

**DRAFT MINUTES
PLANNING COMMISSION MEETING
MONDAY, AUGUST 5, 2024**

An adjourned meeting of the Planning Commission of the City of Rolling Hills Estates was called to order by CHAIR MEDAWAR at 7:00 p.m. in the City Hall Council Chamber.

2. SALUTE TO THE FLAG

COMMISSIONER ROMANELLI led those assembled in the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Medawar, Olson, Nicklas, Romanelli, Schachter,
Repp-Loadsman, Yoo

City Staff Present: Jeannie Naughton, Community Development Director
Stephen McEwen, City Attorney
Whitney Berry, Senior Planner
Carol Corea, Administrative Analyst

4. APPROVAL OF MINUTES

A. APPROVAL OF PLANNING COMMISSION MEETING MINUTES, JULY 1, 2024

VICE CHAIR OLSON, seconded by COMMISSIONER NICKLAS to,

APPROVE THE PLANNING COMMISSION MEETING MINUTES OF JULY 1, 2024.

There being no objection, CHAIR MEDAWAR so ordered.

5. AUDIENCE ITEMS

Joan Davidson stated that Neighborhood Voices is a ballot initiative which will allow cities to opt out of the high-density housing mandates in the state of California and go back to local control. Ms. Davidson stated that their website has a link to Zoom meetings held every Wednesday at 6:00 p.m. where they can answer any questions. She also stated that Senate Bill 7 is at the State and is requiring that part of housing be built in high fire safety zones. She suggested contacting Assemblymember Al Muratsuchi to oppose Senate Bill 7.

COMMITTEE MEMBER NICKLAS asked if they know where they are in reaching the number of signatures required. Ms. Davidson stated that City Officials going on their website and endorsing this ballot initiative will be helpful and encouraged family and friends to also visit their website.

6. CONSENT CALENDAR

A. READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS PRESENTED FOR CONSIDERATION TO THE PLANNING COMMISSION WILL BE WAIVED AND ALL SUCH ORDINANCES AND RESOLUTIONS WILL BE READ BY TITLE ONLY.

VICE CHAIR OLSON made a motion, seconded by COMMISSIONER SCHACHTER to,

APPROVE ITEM 6A

There being no objection, CHAIR MEDAWAR so ordered.

7. PUBLIC HEARING

A. PLANNING APPLICATION NO. PA-240163; ADDRESS: 710A DEEP VALLEY DRIVE, ROLLING HILLS ESTATES, CA 90274; APPLICANT: SHANELLE SABINO; DESCRIPTION: A request for a Conditional Use Permit (CUP-240162) for a banquet room use located in an existing commercial building.

Senior Planner Berry stated that Planning Application No. PA-240163 was continued from the July 1 Planning Commission meeting. The request is for a Conditional Use Permit to allow a banquet room use in an existing commercial building at 710A Deep Valley Drive. The Planning Commission expressed concerns about the hours of operation, among other items; the applicant has revised their hours of operation to Monday through Thursday 11:00 a.m. to 10:00 p.m., Friday and Saturday from 10:00 a.m. to 11:00 p.m., and Sundays from noon to 10:00 p.m. 10:00 p.m.

Senior Planner Berry stated that following the July meeting, per the suggestion of the Planning Commission, the applicant distributed letters to the neighboring business owners in the building and received several signatures in support of the business and these were included as an attachment to the staff report. The proposed venue would be rented out for small scale private events such as bridal showers, business meetings and birthday celebrations. An updated business plan was provided as an attachment to the staff report along with photos of the space as it is intended to be used.

Senior Planner Berry stated that there was concern with loading and unloading from the front of the unit. The applicant has agreed to restrict loading and unloading to the rear of the unit, and this has been added as a conditional of approval. Additionally, there was concern regarding potential noise affecting neighborhood businesses and future residences. The applicant has agreed to limit amplified sound to music through Bluetooth speakers, restricting access to volume controls within the office and to prohibit live music past 8:00 p.m., and the applicant is proposing to install acoustic walls to help absorb the sound. Lastly, there were concerns regarding on-site alcohol use, staff and the applicant have contacted ABC regarding the licensing requirements. ABC licenses are required for all situations in which alcoholic beverages are sold and would generally be required for private events, but only if they were open to the general public; since the applicant is proposing private events which are closed to the general public, where there will be no charge or sale for alcohol consumed on the premises, there's no license required for the use.

