

CALIFORNIA COASTAL COMMISSION

RECORD PACKET COPY

South Coast Area Office
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Filed: Sept. 3, 1997
49th Day: Oct. 22, 1997
180th Day: Mar. 2, 1998
Staff: JLR-LB
Staff Report: Sept. 5, 1997
Hearing Date: Oct. 7-10, 1997

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-169
APPLICANT: Barry and Wendy Meepos
PROJECT LOCATION: 458 Sycamore Street, Pacific Palisades
PROJECT DESCRIPTION: Demolish a single-family residence and construct a 4,205 sq. ft., 32' high, 2-story over a 3-car basement garage, single-family residence on a 6,360 sq. ft. hillside lot.

Lot area:	6,360 sq. ft.
Building coverage:	N/A
Pavement coverage:	N/A
Landscape coverage:	N/A
Parking spaces:	Three
Zoning:	R-1
Plan designation:	Low Density Residential
Project density:	N/A
Ht abv fin grade:	32'

LOCAL APPROVALS RECEIVED: Approval in Concept-City of Los Angeles
SUBSTANTIVE FILE DOCUMENTS: City adopted Brentwood-Pacific Palisades Community Plan.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval with special conditions addressing natural hazards in order to be consistent with Section 30253 of the Coastal Act.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgement. The permit is not valid and construction 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 construction has not commenced, the permit will expire two years from the date on which the Commission voted on the application, or in the case of administrative permits, the date on which the permit is reported to the Commission. Construction 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. Compliance. All construction must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

1. Conformance with Geotechnical Recommendations:

Prior to issuance of the coastal development permit, the applicant shall submit grading and foundation plans for the review and approval of the Executive Director. The approved foundation plans shall include plans for the retaining walls, subdrains and footings. These plans shall include the signed statement of the geotechnical consultant certifying that these plans incorporate the recommendations contained in the Geologic and Soils Engineering Report dated May 15, 1997, prepared by Parmelee-Schick and Associates, Inc. The approved development shall be constructed in accordance with the plans approved by the Executive Director. Any deviations from said plans shall be submitted to the Executive Director for a determination as to whether the changes are substantial. Any substantial deviations shall require an amendment to this permit or a new coastal development permit.

2. Assumption of Risk/Indemnification:

Prior to issuance of the coastal development permit, the applicant shall execute and record a deed restriction in a form and content agreeable to the Executive Director. The deed restriction shall provide: (a) the applicant understands that the site may be subject to extraordinary hazards from landslide, mudslide, erosion and slope failure and the applicant assumes the liability from such hazards; and (b) the applicant unconditionally waives any claim of liability on the part of the Commission, and agrees to indemnify and hold harmless the Commission, its officers, agents, and employees, for any damages resulting from the Commission's approval of the project.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description and Location:

The applicant proposes to demolish a single-family residence and construct a 4,205 sq. ft., 32' high, 2-story over a 3-car basement garage, single-family residence on a 6,360 sq. ft. hillside lot. The proposed project is located within an established single-family residential neighborhood in Pacific Palisades, a planning subarea within the City of Los Angeles. The subject lot ascends northerly from the street, Sycamore, with an overall topographic relief of approximately 25 feet. The subject lot is located on a lower terraced bench of a hillside that further rises several hundred feet. The site will not be visible from Pacific Coast Highway.

The applicant has submitted a Geologic and Soils Engineering Report dated May 15, 1997, prepared by Parmelee-Schick and Associates, Inc. Following is a brief description of the site as excerpted from that report:

The subject property consists of a partially graded hillside lot on the southern flank of the Santa Monica Mountains, Santa Monica, California. The site is presently occupied by a single family residence with detached carport, and a guest house on the eastern portion. The surrounding area consists of custom hillside residences. Past grading on the site has likely consisted of a minor amount of cut on the eastern portion of the site and the placement of a minor amount of fill on the western portion. The site gently ascends above the street to the existing level pad and residence. The slope behind the residence ascends approximately 20 feet to the offsite level pad, and has been terraced with unreinforced walls.

B. Natural Hazards:

Section 30253 of the Coastal Act provides in part:

New Development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) 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 bluffs and cliffs.

