

January 25, 2011
7:30 P.M.
Council Chambers of City Hall
340 Palos Verdes Dr. West
Palos Verdes Estates

**AGENDA
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF
PALOS VERDES ESTATES, CALIFORNIA**

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to three (3) minutes. Anyone wishing to address the City Council must fill out a green speaker's card available at the end of each row in the Chambers. The card permits the City to identify persons for purposes of City Council minute preparation. Please see specific agenda sections below for any other requirements related to meeting participation. The City Council, at the direction of the Mayor with concurrence of the Council, may modify the order of items shown on the agenda.

**NEXT RESOLUTION NO. R11-03
NEXT ORDINANCE NO. 11-699**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S REPORT – Matters of Community Interest

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CONSENT AGENDA (Items 1-8)

All items under this heading are considered to be routine and will be enacted by one motion, unless a Councilmember, staff, or member of the public requests that an item be removed for separate discussion. An applicant or interested citizen who wishes to appeal any Planning Commission decision (Item # 8a-g) may file an appeal with the City Clerk's office within 15 days after the date of the Planning Commission's decision.

Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.

1. City Council Minutes of January 12, 2011

Recommendation: Review and File.

2. Treasurer's Report – December 2010

Recommendation: Receive and File.

3. Treasurer's Quarterly Interest Report – October-December 2010

Recommendation: Receive and File.

4. Monthly Financial Report – December 2010

Recommendation: Receive and File.

5. Resolution R11-02; Affirming the Planning Commission's Partial Approval of M-787-10; and Denying Miscellaneous Application for Nonstandard Walkway and Nonstandard Landing with Mailbox Structures within the City Right-Of-Way and Conditionally Approving Miscellaneous Application for a Fence Structure up to Six Feet, Exceeding the 42 Inch Maximum Allowable Height at the Single Family Residence Located at 400 Via Almar; Lot 8, Block 1514, Tract 6886.

Recommendation: It is recommended that the City Council adopt Resolution R11-02; a Resolution of the City Council of the City of Palos Verdes Estates, California, Affirming the Planning Commission's Partial Approval of M-787-10; and Denying Miscellaneous Application for Nonstandard Walkway and Nonstandard Landing with Mailbox Structures within the City Right-of-Way and Conditionally Approving Miscellaneous Application for a Fence Structure up to Six Feet, Exceeding the 42 Inch Maximum Allowable Height at the Single Family Residence Located at 400 Via Almar; Lot 8, Block 1514, Tract 6886.

6. Amended Special Event Application – Palos Verdes Art Center's Annual "Homes Tour Extraordinaire" and Boutique to be Held April 15 and 16, 2011

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Recommendation: It is recommended that the City Council approve the amended Special Event Application allowing the Palos Verdes Art Center's homes tour at three residential properties within City limits and a boutique and lunch at the Malaga Cove Plaza Green and a portion of Olmsted Place to be held April 15 and 16, 2011, from 10 a.m. to 4:00 p.m.

7. Special Event Application – Palos Verdes Art Center's Summer Art Shows: April 15-17; May 21 & 22; July 18 & 19; July 16 & 17; August 20 & 21; and September 17 & 18, 2011 on the Malaga Cove Plaza Green

Recommendation: It is recommended that the City Council approve the Special Event Application for the PVCAA Art Shows scheduled April 15, 16 & 17; May 21 & 22; July 18 & 19; July 16 & 17; August 20 & 21; and September 17 & 18, 2011.

8. Planning Commission Actions of January 18, 2011

Recommendation: Receive and File.

- a. **NC-1385-10;** Consideration of a Neighborhood Compatibility Application for a second story deck addition at the single family residence located at 1213 Via Zumaya. Lot 5, Block 2410, Tract 6890.

Applicant: John M. Hori
3142 Pacific Coast Hwy., #200
Torrance, CA 90505
Owner: Wallace & Reginald Tang

Action: Approved (5-0) with standard conditions.

- b. **M-798-10;** Consideration of a Miscellaneous Application for a structure exceeding the maximum allowable height at the single family residence located at 1419 Via Mateo. Lot 2, Tract 28975.

Applicant: Deborah Richie-Bray
2432 Via Amador
Palos Verdes Estates, CA 90274
Owner: Mr. & Mrs. Gielow

Action: Approved (5-0) with standard conditions.

- c. **CUP-33R-10;** Revised Conditional Use Permit Application requesting outdoor seating and beer/wine service at the existing Malaga Cove Ranch Market located at 43 Malaga Cove Plaza. Lot 12, Block 1617, Tract 6885.

