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**CALIFORNIA COASTAL COMMISSION**

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



**RECORD PACKET COPY**

Filed: February 28, 2000  
49th Day: April 17, 2000  
180th Day: August 26, 2000  
Staff: JLR-LB *JR*  
Staff Report: April 14, 2000  
Hearing Date: May 9-12, 2000  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-00-030  
**APPLICANT:** George & Hemma Mackin  
**PROJECT LOCATION:** 15933 Asilomar Blvd., Pacific Palisades  
**PROJECT DESCRIPTION:** Demolish a single-family residence and construct a 4,515 sq. ft. single family residence, 2-story over basement, 28' high with two parking spaces and a swimming pool.

Lot Area	8,996 sq. ft.
Building Coverage	2,015 sq. ft.
Pavement Coverage	1,250 sq. ft.
Landscape Coverage	5,731 sq. ft.
Parking Spaces	Two
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.

**I. STAFF RECOMMENDATION, MOTION AND RESOLUTION:**

Staff recommends that the Commission **APPROVE** the permit application with special conditions by making the following motion and adopting the following resolution.

**MOTION:**

*I move that the Commission approve CDP No. 5-00-030 pursuant to the staff recommendation.*

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

**RESOLUTION TO APPROVE PERMIT APPLICATION 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.

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 a Geologic and Soils Engineering Investigation Report dated December 14, 1999, prepared by Subsurface Designs, 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, Waiver of Liability and Indemnity

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from landslides, erosion, slope failure, mudslides and slumping (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 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.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares as follows:

**A. Project Description and Location**

The applicant proposes to construct a 4,515 sq. ft. single-family residence, 2-story over basement, 28' high with two parking spaces and a swimming pool. The proposed project is located approximately four blocks inland of Pacific Coast Highway within an established single-family residential neighborhood in Pacific Palisades, a planning subarea of the City of Los Angeles. The subject lot ascends above the street, Asilomar Blvd., with an overall topographic relief of approximately five feet.

**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, 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 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. There is a landslide mapped southerly of the site. The applicant has submitted a Geologic and Soils Engineering Investigation Report dated December 14, 1999, prepared by Subsurface Designs, Inc.

The geology/soils report notes that a landslide exists below the site and below Asilomar Blvd. in general. The geologic structure consists of an east-west anticline; the south limb forms the descending slope below Asilomar Blvd. The consultant's stability analysis of the descending slope indicates a factor of safety in excess of the City's minimum requirements of 1.5.

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. 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.
4. All new graded slopes shall be no steeper than 2:1
9. The geologist and soils 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 or foundation excavations.
18. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill.

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 form 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 2 percent. Therefore, 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 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 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.