The proposed residence is located on a hillside lot in an area which is subject to natural hazards. Natural hazards common to this area include landslides, erosion, flooding and slumping. The applicant's geology report prepared by Parmelee-Schick and Associates concludes "that construction of the proposed residence is feasible from a geologic and soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are implemented during construction".

The geology report requires specific construction methods that are the responsibility of the applicant to carry out in a safe manner. Following is an excerpt from that report:

A temporary excavation will be required to construct the proposed retaining walls. The temporary excavations for the proposed garage may be made up to 5 feet, and the upper portion trimmed to a 1:1 gradient. The proposed excavations for the rear yard retaining walls will remove lateral support from the adjoining site to the east, and therefore will require the installation of soldier piles.

The geologist must be present during grading to see the temporary slopes. The excavation must be stabilized within 30 days of initial excavation. Water must not be allowed to pond on top of the excavation nor to flow toward it.

In addition, the applicant's conditional geology approval from the City of Los Angeles Department of Building and Safety requires certain provisions be

fulfilled with during site development. Following are some of the City's geology conditions:

11. Prior to issuance of the building permit, the design of the subdrainage system required to prevent possible hydrostatic pressure behind retaining walls shall be approved by the soils engineer and accepted by the Department. Installation of the subdrainage system shall be inspected and approved by the soils engineer and by the City grading inspector.
12. As recommended retaining walls shall be designed for an equivalent fluid pressure of 45 pounds per cubic foot.
13. All friction pile or caisson drilling and installation shall be performed under the inspection and approval of the Foundation Engineer.
14. The geologist and soil engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading.

The Commission finds that the house can be approved consistent with Section 30253 of the Coastal Act, as long as the applicant conforms to the recommendations contained in the aforementioned soils and geology report. The Commission further finds that the proposed residence, as conditioned to conform to the consultant's geology and soils recommendations, will minimize risks of developing in this area that may occur as a result of natural hazards.

The Commission, in previous permit actions on development in this area has found that there are certain risks associated with hillside development that can never be entirely eliminated. In addition to the general risks associated with hillside development in geologically hazardous areas, the Commission notes that its approval is based on professional reports and professional engineering solutions that are the responsibility of the applicants. Based on site specific soil/geologic constraints addressed in the applicant's geology report, the applicant shall, as a condition of approval, assume the risks inherent in potential slope failure from erosion. Therefore, the Commission further finds that in order to be consistent with Section 30253 of the Coastal Act, the applicant must also record a deed restriction assuming the risk of developing in this hazardous area, and waiving the Commission's liability for damage that may occur as a result of such natural hazards.

C. Neighborhood Character:

Section 30251 of the Coastal Act states:

Section 30251

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 surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation and by local government shall be subordinate to the character of its setting.

Section 30251 of the Coastal Act requires that scenic and visual resources of Coastal areas be protected and enhanced. It also states that permitted development shall be sited and designed to minimize the alteration of natural landforms and protect the scenic and visual quality of coastal areas. The Pacific Palisades area is a scenic coastal areas. However, the bluffs and surrounding area are highly developed with existing single family residences.

On August 5, 1992, the City of Los Angeles adopted a hillside ordinance which may be incorporated into the City's future Local Coastal Program. That ordinance states that "on any lot where the slope of the lot measured from the lowest point of elevation of the lot to the highest point is 66 percent or less, no building or structure shall exceed 36 feet in height as measured from grade". The proposed residence is 32' above grade and the lot has a slope of approximately 24 percent. Therefore, the proposed development is consistent with the provisions of the City's Hillside Ordinance.

The site is located approximately six blocks inland of Pacific Coast Highway. The proposed residence will not block any public views and will not be highly visible from Pacific Coast Highway. The proposed 2-story residence is consistent with numerous past permit decisions that the Commission has approved in Pacific Palisades. Therefore, the Commission finds that the proposed development, as designed, is compatible with the surrounding pattern of development consistent with the provisions of Section 30251 of the Coastal Act.

D. Local Coastal Program:

Section 30604 (a) of the Coastal Act states that:

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).

