

MINUTES

CITY COUNCIL MEETING

JUNE 12, 2007

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 6:00 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR SEAMANS.

At 6:00 p.m., the CITY COUNCIL convened into closed session.

14. CLOSED SESSION

**A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
(GOVERNMENT CODE SECTION 54956.9): 3 CASES**

There is significant exposure to litigation based on existing facts and circumstances with respect to the proposed adoption of an urgency ordinance imposing a moratorium on residential development in the Commercial General Zone. Government Code section 54956.9(b)(1), (b)(2).

NO ACTION WAS TAKEN.

At 7:58 p.m., the COUNCIL reconvened with MAYOR SEAMANS, MAYOR PRO TEM ZERUNYAN, COUNCILMAN ADDLEMAN, COUNCILWOMAN MITCHELL and COUNCILMAN ZUCKERMAN present.

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
Senior Planner Niki Cutler
Assistant Planner Jason Masters

Others Present: David Pierson, Park and Activities Commission
Andy Rein, Planning Commission

4. CEREMONIAL ITEMS

NONE

5. ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF MAY 22, 2007

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZERUNYAN

TO APPROVE THE CITY COUNCIL MINUTES OF MAY 22, 2007 AS PRESENTED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

B. DEMANDS AND WARRANTS – MAY AND JUNE

COUNCILMAN ADDLEMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE WARRANTS 41970 THROUGH 42034 IN THE AMOUNT OF \$257,560.69; SUPPLEMENTAL WARRANTS 41774 THROUGH 41782; 41838 THROUGH 41858; 41859 THROUGH 41874; 41134 (VOID); 41940 THROUGH 41960; 41816 (VOID); 050107 THROUGH 050307 IN THE AMOUNT OF \$313,310.32 FOR A GRAND TOTAL AMOUNT OF \$570,871.01.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

6. CONSENT CALENDAR

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO APPROVE ITEMS A-E.

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. BUDGET AMENDMENTS

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

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 18, 2007

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED MAY 25, 2007

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JUNE 1, 2007

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

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

- A. Barbara Epstein, 21 Moccasin, thanked the COUNCIL for adopting the COOL Cities Program and presented MAYOR SEAMANS with an award for approving the U.S. Mayors Climate Protection Agreement.

MAYOR SEAMANS thanked the Environmental Priorities Network for all their hard work.

Lillian Light, President, Environmental Priorities Network, provided an extensive background of the COOL Cities program and reported that several South Bay cities have either adopted or are considering adopting the U.S. Mayor's Climate Protection Agreement in an effort to help reduce global warming.

- B. MAYOR PRO TEM ZERUNYAN was disturbed to report that a peacock was shot in the Dapplegray neighborhood. He reminded everyone that this behavior is not condoned and implored everyone to be aware of children and pets and to act responsibly.

8. PUBLIC HEARINGS/MEETINGS

- A. PUBLIC MEETING – PENINSULA VILLAGE – URGENCY ORDINANCE NO. 637 (AN INTERIM URGENCY ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE APPROVAL OF ANY RESIDENTIAL USES IN THE CITY'S COMMERCIAL GENERAL (CG) DISTRICT)
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Recommendation: That the City Council consider Urgency Ordinance No. 637 and direct staff as appropriate.

Senior Planner Cutler provided a staff report (as per agenda material).

COUNCILMAN ZUCKERMAN asked City Attorney Pelletier to explain the specifics of the moratorium in more detail.

City Attorney Pelletier noted that a 45 day moratorium could limit residential development in the commercial zone if findings are made that it poses an immediate threat to public health, safety or welfare. She noted that any extension to the initial 45 days would require meeting a stricter standard because the moratorium would impact multi-family housing.

COUNCILMAN ADDLEMAN inquired as to what steps the City must take to approve a moratorium beyond 45 days.

City Attorney Pelletier noted that three additional findings must be: 1) Whether or not the continued approval of a multi-family project would have an adverse impact on public health and safety; 2) If a moratorium would be necessary to avoid an adverse impact on public health or safety; and: 3) If there is no feasible alternative to satisfactorily mitigate the adverse impacts. Her opinion was that this stricter standard could not be met.

