STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION South Coast Area Office 200 Oceangate, 10th Floor Long Beach, CA 90802-4302 (562) 590-5071

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 Filed:
 Oct. 2, 1997

 49th Day:
 Nov. 20, 1997

 180th Day:
 Mar. 31, 1998

 Staff:
 JR-LB //K

 Staff Report:
 Nov. 4, 1997

 Hearing Date:
 Dec. 9-12, 1997

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-279

APPLICANT: John F. & Elizabeth Roberts & Vincent Flaherty

PROJECT LOCATION: 17470 Tramonto Drive, Pacific Palisades

PROJECT DESCRIPTION: Construct a 3-story, 36' high, 8,736 sq. ft. single family residence to include a swimming pool and five parking spaces on a vacant 28,761 sq. ft. hillside lot.

Lot area:	28,761 sq. ft.		
Building coverage:	3,840 sq. ft.		
Pavement coverage:	1,540 sq. ft.		
Landscape coverage:	23,381 sq. ft.		
Parking spaces:	Five		
Zoning:	R-1		
Plan designation:	Low Density Residential		
Project density:	N/A		
Ht abv fin grade:	36'		

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 the provisions of Section 30253 of the Coastal Act.

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STAFF RECOMMENDATION:

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The staff recommends that the Commission adopt the following resolution:

I. <u>Approval with Conditions</u>.

The Commission hereby <u>grants</u> 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. <u>Standard Conditions</u>.
- 1. <u>Notice of Receipt and Acknowledgement</u>. 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. <u>Expiration</u>. 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. <u>Compliance</u>. 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. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.
- 5. <u>Inspections</u>. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
- 6. <u>Assignment</u>. 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. <u>Terms and Conditions Run with the Land</u>. 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.

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III. <u>Special Conditions</u>.

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1. <u>Conformance with Geotechnical Recommendations:</u>

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 Engineering Geology Report dated June 30, 1997, prepared by Mountain Geology, 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 acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazards from landslides, erosion, slope failure, mudslides and slumping and the applicant assumes the liability from such hazards; and (b) that 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 relative to the Commission's approval of the project for any damage due to natural hazards. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. <u>Project Description and Location:</u>

The applicant proposes to construct a 3-story, 36' high, 8,736 sq. ft. single family residence to include a swimming pool and five parking spaces on a vacant 28,761 sq. ft. hillside lot. The site is an irregularly shaped parcel within the radius of a tight curve located on Tramonto Drive. The site is essentially level adjacent to the roadway and descends in a steep slope to a more gently sloping area. Elevations on the site range 218 feet to 260 feet above sea level. The site slopes to the east at about 2:1 (horizontal to vertical) in the southwest portion of the site to about 10:1 at the eastern portion of the lot.

The proposed project is located in the Castellammare area of Pacific Palisades, a planning subarea of the City of Los Angeles. The project has

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received an "Approval in Concept" from the City of Los Angeles as well as approval of numerous geology reports reviewed and conditionally approved by the City of Los Angeles Department of Building and Safety. Geotechnical and geologic reports and addenda have been prepared for the subject property and surrounding area by Pacific Soils Engineering, Lockwood Singh and Associates, Foundation Engineering Company, Gorian and Associates, Harley Tucker, Inc., Geosoils, Inc., and Mountain Geology, Inc.

In July, 1989, 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 was issued September 20, 1989. Subsequently, the permit lapsed and the residence was never constructed.

B. <u>Natural Hazards:</u>

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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 project site is located in the Castellammare area of Pacific Palisades in the City of Los Angeles. The Castellammare area has a long and complex history of landslide problems. This site is not located on the slope facing Pacific Coast Highway which has been the site of most of the slides. Instead, it faces Los Liones Canyon.