Applicant: Stephen Hosa
425 Via Corta
Palos Verdes Estates, CA 90274

Owner: Nerses Tumanyan

Action: Approved (5-0) with standard conditions and the following additional condition: 1) That the six conditions initially imposed by the City Council on July 25, 2000 continue to apply with the modification to the first condition that only the liquor have a floor area allocation to not comprise more than 25% of the floor area of the store devoted to sales.

- d. **NC-1404/V-82-10;** Consideration of Neighborhood Compatibility and Variance Applications for a new single family residence located at 1616 Addison Road. Lot 22 & a portion of 21, Block 1370, Tract 7140.

Applicant: Douglas Leach
119 W. Torrance Blvd., Suite 24
Redondo Beach, CA 90277
Owner: John Katnik
116 S. Catalina Avenue, Suite 255
Redondo Beach, CA 90277

Action: Denied (5-0).

- e. **NC-1406-10;** Consideration of a Neighborhood Compatibility Application for additions to the single family residence located at 1689 Rico Place. Lot 30, Block 1373, Tract 6889.

Applicant: Douglas Leach
119 W. Torrance Blvd., Suite 24
Redondo Beach, CA 90277
Owner: Clark & Jo Margolf

Action: Approved (5-0) with standard conditions and the following additional condition: 1) The existing lights within the City right-of-way are to be removed.

- f. **GA-1192R/M-799-10;** Consideration of revised Grading and Miscellaneous Applications for structures at the single family residence located at 1733 Via Coronel. Lot 1, Block 4, Tract 7334.

Applicant: Seed Group, Inc.
1505 Border Ave.
Torrance, CA 90501
Owner: Mr. & Mrs. Duan

Action: Approved (5-0) with standard conditions.

- g. **M-797-10;** Consideration of a Miscellaneous Application for structures exceeding the maximum allowable height at the single family residence located at 2007 Via Visalia. Lot 29, Block 9, Tract 7538.

Applicant: Deborah Richie-Bray
2432 Via Amador
Palos Verdes Estates, CA 90274
Owner: Edward & Kelly Piken

Action: Approved (5-0) with standard conditions.

COMMUNICATIONS FROM THE PUBLIC

This portion of the agenda is reserved for comments from the public on items which are NOT on the agenda. Due to state law, no action can be taken by the Council this evening on matters presented under this section. If the Council determines action is warranted, the item may be referred to staff or placed on a future Council agenda.

PUBLIC HEARING (7:30 p.m.)

Appellant and Applicant/Owner shall be provided five (5) minutes each for presentation and rebuttal. All other persons addressing the City Council during public hearing shall be limited to three (3) minutes for comment.

9. Appeal of Planning Commission Approval of NC-1400/GA-1479/M-791-10; Neighborhood Compatibility, Grading, and Miscellaneous Applications for a New Single Family Residence Located at 700 Via Horcada. Lot 12, Block 1426, Tract 8523

Appellant: James P. Duncan
702 Via Horcada
Palos Verdes Estates

Applicant: Douglas Leach
119 W. Torrance Blvd., Ste. 204
Redondo Beach, CA 90277

Owner: Stephen & Linda McDannold
2808 Paseo Del Mar
Palos Verdes Estates

Recommendation: It is recommended the City Council open the public hearing, receiving public input, close the public hearing and make a decision on the application.

OLD BUSINESS

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NEW BUSINESS

10. Special Event Application – Palos Verdes Marathon to be Held on Saturday, May 14, 2011, from 6:00 a.m. to 2:00 p.m.

Recommendation: It is recommended that the City Council approve the Special Event Application for the Palos Verdes Marathon to be held on Saturday, May 14, 2011, from 6:00 a.m. to 2:00 p.m.

STAFF REPORTS

11. City Manager's Report

DEMANDS

12.
 - a. Authorize Payment of Motion #1 – Payroll Warrant of January 21, 2011
 - b. Authorize Payment of Motion #2 – Warrant Register of January 25, 2011

Recommendation: Authorize Payment of Motions #1 and #2.

MAYOR & CITY COUNCILMEMBERS' REPORTS

ADJOURNMENT TO TUESDAY, FEBRUARY 8, 2011, IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.

- *This City Council meeting can be viewed on Cox Cable, Channel 35, Wednesday, January 26, 2011 at 7:30 p.m., and Wednesday, February 2, 2011, at 7:30 p.m.*

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: JUDY SMITH, ASSISTANT CITY MANAGER
SUBJECT: MONTHLY FINANCIAL REPORT – DECEMBER 2010

Revenues

Total operating revenues are at 1% less than expected, while general fund performance is 2% below expected. There are currently no areas of concern. Club concession fees continue to exceed expected performance (+7%). The City saw an increase in building plan check and permit activity during December due to owners, architects and builders recognition of the January 1 effective date for the new building codes. We do not believe this signals an increase in overall activity, but just an acceleration of what otherwise would occur. Development fees are currently +2%, but we anticipate this revenue will be at or below expect once January results are reports. December reflects a dramatic drop in property transfer tax receipts, likely due to the start of the holiday season, but may also indicate possible further slowing of the real estate market. Property taxes are highlighted in the Spot Report below.

