CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-14-1387

Applicants: Joseph Beauchamp, Eli Cohen, Walter

Coppenrath

Agent: Prism Permit Expediting, Inc. (Sharyl Beebe)

Location: 17774-17800 Tramonto Drive; 17761 Revello Drive; 17801

and 17807 Castellammare Drive, Pacific Palisades, City of

Los Angeles

Project Description: Construction of two approximately 10-foot high semi-circular

retaining walls on two bluff lots, measuring approximately 75 and 120 feet; and re-compaction, for slope stabilization on five bluff lots. Grading consists of 871 cubic yards of cut, 127 cubic yards of fill, and 1,862 cubic yards of removal and re-

compaction.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION:

The applicants propose to construct a total of two approximately 10-foot high retaining walls, measuring approximately 75 and 120 feet long, to stabilize a failed slope located across five residential properties in the Pacific Palisades community of the City of Los Angeles. The proposed project attempts to remedy the effects of a landslide, and address the City of Los Angeles Department of Building and Safety's issuance of Orders to Comply in 2005.

The two retaining walls are designed to be semi-circular and parallel to each other, and are separated by an approximately 10-foot graded terraced area. The walls will be fully landscaped, as will the area between the two walls. No changes are proposed to the existing residences on the subject properties.

The subject properties consist of five irregularly shaped recorded lots, with a total area of approximately 48,430 square feet. The three parcels fronting Castellammare and Revello Drives are vacant. The two parcels that front Tramonto Drive are each developed with single-family residences.

The primary Coastal Act issues raised by this proposed project are construction in a hazardous area, landform alteration, visual resources, and water quality.

Here, the proposed project is designed to remedy further impacts to development from a landslide prone geologic unit. The Geotechnical report has been reviewed and approved by the City of Los Angeles, as well as by the Commission's staff geologist. Special Conditions have been imposed which will require the applicants to conform with the Geotechnical recommendations and the City approvals, as well as assume the risk of construction in such a hazardous area.

Adverse impacts to visual resources are expected to be minimal, for the proposed project is located in an area where public views will be limited to a small area along the adjacent residential street. To minimize any potential visual impacts from the street, the applicants have proposed landscaping to shield the walls. While the proposed landscaping plan should effectively screen the walls, thereby reducing any visual impacts caused by the walls, this approval requires the applicants to revise their landscaping plans to include plants that are primarily of the coastal bluff scrub community for the Santa Monica Mountains. Coastal bluff scrub plants are generally shorter in stature, however, the revised landscaping plan will be permitted to take measures to include plants that will break-up the mass of the wall and reduce the public visual impact from the adjoining street.

Finally, due to the type of development being proposed, the potential exists for the discharge of polluted runoff or further erosion to occur due to infiltration of water. The proposed project has incorporated a number of drainage features throughout the site including, but not limited to, swales, drains, and basins, which should effectively collect and discharge any liquids to the southeast of the project site at Revello Drive. The proposed project is being conditioned to require the applicants to incorporate additional features into the project, which are designed to ensure that infiltration of water and any adverse impacts on the marine environment resulting from construction and post-construction activities are minimized.

Staff is recommending approval of the proposed coastal development permit with ten (10) special conditions regarding: 1) Conformance with Geotechnical Recommendations and to City Geotechnical Review Letters; 2) Assumption of Risk, Waiver of Liability and Indemnity; 3) Erosion, Drainage, and Polluted Runoff Control; 4) Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris; 5) Disposal of Soil Exported From Site; 6) Landscaping Plan; 7) Retaining Wall Color and Texture Plan; 8) Structural Appearance in case of pile exposure; 9) Public Walkways; 10) Future Development; and 11) Deed Restriction referencing all of the Special Conditions imposed.

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EXHIBITS

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Exhibit 2 – Aerial Photograph

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Exhibit 5 – Section Details

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Exhibit 7 – Drainage Plan

Exhibit 8 – City of Los Angeles Geology and Soils Report Approval Letter

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** Coastal Development Permit Application No. 5-14-1387 pursuant to the staff recommendation.

Staff recommends a YES vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

This permit is granted subject to the following standard conditions:

- 1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

- 1. Conformance with Geotechnical Recommendations and to City Geotechnical Review Letters.
 - A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval, all final construction drawings and drainage plans. All final design and construction, grading, drainage devices and foundation plans shall have been reviewed and approved by the Grading Division of the City of Los Angeles Department of Building and Safety. The plans shall conform to all recommendations put forth in the Geotechnical and Soils reports, including Addendum No. 1 to Geotechnical Engineering and Geology Investigation for 17800 and 17774 Tramonto Drive, 17761, 17801, and 17807 Castellammare Drive, Pacific Palisades prepared by SASSAN Geosciences, Inc., dated June 30, 2010, as well as all requirements of the City of Los Angeles Department of Building and Safety, Geology and Soils Report Approval Letter, dated December 15, 2010.
 - B. The monitoring, construction methods, and foundation system including the installation of the piles, as well as the permanent and temporary retaining walls, shall conform to and include all requirements and specifications of the City review letter cited above.
 - C. The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall be carried out without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
- 2. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from flooding, sea level rise, erosion and wave uprush; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. Erosion, Drainage, and Polluted Runoff Control.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval, a final plan for erosion, drainage, and polluted runoff control, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate Best Management Practices (BMPs) designed to control the volume, velocity, and pollutant load of storm water leaving the construction and developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is consistent with geologist's recommendations. The Drainage and Erosion Control Plan shall include, at a minimum, the following components:
 - (i) A narrative report describing all temporary run-off and erosion control measures to be used during construction, and all permanent erosion control measures to be installed for permanent erosion control.
 - (ii) A list of temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils, cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing, temporary drains, and swales and sediment basins. All disturbed areas shall be stabilized. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.
 - (iii)A site plan showing the location of all temporary erosion control measures. The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas, and stockpile areas. These erosion control measures shall be required on the project site prior to, or concurrent with, the initial grading operations, and shall be maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction. All sediment shall be retained on-site unless removed to an appropriately approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
 - (iv) A schedule for the installation and removal of the temporary erosion control measures.
 - (v) A written review and approval of all erosion and drainage control measures by the applicants' engineer and/or geologist.
 - (vi)In addition to the specifications outlined above, the plan shall demonstrate that:
 - (a) Erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets.

