## CALIFORNIA COASTAL COMMISSION

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# STAFF REPORT: DE NOVO and REGULAR CALENDAR

LOCAL GOVERNMENT: City of Los Angeles

Th25b-c

LOCAL DECISION: Approval with Conditions

**APPLICATION NUMBER:** A-5-PPL-08-192/5-08-191

- APPLICANT: Tom and Elizabeth Giovine
- AGENT: Alan Block
- **PROJECT LOCATION:** 14984 Corona Del Mar, Pacific Palisades, (Los Angeles County)
- **PROJECT DESCRIPTION**: Application for the construction, use and maintenance of an underground soldier piles and grade beam system to increase the factor of safety of an existing two-story single family residence located on a 31,856 square foot lot on the south side of Corona Del Mar just north of Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles.

## LIST OF EXHIBITS:

- 1. Location Map
- 2. Assessor's Parcel Map
- 3. Aerial Photo
- 4. Site Plan
- 5. Elevations
- 6. Geologic Map and Cross Section
- 7. Correspondence from Applicant's Geologic Consultant

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## SUMMARY OF STAFF RECOMMENDATION:

The proposed project is located on a bluff top site that is highly visible from Pacific Coast Highway and where the bluff has retreated historically. As proposed, this project raised issues with Coastal Act sections that require protection of natural landforms and public views and address the safety of development. Staff recommends <u>APPROVAL</u> of the proposed project with 8 Special Conditions. These special conditions require: 1) an assumption of risk; 2) revised plans ensuring an adequate setback from the bluff edge; 3) conformance with geotechnical recommendations; 4) a future development restriction; 5) an erosion and runoff control plan; 6) installation of a pool and water feature leak monitoring system; 7) conformance with the landscape plan already submitted; and 8) recordation of a deed restriction against the property, referencing all of the Special Conditions contained in this staff report. The special conditions are necessary to bring the proposed development into conformance with the geologic stability, visual resource, and water quality protection policies of the Coastal Act.

The proposed project is located on Corona del Mar, directly above Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles. The building site is situated atop a 155-foot high bluff above and north of Pacific Coast Highway and south of Corona Del Mar on a site that is highly visible from Pacific Coast Highway. The applicant's geological investigation provides cross-section plans that locate a 1.5 factor of safety line, which intersects the surface of the lot underneath the existing single family residence. The applicant is proposing to stabilize the existing structure above a safety factor of 1.5 by constructing two rows of underground soldier piles and one row of deadman piles. As conditioned, the proposed project is consistent with the policies in Chapter 3 of the Coastal Action, including, specifically, Sections 30240(b), 30251 and 30253.

## SUBSTANTIVE FILE DOCUMENTS:

- 1. City of Los Angeles Local Coastal Development Permit ZA 2008 0353 (CDP).
- 2. Geotechnical and Geologic Engineering Investigation and Report for Proposed Necessary Site Stabilization Improvement and Pool at Corona Del Mar, Los Angeles, California, prepared by Ralph Stone and Company Inc. dated November 30, 2007.
- 3. Seismic Slope Stability Analyses and Report for 14984 Corona Del Mar, Los Angeles, California, prepared by Ralph stone and Company Inc. dated January 29, 2008.
- 4. Addendum No. 1 Response to City Correction Letter, to Geotechnical and Geologic Engineering Investigation and Report for Proposed Necessary Site Stabilization Improvement and Pool at Corona Del Mar, Los Angeles, California, prepared by Ralph Stone and Company Inc. dated March 31, 2008.
- 5. Geology and Soils Approval Report Approval Letter, City of Los Angels, dated May 22, 2008
- 6. Regional Interpretive Guidelines, South Coast Region, Los Angeles County, adopted by the Commission October 14, 1980
- 7. Coastal Development Permits 5-05-523, 5-04-212, and 5-04-213

## STAFF NOTE:

The proposed development is within the coastal zone of the City of Los Angeles. Section 30600(b) of the Coastal Act allows local government to assume permit authority prior to certification of a local coastal program. Under that section, the local government must agree to issue all permits

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within its jurisdiction. In 1978, the City of Los Angeles chose to issue its own coastal development permits.

