

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

# Th 8a-f



## ADDENDUM

**DATE:** February 7, 2011  
**TO:** Commissioners and Interested Parties  
**FROM:** South Central Coast District Staff  
**SUBJECT:** Agenda Items 8a-f, Thursday, February 10, 2011

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1. Staff recommends that the following footnote be added to the Summary of Staff Recommendation on page 4 of the staff report, at the end of the second paragraph on that page, as follows:

The applications are being considered together pursuant to section 13058 of the Commission's regulations (14 CCR § 13058), which states, in part, that "[w]here two or more applications are legally or factually related, the executive director may prepare a consolidated staff report. Either the commission or the executive director may consolidate a public hearing where such consolidation would facilitate or enhance the commission's ability to review the developments for consistency with the requirements of the Coastal Act."

2. Exhibit 6 (Proposed Development with Water Line – Aerial View) of the staff report contains an error. It is missing the proposed water line alignment. As such, Exhibit 6 shall be replaced with the attached Exhibit 6.
3. Commissioner Wan issued ex parte communication disclosure forms subsequent to the issuance of the staff report, which forms are attached as Exhibit 1 of this addendum.
4. Fran Gibson, a member of the public, emailed Commission staff a link to an anonymous blog post that discusses the various personal and business relationships among the subject applicants in this case. A response on the same site listed as coming from Hardy Buck on February 3, 2011, states "I understand Tim Delaney is the Edge's brother in law." This correspondence and blog post is attached as Exhibit 2 of this addendum. Gillian and Tim Delaney are listed as the principals of Mulryan Properties, LLLP. Additional internet research shows that David Evans (the Edge) has a sister named Gillian.
5. Woody Smeck, National Park Service Superintendent for the Santa Monica Mountains National Recreation Area, submitted a letter received by Commission

staff on February 1, 2011, that addresses the potential adverse impacts the proposed developments would have on the habitat, visual, and recreational resources of the Santa Monica Mountains National Recreation Area. This letter and its attachments are attached as Exhibit 3 of this addendum.

6. The Malibu Coalition for Slow Growth submitted a letter, received by Commission staff on February 7, 2011, in support of the staff recommendation. This letter is attached as Exhibit 4 of this addendum.
7. Jim Smith, a resident of Sweetwater Mesa Road in Malibu, submitted a letter received by Commission staff on February 4, 2011, expressing concern regarding the visual impact of the proposed home sites along the ridgeline. This letter is attached as Exhibit 5 of this addendum.
8. Don Schmitz, on behalf of Lunch Properties LLLP (one of the subject permit applicants and the one that proposes the main segment of the proposed access road up from the City of Malibu) submitted a letter received by Commission staff on February 4, 2011, that asserts that the proposed access road to the Lunch property is no more significant than other access roads to residential projects that the Commission has approved in the Santa Monica Mountains in the past. This correspondence is attached as Exhibit 7 of this addendum.
9. Carol Leacock, President of the Temescal Canyon Association, submitted a letter received by Commission staff on February 7, 2011, in opposition to the proposed projects and in support of the staff recommendation to deny them. This letter is attached as Exhibit 8 of this addendum.
10. Heal the Bay submitted a letter received by Commission staff on February 7, 2011, in opposition to the proposed projects and in support of the staff recommendation to deny them. This letter is attached as Exhibit 9 of this addendum.
11. Mary Ann Webster, Chair of the Sierra Clubs' Santa Monica Mountains Task Force, submitted a letter received by Commission staff on February 7, 2011, in opposition to the proposed projects and in support of the staff recommendation to deny them. This letter is attached as Exhibit 10 of this addendum.
12. Don Schmitz, on behalf of Lunch Properties LLLP, submitted two letters received by Commission staff on February 7, 2011 that discuss the geologic and fire safety elements of the proposed project. This correspondence is attached as Exhibit 11 of this addendum.
13. Don Schmitz, on behalf of Mulryan Properties LLLP, submitted a letter received by Commission staff on February 7, 2011 that asserts the staff recommendation of denial is flawed and unfounded. This correspondence is attached as Exhibit 12 of this addendum.

14. Adam Keats of the Center for Biological Diversity submitted a letter received by Commission staff on February 7, 2011 in opposition to the proposed projects and in support of the staff recommendation to deny them. This letter is attached as Exhibit 13 of this addendum.
15. Ron and Sally Munro, residents at 3085 Rambla Pacifico Road in Malibu, submitted a letter received by Commission staff on February 7, 2011, in opposition to the proposed projects and in support of the staff recommendation to deny them. This letter is attached as Exhibit 14 of this addendum.
16. Lucile Keller of Malibu Township Council submitted a letter received by Commission staff on February 7, 2011, in opposition to the proposed projects and in support of the staff recommendation to deny them. This letter is attached as Exhibit 15 of this addendum.
17. Commission staff became aware of several other web-sites that present information about this project and the applicants, all of which are attached as Exhibit 16 of this addendum.

**FORM FOR DISCLOSURE OF  
EX-PARTE COMMUNICATIONS**

Name or description of the project:: Feb agenda item Th 8a-f, Sweetwater Mesa  
Partners

Time/Date of communication: 9 am, 1/29/11

Location of communication: car phone

Person(s) initiating communication: Fran Gibson

Person(s) receiving communication: Sara Wan

Type of communication: phone call

Fran stated that the staff had done an excellent job and she is in agreement with them. The project violates numerous provisions on the Coastal Act- 30240, 30250, 50251, etc. It is not the least damaging alternative- could reduce the number of homes, limit the impacts to ESHA, move the homes off the ridges to avoid visual impacts, eliminate the water line, etc. As for the takings issue, does not believe that these properties have actually been sold to 5 separate individuals who own them outright.

Date: 2/01/2011



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Commissioner's Signature

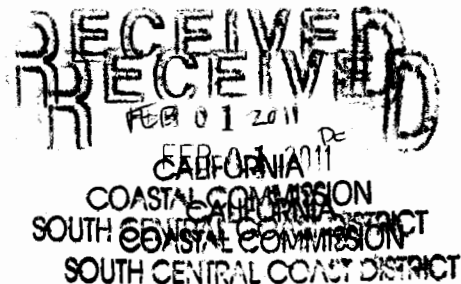


Exhibit 1
CDP 4-10-040 through 4-10-045 Addendum
Ex Parte Communications



**FORM FOR DISCLOSURE OF  
EX-PARTE COMMUNICATIONS**

Name or description of the project: Agenda items Th8a-f: Sweetwater Mesa Landowners- Edge-  
(Malibu)

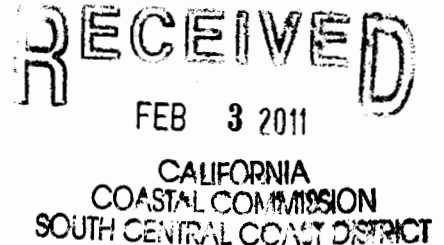
Time/Date of communication: 10:30am, 2/1/2011

Location of communication: 22350 Carbon Mesa Rd, Malibu

Person(s) initiating communication: Donna Andrews

Person(s) receiving communication: Sara Wan

Type of communication: meeting



We discussed the proposed resolution being presented to the Santa Monica Mountains Conservancy. I said there were lots of problems with the current language. To begin with, as it was written, there was only a promise to obtain the easements, no language assuring that they were going to be in hand and in escrow prior to the CCC hearing. This means that the agreement only guarantees the payment of 750K to the Conservancy for dropping their objection to the project. I also said that in addition, there is language that states that the deed restricted area does not go up to the limit of the 10,000 sq ft development area but allows a 100 foot area beyond that so that the area of development is effectively increased by another 10,000 sq ft. per home (Agreement Sweetwater Mesa Landowners Obligations- part III- B). They are allowed to essentially put in anything they want, including structures into the non-deed restricted area, which includes the additional 100'. While the language presumably states they cannot increase the area of fire clearance, it actually allows them to do so by "replacing native vegetation" (ESHA) (agreement Part III C (2), C(3). This not only allows for anything in that extra 100ft but violates the Bolsa Chica decision that does not allow for the replacement of ESHA which is what the "native vegetation" is

Date: 2/2/2011

A handwritten signature in cursive script, appearing to read "Sara Wan".

