CLOSED SESSION**

NONE

**15. ADJOURNMENT**

At 11:07 p.m., MAYOR SEAMANS formally adjourned the City Council meeting to Tuesday, May 22, 2007 at 7:30 p.m.

Submitted by,

Approved by,

---

Hope J. Nolan  
Deputy City Clerk

---

Douglas R. Prichard  
City Clerk