

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY



Filed: June 26, 1997
49th Day: Aug. 14, 1997
180th Day: Dec. 23, 1997
Staff: JLR-LB
Staff Report: July. 11, 1997
Hearing Date: Aug. 12-15, 1997

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-089

APPLICANT: Regina McConahay

PROJECT LOCATION: 15247 Via de las Olas, Pacific Palisades

PROJECT DESCRIPTION: Construct a 2,904 sq. ft., 28' high, 2-story over a basement garage, single-family residence on a vacant 6,685 sq. ft. hillside lot.

Lot area:	6,685 sq. ft.
Building coverage:	1,368 sq. ft.
Pavement coverage:	1,118 sq. ft.
Landscape coverage:	4,199 sq. ft.
Parking spaces:	Two
Zoning:	R-1
Plan designation:	Low Density Residential
Project density:	N/A
Ht abv fin grade:	28'

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.

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 will 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 Geotechnical and Geologic Engineering Investigation and Report dated January 10, 1997, prepared by Ralph Stone and Company, 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 a nearby active landslide area 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 2,904 sq. ft., 28' high, 2-story over a basement garage, single-family residence on a vacant 6,685 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 is relatively level and ascends northerly from the street, Via de las Olas, with an overall topographic relief of approximately nine feet. On the other (southerly) side of Via de las Olas street, there is a cliff that is subject to landslides. The applicant has submitted a Geotechnical and Geologic Engineering Investigation and Report dated January 10, 1997, prepared by Ralph Stone and Company, Inc. Following is a brief description of the site as excerpted from that report:

The site consists of essentially a level pad at an elevation of approximately 5 feet above the street. The pad is setback approximately 5 feet from the adjacent sidewalk and accessed by a 1 1/2:1 (H:V) sloped rise across the front of the property. The site is located to the east across Via de Las Olas from a descending slope approximately 100 feet high at an approximate slope gradient of 40 degrees as the slope steps down to Pacific coast Highway. Overall slope height is 230 feet from Pacific Coast Highway to the subject site.

The subject site is surrounded by developed residential properties. Drainage is chiefly by sheet flow to the street. No soil cracking was observed on the subject site, nor was distress easily observed in adjacent properties. No apparent distress such as tension cracks were observed in the side walk, curb, or asphalt concrete cover of the street due to any slope influences. No soil cracking was observed in the area west of Via de La Olas opposite of the subject site.

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 development is located on a hillside lot near the Via de las Olas landslide area of Pacific Palisades where landslides have historically occurred. Within the surrounding area, some homes that the Commission has approved and older homes constructed prior to the Coastal Act, have been destroyed by landslides. According to a landslide study report prepared by the U.S. Army Corps of Engineers dated September, 1976, this area has historically been subject to landslides exacerbated by heavy winter rains. The effect of these rains "on slope stability was to renew or accelerate movement of many younger landslides including some of the larger active landslides in the study area".

Notwithstanding existence of landslides in the past, the Commission has approved permits for new homes in those cases in which the applicant's geologist has demonstrated that the house can be built safely. In this case, the applicant has provided a geology report prepared by Ralph Stone and Company, Inc., conclude that the "proposed new residence construction is feasible from the standpoint of geotechnical and geologic engineering practice at the subject site, provided all recommendations and conditions made herein are incorporated into all design".

The proposed development is located approximately 400' east of the Via de las Olas Landslide, a prehistoric landslide which has intermittently moved since residential development of the area began in the 1920's. In addition, there is a possible surficial subslide to the Via de las Olas Landslide that is located southwest of the subject site. However, according to the applicant's geology report, that surficial subslide "is not part of the larger Via de las Olas Landslide mass".

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:

Grading

6. Construction reviews and field tests shall be performed by the geotechnical engineer during grading to assist the contractor in obtaining the required degree of compaction and the proper moisture content. Where compaction is less than required, additional compactive effort shall be applied with adjustment of the moisture content, or the layer should be stripped out and replaced with thinner layers, as necessary, until 90 percent compaction is obtained.

