



**City of Palos Verdes Estates  
City Council Agenda & Staff Reports**

**DISCLAIMER**

The following City Council agenda includes text only version of the - reports associated with the business matters to be brought before for the City Council at its Regular Meeting of this date. Changes to the - reports may be necessary prior to the actual City Council meeting. The City Council may elect to delete or continue business matters at the beginning of the City Council Meeting. Additionally, - reports attachments, including but not limited to, pictures, plans, drawings, spreadsheet presentations, financial statements and correspondences are not included. The attachments are available for review with the official agenda package at the Reception area at City Hall as well as the Malaga Cove Public Library.

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**[\\*\\*CLICK HERE FOR CITY COUNCIL AGENDA & - REPORTS](#)**

January 22, 2008  
7:30 P.M.

City Hall  
Council Chambers

**AGENDA  
OF A REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF  
PALOS VERDES ESTATES, CALIFORNIA**

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to three (3) minutes. Anyone wishing to address the City Council must fill out a green speaker's card available at the end of each row in the Chambers. The card permits the City to identify persons for purposes of City Council minute preparation. Please see specific agenda sections below for any other requirements related to meeting participation. The City Council, at the direction of the Mayor with concurrence of the Council, may modify the order of items shown on the agenda.

**NEXT RESOLUTION NO. R08-01  
NEXT ORDINANCE NO. 08-683**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL****MAYOR'S REPORT – Matters of Community Interest****CONSENT AGENDA (Items #1 – 9)**

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember, staff, or member of the public requests that an item be removed for separate discussion, with the exception of Planning Commission Actions – Item #9a-c. An applicant or interested citizen who wishes to appeal any Planning Commission decision may file an appeal with the City Clerk's office within 15 days after the date of the Planning Commission's decision.

Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.

1. Minutes of City Council Meeting of January 9, 2008

**Recommendation: Review and File.**

2. Monthly Treasurer's Report – December, 2007

**Recommendation: Receive and File.**

3. [Monthly Financial Report – December, 2007](#)

**Recommendation: Receive and File.**

4. [PW-517-06; Completion of Contract for Construction of FY 06/07 Sanitary Sewer Rehabilitation Program: Lining Project](#)

**Recommendation: It is recommended that the City Council accept as complete the construction contract PW-517-06; FY 06/07 Sanitary Sewer Rehabilitation Program: Lining Project in the amount of \$2,121,204.50; and direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder's office records the Notice of Completion, if no stop notices are filed.**

5. [PW-520-07; Completion of Contract for the Construction of Storm Drains #18 and #19](#)

**Recommendation: It is recommended that the City Council accept as complete the construction contract PW-520-07; Construction of Storm Drains #18 and #19 in the amount of \$894,040; and direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorders' office records the Notice of Completion, if no stop notices are filed.**

6. [PW-528-07; Completion of Contract for the Construction of the FY 07/08 Curb and Gutter Replacement Project](#)

**Recommendation: It is recommended that the City Council accept as complete the construction contract PW-528-07; Construction of the FY 07/08 Curb and Gutter Replacement Project in the amount of \$50,387; and direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorders' office records the Notice of Completion, if no stop notices are filed.**

7. Traffic Safety Committee Meeting Item of December 12, 2007 (part)

**Recommendation: It is recommended that the City Council receive and file and consider Traffic Safety Committee recommendation as part of Item #11 on this Agenda.**

- a. Residential Parking Permit Zone Near the Palos Verdes High School Campus Review

**Action: Recommended (4-0) that the Residential Parking Permit Zone size and hours be approved as recommended. Residents outside the proposed zone, especially those on the blocks of Yarmouth from Via Pacheco to Palos Verdes Drive West and of Via Pacheco from Yarmouth to Via Anacapa, should work with staff to have their blocks added to the zone prior to final approval.**

8. Parklands Committee Meeting Item(s) of January 14, 2008

**Recommendation: Review and Approve.**

- a. PC-284-08; Application to remove 1 Olive tree in the City right-of-way located adjacent to 1415 Via Arco.

Applicant: Patrick De La Torre  
1500 Paseo La Cresta  
Palos Verdes Estates, CA 90274

**Action: Approved (5-0). The applicant is responsible for all costs of the tree work, replacement tree and maintenance per City standard. The applicant is responsible to post a refundable \$500 deposit to the City 'Tree Bank' prior to any work.**

- b. PC-285-08; Application to remove one Black Acacia tree in the City right-of-way located adjacent to 4025 Via Largavista and replace the tree with the 'Designated Street Tree'.

Applicant: Eric and Gerri Nelson  
4025 Via Largavista  
Palos Verdes Estates, CA 90274

**Action: Approved (5-0). The applicant is responsible for all costs of the tree work, replacement tree and maintenance per City standard. The applicant is responsible to post a refundable \$500 deposit to the City 'Tree Bank' prior to any work.**

9. [Planning Commission Actions of January 15, 2008](#)

**Recommendation: Receive and File.**

- a. **NC-1310-07**; Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 2204 Via Acalones. Lot 1, Block 1652, Tract 7330.

Applicant: Frank J. Balogh  
23404 Dorset Place  
Harbor City , CA 90710  
Owner: Todd & Jane Tessler

**Action: Approved (5-0) with standard conditions.**

- b. **NC-1312-07**; Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 2113 Via Alamitos. Lot 15 and portion of Lot 9, Block 1652, Tract 7330.

Applicant: Jeffrey A. Dahl  
18681 Amalia Lane  
Huntington Beach , CA 92648  
Owner: Jon & Tishya Wren

**Action: Approved (5-0) with standard conditions and the following additional conditions: 1) City standard curb and gutter or rolled berm shall be installed per construction plans prepared by a registered Civil Engineer and approved by the City Engineer; 2) Provide a porch element extending south adjacent to Bedroom 5 that will not encroach on the front setback.**

- c. **M-654-07**; Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 844 Rincon Lane . Lot 9, Block 1, Tract 10536.