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Sara Wan

FORM FOR DISCLOSURE OF  
EX-PARTE COMMUNICATIONS

RECEIVED  
Feb 7, 2011 BR

Name or description of the project::  
Landowners

Feb meeting: Th 8a-f, Sweetwater Mesa

Time/Date of communication:

10am, 2/2/11

Location of communication:

phone

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Person(s) initiating communication:

Donna Andrews

Person(s) receiving communication:

Sara Wan

Type of communication:

phone call

Spoke with Donna about an additional concern I had with the Santa Monica Mountains Conservancy package. I was concerned that the agreement would be null and void if the Coastal commission made any changes to the project. She said that was not the intent. That the Commission could still impose conditions on the project. I said that was not how the language read and if that were the case there needed to be changes to it.

Date: 2/06/2011



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Commissioner's Signature

RECEIVED  
FEB 4 2011

**Deanna Christensen**

**From:** Deanna Christensen

**Sent:** Sunday, February 06, 2011 9:29 AM

**To:** Deanna Christensen

**Subject:** FW: Paddy McKillen's son, U2's the Edge (aka David Evans), the Edge's wife, Derek Quinlan and the woman who held the rings at the Edge's wedding ceremony. A plot worthy of Hollywood. « NAMA Wine Lake

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

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**From:** Fran Gibson [mailto:fragibson@comcast.net]

**Sent:** Friday, February 04, 2011 8:34 AM

**To:** John Ainsworth

**Subject:** Fwd: Paddy McKillen's son, U2's the Edge (aka David Evans), the Edge's wife, Derek Quinlan and the woman who held the rings at the Edge's wedding ceremony. A plot worthy of Hollywood. « NAMA Wine Lake

Begin forwarded message:

<http://namawinelake.wordpress.com/2011/02/03/paddy-mckillen%E2%80%99s-son-u2%E2%80%99s-the-edge-aka-david-evans-the-edge%E2%80%99s-wife-derek-quinlan-and-the-woman-who-held-the-rings-at-the-edge%E2%80%99s-wedding-ceremony-a-plot-worthy-of/>

Exhibit 2

CDP 4-10-040 through 4-10-045  
Addendum

Fran Gibson Correspondence

2/6/2011

- [Home](#)
- [About](#)
- [The Developers](#)
- [The Tranches](#)
- [Paddy McKillen v NAMA](#)
- 

## **NAMA Wine Lake**

**Click the green link above for latest news and over 600 NAMA-related articles. NAMA – National Asset Management Agency – part of Ireland's response to its banking crisis and property bubble**

### **Feeds:**

[Posts](#)

[Comments](#)

« [Paddy McKillen v NAMA – the Supreme Court rules – Paddy wins on narrow point. Substantive part of appeal not yet judged.](#)

[European Commission finally publishes Bank of Ireland restructuring decision](#) »

**Paddy McKillen's son, U2's the Edge (aka David Evans), the Edge's wife, Derek Quinlan and the woman who held the rings at the Edge's wedding ceremony. A plot worthy of Hollywood.**

February 3, 2011 by [namawinelake](#)

Oh and let's not omit Mulryan Properties LLLP (principal: Derek Quinlan, yes really!) and Ronan Properties LLLP (principal: Dean McKillen, Paddy's son, yes really!). The following is the story of how five apparently separate companies sought to develop luxury real estate on 157-acres of adjacent plots in Santa Monica, southern California only to have their plans rebuffed last week with the planning authorities having discovered that the applications mightn't have been as separate as they first appeared.

Last week, a Staff Report of the [California Coastal Commission](#) concluded it was appropriate to decline five separate applications to build five separate residences ranging in size from 7,000 to 13,000 sq ft in the Santa Monica mountains in west Los Angeles. No story there – planning authorities reject planning applications all around the world every day for a variety of reasons. Yes, the fact that one of the applicant companies is apparently controlled by U2's the Edge (aka David Evans) adds some chachacha to the bureaucracy but the applications were essentially about building houses – nothing extraordinary there. The Edge did go to the trouble of [building a website](#) to explain his vision for the project. And indeed some aspects of this story are not new – in 2009 Gemma O'Doherty in the [Irish Independent](#) wrote about the scheme and the involvement of Derek Quinlan.

But it is the people behind the applicant companies that is of interest. Now if it was the Dun Laoghaire-Rathdown county council examining the applications, they would probably have picked up very quickly

that the applicants were connected to large-scale property developers – in Ireland, the names Ronan, Mulryan, Quinlan and McKillen have practically become household names on the back of the property boom that swallowed the country in the mid-2000s but alas has today spit the country back out. The folks at the California Coastal Commission can be forgiven for not being familiar with the fact that Johnny Ronan and Sean Mulryan are two of the Top 10 NAMA developers with debts in excess of €1bn (USD \$1.4bn) each. Derek Quinlan is also a NAMA Top 10 developer and were it not for the legal case that Paddy McKillen took against NAMA last July in which he has had partial success today, he too would be a NAMA Top 10 developer. It should be stressed that there is no evidence to connect Johnny Ronan or Sean Mulryan to the applicant companies in the Santa Monica scheme – at present it seems like a co-incidence that two of the applicant companies bear the surnames of two of the most prominent property developers in the State.

So precisely what happened in west Los Angeles? Back in 2007 the Edge bought a 157-acre plot in the Santa Monica mountains with views out to the Pacific and over Malibu. A scheme developed to build five luxury single-family residences. Derek Quinlan became involved. The planning applications have been around for nearly four years and have undergone some changes but were finally exhaustively examined last week and a conclusion was reached that it was appropriate to deny them. The land apparently cost USD \$9m in 2007. According to the 2009 Irish Independent story, the five properties might have been expected to fetch USD \$40m each.

In 2007/8 six separate applications were made by five separate companies as follows:

- (1) Lunch Properties LLLP (LLLP means limited liability limited partnership and is a form of company allowed in the state of Delaware in the US where the five companies are registered), whose principal is James Vanden Berg, the project manager
- (2) Vera Properties LLLP, whose principal is the Edge (aka David Evans)
- (3) Mulryan Properties LLLP, whose principal was Derek Quinlan until July 2010 when control passed to Tim and Gillian Delaney. Tim Delaney was a Vice President at Polygram Records until 1999, the record company that produced U2 albums. There is no evidence of Sean Mulryan, one of Ireland's most prominent developers being associated with this company.
- (4) Morleigh Properties LLLP, whose principal was Morleigh Steinberg (the Edge's wife) until April 2010 when control passed to Chantal O'Sullivan (of O'Sullivan Antiques and the woman who held the rings at the Edge's wedding) and Lisa Menichino
- (5) Ronan Properties LLLP, whose principal was Jacqueline Cremin (a director of Quinlan's companies) until April 2010 when control passed to Dean McKillen, son of Paddy McKillen. There is no evidence of Johnny Ronan, one of Ireland's most prominent developers being associated with this company.
- (6) A joint application between Mulryan/Morleigh

The planning applications were examined last week and a conclusion reached was that it was appropriate to deny the applications for a number of reasons, interference with environmentally sensitive habitat areas and the development diminishing the scenic beauty of the area included. But one of the key issues investigated by the planning authorities was whether the five applicant companies were connected and they concluded after some digging that they were. That conclusion had implications as to the planning modalities, but the point of interest on here was the connection between the Edge, Derek Quinlan and Paddy McKillen (via his son Dean) and the fact that two of the companies, Ronan


Properties LLLP and Mulryan Properties LLLP, bear the name of two of Ireland's most prominent property developers. There appears to have been some concerted effort in 2010 to change the apparent ownership of the five application companies as detailed from page 73 of the California Coastal Commission report but it seems that the Commission decided that the applicant companies were in fact connected.

