

**MEMORANDUM**

**TO:** CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION  
**FROM:** DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT  
**DATE:** MAY 13, 2008  
**SUBJECT:** VESTING TENTATIVE TRACT MAP NO. 68796, ET AL. (CASE NOS. SUB2007-00003 & ZON2007-00072): PROPOSED 27-UNIT CONDOMINIUM PROJECT AT 28220 HIGHRIDGE ROAD

Staff Coordinator: Kit Fox, AICP, Associate Planner 

**RECOMMENDATION**

Receive additional information regarding the proposed project, identify issues of concern, provide the applicant with direction in modifying the project if necessary, and continue the public hearing to June 10, 2008.

**BACKGROUND**

On April 8, 2008, the Planning Commission first considered the request for this 27-unit condominium project. The Commission asked for additional information and possible revisions to the project plans and traffic impact analysis. Although much of this information has been provided by the applicant, some items remain outstanding and Staff needs additional time to review these materials. Therefore, Staff is recommending that the Planning Commission continue this matter after receiving the additional information that is available at this time.

**DISCUSSION**

At the conclusion of discussion on April 8, 2008, the Planning Commission identified several issues for further study and investigation. The following is a summary of the responses to these issues as of the date that this report was completed.

**Reduce the Height of the Roof-Access Stair Tower**

As originally proposed, the project required site plan review for a 42-foot-tall roof-access stair tower. At the April 2, 2008, meeting, Staff indicated that it believed that the necessary findings to allow the roof-access stair tower to exceed the 36-foot height limit could not be made. The applicant's architect stated that the roof of the tower could be removed so that it would not exceed the 36-foot height limit. The project plans have been revised to accomplish this. Therefore, the site plan review component of the project is now moot.

### Costs and Benefits of the Proposed Left-Turn Pocket

Members of Planning Commission and the general public expressed concern about the proposed left-turn pocket in the median of Highridge Road. The City's Traffic Engineer has previously reviewed the proposed left-turn pocket and found that it would be generally feasible (see attached memoranda). He recommended conditions limiting the height of vegetation near the driveway; requiring final approval of signing and striping by the Public Works Department; and requiring the applicant to pay for the construction of the left-turn pocket. Clearly, providing this left-turn pocket would primarily benefit the future residents of the proposed project. Since the City's Traffic Engineer found that the turn pocket is "acceptable from a planning perspective to provide adequate access to the site" and the applicant is required to pay for its construction, Staff believes that the "cost" of the turn pocket to the general public would be negligible, both financially and from the standpoint of general health, safety and welfare.

### Quality of the Proposed Landscape Plan

Members of the Planning Commission expressed concern that the conceptual landscaping depicted on the plans was not indicative of a "high-end" condominium project. At this level of review, it is not common to require applicants to prepare detailed landscape plans. Such plans are typically required as a condition of project approval prior to building permit issuance, subject to the review of the Director of Planning, Building and Code Enforcement. If the Planning Commission wishes, it could require the applicant to prepare detailed landscape plans prior to Planning Commission action. However, Staff suggests that the Planning Commission provide very specific direction about what "high-end" elements it wishes incorporated in the final landscape plan reviewed by the Director so that they may be included in the project conditions of approval.

### Feasibility of Additional Grading to Reduce Overall Building Height

Members of the Planning Commission and the general public questioned the applicant's ability to lower the overall height of the project through additional grading, which would result in more export from the site than is currently proposed. As discussed at the April 8, 2008, meeting, the applicant's architect opined that the overall height of the building would need to be lowered up to six feet (6'-0") before there was an appreciable reduction in view impairment for properties located across Highridge Road. Staff agrees with this assessment. However, the applicant's engineer opined that the grade of the subject property could only be lowered about two feet (2'-0") further before the site drainage would be affected. The applicant has provided no additional information about the feasibility of additional grading. The Planning Commission may wish to ask the applicant for a quantifiable analysis addressing the effect of such grading prior to the next meeting.

### Planning Commission Authority under the Conditional Use Permit Findings

As discussed at some length at the April 8, 2008, meeting, new development projects in multi-family zoning districts are not subject to the same view preservation and neighborhood compatibility analyses that are required for new construction in single-family zoning districts. However, in evaluating the proposed project, Staff analyzed the project in a manner consistent with single-family development by treating the project's allowable 36-foot height limit similar to the 16-foot "by right" height limit in single-family zones; and by analyzing the project's bulk and mass in the context of the aesthetic impact analysis in the Mitigated Negative Declaration (MND). Nevertheless, the Planning Commission questioned whether it had the authority under the conditional use permit (CUP) findings to require the height and size of the project to be further reduced beyond the development standards established for the RM-22 zoning district. Staff noted that Finding No. 3 for the requested CUP (which is required for the approval of a condominium project)<sup>1</sup> states that, "[in] approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof." In a conversation with Staff on April 29, 2008, the City Attorney opined that this finding gives the Planning Commission the authority to modify or deny the project if the Planning Commission finds that the project would result in "significant adverse [effects] on adjacent property," which could include view impacts. As such, since the City Attorney has determined that the 36-foot height limit is not treated as a "by right" entitlement for this proposed condominium project—given the discretionary CUP findings that are also applicable—Staff believes that it is imperative to assess the significance of the view impacts of the project from as many of the Via La Cima properties as possible before a decision is made by the Planning Commission. Staff has not yet completed this task and will need additional time to complete this analysis for presentation on June 10, 2008.

### Prohibition against Roof-Mounted Mechanical Equipment

Members of the Planning Commission and the general public expressed concern about the potential for roof-mounted mechanical equipment. As the applicant's architect stated at the April 8, 2008, meeting, there is no roof-mounted mechanical equipment proposed. This would be memorialized as a condition of approval for the project.