Senior Planner Berry stated that in accordance with the California Environmental Quality Act and determined categorically exempt, staff recommends that the Planning Commission open the public hearing, take public testimony, discuss the issues, close the public hearing and adopt Resolution No. PA-240163 approving the project in accordance with the California Environmental Quality Act.

COMMISSIONER SCHACHTER made a motion, seconded by COMMISSIONER NICKLAS to,

OPEN THE PUBLIC HEARING

There being no objection, CHAIR MEDAWAR so ordered.

Shanelle Sabino, Elle Venue Owner, thanked the Planning Commission for reconsidering her business and hopes that it will make a positive impact on the community to bring friends and family together under one roof.

CHAIR MEDAWAR thanked Ms. Sabino for obtaining letters of approval from neighboring business owners.

COMMISSIONER ROMANELLI commended Ms. Sabino on addressing the concerns that were raised at the last meeting.

COMMISSIONER YOO made a motion, seconded by COMMISSIONER NICKLAS to,

CLOSE THE PUBLIC HEARING

There being no objection, CHAIR MEDAWAR so ordered.

COMMINSSION YOO asked about the reason for the condition for live music to be terminated at 8:00 p.m. CHAIR MEDAWAR stated that this is due to the residential development project that is being proposed across the street from this location.

Director Naughton clarified that the reasoning for this condition is that the louder live instruments' noise level carries further than music from a Bluetooth speaker that can be turned down and modified.

COMMISSIONER REPP-LOADSMAN stated that from the perspective of live music, it's not a very large room, so a rock band in this space would not be expected. If someone were playing an acoustical guitar then they would be limited to 8:00 p.m. She suggested that the condition could state that the music would not exceed the City's noise ordinance.

CHAIR MEDAWAR stated that he used to lease a space next to this space and the walls are very thin and appreciates that the applicant will be installing acoustic walls.

VICE CHAIR OLSON made a motion, seconded by CHAIR MEDAWAR to,

APPROVE PLANNING APPLICATION NO. PA-240163.

AYES: MEDAWAR, OLSON, NICKLAS, REPP-LOADSMAN, ROMANELLI, SHACHTER, YOO
NOES:

ABSENT:

ABSTAIN:

B. PLANNING APPLICATION NO. PA-230516; ADDRESS: 27525 NORRIS CENTER DRIVE, ROLLING HILLS ESTATES; APPLICANT: RYAN ASH ON BEHALF OF VESTAR; DESCRIPTION: Consideration of a Precise Plan of Design, a Commercial District Mixed-Use Development Permit, and a Development Agreement for a 90-unit apartment project on a 2-acre site in the Peninsula Shopping Center.

Senior Planner Berry provided a presentation for Planning Application No. PA-230516 summarizing the staff report. This is a request for the Planning Commission to consider a precise plan of design, a commercial district mixed-use development permit, a development agreement, and an addendum to the General Plan final program EIR for the City's 2040 General Plan.

Senior Planner Berry stated that the project proposes to demolish an existing 7,000 SF building and surface parking lot with approximately 131 existing parking spaces and to construct a 90-unit residential apartment complex that would include 85 shared public private parking spaces, 9 affordable housing units and public streetscape improvements.

Senior Planner Berry stated that the City Council initially saw the project proposal in March of 2023 and provided input to the applicant, stating the preference for more affordable units above the 5% of total units that was proposed. The applicant has revised the project to reserve 15% of units excluding the bonus level units for affordability. The application for this project was submitted in November of 2023 and in March of this year, the City Council provided a preliminary determination that the community amenities and benefits proposed by the applicant qualify for bonus level development under the city's bonus level development program. This determination was based on an appraisal provided at the applicants' expense, which established that the proposed community amenities and benefit significantly exceeded 25% of the fair market value of those additional residential units provided through this program.

Senior Planner Berry stated that applicant proposes the following community amenities and benefits as part of this project.

- An additional 85 shared public private parking stalls on the site.
- Affordability. 15% or 9 units total will be reserved for moderate income households.
- Connectivity. The proposed development would construct a public plaza with pedestrian amenities on the corner of Norris Center Drive and Deep Valley Drive and new sidewalk along the private roadway that will provide a pedestrian connection between the Peninsula Center and the Promenade Mall.

