

RESOLUTION NO. R22-20

A RESOLUTION OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION DECISION TO DENY NEIGHBORHOOD COMPATIBILITY, GRADING PERMIT, AND MISCELLANEOUS APPLICATIONS AT 2244 VIA ACALONES.

WHEREAS, on November 22, 2021 an application was submitted for the property located at Lot 10, Block 1635, of Tract Number 7330 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 2244 Via Acalones, Palos Verdes Estates, California ("the Property"). The application sought approval of Neighborhood Compatibility, Miscellaneous and Grading Permit applications; and,

WHEREAS, on December 21, 2021 and April 19, 2022, the Planning Commission conducted a public hearing on the matter, which hearing was duly and properly noticed. At such hearing the Commission received and considered documentary evidence including, but not limited to, a staff report and site plans and received and considered oral testimony from the applicant and others. The Commission further received information and considered information regarding environmental review of the application and has made the determination that the project is categorically exempt from the California Environmental Quality Act; and,

WHEREAS, following the conclusion of the public discussion and through deliberation of the subject matter, the Planning Commission determined by vote of 4 to 0, that Neighborhood Compatibility Application Number NC-1731-21, Miscellaneous Application Number M-1511-21, and Grading Permit Application Number G-1670-21, should be conditionally denied as set forth herein below; and

WHEREAS, on April 28, 2022, Jeffrey Dahl appealed the Planning Commission decision to conditionally approve a new single-family residence; and

WHEREAS, on June 14, 2022, the City Council held a duly noticed public hearing. At the public hearing, the City Council received and considered the written staff report which included the plans and visual presentation; written and oral testimony of the Appellant and others; and documentary evidence, including but not limited to, a staff report and minutes of the Planning Commission hearing.

WHEREAS, following the conclusion of the public discussion and through deliberation of the subject matter, the City Council determined by vote of 3 to 2, to deny the appeal and uphold the Planning Commission decision to deny Neighborhood Compatibility Application Number NC-1731-21, Miscellaneous Application Number M-1511-21, and Grading Permit Application Number G-1670-21 as set forth herein below; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, DOES HEREBY RESOLVE, AS FOLLOWS:

Section 1. Based upon the evidence presented, the City Council hereby finds and determines as follows:

1. Each fact set forth in the recitals above is true and correct.
2. Each fact set forth in the memorandum for Agenda Item Number, Meeting Date, June 14, 2022, from planning staff, presented to the City Council on said date, is true and correct.

Section 2. Pursuant to the foregoing recitations, the following findings are not made:

A. NEIGHBORHOOD COMPATIBILITY:

1. The proposed development is designed to preserve to the greatest extent practicable the natural features of the land, including the existing topography and landscaping;
2. The proposed development is designed in a manner which will be reasonably compatible with the existing neighborhood character in terms of scale of development and relation to surrounding residences and other structures;
3. The proposed development is designed in a manner which will preserve to the greatest extent practicable the privacy of persons residing on adjacent properties; and,
4. The proposed development is designed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbors' existing views.

B. GRADING:

1. The proposed grading will not unreasonably change the natural contours of the land;
2. The proposed grading will not create a hazard to the immediate or adjacent property; and
3. The proposed grading will not unreasonably interfere with the use and enjoyment of property by other persons in the City.

C. MISCELLANEOUS:

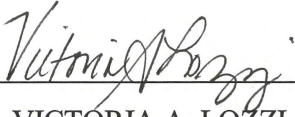
1. Any wall, fence or accessory structure not located in a minimum required setback adjacent to a public street which exceeds eight feet in height does not unreasonably affect any other property; and

2. Any wall, fence or accessory structure located in a minimum required setback adjacent to a public street which exceeds three feet, six inches in height does not unreasonably affect any other property.

Section 3. Pursuant to the foregoing recitations and findings, the City Council denies the appeal and uphold the Planning Commission decision to deny Neighborhood Compatibility Application Number NC-1731-21, Miscellaneous Application Number M-1511-21, and Grading Permit Application Number G-1670-21.


Section 4. The City clerk shall certify the passage and adoption of this Resolution.

APPROVED AND ADOPTED this 14th day of June, 2022.



VICTORIA A. LOZZI, Mayor

ATTEST:



KYLINN CHANEY, City Clerk

APPROVED AS TO FORM:



JOHN COTTI, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Kylynn Chaney, City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R22-20** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 14th day of June, 2022, by the following vote:

AYES: COUNCILMEMBERS: Lozzi, Murdock, Kemp

NOES: COUNCILMEMBERS: Roos, McGowan

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBER: None


Kylynn Chaney, City Clerk