### Maximize the Use of Permeable Paving Surfaces

Commissioner Knight suggested the use of permeable paving surfaces in the project. The project has received conceptual approval by the City's drainage consultant. Additional analysis and final approval will be required prior to building permit issuance. The

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<sup>1</sup> It should be noted that this project would not require a conditional use permit if it were an apartment complex, which is a use that is permitted "by right" in the RM-22 zoning district.

conditional of approval will include a requirement for the use of permeable paving surfaces wherever they are practicable and not prohibited by some other agency or authority (such as the Fire Department).

#### Adoption of a Pesticide Management Plan

Commissioner Knight suggested the preparation of the pesticide management plan to control the introduction of pesticides into site runoff. The requirement for such a plan could be included in the conditions of approval related to the final landscape and/or drainage plans.

#### Analysis of Cumulative Traffic Impacts

The City of Rolling Hills Estates, in comments on the proposed MND for the project, asked for cumulative traffic impacts analysis focusing on three (3) intersections along Hawthorne Boulevard: Highridge Road, Indian Peak Road and Silver Spur Road. Additional analysis of this issue was supported by Commissioner Tetreault and other members of the Planning Commission. The applicant's traffic consultant is preparing this analysis, but it was not available as of the date that this report was completed. Once completed, Staff intends to ask our City Traffic Engineer to review the revised report before this matter comes back to the Planning Commission on June 10, 2008.

#### Analysis of Green House Gas Emissions

The City of Rolling Hills Estates, in comments on the proposed MND for the project, suggested an analysis of green house gas (GHG) emissions be included as a part of the project's MND. This suggestion was supported by Commissioner Knight. As noted by Staff at the April 8, 2008, meeting, the current CEQA Guidelines do not require an analysis of GHG emissions. The City of Rolling Hills Estates suggested such an analysis—which it has included in the recent analysis of projects in the Peninsula Center area—but in the absence of State-adopted guidelines or requirements, the City Attorney agrees with the Director of Planning, Building and Code Enforcement that it is not legally necessary in this case. Of course, the Planning Commission may still direct that this analysis be conducted.

#### Contact Information for Via La Cima Residents

Members of the Planning Commission wished to contact property owners on Via La Cima to arrange site visits to view the project silhouette. This information has already been provided to the Planning Commission under separate cover.

## **ADDITIONAL INFORMATION**

### **Revised Project Plans**

The applicant submitted revised plans to Staff on May 7, 2008. As such, Staff did not have time to review them before this report was distributed to the Planning Commission. The one change that Staff is aware of, however, is the revision to the roof-access stair tower, as described above.

### **Additional Public Correspondence**

Attached to tonight's report are copies of additional public correspondence received since the April 8, 2008, Planning Commission meeting.

## **CONCLUSION**

Based upon the foregoing discussion, Staff recommends that the Planning Commission continue this matter to June 10, 2008. In the meantime, Staff will complete the view analyses from the remaining residences on Via La Cima; the cumulative traffic impacts analysis will be completed and forwarded to the City's Traffic Engineer for review; and the applicant will respond to any remaining issues of concern raised by the Planning Commission, including the feasibility of additional grading.

## **ALTERNATIVES**

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

1. Identify issues of concern with the project, provide the applicant with direction in modifying the project if necessary, and continue the public hearing to another date certain.

### **Attachments:**

Memoranda from the City's Traffic Engineer  
RW&G *Advisor* article regarding CEQA and green house gases  
Additional public correspondence  
Revised project plans



# RANCHO PALOS VERDES

## MEMORANDUM

**TO: SAIMAK MOTAHARI, P.E.  
SENIOR ENGINEER**

**FROM: JACK RYDELL, P.E., T.E., PTOE  
CONSULTANT TRAFFIC ENGINEER**

**DATE: AUGUST 10, 2007**

**SUBJECT: 28220 HIGHRIDGE ROAD  
PLANNING CASE SUB2007-0003/ZON2007-00072  
SITE PLAN REVIEW – 2<sup>ND</sup> SUBMITTAL**

As requested, I have reviewed the revised site plan for a proposed condominium development as it relates to traffic issues and offer the following comments.

1. The revised plan indicates construction of a median break and associated southbound left-turn pocket at the project driveway. This is acceptable from a planning perspective to provide adequate access to the site. Prior to final approval of the plans, the applicant should submit signing and striping plans for Public Works review. In addition to funding the cost of constructing the median break, the applicant should be conditioned to fund installation of the appropriate median opening signs and markings (per the previously discussed signing and striping plan) by the City.
2. Vegetation planting on the south side of the driveway should be designed so as not to limit visibility for exiting vehicles when viewing traffic on Highridge Road.

If you have any questions, please contact me at (562) 252-2511.

JR: 28220 Hghridge Rd Site Plan Second Review - 8-10-07

# MEMORANDUM



# RANCHO PALOS VERDES

**TO: SAIMAK MOTAHARI, P.E.  
SENIOR ENGINEER**

**FROM: JACK RYDELL, P.E., T.E., PTOE  
CONSULTANT TRAFFIC ENGINEER**

**DATE: MARCH 29, 2007**

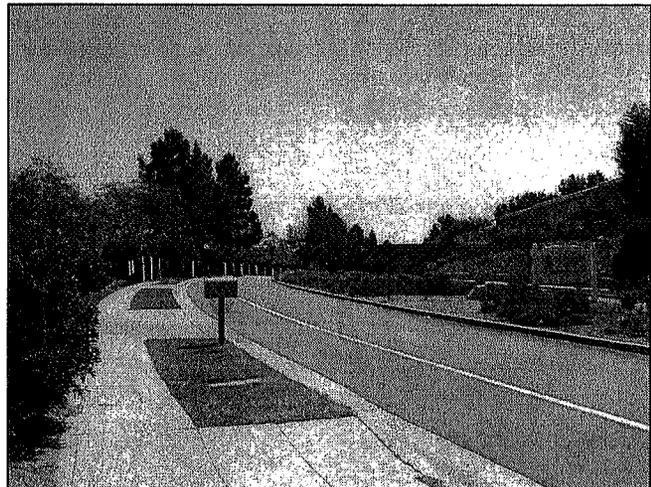
**SUBJECT: 28220 HIGHRIDGE ROAD  
PLANNING CASE SUB2007-0003/ZON2007-00072  
SITE PLAN REVIEW**

As requested, I have reviewed the subject site plan for a proposed condominium development as it relates to traffic issues and offer the following comments.