- (b) Clearing and grading activities should be timed to avoid the rainy season whenever possible. If grading takes place during the rainy season (October 15-March 31), the plan shall specify that temporary erosion control measures shall be used during construction (e.g., temporary sediment basins [including debris basins, desilting basins or silt traps], temporary drains and swales, sand bag barriers, silt fencing, stabilization of stockpiled fill with geofabric covers or other appropriate cover, installation of geotextiles or mats on all cut or fill slopes, close and stabilize open trenches as soon as possible).
- (c) Only areas essential for construction shall be cleared.
- (d) During the rainy season, (October 15- March 31) bare soils shall be stabilized with non-vegetative BMPs as soon as possible, and within five days of clearing or inactivity in construction.
- (e) Construction entrances shall be properly graded to prevent runoff from the construction site. The entrances should be stabilized immediately after grading and frequently maintained to prevent erosion, dust, and tracking of mud offsite.
- (f) Runoff shall be intercepted above disturbed slopes and conveyed to a permanent channel or storm drain by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- (g) Spill prevention and control measures shall be developed and implemented.
- (h) Sanitary facilities shall be provided for construction workers.
- (i) Equipment and machinery shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of properly at an off-site location.
- (j) Adequate disposal facilities shall be provided for solid waste, including excess asphalt produced during construction. Properly recycle or dispose of lunchtime trash and other debris at the end of every construction day.
- (k) During construction, the applicants shall obtain approval from the City of Los Angeles Department of Building and Safety for any dewatering necessary during construction, and shall also adhere to the following requirements:
 - (i) install filters on the dewatering system;
 - (ii) prevent discharge of water pumped from the site onto nearby property; and
 - (iii)direct all discharges into paved City street and storm drains.

- (l) Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets.
- (m) All drainage from the lot shall be directed toward the street and away from the bluff slope.
- (n) Runoff shall be conveyed off-site in a non-erosive manner.
- (o) Pesticide, herbicide and fertilizer use shall be eliminated or minimized.
- B. The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
- 4. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris.** The permittees shall comply with the following construction-related requirements:
 - (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
 - (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
 - (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
 - (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
 - (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
 - (f) The applicants shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
 - (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- 5. **Disposal of Soil Exported From Site.** The applicants shall dispose of all excess soils from the site in an approved disposal site, which is either (a) located outside the coastal zone or (b) if located within the coastal zone, has a valid coastal development permit from the Coastal Commission.

6. Landscaping Plan.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval, a final landscaping plan. The plan shall be prepared by a licensed landscape architect and incorporate the following criteria: (a) the vegetation planted shall primarily consist of native/drought and fire resistant plants of the coastal bluff scrub community as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled *Recommended List of Plants for Landscaping in the Santa Monica Mountains*, dated February 5, 1996; (b) no plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council (formerly known as the California Exotic Pest Plant Council), or as may be identified from time to time by the State of California shall be utilized on the property; (c) no plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property;

- (d) no permanent irrigation system shall be allowed within the property. Temporary, above ground irrigation to allow the establishment of the plantings is allowed; (e) the plantings established shall provide 90% coverage in 90 days; (f) all required plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan.
 - (i) The plan shall include, at a minimum, the following components:
 - (a) A map showing the type, size, and location of all plant materials that will be on the developed site, topography of the developed site, and all other landscape features; and
 - (b) A schedule for the installation of plants.
- B. Five years from the date of the implementation of the landscaping plan the applicants shall submit, for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect, which certifies that the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.
 - If the landscape monitoring report indicates that the landscaping is not in conformance with, or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicants, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect and shall specify measures to remediate those portions of the original plan that have failed, or are otherwise not in conformance with the original approved plan.
- C. The permittees shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

7. Retaining Wall Color and Texture Plan.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval, a plan which demonstrates that the color and texture of the structure will be compatible with the adjacent bluff. The plan shall demonstrate that:
 - (i) The entire face of the proposed retaining walls (lateral and return walls, both above and below finished grades, shall be colored and textured with earth tones should the underground components become exposed by future erosion.

- (ii) The wall structure shall be colored and/or constructed with concrete, which has been colored with earth tones that are compatible with the adjacent bluff.
- (iii) White and black tones shall not be used.
- (iv) The color shall be maintained through-out the life of the structure.
- (v) The structure shall be textured for a natural look that better blends with the bluff face.
- (vi)Native vegetation appropriate to the habitat type may also be used, if feasible, to cover and camouflage the structure, consistent with **Special Condition 6** above.
- B. The permittees shall undertake development in accordance with the approved final color and texture plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

8. Structural Appearance (Pile Exposure)

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval, a plan which addresses the potential visual impacts of the pilings in the event that the pilings become exposed and visible to the public as a result of earth movement or other events. The applicants shall agree in writing to carry out the approved plan, which shall include:
 - (i) Coloring the exposed concrete pilings so that it will match the surrounding soils. The piles should be colored in such a way that the result would be a natural, mottled appearance. If any piling is exposed, the applicants shall immediately dye or conceal such pilings.
 - (ii) Installation of a low "breakaway" skirt wall to cover exposed earth and/or pilings.
- B. The permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- 9. **Public Walkways.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval, evidence that the City of Los Angeles Bureau of Engineering has approved construction consisting of a drainage line within the dedicated unimproved public walkways abutting the properties. Should it be found that the City has neither granted such an approval nor will

- grant a request for approval, the applicants shall seek an amendment to this Coastal Development Permit to revise the drainage plan.
- 10. **Future Development.** This permit is only for the development described in Coastal Development Permit No. 5-14-1387. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-14-1387. Accordingly, any future improvements to any aspect of the entire proposed development authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-14-1387 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- 11. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the landowner(s) have executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS:

A. Project Location & Description

The subject site is located at 17774-17800 Tramonto Drive; 17761 Revello Drive; 17801 and 17807 Castellammare Drive in the Pacific Palisades community of the City of Los Angeles. The subject properties consist of five irregularly shaped recorded lots, with a total area of approximately 48,430 square feet. The subject properties are zoned R1-1 and designated for Low Residential uses within the Brentwood-Pacific Palisades Community Plan area. The adjacent properties to the north, east, south, and west are zoned A1-1 and are developed with one- to four-story, single-family residences. The project site slopes downward from Tramonto Drive to Castellammare and Revello Drives (**Exhibits 1-2**). The project site has a 205-foot long frontage along Tramonto Drive, a 116.5-foot long frontage along Castellammare Drive, and a 56-foot long frontage along Revello Drive. The three parcels fronting Castellammare and Revello Drives are vacant, however, construction of three residential single-family residences commenced pursuant to Coastal Development Permit No. 5-91-025, which was approved by the Coastal Commission on June 11, 1991.