COUNCILMAN ZUCKERMAN believed the City could satisfy the findings required.

City Attorney Pelletier noted that once a moratorium is adopted, another one cannot be adopted unless there is a specific circumstance that differs from the prior moratorium. She then stated that there is a two-year maximum on moratoriums.

City Attorney Pelletier noted that the COUNCIL, as a way of providing a method of control less intrusive than a moratorium, may review projects as they come forward, conduct an environmental analysis and then determine whether or not each would have a significant impact individually or as part of the cumulative impact of known projects.

COUNCILMAN ADDLEMAN strongly emphasized that cumulative impacts should be considered as a part of any analysis of future projects.

MAYOR SEAMANS asked the audience for a show of hands of those who were either in favor of or opposed to a moratorium. It was noted that the majority was in opposition to a moratorium.

MAYOR SEAMANS noted that the COUNCIL has received many communications regarding this issue and has been listening to the public. She noted that a public meeting was held at the Norris Pavilion and suggested conducting a professional poll. She noted that Willdan will review traffic impacts and that it was her hope to move forward with other traffic mitigation measures. Additionally, she noted that the COUNCIL is currently looking to retain a firm to undertake an economic analysis of the Peninsula Center area between Hawthorne Boulevard and Crenshaw Boulevard. She noted that this will be a continuing process and appreciated the community being so interested in this process.

Richard Gerlach, 32 Santa Bella Road, submitted 35 signed petitions from the Los Ranchos Verdes Homeowners' Association and Ranchview Homeowners' Association in support of the moratorium.

Robert Medawar, 39 Santa Bella Road, noted he is a long-time business owner and provided a brief history as well as his opinion on the future of the business district. He noted that over the years he was happy to see a new development on Crenshaw Boulevard and Silver Spur Road. He noted that it has been a pleasure doing business in the City, but recognized the need to move forward as the City has lost more businesses than it is gained. Additionally, he stated that the commercial district is in dire need of revamping and that mixed-used projects are needed to invigorate the business community.

Keith Michael Mori, 904 Silver Spur Road, noted his position not to adopt a moratorium. He then commented on his concern that the City needs to take action as he has seen so many businesses leave the Peninsula Center on a regular basis.

Antoinette De Lorenzo, 8 Santa Cruz, noted she is in favor of revitalizing the business district. She believed the COUNCIL is on the right track and needs more housing options

Joan Moe, 28 Santa Bella, noted her concern in previous years with development of the commercial district and agreed that the business community needs to be revitalized, but was not sure if a large number of condominiums is the answer. She urged the COUNCIL to consider a moratorium and stop, think and look at the environmental impacts on traffic.

Richard Conway, 4667 Marloma Drive, noted he is a long-time resident. He stated his appreciation for the merchants, but that this action would affect the residents as well as the business owners. He suggested that since the community seems divided, it might be in order to have a referendum to determine what the public really wants.

Tony Skelly, Owner, Skinners Pharmacy, 927 Deep Valley Drive, noted he was encouraged by the plan as it would enhance Deep Valley Drive and did not believe a moratorium was necessary.

Michael Melton, 927 Deep Valley Drive, spoke against the moratorium and that noted that everyone seems to acknowledge the need to revitalize the commercial district. He supported reviewing each project individually.

Edward Dygert, Cox, Castle & Nicholson, 19800 MacArthur Blvd., Irvine, stated that it is an extreme measure to adopt a moratorium as it is often an impediment to the planning process. He concurred with the previous speaker on reviewing each project a case-by-case basis.

Susan Nakaba, 27118 Silver Spur Road, Peninsula High School, noted that many students spend a significant amount of time in the commercial district. She noted that she supports the Chamber of Commerce as they are working hard to revitalize the district. Additionally, she commented on the quality of the high school as it increases property values and creates a community in which to live and work that meets the needs of both young and older citizens.

William Lama, 28 Via Porto Grande, Rancho Palos Verdes, noted that everything he heard about this plan is negative and believed that citizens are overlooking the good that could come out of the plan. He emphasized that a few hundred more units would not make a difference with traffic and opposed the moratorium

Marie Allesandro, 5041 Willow Wood, noted her support of the moratorium in the hopes that she can move into the district, leave her car at home, and walk to various stores.