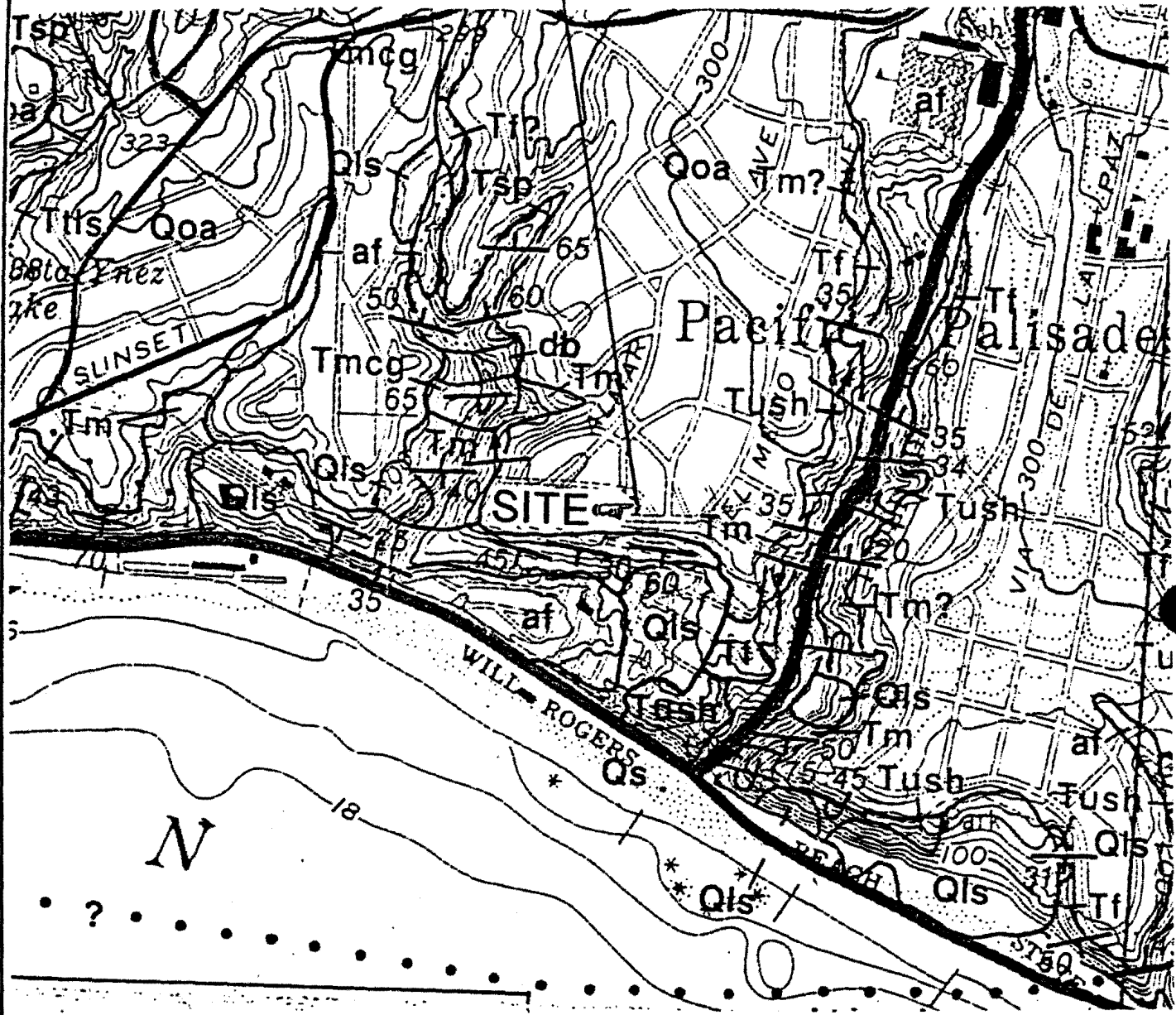
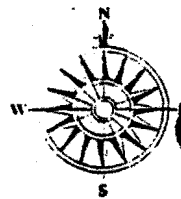
**E. Consistency with the California Environmental Quality Act (CEQA)**

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:

# DIBBLEE GEOLOGIC MAP



**SubSurface Designs, Inc.**  
 Geotechnical Engineers  
 Engineering Geologists

**Client:** Mackin

**PIN#** 3707

**Ref:** Modified from the Geologic Map of the Topanga and Canoga Park (South 1/2) Quadrangles, prepared by Thomas W. Dibblee, 1992.

**Scale:** 1" = 1000'

5-00-030  
 Exhibit

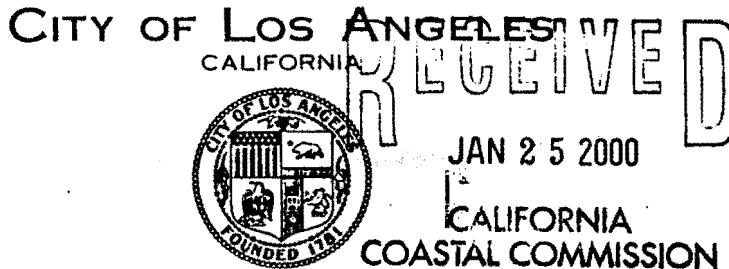


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201 NORTH FIGUEROA STREET  
LOS ANGELES, CA 90012

