

CALIFORNIA COASTAL COMMISSION

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



Filed: 5 April 1999
49th Day: 24 May 1999
180th Day: 2 Oct. 1999
Staff: JLR-LB *JLR*
Staff Report: 15 April 1999
Hearing Date: May 11-14, 1999
Commission Action:

RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-98-448

APPLICANT: Frank Akef

PROJECT LOCATION: 15224 Earlham Street, Pacific Palisades

PROJECT DESCRIPTION: Construct a 4,239 sq. ft. single-family residence, 2-story over basement, 28' with four parking spaces.

Lot Area	10,600 sq. ft.
Building Coverage	2,303 sq. ft.
Pavement Coverage	980 sq. ft.
Landscape Coverage	7,237 sq. ft.
Parking Spaces	Four
Zoning	R-1
Planning Designation	Low Density Residential
Ht above final 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 in order to be consistent with Section 30253 of the Coastal Act.

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 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. 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 a Geotechnical Engineering/Geology Report dated February 15, 1998 prepared by MEC Geotechnical Engineers, Inc.. The approved development shall be constructed in accordance with the plans approved by the Executive Director. Any deviations from said plans shall be submitted to the Executive Director for a determination as to whether the changes are substantial. Any substantial deviations shall require an amendment to this permit or a new coastal development permit.

2. Assumption of Risk/Indemnification

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazards from erosion, slope failure, mudslides and slumping and the applicant assumes full 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 construct a 4,239 sq. ft. single-family residence, 2-story over basement, 28' high with four parking spaces on a vacant 10,600 sq. ft. lot. The

proposed project is located within an established single-family residential neighborhood in Pacific Palisades, a planning subarea of the City of Los Angeles. The subject lot descends below the street, Earlham, with an overall topographic relief of approximately three feet.

The subject parcel is located off a side canyon to the west of Potrero Canyon. According to the applicants geotechnical report "multiple landslides have occurred on the western slope of this canyon, including one close to the subject property". The canyon is under the jurisdiction of the City of Los Angeles Department of Parks and Recreation. In 1989 the Department commenced to backfill the canyon. Presently, the backfill level is approximately 10' below the proposed finish grade and approximately 20' below the pad of the subject lot. The grading is an on-going operation.

B. Geologic Hazards to Development

Section 30253 of the Coastal Act provides in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, food, 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 mesa in a geographic area where steep slopes are subject to natural hazards. Natural hazards common to this area include landslides, erosion, flooding and slumping. The applicant has submitted a Geotechnical Engineering/Geology Report dated February 15, 1998 prepared by MEC Geotechnical Engineers, Inc.

The geotechnical consultants have analyzed the slope and determined that the factor of safety is greater than 1.5. The report also determined that no evidence of a past landslide exists on the site. The building area is underlain by 14 feet of uncertified fill. The geotechnical reports recommends that the fill be removed and recompacted for foundation support.

The applicant's geotechnical report further concludes that development on the site, as proposed, is feasible from a geologic engineering standpoint, provided that the applicant incorporates the recommendations referred to in the soils/geology report.

That report has specific, detailed recommendations regarding expansive soils, drainage, foundation plans, slope stability and slough protection.

The applicant's conditional geology approval from the City of Los Angeles Grading Division of the Department of Building and Safety also includes specific soils/geology conditions addressing design and construction methods. Following are some of the City's geotechnical conditions:

2. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4) ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top.
3. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 3 ½ inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced maximum of 16 inches on center each way.
4. All man-made fill shall be compacted to a minimum of 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where the fill consists of cohesion-less soil having less than 15 percent finer than 0.005 millimeters, it shall be compacted to a minimum of 95 percent of the maximum dry density.
8. Existing uncertified fill shall no be used for support of footings, concrete slabs or new fill.
17. Subdrains must be installed in all natural drainage courses within which compacted fill is to be placed.

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 of natural causes.

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 the 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 landslides and erosion. Therefore, the Commission further finds that in order to be consistent with Section 30253 of the Coastal Act, the applicant must 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. Visual Quality

Section 30251 of the Coastal Act states:

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 of 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 Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the 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 approximately two percent. Therefore, the Commission finds that the proposed development is consistent with the provisions of the City's Hillside Ordinance.

The site is located approximately a half mile 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 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 Programs

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 Chapter 3 (commencing with Section 30200) 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 Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200).

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, grading and geologic stability. The continued use of Temescal Canyon as a recreation area was also an issue, because at that time the Canyon was in private hands.

The City has submitted five Land Use Plans for Commission review and the Commission has certified two (Playa Vista and San Pedro). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just be completed. When the City began the LUP process, in 1978, with the exception of two tracts (a 1200-acre tract of land and an adjacent approximately 300-acre tract) which were then undergoing subdivision approval, all private lands in the community were subdivided and built out. The Commission's approval of those tracts in 1980 meant that no major planning decision remained in the Pacific Palisades. The tracts were A-381-78 (Headlands) and A-390-78 (AMH). Consequently, the City concentrated its efforts on communities that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey.

Approval of the proposed development, as conditioned, 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.