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7

Posted in [Developers](#), [NAMA](#), [Non-Irish property](#) | 7 Comments


## 7 Responses

1. on [February 3, 2011 at 8:01 pm](#) | [Reply](#)  John Beshoff


Paddy and Johnny are long time business partners, nothing new here. Their joint venture/dealings commenced in the mid eighties.

- o on [February 3, 2011 at 8:08 pm](#) | [Reply](#)  namawinelake

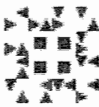
To be clear there is nothing in the California Coastal Commission refusal to grant permission to develop to suggest that Johnny Ronan is associated with Ronan Properties LLLP but given the prominence of Messrs McKillen and Quinlan in Irish property development the co-incidence is striking.

2. on [February 3, 2011 at 10:05 pm](#) | [Reply](#)  Hardy Buck

I understand Tim Delaney is the Edge's brother in law.

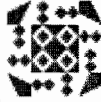
3. on [February 4, 2011 at 1:18 am](#) | [Reply](#)  Armchair View

Has Jacqueline Cremin any connection to Olan Cremin who worked with Derek Quinlan?

4. on [February 4, 2011 at 12:30 pm](#) | [Reply](#)  notnumb

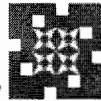
It would be interesting to know who financed this deal, maybe Paddy and Edge's friend Lars

Bradshaw?



5. on February 4, 2011 at 4:55 pm | Reply Fran Gibson

The project has NOT been denied or approved by the California Coastal Commission. The hearing is scheduled for February 10. The CCC staff is strongly recommending denial due to the coastal resource adverse impacts of the development as proposed.



o on February 4, 2011 at 5:19 pm | Reply namawinelake

Hi Fran, I accept what you say though the report does use the wording "Consequently, it is appropriate for this Commission to deny with guidance". The reasons for concluding this appropriateness to deny are set out in some detail in the Staff Report.

#### Comments RSS

#### **Leave a Reply**

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Name \*

Email \*

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Comment

You may use these HTML tags and attributes: <a href="" title=""> <abbr title=""> <acronym title=""> <b> <blockquote cite=""> <cite> <code> <pre> <del datetime=""> <em> <i> <q cite=""> <strike> <strong>

☐ Notify me of follow-up comments via email.



# United States Department of the Interior

NATIONAL PARK SERVICE  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Drive  
Thousand Oaks, California 91360-4207

In reply refer to:  
L76/ 134-03, -20, -83

January 26, 2011

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

RE: Sweetwater Mesa Projects - Application Nos. 04-09-056, 04-09-057, 04-09-058,  
04-09-059, 04-09-060, 04-09-061

Honorable Chairperson Neely and Commissioners:

The National Park Service has reviewed the case materials for five proposed homes ranging from 7,220 to 12,785 square feet (averaging 10,500 square feet), a 7,800-foot water line extension and associated access road, and 6,210 feet of paved access road and driveways on a significant ridgeline in the Santa Monica Mountains. The project site falls within the boundary of the Santa Monica Mountains National Recreation Area (SMMNRA). The project parcels are bordered on two sides by public parkland. Malibu Creek State Park is located west of the project parcels, and Mountains Recreation and Conservation Authority parkland is adjacent to the south.

Congress, when it established SMMNRA, found<sup>1</sup>:

- (1) There are significant scenic, recreational, educational, scientific, national, archeological, and public health benefits provided by the Santa Monica Mountains and adjacent coastline.*
- (2) There is a national interest in protecting and preserving these benefits for the residents of and visitors to the area; and*
- (3) The State of California and its local units of government have authority to prevent or minimize adverse uses of the Santa Monica Mountains and adjacent coastline area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority.*

The National Park Service appreciates the opportunity to participate in the public review process for the proposed project. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of

<sup>1</sup> Omnibus Parks Act of 1978 (P.L. 95-625)



government with authority to prevent or minimize adverse uses. We assume a neutral position and do not support or oppose land development. We offer the following comments.

We are concerned that the project would incur significant adverse impacts to the biological and visual resources of the national recreation area owing to habitat fragmentation, edge effects of residential development against open space, visual degradation from ridgeline development, and placing development in an area of frequent wildland fires. The project, as proposed, conflicts with our resource protection and recreational access goals. The project's growth inducing potential also needs to be examined. We believe the intensity of this project – in terms of the amount of new construction, location relative to surrounding habitat and topography, scale of grading, and significance of infrastructural improvements – is unprecedented for single family residential development in the Santa Monica Mountains. We have organized our comments by issues of concern.

### **Biological Resources**

#### *Habitat Fragmentation*

Habitat fragmentation is one of the biggest threats to the park's natural resources. The proposed project promotes habitat fragmentation of an area currently undeveloped. The project environs are currently undeveloped and in a natural condition. Within the national recreation area, there are five areas referenced as core habitat areas, i.e. they are consolidated open space with only unpaved roads, trails and camping areas. The core habitat areas consist of protected parkland and adjacent undeveloped private land. Core habitat areas provide large reservoirs of native habitat. Such areas are necessary to conserve the full complement of native wildlife found in the Santa Monica Mountains, including large carnivores that require extensive habitat for their home ranges. The core habitat areas also serve as core recreational areas, with trails that have high aesthetic value and traverse long distances desired by many recreational visitors. Protection of these core habitat areas, including acquisition when feasible of additional adjacent private lands, is key to long-term preservation of the resource values for which the national recreation area was established.

The subject project parcels are contiguous with the Malibu Creek State Park core habitat area. Malibu Creek State Park is approximately 7,000 acres. The project parcels occur within a block of core habitat that overlaps a portion of the state park and private property, covering approximately 2,800 acres (Attachment 2). Approximately half of this core habitat block is protected as public parkland. Most of protected land occurs within Malibu Creek State Park (MCSP) and includes other public parkland owned by the NPS and the Mountains Recreation and Conservation Authority (Piuma Ridge Park).

"Fingers" of development, such as the proposed project, that extend deeply into undeveloped, undisturbed core habitat areas fragment habitat either in whole or partially. Fragmentation increases edge effects that further degrade habitat, reduces diversity, and lowers habitat productivity.<sup>2</sup>

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<sup>2</sup> Baur, B. and A. Erhardt. 1995. Habitat Fragmentation and Habitat Alterations: Principal Threats to Most Animal and Plant Species. GAIA 4: 221-226.

The spread out arrangement of the houses along the ridgeline increases their edge effects, as the amount of overlap of fuel modification zones is minimal. This will be discussed in further detail.

### *Wildlife*

NPS mountain lion tracking data indicate that the project parcels have been part of the home ranges for at least seven radio-collared mountain lions since our tracking program began in 2002. These seven lions have all been located within 500 meters of the five proposed residences. Some tracking location data points fall within the proposed development footprint of the residences. The most recently recorded point within the project site occurred when lion "P14" crossed the site on January 18th this year. Generally speaking, the project parcels and their vicinity comprise core habitat suitable for this large carnivore and others, including bobcats and coyotes. The consistently documented presence of these lions confirms that the project site is high quality core habitat that, if developed, would introduce a significant negative incursion into the previously referenced 2,800-acre core habitat block.