Renee Mori, 904 Silver Spur Road #388, noted she is a long-time resident and has seen many changes over the years. She noted she is against the moratorium as she has seen so many businesses fail. Additionally, she noted that she always is able to find a parking space and do her shopping and believed that a bad precedent would be set for other businesses if a moratorium was adopted.

Arminda Au, 26520 Hawkhurst Drive, Rancho Palos Verdes, urged the COUNCIL to vote no on the moratorium and that the City should get back on track of redeveloping and revitalizing the commercial area.

John T. Counts, 4979 Silver Arrow Drive, Rancho Palos Verdes, concurred with the previous speaker to vote no on a moratorium.

Gary Palosaari, 28125 Golden Meadow Drive, Rancho Palos Verdes, noted his opposition to the moratorium and stated that cumulative impacts are not only local, but regional and believed that it should not be the City's position to take responsibility for all the problems on the Peninsula. He noted that there would be far less traffic in the neighborhoods compared to businesses and that the only logical conclusion is to let the legal development process work.

Lisa Counts, 4979 Silver Arrow Drive, Rancho Palos Verdes, urged the COUNCIL to vote no. She noted that businesses have been struggling for years and would like to see that change and supported considering each project on its own.

Bill Wratschko, 104 Cottonwood Circle, noted his opposition to the moratorium and stated that the projects should come before the City individually. He commented that mixed-use developments would greatly enhance the district.

Liz Griggs, General Manager, The Avenue, stated her position that an economic study is appropriate for the community. She noted that, while The Avenue provides many services and goods to the community, their tenants are struggling. She asked the COUNCIL to continue to study the residential and commercial elements at The Avenue before finalizing the Peninsula Village Overlay Zone.

Michael Liberatore, Regional Manager, The Avenue, noted that their sales trends are not doing too well and are looking for COUNCIL support in revitalizing the business district and possibly adding a residential component to The Avenue. He then stated that if they lose any more businesses, this decline will send residents down the hill to Torrance. Additionally, he asked the COUNCIL to consider the overlay plan as it exists today.

Deborah Rosenthal, Attorney, Bingham, McCutchen, The Avenue, commented that the proposed moratorium does not meet any of the statutory requirements as it does not pose an immediate threat to the public. She then stated that it would take discretion away from the COUNCIL to approve projects.

Randy Morris, Architect, 901 Deep Valley Drive, questioned what the emergency would be in relation to the moratorium since many of the projects are months away from obtaining approval. He urged the COUNCIL to move along with the process that was already created as it speaks for itself.

Bill Weldon, 5649 Whitecliff Drive, Rancho Palos Verdes, noted he is against the moratorium. He commented that this is an area with many seniors wanting to sell their homes and still live on the Peninsula.

Frank Lee, 1424 Via Cataluna, Palos Verdes Estates, asked the COUNCIL to vote against the moratorium because the City needs to be revitalized and would provide a benefit for residents who may wish to downsize. He believed this to be a win-win situation for everyone.

Joan Lee, 1424 Via Cataluna, Palos Verdes Estates, believed it would be a positive approach for the City to revitalize the commercial district and asked the COUNCIL to oppose the moratorium as it is her hope to live in this area.

Kevin Dawson, President, Peninsula Center Homeowners' Association, noted his surprise with the show of hands opposing the moratorium. He noted his support for the moratorium and believed that the arguments presented were unfounded and asked for additional time to determine what the size and scope of the developments should be as well as their impacts. He then commented that it is not a vote against development, but rather to buy time for further study.

Jim Shoemaker, 6820 Verde Ridge Road, Rancho Palos Verdes, thanked the COUNCIL for providing great shopping on the hill and looked forward to keeping the momentum going. He commented that he believed in the right to develop in this case and urged the COUNCIL to vote no on the moratorium.

Mike DeMott, 6625 El Rodeo Road, Rancho Palos Verdes, noted he has seen a great number of changes and would like to see more housing opportunities for the older and younger generations. He stated his position to work within the guidelines already established.

