

**CALIFORNIA COASTAL COMMISSION**

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



Filed: June 22, 2007  
 49th Day: August 10, 2007  
 180th Day: December 19, 2007  
 Staff: Gabriel Buhr-LB  
 Staff Report: July 10, 2007  
 Hearing Date: August 8-10, 2007  
 Commission Action:

**W3a****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-06-224**APPLICANT:** Michelle and Charles Headrick**AGENT:** Michael Chin**PROJECT LOCATION:** 389 Las Casas Avenue, Pacific Palisades (Los Angeles County)

**DESCRIPTION:** Demolition of an existing single family residence and construction of a 3,329 square foot, 28 foot-high, two-story single-family residence, and an attached two-car garage on a 5,896 square-foot R1-1 zoned lot.

Lot Area	5,896 square feet
Building Coverage	2,055 square feet
Pavement Coverage	948 square feet
Landscape Coverage	2,893 square feet
Parking Spaces	2
Zoning	R1-1
Planning Designation	Low Density Residential
Ht above final grade	28 feet

**SUMMARY OF STAFF RECOMMENDATION:**

The applicant is proposing demolition of an existing single family residence and construction of a new single family residence. The primary issue with this hillside development is the proposed construction of a twelve foot-high retaining wall and the effects it may have on land alteration and visual impacts.

Commission staff is recommending **APPROVAL** of the proposed project with **Three (3) Special Conditions** regarding: **1)** conformance with geologic and soil recommendations; **2)** conformance with the submitted drainage and run-off control plan; and **3)** conformance with the submitted landscape plan.

**SUBSTANTIVE FILE DOCUMENTS:**

- Geologic and Soils Engineering Report by Parmelee/Geology dated March 25, 2006;
- Zoning Regulations for the City of Los Angeles

**LOCAL APPROVALS RECEIVED:** City of Los Angeles Approval-in-Concept  
ZA 2006-4714-AIC

**LIST OF EXHIBITS**

1. Location Map
  2. Assessor's Parcel Map
  3. Site Plan
  4. Elevations
  5. Retaining Wall Plan
  6. Drainage Plan
- 

**STAFF RECOMMENDATION:**

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

**MOTION:** *I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

**RESOLUTION:**

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned 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 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 development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## 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 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, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Geotechnical Engineering Exploration report prepared by Parmelee/Geology and is dated March 25, 2006. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced soil and geologic evaluation approved by the California Coastal Commission for the project site.
  - 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. Drainage and Run-Off Control Plan**

- A. The applicant shall conform to the drainage and run-off control plan received on May 29, 2007 showing all roof drainage and runoff directed to area collection drains and sub-drain systems on site for discharge to the street through piping without allowing water to percolate into the ground.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**3. Landscape Plan**

- A. The applicant shall conform to the drainage and run-off control plan received on May 29, 2007 showing roof drainage and runoff from all impervious areas directed to a drainage basin system with attached sump pump for overflow removal to the public storm drain system.
- B. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.
- C. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. Project Description and Location**

The subject site is located at 389 Las Casas Avenue, within the Pacific Palisades area, of the City of Los Angeles (Exhibit #1). The site is a partially graded hillside lot located on the south flank of the Santa Monica Mountains. The surface of the lot is generally level from the street; the rear 20 feet of the yard becomes a slope that descends to the west at a 2:1 gradient. This 5,896 square foot lot is located between Las Casas Avenue and Sunset Boulevard. A single family residence borders the western edge of the property and is situated between the subject site and Sunset Boulevard (Exhibit #2). The subject site is located within a developed single-family residential neighborhood over ½ mile inland from the beach.

The applicant proposes demolition of an existing single family residence and construction of a new 3,329 square-foot, 28 foot-high, two-story single-family dwelling(Exhibit #3 & #4). Proposed plans also include the construction of a 12 feet high retaining wall along the western perimeter of the property to increase the size of the level yard (Exhibit #5). On-site parking for the proposed single family residence will be provided with a 422 square-foot, attached two-car garage, with vehicular access from Las Casas Avenue. The applicant proposes to construct the residence on a 5,324 square-foot, R1-1 zoned lot in the Pacific Palisades.