Drainage Control

Control of soil moisture is essential for the long term performance of improvements. All roof and surface drainage should be conducted away from the development in engineered nonerosive devices to a safe point of discharge to the street. No site runoff drainage should be allowed to cross over the tops of slopes except in nonerosive engineered devices.

On-Site Construction Reviews

On-site construction reviews of all grading, drainage and foundation work should be performed by a field representative of this office to ascertain compliance with the recommendations of this report. final grading and/or construction should be observed and a written observation form or report issued by this office stating that the work meets the recommendations of this report.

In addition, the applicant's conditional geology approval from the City of Los Angeles Department of Building and Safety certain provisions be fulfilled with during site development. Following are some of the City's pertinent geology conditions:

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. 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.
6. All roof and pad drainage shall be conducted to the street in an acceptable manner.
7. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill.
8. All footings shall be founded in the terrace material, as recommended.

Therefore, 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. The applicant's geology report also supports that conclusion because the site is near both older and recent landslide debris. 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 the presence of landslides throughout this area and 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 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 28' above grade and the lot has a slope of 7 percent. Therefore, the proposed development is consistent with the provisions of the City's Hillside Ordinance.

The site is located inland of Via de las Olas, a blufftop public road located approximately 300 feet above 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.

10954 SANTA MONICA BLVD
LOS ANGELES, CALIF. 90025
478-1501 879-1115

RALPH STONE AND COMPANY, INC.

