

May 11, 2018

NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that the Director of Community Development of the City of Rancho Palos Verdes has approved, with conditions, to conduct 424yd³ of balanced on-site grading to accommodate the installation of vaults associated with earth interments and 3' tall walls in an unimproved portion of Area 2 (Inspiration Slope) of the City Council-approved Master Plan for Green Hills Memorial Park (Case No. PLGR2018-0008).

LOCATION: 27501 Western Avenue
APPLICANT: Nick Resich
LANDOWNER: Green Hills Memorial Park

Said decision is subject to the Conditions of Approval set forth in the attached Exhibit "A".

This decision may be appealed, in writing, to the Planning Commission. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. Any appeal letter must be filed within fifteen (15) calendar days of the date of this notice, or by 5:30PM on Wednesday, May 30, 2018. A \$2,275.00 appeal fee must accompany any appeal letter. If no appeal is filed timely, the Director's decision will be final at 5:30PM on Wednesday, May 30, 2018.

If you have any questions regarding this application, please contact So Kim, Deputy Director/Planning Manager at (310) 544-5222 or via email at sok@rpvca.gov.


Ara Mihranian, AICP
Director of Community Development

Enclosure

Cc: Applicant
Property Owner
Interested Parties

Exhibit "A"
Conditions of Approval
Green Hills Memorial Park
Grading Permit (Case No. PLGR2018-0008)

General Conditions:

1. This approval allows 424yd³ of balanced on-site grading consisting of 212yd³ of cut and 212yd³ of fill to accommodate the installation of vaults associated with earth interments in an unimproved portion of Area 2 (Inspiration Slope) of the Master Plan. Walls measuring 3' in height are approved to enclose the family estate areas and along portions of the walkways.
2. The Conditions of Approval under Resolution No. 2018-07 shall remain in full force and effect, unless amended in the future by the City Council in which those Conditions of Approval shall remain in full force and effect, in combination with the conditions set forth herein.
3. Prior to the submittal of plans into Building and Safety Plan Check, the Applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Exhibit "A". Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
4. The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project.
5. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
6. Pursuant to Council-adopted Condition No. 2.a(1), the Director of Community Development is authorized to make minor modifications through a Grading Permit to the approved plans and any of the conditions that will achieve substantially the same results as would strict compliance with such plans and conditions. Any substantial change to the project shall require approval of a revision by the final body that approved the original project, which may require new and separate environmental review.

7. The project development on the site shall conform to the specific standards contained in these Conditions of Approval or, if not addressed herein, shall conform to the cemetery development standards of the City's Municipal Code, Conditions of Approval, including but not limited to height, setback and lot coverage standards.
8. Failure to comply with and adhere to all of these Conditions of Approval and the Conditions of Approval set forth in City Council-adopted Resolution No. 2018-07 or future related Council-adopted Resolutions, may be cause to revoke the approval of the project pursuant to the revocation procedures contained in Section 17.86.060 of the City's Municipal Code or administrative citations as described in Section 1.16 of the City's Municipal Code.
9. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.
10. Unless otherwise designated in these Conditions of Approval, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Exhibit "A".
11. This approval is only for the items described within these Conditions and identified on the stamped APPROVED plans and is not an approval of any existing illegal or legal non-conforming structures on the property, unless the approval of such illegal or legal non-conforming structure is specifically identified within these conditions or on the stamped APPROVED plans.
12. All construction sites shall be maintained in a secure, safe, neat and orderly manner, to the satisfaction of the City's Building Official. All construction waste and debris resulting from a construction, alteration or repair project shall be removed on a weekly basis by the contractor or property owner. Existing or temporary portable bathrooms shall be provided during construction. Portable bathrooms shall be placed in a location that will minimize disturbance to the surrounding property owners, to the satisfaction of the City's Building Official.
13. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but is not limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete, asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures. All landscape pruning, including but not limited to grass, leaves, branches, fertilizer, etc., shall be properly stored in areas with minimal visual impact to adjacent homeowners, and shall be stored in appropriate containers and disposed of in a lawful manner.
14. When not being used in the daily operations of the cemetery, equipment and supplies shall be stored in areas with minimal visual impact to adjacent homeowners or in the maintenance yard if possible. Equipment and supplies shall be neatly stacked so they do not pose a safety hazard or become a property maintenance issue. All landscaping

equipment and vehicles, and all vehicles used for maintenance and/or burial preparation shall be stored in the maintenance yard.