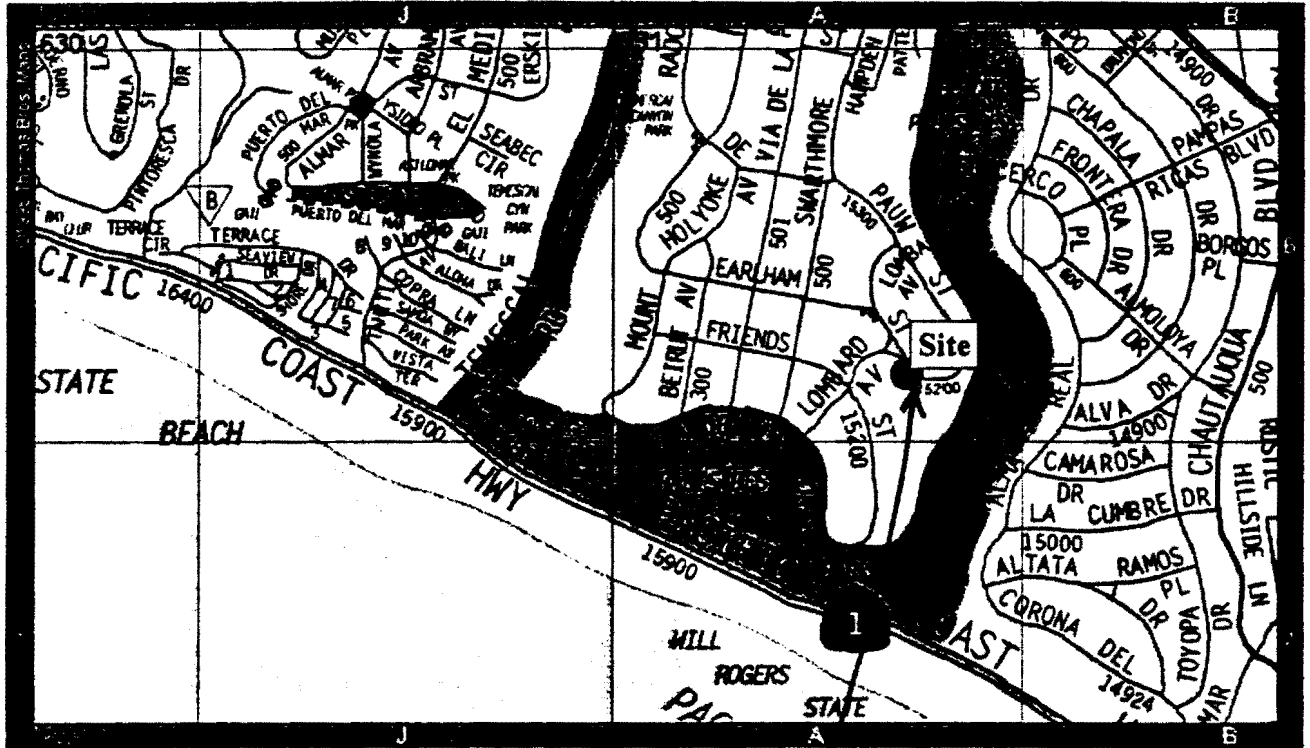
E. Consistency with the California Environmental Quality Act (CEQA)

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 application, 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 effect which the activity may have on the environment.

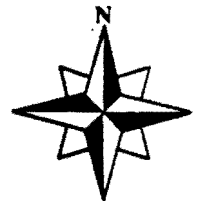
The proposed project has been conditioned in order to be found consistent with the natural hazards policies of the Coastal Act. Mitigation measures to conform to the consultant's geology/soils recommendations and to record a deed restriction assuming the risk of developing in this hazardous area, will 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.

JLR:

G:\Staff Reports\5-98-448 akef staff report.doc



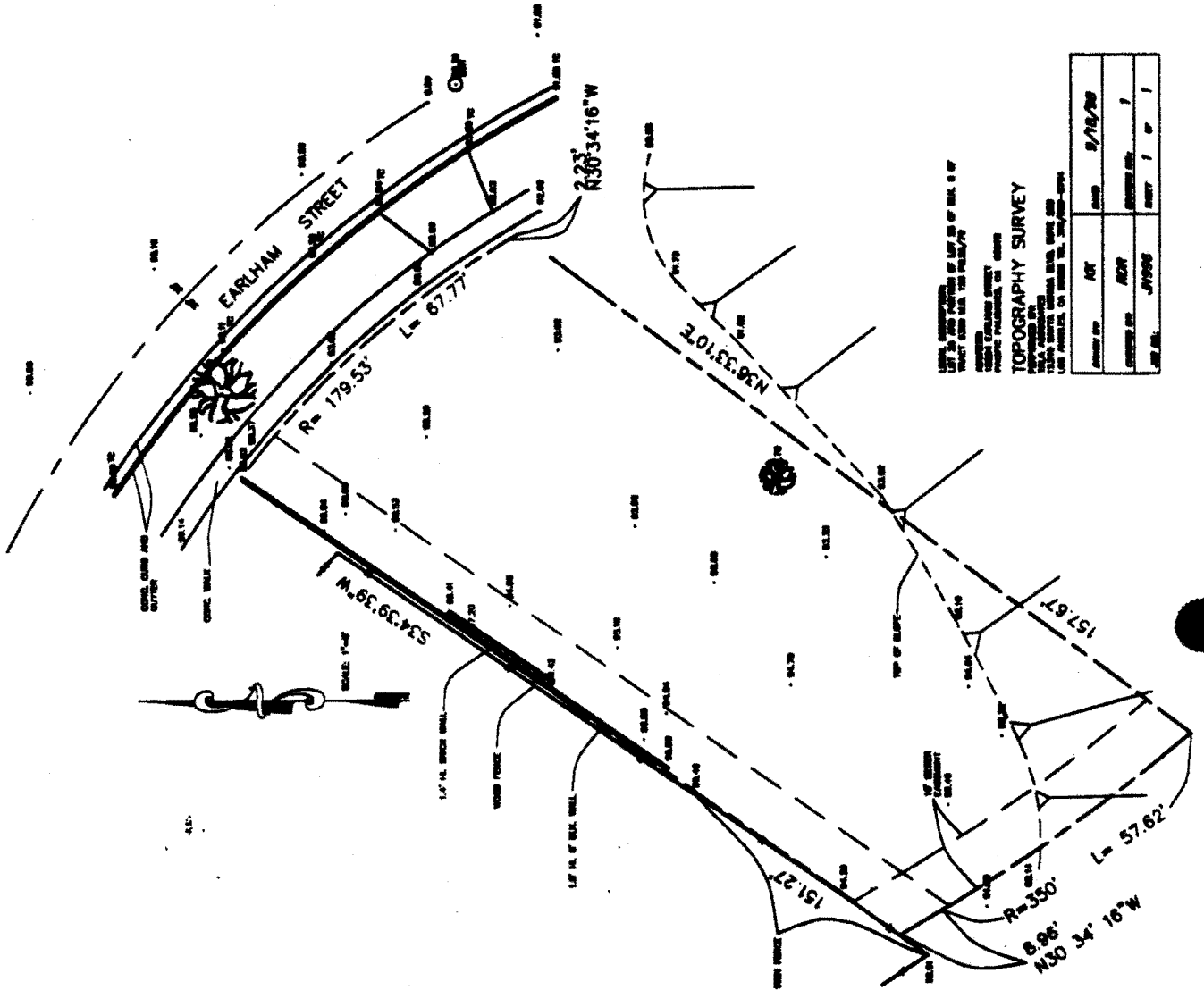
5-98-448



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Exhibit A

MEC	VICINITY MAP 15224 EARLAM STREET, PACIFIC PALISADES	FIGURE A-1
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PROJECT