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STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION

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Filed:	9-3-97
49th Day:	10-22-97
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Staff:	JLR 9/11/97
Staff Report:	9-8-97
Hearing Date:	10/7-10/97

RECORD PACKET COPY

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-229

APPLICANT: Norman Siever

PROJECT LOCATION: 15852 Seabec Circle, Pacific Palisades

PROJECT DESCRIPTION: Construct a 4,007 sq. ft., 2-story, 25' high single-family residence on a vacant 12,720 sq. ft. hillside lot.

Lot area:	12,720 sq. ft.
Building Coverage:	2,307 sq. ft.
Pavement Coverage:	2,936 sq. ft.
Landscape Coverage:	6,487 sq. ft.
Parking Spaces:	Four
Zoning:	R-1
Plan Designation:	Low Density Residential
Project Density:	N/A
Ht abv fin grade:	25'

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 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 shall expire two years from the date this permit is reported to the Commission. 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. Compliance. All development 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 or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, 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 Geotechnical Engineering Report dated April 30, 1997, prepared by Robertson Geotechnical, 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 that: (a) the applicant understands that the site may be subject to extraordinary hazards from erosion, slope failure, mudslides, and slumping 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 construct a 4,007 sq. ft., 2-story, 25' high single-family residence on a vacant 12, 270 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 descends southeasterly from the street, Seabec Circle, with an overall relief of approximately

28 feet. The lot is located adjacent and at the top of Temescal Canyon. At the rear of the property, the canyon descends approximately 175' at gradients between 2:1 and 1 1/2:1.

In May, 1984, the Commission approved a single-family residence on the subject lot. The Commission's conditional approval included two Special Conditions addressing natural hazards which are similar to the conditions that are currently being recommended. The Commission's previous permit approval was never issued. Subsequently, the permit lapsed and the residence was never constructed.

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 reported prepared by Robertson Geotechnical, Inc. concludes "that provided our recommendations are followed and barring a major earthquake exceeding historic shaking at the site, the proposed residence and pool will be safe against hazards from landslide, settlement or slippage and that the proposed residence and pool will have no adverse affect on the geologic stability of the property outside the building site." The applicant has submitted a Geologic and Geotechnical Engineering Report dated April 30, 1997, prepared by Robertson Geotechnical, Inc. Following is a brief description of the site as excerpted from that report:

> The previous subsurface exploration and the current reconnaissance mapping indicate the subject property is underlain by fill, terrace and steep north dipping shale bedrock typical of the area. Uncompacted fill exists in the southern and eastern portions of the building pad near the descending slope. Previous exploration indicates the fill is about 2 feet thick. Terrace underlies the pad. The upper portion of the terrace is disturbed. Desiccation cracks suggest surface soils are expansive. Previous testing indicated the terrace was moderately expansive. Terrace overlies bedrock previously encountered

between 29 and 34-1/2 feet below grade. Bedrock consists of very fractured siltstone and shale typical for the area. Steep, north dipping bedding is locally overturned. folding and faulting are mapped north and south of the site. Major faults in close proximity to the site include the Santa Monica-Hollywood fault, the Malibu Coast fault and the Santa Monica Mountains Thrust fault. Strong shaking would be associated with a significant earthquake on any of these faults in close proximity to the site. Strong shaking could result in differential settlement, differential shaking between the different foundation types, slope yielding and lurching, and differential settlement of the residence. Liquefaction of terrace is not likely.

Landslides are not mapped on the property or on the slopes immediately descending below the pad. Slides are mapped offsite to the north and south. Calculations suggest the descending slopes are grossly stable under static conditions and under seismic accelerations postulated to have occurred at the site in the past. Creep, erosion, ravelling, sloughing and surficial instability of steep slope descending below the building pad can be anticipated. Heavy rainfall could result in erosion within the canyons crossing the slope below the site. A Foundation Setback is recommended.

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:

Creep, erosion and surficial instability have occurred on the steep slopes in the past. Creep, erosion, and surficial instability are typical in hillside areas and may be anticipated to occur in the future on the slopes during and following periods of rainfall, over irrigation and strong seismic shaking. Recommendations are presented to reduce the future risk of these types of instability. Proper site and slope maintenance and drainage control significantly reduce the risk.

