

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
 200 Oceangate, Suite 1000
 Long Beach, CA 90802-4302
 (562) 590-5071



Filed: 11/11/99
 49th Day: 1/5/99
 180th Day: 5/9/00
 Staff: PE-LB
 Staff Report: 11/18/99
 Hearing Date: 12/2-5/99
 Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-99-378

APPLICANT: Susan Cuse

AGENT: Rasa Bauza

PROJECT LOCATION: 535 Mt. Holyoke, Pacific Palisades, City of Los Angeles, Los Angeles County, APN 4412-016-024

PROJECT DESCRIPTION: Partially demolish and underpin foundation of a 1,110 sq. ft. existing single family house, add 1,770 square feet on first and second stories, regrade and compact slope; at rear property line add 11 CU fill, new driveway, replace carport with two story garage with 400 sq. ft. second story studio/recreation room.

Lot Area	7,700 sq. ft.
Building Coverage	1,960 sq. ft.
Pavement Coverage	550 sq. ft.
Landscape Coverage	5,040 sq. ft.
Parking Spaces	2
Zoning	R1-1
Ht above finished grade	27' 9"

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval of the reconstruction of the house with (1) an assumption of risk, (2) a requirement that the applicant's consultant certify that the construction plans are consistent with the recommendations found in the approved soils report, and (3) a winterization and run-off management plan.

LOCAL APPROVALS RECEIVED:

1. AIC City of Los Angeles
2. City of Los Angeles soils and geology approval: Soils/Geology file Log 28682

SUBSTANTIVE FILE DOCUMENTS:

1. Geosystems: Sept 14, 1999 "floor slab design lot 26, block 14, 535 Mt. Holyoke, Pacific Palisades
2. Geosystems: July 23, 1999 Supplemental soils and engineering geologic investigation for proposed additions, etc. ...lot 26, block 14, 535 Mt. Holyoke, Pacific Palisades
3. Geosystems June 4, 1999(GS 99-414); lot 26, block 14, 535 Mt. Holyoke, Pacific Palisades
4. Geosystems June 9, 1999 (GS 99-324); lot 26, block 14, 535 Mt. Holyoke, Pacific Palisades

RECOMMENDATION:

Staff recommends that the Commission APPROVE the permit application with special conditions.

MOTION

I move that the Commission approve CDP #5-99-378 pursuant to the staff recommendation.

Staff recommends a YES vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

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 effects 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. ASSUMPTION OF RISK.

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from steep slopes, previously placed fill, erosion, and earth movement; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant as landowner shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. 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. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

2. CONFORMANCE WITH GEOTECHNICAL RECOMMENDATIONS

All final design and construction plans, including excavation, foundation, grading and drainage plans shall be consistent with all final recommendations contained in the Geotechnical Investigation [Reports by Geosystems dated September 14, 1999 (GS99-414-3); June 4, 1999 (GS 99-414); June 9, 1999 (GS 99-324); and July 23, 1999 (GS 99-414-2),] and also with all recommendations of the Grading Division of the City of Los Angeles Department of Building and Safety dated September 17, 1999. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and

construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above reference geologic evaluation approved by the California Coastal Commission for the project site.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. WINTERIZATION/EROSION CONTROL PLAN

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and run-off control.

1. EROSION CONTROL PLAN

- (a) The erosion control plan shall demonstrate that:
- (1) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties, and the alley behind the site.
 - (2) The following temporary erosion control measures shall be used during construction: sand bags, a desilting basin and silt fences.
 - (3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets.
 - (4) The following permanent erosion control measures shall be installed: a drain to direct roof and front yard runoff to the street; no drainage shall be directed to rear yard slope; no drainage shall be retained in front yard.
- (b) The plan shall include, at a minimum, the following components:
- (1) A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
 - (2) A site plan showing the location of all temporary erosion control measures.
 - (3) A schedule for installation and removal of the temporary erosion control measures.
 - (4) A site plan showing the location of all permanent erosion control measures.

- (5) A schedule for installation and maintenance of the permanent erosion control measures.

2. RUN-OFF CONTROL PLAN

- (a) The run-off control plan shall demonstrate that:
 - (1) Run-off from the project shall not increase the sediment or pollutant load in the storm drain system.
 - (2) Run-off from all roofs, patios, driveways and other impervious surfaces and slopes on the site shall be collected, filtered and discharged to avoid ponding or erosion either on or off the site.
 - (3) Run-off from roofs, and driveways shall be directed through filters designed to remove chemicals and particulates, at least for low flow conditions (defined as a one year storm or less)
- (b) The plan shall include, at a minimum, the following components:
 - (1) The location, types and capacity of pipes drains and/or filters proposed.
 - (2) A schedule for installation and maintenance of the devices.
 - (2) A site plan showing finished grades at two foot contour intervals) and drainage improvements.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to add 460 feet to the first floor and 1,310 sq. feet to the second floor of an existing 1,110 single family house located on a sloping, 7,700 sq. ft. lot in Pacific Palisades. To assure safety, the City of Los Angeles has required the applicant to replace old uncertified fill, underpin and replace the foundations and partially demolish and replace the structure of the house. In addition, the applicant proposes to redirect the roof and patio drainage to the street and off the slope. Because of the grading and because the applicant proposes to replace more than 50% of the material in the structure, the work is considered new development rather than an addition to an existing single family house. The applicant also proposes to replace

a carport at the rear property line with a two-car garage that will include a ± 400 sq. ft. second story studio/recreation room.

The project is located on a hillside lot on a mesa overlooking Temescal Canyon in Pacific Palisades. The area is built out with single family dwellings, many of which have been able to expand in the past few years. The project is not visible from Pacific Coast Highway or from Temescal Canyon. Because the existing house is partially located on uncertified fill, the proposed development requires grading and some reconstruction of the house and its foundations.

B. PUBLIC ACCESS AND RECREATION.

The house is located on a public street in a developed neighborhood, has adequate parking and raises no issues with respect to public access and recreation.

C. HAZARDS TO DEVELOPMENT

The Pacific Palisades is a mesa area intercut with numerous drainages and canyons, and bounded on the south side, (Pacific Coast Highway) by steep cliffs. The canyon sides and slopes are subdivided. Developers in the past created building pads by filling on steep slopes or within old drainages. In this case, the lot consists of a flat pad adjacent to Mount Holyoke Street. Behind the pad, the lot drops approximately forty feet to the rear property line, which abuts an alley. The rear portion of the original house was constructed over uncertified fill and unconsolidated soil, which was placed on sloping non-marine "terrace deposits" (Geosystems, 1999.) Terrace deposits are silty sands and clays that have been deposited in the past by erosion or streams.

According to the Los Angeles City Department of Building and Safety:

The site is underlain by uncertified fill, residual soil and terrace deposits. A combination of conventional and deep foundations are recommended to penetrate the fill and soil and to achieve the descending slope setback.

The City determined that the existing fill and soils could not support the proposed addition. The City required the consultant to calculate the stability of the slope and the shear strength of the materials under the house. Based on the soils engineer's (Geosystems) analysis, the City required the applicant to follow the soils engineer's advice which includes: removal and recompaction of the artificial fill and other residual soils under the rear of the existing house, and installation of new footings into the terrace deposits. In addition, the City has approved placement of eleven cubic yards of certified compacted fill at the rear lot line, under the proposed garage.

Section 30253 of the Coastal Act requires both the protection of natural landforms and the assurance of safety and structural integrity. It states:

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 Commission finds that the applicant has provided a professional exploration and evaluation of the site and a proposal for grading, drainage control and deepened foundations. This proposal has been evaluated and approved with conditions by the City of Los Angeles Department of Building and Safety. The report is internally consistent and consistent with reports on similarly situated projects in the area. The Commission therefore finds that if the removal of the old fill and installation of new foundations takes place as proposed by the applicant's engineer and approved by the City, the development will be consistent with the safety provisions of Section 30253.

Because the Commission is relying on the consultant's reports, which are the responsibility of the applicant, it can only make this finding and approve the project if the applicant assumes the risk of the development. Second, the Commission's approval is based on the conformance of the proposed development to the plans, mitigation measures and City conditions that are presently before it. The Commission finds that only as conditioned, to be carried out as presented to the Commission, and, further, only as conditioned so that the applicant assumes the risk of development, can the Commission find that the development is consistent with the stability provisions of Section 30253.

D. WATER QUALITY.

The Commission has received testimony that increased runoff from approved development can increase pollution in offshore waters, requires alteration of streams and drainages, and, if improperly directed, can also increase hazards to development such as instability, settling, landslides and flooding. Minimizing hazards and the cumulative impacts of development is addressed in Coastal Act Sections 30250 and 30253. The avoidance of impacts to streams and marine habitat is addressed in Coastal Act Sections 30230 and 30231. The Commission has imposed conditions on

this and other permits to assure that (1) during construction, sediments from the project site will be controlled and not allowed to wash from the site and damage adjacent properties, roads, and cause siltation in streams or offshore waters and (2) that runoff from roofs, driveways and parking areas, that otherwise can be a source of chemical pollutants is addressed as far as feasible and practicable with onsite filters and, and (3) that water not be allowed to pond on the slopes or on yard areas, where it could result in instability and erosion. Since the water is collected, it is feasible to settle out low flow pollutants and particulate matter, during all but the largest storm flows. As conditioned, the project will not cause siltation, erosion or add to the pollutant load of Santa Monica Bay and is consistent with Coastal Act Sections 30250, 30253, 30230 and 30231.

E. DEVELOPMENT.

Section 30250 directs the Commission to site new development in developed areas able to accommodate it. The Commission notes that the surrounding area, the Palisades, is developed to suburban sized 5,000 to -8,000 square foot lots. Along Sunset Boulevard, a four-lane arterial following the inland side of the mesa, there are condominiums and apartments. The area is sewered. This development is typical of the surrounding development and will not add density or intensity to the neighborhood. As proposed, the development is consistent with Section 30250 of the Coastal Act.

F. 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 a work program to complete a Local Coastal Program in the Pacific Palisades. This work program, completed in 1979, discusses hillside development standards to reduce grading, the Sunset Boulevard corridor and landslides above Pacific Coast Highway. However, at the same time as approval of the work project, the Commission also approved two major subdivisions consisting of a total of 880 units. Those two permit decisions, and the acquisition of Temescal Canyon, meant that there were no major undeveloped areas remaining in the Palisades. Instead of

drafting a plan to address redevelopment in the Pacific Palisades, the City has concentrated its planning efforts in other areas that have been subject to more development proposals, such as Playa Vista, Venice and San Pedro. There is no draft LCP for this area, but the work program envisions density controls, hillside management, and measures to address slope instability. In this case, the project has been analyzed and conditioned by the City Department of Building and Safety and the Commission to address safety issues. It does not represent a change in intensity, height or scale over existing houses in the neighborhood. Approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare certifiable Local Coastal Program. The Commission, therefore, finds that the proposed project, as conditioned, is consistent with Section 30604(a) of the Coastal Act.

G. California Environmental Quality Act

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

There is no feasible alternative with less environmental impact. Leaving the house as it now exists will expose the residents to possible unsafe conditions. The reconstruction of one house is the least intense development that could occur on this subdivided lot. The proposed project, as conditioned, will not cause any significant adverse impacts on the environment. There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

EXHIBIT NO. /
APPLICATION NO.
S-99378 Cse
Location

SEE 591

631



SEE 671 MAP

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

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MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

ANDREW A. ADELMAN
GENERAL MANAGER

RICHARD E. HOLGUIN
EXECUTIVE OFFICER

RECEIVED

OCT 12 1999

CALIFORNIA
COASTAL COMMISSION

September 17, 1999

Log # 28682
LIQ
SOILS/GEOLOGY FILE - 2

Ms. Susan Cuse
1131 20th Street #1
Santa Monica, CA 90403

TRACT: 9300
BLOCK: 14
LOT: 26
LOCATION: 535 Mount Holyoke

5-99-3

EXHIBIT NO. 2
APPLICATION NO.
599-378 (cuse)
City review

<u>CURRENT REFERENCE REPORT/LETTER(S)</u>	<u>REPORT NO.</u>	<u>DATE(S) OF DOCUMENT</u>	<u>PREPARED BY</u>
Geology/Soils Report	GS99-414-2	07-23-99	GeoSystems
Overszd Doc	" "	" "	" "
Geology/Soils Report	GS99-414	06-04-99	GeoSystems
Overszd Doc	" "	" "	" "
Geology/Soils Letter	GS99-324	06-09-99	" "

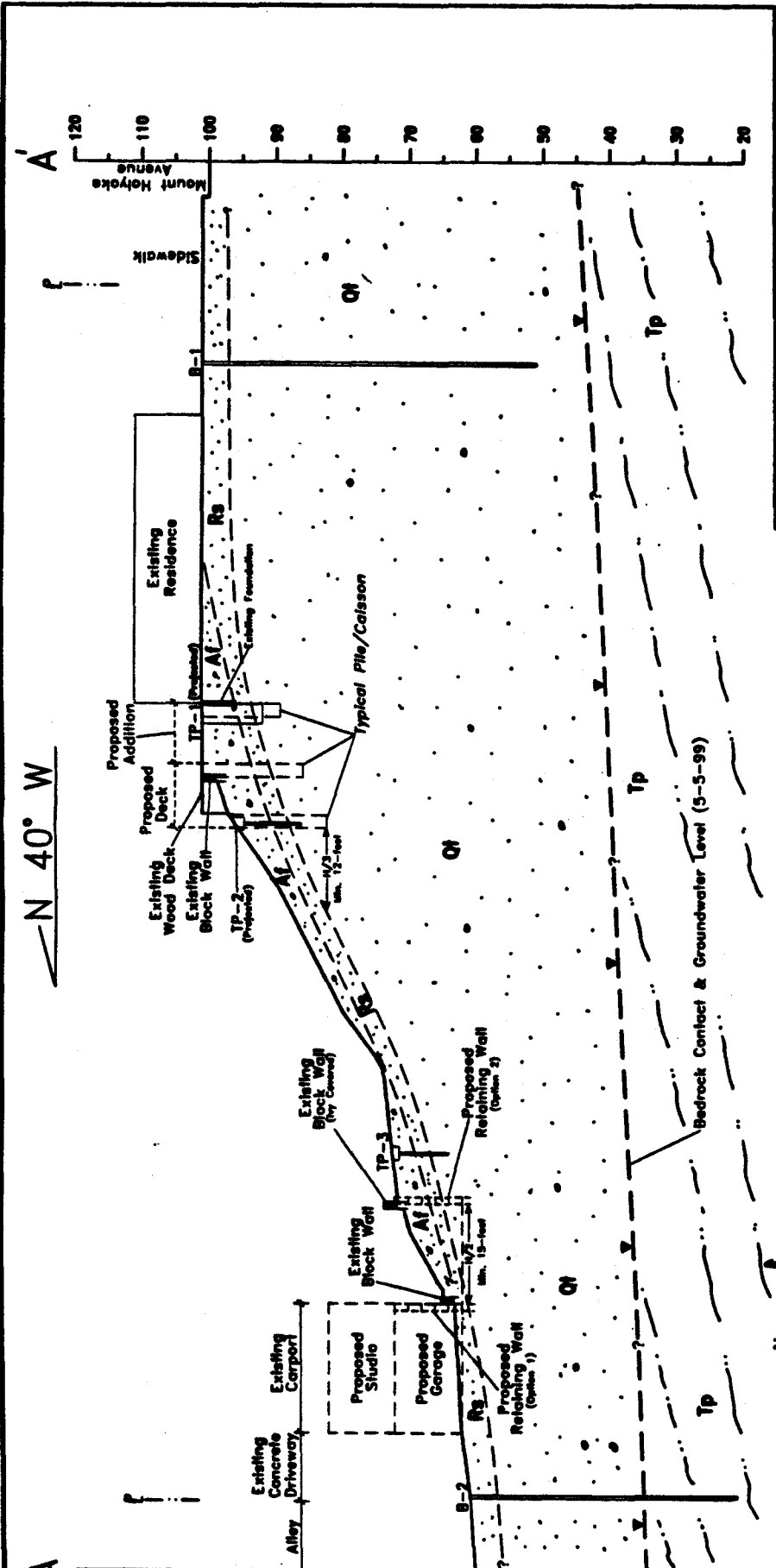
The reports have been reviewed by the Grading Section of the Department of Building and Safety. According to the report dated 06-04-99, it is proposed to construct additions, detached garage/studio, and retaining wall on the site presently developed with a single family dwelling.

The site is underlain by uncertified fill, residual soil and terrace deposits. A combination of conventional and deep foundations are recommended to penetrate the fill and soil, and to achieve the descending slope setback.

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

1. The site is underlain by soil type S_c, per Table 16A-J of the LABC.
2. The foundation for the existing residence is not suitable for the support of additional loads, unless underpinned into the terrace deposits, as recommended.

*Remaining conditions
are standard
inspection & compac-
tion condition*



**312 WESTERN AVE
GLENDALE CA 91201-2036
PHONE 818-288-8833
FAX 818-288-0134**

GEOSYSTEMS
ENVIRONMENTAL AND GEOTECHNICAL CONSULTANTS

GEOLOGIC CROSS SECTION A-A'

535 Mount Holyoke Avenue
Pacific Palisades, California

CS 99-414 DATE: May, 1999 PLATE CS-1

EXHIBIT NO. 3

APPLICATION NO.

599 378

Cross Section

Apparent Dip taken from
McGill, 1989

Section A-A' GS99-414
 535 Mount Holyoke Avenue
 99414e1.slp
 5/25/99
 Analysis Method Bishop
 Direction of Slip Movement Right to Left
 Slip Surface Option Grid and Radius
 P.W.P. Option Piezometric Lines / Ru
 Seismic Coefficient (none)

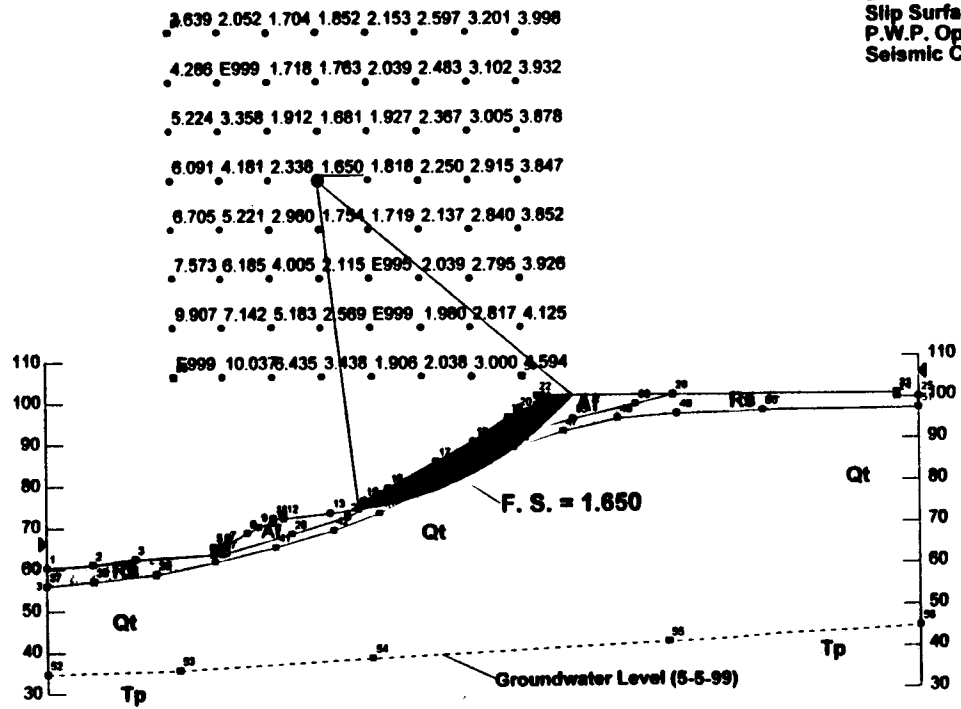


EXHIBIT NO. 4
APPLICATION NO.
5-99-378
slope stability

SCALE: 1"=30'

revised 6/97

SPT = Standard Pen Sampler
 1 = Ring Sampler (2.41" I.D.)

(b) = Bedding
 (f) = Fault

(R) = Joint
 ■ = Sample Location

BORING LOG B-1

Dry Density (pcf)
 Moisture (%)
 Blowcount
 Sample Type
 Depth (ft)
 U.S.C.S. Class.

Lithologic Description

97.4	27.7	13/16/28	SPT	5	
		12/26	TUBE	10	
		16/18/25	SPT	15	
		6/8	TUBE	20	
		9/16/8	SPT	25	
		14/16	TUBE	30	
		22/18/16	SPT	35	
		19/50	TUBE	40	
		36/40/40	SPT	45	
		10/16	TUBE	50	
				55	
				60	

0-4' RESIDUAL SOIL (Rs)
 CLAYEY SANDY SILT TO SANDY SILT, BROWN TO DARK-BROWN, SLIGHTLY MOIST, MODERATELY FIRM, WITH FEW SMALL ROOTS.

4-50' TERRACE DEPOSITS (O₁)
 CLAYEY SANDY SILT TO SANDY SILT, REDDISH-BROWN, SLIGHTLY MOIST TO MOIST, SOFT TO FIRM, OCCASIONAL ROCK FRAGMENTS UP TO 1/2" IN DIAMETER.

05' CLAYEY SANDY SILT, REDDISH-BROWN, SLIGHTLY MOIST, FIRM, WITH NUMEROUS SMALL ROOTS.

10' CLAYEY SANDY SILT, REDDISH-BROWN, MOIST, FIRM.

15' CLAYEY SANDY SILT, REDDISH-BROWN, MOIST, FIRM, WITH SUBANGULAR ROCK FRAGMENTS UP TO 1/2" IN DIAMETER.

20' CLAYEY SILT, REDDISH-BROWN, MOIST, SOFT.

25' CLAYEY SILT TO SANDY SILT, REDDISH-BROWN, MOIST, SOFT TO MODERATELY FIRM.

30' CLAYEY SANDY SILT, SLIGHTLY MOIST TO MOIST, MODERATELY FIRM.

35' SANDY SILT, REDDISH-BROWN, SLIGHTLY MOIST, MODERATELY FIRM.

40' CLAYEY SANDY SILT, REDDISH-BROWN, SLIGHTLY MOIST, SOFT.

45' CLAYEY SANDY SILT TO SANDY SILT, REDDISH-BROWN TO LIGHT-BROWN, SLIGHTLY MOIST, MODERATELY FIRM.

50' CLAYEY SANDY SILT, REDDISH-BROWN, SLIGHTLY MOIST, MODERATELY FIRM.

No Groundwater Encountered
 No Caving
 Total Depth: 50.0 ft.

EXHIBIT NO. 5
 APPLICATION NO.
 599.376
 Boring log

GEO SYSTEMS
 ENVIRONMENTAL AND GEOTECHNICAL CONSULTANTS
 312 WESTERN AVE GLENDALE CA 91201-2836
 PHONE 818-300-9833 FAX 818-300-0134

Project: 535 Mount Holyoke Drive
 Pacific Palisades, California
 Date Drilled: 5-5-99 Elevation:
 Rig Type: 8 in. o.d. Hollow Stem
 Logged By: MK
 GS # 99-414

This log of subsurface conditions applies only at the specific location and the date indicated. Subsurface conditions may differ at other locations and times.