Applicant: Deborah Richie-Bray  
1728 S. Catalina  
Redondo Beach , CA 90277  
Owner: Mr. & Mrs. Kotoyantz

**Action: Approved (5-0) with standard conditions and the following additional condition: 1) All previous conditions apply.**

## COMMUNICATIONS FROM THE PUBLIC

This portion of the agenda is reserved for comments from the public on items which are NOT on the agenda. Due to state law, no action can be taken by the Council this evening on matters presented under this section. If the Council determines action is warranted, the item may be referred to staff or placed on a future Council agenda.

## PUBLIC HEARING

Appellants and/or applicants shall be provided five (5) minutes for presentation and rebuttal. All other persons addressing the City Council during public hearing shall be limited to three (3) minutes for comment.

10. [Request to Appeal Planning Commission Approval of NC-1306-07; Neighborhood Compatibility Application for Additions to the Single Family Residence Located at 2421 Via Pinale. Lot 9, Block 1621, Tract 6885](#)

Appellant: Mr. and Mrs. Philip H. Huff  
2425 Via Pinale  
Palos Verdes Estates  
Applicant: Russell E. Barto  
3 Malaga Cove Plaza, Suite 202  
Palos Verdes Estates  
Owner: Dr. & Mrs. Allen Rosen

**Recommendation: It is recommended that the City Council open the public hearing, receive public input, close the public hearing and make a decision on the application.**

## NEW BUSINESS

11. [Residential Parking Permit Zone Program Near the Palos Verdes High School Campus](#)

**Recommendation: It is recommended that the City Council review and approve the details and procedures enabling the potential establishment of a Residential Permit Parking Zone near the Palos Verdes High School campus.**

# Staff Reports

## 12. City Manager's Report

### DEMANDS

13. a. Authorize Payment of Motion #1 – Payroll Warrant of January 11, 2008
- b. Authorize Payment of Motion #2 – Warrant Register of January 22, 2008

**Recommendation: Authorize Payment of Motions #1 and #2.**

### MAYOR & CITY COUNCILMEMBERS' REPORTS

**ADJOURNMENT TO TUESDAY, JANUARY 30, 2008 , AT 6:00 P.M. AT PALOS VERDES GOLF CLUB, 3301 VIA CAMPESINA, FOR THE PURPOSE OF A JOINT MEETING WITH THE PLANNING COMMISSION.**

*This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, January 23, 2008 at 7:30 p.m. , and Wednesday, January 30, 2008 , at 7:30 p.m.*

## AGENDA ITEM

[Agenda Item:3](#)

[Meeting Date: Jan. 22, 2008](#)

## Staff Report Begins Here

TO: JOSEPH HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

SUBJECT: MONTHLY FINANCIAL REPORT - DECEMBER 2007

### Revenues

Total general fund revenue is showing 0% deviation from expected, after receipt of the December property tax allocation, while total operating revenues are still running 3% behind expected. Part of this is a timing issue in that the December allocations from Los Angeles County for Prop A & Prop C transit taxes and the December allocation from the State for gas taxes were not received until after January 1. We expect by February, which includes the next installment of fire tax receipts, total operating revenues will also be in line with budget.

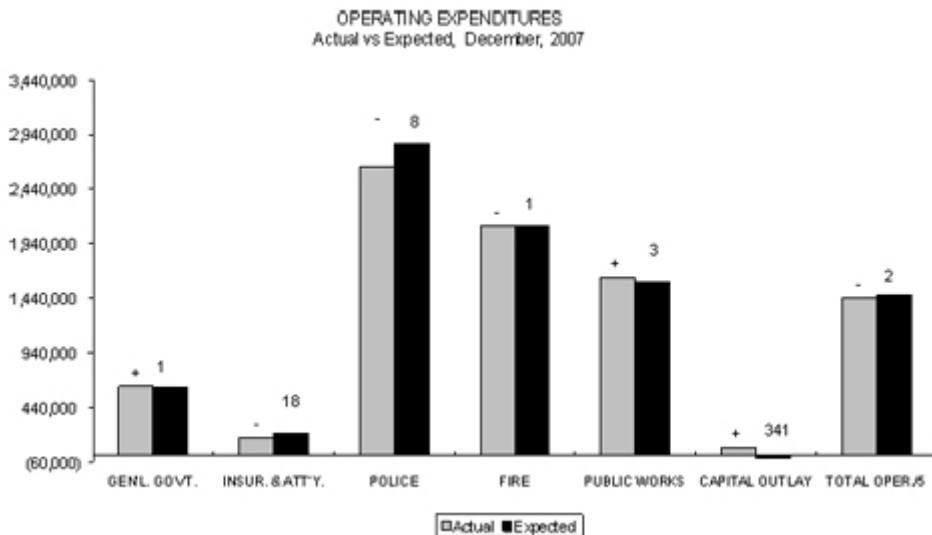
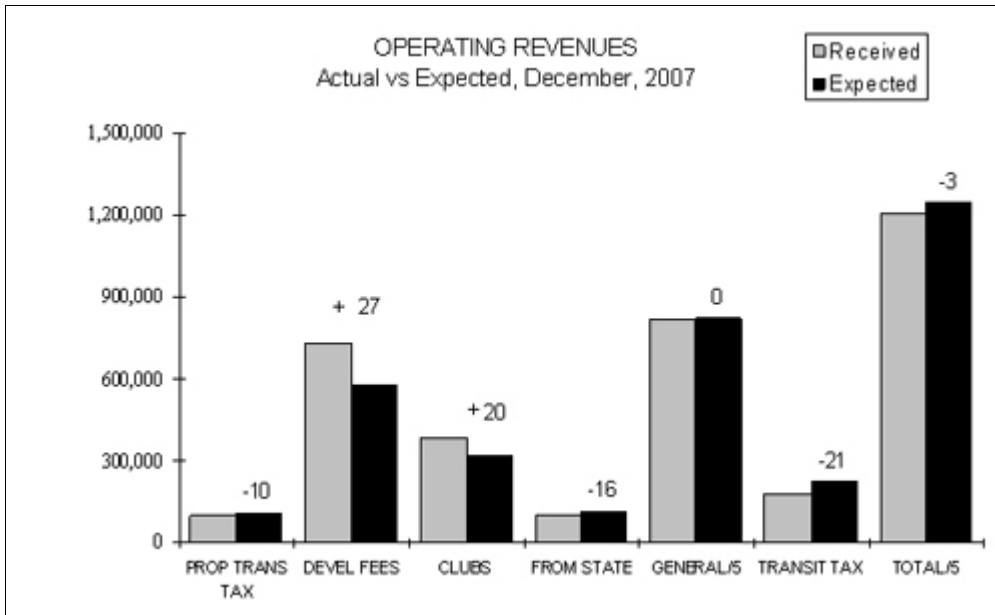
Within the general fund, development fees and concession revenues continue to show strength at 27% and 20% in excess of expected. Although for this budget, we had reduced anticipated revenue from property transfer taxes by \$15,000 compared to FY 06-07, November activity paid in December showed surprising strength compared to prior years and this category is only 10% behind budget. As stated previously, the category "Revenue from the State" will improve in January with receipt of more than \$500,000 representing the VLF backfill and sales tax.