### *Native Vegetation*

Based on information from the applicant's biologist's assessment and NPS vegetation maps, the vegetation communities on the project parcels demonstrate the high natural resource value of habitat defined as ESHA. We concur with the Coastal Commission's findings in the 2003 "Designation of ESHA in the Santa Monica Mountains" memo:

"This [the Santa Monica Mountains] is the only place in the coastal zone where the Commission has recognized chaparral as meeting the definition of ESHA."<sup>3</sup>

The proposed project, with its extensive removal of native vegetation and grading would increase the potential for erosion and mass wasting that would negatively impact biological resources. Loss of soil reduces the ability of the area to support plant life, further exacerbating erosion. As a result, habitat is lost. Also, downstream water quality can be impaired due to the inflow of mud and silt. Furthermore, the areal extent of ground disturbance and increase in openness creates conditions conducive to establishment of invasive non-native plant species within a previously uninfested large area of native habitat. Prior research has shown that invasive species established along roads and in fuel modification areas can spread into neighboring uninfested wildlands, especially after wildfires or other disturbance. Invasion of these species into wildlands further degrades the habitat value of these natural areas<sup>4</sup>.

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<sup>3</sup> Dixon, John. 2003. "Designation of ESHA in the Santa Monica Mountains." State of California, The Resources Agency, California Coastal Commission.

<sup>4</sup> Merriam, Keeley, Beyers, 2006. "The Role of Fuel Breaks in the Invasion of Nonnative Plants"

We are concerned in particular about removal of vegetative cover for the fuel modification zones of the Lunch, Mulryan, and Ronan projects. These houses are bordered by very steep drop-offs on up to three sides: Lunch – North, East and South; Mulryan – Southeast; Ronan – Northeast and South. Removing soil-stabilizing native vegetation in these fuel modification zones would result in great potential for erosion, which could damage valuable oak woodland and riparian habitat below. Oak woodlands in particular have a high ecological value, containing a significant proportion of the biodiversity of the Santa Monica Mountains.

Clustering the proposed residences closer to each other would reduce the size of the wildland-development interface. This would also result in overlapping fuel modification zones, reducing the amount of native vegetation clearance required. The project as proposed has minor overlap of 32,949 square feet between the Morleigh and Mulryan, Mulryan and Ronan residences.<sup>5</sup> Considering that the total fuel modification footprint for these three residences is approximately 670,000 square feet, 32,949 square feet is very minimal, corresponding to only 4.9% overlap. The fuel modification zones for the Vera and Lunch residences stand alone and do not overlap with any of the other residences.

The applicant's biologist generalizes the native habitat across the project as mixed chaparral. It is worth noting that a spectrum of mixed chaparral vegetation associations exists across the site. The associations range from the more woody, large shrub associations to the herbaceous smaller shrub associations. The diversity of habitats found on the site serves the needs of a variety of wildlife. All of these vegetation types greatly protect the landscape from soil erosion. This is even more important on steep slopes and ridgelines, which characterize the project parcels. The canopies of coastal sage scrub, other coastal scrub foliage, and in particular, chaparral vegetation capture rainfall and slow down its distribution, deterring erosion. The extensive root systems of shrubs help keep soil in place. Chaparral in particular maintains extensive root systems, on the order of tens of feet in depth. Vegetation removal, such as would occur within grading footprints, building pads, and fuel modification zones, promotes erosion and even mass wasting (i.e. landslides, mudflows, rockfall). This is routinely demonstrated in post-burn situations throughout our region and elsewhere.

### **Visual Resources**

One of the national recreation area's goals is to provide, as maximally as possible, a sense of unobstructed open space. The ridgeline is currently in a mostly undeveloped and natural condition (Figure 6, Attachment 1). The proposed residences would be visible from several viewing locations throughout the park and would remove forever unobstructed views up to, across, and over this ridgeline. The proposed large retaining walls, the elevated viaduct section (up to 24 feet high on the downslope side [Sheet C2.1]<sup>6</sup>), and the cut and fill slopes necessary to access just five residences would greatly exacerbate the significant visual degradation. Furthermore, no effort has been made to reduce the residences' silhouette against the natural backdrop by limiting the structures to one story.

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<sup>5</sup> Schmitz & Associates Inc.. October 21, 2009. "Sweetwater Mesa Fuel Modification Exhibit"

<sup>6</sup> Whitson Engineers. November 4, 2009. "Sweetwater Mesa Road Improvements From STA: 26±70± to 70±53.43."

The project ridgeline is highly visible by virtue of its topographic prominence. It stretches from the ocean to the mass of Saddle Peak, the highest point in the eastern half of the Santa Monica Mountains. The surrounding topography also contributes to its high visibility: unlike other high points in the mountains, the project ridgeline is bordered to the southwest by the flat, low-elevation floodplain of Malibu Creek (the Malibu Civic Center Area). With no surrounding high ridges to block views, the ridgeline is widely visible from the west.

On the ridgeline's eastern side, views of the ridge from adjacent Carbon Canyon are rugged and scenic (Figure 4, Attachment 1). This project would place houses in this viewshed. From the Rambla Pacifico Road Pullout (Figures 6, Attachment 1), the visible undeveloped expanse of the ridge is approximately 7,000 feet in length. The project would develop an approximate 2,500-foot stretch along the ridgeline. The projects would be visible from large stretches of Rambla Pacifico, as well as the eastern extent of Piuma Road. Both of these roads are identified as scenic routes in the draft Los Angeles County LUP (dated September, 2007).

Furthermore, the project would be visible from Pacific Coast Highway from Pepperdine University (at John Tyler Drive) to Malibu Pier, a stretch of approximately two miles. Pacific Coast Highway is identified as one of two scenic routes in the 2002 Santa Monica Mountains National Recreation Area General Management Plan.

### **Fire Hazard**

The proposed residences are located in a documented area of high fire frequency and extreme risk of future wildland fires. The project area has burned seven times since 1942. Experience in managing the national recreation area has demonstrated that placing homes in such high-risk locations results in pressure from landowners and local fire protection agencies upon NPS and other park managers to take actions to reduce the threat of fire. Actions that remove or disrupt native habitat can be contrary to NPS habitat preservation mandates and can result in significant negative impacts on natural and scenic resources.

The extensive length of the driveway to the proposed residences would present challenges to preserving native habitat while providing wildfire protection. The projects would be isolated from other development in incorporated Malibu where road access would originate. Vera, the southernmost and least remote project, is approximately 4,800 road-feet from the nearest residence in incorporated Malibu. Ronan, the northernmost and most remote project, is at the dead-end of the road, approximately 12,650 feet in length (2.4 miles). Remote residences complicate firefighters' ability to maximally protect human life and property by drawing away resources from the suburban neighborhoods at the wildland fringe in order to protect outlying residences within the wildland matrix. Additionally, firefighters are placed at higher risk by increased danger associated with locating, traveling to, and defending a remote structure surrounded by vegetation in the fire's path.

The ridgeline placement is also problematic, as it places the home in danger of convective heat from wildland fires. Fuel modification zones are intended to protect against radiant heat, which makes up twenty percent of total fire heat output. Fuel modification zones offer lateral protection from fire that is sufficient for flatter terrain. However, the remaining eighty percent of fire energy is given off as convective heat, which travels upward. Homes located

along ridgelines are much more likely to burn in a wildland fire event and require much larger fuel modification zones to sufficiently reduce heat and protect them from fire. These large fuel modification zones on steep slopes result in erosion and landslide problems post-fire.

Ronan, Lunch, and Mulryan are more vulnerable due to their placement close to the ridgeline's steep drop-off into Carbon Canyon. These three residences are each located at the top of "chimneys." Chimneys are dangerous locations from a fire perspective because they channel and concentrate heat, flames, and embers as a fire burns upslope. The 2007 Santa Monica Mountains Draft LCP identifies chimneys as "particularly prone to fire due to their funnel-like topography."<sup>7</sup>

Additionally, the topography surrounding the proposed locations for the Ronan and Lunch houses would expose them to increased fire hazard from Santa Ana winds. Both of these houses are located on promontories extending eastward from the primary ridgeline. They are both bordered by steep drop-offs to the north/northeast. Santa Anas, which originate from the north/northeast, create the most hazardous fire conditions in the Santa Monica Mountains.

Further, the projects are proposed in an area which has an intense fire history. Since 1942, the project area has burned seven times, an average fire interval of less than ten years. Combined, these factors give the proposed houses poor wildfire defensibility. We have found in such high fire-hazard circumstances that homeowners remove native vegetation beyond the required 200-foot zone. Such removal exacerbates impacts to native habitat and associated flora and fauna, as well as causes further erosion, increases landslide potential, and exacerbates visual scarring. We find it imprudent to place development in a demonstrated sensitive natural resource area that exhibits very high fire risk.

### **Recreational Resources**

A segment of the Coastal Slope Trail (CST) is proposed to cross the Vera and Mulryan parcels. To the west, the trail would head into adjacent Malibu Creek State Park. Directly south of the project parcels, the trail would traverse Mountains Recreation and Conservation Authority parkland. The CST is a long-envisioned regional trail traversing the full length of the southern, ocean-facing slope of the Santa Monica Mountains. It is designed to provide continuous views of the Pacific Ocean and to provide an alternate route to the California Coastal Trail, of which segments can be submerged at high tide.

The CST is referenced in trail planning documents dating to the mid-1970s. Thereafter, the CST has been included in virtually all coastal-oriented planning documents with a trail planning component, including but not limited to the following:

- 1982 Santa Monica Mountains National Recreation Area General Plan
- 1986 Los Angeles County Master Trails Plan
- 1997 Santa Monica Mountains Area Recreation Trails (SMMART) Report

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<sup>7</sup> p. GL-104, "Proposed Santa Monica Mountains Local Coastal Program Coastal Zone Plan," September 2007, County of Los Angeles Department of Regional Planning

- 2004 Draft City of Malibu General Plan Amendment—Revised Trail Maps for Trails Master Plan
- 2005 Santa Monica Mountains National Recreation Area Interagency Trail Management Plan Draft Trail Maps

The proposed houses would be located directly upslope from the planned trail alignment, introducing a developed visual presence in what is otherwise an undeveloped area.

Tentative proposals for the trail and driveway alignment require three trail/driveway crossings. A driveway and trail design solution that could reduce the number of intersections would increase trail and driveway user safety. If the proposed projects move forward, we urge the Commission and the applicant to work toward an amicable trail easement that would secure safe public access while maximizing private landowner privacy.

### **Growth Inducement**

We are concerned that the construction of the access road and water main connection would open up the surrounding area to further development. The proposed project could catalyze further development that would incur similar impacts to biological and visual resources as discussed here, but on a larger, cumulative scale. We find the growth-inducing effects of such significant infrastructure improvements warrant thorough analysis and quantification of habitat that could be lost and other natural resource values that could be concomitantly lost or significantly compromised.

This habitat area has remained undeveloped due to its remoteness, rugged terrain and lack of services. The proposed projects would clear the very high financial and infrastructure hurdles that currently inhibit development in the area. The road is a costly and immense engineering undertaking. In places it would actually be a submerged bridge over landslide material. It would have numerous piles going to bedrock, on top of which would be a structural deck.

The proposed water main design includes capacity for connecting nine additional parcels in the area to water service.<sup>8</sup> Four of these parcels, on Costa Del Sol Way, have existing residences dependent on well water. Introduction of water service to development currently using limited well water facilitates expanded development and allows for the potential installation of landscaping requiring irrigation. Irrigation brings about non-native Argentine ants, which spread into and negatively impact adjacent native habitat by outcompeting native invertebrates.

Five vacant parcels north (upslope) of the proposed project could potentially be developed. These parcels are identified in Attachment 1.

We are also concerned that the water line alignment may result in removal of rocky outcrops. These outcrops contribute to the area's aesthetic character and provide habitat for raptors.

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<sup>8</sup> Table 1 - "Estimated Potable Water Demand for Proposed and Future Parcels," p. 3-2, "Water System Design Report for Sweetwater Mesa Properties," January 2007, Las Virgenes Municipal Water District

## **Sustainability**

The National Park Service commends efforts to reduce the environmental impacts of the house structures. We, however, ultimately find these “green building” measures are negligible in light of the potential significant adverse environmental impacts of the project. We find the environmentally friendly aspects of the project do not offset or mitigate the adverse impacts of this project.

Despite green design features, placement of the proposed houses high on a ridgeline results in their having a carbon footprint that is much larger than if they were placed within a previously developed, urbanized area, where they would not have required a water main extension, pile foundations, or a highly engineered road requiring large amounts of concrete and steel (both of which have high carbon footprints). If piped water is unable to be brought to the proposed houses, then trucking large amounts of a dense material like water up the ridgeline will further increase the project’s carbon footprint.

In some cases, project features intended to be “sustainable” could actually exacerbate the project’s negative impacts to biological resources. Irrigating fuel modification zones would facilitate populations of Argentine ants with the aforementioned negative impacts.

Any analysis of the project’s “greenness” must look at other aspects of the project: its setting within the context of core habitat and public parkland; the 7,800 foot ridgetop water line and access road; the 6,210 feet of paved access road and driveways.

### *Planned LEED Certification*

The project is proposed for LEED certification, but this does not necessarily make it environmentally friendly toward the sensitive habitat in which the structure would be developed. The local habitat context is that which the National Park Service and the Coastal Act seek to protect. For the proposed project, the LEED criteria do not appropriately weight the importance of preserving the existing natural setting. Out of 110 total possible points used to determine a project’s rating (Platinum, Gold, Silver, or Certified), there are only two points that address the setting: “Site Selection” and “Site Development – Protect or Restore Habitat.” These points amount to only 1.8% of the point total.<sup>9</sup>

### *Clustering*

If houses are to be constructed on the project parcels, environmental prudence would dictate constructing smaller structures lower down on the ridge, clustered closer to existing development and roads. This would reduce impacts from road construction and fuel modification. Habitat fragmentation and visual disturbance of the viewshed would also be reduced. Locating the residences on the gentler sloping western side of the ridge would further reduce impacts to the Carbon Canyon viewshed. The carbon footprint would also be vastly reduced due to less driving up and down the ridge.

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<sup>9</sup> LEED 2009 for New Construction and Major Renovation - Project Checklist

We value this opportunity to provide our comments on the potential impacts of this project on the resources of the Santa Monica Mountains National Recreation Area. We appreciate the the Coastal Commission's stewardship and strong efforts to protect the visual resources, recreational resources, and sensitive Mediterranean ecosystem of Santa Monica Mountains National Recreation Area, both in accordance with the environmental protection policies of the Coastal Act and with our Congressional mandate.

Thank you for the opportunity to comment. If you have questions, please call Melanie Beck, Outdoor Recreation Planner, at (805) 370-2346.

