CALIFORNIA COASTAL COMMISSION

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

Filed: 49th Day: 180th Day: March 30, 1998 May 18, 1998

Staff:

Sept. 26, 1998 JLR-LB / / April 15, 1998

Staff Report: Hearing Date:

May 12-15, 1998

RECORD PACKET COPY

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.:

5-98-083

APPLICANT:

Mark Cigolle and Kim Coleman

PROJECT LOCATION: 17463 Tramonto Drive, Pacific Palisades

PROJECT DESCRIPTION: Construct a 6,757 sq. ft. single-family residence, 2-story, 33' high with seven parking spaces and swimming pool on a vacant 30,465 sq. ft. parcel.

Lot area:

30,465 sq. ft.

Building coverage:

3,215 sq. ft. 6,171 sq. ft.

Pavement coverage: Landscape coverage:

21,079 sq. ft.

Parking spaces:

Seven

Zoning:

R-1

Plan designation:

Residential

Project density: Ht abv fin grade: N/A 33'

City of Los Angeles Parcel Map 5938, Local

LOCAL APPROVALS RECEIVED:

Coastal Development Permit 86-043, 97-014

SUBSTANTIVE FILE DOCUMENTS:

Final EIR 86-0789; CDPs: 5-89-729 (Runka);

5-81-520 (Wilkes); A5-81-520 (Wilkes); 5-82-716

(Wilkes); 5-88-507 (Wilkes and Flaherty);

5-88-1046 (Roberts) and 5-97-030 (Santa Monica

Bank)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval with special conditions regarding complying with geologist and City's geologic recommendations, grading schedule and preventive erosion measures and issuance of underlying subdivision CDP 5-97-030.

Recently, on March 10, 1998, the Commission conditionally approved a subdivision of a 4.53 acre parcel for four single-family lots. The proposed project is the first request for the construction of a single family residence on one of those four lots. As conditioned, the proposed project is consistent with the Commission's previous approval.



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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.

- 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. <u>Compliance</u>. 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. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections</u>. The Commission staff shall be allowed to inspect the site and the project during its development, 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. 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.

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III. Special Conditions.

1. Geologic Recommendations

- A. The applicant shall incorporate all conditions of the City of Los Angeles Planning Department approval of Parcel Map 5938 (local CDP #97-014), as well as the recommendations of the reports by the consulting geologists, GeoSoils, dated November 21, 1986; August 5, 1987; February 2, 1987; September 15, 1987; December 30, 1987; February 17, 1988; April 7, 1988 and July 9, 1997. Any revisions in the project which are not in keeping with these recommendations shall be submitted to the Executive Director for his determination on whether the changes necessitate an amendment to this permit
- B. Any grading conducted during the rainy season, November 15 to March 15, shall be conducted according to methods specified by the City of Los Angeles for grading and siltation control during the rainy season. No fewer than ten days before the beginning of any such grading, the applicant shall submit to the Executive Director, for his review and approval, a copy of the grading schedule, the methods proposed to avoid mudflow and siltation during grading operations and other precautionary methods suggested by the applicant's engineer of required by the City of Los Angeles.

2. <u>Issuance of Subdivision CDP</u>

Prior to issuance of permit, the applicant shall provide evidence that the underlying subdivision Coastal Development Permit (5-97-030) has been issued.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description

The applicant proposes to construct a 6,757 sq. ft. single family residence, 2-story 33' high with seven parking spaces and swimming pool on a vacant 30,465 sq. ft. parcel. The proposed project site is a gently sloping parcel which is located on the exterior edge of a tight curve of Tramonto Drive. The project site is in the Castellammare area of Pacific Palisades in the City of Los Angeles.

On March 10, 1998, the Commission approved a subdivision of a 4.53 acre parcel for four single-family lots. The proposed project is the first request for the construction of a single family residence on one of those four lots.

B. Project History

In 1989 the Commission approved the subdivision of the 4.53 acre parcel into 4 lots, construction of street improvements, utilities, drainage and slope repair which involved the removal and recompaction of soil [CDP #5-89-729 (Runka)]. The Commission approved the permit with three special conditions.