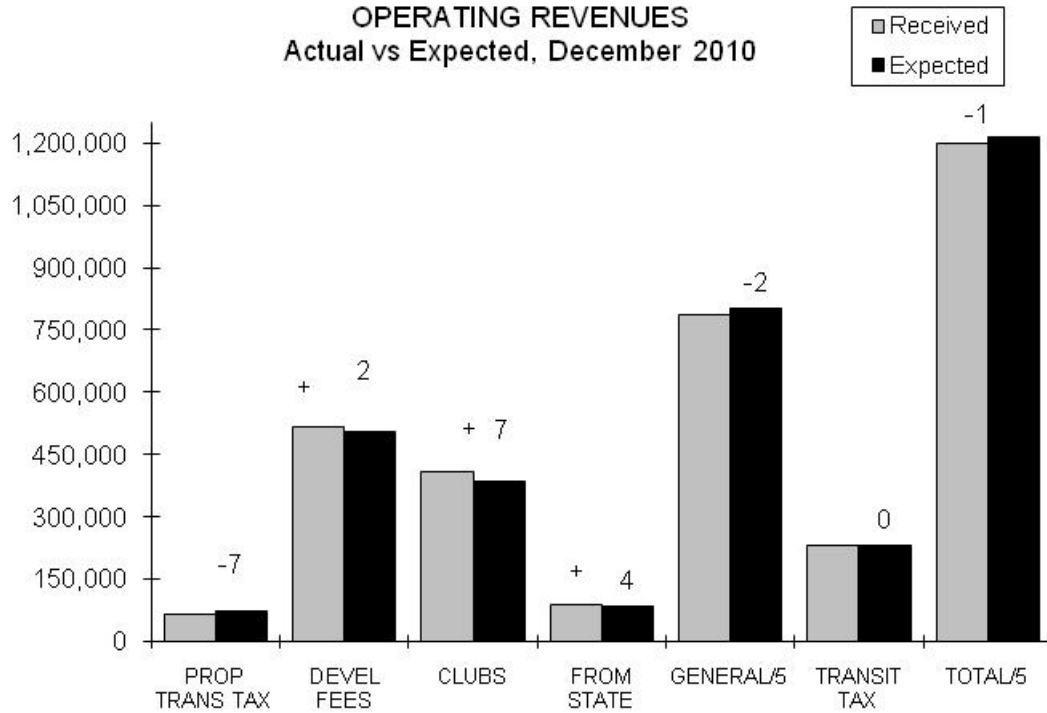
Expenditures

Total operating expenditures are currently 2% below expected for the year-to-date. All operating departments are lower than expected, with the exception of Insurance due to the September payment of an outstanding CJPIA retro liability.

