

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Staff: LKF-V
Staff Report: 3/25/2004
Hearing Date: 4/14-16/2004

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 4-99-098-A1

APPLICANTS: Atefeh Towfigh, Simin Shirloo, and Ali Shirloo

AGENT: Mohammad Shirloo

PROJECT LOCATION: 18049 Coastline Drive, unincorporated Malibu (Los Angeles County)

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Construct three unit apartment building with storage room and three detached garage structures totaling twelve parking spaces. Grading of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill).

DESCRIPTION OF AMENDMENT: Revision of floor plan of three-unit apartment building to increase interior square footage from 5,166 sq. ft. to 7,295 sq. ft. The proposed additional square footage is located in areas previously approved as a storage room and exterior patio space, thus resulting in a very minor increase in the development footprint. The proposal also includes the addition of a patio and stairways on the north side of the apartment building. No additional grading or increase in the height of the structure is proposed.

LOCAL APPROVALS RECEIVED: Approval in Concept, County of Los Angeles Regional Planning Department, October 22, 2003; Approval in Concept, County of Los Angeles Geologic Review Sheet, May 5, 2002.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit No. 4-99-098; Malibu/Santa Monica Mountains certified Land Use Plan; Mountain Geology, Inc.: Addendum Engineering Report No. 4, January 5, 1999; Addendum Engineering Report No. 3, June 29, 1998; Addendum Engineering Report No. 2, May 27, 1998; Addendum Engineering Report No. 1, April 5, 1998; Preliminary Engineering Geologic Report, January 14, 1998; West Coast Geotechnical: "111' Statement to the California Coastal Commission, Proposed Multi-Family Residential Development, 18049 Coastline Drive, Parcel Map 24907, Malibu, County of Los Angeles, California, February 20, 2004; Update Geotechnical Engineering Report, October 19, 2001; Engineering Geologic and Addendum engineering Geologic Report #5, August 8, 2001; Engineering Geologic Memorandum, June 2, 2000; Update Geotechnical Engineering Report, January 11, 1999; Addendum Geotechnical Engineering Report No. 4, September 1, 1998; Supplemental Geotechnical Engineering Letter, July 28, 1998; Addendum Geotechnical Engineering Report # 2, June 4, 1998; Addendum Geotechnical Engineering Report # 1, April 13,

1998; Geotechnical Engineering Investigation, January 15, 1998; Letter from Peak Surveys, Inc. to Hans Giraud, March 31, 2000.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicants or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material (14 Cal. Code of Regulations Section 13166). In this case, objections have been made to the Executive Director's determination of immateriality. The Executive Director sent A Notice of Proposed Permit Amendment to all interested parties on January 6, 2004. The Commission received two letters of objection within the comment period, which ended on January 21, 2004.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the applicants' proposal, with two special conditions regarding updated plans conforming to geologic recommendations, and drainage and polluted runoff control.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 4-99-098-A1 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE A PERMIT AMENDMENT:

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. STANDARD AND SPECIAL CONDITIONS

Note: Unless specifically altered by the amendment, all standard and special conditions previously applied to Coastal Development Permit (CDP) 4-99-098 continue to apply. The approved coastal development permit includes five (5) special conditions. In addition, the following additional special conditions (numbered 6, and 7) are hereby imposed as a condition upon the proposed project as amended pursuant to CDP 4-98-098-A1.

SPECIAL CONDITIONS

6. Updated Plans Conforming to Geologic Recommendations

All recommendations contained in the submitted geologic reports ("Mountain Geology, Inc.: Addendum Engineering Report No. 4, January 5, 1999; Addendum Engineering Report No. 3, June 29, 1998; Addendum Engineering Report No. 2, May 27, 1998; Addendum Engineering Report No. 1, April 5, 1998; Preliminary Engineering Geologic Report, January 14, 1998; West Coast Geotechnical: "'111' Statement to the California Coastal Commission, Proposed Multi-Family Residential Development, 18049 Coastline Drive, Parcel Map 24907, Malibu, County of Los Angeles, California, February 20, 2004; Update Geotechnical Engineering Report, October 19, 2001; Engineering Geologic and Addendum engineering Geologic Report #5, August 8, 2001; Engineering Geologic Memorandum, June 2, 2000; Update Geotechnical Engineering Report, January 11, 1999; Addendum Geotechnical Engineering Report No. 4, September 1, 1998; Supplemental Geotechnical Engineering Letter, July 28, 1998; Addendum Geotechnical Engineering Report # 2, June 4, 1998; Addendum Geotechnical Engineering Report # 1, April 13, 1998; Geotechnical Engineering Investigation, January 15, 1998; Letter from Peak Surveys, Inc. to Hans Giraud, March 31, 2000") shall be incorporated into all final design and construction including *construction, grading, and drainage*. Final plans must be reviewed and approved by the project's consulting geotechnical engineer and geologist. Prior to issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, two sets of plans with evidence of the consultant's review and approval of all project plans.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and drainage. Any substantial

changes in the proposed development approved by the Commission that may be required by the consultants shall require an amendment to the permit or a new coastal permit.

7. Drainage and Polluted Runoff Control Plans

Prior to the issuance of the Coastal Development Permit, the applicant shall submit to the Executive Director for review and written approval, two sets of final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with geologist's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicants propose to revise the floor plan of a previously approved three-unit apartment building to increase the interior square footage from 5,166 sq. ft. to 7,295 sq. ft. The proposed additional square footage is located in areas previously approved as a storage room and exterior patio space, thus resulting in a very minor increase in the development footprint. The proposal also includes the addition of a patio and stairways on the north side of the apartment building. No additional grading or increase in the height of the structure is proposed (**Exhibits 2 –13**).

The project site is located near the intersection of Coastline Drive and Surfview Drive, one block inland of Pacific Coast Highway and just west of the Los Angeles City limit, in an unincorporated area of Malibu (**Exhibit 1**). Surrounding development is a mixture of single family residential development and apartment units. The proposed three-unit apartment building is adjacent to an existing four-unit complex on the subject parcel. The three LUP land use designations that are applied to the property allow a combined land use density of seven units. Due to surrounding development and intervening topography, the development on the subject site will not significantly impact views from Pacific Coast Highway or other coastal scenic areas (**Exhibit 14**).

On September 14, 1999, the Commission approved CDP No. 4-99-098 for construction of a three-unit apartment building with storage room, three detached garage structures totaling twelve parking spaces, and 1590 cu. yds. of grading (795 cu. yds. cut, 795 cu. yds. fill). CDP No. 4-99-098 was approved with five special conditions regarding future improvements, plans conforming to geologic recommendations, landscaping and erosion control plans, removal of natural vegetation, and wildfire waiver of liability (**Exhibit 17**). The permit was subsequently extended annually for three years, and is valid until September 14, 2004.

The subject amendment was submitted on October 24, 2003 and was deemed complete on November 23, 2003. The Executive Director found that the proposed amendment was immaterial pursuant to 14 Cal. Admin. Code 13166(a) and issued notice of that determination on January 6, 2004. The Commission received two letters of objection to the determination of immateriality within the 10- day comment period, which ended on January 21, 2004 (**Exhibits 15 - 16**).

The letters of objection raised concerns regarding geologic safety, surface and subsurface drainage, and the potential for the creation of illegal units at the site. As discussed further in sections B and C, **Special Conditions Six (6)** and **Seven (7)** require the applicant to submit updated plans approved by the project geologist, as well as drainage plans that incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater up to and including the 85% percentile runoff event. In addition, the future improvements deed restriction required by **Special Condition One (1)** of the original permit remains in effect, thus ensuring that no additions or changes to the approved project, such as the creation of additional units, may be made without due consideration of the potential cumulative impacts.

B. GEOLOGIC STABILITY AND HAZARDS

The proposed development is located in the Santa Monica Mountains area, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

Section 30253 of the Coastal Act states in pertinent part that new development shall:

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

The project site is located near the intersection of Coastline Drive and Surfview Drive, one block inland of Pacific Coast Highway and just west of the Los Angeles City limit, in an unincorporated area of Malibu (**Exhibit 1**). Surrounding development is a mixture of single family residential development and apartment units. The proposed three-unit apartment building is adjacent to an existing four-unit complex on the subject parcel. The three LUP land use designations that are applied to the property allow a combined land use density of seven units. Due to surrounding development and intervening topography, the development on the subject site will not significantly impact views from Pacific Coast Highway or other coastal scenic areas (**Exhibit 14**).

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The letters of objection raised concerns regarding geologic safety, surface and subsurface drainage, and the potential for the creation of illegal units at the site. As discussed further in sections B and C, **Special Conditions Six (6)** and **Seven (7)** require the applicant to submit updated plans approved by the project geologist, as well as drainage plans that incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater up to and including the 85% percentile runoff event. In addition, the future improvements deed restriction required by **Special Condition One (1)** of the original permit remains in effect, thus ensuring that no additions or changes to the approved project, such as the creation of additional units, may be made without due consideration of the potential cumulative impacts.

B. GEOLOGIC STABILITY AND HAZARDS

The proposed development is located in the Santa Monica Mountains area, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

Section 30253 of the Coastal Act states in pertinent part that new development shall:

- (1) **Minimize risks to life and property in areas of high geologic, flood, and fire hazard.**

- (2) ***Assure stability and structural integrity, and neither create nor contribute significantly to erosion, 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.***

Section 30253 of the Coastal Act mandates that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The proposed development is located on a hillside lot and involves a moderate amount of grading (795 cu. yds. cut, 795 cu. yds. fill) which was approved under the original permit. No additional grading is proposed.

The applicants submitted several geologic reports with their initial application ("Mountain Geology, Inc.: Addendum Engineering Report No. 4, January 5, 1999; Addendum Engineering Report No. 3, June 29, 1998; Addendum Engineering Report No. 2, May 27, 1998; Addendum Engineering Report No. 1, April 5, 1998; Preliminary Engineering Geologic Report, January 14, 1998; West Coast Geotechnical: Update Geotechnical Engineering Report, January 11, 1999; Addendum Geotechnical Engineering Report No. 4, September 1, 1998; Supplemental Geotechnical Engineering Letter, July 28, 1998; Addendum Geotechnical Engineering Report # 2, June 4, 1998; Addendum Geotechnical Engineering Report # 1, April 13, 1998; Geotechnical Engineering Investigation, January 15, 1998.) The reports make numerous recommendations regarding grading, foundations, retaining walls, construction, and drainage. The project as originally proposed was found consistent with Section 30253 provided the geologic consultants' recommendations were incorporated into final plans.

The applicants have submitted additional geologic reports with the proposed amendment ("111' Statement to the California Coastal Commission, Proposed Multi-Family Residential Development, 18049 Coastline Drive, Parcel Map 24907, Malibu, County of Los Angeles, California, February 20, 2004; Update Geotechnical Engineering Report, October 19, 2001; Engineering Geologic and Addendum engineering Geologic Report #5, August 8, 2001; Engineering Geologic Memorandum, June 2, 2000; Letter from Peak Surveys, Inc. to Hans Giraud, March 31, 2000"). These reports make additional recommendations regarding grading, foundations, retaining walls, construction, and drainage, including the installation of a hydroauger system to prevent subsurface water from perching on the terrace/bedrock contact.

The West Coast Geotechnical, Inc. report dated February 20, 2004 states:

It is the opinion of the West Coast Geotechnical that the proposed development will be safe from landslide, settlement or slippage, and that the proposed development will not have an adverse affect on the stability of the subject site or immediate vicinity, provided our recommendations are made part of the development plans and are implemented during construction.

Therefore, based on the recommendations of the applicants' geologic consultants, the proposed development is consistent with the requirements of Section 30253 of the Coastal Act, so long as the geologic consultants' recommendations are incorporated into the amended project plans and designs. Therefore, it is necessary to require the applicant to submit final project plans that have been certified in writing by the engineering geologic consultant as conforming to all recommendations of the consultant, in accordance with **Special Condition Six (6)**.

The Commission finds that controlling and diverting run-off in a non-erosive manner from the proposed structures, impervious surfaces, and building pad will also add to the geologic stability of the project site. Therefore, in order to minimize erosion and ensure stability of the project site, and to ensure that adequate drainage and erosion control is included in the proposed development, the Commission requires the applicants to submit drainage and polluted runoff control plans certified by the geotechnical engineer, as specified in **Special Condition Seven (7)**. Although the applicants included drainage control plans with the final plans approved under the original permit, updated plans that reflect the proposed site design are necessary to ensure that the drainage plans include any recommended changes required by the geotechnical consultants and ensure that proposed development minimizes adverse impacts to coastal water quality.

The Commission finds that the proposed project, as conditioned, will serve to minimize potential geologic hazards of the project site and adjacent properties.

C. WATER QUALITY

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Section 30231 of the Coastal Act states:

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

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85th percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition Seven (7)** and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act. Although the applicants included drainage control plans with the final plans approved under the original permit, updated plans that reflect the proposed site design are necessary to ensure that the proposed development minimizes adverse impacts to coastal water quality.

Therefore, for all the reasons stated above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 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 program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program that conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3.

Therefore, the Commission finds that approval of the proposed development, as conditioned, will

not prejudice the County's ability to prepare a Local Coastal Program for Malibu that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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, 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 effects which the activity would have on the environment.

The proposed development would not cause significant, adverse environmental effects that would not be adequately mitigated by the conditions imposed by the Commission. Therefore, the proposed project, as conditioned, is found consistent with CEQA and with the policies of the Coastal Act.