ENGINEERS



DATE JANUARY 1997

CONT. NO. 437D

BY JTW

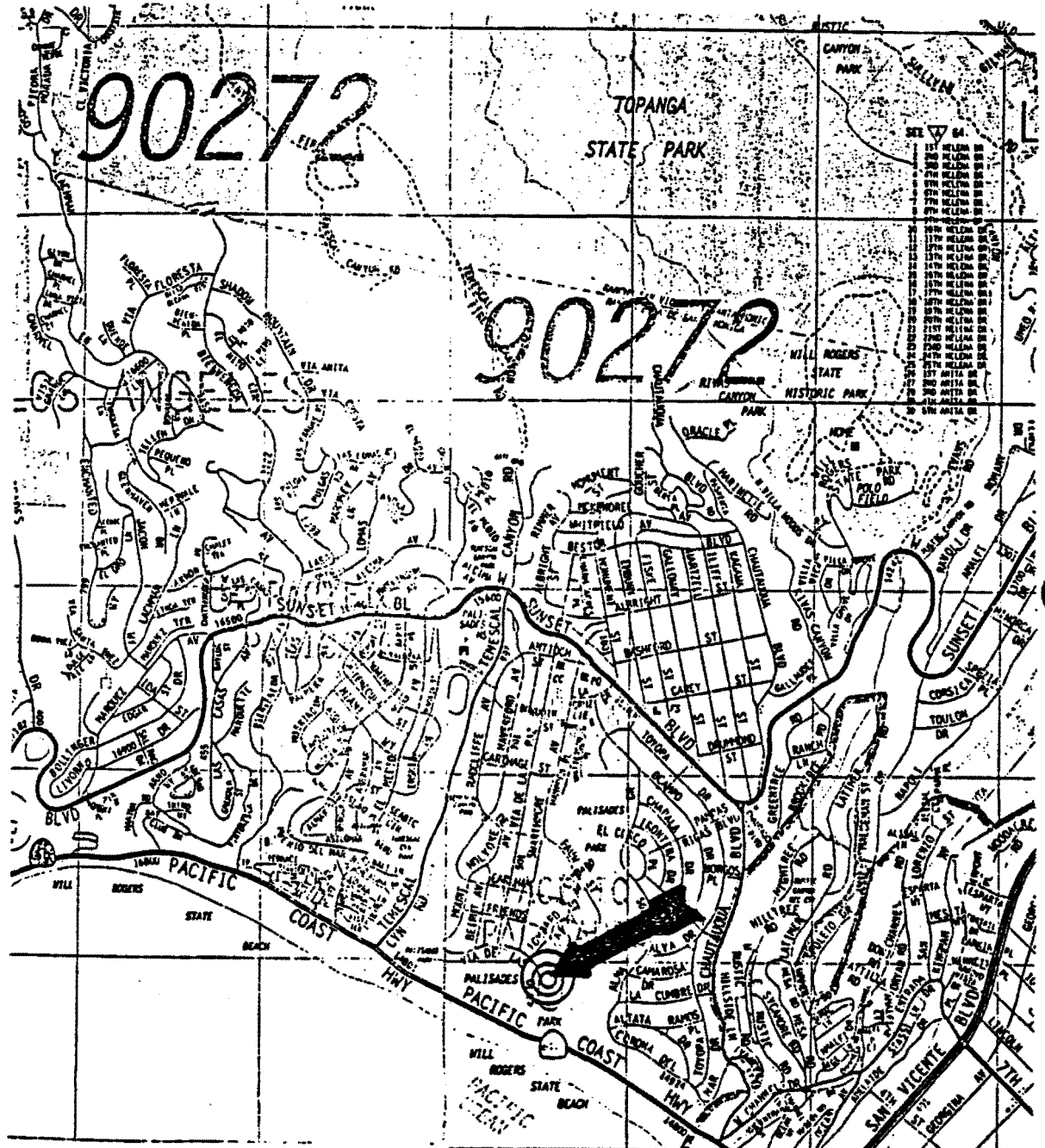
CHK'D

SHEET NO.

