



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**

September 23, 2008
6:30 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. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. 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. R08-28
NEXT ORDINANCE NO. 08-687

CALL TO ORDER

CLOSED SESSION (6:30 p.m. – 7:30 p.m.)

- **Conference with Legal Counsel - Existing Litigation (2 cases)**
Pursuant to Government Code Section 54956.9 (a)
Young v. City of Palos Verdes Estates, Case No. YC057845
Gdowski v. City of Palos Verdes Estates, Case No. BS116541

CITY COUNCIL AGENDA
SEPTEMBER 23, 2008

At the conclusion of the Closed Session, the Council may reconvene to Open Session to take formal action on any item discussed, as it may be deemed appropriate.

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S REPORT – Matters of Community Interest

CONSENT AGENDA (Items 1 - 5)

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 #5a-d. 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 September 9, 2008

Recommendation: Review and File.

2. Resolution R08-27; Confirming the Planning Commission's Denial of NC-1327/GA-1433-08; Neighborhood Compatibility and Grading Applications for a New Single Family Residence Located at 2116 Via Rivera. Lot 5, Block 2204, Tract 7141

Recommendation: It is recommended that the City Council adopt Resolution R08-27 confirming the Planning Commission's denial of NC-1327/GA-1433-08; Neighborhood Compatibility and Grading applications for a new single family residence located at 2116 Via Rivera.

3. Parklands Committee Meeting Action Items of September 8, 2008

Recommendation: Review and Approve.

- a. PC-290-08; Application to remove 2 Carob trees located in the City right-of-way adjacent to 2220 Via Acalones for view enhancement.

Applicant: Libiano Investments, Inc.
705 Sunset Drive
Hermosa Beach, CA 90254

Action: Approved (5-0). The applicant is approved to remove 2 Carob trees adjacent to 2220 Via Acalones according to the ‘Standard Conditions For Tree Removal Approvals’. The replacement trees are 24-inch box size Purple Leaf Plums (*Prunus cerasifera* ‘Krauter Vesuvius’).

- b. PC-291-08; Application to remove one Monterey pine tree in the City right-of-way located adjacent to 3601 Navajo Place.

Applicant: Steve and Laurie Maslauski
3601 Navajo Pl.
Palos Verdes Estates, CA 90274

Action: Approved (5-0). The applicant is approved to remove 1 Monterey pine tree adjacent to 3601 Navajo Place according to the ‘Standard Conditions For Tree Removal Approvals’. The replacement tree is a 24-inch Jacaranda tree (*Jacaranda mimosifolia*).

- c. PC-292-08; Application to remove 1 Carob tree located in the City right-of-way adjacent to 708 Mexico Place for view enhancement.

Applicant: Richard J. Cohan
1612 Via Arriba
Palos Verdes Estates, CA 90274

Action: Approved (5-0). The applicant is approved to remove 1 Carob tree adjacent to 708 Mexico Place according to the ‘Standard Conditions For Tree Removal Approvals’. The applicant is responsible to pay \$500 to the ‘Tree Bank’.

- 4. Traffic Safety Committee Meeting Action Items of September 10, 2008

Recommendation: Review and Approve.

- a. Review of Angled Parking Design for Dalton Road and Via Pacheco between Cloyd Road and Epping Road

Action: Recommended that the issue be discontinued (4-0, Culler absent).

- b. Request for Guardrail at the Hairpin Curve on Via Campesina east of Via Ramon

Action: Denied (4-0, Culler absent).

- c. Request for a Westbound Stop Sign on Via Palomino at Via Colusa

Action: Recommended that staff 1) install a Yield sign on Via Palomino at Via Colusa and 2) bring the issue back to the Committee in six months for review (4-0, Culler absent).

- d. Request for Installation of Signage, Camera, and Striping on Palos Verdes Drive West
 - 1. A Stop Sign on Northbound Palos Verdes Drive West at Via De La Guerra
 - 2. A Speed Enforcement Camera on the Palos Verdes Drive West Median
 - 3. Signs Advising Walkers that They Cross the Drive at Their Own Risk
 - 4. Crosswalks on Palos Verdes Drive West from the End of the Walking Path on the Median to the East and West Sides of the Street

Action: Denied (4-0, Culler absent).