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The first condition required that all geologic recommendations made by the applicant's geologist and City be incorporated into the project and that a grading schedule and erosion preventive measures to be taken to minimize mudflows and siltation during grading operations be submitted. The second condition required the recordation of an assumption of risk due to the potential geologic hazard from the possible ancient landslide that existed on one of the lots (Lot A).

Subsequent to the Commission's approval the applicant recorded the Parcel Map and the City permitted the applicant to do the street and infrastructure improvements, install dewatering wells and three horizontal drains,s as required remedial measures for the possible on-site ancient landslide, consistent with Commission approval. However, special condition \$2 of the Commission's Coastal Development Permit, which required the recordation of the assumption of risk, was never recorded by the applicant. Therefore, since the applicant did not satisfy special condition \$2, the permit was never issued by Commission staff.

Sometime after the Commission approved the project the property changed ownership (bank acquired property). When the new owners became aware of the fact that the CDP was never issued, the permit had already expired. Since the permit was never issued the work performed on the site and undertaken in reliance of a permit did not vest the permit. Therefore, the applicant for the subdivision had to refile for a new permit. Because the project is in the dual permit jurisdiction area of Pacific Palisades the applicant for the subdivision had to refile with the City of Los Angeles to obtain a local CDP and file again with the Commission for another CDP for a 4 lot subdivision and grading.

C. Geologic Stability

Section 30253 of the Coastal Act states, in part, that:

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 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 may geologic investigations.

The proposed project site is located on an inland, level portion of a larger

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bowl-shaped area that exists on the side of Los Liones Canyon. This bowl shaped feature has been the subject of much debate by applicants, geologists, the City and the Commission. The debate centered on the geologic origin of this feature. There have been reports which conclude that the feature is the result of ancient landsliding and that the bowl shape is actually a head scarp. Other reports have held that although this feature may have the topographical expression of a landslide scarp, there is no subsurface evidence to support that claim and that because the area is underlain with stream alluvial deposits another conclusion is that the feature is the result of an uplifted stream meander.

In the original permit [#5-89-729 (Runka)] the applicant submitted seven geologic investigations that have been conducted for the subject project. All of the reports which were prepared from 1986 to 1988 were prepared by GeoSoils, Inc. Their reports discussed in detail the bowl-shaped feature which is partially on the subject project site in the lower southern portion of Lot A of the proposed subdivision. GeoSoils reviewed studies that had been conducted over the years for the area, including 30 test borings and numerous trenches that were excavated on the subject site as well as many others conducted on the surrounding parcels.

The trenches revealed a sheared contact between two different formations which GeoSoils found to be indicative of either landsliding or fault displacement. They concluded that based upon this information they could not disprove that a large landslide may exist under a portion of Parcel A and offsite. However, they stated that no evidence exists of historic or recent movement. The report cited a earlier report, prepared by Geolabs, Inc., that estimated the age of the landslide at over 5,000 years based on undisturbed alluvium that was deposited since the landslide event. The Geolabs report also stated:

...the landslide has attained a high degree of stabilization. At the time of principal movement the slide was probably the result of undercutting by the stream of ancient Los Liones Canyon, groundwater and possibly a strong earthquake.

The Geolabs report found that the Factor of Safety of the slope between the subject site and Los Liones Canyon was in excess of 1.5. Although the possible landslide now appear to be stable, GeoSoils recommended that the area of the Lot A, over which the bowl-shaped feature extends, not be utilized for residential structures and that two dewatering wells be installed to reduce the groundwater present. The City of Los Angeles concurred with this recommendation and as a condition of the Parcel Map approval, the applicant was required to record a sworn affidavit that no habitable structure may be constructed within the area of the possible landslide.

In the previously Commission approved CDP (#5-89-729) the Commission required as conditions of the permit that the project comply with all recommendations made by the consulting geologist and the City of Los Angeles conditions as contained in the City's approval of Parcel Map 5938, dated April 6, 1989. A second condition required that the applicant submit a grading schedule and preventive erosion measures proposed to prevent adverse impacts if any grading was to be conducted during the rainy season (November 15 to March 15).