Coastal Development Permit No. 5-91-025 permits the construction of three new 44-foot high, four-story, 4,800 square foot, single-family residences with attached two-car garages on three contiguous vacant 4,000 square foot lots at 17761, 17801, and 17807 Castellammare Drive. Grading consists of 2,690 cubic yards of cut. Construction of the retaining walls and piles began, but work ceased, and development of the three single-family residences remains incomplete. The two parcels that front Tramonto Drive are each developed with single-family residences.

The applicants propose to construct a total of two retaining walls approximately 10-feet high, measuring approximately 120 and 75 feet long, and utilizing twenty-seven (27) soldier piles in order to stabilize a failed slope. Grading consists of 871 cubic yards of cut, 127 cubic yards of fill and 1,862 cubic yards of removal and recompaction. The two retaining walls are designed to be parallel to each other, and will curve along the bottom half of the slope within the two Tramonto Drive properties, eventually combining into one wall on the eastern side of the slope on 17774 Tramonto Drive. The walls are separated by an approximately 10-foot terraced area. The area in front of the walls will be fully landscaped, as will the area between the two walls. Slide debris removal, recompaction, and landscaping will take place on the properties located at 17761, 17801, and 17807 Castellammare Drive. No changes are proposed to the existing residences on the subject properties (Exhibits 3-7).

The proposed project attempts to remedy the effects of a landslide, which resulted in impacts to the properties subject to this permit. In 2005, the City of Los Angeles Department of Building and Safety issued Orders to Comply to these properties, requiring the property owners to repair an unsafe or substandard condition, which required the slope failure to be corrected. The subject properties are within the dual permit jurisdiction area of the City of Los Angeles' Coastal Zone, therefore, a Coastal Development Permit is required from both the City of Los Angeles and the Coastal Commission. On May 13, 2014, the proposed project received three separate Coastal Development Permits from the City of Los Angeles (Case No. ZA 2013-3205(CDP)(ZAA); ZA 2013-3208(CDP)(ZAA); and ZA 2013-3164 (CDP)) to permit the construction, use, and maintenance of two new retaining walls for slope stabilization, located within the dual permit jurisdiction of the California Coastal Zone. Along with the City-issued Coastal Development Permits, the City approved a Zoning Administrator's Adjustment to permit the construction, use, and maintenance of two 10-foot high retaining walls to exceed the maximum permitted height of six feet otherwise permitted within a rear yard setback, for the properties located at 17774 and 17800 Tramonto Drive. The City dismissed the same request for a Zoning Administrator's Adjustment for the properties located at 17801-17807 Castellammare Drive and 17761 Castellammare Drive/Revello Drive, because the retaining walls will not be constructed on those properties.

B. HAZARDS

Section 30253 of the Coastal Act states, in part:

New development shall do all of the following:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along coastal bluffs.

The Coastal Act requires that development be stable and structurally secure, and minimize its impact on the natural landforms, especially in hazardous areas, as is the case here. According to a soils report entitled *Results of Investigation and Recommendations for Repair* prepared by Douglas E. Moran, Inc. on March 6, 2007, the landslide occurred in January of 2005. The soils report states that the overall gradient of the slope between Tramonto Drive and Pacific Coast Highway is roughly 2:1, and the gradient of the portion of the slope that descends from Tramonto Drive to Castellammare Drive is generally steeper than 1.5:1, and is locally steeper than 1 to 1. In addition, the rock and soil materials in the vicinity of the landslide consist of well cemented sedimentary rocks beneath the slope, residual soil or slide debris covering much of the slope, and uncemented sedimentary desposits beneath the surface of Castellammare Mesa.

Based on the soils report, the landslide "apparently involved residual and/or colluvial soil on the surface of the steep slope and underlying sedimentary rock that appears to have been badly fractured and deeply weathered." The soils report went on to conclude that:

[t]he circumstances that caused the landslide to occur when it occurred were (1) that a portion of the slope back of the soldier pile was built on the Castellammare Drive properties was very steep and (2) that rainfall during the 2004-2005 season nearly broke the historic record for rainfall in Southern California. The soil on the surface of the slope and badly fractured and deeply weathered rock involved in the landslide must have been soaked.

Accordingly, to address the failure of the slope and to stabilize the area, the geotechnical reports recommend construction of the two retaining walls supported by soldier piles.

The applicants have provided Addendum No. 1 to Geotechnical Engineering and Geology Investigation from SASSAN Geosciences, Inc., dated June 30, 2010. The City reviewed numerous geotechnical and soils reports, including responses to City's review letters, as well as Addendum No. 1, and concluded that the reports and conclusions were adequate, resulting in the issuance of a Geology and Soils Report Approval Letter for the proposed project on December 15, 2010 (**Exhibit 8**). Furthermore, Dr. Mark Johnsson, Coastal Commission's staff geologist, has reviewed Addendum No. 1, and concurs with the City's approval.

Therefore, the slope stability work should assure stability of the site consistent with Section 30253 of the Coastal Act, so long as the project is carried out in accordance with the recommendations set forth in the geotechnical reports and the City's approval of the project.

1. Conformance with Geotechnical Recommendations

Recommendations regarding the grading, drainage and design and installation of the retaining walls have been provided in several reports and letters submitted by the applicants, as referenced in the above noted Addendum No. 1 to the Geotechnical Engineering and Geology Investigation.

Adherence to the recommendations contained in these reports is necessary to ensure that the proposed retaining walls and piles will stabilize the slope as desired, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area; nor in any way would result in the need for construction of additional protective devices that would substantially alter natural landforms. Therefore, **Special Condition 1** requires the applicants to conform with the consultants' geotechnical report dated June 30, 2010, as well as with City requirements, as set forth in the City's Geology and Soils Report Approval Letter dated December 15, 2010, and City-issued Coastal Development Permits and Zoning Administrator's Adjustments dated May 13, 2014.

2. Assumption of Risk and Deed Restriction

Pursuant to Section 30253 of the Coastal Act, new development in areas of high geologic, flood, and fire hazard may occur so long as risks to life and property are minimized, and the proposed project complies with the other Chapter 3 policies of the Coastal Act. When development in areas of identified hazards is proposed, as is the case here, the Commission conducts a balancing test, which considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to maximize the use of his/her property.