ANDREW A. ADELMAN  
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WALT KRUKOW  
EXECUTIVE OFFICER

January 20, 2000

Log # 29630  
SOILS/GEOLOGY FILE - 2

Mr. George & Mrs. Hemma Mackin  
14976 La Cumbre Dr.  
Pacific Palisades, CA 90272

5-00-030

TRACT: 9300  
BLOCK: 116  
LOT: 3  
LOCATION: 15933 Asilomar Drive

<u>CURRENT REFERENCE REPORT/LETTER(S)</u>	<u>REPORT NO.</u>	<u>DATE(S) OF DOCUMENT</u>	<u>PREPARED BY</u>
Geology/Soil Report	3707	12/14/99	SubSurface Designs
Oversize Documents	"	"	"

The referenced report concerning demolition of existing onsite improvements and construction of a two-story residence with a basement, detached garage, and swimming pool has been reviewed by the Grading Section of the Department of Building and Safety. The report is acceptable, provided the following conditions are complied with during site development:

1. The planned foundations, slabs on grade, retaining walls, swimming pool, temporary excavations, and pad drainage shall be constructed in accordance with the detailed recommendations in the referenced report.
2. The building shall incorporate provisions for anticipated differential settlements in excess of one-fourth inch (Pg.15).
3. 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.
4. All new graded slopes shall be no steeper than 2:1.
5. All recommendations of the reports which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
6. 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

5-00-030  
Exhibit B  
1 of 3

of Industrial Safety.

7. A grading permit shall be secured and a grading bond posted.
8. 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.
9. 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.
10. 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; or 95 percent where less than 15 percent fines passes 0.005mm.
11. The existing pool shell and foundation elements shall be removed prior to placing certified fill in accordance with LABC 7011.3.
12. All roof, pad, and pool deck drainage shall be conducted to the street in an acceptable manner.
13. 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.
14. If old septic tanks or cesspools are encountered on the site they are removed and recompacted per City of Los Angeles, Memorandum of General Distribution #54.
15. The dwelling shall be connected to the public sewer system.
16. 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. In the event that a subdrainage system and outlet acceptable to the Department cannot be provided, a supplemental report shall be submitted that includes: wall pressure, waterproofing, and buoyancy considerations.
17. Basement walls and slab shall be waterproofed with an L.A. City approved "Below-grade waterproofing" material with a research report number.
18. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill.
19. Prior to issuance of the permit, the swimming pool plans shall be reviewed and approved by the soils engineer.
20. A foundation shall be considered surcharging the pool and excavation, if founded above a 1:1 from the bottom of the pool.
21. Prior to issuance of any permit which authorizes an excavation, where the excavation is to

EXHIBIT B


2 of 3

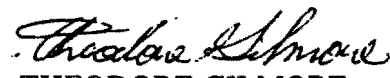
5-00-030

extend lower than the walls or foundations of any adjoining building or structure located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation.

22. Unsurcharged temporary excavations in soil and the portions of temporary excavations in terrace deposits which are over six feet above the base of the excavation shall be made no steeper than 1:1, as recommended. Excavations which expose unsupported bedding planes shall be trimmed along the bedding or flatter.
23. A registered deputy grading inspector approved by and responsible to the project soils engineer shall be required to provide continuous inspection for any proposed slot-cutting, underpinning, shoring, or drilling and installation of deep foundations.
24. 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.
25. 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.