### Expenditures

Total operating expenditures are 2% less than expected. Patterns established early in the fiscal year continue to carry through mid-year. None represents areas of concern.

Spot Reports

The December property tax remittance includes a deduction (charge) for the County's cost associated with property tax administration. The charge, permitted under SB 2557, which exempts school districts from this cost, has been an area of concern, especially when counties began adding revenue received under the VLF backfill and sales tax allocations as part of the values for which cities may be charged. Due to an error in the input of the VLF values, several L.A. County cities were charged an incorrect fee for SB 2557, including Palos Verdes Estates. We were aware of this the day remittances were distributed (December 19th) but it took several days for clarification from the County on what had occurred. Our SB 2557 fee in 2006-07 totaled \$79,000; this year's fee totaled \$253,362. The County advised our shortfall of \$165,319 would be paid to us in January. While likely a minimal amount (~\$500), the City Treasurer and I plan to submit a claim for lost interest on the underpayment from the County. I have been advised other cities adversely affected are planning the same claim.



**AGENDA ITEM**

[Agenda Item:4](#)

[Meeting Date: 1/22/08](#)

## **Staff Report Begins Here**

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**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**

**SUBJECT: PW-517-06; COMPLETION OF CONTRACT FOR CONSTRUCTION OF FY 06/07 SANITARY SEWER REHABILITATION PROGRAM: LINING PROJECT**

**DATE: JANUARY 22, 2008**

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### **Introduction**

Should the City Council:

- 1) Accept as complete the construction contract PW 517-06; FY 06/07 Sanitary Sewer Rehabilitation Program: Lining Project in the amount of \$2,121,204.59; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed?

### **Background and Analysis**

On October 24, 2006 , the City Council awarded a Contract in the amount of \$2,052,526 to Sancon Technologies, Inc. for the construction of the FY 06/07 Sanitary Sewer Rehabilitation Program: Lining Project. This project is now complete, and has rehabilitated a total of 42,784 linear feet of sewer pipe: 41,738 linear feet of 8-inch pipe, 634 linear feet of 10-inch pipe, and 412 linear feet of 12-inch pipe.

Changes to the project which added to the final cost were as follows:

- Point repair work on Drawing #s 7, 17, 18, 34, 79, 86, 96, 107, 130
- Additional lining on Via La Selva between MH 235-1543 to MH 250D-1543
- Additional house connection lateral openings
- Night lining cost on Via Corta

Project deletions included 8-inch, 10-inch, 12-inch, and 15-inch pipe lining and related activities. Pipe lining deletions occurred because some pipes were already lined, some could not be lined due to bends within the pipes, and some pipe reaches were not as long as originally anticipated. Four change orders were issued for \$68,058.50; \$31,798.25; (\$10,302); and (\$20,876.16) which increased the total project cost to \$2,121,204.59 (3.4% greater than the original contract cost).

### **Alternatives Available to Council**

The following alternatives are available to Council:

1. Accept as complete the construction contract PW 517-06; FY 06/07 Sanitary Sewer Rehabilitation Program: Lining Project in the amount of \$2,121,204.59; direct the City Clerk to file the Notice of Completion; and release the balance of the retention 30 days after the County Recorder's office records the Notice of Completion, if no

stop notices are filed.

2. Decline to accept the project as complete.

### Conclusions and Recommendations

Staff recommends that the City Council:

- 1) Accept as complete the construction contract PW 517-06; FY 06/07 Sanitary Sewer Rehabilitation Program: Lining Project in the amount of \$2,121,204.59; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed.

### Fiscal Impact

The Fiscal Year 2007-08 budget contains \$3,173,310 allotted for sewer capital improvements. Staff estimates the following costs for the project:

Construction Costs	\$2,121,204.59
Inspection/Administration	\$196,217.00
Total	\$2,317,421.59

Therefore, there are sufficient funds available for the project.

Staff report prepared by:  
Floriza Rivera  
Public Works Department

## AGENDA ITEM

[Agenda Item:5](#)  
[Meeting Date: 1/22/08](#)

### Staff Report Begins Here

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR

SUBJECT: PW 520-07; COMPLETION OF CONTRACT FOR THE CONSTRUCTION OF STORM DRAINS #18 AND #19

DATE: JANUARY 22, 2008

### The Issue



Should the City Council:

- 1) Accept as complete the construction contract PW 520-07; Construction of Storm Drains #18 and #19 in the amount of \$894,040; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed?

### **Background and Analysis**

On March 13, 2007 , the City Council awarded a Contract in the amount of \$888,100 to Dominguez General Engineering Inc. for the completion of the Construction of Storm Drains #18 and #19.