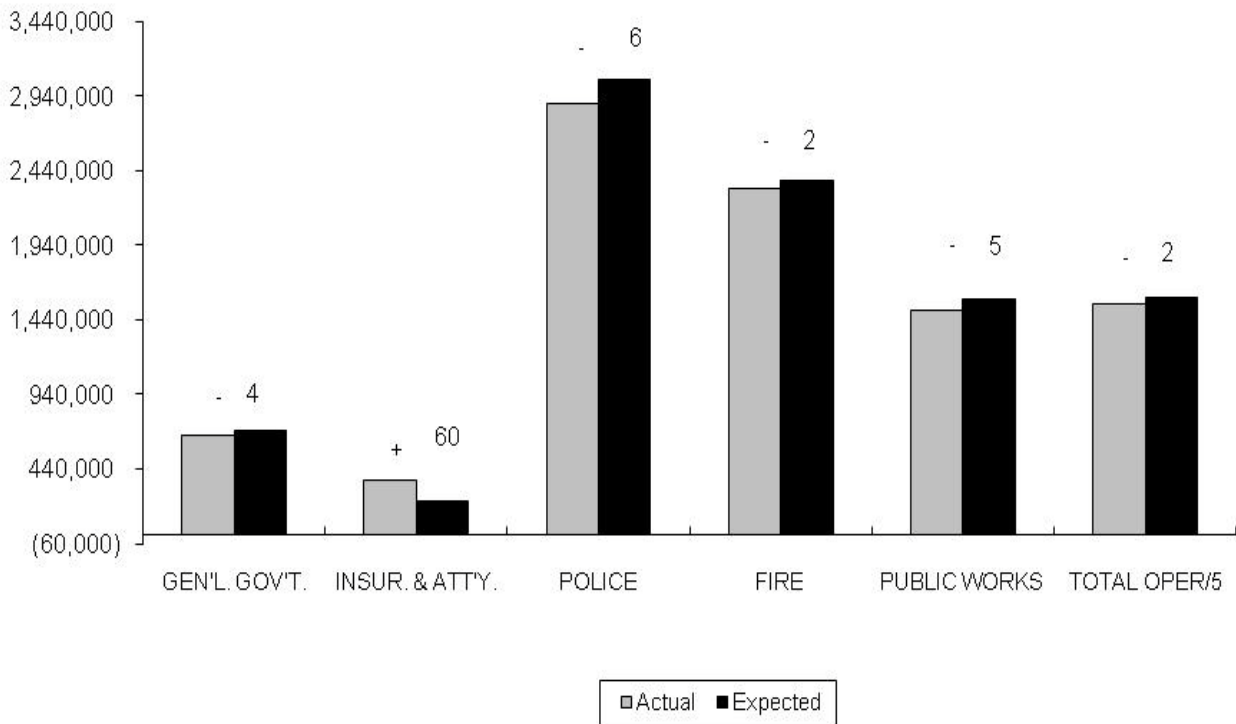
Spot Reports

Because of the negative (-0.237%) California CPI and assessor ordered changes in values, the City experienced a -0.37% change in assessed values for FY 10-11 compared to a 2.1% increase last year. The City had assumed 0% change in AV when preparing the FY 10-11 revenue budget. The December property tax distribution from Los Angeles County represents 40% of total secured collections Countywide to date. The City received a net of \$2.072 million, after County administrative costs, or 39.7% compared to our projected budget. Staff is confident property tax revenue will be close to budget. We are closely tracking the impact of assessor ordered changes in value and other assessment appeals as we move through the remainder of the fiscal year.

OPERATING REVENUES
Actual vs Expected, December 2010



OPERATING EXPENDITURES
Actual vs Expected, December, 2010



TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: RESOLUTION R11-02; AFFIRMING THE PLANNING COMMISSION'S PARTIAL APPROVAL OF M-787-10; AND DENYING MISCELLANEOUS APPLICATION FOR NONSTANDARD WALKWAY AND NONSTANDARD LANDING WITH MAILBOX STRUCTURES WITHIN THE CITY RIGHT-OF-WAY AND CONDITIONALLY APPROVING MISCELLANEOUS APPLICATION FOR A FENCE STRUCTURE UP TO SIX FEET, EXCEEDING THE 42 INCH MAXIMUM ALLOWABLE HEIGHT AT THE SINGLE FAMILY RESIDENCE LOCATED AT 400 VIA ALMAR; LOT 8, BLOCK 1514, TRACT 6886.

DATE: JANUARY 25, 2011

The Issue

Should the City Council adopt Resolution 11-02 affirming the Planning Commission's partial approval of M-787-10; and denying Miscellaneous application for nonstandard walkway and nonstandard landing with mailbox structures within the City right-of-way and conditionally approving Miscellaneous application for a fence structure up to six feet, exceeding the 42 inch maximum allowable height at the single family residence located at 400 Via Almar?

Background and Analysis

On January 12, 2011 the City Council conducted a public hearing to consider the partial approval of M-787-10; and denying Miscellaneous application for nonstandard walkway and nonstandard landing with mailbox structures within the City right-of-way and conditionally approving Miscellaneous application for a fence structure up to six feet, exceeding the 42 inch maximum allowable height at the single family residence located at 400 Via Almar.

After considering the facts and testimony, the City Council voted 4-1 (Bird dissenting) to affirm the Planning Commission's partial approval of M-787-10; and denying Miscellaneous application for nonstandard walkway and nonstandard landing with mailbox structures within the City right-of-way and conditionally approving Miscellaneous application for a fence structure up to six feet, exceeding the maximum allowable height at the single family residence located at 400 Via Almar.

This resolution confirms that decision.

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Alternatives Available to Council

The following alternatives are available to the City Council:

1. Adopt Resolution 11-02 affirming the Planning Commission's partial approval of M-787-10; and denying Miscellaneous application for nonstandard walkway and nonstandard landing with mailbox structures within the City right-of-way and conditionally approving Miscellaneous application for a fence structure up to six feet, exceeding the 42 inch maximum allowable height at the single family residence located at 400 Via Almar.
2. Decline to act.