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Because of the potential natural hazards created by the possible ancient landslide which may exist on the site, the Commission found that they could only approve the project on the basis of the geologic report and the designs of special foundations and dewatering devices which are the responsibility of the applicant. The Commission found that they could only make such an approval if the applicant assumed the liability from the risk. Therefore, as a third condition of the permit the Commission required that the applicant record an assumption of risk deed restriction on all four lots that indicated that the applicant was aware of and appreciated the nature of the hazards that may exist on the site and may adversely affect the stability or safety of the proposed development.

The applicant is currently requesting that the assumption of risk restriction not be required on the subject lot. All submitted reports indicate that the possible landslide is only on Lot A and does not control or effect the subject lot or the other two lots. The submitted report contends that there are no geologic risks associated with the possible ancient landslide on the subject lot. Therefore, the Commission required that the assumption of risk for the subdivision would be limited to only Lot A and not the subject lot.

The geologic conditions imposed on the project by the City's original CDP (#86-043) address expansive soils, not slope failure, and have not been changed and have been incorporated by the City into the new City permit (#97-014). Furthermore, the applicant's geologist (GeoSoils, Inc.) field checked the site in 1996 and indicated that the site conditions show no change that affects previous recommendations made in the referenced GeoSoils, Inc. reports.

The Commission, therefore, finds that as conditioned to comply with all recommendations made by the consulting geologist and the City of Los Angeles, to provide a grading schedule and erosion preventive measures, the project will be consistent with Section 30253 of the Coastal Act.

D. Habitat Protection

Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 of the Coastal Act states in part:

(a) Environmentally sensitive habitat areas shall be protected against any

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significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

In the original permit the applicant submitted both a tree study and biological assessment for the proposed project site, as well as a Environmental Impact Report for the subdivision. The site vegetation is comprised of ground cover, common shrubs, weeds and a variety of trees. The study identified 87 trees on-site that range from 8 to 60 feet in height and 6 to 32 inches in width. One oak tree was identified on site. The City of Los Angeles conditioned the project to require the applicant to replace desirable non-oak trees, which are removed on a 1 to 1 basis, to require City approval for the removal of any oak tree more than 8 inches in diameter and any such removal must be replaced on a 2 to 1 basis with 24 inch box trees at least 10 feet tall. The biological survey of the site revealed no sensitive wildlife species.

The Commission conditioned the permit to comply with all of the conditions of the Parcel Map approval. The City's current approval does not make any changes to the City's original conditions pertaining to the biological resources of the site. Therefore, the proposed project is conditioned to comply with all of the conditions of the City's Parcel Map approval. The Commission finds that, as conditioned the project will be consistent with Section 30231 and 30240 of the Coastal Act.

E. Local Coastal Program

Section 30604(a) of the Coastal Act states:

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

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 submitted, 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.

F. CEOA

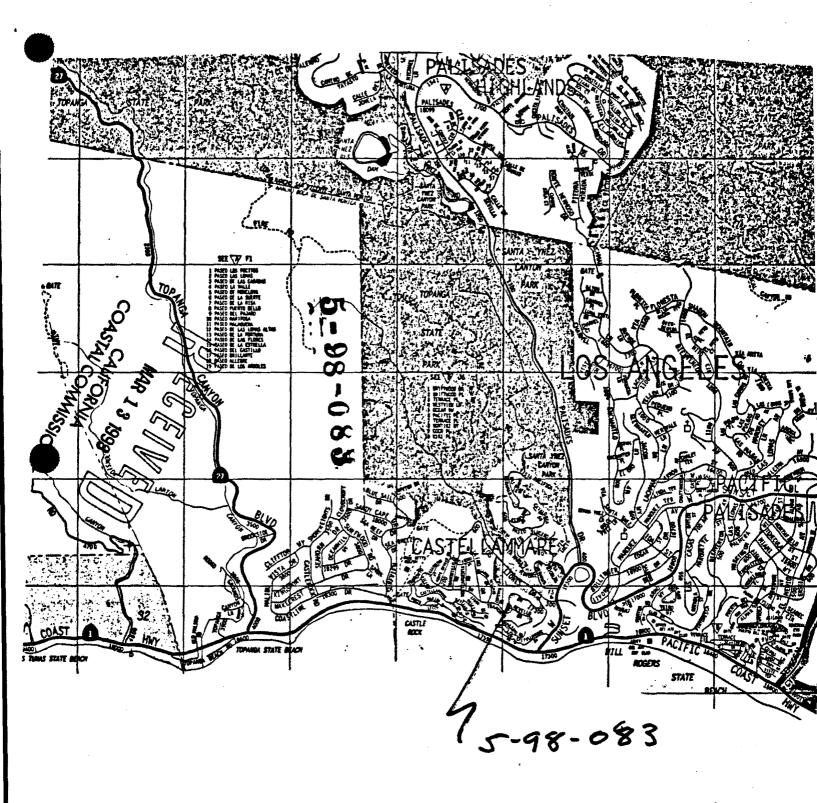
Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of

