

## CALIFORNIA COASTAL COMMISSION

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

Th 4b

Filed: June 26, 1998  
49th Day: Aug. 14, 1998  
180th Day: Dec. 23, 1998  
Staff: JLR-LB *TR*  
Staff Report: July 14, 1998  
Hearing Date: Aug. 11-14, 1998

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-98-218  
APPLICANT: Kemal Ramezani  
PROJECT LOCATION: 689-697 Bienveneda Avenue, Pacific Palisades  
PROJECT DESCRIPTION: Add a 3,884 sq. ft. second residential unit, 3-story, 36' high with three parking spaces.

Lot area:	10,785 sq. ft.
Building coverage:	3,283 sq. ft.
Pavement coverage:	2,000 sq. ft.
Landscape coverage:	5,283 sq.ft.
Parking spaces:	Four
Zoning:	RD5-1
Plan designation:	Medium Density Residential
Project density:	8 du/ac
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

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 Investigation Reports dated May 7, 1991 and March 31, 1998, prepared by Applied Earth Science. 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. Project Description and Location:

The applicant proposes to add a 3,884 sq. ft. second residential unit, 3-story, 36' high with three parking spaces. 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 southwesterly from the street, Bienveneda, with an overall relief of approximately 18 feet.

The applicant has submitted Geotechnical Investigation Reports dated May 7, 1991 and March 31, 1998, prepared by Applied Earth Sciences. Following is a brief description of the site as excerpted from that report:

At the time of our field exploration, the site was occupied by a single family residence. The ground surface of the site was noted to descend toward the south west through an average gradient of about 15 percent.

The materials encountered at the location of our exploratory test holes consisted of existing fill underlain by natural deposits of silty sand, silty and/or sandy clay and relatively clean sand soils. Thickness of the existing fill was found to range from about less than 4 to 6 feet at the location of our test holes.

The results of our investigation indicated that the existing fill contained large rocks (as much as 20 inches in diameter) in local areas. Such materials, however, were generally loose and compressible. The existing fill is considered to be inadequate to support foundations and grade slabs. Where feasible, however, the existing fill may be excavated and properly recompact for grade slabs support.

**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 Geotechnical Report concludes that "based on the geotechnical engineering data derived from this investigation, the proposed construction may be made as planned".

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:

The area of the proposed grading activity was found to be covered by existing fill (as much as 5 to 6 feet thick). Due to the expected extension of the existing fill beyond property lines, it may not be feasible to remove and recompact the existing fill to receive new fill. Therefore, any new fill placed over the existing fill should be classified as being non-structural. Such fill soils, therefore, would not be used for support of foundations and grade slabs. All structural supporting elements in the areas of non-structural fill would be in a form of deep foundations penetrating through the fill (old and new) and be established in native soils. Concrete floors in the areas of the non-structural fill would be in a form of structural slabs.....

Caissons of Deep Footings: Deep footing and/or cast-in-place caissons are expected to provide adequate support for the proposed building. All supporting elements should be extended through the existing fill and be established in native soils. Footings should be a minimum width of 18 inches. Caissons should have a minimum diameter of 24 inches to facilitate cleaning. Footings should be established at least 12 inches into native soils. The caissons should be established at least 24 inches into native soils.

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. 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. 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 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 area. However, the bluffs and surrounding area are highly developed with existing residential structures that range from low to high density development.

The proposed second unit is consistent with the neighborhood character of the surrounding area. Adjacent and nearby the subject site there are numerous existing duplexes and triplexes. According to the Commission's guidelines, the density of residential development in Pacific Palisades should be limited to a maximum of 24 units per acre gross. The proposed project, which equates to 8 du/ac gross, is consistent with the Commission's guidelines.