TITLE AKFE'S RESIDENCE	CLIENT FRANK AKFE
	DATE 10/17/2018
PROJECT ADDRESS 18284 EARLHAM PACIFIC PALISADES CA	DATE PLOTTED 10/17/2018
PROJECT NUMBER 3	DATE SURVEYED 10/17/2018

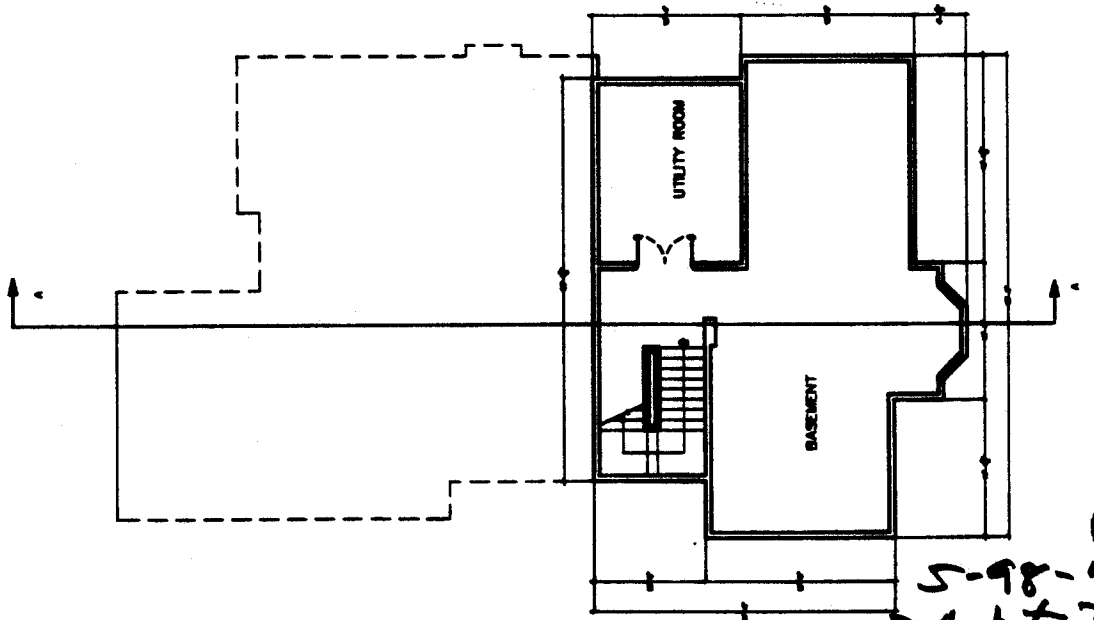
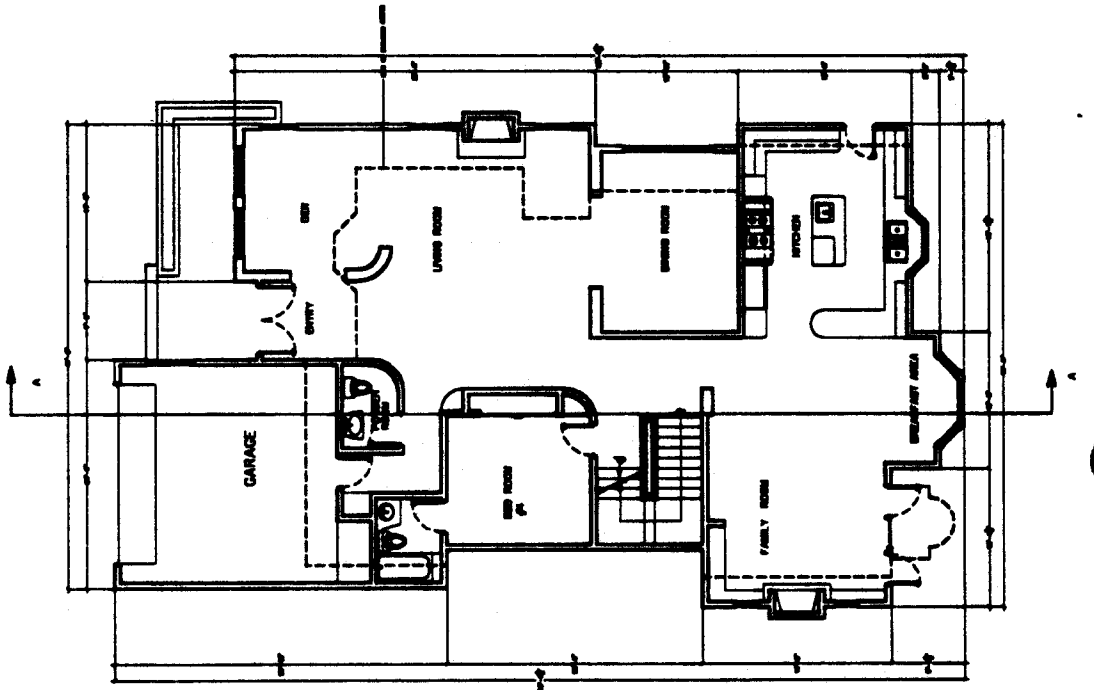