DAVID HSU  
Chief of Grading Section

  
RAYMOND WALDBAUM  
Engineering Geologist I

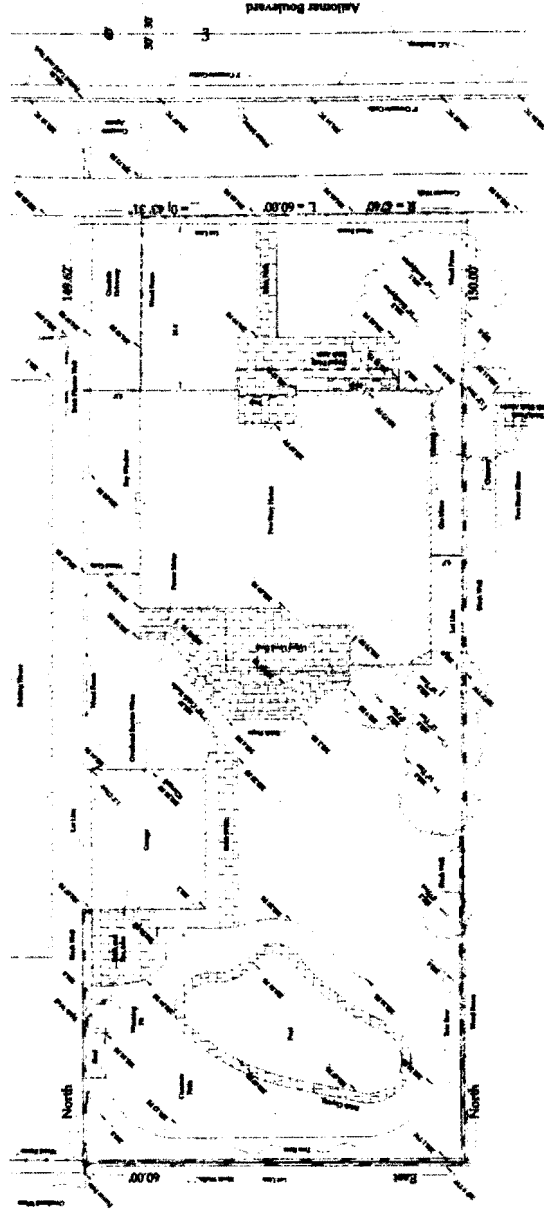
  
THEODORE GILMORE  
Geotechnical Engineer I

RW/TG:rw/tg  
29630  
(213) 977-6329

cc: SubSurface Designs, Inc  
WLA District Office

EXHIBIT B  
3 of 3  
5-00-030

# Site Plan



N

Scale: 1" = 6'

Legend

Exhibit C  
5-00-030

Boundary: Record information adjusted to found city corner monuments.  
 Date of Survey: November 23, 1999  
 Site Address: 1953 West Avalon Boulevard, Pacific Palisades  
 Area: 6,996 square feet, 0.21 acres

Plan Prepared For: George & Hester Mackin  
 18796 La Cresta Drive  
 Pacific Palisades, CA 90272  
 (310) 350-4276

Plan Prepared By: M & M & Co.  
 867 Biscaya Avenue  
 Northridge, CA 91325  
 (818) 885-1100  
 Michael J. Amoroso, L.S. 3992

DATE: FEB 28 2000

FEB 28 2000

MACKIN  
RESIDENCE

1953 AVALON BLVD.  
Pacific Palisades, CA 90272

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 05-11-2011 BY 60322  
UNCLASIFIED BY 60322

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**BURIDGE & ASSOCIATES**  
PLANNERS  
LOS ANGELES

1953 AVALON BLVD.  
PACIFIC PALISADES, CA 90272  
TEL: (310) 350-4276  
FAX: (310) 350-4276

SURVEY

DATE: FEB 28 2000  
 DRAWN BY: T.O.S.  
 CHECKED BY: T.O.S.  
 SCALE: AS SHOWN

**MACKIN  
RESIDENCE**

1983 ASILOMAR BLVD.  
Pacific Palisades, CA 90272

THE SOLUTIONS AND SERVICES OFFERED ARE  
BASED ON THE INFORMATION PROVIDED BY THE  
CLIENT AND ARE SUBJECT TO THE  
LIMITATIONS AND EXCLUSIONS SET FORTH  
IN THE STANDARD AGREEMENT WITH THE CLIENT.  
NO WARRANTIES ARE MADE BY THE ARCHITECT  
OR ARCHITECTURAL FIRM FOR THE  
CONSTRUCTION OF THE PROJECT.