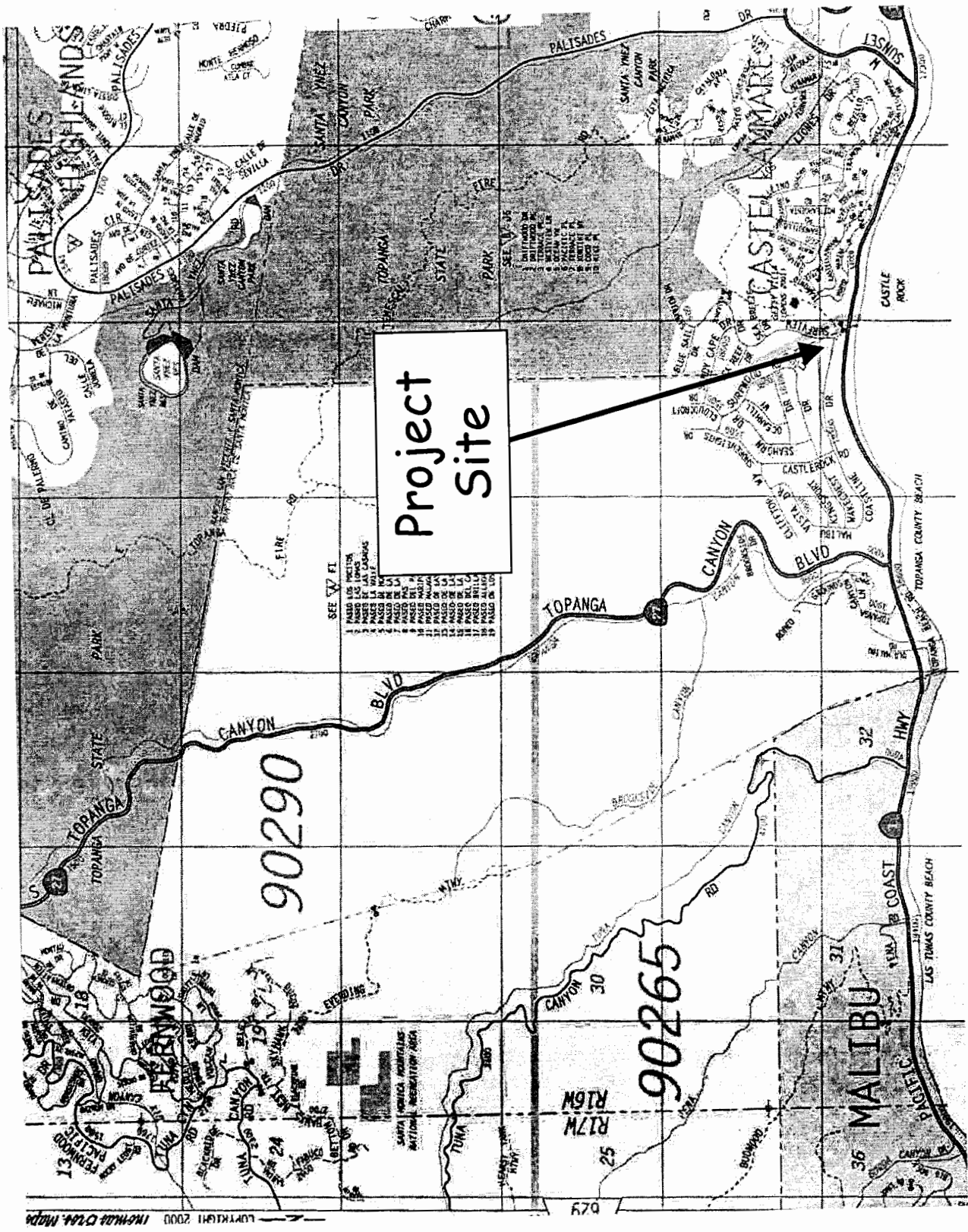
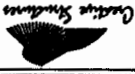
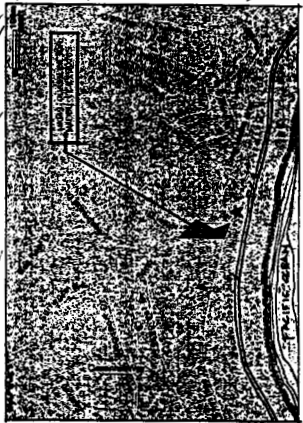
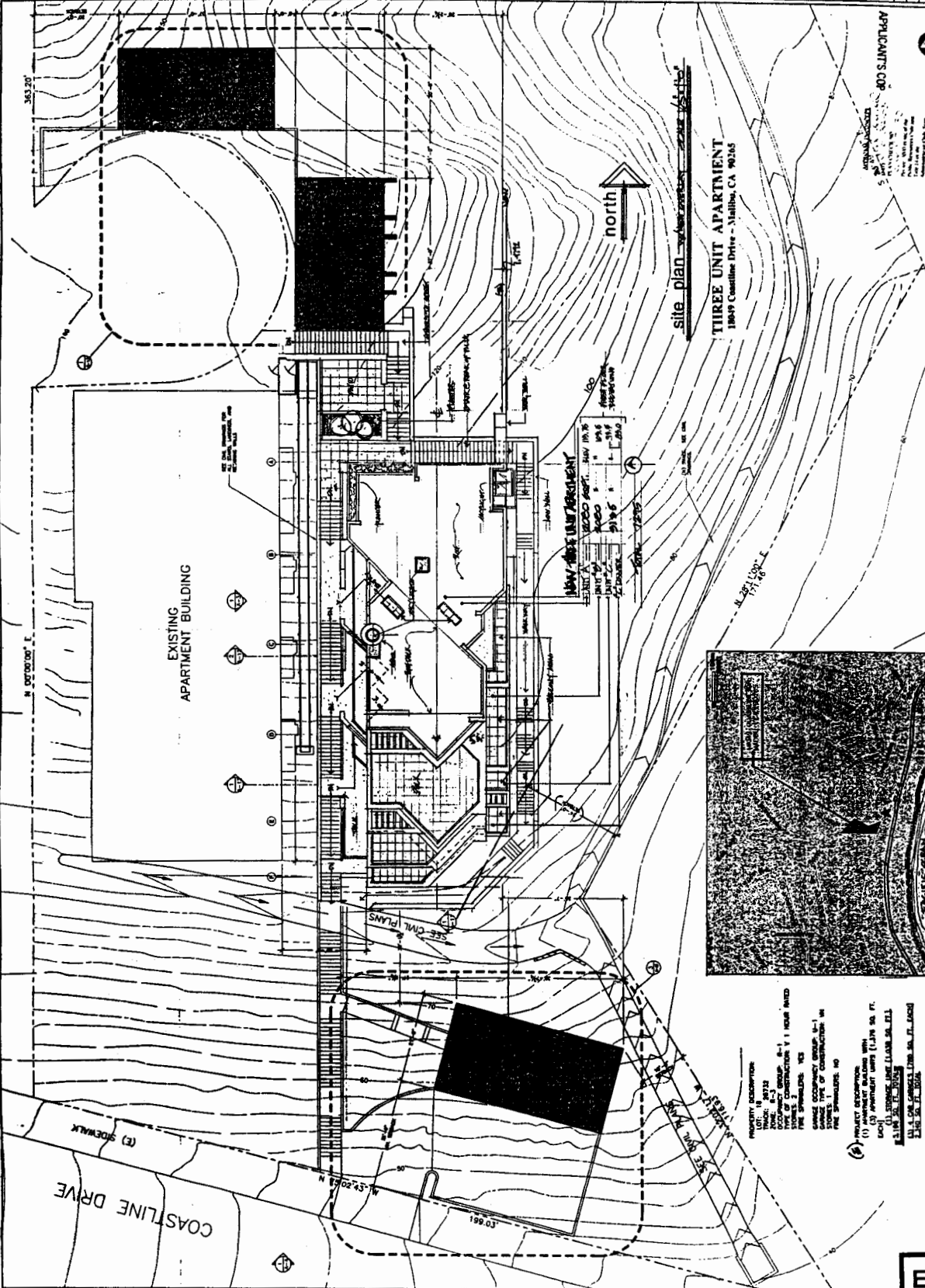


EXHIBIT NO. 1
APPLICATION NO.
4-99-098-A1
VICINITY MAP

NEW APARTMENT BUILDING FOR:
ANDREW ROSENBERG
18049 COASTLINE DRIVE
MALIBU, CA. 90265



APPLICANT'S COPY
DATE: 1/11/00
SCALE: AS SHOWN
PROJECT NO.: 4-99-098-A1
SHEET NO.: 1 OF 1
DRAWN BY: [Name]
CHECKED BY: [Name]



- PROPERTY DESCRIPTION: [Address]
- TRACT: [Number]
- ZONE: [Code]
- TYPE OF CONSTRUCTION: [Code]
- FIRE SPRINKLERS: YES
- SEWER OCCUPANCY GROUP: [Code]
- SEWER TYPE OF CONSTRUCTION: [Code]
- FIRE SPRINKLERS: NO
- PROJECT APPROVALS:
 - (1) APPROVED BUILDING WITH [Code]
 - (2) APPROVED [Code]
 - (3) APPROVED [Code]
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EXHIBIT NO. 2

APPLICATION NO.

4-99-098-A1

SITE PLAN

NO.	
DATE	
BY	
CHECKED	
APPROVED	

first floor plan

UNIT "A"

NEW APARTMENT BUILDING FOR:
ANDREW ROSENBERG
 18049 COASTLINE DRIVE
 MALIBU CA., 90265

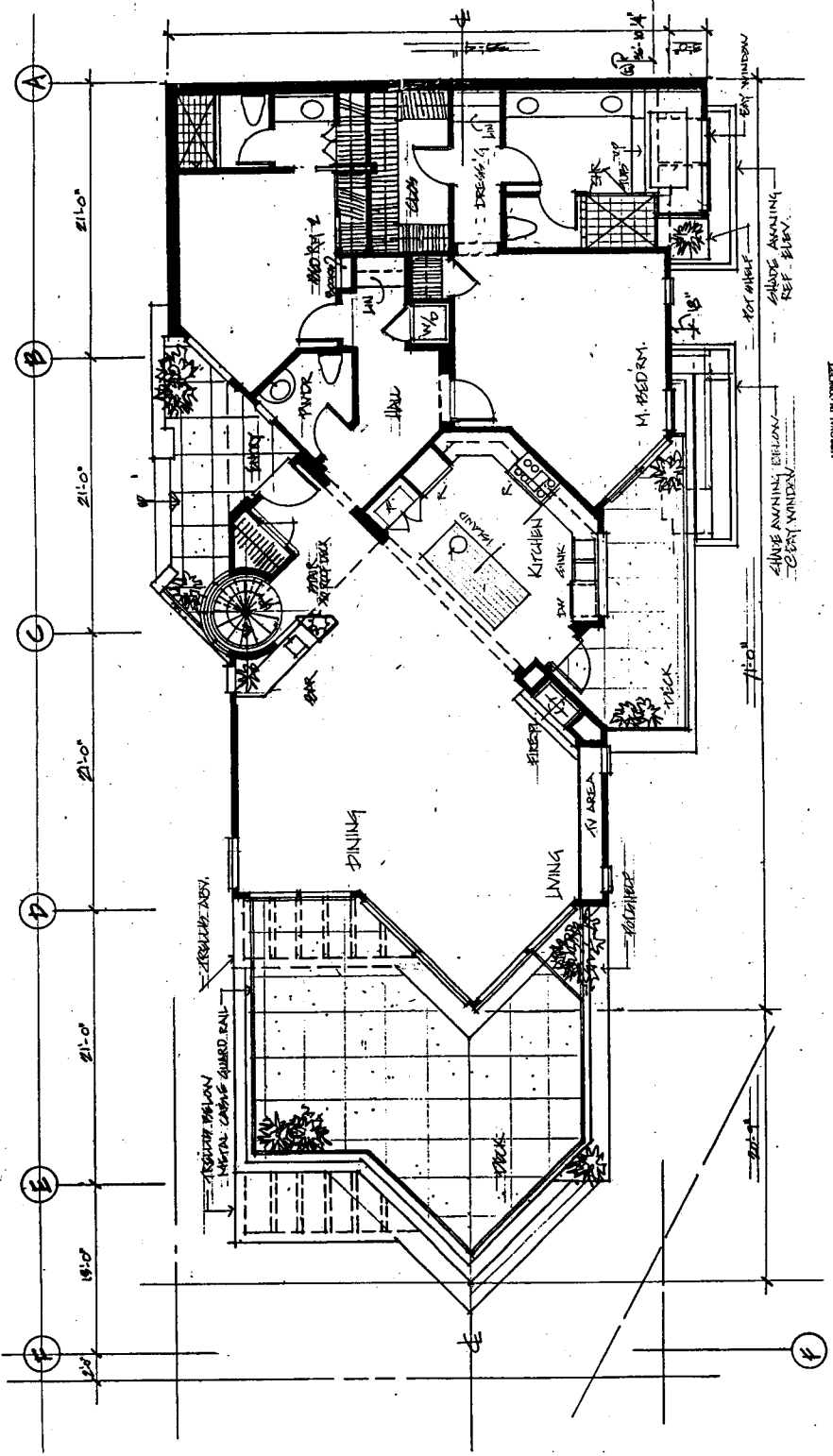
A-I-I

DATE: 10/1/78

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]



first floor plan

ATTENTION:
 APARTMENT UNIT
 MUST BE
 100% COMPLETE
 BEFORE
 OCCUPANCY
 THIS IS NOT A PERMIT
 TO CONSTRUCT
 THE APARTMENT
 UNIT. IT IS A
 PERMIT TO
 OCCUPY THE
 UNIT. THE
 APARTMENT
 UNIT MUST
 BE COMPLETE
 BEFORE
 OCCUPANCY.

EXHIBIT NO. 3

APPLICATION NO.

4-99-098-A1

1ST FLOOR PLAN

REVISIONS	DATE	DESCRIPTION

NEW APARTMENT BUILDING FOR:
ANDREW ROSENBERG
 18049 COASTLINE DRIVE
 MALIBU CA. 90265

UNIT "C"
 third floor plan
 upper level

A-13
DATE: 04/23/03
SCALE: 1/4" = 1'-0"
01/23/03
04/23/03
05/23/03
06/23/03
07/23/03
08/23/03
09/23/03
10/23/03
11/23/03
12/23/03

APPROVAL/ISSUED
DATE: 04/23/03
BY: [Signature]
PROJECT NO. 4-99-098-AI
CAD FILE: [Name]
DATE: 04/23/03
SCALE: 1/4" = 1'-0"
01/23/03
04/23/03
05/23/03
06/23/03
07/23/03
08/23/03
09/23/03
10/23/03
11/23/03
12/23/03

third floor plan — upper level

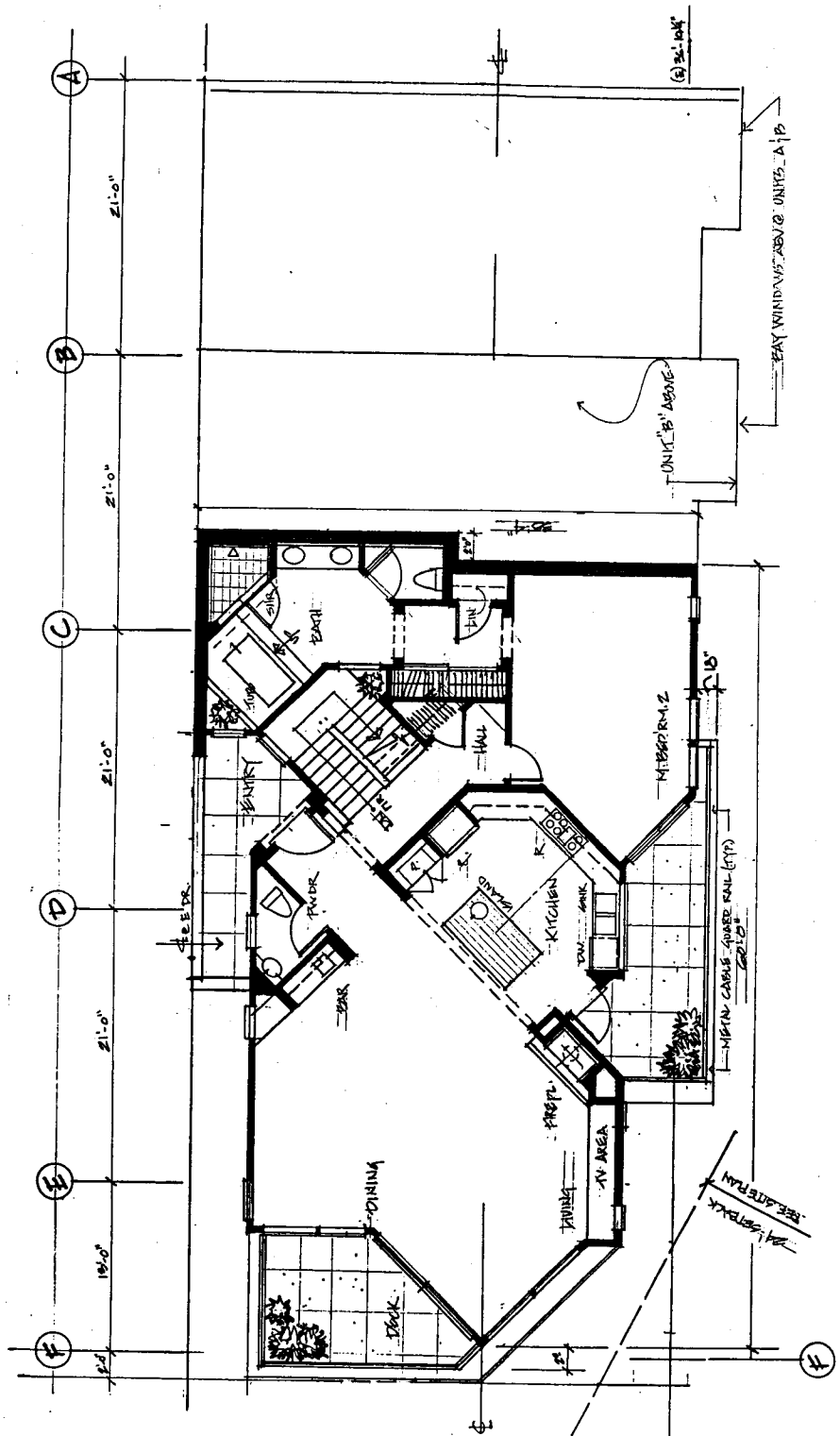


EXHIBIT NO. 5

APPLICATION NO.