- e. Request for Signage and Striping near Lunada Bay Elementary School
 - 1. Signage on Via Anacapa near Paseo Lunado and near Via Sola
 - 2. Request for Re-Striping on Via Anacapa near Via Sola
 - 3. Request for Speed Bumps on Via Anacapa between Via Pacheco and Paseo Lunado
 - 4. Request for Red Curbs on Both Sides of Via Anacapa between the North and South Barrels of Paseo Lunado

Action: Recommended that staff 1) install signage on Via Anacapa near Paseo Lunado and near Via Sola, 2) install red curbs on both sides of Via Anacapa between the north and south barrels of Paseo Lunado, and 3) bring the issue back to the Committee in six months for review (4-0, Culler absent).

- f. Request for Reduction of the Speed Limit and Increased Speed Limit Enforcement on Palos Verdes Drive North from the Triangle Intersection to Via Valmonte

Action: Denied (4-0, Culler absent).

5. Planning Commission Actions of September 16, 2008

Recommendation: Receive and File.

- a. **NC-574R-08**; Consideration of a revised Neighborhood Compatibility Application for additions to the single family residence located at 4045 Via Valmonte. Lot 28 & a portion of Lot 29, Block 6319, Tract 6888.

Applicant: Stephanie Seitz
 400 W. 40th Street
 San Pedro, CA 90731
 Owner: John Lundberg & Cynthia Lee

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

- b. **NC-1325-08**; Consideration of a Neighborhood Compatibility Application for a new single family residence located at 4125 Via Solano. Lot 15, Block 6317, Tract 7143.

Applicant: Russell E. Barto
 3 Malaga Cove Plaza, Suite 202
 Palos Verdes Estates, CA 90274

Owner: Mr. & Mrs. Xenophon Glavas
716 S. Catalina #3
Redondo Beach, CA 90277

Action: Approved (5-0) with standard conditions and the following additional conditions: 1) A licensed survey of the building lot coverage shall be completed and submitted to the City to verify compliance with the approved lot coverage; 2) All non-standard encroachments including, but not limited to the existing brick sidewalk, shall be removed; 3) A standard urban stormwater mitigation plan approved by the City Engineer shall be prepared and implemented for the project; 4) The northerly wall be moved approximately 4 ft. on the second story.

c. **M-677-08;** Consideration of a Miscellaneous Application for after-the-fact approval of non-standard structures in the right-of-way adjacent to the single family residence located at 780 Via Somonte. Lot 2, Block 1540, Tract 6884.

Applicant/Owner: Kevin Theodora

Action: Denied (4-1, Evans dissenting).

d. **NC-1331/V-78-08;** Consideration of Neighborhood Compatibility and Variance Applications for additions to the single family residence located at 1600 Addison Road. Lot 20 & a portion of Lot 21, Block 1370, Tract 7140.

Applicant: Jeffrey A. Dahl
18681 Amalia Lane
Huntington Beach, CA 92648
Owner: James and Phyllis Czesak

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

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.

OLD BUSINESS

NEW BUSINESS

CITY COUNCIL AGENDA
SEPTEMBER 23, 2008

6. Request to Amend the FY 2008 Palos Verdes Tennis Club Capital Budget for Men's Locker Room Project

Recommendation: It is recommended that the City Council approve the amendment to FY 2008 Palos Verdes Tennis Club capital budget in the amount of \$25,000 for the men's locker room project.

STAFF REPORTS

7. **City Manager's Report**

DEMANDS

8.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of September 19, 2008
 - b. Authorize Payment of Motion #2 – Warrant Register of September 23, 2008

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

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO TUESDAY, OCTOBER 14, 2008, IN COUNCIL CHAMBERS OF CITY HALL.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Thursday, September 25, 2008 at 7:30 p.m., and Wednesday, October 1, 2008, at 7:30 p.m.*

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: RESOLUTION R08-27; CONFIRMING THE PLANNING COMMISSION'S DENIAL OF NC-1327/GA-1433-8; NEIGHBORHOOD COMPATIBILITY AND GRADING APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 2116 VIA RIVERA. LOT 5, BLOCK 2204, TRACT 7141.

