

RESOLUTION NO. R22-35

**A RESOLUTION OF THE CITY OF PALOS VERDES ESTATES,
CALIFORNIA, UPHOLDING THE PLANNING COMMISSION DECISION
TO DENY NEIGHBORHOOD COMPATIBILITY AND GRADING PERMIT
APPLICATIONS AT 1520 PASEO LA CRESTA.**

WHEREAS, on December 13, 2021 an application was submitted for the property located at Lot 12, Block 4, of Tract Number 8043 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 1520 Paseo La Cresta, Palos Verdes Estates, California ("the Property"). The application sought approval of a Neighborhood Compatibility and Grading Permit applications; and,

WHEREAS, on June 21, 2021 and July 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, to prepare a Resolution of Denial of Neighborhood Compatibility Application Number NC-1738-21 and Grading Permit Application Number G-1674-22 based on the discussion of the Planning Commission determining that all required findings contained in Section 18.36.045(A)-(D) could not be met, and as set forth herein below: and

WHEREAS, on July 29, 2022, the Planning Commission determined by vote of 4 to 0, to adopt a Resolution of Denial of Neighborhood Compatibility Application Number NC-1738-21 and Grading Permit Application Number G-1674-22 based on the discussion of the Planning Commission determining that all required findings contained in Section 18.36.045(A)-(D) could not be met, and as set forth herein below: and

WHEREAS, based on the facts and circumstances presented to the Planning Commission, the Planning Commission further finds:

B. The proposed development is designed in a manner which will not be reasonably compatible with the existing neighborhood character in terms of scale of development and relation to surrounding residences and other structures; and

D. The proposed development is not designed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbors' existing views.

WHEREAS, on September 27, 2022, the City Council scheduled the appeal of the Planning Commission denial decision for public hearing; and

WHEREAS, on September 27, 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 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 5 to 0, that Neighborhood Compatibility Application Number NC-1738-21 and Grading Permit Application Number G-1674-22, should be denied based on the discussion of the City Council determining that all required findings contained in Section 18.36.045(A)-(D) could not be met and 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 15, Meeting Date, September 27, 2022, from planning staff, presented to the City Council on said date, is true and correct.

Section 2. Pursuant to the foregoing recitations, the City Council finds that all of the required findings contained in the Palos Verdes Municipal Code Section 18.36.045, including, but not limited to Section 18.36.045(B) and (D) cannot be met and, accordingly, a Neighborhood Compatibility application cannot be issued.


Section 3. Further, based on the facts and circumstances presented to the City Council, the City Council further finds:

B. The proposed development is designed in a manner which will not be reasonably compatible with the existing neighborhood character in terms of scale of development and relation to surrounding residences and other structures; and

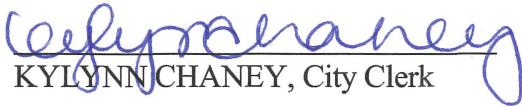
D. The proposed development is not designed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbors' existing views.

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

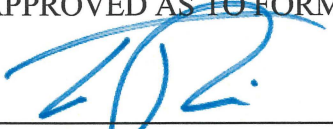
DENIED AND ADOPTED this 27th day of SEPTEMBER, 2022.


VICTORIA A. LOZZI, Mayor

ATTEST:


KYLINN CHANEY, City Clerk

APPROVED AS TO FORM:


TREVOR RUSIN, Interim City Attorney

CERTIFICATION

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

I, Kylynn Chaney, City Clerk of the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution No. **R22-35** was regularly approved and adopted at the regular meeting of the City Council on the 27th day of September, 2022, by the following vote:

AYES: COUNCILMEMBERS: Lozzi, Roos, Murdock, McGowan, Kemps

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

RECUSED: COUNCILMEMBERS


Kylynn Chaney, City Clerk