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the "Dual Permit Jurisdiction" area, the Coastal Act requires that the development which receives a local development permit also obtain a permit from the Coastal Commission. Section 30601 requires a second coastal development permit from the Commission on all lands located (1) between the sea and the first public road, (2) within 300 feet of the inland extent of a beach, or the sea where there is no beach, (3) on tidelands or submerged lands, (4) on lands located within 100 feet of a wetland or stream, or (5) on lands located within 300 feet of the top of the seaward face of a coastal bluff, or (6) any development which constitutes a major public works project.

The proposed property is located within 300 feet of the top of the seaward face of a coastal bluff. Therefore, the proposed project is a dual permit jurisdiction project. For development within or considered as dual jurisdiction, after the local government approves a permit, a second permit is required from the Commission under the requirements of section 30601, in addition to the Commission's action on this appeal.

The City's approval of the local coastal development permit for the single permit area was appealed to the Commission (A-5-PPL-08-192) by the Executive Director of the California Coastal Commission. At the August 2008 Commission hearing, the Commission found that the appeal raised a substantial issue with respect to scenic public views, landform alteration and geologic bluff stability.

In order to minimize duplication and unnecessary delays, Commission staff has herein combined its analysis for the De Novo review of the permit appealed (A-5-PPL-08-192) and for the Commission's review of the dual permit jurisdiction coastal development permit application (5-08-191) into one staff report and one Commission hearing. However, Commission approval, modifications, or disapproval of this project will require separate actions on the appeal (De Novo) and on the coastal development permit.

# I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR COASTAL DEVELOPMENT PERMIT NO. A-5-PPL-08-192:

Staff recommends that the Commission make the following motion and adopt the following resolution:

## <u>MOTION</u>: I move that the Commission approve Coastal Development Permit No. A-5-PPL-08-192 pursuant to the staff recommendation.

## **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.

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## **RESOLUTION:**

The Commission hereby <u>APPROVES</u> a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative that would substantially lessen any significant adverse impacts of the development on the environment.

# II. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR COASTAL DEVELOPMENT PERMIT NO. 5-08-191:

Staff recommends that the Commission make the following motion and adopt the following resolution:

## <u>MOTION</u>: I move that the Commission approve Coastal Development Permit No. 5-08-191 pursuant to the staff recommendation.

## **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:**

The Commission hereby <u>APPROVES</u> a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative that would substantially lessen any significant adverse impacts of the development on the environment.

# **III. STANDARD CONDITIONS**

- 1. <u>Notice of Receipt and Acknowledgment</u>. 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. <u>Expiration</u>. 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. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. <u>Assignment</u>. 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. <u>Terms and Conditions Run with the Land</u>. 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.

## IV. SPECIAL CONDITIONS

## 1. Assumption of Risk, Waiver of Liability and Indemnity

By acceptance of this permit, the applicant acknowledges that the site may be subject to hazards from landslide, bluff retreat, erosion, and earth movement, and agrees (i) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (ii) 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 (iii) 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.

## 2. <u>Submittal of Revised Project Plans</u>

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, two (2) sets of revised project plans that show that the seaward row of soldier piles to be located no further than 40 feet seaward of the existing single family residence.
- 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

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Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

#### 3. <u>Conformance with Geotechnical Recommendations</u>

- A. All final design and construction plans, as modified and approved under Coastal Development Permit No. 5-08-191 and A-5-PPL-08-192, including soldier piles and grade beams, grading and drainage plans, shall be consistent with all recommendations contained in the Geotechnical and Geologic Engineering Investigation and Report prepared by Ralph Stone and Company, Inc., dated November 30, 2007, and subsequent amendments. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, evidence that a licensed certified engineering geologist 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 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 legally required.