Senior Planner Berry stated that the application may seek an increase in the number of units requested, increase in the maximum coverage ratio building height, and decrease to other development efforts.

The applicant has requested the following increases of decreases to development standards as part of this project:

- Additional height. The development would be five stories with the maximum overall height of 68 feet, which is one additional story above the four-story maximum currently permitted by right in the CGMU District.
- Reduced open space. The development would provide approximately 198 SF of open space per unit, which is less than the required 300 SF per unit in the CGMU district.

Senior Planner Berry stated that approval of Precise Plan of Design (PPD) Is required for residential and residential mixed-use projects that utilize the City's bonus level development program. The Commercial District Mixed-Use Development (MUD) permit is the administrative design review process for residential and mixed-use residential projects within the commercial district. A summary of the project's conformance with zoning provisions and development was provided.

Senior Planner Berry provided renderings of the proposed project and overall project details. The City required that the applicant prepare a non-CEQA transportation assessment, which analyzed intersections nearest to the project and concluded that all study intersections would continue to operate at a Level of Service (LOS) D, which meets the City's non-CEQA analysis criteria for signalized intersections.

Senior Planner Berry stated that staff supports the PPD because the project as described, conforms with the provisions of the zoning code, including development standards for residential development in the CGMU District, because the project is designed and arranged to provide for pedestrian and vehicular safety and welfare, and because the project has been designed to be consistent with the City's General Plan, which envisions infill development on underutilized lots, to transform the commercial district into a vibrant, walkable Town Center.

Senior Planner Berry provided a presentation on the development agreement. The proposed development agreement includes community benefits contribution, the timing of the project completion and construction development fees and environmental mitigation. The City's Municipal Code, Chapter 17.82 outlines seven findings required for the City Council to make in order to approve a development agreement. Staff believes that these findings have been met.

Senior Planner Berry stated that the City prepared an addendum to the City's 2040 General Plan Environmental Impact Report (EIR), and found there are no conditions or circumstances warranting greater review of this project. The project will be required to implement mitigation measures that are applicable from the General Plan EIR.

Senior Planner Berry stated that the next step is to bring the Planning Commission's recommendations to the City Council and is tentatively scheduled to go to the City Council in September.

Senior Planner Berry stated that staff recommends that the Planning Commission, open the public hearing; receive public testimony; discuss the issues; close the public hearing; and adopt Resolution No. PA-230516, recommending the City Council approve a Precise Plan of Design (PPD-240299), adopt Ordinance No. 750 to enter into a Development Agreement (DA-240243) with the applicant, and adopt the Addendum to the 2040 General Plan Environmental Impact Report (SCH No. 2021050450).

CHAIR MEDAWAR asked if this project would apply to the housing RHNA numbers. Director Naughton stated that once the units are built and operational, then the units will be included in the annual report to HCD.

COMMISSIONER REPP-LOADSMAN stated that she likes the design of the project but expressed her concern with the public benefit versus the private gain. She stated that a 50% density bonus is significant. The public parking has benefit but it is also mutually beneficial parking, and the plaza is a public benefit but is also in an area that would have been opened anyway to provide access to the apartments. She also commented that the provision for 15% of affordable housing at a moderate level would have been required to be more significant if the applicant had used the State density bonus law, unless it were very low- or low-income.

COMMISSIONER REPP-LOADSMAN inquired about the gate to the second floor. Senior Planner Berry stated that it is her understanding that there will be a stop mechanism upon entering the driveway, but once they enter there will be a gate that only residents can access.

COMMISSIONER REPP-LOADSMAN inquired about some aisles that have dead ends and whether end stalls have been widened to provide adequate turnaround.

COMMISSIONER NICKLAS inquired about who put the value of \$4.4M to the public benefits. Senior Planner Whitney stated that an appraisal was done by an independent appraiser who was retained by the applicant and vetted by staff.

COMMISSIONER SCHACHTER commented that he does not see how 85 parking stalls equates to a \$4.4M benefit to the public.

COMMISSIONER YOO asked about ease of access for the public to those parking spaces. Senior Planner Whitney stated that staff is envisioning that the spaces would be available to the public the same as other commercial parking spaces that are open to the public, which includes no overnight parking and coordination with the City to facilitate community events. Staff will work with the applicant on their parking management plans.

Assistant City Attorney McEwen stated that there will be an additional parking restriction that will be developed between the parties to address how the public parking will be set aside for the public.