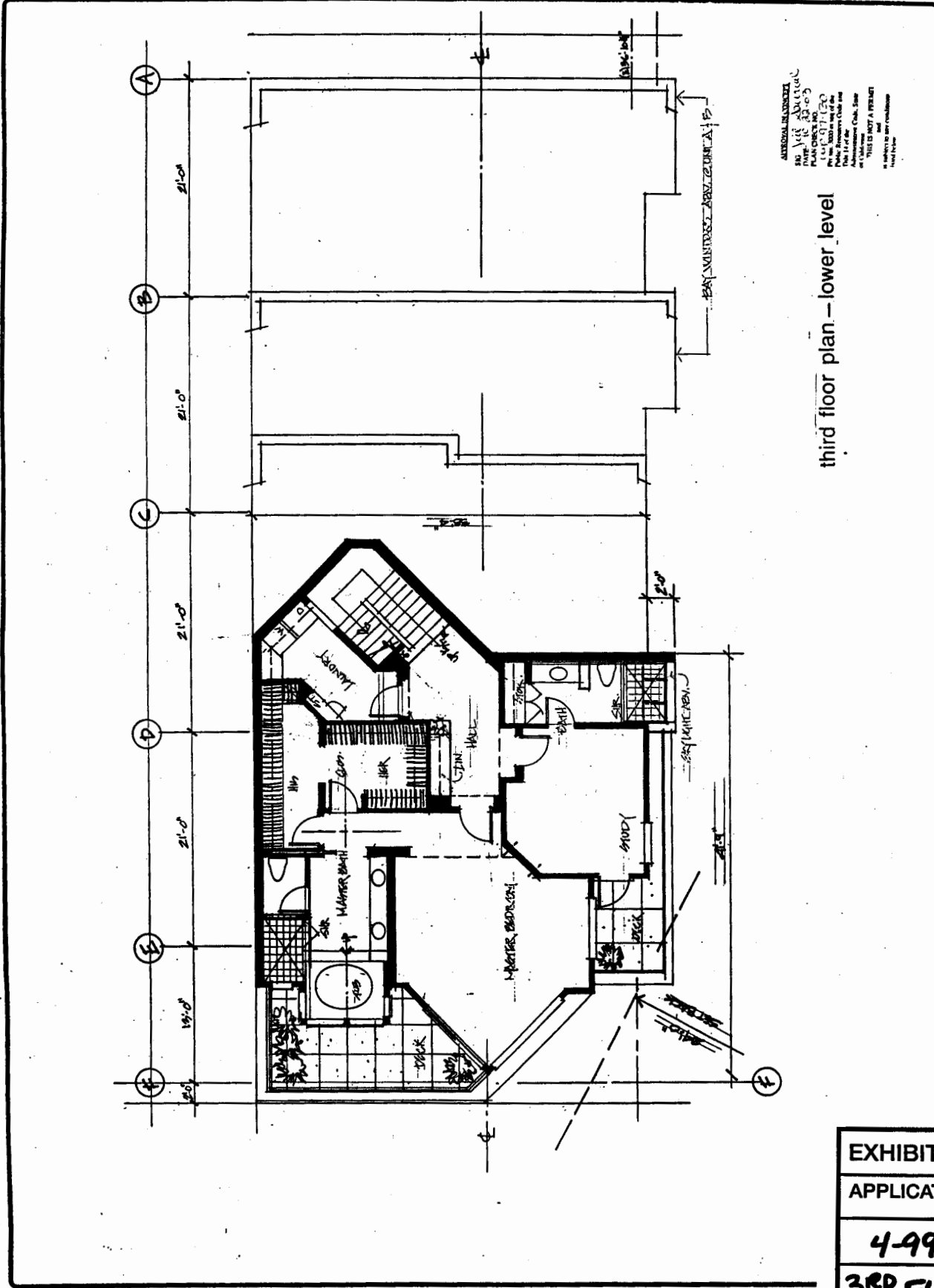
4-99-098-AI

3RD FLOOR PLAN-1

NEW APARTMENT BUILDING FOR:
ANDREW ROSENBERG
 18049 COASTLINE DRIVE
 MALIBU CA, 90265

UNIT "C"
 third floor plan
 lower level

<i>Handwritten notes and stamps</i>		
A-14		



ANSONA ASSOCIATES
 INC. 10800 SANTA MONICA
 BLDG. 100, SUITE 1000
 SANTA MONICA, CA 90405
 PHONE: (310) 316-0100
 FAX: (310) 316-0101
 ARCHITECTS OF RECORD
 AND GENERAL CONTRACTORS
 11/12/88
 UNIT A PERMIT
 AND
 REVISIONS TO PERMIT

third floor plan — lower level

EXHIBIT NO. 6
APPLICATION NO.
4-99-098-A1
3RD FLOOR PLAN-2

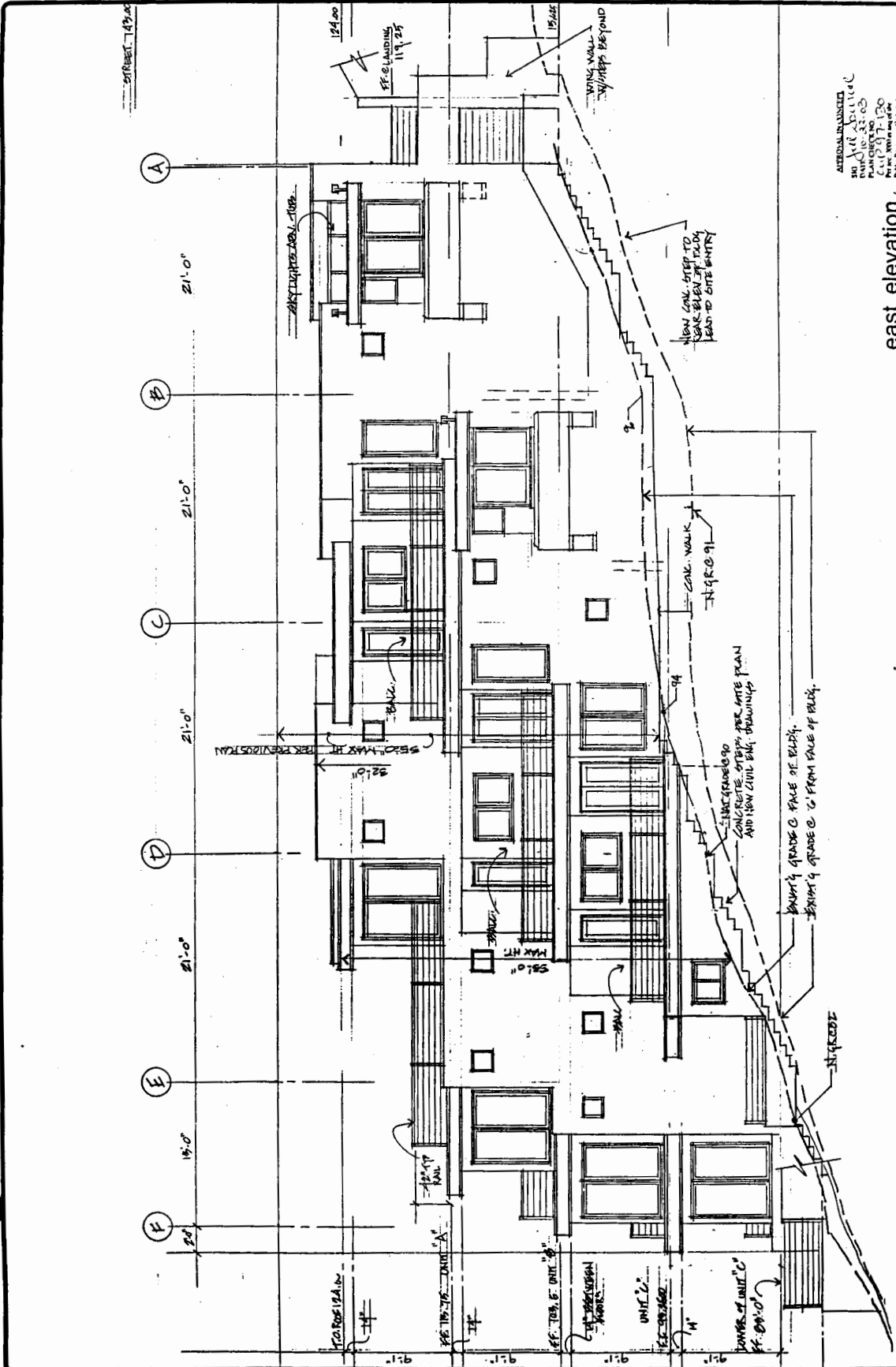
NO.	
DATE	
DESCRIPTION	

NEW APARTMENT BUILDING FOR
ANDREW ROSENBERG
 18049 CONSTLINE DRIVE
 MALIBU CA., 90265

east elevation

APPROVAL STAMPS
 NO. AIR 2011-04
 DATE 10-22-05
 COUNTY OF LOS ANGELES
 REGISTERED PROFESSIONAL ARCHITECT
 JAMES J. ...
 11-1-01
 10-20-05

Sheet
A-15
 15 of 16



APPROVAL STAMPS
 NO. AIR 2011-04
 DATE 10-22-05
 COUNTY OF LOS ANGELES
 REGISTERED PROFESSIONAL ARCHITECT
 JAMES J. ...
 11-1-01
 10-20-05

east elevation

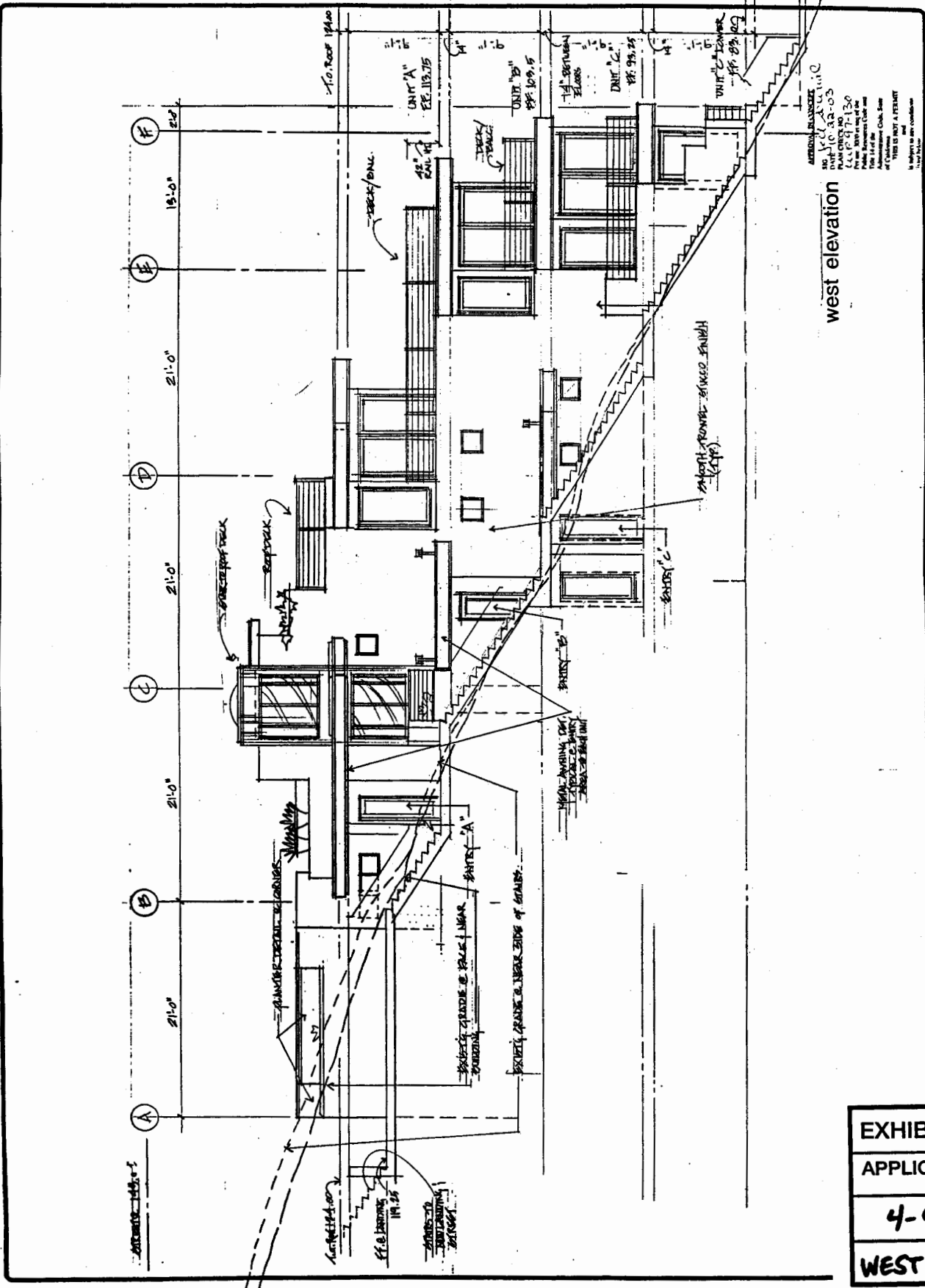
EXHIBIT NO. **7**
 APPLICATION NO.
4-99-098-A1
EAST ELEVATION

DATE	
REVISION	

NEW APARTMENT BUILDING FOR:
ANDREW ROSENBERG
 18049 COSTLINE DRIVE
 MALIBU CA, 90265

West elevation

A-16



APPROVAL STAMPS:
 ARCHITECT: **ANDREW ROSENBERG**
 DATE: 07/23
 SCALE: 1/4" = 1'-0"
A-16

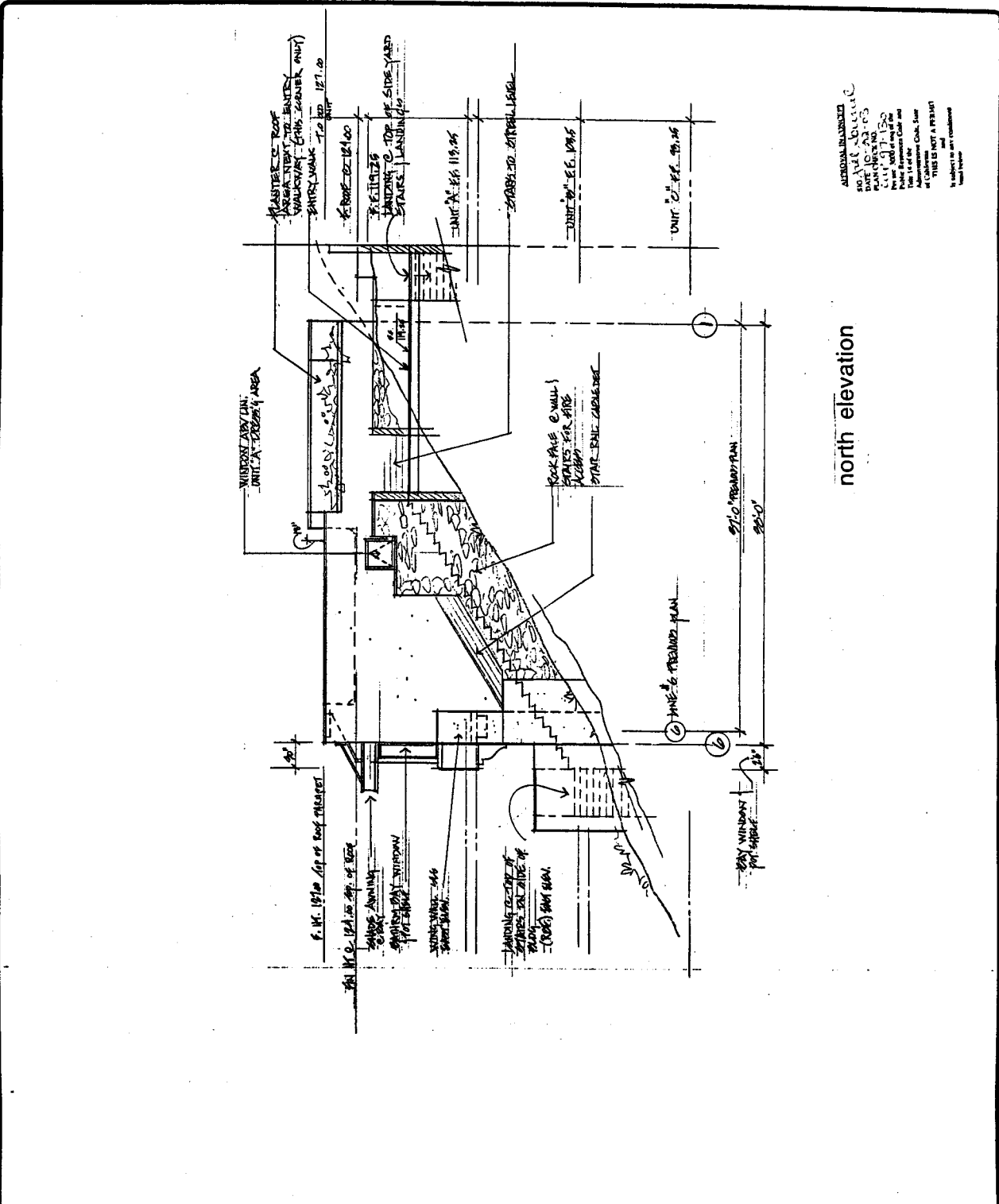
west elevation

EXHIBIT NO. 8
 APPLICATION NO.
4-99-098-A1
WEST ELEVATION

NEW APARTMENT BUILDING FOR:
 ANDREW ROSENBERG
 18049 COSTALINE DRIVE
 MALIBU CA. 90265

north elevation

A-19	
PROJECT NO.	
SHEET NO.	
DATE	
DRAWN BY	
CHECKED BY	
SCALE	
TITLE	
THIS IS NOT A PERMIT It subject to all conditions and fees.	