THIS IS A TOPOGRAPHIC SURVEY OF THE LAND SHOWN ON THIS PLAN. THE SURVEY WAS CONDUCTED ON 10/17/2018. THE SURVEY WAS CONDUCTED BY JEFFREY J. JENSEN, LICENSED SURVEYOR, STATE OF CALIFORNIA, LICENSE NO. 10000. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, CHAPTER 1, DIVISION 4, TITLE 27, CALIFORNIA GOVERNMENT CODE. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, CHAPTER 1, DIVISION 4, TITLE 27, CALIFORNIA GOVERNMENT CODE. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, CHAPTER 1, DIVISION 4, TITLE 27, CALIFORNIA GOVERNMENT CODE.

DATE	10/17/2018
BY	JJENSEN
PROJECT NO.	10000
DATE PLOTTED	10/17/2018

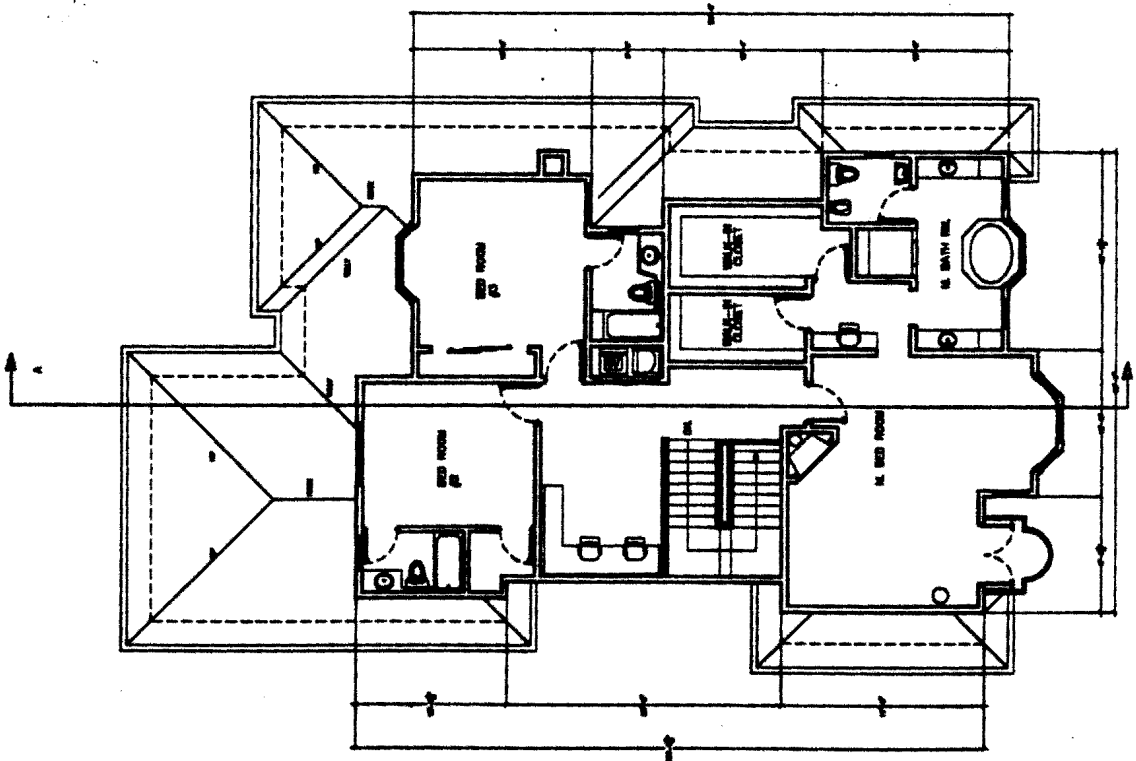
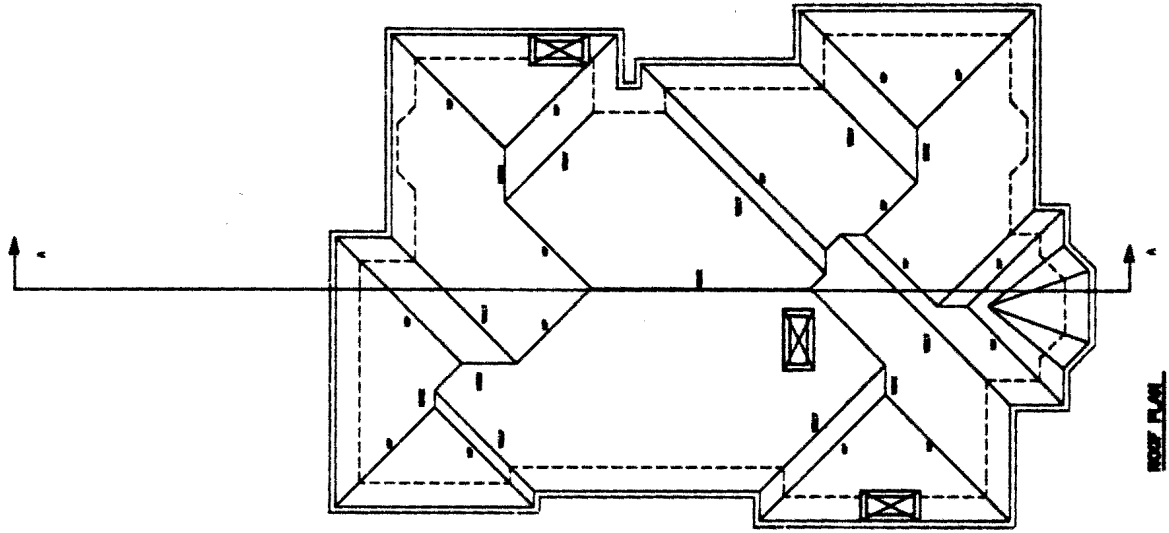
5-98-448
Exhibit B

architecture west inc. <small>ARCHITECTS AND INTERIORS ARCHITECTS INC. 1000 EAST 10TH AVENUE SUITE 100 DENVER, CO 80202</small>			PROJECT NO.: 1000 EAST 10TH AVENUE SUITE 100 DENVER, CO 80202	CLIENT: FRANK AXET
			PROJECT NAME: AKER'S RESIDENCE	DATE: 10/10/00
DRAWING NO.: 1000 EAST 10TH AVENUE SUITE 100 DENVER, CO 80202			DRAWING TITLE:	SHEET NUMBER: 5