The City has reviewed the proposed project and found it consistent with local zoning requirements, as evidenced by their Approval-In-Concept, dated May 31, 2006. The proposed project conforms to the City of Los Angeles height limit for R1-1 zoned, low density residential, and conforms to the setback limits for front, rear and side yards. The required front yard setback is equal to at least 20 feet and the rear yard setback is no less than 15 feet. The required side yard setback is 10 percent of lot width and no less than 3 feet. For the residence, the applicant proposes a 20 foot front yard setback, a 23 foot rear yard setback and a 5 foot side yard setback. Grading for the proposed project would consist of 104 cubic yards of cut used to then backfill the rear yard to level. The cut soil is classified as unsuitable fill for slab or foundation support and therefore will be removed from where the dwelling structure is proposed, and then used as fill to level the rear yard in front of the retaining wall. This will result in a net balance of cut and fill soil volume.

This proposed project includes the construction of a twelve foot-high retaining wall extending along the rear yard on the western edge of the property. A five foot nine inch concrete fence will sit atop the wall and encompass the entire rear yard. As mentioned previously, fill will be placed in front of the wall to make a level pad for the rear yard extending to the property edge. The City allows one freestanding retaining wall to be built on a residential lot provided that the wall does not extend higher than twelve feet. The proposed retaining wall will extend along the property line between the western edge of the subject residence and a neighboring residence that is located between the subject site and Sunset Blvd. The neighboring property is heavily landscaped, and the proposed wall will not be visible from Sunset Blvd.

The City of Los Angeles does not allow for water infiltration on sites within the Pacific Palisades. The applicant is proposing water quality improvements as part of the proposed project, consisting of rooftop and surface drainage directed to a drainage basin and duplex sump pump system. Multiple area drains and catch basins will direct surface water to the drainage pipes and basin system. Collected water will then be directed to the public storm drain system (Exhibit #6). Any revegetated landscaped areas located on site shall only consist of native plants or non-native drought tolerant plants, which are non-invasive.

The placement of vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society (<http://www.CNPS.org/>) in their publications.

Furthermore, any plants in the landscaping plan should be drought tolerant to minimize the use of water. The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the

California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

The applicant provided a Geologic and Soils Engineering Report for the subject property, as is consistently required by the Commission for hillside development in southern Los Angeles County and Orange County. The Geo-Soils Study was prepared by Parmelee/Geology and is dated March 25, 2006.

**B. Hazards**

The applicant's geologic report concludes that, from a geotechnical perspective, the proposed demolition and construction of a single family residence is feasible. Those recommendations are incorporated in the subject coastal permit application, **Special Condition 1** which requires the applicant to abide by those recommendations. The City of Los Angeles Department of Building and Safety Grading Division reviewed the geology reports and subsequent updates and found them acceptable. The City's conditional approval included conditions addressing geotechnical issues with specific recommendations for site preparation, grading, foundation design and site drainage.

Under Section 30253 of the Coastal Act new development may occur in areas of high geologic, flood, and fire hazard so long as risks to life and property are minimized and the other policies of Chapter 3 are met. 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/her property. In this case, no specific hazard has been identified by the applicant's geotechnical consultant other than seismic hazards that are present throughout the Southern California region. To minimize risks to life and property and to minimize the adverse effects of development on areas of high geologic, flood, and fire hazard, the proposed development has been conditioned to require: adherence to the geotechnical recommendations and for a drainage and runoff plan to minimize the percolation of water into the hillside or bluff. As conditioned, the Commission finds that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in hazardous locations.

**C. Community Character/Visual Quality**

The development is located within an existing developed area and as proposed is compatible with the character and scale of the surrounding area, therefore the development conforms with Chapter 3 Sections 30250, 30251, and 30252 of the Coastal Act.

**D. Water Quality**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections

30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

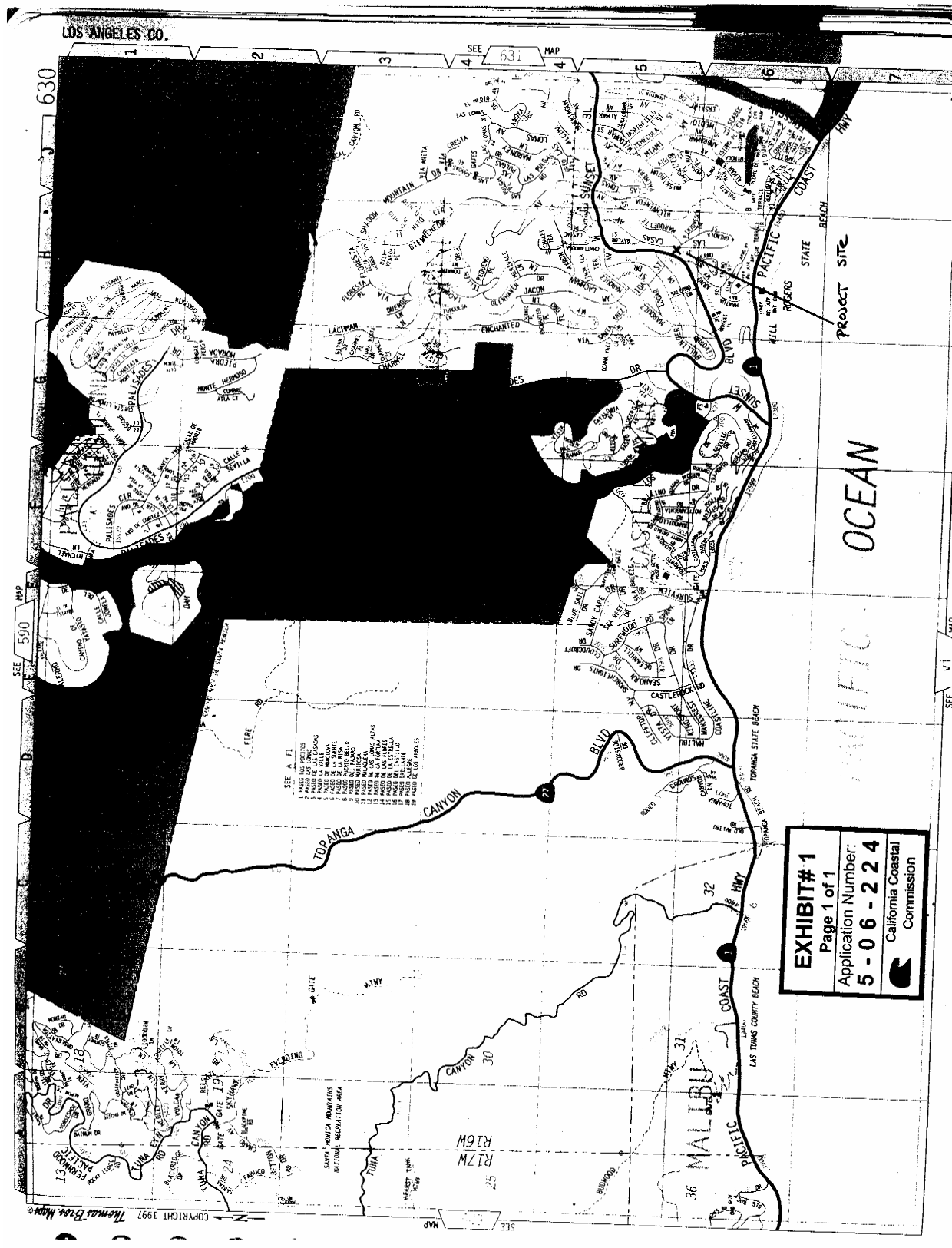
**E. Local Coastal Program**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, 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 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.