AUTOMATIC BLINDING
 BY AUTOCAD
 PLANNING
 11/11/99
 11/11/99
 11/11/99
 11/11/99
 THIS IS NOT A PERMIT
 It subject to all conditions
 and fees.

north elevation

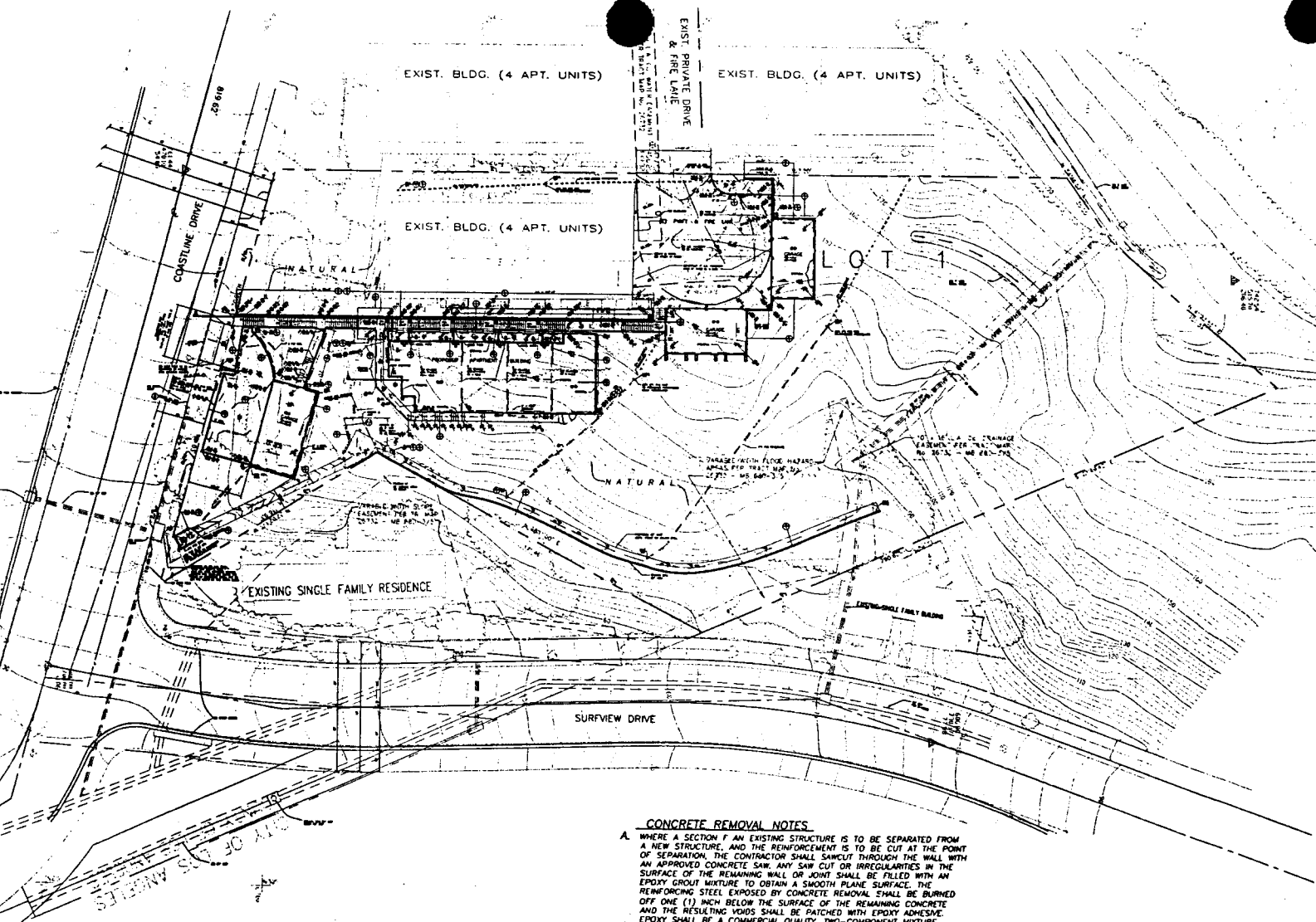
EXHIBIT NO. 10
APPLICATION NO.
4-99-098-A1
NORTH ELEVATION

EXHIBIT NO. 11

APPLICATION NO.

4-99-098-A1

GRADING PLAN



- CONSTRUCTION NOTES**
- CONSTRUCT STRUCTURAL SLAB FOOTINGS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE SOILS ENGINEER AND PER SOILS ENGINEER'S RECOMMENDATIONS.
 - OVER EXCAVATE ENTIRE BUILDING AND AREA PLUS 8" TO A DEPTH OF 4" BELOW FINISH GRADE AS RECOMMENDED BY THE SOILS ENGINEER.
 - CONSTRUCT 36 IN. PIPE (SIZE AS SHOWN) AT 18" SPACING SCOPE (MIN. PIPE SIZE 4")
 - EXISTING TO REMAIN.
 - EXISTING TO BE REMOVED.
 - CONTRACTOR TO CHECK W/ E3 @ 1" C.C. ONCE SAVED PER SOILS REPORT.
 - CONTRACTOR TO 1/2" BARS PER CHECK PER APPROV. 12-11, 2011, PLAN.

- LEGEND**
- FF. FINISH FLOOR
 - FS. FINISH SURFACE
 - FG. FINISH GRADE
 - FL. FLOW LINE
 - HP. HIGH POINT
 - TC. TOP OF CURB
 - TR. TOP OF WALL
 - NG. NATURAL GRADE
 - HW. HOLEY
 - NO. NEW
 - DL. DRAINAGE LINE
 - PL. PROPERTY LINE
 - OB. DECOMPOSED GRANITE
 - RETAINING WALL PER SEPARATE PERMIT CONTRACTOR TO VERIFY HAND SURFACE THICKNESS PER ARCHITECTURAL SPECIFICATIONS AND DETAILS TO DETERMINE ROUGH GRADE ELEVATIONS.
 - 1" = 50' CATCH BASIN PER NOS. PLASTIC PRODUCTS PART NO. 1200-1204.
 - 10' = 5" SPEED BASH PER NOS. PLASTIC PRODUCTS PART NO. 101, 102, 300.



CONCRETE REMOVAL NOTES

- WHERE A SECTION OF AN EXISTING STRUCTURE IS TO BE SEPARATED FROM A NEW STRUCTURE, AND THE REINFORCEMENT IS TO BE CUT AT THE POINT OF SEPARATION, THE CONTRACTOR SHALL SAWCUT THROUGH THE WALL WITH AN APPROVED CONCRETE SAW. ANY SAW CUT OR IRREGULARITIES IN THE SURFACE OF THE REMAINING WALL OR JOINT SHALL BE FILLED WITH AN EPOXY GROUT MIXTURE TO OBTAIN A SMOOTH PLANE SURFACE. THE REINFORCING STEEL EXPOSED BY CONCRETE REMOVAL SHALL BE BURNED OFF ONE (1) INCH BELOW THE SURFACE OF THE REMAINING CONCRETE AND THE RESULTING VOIDS SHALL BE PATCHED WITH EPOXY ADHESIVE. EPOXY SHALL BE A COMMERCIAL QUALITY, TWO-COMPONENT MIXTURE, SPECIALLY MANUFACTURED FOR THE INTENDED PURPOSE, AND BE APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S DIRECTIONS. ONE-HALF INCH THICK PREMOLDED EXPANSION JOINT MATERIAL SHALL BE USED TO SEPARATE THE FACES OF THE EXISTING AND NEW WALL.
- WHERE REINFORCEMENT IS REQUIRED TO EXTEND THROUGH THE NEW JOINT, CONCRETE SHALL BE REMOVED IN THE FOLLOWING SEQUENCE.
 - A SAWCUT SHALL BE MADE ONE AND ONE-HALF INCHES DEEP AT THE REMOVAL LIMITS. CARE SHALL BE EXERCISED AT THE REMOVAL LIMITS SO AS NOT TO CUT THE REINFORCING STEEL IN THE REMAINING SLAB. THE EXISTING REINFORCING STEEL SHALL BE RETAINED AND EXTENDED INTO THE NEW CONSTRUCTION AS INDICATED ON THE PLANS.
 - USING HANDHELD EQUIPMENT, THE CONCRETE SHALL BE CAREFULLY REMOVED FOR THE FULL DEPTH OF THE WALL OR SLAB AND FOR A MINIMUM DISTANCE FROM THE SAWCUT EQUAL TO THE LONGEST EXTENSION OF THE EXISTING BARS TO BE EXTENDED INTO THE NEW CONSTRUCTION. THIS EXTENSION SHALL BE 30 BAR DIAMETERS, UNLESS OTHERWISE SHOWN.
 - EXISTING REINFORCEMENT SHALL BE CUT TO THE REQUIRED BAR EXTENSION.
 - THE REMAINING CONCRETE MAY BE REMOVED BY ANY SUITABLE METHOD UPON APPROVAL OF THE ENGINEER, WHO SHALL BE THE SOLE JUDGE OF THE USE OF ANY CONCRETE REMOVAL EQUIPMENT. EXPLOSIVES, WRECKING BALLS OR OTHER SIMILAR DEVICES, WHICH ARE LIKELY TO DAMAGE THE CONCRETE TO BE LEFT IN PLACE, SHALL NOT BE USED.

MOUNTAIN GEOLOGY, INC.
588 VALLEY, CA.

THIS PLAN HAS BEEN REVIEWED AND CONFORMS TO THE RECOMMENDATIONS OF OUR REPORT.

JOB NO. 26740 DATE 2/23/11

FOR SITE OBSERVATIONS REQUIRED DURING CONSTRUCTION PLEASE NOTIFY MOUNTAIN GEOLOGY INC. AT LEAST 48 HOURS IN ADVANCE AND RE-ADVISE AT LEAST 24 HOURS BEFORE.

2/23/11 W. HALL, C.E.D. 1108 S.W.

LEGAL DESCRIPTION

UNINCORPORATED PORTION OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, DESCRIBED AS A PORTION OF LOT 18, TRACT 26732, RECORDED IN BOOK 880, PAGES 3, 4, & 5, IN THE OFFICE OF THE COUNTY RECORDER, OF SAID COUNTY.

Associates, Inc.
1544 21st St.
Malibu, CA 90263

DESIGNED	DRAWN	CHECKED
DATE	DATE	DATE
SCALE	SCALE	SCALE

COUNTY OF LOS ANGELES

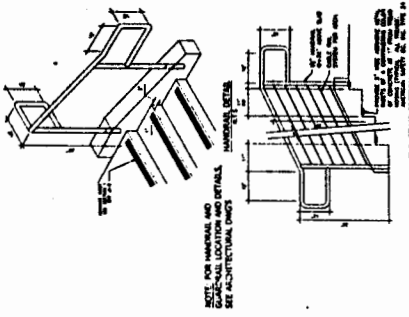
4424

OVERALL SITEPLAN
ROSENBERG RESIDENCE
18047 COASTLINE DR.
MALIBU, CA

CUP NO. 97-130

2

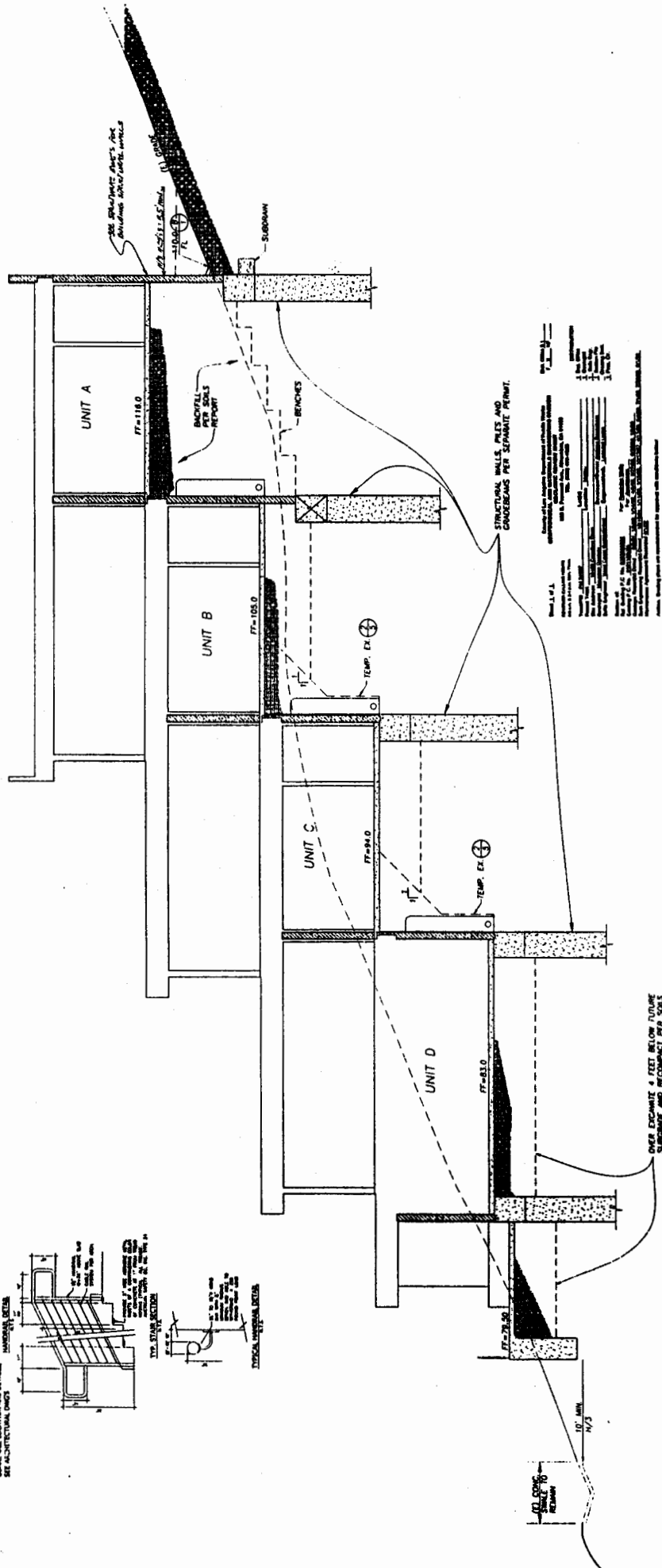
6



SCALE FOR MATERIALS AND DETAILS
SEE ARCHITECTURAL DRAWING

TYPICAL WINDOW SECTION

TYPICAL STRUCTURAL DETAIL



SECTION B
SCALE: 1"=4'

THESE PLANS HAVE BEEN PREPARED AND COMPARED TO THE RECORD AND FIELD DATA BY THE ENGINEER AND THE CONTRACTOR HAS AGREED TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: 11/11/11

PROJECT: 4424

ENGINEER: [Signature]

CONTRACTOR: [Signature]