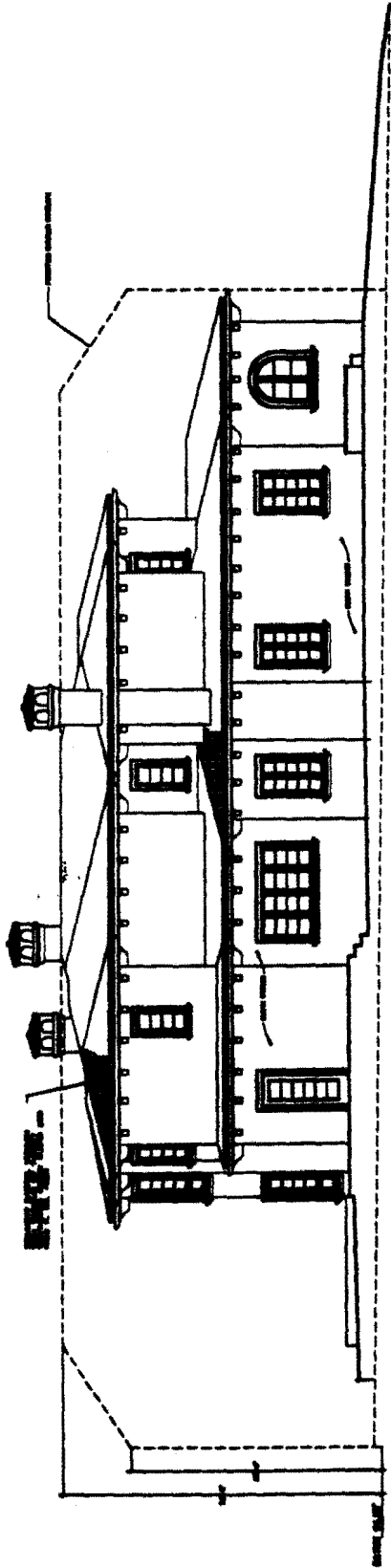


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 Exhibit D

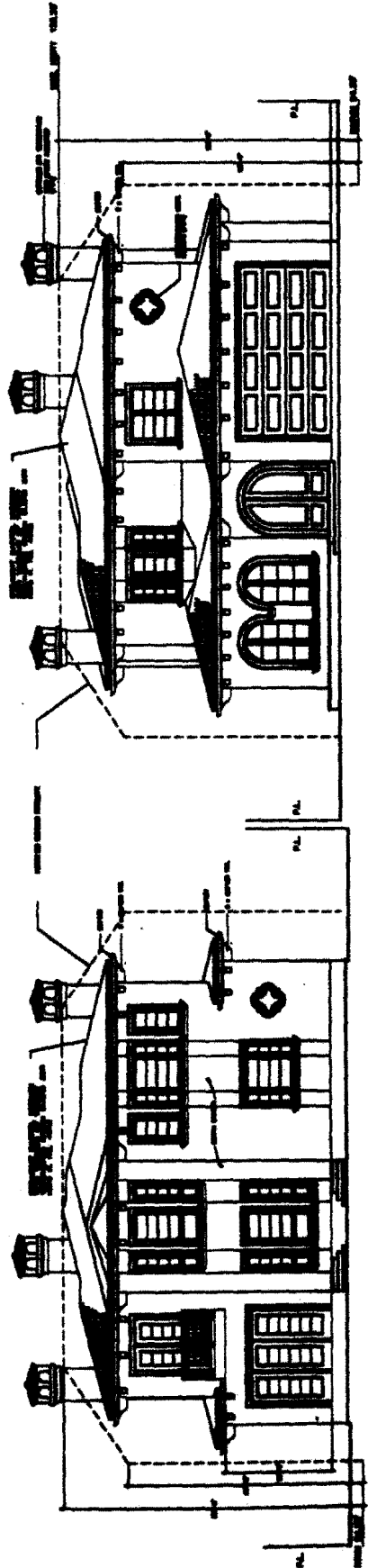
PROJECT TITLE AKER'S RESIDENCE CLIENT FRANK AKER	PROJECT ADDRESS 18334 EAGLEMAN PACIFIC PALISADE CA.		ARCHITECT architecture west inc. <small>1000 WEST 10TH AVENUE, SUITE 100, DENVER, CO 80202</small>	SHEET NUMBER A6
				DATE 10/10/01
PROJECT NUMBER AKER'S RESIDENCE		DRAWING NUMBER 10/10/01		