Recommendation from Staff

It is recommended that the City Council adopt Resolution R11-02; a Resolution of the City Council of the City of Palos Verdes Estates, California, affirming the Planning Commission's partial approval of M-787-10; and denying Miscellaneous application for nonstandard walkway and nonstandard landing with mailbox structures within the City right-of-way and conditionally approving Miscellaneous Application for a fence structure up to six feet, exceeding the 42 inch maximum allowable height at the single family residence located at 400 Via Almar.

Staff report prepared by:
Stacey Kinsella
Planning Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: **AMENDED** SPECIAL EVENT APPLICATION FOR PALOS VERDES ART CENTER'S "HOMES TOUR EXTRAORDINAIRE" AND BOUTIQUE TO BE HELD ON APRIL 15-16, 2011.

DATE: JANUARY 25, 2011

ISSUE

Shall the City approve the *amended* Special Event Application for the Palos Verdes Art Center to host its annual "Homes Tour Extraordinaire" and Boutique on Friday and Saturday, April 15-16, 2011 from 10:00 a.m. – 4:00 p.m.?

BACKGROUND

At its October 12, 2010 meeting, City Council approved the Special Event Application (Attachment A) for the Palos Verdes Art Center to host its annual Home Tour on Friday and Saturday, April 15-16, 2011 from 10:00 a.m. to 4:00 p.m. at four residential properties within City limits and, if deemed to be safe by the Police Chief, the northeast portion of Olmsted Place to be used for the Art Center's vendor boutique with the provision for barricading for public safety.

As a reminder, this event is sponsored by The Circle, a major support group of the Palos Verdes Art Center. The 2011 Home s Tour Extraordinaire is designed to highlight the history of Malaga Cove Plaza with proceeds benefiting the Palos Verdes Art Center by supporting the Center's art education, exhibition and outreach programs. To date, the Circle has raised over \$1 million to support the Art Center and its efforts. The "Homes Tour Extraordinaire," held for over twenty years, is a successful fundraiser for the Palos Verdes Art Center with more than 600 patrons.

Since October, there have been some minor modifications in which staff deemed it appropriate to provide an updated and amended Special Event Application for final approval by the City Council. Specifically, the Police Chief has reviewed the plan and recommends approval of the partial use of Olmsted Place as shown in the attached layout.

Event organizers have modified the tour from four homes to three homes. Homes now proposed include:

637 Via Horquilla
909 Via Coronel
424 Paseo del Mar

Residents within 300' of the location will be notified that a home tour will be conducted in their neighborhood. A sample notification letter is attached a part of the original application.

As Council may recall, in addition to the homes tour, the Palos Verdes Art Center is hosting a Boutique Sale as one stop on the tour. Upon the approval of City Council in October, City staff has worked with event organizers to secure a plan for the boutique through the use of a portion of Olmsted Place and a portion of the Malaga Cove Lawn (see Attachment B).

Additionally, as part of the Boutique stop on the tour, a boxed lunch is planned to be provided by all three of the restaurant vendors in the Plaza. Tables will be set-up on the private property of the plaza (adjacent to the restaurants). Event organizers have received Malaga Cove Plaza business approval.

Parking for participants and boutique vendors will be at the First Church of Christian Science at Palos Verdes Drive North and Via Campesina. Parking for PVAC volunteers will be at the Neighborhood Church on Paseo del Mar. A shuttle bus will take participants to the homes and boutique.

The Special Event Application and modifications have been reviewed by all municipal departments. All fees have been paid and the Indemnity Agreement has been received. The Certificate of Insurance will be obtained upon City Council final approval of the amended Special Event Application. The Palos Verdes Art Center and its Circle group are well aware of the City's concerns and are willing to abide by and pay for any conditions set by the City in order to secure approval.

ALTERNATIVES AVAILABLE TO COUNCIL

1. Council may approve the amended Special Event Application to conduct the Homes Tour with three homes on the tour and the Boutique at a portion of Olmsted Place and a portion of the Malaga Cove Lawn with the provision for barricading for public safety.
2. Council may choose not to accept the amended Special Event Application.
3. Council may impose additional conditions or restrictions on the sponsors of the tour.

