

RESOLUTION NO. R 00- 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PALOS VERDES ESTATES, CALIFORNIA, GRANTING
APPROVAL OF AN APPLICATION FOR A
VESTING TENTATIVE PARCEL MAP FOR THE
SUBDIVISION OF 2413 VIA CAMPESINA

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

Section 1. On February 15, 2000, the Planning Commission considered an application (the "Application") for a vesting tentative parcel map (MAP-100-00) for the subdivision of the property located at Lot 5, Block 1617, Tract 6855 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 2413 Via Campesina, Palos Verdes Estates, California (the "Property"), to subdivide the Property into three (3) condominium units. The Planning Commission approved MAP-100-00 subject to specified conditions of approval.

Section 2. On March 1, 2000, an appeal of condition number 3 of the proposed conditions of approval (the "In Lieu Park Fee") was filed by David R. Bryant.

Section 3. On April 11, 2000, the City Council conducted a public hearing on the map and the appeal, 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 Property owner and others.

Section 4. Based upon the evidence presented, the City Council hereby finds and determines as follows:

- a. Each fact set forth in Sections 1 through 4 above is true and correct.
- b. Each fact set forth in the memorandum for Agenda Item No. 8, Meeting Date 4/11/00, from Allan Rigg to James B. Hendrickson, presented to the City Council on said date, is true and correct.
- c. Prior to demolition, a four (4) unit structure was located on the Property. The proposed three (3) unit structure will create less impact on the need for parks than the previously existing use.

Section 5. Based upon the evidence presented and the findings set forth herein, the City Council finds and determines:


- a. That the map proposed by the Application is consistent with the applicable general and specific plans;

- b. That the design or improvement of the subdivision proposed by the Application is consistent with the applicable general and specific plans;
- c. That the Property is physically suitable for the type of development proposed;
- d. That the Property is physically suitable for the proposed density of development;
- e. That the design of the subdivision and the proposed improvements set forth in the application is not likely to cause substantial environmental damage or substantially or avoidable to injure fish or wildlife or their habitat;
- f. That the design of the subdivision and the proposed improvements set forth in the application is not likely to cause serious public health problems;
- g. That the design of the subdivision and the proposed improvements set forth in the application will not conflict with easement, acquired by the public at large, for access through or use of, property within the proposed subdivision; and
- h. That imposition of the In Lieu Park Fee would be inequitable since there will be fewer units on the Property after the subdivision than before.

Section 6. Based upon the findings set forth herein, the City Council finds and determines that vesting tentative parcel map (MAP-100-00) shall be approved subject to the conditions of approval attached hereto as Exhibit A, which conditions are hereby incorporated by this reference.

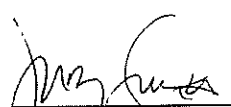
Section 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

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


 CHAD R. TURNER, Mayor

ATTEST:

APPROVED AS TO FORM:


 JUDY SMITH, City Clerk


 STEPHANIE R. SCHER, City Attorney

EXHIBIT "A"

**VESTING TENTATIVE PARCEL MAP
MAP-100-00**

Conditions of Approval
R-00-20

1. This approval is granted for the land or land use as described in the application and any attachments thereto, as shown on the plot plan submitted, Exhibit B.
2. Prior to obtaining a building permit and within 30 days hereof, the applicant and property owner shall file with the Secretary of the Planning Department written acknowledgement of the conditions stated herein on forms provided by the Planning Department.
3. All buildings, fences, signs, roadways, parking area, and other facilities or features shall be located and maintained as shown on the approved plans.
4. All buildings and structures shall be of design as shown on the approved plans.
5. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Planning.
6.
 - a. The applicant shall have a maximum of one year, after approval of a Vesting Tentative Parcel Map to prepare and file with the City a final map. The approval shall expire in the event such map has not been submitted within the prescribed one-year time period.
 - b. The Planning Director may approve a six-month extension to the approval if an application for extension is filed prior to the expiration of the initial one-year time period. Any subsequent extension applications must be made with the City Council.
7. All requirements of any law, ordinance, or regulation of the State of California, City of Palos Verdes Estates, and any other governmental entity shall be complied with.
8. This approval is subject to the applicant paying all fees and assessments to the City of Palos Verdes Estates, as required by Ordinance.

9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant shall be required to pay any and all cost of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amiably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
10. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action, or proceeding and shall cooperate fully in the defense.
11. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An Appropriate permit issued by the Department of Building and Safety must be obtained prior to construction, enlargement, relocations, conversion, or demolition of any building or structure within the City.
12. **That a sewer lateral be installed for each unit.**
13. **That a water meter be installed for each unit.**

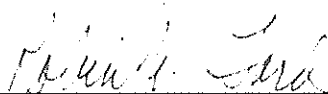
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Robin Ford, Deputy City Clerk for the City of Palos Verdes Estate, California, do hereby certify that the foregoing Resolution **R00-20** 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 25th day of April, 2000, by the following vote:

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

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:



Robin M. Ford, Deputy City Clerk