

CALIFORNIA COASTAL COMMISSION

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

Filed: 8/29/07
 49th Day: 10/17/07
 180th Day: 2/25/08
 Staff: Al Padilla/LB
 Staff Report: 9/17/07
 Hearing Date: 10/10-12/07
 Commission Action:

**W 15d****STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-07-207**APPLICANT:** Suzanne Roberts**PROJECT LOCATION:** 17015 Pacific Coast Highway #9, Pacific Palisades

PROJECT DESCRIPTION: Demolition of a 1,109 square foot mobilehome unit and construction of a 1,186 square foot, 14 foot high, manufactured home and foundation with five 24 inch diameter piles.

| | |
|-------------------|-------------------|
| Lot Area | 2,300 square feet |
| Building Coverage | 1,186 square feet |
| Zoning | RE40-1 |
| Plan Designation | Residential |

SUMMARY OF STAFF RECOMMENDATIONS

Staff is recommending approval with conditions to: 1) conform to the geotechnical consultant's recommendations; 2) assume the risk of the proposed development; 3) prepare and carry out drainage and erosion control plans; and 4) recordation of a deed restriction against the property, referencing all of the Special Conditions contained in this staff report.

SUBSTANTIVE FILE DOCUMENTS:

- 1) Soils Engineering Investigation report by Professional Geotechnical Consultants, Inc., dated April 5, 2004

STAFF RECOMMENDATION OF APPROVAL:

MOTION:

I move that the Commission approve CDP #5-07-207 pursuant to the staff recommendation.

Staff recommends a YES vote. Passage of this motion will result in approval of the permit 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:

I. APPROVAL WITH CONDITIONS

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. 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.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Conformance of Design and Construction Plans to Geotechnical Report

A) All final design and construction plans and grading and drainage plans, shall be consistent with all recommendations contained in the Soils Engineering Investigation report by Professional Geotechnical Consultants, Inc., dated April 5, 2004.

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

2. Assumption of Risk, Waiver of Liability and Indemnity

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from landslide activity, erosion and/or earth movement, (ii) to assume the risks to the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. Erosion and Drainage Control

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

1) Erosion and Drainage Control Plan

(a) The erosion and drainage control plan shall demonstrate that:

- During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and roadways.
- The following temporary erosion control measures shall be used during construction: 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.

- Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and roadways.
 - Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets.
 - All drainage from the lot shall be directed toward the street and away from the canyon slope.
- (b) The plan shall include, at a minimum, the following components:
- A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
 - A site plan showing the location of all temporary erosion control measures.
 - A schedule for installation and removal of the temporary erosion control measures.
 - A site plan showing the location of all permanent erosion and drainage control measures.
 - A schedule for installation and maintenance of the permanent erosion and drainage control measures.
 - A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist
 - A written agreement indicating where all excavated material will be disposed and acknowledgement that any construction debris disposed within the coastal zone requires a separate coastal development permit.
- (c) 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 the runoff waters during construction. All sediment shall be retained on-site unless removed to an appropriately approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.

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

4. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes the demolition of a 1,109 square foot mobilehome unit and construction of a 1,186 square foot, 14 foot high, manufactured home and foundation with five 24 inch diameter piles on a 2,300 square foot lot. The two parking spaces currently available on-site will be maintained on-site.

The proposed project site is located in an existing mobilehome park, Malibu Village Mobilehome Condominiums, located on the inland (north) side of Pacific Coast Highway in the Pacific Palisades community of the City of Los Angeles (Exhibit No. 1). Malibu Village consists of 29 mobilehome spaces, a community room and swimming pool. The mobilehome park was constructed prior to the Coastal Act and converted to condominium ownership in 1984 (CDP No. 5-83-147).

The proposed project is located along the first row of mobilehomes immediately above a 39 foot high, 1 ½ : 1 slope that is heavily vegetated with non-native plants. At the base of the slope is the mobilehome park's access road which traverses up the slope from PCH. The existing mobilehome is supported on jack stands with no foundation. In addition to the mobilehome the site is further developed with concrete and asphalt paving and a four foot high retaining wall along the southern property line at the top edge of the slope.

The proposed project has been reviewed and preliminarily approved by the Department of Housing and Community Development (HCD). HCD regulates mobilehome parks under the State Mobilehome Parks Act and has adopted regulations governing construction, use maintenance, and occupancy of privately owned mobilehomes within California. The proposed project has also been approved by the Park's Homeowner's Association.

The South Coast District office received three letters from residents of the mobilehome park objecting to the proposed project. The main issues raised in the letters concern private view blockage and parking. These issues are addressed in the following sections.

B. Geology

Section 30253 states in part:

New development shall:

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

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The proposed project is located in an area subject to natural hazards. The Pacific Palisades area has a long history of natural disasters, some of which have caused catastrophic damages. Such hazards common to this area include landslides, erosion, flooding, and wildfires. Although the subject property has not exhibited any signs of distress the surrounding area has historically experienced landsliding and erosion.

As recommended by the applicant's geotechnical consultants, Professional Geotechnical Consultants, in the Soils Engineering Investigation report dated April 5, 2004, the applicant intends to place the new residence on permanent foundation with 24 inch diameter friction piles extending approximately 13 feet deep at the top of the slope within the existing flat building pad.

1. Conformance with Geotechnical Recommendations

Recommendations regarding the design and installation of the foundation and drainage have been provided in the above noted report. Adherence to the recommendations is necessary to ensure that the proposed structure neither creates nor contributes significantly to erosion, geologic instability. Therefore, Special Condition No. 1 requires the applicant to conform to the recommendations in the geotechnical report, by Professional Geotechnical Consultants, Inc., dated April 5, 2004.