OF

PROJECT: 15247 VIA DE LAS OLAS, PACIFIC PALISADES

REF. SITE LOCATION



REF. THOMAS BROS. MAP
P. 631, A7
Site Location



Exhibit A
5-97-089

Scale 1" = 2,400' ±

PLATE 1

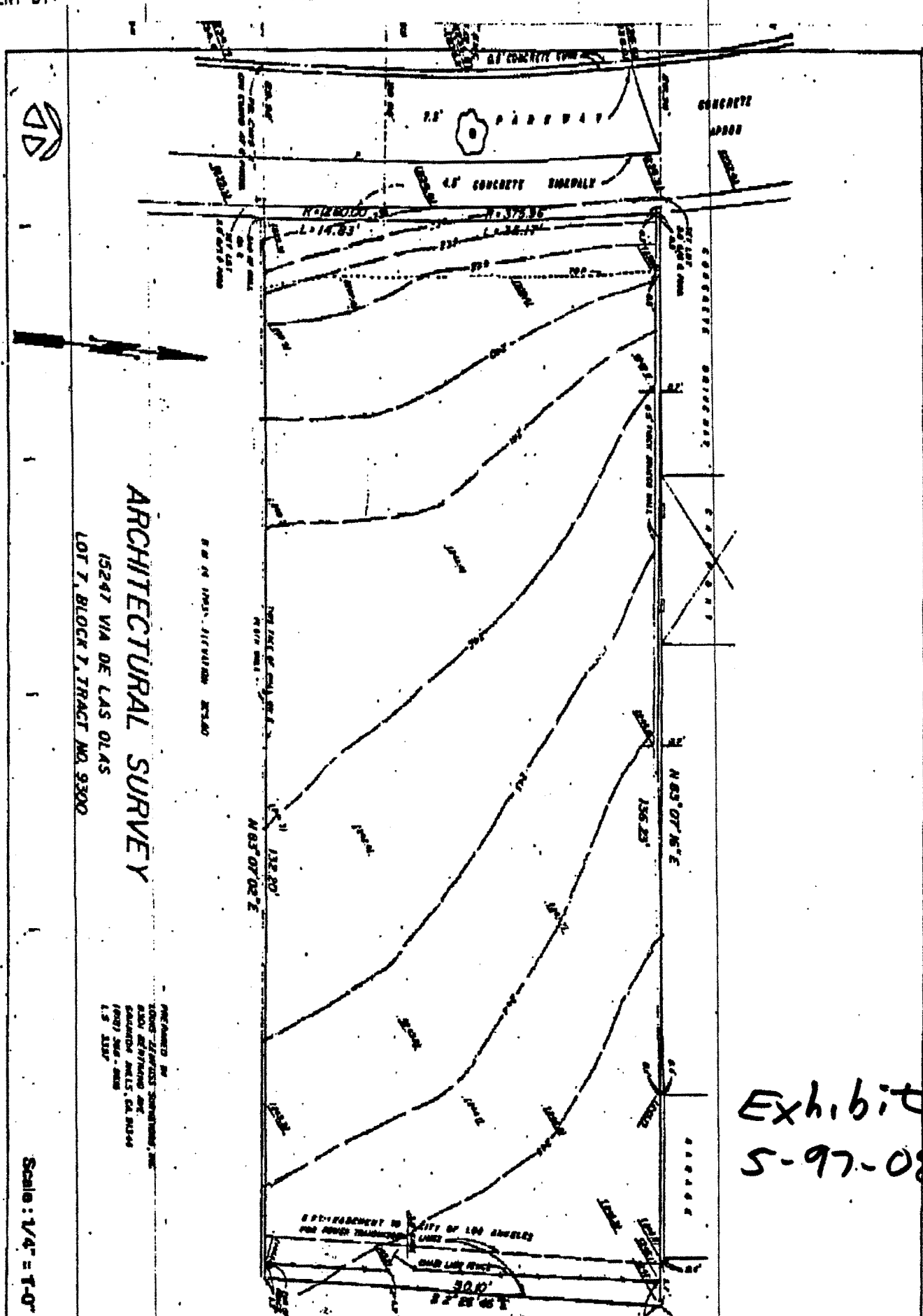
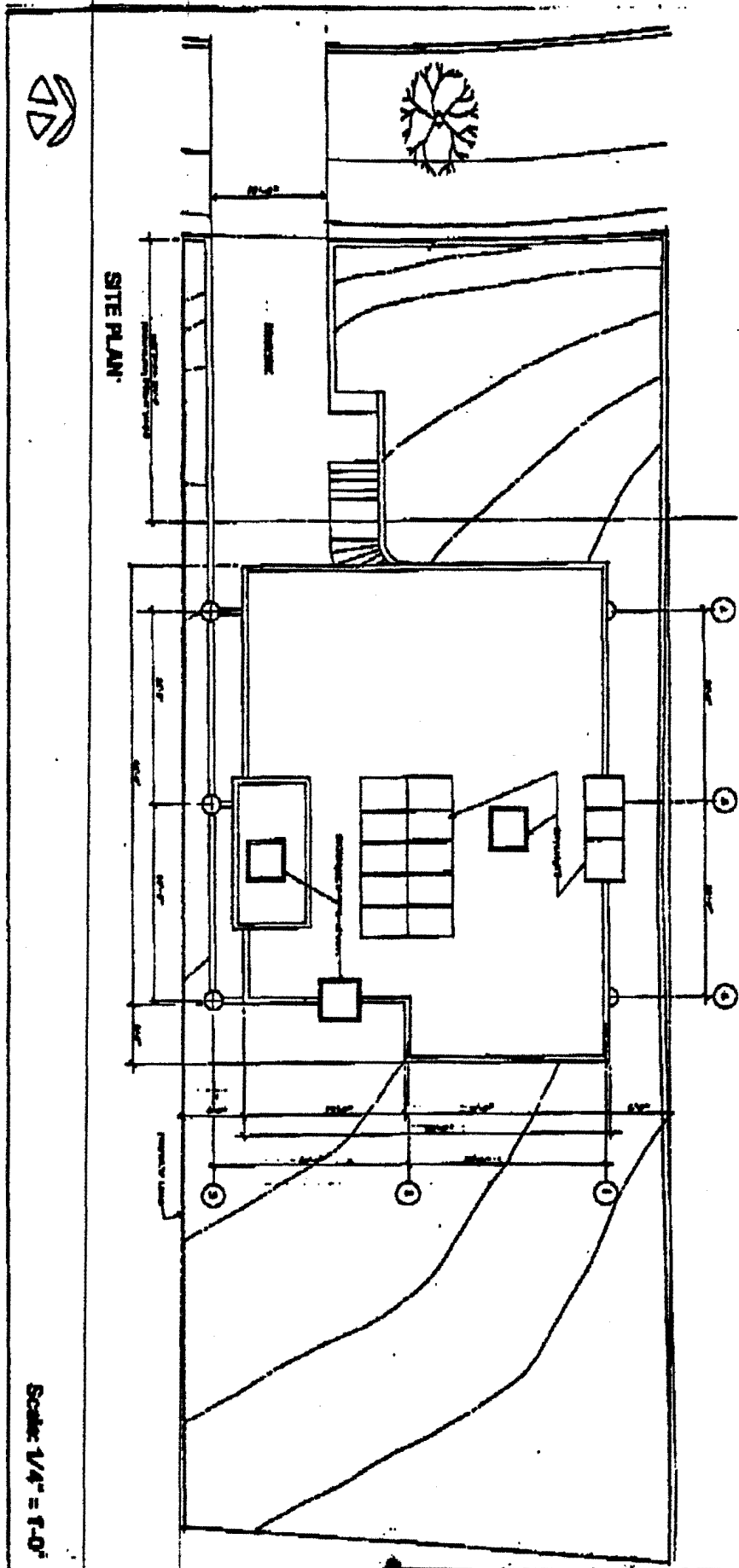