55-98-448
 EXHIBIT E



REAR ELEVATION

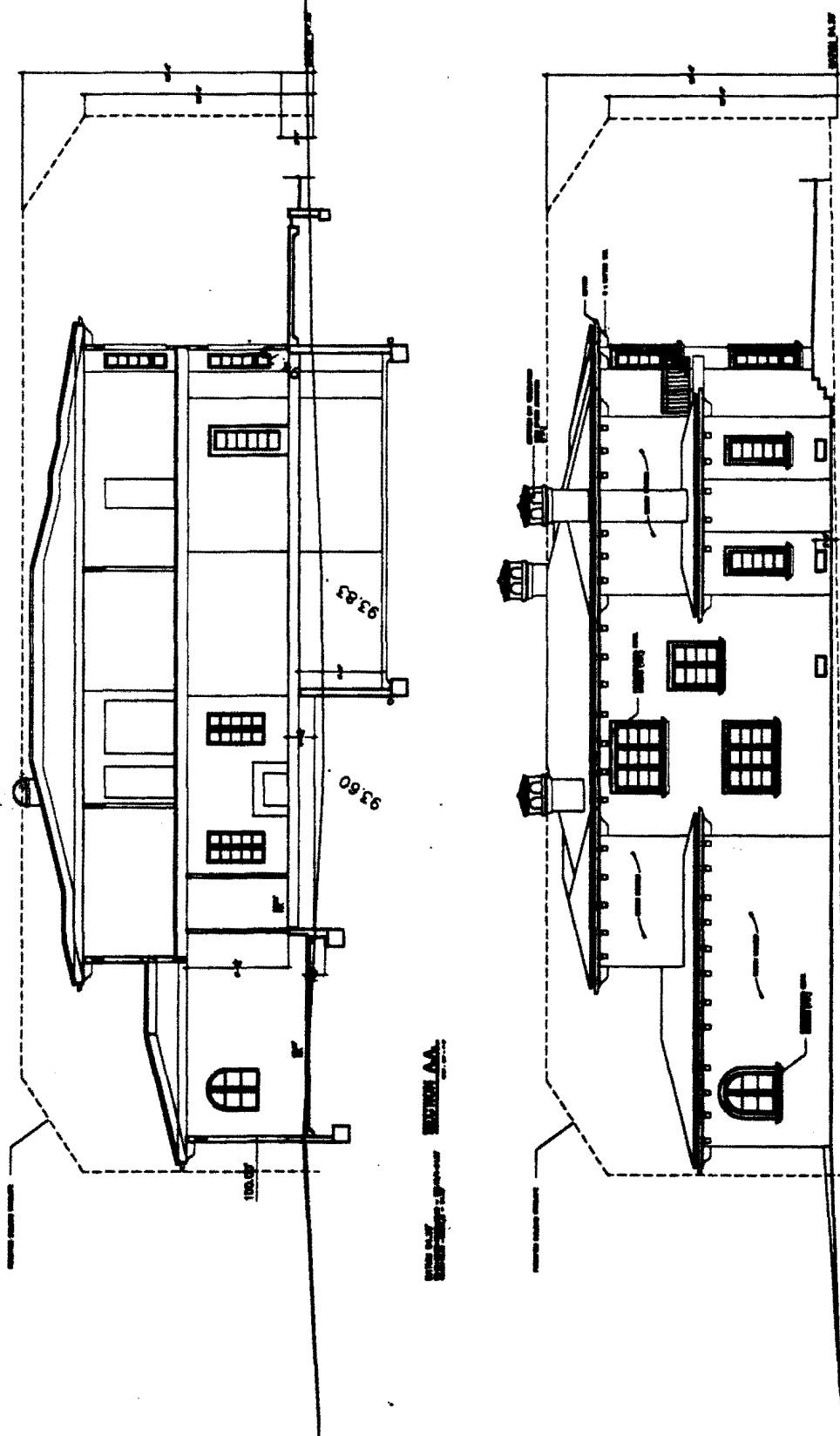


FRONT ELEVATION

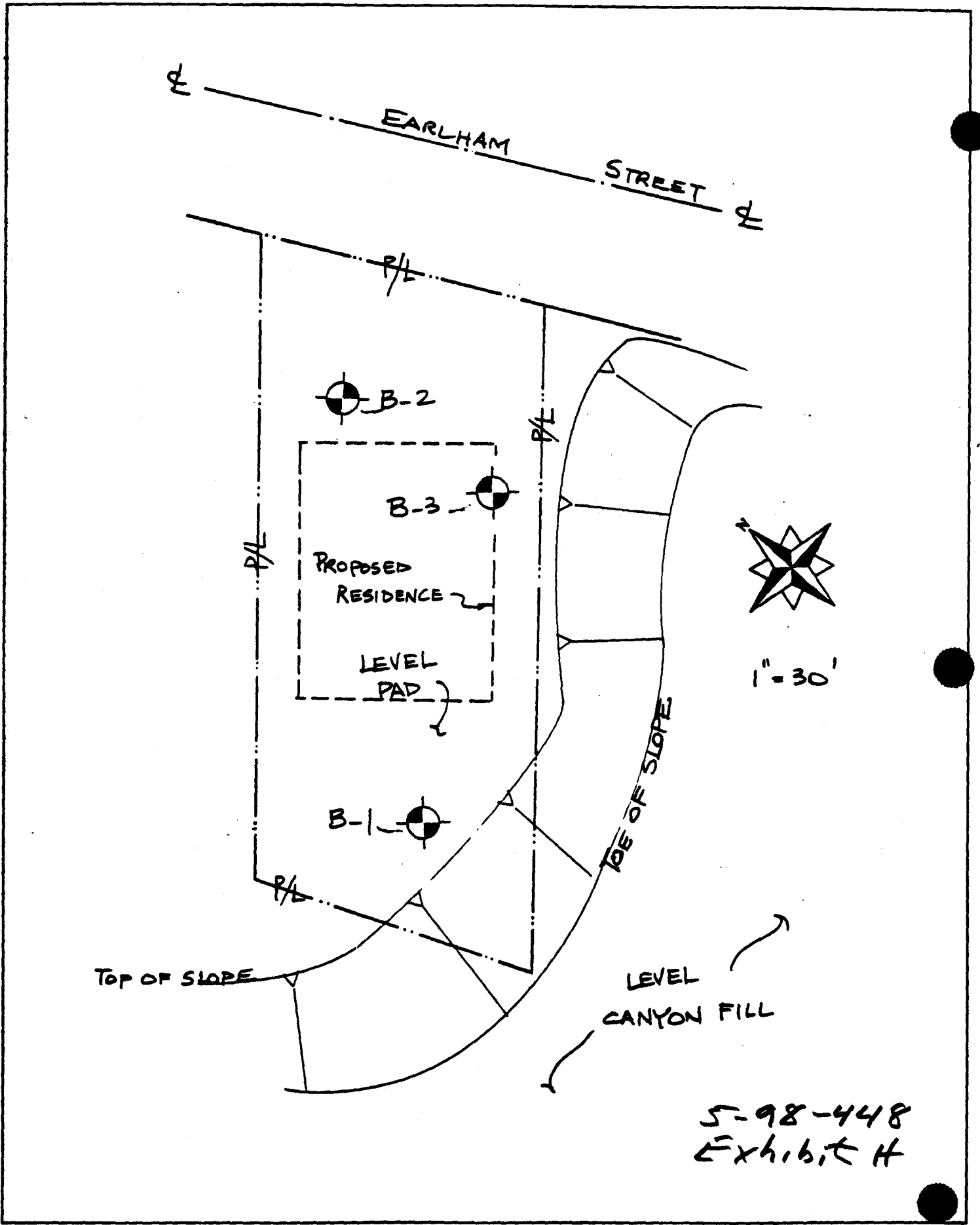
5-98-448

Exhibit F

architecture west inc. ARCHITECT: MARK TAYLOR, AIA 400 MARKET STREET, SUITE 200, SAN FRANCISCO, CA 94102		PROJECT NUMBER: 18234 EASTMAN PLANNING PARLOR CO.	PROJECT TITLE: AKETS RESIDENCE	CLIENT: FRANK AKET
			DATE: 10/10/01	SHEET NUMBER: 03