15. Construction and grading activities, including but not limited to equipment warm up, geologic investigations, interments excavation for placement of vaults and installation or removal of large landscape materials or landscaping maintenance shall be limited to 7:00 a.m. to 4:00 p.m. on weekdays only. Notwithstanding the foregoing, within 120 feet of any property line abutting a Residential Zoning District, no construction or grading, including grading operations to prepare sites for earth interments, shall occur before 9:00 a.m. or after 3:30 p.m. All equipment shall be equipped with a muffler to reduce on-site grading and construction noise levels.
16. Construction shall not impede on pedestrian and vehicular circulation, including ingress and egress to the subject property.
17. **Prior to any permit issuance**, all applicable soils/geotechnical reports shall be approved by the City's Geologist.
18. **Prior to any permit issuance**, all applicable drainage plans shall be reviewed and approved by the City Engineer.

MEMORANDUM

TO: ARA MIHRANIAN, DIRECTOR OF COMMUNITY DEVELOPMENT
FROM: SO KIM, DEPUTY DIRECTOR/PLANNING MANAGER
DATE: MAY 11, 2018
SUBJECT: MAJOR GRADING PERMIT (CASE NO. PLGR2018-0008) TO IMPROVE AREA 2 AT 27501 WESTERN AVENUE (GREEN HILLS MEMORIAL PARK); APPLICANT/OWNER – GREEN HILLS MEMORIAL PARK

RECOMMENDATION

Approve a Major Grading Permit to conduct 424yd³ of balanced on-site grading to accommodate the installation of vaults associated with earth interments and 3' tall walls in an unimproved portion of Area 2 (Inspiration Slope) of the City Council-approved Master Plan for Green Hills Memorial Park, subject to the Conditions of Approval in Exhibit "A".

BACKGROUND

On March 9, 2018, pursuant to Council-adopted Condition No. 2.a(6) of Resolution No, 2018-07, Green Hills Memorial Park submitted a Major Grading Permit application requesting to conduct grading to accommodate the installation of vaults associated with earth interments and 3' tall walls in an unimproved portion of Area 2 (Inspiration Slope) of the Council-approved Master Plan of Green Hills Memorial Park. On April 4, 2018, the application was deemed incomplete for processing based on insufficient information on the plans. The Applicant submitted the requested information and on April 5, 2018, the application was deemed complete for processing.

On April 19, 2018, a 15-day public notice was provided to all property owners within 500' radius of the subject site for comments. Staff received no correspondence in response to the public notice.

SITE DESCRIPTION

Green Hills Memorial Park is a cemetery located at 27501 Western Avenue in the northeast corner of the City, bordering the Cities of Lomita, Rolling Hills Estates, and Los Angeles. The cemetery was first established in 1948 and, at the time, was located within an unincorporated area of Los Angeles County. The property became part of the City of Rancho Palos Verdes when the "Eastview" area was annexed in 1984. The property is approximately 121-acres in size, and is a privately owned and operated cemetery facility within the City's Cemetery Zoning District. The cemetery is bordered by residential uses to the north and south, a major street to the east (Western Avenue), and Rolling Hills Covenant Church and Palos Verdes Reservoir to the west. The operation of the cemetery is governed by a Conditional Use Permit approved by the City Council, most recently on February 6, 2018 under Resolution No. 2018-07. The cemetery operates Monday through Sunday, and consists

of interments, mausoleum buildings, an office building, mortuary, chapel, flower shop, and a maintenance yard and related buildings.

PROJECT DESCRIPTION

The Applicant requests approval to conduct 424yd³ of balanced on-site grading consisting of 212yd³ of cut and 212yd³ of fill to accommodate the installation of vaults associated with earth interments in an unimproved portion of Area 2 (Inspiration Slope) of the Master Plan. The proposed project includes individual interments and family estates. Walls measuring 3' in height are proposed to enclose the family estate areas and along portions of the walkways.