1. Based on the proposed 27 units, this development is expected to generate approximately 216 trips per day. The Los Angeles County Traffic Impact Analysis Guidelines specifies a threshold of 500 trips per day or 50 trips per peak hour for requiring a traffic impact study. Based on this information, a traffic impact analysis is not required for this development.



2. Highridge Road currently has a landscaped center median separating the northbound and southbound travel lanes. The plan does not show how access will be provided for southbound traffic. It appears that a median break will be required. Sufficient detail should be included to illustrate that adequate access is provided, including minimum stopping sight distance per American Association of State Highway and Transportation Officials (AASHTO) guidelines.



March 29, 2007

Page 2

3. The plan should include turning template information for emergency and sanitation vehicles to ensure that adequate turning radii are provided on internal driveways to adequately access the property.
4. Vegetation planting on the south side of the driveway should be designed so as not to limit visibility for exiting vehicles when viewing traffic on Highridge Road.
5. If a median cut is provided, the developer should be conditioned to fund installation of appropriate median opening signs by the City.



If you have any questions, please contact me at (562) 252-2511.

JR: 28220 Hghridge Rd Site Plan Review - 3-29-07

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## The Role of Cities in Addressing Climate Change under CEQA

BY GREG STEPANICICH

On January 1 of this year, the landmark California Global Warming Solutions Act of 2006, Health & Safety Code Section 38500 *et seq.* (the “Act”), became law. The purpose of the Act is to reduce the level of statewide greenhouse gas emissions in 2020 to 1990 levels. The Air Resources Board is charged with adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from sources producing significant levels of greenhouse gases. The Act makes no mention of the California Environmental Quality Act (“CEQA”), but the legislative findings declare that global warming poses a serious threat to the public health, natural resources and environment of California.

### NEW LEGISLATION REQUIRES CEQA GUIDELINES ON CLIMATE CHANGE

Senate Bill 97 (“SB 97”-Dutton), signed by the Governor on August 24, 2007, answers any question whether global warming or climate change is an issue to be addressed under CEQA. SB 97 adds Section 21083.05 to the Public Resources Code. Section 21083.05(a) states that the Office of Planning and Research (“OPR”) shall prepare “guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions *as required by this division...*” Although Section 21083.05 only expressly requires public agencies to prepare new CEQA guidelines on this issue, the wording of the statute nonetheless implies that CEQA currently requires a discussion of greenhouse gas emissions in environmental documentation. OPR must prepare and transmit the new guidelines to the Resources Agency

on or before July 1, 2009. By January 1, 2010, the Resources Agency must certify and adopt the OPR guidelines. Both OPR and the Resources Agency must update the adopted guidelines to incorporate new information or criteria established by the Air Resources Board pursuant to the Act. We can anticipate that the Air Resources Board will use CEQA as one of the mechanisms to reduce greenhouse gas emissions to 1990 levels.

Until the Resources Agency adopts these guidelines, public agencies are forced to develop their own approaches to measuring and evaluating greenhouse gas. Some local public agencies have taken the position that until greenhouse gas evaluation methodologies and significance criteria are established, the impact of local land use projects on climate change is speculative and does not need to be addressed in environmental documentation. CEQA Guidelines Section 15145 provides that a lead agency does not have to discuss a potential environmental impact if the agency finds that the impact is too speculative for evaluation.

**THE SAN BERNARDINO CLIMATE CHANGE SETTLEMENT WITH THE ATTORNEY GENERAL**

The County of San Bernardino (“County”) was among the agencies that took this approach in preparing and certifying its environmental impact report (“EIR”) for a comprehensive General Plan update. The California Attorney General filed a lawsuit against the County alleging that the EIR was deficient for failing to address the impact of the General Plan update on climate change. The County settled this lawsuit by agreeing to prepare and adopt a Greenhouse Gas Emissions Reduction Plan. This plan will:

- Inventory the sources of greenhouse gases in the County;
- Establish a baseline inventory of emissions from these sources;

- Project the expected level of emissions in 2020 due to the County’s land use decisions and internal government operations; and
- Establish mitigation measures for reaching the targeted reductions required by the Plan in a manner consistent with the Act.

As part of the settlement, the Attorney General dropped its challenge to the adopted General Plan update and related EIR, in exchange for the County preparing a new EIR on the Greenhouse Gas Emissions Reduction Plan.

The Attorney General will challenge the approval of comprehensive planning and large land use projects that do not adequately address climate change in the environmental documents. The Attorney General recently submitted climate change comments on 13 local EIRs involving general plans, large-scale specific plans and regional transportation plans. A private environmental group, the Center for Biological Diversity, has filed similar CEQA challenges against the County and the Cities of Desert Hot Springs, Perris, and Banning. Successful climate change lawsuits filed by environmental or other public interest groups will likely result in the award of attorneys’ fees against the defendant public agencies.

**DO ALL PROJECTS REQUIRE CLIMATE CHANGE STUDY?**

There is no doubt that comprehensive General Plan updates by cities and counties should address climate change. The more difficult question is what size of project requires climate change analysis. The language of the Act indicates that it does not require regulation of all sources of greenhouse gases. Health and Safety Code Section 38505(i) defines sources of greenhouse gases subject to regulation under the Act as “sources whose emissions are at a level of significance as determined by the Air Resources Board that its participation in the program

established under the Act will enable the Board to effectively reduce greenhouse gas emissions.” This implies there are some sources of greenhouse gases that the Air Resources Board will determine are below a “level of significance.” Section 38561(e) requires the Air Resources Board to recommend a *de minimis* threshold of greenhouse gas emissions below which emission reduction requirements under the Act will not apply. Presumably, the climate change CEQA guidelines that OPR prepares and that the Resources Agency adopts also will exclude projects found to have an insignificant effect on climate change from greenhouse gas emission study and mitigation.