CLIP NO. 97-150

CROSS SECTION
RIDGE
ROAD COASTLINE INC.
MALIBU, CA

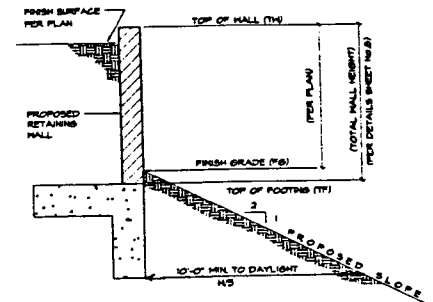
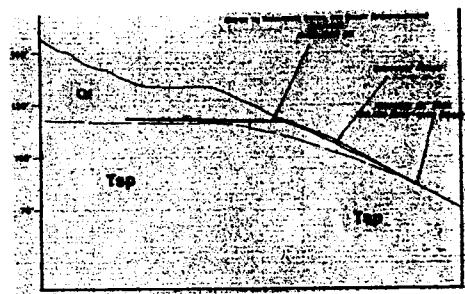
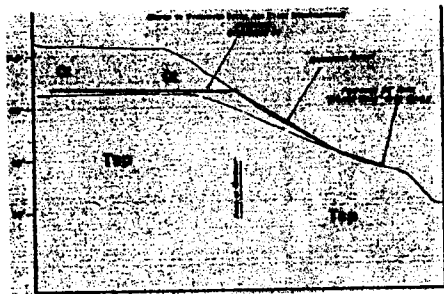
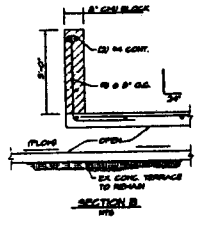
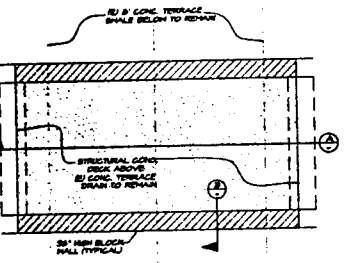
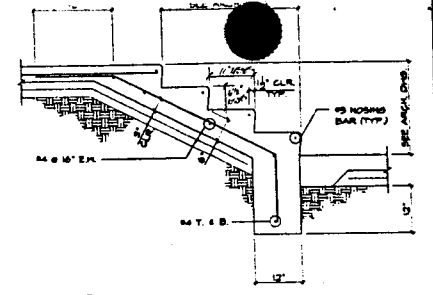
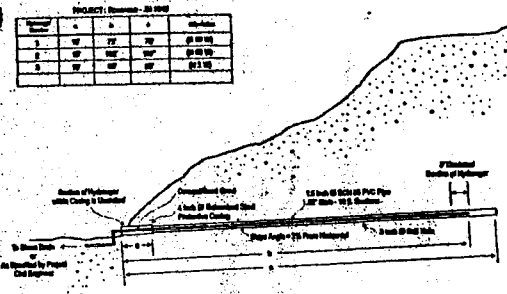
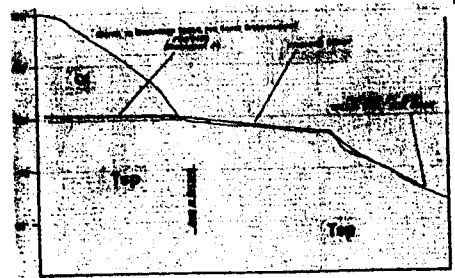
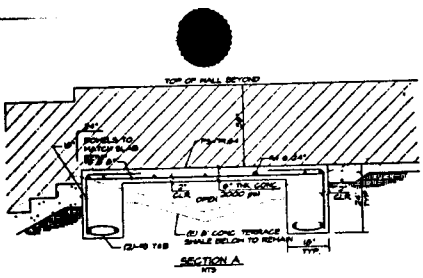
COUNTY OF LOS ANGELES
4424

EXHIBIT NO. 12
APPLICATION NO.
4-99-098-A1
GRADING SECTION

LISTEN & ASSOCIATES, INC.
1000 W. 10TH ST.
LOS ANGELES, CA 90057
TEL: (213) 475-1111
FAX: (213) 475-1112
WWW.LISTEN-AND.COM

REGISTERED PROFESSIONAL ENGINEER
CITY OF LOS ANGELES
NO. 10000
EXPIRES 12/31/12

REGISTERED PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
NO. 4424
EXPIRES 12/31/12

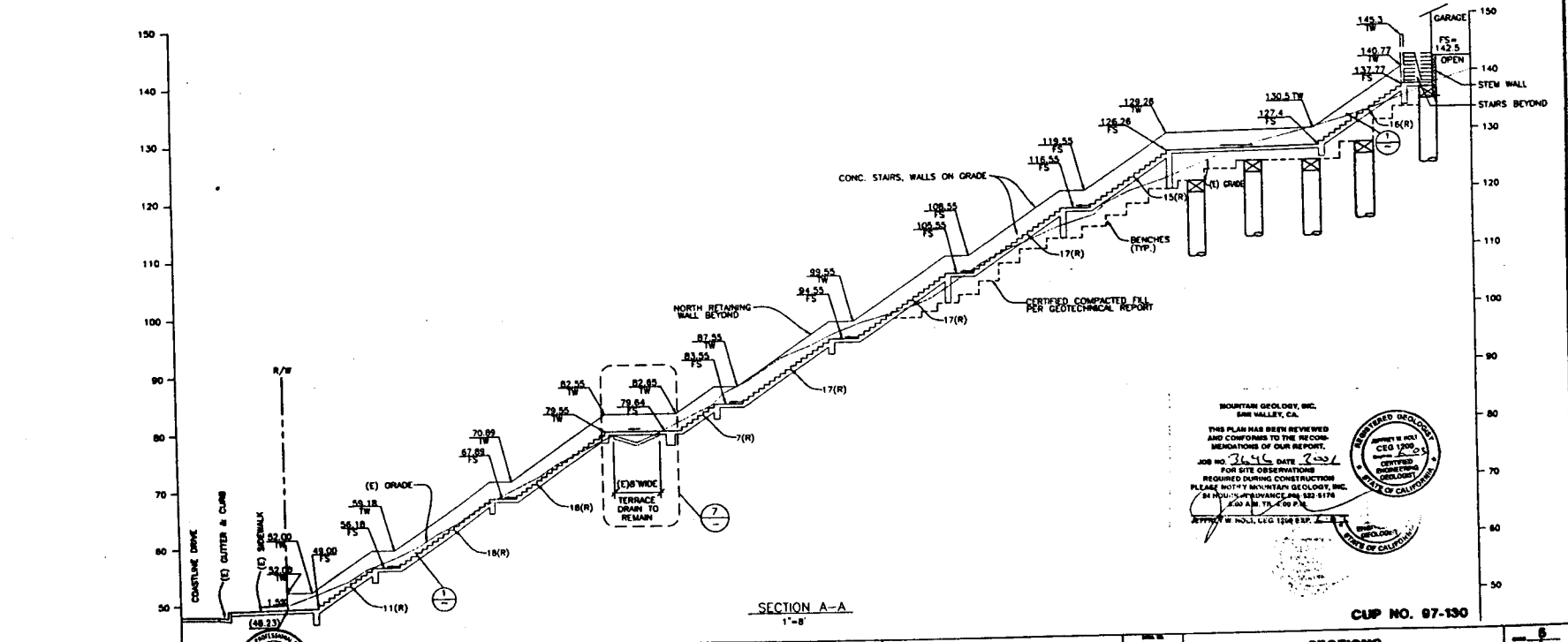


7 CROSS SECTION
NTS

6 HYDROAUGER DETAIL
F-30

4 HYDROAUGER DETAIL
F-30

2 SLOPE SETBACK DETAIL
NTS



MOUNTAIN GEOLOGY, INC.
SARIE VALLEY, CA.

THIS PLAN HAS BEEN REVIEWED AND CONFORMS TO THE RECOMMENDATIONS OF OUR REPORT.

JOB NO. 2646 DATE 2001

FOR SITE OBSERVATIONS REQUIRED DURING CONSTRUCTION PLEASE NOTIFY MOUNTAIN GEOLOGY, INC. AT 714-945-9999 OR FAX AT 714-945-9999.

ATTORNEY W. HOLL, LEG. 12048 B.S.P.

REGISTERED GEOLOGIST
NUMBER 11007
CEG 1200
EXPIRES 12-31-05
CERTIFIED ENGINEERING GEOLOGIST
STATE OF CALIFORNIA

EXHIBIT NO. 13
APPLICATION NO.
4-99-098-A1
HYDROAUGER DETAIL

REVISIONS: [] DATE: [] BY: []

PROJECT: ROSENBERG RESIDENCE

COUNTY OF LOS ANGELES

SECTION NO. 4424

ROSENBERG RESIDENCE
19047 COASTLINE DR.
MALIBU, CA

Project
Site

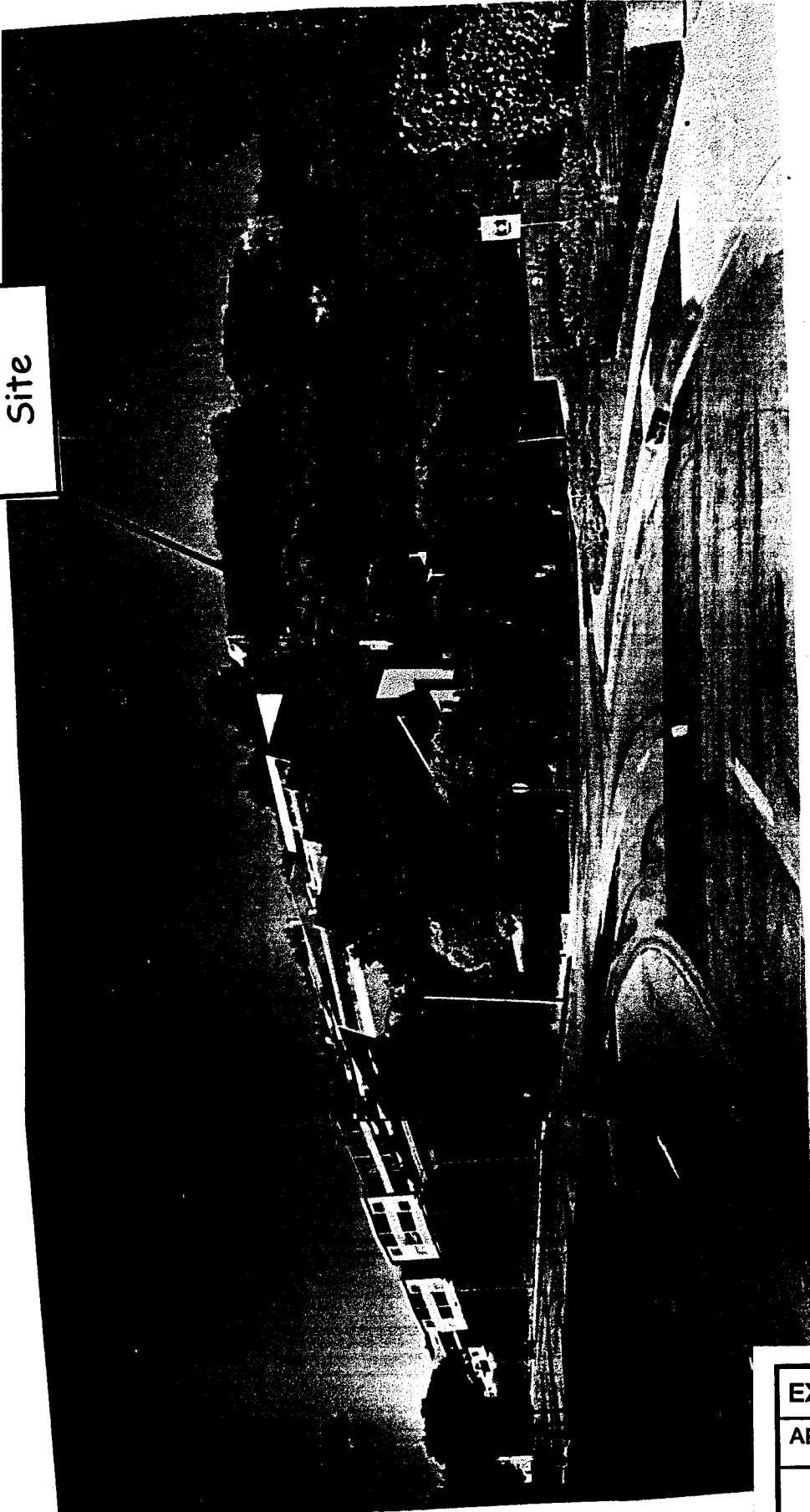
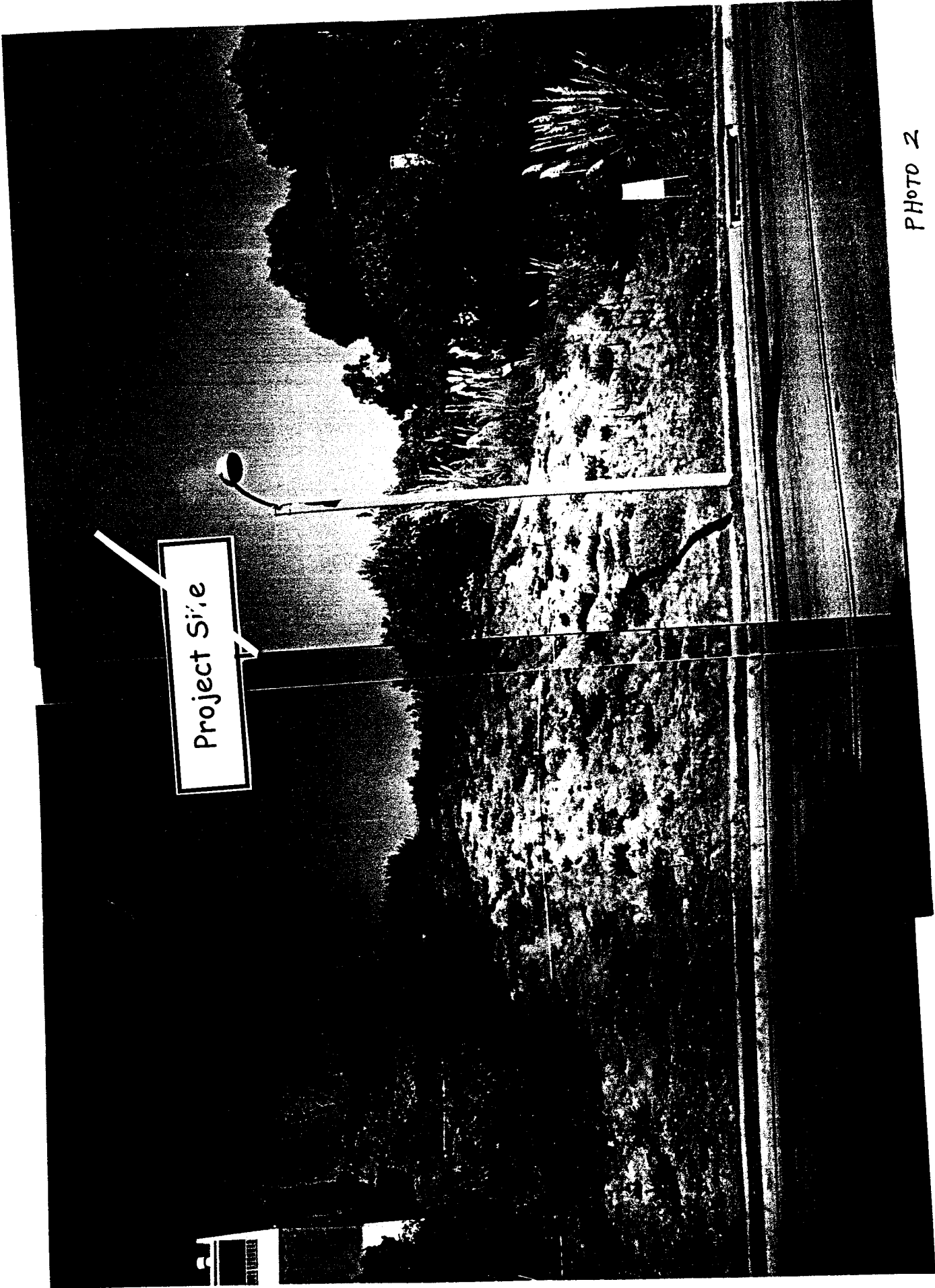


PHOTO 1

EXHIBIT NO. 14
APPLICATION NO.
4-99-098-A1
PHOTOS (3 pgs)



Project Site

PHOTO 2



Project
Site

PHOTO 3

Jack

Kenneth C. Aldrich
157 Surfview Drive
Pacific Palisades, CA 90272
(310) 454-3055
Fax (310) 573-9699

RECEIVED
JAN 14 2004
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

January 12, 2004

California Coastal Commission
South Central Coast Area
89 South California Street, Suite 200
Ventura, CA 93001

Re: Permit # 4-99-098, Notice of Proposed Permit Amendment

To whom it may concern:

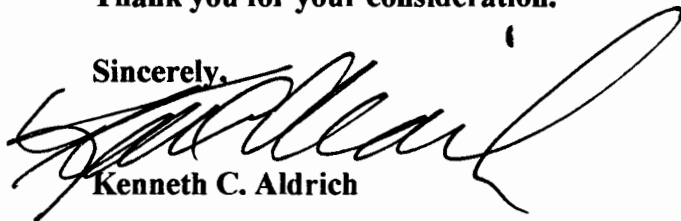
I am the adjacent homeowner to the immediate SE of this site and would like to register my objection to the granting of this Amendment without opportunity for surrounding homeowners who may be affected to study the plans and their possible impact on the area and the environment.