DATE: SEPTEMBER 23, 2008

The Issue

Should the City Council approve Resolution 08-27 confirming the Planning Commission's decision to deny NC-1327/GA-1433-08; Neighborhood Compatibility and Grading applications for a new single family residence located at 2116 Via Rivera?

Background and Analysis

On September 9, 2008 the City Council conducted a public hearing to consider an appeal of NC-1327/GA-1433-08; Neighborhood Compatibility and Grading applications for a new single family residence located at 2116 Via Rivera.

After considering the facts and testimony, the City Council voted 4-0 (Goodhart absent) to deny the appeal and uphold the Planning Commission's denial of NC-1327/GA-1433-08; Neighborhood Compatibility and Grading applications for a new single family residence located at 2116 Via Rivera.

This resolution confirms that decision.

Alternatives Available to Council

The following alternatives are available to the City Council:

1. Approve resolution R08-27 confirming the Planning Commission's denial of NC-1327/GA-1433-08; Neighborhood Compatibility and Grading applications for a new single family residence located at 2116 Via Rivera.
2. Decline to act.

Recommendation from Staff

Staff recommends that the City Council approve resolution R08-27 confirming the Planning Commission's denial of NC-1327/GA-1433-08; Neighborhood Compatibility and Grading applications for a new single family residence located at 2116 Via Rivera.

Staff report prepared by:
Stacey Kinsella
Planning Department

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: SEPTEMBER 23, 2008
SUBJECT: PLANNING COMMISSION ACTIONS OF SEPTEMBER 16, 2008

The items attached were acted upon by the Planning Commission on September 16, 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.

TO: JOSEPH HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

SUBJECT: REQUEST TO AMEND THE FY 2008 PALOS VERDES TENNIS CLUB CAPITAL BUDGET FOR MEN'S LOCKER ROOM PROJECT

The Issue

Shall the City Council approve an amendment to the FY 2008 Palos Verdes Tennis Club (PVTC) capital budget in the amount of \$25,000 to supplement the current budget for the Men's Locker Room renovation project?

Analysis and Findings

The City has received a request from the PVTC for an amendment to the FY 2008 capital budget in the amount of \$25,000 for the men's locker room project, which is currently budgeted at \$50,000. After review of the project and solicitation of formal bids, the Club's Board of Directors approved the project of \$75,000 at their July 8th meeting. On July 29th, City Council liaisons Humphrey and Rea met with Club representatives to discuss the project, status of the capital fund and future capital requirements.

The FY 2008 capital budget totals \$85,500, with a projected ending capital balance (12-31-08) of \$62,000, including revenue of \$62,000 from new membership fees. Through June, revenue from new member fees and costs for completed/proposed capital projects were in line with budget.

The locker room renovation is cosmetic in nature (new flooring, painting, lighting, locker re-facing, shower and wall tiles and plumbing fixtures). Skylights or solar tubes are also proposed to brighten the locker area and reduce use of electricity for lighting. This men's locker room project follows a major renovation of the women's locker room that was completed in 2001.

In part, because of discussions with the liaisons, the Tennis Club has transferred \$25,000 of its undesignated operating balance to the capital fund to assist the financing of this project. The operating balance was \$282,000 as of the June 2008 Treasurer's report. The transfer leaves a balance of \$257,000, which represents an amount equal to 45% of the Club's 2008 operating budget (\$573,980). The purpose of the operating balance is to provide funds in the event of an unforeseen emergency, which is similar to the City Council's policy of maintaining a 50% general fund balance compared to the total operating budget. The liaisons are generally supportive of the project, especially in light of the Club's transfer to supplement the capital fund balance.

Alternatives Available to the City Council

1. Approve the amendment to FY 2008 capital budget.
2. Decline to approve the amendment.

Recommendation

It is recommended that the City Council approve the amendment to FY 2008 Palos Verdes Tennis Club capital budget in the amount of \$25,000 for the men's locker room project.