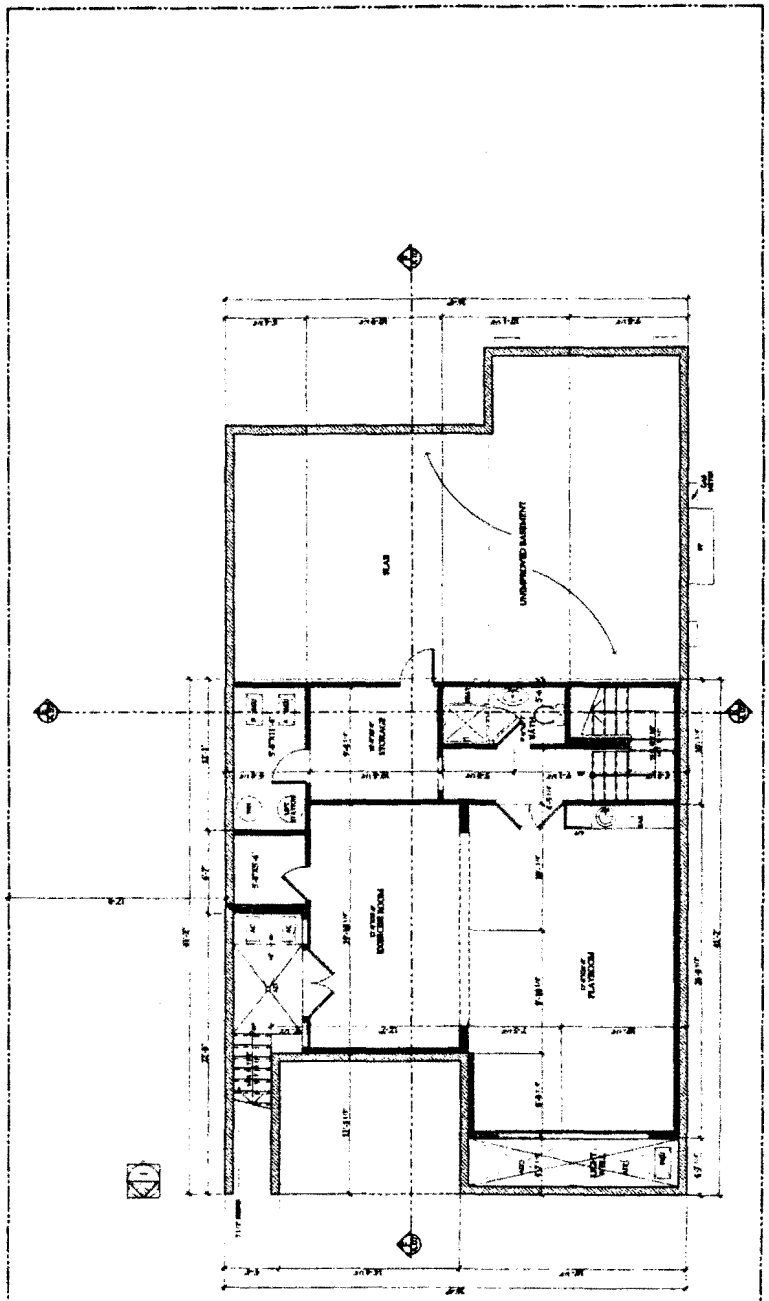
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DATE	
SCALE	
DRAWN BY	
CHECKED BY	
DATE	

**BURDGE  
& ASSOCIATES**  
ARCHITECTS - PLANNERS

STUDIO: LOS CAJOS  
10000 CALIFORNIA COMPANY  
10000 CALIFORNIA COMPANY  
10000 CALIFORNIA COMPANY  
10000 CALIFORNIA COMPANY

**BASEMENT FLOOR  
PLAN**

DATE	1/20/00
SCALE	1/8" = 1'-0"
DRAWN BY	JLS/PLA
CHECKED BY	
DATE	



FEB 28 2000

Exhibit D  
5-00-030





**MACKIN  
RESIDENCE**

1903 ASHELOMAR BLVD.  
Pacific Palisades, CA 90272

THE ARCHITECTS AND PLANNERS ASSOCIATION OF CALIFORNIA  
MEMBER SINCE 1954  
1000 CALIFORNIA STREET, SUITE 1000  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE 415-774-2000  
FAX 415-774-2001  
WWW.AAPACALIFORNIA.COM