The subject property is underlain by expansive soils. Expansive soils swell when wetted and shrink when dry. Pressures produced by soil expansion can lift both slabs and bearing foundation elements. Slabs and footings are also subject to settlement when expansive soil dries and shrinks. This movement can produce misalignment of doors, windows and floors and cracking of slabs, walls and ceilings. The foundation system recommended for the site improvements includes deeper, more heavily reinforced footings and reinforced slabs than used on properties with less expansive soil. These elements are intended to reduce but not eliminate deflection and cracking. Some cracks and structure misalignment should be anticipated.

In addition, the applicant's conditional geology approval from the City of Los Angeles Department of Building and Safety includes special conditions addressing design and construction methods. Following are some of the City's geology conditions:

3. In order to best inform future owners of the potential for sloughing and erosion of the descending slope, and of the establishment of a structural setback line on the site, notice of this letter and the consultant's reports shall be recorded with the Office of the County Recorder. (Note: The standard agreement form must be approved by the Grading Section prior to being recorded.)

4. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans which clearly indicates that the geologist and soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in their reports.

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.

13. The geologist and soil engineer shall inspect the excavations for the footings to determine that they are founded in the recommended strata before calling the Department for footing inspection.

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 causes.

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 landforms, to the 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 area. 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 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:

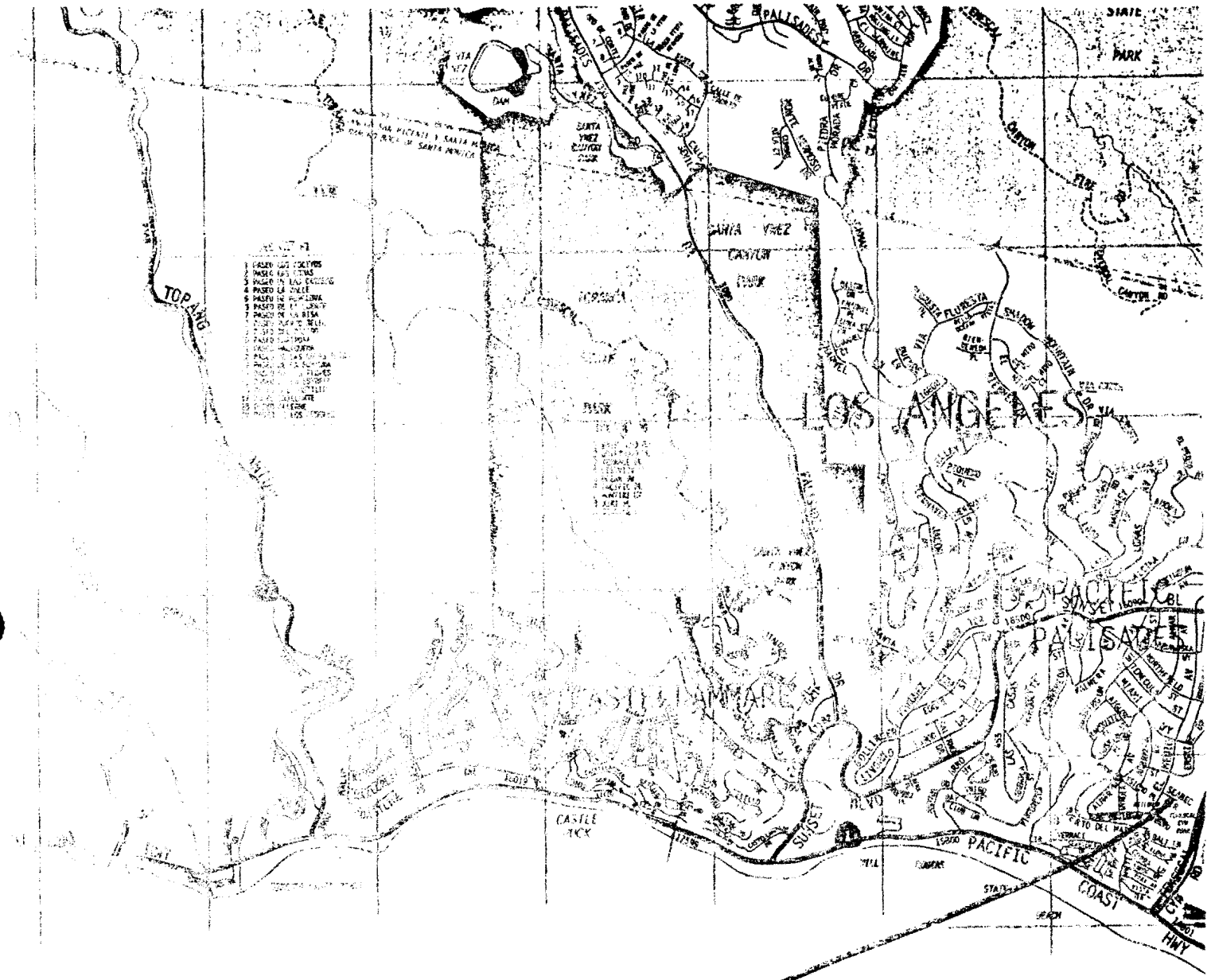
> Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted 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.