This project increased storm drain system capacity on Paseo Del Mar and greatly improved the overall drainage in the area. Storm Drain #18 construction upgraded the existing Los Angeles County Municipal Transfer Drain (M.T.D.) 1715 under the Via Chino/Paseo Del Mar intersection from a 24-inch diameter pipe to a 48-inch diameter pipe. The new pipe extends from the Via Chino/Paseo Del Mar intersection and continues through and down the bluff to end in a new concrete energy dissipator at the bottom of the bluff.

Storm Drain #19 construction abandoned a 12-inch pipe located between 540 and 565 Paseo Del Mar that extended across Paseo Del Mar down to the bottom of the bluff. A new 24-inch diameter pipe was installed from the end of the existing pipe at the south curb line and routed east under Paseo Del Mar to join to Storm Drain #18 extension. Four catchbasins were also constructed.

Two change orders were issued for this project for additional concrete used in constructing catch basin local depressions, for one additional concrete pipe collar, and for additional asphalt on a walkway. The project has been satisfactorily constructed for the amount of \$894,040 (+0.7%).

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Accept as complete the construction contract PW 520-07; Construction of Storm Drains #18 and #19 in the amount of \$894,040; and direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed.
2. Decline to accept the project as complete.

### **Recommendation from Staff**

Staff recommends that the Council:

- 1) Accept as complete the construction contract PW 520-07; Construction of Storm Drains #18 and #19 in the amount of \$894,040; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed.

### **Fiscal Impact**

The FY 2006-07 budget allotted \$968,103 for the construction of Storm Drains #18 and #19. These are the costs for the project:

Construction Costs	\$894,040
Inspection/Administration	\$55,376
<u>Total</u>	<u>\$949,416</u>

The project budget is therefore sufficient to cover the total construction cost of \$949,416 shown above.

Staff report prepared by:  
Floriza Rivera, Public Works Department

## AGENDA ITEM

[Agenda Item:6](#)

[Meeting Date: 1/22/08](#)

### **Staff Report Begins Here**

**TO: JOSEPH M. HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR**

**SUBJECT: PW 528-07; COMPLETION OF CONTRACT FOR THE CONSTRUCTION OF THE FY 07/08 CURB AND GUTTER REPLACEMENT PROJECT**

**DATE: JANUARY 22, 2008**

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#### **The Issue**

Should the City Council:

- 1) Accept as complete the construction contract PW 528-07; Construction of The FY 07/08 Curb and Gutter Replacement Project in the amount of \$50,387; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed?

#### **Background and Analysis**

On October 10, 2006 , the City Council awarded a Contract in the amount of \$47,328 to Civil Works Corporation for the completion of the construction of the FY 07/08 Curb and Gutter Replacement Project. The project repaired curb, curb and gutter, or sidewalk in various locations throughout the City as requested by residents and deemed necessary by staff.

One change order was issued for the project, for \$3,059, to add residential curb on Via Nogales, City curb on Via Corta, and to delete curb and gutter that was not needed. The project has now been satisfactorily constructed for the amount of \$50,387 (+6.5%).

#### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Accept as complete the construction contract PW 528-07; Construction of the FY 07/08 Curb and Gutter Replacement Project in the amount of \$50,387; and direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed.
2. Decline to accept the project as complete.

**Recommendation from Staff**

Staff recommends that the Council:

- 1) Accept as complete the construction contract PW 528-07; Construction of The FY 07/08 Curb and Gutter Replacement Project in the amount of \$50,387; and
- 2) Direct the City Clerk to file the Notice of Completion, and release the 10% retention 30 days after the County Recorder 's office records the Notice of Completion, if no stop notices are filed.

**Fiscal Impact**

The FY 2007-08 budget has \$100,000 available for this project. These are the project costs:

Construction Costs	\$50,387
Inspection/Administration	\$3,056
<u>Total</u>	<u>\$53,443</u>

The project budget is therefore sufficient to cover the total construction cost of \$53,443 shown above.

Staff report prepared by:  
Floriza Rivera , Public Works Department

## AGENDA ITEM

[Agenda Item:9a-c](#)  
[Mtg. Date: 1/22/08](#)

## Staff Report Begins Here

**TO: JOSEPH HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PLANNING DIRECTOR**

**DATE: JANUARY 22, 2008**

**SUBJECT: PLANNING COMMISSION ACTIONS OF JANUARY 15, 2008**

The items attached were acted upon by the Planning Commission on January 15, 2008 .

The Council may, within fifteen days after the date of the decision on or before the first day following the first Council meeting after the date of the Planning Commission decision, whichever occurs last:

1. Confirm the action of the Planning Commission and grant or deny the application;
2. Set the matter for public hearing and dispose of it in the same manner as on an appeal; or
3. Amend, modify, delete, or add any condition of approval which the Council finds is not substantial under the circumstances relative to or affecting the property subject to the application for a development entitlement. Any determination of the Council

pursuant to this paragraph shall be conclusive and final.

In the event the Council does not take one of the actions specified above within the period of time required, the decision of the Planning Commission shall be final.

Recommendation:

Receive and file.

## AGENDA ITEM

[Agenda Item #: 10](#)

[Meeting Date: 1/22/08](#)

### Staff Report Begins Here

**TO:** JOSEPH M. HOEFGEN, CITY MANAGER

**FROM:** ALLAN RIGG, PLANNING DIRECTOR

**SUBJECT:** REQUEST TO APPEAL THE PLANNING COMMISSION'S APPROVAL OF NC-1306-07;  
NEIGHBORHOOD COMPATIBILITY APPLICATION FOR ADDITIONS TO THE SINGLE FAMILY  
RESIDENCE LOCATED AT 2421 VIA PINALE. LOT 9, BLOCK 1621, TRACT 6885.