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**BURDIGI  
& ASSOCIATES**  
ARCHITECTS AND PLANNERS

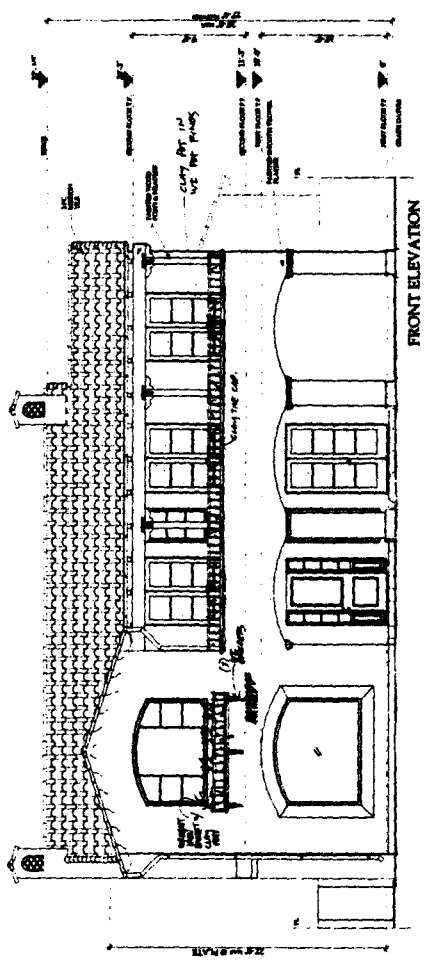
1000 CALIFORNIA STREET, SUITE 1000  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE 415-774-2000  
FAX 415-774-2001  
WWW.BURDIGI.COM

LOG CARDS

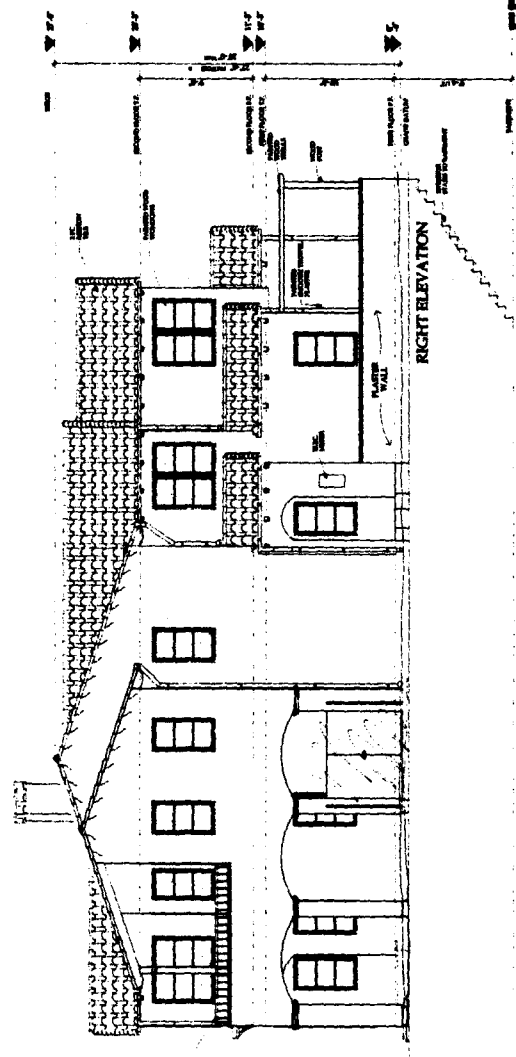
ELEVATIONS

DATE	
PROJECT	
SCALE	
REVISION	
APPROVED	
DATE	

TYPE A.06



FRONT ELEVATIONS



RIGHT ELEVATIONS

FEB 28 2000

Exhibit G  
5-00-030