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 15 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 3-story residence is consistent with 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:

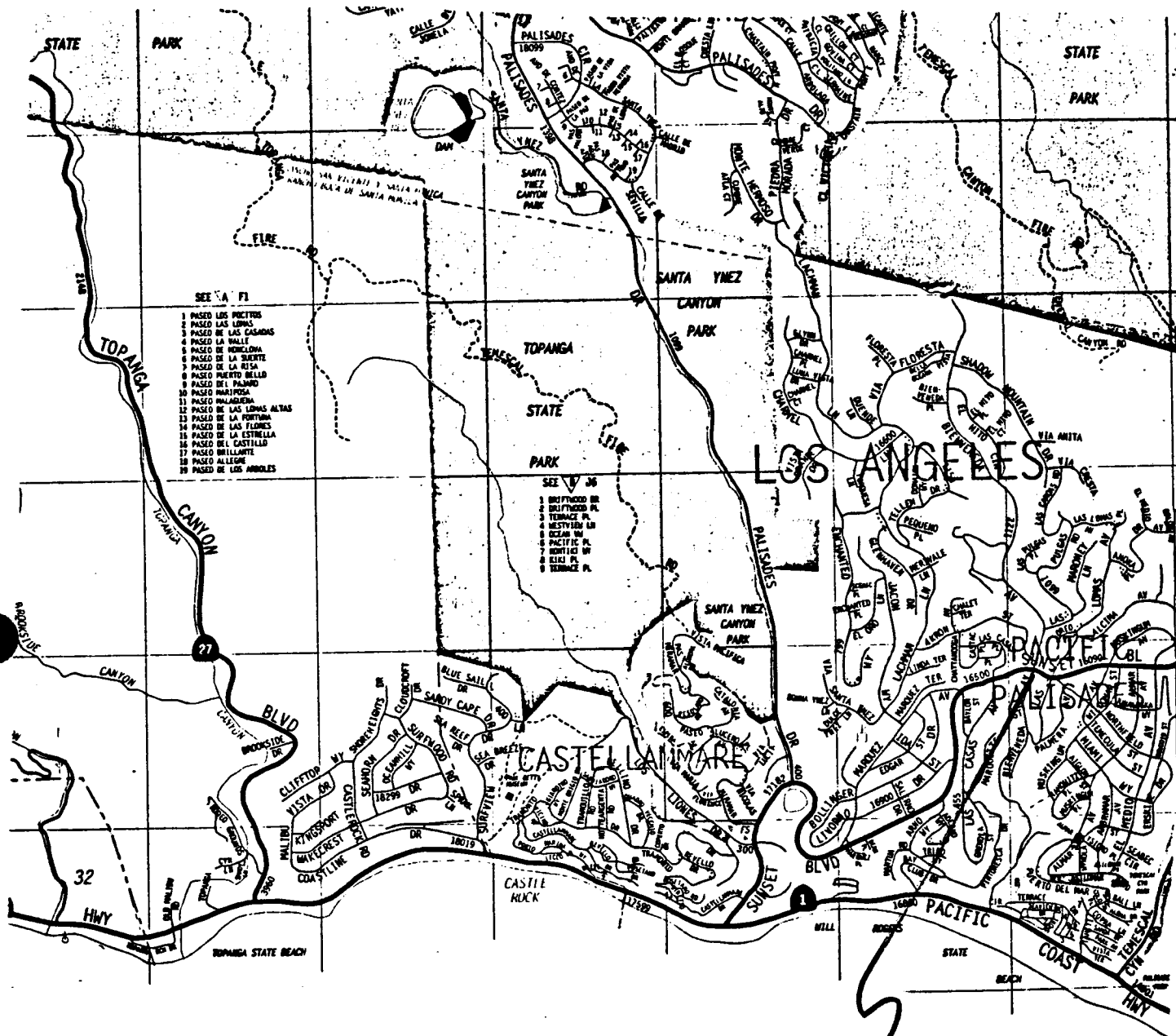
Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted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

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.



5-98-218

Exhibit A

Bldg---Addition

City of Los Angeles - Department of Building and Safety

Plan Check #: DD8083FO

1 or 2 Family Dwelling

Initiating Office: WEST LA

Back Room Plan Check

## PLOT PLAN ATTACHMENT

Printed on: 04/08/98 08:27:40

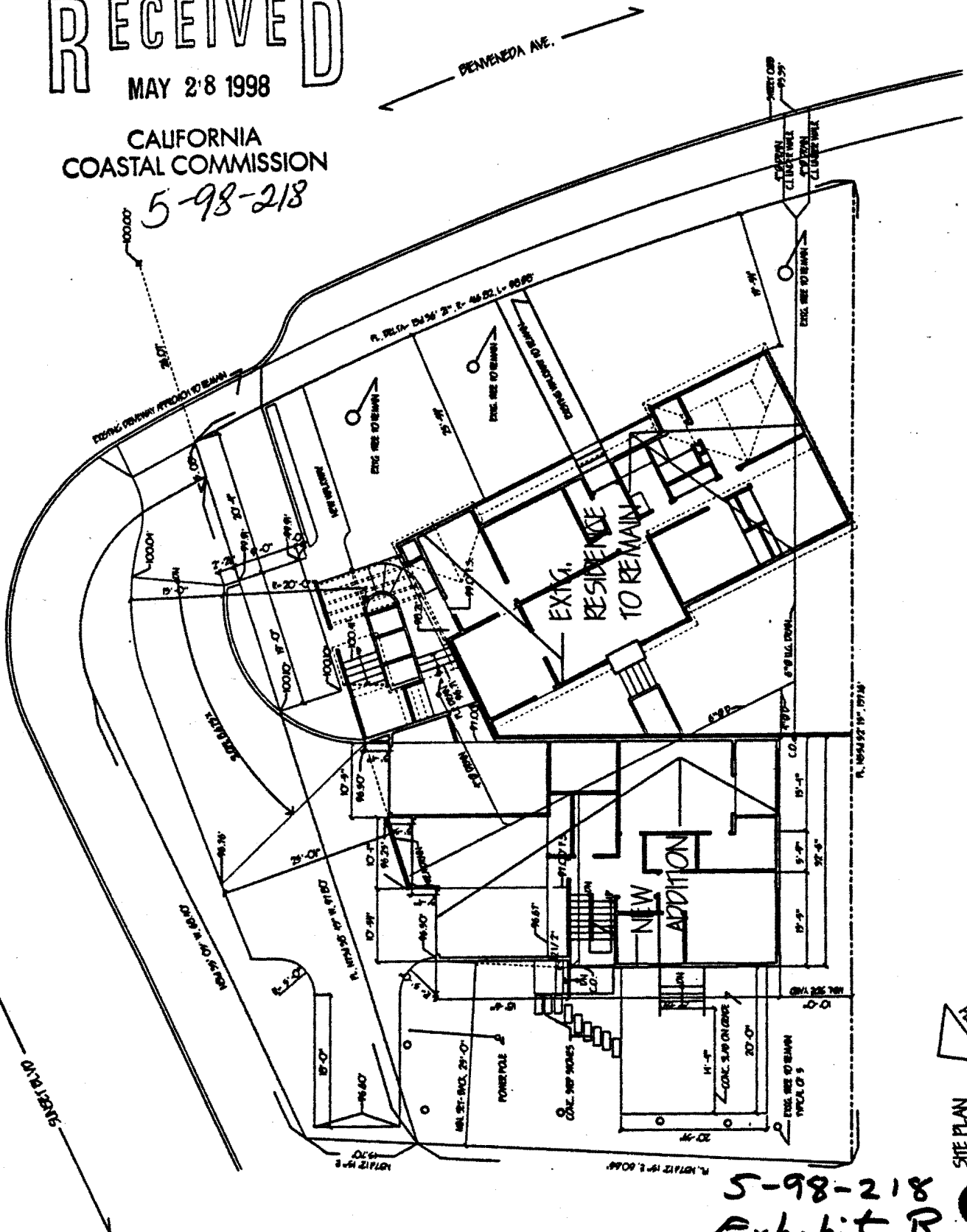
# RECEIVED

MAY 28 1998

CALIFORNIA  
COASTAL COMMISSION

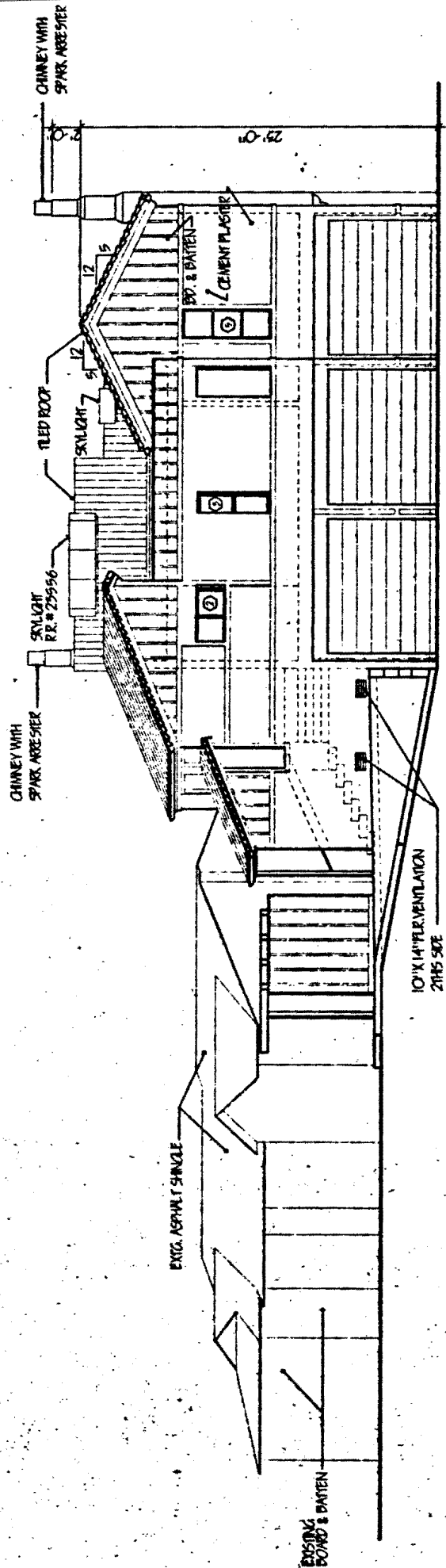
5-98-218

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)



NORTH  
SITE PLAN  
SUBMITTED

5-98-218  
Exhibit B



NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

5-98-218  
Exhibit C

# CITY OF LOS ANGELES

CALIFORNIA



RECEIVED  
MAY 28 1998

DEPARTMENT OF  
CITY PLANNING  
CON HOWE  
DIRECTOR

FRANKLIN P. EBERHARD  
DEPUTY DIRECTOR

CALIFORNIA

RICHARD J. HORDAN  
MAYOR

COASTAL COMMISSION

OFFICE OF  
ZONING ADMINISTRATION

221 NORTH FIGUEROA STREET  
ROOM 1500  
LOS ANGELES, CA 90012-2601  
(213) 580-8495  
FAX: (213) 580-8569

ROBERT JANOVICI  
CHIEF ZONING ADMINISTRATOR  
ASSOCIATE ZONING ADMINISTRATORS  
EMILY J. GABEL-LUDDY  
DANIEL GREEN  
LOURDES GREEN  
ALBERT LANDINI  
WILLIAM LILLENBERG  
JOHN J. PARKER, JR.  
JON PERICA  
HORACE E. TRAMEL, JR.

5-98-218

California Coastal Commission  
South Coast District  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4302  
(562) 590-5071

Jim Ryan

AIC

98-045

Date

5/18/98

## APPROVAL IN CONCEPT

This approval in concept is not a permit. It indicates that the proposed project conforms in concept to the City land use regulations and therefore entitles the applicant to apply (within 30 days) to the California Coastal Commission in Long Beach for an Administrative Coastal Development Permit. If the California Coastal Commission determines that a Standard Coastal Development Permit is required from the City, the applicant will be referred back to the City of Los Angeles Office of Zoning Administration.

An approval in concept may apply only to:

- Improvements to an existing structure that does not have a significant impact on coastal resources.
- Single-family dwellings except those in geologically unstable areas or those determined to have potential significant impacts on coastal resources.
- Multiple units (four or less rental units only) that does not require demolitions.
- Any other development that does not have a significant impact on coastal resources.

An approval in concept cannot be issued for the division of property.

5-98-218

Exhibit D

PLEASE TYPE OR PRINT

PROPERTY ADDRESS: 689-697 BIENVENEDA AVE., PAC.PAL. 90272

LEGAL DESCRIPTION: TRACT 14509, LOT 5, M.B. 445, PAGES 36/37

DISTRICT MAP NO.(S) 129-121 COUNCIL DISTRICT NO. 0611

ZONE: RD 5-1 COASTAL PERMIT AREA: DUAL (X) SINGLE ( )

ADOPTED COMMUNITY PLAN: PACIFIC PALISADES

COMMUNITY PLAN LAND USE DESIGNATION: BREATHWOOD-PACIFIC PALISADES