**APPLICANT:** RUSS BARTO

3 MALAGA COVE PLAZA, SUITE 202  
PALOS VERDES ESTATES, CA 90274

**OWNER:**

DR. & MRS. ALLEN ROSEN  
2421 VIA PINALE  
PALOS VERDES ESTATES, CA 90274

**APPELLANT:**

MR. & MRS. PHILIP H. HUFF  
2425 VIA PINALE  
PALOS VERDES ESTATES, CA 90274

**DATE:** JANUARY 22, 2008

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#### **The Issue**

Should the City Council confirm the Planning Commission's approval (4-1, Chang dissenting) of NC-1306-07; Neighborhood Compatibility application for additions to the Single Family Residence located at 2421 Via Pinale, as conditioned?

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#### **Background and Analysis**

This is a Neighborhood Compatibility application for additions to the single family residence located at 2421 Via Pinale. The application proposes a 402 sq. ft. first floor addition and a 386 sq. ft. second floor addition. The project also includes a new 210 sq. ft. deck at the second floor and revisions to the existing front walkway. Total proposed floor area is 3,592 sq. ft. Total gross floor area proposed is 3,977 sq. ft. including the stairway (54 sq. ft.) and the covered patio at the first floor (331 sq. ft.). Maximum allowable floor area is 3,646.5 sq. ft. on this 7,293 sq. ft. lot. Building coverage proposed is 29.9% (30% maximum allowed) and total lot coverage proposed is 56.6% (65% maximum allowed). Maximum building height proposed at the addition is 22 ft. (30 ft. maximum allowed).

#### **History**

This project was originally reviewed by the Planning Commission on November 20, 2007. Concerns were raised regarding impact to existing views, the gross floor area, the impact to privacy, and the appearance of a slab wall from the east side of the proposed addition. It was suggested that the second story massing be softened by distributing the additional floor area across the rear of the existing house. Utilizing the space in the front courtyard was also suggested. The project was ultimately continued.

The project was modified and resubmitted for review at the Planning Commission meeting on December 18, 2007 . The design was approved with standard conditions and the following additional conditions:

1. All non-standard encroachments are to be removed.
2. A survey provided by a licensed surveyor is to be submitted to the City to verify building lot coverage
3. The east facing window in the kitchen is to be of translucent glass.
4. The north facing elements of the roof are to be hipped on both first and second story.

### ***Appeal***

The Planning Commission's decision has now been appealed by the neighbors, Mr. And Mrs. Philip H. Huff. The appeal purports that the proposed deck and floor area additions will impact the existing view of the library and the project as a whole is not compatible with the neighborhood.

The appeal application also includes correspondence from Tom and Tracy Nickl at 2429 Via Pinale. The Nickls indicate that the proposed project is not compatible with the neighborhood, will obstruct their library view, will set a precedent, and the addition will impact their privacy.

The appeal includes the appeal documents, the staff report, all supporting documents as presented to Planning Commission, and minutes from the December 18, 2007 Planning Commission meeting.

### **Correspondence Received**

Letters of concern received prior to the December 18, 2007 Planning Commission meeting are included for your review.

### ***Findings Required to Approve***

PVEMC Section 18.36.045 states that in order to approve a Neighborhood Compatibility application, the following findings must be made by the City Council:

- A. That the proposed development is designed and will be developed to preserve the greatest extent practicable the natural features of the land, including the existing topography and landscaping;
- B. That the proposed development is designed and will be developed in a manner which will be reasonably compatible with the existing neighborhood character in terms of scale of development in relation to surrounding residences and other structures;
- C. That the proposed development is designed and will be developed in a manner which will preserve to the greatest extent practicable the privacy of persons residing on adjacent properties; and
- D. That the proposed development is designed and will be developed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbor's existing views.

### **CEQA Status**

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

### **Alternatives Available to Council**

The following alternatives are available to the City Council:

1. Confirm the Planning Commission's decision to approve NC-1306-07; Neighborhood Compatibility application for additions to the Single Family Residence located at 2421 Via Pinale, as conditioned.
2. Confirm the Planning Commission 's decision to approve NC-1306-07; Neighborhood Compatibility application for additions to the Single Family Residence located at 2421 Via Pinale, with modifications.
3. Deny the Planning Commission 's decision to approve NC-1306-07; Neighborhood Compatibility application

for additions to the Single Family Residence located at 2421 Via Pinale, as conditioned.

### **Recommendation from Staff**

Staff recommends that the City Council open the public hearing, receive public input, close the public hearing, and confirm the Planning Commission's decision to approve NC-1306-07; Neighborhood Compatibility application for additions to the Single Family Residence located at 2421 Via Pinale, as conditioned.

Staff report prepared by:  
Stacey Kinsella  
Planning Department

## **AGENDA ITEM**

[Agenda Item #11](#)

[Meeting Date: 1/22/08](#)

### **Staff Report Begins Here**

**TO: JOSEPH HOEFGEN, CITY MANAGER**

**FROM: ALLAN RIGG, PLANNING AND PUBLIC WORKS DIRECTOR**

**SUBJECT: RESIDENTIAL PARKING PERMIT ZONE PROGRAM NEAR THE PALOS VERDES HIGH SCHOOL CAMPUS**

**DATE: JANUARY 22, 2008**

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### **The Issue**

Should the City Council review and approve the details and procedures enabling the potential establishment of a Residential Parking Permit Zone Program near the Palos Verdes High School campus?