## 4. <u>Future Development</u>

This permit is only for the development described in coastal development permit 5-08-191. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(b) shall not apply to the development governed by the coastal development 5-08-191. Accordingly, any future improvements to the structures authorized by this permit shall require an amendment to permit 5-08-191 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

## 5. <u>Erosion Control Plan</u>

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for review and approval of the Executive Director, a plan for runoff and erosion control.
  - 1. EROSION CONTROL PLAN
    - (a) The erosion control plan shall demonstrate that:
      - (1) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and Pacific Coast Highway.
      - (2) The following temporary erosion control measures shall be used during construction: sand bags, a desilting basin and silt fences.

- (3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets.
- (4) The following permanent erosion control measures shall be installed: a drain to direct roof and yard drainage to the street; no drainage shall be directed to the rear yard slope; no drainage shall be retained in the front yard.
- (b) The plan shall include, at a minimum, the following components:
  - (1) A narrative report describing all temporary erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
  - (2) A site plan showing the location of all temporary erosion control measures.
  - (3) A schedule for installation and removal of the temporary erosion control measures.
  - (4) A site plan showing the location of all permanent erosion control measures.
  - (5) A schedule for installation and maintenance of the permanent erosion control measures.
- 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 legally required.

## 6. <u>Swimming Pool Leak Detection</u>

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a written plan to mitigate for the potential of leakage from the proposed swimming pool and spas. The plan shall, at a minimum: 1) provide a separate water meter for the pool to allow monitoring of the water usage for the pool and the home; 2) identify the materials, such as plastic linings or specially treated cement, to be used to waterproof the underside of the pool to prevent leakage, and information regarding past success rates of these materials; 3) provide double wall construction to swimming pools and spas with a drainage system and leak detection system installed between the walls, and; 4) identify methods used to control pool drainage and to prevent infiltration from drainage and maintenance activities into the soils of the applicant's and neighboring properties. The applicant shall comply with the mitigation plan approved by the Executive Director.

## 7. <u>Landscape Plan</u>

A. The applicant shall undertake plant installation as outlined in its proposal that describes the existing on-site landscaping to remain and any removed landscaping from the existing rear lawn be replaced. No disturbance or bluff face landscaping is proposed.

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- Β. Vegetation in 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.calipc.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 final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

## 8. <u>Deed Restriction</u>

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner 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.

# V. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares as follows:

## A. Project Description

The applicant is proposing the construction, use and maintenance of an underground soldier piles and grade beam system to increase the factor of safety of an existing two-story single family residence located on a 31,856 square foot lot on the south side of Corona Del Mar just north of Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles (Exhibit 1 and 2). Additionally the applicant's proposal includes a swimming pool located adjacent to the rear of the existing structure.

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The proposed project stabilization plans include the installation of two rows of soldier piles. One row of piles would be placed near the residence, and tied back to a row of dead man piles, located near the front property line, in order to raise the safety factor of the residence above a 1.5 building factor of safety. The second row of piles would be placed approximately ten feet from the bluff edge in order to stabilize the rear yard (Exhibit 3 and 4).

## B. Hazards

Section 30253 of the Coastal Act states, in part:

New development shall:

- (I) 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.

Development on a coastal bluff is inherently risky due to the potential for bluff failure. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential structures and ancillary improvements. In general, bluff instability is caused by environmental factors and impacts caused by man. Environmental factors include seismicity, wave attack, drying and wetting of soils, wind erosion, salt spray erosion, rodent burrowing, percolation of rain water, poorly structured bedding and soils conducive to erosion. Factors attributed to man include bluff over steepening from cutting roads and railroad tracks, irrigation, over-watering, building too close to the bluff edge, grading into the bluff, improper site drainage, use of impermeable surfaces that increase runoff, use of water-dependent vegetation, pedestrian or vehicular movement across the bluff top, face and toe, and breaks in water or sewage lines.

