

## RESOLUTION NO. R13-27

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, AFFIRMING PLANNING COMMISSION APPROVAL OF NC-1466-13; NEIGHBORHOOD COMPATIBILITY APPLICATION FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 2212 VIA LA BREA.**

The City Council of the City of Palos Verdes Estates does find, order and resolve as follows:

Section 1. On March 1, 2013, an application for Neighborhood Compatibility was submitted for the property located at Lot 2, Block 1651 of Tract 7330 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 2212 Via La Brea, Palos Verdes Estates, California (“the Property”). The applications sought approval of a new 2,821 sq. ft. two-story single family residence with a 28 sq. ft. addition to the existing detached garage in the rear yard.

Section 2. On May 21, 2013, 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, site plans and received and considered oral testimony from the applicant and others. Concerns were raised regarding the privacy impacts in relationship to the south and east windows on the second floor and it was also suggested that the applicant explore digging into the hillside. The project was continued.

Section 3. On June 18, 2013, the Planning Commission conducted another 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, site plans and received and considered oral testimony from the applicant and others. The project reflected modifications including translucent awning windows on the rear elevation of the second floor and a reduction in size to the southwest corner window. The Planning Commission voted (3-1, Vandever dissenting) to approve the application.

Section 4. On July 3, 2013, an appeal was filed by the neighbor (“Appeal”) at 2229 Via La Brea. The Appeal indicates that the second floor addition and proposed balcony will tower over neighboring properties and impact privacy. The appeal also indicates only minor changes were made to the project and suggestions made by the Planning Commission, particularly grading, were not incorporated into the design.

Section 5. On September 10, 2013, the City Council opened a public hearing on the Appeal, which was duly and properly noticed. At the public hearing, the City Council received and considered the written staff report which included the appeal, plans, and visual presentations; written and oral testimony of the applicant/appellant; and documentary evidence, including the minutes of the Planning Commission hearing. The City Council received and considered

information regarding environmental review of the Project and the determination that the Project is categorically exempt from CEQA.

Section 6. Based on the evidence presented, the City Council finds and determines as follows:

a. That the proposed development 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. That 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. The project is modestly designed in both size and height and fits well within the existing neighborhood;

c. That the proposed development is designed in a manner which will minimize to the greatest extent practicable the privacy and view impacts of persons residing on adjacent properties. Reasonable steps were made by the applicant to address potential impacts to neighboring residences, including the reduction of the second floor, the balcony and modifications to the proposed windows.

d. That the proposed development 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 on the findings and determinations set forth herein, as supported in connection therewith, the City Council finds and determines that the Project complies with the requirements of PVEMC § 18.36. The City Council denies the Applicant's appeal of the Planning Commission's determination and determines that the Project shall be approved. The City Council hereby finds that each finding in Section 6 above, when considered alone, would be sufficient to support its determination in this matter to deny the appeal, and that it would have made the same determination had only one of such findings been present in this situation.

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


APPROVED AND ADOPTED this 24<sup>th</sup> day of September, 2013.

  
JAMES F. GOODHART, Mayor

ATTEST:

  
VICKIE KRONEBERGER, Deputy City Clerk

APPROVED AS TO FORM:

 DAVID KING FOR  
CHRISTY HOGIN, City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the applicable time limits set forth in the Palos Verdes Estates Municipal Code and Code of Civil Procedure.

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

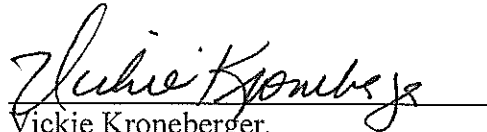
I, Vickie Kroneberger, Executive Assistant/Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R13-27** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 24th day of September, 2013, by the following vote:

AYES: COUNCILMEMBERS: Goodhart, Perkins, Humphrey, Rea, Bird

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

RECUSED: COUNCILMEMBER: None

  
Vickie Kroneberger,  
Executive Assistant/Deputy City Clerk

CERTIFICATE OF MAILING

I, Vickie Kroneberger, am employed by the City of Palos Verdes Estates as Executive Assistant/Deputy City Clerk. On September 26, 2013, in the course of my duties as Executive Assistant/Deputy City Clerk, I placed a true copy or copies of Resolution No. R13-27 in a sealed envelope or envelopes addressed as follows:

**Thomas Bechler**  
**2229 Via La Brea**  
**Palos Verdes Estates, CA 90274**

**Randy Morris**  
**75070 Inverness Drive**  
**Indian Wells, CA 92210**

**Satomi Takeshita**  
**2212 Via La Brea**  
**Palos Verdes Estates, CA 90274**

I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with the City's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with adequate postage thereon fully prepaid at Palos Verdes Estates, California, in the ordinary course of business.

Executed on September 26, 2013 at Palos Verdes Estates, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Vickie Kroneberger  
(Type or print name)

\_\_\_\_\_  
  
(Signature)