### **Background**

**The reopening of Palos Verdes High School (PVHS) has created a variety of traffic related impacts on the streets surrounding the campus. Over the past 6 years the City has taken a variety of steps to mitigate the impacts as the impacts have grown with the increasing student enrollment.**

**The following summarizes the history of the traffic issues regarding the reopening of PVHS:**

- December 2001 – An initial study reviewing the reopening of PVHS includes an analysis of “Transportation/Traffic” was performed by Michael Brandman Associates. Out of seven categories reviewed in the analysis, the reopening was found to have “No Impact” in five categories, including parking, and a “Less Than Significant Impact” in two categories. Accordingly, no mitigation was found to be needed by the School District due to the reopening of PVHS.
- December 31, 2001 – The City Engineer prepared comments regarding the initial study and the findings. To quote, “We have serious concerns with the Transportation/Traffic analysis”. Six significant individual issues were raised concerning the technical accuracy of the report, the increased traffic volume analysis, and parking analysis. In summary, the City expressed concern that there would be very significant impacts not identified in the report.
- January, 2002 – The City procured speed and volume data for all streets surrounding PVHS prior to reopening in

order to have “background” data to compare against in the future.

- March 13, 2002 – A “Response to Comments” was received from Michael Brandman Associates, which included a response to the City’s December 31, 2001 comments. In summary, the School District’s consultant still felt there would not be any significant impacts that needed to be mitigated.
- May 2002 – LSA Associates, a consulting firm that provides traffic planning services, was hired by the District and prepared a report entitled the “Palos Verdes High School Circulation Plan”. The purpose of the report was to address issues that were not found to be significant in the Michael Brandman report, but “...that may become intrusive and a nuisance if left unchecked”. The plan includes 23 recommendations to mitigate impacts, as well as an implementation plan which recommends an Advisory Committee to be formed by the District, turn restrictions, and a Residential Permit Parking Zone (RPZ).
- October 2002, November 2003, October 2004, October 2005 the City’s Traffic Safety Committee reviewed the conditions around the school and found that minor mitigation was warranted and was implemented.
- November 8, 2006 - The City’s Traffic Safety Committee performed their annual review of traffic and parking around PVHS . The Committee heard numerous concerns from the public, in particular that they were not intimately involved in previous discussions between the School District staff and City staff. It was decided to form a special “Ad Hoc Committee to Examine Traffic Issues Around Palos Verdes High School”. It would be comprised of:
  - Ø Two members of the Traffic Safety Committee
  - Ø Two members of the School District
  - Ø Four residents in the vicinity of PVHS
  - Ø The City’s Police Chief

The City Manager and the Public Works Director were not named to the Committee, but would serve as support staff to the group.
- January 10, 2007 – The City Council adopted by resolution the charge of the Ad Hoc Committee. The City Council specifically excluded the establishment of an RPZ as an alternative to be considered by the Ad Hoc Committee.
- February 1, 2007 – The Ad Hoc Committee met and discussed a variety of mitigation measures. The Committee asked the School District members to return with a response to a memo prepared by the Public Works Director dated December 19, 2006 which identified six potential measures that would be implemented on the PVHS campus.
- March 1, 2007 - The Ad Hoc Committee met and discussed the response from the District. The Committee also discussed limiting parking on one side of the street on Chelsea , Thorley, Dalton , Pacheco, and Epping in order to maintain a wider area of asphalt for walkers, bikers, emergency vehicles, and other moving vehicles. The resident members are charged with meeting with other affected residents to determine which side of the street would be best for the restrictions and during what time period.
- March 22, 2007 – The Ad Hoc Committee met and the resident members report very little support for the parking restrictions. Instead, they report a high desire for an RPZ. The Ad Hoc Committee seems at an impasse and no future meetings are scheduled.
- April 4, 2007 – The City Manager met with the Superintendent of Schools and asked that the six potential measures identified previously by the City be reconsidered.
- May 17, 2007 – The City received a response from the School District agreeing to implement a variety of the measures.
- June 12, 2007 - The City Council directed staff to implement turn restrictions and parking restrictions in the vicinity of PVHS. Additionally, staff is directed to obtain proposals from traffic engineering firms for the design of an RPZ.
- July 10, 2008 – The City Council approved a contract with Katz Okitsu Associates, a traffic engineering firm, to develop the technical portion of an RPZ.
- August 1, 2007 - A scoping meeting was held at PVHS to receive public input on the design of the RPZ. Notices were sent to 500 residents near PVHS.

- On November 15, 2007 the preliminary design for the RPZ was presented to the Traffic Safety Committee and the public at a meeting held at PVHS.
- December 12, 2007 - The Traffic Safety Committee formally reviewed the preliminary design. They approved the following “technical” components of the RPZ:
  - **The RPZ will include residences one block from the school.**
  - **The hours of the restrictions north of the school will be Monday through Friday, 8 am until 3 pm .**
  - **The hours of the restrictions south of the school will be Monday through Saturday, 8 am until 5 pm .**
  - **Residences within the zone could voluntarily obtain two stickers to exempt two vehicles from the parking restrictions.**
  - **Temporary stickers could be issued to residences within the RPZ for special events.**

The streets within the zone are highlighted on the following exhibit:



The RPZ would not include the sides of the streets adjacent to the school, including the north side of Epping, the south side of Cloyden from Paseo Del Mar to Dalton, and the west side of Pacheco from Epping to Cloyden.

Please note that we would expect to remove the existing “No Parking” restrictions from Chelsea , Thorley, and Dalton if



the RPZ were implemented as the RPZ would obviate the need for these restrictions. In addition, we would no longer need the parking restrictions on the south side of Epping and the north side of Cloyden as non-residents would not be allowed to park in these areas, thus eliminating the need for the existing restrictions. Similarly, the zone would include the north side of Dalton from Pacheco to Palos Verdes Drive West, and the east side of Pacheco from Epping to Yarmouth where parking is currently not allowed.

At the meetings where the zone was presented, many residents both inside and outside the proposed zone spoke regarding their concerns. The most consistent concern was from the residents living outside the proposed zone who believe parking for the school will be relocated in front of their homes. Staff indicated that if the RPZ is eventually approved by both the residents living within the zone and the City Council, staff will monitor the surrounding streets to determine if the RPZ has created new parking problems. We also committed to developing a process for modifications to the RPZ to address these potential problems, such as adding additional blocks into the RPZ. A policy for adding additional blocks is attached to this report.