The property is located on land which poses significant geologic and drainage issues that were the subject of considerable debate when the original development was proposed by the prior owner. This notice, which I received this weekend, is the first notice of any kind that I have received and I have no way of knowing how such issues are being addressed.

I have been advised that improper handling of these issues could easily result in flooding of my home or even a potential mudslide and think it is irresponsible for a development that could threaten my property (and even my safety in the event of mudslide) to proceed without opportunity for me and other homeowners who may be similarly affected to have a voice in this process.

Thank you for your consideration.

Sincerely,



Kenneth C. Aldrich

EXHIBIT NO. 15
APPLICATION NO.
4-99-098-A1
OBJECTION LETTER 1

RECEIVED

JAN 21 2004

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

MURRAY MILNE ARCHITECT

18133 COASTLINE DRIVE
MALIBU, CALIFORNIA 90265

310.454.7328

January 14, 2004

To: Mr. Jack Ainsworth
California Coastal Commission
South Central Coast district
89 South California Street, Suite 200
Ventura, CA 93001

Re.: Application Number: 4-99-098-A1

Dear Mr. Ainsworth:

Thank you for taking time to return my call this morning about this subject application.

I am writing on behalf of the Malibu Coastline Condominium Association, the owners of the two 4-unit condominium buildings on the west edge of the subject property. I am the architect of these two buildings. I believe that there are serious geological and ground water issues with this proposed development. I have laid these out as best I can in the attached memo addressed to the L.A. Planning Commission. These same issues apply to the issuance of a Coastal Permit.

I hope the attached memo will serve to alert the Commission Staff to these issues, but if this information needs to be presented in another format please let me know.

We hope to enjoy neighborly relationships in the future with the owners of this property, in as much as we share a long common stairway, and have easements over each others private drive area. However, WE MUST OPPOSE THE COMMISSIONS AUTHORIZATION OF THIS PROJECT UNTIL THE ABOVE NINE CONDITIONS ARE RESOLVED.

Sincerely,

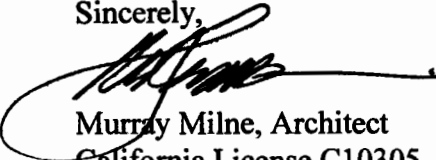

Murray Milne, Architect
California License C10305

EXHIBIT NO. 16

APPLICATION NO.

4-99-098-A1

OBJECTION LETTER 2

MURRAY MILNE

ARCHITECT

18133 COASTLINE DRIVE
MALIBU, CALIFORNIA 90265

310.454.7328

January 14, 2004

To: Los Angeles County Department of Regional Planning
Attn: Jill
320 West Temple Street,
Los Angeles, CA, 90012

Re.: Tentative Parcel Map 24907

Dear Department of Regional Planning:

I am writing on behalf of the Malibu Coastline Condominium Association, the owners of the two 4-unit condominium buildings on the west edge of the subject property. I am the architect of these two buildings. This is the third letter I have written to the Regional Planning Commission on this matter.

During the hearing in 1998 at which I testified, a number of serious objections were raised about this project. After that hearing was continued, some of these problems have been resolved. However, there are a few very serious matters that still remain unresolved.

Now a new plan has been submitted that is substantially larger than the previous one (7,925 square feet vs. 5,166 square feet). We have been told that it is still limited to 3 units plus a storage area, but there is no "recreation room." It is not clear if the pool is still included.

Therefore we ask that as a condition of approving this new revised application the following Conditions be attached:

1. Slope Stability: The previous revised plan shows a new one story retaining wall buttressing the slope that supports our uphill building. It also shows a number of very deep caissons drilled in this vicinity which leaves us, the adjacent homeowners, with very serious concerns of the stability of the steep slope supporting our building. The slope on our east is well over 70%, and off the north side of the cul de sac the slope reaches 80%. In other words it is almost vertical. We see nothing in the proposed project that will mitigate this danger, and conversely we see that the proposed construction in this area can only contribute to overburden on this dangerous slope.

We suspect that these caissons will not be sunk to the elevation of either adjacent street below, therefore, they will also place an added surcharge on these steep ancient geologically fragile slopes.

Condition 1. Therefore as a CONDITION OF APPROVING THIS PROJECT, the present and future owners of this site shall acknowledge liability for any subsequent subsidence in the existing buildings along their shared property line, caused by these proposed excavations.

2. Ground Water: This entire property is underlain with a very high water table. As an architect this condition seems very strange to me because of the topography. Water is percolating up to the ground surface under the existing building on this site, where sump pumps have reportedly been installed. Along the east side of our own lower building we also suffer from groundwater problems that appear to originate from the subject property. We have reviewed the geology reports for the prior proposed building and did not find any mention of this groundwater problem below the cul de sac, nor is it acknowledged in the EIR. Only the high ground water above the cul de sac was addressed (this is very strange because we know of no groundwater problem above the elevation of the cul de sac). The review document dated June 15, 1998, requires that the owner "must design a dewatering system," but the current material shows no indication of any such system. For example, hydroaugers could be installed at geologically appropriate locations and elevations adjacent to our shared lower property line that might mitigate this problem. We do not see any hydroaugers in the current site plan to address this problem. If a new EIR has been filed or if a new Geology report has been filed we need to be informed,

Condition 2. Therefore as a CONDITION OF APPROVING THIS PROJECT, a means of mitigating the high water table under the existing building as well as above the cul de sac shall be included, and legal provision must be made for their continued maintenance.

3. Surface Water: Surface water in the past ran continuously from under the existing building on the subject property onto our adjacent property where it created a pond-scum-like residue before it eventually flowed into perimeter drains of our building. Recently this problem has been mitigated, but we need assurances that whatever sump pumps etc. that were installed will be permanently maintained so that this condition does not re-appear.

Condition 3. Therefore as a CONDITION OF APPROVING THIS PROJECT, provision must be included to eliminate all surface water draining onto our adjacent property.

4. County's Liability for Geological Failure: By way of background, I can state as the architect of the buildings at 18055 and 18057 Coastline Drive, that this groundwater problem is of recent origin. It did not exist 30 years ago and has become critical in the last few years. Many people date this from the Northridge Earthquake and believe that this increased groundwater is due to leakage from pressurized domestic water pipes serving the 300 homes in the mesa above us. The

exceptionally steep 70% and 80% terrain on the east and north of the cul de sac are ancient natural slopes and are the product of much dryer times. All south facing slopes were graded in the early 1960s to less than 50%. Drilling a row of deep caisson holes, that will immediately fill with water, may be all this cliff needs to re-establish a new angle of repose, i.e. to precipitate a landslide. This row of caisson holes will create a line of stress concentration that could easily be the catalyst for failure of this steep unstable slope. As a licensed architect I see this as an extremely dangerous situation. It may be worth pointing out that just across Surfview Drive is the Castlemare area where reportedly the City of Los Angeles has spent millions of dollars dealing with land movement problems resulting from this same combination of steep slopes and high water table. If this project is to proceed, this danger must be explicitly acknowledged and addressed in the geological and structural engineering approvals for this construction.

Therefore this is to SERVE NOTICE that if this project is given approval in the face of these obvious dangers, and if there is a subsequent failure, our Homeowners Association will hold the County liable.

5. View Easements: The title of each of the condominium owners in our tract grants a view easement across the subject property. The agency explicitly charged with enforcing this clause is the Architectural Committee of the Sunset Mesa Homeowners Association. No other member or officer of the Sunset Mesa Homeowners Association is authorized to make this determination. As of this date the Chairman of this Committee has not received the new revised plans and no notice of the Architectural Committees review meeting has been given to us as is required. The height of any new construction on this property before approval is granted could be indicated with poles at the corners of the proposed building to assure our owners and other neighbors that their views will not be compromised. These poles were installed for the prior design, but this new design is substantially larger and so this is an issue that should also be reconsidered. The existing garages already interfere with some of our ocean views, however the plans as submitted do not show any alterations to these garages.

Condition 4. Therefore as a CONDITION OF APPROVAL OF THIS PROJECT, the existing plans shall be presented to the Sunset Mesa Homeowners Architectural Committee with notice to adjacent homeowners, and some means of indicating the new proposed building's bulk and its impact on view shall be afforded adjacent property owners.

Condition 5. As a further CONDITION OF APPROVAL OF THIS PROJECT, if the garages in the existing building are modified in any way, the existing encroached view easements again become enforceable.

6. Illegal Rental Unit In the Existing Building: In the 4-unit apartment building already existing on this site there is a fifth rental unit that is illegal under the Covenants of this subdivision, which clearly state that there shall be no more that 4 units in any building. At the prior hearing the owner acknowledged the existence of this unit but stated that the tenant had been evicted.

However this unit is now being occupied as a residential unit on a regular basis, and we believe this constitutes a violation of this agreement and of the planning code.

Condition 6. Therefore AS A CONDITION OF APPROVING THIS PROJECT, structural modifications must be made to the current building to insure that this fifth unit does not "re-appear" at some future date, for example by physically removing the bathroom, kitchen, and all windows in this "storage area".

7. The "Storage" Space In The Proposed Building: We note that in the prior plans there was a large area designated as Storage. It had a set of large windows facing the view. Because of the existing pattern of creating and renting out illegal units, and because the Planning Commission explicitly limited this new building to three units, this "store room" needs to be either eliminated or rendered unoccupiable.

Condition 7. Therefore, AS A CONDITION OF APPROVING THIS PROJECT any windows must be eliminated from the storage area and some structural provision should be made so that this storage area is rendered unoccupiable, for example by requiring construction of only 7 foot ceilings.

8. Extra Garages: We note that there are two extra garages shown on the plans over and above the number required for the proposed 7 units (2 covered parking spaces per unit is 14, plus 2 uncovered for guests for a total of 16). In fact we note that the two guest parking spaces could probably be provided on Coastline Drive with access via the set of stairs shown on the current plans, therefore in fact there might actually be four extra covered garages. Because all this new construction for garages is on steep and unstable slopes, it is unwise to build extra garages for no reason, unless there is a future plan to create another rental unit or to enlarge an existing apartment unit into an existing garage space. Because this site is already so heavily impacted, no unnecessary garages should be constructed on this site.

Condition 8. Therefore as a CONDITION OF APPROVING THIS PROJECT the number of covered garages on this site should not exceed the number legally required.

9. "Recreation" Building and Pool: We are pleased to note that the current plans apparently do not show the large 2,000 sq.ft. two-story Recreation Building with its pool that was shown on the original drawings. Its elimination reduces our worry that it could later turn into yet another rental unit. It is not clear to us whether later a recreation building and pool could be built under this Conditional Use Permit.

Condition 9. Therefore as a CONDITION OF APPROVING THIS PROJECT it should be explicitly limited to one additional three-unit residential structure, and that the pool and recreation room are not approved.

To repeat our statement at the prior hearing, our Homeowners Association certainly acknowledges the owner's right to develop this property to the fullest extent allowable, as long as

it does not compromise the value or geological stability of our property, and as long as it preserves our view easements across their property.

We hope to enjoy neighborly relationships with these owners in the future, in as much as we share a long common stairway, and have easements over each others private drive area. However, WE MUST OPPOSE THE COMMISSIONS AUTHORIZATION OF THIS PROJECT UNTIL THE ABOVE NINE CONDITIONS ARE ADDRESSED.

Sincerely,



Murray Milne, Architect

California License C10305

cc: Sunset Mesa Homeowners Association Architectural Committee

LIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 SOUTH CALIFORNIA ST., SUITE 200
 TURANA, CA 93001
 9) 641 - 0142



Filed: 7/27/99
 49th Day: 9/14/99
 180th Day: 1/23/00
 Staff: mb-V
 Staff Report: 8/20/99
 Hearing Date: 9/14-17/99

Handwritten initials

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-99-098

APPLICANT: Andrew Rosenberg **AGENT:** Hans J. Giraud

PROJECT LOCATION: 18049 Coastline Drive, Malibu (Los Angeles County)

PROJECT DESCRIPTION: Construct three unit apartment building with storage room and three detached garage structures totaling twelve parking spaces. Grading of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill).

Lot area: 71,438 sq. ft.
Building coverage: 5,900 sq. ft.
Pavement coverage: 1,600 sq. ft.
Landscape coverage: 1,200 sq. ft..
Parking spaces: twelve covered
Height above finished grade: 33 ft.

LOCAL APPROVALS RECEIVED: County of Los Angeles: Regional Planning Department, Tentative Parcel Map No. 24907, Conditional Use Permit No. 97-130, March 2, 1998; Fire Department, Fuel Modification Plan In-concept Approval, March 3, 1998.

SUMMARY OF STAFF RECOMMENDATION

The proposal adds a three unit apartment building to an existing complex and upgrades parking for the new units and upgrades parking for existing units to current County standards. Staff recommends approval of the project with special conditions relating to: deed restriction on future development, conformance to geologic recommendations, landscape and erosion control, removal of natural vegetation, and wild fire waiver of liability.

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains certified Land Use Plan; Mountain Geology, Inc.: Addendum Engineering Report No. 4, January 5, 1998; Addendum Engineering Report No. 3, June 29, 1998; Addendum Engineering

EXHIBIT NO. 17
APPLICATION NO.
4-99-098-A1
STAFF REPORT 4-99-098

Report No. 2, May 27, 1998; Addendum Engineering Report No. 1, April 5, 1998; Preliminary Engineering Geologic Report, January 14, 1998; West Coast Geotechnical: Update Geotechnical Engineering Report, January 11, 1999; Addendum Geotechnical Engineering Report No. 4, September 1, 1998; Supplemental Geotechnical Engineering Letter, July 28, 1998; Addendum Geotechnical Engineering Report # 2, June 4, 1998; Addendum Geotechnical Engineering Report # 1, April 13, 1998; Geotechnical Engineering Investigation, January 15, 1998; Coastal development Permit P-1060.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, 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 on which the Commission voted on the application. 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 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 development during construction, 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. Future Improvements

a. This permit is only for the development described in coastal development permit No. 4-99-098. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610 (a)-(b) shall not apply to the entire parcel. Accordingly, any future improvements to the permitted structures shall require an amendment to Permit No. 4-99-098 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

b. Prior to the 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, reflecting the above restrictions on development in the entire parcel. 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. Plans Conforming to Geologic Recommendations

Prior to the issuance of a coastal development permit the applicant shall submit, for review and approval by the Executive Director, evidence of the geology and geotechnical consultants' review and approval of all project plans. All recommendations contained in the West Coast Geotechnical: Update Geotechnical Engineering Report, January 11, 1999 shall be incorporated into all final design and construction plans including site preparation, grading, and foundations. All plans must be reviewed and approved by the consultants.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new

coastal development permit.

3. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicant shall submit landscaping and erosion control plans for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the consulting engineering geologist to ensure that the plans are in conformance with the consultants' recommendations. The plans shall incorporate the following criteria:

A) Landscaping Plan

- 1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of final occupancy of the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated October 4, 1994. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.
- 2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;
- 3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- 4) Should grading take place during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- 5) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- 6) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively

thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

B) Interim Erosion Control Plan

- 1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- 2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- 3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

C) Monitoring.

Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall

include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

4. Removal of Natural Vegetation

.Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surroundings the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.

5. Waiver of Liability

Prior to the issuance of a coastal development permit, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk to life and property.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes to construct a three unit apartment building with storage room and three detached garage structures totaling twelve parking spaces. The proposal adds a three unit apartment building to an existing complex, including four existing units on the project site, and upgrades parking for the existing units to comply with current County standards.