The project site is located on the southern side of Corona Del Mar, approximately one-quarter mile west of the intersection of Pacific Coast Highway and Chautauqua Boulevard on a bluff composed primarily of marine and non marine terrace deposits. The lot is rectangular in shape measuring approximately 320 feet in length and 100 feet in width. The site consists of a flat level pad that extends for approximately 160 feet, after which the bluff begins its seaward decent from an elevation of approximately 180 feet to 30 feet above sea level. Gradients on the slope vary 40 degrees near the toe of the slope to 55 degrees near the blufftop. The toe of the slope has been buttressed with a fill slope installed by Caltrans. There is an existing two-story single family residence with a partial basement and attached garage on the flat pad of the site (Exhibit 3 and 4). The existing residence has a factor of safety of less than 1.5 against a slope failure. Currently the rear yard drains to the rear slope contributing to slope saturation.

The applicant has provided geological reports for the subject site. The applicant's geotechnical reports acknowledge that the subject parcel has inherent geologic risks regarding slope stability and states:

The site is located within a region of historic and active landslides. The rear slope does show signs of historic landslides, however none underlie the building pad or area of

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proposed construction. Landslide deposits do blanket portions of the rear slope face and are derived from the underlying terrace deposits. The landslide deposits except where buried beneath/behind the soil buttress fill are subject to settlement and creep.

The project as designed and evaluated by the applicant's consultants includes extensive measures to stabilize the development. The applicant's coastal engineer listed the features planned to assure the safety of the existing single family residence, proposed pool and rear yard.

In order to permanently stabilize the residence area, it is necessary to construct a row of soldier piles tied-back to a row of deadmen piles near the residence, to a depth beyond the 1.5 factor of safety line.

In order to stabilize the rear yard it is necessary to improve drainage by regrading the yard and installing a soldier pile wall approximately ten feet from the face of the slope. Fill will be placed in front of the wall at a 2:1 grade. The wall will be backfilled in order to raise the grade of the rear yard and conduct drainage to the street by gravity flow. Stabilization will involve pile lengths to a depth beyond the 1.2 factor of safety line. Permanent stabilization would involve pile lengths beyond the 1.5 factor of safety line and are not feasible.

The proposed soldier piles adjacent to the existing structure are designed to extend to a minimum depth of approximately 110 feet underground in order to intercept the 1.5 factor of safety line. The proposed soldier piles sited close to the bluff edge to stabilize the rear yard are designed to extend to a minimum depth of approximately 85 feet in order to intercept the 1.2 factor of safety line (Exhibit 5).

Although the proposed project is not consistent with the City's requirement of achieving a 1.5 factor of safety for the *entire* site, it does meet the City's minimum requirement of a 1.5 factor of safety for the building area of the residential structure and is consistent with Commission's past coastal development permit approvals for achieving a 1.5 factor of safety for the building area.

The Commission's staff geologist, Dr. Mark Johnsson, reviewed the applicant's proposed plans and geology reports, including the City's geologic review, and concurred that the design would achieve the goal of stabilizing the rear yard and structure.

The applicants, however, commissioned these reports, and ultimately the conclusion of the report and the decision to construct the project relying on the report is the responsibility of the applicants. The proposed project, even as conditioned, may still be subject to natural hazards such as slope failure and erosion. The geological and 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 coastal bluff, the Commission cannot absolutely acknowledge that the design of the soldier pile stabilization 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 that the applicants shall assume the liability of such risk.

The applicants 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 applicants' decision to develop. Therefore, the applicants are required to expressly waive any potential claim of liability

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against the Commission for any damage or economic harm suffered as a result of the decision to develop. The assumption of risk, when recorded against the property as a deed restriction will show that the applicants are aware of and appreciate the nature of the hazards which may exist on the site and which may adversely affect the stability or safety of the proposed development.