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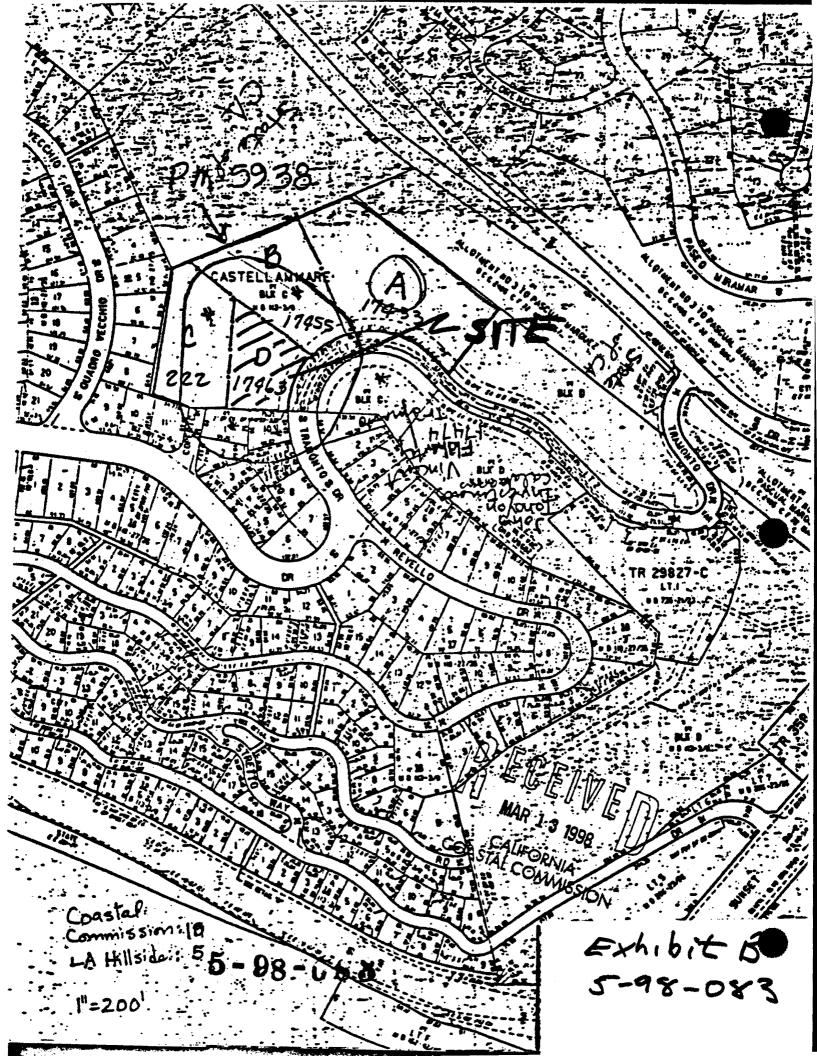
approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