Sincerely,



Woody Smeck  
Superintendent

Enclosures:

- Attachment 1. Visual Resource Impacts of the Sweetwater Mesa Projects
- Attachment 2. Core Habitat
- Attachment 3. Fragmented Core Habitat

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy  
Craig Sap, Acting Superintendent, Angeles District, State Department of Parks and Recreation  
Clark Stevens, Executive Officer, Resource Conservation District of the Santa Monica Mountains



# **Attachment 1: Visual Resource Impacts of the Sweetwater Mesa Projects**

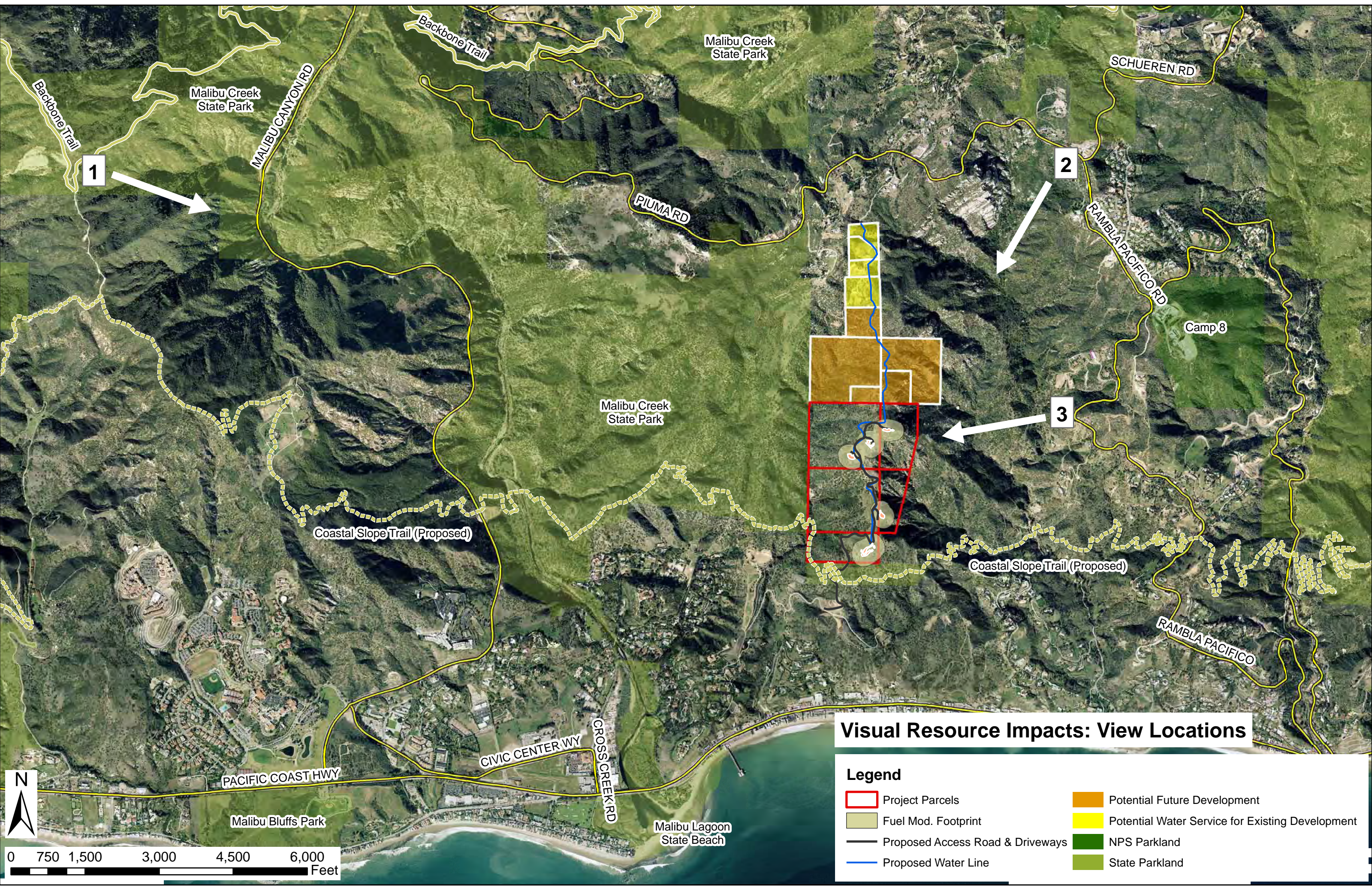
This analysis includes visual simulations of the proposed residences only from three public viewing sites in the mountains, as well as photographs of these views in their current conditions.

All the proposed houses were simulated as 6 meter (19.7 feet) tall polygons over their footprints. Two houses are proposed to be 22 feet high and three are proposed at 28 feet, so the simulation is conservative. The houses may be more visible than depicted here.

Color overlays are described in the map legend.









*Note: Vegetation cover in simulations is from aerial photographs taken before the 2007 Canyon Fire.*





## Visual Resource Impacts: View Locations

### Legend

- |  |  |
|--|--|
|  Project Parcels                  |  Potential Future Development                     |
|  Fuel Mod. Footprint              |  Potential Water Service for Existing Development |
|  Proposed Access Road & Driveways |  NPS Parkland                                     |
|  Proposed Water Line              |  State Parkland                                   |



**Public View Site #1: Backbone Trail – Mesa Peak Motorway (in Malibu Creek State Park)**

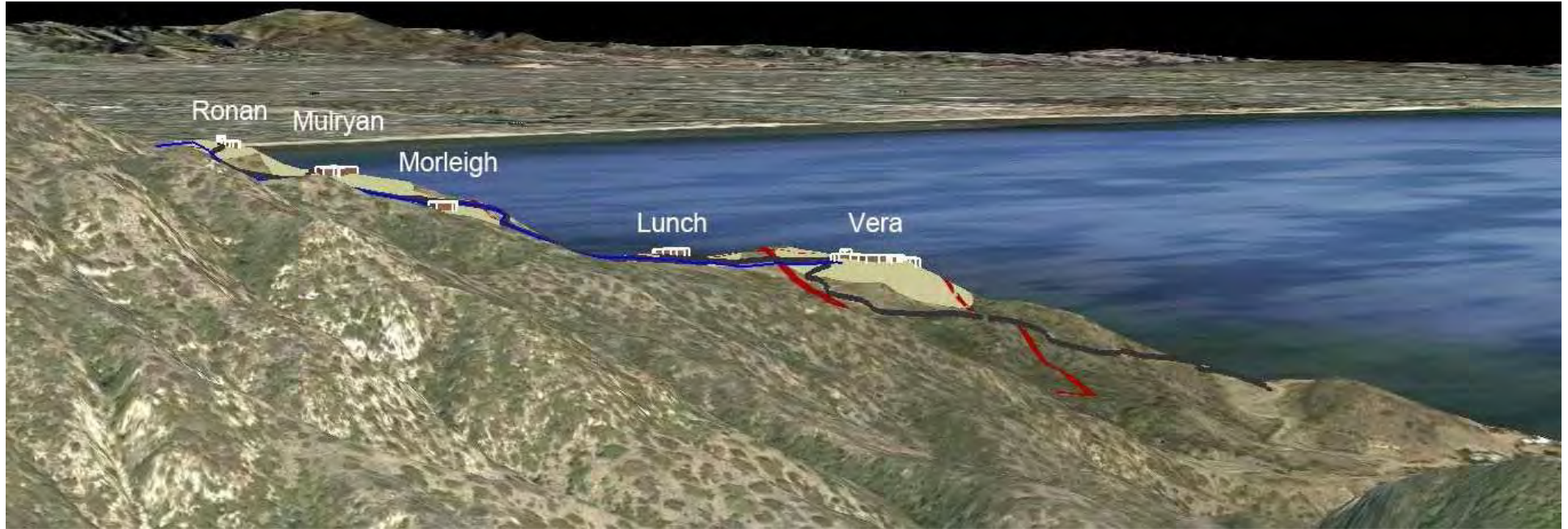


Figure 1: Proposed houses, fuel modification footprints, access road and driveways, and water line.



Figure 2: Composite photograph of project site in current conditions.



Public View Site #2: Piuma Road Pullout, Carbon Canyon

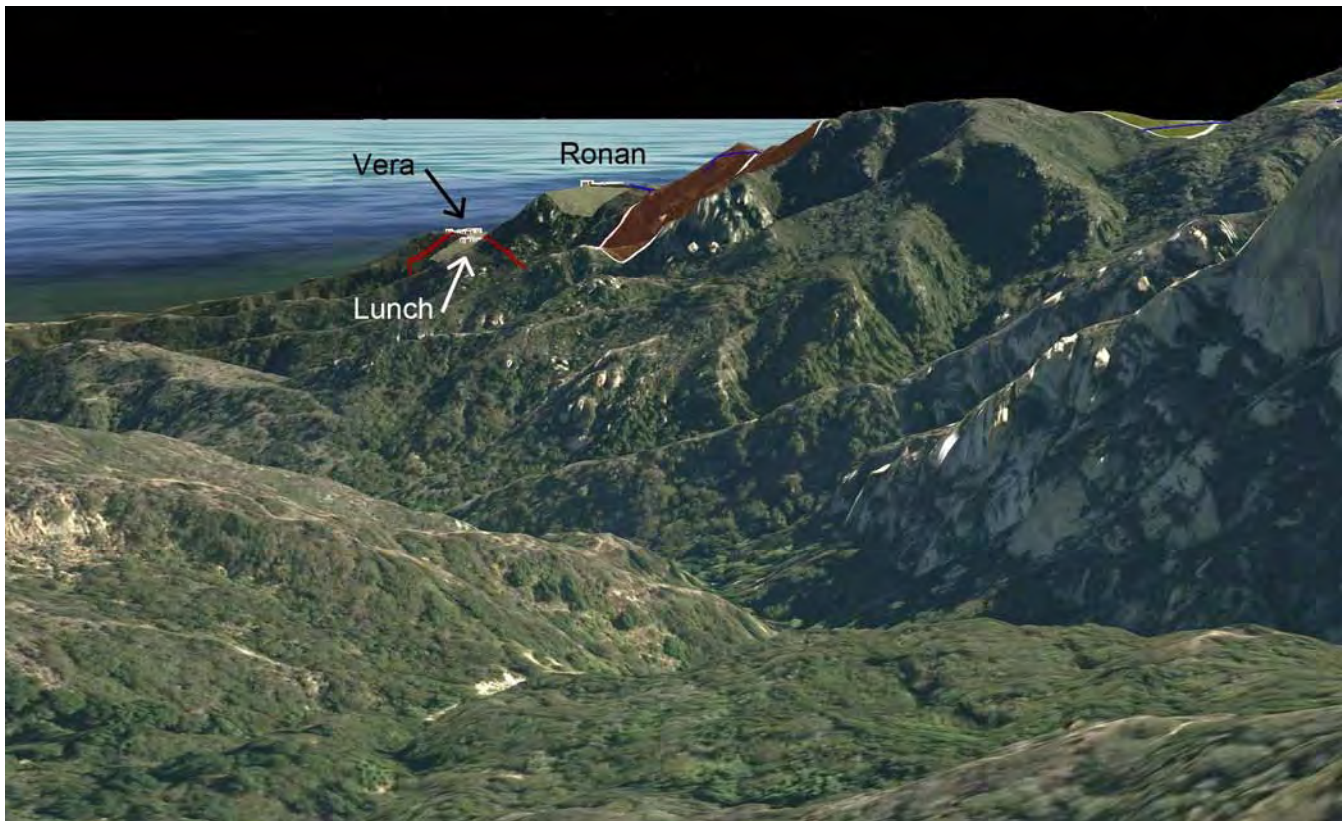


Figure 3: Proposed houses, fuel modification footprints, access road and driveways, water line, and potential future development parcels.



Figure 4: Photograph of viewshed in current conditions.



### Public View Site #3: Rambla Pacifico Road Pullout, Carbon Canyon

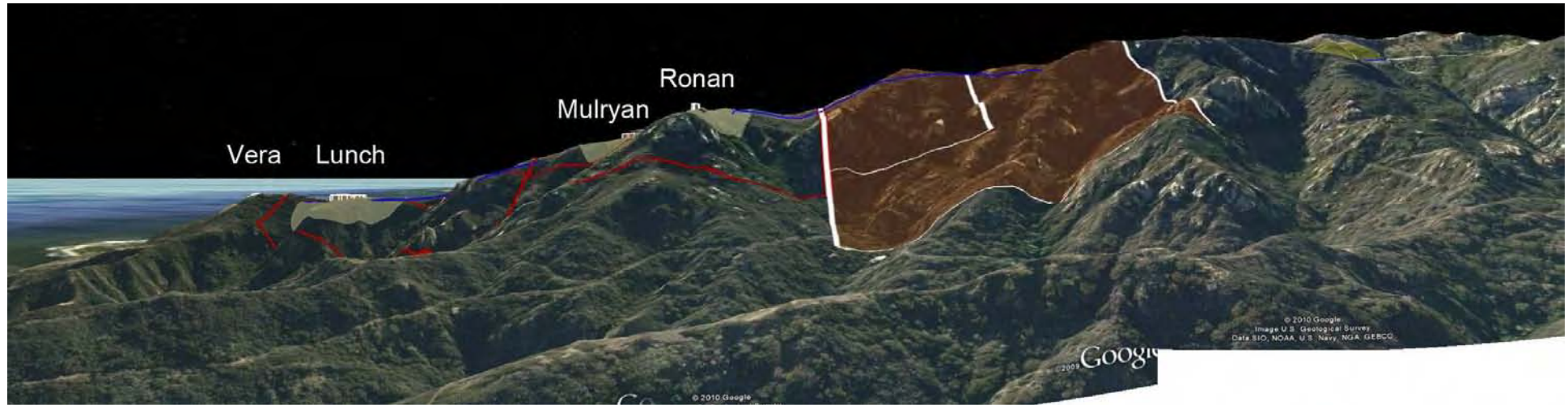
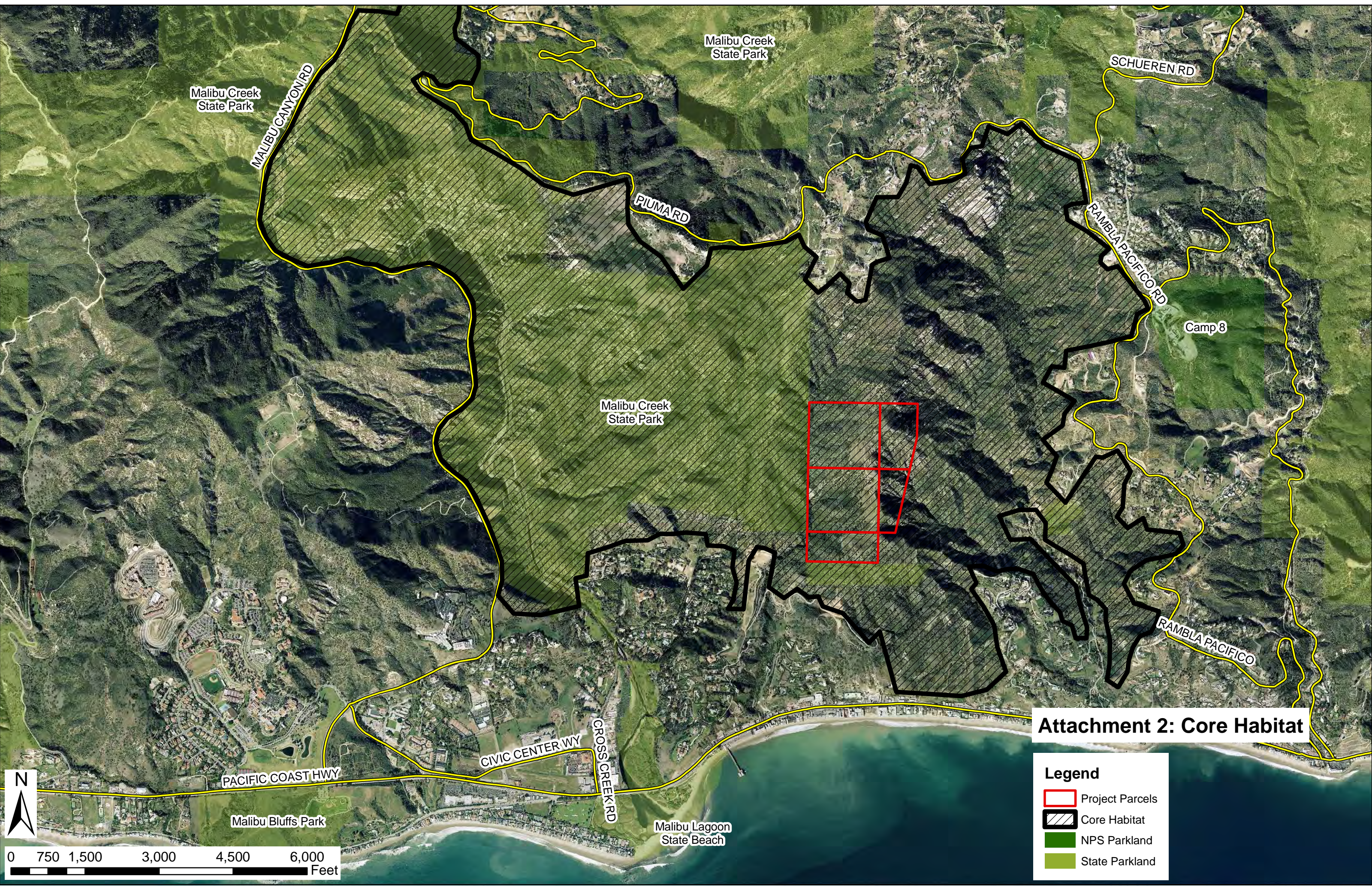