5-97-229

Exhibit A
5-97-229

CITY OF LOS ANGELES
CALIFORNIA

DEPARTMENT OF
BUILDING AND SAFETY
400 CITY HALL
LOS ANGELES, CA 90012-4869

TIM TAYLOR
GENERAL MANAGER

RICHARD E. HOLGUIN
EXECUTIVE OFFICER

5-97-229

June 12, 1997

Log # 21339
C.D. --

SOILS/GEOLOGY FILE - 2

Norman Siever
938 Galloway Street
Pacific Palisades, CA 90272

TRACT: 9300
LOT: 8
LOCATION: 15852 Seabee Circle

CURRENT REFERENCE REPORT/LETTER(S)	REPORT NO.	DATE(S) OF DOCUMENT	PREPARED BY
Geology/Soil Report	M386-G	4/30/97	Robertson Geotechnical
Addendum	M386-G	6/12/97	RobertsonGeotechnical
Ovrszd Doc	M386-G	4/30/97	Robertson Geotechnical

PREVIOUS REFERENCE REPORT/LETTER(S)	REPORT NO.	DATE(S) OF DOCUMENT	PREPARED BY
Department Letter	---	1/2/79	Bldg & Safety
	---	12/7/81	

The referenced report concerning a proposed single-family residence has been reviewed by the Grading Section of the Department of Building and Safety. According to the report, the site is located at the top of steep slopes, which descend for heights over 170 feet. Due to the potential for shallow instability and slope creep effects a structural setback line has been established. The report is acceptable, provided the following conditions are complied with during site development:

1. All footings shall be founded a minimum of 10 feet below the setback planes shown on the geologic cross-sections, as recommended.

Exhibit B
1 of 3

2. Pile and/or caisson shafts shall be designed for a lateral load of 1000 pounds per linear foot of shaft above the setback plane, to a maximum depth of 20 feet, as recommended.

5-97-229

3. In order to best inform future owners of the potential for sloughing and erosion of the

descending slope, and of the establishment of a structural setback line on the site, notice of this letter and the consultant's reports shall be recorded with the Office of the County Recorder. (Note: The standard agreement form must be approved by the Grading Section prior to being recorded.)

4. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans which clearly indicates that the geologist and soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in their reports.

5. All recommendations of the report which are in addition to or more restrictive than the conditions contained herein shall also be incorporated into the plans for the project.

6. Loose soil shall be removed from the "area of sloughing and erosion" shown on the map, and sides and top scarps shall be trimmed to no steeper than 2:1 and blended into the adjacent slope.

7. The pad shall be re-graded so that all drainage flows by gravity to the street.

8. 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.

9. A grading permit shall be obtained.

10. 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.

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. Footings adjacent to a descending slope steeper than 3:1 in gradient shall be located a distance of one-third the vertical height of the slope but need not exceed 40 feet measured horizontally from the face of the slope, except as necessary to comply with structural requirements and condition #1 given above..

Exhibit B
2 of 3

13. The geologist and soil engineer shall inspect the excavations for the footings to determine that they are founded in the recommended strata before calling the Department for footing inspection.

5-97-229

14. Pile caisson and/or isolated foundation ties are required by Code Section 91.1807.2. Exceptions and modification to this requirement are provided in Rule of General

Application 662.

15. Prior to the placing of compacted fill, a representative of the 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 soils engineer. A compaction report shall be submitted to the Department upon completion of the compaction.