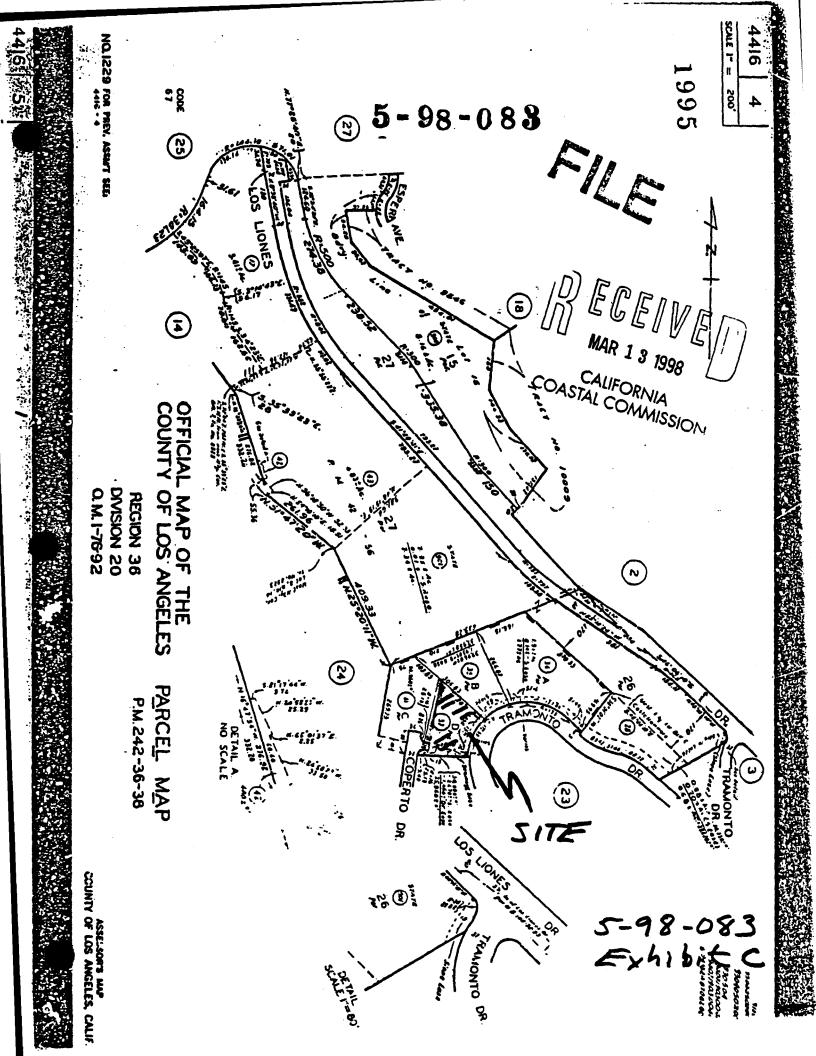
There are no negative impacts caused by the proposed development which have not been adequately mitigated. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