Exhibit B
5-97-089

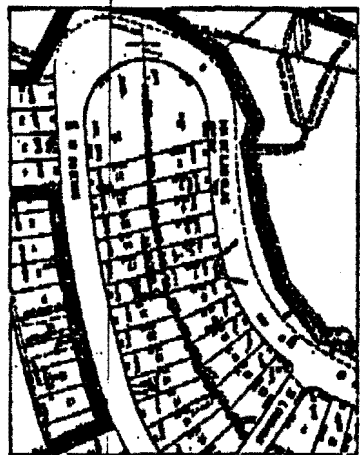


SITE PLAN

Scale: 1/4" = 1'-0"



Vicinity Map

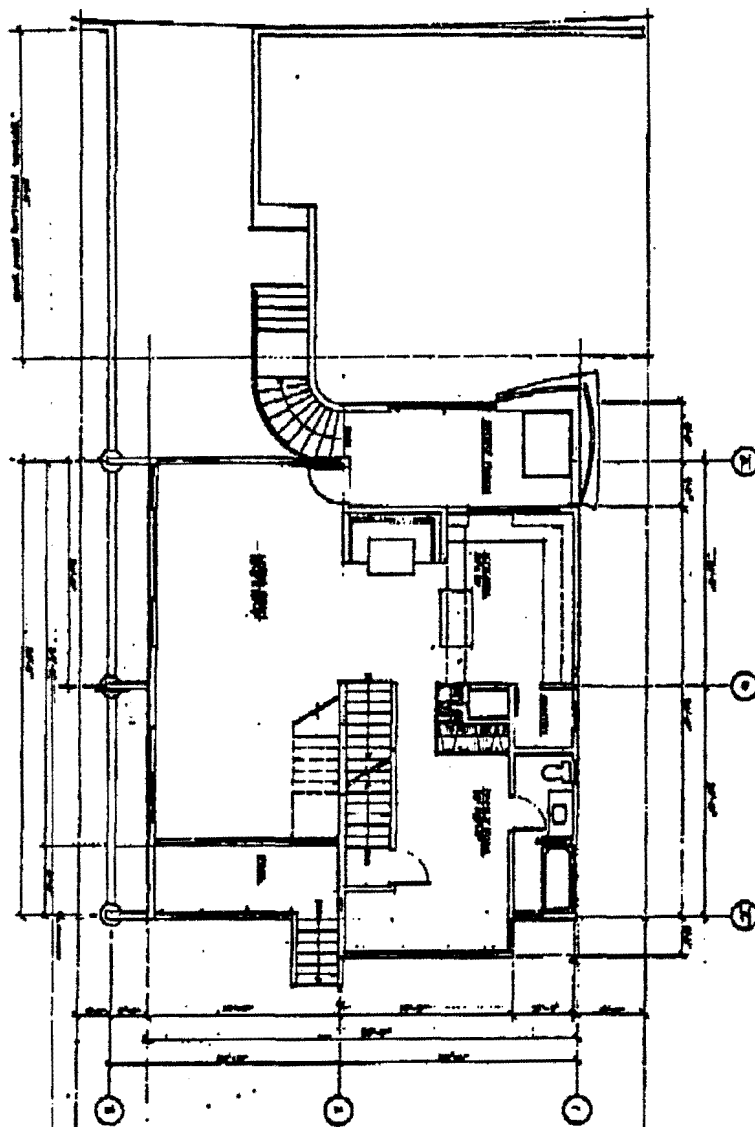


Area Map

Project Information

Project Name	Residence For Regina McConahay
Address	18247 Via De Las Olas, Pac. Pal. 90272
Client	Regina McConahay
Architect	[Faint text]
Engineer	[Faint text]
Contract No.	[Faint text]
Sheet No.	A-1

Exhibit C
5-97-089



Scale 1/4" = 1'-0"

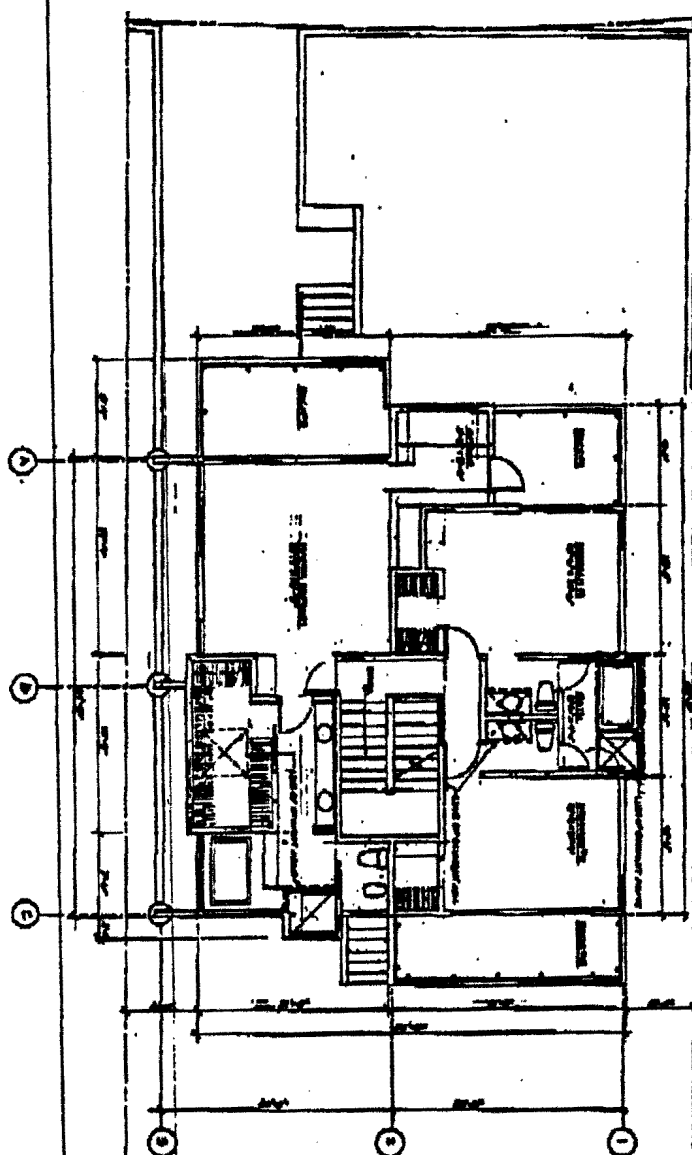
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5-97-089