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



**EXHIBIT# 1**  
 Page 1 of 1  
 Application Number:  
**5-06-224**  
 California Coastal  
 Commission

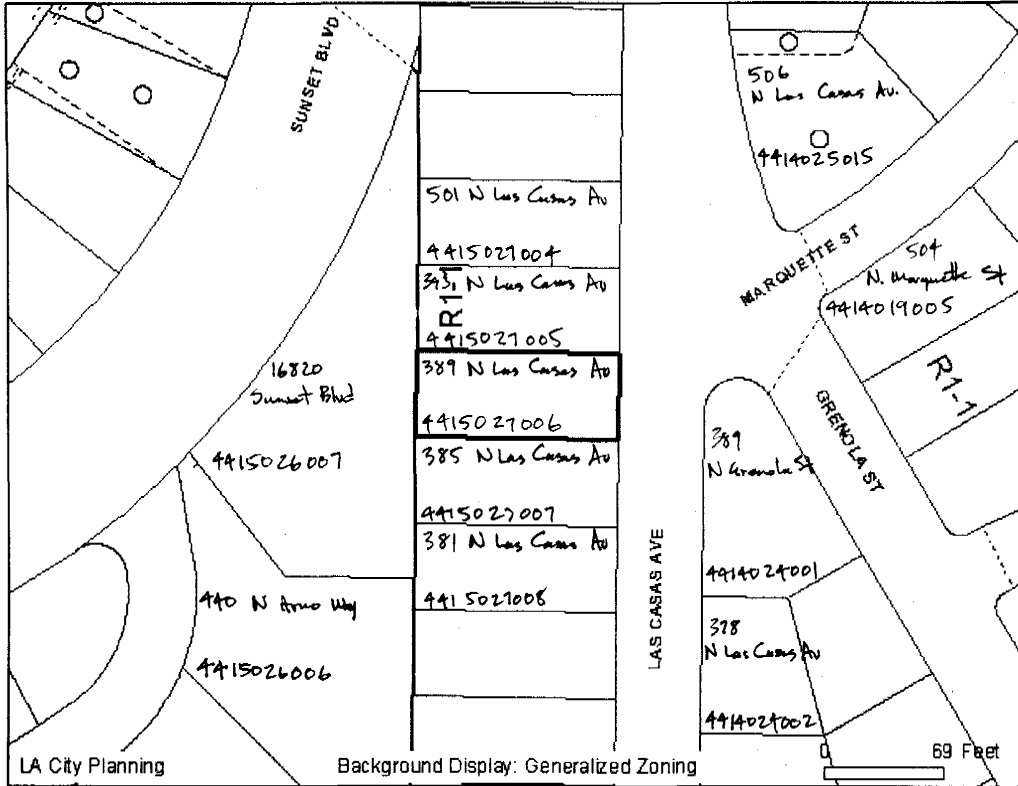


DynamicPDF Generator evaluation version. DynamicPDF.com

**ZIMAS INTERNET**

04/11/2006

City of Los Angeles  
 Department of City Planning



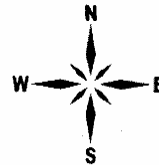
**Generalized Zoning**

- OS
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, R4, R5
- ADP, C1, C1.5, C2, C4, C5, CR, CW, LASED, WC
- CM, MR, CCS, M1, M2, M3, SL
- P, PB
- PF
- HILLSIDE

**Property Information**

Address: 389 N LAS CASAS AVE  
 APN: 4415027006  
 Tract: TR 9300  
 Block: 140  
 Lot: 31  
 Arb: None  
 PIN #: 126B121 245  
 Zoning: R1-1  
 General Plan: Low Residential

**EXHIBIT# 2**  
 Page 1 of 1  
 Application Number:  
**5 - 0 6 - 2 2 4**  
 California Coastal  
 Commission



Streets Copyright (c) Thomas Brothers Maps, Inc.