In this case, the proposed slope stabilization project is located on sloping lots in an area which has experienced a number of slope failures in the past. The geotechnical analysis report by SASSON Geosciences, Inc. states that, as designed, and with the recommendations made in the geotechnical reports, the slope can be stabilized safely. The possibility remains, however, that the proposed project may be subject to natural hazards such as slope failure. For example, the existing slide or nearby slides may unexpectedly move and cause damage to the property, leaving pilings and other foundation work exposed.

The geotechnical evaluations do not guarantee that future erosion, landslide activity, or land movement will not affect the stability of the proposed project or that movement of offsite slides might not affect this property or adjacent roads. Due to the inherent risks associated with development situated on a steeply sloping bluff lot, the Commission cannot determine with absolute certainty that the design of the retaining walls will protect the subject property during future storms, erosion, and/or landslides. Given that the applicants have decided that the economic benefits of development outweigh the risk of harm from such hazards, neither the Commission nor any other public agency which permits development is to be held liable for the applicants' decision to develop. Therefore, the Commission imposes **Special Condition 2**, which requires the applicants to assume the liability of such risks by expressly waiving any potential claim of liability against the Commission for any damage or economic harm suffered as a result of the decision to develop. The assumption of risk, when recorded against the property as a deed restriction, will show that the applicants acknowledge the nature of the hazards which may exist on the site and which may adversely affect the stability or safety of the proposed development.

Special Condition 11 requires the applicants to record a deed restriction, prior to issuance of the Coastal Development Permit, which will provide notice to future property owners, lending institutions, and insurance agencies that the property is subject to hazards. The notice provided by recording of the deed restriction should eliminate expectations that the property is safe from future

hazards, but will also provide notice to future interested parties of all the Special Conditions included as part of the Commission's approval of this project.

3. Erosion Control Measures

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain or wind could result in possible acceleration of slope erosion and landslide activity. Special Conditions 3, 4, and 5 require the applicants to utilize best management practices to minimize adverse impacts to water quality or activities that might contribute to erosion; and dispose of all demolition and construction debris at an appropriate location outside of the coastal zone, or to a Commission-approved site inside the coastal zone. The applicants shall follow both temporary and permanent erosion control measures to ensure that the project area is not susceptible to excessive erosion.

The geotechnical report and City's approval requires erosion and runoff control measures to be incorporated into the plans. To ensure that temporary and permanent drainage and erosion control measures are incorporated into the project, the Commission requires a complete erosion control plan for both temporary and permanent measures. Therefore, prior to issuance of the Coastal Development Permit, the applicants shall submit, for the review and approval of the Executive Director, a temporary and permanent erosion control plan that includes a written report describing all temporary and permanent erosion control and run-off measures to be installed and a site plan and schedule showing the location and time of all temporary and permanent erosion control measures (more specifically defined in **Special Condition 3**).

4. Landscaping

The installation of in-ground irrigation systems, inadequate drainage, and landscaping that requires intensive watering are potential contributors to accelerated bluff erosion, landslides, and sloughing, which could necessitate protective devices. Due to the geologic sensitivity of the site, the Commission requires that all plants be drought tolerant, as defined by the University of California Cooperative Extension and the California Department of Water Resources in their joint publication: "Guide to Estimating Irrigation Water Needs of Landscape Plantings in California". .

The applicants have proposed to landscape the slope to help minimize erosion and to reduce the visual impact of the walls. The Commission has routinely required that landscaping be native, non-invasive and drought tolerant to minimize water use on slopes. To ensure that landscaping is consistent with past Commission permit action, the applicants are required in **Special Condition 6** to use plants that are drought tolerant, non-invasive, primarily native plants of the coastal bluff scrub community, and to refrain from installing permanent irrigation. Therefore, as conditioned, the development is consistent with section 30253 of the Coastal Act.

C. VISUAL RESOURCES

Section 30251 of the Coastal Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed

to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

As stated, the Coastal Act protects public views and the scenic and visual qualities of coastal areas. Here, public views in the vicinity of the subject site exist from the public streets to the Pacific Ocean and from Pacific Coast Highway and Will Rogers State Beach to the Santa Monica Mountains. Given that the proposed retaining walls will be located at the bottom of a south facing slope and in the rear setback of the properties located at 17761 Revello, 17801 and 17807 Castellammare Drive, the retaining walls will not be visible along PCH and the adjacent beach, nor from any parklands or designated public viewing areas. The retaining walls will, however, be visible directly downslope of the project site along the public street adjacent to the subject properties on Revello and Castellammare Drives, although they should not be visible from Tramonto Drive due to the steep topography and existing development.

The proposed project will require grading consisting of 871 cubic yards of cut, 127 cubic yards of fill and 1,862 cubic yards of removal and recompaction. As previously stated, once constructed, the applicants propose to landscape the rear set back area and the retaining walls, which should minimize the visual impact of the walls. To further ensure that the walls will not degrade existing views, **Special Condition 7** requires the applicants to submit plans, which demonstrate that the color and texture of the walls will be compatible with the color and texture of the adjacent bluff. In the event that future erosion causes subsurface portions of the retaining wall to become exposed, **Special Condition 8** requires the applicants to visually and aesthetically treat the piles to match the surrounding terrain. Such measures shall include coloring the piles to match the surrounding soils or installing a skirt to cover the exposed piles.

Furthermore, and as previously stated, to minimize the visual impact of the retaining walls, as well as erosion along the bluff, **Special Condition 6** requires the applicants to provide a final landscape plan, which utilizes native or non-native drought tolerant non-invasive species with very low or low water needs. In addition, the applicants are required to maintain the landscaping within the project area. **Special Condition 10** requires that any future development to the project will require an amendment to this permit.

As a result, the Commission finds that the applicants have minimized landform alteration in their effort to repair the slope and reconstruct the existing semicircular retaining wall on their properties. The design and grading is the least amount of landform alteration necessary to stabilize the slope and protect the residential improvements above. Therefore, the Commission finds that the proposed development, as conditioned, is consistent with Section 30251 of the Coastal Act.

D. WATER QUALITY

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through,

among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

The proposed development creates the potential for discharge of polluted runoff from the project site into coastal waters. Furthermore, uncontrolled runoff from the project site and the percolation of water could also affect the structural stability of bluffs and hillsides. The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through an increase in impervious surfaces, runoff, erosion, sedimentation, and the introduction of pollutants such as petroleum, cleaning products, pesticides, fertilizers.