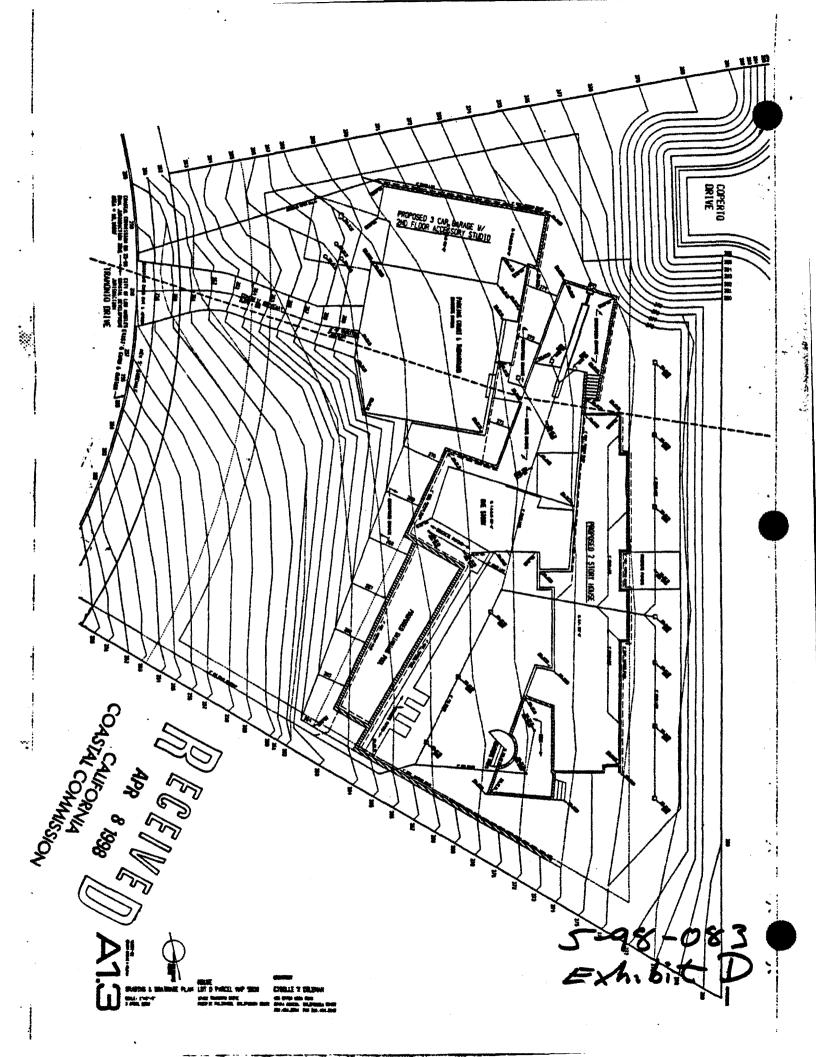
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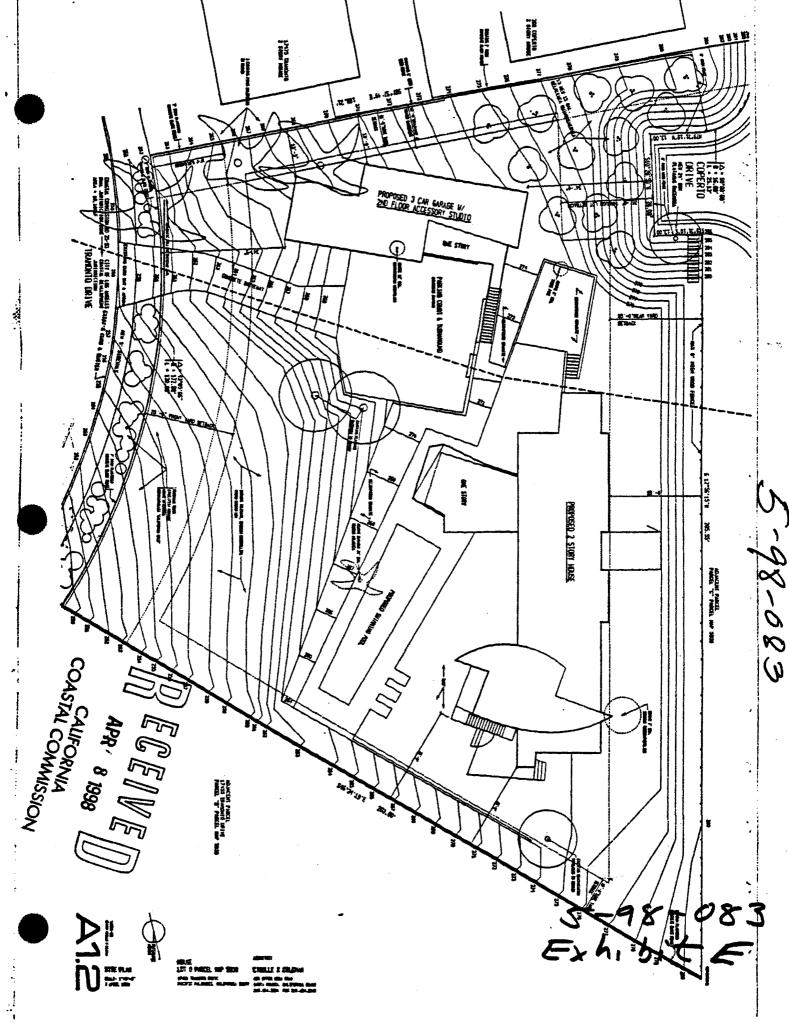


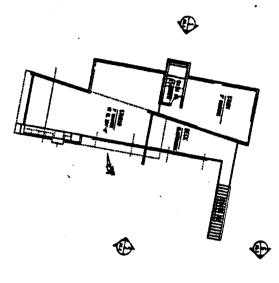
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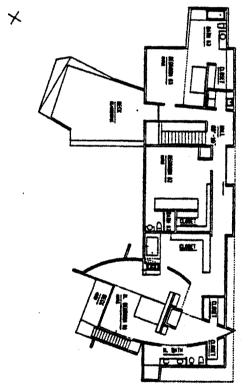