5-06-224 (Headrick)  
 Staff Report – Consent Calendar  
 Page 10



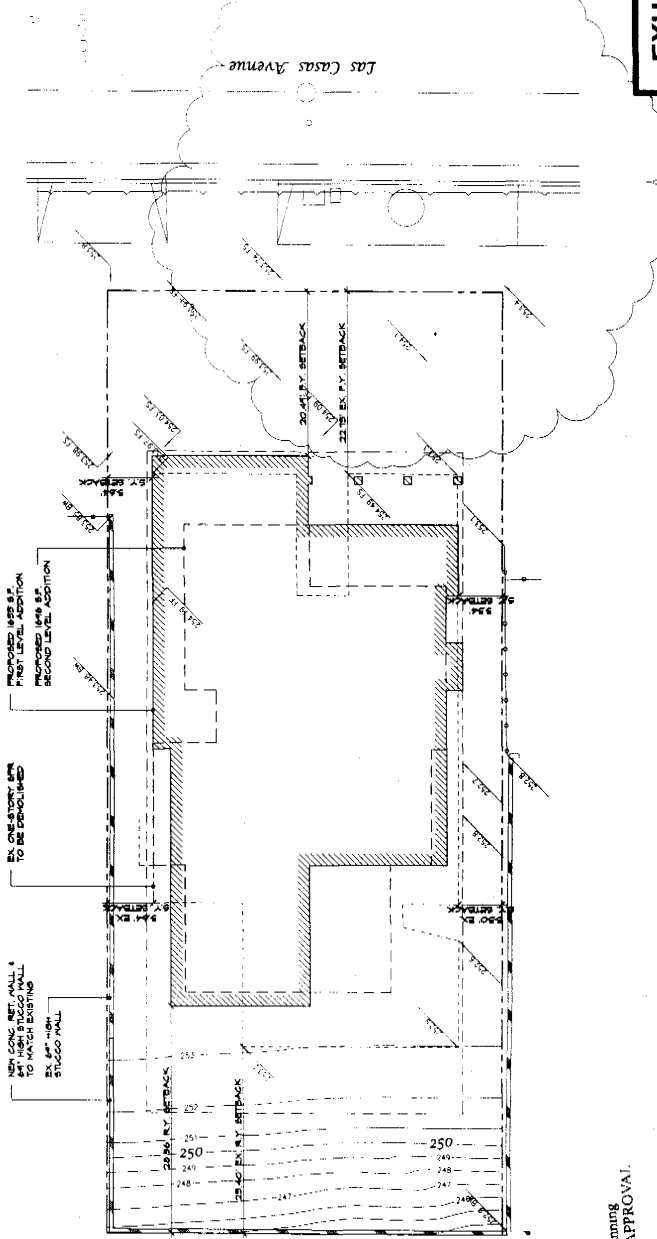
RECEIVED

Remodel  
 Headrick Residence  
 389 Las Casas Avenue  
 Pacific Palisades, CA 90272  
 Tel: 310.451.0772

Site Plan  
 SITE



**EXHIBIT# 3**  
 Page 1 of 1  
 Application Number:  
**5-06-224**  
 California Coastal  
 Commission



Site Plan

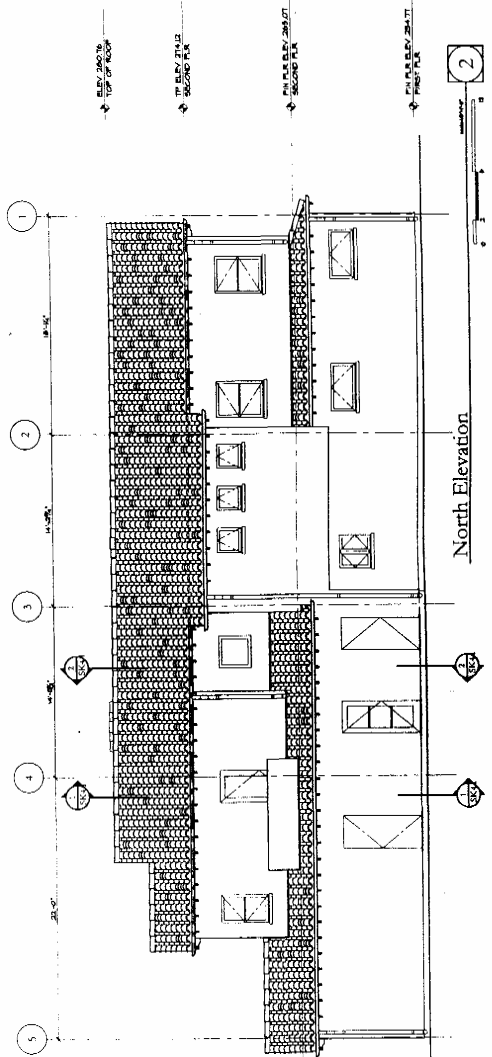
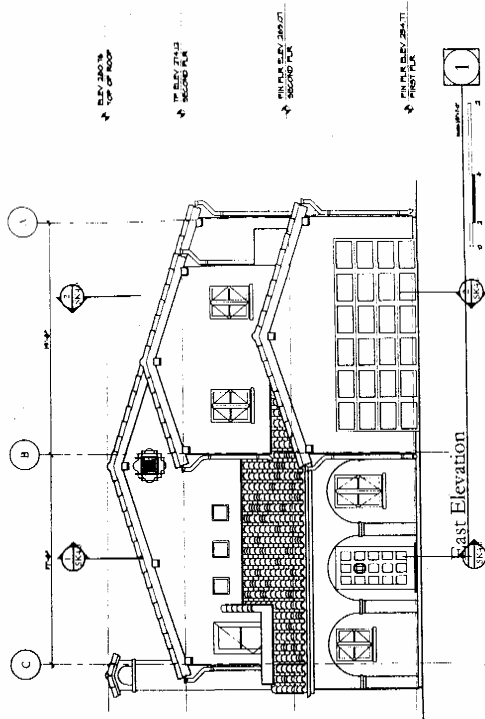
Los Angeles City Planning  
 COASTAL ZONE PLAN APPROVAL  
 Single Jurisdiction  
 Local Jurisdiction  
 File No. 22-230-411-A  
 Approved by: [Signature]  
 Date: 5-21-09