VICE CHAIR OLSON asked what impact this project will make on the overall parking for the Peninsula Center. Director Naughton stated that property ownership executed a lot line adjustment in 2019, which separated this two-acre parcel and determined that both parcels were fully contained for their parking needs.

VICE CHAIR OLSON questioned the benefit of having 85 parking spaces at this development when there is no community facility nearby.

Director Naughton stated that Resolution 2531 that the City Council adopted in concert with the ordinance that adopted the Community benefit Density program, did specifically call out public parking as a community amenity. Also, once a project utilizes one of these benefits no future projects can utilize it. She added that Norris Theatre is in the nearby vicinity, which provides a community benefit in the arts; the City also holds events at the Norris Pavilion and in the nearby area.

Further discussion ensued about the parking spaces.

COMMISSIONER YOO asked about the community benefit of the public plaza. Senior Planner Whitney provided a rendering which is an arcade area with seating and does not include the patio area outside of the leasing office.

VICE CHAIR OLSON expressed his concern with the actual height of this structure. He also inquired about a traffic study, which could take Silver Spur Road to one lane of traffic with pedestrian walkways, a bikeway, and diagonal parking and stated that this project would eliminate the possibility of doing this without causing extreme congestion. Director Naughton stated that this was in reference to the visioning portion in the Land Use Element of the General Plan and that those changes would require a combined project with the City of Rancho Palos Verdes, and at this time there are no future capital improvement plans that include any roadway changes that are planned.

In response to a question by VICE CHAIR OLSON, Director Naughton stated that she could not determine the impacts of the project on future potential of changes to Silver Spur Rd., since there has been no traffic impact analysis done to make such a conclusion.

COMMISSIONER SCHACHTER made a motion, seconded by COMMISSIONER REPP-LOADSMAN to,

OPEN THE PUBLIC HEARING

There being no objection, CHAIR MEDAWAR so ordered.

Jeff Axtell, Vestar, stated that he has been a resident of Palos Verdes Peninsula for 59 years. He bought the Peninsula Center in March of 2014 and was personally involved in the project due to his history of living on the Peninsula and watching the changes with the mall and how it was run.

Mr. Axtell stated that he began working with staff on this project five years ago and in 2023 had the first look meeting with Council. One important factor was how to generate connectivity between the two projects and adding housing. The project was put on hold during the development of the General Plan Update so that they could respond to the new General Plan process. He stated that the project responds to what the City Council approved in terms of the density bonus program.

Mr. Axtell stated that the affordable housing was a specific request by the City Council to add housing for the people who working the community, such as teachers, police officers, and fire fighters; the affordable housing number was increased to accommodate that request. He added that he also worked to connect with pedestrian linkages and provide a place to sit and relax.

Mr. Axtell stated that when the Norris Theatre lost their parking, they allowed them to use the lower parking level on multiple occasions until the Norris Theatre was able to finalize an agreement with the Promenade. As part of the density bonus program, these 85 spaces, which are now private, will be available for public use. The public parking would be available to the Norris Theatre for overflow parking when they need it; there is also the street fair, and other events that are held at the Norris Theatre. The residential parking is completely gated, secured, and separate from the 85 public spaces.

COMMISSIONER NICKLAS asked about the duration of the development agreement, which is ten years with two five-year extensions. Mr. Axtell stated that if they are making a significant investment in the property, they need to know that the things that they are bargaining for now will remain in place; he stated that investors don't want to have the rules changed on them over time.

COMMISSIONER REPP-LOADMAN stated that she is pleased that Vestar is here and she is familiar with some of their other projects and has had conversations with his firm in the past. She expressed her concern related to affordable housing due to the substantial 50% density bonus and in exchange Vestar is offering nine affordable units at the moderate level and only for a 20-year term. She asked if they would accept a 30-year term for affordability.

Mr. Axtell stated that going from a 30-year term to a 20-year term allows the investor group to start recouping that investment on an earlier basis and it would not be financially feasible to move forward on this project without the density bonus program and going longer than 20 years.

COMMISSIONER REPP-LOADSMAN stated that according to Vestar's numbers, they are showing an \$11.3M value from the twenty-one additional units. Mr. Axtell responded that the cost of construction for this project is very expensive. COMMISSIONER REPP-LOADSMAN commented that it is hard to believe that this project does not add up and stated that adding an additional ten years is not an unreasonable request.