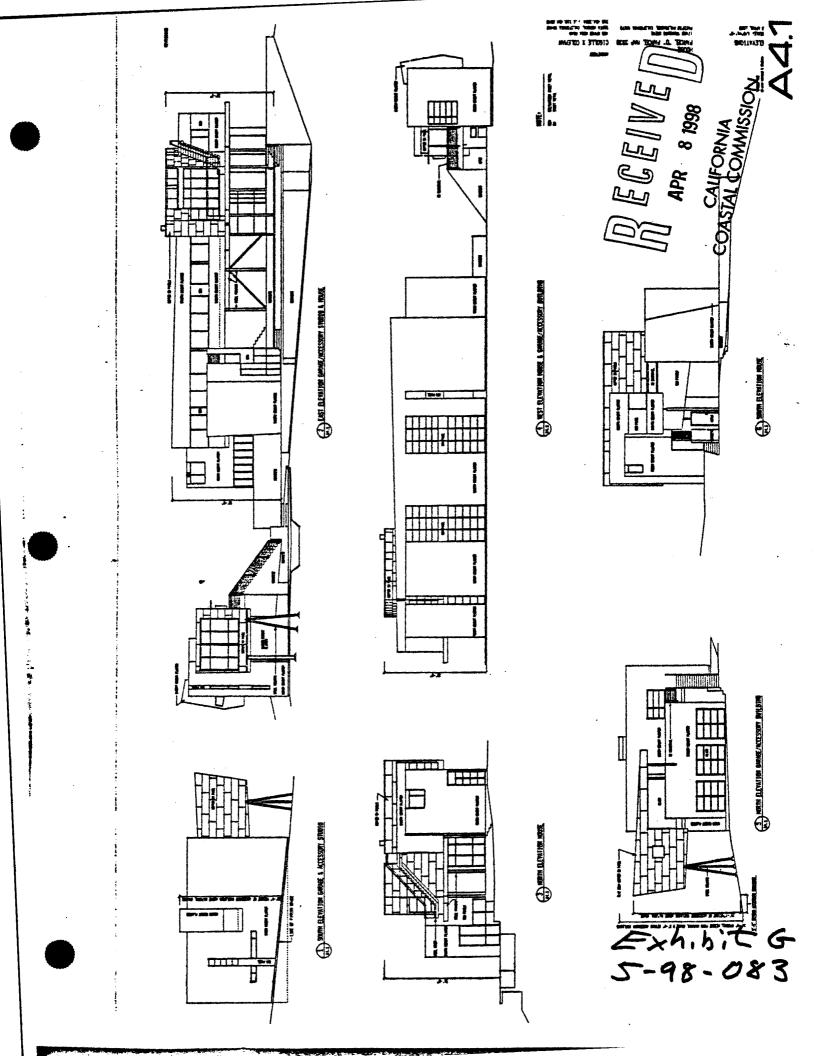
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CITY OF LOS ANGELES

COMMISSIONERS

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DEPARTMENT OF BUILDING AND SAFETY

LOS ANGELES, CA 90012-4950.
TIM TAYLOR

RICHARD E. HOLGUIN EXECUTIVE OFFICER

January 13, 1998

5-98-083

Log # 23279 C.D. -

SOILS/GEOLOGY FILE - 2

Santa Monica Bank 1324 Fifth St Santa Monica, CA 90406

TRACT:

PM 5938

LOT:

D

LOCATION:

17463 Tramonto Dr

CURRENT REFERENCE	REPORT	DATE(S) OF	
REPORT/LETTER(S)	NO.	DOCUMENT	PREPARED BY
Geology Report	2275A-VN	07/09/97	Geosoils, Inc
Ovrszd Doc	2275A-VN	07/09/97	Geosoils, Inc
Geology/Soil Report	2275SM-VN	12/22/97	Geosoils, Inc
PREVIOUS REFERENCE	REPORT	DATE(S) OF	
REPORT/LETTER(S)	NO.	DOCUMENT	PREPARED BY
Inter-Departmental	3600 ·	05/04/88	Bldg&Safety

The referenced report concerning a proposed pool and single-family residence has been reviewed by the Grading Section of the Department of Building and Safety. Parcel D is part of a four-lot subdivision which was approved in the referenced Inter-Departmental. Condition #24 of the referenced letter indicates that hydrauger drains and slope stabilization grading shall be completed on parcel A prior to issuance of building permits for any of the parcels. According to the report dated 12/22/97, the hydrauger drains have been installed, and it is the opinion of the consultants that the required grading on parcel A has no impact on lots B, C or D. 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.