Benny Wong, 48 Hill Top Circle, Rancho Palos Verdes, noted he loved the Peninsula and appreciated what the City has done for the Peninsula, but commented that not many people shop along Deep Valley Drive. He stated his feeling that more business needs to be brought in the commercial district.

Wally Costello, 30226 Matisse Drive, Rancho Palos Verdes, noted he is a long-time resident and expressed his opposition to the moratorium. He noted that the COUNCIL came up with a good vision and was looking forward to having the commercial district upgraded and felt the COUNCIL'S hands would be tied if a moratorium was approved.

Dennis Branconier, 5354 Whitefox, Rancho Palos Verdes, commented that if health is an issue, residents should not be sent down the hill for goods and services they should be able to acquire in the commercial district. He noted his opposition to the moratorium.

Kathleen Branconier, 5354 Whitefox, Rancho Palos Verdes, urged the COUNCIL to vote no on the moratorium as the City is headed in the right direction.

John Barbieri, 3667 Greve Drive, noted his opposition to the moratorium. He felt it was “radical surgery” for public policy and sends the wrong message that this is a community in crisis. He commented that the City has done a good job and felt that the moratorium would create more problems than it would solve.

Ken DeLong, 6940 Maycroft, Rancho Palos Verdes, noted he is in support of the moratorium and urged the COUNCIL to take a slower approach in the commercial district. He stated that most of the opponents are from the commercial sector and that bringing in additional residents will not be the “silver bullet” for businesses. He encouraged the COUNCIL to vote yes on the moratorium.

Richard Berg, 4834 Ferncreek Drive, pointed out that many years ago he attended a COUNCIL meeting and spoke against The Avenue (formerly The Courtyard) being built and provided a brief history of the commercial district. It was his opinion that the merchants rallied individuals to be in the audience and strongly urged the COUNCIL to vote yes for the moratorium. He then suggested that a poll and referendum be undertaken.

Linda Herman, 28070 Ella Road, Rancho Palos Verdes, stated that the League of Women Voters has received the EIR and that they are in favor of “smart growth.” She noted that traffic patterns in the EIR were of concern and concluded that it was important to look at cumulative impacts of the residential units. She noted their support of a moratorium.

Tim Scott, 19 Aurora Drive, noted that he has mixed emotions about the moratorium. He questioned whether or not an increase in residential development would increase business. He stated that traffic on the drive discourages him from going up the hill and referred to a San Pedro development that will bring in additional traffic in his opinion. He believed that a 45 day moratorium should be approved to allow time to look at the economic impacts to determine if this is a viable plan.

Bob Filep, 6526 Oceancrest Drive, Rancho Palos Verdes, commended the COUNCIL for providing additional information prior to the meeting. He noted that it was helpful to know what mitigation measures are currently under review. He suggested terminating the Peninsula Village Overlay Zone and considering each project on a case-by-case basis. He stated his opposition to the moratorium.

Gene Sencota, 4619 Sugarhill, noted that the commercial district is dead and that the suggested proposals provide some coherency in bringing a new vitality to the commercial district. He urged the COUNCIL to consider projects under the existing codes and opposed the moratorium.

Maxine Ophena, Real Estate Agent, urged the community to come together and vote no on the moratorium.

Eric Randall, Rancho Palos Verdes, noted that the City was nominated by an award from SCAG for the forward thinking concept of the Peninsula Village. He commented that realtors would like to see the COUNCIL move forward and urged a no vote on the moratorium.

Brad Brunskill, 7 Harbor Sight Drive, requested that a referendum and survey be undertaken. He noted his concerns that urban revitalization will bring in larger developments and the City is not known for this.

Rick Edler, Business/Property Owner, Rolling Hills Estates, spoke against the moratorium. He cited various concerns regarding traffic, infrastructure, parking, walkways, lighting, etc. He then noted that the challenge is affordable housing as it would be difficult to downsize from larger homes. He encouraged cooperation among the cities and believed that a moratorium would send the wrong message to property owners as it will not protect long-term leases and may force business owners to look elsewhere. Additionally, he stated that developers are working diligently to provide projects that are good for the community.