DISCUSSION

Major Grading Permit

Pursuant to Condition No. 2.a(6) of City Council-adopted Resolution No. 2018-07, grading shall be permitted throughout the property, provided that the Director determines that the grading substantially complies with the Master Plan.

The Master Plan allows Area 2 to be developed with a mausoleum and earth interments. The proposed project consists of grading to accommodate earth interments in an unimproved area of the site. Condition No. 6 of Resolution No. 2018-07 permits approximately 53,000yd³ of grading in Area 2. To date, a total of 16,918yd³ of grading has been conducted in Area 2 to accommodate earth interment sites. The proposed 424yd³ of grading combined with the previous 16,918yd³ of grading (total grading to date: 17,342yd³), results in a total of 35,658yd³ of grading remaining for Area 2. The proposed grading will be balanced on-site and is consistent with the findings made by the City Council for the Master Plan in that the proposed grading is within the maximum allowed quantity of grading and the proposed use is permitted for Area 2

Condition No. 2.a(3) of City Council-adopted Resolution No. 2018-07 allows the Director to review cemetery related features between 3' and 16' in height. The proposed 3' tall walls and benches to enclose the family estate areas and along portions of the walkways are considered customary cemetery related features subject to the Director's review.

Therefore, the proposed project substantially complies with the Master Plan and the City Council-adopted Resolution No. 2018-07.

ADDITIONAL INFORMATION

Environmental Assessment

On April 24, 2007, the Planning Commission adopted P.C. Resolution No. 2007-32, thereby adopting a Mitigated Negative Declaration (MND) for an Environmental Assessment for Case No. ZON2003-00086 (Conditional Use Permit No. 55 Revision "D") for the Green Hills Cemetery Master Plan. In adopting the Mitigated Negative Declaration, the Planning Commission found: 1) that there would be no significant adverse environmental impacts resulting from the adoption of the Green Hills Cemetery Master Plan; and 2) that with mitigation measures there would be no significant adverse environmental impacts resulting from the proposed Master Plan. Subsequently, there were three separate addendums approved for miscellaneous improvements, which were determined to be within the scope of the previously adopted MND.

The City Council conducted Annual Reviews of the Applicant's compliance with the Conditions of Approval associated with the Conditional Use Permit for the Master Plan in 2015 and most recently in 2018. On February 6, 2018, the City Council adopted Resolution No. 2018-07, thereby approving revisions to the Conditions of Approval that are consistent and in line with the Conditional Use Permit findings. No further environmental review was considered necessary as the modifications to the Council-adopted Conditions of Approval reduces the impacts of those operations on adjacent properties; constitutes minor alterations to existing structures or facilities involving negligible or no expansion of use; and will not have a significant effect on the environment.

The proposed project involving 424yd³ of on-site grading to accommodate the installation of vaults and other customary cemetery features has been determined to be in compliance with the City Council-adopted Conditions of Approval for the Master Plan (Resolution 2018-07), as evidenced in the discussions under 'Grading Permit' above, and will not introduce new or intensify environmental impacts. Therefore, the proposed project is within the scope of the previously adopted MND and no further environmental review is necessary.

Permit Streamlining Act

Pursuant to the Permit Streamlining Act, since the application was deemed complete on April 5, 2018, the action decision deadline is June 4, 2018.

CONCLUSION

Based upon the discussion above, Staff recommends the Director approve the requested Grading Permit to conduct 424yd³ of balanced grading to accommodate the installation of vaults associated with earth interments and 3' tall walls in an unimproved portion of Area 2 (Inspiration Slope) of the Master Plan for Green Hills Memorial Park, subject to the Conditions of Approval in Exhibit "A".

ALTERNATIVES

In addition to Staff's recommendation, the following alternatives are available for the Director's consideration:

1. Identify any issues of concern and direct the Applicant to re-design and resubmit the application (Case No. PLGR2018-0008); or,
2. Deny, without prejudice, the Major Grading Permit (Case No. PLGR2018-0008).

Approved pursuant to Staff's Recommendation.

Accepted:



Ara Mihranian,
Director of Community Development

Dated

5.11.18

ATTACHMENTS

- Conditions of Approval – Exhibit "A"
- Project Plans

Exhibit "A"
Conditions of Approval
Green Hills Memorial Park
Grading Permit (Case No. PLGR2018-0008)

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4. The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project.
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