To address the potential for discharge of polluted runoff and erosion, the proposed project incorporates swales, down drains, catch basins, splash walls, terrace drains, and area drains at various points along the perimeter of the retaining walls, as well as within the 10-foot terraced area between the walls (**Exhibit 7**). Runoff captured by the drains will flow through a six inch perforated pipe subdrain with a gravel filter, which runs along the perimeter of the walls and the terraced area between the walls, to a catch basin located near the property line between 17774 and 17762 Tramonto Drive. A six inch PVC pipe will be installed below grade, which will carry the runoff from the catch basin through the dedicated walk area adjacent to 17761 Revello Drive, where it will outlet at Revello Drive.

Even with the proposed drainage plan in place, additional measures are necessary to address the potential for polluted discharge and further erosion of the slope. Accordingly, the Commission imposes Special Conditions 3 and 4, which require the applicants to incorporate additional features into the project which are designed to minimize the infiltration of water and any adverse impacts on the marine environment resulting from construction and post-construction activities. These design features include, but are not limited to, the appropriate management of equipment and construction materials, the use of non-invasive drought tolerant vegetation, and for the use of post-construction best management practices (BMPs). These special conditions will ensure that: 1) sediment is kept on-site during construction; 2) runoff is controlled after construction, so that storm water and on-site irrigation water does not erode or percolate into nearby land (increasing the likelihood of failure); and 3) permanent features that maintain the quality of run off so that run off does not transport pollutants into the ocean.

Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act.

E. PUBLIC ACCESS

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resources areas from overuse.

Section 30211 of the Coastal Act states, in part:

Development shall not interfere with the public's right of access to the sea...

Here, the unimproved paper walkways abut the eastern and northern portions 17761 Revello Drive; the northern portion of 17801 and 17807 Castellammare Drive; and the southern portion of 17774-17800 Tramonto Drives. The walkways were apparently created when the parcels were subdivided, and were meant to provide pedestrian shortcuts along the bluffs to the other streets. The walkways do not, however, provide direct public access to the beach for residents in the area. To the Commission's knowledge, the City has no plans to improve the walkways due, in part, to the presence of residential development which would preclude future improvements to portions of the walkways, and issues associated with hazards and the steep topography. And the City did not require improvement of the walkways in the City-issued Coastal Development Permits.

The proposed drainage plan encroaches into portions of the City-dedicated walkways, however, the pipe will be underground, whereby, it should not interfere with any future City plans to ultimately develop the walkways. To ensure that the proposed project will not affect the potential for the walkways to be developed in the future, and to verify that the City of Los Angeles has approved the applicants' plan to bury a drainage line within the dedicated walkways, Special Condition 9 requires the applicants to provide proof of the City's approval for such activities.

Therefore, the Commission finds that the proposed development, as conditioned, will not adversely affect public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP) that conforms with Chapter 3 policies of the Coastal Act:

(a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the

provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

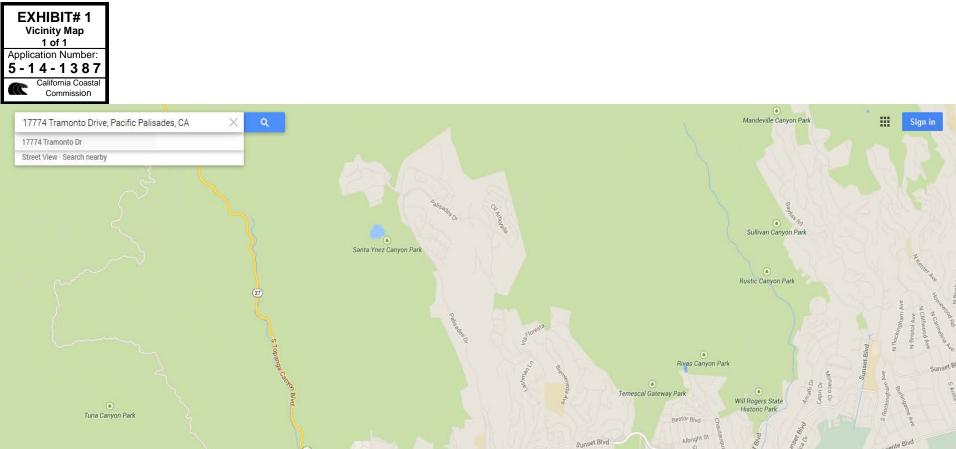
G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

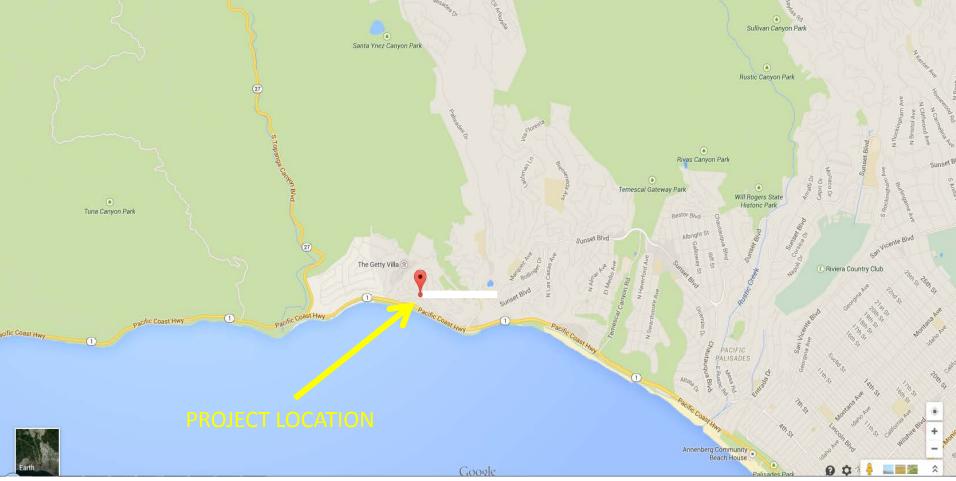
Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