The site and the immediate area adjacent to Tramonto Drive has been the subject of many geologic investigations. A geology report submitted by the applicant which was prepared by Lockwood-Singh and Associates (Update report dated July 2, 1986 and Addendum report dated January 17, 1989), cites 26 geotechnical reports and addenda prepared for projects proposed in the area. There has been a basic disagreement about the bowl-shaped feature of which this site is a part. One opinion is that the feature is the result of an ancient landslide. The other interpretation which has been offered is that the bowl shaped landform was caused by an ancient stream meander prior to the uplift of the area. A 1982 map prepared by the USGS (attached) depicting historic and prehistoric landslides in the Pacific Palisades area shows no landslides in this area.

Subsurface exploration in the form of borings and trenches was conducted by

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the applicant's geologic consultant (Lockwood-Singh and Associates) in 1979 and 1980. No landslide debris, slide planes or evidence of recent faulting were found. After review of the results of this exploration and other reports another consultant, Harley Tucker, Inc., concluded also that no landslides were on site. In a letter dated June 30, 1989, Harley Tucker, Inc. stated the following:

- 1. The predominant opinion, based on substantial subsurface exploratory work, indicates that the proposed property is not within an ancient landslide as originally predicated in a report prepared by John McGill, U.S.G.S Geologist, 1959. Dr. McGill indicated that a bowl-like feature on the northeast slope of Castellammare Mesa may indicate a landslide. However, his conclusions were based soley on aerial photographic interpretive studies as no subsurface investigative work was accomplished.
- 2. Subsurface investigative date obtained by engineering geologic consultants indicate that no landslide debris is present on the subject property. Furthermore, studies of the numerous logs and test trenches prepared by the engineering geologists clearly indicate an absence of landslide-related features. Furthermore, engineering geologists employed by the Los Angeles City Department of Public Works and Building and Safety have concluded that the site is not underlain by landslide deposits.
- 3. The observed bowl-like effect, which topographically may appear as though it were an ancient landslide scarp, has been created by a stream meander of Santa Ynez Canyon. Evidence of past river deposits were observed in the exploratory openings excavated on the subject property. Furthermore, no evidence was presented that would suggest that any of these deposits have been affected by landslide activity.

The applicant has submitted an up-dated Engineering Geologic Report prepared by Mountain Geology, Inc. dated June 30, 1997. That report also concludes that "landslide debris does not underlie the subject property".

The geology reports indicate that the site is stable, with a factor of safety of over 1.5. The recommendations of the Update Report, dated July 2, 1986 and the Addendum Report, dated January 17, 1989 include the use of deep foundations, the placement of a compacted fill blanket in the building area to help slow infiltration of surface water into the subsurface, and the use of hydrauger drains or dewatering wells to help lower the ground water level beneath the site.

The City of Los Angeles Department of Building and Safety Grading Division reviewed the geodogy reports and found them acceptable. The City's conditional approval included 25 conditions addressing geotechnical issues such as the design and location of site dewatering devices, the fill blanket, grading permits, planting and irrigation, drainage, foundations and piles. The approval letters are attached to this report.

Therefore, the Commission finds that the house can be approved consistent with

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the provisions of Section 30253 of the Coastal Act, as long as the applicant conforms to the recommendations contained in the aforementioned soils and geology reports. 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 to implement. 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. <u>Neighborhood Character:</u>

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 enhance. 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 36' above grade and the lot has a slope of approximately 20 percent. Therefore, the proposed development is consistent with the provisions of the City's Hillside Ordinance.

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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 3-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:

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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 the provisions of Section 30604 (a) of the Coastal Act.

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

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.

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5158 COCHRAN ST. • SIMI VALLEY, CA. 93063 • (805) 522-5174 • FAX (805) 582-1228

2 1982 USGS MAP Showing Historic Prehistoric Landslideo Projectl Site Exhibit 5-97-2

COMMISSIONERS

JOYCE L. FOSTER PRESIDENT MABEL CHANG VICE-PRESIDENT LEE KANON ALPERT JEANETTE APPLEGATE NANCY H. ZAMORA

TRACT:

LOT:

August 14, 1997

CITY OF LOS ANGELES



DEPARTMENT OF BUILDING AND SAFETY 400 CITY HALL LOS ANGELES. CA 90012-4869 TIM TAYLOR GENERAL MANAGER RICHARD E. HOLGUIN EXECUTIVE OFFICER

RICHARD J. RIORDAN MAYOR

> Log # 21909 C.D. --

SOILS/GEOLOGY FILE - 2

John Roberts, Elizabeth Roberts & Vincent Flaherty 17474 Tramonto Dr Pacific Palisades, CA 90272

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LOCATION: 17470 Tramonto Dr

8923/Castellammare(MP113-3/8)

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CALIFORNIA COASTAL COMMISSION

CURRENT REFERENCE REPORT/LETTER(S)	REPORT NO	DATE(S) OF DOCUMENT	PREPARED BY
Geology Report	3463a	6/30/97	Mountain Geology
Soil Report	97-202-1	7/12/97	Miller Geosciences
Ovrszd Doc	3463a	6/30/97	Mountain Geology
Soil Testing		7/13/97	Applied Earth Sciences
PREVIOUS REFERENCE	REPORT	DATE(S) OF	
REPORT/LETTER(S)	<u>NO</u>	DOCUMENT	PREPARED BY
Geology Report	3463	5/8/97	Mountain Geology
Soil Report	97-202	4/16/97.	Miller Geosciences
Soil Testing		4/18/97	Applied Earth Sciences
Department Letter	21207	5/23/97	Bldg & Safety
Department Letter	9693	4/14/89	Bldg & Safety
Department Letter	12298	8/4/89	Bldg & Safety

The current and previous referenced reports concerning a proposed single-family residence located in an area of questionable stability have been reviewed by the Grading Section of the Department of Building and Safety. Reports for construction of a dwelling on this site were previously approved in 1989. The reports are acceptable, provided the following conditions are complied with during site development:

All conditions of the above referenced Department letter dated 4/14/89 shall apply, except

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condition Nos. 1 and 22.

- 2. All conditions of the above referenced Department letter dated 8/4/89 shall apply.
- 3. Footings shall be founded entirely in either certified fill or bedrock, as recommended.
- 4. A dewatering well shall be located near the center of the site, as recommended; the depth of the well is to be approximately 54 feet.

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DANA PREVOST Engineering Geologist I

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THEO SEELEY Geotechnical Engineer I

- DP/TS:dp 21909 (213) 485-3435
- cc: Mountain Geology Miller Geosciences WLA District Office

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Exhibit D 2 .72



Supplemental Geological and Soil Engineering Report No. 3839-72, dated July 6, 1989, prepared by Lockwood-Singh and Associates.

REFERENCE: Department letter dated April 14, 1989 (Condition #1). Hydrogeologic Report, dated July 3, 1989, by Robert Bean.

The above report concerning the design of subsurface dewatering devices has been reviewed by the Grading Division of the Department of Building and Safety. The hydrogeologic study by Robert Bean is submitted to recommend a dewatering well within the easter portion of the property (Plate A-1).

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

- 1. All recommendations of the report which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
- 2. Condition #2 recording of the affidavit and supplemental report on shoring referenced in Condition #21 have yet to be complied with.
 JAMES D. KAPRIELIAN

JAMES D. KAPRIELIAN Chief of Grading, Division

COBARRUBIAS Engineering Geologist III JWC:gas

TGRSGL080489B/2GR (213) 485-2160 cc: Lockwood-Singh WLA District Office

5-91-279

CITY OF LOS ANGELES



TOM BRADLEY

April 14, 1989

DEPARTMENT OF BUILDING AND SAFETY 411. CITY HALL

LOS ANGELES, CA 90012-4869

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WARREN V. O'BRIEN EXECUTIVE OFFICER

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John Roberts P. O. Box 9307 Marina Del Rey, CA 90295

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TRACT: Castellamare LOT: 1 of Block C LOCATION: 17470 TRAMONTO DRIVE (AKA 17461 TRAMONTO DRIVE)

Geological and Soil Engineering Report No. 3834-72, dated Janaury 17, 1987 and July 2, 1986, prepared by Lockwood-Singh and Associates, Incorporated.

REFERENCE: Department letter dated October 5, 1988; and May 4, 1988 (PM 5938). Geologic Report, dated January 31, 1989, by GeoSoils, Incorporated.