2. Assumption of Risk Deed Restriction

Under Section 30253 of the Coastal Act new development in areas of high geologic, flood, and fire hazard may occur so long as risks to life and property are minimized and the other policies of Chapter 3 are met. The Coastal Act recognizes that new development may involve the taking of some 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.

The proposed project lies on a level pad above a 39 foot high slope. The applicant's geotechnical analysis has stated that the property is suitable for the proposed improvements from a geotechnical engineering standpoint provided that the recommendations are incorporated into the plans. However, the proposed project may still be subject to natural hazards such as slope failure and erosion. The geotechnical evaluations do not guarantee that future erosion, landslide activity, or land movement will not affect the stability of the proposed project. Because of the inherent risks to development situated on a hill slide lot, the Commission cannot absolutely acknowledge that the design of the foundation and pile system will protect the subject property during future storms, erosion, and/or landslides. Therefore, the Commission finds that the proposed project is subject to risk from erosion and/or slope failure and that the applicant should assume the liability of such risk.

The applicant may decide that the economic benefits of development outweigh the risk of harm, which may occur from the identified hazards. However, neither the Commission nor any other public agency that permits development should be held liable for the applicant's decision to develop. Therefore, the applicant is required to expressly waive any potential claim of liability against the Commission for any damage or economic harm suffered as a result of the decision to develop. The assumption of risk (Special Condition No. 2), when recorded against the property as a deed restriction (Special Condition No. 4), will show that the applicant is aware of and appreciates the nature of the hazards which may exist on the site and which may adversely affect the stability or safety of the proposed development. The deed restriction will provide notice of potential hazards of the property and help eliminate false expectations on the part of potential buyers of the property, lending institutions, and insurance agencies that the property is safe for an indefinite period of time and for further development indefinitely in the future.

Therefore, prior to issuance of the Coastal Development Permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which reflects the above restriction on development. 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.

3. Erosion Control Measures

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain or wind could result in possible acceleration of slope erosion, and landslide activity. Special Condition No. 3 requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. The applicant shall follow both temporary and permanent erosion control measures to ensure that the project area is not susceptible to excessive erosion.

The project is proposed to alleviate an erosion problem on the subject site. The geotechnical report recommends that runoff be collected and directed to non-erosive devices.

To ensure that the proposed project conforms to the drainage recommendations, the Commission requires a complete erosion control plan for both permanent and temporary measures. Therefore, prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, a temporary and permanent erosion control plan that includes a written report describing all temporary and permanent erosion control and run-off measures to be installed and a site plan and schedule showing the location and time of all temporary and permanent erosion control measures (more specifically defined in special condition No. 3).

Only as conditioned, to incorporate the geotechnical recommendations by their geotechnical consultant, to submit evidence that the applicant has recorded an assumption of risk deed restriction on the development, to ensure that adequate temporary and permanent erosion control measures are used during and after construction, and a plan is submitted that describes the location, type, and schedule of installation of such measures can the Commission find that the proposed development is consistent with Section 30253 of the Coastal Act.

C. Coastal Access

The Commission has consistently found that a direct relationship exists between the provision of adequate parking and the availability of public access to the coast. Section 30211 of the Coastal Act states that:

Development shall not interfere with the public's right of access to the sea where acquired through use of legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30252 of the Coastal Act requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities. Section 30252 of the Coastal Act states in part:

The location and amount of new development should maintain and enhance public access to the coast by. . . (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation. . .

Therefore, in order to conform to the requirements of the Coastal Act, the proposed project must provide adequate support parking in order not to negatively impact parking for coastal access. The proposed project is located within a private mobilehome park above PCH and Will Rogers State Beach. Access to the mobilehome park is via a long driveway off of PCH to the top of the slope where the mobilehome park is located. All mobilehome lots have either one or two parking spaces located within the boundaries of each lot. The proposed project site currently provides two on-site parking spaces along the northwestern portion of the site. The applicant is proposing to relocate the parking along the northern portion of the lot, parallel to the access road, within the boundaries of the lot in order to use the current parking area to

extend the new manufactured home into this area. By maintaining the number of parking spaces for the residential unit the applicant is providing adequate on-site parking.

Opponents of the project claim that the parking is specifically designated on each lot and cannot be relocated. Although the parking is designated on the Condominium Tract Map's parking plan as a parking area (see Exhibit No. 3), the designated parking area is completely within the boundaries of the lot owned by the applicant, and relocating the parking within the boundaries of the same lot does not require a lot line adjustment. Since the applicant is proposing to maintain the same number of required parking spaces on-site the relocation of the parking does not raise any Coastal Act issues. Furthermore, HCD has reviewed and preliminarily approved the plans and has found no issue with relocating the required parking spaces within the lot.

The Commission, therefore, finds that as proposed the project will not adversely impact coastal access and will be consistent with Section 30211 and 30252 of the Coastal Act.

D. Visual Impacts

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The Coastal Act protects public views. In this case the public views are the views of the Santa Monica Mountains of Pacific Palisades, and from the surrounding neighborhood to the ocean.

The project is located approximately 200 feet inland of Pacific Coast Highway (PCH) in the Pacific Palisades community of the City of Los Angeles (Exhibit No. 1). The project site is partially visible from PCH along with some of the other mobilehomes within the first row of mobilehomes located along the top of the slope. Existing vegetation on the slope reduces the visibility of the park from along PCH and the beach. The existing vegetation on the slope and the slope itself will not be impacted by the proposed development and all development will be located inland of the existing 4 foot high retaining wall located at the top of the slope. As proposed the new manufactured home will be visually compatible with the character of the surrounding area and will not significantly impact the visual quality of the area.