**CONCLUSION**

Deciding whether an EIR or Negative Declaration needs to address climate change involves a careful evaluation of the nature and impacts of the project. The safest course is to include climate change in the environmental review for any large residential or commercial project. In the absence of state guidelines on when a project is of sufficient size or impact to trigger climate change review, local public agencies will need to make difficult judgment calls. An in-fill residential duplex probably does not require climate change analysis while a 200-unit residential subdivision of previously undeveloped land likely does.

There are two primary approaches to consider in addressing climate change as a potentially significant environmental effect:

1. Determine that the project, either individually or cumulatively, will have a potentially significant effect on the environment, but conclude that the effect can be mitigated to a level of insignificance. Public agencies will need to adopt mitigation measures addressing climate change impacts that reasonably reduce the impact to a level of insignificance. This

approach may be taken for either a Mitigated Negative Declaration or an EIR.

2. Determine that the project, either individually or cumulatively, will have a potentially significant effect on the environment and conclude that the effect is significant and unavoidable, requiring the preparation of a statement of overriding considerations. Before making a statement of overriding considerations, the lead agency must consider all feasible mitigation measures. Public agencies can use this approach only if an EIR is prepared. Therefore, if an agency adopts this approach as a general across-the-board policy, it is precluded from preparing Negative Declarations or Mitigated Negative Declarations for any project, regardless of size.

**The safest course is to include climate change in the environmental review for any large residential or commercial project.**

Unfortunately, neither of these two approaches immunizes the public agency from litigation, as project opponents will argue that the adopted mitigation is insufficient. Further, until the state regulatory agencies adopt established analytical methodologies, project opponents will attack the method of analysis employed. Nonetheless, a public agency will be better able to defend against lawsuits by preparing a good faith, thorough, and reasonable analysis of the issue.

Any environmental review of the impact of the project on climate change should consider not

only the climate change impacts created by the project, but also the impacts climate change will have on the project. For example, a project located near bodies of water or watercourses should address the impact that rising water levels may have on the project.

It is impossible to give CEQA guidance that applies universally to all projects, as the determination of the level of review required for climate change impacts is very fact specific. Climate change is, however, an important environmental issue that public agencies can no longer dismiss as speculative.

**FOR ADVICE FROM RW&G CONCERNING CLIMATE CHANGE, PLEASE CONTACT GREG STEPANICICH OR ANY OF THE LAWYERS IN THE FIRM'S CLIMATE CHANGE PRACTICE GROUP.**

**ENVIRONMENTAL**

**The Price of Clean Water**

**BY MATTHEW E. COHEN**

As we head into the storm season, it is perhaps an appropriate time to reflect on an issue of increasing import: our storm drain systems.

In California, discharges from our Municipal Separate Storm Sewer Systems (commonly known as “MS4s”) are not treated. Despite this fact, we rarely consider the impacts that simple tasks, such as washing our cars or applying chemical fertilizers to our lawns, have on our streams, rivers, and beaches. For most people, MS4s only catch our attention when, during times of tremendous downpour, the normally tranquil ditches, canals, and streams criss-crossing our community turn into raging torrents, threatening life and property. Yet in the effort to clean up our polluted waters, MS4s are increasingly taking center stage.

**THE CLEAN WATER ACT’S INFANCY**

In 1972, Congress adopted the Clean Water Act. One of the most significant pieces of legislation in the last 40 years, the Clean Water Act set the newly created Environmental Protection Agency (“EPA”) on a path to develop and

**In 1987, Congress amended the Clean Water Act officially to require the EPA to regulate storm water discharges.**

SUBMITTED TO STAFF AFTER HEARING ON 4/8/08

**From: Grace Yung**

**To: City of Rancho Palos Verdes,**

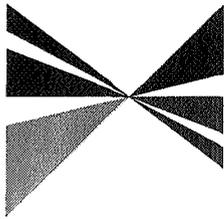
**Regarding this proposed project, ( REC Development, 28220 Highridge Rd )**

**As you are aware, we already have a lot of traffic in the area, building more units will put more traffic on the street, less parking space more stress on everybody. Building more multi-units in a saturated area, is not a good idea, It makes the area look uncomfortable.**

**Thank you.**



**Grace Yung  
President,  
HOA, Palos Verdes Monte Vista  
5658 Ravenspur Drive, unit 401,  
Rancho Palos Verdes, CA 90275.**



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Transportation and Communications  
Alan D. Wapner, Ontario

April 17, 2008

Ms. Kit Fox  
Associate Planner  
City of Rancho Palos Verdes  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275-5391

**RE: SCAG Clearinghouse No. I 20080165 Highridge Condominiums**

Dear Ms. Fox:

Thank you for submitting the **Highridge Condominiums** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **Highridge Condominiums**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's **March 16-31, 2008** Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1857. Thank you.

Sincerely,

LAVERNE JONES, Planning Technician  
Program Development and Evaluation Division

**RECEIVED**

APR 18 2008

**PLANNING, BUILDING & CODE ENFORCEMENT**

**From:** Gwen Ariza  
**To:** Kit Fox;  
**Subject:** Re: Lack of Adjacent Building Notification  
**Date:** Tuesday, April 29, 2008 5:43:46 PM

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Thank you for your prompt response and corrected meeting information. The address that you have on file for the owner is, of course, correct and even though we need notification, I am not sure I actually have the authority to change the notification from the Southern California Conference to our church, so would it be possible to just get a copy of the notification?

That way, the conference still gets the copy since they are the owner and we will also know in case the delinquency was from them.

Thanks again. We appreciate it.

Gwen Ariza  
RH Church Office Manager  
310 541-1819

P. S. If that is not possible, just let me know.

On Tue, Apr 29, 2008 at 5:30 PM, Kit Fox <[kitf@rpv.com](mailto:kitf@rpv.com)> wrote:

Dear Ms. Ariza:

The mailing labels for the public notices were provided by the project applicant. We require the mailing labels to be addressed to the property owner, based upon the most recent County tax assessor's records. According to the County tax assessor's records, the mailing address for the church property is "Southern California Association of Seventh-Day Adventists, 1535 E. Chevy Chase Dr., Glendale, CA 91206." This is the same address that was on the applicant's mailing labels. In the future, however, all notices will be mailed to Mr. Chang at the church's address in Rolling Hills Estates.

Just as a point of clarification, the Planning Commission has held

only 1 meeting on the project (April 8<sup>th</sup>). A second meeting is scheduled for May 13<sup>th</sup> at 7:00 PM at Hesse Park Community Building, 29301 Hawthorne Blvd., Rancho Palos Verdes, CA 90275. There will also be future public meetings before our City Council.

I apologize for the confusion in this matter. Please feel free to contact me if you have further questions.

Kit Fox, AICP

Associate Planner

City of Rancho Palos Verdes

30940 Hawthorne Blvd.

Rancho Palos Verdes, CA 90275

T: (310) 544-5228

F: (310) 544-5293

E: [kitf@rpv.com](mailto:kitf@rpv.com)

---

**From:** Joel Rojas [<mailto:joelr@rpv.com>]

**Sent:** Tuesday, April 29, 2008 5:11 PM

**To:** 'Gwen Ariza'; [pc@rpv.com](mailto:pc@rpv.com); [DougP@ci.rolling-hills-estates.ca.us](mailto:DougP@ci.rolling-hills-estates.ca.us)

**Cc:** 'Kit Fox'

**Subject:** RE: Lack of Adjacent Building Notification

Dear Gwen

I believe all properties located within 500 feet of the project were notified by mail of the proposed project. I have forwarded your message to the project planner; Senior Planner Kit Fox to investigate.

Joel Rojas

---

**From:** Gwen Ariza [<mailto:office@rollinghillssdachurch.org>]

**Sent:** Tuesday, April 29, 2008 4:41 PM

**To:** [pc@rpv.com](mailto:pc@rpv.com); [DougP@ci.rolling-hills-estates.ca.us](mailto:DougP@ci.rolling-hills-estates.ca.us)

**Subject:** Lack of Adjacent Building Notification

We have never received notification regarding the meetings being held concerning the proposed property construction adjacent to our property (28220 Highridge Rd, RPV)

Just today I have learned that there have been 2 meetings and we never received a mailer, e-mail or phone call indicating a meeting was being held.

Our property manager is Jacob Chang, 310 377-0818.

We wish to be notified of any further meetings. You may use this e-mail, call Jacob, or mail the notification to the church.

Yours Truly,

Gwen Ariza

--

Rolling Hills Seventh-day Adventist Church  
28340 Highridge Road  
Rolling Hills Estates, CA 90274

[www.rollinghillssdachurch.org](http://www.rollinghillssdachurch.org)

--

Rolling Hills Seventh-day Adventist Church  
28340 Highridge Road  
Rolling Hills Estates, CA 90274

[www.rollinghillssdachurch.org](http://www.rollinghillssdachurch.org)

The Director of Planning, Building and Code Enforcement  
City of Rancho Palos Verdes  
C/o Mr. Kit Fox, Associate Planner  
30940 Hawthorne Blvd  
Rancho Palos Verdes, CA 90275

MAY 05 2008

PLANNING, BUILDING AND  
CODE ENFORCEMENT

Re: Mitigated Negative Declaration Nos. SUB2007-00003 & ZON2007-00072  
The proposed Highridge Condominium Complex

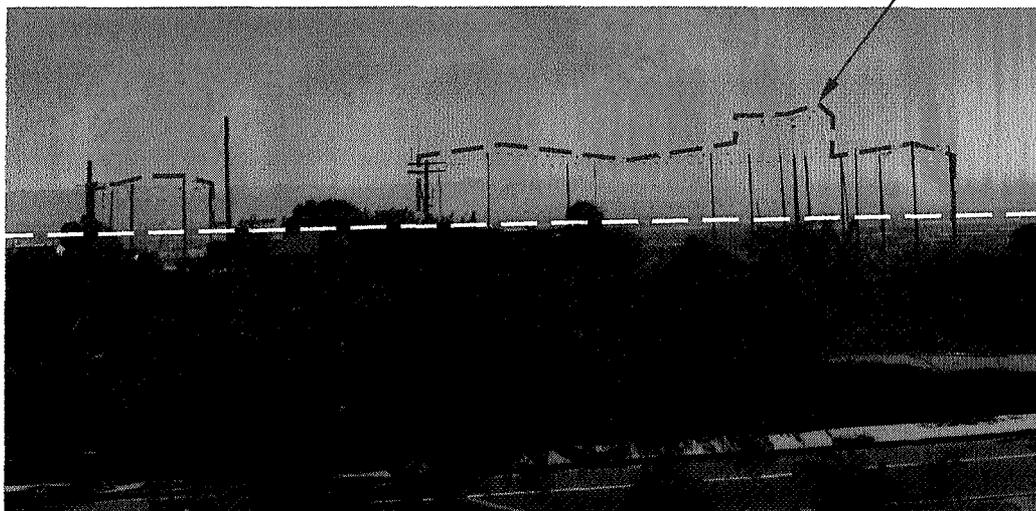
We, Barry N. and Barbara Sloan Smith of 5 Via La Cima, wish to introduce the following additional information for the Planning Commission's consideration on the proposed Project.

**Significant Cumulative View Impairment:** Based on the existing silhouette for the above referenced project, our residents will have their ocean, city lights and mountain views blocked or significantly impaired. The City of Rancho Palos Verdes represents itself as concerned about view preservation for its residents.