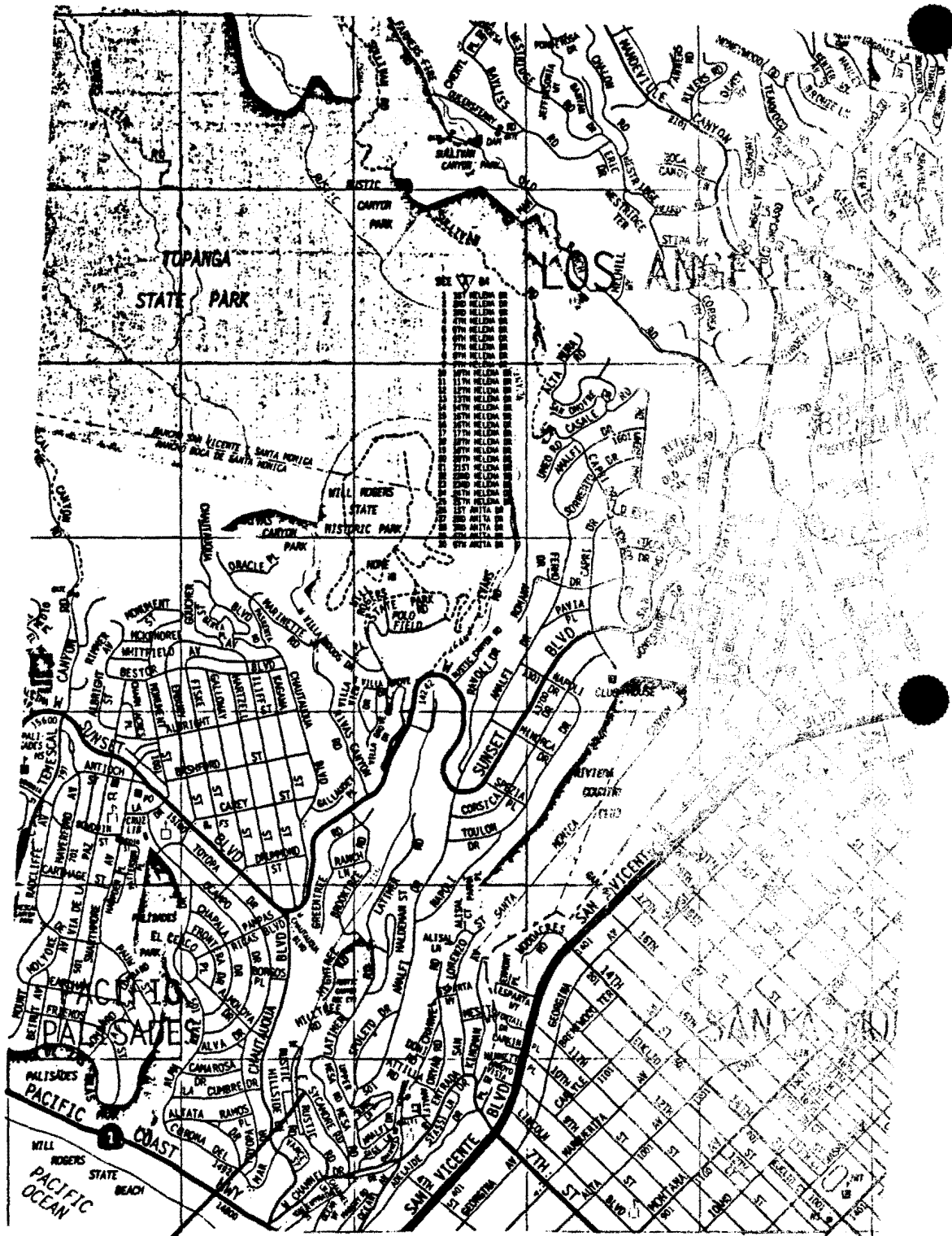
The City of Los Angeles has not prepared a draft Land Use Plan for this planning subarea. However, the City's work program to develop a Local Coastal Program considers natural hazards as an issue for this area of the City. Approval of the proposed development, as conditioned to minimize risks from natural hazards, will not prejudice the City's ability to prepare a certifiable Local Coastal Program. The Commission, therefore, finds that the proposed project is consistent with Section 30604 (a) of the Coastal Act.

E. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5 (d) (2) (i) 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 impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the natural hazards policies of the Coastal Act. Mitigation measures to conform to the consultant's geology/soils recommendations and to record a deed restriction assuming the risk of developing in this hazardous area, will minimize all adverse impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

0006G
JR/lm



5-97-169

Exhibit
5-97-169

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. NORDAN
MAYOR

COMMISSIONERS
JOYCE L. FOSTER
PRESIDENT
MABEL CHANG
VICE-PRESIDENT
LEE KAMON ALPERT
JEANETTE APPELGATE
NANCY H. ZAMORA

DEPARTMENT OF
BUILDING AND SAFETY
400 CITY HALL
LOS ANGELES, CA 90012-4000
TIM TAYLOR
GENERAL MANAGER
RICHARD E. HOLQUIN
EXECUTIVE OFFICER

August 5, 1997

Log # 31953
C.D.

SOILS/GEOLOGY FILE - 2

Barry Meepos
458 Sycamore Rd
Santa Monica, CA

THREAT 1049
LOG# 298
LOCATION 458 Sycamore Rd

COMMITTEE REPRESENTATIVE(S) Barry Meepos	REMARKS NO. 3037 W	DATE(S) OF DOCUMENT 7/28/97	PREPARED BY Pamela Schick
COMMITTEE REPRESENTATIVE(S) Department of Building & Safety	REMARKS NO. 21767	DATE(S) OF DOCUMENT 7-8-97	PREPARED BY Building & Safety Pamela Schick

The referenced report concerning a proposed single family residence have been reviewed by the Geology Section of the Department of Building and Safety. According to the latest report, the boring for a liquefaction study did not encounter groundwater in the first 30 feet. Therefore the consultant concluded that it is not a problem at this site. The upper 2-3 feet of the natural soil is not suitable for structural support.

The reports are acceptable, provided the following conditions are complied with during site development:

1. The geologist and civil engineer shall review and approve the detailed plans prior to issuance of any permit. This approval shall be by signature on the plans which clearly indicates that the soils engineer has reviewed the plans prepared by the design engineer and that the plans included the recommendations contained in his report.
2. All recommendations of the report dated June 2, 1997 which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

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3. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety.
4. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.
5. A grading permit shall be obtained for all structural fill and retaining wall backfill.
6. Prior to the placing of compacted fill, a representative of the consulting Soils Engineer shall inspect and approve the bottom excavations. He shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the City Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be filed with the Department upon completion of the work. The fill shall be placed under the inspection and approval of the Foundation Engineer. A compaction report shall be submitted to the Department upon completion of the compaction.
7. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557.
8. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the Department.
9. Prior to the pouring of concrete, a representative of the consulting Soil Engineer shall inspect and approve the footing excavations. He shall post a notice on the job site for the City Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the City Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Department upon completion of the work.
10. Prior to excavation, an initial inspection shall be called at which time sequence of shoring, protection fences and dust and traffic control will be scheduled.
11. Prior to issuance of the building permit, the design of the subdrainage system required to prevent possible hydrostatic pressure behind retaining walls shall be approved by the soils engineer and accepted by the Department. Installation of the subdrainage system shall be inspected and approved by the soils engineer and by the City grading inspector.
12. As recommended retaining walls shall be designed for an equivalent fluid pressure of 45 pounds per cubic foot.

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- 13 All friction pile or caisson drilling and installation shall be performed under the inspection and approval of the Foundation Engineer.
14. The geologist and soil engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading.