Grading consists of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill).

The grading is for insertion of the proposed buildings and driveway into the hillside and conforms to the footprint of these improvements to minimize disturbance of natural landform. The plan includes drainage plans which show connections to existing drains

and construction of new hydraugers and catch basins.

The parcel is developed with four apartment units to the immediate west. A tram is located to the east of the existing building. One of the proposed garage buildings will have access off of Coastline Drive and the other two garages will have access off an existing cul-de-sac uphill from the proposed apartment building.

As discussed in greater detail below under Cumulative Impacts of Development, there are three LUP land use designations for different portions of the subject property. These allow a combined land use density of seven units for the property, which is the total number of residential units which will result from this proposal.

The proposal is in an unincorporated coastal area of Malibu to the east of the City Malibu. Surrounding development is a mixture of single family residential development and apartment units. The parcel is adjacent to the Los Angeles City limit on the northeast corner. The project is located west and across the road from a portion of the Getty Museum, including a prominent building overlooking Pacific Coast Highway.

Northeast of the site is an undisturbed area of chapparal on a steep slope which is unaffected by the proposed development. The site of the project has been previously cleared, but does contain some significant natural vegetation.

The project site is one parcel to the west of the intersection of Coastline Drive and Surfview Drive and one block inland of Pacific Coast Highway. Because of the extent of existing development, intervening topography and location one block inland of Pacific Coast Highway, the project will not have a significant impact on views to and along the coast. In addition, in contrast to the apartment building to the immediate west, the proposed design is stepped into the hillside at ground level, rather than being cantilevered off the hillside.

B. Cumulative Impacts of Development

The proposed project is construction of a three unit apartment building with storage room and three detached garage structures totaling twelve parking spaces. Grading of 1590 cu. yds. (795 cu. yds. cut and 795 cu. yds. fill) is proposed.

Section 30250 of the Coastal Act addresses the cumulative impacts of new development.

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50 percent of the usable parcels in the area have been

developed and the created parcels would be no smaller than the average size of the surrounding parcels.

Section 30105.5 of the Coastal Act defines the term "cumulatively," as it is used in Section 30250(a), to mean that:

the incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Coastal Act requires that new development be permitted only where public services are adequate and only where coastal resources will suffer adverse cumulative impacts from such development. The Commission has repeatedly emphasized the need to address the cumulative impact of new development in the Malibu/Santa Monica Mountains area in past permit actions. The cumulative impacts problem stems from the existence of thousands of undeveloped and poorly sited parcels in the mountains along with the potential for creating additional parcels and/or residential units through subdivisions and multi-unit projects.

Because of the large number of existing undeveloped lots and potential future development, the demands on road capacity, services, recreational facilities, and beaches could be expected to grow tremendously. The Commission examines the potential future impacts on coastal resources that might occur with any further development of the proposed structure or any change to residential use. Impacts such as traffic, sewage disposal, recreational uses, and grading can affect the scenic quality and natural resources of the area and are associated with the enlargement of existing residential structures or the development of an additional unit.

The subject parcel is divided by three land use designations and the allowable intensity relative to the LUP is based on the total allowable number of fractional units, added together and rounded down. The following illustrates the proposed intensity of development in terms of the land use and development intensity breakdown in the certified LUP:

<u>LUP designation</u>	<u>Units per acre</u>	<u>Acreage</u>	<u>Maximum allowable units</u>
8 - A	2 - 4	1.44	5.76
8 - B	4 - 6	.56	.84
9 - B	10 - 15	.60	.90
Total	--	--	7.50

The proposal for a cumulative seven units on the parcel is consistent with the Malibu/Santa Monica Mountains certified Land Use Plan, used as guidance in past Commission decisions in the County of Los Angeles. The above calculation results in an allowable number of dwelling units of over seven, which is rounded down and is the total cumulative number of units proposed. Therefore, the intensity of development is within the allowable intensity proposed by the certified LUP. Because the proposed project is located in an existing developed area with adequate public services and is consistent with the size and scale of surrounding development, the Commission finds that it will not have significant adverse effects either individually or cumulatively on coastal resources.

To ensure that no additions or improvements are made to the project that may further intensify the use without due consideration of the potential cumulative impacts, the Commission finds it necessary to require the applicant to record a future development deed restriction. Recordation of such a document requires the applicant to obtain an amended or new coastal permit if additions or improvements to the development are proposed in the future as required by *Special Condition number one (1)*.

Thus, the findings attached to this permit and *Special Condition number one (1)* will serve to ensure that the proposed development results in the development of the site that is consistent with and conforms to the Section 30250 of the Coastal Act. The Commission finds that as conditioned, the proposed project is consistent with Section 30250(a) and with all the applicable policies of the Coastal Act.

C. Geologic Stability and Hazards

Section 30253 of the Coastal Act states in part that new development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, 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 development is located on a minor ridge on the coastal terrace of the Santa Monica Mountains in an area subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The prominent geomorphic features in the area are Topanga Beach to the south, Santa

Ynez Canyon to the east, and Topanga Canyon to the west. The apartment building site is from approximately eighty to 120 feet in elevation. The lower garage off Coastline Drive is at the approximate sixty foot elevation and the upper two garages are at the approximate 140 foot elevation. Physical relief across the site is approximately one hundred feet. Slope drainage presently is through a system of drains which will be augmented as noted above. These measures will control and direct runoff from the site in a manner consistent with PRC Section 30253, as discussed further in Section 2, below.

1. Geology

The applicant has submitted a West Coast Geotechnical: Update Geotechnical Engineering Report, January 11, 1999 which states that:

Based on our updated geotechnical engineering review and evaluation, ... the proposed development is feasible from a geotechnical engineering standpoint, provided our recommendations included in this report and our referenced reports, approved and on file at the County of Los Angeles Department of Public Works, are made part of the development plans and are implemented during construction.

It is the opinion of the West Coast Geotechnical that the proposed development will be safe from landslide, settlement or slippage, and that the proposed development will not have an adverse affect on the stability of the subject site or immediate vicinity, provided our recommendations are made part of the development plans and are implemented. ...

Given the findings and recommendations of the consulting engineering geologists, the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as all recommendations regarding the proposed development are incorporated into the project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by the consulting engineering geologists as conforming to their recommendations, as noted in *special condition number two (2)* for the final project plans for the proposed project.

2. Erosion

Surface drainage is proposed to be collected and dissipated to avoid erosion impact which may affect the site or the surrounding area. The drainage plan collects drainage through a system of drains and hydraugers connected to existing catch basins along Coastline Drive which connects to a storm drain to the sea. Surface drainage will be collected and dissipated to avoid erosion impact which may affect the site or the surrounding area.

Although the applicant has submitted a drainage plan, the Commission finds it necessary to require the applicant to submit a revised landscape and erosion control plan. A

landscaping component, review and approval by the consulting engineering geologist, measures for replanting, soil stabilization, maintenance, sedimentation control, and monitoring are all necessary parts of this plan to minimize the potential for erosion and disturbed soils and thereby ensure site stability and protection of coastal waters. Approval with *special condition number three (3)* is necessary, therefore, so that the landscape and erosion control plan can ensure site stability and avoidance of the potentially adverse impacts of erosion and sedimentation in a manner consistent with PRC Section 30253.

In addition, *special condition four (4)* is necessary to avoid disturbance of natural vegetation prior to commencement of construction or as part of fuel modification. This will ensure against unnecessary removal of the remnants of natural vegetation in the immediate vicinity of the buildings and parking areas as well as protect the previously mentioned undisturbed significant vegetation in the northern area of the parcel.

3. Fire

The Coastal Act also requires that new development minimize the risk to life and property in areas of high fire hazard. The Coastal Act recognizes that new development may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to establish who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property.

Vegetation in the coastal areas of the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, Terrestrial Vegetation of California, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through the waiver of liability, the applicant acknowledges and appreciates the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development, as incorporated by *special condition number five (4)*. The Commission finds that only as conditioned above is the proposed project consistent with Section 30253 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 program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3.

Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

F. 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, 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 effects which the activity would have on the environment.

The proposed development would not cause significant, adverse environmental effects which would not be adequately mitigated by the conditions imposed by the Commission. Therefore, the proposed project, as conditioned, is found consistent with CEQA and with the policies of the Coastal Act.

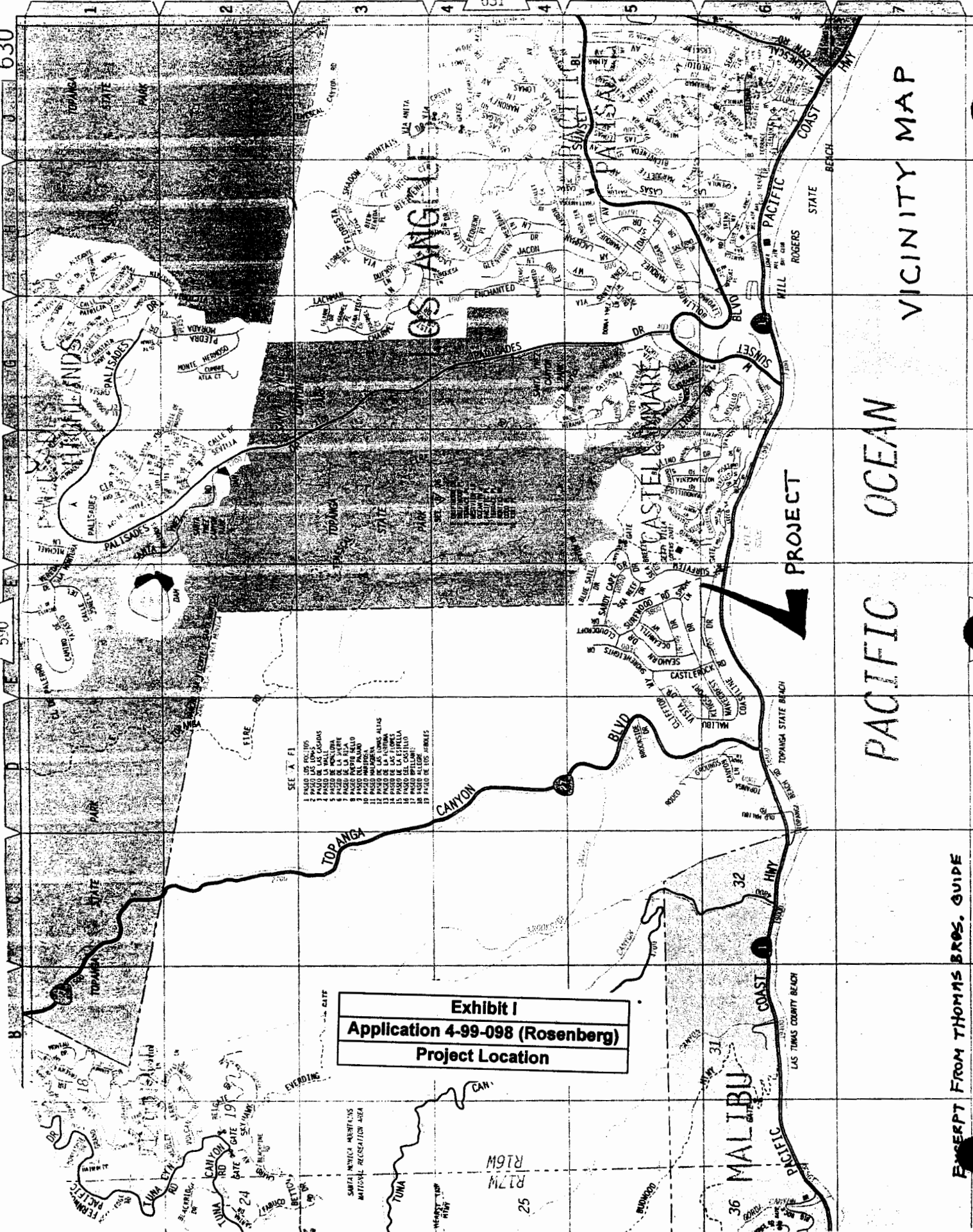


Exhibit I
Application 4-99-098 (Rosenberg)
Project Location

SEE 'A' F1

- 1 PASO LOS POLLOS
- 2 PASO LAS LOMAS
- 3 PASO LAS PALMAS
- 4 PASO LA HALL
- 5 PASO DE MOCLURA
- 6 PASO DE LA BELLA
- 7 PASO DE LA BELLA
- 8 PASO DE LA BELLA
- 9 PASO DE LA BELLA
- 10 PASO DE LA BELLA
- 11 PASO DE LA BELLA
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- 18 PASO DE LA BELLA
- 19 PASO DE LA BELLA