- 2. All new graded slopes shall be no steeper than 2:1.
- 3. The building pad shall be capped with a compacted fill blanket, as approved in condition #9 of the referenced Inter-Departmental letter.
- 4. 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.
- 5. 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.
- 6. A grading permit shall be obtained.
- 7. 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.
- 8. 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.
- 9. All roof and pad drainage shall be conducted to the street in an acceptable manner.
- 10. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted to the street in an acceptable manner and in a non-erosive device.
- 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. 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 soils engineer. A compaction report shall be submitted to the Department upon completion of the compaction.
- 13. Prior to the pouring of concrete, a representative of the consulting Soil angineer 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.

- 14. The dwelling shall be connected to the public sewer system.
- 15. Prior to excavation, an initial inspection shall be called at which time sequence of shoring, protection fences and dust control will be scheduled.

DANA PREVOST

Engineering Geologist. I

THEO SEELEY

Geotechnical Engineer I

-R. Seele

DP/TRS:dp/trs 23279 (213) 485-3435

cc:

Geosoils, Inc Kim Coleman

WLA District Office

Exhibit H 30+30



Geotechnical • Geologic • Environmental

6634 Valjean Avenue • Van Nuys, California 91406 • (818) 785-2158 • FAX (818) 785-1548

MAR 1 3 1998

COASTAL COMMISSION

July 9, 1997 W.O. 2275A-VN

Cigolle/Coleman 455 Upper Mesa Road Santa Monica, California 90402

Attention:

Ms. Kim Coleman

Subject:

Geologic and Geotechnical Engineering Report, Lot D

Parcel Map 5938, 17463 Tramonto Drive, Los Angeles, California

Dear Ms. Coleman:

GeoSoils, Inc. has completed a preliminary geologic and geotechnical engineering study of Lot D, Parcel Map 5938, 17455 Tramonto Drive, Pacific Palisades. Parcel Map 5938 was subdivided in 1991 to create 4 single-family residential lots. Geologic and geotechnical engineering studies for the parcel map subdivision of this property were performed by GeoSoils, Inc. and reviewed and approved by the City of Los Angeles (see letter of May 4, 1988). Geotechnical recommendations included herein are from previously approved reports for Parcel Map 5938 prepared by GeoSoils, Inc.

Site Description

Lot D is situated on the northwest side of Tramonto Drive. The lot is currently in a natural state with a gentle slope down towards the east.

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Proposed development consists of construction of single-family residential structure plus a swimming pool. Driveway access is from Tramonto Drive. Walls will be utilized to create grades. Minor grading is anticipated.

Earth Materials

The lot is underlain by dense marine sediments of the Chico/Martinez Formation. The upper portion of the lot has a cap of reddish-brown Terrace Deposits. There is no bedding structure within the Terrace Deposits and bedding within the Chico/Martinez Formation sediments appears to be favorable with respect to natural slopes and planned development. Bedding within this bedrock unit is poorly defined and many units are quite massive.

Capping the Terrace Deposits and the Chico/Martinez sediments is a 3 to 5±-foot thick layer of porous topsoil and weathered bedrock. This material is unsuitable for support of walls, fill and/or structures.

There is no mass-wasting in evidence on the lot other than possibly very small amounts of soil creep. There is no liquefaction potential, and geologic conditions are as noted in 1988.

Water Surface

Surface water from rainfall presently flows down-gradient to Tramonto Drive. This same drainage pattern will exist after development. Eave-trough drains are recommended for planned structures.

Subsurface

There is no evidence of near-surface groundwater on the parcel.

Exhibit I 20f2

CONCLUSIONS

Proposed construction of a single-family residential structure and swimming pool on this lot is feasible from a geologic and geotechnical engineering standpoint. The following recommendations shall be followed: