

**MEMORANDUM**

**TO:** CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION  
**FROM:** DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT  
**DATE:** AUGUST 12, 2008  
**SUBJECT:** VESTING TENTATIVE TRACT MAP NO. 68796, ET AL. (CASE NOS. SUB2007-00003 & ZON2007-00072); PROPOSED 28-UNIT CONDOMINIUM PROJECT AT 28220 HIGHRIDGE ROAD

Staff Coordinator: Kit Fox, AICP, Associate Planner 

**RECOMMENDATION**

1) Adopt P.C. Resolution No 2008-\_\_\_, recommending certification of the Mitigated Negative Declaration to the City Council; and 2) adopt P.C. Resolution No. 2008-\_\_\_, recommending conditional approval of the requested Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit and Density Bonus to the City Council.

**BACKGROUND**

On July 22, 2008, the Planning Commission received additional information regarding the feasibility of modifying the site plan to reduce view impacts on 7 Via La Cima; Staff's analysis and recommendations regarding the applicant's request for a density bonus; and the City Engineer's review the revised traffic impact analysis for the 28-unit project. At the conclusion of the meeting, the public hearing was closed and the Planning Commission directed Staff to prepare P.C. Resolutions for the approval of the proposed project for consideration at tonight's meeting.<sup>1</sup>

**DISCUSSION**

Staff has prepared the attached draft P.C. Resolutions for the Planning Commission's consideration. The resolutions include the Planning Commission's direction to recommend denial of the requested left-turn pocket in the median of Highridge Road, as well as the recommendation to approve the requested density bonus with the provision of two (2) very-low-income units on site and deferred payment of the in-lieu fee for a third affordable unit. The recommended Mitigation Monitoring Program (MMP) includes all of the mitigation

<sup>1</sup> The vote on the motion was 5-1, with Commissioner Lewis dissenting and Commissioner Knight absent. The motion included a recommendation to deny the requested left-turn pocket.

measures identified in the Mitigated Negative Declaration (MND) prepared for the revised 28-unit project.

### **ADDITIONAL INFORMATION**

As mentioned above, the public hearing on this application was closed on July 22, 2008. Therefore, discussion and public comment at tonight's meeting should focus on the draft P.C. Resolutions and whether or not they accurately and completely represent the Planning Commission's recommendation to the City Council. Conditions may be revised, added or deleted. However, any conditions imposed upon the project should be based upon the decision made at the July 22, 2008, meeting, and should be related to the issues and impacts discussed at that meeting and the previous Planning Commission meetings on this subject. Any proposal for conditions related to project issues and/or impacts that have not been previously discussed will require the public hearing to be re-opened, which will require new public notification. Similarly, any additional discussion and/or public testimony regarding the merits of the project that is not consistent with the decision made on July 22, 2008, will require the public hearing to be re-opened, which must be done at a future meeting and also subject to new public notification.

### **CONCLUSION**

Based upon the foregoing discussion in this and the previous Staff reports of April 8, May 13, June 24 and July 22, 2008, Staff believes that all of the necessary findings for the approval of the revised, 26- to 36-foot-tall project can be made. Furthermore, Staff recommends accepting the applicant's offer for deferred payment of an in-lieu fee for the third very-low-income unit in return for granting the 1-unit density bonus. Therefore, Staff recommends adoption of the attached draft P.C. Resolutions recommending certification of the MND and conditional approval of the proposed project to the City Council. The City Council is scheduled to consider the Planning Commission's recommendations on September 16, 2008.

### **ALTERNATIVES**

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

1. Identify any remaining issues of concern with the proposed draft resolutions, project, provide Staff with direction in modifying the resolutions, and continue the public hearing to a date certain.

**Memorandum: VTTM 68796, et al. (Case Nos. SUB2007-00003 & ZON2007-00072)**  
**August 12, 2008**  
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**Attachments:**

Draft P.C. Resolution No. 2008-\_\_ (MND)  
Draft P.C. Resolution No. 2008-\_\_ (VTTM 68796, et al.)  
Reduced project plans

P.C. RESOLUTION NO. 2008-\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES, RECOMMENDING THAT THE CITY COUNCIL CERTIFY A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR PLANNING CASE NOS. SUB2007-00003 AND ZON2007-00072 (VESTING TENTATIVE TRACT MAP NO. 68796, GENERAL PLAN AMENDMENT, ZONE CHANGE, CONDITIONAL USE PERMIT, GRADING PERMIT AND DENSITY BONUS) FOR A NEW 28-UNIT RESIDENTIAL CONDOMINIUM PROJECT, LOCATED AT 28220 HIGH-RIDGE ROAD**

WHEREAS, on February 14, 2007, applications for Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit, Variance, Site Plan Review and Environmental Assessment (Planning Case Nos. SUB2007-00003 and ZON2007-00072) were submitted to the Planning Department by the applicant, REC Development, Inc., to allow the development of a 27-unit residential condominium project on a 1.25-acre site on Highridge Road; and,

WHEREAS, on December 7, 2007, the applications for Planning Case Nos. SUB2007-00003 and ZON2007-00072 were deemed complete by Staff; and,

WHEREAS, pursuant to the provision of the California Environmental Quality Act, Public Resources Code Section 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(F) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Initial Study and determined that, by incorporating mitigation measures into the Negative Declaration, there is no substantial evidence that the approval of Planning Case Nos. SUB2007-00003 and ZON2007-00072 would result in a significant adverse effect on the environment. Accordingly, a Draft Mitigated Negative Declaration was prepared and circulated for public review for twenty (20) days between March 19, 2008 and April 8, 2008, and notice of that fact was given in the manner required by law; and,

WHEREAS, after issuing notices pursuant to the requirements of the Rancho Palos Verdes Development Code and the State CEQA Guidelines, the Planning Commission held a duly noticed public hearing on April 8, 2008, at which time all interested parties were given the opportunity to be heard and present evidence; and,

WHEREAS, at the April 8, 2008, Planning Commission meeting, the Planning Commission directed Staff and the applicant to further investigate design alternatives to address concerns pertaining to portions of the project exceeding the 36-foot height limit; the proposed left-turn pocket in the median of Highridge Road; site landscaping; view

impacts to homes on Via La Cima; feasibility of additional grading; Planning Commission discretion with respect to the conditional use permit findings; and adequacy of the traffic impact analysis; and continued the public hearing to May 13, 2008; and,

WHEREAS, on May 7, 2008, the applicant submitted revised project plans that eliminated the proposed roof-access stair tower in excess of the 36-foot-height limit, thereby eliminating the Site Plan Review component of the proposed project; and,

WHEREAS, at the May 13, 2008, Planning Commission meeting, the Planning Commission directed the applicant to further explore design alternatives and additional grading to reduce view impacts to residences on Via La Cima; and asked for additional information regarding the applicant's cumulative traffic impact analysis; and continued the public hearing to June 24, 2008; and,

WHEREAS, on June 10, 2008, the applicant submitted revised project plans that reduced the maximum height of the project by twelve feet six inches (12'-6") and relocated the entry to the subterranean garage, thereby eliminating the Variance component of the proposed project; and,

WHEREAS, on June 18, 2008, the applicant requested a Density Bonus of one (1) additional market-rate unit, for a total of twenty-eight (28) units, pursuant to City and State density bonus law; and,

WHEREAS, at the June 24, 2008, Planning Commission meeting, the Planning Commission directed that Staff revise and recirculate the Mitigated Negative Declaration to reflect the new project description; directed the applicant to further explore the feasibility of modifying the site plan to reduce view impacts on 7 Via La Cima; directed Staff to more fully analyze and respond to the applicant's request for a density bonus; and asked for additional information regarding the revised traffic impact analysis for the 28-unit project; and continued the public hearing to July 22, 2008; and,

WHEREAS, pursuant to the provision of the California Environmental Quality Act, Public Resources Code Section 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(F) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes revised the Initial Study and determined that, by incorporating mitigation measures into the Negative Declaration, there is no substantial evidence that the approval of Planning Case Nos. SUB2007-00003 and ZON2007-00072—as revised—would result in a significant adverse effect on the environment. Accordingly, a Revised Draft Mitigated Negative Declaration was prepared and circulated for public review for twenty (20) days between July 2, 2008 and July 22, 2008, and notice of that fact was given in the manner required by law; and,

WHEREAS, at the July 22, 2008, Planning Commission meeting, the Planning Commission directed Staff to prepare appropriate P.C. Resolutions to recommend

certification of the Mitigated Negative Declaration and conditional approval of the proposed project to the City Council.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

**Section 1:** The Planning Commission has independently reviewed and considered the proposed Mitigated Negative Declaration, the public comments upon it, and other evidence before the Commission prior to taking action on the proposed project and finds that the Mitigated Negative Declaration was prepared in the manner required by law and that there is no substantial evidence that, with appropriate mitigation measures, the approval of Planning Case Nos. SUB2007-00003 and ZON2007-00072 (Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit and Density Bonus), would result in a significant adverse effect upon the environment.

**Section 2:** Planning Case Nos. SUB2007-00003 and ZON2007-00072 for Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit and Density Bonus are consistent with the Rancho Palos Verdes General Plan and with the underlying Residential, 12-22 DU/acre land use designation, which will not be changed as a result of the approval of the proposed project.

**Section 3:** There are no sensitive natural habitat areas on the subject site. Thus, no site disturbance or alteration will result from the approval of Planning Case Nos. SUB2007-00003 and ZON2007-00072 for a Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit and Density Bonus; and therefore, the project will have no individual or cumulative adverse impacts upon resources, as defined in Section 711.2 of the State Fish and Game Code.

**Section 4:** With the appropriate mitigation measures, which require annexation and re-zoning of a small portion of the project site that is currently located in Rolling Hills Estates; completion of geotechnical analysis of the proposed grading and construction prior to building permit issuance; imposition of City and regional restrictions upon fugitive dust control and construction vehicle emissions; mitigation of traffic impacts through modifications to the intersection of Highridge Road and Hawthorne Boulevard; remediation of any soil contamination or hazardous materials on the project site; limitations on construction hours and haul routes; provision of adequate water supply and implementation of water-conserving fixtures; modifications to the building design and limitations upon exterior lighting, landscaping and signage; protection of cultural resources; and provision of adequate public recreational facilities, the proposed project will not have a significant impact on the environment.

**Section 5:** Based upon the foregoing findings, the adoption of the proposed Mitigated Negative Declaration is in the public interest.

**Section 6:** For the foregoing reasons and based on the information and findings included in the Staff Report, Environmental Assessment and other components of the legislative record, in the proposed Mitigated Negative Declaration, and in the public comments received by the Commission, the Planning Commission of the City of Rancho Palos Verdes hereby certifies that the Mitigated Negative Declaration has been prepared in compliance with CEQA and recommends to the City Council the adoption of the attached Mitigation Monitoring Program (Exhibit 'A') associated with Planning Case Nos. SUB2007-00003 and ZON2007-00072 for Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit and Density Bonus, thereby recommending approval of a 28-unit residential condominium project, located at 28220 Highridge Road.

PASSED, APPROVED, AND ADOPTED this \_\_\_<sup>th</sup> day of August 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

RECUSALS:

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Stephen Perestam  
Chairman

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Joel Rojas, AICP  
Director of Planning, Building  
and Code Enforcement; and,  
Secretary to the Planning Commission

# Exhibit 'A'

## Mitigation Monitoring Program

**Project:** Case Nos. SUB2007-00003 & ZON2007-00072 (Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit, Density Bonus & Environmental Assessment)

**Location:** 28220 Highridge Road (APN 7587-007-800, -801, -802 and -803)  
Rancho Palos Verdes, CA 90275

**Applicant:** Dan Withee, Withee Malcolm Architects

**Landowner:** Zaffar Hassanally, REC Development

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## I. INTRODUCTION

### PURPOSE

This Mitigation Monitoring Program (MMP), is to allow the following project at the former Verizon telephone equipment facility, located at 28220 Highridge Road in the City of Rancho Palos Verdes: The applicant proposes to develop a 28-unit residential condominium complex on a 54,460-square-foot (1.250-acre) site on Highridge Road. This equates to a density of 22.4 units per acre or one (1) unit for every 1,945 square feet of lot area, which is not consistent with the current Residential Multi-Family, 22 DU/acre (RM-22) zoning designation for the site. However, the applicant has requested a density bonus of one (1) unit pursuant to State law and Chapter 17.11 of the Rancho Palos Verdes Municipal Code. Existing site improvements—consisting of a former telephone equipment building, antenna tower, access driveway and perimeter fencing—would be removed. The condominium units would range from one (1) to three (3) bedrooms and from 776 square feet to 2,260 square feet in size, with both single-level and townhouse-style units. Each unit would have private balconies and dedicated private storage areas in the subterranean garage. According to the City's affordable housing requirements, at least two (2) units would be designated for sale to very-low-income households. Sixty-seven (67) off-street parking spaces for residents and their guests would be provided, which is the minimum number required by the City's Development Code. A common swimming pool, spa and sun deck would be located on the lowest level at the rear of the building.

The 26- to 36-foot-tall project would comply with the 36-foot height limit established for the RM-22 zoning district. The project proposes 22,111 cubic yards of grading, consisting of 21,847 cubic yards of cut and 264 cubic yards of fill, for a net export of 21,583 cubic yards. If the project is approved as proposed, a 440-square-foot (0.010 acre) portion of the project site (APN 7587-007-802) that is currently located in the City of Rolling Hills Estates would be annexed to the City of Rancho Palos Verdes and rezoned RM-22 to match the zoning of the rest of the property.

The MMP responds to Section 21081.6 of the Public Resources Code, which requires a lead or responsible agency that approves or carries out a project where a Mitigated Negative Declaration has identified significant environmental effects, to adopt a "reporting or monitoring program for adopted or required changes to mitigate or avoid significant environmental effects." The City of Rancho Palos Verdes is acting as lead agency for the project.

An Initial Study/Mitigated Negative Declaration was prepared to address the potential environmental impacts of the project. Where appropriate, this environmental document recommended mitigation measures to mitigate or avoid impacts identified. Consistent with Section 21080 (2)(c) of the Public Resources Code, a mitigation reporting or monitoring program is required to ensure that the adopted mitigation measures under the jurisdiction of the City are implemented. The City will adopt this MMP when adopting the Mitigated Negative Declaration.

### ENVIRONMENTAL PROCEDURES

This MMP has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code Section 21000 et seq.) and the State Guidelines for Implementation of CEQA (CEQA Guidelines), as amended (California Administrative Code Section 15000 et seq.). This MMP complies with the rules, regulations, and procedures adopted by the City of Rancho Palos Verdes for implementation of CEQA.

### MITIGATION MONITORING PROGRAM REQUIREMENTS

Section 21081.6 of the Public Resources Code states: "When making the findings required by subdivision (a) of Section 21081 or when adopting a negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21081, the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on

the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of an agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program."

## **II. MANAGEMENT OF THE MITIGATION MONITORING PROGRAM**

### **ROLES AND RESPONSIBILITIES**

The MMP for the project will be in place through all phases of the project including final design, pre-grading, construction, and operation. The City will have the primary enforcement role for the mitigation measures.

### **MITIGATION MONITORING PROGRAM PROCEDURES**

The mitigation monitoring procedures for this MMP consists of, filing requirements, and compliance verification. The Mitigation Monitoring Checklist and procedures for its use are outlined below.

#### **Mitigation Monitoring Program Checklist**

The MMP Checklist provides a comprehensive list of the required mitigation measures. In addition, the Mitigation Monitoring Checklist includes: the implementing action when the mitigation measure will occur; the method of verification of compliance; the timing of verification; the department or agency responsible for implementing the mitigation measures; and compliance verification. Section III provides the MMP Checklist.

#### **Mitigation Monitoring Program Files**

Files shall be established to document and retain the records of this MMP. The files shall be established, organized, and retained by the City of Rancho Palos Verdes department of Planning, Building, and Code Enforcement.

#### **Compliance Verification**

The MMP Checklist shall be signed when compliance of the mitigation measure is met according to the City of Rancho Palos Verdes Director of Planning, Building, and Code Enforcement. The compliance verification section of the MMP Checklist shall be signed, for mitigation measures requiring ongoing monitoring, and when the monitoring of a mitigation measure is completed.

### **MITIGATION MONITORING OPERATIONS**

The following steps shall be followed for implementation, monitoring, and verification of each mitigation measure:

1. The City of Rancho Palos Verdes, Director of Planning, Building, and Code Enforcement shall designate a party responsible for monitoring of the mitigation measures.
2. The City of Rancho Palos Verdes, Director of Planning, Building, and Code Enforcement shall provide to the party responsible for the monitoring of a given mitigation measure, a copy of the MMP Checklist indicating the mitigation measures for which the person is responsible and other pertinent information.

3. The party responsible for monitoring shall then verify compliance and sign the Compliance Verification column of the MMP Checklist for the appropriate mitigation measures.

Mitigation measures shall be implemented as specified by the MMP Checklist. During any project phase, unanticipated circumstances may arise requiring the refinement or addition of mitigation measures. The City of Rancho Palos Verdes, Director of Planning, Building, and Code Enforcement with advice from Staff or another City department, is responsible for recommending changes to the mitigation measures, if needed. If mitigation measures are refined, the Director of Planning, Building, and Code Enforcement would document the change and shall notify the appropriate design, construction, or operations personnel about refined requirements.

### III. MITIGATION MONITORING PROGRAM CHECKLIST

#### INTRODUCTION

This section provides the MMP Checklist for the project as approved by the Planning Commission of the City of Rancho Palos Verdes on November 11, 2003. Mitigation measures are listed in the order in which they appear in the Initial Study.

- \* **Types** of measures are *project design, construction, operational, or cumulative*.
- \* **Time of Implementation** indicates **when** the measure is to be implemented.
- \* **Responsible Entity** indicates **who** is responsible for implementation.
- \* **Compliance Verification** provides space for future reference and notation that compliance has been monitored, verified, and is consistent with these mitigation measures.

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<b>1. LAND USE AND PLANNING</b>				
<p><u>LUP-1:</u> Prior to final tract map recordation, the 440-square-foot (0.010 acre) portion of the project site that is located in the City of Rolling Hills Estates (Assessor's Parcel No. 7589-007-802) shall be annexed to the City of Rancho Palos Verdes, in accordance with the procedures established by the Los Angeles County Local Agency Formation Commissioner (LAFCO). The applicant shall be responsible for all City costs associated with processing the annexation request.</p>	Project Design	Prior to final tract map recordation	Property owner	Department of Planning, Building and Code Enforcement
<b>2. GEOLOGY AND SOILS</b>				
<p><u>GEO-1:</u> Prior to the issuance of a building permit by the City's Building Official, the applicant shall obtain final approval of the grading and construction plans from the City's geotechnical consultant. The applicant shall be responsible for the preparation and submittal of all soil engineering and/or geology reports required by the City's geotechnical consultant in order to grant such final approval.</p>	Construction	Prior to building permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<b>3. AIR QUALITY</b>				
<p><u>AIR-1:</u> Prior to the issuance of grading permits, the applicant shall demonstrate to the Director of Planning, Building and Code Enforcement that dust generated by grading activities shall comply with the South Coast Air Quality Management District Rule 403 and the City Municipal Code requirements that require regular watering for the control of dust.</p>	Construction	Prior to grading permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<p><u>AIR-2:</u> During construction, all grading activities shall cease during periods of high winds (i.e., greater than 30 mph). To assure compliance with this measure, grading activities are subject to periodic inspections by City staff.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement
<p><u>AIR-3:</u> Construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p><u>AIR-4:</u> Trucks and other construction vehicles shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated in Section 17.56.020(B) of the Rancho Palos Verdes Municipal Code.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement
<p><u>AIR-5:</u> Prior to the issuance of building permits, the applicant shall demonstrate the project's compliance with the South Coast Air Quality Management District Rule 445 and the City Municipal Code requirements regarding wood-burning devices.</p>	Construction	Prior to building permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<p><b>4. TRANSPORTATION/CIRCULATION</b></p>				
<p><u>TRA-1:</u> In order to reduce the traffic impacts of the proposed project to less-than-significant levels, the intersection Highridge Road and Hawthorne Boulevard shall be modified as follows:</p> <ul style="list-style-type: none"> <li>• Convert the existing northbound left turn lane to a shared left-plus-through lane; and the existing northbound through lane to a dedicated right-turn lane;</li> <li>• Keep the existing dedicated right-turn lane so there will be two (2) northbound right-turn lanes;</li> <li>• Modify the existing traffic signal phases for the northbound and southbound approaches to split-phasing (from protected left-turn phasing);</li> <li>• Set the cycle length to one hundred twenty (120) seconds or optimize the cycle length to allow for additional green time on all movements; and,</li> </ul> <p>Provide "cat-track" striping for the two (2) northbound right-turn lanes for their transition to the eastbound through lanes on Hawthorne Boulevard.</p>	Operational	Prior to building permit final	Property owner	Departments of Planning, Building and Code Enforcement and Public Works

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p>TRA-2: Prior to building permit final, the applicant shall be responsible for contributing the project's fair share of the cost of the recommended improvements at Highridge Road and Hawthorne Boulevard (estimated at 15.5%) to the City of Rancho Palos Verdes; and shall contribute the project fair share of the cost of future improvements at Hawthorne Boulevard and Silver Spur Road (estimated at 2.5%) to the City of Rolling Hills Estates.</p>	Operational	Prior to building permit final	Property owner	Departments of Planning, Building and Code Enforcement and Public Works
<p>TRA-3: Prior to grading permit issuance, the applicant shall obtain approval of a haul route from the Director of Public Works. The applicant shall ensure that loaded trucks are appropriately covered to prevent soil from spilling on the roadway along the haul route.</p>	Construction	Prior to grading permit issuance	Property owner	Department of Public Works
<p>TRA-4: The final design of the left-turn pocket shall incorporate the following modifications, to the satisfaction of the Director of Public Works:</p> <ul style="list-style-type: none"> <li>The proposed medium break and transition for the project entrance shall maintain a 60-foot-long pocket with a 60-foot-long transition.</li> </ul> <p>The existing left-turn pocket for northbound Highridge Road and Peacock Ridge Road shall be reconfigured to a 100-foot-long pocket with a 60-foot-long transition.</p> <p>TRA-5: Prior to recordation of the final tract map, the applicant shall submit street improvement plans for the median break and left-turn pocket on Highridge Road to the Director of Public Works for final review and approval.</p>	<p>The proposed left-turn pocket and median break in Highridge Road are no longer a part of the recommended project</p>			
<p>TRA-6: Prior to recordation of the final tract map, the applicant shall post a bond or other security acceptable to the Director of Public Works for any approved improvements within the public right-of-way of Highridge Road.</p>	Construction	Prior to final tract map recordation	Property owner	Department of Public Works

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p><u>TRA-7:</u> Vegetation, walls or other site improvements located on the south side of the driveway shall be limited to no more than thirty inches (30") in height so as to preserve sight distance in accordance with Section 17.48.070 of the Rancho Palos Verdes Municipal Code.</p>	Project Design	Prior to building permit final	Property owner	Department of Planning, Building and Code Enforcement
<p><b>5. HAZARDS AND HAZARDOUS MATERIALS</b></p>				
<p><u>HAZ-1:</u> Prior to approval of grading permits, the applicant shall conduct a soil investigation to determine whether site conditions pose any significant health or environmental risks associated with the past use of the site, and the nature and extent of any associated contamination. The investigation shall also include sampling and analysis to determine the PCB status of the site and building. The results of these investigations shall be presented in a report prepared in accordance with applicable law and standard practice.</p>	Construction	Prior to grading permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<p><u>HAZ-2:</u> No grading associated with the project shall occur until the soils investigation report is reviewed and approved by the City. If the soils investigation report requires remedial actions to address contamination, no grading activities shall occur in identified areas until appropriate response actions have been completed in accordance with applicable law and standard practice to the satisfaction of the City.</p>	Construction	Prior to grading permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<p><u>HAZ-3:</u> During grading or other soil disturbing activities, if malodorous or discolored soils or soils thought to contain significant levels of contaminants are encountered; the applicant or his contractors shall enlist the services of a qualified environmental consultant to recommend methods of handling and/or removal from the site. The need for and methods of any required response actions shall be coordinated with, and subject to, approval by the City.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p><u>HAZ-4:</u> Prior to disturbing the suspected asbestos and/or lead containing materials identified in the Phase I report for the property, a consultant qualified in sampling and analysis of said materials shall be retained by the applicant. If samples test positive, specifications shall be prepared for the removal of identified asbestos and/or lead materials as necessary. A licensed asbestos contractor and Certified Asbestos Consultant, pursuant to EPA/AHERA Section 206 and CCR Title 8, Article 2.6 shall be retained by the applicant to properly document, inspect, monitor, remove, and encapsulate the asbestos materials prior to disposal. Prior to demolition, precautionary steps shall be taken to reduce worker exposure to lead, according to occupational health standards. Removal of lead-based paint, if necessary, shall be subject to applicable state and federal regulatory guidelines.</p>	Construction	Prior to demolition of existing site improvements	Property owner	Department of Planning, Building and Code Enforcement
<b>6. NOISE</b>				
<p><u>NOI-1:</u> Permitted hours and days for construction activity are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Municipal Code without a special construction permit.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement
<p><u>NOI-2:</u> The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement
<p><u>NOI-3:</u> All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated.</p>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p><u>NOI-4:</u> Haul routes used to transport soil exported from the project site shall be approved by the Director of Public Works to minimize exposure of sensitive receptors to potential adverse noise levels from hauling operations.</p>	Construction	Prior to commencement of grading	Property owner	Department of Public Works
<p><b>7. UTILITIES AND SERVICE SYSTEMS</b></p>				
<p><u>UTL-1:</u> Prior to final map approval, the applicant shall provide evidence of confirmation from California Water Service Company that current water supplies are adequate to serve the proposed project.</p>	Construction	Prior to final tract map recordation	Property owner	Department of Planning, Building and Code Enforcement
<p><u>UTL-2:</u> Prior to building permit issuance, the applicant shall ensure that construction plans and specifications for the project includes the following interior water-conservation measures for the following plumbing devices and appliances:</p> <ul style="list-style-type: none"> <li>• Reduce water pressure to 50 pounds per square inch or less by means of a pressure-reducing valve;</li> <li>• Install water-conserving clothes washers;</li> <li>• Install water-conserving dishwashers and/or spray emitters that are retrofitted to reduce flow; and,</li> <li>• Install one-and-one-half gallon, ultra-low flush toilets.</li> </ul>	Construction	Prior to building permit issuance	Property owner	Department of Planning, Building and Code Enforcement

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p><u>UTL-3:</u> Prior to building permit issuance, the applicant shall submit landscape and irrigation plans for the common open space areas for the review and approval of the Director of Planning, Building and Code Enforcement. Said plans shall incorporate, at a minimum, the following water-conservation measures:</p> <ul style="list-style-type: none"> <li>• Extensive use of native plant materials.</li> <li>• Low water-demand plants.</li> <li>• Minimum use of lawn or, when used, installation of warm season grasses.</li> <li>• Grouped plants of similar water demand to reduce over-irrigation of low water demand plants.</li> <li>• Extensive use of mulch in all landscaped areas to improve the soil's water-holding capacity.</li> <li>• Drip irrigation, soil moisture sensors, and automatic irrigation systems.</li> <li>• Use of reclaimed wastewater, stored rainwater or grey water for irrigation.</li> </ul>	Construction	On-going	Property owner	Department of Planning, Building and Code Enforcement
<b>8. AESTHETICS</b>				
<p><u>AES-1:</u> Prior to building permit issuance, the building elevations shall be revised to provide architectural trim and detailing on any blank 2-story facades of the facing wings of the building.</p>	Construction	Prior to building permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<p><u>AES-2:</u> Prior to building permit issuance, the applicant shall submit a site landscape plan for the review and approval of the Director of Planning, Building and Code Enforcement.</p>	Construction	Prior to building permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<p><u>AES-3:</u> Common area landscaping shall be maintained so as not to result in significant view impairment from the viewing area of another property, as defined in Section 17.02.040 of the Rancho Palos Verdes Municipal Code.</p>	Operational	On-going	Property owner	Department of Planning, Building and Code Enforcement

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<u>AES-4:</u> Any temporary or permanent project signage shall require the approval of a sign permit by the Director of Planning, Building and Code Enforcement, and shall be consistent with the provisions of Section 17.76.050(E)(2).	Project Design	On-going	Property owner	Planning Commission
<u>AES-5:</u> Prior to building permit issuance, the applicant shall submit a site lighting plan for the review and approval of the Director of Planning, Building and Code Enforcement. The plans shall demonstrate that lighting fixtures on the building and grounds shall be designed and installed so as to contain light on the subject property and not spill over onto adjacent private properties or public rights-of-way.	Operational	Prior to building permit issuance	Property owner	Department of Planning, Building and Code Enforcement
<u>AES-6:</u> Exterior lighting fixtures on the grounds shall be low, bollard-type fixtures, not to exceed forty-two inches (42") in height.	Project Design	On-going	Property owner	Department of Planning, Building and Code Enforcement
<u>AES-7:</u> Exterior lighting fixtures on private balconies and common exterior walkways shall be energy-efficient fixtures, such as compact fluorescents. Said fixtures shall be equipped with light sensors so that they will only be illuminated during hours of darkness.	Construction	Prior to building permit final	Property owner	Department of Planning, Building and Code Enforcement
<u>AES-8:</u> No internally-illuminated signage may be used on the project site.	Project Design	On-going	Property owner	Department of Planning, Building and Code Enforcement
<b>9. CULTURAL RESOURCES</b>				
<u>CUL-1:</u> Prior to the issuance of a grading permit, the applicant shall conduct a Phase 1 archaeological survey of the property. The survey results shall be provided to the Director of Planning, Building and Code Enforcement for review prior to grading permit issuance.	Construction	Prior to grading permit issuance	Property owner	Department of Planning, Building and Code Enforcement

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p><u>CUL-2:</u> Prior to the commencement of grading, the applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures.</p>	Construction	Prior to commencement of grading	Property owner	Department of Planning, Building and Code Enforcement
<b>10. RECREATION</b>				
<p><u>REC-1:</u> Prior to final tract map recordation, the applicant shall pay to the City a fee equal to the value of 0.3136 acre of parkland in lieu of the dedication of such land to the City, pursuant to the provision of Section 16.20.100 of the Rancho Palos Verdes Municipal Code.</p>	Construction	Prior to final tract map recordation	Property owner	Department of Planning, Building and Code Enforcement

P.C. RESOLUTION NO. 2008-\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES, RECOMMENDING THAT THE CITY COUNCIL CONDITIONALLY APPROVE VESTING TENTATIVE TRACT MAP NO. 68796, GENERAL PLAN AMENDMENT, ZONE CHANGE, CONDITIONAL USE PERMIT, GRADING PERMIT AND DENSITY BONUS (PLANNING CASE NOS. SUB2007-00003 AND ZON2007-00072), IN CONJUNCTION WITH THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION, TO ALLOW THE SUBDIVISION OF A 1.25-ACRE SITE INTO TWENTY-EIGHT (28) RESIDENTIAL CONDOMINIUM UNITS, LOCATED AT 28220 HIGHRIDGE ROAD**

WHEREAS, on February 14, 2007, applications for Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit, Variance, Site Plan Review and Environmental Assessment (Planning Case Nos. SUB2007-00003 and ZON2007-00072) were submitted to the Planning Department by the applicant, REC Development, Inc., to allow the development of a 27-unit residential condominium project on a 1.25-acre site on Highridge Road; and,

WHEREAS, on December 7, 2007, the applications for Planning Case Nos. SUB2007-00003 and ZON2007-00072 were deemed complete by Staff; and,

WHEREAS, pursuant to the provision of the California Environmental Quality Act, Public Resources Code Section 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(F) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Initial Study and determined that, by incorporating mitigation measures into the Negative Declaration, there is no substantial evidence that the approval of Planning Case Nos. SUB2007-00003 and ZON2007-00072 would result in a significant adverse effect on the environment. Accordingly, a Draft Mitigated Negative Declaration was prepared and circulated for public review for twenty (20) days between March 19, 2008 and April 8, 2008, and notice of that fact was given in the manner required by law; and,

WHEREAS, after issuing notices pursuant to the requirements of the Rancho Palos Verdes Development Code and the State CEQA Guidelines, the Planning Commission held a duly noticed public hearing on April 8, 2008, at which time all interested parties were given the opportunity to be heard and present evidence; and,

WHEREAS, at the April 8, 2008, Planning Commission meeting, the Planning Commission directed Staff and the applicant to further investigate design alternatives to address concerns pertaining to portions of the project exceeding the 36-foot height limit; the proposed left-turn pocket in the median of Highridge Road; site landscaping; view

impacts to homes on Via La Cima; feasibility of additional grading; Planning Commission discretion with respect to the conditional use permit findings; and adequacy of the traffic impact analysis; and continued the public hearing to May 13, 2008; and,

WHEREAS, on May 7, 2008, the applicant submitted revised project plans that eliminated the proposed roof-access stair tower in excess of the 36-foot-height limit, thereby eliminating the Site Plan Review component of the proposed project; and,

WHEREAS, at the May 13, 2008, Planning Commission meeting, the Planning Commission directed the applicant to further explore design alternatives and additional grading to reduce view impacts to residences on Via La Cima; and asked for additional information regarding the applicant's cumulative traffic impact analysis; and continued the public hearing to June 24, 2008; and,

WHEREAS, on June 10, 2008, the applicant submitted revised project plans that reduced the maximum height of the project by twelve feet six inches (12'-6") and relocated the entry to the subterranean garage, thereby eliminating the Variance component of the proposed project; and,

WHEREAS, on June 18, 2008, the applicant requested a Density Bonus of one (1) additional market-rate unit, for a total of twenty-eight (28) units, pursuant to City and State density bonus law; and,

WHEREAS, at the June 24, 2008, Planning Commission meeting, the Planning Commission directed that Staff revise and recirculate the Mitigated Negative Declaration to reflect the new project description; directed the applicant to further explore the feasibility of modifying the site plan to reduce view impacts on 7 Via La Cima; directed Staff to more fully analyze and respond to the applicant's request for a density bonus; and asked for additional information regarding the revised traffic impact analysis for the 28-unit project; and continued the public hearing to July 22, 2008; and,

WHEREAS, pursuant to the provision of the California Environmental Quality Act, Public Resources Code Section 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(F) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes revised the Initial Study and determined that, by incorporating mitigation measures into the Negative Declaration, there is no substantial evidence that the approval of Planning Case Nos. SUB2007-00003 and ZON2007-00072—as revised—would result in a significant adverse effect on the environment. Accordingly, a Revised Draft Mitigated Negative Declaration was prepared and circulated for public review for twenty (20) days between July 2, 2008 and July 22, 2008, and notice of that fact was given in the manner required by law; and,

WHEREAS, at the July 22, 2008, Planning Commission meeting, the Planning Commission directed Staff to prepare appropriate P.C. Resolutions to recommend certification of the Mitigated Negative Declaration and conditional approval of the proposed project to the City Council; and,

WHEREAS, at its August 12, 2008, meeting, after hearing public testimony, the Planning Commission adopted P.C. Resolution No. 2008-\_\_ making certain findings related to the requirements of the California Environmental Quality Act (CEQA) and recommended that the City Council adopt a Mitigation Monitoring Program and Mitigated Negative Declaration for the proposed project.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

**Section 1:** The Planning Commission makes the following findings of fact with respect to the application for Vesting Tentative Tract Map No. 68796 to subdivide the 1.25-acre site for a 28-unit condominium project:

- A. The proposed map and the design and improvement of the proposed subdivision are consistent with the Rancho Palos Verdes General Plan. The General Plan land use designation for the subject property is Residential, 12-22 DU/acre. With respect to this land use designation, the 1975 Land Use Plan of the General Plan states that “[no] vacant land is designated in this density range. It is a reflection of an area with existing high-density residential uses. No new development is proposed due to potential extreme environmental impacts.” Notwithstanding this statement, the subject property is designated at this density range on the City’s General Plan land use map and is not vacant (although its former use has been abandoned). The current Housing Element of the General Plan includes programs calling upon the City to identify adequate sites for a variety of housing types (Program Category No. 1); assist in the development of adequate housing to meet the needs of low- and moderate-income households (Program Category No. 2); and address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement and development of housing (Program Category No. 3). The development of condominiums—which are generally less expensive than detached single-family residences of comparable size—would serve to implement these programs. In addition, this project is subject to the inclusionary housing requirements of Chapter 17.11 of the City’s Development Code. Based upon the proposed 28-unit project, the applicant shall be obligated to provide three (3) dwelling units (or their equivalents) that are affordable to households with very low incomes.

- B. The site is physically suitable for the type and density of development proposed. The subject property is more than double the minimum size required for lots in the RM-22 zoning district. The twenty-eight units (28) proposed are not consistent with the minimum 2,000 square feet of lot area per unit requirement of the RM-22 zoning district, but the approval of the additional density of one (1) unit is warranted under the density bonus provisions of Section 17.11.060(A)(1) of the Rancho Palos Verdes Development Code. Furthermore, the project complies with all applicable setbacks, lot coverage and parking requirements of the RM-22 zoning district.
- C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, nor are they likely to cause serious public health problems. The subject property has been developed and used as a telephone equipment facility for more than fifty (50) years. There are no sensitive plant or animal species; no known historical, archaeological or paleontological resources; and no known hazardous materials or conditions on the subject property. In the event that any of these are encountered prior to or during construction of the project, the recommended conditions of approval will reduce any potential impacts upon the environment, fish and wildlife, sensitive habitats or public health to less-than-significant levels.
- D. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. There are no known public access easements across the subject property that should be preserved as a part of this project.

**Section 2:** The Planning Commission makes the following findings of fact with respect to the application for a general plan amendment and zone change for the annexation of a 0.01-acre portion of the subject property from the City of Rolling Hills Estates:

- A. A 440-square-foot portion of the subject property (Assessor's Parcel No. 7589-007-802) is located in the City of Rolling Hills Estates. This portion of the site is currently zoned by the City of Rolling Hills Estates for institutional use, consistent with the adjacent church at 28340 Highridge Road. With the approval of the

proposed project, the applicant will request that the City of Rancho Palos Verdes pursue the annexation of this area, with the cost of such annexation to be borne by the applicant. If annexed, it is the Planning Commission's recommendation that the parcel be assigned a General Plan land use designation of "Residential, 12-22 DU acre" and zoned "Residential Multi-Family, 22 DU/acre" (RM-22) to be consistent with the remainder of the site. If for some reason the parcel cannot be annexed within the City of Rancho Palos Verdes, the remaining property is still large enough to accommodate a condominium project, but it would need to be modified so as not to encroach upon the 440-square-foot area of the site that would remain in the City of Rolling Hills Estates.

**Section 3:** The Planning Commission makes the following findings of fact with respect to the application for a conditional use permit to establish a residential condominium project on the subject property:

- A. The site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by Title 17 (Zoning) or by conditions imposed under Section 17.60.050 to integrate said use with those on adjacent land and within the neighborhood. The proposed project is consistent with all of the RM-22 district development standards and the lot is more than double the minimum size required in the RM-22 district.
- B. The site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use. The project takes direct access from Highridge Road, a collector roadway connecting Hawthorne Boulevard and Crest Road. The project plans and traffic study have been reviewed by the City's traffic engineer. The traffic study identified impacts at the intersection of Highridge Road and Hawthorne Boulevard that can be mitigated to less-than-significant levels with changes to roadway striping and signal timing. The applicant shall be responsible for the project's fair share of the cost of these modifications. Although the applicant has proposed a left-turn pocket and median break in Highridge Road to provide access to the subject property, the Planning Commission finds that it would be imprudent to allow this left-turn pocket to be constructed due to its close proximity to the intersection of Highridge Road and Peacock Ridge Road.
- C. In approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof. Early in the review of this application, Staff identified potential view impacts as the most likely adverse impacts on adjacent properties, particularly for certain units in the *La Cima* community. For this reason, the applicant was asked to construct a certified silhouette of the proposed project. The RM-22 zoning district

establishes a 36-foot height limit for apartment buildings, which is measured from the lower of either preconstruction or finished grade at any point within the building footprint. The revised project has lowered the front portion of the building from thirty-six feet (36'-0") to twenty-six feet (26'-0") by removing the former third story in this area. In combination with a further 2½-foot lowering of the site grade, a 12½-foot lowering of the overall maximum height of the structure has been achieved.

As supported by the City Attorney's opinion, the Planning Commission has the authority to consider view impacts within the scope of this finding because this application is for a condominium project, which requires the approval of a conditional use permit. Therefore, the 36-foot height limit for the RM-22 zoning district does not have to be treated as a "by right" entitlement for this project. The Planning Commission considered view analyses conducted by Staff from seven (7) of the ten (10) residences on Via La Cima, which is located across Highridge Road from the subject property. Some members of the Planning Commission also inspected the view impacts of the project for several *La Cima* homes, including some not accessible to Staff.

Based upon the view analyses, the Planning Commission found that the revised project still results in significant view impairment for the residence at 7 Via La Cima. *La Cima* residents have enjoyed views over the subject property for many years and have come to consider these views as a crucial component of the value of their homes. For several homeowners, these views would be adversely affected by the loss of Los Angeles basin, mountain and nighttime city-light views. On the other hand, the subject property has been zoned and designated for multi-family residential use in the City's zoning and land use regulations since before the *La Cima* community was approved by the City in 1979. The applicant has modified the project to reduce the view impact upon 7 Via La Cima, and has demonstrated that further modifications will make the project physically and/or fiscally infeasible. Since the project has been reduced in overall height by twelve feet six inches (12'-6") by removing the third floor at the front the project, the result of this design modification has been to reduce the view impact upon all but one (1) of the *La Cima* residences to less-than-significant levels. Given the modification that have been made to the proposed project, the Planning Commission finds that significant view impairment for one (1) unit in the *La Cima* community does not constitute a "significant adverse effect on adjacent property" that warrants denial of or further modifications to the proposed project.

- D. The proposed use is not contrary to the General Plan. The proposed project is consistent with the goals and policies of the Land Use and Housing elements of the City's General Plan. It is a goal of the Urban Environment Element of the General Plan "to preserve and enhance the community's quality living

environment; to enhance the visual character and physical quality of existing neighborhoods; and to encourage the development of housing in a manner which adequately serves the needs of all present and future residents of the community.” Furthermore, it is a Housing Activity Policy of the City’s General Plan to “[require] all new housing developed to include suitable and adequate landscaping, open space, and other design amenities to meet the community standards of environmental quality.”

- E. The required finding that, if the site of the proposed use is within any of the overlay control districts established by Chapter 17.40 (Overlay Control Districts) of Title 17 (Zoning), the proposed use complies with all applicable requirements of that chapter, is not applicable to this project because the subject property is not located within an overlay control district.
- F. Conditions, which the Planning Commission finds to be necessary to protect the health, safety and general welfare, have been imposed upon this project. These conditions include all mitigation measures identified in the Mitigated Negative Declaration for the project. Examples include (but are not limited to) limitations on the heights of walls and fences; conditions regarding the placement and type of exterior light fixtures; requirements for marking fire lanes and prohibiting parking therein; requirements for compliance with the City’s attached unit development standards regarding the transmission of sound and vibration through common walls and floors; requirements for water-conserving landscaping and irrigation in the common areas; limitations on the height of foliage and trees in the common areas; and restrictions on the number and types of signage for the project.

**Section 4:** The Planning Commission makes the following findings of fact with respect to the application for a grading permit for 22,111 cubic yards of grading related to the development of the proposed condominium project:

- A. The grading does not exceed that which is necessary for the permitted primary use of the lot, as defined in Section 17.96.2210 of the Development Code. The proposed project encompasses 22,111 cubic yards of earth movement. Most of this material (i.e., 21,583 cubic yards) would be exported from the site. Most of the proposed cut would occur within the building footprint for the subterranean garage and lowest level of condominium units, while most of the proposed fill would occur within the footprint of the proposed patio deck at the rear of the property. The excavation of the site and export of material allows the building to be set lower on the site than could be allowed “by right” without the proposed grading (or with less grading).

- B. The grading and/or related construction does not significantly adversely affect the visual relationships with, nor the views from, neighboring properties. In cases where grading is proposed for a new residence or an addition to an existing residence, this finding shall be satisfied when the proposed grading results in a lower finished grade under the building footprint such that the height of the proposed structure, as measured pursuant to Section 17.02.040(B) of this Title, is lower than a structure that could have been built in the same location on the lot if measured from preconstruction (existing) grade. The proposed grading results in a lower structure than would be permitted "by right" without the proposed grading, and the project complies with the 36-foot height limit for the RM-22 zoning district.
- C. The nature of the grading minimizes disturbance to the natural contours, and finished contours are reasonably natural. The site is generally flat, with a gentle descending slope at the rear of the property. The proposed grading would generally lower the grade of the property overall, but would maintain the gently-sloping character of the site.
- D. The required finding that the grading takes into account the preservation of natural topographic features and appearances by means of land sculpting so as to blend any man-made or manufactured slope into the natural topography, is not applicable because there are no natural topographic features on the subject property.
- E. The required finding that, for new single-family residences, the grading and/or related construction is compatible with the immediate neighborhood character, as defined in Section 17.02.040(A)(6) of the Development Code, is not applicable because the proposed project is not a new single-family residence.
- F. In new residential tracts, the grading includes provisions for the preservation and introduction of plant materials so as to protect slopes from soil erosion and slippage, and minimize visual effects of grading and construction on hillside areas. The proposed project is a new residential tract, although it is not a single-family subdivision. This intent of this finding is to minimize the visual impacts and disturbance of existing vegetation that commonly occurs with cut-and-fill grading of terraced single-family neighborhoods. The existing property is mostly flat, with a gentle slope descending at the rear, and these basic landforms will be maintained with the grading of the property.
- G. The required finding, that the grading utilizes street designs and improvements which serve to minimize grading alternatives and harmonize with the natural contours and character of the hillside, is not applicable because the proposed project does not involve the construction of new streets.

- H. The grading would not cause excessive and unnecessary disturbance of natural landscape or wildlife habitat through removal of vegetation. There is existing mature foliage on the site, but no wildlife habitat that supports any sensitive (i.e., endangered or threatened) species.
- I. The grading conforms with the minimum standards for finished slope, depth of fill, retaining wall location and height, and driveway slope established under Section 17.76.040(E)(8) of the Development Code.
- J. Pursuant to Section 17.76.040(E)(9)(c) of the Rancho Palos Verdes Development Code, the proposed 19-foot depth of cut is reasonable and necessary. Grading down the pad within the footprint of the proposed building allows for a structure that is lower than would otherwise be permitted without the proposed grading.

**Section 5:** The Planning Commission makes the following findings of fact with respect to the application for a density bonus in conjunction with development of the proposed condominium project:

- A. The applicant's density bonus request involves requesting one (1) additional market-rate unit, for a total of twenty-eight (28) units. Of these, the applicant will dedicate two (2) units for sale to very-low-income households, which equates to five percent (5%) of the total number of units. This is consistent with the requirements of Section 17.11.040 of the Rancho Palos Verdes Development Code. However, it is the City's position that, in order to qualify for a density bonus under State law (i.e., Sections 65915-65918 of the Government Code), the applicant must set aside ten percent (10%) of the total number of units for very-low-income households. Although the applicant disagrees with the City's interpretation of State density bonus law, he is amenable to paying the City's in-lieu affordable housing fee for the third unit, providing that the City is willing to defer payment of the fee until after sale or occupancy of the twenty-fourth (24<sup>th</sup>) unit of the project.

The applicant is entitled to a density bonus of up to twenty percent (20%) under State law, but is asking for a density bonus of less than four percent (4%). A 20-percent bonus would amount to a project of up to thirty-three (33) units. Given the constraints of the project site, it is likely that the height of the project would have to be increased to accommodate thirty-three (33) units, possibly to or above the 36-foot height limit. Since the City's and State's density bonus regulations compel local jurisdictions to grant a development concession in conjunction with the density bonus request, the City would probably not be in a position to deny a taller project, even if it exceeded the property's height limit.

For the foregoing reasons, the Planning Commission believes that accepting an in-lieu fee for the third affordable unit is a reasonable compromise in that it upholds the City's interpretation of State law that three (3) affordable units are needed to qualify for the density bonus without requiring the applicant to alter the building design to actually construct a third affordable unit. As such, the Planning Commission recommends that the City Council agree to accept deferred payment of the in-lieu fee for the third affordable unit.

**Section 6:** Any interested person aggrieved by this decision or by any portion of this decision may appeal to the City Council. Pursuant to Sections 16.08.020, 17.60.060, 17.68.040(D) and 17.76.040(H) of the Rancho Palos Verdes Municipal Code, any such appeal must be filed with the City, in writing and with the appropriate appeal fee, no later than fifteen (15) days following August 12, 2008, the date of the Planning Commission's final action.

**Section 7:** For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby recommends that the City Council conditionally approve Vesting Tentative Tract Map No. 68796, General Plan Amendment, Zone Change, Conditional Use Permit, Grading Permit and Density Bonus (Planning Case Nos. SUB2007-00003 and ZON2007-00072), in conjunction with the adoption of a Mitigated Negative Declaration, to allow the subdivision of a 1.25-acre site into twenty-eight (28) residential condominium units, located at 28220 Highridge Road, subject to the recommended conditions of approval in the attached Exhibit 'A'.

PASSED, APPROVED, AND ADOPTED this \_\_\_<sup>th</sup> day of August 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

RECUSALS:

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Stephen Perestam  
Chairman

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Joel Rojas, AICP  
Director of Planning, Building and  
Code Enforcement; and, Secretary  
to the Planning Commission

**EXHIBIT 'A'**  
**RECOMMENDED CONDITIONS OF APPROVAL**  
**FOR TENTATIVE TRACT MAP NO. 68796, GENERAL PLAN AMENDMENT, ZONE**  
**CHANGE, CONDITIONAL USE PERMIT, GRADING PERMIT AND DENSITY BONUS**  
**(REC Development, 28220 Highridge Road)**

General

1. Within ninety (90) days of this approval, the applicant and/or 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 approval. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
2. The developer shall supply the City with one mylar and copies of the map after the final map has been filed with the Los Angeles County Recorders Office.
3. This approval expires twenty-four (24) months from the date of approval of the vesting tentative tract map by the City Council, unless extended per Section 66452.6 of the Subdivision Map Act and Section 16.16.040 of the Development Code. Any request for extension shall be submitted to the Planning Department in writing prior to the expiration of the map.
4. Permitted hours and days for construction activity are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Municipal Code without a special construction permit. [Mitigation Measure NOI-1]
5. Unless specific development standards for the development of the property contained in these conditions of approval, the development of the lots shall comply with the requirements of Title 17 of the City's Municipal Code.
6. Prior to final tract map recordation, the 440-square-foot (0.010 acre) portion of the project site that is located in the City of Rolling Hills Estates (Assessor's Parcel No. 7589-007-802) shall be annexed to the City of Rancho Palos Verdes, in accordance with the procedures established by the Los Angeles County Local Agency Formation Commissioner (LAFCO). The applicant shall be responsible for all City costs associated with processing the annexation request. [Mitigation Measure LUP-1]

### Subdivision Map Act

7. Prior to submitting the Final Map for recordation pursuant to Section 66442 of the Government Code, the subdivider shall obtain clearances from affected departments and divisions, including a clearance from the City's Engineer for the following items: mathematical accuracy, survey analysis, correctness of certificates and signatures, etc.

### County Recorder

8. If signatures of record title interests appear on the final map, the developer shall submit a preliminary guarantee. A final guarantee will be required at the time of filing of the final map with the County Recorder. If said signatures do not appear on the final map, a preliminary title report/guarantee is needed that covers the area showing all fee owners and interest holders. The account for this preliminary title report guarantee shall remain open until the final map is filed with the County Recorder.

### Cultural Resources

9. Prior to the issuance of a grading permit, the applicant shall conduct a Phase 1 archaeological survey of the property. The survey results shall be provided to the Director of Planning, Building and Code Enforcement for review prior to grading permit issuance. [Mitigation Measure CUL-1]
10. Prior to the commencement of grading, the applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures. [Mitigation Measure CUL-2]

### Sewers

11. A bond, cash deposit, or other City approved security, shall be posted prior to recordation of the Final Map or start of work, whichever occurs first, to cover costs for construction of and connection to a sanitary sewer system, in an amount to be determined by the Director of Public Works.
12. Prior to approval of the final map, the subdivider shall submit to the Director of Planning, Building and Code Enforcement a written statement from the County Sanitation District approving the design of the tract with regard to the existing

trunk line sewer. Said approval shall state all conditions of approval, if any, and state that the County is willing to maintain all connections to said trunk lines.

13. Approval of this subdivision of land is contingent upon the installation, dedication and use of local main line sewer and separate laterals to serve each unit of the land division.
14. Sewer easements may be required, subject to review by the City Engineer, to determine the final locations and requirements.
15. Prior to construction, the subdivider shall obtain approval of the sewer improvement plans from the County Engineer Sewer Design and Maintenance Division.

### Water

16. Prior to final map approval, the applicant shall provide evidence of confirmation from California Water Service Company that current water supplies are adequate to serve the proposed project. [Mitigation Measure UTL-1]
17. Prior to recordation of the Final Map or prior to commencement of work, whichever comes first, the subdivider must submit a labor and materials bond in addition to either:
  - a. An agreement and a faithful performance bond in the amount estimated by the City Engineer and guaranteeing the installation of the water system; or
  - b. An agreement and other evidence satisfactory to the City Engineer indicating that the subdivider has entered into a contract with the serving water utility to construct the water system, as required, and has deposited with such water utility security guaranteeing payment for the installation of the water system.
18. There shall be filed with the City Engineer a statement from the water purveyor indicating that the proposed water mains and any other required facilities will be operated by the water purveyor and that, under normal operating conditions, the system will meet the needs of the developed tract.
19. At the time the final land division map is submitted for checking, plans and specifications for the water systems facilities shall be submitted to the City Engineer for checking and approval, and shall comply with the City Engineer's standards. Approval for filing of the land division is contingent upon approval of plans and specifications mentioned above.

20. The project shall be served by adequately sized water system facilities that shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the land division. The City Engineer shall determine domestic flow requirements. Fire flow requirements shall be determined by the Fire Department and evidence of approval by the Fire Chief is required.
21. Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate firefighting water and access available to said structures.
22. Prior to building permit issuance, the applicant shall ensure that construction plans and specifications for the project includes the following interior water-conservation measures for the following plumbing devices and appliances:
  - Reduce water pressure to 50 pounds per square inch or less by means of a pressure-reducing valve;
  - Install water-conserving clothes washers;
  - Install water-conserving dishwashers and/or spray emitters that are retrofitted to reduce flow; and,
  - Install one-and-one-half gallon, ultra-low flush toilets. [Mitigation Measure UTL-2]
23. Prior to building permit issuance, the applicant shall submit landscape and irrigation plans for the common open space areas for the review and approval of the Director of Planning, Building and Code Enforcement. Said plans shall incorporate, at a minimum, the following water-conservation measures:
  - Extensive use of native plant materials.
  - Low water-demand plants.
  - Minimum use of lawn or, when used, installation of warm season grasses.
  - Grouped plants of similar water demand to reduce over-irrigation of low water demand plants.
  - Extensive use of mulch in all landscaped areas to improve the soil's water-holding capacity.
  - Drip irrigation, soil moisture sensors, and automatic irrigation systems.
  - Use of reclaimed wastewater, stored rainwater or grey water for irrigation. [Mitigation Measure UTL-3]

#### Drainage

24. A bond, cash deposit, or combination thereof shall be posted to cover costs of construction in an amount to be determined by the City Engineer.

25. Prior to filing of the Final Map, the developer shall submit a hydrology study to the City Engineer to determine any adverse impacts to existing flood control facilities generated by this project. Should the City Engineer determine that adverse impacts will result, the developer will be required to post a cash deposit or bond or combination thereof in an amount to be determined by the Director of Public Works, which will be based on the project's share of the necessary improvements.
26. Drainage plans and necessary support documents to comply with the following requirements must be approved prior to the recordation of the Final Map or commencement of work, whichever comes first:
  - a. Provide drainage facilities to remove the flood hazard to the satisfaction of the City Engineer and dedicate and show easements on the final map.
  - b. Eliminate the sheet overflow and ponding or elevate the floors of the buildings with no openings in the foundation walls to at least twelve inches above the finished pad grade.
  - c. Provide drainage facilities to protect the lots from high velocity scouring action.
  - d. Provide for contributory drainage from adjoining properties.
27. In accordance with Section 1601 and 1602 of the California Fish and Game Code, the State Department of Fish and Game, 350 Golden Shore, Long Beach, California 90802, (562) 435-7741, shall be notified prior to commencement of work within any natural drainage courses affected by this project.
28. All drainage swales and any other on-grade drainage facilities, including gunite, shall be of an earth tone color and shall be reviewed and approved by the Director of Planning, Building and Code Enforcement.
29. Site surface drainage measures included in the project's geology and soils report shall be implemented by the project developer during project construction.
30. Subject to review and approval of the City Public Works and Building and Safety Department and prior to issuance of grading permits, the project proponent shall submit a stormwater management plan which shows the on-site and off-site stormwater conveyance system that will be constructed by the project proponent for the purpose of safely conveying stormwater off of the project site. These drainage structures shall be designed in accordance with the most current standards and criteria of the Director of Public Works and Los Angeles County Department of Public Works to ensure that default drainage capacity is maintained. The plan shall also show whether existing stormwater facilities off the site are adequate to convey storm flows.

31. In accordance with the Clean Water Act, coordinate with the Regional Water Quality Control Board (RWQCB) regarding the required National Pollutant Discharge Elimination System (NPDES) permit for the project. The developer shall obtain this permit and provide the City with proof of the permit before construction activities begin on the project site.
32. Appropriate Best Management Practices (BMPs), including sandbags, shall be used to help control runoff from the project site during project construction activities.
33. In accordance with the Clean Water Act, the project proponent shall coordinate with the Regional Water Quality Control Board (RWQCB) on the preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the proposed project.

### Streets

34. Prior to recordation of the final tract map, the applicant shall post a bond or other security acceptable to the Director of Public Works for any approved improvements within the public right-of-way of Highridge Road. [Mitigation Measure TRA-6]
35. The contractor shall be responsible for repairs to any neighboring streets (those streets to be determined by the Director of Public Works) which may be damaged during development of the tract. Prior to issuance of grading permits, the developer shall post a bond, cash deposit or City approved security, in an amount determined by the Director of Public Works to be sufficient to cover the costs to repair any damage to streets or appurtenant structures as a result of this development.
36. The applicant shall obtain any necessary approvals from the City of Rolling Hills Estates to allow the use of public streets for project-related construction vehicles.
37. In order to reduce the traffic impacts of the proposed project to less-than-significant levels, the intersection of Highridge Road and Hawthorne Boulevard shall be modified as follows:
  - Convert the existing northbound left turn lane to a shared left-plus-through lane; and the existing northbound through lane to a dedicated right-turn lane;
  - Keep the existing dedicated right-turn lane so there will be two (2) northbound right-turn lanes;
  - Modify the existing traffic signal phases for the northbound and southbound approaches to split-phasing (from protected left-turn phasing);

- Set the cycle length to one hundred twenty (120) seconds or optimize the cycle length to allow for additional green time on all movements; and,
  - Provide “cat-track” striping for the two (2) northbound right-turn lanes for their transition to the eastbound through lanes on Hawthorne Boulevard. [Mitigation Measure TRA-1]
38. Prior to building permit final, the applicant shall be responsible for contributing the project’s fair share of the cost of the recommended improvements at Highridge Road and Hawthorne Boulevard (estimated at 15.5%) to the City of Rancho Palos Verdes; and shall contribute the project fair share of the cost of future improvements at Hawthorne Boulevard and Silver Spur Road (estimated at 2.5%) to the City of Rolling Hills Estates. [Mitigation Measure TRA-2]
39. On-street parking shall be prohibited within fifty feet (50’-0”) of either side of the proposed driveway.

Utilities

40. All utilities to and on the property shall be provided underground, including cable television, telephone, electrical, gas and water. All necessary permits shall be obtained for their installation. Cable television shall connect to the nearest trunk line at the developer’s expense.

Geology

41. Prior to the issuance of a building permit by the City’s Building Official, the applicant shall obtain final approval of the grading and construction plans from the City’s geotechnical consultant. The applicant shall be responsible for the preparation and submittal of all soil engineering and/or geology reports required by the City’s geotechnical consultant in order to grant such final approval. [Mitigation Measure GEO-1]
42. Prior to recordation of the Final Map or commencement of work, whichever occurs first, a bond, cash deposit, or combination thereof shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the City Engineer.
43. All geologic hazards associated with this proposed development shall be eliminated or the City Geologist shall designate a restricted use area in which the erection of buildings or other structures shall be prohibited.
44. Prior to issuance of grading or building permits, the developer shall submit a Geology and/or Soils Engineer’s report on the expansive properties of soils on all

building sites in the proposed subdivision. Such soils are defined by Building Code Section 2904 (b).

45. An as-built geological report shall be submitted for structures founded on bedrock. An as-built soils and compaction report shall be submitted for structures founded on fill as well as for all engineered fill areas.

#### Easements

46. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets or highway access rights, building restriction rights, or other easements until after the final tract map is filed with the County Recorder, unless such easements are subordinated to the proposed grant or dedication. If easements are granted after the date of tentative approval, a subordination agreement must be executed by the easement holder prior to the filing of the Final Tract Map.

#### Survey Monumentation

47. Prior to recordation of the Final Map, a bond, cash deposit, or combination thereof shall be posted to cover costs to establish survey monumentation in an amount to be determined by the City Engineer.
48. Within twenty-four (24) months from the date of filing the Final Map, the developer shall set survey monuments and tie points and furnish the tie notes to the City Engineer.
49. All lot corners shall be referenced with permanent survey markers in accordance with the City's Municipal Code.
50. All tract corners shall be referenced with permanent survey markers in accordance with the Subdivision Map Act.

#### Street Names and Numbering

51. Any street names and/or house numbering by the developer must be approved by the City Engineer.

#### Park, Open Space and Other Dedications

52. Prior to final tract map recordation, the applicant shall pay to the City a fee equal to the value of 0.3136 acre of parkland in lieu of the dedication of such land to

the City, pursuant to the provision of Section 16.20.100 of the Rancho Palos Verdes Municipal Code. [Mitigation Measure REC-1]

#### Affordable Housing

53. Prior to approval of the final map, the subdivider shall agree to participate in the City's affordable housing program, as codified in Chapter 17.11 of the City's Municipal Code. Said participation shall include construction within the project of two (2) units affordable to households with very low incomes and payment of an affordable housing in-lieu fee for a third very-low-income unit. The two (2) affordable units shall be similar in exterior appearance, configuration and basic amenities (such as storage space and outdoor living areas) to the market rate units in the proposed project, as demonstrated to the satisfaction of the Director of Planning, Building and Code Enforcement prior to building permit final.
54. Payment of the affordable housing in-lieu fee for the third very-low-income unit shall occur prior to the sale or occupancy, whichever occurs first, of the twenty-fifth (25<sup>th</sup>) unit in the project.

#### Grading and Demolition

55. Prior to recordation of the final map or the commencement of work, whichever occurs first, a bond, cash deposit, or combination thereof, shall be posted to cover the costs of grading in an amount to be determined by the City Engineer.
56. Prior to issuance of a grading permit by Building and Safety, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant has obtained a general liability insurance policy in an amount not less than 5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project by the applicant. Said insurance policy must be issued by an insurer admitted to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide. Said insurance shall not be canceled or reduced during the grading or construction work and shall be maintained in effect for a minimum period of one (1) year following the final inspection and approval of said work by the City, and without providing at least thirty (30) days prior written notice to the City.
57. Approval of the project shall allow a total of 22,111 cubic yards of earth movement, consisting of 21,847 cubic yards of cut and 264 cubic yards of fill, of which 21,583 cubic yards will be exported from the site. The maximum depth of cut is nineteen feet (19'-0") and the maximum height of fill is five feet (5'-0"). Any revisions that result in a substantial increase to the aforementioned grading

quantities shall be reviewed and approved by the Planning Commission as a revision to the grading application.

58. The maximum height of the combined retaining wall and safety railing along the rear property line shall not exceed eight feet (8'-0") as measured from finished grade on adjacent properties to the north and east.
59. A construction plan shall be submitted to the Director of Planning, Building and Code Enforcement prior to issuance of grading permits. Said plan shall include but not be limited to: limits of grading, estimated length of time for rough grading and improvements, location of construction trailer, location and type of temporary utilities. The use of rock crushers shall be prohibited.
60. Prior to filing the Final Map, a grading plan shall be reviewed and approved by the City Engineer and City Geologist. This grading plan shall include a detailed engineering, geology and/or soils engineering report and shall specifically be approved by the geologist and/or soils engineer and show all recommendations submitted by them. It shall also be consistent with the tentative map and conditions, as approved by the City.
61. Grading shall conform to Chapter 29, "Excavations, Foundations, and Retaining Walls", and Chapter 70, "Excavation and Grading of the Uniform Building Code".
62. Prior to the issuance of grading permits, the applicant shall demonstrate to the Director of Planning, Building and Code Enforcement that dust generated by grading activities shall comply with the South Coast Air Quality Management District Rule 403 and the City Municipal Code requirements that require regular watering for the control of dust. [Mitigation Measure AIR-1]
63. During construction, all grading activities shall cease during periods of high winds (i.e., greater than 30 mph). To assure compliance with this measure, grading activities are subject to periodic inspections by City staff. [Mitigation Measure AIR-2]
64. Construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems. [Mitigation Measure AIR-3]
65. Graded slope tops shall be rounded, slope gradients shall be varied, and no significant abrupt changes between natural and graded slopes will be permitted. All created slopes shall not be greater than 3:1.
66. Trucks and other construction vehicles shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday

through Saturday, in accordance with the permitted hours of construction stated in Section 17.56.020(B) of the Rancho Palos Verdes Municipal Code. [Mitigation Measure AIR-4]

67. Prior to grading permit issuance, the applicant shall obtain approval of a haul route from the Director of Public Works. The applicant shall ensure that loaded trucks are appropriately covered to prevent soil from spilling on the roadway along the haul route. [Mitigation Measure TRA-3]
68. Prior to approval of grading permits, the applicant shall conduct a soil investigation to determine whether site conditions pose any significant health or environmental risks associated with the past use of the site, and the nature and extent of any associated contamination. The investigation shall also include sampling and analysis to determine the PCB status of the site and building. The results of these investigations shall be presented in a report prepared in accordance with applicable law and standard practice. [Mitigation Measure HAZ-1]
69. No grading associated with the project shall occur until the soils investigation report is reviewed and approved by the City. If the soils investigation report requires remedial actions to address contamination, no grading activities shall occur in identified areas until appropriate response actions have been completed in accordance with applicable law and standard practice to the satisfaction of the City. [Mitigation Measure HAZ-2]
70. During grading or other soil disturbing activities, if malodorous or discolored soils or soils thought to contain significant levels of contaminants are encountered; the applicant or his contractors shall enlist the services of a qualified environmental consultant to recommend methods of handling and/or removal from the site. The need for and methods of any required response actions shall be coordinated with, and subject to, approval by the City. [Mitigation Measure HAZ-3]
71. Prior to disturbing the suspected asbestos and/or lead containing materials identified in the Phase I report for the property, a consultant qualified in sampling and analysis of said materials shall be retained by the applicant. If samples test positive, specifications shall be prepared for the removal of identified asbestos and/or lead materials as necessary. A licensed asbestos contractor and Certified Asbestos Consultant, pursuant to EPA/AHERA Section 206 and CCR Title 8, Article 2.6 shall be retained by the applicant to properly document, inspect, monitor, remove, and encapsulate the asbestos materials prior to disposal. Prior to demolition, precautionary steps shall be taken to reduce worker exposure to lead, according to occupational health standards. Removal of lead-based paint, if necessary, shall be subject to applicable state and federal regulatory

guidelines. [Mitigation Measure HAZ-4] Notwithstanding the foregoing language of this condition, any other hazardous materials (i.e., besides lead or asbestos) that are discovered on the subject property shall be similarly abated in accordance with applicable local, state and federal regulations.

72. The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels. [Mitigation Measure NOI-2]
73. All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated. [Mitigation Measure NOI-3]
74. Haul routes used to transport soil exported from the project site shall be approved by the Director of Public Works to minimize exposure of sensitive receptors to potential adverse noise levels from hauling operations. [Mitigation Measure NOI-4]
75. The applicant shall not use the parking lot of the adjacent church for parking or staging of equipment or storage of materials without the express authorization of the property owner.

#### Public Services

76. The project proponent will coordinate with the County of Los Angeles Fire Department to determine any appropriate mitigation to compensate for the increase in the demand for fire protection services due to the proposed project and any special site design considerations that would minimize fire hazards. The driveway to be constructed as part of this project shall be constructed to Fire Department standards.
77. The project proponent will coordinate with the County of Los Angeles, Office of the Sheriff, to determine any appropriate mitigation to compensate for the increase in the demand for police protection services due to the proposed project. Appropriate police service fees shall be paid before a Use and Occupancy Permit is issued for the project.

#### Common Area Improvements and CC&R's

78. Prior to building permit issuance, the applicant shall submit a site landscape plan for the review and approval of the Director of Planning, Building and Code Enforcement. [Mitigation Measure AES-2]

79. Common area landscaping shall be maintained so as not to result in significant view impairment from the viewing area of another property, as defined in Section 17.02.040 of the Rancho Palos Verdes Municipal Code. [Mitigation Measure AES-3] Said landscaping shall also be maintained so as not to result in significant view impairment from the viewing areas of dwelling units within the project.
80. Any temporary or permanent project signage shall require the approval of a sign permit by the Director of Planning, Building and Code Enforcement, and shall be consistent with the provisions of Section 17.76.050(E)(2). [Mitigation Measure AES-4]
81. Prior to building permit issuance, the applicant shall submit a site lighting plan for the review and approval of the Director of Planning, Building and Code Enforcement. The plans shall demonstrate that lighting fixtures on the building and grounds shall be designed and installed so as to contain light on the subject property and not spill over onto adjacent private properties or public rights-of-way. [Mitigation Measure AES-5]
82. Exterior lighting fixtures on the grounds shall be low, bollard-type fixtures, not to exceed forty-two inches (42") in height. [Mitigation Measure AES-6]
83. Exterior lighting fixtures on private balconies and common exterior walkways shall be energy-efficient fixtures, such as compact fluorescents. Said fixtures shall be equipped with light sensors so that they will only be illuminated during hours of darkness. [Mitigation Measure AES-7]
84. No internally-illuminated signage may be used on the project site. [Mitigation Measure AES-8]
85. Vegetation, walls or other site improvements located on the south side of the driveway shall be limited to no more than thirty inches (30") in height so as to preserve sight distance in accordance with Section 17.48.070 of the Rancho Palos Verdes Municipal Code. [Mitigation Measure TRA-7]
86. Prior to approval of the Final Map, copies of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for the review of the Director and the City Attorney. Said CC&R's shall reflect the applicable development standards contained in this Resolution. All necessary legal agreements, including homeowners' association, deed restrictions, covenant, dedication of development rights, public easements and proposed methods of maintenance and perpetuation of drainage facilities and any other hydrological improvements shall be submitted for review and approval prior to the approval of the Final Map.

87. The approved landscape plan shall include a pesticide management plan to control the introduction of pesticides into site runoff.

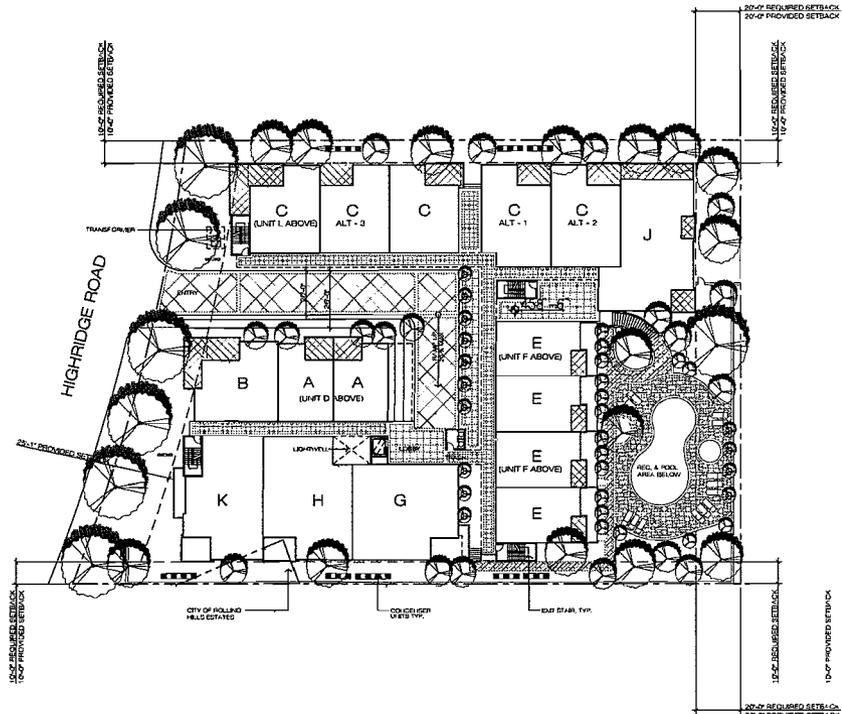
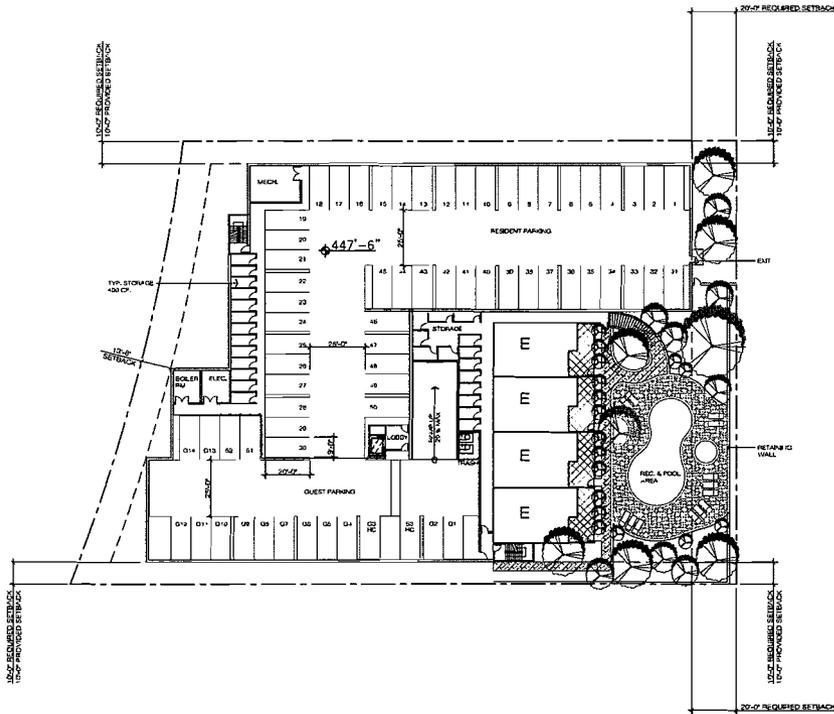
#### Development Standards

88. The Final Map shall be in conformance with the lot size and configuration shown on the Vesting Tentative Map for the RM-22 zoning district.
89. Prior to building permit issuance, the building elevations shall be revised to provide architectural trim and detailing on any blank 2-story facades of the facing wings of the building. [Mitigation Measure AES-1]
90. Prior to the issuance of building permits, the applicant shall demonstrate the project's compliance with the South Coast Air Quality Management District Rule 445 and the City Municipal Code requirements regarding wood-burning devices. [Mitigation Measure AIR-5]
91. The approved structure shall maintain minimum setbacks of twenty-five feet (25'-0") front for above-ground portions of the structure; twelve feet six inches (12'-6") front for below ground portions of the structure; ten feet (10'-0") on each side; and twenty feet (20'-0") on the rear. **BUILDING SETBACK CERTIFICATION REQUIRED**, prior to foundation forms inspection.
92. The approved project shall maintain minimum open space area of thirty-five percent (35%), including private outdoor living areas of the individual units. Wherever they are practicable and not prohibited by some other agency or authority (such as the Fire Department), the project shall employ permeable paving surfaces in hardscape areas.
93. Driveway slopes shall conform to the maximum 20-percent standard set forth in the Development Code.
94. The private driveway shall meet Fire Department standards, including any painting or stenciling of curbs denoting its existence as a Fire Lane and turn-arounds.
95. Final building and site plans, including but not limited to grading, setbacks, elevations, lot coverage calculations, landscaping, and lighting shall be submitted to the Director of Planning, Building and Code Enforcement for review and approval to determine conformance with the Development Code. Said plans shall be in substantial compliance with the plans stamped APPROVED with the effective date of this Resolution, as presented to the Planning Commission on July 22, 2008.

96. The maximum building shall be 484.0'. BUILDING HEIGHT CERTIFICATION REQUIRED, prior to roof sheathing inspection.
97. The approved project shall consist of three (3) 1-bedroom units and twenty-five (25) 2- to 3-bedroom units, for a total of twenty eight (28) dwelling units.
98. The approved project shall provide and maintain sixty-seven (67) off-street parking spaces, consisting of fifty-three (53) assigned resident spaces and fourteen (14) un-assigned guest spaces. All parking spaces shall be in the subterranean garage.
99. Each 1-bedroom unit shall have at least one hundred thirty square feet (130 SF) of private outdoor living area (i.e., patios, decks or balconies). Each unit with two (2) or more bedrooms shall have at least one hundred fifty square feet (150 SF) of private outdoor living area. No side of the private outdoor living area for any unit shall be less than seven feet (7'-0") in length. The private outdoor living area for each unit shall have at least one (1) electrical outlet.
100. Each unit shall have at least four hundred cubic feet (400 CF) of enclosed, weather-proofed and lockable storage space for the sole use of the unit resident, in addition to customary storage space within the unit.
101. Chimneys, vents and other similar features may only exceed the height of the building by the minimum height necessary to comply with Building Code requirements.
102. The following attached unit development standards from Chapter 17.06 of the Rancho Palos Verdes Development Code shall apply to all units in the building:
  - a. No plumbing fixture or other such permanent device which generates noise or vibration shall be attached to a common wall adjacent to a living room, family room, dining room, den or bedroom of an adjoining unit. All plumbing fixtures or similar devices shall be located on exterior walls, on interior walls within the unit or on common walls, if adjacent to a similar fixture or device.
  - b. All water supply lines within common walls and/or floors/ceilings shall be isolated from wood or metal framing with pipe isolators specifically manufactured for that purpose and approved by the city's building official. In multistory residential structures, all vertical drainage pipes shall be surrounded by three-quarter-inch thick dense insulation board or full thick fiberglass or wool blanket insulation for their entire length, excluding the sections that pass through wood or metal framing. The building official

- may approve other methods of isolating sound transmission through plumbing lines where their effectiveness can be demonstrated.
- c. All common wall assemblies which separate attached single-family units shall be of a cavity-type construction.
  - d. All common wall assemblies which separate all other attached dwelling units (multiple-family condominiums, stock cooperatives, community apartment houses) or a dwelling unit and a public or quasi-public space shall be of a staggered-stud construction.
  - e. All common wall assemblies which separate dwelling units from each other or from public or quasi-public spaces (interior corridors, laundry rooms, recreation rooms and garages) shall be constructed with a minimum rating of fifty-five STC (sound transmission class).
  - f. All common floor/ceiling assemblies which separate dwelling units from each other or from public or quasi-public spaces (interior corridors, laundry rooms, recreation rooms and garages) shall be constructed with a minimum rating of fifty STC (sound transmission class) and a minimum rating of fifty-five IIC (impact insulation class). Floor coverings may be included in the assembly to obtain the required ratings, but must be retained as a permanent part of the assembly and may only be replaced by another insulation.
  - g. STC and IIC ratings shall be based on the result of laboratory measurements and will not be subjected to field testing. The STC rating shall be based on the American Society for Testing and Materials system specified in ASTM number 90-66t or equivalent. The IIC rating shall be based on the system in use at the National Bureau of Standards or equivalent. Ratings obtained from other testing procedures will require adjustment to the above rating systems. In documenting wall and floor/ceiling compliance with the required sound ratings, the applicant shall either furnish the city's building official with data based upon tests performed by a recognized and approved testing laboratory, or furnish the building official with verified manufacturer's data on the ratings of the various wall and floor/ceiling assemblies utilized.
103. Fences and walls located within the 25-foot front-yard setback area shall not exceed forty-two inches (42") in height, with the exception of the intersection visibility triangle at the driveway, where they shall not exceed thirty inches (30") in height as measured from the curb elevation at Highridge Road. Fences and walls located elsewhere on the property shall not exceed six feet (6'-0") in height as measured from the grade on the high side and eight feet (8'-0") in height as measured from grade on the low side.
104. With the exception of solar panels, roof-mounted mechanical equipment is not permitted. Mechanical equipment may encroach upon the rear- and side-yard

setback areas, provided that such equipment does not generate noise levels in excess of 65 dBA at the property line.



BUILDING A - PARKING SUMMARY	
<b>RESIDENTIAL:</b>	
Required 68 spaces	provided (11 bedrm) 3 units + 1 space = 3 allocated residential (2 bedrm) 125 units + 2 spaces = 127 allocated residential guest parking 125 + 102 units = 11
<b>RESIDENTIAL PARKING REQUIRED:</b>	67 parking spaces
<b>RESIDENTIAL PARKING PROVIDED:</b>	67 parking spaces

BUILDING A - PROJECT SUMMARY	
LOT AREA:	1.24 acres gross (84,031 S.F.)
TOTAL LIMITS:	28 multi-unit units (maximum)
DENSITY:	22.56 units/acre (1,929 u/c, max)
BUILDING AREA:	42,270 S.F. (1.54 S.F. per unit)
RESIDENTIAL:	7,766 S.F.
CIRCULATION:	5,616 S.F.
PRIVATE OPEN AREA:	67,022 S.F.

BUILDING AREA TOTAL:	23,291 S.F.
BUILDING HEIGHT:	38'-0" (max)
GARAGE AREA:	30,445 S.F.
OPEN SPACE:	22,400 S.F. COMMON OPEN SPACE 0.56 acre 41% of lot (786 S.F. per unit)
TOTAL OPEN SPACE:	5,802 S.F. PRIVATE DECK OPEN SPACE
HARDSCAPE AREA:	2,716 S.F. (0.06 acre 5.0% of lot)

BUILDING A - RESIDENTIAL SUMMARY						
UNIT TYPE	PLAN	DESCRIPTION	QUANTITY	GROSS AREA	SUBTOTAL	NET AREA
attached bal	A	1 BR / 1 BA	2	778 S.F.	1,552 S.F.	130 S.F.
attached bal	B	2 BR / 2 BA	2	1,102 S.F.	2,202 S.F.	150 - 250 S.F.
attached bal	C	2 BR / 2 BA	3	1,102 S.F.	3,306 S.F.	150 - 250 S.F.
attached bal	C-alt	2 BR / 2 BA	2	1,302 S.F.	2,602 S.F.	150 - 250 S.F.
attached bal	C-alt2	2 BR / 2 BA	2	1,302 S.F.	2,602 S.F.	150 - 250 S.F.
attached bal	Conc'd	1 BR / 1 BA	1	1,102 S.F.	1,102 S.F.	150 S.F.
attached bal	D	2 BR + DEN / 2.5 BA	1	1,202 S.F.	1,202 S.F.	200 S.F.
attached bal	E	2 BR + DEN / 2.5 BA	4	1,702 S.F.	6,802 S.F.	300 S.F.
attached bal	F	2 BR / 2 BA	2	1,202 S.F.	2,402 S.F.	200 S.F.
attached bal	G	3 BR / 2 BA	2	2,002 S.F.	4,002 S.F.	150 - 250 S.F.
attached bal	H	3 BR + DEN / 2.5 BA	2	1,978 S.F.	3,956 S.F.	150 - 250 S.F.
attached bal	J	3 BR / 2 BA	2	1,978 S.F.	3,956 S.F.	150 - 250 S.F.
attached bal	K	3 BR / 2 BA	2	1,202 S.F.	2,402 S.F.	200 S.F.
attached bal	L	3 BR / 2 BA	1	2,202 S.F.	2,202 S.F.	240 S.F.
<b>TOTAL S.F.:</b>			28 UNITS (100% max)	42,270 S.F.		6,400 S.F.

SITE / PODIUM BUILDING PLAN

SITE / BUILDING PLANS  
HIGHRIDGE CONDOMINIUMS  
RANCHO PALO VERDE, CALIFORNIA

CLIENT  
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Fax: (310) 217-0425

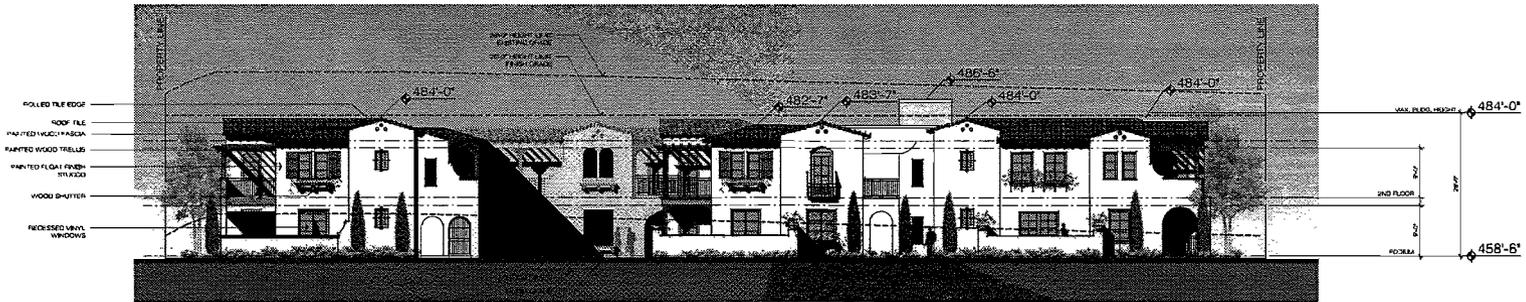
JOB NO. AB074.200  
DATE: JUN 04, 2008  
PRINTED: AUGUST 08, 2008

scale: 1" = 20'-0"  
0 20 40 60 80





B - REAR ELEVATION (EAST)



A - ELEVATION (WEST) - FRONT VIEW / FACING HIGHRIDGE

A - HIGHRIDGE ROAD ELEVATION (WEST)

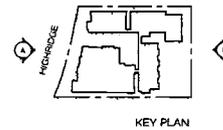
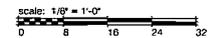
BUILDING ELEVATIONS

HIGHRIDGE CONDOMINIUMS  
RANCHO PALOS VERDES, CALIFORNIA

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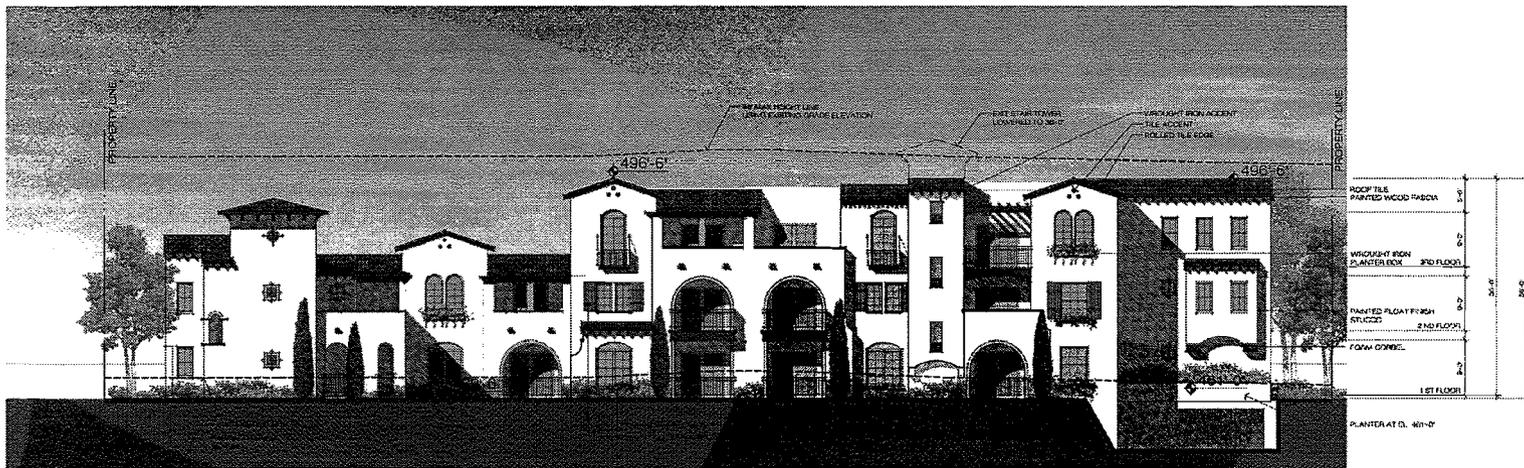
JOB NO. A8074.200  
DATE: June 24, 2008  
PRINTED: July 22, 2008







2 STORY ELEVATION



3 STORY ELEVATION

HIGHRIDGE ROAD ELEVATION

HIGHRIDGE CONDOMINIUMS  
RANCHO PALOS VERDES, CALIFORNIA

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