FIRST FLOOR PLAN

A-3

Residence For Regina McConahay
15247 Via De Las Olas, Pac. Pal. 90272





Scale 1/4" = 1'-0"

5-97-089
Exhibit E

SECOND FLOOR PLAN

Residence For Regina McConahay
15247 Via De Las Olas, Pac. Pal. 90272

A-4

WEST ELEVATION

EAST ELEVATION

SOUTH ELEVATION

NORTH ELEVATION

Scale 1/4" = 1'-0"

5-97-089
Exhibit F

ELEVATIONS

A-5

Residence For Regina McConahay
15247 Via De Las Olas, Pac. Pal. 90272

CITY OF LOS ANGELES
CALIFORNIA

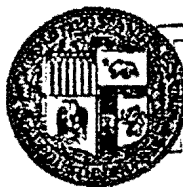
COMMISSIONERS

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RICHARD J. RIORDAN
MAYORCALIFORNIA
COASTAL COMMISSIONDEPARTMENT OF
BUILDING AND SAFETY400 CITY HALL
LOS ANGELES, CA 90012-4869ARTHUR J. JOHNSON, JR.
GENERAL MANAGERARTHUR C. DEVINE
EXECUTIVE OFFICER

MAY 29 1997

March 24, 1997

Log # 20682

C.D. --

SOILS/GEOLOGY FILE - 2

Regina McConahay
15237 Sunset Bl
Pacific Palisades, CA 90272TRACE: 9300
LOT: 7
LOCATION: 15247 Via De Las Olas

CURRENT REFERENCE REPORT/LETTER(S)	REPORT NO.	DATE(S) OF DOCUMENT	PREPARED BY
Geo/Soils Report	4370	2/24/97	Ralph Stone & Co
PREVIOUS REFERENCE REPORT/LETTER(S)	REPORT NO.	DATE(S) OF DOCUMENT	PREPARED BY
Geo/Soil Report	4370	1/10/97	Ralph Stone & Co.
Department Letter	20370	2/11/97	Building & Safety

The referenced reports concerning a proposed single-family residence have been reviewed by the Grading Section of the Department of Building and Safety. According to the reports, the site is located approximately 400 feet east of the Via De Las Olas landslide, which has had repeated historic movement. However, the slope stability analyses for the site, included as a part of the reports, demonstrate a factor of safety in excess of the minimum 1.5 required by the Los Angeles City Building Code. The site consists of terrace material mantled by approximately two feet of uncertified fill. The reports are acceptable, provided the following conditions are complied with during site development:

1. 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.

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Exh. b. 1. 6

2. All recommendations of the reports which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
3. A grading permit shall be obtained for all structural fill and retaining wall backfill.
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. 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.
6. All roof and pad drainage shall be conducted to the street in an acceptable manner.
7. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill.
8. All footings shall be founded in the terrace material, as recommended.
9. 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.
10. 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.
11. The dwelling shall be connected to the public sewer system.
12. Prior to issuance of the building permit, the design of the subdrainage system required to prevent possible hydrostatic pressure behind basement wall shall be approved by the Soil Engineer and accepted by the Department. Installation of the subdrainage system shall be inspected and approved by the Soil Engineer.
13. Basement and retaining walls shall be designed for an equivalent fluid pressure not less than 30 pcf.

Exh. 6: H
5-97-089

Page 3

15247 Via De Las Olas

14. Temporary excavations over five feet shall be trimmed to 45 degrees, as recommended.

Dana Prevost
DANA PREVOST
Engineering Geologist I

Theo R. Seeley
THEO R. SEELEY
Geotechnical Engineer I

DVP/TRS:dvp/trs
20682
(213) 485-3435

cc: Ralph Stone & Co
WLA District Office

Exhibit I
5-97-08