16. Prior to the pouring of concrete, a representative of the consulting soils 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.

17. The dwelling shall be connected to the public sewer system.

18. The proposed swimming pool shall be designed for a freestanding condition.

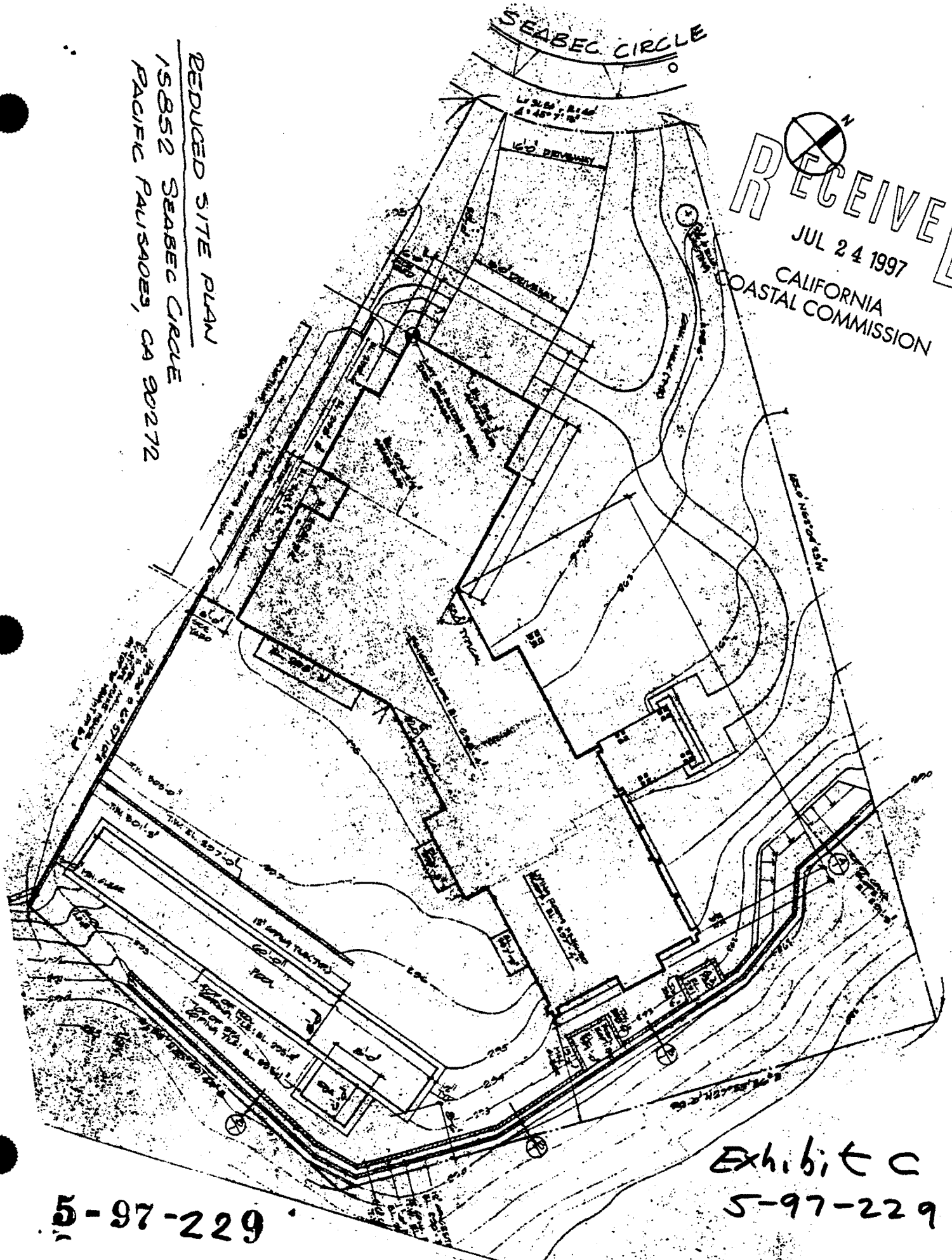
DANA PREVOST
Engineering Geologist I

ANDRZEJ T. SZPIKOWSKI
Geotechnical Engineer I

DP/ATS:dp:ats
21339