A few residents of the mobilehome park have expressed concern that the project will interfere with their private views of the ocean from their mobilehomes located directly behind the project site. The opponents claim that building into the existing parking area, which is an 8 feet wide area located along the northwestern portion of the site, will basically eliminate their views along

this portion of the lot. The applicant is proposing to maintain a three foot setback along the property lines and the maximum 75% lot coverage, as required by the Department of Housing and Community Development. Although the resident(s) located directly behind the project site will lose most of their private view due to the redevelopment of the lot, this issue is a private view issue and not an issue under the Coastal Act. The mobilehome park is a private facility and there are no public view areas from within the park that would be afforded protection under Section 30251.

The Commission, therefore, finds that as proposed the project will not adversely impact public coastal views and will be consistent with Section 30251 of the Coastal Act.

E. Local Coastal Program

Section 30604 (a) of the Coastal Act states:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, and grading and geologic stability.

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

As conditioned, to address geologic and erosion, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

F. California Environmental Quality Act

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project, as conditioned to assume the risk of the development, supply and implement an erosion control plan, is found to be consistent with the Chapter 3 policies of the Coastal Act. As explained above and incorporated herein, all adverse impacts have been minimized and the project, as proposed, will avoid potentially significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project is consistent with the requirements of the Coastal Act and CEQA.

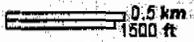
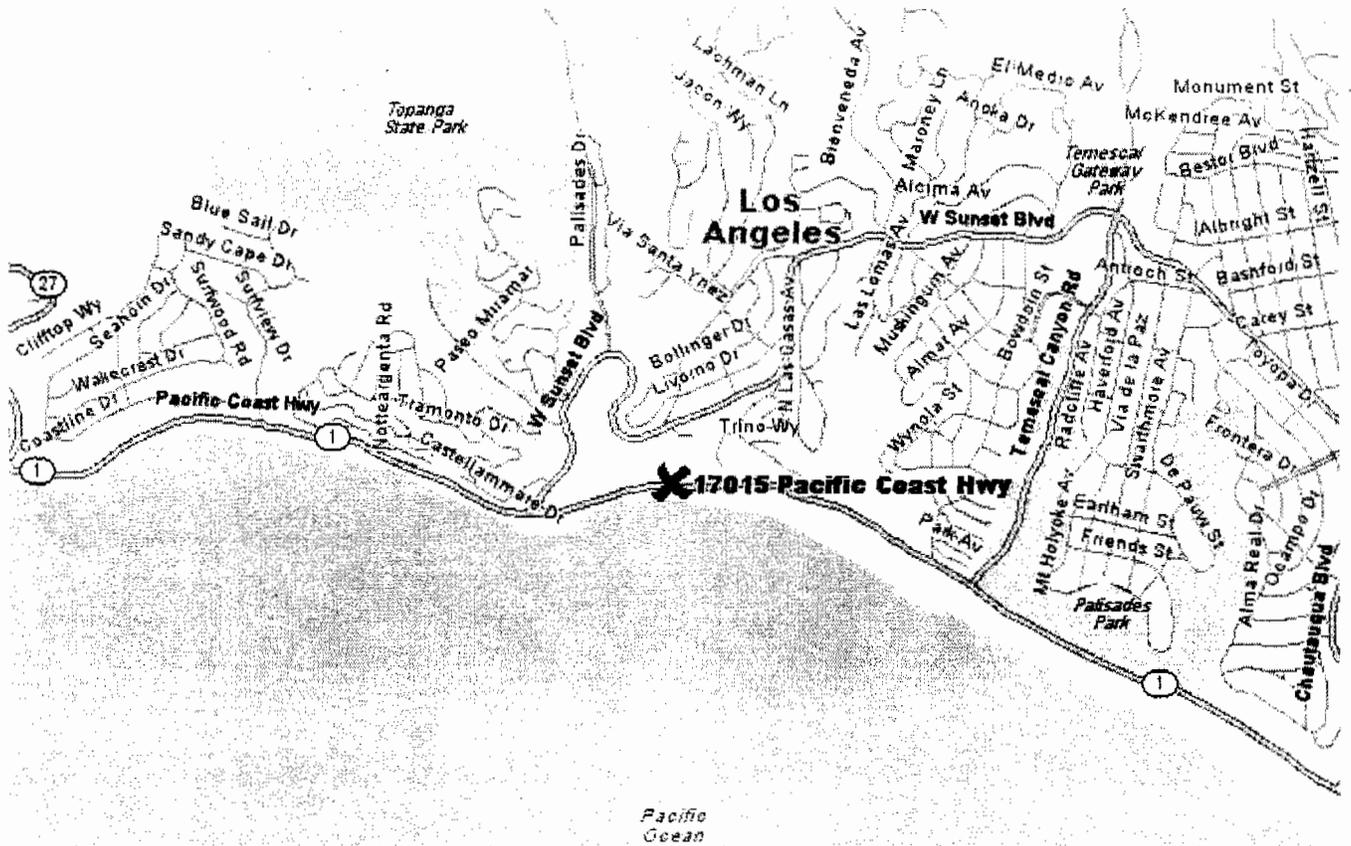


[Back](#)

www.randmcnally.com

Use the print feature in your browser to print this page.

**17015 Pacific Coast Hwy
Pacific Palisades, CA 90272-3330**



© 2007 Rand McNally & Company © 2006 NAVTEQ



Find it in the 2007 Road Atlas

- page 16, grid section E-3, Los Angeles & Vicinity map
- page 14, grid section SJ-10

All rights reserved. Use subject to [license](#).

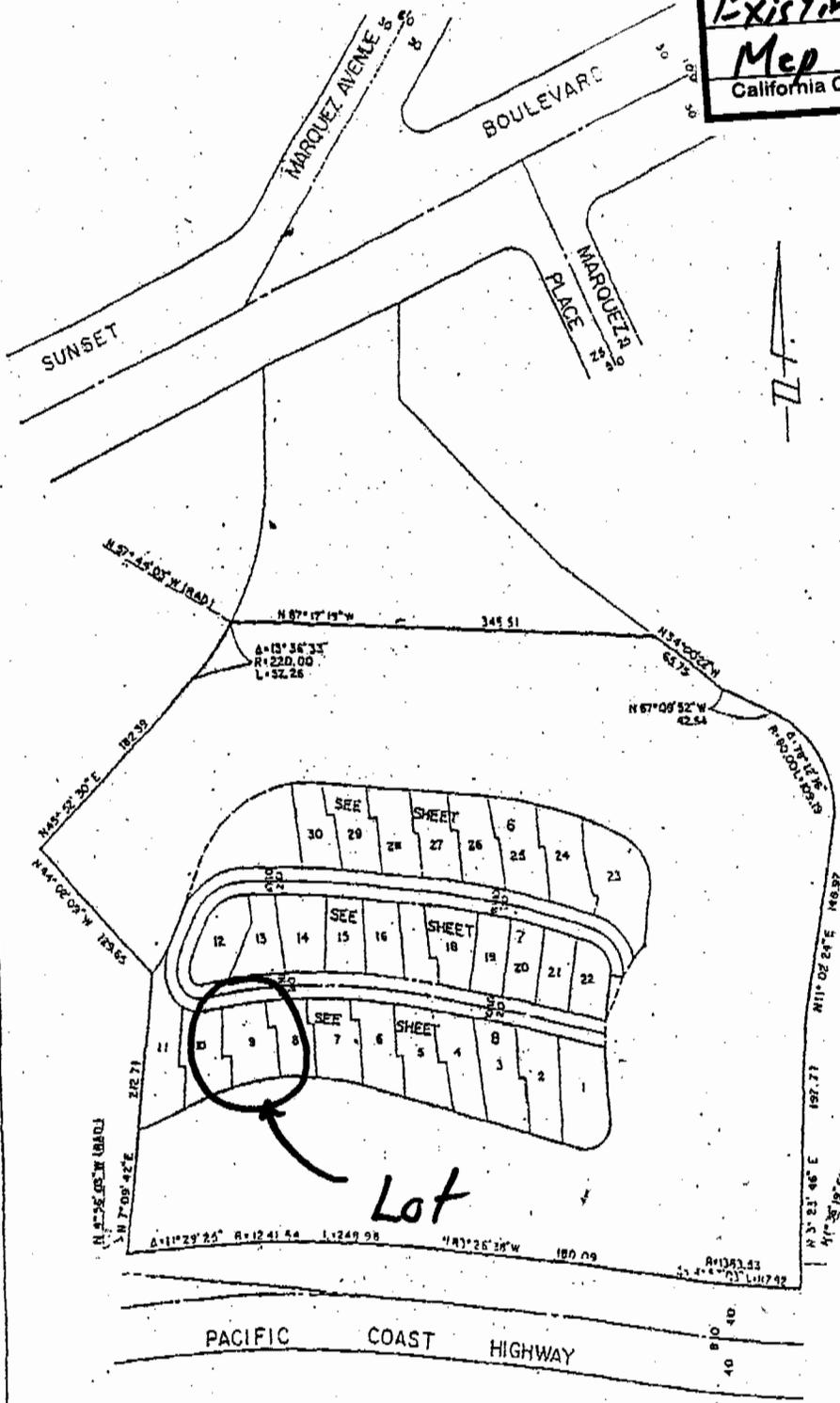
| | |
|-------------------------------|--------------|
| EXHIBIT NO. | 1 |
| Application Number | 5-07-207 |
| | Vicinity Map |
| California Coastal Commission | |

com inc

SCALE
100' 50' 0'
GRAPHIC SCALE - FEET

CONDOMINIUM PLAN
FOR
TRACT NO. 30690
UNIT LOCATION PLAN
AT
"B" COMPONENT LEVEL

EXHIBIT NO. 2
Application Number
507-207
Existing Tract
Map
California Coastal Commission

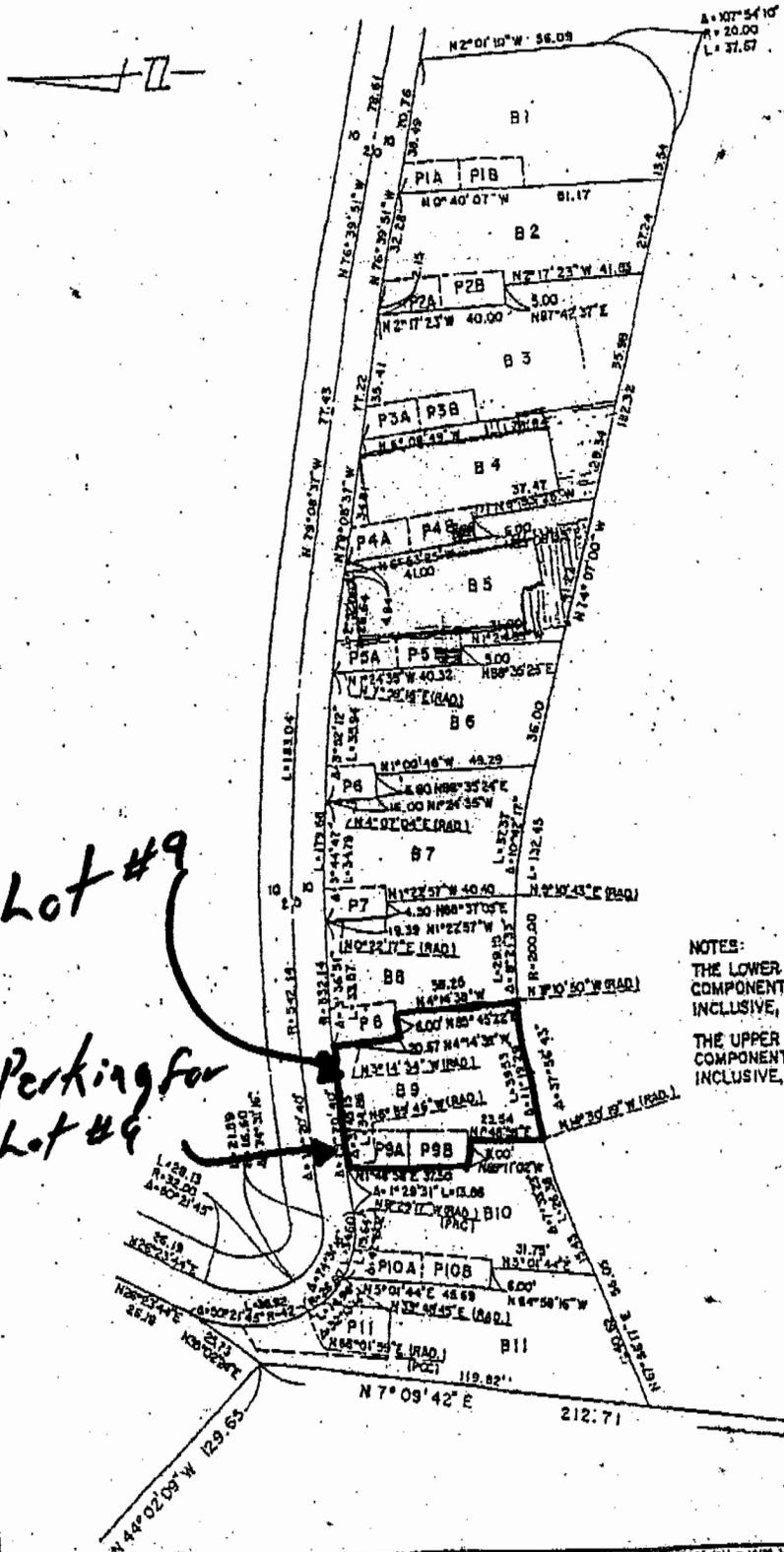


NO. 1224 SHEET - 50, 50A - 50B - 50C - 50D - 50E - 50F - 50G - 50H - 50I - 50J - 50K - 50L - 50M - 50N - 50O - 50P - 50Q - 50R - 50S - 50T - 50U - 50V - 50W - 50X - 50Y - 50Z

GRAPHIC SCALE - FEET

TRACT NO. 30690

PARKING AND PAD AREA

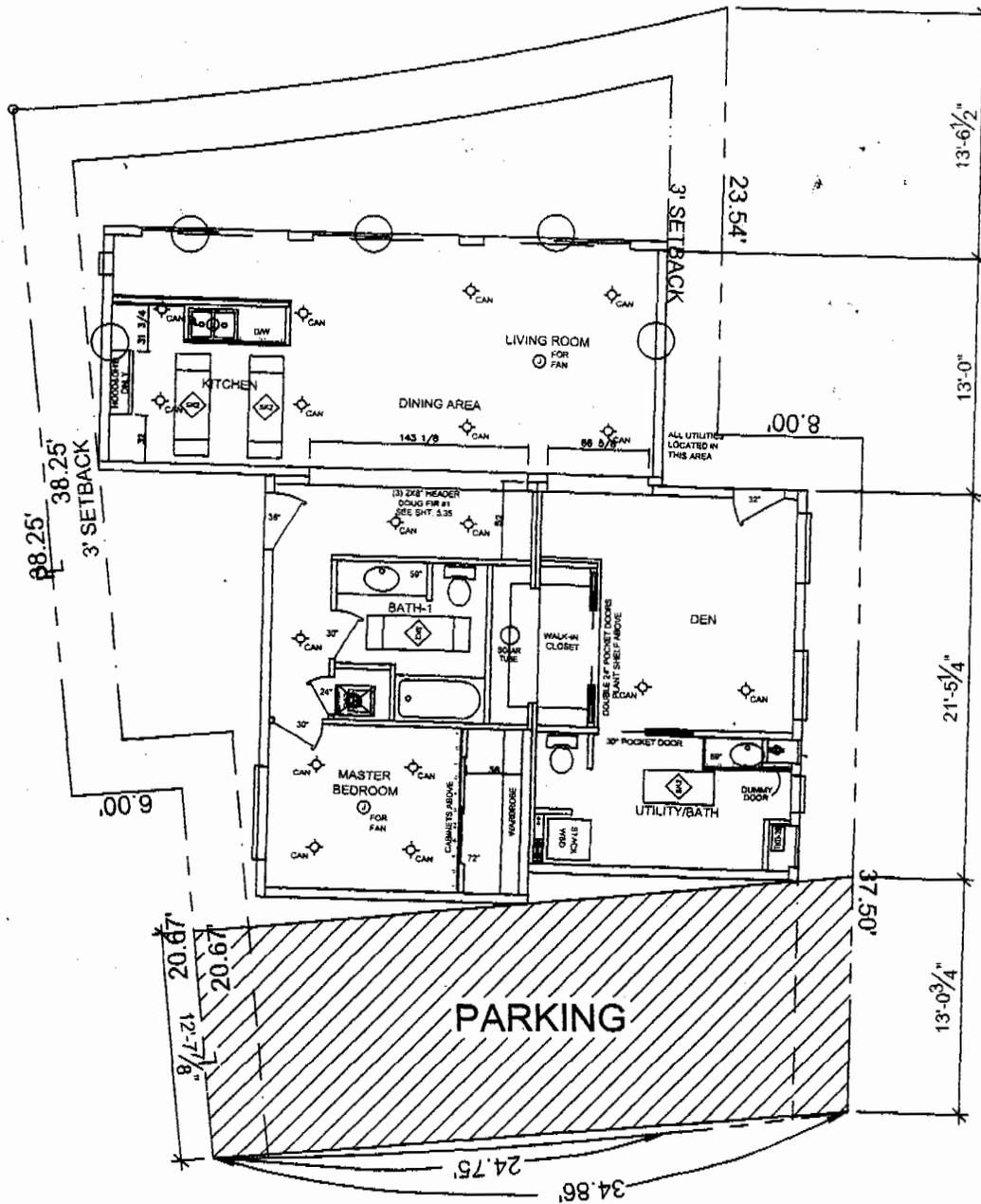


Lot #9

Parking for Lot #9

NOTES:
 THE LOWER ELEVATION OF UNIT COMPONENTS B1 THROUGH B11, INCLUSIVE, SHOWN HEREON IS 90.00.
 THE UPPER ELEVATION OF UNIT COMPONENTS B1 THROUGH B11, INCLUSIVE, SHOWN HEREON IS 105.00.

| |
|-----------------------------------|
| EXHIBIT NO. 3 |
| APPLICATION NO 5-07-207 |
| Parcel Map |
| California Coastal Commission |



| SETBACKS | SQUARE FOOTAGE | HOME MODEL | LOT |
|---|---|-------------------------|-----|
| FRONT: 0'-0" REAR: 3'-0" SIDES: 3'-0" | HOME: 1186 S.F. PARKING: 456 S.F. TOTAL: 1,642 S.F. | SILVERCREST EO-10732 | 9 |

STRUCTURAL CONSULTANTS M, INC.

SC Suzanne Roberts
Malibu Village Mobilehome Condominiums
17015 Pacific Coast Highway Sp 9
Pacific Palisades, CA 90272

DRAWING T
DRAWN BY:
DATE:
APPROVED

EXHIBIT NO. 4

APPLICATION NO.
5-07-207

Site Plan

California Coastal Commission

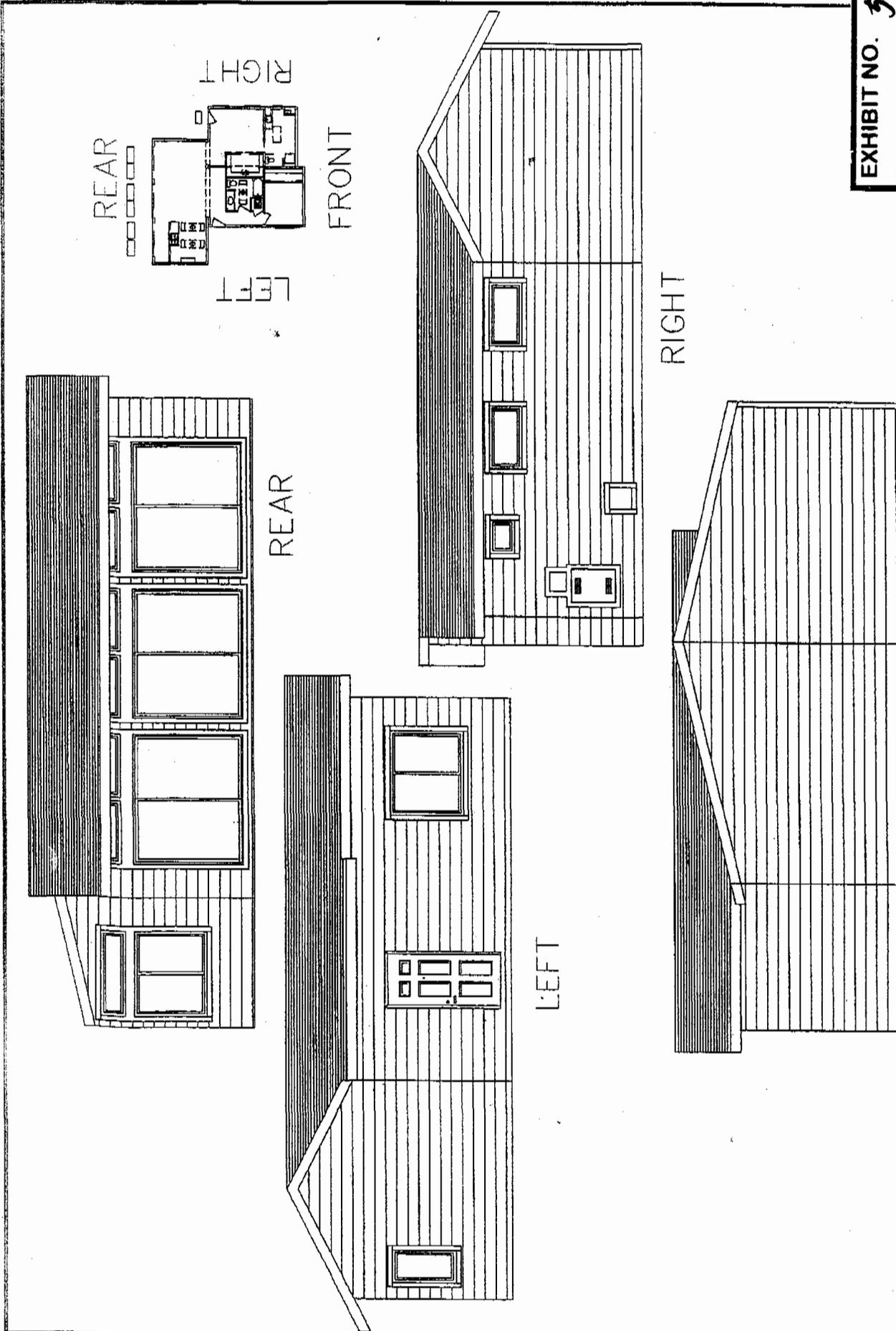


EXHIBIT NO. 5
 Application Number
 5-07-207
 Elevations
 California Coastal Commission

| DATE | REVISION BY | DESCRIPTION OF REVISIONS | DATE | PLAN NO. | MODEL | SECTION | SHEET |
|----------------|-------------|--------------------------|-------------------|----------|------------------------|---------|-------|
| 12-22-2006 | T.R.K. | REVISED PER ORDER | 24-8/32- | EO-10732 | 24-8/32- | | |
| 05-03-2008 | DEL | REVISED PER ORDER | | | | | |
| | | | SCALE 1/4" = 1'0" | | TITLE ELEVATION | | |
| DATE 10-3-2006 | | | DRAWN BY T.R.K. | | CHECKED BY APPROVED BY | | |

5-07-207

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS

3737 Main Street, Suite 400
Riverside, CA 92501
(951) 782-4420, FAX (951) 320-8277
California Relay Service for Hearing-Impaired:
From TDD Phones: 1-800-735-2929
From Voice Phones: 1-800-735-2022



August 10, 2007

Suzanne Roberts
17015 Pacific Coast Highway, Space #9
Pacific Palisades, CA 90272

RE: Malibu Village MHP
Construction Pre-Approval

Dear Ms. Roberts,

You have submitted applications to the Department for the installation of a manufactured home and a deck.

The Department has reviewed the documentation and has determined the following:

- Submitted documentation is constant with Department Policy.
- HCD-538 Plot Plan specifies all required information and bears Park Owner's authorization signature.
- Setbacks from lot lines are in compliance.*
- There are no structures on adjacent lots within six (6) feet.*
- Proposed construction does not occupy 75% of lot.*

* All measurements must be verified in the field.

This Pre-Approval is in concept only. This approval is not in lieu of any required site inspections and approvals.

Final permit approval for the proposed construction project by the Department is pending California Coastal Commission authorization.

If you have any questions, please don't hesitate to call me at (951) 782-4416.

Sincerely,

Vicki Coore
Codes and Administrator I

| | |
|-------------------------------|----------|
| EXHIBIT NO. | C |
| Application Number | 5-07-207 |
| Letter from | HCD |
| California Coastal Commission | |

VERY IMPORTANT! UEGENT!

July 26, 2007, 2007

Kevin Polin, Nina Goree
17015 Pacific Coast Highway Unit#13
Pacific Palisades, CA 90272
Tel 323-465-1486
Fax: 801-780-4785
e-mail: ninagoree@yahoo.com

South Coast District Office
Pam Emerson
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
(562) 590-5071
FAX (562) 590-5084

RE: Proposed Plans for installation of a manufactured house Submitted to the Coastal Commission. Address: 17015 Pacific Coast Highway, Space #9. Owner: Suzanne Roberts.

The address that I entered is a condominium lot in the Mobile Home Park **Malibu Village, 17015 Pacific Coast Hwy Pacific Palisades California.**

Upon a recent conversation with the "HCD" (Sal Poidomani / (951) 782-4420), in Riverside we were told that all future home installs are first reviewed by the Coastal Commission. The current plans are with the Coastal Commission for preliminary approval, before approval and permits by the HCD.

Some of the residents have voiced concerns because the owner of space #9 intends to install a house sideways which will be in violation not only with the condominium plan, but also in violation of Fire Code setback requirements, and lot usage requirements. In addition along the coast views are very important: the proposed house disregards any consideration of the neighbors directly behind it and totally wipes out 90% of the current view.

The house will be in violation with the Recorded Parking Map and therefore with the requirements of the City Planning Department, as we confirmed already this with them.

If the proposed house project is executed, the houses behind will have to face a parking lot not an Ocean View!!!

The way the house will be installed is in violation; it will be installed over the existing two parking spaces assigned to the house at the moment, which parking spaces can be clearly identified on the existing Parking Map. New parking spaces are designed, as we can see on the new proposed plans. According to the City Planning department this is a violation and is not allowed.

The Board had approved the plans of the owner for the future house without considering the objections of her immediate neighbors or other owners within the park or any of the rest of the owners. The board has also approved the install based on incomplete information provided by Suzanne Roberts. When her neighbors asked her for more information the HOA Board (which she is a member of) refused and still

| |
|---------------------------------------|
| EXHIBIT NO. 7 |
| Application Number 5-07-207 |
| Letter Opposing Project |
| California Coastal Commission |

RECEIVED
South Coast Region

JUL 30 2007

CALIFORNIA
COASTAL COMMISSION

refuses to provide the additional details or plans so that we can verify the compliance with All "HCD" and "California Coastal Commission" rules and regulation.

