

RESOLUTION NO. R 00- 04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF PALOS VERDES ESTATES, CALIFORNIA, GRANTING  
AN APPEAL OF A DECISION OF THE PLANNING COMMISSION  
TO GRANT A NEIGHBORHOOD COMPATIBILITY APPLICATION  
AT 2329 CHELSEA ROAD SUBJECT TO SPECIFIED CONDITIONS

The City Council of the City of Palos Verdes Estates does resolve as follows:

Section 1. On October 8, 1999, an application (the "Application") was submitted for a neighborhood compatibility permit to permit construction of additions to a single family residence for the property located at Lot 13 of Block 2212 of Tract No. 6888 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 2329 Chelsea Road, Palos Verdes Estates, California (the "Property").

Section 2. At its November 16, 1999, meeting, the Planning Commission granted the Application, subject to specific conditions of approval, including but not limited to the requirement that curb and gutter be installed adjacent to the Property (the "Curb Condition").

Section 3. Within the time permitted by law, an appeal of the Curb Condition was filed by John Tulchin (the "Appellant").

Section 4. On January 12, 2000, the City Council conducted a public hearing on the matter, which hearing was duly and properly noticed. At such hearing, the Council received and considered an oral staff report and documentary evidence, including, but not limited to, site plans and minutes of the Planning Commission meeting, and received and considered oral testimony from the Appellant and others. The City Council further received considered information regarding environmental review of the application and the determination that the project is categorically exempt from the California Environmental Quality Act.

Section 5. Based upon the evidence presented, the City Council hereby finds and determines as follows:

- a. Each fact set forth in Section 1 through 4 above is true and correct.
- b. Each fact set forth in the memorandum for Agenda Item No. 11, Meeting Date 1/12/00, from Tim D'Zmura to James B. Hendrickson, presented to the City Council on said date, is true and correct.
- c. The geographic area within which the Property is located currently generally has rolled asphalt curbs, commonly referred to as "hollywood berms."

- d. A hollywood berm is an acceptable method of controlling run-off within a street, if engineered and maintained properly.

Section 6. Based upon the findings set forth herein, the City Council finds that the proposed development on the Property as conditioned in the conditions of approval attached hereto as Exhibit A, which conditions are hereby incorporated by this reference:

- a. Is designed and will be developed to preserve to the greatest extent practicable the natural features of the land, including the existing topography and landscaping;
- b. 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 and relating to surrounding residences and other structures;
- c. 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. Is designed and will be developed in a manner to the extent reasonably practicable so that it does not unreasonably interfere with neighbors' existing views.

Section 7. Based upon the findings and determinations set forth herein, as supported by the evidence considered in connection therewith, the City Council finds and determines that the appeal of the Planning Commission's grant of the Application subject to the Curb Condition shall be granted by eliminating said Condition, and that the Application shall be approved subject to the conditions contained herein.


Section 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 25 day of January, 2000.

  
EDMOND THOMPSON, Mayor

APPROVED AS TO FORM:

ATTEST:

  
JUDY SMITH, City Clerk

  
STEPHANIE R. SCHER, City Attorney

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

I, Robin Ford, Deputy City Clerk for the City of Palos Verdes Estate, California, do hereby certify that the foregoing Resolution **R00-04** 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 25th day of January, 2000, by the following vote:

AYES: COUNCILMEMBERS: Thompson, Turner, Flood, Humphrey,  
Mackenbach

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

  
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Robin M. Ford, Deputy City Clerk