MAYOR SEAMANS thanked the audience for their concise comments and noted that they were greatly appreciated.

COUNCILMAN ADDLEMAN inquired if a referendum would really have any substantial impact. City Attorney Pelletier noted that it would have no bearing on processing projects as the moratorium would only prevent final approvals.

MAYOR PRO TEM ZERUNYAN asked City Attorney Pelletier for her legal opinion if any findings could be made to pass a 45 day moratorium.

City Attorney Pelletier responded that the City can enact a moratorium for the first 45 days based on preserving the character of the commercial district. After that time period, she noted it would be difficult to make a case for continuing the moratorium.

COUNCILWOMAN MITCHELL inquired if any projects would be coming before the COUNCIL. Planning Director Wahba noted that there are no projects that would be coming to COUNCIL for consideration within the 45 day timeframe.

COUNCILMAN ADDLEMAN conceded that imposing a 45 day moratorium at this time would prove useless as the probability of making additional findings would not be there to extend it. He noted that a moratorium may be needed in the future. He noted that when a project comes before the COUNCIL, the City can request an EIR that shows cumulative impacts.

COUNCILWOMAN MITCHELL noted that the existing codes provide considerable discretionary authority to review the different areas of approval, i.e. conditional use permits, precise plans of design, etc.

COUNCILMAN ZUCKERMAN suggested that the EIR be reviewed by the surrounding cities in absence of a moratorium.

MAYOR PRO TEM ZERUNYAN thanked the City of Rancho of Palos Verdes for their letter requesting the City to impose a moratorium. He suggested two tracks for moving forward: 1) Abandon the concept altogether and review each project on a case-by-case basis as a moratorium may be utilized as a tool in the future; or 2) Retain the Peninsula Village Overlay Zone once the EIR has been finalized. He suggested that the City of Rancho Palos Verdes work with the City to create a citizen's advisory committee to discuss mutual concerns.

COUNCILWOMAN MITCHELL also came to the same conclusion that it would be ineffective to impose a 45 day moratorium. She stated that the COUNCIL has the control to consider projects in a responsible and reasonable manner.

1. URGENCY ORDINANCE NO. 637 FOR INTRODUCTION AND ADOPTION

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858, IMPOSING A TEMPORARY MORATORIUM ON THE APPROVAL OF ANY RESIDENTIAL USES IN THE CITY'S COMMERCIAL GENERAL (CG) DISTRICT.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ADDLEMAN

TO TABLE A MORATORIUM AT THIS TIME.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILMAN ZUCKERMAN noted his support for a moratorium as the City should take a "time out" to see what would arise from forthcoming projects. He commented that if this cannot be done, he would defer to the consensus of the COUNCIL, but emphasized the negative impacts on traffic, parking and air quality, and advised the public to be aware of many important concerns which he enumerated..

10. OLD BUSINESS (Taken out of order)

B. PENINSULA VILLAGE – STATUS UPDATE

Recommendation: That the City Council discuss the issues raised and direct staff accordingly.

Senior Planner Cutler provided a staff report (as per agenda material).

COUNCILWOMAN MITCHELL noted that the ordinances and General Plan include the mixed-use overlay that applies to the commercial-general zone. She noted that it was already the consensus of the COUNCIL to maintain densities at the existing 22 units per acre and that, in light of the public protest over the Peninsula Village Overlay Zone, the project should be abandoned, leaving control of development to the existing overlay zone regulations.

COUNCILMAN ZUCKERMAN noted his concern with respect to a residential application being submitted in place of a commercial property. He stated that he would like to have Planning Director Wahba and City Attorney Pelletier determine the range of possibilities with respect to an application requesting this type of development and investigate this further.

COUNCILWOMAN MITCHELL noted that if it was determined that a residential application is not satisfactory, the COUNCIL could deny it in an effort to choose to retain the retail character of the district. She stated that the City should rely upon the findings of the proposed economic analysis to determine the appropriate mix residential, office and retail development.

Planning Director Wahba noted that findings must be made to either approve or deny any project.