The Traffic Safety Committee did recognize two blocks adjacent to the currently proposed zone that they felt would be likely additions to the RPZ. The two blocks were Via Pacheco from Yarmouth to Via Anacapa and Yarmouth from Via Pacheco to the commercial zone. The Committee directed staff to assist the residents with the preparation of petitions to show the level of interest within blocks outside the original RPZ designated area.

We have received petitions from the second block of Dalton north of the school, the partial block of Via Anacapa from Via Pacheco to the commercial zone, and from the second block of Via Pacheco south of the school asking to be included in the initial RPZ. It is Council policy decision whether to modify the initial boundary to include these blocks, or to wait and see if impacts warrant these blocks to be included. A copy of the petitions are attached to this report.

Now that the Traffic Safety Committee has recommended approval of the size of the RPZ, the timing of the restrictions, and number of permits per residence, we are presenting the complete RPZ program to be reviewed by the Council.

## **Discussion**

Staff would like to make one suggestion regarding the Traffic Safety Committee's recommendations. It would seem that the hours of restriction north of the school could be limited to "School Days" as there is no real impact north of the school while school is not in session. This is not true south of the school where events are year-round on the sports fields.

Several of the important policy decisions regarding the final program for discussion by the Council are as follows:

### **Exemption Permit Costs/Durations:**

In concept, the City establishes permit fees only to recover the costs associated with the permit. The costs to the City for implementing the RPZ restrictions fall into two main categories – administration and enforcement.

In regards to administration costs, the cost for issuing permits is essentially the time spent for City staff to issue the permits. Some cities have found they can minimize costs to simply mail the permits to the eligible residences, rather than spending time meeting with residents, checking utility bills for eligibility, and collecting fees. Thus, there is no real administration cost. The cities of Torrance and Manhattan Beach are two such cities.

In regards to enforcement, the Police Department believes that with the current size of the RPZ, they would be able to provide enforcement without any additional staff. The costs of tickets issued would cover any additional overtime or administrative review costs. However, if administrative reviews of citations grew large enough, there could be a significant cost that would need to be recovered.

In summary, we would favor issuing the permits without any fee. We can track the number of administrative reviews and report back to the Council if they become excessive.

We would propose the permits be valid for one calendar year. New stickers would be mailed to eligible residences each year. The color of the sticker would match the business license sticker for ease of enforcement. If a sticker is somehow lost, a replacement sticker could be obtained from the City for a \$10 fee. Stickers would be numbered so that if "lost" stickers were recovered, the Police Department could proceed as appropriate with fraud or theft charges.

Temporary stickers would be available at City Hall for purchase by the residents within the RPZ. We would propose that these stickers have a price of \$1 per sticker per day, which is the norm amongst other cities with RPZs. We would develop policy regarding maximum numbers of temporary stickers per residence if there seems to be any abuse.

### **Format for Approving the RPZ:**

All cities we have researched with RPZs have a vote of the residents within the RPZ. The threshold for approval of the RPZ is a positive vote from typically at least 50% of the residents (not simply of the returned ballots). This is consistent with our adopted policy for the implementation of Traffic Calming measures. Some cities have a higher percentage of 66%. We have included the 50% threshold within the proposed program.

### **Process for Modifications to the RPZ:**

This has been a huge concern of the residents living beyond the current proposed limits of the RPZ. We have researched various modification programs in other cities, and propose that in order to have a street/block added to the program, a petition from over 50% of the property owners on a street/block be provided to the City Engineer. If the City Engineer finds the petition valid and that there are no functional issues, a "blind" vote of the property owners will be conducted. If approval from at least 50% of the property owners is achieved, the additional area is approved at a staff level and the action is reported to the Traffic Safety Committee. The process for removing a street/block is identical. We estimate the process would take from 4 to 6 weeks.

### **Exemption Procedure for Special Events:**

We are aware that the school and other groups do have periodic events which create a parking demand that cannot be accommodated on the campus and deserve special consideration. Example events would be the Peninsula Music Fair, graduation, and the football game with Peninsula High. We would process these as a Special Event Application, and during the event the RPZ restrictions would be temporarily lifted, with a maximum of 6 events per year. From a functional standpoint, the City crews would place a bag over the RPZ signs during the event.

### **Exemption for Vehicles Displaying a City Business License Sticker:**

Another concern expressed by the residents is the difficulty associated with parking for gardeners, maids, and other service providers. We have conferred with the City Attorney, and it would be appropriate to exempt vehicles displaying a city business license sticker. Within the proposed policy, we further clarify that the vehicle is only exempt if it is being parked with the RPZ for the purposes of serving a residence, and not for school commuting.

### **Recent Correspondence**

Since the beginning of the new year, the City has received a significant amount of additional correspondence regarding concerns with the RPZ. Copies of these (in chronological order) are attached to this report. It seems that there are three issues common to many of the emails and letters. We would like to address these:

#### **Where will the students park/ Will student cars be relocated onto my block farther from the school?**

It is impossible to know exactly what the students will do. We would expect that:

Some students will find other means of transportation, such as walking or carpooling.

- Some students will more fully utilize the parking along Epping which often has many open spaces.
- The Palos Verdes School District may renew their efforts to find additional parking spaces on the campus.
- A small number of students will park along the edges of the RPZ. We will need to wait and see if and where this creates a problem.
- Some students will utilize parking on Paseo Del Mar. As Paseo Del Mar is within our Coastal Zone, State regulations preclude the inclusion of this street in the RPZ. However, there has been a recent decision by the State regarding an RPZ in Santa Monica that does allow an RPZ in the Coastal Zone. However, in this case the RPZ is several blocks from the ocean, and Santa Monica City staff made the finding that the parking demand was not

related to beach access. Due to the fact that it is clearly evident that there is parking demand on Paseo Del Mar for beach access, we could not make the same finding.