- **We request the City to define the existing height rules of 36 feet to be measured from the lowest elevation of the footprint of the building. This would realign RM-22 (Residential Multi-Family) to be compatible to RM-12 (Single-Family) standards with respect to view preservation. This equates to a maximum building height not to exceed 482 feet elevation as delineated on the Architects plans.**

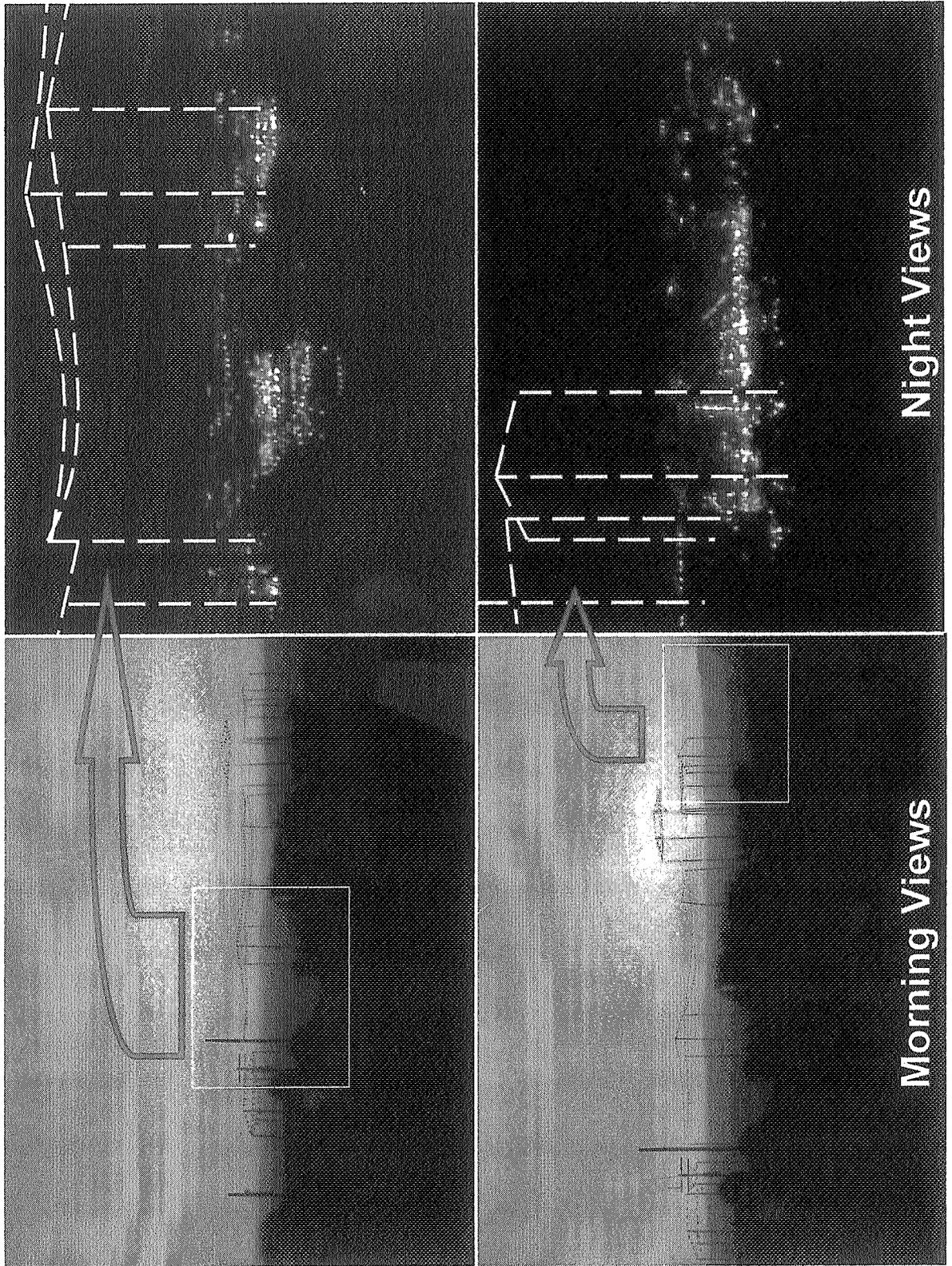
Although the above View Impairment is our largest issue, we also wish to bring to the Commission's attention the "Concerns List" outlined in the following pages and the supporting photographic documentation.

### Outline of Proposed Condominium



482 Ft  
Elevation

**View Blockage from 5 Via La Cima**



**Night Views**

**Morning Views**

## Concerns List from 5 Via La Cima in regards to the Staff Report of April 8, 2008

### 1) **Soils / Geology Report**, Staff Report, Page 4

*“The City’s geotechnical consultant has conceptually approved the geology for the proposed condominium project.”*

How has the additional detailed geological analysis affected the design and construction of the Project. For example, will the applicant accept the cost of removal of Palos Verdes stone bedrock, if he finds it during the site analysis, before the commencement of grading?

### 2) **Conditional Use Permit – Front Setback**, Staff Report, Page 7

*“Table specifies:      Required = 25’0” minimum  
                                 Proposed = 39’6”*

Has the applicant considered utilizing the available 14’6” in reducing the height of the southerly structure (toward Highridge) to a maximum elevation at 486 feet or two (2) stories in total height?

### 3) **Conditional Use Permit – RM-22 Standard**, Staff Report, Page 8

*“Table specifies Height<sup>3</sup>                      Required = 36’ maximum”*

Footnote 3 states: “For multi-family projects, building height is measured from the lower of either pre-construction or finished grade at any point within the building footprint.” This point is also restated in the discussion on Page 9, Item 3.

The applicants lowest footprint is at an elevation of 448.2 feet which equates to a roof ridge elevation not to exceed 484.2 feet. Request that the forward building be reduced to two (2) stories (roof elevation of 486 feet on the existing proposed plans).