In case an unexpected event occurs on the subject property, the Commission attaches **Special Condition #1**, which requires recordation of a deed restriction whereby the applicants assume the risk of extraordinary erosion and/or geologic hazards of the property and accepts sole responsibility for the removal of any structural or other debris resulting from landslides, slope failures, or erosion on and from the site.

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. The applicants' geologic report concludes that, from a geotechnical perspective, the proposed development is feasible. 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 (**Special Condition #3**) and for a drainage and runoff plan to minimize the percolation of water into the hillside or bluff (**Special Condition #5**). 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. Visual Resources

Section 30251 of the Coastal Act states, in part:

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 landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Section 30240 (b) of the Coastal Act states, in part:

(b) Development in areas adjacent to ... parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those ... recreation areas.

The proposed project is located directly above Pacific Coast Highway, atop a 155-foot high bluff above and north of Pacific Coast Highway, just west of Chautauqua Boulevard. Because the site is situated on a steep bluff overlooking Pacific Coast Highway and the beach, development on the bluff face and on top of the bluff will be highly visible from Pacific Coast Highway and the public beach.

The applicant is proposing the construction, use and maintenance of an underground soldier piles and grade beam system to increase the factor of safety of an existing two-story single family residence. The proposed project stabilization plans include the installation of two rows of soldier piles. One row of piles would be placed near the residence, and tied back to a row of dead man

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piles in order to raise the safety factor of the residence above a 1.5 building factor of safety. The second row of piles would be placed approximately ten feet from the bluff edge in order to stabilize the rear yard above a 1.2 factor of safety. The two proposed rows of soldier piles would be installed below grade and extend to depths of 110 and 85 feet respectively (Exhibit 5).

Coastal bluffs are inherently unstable and subject to often unpredictable rates of erosion and sloughing. The bluffs present on the subject site are no exception as identified by the applicant's geologic consultant. Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be protected and development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and minimize alteration of natural landforms. This protection extends not only to immediate alteration of natural landforms, but also relates to the future impacts proposed development may have on visual resources. In this specific case, if the proposed soldier piles became exposed due to natural erosion processes, they would present a significant impact to the natural bluff landform visible from both Pacific Coast Highway and the public beaches located adjacent to the subject site.

In order to determine an estimate for how far back development should be appropriately sited so that the proposed outer row of soldier piles would not become exposed due to the natural erosion of the subject bluff, Commission staff geologist, Dr. Mark Johnsson, reviewed the applicant's proposed plans and geology reports in order to establish an anticipated angle of repose of the coastal bluff in question. The direct shear test results indicate minimal cohesion values and internal angle of friction values of 30 to 35 degrees (discounting one gravelly silty sand sample that had a friction angle of 42 degrees). These results indicate that a stable slope (essentially an "angle of repose") will be attained when erosion has caused the slope to lay back to an angle of 30 to 35 degrees) and whether the CalTrans buttress at the base of the slope will erode like the upper part of the cliff, the top of the slope may erode to a point that would expose the caissons even if they were placed directly adjacent to the residence (in the most conservative case); or it may erode to a point where the caissons could be placed as far as 40 feet from the residence and remain unexposed (in the least conservative case).

Due to the presence of Pacific Coast Highway and the Caltrans buttress fill at the toe of the slope the Commission acknowledges that the rate of erosion for this bluff is independent of marine erosion. It should also be noted that placing the outer row of soldier piles 40 feet seaward of the existing single family residence on-site, as recommended by Dr. Johnsson for this potential angle of repose, is still more conservative than the 25 foot development setback described in the Regional Interpretative Guidelines from the Commission for the County of Los Angeles. In this case, due to the unstable history associated with the subject bluff a more conservative approach than suggested in the guidelines is warranted. The Commission therefore recommends that siting the proposed development where it would remain covered at an angle of repose of 35 degrees, at a distance no more than 40 feet landward of the existing single family residence, is appropriate in this case.