874-86-5
 2.19.4x5
 Exhibit G



MEC

PLOT PLAN
15224 EARLHAM STREET, PACIFIC PALISADES

FIGURE
A-2

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

JOYCE L. FOSTER
PRESIDENT

LEE KANON ALPERT
VICE-PRESIDENT

JEANETTE APPLIGATE
MABEL CHANG
ALEJANDRO PADILLA

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

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

ANDREW A. ADELMAN
GENERAL MANAGER

RICHARD E. HOLGUIN
EXECUTIVE OFFICER

February 5, 1999

Log # 26506-01
C.D. --

SOILS/GEOLOGY FILE - 2

Mr. Frank Akef c/o Architecture West
4181 Sunswep Drive
Studio City, CA 91604

TRACT: 9300
LOT: 26 + 25 (arb-1)
LOCATION: 15224 Earham Street

<u>CURRENT REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>NO.</u>	<u>DATE(S) OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Geology Report	1847	01-12-99	Ray A. Eastman
<u>PREVIOUS REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>NO.</u>	<u>DATE(S) OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Geology Report	1847	07-07-99	Ray A. Eastman
Soils Report	8AKE088	07-15-98	MEC Geotech.
Department Letter	26506	12-28-98	Building & Safety

The site and report have been reviewed by the Grading Section of the Department of Building and Safety. According to the report, it is planned to construct a new residence on the existing building pad.

The general vicinity is being graded as part of the Potrero Canyon repair project, and currently the canyon fill is at level which is roughly 20 feet below the pad grade of the subject site. This elevation is about rough grade for the main fill. Examination of the grading plan indicates that the slope on the subject site is planned to be re-graded with a stabilization fill.

The consultants for the subject site have analyzed the slope in its present configuration. A factor of safety greater than 1.5 has been demonstrated. No obvious evidence of a past landslide exists on the site.

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1 of 4
EXHIBIT I

The building area is underlain by up to 14 feet of uncertified fill. The reports recommend that

the fill be removed and recompactd for foundation support.

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

1. Footings shall be founded in the future certified fill, as recommended.
2. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4) ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top.
3. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 3½ inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced maximum of 16 inches on center each way.
4. All man-made fill shall be compacted to a minimum of 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where the fill consists of cohesion-less soil having less than 15 percent finer than 0.005 millimeters, it shall be compacted to a minimum of 95 percent of the maximum dry density.
5. All new graded slopes shall be no steeper than 2:1.
6. All footings shall extend below a 1:1 plane projected upward from the base of the approved compacted fill.
7. Compacted fill shall extend beyond the footings a minimum distance equal to the depth of the fill below the footings, or 5 feet, whichever is greater.
8. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill.
9. If import soils are used, no footings shall be poured until the Soils Engineer has submitted a compaction report containing in-place shear test data and settlement data to the Department, and approval obtained.
10. 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.
11. All recommendations of the reports which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
12. If the grading permit involves the import or export of more than 1000 cubic yards of earth materials, and is in the grading hillside area, approval is required by the Board of Building

5-98-448

20F4
Exhibit I

and Safety. Application for approval of the import-export route should be filed with the Grading Section. Processing time of this application is approximately 8 weeks to hearing plus 10-day appeal period.

13. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Department and the Department of Public Works, for any grading work in excess of 200 cu yd.
14. A grading permit shall be obtained.
15. 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.
16. The geologist and soil engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading.
17. Subdrains must be installed in all natural drainage courses within which compacted fill is to be placed.
18. Both the geologist and the soils engineer shall inspect and approve all fill and subdrain placement areas prior to placing fill. Both consultants shall include in their final reports a certification of the adequacy of the foundation material to support the fill without undue settlement and/or consolidation.
19. All roof and pad drainage shall be conducted to the street in an acceptable manner.
20. Prior to excavation, an initial inspection shall be called at which time installation of protection fences, and dust and traffic control will be scheduled.
21. 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.
22. 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.

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Exhibit I 3 of 4

23. Compacted fill shall extend beyond the footings a minimum distance equal to the depth of the fill below the footings.

DAVID HSU
Chief of Grading Section

Dana Pursost for
JEFFREY C. KOFOED
Engineering Geologist II

Theo R. Seeley
THEO SEELEY
Geotechnical Engineer I

JK/TRS:jk
26506-01
(213) 977-6329

cc: MEC Geotechnical Engineers
Ray A. Eastman
Mr. Akef c/o Architecture West
WLA District Office

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Exhibit I