### 4) **Variance**, Staff Report, Page 15

*In the findings for paragraphs 1, 2, & 3, the Staff believes the 36 foot height limit “by right” is acceptable to the project.*

We believe this acceptance is in conflict with footnote 3 on RM-22 (Page 8) which states “from the lowest elevation of the building’s footprint” – not the highest anywhere along the footprint.

## Concerns List from 5 Via La Clima - continued

- 5) **Traffic Impacts**, Staff Report, Page 18 (see also Conditional Use Permit, Page 8 & Check List, Page 11)

*“ ... the City’s traffic engineer reviewed the project plans and determined that it did not exceed the City’s threshold for a traffic impacts analysis ... ”*

We do not consider the county break point of an additional 500 cars per day as the proper metric when Highridge is the only street servicing 0.46 square miles of residential area.

We don’t believe the Engineer nor Staff considered the impact on 27 additional units, creating an additional 216 daily trips, would have on the current traffic density found at peak hours on Highridge.

We provide the following traffic count at intersection of Highridge and Peacock Ridge intersection for your consideration

|           |           |                                  |
|-----------|-----------|----------------------------------|
| Monday    | 4/28/2008 | 76 cars in 5 minutes at 7:22 AM. |
| Tuesday   | 4/29/2008 | 74 cars in 5 minutes at 7.25 AM  |
| Wednesday | 4/30/2008 | 72 cars in 5 minutes at 7.21 AM  |
| Thursday  | 5/01/2008 | 93 cars in 5 minutes at 7:27 AM  |
| Friday    | 5/02/2008 | 103 cars in 5 minutes at 7:31 AM |

It is reasonable to expect even higher traffic density at the completion of the Terranea Resort in 2009

- 6) **Property Values** , Staff Report, Page 18

*“ Analysis of property value impacts is not within the scope of the Planning Commission review of this or any other development ”*

We have personally showed the proposed envelope of the development to Realtors from our community. Each has confirmed our fear of lost property value of a minimum of \$100,000, then scaled down for Units with lessor view loss.

We submit that the loss of property value equates into direct loss of tax revenue for the City. Although highly subjective, we believe consideration by the Planning Commission is essential in the total findings of the Staff.

# Traffic Issues at Corner of Highridge and Peacock Ridge

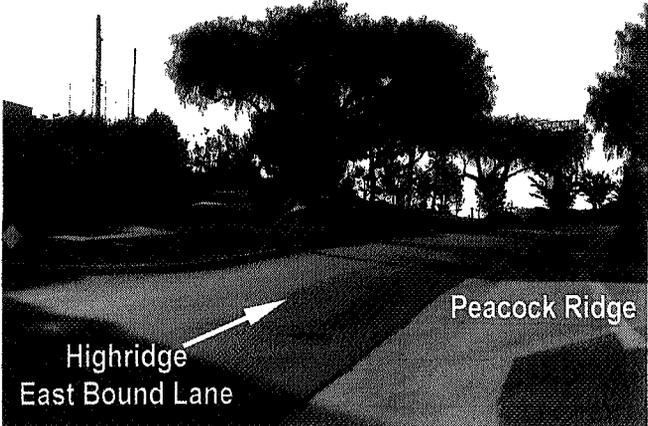


**Occluded View  
of Oncoming  
Westerly Traffic**

**View From  
East Corner  
of Intersection**



**Zoomed  
Close-up**

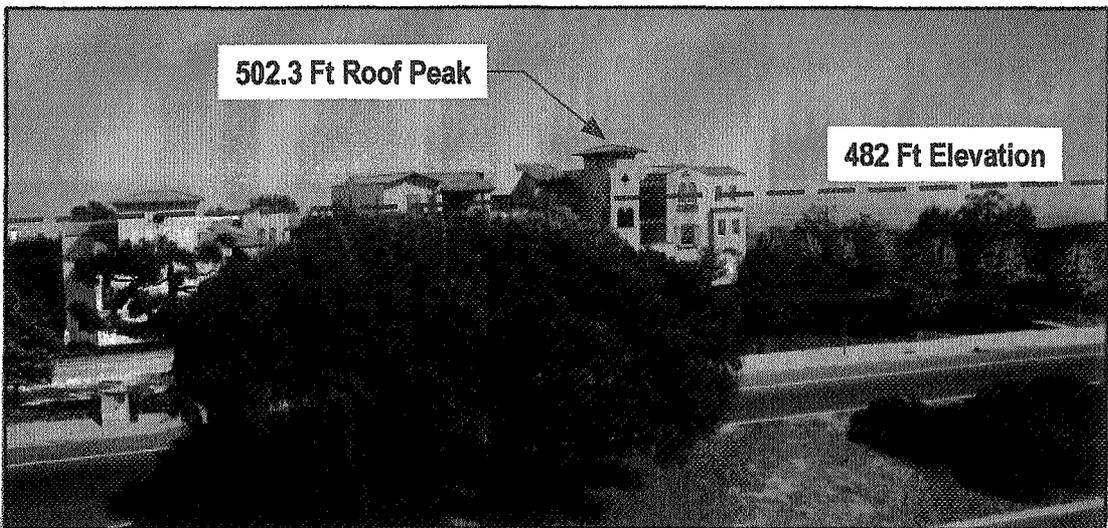


**View From  
West Corner  
of Intersection**

### Proposed Project Rendering - View Impairment



Existing Condition



View from Balcony of Adjacent Residential Unit

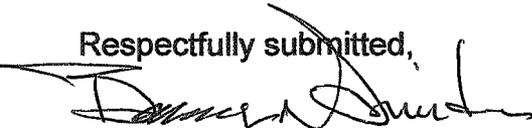
Proposed Development

**Highridge**  
Rancho Palos Verdes, CA



Ref Pg 76 of Staff Report

Respectfully submitted,

  
Barry N. Smith

  
Barbara Sloan Smith

5 Via La Cima  
Rancho Palos Verdes, CA 90275  
Phone: (310) 377-8717  
Fax: (310) 544-6552

RECEIVED

May 2<sup>nd</sup>, 2008

MAY 05 2008

City of Rancho Palos Verdes  
Planning, Building, & Code Enforcement  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275

PLANNING, BUILDING AND  
CODE ENFORCEMENT

To: Planning Commission  
Re: Planning Case Nos. SUB2007-00003 and ZON2007-00072  
Planned development of a 27-unit residential condominium complex on Highridge Road near Peacock Ridge Road.