In conclusion, the Commission finds that the project, as currently proposed, is designed to protect scenic and visual qualities of the site provided that the proposed outer row of soldier pile is redesigned to be located 40 feet seaward of the existing single family residence on site as depicted on the submitted geologic report (Exhibit 6). Accordingly, the Commission imposes **Special Condition #2** requiring that the applicant submit revised site plans that show the new landward

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location of the outer row of proposed soldier piles prior to issuance of this coastal development permit.

The development is located within an existing developed area and is compatible with the character and scale of the immediately surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. The Commission therefore imposes **Special Condition #4** requiring that any future development on the subject site require an amendment to this permit.

## D. 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.

The City of Los Angeles has not prepared a draft Land Use Plan for this planning subarea. In its initial "Work Program," the city identified protection of public views and stability of the lots along Pacific Coast Highway as issues that needed investigation. As proposed the project will not adversely impact public coastal views from the adjacent public areas including Pacific Coast Highway and Will Rogers State Beach, and will minimize the amount of grading that would substantially alter natural landforms along bluffs and cliffs. The Commission, therefore, finds that the project as conditioned is consistent with the Chapter 3 policies of the Coastal Act with regards to the protection of public coastal views, and approval of the project as proposed will not prejudice the ability of the City to prepare a Local Coastal Program implementation program 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 Title 14 of the California Code of 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 that the activity may have on the environment.

In this case, the applicant considered an alternative that would have considerably more impacts on coastal views and landforms that the revised project, the Commission has recommended an alternative that would lessen these impacts. Other lots along Corona Del Mar also face stability issues. The project as originally proposed would have impacted views and could have established a pattern of maximizing the developable areas of the lots on the bluff top along Corona del Mar by landform alteration and construction of visible retaining walls. Although such walls can be colored

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to mimic a natural bluff, they are clearly not natural bluffs and their construction could individually and cumulatively change the view along the bluffs from Pacific Coast Highway and the beach. As revised, the development has minimized such individual and cumulative impacts on views.

The proposed project, as revised and as conditioned, has been found consistent with the visual resource, environmentally sensitive habitat and natural hazard policies of Chapter 3 of the Coastal Act. All adverse impacts have been minimized and 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.

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AND COMPANY, INC. LPH STONE Α

Geotechnical, Environmental & Civil Engineers

# 운영의 10 TE 전통

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August 27, 2008 File: 6327.01

Tom and Elizabeth Giovine 14984 Corona del Mar Los Angeles, CA 90272

SUBJECT: California Coastal Commission Application for Proposed Necessary Site Stabilization Improvement at 14984 Corona del Mar, Los Angeles, CA.

Dear Mr. and Mrs. Giovine:

We understand that the goal of the Coastal Commission is to have a 25 foot setback from the bluff for new construction and allow the bluff to erode over time. However, in this case, Pacific Coast Highway, is immediately below the bluff, separating the bluff from a large parking lot and the beach. Caltrans has constructed a visible smooth buttress fill and wood retaining wall against the toe of the bluff covering the lower half.

The upper half of the bluff will still be completely visible to the public below and the proposed site stabilization structure will not be visible for the life time of the structure. The yard will be regraded in order to protect the bluff from future erosion caused by present drainage towards the bluff, which may otherwise impact the tens of thousands of cars the pass the site everyday on the Highway. The Coastal Commission has approved the construction of soldier piles at the bluff edge at 14930 Corona Del Mar.

We believe our proposed construction and directing of drainage away from the bluff would protect the existing house, increase the stability of the rear yard which currently shows signs of differential settlement, and maintain the natural appearance of the bluff as seen from the highway, parking lot, and beach.

Thank you for this opportunity to be of service. If you have any questions, please contact the undersigned at the letterhead location.



JR::rc:an doc:63270808 Very truly yours,

RALPH STONE AND COMPANY, INC.

James Rowlands, PE Vice-President

Phones (800) 813-9613 10954 Santa Monica Boulevard (310) 478-1501 Los Angeles, CA 90025

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