The subject reports concerning a proposed single-family development over a possible ancient landslide have been reviewed by the Grading Division of the Department of Building and Safety. According to the reports, no clear evidence demonstrates the continuity or the complete absence of a possible ancient landslide. The reports, recommended construction on the site provided a 5 foot thick blanket fill seal be provided on the pad area southeasterly of the building location and an area dewatering system installed.

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

 Prior to issuance of any permits, the consultants shall 1 of 4 submit a supplemental report containing design recommendations and locations of all required site 5-97-21 dewatering devices. The installation of the approved devices shall precede permits required for grading and construction on the site. Page 2 17470 Tramanto Drive April 14, 1989

- 2. The owner shall record a sworn affidavit with the Office of the County Recorder which attests to his knowledge that the site is located in an area subject to slides or unstable soil. In the event that down-hole dewatering wells are constructed, the owner shall also record an acknowledgement of his/her understanding that well and hardware maintenance is the responsibility of the owner and successors and the importance of the recommended site dewatering is clearly understood.
- 3. The recommended blanket fill seal shall be provided over all portions of the unpaved surface of the lot, except areas where identified large trees are to be preserved.
 - 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 graded slopes shall be no steeper than 2:1.
 - 6. All recommendations of the report which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
 - 7. A grading permit shall be obtained.
 - 8. 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.
 - 9. Secure the written consent from all owners upon whose property the proposed grading is to extend.
 - 10. The consulting geologist shall periodically inspect the grading and upon completion submit a final report stating that the completed work complies with his recommendations. Geological data shall be obtained from grading exposures, particularly at back slope cuts for fills and buttress and on cut surfaces. This data shall be presented on a final geological map and as-graded plan.
 - 11. All existing fill, topsoil and colluvium on the slopes and exploration trench backfill shall be removed and recompacted to a minimum of 90 percent relative compaction as required by Code Section 91.7006(d).
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- 12. Both the geologist and the soils engineer shall inspect and approve all fill and subdrain placement areas prior to placing fill. Both consultants shall include in their final reports a certification of the adequacy of the foundation material to support the fill without undue settlement and/or consolidation.
- 13. All graded slopes are subject to erosion and shall be planted and an irrigation system installed conforming to Section 91.7007.
- 14. All roof and pad drainage shall be conducted to the street in an acceptable manner.
- 15. The 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.
- 16. The dwelling shall be located no closer to the toe of the slope than permitted by Code Section 91.2907(d)2.
- 17. The dwelling shall be connected to the public sewer system.
- 18. Suitable arrangements shall be made with the Department of Public Works for the proposed removal of support and/or retaining of slopes adjoining the public way.
- 19. 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.
- 20. Both the geologist and the soils engineer shall inspect and approve all fill and subdrain placement areas prior to placing fill. Both consultants shall include in their final reports a certification of the adequacy of the foundation material to support the fill without undue settlement and/or consolidation.
- 21. A supplemental report shall be submitted to the Grading Division containing recommendations for shoring, underpinning, and sequence of construction in the event that any excavation would remove lateral support to the public way or adjacent structures. A plot plan showing the type, number of stories, and location or absence of any structures adjacent to the excavation shall be part of the excavation plans.

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- 22. All foundations shall be embedded in competent bedrock, as recommended.
- 23. 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 with a minimum of 5 feet and a maximum of 40 feet measured horizontally from the face of the slope.
- 24. Pile and/or caisson foundation ties are required by Code Section 91.2312(j)3B. Exceptions and modification to this requirement are provided in Rule of General Application 662.
- 25. Piles shall be designed with a lateral creep load of 5 kip for the upper 5 feet of shaft in contact with soils, as recommended.
- JAMES D. KAPRIELIAN Chief of Grading Division

COBARRUBIAS ngineering Geologist

DAVID 7: HCM Geotechnical Engineer

JWC/DTH:gas TGRSGL041489B/2GR (213) 485-2160

cc: Lockwood-Singh Flaherty WLA District Office

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Exhibit F 4044 5-97-279