Dear Members of the Commission,

This is our second letter to you. We will attend the May 13<sup>th</sup> meeting to make our views known about limiting the development of the proposed condominium complex.

When we were looking to buy a townhome in 1997, we found out that many townhomes in Palos Verdes are built with a "reverse floor plan;" i.e., the bedrooms are on the lower floor and the living areas (living room and dining room) are on the upper floor. We thank all of the builders for thinking of that way back when because now thousands of residents enjoy their views more fully every day. We had always heard that the city of Rancho Palos Verdes took view preservation seriously. This adds to the shock that part of our view (and much of our neighbors' views) will be taken away with the construction of the development as proposed. With a decrease in views, the value of our homes in La Cima will proportionately decrease.

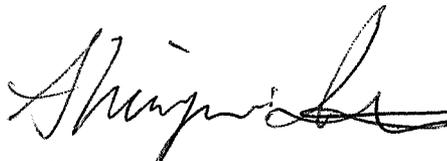
Another major concern of ours is the traffic flow and the *slope* of Highridge at the point where the complex is proposed. On a map, of course, everything looks flat and the proposed entrance to the complex (necessitating a "cut" in the median) may not look dangerous. In reality, the slope of the road will cause problems for drivers wishing to enter or exit that property. We know that our own Association's property (10 homes, ~20 vehicles, multiple visitors and delivery people) brings about a number of comings and goings. If the proposed complex truly ends up with 27 units (!), the number of vehicles, visitors, and deliveries will be much worse, and will be on a more dangerous stretch of road.

We would appreciate anything you can do that would lessen the harmful consequences we will face if this proposal goes through as planned. Thank you for your attention to this matter.

Regards,



Nina Ito



Shimpei Ito

4 Via La Cima  
Rancho Palos Verdes, CA 90275

**RECEIVED**

**MAY 05 2008**

**PLANNING, BUILDING AND  
CODE ENFORCEMENT**

May 5, 2008

Joel Rojas  
Director of Planning and  
Code Enforcement  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, Ca. 90275

RE: Planning Case Nos. SUB2007-00003 and ZON2007-00072, Proposed  
Condominium Located at 28220 Highridge Road, Rancho Palos Verdes, Ca.

Director Rojas,

This is our second response to Mr. Hassanally's project.

#### VIEW

Our major issue is view restoration. Will the Planning Commission protect the view and the value of home owners of 25 years versus the new developer?

The proposed project is the first of this size and mass to be considered in RPV for over 20 years. Have the codes kept current with the density and grow of this area?

For 38 years the building site has been utilized as though it was a code ( RM-12 ). It is our understanding, the Planning Commission has the authority to recommend the reduction in number of units, height, & size and mass. We respectfully request the City to modify the existing rules delineated in RM-22 ( Residential Multi Family ) to be compatible to RM-12 ( Single Family ) standards with respect to our view preservation.

#### NOTIFICATION

When canvassing our neighborhood both in RPV and Rolling Hills, none of the neighbors had any knowledge of this project. We question the notification process?

#### PARKING

It has been brought to our attention that Highridge Apartments will be renovating in July. A gated entrance is part of their renovation. Highridge Apartments has full underground parking as well as street parking within its complex. However, Peacock Ridge is the location for all visitor and overflow parking. There is NO MORE ROOM to park on Peacock Ridge.

The Seventh Day Adventist Church also has a gated entrance, not allowing for public parking. The Casa Verdes Condos also have no additional public parking. Parking is restricted on Highridge Road. The proposed parking for the project may meet the codes but is totally unrealistic.

#### TRAFFIC

The proposed Highridge Road turnout is too close to the Peacock Ridge turnout and is just below the rise of the hill. This is an issue that needs additional review. At our first Planning Commission meeting, the developer stated the Pepper Tree in the median would be removed to satisfy his proposed turnout. The destruction of the tree would just

add to the objection of the project. When reviewing the location of the turnout, please consider saving the tree. This tree helps buffer the traffic noise and mask the structures.

Thank you for your time.

Merv & Marlene Resing  
7 Via La Cima  
Rancho Palos Verdes, Ca. 90275  
mervresing@cox.net

Nancy M. Bradley  
2 Via La Cima  
Rancho Palos Verdes, Ca. 90275

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MAY 06 2008

PLANNING, BUILDING AND  
CODE ENFORCEMENT

May 3, 2008

The Director of Planning, Building and Code Enforcement  
City of Rancho Palos Verdes  
c/o Mr. Kit Fox, Assoc. Planner  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, Ca. 90275

Gentlemen:

This letter is in reference to the proposed 27 CONDOMINIUM BUILDING on Highridge Rd.

To date we have an overflow of parking from the nearby apartments on Peacock Ridge Rd. Lots of noise, particularly on Saturday nights. This proposed building will only make it worse with overflow from the new projected condominiums as some homes will have up to 4 bedrooms which supposes several children.

The building codes in RPV have not been updated in 20 years so there is no "up to date reference points for such buildings in this area.

The proposed turnout for the new new building will be a tremendous traffic hazard for drivers and for pedestrians. We have many children walking to and from school on this road. From my street it is difficult to make a left turn, some cars come too fast and cannot be detected until they are almost upon one, especially short people -I speak for myself and others like me.

The building is too high. If the developer would only reduce the height by reducing the number of units and thus eliminating the third floor it would be reasonable.

I hope the developer will consider the suggestions presented by the neighbors and make some alterations that would be acceptable to all.

I thank you.

*Nancy M. Bradley*

Nancy M. Bradley

P.S. Forgives the bad quality of printing  
*WBO*