5-06-224 (Headrick)  
 Staff Report – Consent Calendar  
 Page 11



m + c DESIGN  
 143 Locoma Avenue, ext.  
 Suite 100  
 Pacific Palisades, CA 90272  
 Telephone: 310.454.7633

Headrick Residence  
 389 Las Casitas Avenue  
 Pacific Palisades, CA 90272  
 tel: 310.454.9763



East Elevation  
 North Elevation  
 ELEV

<b>EXHIBIT # 4</b>
Page 1 of 2
Application Number: <b>5-06-224</b>
California Coastal Commission

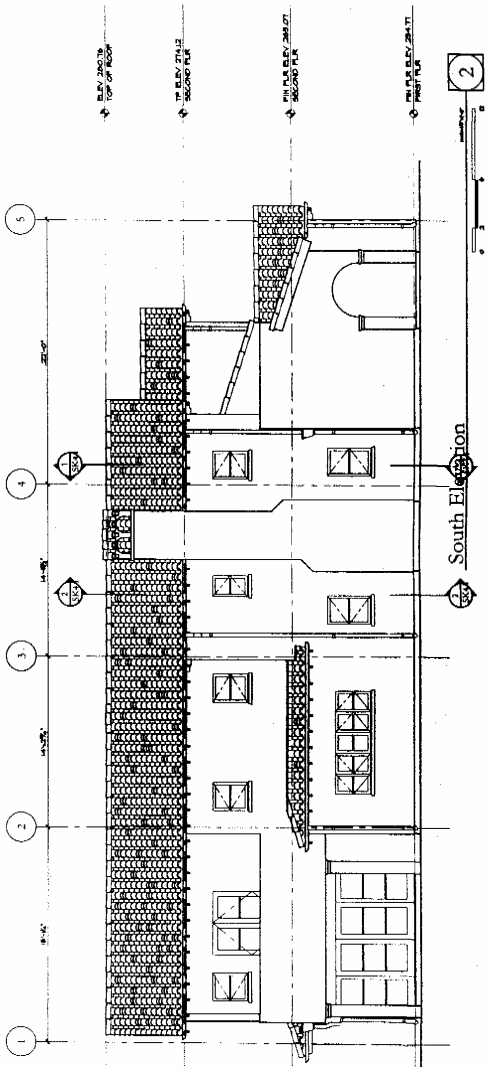
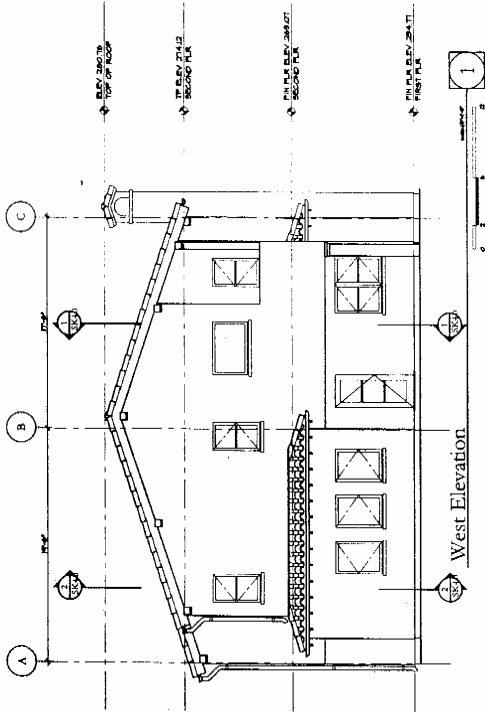
5-06-224 (Headrick)  
 Staff Report – Consent Calendar  
 Page 12