COMMISSIONER SCHACHTER asked about section 8.2 of the development agreement. City Attorney McEwen clarified that this is a provision stating that the land use approvals run with the land.

COMMISSIONER ROMANELLI inquired about impacts to infrastructure when it relates to all of the utilities and stated that the resolution only mentions Cal Water. Mr. Axtell stated that this is a question for the civil engineer and their dry utilities consultant. He stated that it is his understanding that they will submit the project to all of the utilities, and the utilities provide a letter stating that they either have the capacity or let them know what they need to do to get the service for their project.

COMMISSIONER ROMANELLI requested that the resolution be amended to include all of the utilities. Director Naughton stated that the resolution can be amended to include all of the utilities.

COMMISSIONER ROMANELLI stated that the plan includes trees, foliage, ground cover, and vegetation and asked if the applicant can be required to provide a landscape plan for review by the Park and Activities Commission. Director Naughton stated that all of the landscaping for this project is on private property with the exception of three street trees and stated that staff is coordinating whether these trees would warrant review by the Park and Activities Commission.

Paul Kearney, MVE Architects, stated that there are two commercial entries off of the back of the project that circulate cleanly through the commercial parking. The two entries from Norris Center and the side street provide entries to the residential portion of the garage. He stated that on the second floor there are approximately three drive aisles that have dead end conditions, and they are going to be assigned to residents and would not need a dedicated terminal. Nevertheless, they will be providing adequate space behind those stalls on the aisle from two to five feet.

A brief discussion ensued on the parking entries and public parking access.

COMMISSIONER SCHACHTER asked if the overall height of the project could be reduced. Mr. Kearney stated that they are dealing with meeting the requirement for adequate ceiling height within the residential units including ducting, electrical, and plumbing lines. He added that the addition of the pitched roof and tower elements help with massing relief and bring the building to sixty-eight feet.

Paul Moilanen, RHE Resident, stated that 1-bedroom units could be occupied by two people and are only required to have one parking space and commented that it should be higher. He also expressed his concern about traffic and stated that the transportation assessment projected a 0.4% per year traffic growth and stated this from his observation it is much higher. He also added that the traffic assessment should extend further than the intersections surrounding this project and should include the major arterial roads. Mr. Moilanen commented that the public plaza does not seem like much of a public plaza.

COMMISSIONER ROMANELLI asked if the traffic included in the staff report takes into consideration any of the upcoming projects. Senior Planner Berry stated that the Supplemental Transportation Assessment, Section 2.10.2 related projects traffic generation would be for properties that has received entitlement(s). Based on this, there are no related projects identified within the city of Rolling Hills Estates or neighboring jurisdictions for the vicinity and a project such as 927 Deep Valley Drive would be included as part of those calculations.

Jill Trimmingham, RHE Resident, stated that she commends the Planning Commission on the questions tonight and feels like it's her voice. She commented that 155 parking spots for 90 units does not accommodate two parking spots per unit, which typically in California there are at least two people per household driving cars. She believes that the public parking will be residents and

guests and will not really benefit the City. Ms. Trimmingham stated that when it relates to sustainability, the State is moving away from gas and suggested that it be all electric and asked what the impact will be on the grid with electric charging stations. She also asked for clarification about the parking spaces for the Norris Theatre.

COMMISSIONER ROMANELLI made a motion, seconded by VICE CHAIR OLSON to,

CLOSE THE PUBLIC HEARING

There being no objection, CHAIR MEDAWAR so ordered.

COMMISSIONER SCHACHTER responded to Mr. Moilanen's question about parking spaces per unit and stated that these are already set by code.

COMMISSIONER REPP-LOADSMAN stated that she believes that changes to State law allow properties with affordable housing to separate the rental of the parking spaces from the units and asked if this will be offered for this project. Secondly, she asked to see the parking details for the dead-end areas. She also inquired about the Variance for the neighboring property and what the parking would be if it was required to meet current code and would like to see what the Norris Theatre differential is, between what they have and what they would need, if they did not have a parking agreement. In addition, since the public parking will benefit the Norris complex and there is a sidewalk being provided that leads up the hill to the parking; there should be a dedicated pathway for pedestrians and ADA accessibility.

COMMISSIONER REPP-LOADSMAN asked for the applicant to provide the market rate versus the moderate rate for the units. She also stated that she would like to see a 30-year term for affordable housing.