MAYOR SEAMANS noted that she has been a strong supporter of the overlay zone, but that it has changed from the original vision. She noted her preference to allow future councils more flexibility in determining what happens in the commercial district.

COUNCILMAN ZUCKERMAN noted his concern in giving up certain boundaries and an absolute maximum on the number of units the COUNCIL will ultimately approve.

COUNCILWOMAN MITCHELL believed the City would have control over the developers and that it was inappropriate to set an arbitrary number.

City Manager Prichard noted that the COUNCIL can decide on a project specific basis to determine whether or not certain locations may or may not be appropriate for residential use.

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILWOMAN MITCHELL

TO ABANDON THE PENINSULA VILLAGE OVERLAY ZONE AND CONSIDER EACH PROJECT ON A CASE-BY-CASE BASIS ON ITS MERITS IN THE COMMERCIAL ZONE.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILWOMAN MITCHELL

TO ENTER INTO AN AGREEMENT WITH WILLDAN TO MOVE FORWARD WITH THE PREPARATION OF CONCEPTUAL PLANS AND ALTERNATIVES FOR THE PROPOSED TRAFFIC MITIGATION MEASURES.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZERUNYAN

TO TABLE THE REMAINING ITEMS LISTED IN THE STAFF REPORT.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

8. PUBLIC HEARINGS/MEETINGS (Continued)

B. PLANNING APPLICATION NO. 06-07; APPLICANT: MS. SYLVIA LITTY; LOCATION: 79 BUCKSKIN ROAD

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Approve PA-06-07 affirming the Planning Commission's decision, subject to the conditions of approval identified in Planning Commission Resolution No. PA-06-07.

Assistant Planner Masters provided a staff report (as per agenda material).

MAYOR PRO TEM ZERUNYAN noted that the debate is not about the Applicant, but rather a policy issue on keeping more than four horses on a property. He noted his concern if another case should come forward with the same request.

COUNCILWOMAN MITCHELL referred to the horse overlay zone where it states that horses are for the personal enjoyment of the residents. She noted that the rental of horse stalls is permitted provided it is in full compliance with the code and stated that boarders must meet all code requirements with the maximum number of horses.

COUNCILMAN ADDLEMAN noted that the Dapplegray Homeowners' Association and Trail Committee are in opposition to allowing an additional horse.

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILWOMAN MITCHELL
TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

Sylvia Litty, Applicant, noted that she has an additional horse, but she shares it with another owner. She noted that she has adequate parking for at least five vehicles.

COUNCILMAN ADDLEMAN inquired about the stable lighting. The Applicant stated that she has already corrected that issue.

Pete Barnheiser, reiterated that the Applicant and boarder have five horses between them and that she has complied with everything the City has requested.

Peter Holzer, Attorney, referred to the Special Use Permit process. He addressed the issue of neighbors and commended Assistant Planner Masters on analyzing the various elements on whether or not this is an appropriate use. He noted that over the years there has not been one complaint regarding these horses and that the Planning Commission did an excellent job of balancing the needs of the Applicant and the neighbors. He believed the reason the neighbors are objecting to this issue is because of a lot line adjustment recently undertaken by the Applicant that resulted in some neighbors having to give up some of their property. It was his opinion that this has nothing to do with the horses, but rather with a neighbor dispute and urged the COUNCIL to affirm the Planning Commission's decision to approve the application.

Ms. Brant, 61 Buckskin, noted she is a long-time resident and that the Applicant keeps her stable and horses in excellent condition. She noted that the Applicant has had horses for 25 years and suggested the city focus on other matters involving RVs, boats, horse trailers, etc., in the driveways.

Sherie Keller noted she owns three of the horses at the Applicant's residence and takes care of all the horses' needs.

Kathy Gliksman, 87 Dapplegray Lane, noted that this is not a personal issue. She commented that there are no special circumstances warranting approval of an additional horse.

Carroll Reuben, 78 Buckskin Lane, noted her concern with traffic and parking. She noted that the Applicant has parking for boarders, but they often park outside her fence as well as other neighbors' fences. She believed that if a permit was granted for an additional horse, it would increase traffic on the street and would set a precedent. She requested the COUNCIL deny this application.