The owner of space #9 is a member of the Board. There were objections from the residents in the park, but the Board ignored them and approved those plans.

The future house is designed so that it will be built over the existing and deeded parking space and being this way, it blocks completely the ocean view of the house behind it, #13. In addition the owner designates two parking spaces parallel to the road in the park, where actually the house should sit.

All designated parking spaces on the map are perpendicular to the road not parallel. Space # 9 has two tandem parking spaces, perpendicular to the road and parallel to the existing mobile home and to all of the rest parking spaces. By changing the direction of the house and the parking spaces the future house will be in complete disharmony with the rest of the houses, but most importantly it will take off 70% of the ocean view of the houses on space 13 and 14.

Do they have the right to build a house which is not in compliance with the recorded condominium plan and recorded parking plan map?

All of the houses at the moment are between 19 and 22 feet wide. The proposed house plan is for a house which will be 39 feet wide.

We are a **view community and this fact has always been reminded to the owners.**

The Board was even engaged in a law suit against a house which doesn't even block anybody's view, and had plans approved by the previous Board and Stamped Approved by the State. The Board wanted the house to be cut 6 inches from the roof. During the same time when the law suit was pursued, the Board approves the house of a Board member, which is in violation and totally ignoring the same issues they were in court for.

There are no property markers on the lot #9 (only one), which is also a violation especially if there will be a process of replacing and installing of a new home. It is not possible to measure properly and calculate the size of the lot and the size of the future house, deck and any steps which all have to be 75% of the total sq footage of the lot.

The Board refuses to give us a copy of the plan which they approved. There was a drawing posted for two weeks from which became clear that the house will be in violation.

Can the Coastal Commission enforce the condominium plan and the Parking plan even if the Board has approved the house plans? **And of course, the new house will be significantly larger!**

This particular property is under the jurisdiction of the State, and the state only requires that the set backs are kept at 3 feet. Then the City and the Coastal Commission have to have the power to enforce the condominium plan and the Parking Plan and how the house has to be situated.

I hope that the Coastal Commission will address our concern in a timely manner.

We are aware that the proposed plans for space #9 have been submitted to the Coastal Commission a long time ago. I feel that our right to enjoy the view is being violated and I feel that we were betrayed.

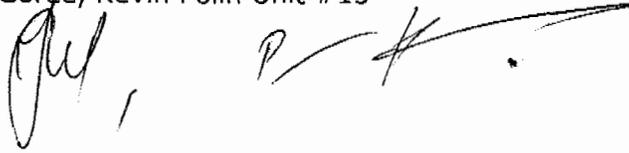
We have been in contact with All Padilla, and from our conversations we did not get assurance that our concern will be satisfied.

If necessary, we would obtain a letter from the City Planning confirming the violation of such home installation.

Please, take a look at the plot map and the drawing which we did based on the drawing we were able to receive from the Board a week ago.

Thank you very much,

Nina Gorge, Kevin Polin Unit #13

Handwritten signatures of Nina Gorge and Kevin Polin. The signature on the left is 'Nina' and the signature on the right is 'Kevin'.

**We sent our first complaint on May 10, 2007.
It was received by All Padilla. He was nice to send us a copy of the
submitted plans.**

Marge Harness
17015 Pacific Coast Hwy. #18
Pacific Palisades, CA 90272

| |
|--------------------------------|
| EXHIBIT NO. 8 |
| Application Number 5-07-207 |
| Letter Opposing project |
| California Coastal Commission |

August 1, 2007

South Coast District Office

John (Jack) Ainsworth,
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
(562) 590-5071
FAX (562) 590-5084

RECEIVED
South Coast Region

AUG 8 2007

CALIFORNIA
COASTAL COMMISSION

RE: Proposed Plans for installation of a manufactured house Submitted to the Coastal Commission.

Address: 17015 Pacific Coast Highway, Space #9, Pacific Palisades, CA 90272.

Owner: Suzanne Roberts.

Bottom line: As a resident owner in Malibu Village, I am apposed to any plan that alters our registered map or destroys more views.

The address that I entered is a mobile home within the condominium lot plan of **Malibu Village, 17015 Pacific Coast Hwy., Los Angeles, California, 90272.** Malibu Village was designed as a low-income, view mobile home park. Unfortunately the culture and integrity of the mobile home park has changed during the recent housing boom.

I have been informed that plans to install future home must first be reviewed by the Coastal Commission. I am told that the current plans for 17015 PCH, # 9, are with the Coastal Commission for preliminary approval, before approval and permits by the HCD.

The members of Malibu Village Homeowners Association are divided on the their thoughts about this proposed home. Reasons include:

1. The proposed plan does not comply with the Recorded Parking Map.
2. The proposed plan does not comply with the Condominium Plan.
3. There has been no vote by the Association to change either map plans.
4. There has been no proposal to alter or change the Recorded Condominium Map Plan or the Recorded Parking Map Plan.

5. It is unclear whether the plans meet set-back and space use requirements or if it covers more than 75% of the lot size.

Of great concern to me is that the President of the Association appears to be politicking on behalf of the owner of Unit 9 (a Board member) without the consensus of the Association membership.

I appreciate your time and attention to this matter. Mobile home parks are generally not taken seriously in this country. But this is our home.

Sincerely,

A handwritten signature in cursive script that reads "Marge Harness". The signature is written in black ink and is positioned above the printed name.

Marge Harness