COMMISSIONER YOO stated that is difficult to weigh the value to the public for the density bonus and expressed his concern with the \$4.4M valuation for 85 parking spaces. He also believes that the plaza would exist anyway and naming it a community benefit does not make it so. He does not see that the value to the public balances with the benefit for the applicant.

COMMISSIONER SCHACHTER agreed that he does not see the value of \$4.4M for 85 parking spaces and the plaza and how it equates to fair market value for the community.

VICE CHAIR OLSON stated that he likes the overall project but does not see the benefit to the City of \$4.4M for 85 parking spaces. Norris Theatre is attached to a large parking structure and does not believe that the 85 parking spaces will ever be used. He added that if the City needed 85 parking spaces, the structure could be built at another location for less money.

COMMISSIONER NICKLAS stated that he does not believe that the City is getting the value of the density bonus for the community benefit. He also expressed his concern with traffic not only with this project but also the other future projects coming to the City.

COMMISSIONER ROMANELLI stated that the utilization of the current parking lot that serves Fitness 19 and the other commercial locations is almost always halfway full. He suggested doing a study on how it is being used today.

CHAIR MEDAWAR stated that the Planning Commission consensus is that it is a good project but there are concerns with the valuation of the public parking and the community benefit.

COMMISSIONER REPP-LOADSMAN stated that a parking demand analysis is needed. She stated that the plaza is a small area and most of it would have been there anyway and asked what else could be done in terms of affordable housing to address community benefit.

In response to a question by CHAIR MEDAWAR, Director Naughton stated that the Planning Commission has the option to recommend to the City Council that they deny the project. The commission could continue the item but stated that the applicant has met the requirements of the ordinance for obtaining the 50% bonus development.

COMMISSIONER REPP-LOADSMAN stated that she believes that the City Council felt that the project was appropriate for further analysis both for the CEQA analysis and for the project to be forwarded to the Planning Commission.

COMMISSIONER REPP-LOADSMAN made a motion, seconded by COMMISSIONER SCHACHTER to,

CONITNUE THIS ITEM TO THE NEXT PLANNING COMMISSION MEETING AND THAT THE APPLICANT ADDRESS THE COMMENTS THAT WERE MADE AND TO PROVIDE

REVISIONS AS APPROPRIATE AND FOR STAFF TO PROVIDE SUPPLEMENTAL INFORMATION AS IT RELATES TO THE NORRIS THEATRE AND NORRIS PAVILION AS WELL AS THE VARIANCES THAT MAY APPLY TO THE ADJOINING PROPERTIES TO PROVIDE A BETTER IDEA ABOUT THE PARKING SUPPLY/DEMAND ANALYSIS.

Mr. Axtell confirmed with Director Naughton that to qualify for the density bonus the applicant has to exceed 25% in terms of the valuation. The valuation that they received for the public parking is three times what is required. The Norris Theatre used their parking lot numerous times during the time that they were working out their parking agreement with the Promenade. He stated that the appraiser was a third party vetted by the City. If they go back and the valuation is half of what it is now, they still exceed what is required per the City's ordinance.

A discussion ensued about the motion.

Director Naughton asked for clarification on the items that the Planning Commission is requesting from staff.

COMMISSIONER REPP-LOADSMAN requested that staff provide the parking Variance so that the Planning Commission could have a better understanding of the deficiencies that were allowed by the parking Variance; the parking requirement for the Norris Theatre and the Norris Pavilion and to compare that with the 110 spaces in their parking agreement and to understand other public events that may use the parking.

COMMISSIONER REPP-LOADSMAN requested that the applicant provide information regarding whether the parking will be linked to the units or if they will be leased separately; evaluate the site plan to provide an extension to the sidewalk so that it comes from the current sidewalk to the parking lot; on the second level parking to provide how much space there will be for the dead end areas; share the market rates versus the moderate rates; and, consideration for affordability covenants from twenty years to a longer period (suggested 30-years); and a condition of approval related to the utilities.

Director Naughton stated she believes that the Norris Pavilion is deficient 89 parking spaces.

(Vote for above motion)

AYES: MEDAWAR, OLSON, NICKLAS, ROMANELLI, REPP-LOADSMAN, SCHACHTER, YOO
NOES:
ABSENT:
ABSTAIN:

Director Naughton stated that Planning Application No. 230516 has been continued to the adjourned Planning Commission meeting on Tuesday, September 3, 2024.