RECOMMENDATION

It is recommended that the City Council approve the amended Special Event Application allowing the Palos Verdes Art Center's homes tour at three residential properties within City limits and a boutique and lunch at the Malaga Cove Plaza Green and a portion of Olmsted Place to be held April 15 and 16, 2011, from 10 a.m. to 4:00 p.m.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST

SUBJECT: SPECIAL EVENT APPLICATION FOR PALOS VERDES ART CENTER'S SUMMER ART SHOWS: APRIL 15, 16 & 17, MAY 21 & 22, JUNE 18 & 19, JULY 16 & 17, AUGUST 20 & 21, SEPTEMBER 17 & 18, 2011 ON THE MALAGA COVE PLAZA GREEN

DATE: JANUARY 25, 2011

ISSUE

Shall a Special Event Application be approved for the Palos Verdes Community Art Association Affiliates to hold six (6) art exhibitions and sales beginning in April and ending in September on the Malaga Cove Plaza Green?

BACKGROUND

The Palos Verdes Community Art Association has submitted a Special Event Application to hold six (6) art exhibitions and sales on the Malaga Cove Plaza Green from April – September. These annual exhibitions have been held by the Association for more than twenty years. The PVCAA is an artists group affiliated with the Palos Verdes Art Center that displays and sells art.

The dates requested for this year's art shows are: April 15, 16 & 17; May 21 & 22; June 18 & 19; July 16 & 17; August 20 & 21; and September 17 & 18, 2011. As noted above, event organizers are asking for approval for one additional day (Friday, April 15, 2011) to be considered during its 2011 opening weekend. The addition of Friday, April 15th would result in the Art Sale and the Homes Tour both occurring on Friday and Saturday (April 15th and 16th), and only the Art Sate occurring on Sunday, April 17th. The organizers of the Homes Tour are in concurrence with the schedule as proposed in this request.

To receive City approval for use of the green, the PVCAA must comply with the procedures set forth in the Special Event Application. In addition, the PVCAA's Special Event is subject to additional specific requirements, which were approved by the City Council in 1991. The extra conditions attached to the PVCAA shows were prompted by the increasing number art shows and other activities on the Malaga Cove Green. The following four requirements have been added.

1. Special Event applications for Art Shows on the Malaga Cove Plaza Green will be issued to juried art groups who are members of the Palos Verdes Peninsula Arts Association;

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2. No more than five (5) shows may be held in one calendar year. Events may be scheduled no more than one a month. (Since 1999 this provision has been modified to allow six (6) shows from April – September).
3. Provisions must be made for the City’s current waste disposal franchisee to pick-up trash early Monday morning immediately following the Sunday art show. Provisions must also be made for sanitary facilities on the day of the show. The cost of these services will be borne by the art group utilizing the Plaza Green.
4. The Palos Verdes Community Arts Association is encouraged to select one representative to work with the City in scheduling art shows.

Since these guidelines were adopted in November, 1991, the PVCAA exhibitions have been well organized and managed without disruption. Affiliates have complied with the requirements set forth by the City Council as listed above.

The Application has been reviewed and preliminarily approved by all municipal departments. Fees have been paid for all six separate weekend events and the Certificate of Insurance and Indemnity Agreement will be received prior to the commencement of the event. This event has taken place in the City for over twenty years without incident.

ALTERNATIVES AVAILABLE TO COUNCIL

1. The City Council may approve the application for PVCAA to hold their Art Shows scheduled for April 15, 16 & 17; May 21 & 22; June 18 & 19; July 16 & 17; August 20 & 21; and September 17 & 18, 2011.
2. The City Council may approve the application, but impose restrictions or additional conditions on the sponsors of the event.
3. The City Council may not approve the application.

RECOMMENDATION

It is recommended that the City Council approve the Special Event Application for PVCAA Art Shows scheduled for April 15, 16 & 17; May 21 & 22; June 18 & 19; July 16 & 17; August 20 & 21; and September 17 & 18, 2011.

TO: JOSEPH HOEFGEN, CITY MANAGER
FROM: ALLAN RIGG, PLANNING DIRECTOR
DATE: JANUARY 25, 2011
SUBJECT: PLANNING COMMISSION ACTIONS OF JANUARY 18, 2011

The items attached were acted upon by the Planning Commission on January 18, 2011.

The Council may, within fifteen days after the date of the decision on or before the first day following the first Council meeting after the date of the Planning Commission decision, whichever occurs last:

1. Confirm the action of the Planning Commission and grant or deny the application;
2. Set the matter for public hearing and dispose of it in the same manner as on an appeal; or
3. Amend, modify, delete, or add any condition of approval which the Council finds is not substantial under the circumstances relative to or affecting the property subject to the application for a development entitlement. Any determination of the Council pursuant to this paragraph shall be conclusive and final.

In the event the Council does not take one of the actions specified above within the period of time required, the decision of the Planning Commission shall be final.

Recommendation:

Receive and file.