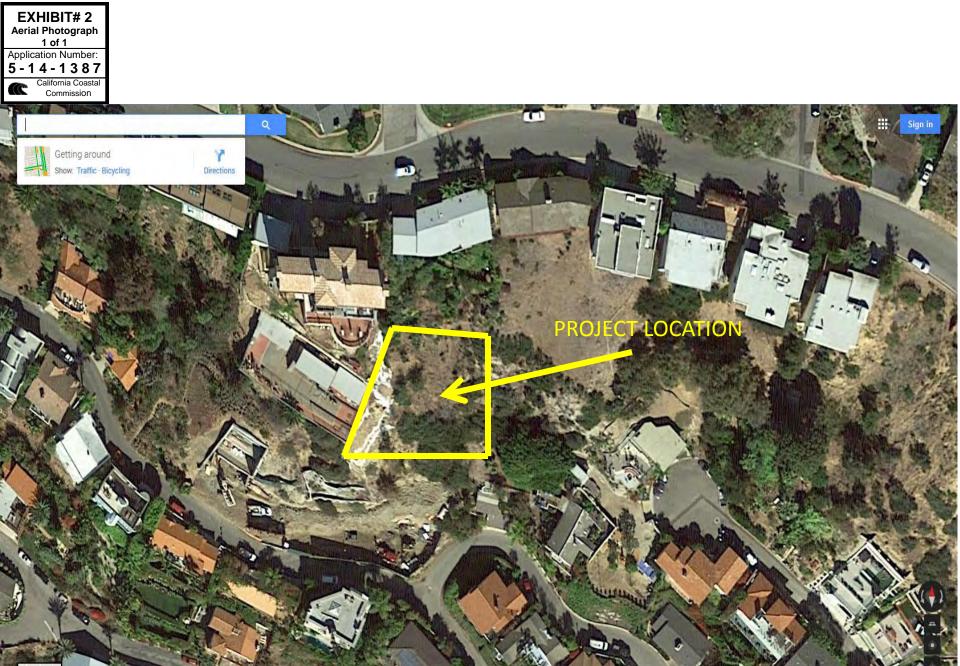
The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, can be found consistent with the requirements of the Coastal Act to conform to CEQA.

Appendix A - Substantive File Documents

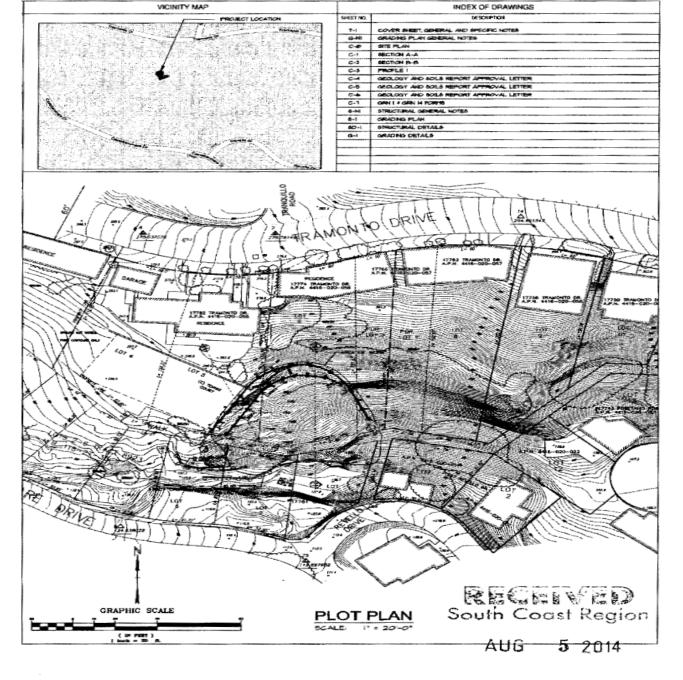
Addendum No. 1 to Geotechnical Engineering and Geology Investigation for 17800 and 17774 Tramonto Drive, 17761, 17801, and 17807 Castellammare Drive, Pacific Palisades report by SASSAN Geosciences, Inc., dated June 30, 2010; City of Los Angeles Coastal Development Permit (case No. ZA 2013-3164 (CDP)) dated May 13, 2014; City of Los Angeles Coastal Development Permit, Zoning Administrator's Adjustment (Case No. ZA 2013-3208(CDP)(ZAA)); City of Los Angeles Coastal Development Permit, Zoning Administrator's Adjustment (Case No. ZA 2013-3205(CDP)(ZAA); City of Los Angeles Mitigated Negative Declaration dated March 3, 2014 (ENV-2013-3165-MND)(Case No. ZA-2013-3164-CDP-ZAA; ZA-2013-3164-CDP-ZAA; ZA-2013-3205-CDP-ZAA; ZA-2013-3208-CDP-ZAA); City of Los Angeles Department of Building and Safety Geology Soils Report Approval Letter dated December 15, 2010.