COMMISSIONER YOO asked about the rights for the applicant regarding appealing the Planning Commission's decision. Attorney McEwen stated that there was no final decision; however, when a final decision is made then an announcement regarding the right to appeal is announced at the meeting.

8. NEW BUSINESS ITEMS

A. ESTABLISHMENT AND ADMINISTRATION OF AN AFFORDABLE HOUSING MONITORING PROGRAM CITYWIDE

Director Naughton provided a presentation with an overview of the establishment of an affordable housing monitoring program. She provided a brief overview of the City's RHNA allocation number, which is 191 units; this is a number that the City needs to plan for, not build. The City provides annual housing reports to HCD, which track the City's progress on meeting the RHNA numbers. The City does not have issues meeting the number rather it is in meeting the affordability levels; currently the City has been meeting the affordability levels by way of ADU's.

COMMISSIONER NICKLAS asked for clarification on which it is involved with planning for housing. Director Naughton stated that it begins with the General Plan/Housing Element and then continues through the Zoning Code update, which implements the long-range vision. She further explained that although the State requires cities to plan for housing, there are penalties if there is no progress, and units are not being built. Cities are obligated to do outreach, providing incentive to builders to facilitate building of these units.

A brief discussion ensued.

Director Naughton provided an overview of some of the measures the City has taken to prepare

for this program. Staff is currently drafting the objective design guidelines in preparation for any applications that are requesting 30 du/acre in the commercial district.

Director Naughton provided an overview of some of the proactive approaches the City has taken in order for the City to meet the changes in State law in regard to housing. Some of which are the City's Bonus Level Development program, the new Institutional Workforce Housing Overlay District which would allow for workforce housing, and the City's ADU program.

Director Naughton provided a slide on AB 423, which is the State's streamlined ministerial review process, which the City is exempt from, due to the progress in RHNA allocation in meeting the levels of affordability through the ADU program.

Director Naughton stated that the City's Housing Element recommends that staff study the possibility of adopting an inclusionary ordinance, where a City would require a certain level of affordability for any residential project with a certain number of units, and anything above that level, would fall under the State's Density Bonus program. Aside from adopting an inclusionary ordinance, the City could choose to establish a separate affordable housing program.

Director Naughton stated that if the City had a project that includes an affordability component, then there would need to be a covenant recorded. The agreement would memorialize the project's affordable housing obligation; affordability would be protected through deed restrictions.

Director Naughton provided an overview of what would be included in the affordable housing agreement. Once a project is constructed and the affordable housing agreement in place, City staff will need to ensure that the affordable housing units are constructed and that they remain affordable and occupied by eligible households at rents and sales prices for the duration of the affordability period.

Director Naughton stated that staff is in the process of researching how other cities are administering their affordable housing programs and have also reached out to the Los Angeles County Development Authority for any standardized procedures for local cities to utilize but noted that there is nothing available in the County and this may be the case statewide.

COMMISSIONER REPP-LOADSMAN suggested that staff reach out to the SBCCOG to see if they are still looking for a regional housing authority. Director Naughton stated that the housing trust is not yet funded.

Director Naughton stated that she has found that cities are self-reporting and do a once-a-year inspection.

In response to a question by COMMISSIONER ROMANELLI, Director Naughton stated that the program will need to be operated utilizing existing staff resources.

Director Naughton stated that staff will continue to research the program design options, reach out to the County and other cities on programs, and return to the Planning Commission within six months with additional details and options for program design.

Director Naughton recommended that the Planning Commission receive and file this item.

The Planning Commission received and filed this item.

9. COMMISSIONER ITEMS

CHAIR MEDAWAR stated that the issue on Silver Saddle is being handled at a staff level.

10. DIRECTOR ITEMS

NONE

11. MATTERS OF INFORMATION

A. CITY COUNCIL ACTIONS, JULY 9, 2024

The Planning Commission received and files item 11A.

12. ADJOURNMENT

CHAIR MEDAWAR adjourned the meeting at 10:05 p.m. to the next adjourned Planning Commission meeting on Tuesday, September 3, 2024 at 7:00 p.m. in the City Hall Council Chamber, 4045 Palos Verdes Drive North, Rolling Hills Estates.

Respectfully submitted by,

Approved,

Carol Corea, Administrative Analyst

Robert Medawar, Chair