SANTA MONICA MOUNTAINS
 NATIONAL RECREATION AREA

VICINITY MAP

PACIFIC OCEAN

EXCERPT FROM THOMAS BROS. GUIDE

SEE MAP

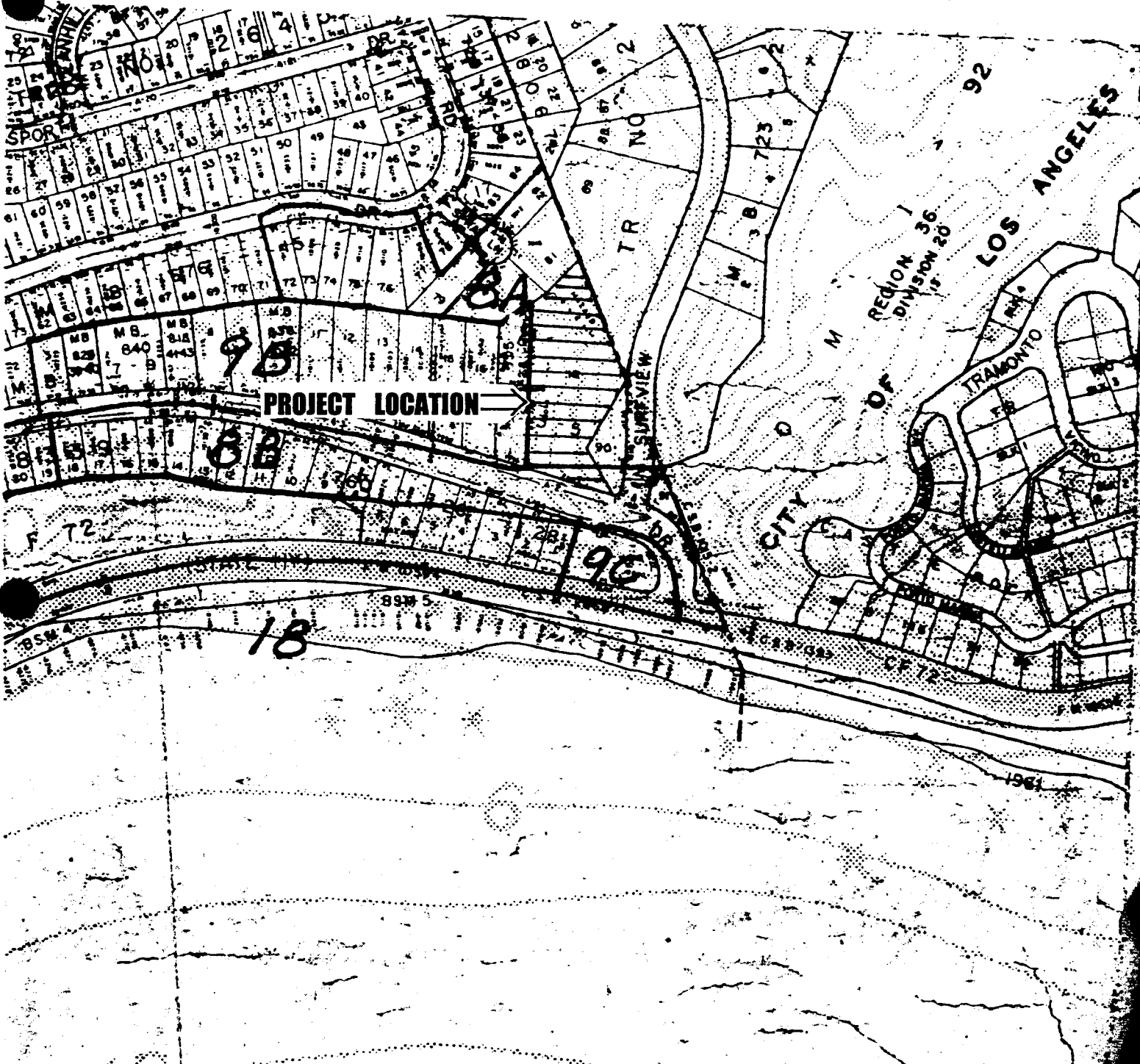
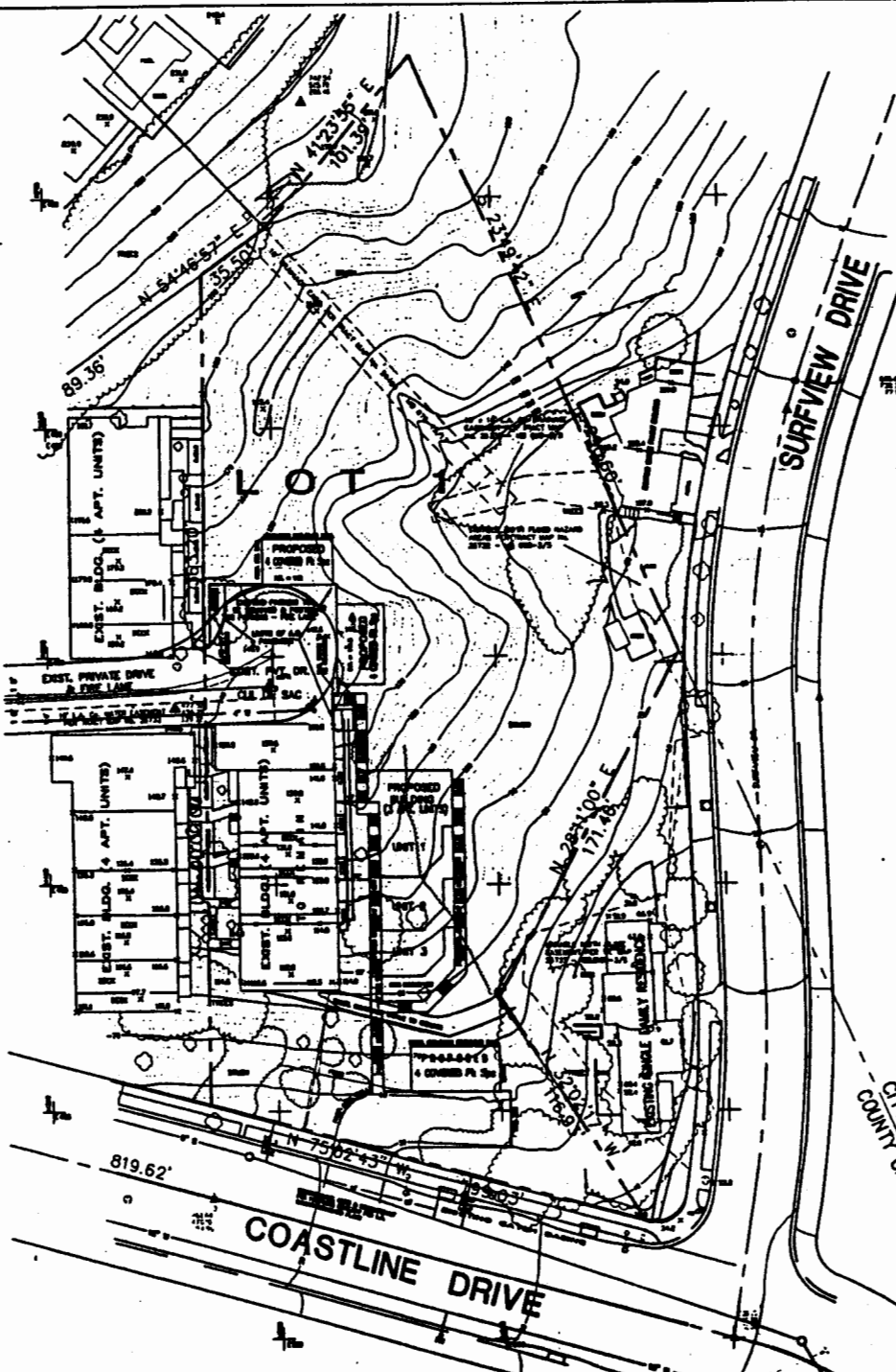


Exhibit II
Application 4-99-098 (Rosenberg)
Land Use Plan Designations

RECEIVED
 JUL 27 1999

CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT



NOTES:

- | | |
|------------|-------------------|
| ZONING | R - 3 |
| WATER | LACW DIST #28 |
| SEWER | LACS MARIT. DIST. |
| ELECTRICAL | 5% CAL. Edison |
| TELEPHONE | G T E |
| G A S | 5% CAL. GAS |
| CABLE TV | FALCON TV |
| EXCAVATION | 120 Cubic Yards |
| EMBANKMENT | 120 Cubic Yards |
| EXCAVATION | 120 Cubic Yards |
| EMBANKMENT | 120 Cubic Yards |

ALL BUILDING FOUNDATIONS WILL BE PLACED ON PILE AND GRADE BEAM CONSTRUCTION.
 POST "NO PARKING" SIGNS ON PRIVATE DRIVE.
 PLANT SLOPES IN ACCORDANCE WITH L.A. COUNTY GRADING ORDINANCE AND FUEL MODIFICATION PLAN AS APPROVED BY L.A. COUNTY FIRE DEPARTMENT.
 LOT 18 IS A LEASE PROJECT FOR 2 RESIDENTIAL BUILDINGS.

CITY OF LOS ANGELES
 COUNTY OF LOS ANGELES

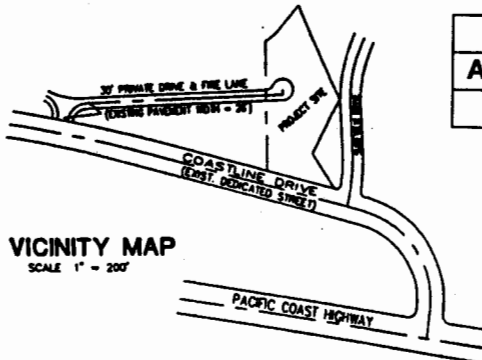


SCALE 1" = 30'

Exhibit III
Application 4-99-098 (Rosenberg)
Site Plan and Topography

LEGAL DESCRIPTION
 UNINCORPORATED PORTION OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, DESCRIBED AS A PORTION OF LOT 18, TRACT 26732, RECORDED IN BOOK 680, PAGES 3, 4 & 5, IN THE OFFICE OF THE COUNTY RECORDER, OF SAID COUNTY.

LEASE PROJECT - 2 RESIDENTIAL BUILDINGS

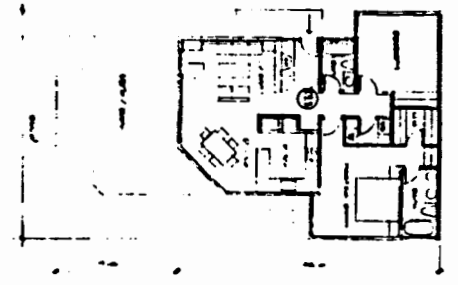
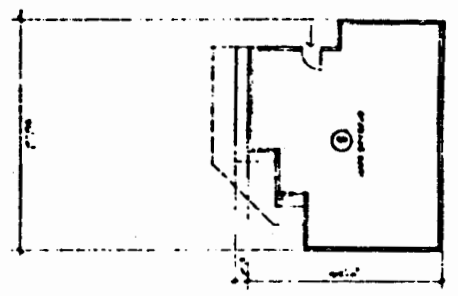
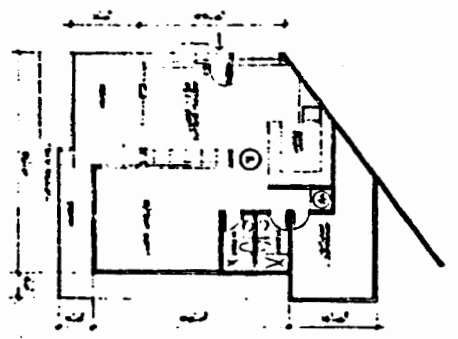
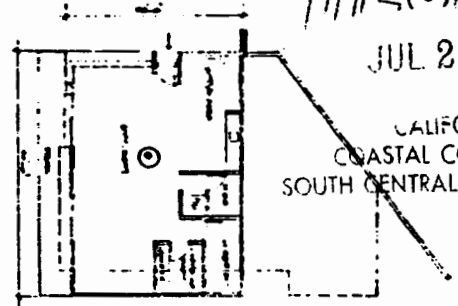


VICINITY MAP
 SCALE 1" = 200'

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JUL 27 1999

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT



NORTH ELEVATION (SEE PLAN)

SOUTH ELEVATION (SEE PLAN)

RESTROOM (100 sq ft)

BREAKFAST ROOM (100 sq ft)

STORAGE ROOM (100 sq ft)

TYPICAL NIGHTMARE UNIT (1000 sq ft)

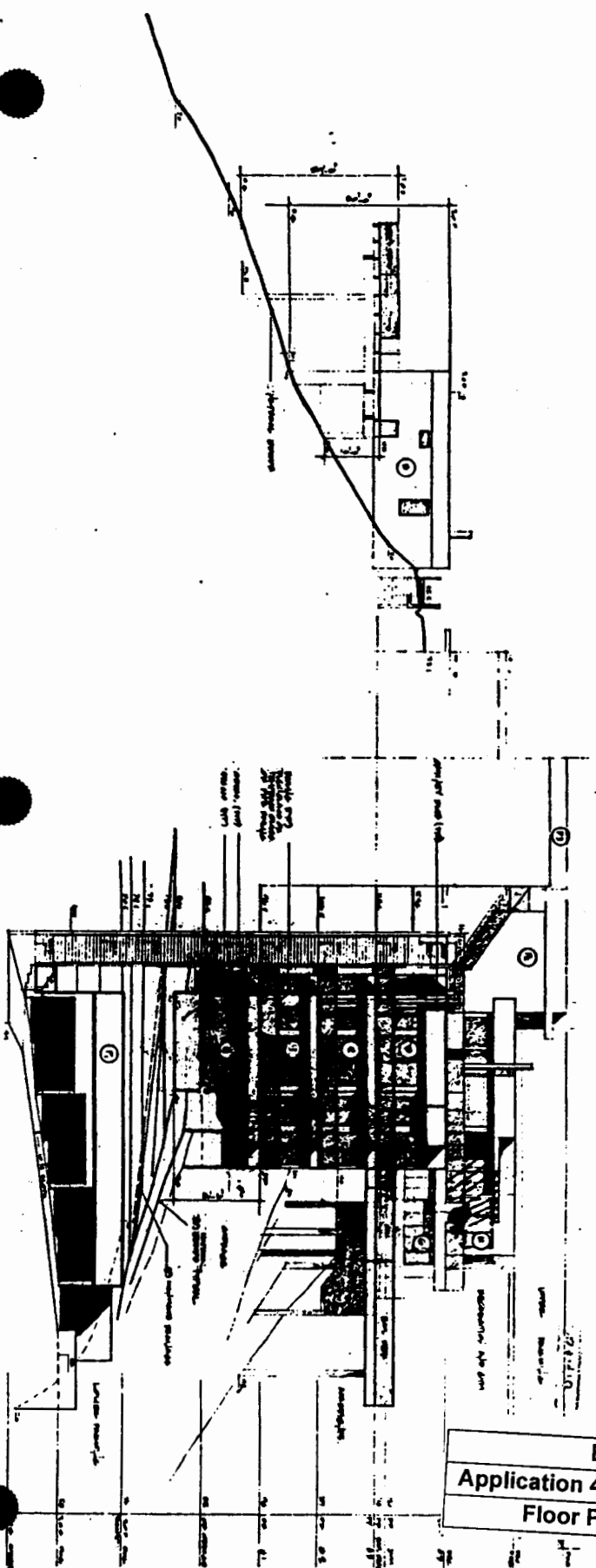


Exhibit IV
Application 4-99-098 (Rosenberg)
Floor Plans/Elevation

WILLIAM R. PAULI
ARCHITECTS - AIA
2766 PARK GRANADA • SUITE 201
CALABASAS PARK, CA 91302 (818) 222-2893

ANDREW ROSENBERG
SALISU APARTMENTS

RECEIVED

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CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

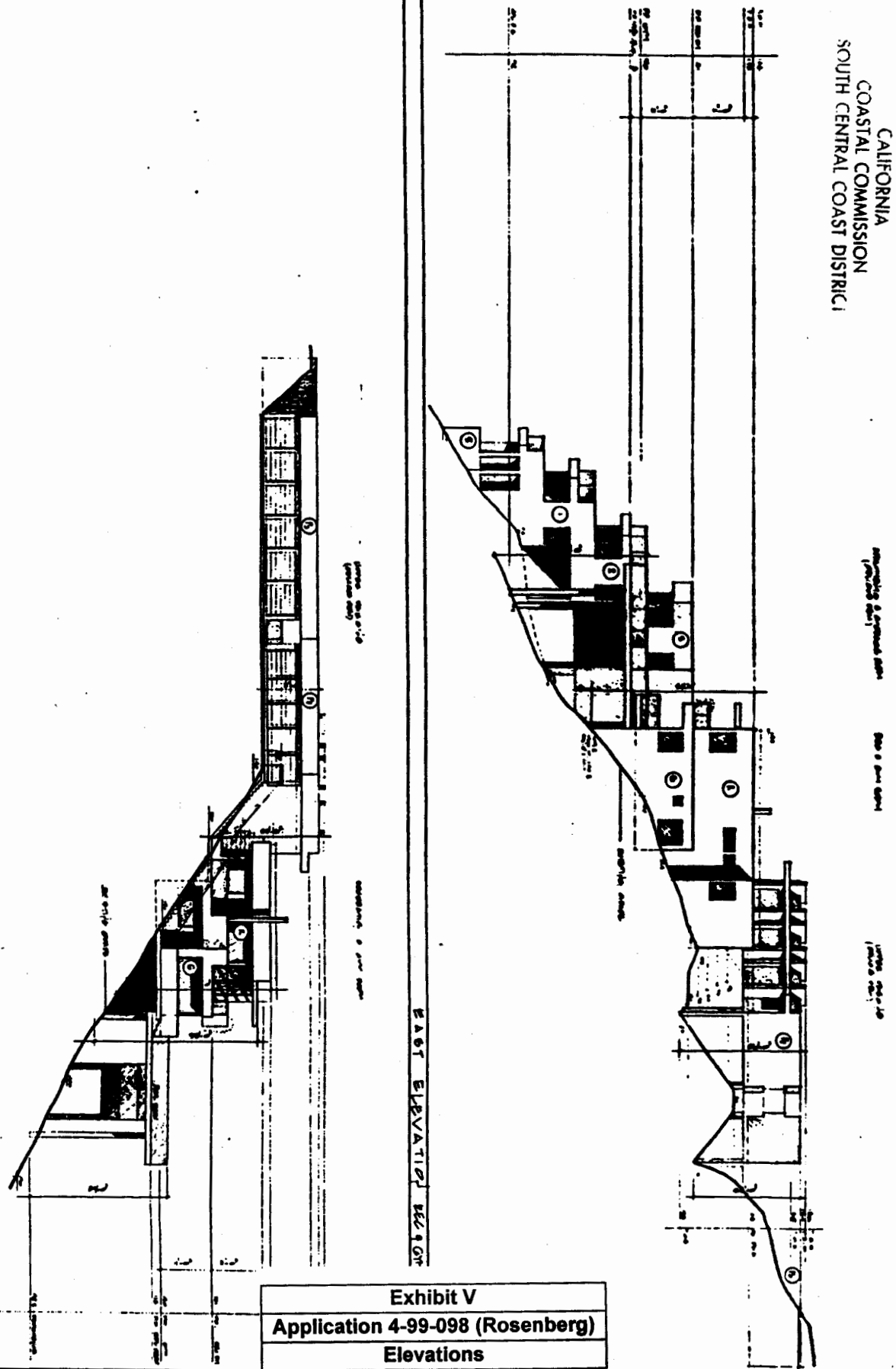


Exhibit V
Application 4-99-098 (Rosenberg)
Elevations

**WILLIAM R. PAULI
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SOUTH ELEVATION

PAGE 2