If parking impacts become significant on Paseo Del Mar in front of the homes, we may be able to implement timed restrictions in front of the homes, shifting the parking along Paseo Del Mar to only be adjacent to the bluff top parklands.

### **What else can the school do?**

Various ideas have been presented to and by the School District to maximize parking on campus and to minimize the number of cars coming to the campus. Several have been implemented, such as additional paved areas on the campus, better use of the administration lot, carpooling, and additional striped parking stalls.

Some of the ideas that have been recommended over the review process but which have not been implemented are:

- Development of Lots C and D (school owned lots stretching between Palos Verdes Drive West and Via Pacheco.
- Removal of additional portables and development of the area into parking.
- Parking on the asphalt area designated for basketball courts.
- Capping the enrollment.
- Providing incentives for not driving to school.
- Development of additional parking at Campo Verdes (baseball fields on Palos Verdes Drive West )

Each of these items is entirely within the purview of the school, and have not been implemented to date.

### **Why does the area that gets to vote for the RPZ not include the area outside the zone that may receive the parking that gets relocated?**

As described earlier, the residents who would be able to vote are those who are within the RPZ. It is impossible to precisely determine where the students will begin parking if the RPZ is implemented, so there is no way to define these areas at this time. We have designed the procedures for adding additional blocks to allow those blocks to be included in a vote for their block, but not in the initial vote that does not include their block.

### **Conclusion**

The attached Palos Verdes High RPZ Program outlines the details of the RPZ and procedures for initial approval. In addition, we have created the Petition Form for additional streets to be included, or existing streets to be removed from the RPZ.

Please note that the results of the vote for the RPZ would come before the Council for final approval/implementation. The Council would need to adopt the program by Resolution. The Council is not obligated to adopt the RPZ even if a positive vote is achieved. If the RPZ is eventually implemented, the Council can direct staff to bring the RPZ back for review at any time.

### **Alternatives Available the Committee**

The following alternatives are available to the City Council :

1. Approve the details and procedures enabling the potential establishment of a Residential Parking Permit Zone Program near the Palos Verdes High School campus.
2. Approve the details and procedures enabling the potential establishment of a Residential Parking Permit Zone Program near the Palos Verdes High School campus with modifications.
3. Direct staff to perform additional research and/or modifications to the attached Residential Permit Parking Zone Program to be presented at a future meeting.
4. Decline to act.

### **Recommendation from Staff**

Staff recommends that the City Council approve the details and procedures enabling the potential establishment of a Residential Parking Permit Zone Program near the Palos Verdes High School campus.

Staff report prepared by  
Allan Rigg

## **PALOS VERDES HIGH RESIDENTIAL PERMIT PARKING ZONE PROGRAM**

### **Initial Size**

- 1) The initial Residential Parking Permit Zone (RPZ) is shown as Exhibit 1.

### **Procedures for Initial Approval**

- 2) A ballot will be sent to each property owner within the RPZ. The ballots will be numbered, but there will be no record which corresponds a ballot to a specific residence. The numbering is only performed to ensure the validity of the vote (only one vote per property owner).
- 3) Property owners will be given 30 days to return their ballot to City Hall.
- 4) Staff will report the results of the vote to the City Council at a regularly scheduled meeting. A vote of approval from at least 50% of the property owners within the RPZ, not simply 50% of returned ballots, will be deemed as an approval of the residents within the RPZ.
- 5) The City Council will decide by resolution whether or not to establish the RPZ.

### **Hours of Restrictions**

- 1) The hours of the restrictions north of the school, including Dalton from Via Pacheco to Palos Verdes Drive West, will be "No Parking" Monday through Friday, 8 am until 3 pm.
- 2) The hours of the restrictions south of the school will be "No Parking" Monday through Saturday, 8 am until 5 pm .

### **Exemption from Restrictions**

- 1) No vehicles may park on the streets within the RPZ during restricted hours unless said vehicles has an override "Hangtag" within it identifying the vehicle as being excluded from the parking restrictions, or has a temporary exemption sticker issued by the City, or has a current City business license sticker and is parked for the purposes of performing work at a residence in the RPZ.
- 2) Only the residents within the RPZ may obtain Hangtags.
- 3) Each residential household is allowed up to two (2) hangtags. The hangtag shall be prominently displayed in the front windshield of the eligible vehicle. Each tag is good for one calendar year.
- 4) Temporary stickers will be issued to residences within the RPZ for special events. Stickers are good for the day of the event.

### **Permit Fees**

- 1) There is no initial fee for an override hangtag. The fee for replacement of lost or stolen hangtags is \$10. The fee for temporary stickers is \$1 per sticker.

### **Modifications to Size After Implementation**

- 1) Residents fronting an eligible street may petition for residential parking restrictions on their block. Eligible streets are those that are contiguous to the existing Residential Permit Parking Zone (RPZ), not within the Coastal Zone, and within the boundary established within the LSA report. A block is defined as the length of street between two adjacent intersections or between an intersection and the termination of the street in either direction. Street frontages with commercial or high density residential uses are also not eligible for this program.
- 2) One or more sponsors (contact person) may circulate the petition form to all residents of the fronting properties on both sides the proposed block. If a resident is against being included in the RPZ, the word "OPPOSED" should be noted in the petition signature space. If the sponsor is unable to contact a resident "NO CONTACT" should be noted in the petition signature space with the days and times that the contact was attempted.
- 3) After at least one-half (50%) of the fronting property owners or residents on both sides of the proposed block have signed in support of being included in the RPZ, the contact person signs the perjury statement on each page of the petition, and submits the petition to the City Engineer. There is no fee to petition for installation of parking restrictions on a street within the program area.
- 4) The City Engineer will evaluate the petition and verify eligibility of the proposed block. Once verified, City staff will mail a ballot to each property owner within the proposed block. If at least 50% of the ballots are returned within 30days with a positive vote, staff will install signs in the neighborhood with the restrictions.
- 5) The process for removal of restrictions is the same as outlined above for adding restrictions.