TO: JOSEPH M. HOEFGEN, CITY MANAGER

FROM: ALLAN RIGG, PLANNING DIRECTOR

SUBJECT: REQUEST TO APPEAL PLANNING COMMISSION APPROVAL OF NC-1400/GA-1479/M-791-10; NEIGHBORHOOD COMPATIBILITY, GRADING, AND MISCELLANEOUS APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE LOCATED AT 700 VIA HORCADA. LOT 12, BLOCK 1426, TRACT 8523.

**APPELLANT: JAMES P. DUNCAN
702 VIA HORCADA
PALOS VERDES ESTATES, CA 90274**

**APPLICANT: DOUGLAS LEACH
119 W. TORRANCE BLVD., STE. 24
REDONDO BEACH, CA 90277**

**OWNER: STEPHEN & LINDA McDANNOLD
2808 PASEO DEL MAR
PALOS VERDES ESTATES, CA 90274**

DATE: JANUARY 25, 2011

The Issue

Should the City Council confirm the Planning Commission's decision to approve NC-1400/GA-1479/M-791-10; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 700 Via Horcada?

Background and Analysis

This project includes Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 700 Via Horcada. The application proposes a 3,163 sq. ft. first floor, a 3,531 sq. ft. second floor, 191 sq. ft. of storage, and a 704 sq. ft. garage. Total proposed floor area is 7,589 sq. ft. which is 54% of the 13,982 sq. ft. maximum allowed floor area on this 40,775 sq. ft. lot. Total proposed gross floor area is 8,641 sq. ft., including the stairways/elevators (218 sq. ft.), the covered patios (359 sq. ft.), and the spaces less than 7 ft. in height (475 sq. ft.). The maximum building height is 25.8 ft. The project also includes a new 12.5 ft.

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high trellis located towards the eastern side of the rear yard. Total grading proposed is 2,485 cu. yds. with a maximum cut depth of 12.5 ft.

History

Applications for this site were originally reviewed by the Planning Commission on November 16, 2010. Concerns were raised regarding the view impacts, the compatibility with the existing neighborhood character, and the overall massing. It was suggested that the ridge height be reduced, that the lot coverage possibly be increased, and that the massing be reduced. The project was ultimately continued.

The project was reviewed again by the Planning Commission on December 21, 2010. After reductions in height, floor area, gross floor area, as well as various other modifications, the Planning Commission approved the project (5-0) with standard conditions and the following additional condition:

1. A standard urban stormwater mitigation plan, approved by the City Engineer shall be prepared and implemented for the project.

Appeal

The Planning Commission's decision has now been appealed by the neighbor at 702 Via Horcada, James P. Duncan. The appeal purports that the project still has an adverse impact on the existing views at 702 Via Horcada. The appellant indicates that the proposed house is oversized, misplaced on the lot, does not respect the nature of the steep grade at the site, and is overall incompatible with the neighborhood.

The appeal includes the appeal documents, the staff reports with all supporting documents as presented to Planning Commission, letters of correspondence, and minutes from both the November and December 2010 Planning Commission meetings.

Correspondence Received

Letters of correspondence received for both Planning Commission meetings are included for review. Additional letters were also received and are attached for your review.

Findings Required to Approve

PVEMC Section 18.36.045 states that in order to approve a Neighborhood Compatibility application, the following findings must be made by the City Council:

- A. That the proposed development is designed and will be developed to preserve the greatest extent practicable the natural features of the land, including the existing topography and landscaping;
- B. That the proposed development 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 in relation to surrounding residences and other structures;
- C. That the proposed development 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. 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 neighbor's existing views.

PVEMC Section 18.24.065 states that a grading permit shall not be granted if the following findings are made:

- 1. The proposed grading will unreasonably change the natural contours of the land;
- 2. The proposed grading will create a hazard to the immediate or adjacent property; or
- 3. The proposed grading will unreasonably interfere with the use and enjoyment of property by other persons in the city.

PVEMC Section 18.32.010 states that “the wall, fence or accessory structure proposed shall not adversely affect any other property”.

CEQA Status

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to California Administrative Code Title 14, Chapter 3, Section 15303.

Alternatives Available to Council

The following alternatives are available to the City Council:

- 1. Confirm the Planning Commission's decision to approve NC-1400/GA-1479/M-791-10; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 700 Via Horcada, as conditioned.
- 2. Confirm the Planning Commission's decision to approve NC-1400/GA-1479/M-791-10; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 700 Via Horcada, with modifications.
- 3. Overturn the Planning Commission's decision and deny NC-1400/GA-1479/M-791-10; Neighborhood Compatibility, Grading, and Miscellaneous applications for a new single family residence located at 700 Via Horcada.

Once a decision is made by the City Council, a final Resolution will be prepared and presented at the following meeting to confirm the City Council's decision.

Recommendation from Staff

Staff recommends that the City Council open the public hearing, receive public input, close the public hearing, and make a decision on the application.

Staff report prepared by:
Stacey Kinsella
Planning Department

TO: JOSEPH M. HOEFGEN, CITY MANAGER
FROM: ALEXA D. DAVIS, ADMINISTRATIVE ANALYST
SUBJECT: SPECIAL EVENT APPLICATION FOR THE PALOS VERDES MARATHON ON SATURDAY, MAY 14, 2011
DATE: JANUARY 25, 2011

ISSUE

Shall a Special Event Application be approved for the Palos Verdes Marathon to run through Palos Verdes Estates?

BACKGROUND

The Palos Verdes Marathon is proposed to be held on Saturday, May 14, 2011 from 6:00 a.m. to 2:00 p.m. on the Palos Verdes Peninsula. The Kiwanis Club of Rolling Hills Estates sponsors the race, with logistics coordinated by W2 Promotions. The event is a fundraiser for the community and benefits several local programs including the San Pedro/Peninsula YMCA, The Key Club of Palos Verdes and Peninsula High Schools, the Boys and Girls Club, the REACH Program, the Toberman Settlement House, and Harbor Interfaith Shelter. The Marathon is highly publicized and attracts runners from across the United States. Having occurred for over 40 consecutive years, the Palos Verdes Marathon is the second longest continuously running marathon in the country, behind the Boston Marathon.

Over the past 10 years, the race has started and finished in San Pedro. This year, primarily due to significantly increased park and street closure fees with the City of Los Angeles, the Kiwanis Club is seeking to have the race run entirely in the cities of Rancho Palos Verdes and Palos Verdes Estates.

In its most recent years, only the full marathon portion of the course would reach the City of Palos Verdes Estates. This would bring in close to 300 runners in a staggered manner. The previous years' route would enter the City from the south entrance on Palos Verdes Drive West. Runners would then travel north to Paseo Lunado, winding through the neighborhood north on Paseo del Mar and turn-around and leave the City by way of Via Anacapa and Palos Verdes Drive West. The Police Department has always required Reserve Officers for traffic control and the event has been maintained with little impact.

This year, event organizers are proposing a completely different route which would have a more intensive use of Palos Verdes Estates streets. The race would begin and end on Palos Verdes Drive West at the Terranea Resort in Rancho Palos Verdes. Half Marathon and Marathon runners would enter Palos Verdes Estates on the west portion of Palos Verdes Drive West turning left onto Paseo Lunado with another immediate left down an alley. The course continues on the 2900 block of Paseo del Mar up back to Paseo Lunado where runners would make a brief left turn on Via Anacapa and left again on Paseo Lunado. Runners would proceed onto Paseo del Mar where they remain until reaching Palos Verdes Drive West. Once they reach Palos Verdes Drive West, runners would travel south in the west-most portion of the road leaving the City. The attached maps show the propose route runners would follow.

Approximately 300 marathon runners would complete this loop a second time. With the new proposed course, both half marathon and full marathon runners would run in the City, resulting in close to 1,800 runners in the City in a staggered fashion. The estimated duration of the run is between 7:30 a.m. and 2:00 p.m. on Saturday, May 14th, with runners expected in the City of Palos Verdes Estates between the hours of 8:00 a.m. and 1:30 p.m.

City staff, including the Administrative Analyst, Public Works/Planning Director and Police Chief, met with event

organizers to review potential race routes. The route presented to Council does not require street closures in Palos Verdes Estates. Runners would run along the side of the road in a coned-off section. There would be no parking allowed along those areas during the event. Event organizers will submit a Traffic Review Plan prior to the event under review of the Public Works/Planning Director and Police Chief. The Police Department will have Reserve Officers managing traffic throughout the route as has been done in previous years.

As this revised route will have significantly greater impacts on Palos Verdes Estates than the prior route, should the Council grant this application, staff would conduct an assessment after the event to be considered for any future PV Marathon application.

All application fees have been paid and the Indemnification Agreement has been received. The Certificate of Insurance will be provided prior to the event date.

ALTERNATIVES AVAILABLE TO COUNCIL

1. The City Council may approve the application.
2. The City Council may approve the application, but impose restrictions or additional conditions on the sponsors of the event.
3. The City Council may not approve the application.

CONCLUSIONS AND RECOMMENDATION

It is recommended that the City Council approve the Special Event Application for the Annual Palos Verdes Marathon to be held on Saturday, May 14, 2011 from 6:00 a.m. to 2:00 p.m.