Dana Prevost
DANA PREVOST
Engineering Geologist I

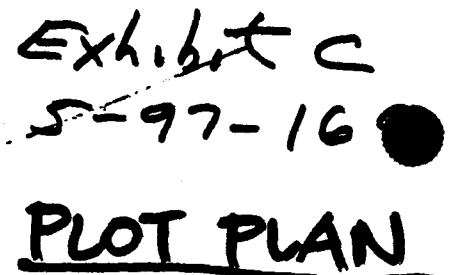
Theo R. Seeley
THEO SEELEY
Geotechnical Engineer I

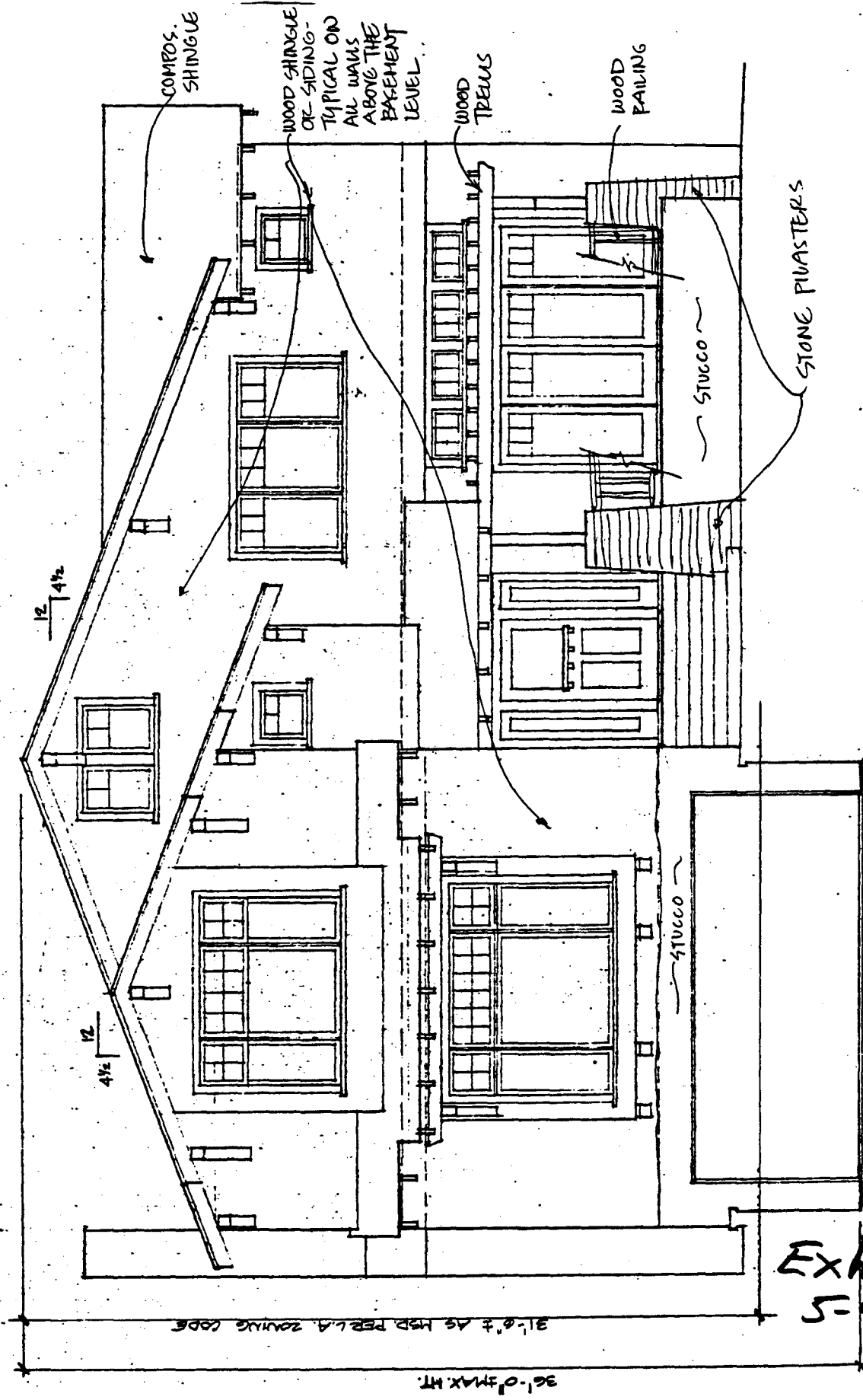
TRS/DP:trs/dp
21953
(213) 485-3435

cc: Parmelee-Schick
Laura Saldana
WLA District Office

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CALIFORNIA
COASTAL COMMISSION





FRONT (WEST) ELEVATION

Exhibit D
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