Virginia Geresh, 83 Buckskin Lane, noted that the trail is used for access and other services. She noted her disagreement with how many times the trail is used because she has experienced the impact from the additional horse.

Jerry Gliksman 87 Dapplegray Lane, provided a brief history of the conditional use permits. He noted that four letters submitted from surrounding neighbors were taken into consideration. Additionally, he stated that there is no special reason to grant this application.

Kirk Retz, 18 Dapplegray Lane, noted that some inaccurate information was supplied to the Planning Commission regarding discussions that had taken place regarding the use of trails and how to reduce traffic. He concurred with Mr. Gliksman's comments in denying this application.

Patricia Bailey, 75 Buckskin, concurred with the previous speaker's comments in requesting denial of the fifth horse.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILMAN ZUCKERMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR SEAMANS SO ORDERED.

After further discussion, it was the consensus of the COUNCIL to refer to the Equestrian Committee, with review by the Planning Commission, the policy question of under which conditions granting of permits to allow extra horses should be allowed.

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO OVERTURN THE PLANNING COMMISSION'S DECISION AND DENY PLANNING APPLICATION NO. 06-07 AND BRING BACK A RESOLUTION AT THE NEXT MEETING.

AYES: Addleman, Mitchell, Seamans, Zuckerman

NOES: Zerunyan

9. NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF JUNE 4, 2007

DEFERRED TO THE NEXT MEETING.

B. LEGISLATIVE UPDATE

DEFERRED TO THE NEXT MEETING.

C. LOS ANGELES COUNTY ANIMAL CARE AND CONTROL AGREEMENT RENEWAL

DEFERRED TO THE NEXT MEETING.

D. INITIAL PREPARATIONS FOR NOVEMBER GENERAL MUNICIPAL ELECTION

Recommendation: That the City Council review and approve Resolution Nos. 2129, 2130 and 2131 pertaining to initial preparations for the upcoming November 6, 2007 General Municipal Election.

1. RESOLUTION NO. 2129 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 6, 2007, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2129.

City Manager Prichard read Resolution No. 2129 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

2. RESOLUTION NO. 2130 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON SAID DATE PURSUANT TO SECTION 10400 ET. SEQ. OF THE ELECTIONS CODE

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2130.

City Manager Prichard read Resolution No. 2130 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

3. RESOLUTION NO. 2131 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AND THE COSTS THEREOF FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 6, 2007

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2131.

City Manager Prichard read Resolution No. 2131 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

10. OLD BUSINESS (Continued)

A. RESOLUTION NO. 2132 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR FOURTH SUPERVISORIAL DISTRICT EXCESS FUNDING FOR THE GEORGE F CANYON NATURE PRESERVE HABITAT RESTORATION PROJECT.

MAYOR PRO TEM ZERUNYAN moved, seconded by COUNCILMAN ADDLEMAN

TO ADOPT RESOLUTION NO. 2132.

City Manager Prichard read Resolution No. 2132 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

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 agendized.

A. COUNCILMAN ADDLEMAN

1. CALIFORNIA JOINT POWERS INSURANCE AUTHORITY EXECUTIVE COMMITTEE

DEFERRED TO THE NEXT MEETING.

2. PALOS VERDES TRANSIT AUTHORITY

DEFERRED TO THE NEXT MEETING.

3. PROPOSITION P OVERSIGHT COMMITTEE

DEFERRED TO THE NEXT MEETING.

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 agendized for future consideration and/or make announcements of interest to the public.

NONE

14. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9): 3 CASES

DISCUSSED PREVIOUSLY.

15. ADJOURNMENT

At 1:04 a.m., MAYOR SEAMANS formally adjourned the City Council meeting to a Joint Adjourned City Council and Adjourned Planning Commission meeting scheduled for Tuesday, June 26, 2007 at 6:00 p.m. regarding the Chandler Reuse Project (26311 and 27000 Palos Verdes Drive East).

Submitted by,

Approved by,

Hope J. Nolan
Deputy City Clerk

Douglas R. Prichard
City Clerk