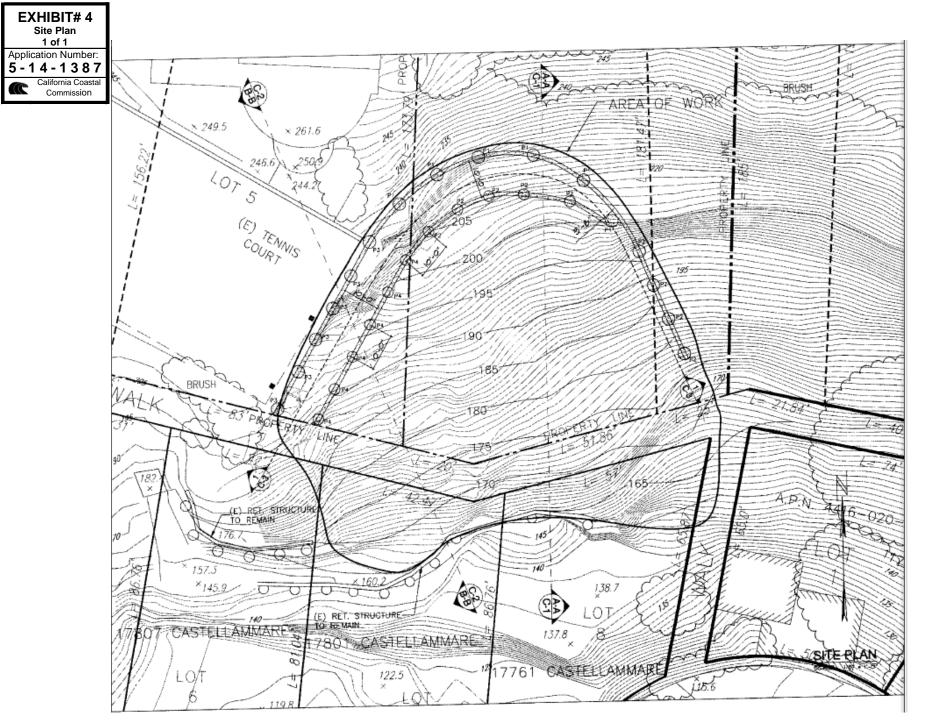




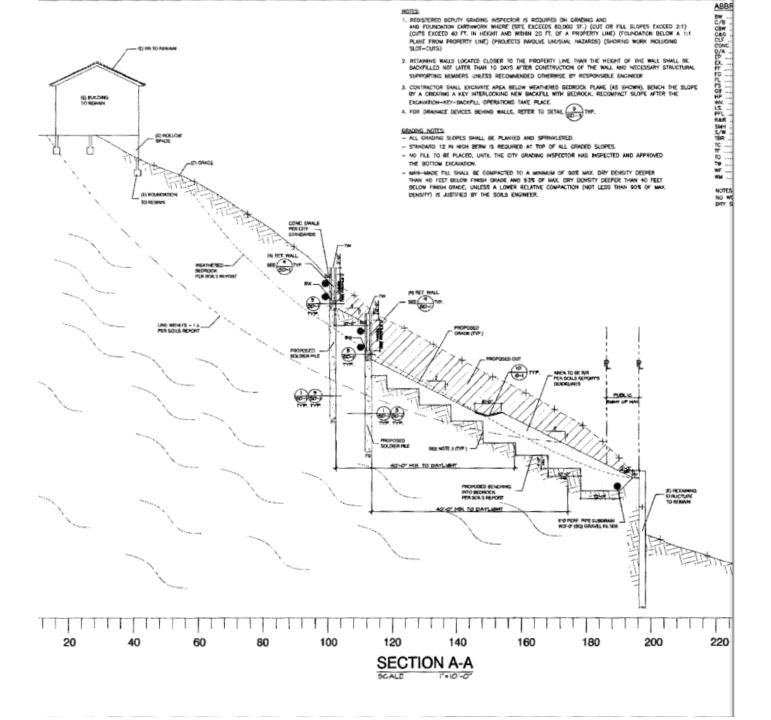
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California Coastal
Commission