(213) 485-3435

cc: Robertson Geotechnical
WLA District Office

Exhibit B
3 of 3
5-97-229


SEABEC CIRCLE
REDUCED SITE PLAN
15852 SEABEC CIRCLE
PACIFIC PALISADES, CA 90272
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CALIFORNIA
COASTAL COMMISSION
Exhibit C
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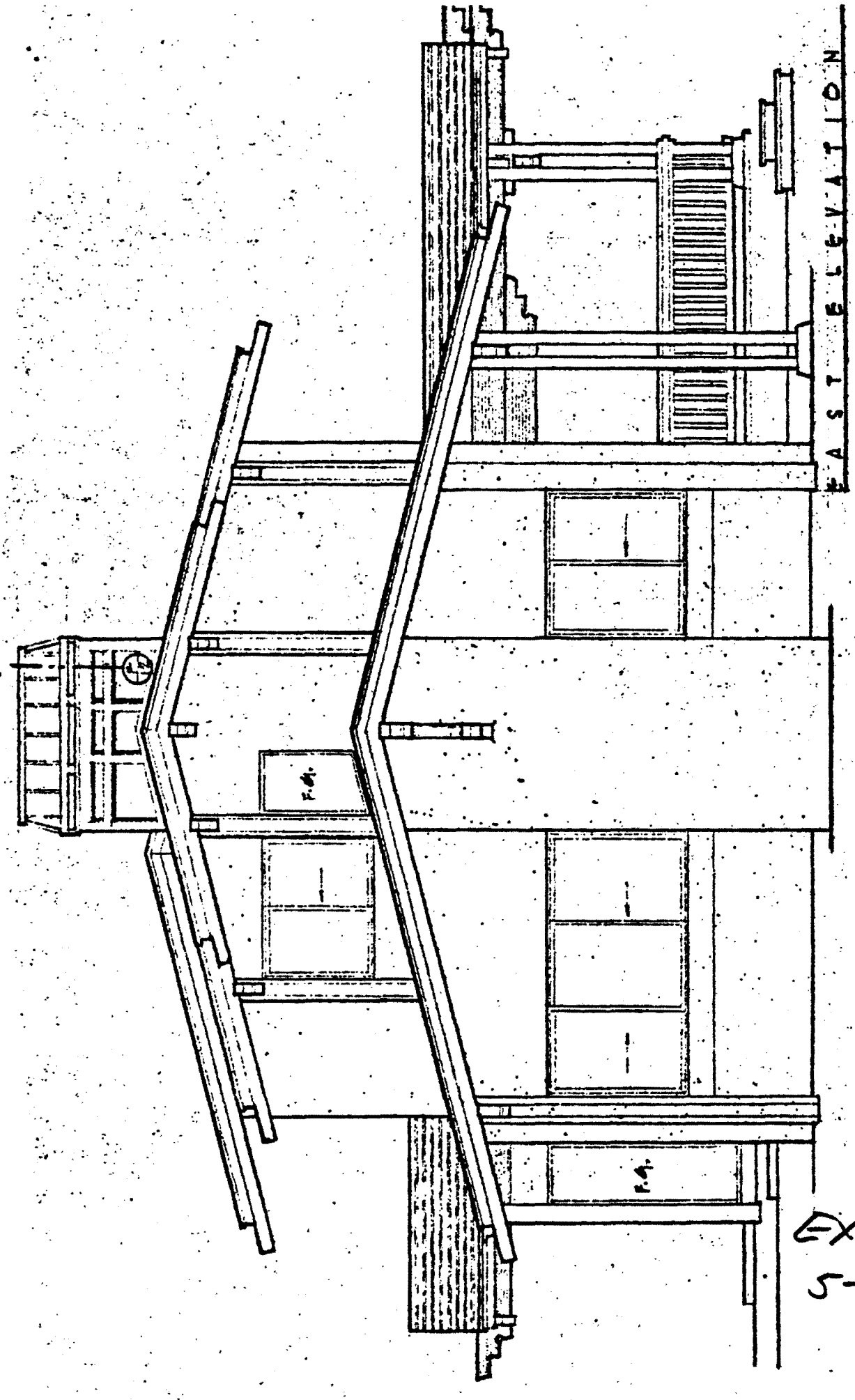

Exhibit D
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