Remodel  
 Headrick Residence  
 389 Las Casas Avenue  
 Pacific Palisades, CA 90272  
 tel: 310.454.9763

West Elevation  
 South Elevator  
 ELEV

<b>EXHIBIT# 4</b>
Page 2 of 2
Application Number: <b>5 - 0 6 - 2 2 4</b>
California Coastal Commission

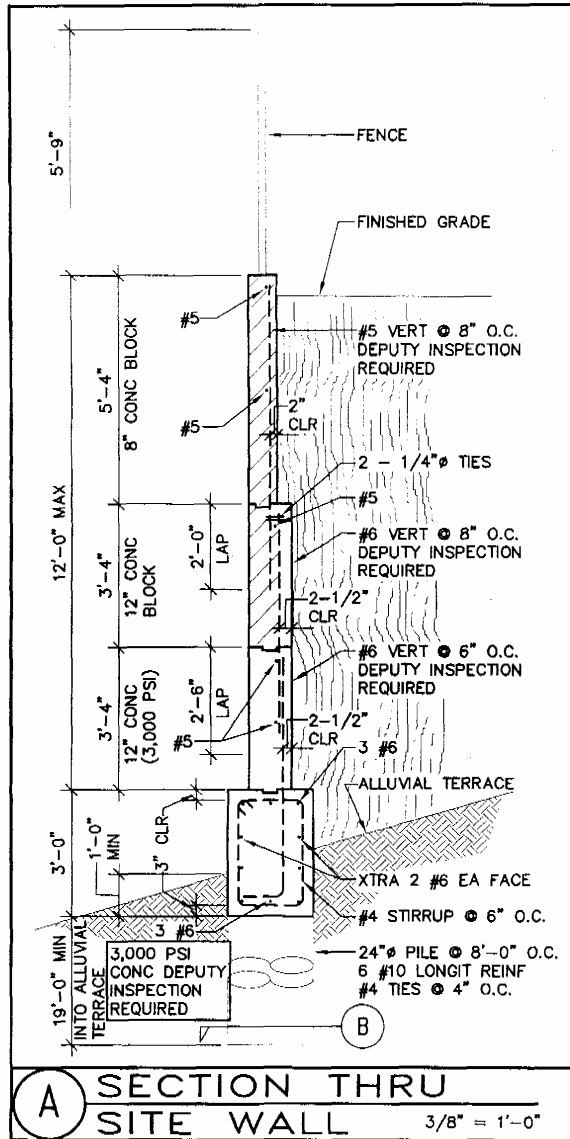


5-06-224 (Headrick)  
 Staff Report – Consent Calendar  
 Page 13

HEADRICK RESIDENCE  
 389 LAS CASAS AVENUE  
 PACIFIC PALISADES, CALIFORNIA

JOB: MO-0605-129  
 DATE: MARCH 26, 2007  
 SHT 1 OF 2

ADDENDUM #1  
 (Site wall)



**EXHIBIT# 5**  
 Page 1 of 1  
 Application Number:  
**5 - 0 6 - 2 2 4**  
 California Coastal  
 Commission