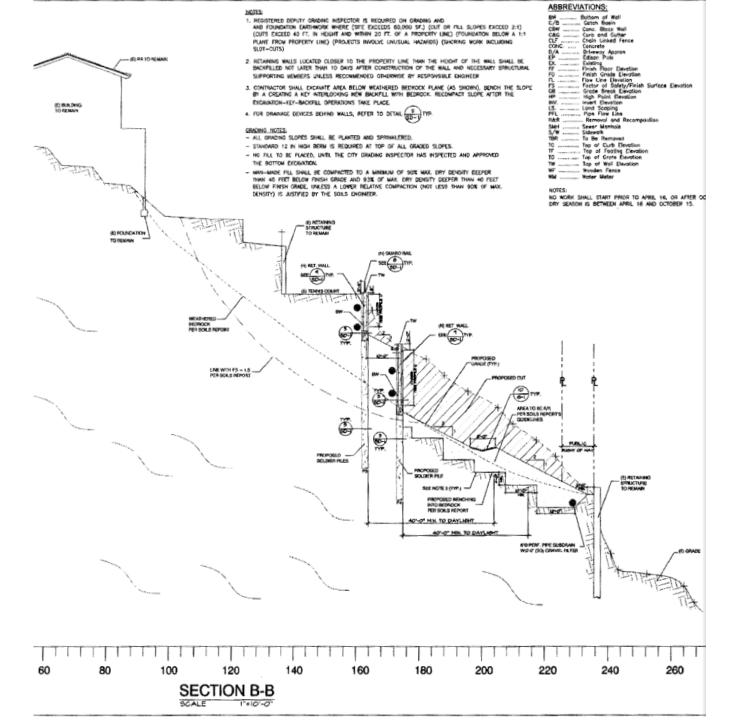
CALIFORNIA COASTAL COMMISSION







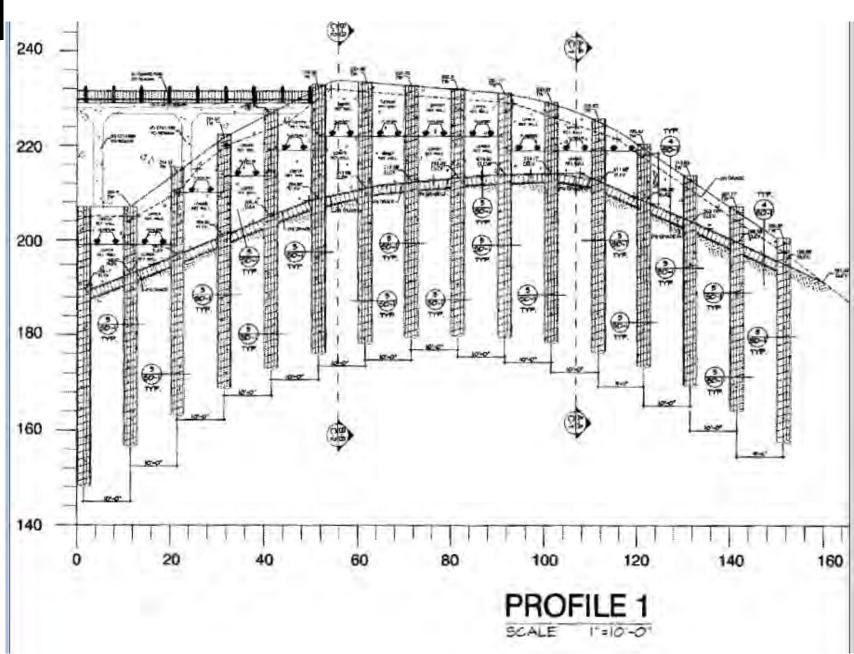


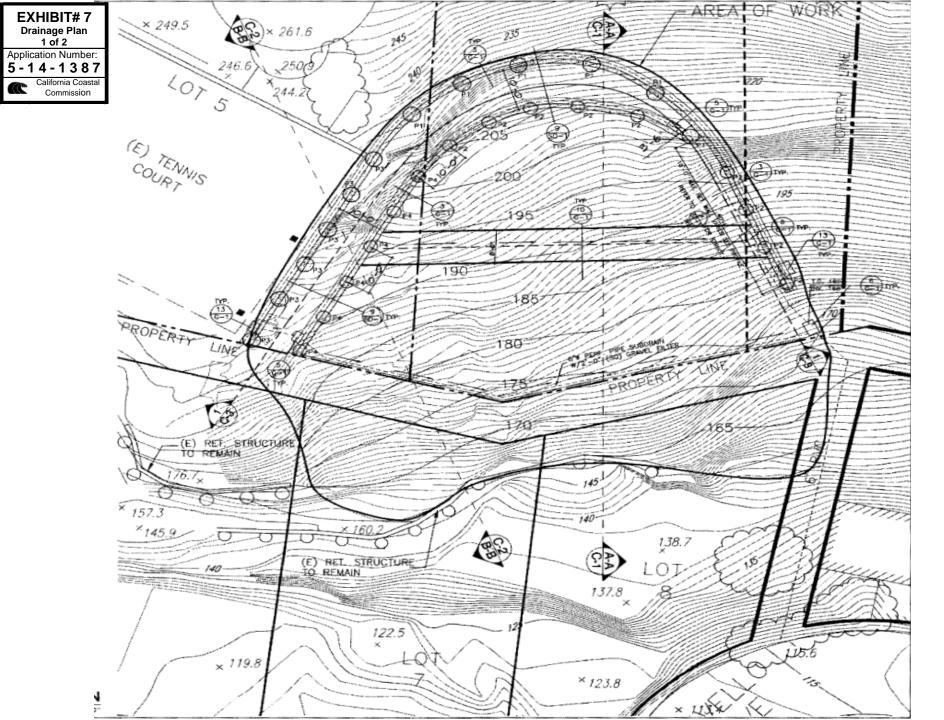


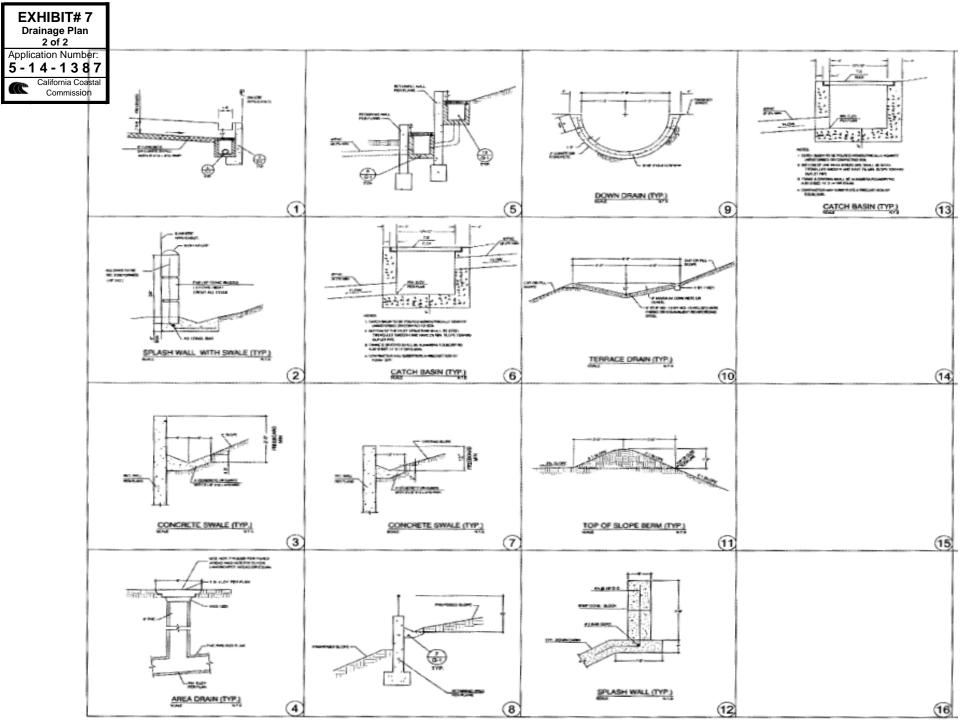
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EXHIBIT#8

Geology and Soils Report Approval Letter 1 of 1

Application Number: 5-14-1387

California Coastal Commission I

Fax:213-482-0497 HIDE & SHITY

LA CITY BLDG & SPFTY Fax: 213-482-0497

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CITY OF LOS ANGELES

CALIFORNIA



BUILDING MIC SAFETY HOW'S DISURBLE STREET LOS MAIDLES CA 90713

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RAYMOND & CHAN G.E. B.E. EMPORTUGUES.

GEOLOGY AND SOILS REPORT APPROVAL LETTER

December 15, 2010

VAN AMATELOS

VICTOR H. CUEVAS

YELEW JUBANY

ELENOME A WILLIAMS

LOC # 71370

SOILS/GEOLOGY FILE - 2

LAN

Joseph Beauchamp 17800 Tremonio Dr Pacific Palisades, CA 90272

TRACT:

Castellammare (MP 113-3/8)

BLOCK: 10

LOT: 486 8.786

CURRENT RESERVACE

LOCATION: 17800 Tramonto Dr & 17774 Tramonto Dr

17761, 17801 & 17807 Castellammere De REPORT

REPORTALITER(S) Geology Soils Report	No 7BEU157	DX:UMENT 06/30/2010	PREPARED BY SASSAN
PREVIOUS REFERENCE	REPORT	DATE(S) OF	
REPORT/LETTER(S)	No	DOCUMENT	PREPARED BY
Dept. Approval Letter	57675-03	01/15/2009	LADBS
Geology/Soils Report	7BEU157	11/24/2008	SASSAN
	7BEU157	06/20/2008	**
**	7BEU157	12/27/2007	**
**	05-20C	03/06/2007	Douglas E. Moran
**	2810BELA.630	03/06/2006	Robertson Geotechnical
**	11	12/22/2004	11
Dept. Correction Letter	57675-02	08/06/2008	LADBS
	57675-01	64/02/2008	91
84	57675	96/97/2007	4.0
	52873	05/17/2006	**

Page 2 of 2 17800 Tramonso Dr & 17774 Tramonto Dr 1776), 17801 & 17807 Castellammere Dr

The Crading Division of the Department of Building and Safety has reviewed the referenced report providing revised recommendations for the proposed stabilization of a slope failure. The Department previously approved above referenced reports for a proposed repair in a letter dated 01/15/2009. The current report provides an alternative methodology for the analysis. The referenced report is acceptable, provided the following conditions are complied with during site development:

- All conditions of the Department letter dated 01/15/2009, log 457675-03 shall apply except condition Nos. 4, 5 and 11, which are superseded herein.
- The soldier pile retaining walls shall be designed in accordance with the recommendations on pages 10, 11 and 12 of the current report dated 06/30/2010. See Figures E-1 and E-2 for the accepted earth pressure distribution.
- The sequence of construction shall be done in accordance with the recommendations on pages 8 and 9 of the current report.

DANA PREVOST

Engineering Geologist III.

PASCAL CHALLITA Geotechnical Engineer II

DP/PC:dp/pc Log No. 71370 213-482-0480

SASSAN, Project Consultant WL District

DATE(\$) OF