

RESOLUTION NO. R 01- 48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PALOS VERDES ESTATES, CALIFORNIA, DENYING AN
APPEAL OF THE ACTION OF THE PLANNING COMMISSION
DENYING APPROVAL OF A NEIGHBORHOOD
COMPATIBILITY APPLICATION AT 201 VIA NAVAJO

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

Section 1. An application for neighborhood compatibility approval for additions to a single family residence (the "Project") was submitted for the property located at Lot 25 of Block 6101 of Tract No. 6883 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 201 Via Navajo, Palos Verdes Estates, California (the "Property").

Section 2. The hearing on the Project by the Planning Commission of the City of Palos Verdes Estates, held on May 15, 2001, was continued at the request of the applicant to permit redesign of the Project. On July 17, 2001, a hearing on the Project as so redesigned (the "Application") was held by the Planning Commission, which denied the Application.

Section 3. On August 1, 2001, an appeal of the Planning Commission's denial of the Application was filed.

Section 4. On October 9, 2001, the City Council conducted a public hearing on the appeal, which hearing was duly and properly noticed. At such hearing, the Council received and considered oral staff reports and documentary evidence, including, but not limited to, site plans, visual presentations, and minutes of the Planning Commission meeting, and received and considered oral testimony from the appellant and others.

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. 5, Meeting Date October 9, 2001, from Allan Rigg to James B. Hendrickson, presented to the City Council on said dates, is true and correct.
- c. The proposed Project is 190% of the average size of structures on the 24 neighboring lots which are closest in size to the Property, and twice the floor area ratio of the 35 neighboring homes.
- d. The scale and siting of the structure proposed in the Application create a look of massiveness because the elevation of the Property results in an exaggeration of the impact of the height of the proposed structure.

- e. The size and siting of the structures proposed in the Application create a wall-to-wall look on the Property.
- f. Although two story houses are not prohibited on the Property, the proposed project is not a transitional design between the existing single-story houses and a two-story style.


Section 6. Based upon the findings set forth herein, the City Council finds that the Application:

- a. Is not designed and could not be developed to preserve to the greatest extent practicable the natural features of the land, including the existing topography and landscaping in that it calls for the elimination of landscaping which results in the Property looking like it is filled wall-to-wall with structures;
- b. Is not designed and could not 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 in that it greatly exceeds the neighborhood averages and is not a transitional style;
- c. Will unreasonably interfere with the use or enjoyment of property by other persons in the City, in that it will result in a structure which would loom over other properties in the neighborhood.

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 denial of the Application should be denied, and the neighborhood compatibility application shall be denied. The City Council further finds and determines that each finding set forth in Section 6, above, would alone be sufficient to require the denial of the Application.

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 23 day of October, 2001.



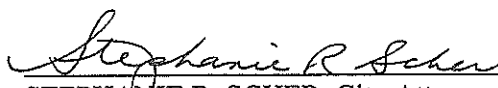
 JOHN FLOOD, Mayor

ATTEST:

APPROVED AS TO FORM:



 JUDY SMITH, City Clerk



 STEPHANIE R. SCHER, City Attorney

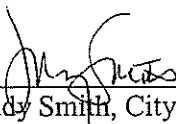
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Judy Smith, City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution R01-48 as duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates as its regular meeting of the City Council on the 23rd day of October, 2001 by the following vote:

AYES: COUNCILMEMBERS: Flood, Humphrey, Mackenbach
Sherwood and Turner

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Judy Smith, City Clerk