Figure 5: Proposed houses, fuel modification footprints, access road and driveways, water line, and potential future development parcels.







Figure 6: Composite photograph of viewshed in current conditions.



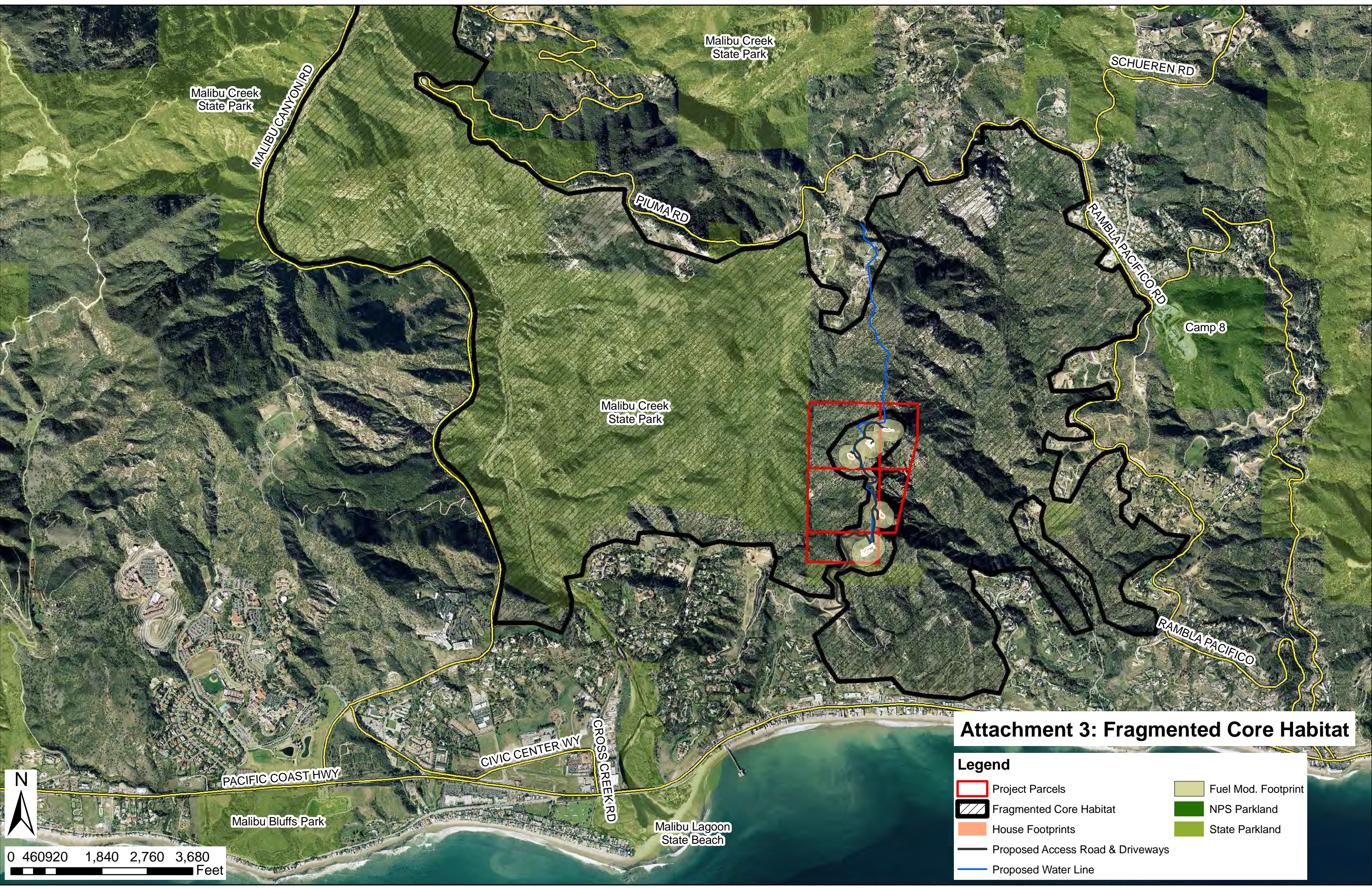


**Attachment 2: Core Habitat**

**Legend**

-  Project Parcels
-  Core Habitat
-  NPS Parkland
-  State Parkland






**Attachment 3: Fragmented Core Habitat**

**Legend**

	Project Parcels		Fuel Mod. Footprint
	Fragmented Core Habitat		NPS Parkland
	House Footprints		State Parkland
	Proposed Access Road & Driveways		
	Proposed Water Line		

  
0 460920 1,840 2,760 3,680  
Feet



Revised comments

**Malibu Coalition for Slow Growth 403 San Vicente Blvd. , Santa Monica CA 90202**

To : Members of the Coastal Commission  
From: Malibu Coalition for Slow Growth by Patt Healy  
Re: Agenda item Thursday 2-10-11 8 a-f Edge project

The Malibu Coalition for Slow Growth opposes and comments on projects that violate the Coastal Act and Local Land Use Plans in a significant way. These projects meet this criteria.

We support the staff report and ask that you adopt the staff recommendation and deny these projects.

Along with staff we too strongly oppose these projects because they do not meet the requirements of the Coastal Act for ESHA, visual resource protection, geology and public safety. Projects as currently proposed will create individual and cumulative adverse impacts on coastal resources. Development will occur in a completely undeveloped area of the Santa Monica Mountains and will open a virgin undisturbed area of 2800 acres to future development. This 2800 acre area contains steep rugged terrain with a rare and valuable Mediterranean Ecosystem consisting of mixed chaparral, coastal sage and oak woodland habitat.

There will be construction on a prominent ridgeline which is not allowed under the County Malibu LUP. 153 acres of the 156 acre subject site is ESHA. This project is not a resource dependant use and there are other alternative avenues the Applicants can take that are more protective of ESHA and visual resources. A twenty foot wide access road rises to the ridgeline, bisecting two landslide areas, impervious surface will cause drainage, run-off and erosion issues. The project will require almost 100,000 cu. yds. of grading

We ask that you deny the projects since the enormous negative impacts created by these proposed projects can be minimized through design alternatives which the Applicants should be required to do.

Thank you for considering our comments.

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COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Exhibit 4
CDP 4-10-040 through 4-10-045 Addendum
Malibu Coalition for Slow Growth Letter



RECEIVED  
FEB 4 2011  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**JAMES P. SMITH**  
**3140 SWEETWATER MESA**  
**MALIBU , CA. 90265**

Feb. 1 , 2011

Dear Commissioner ,

Malibu has ridge line ordinances drafted by this Commission in 2002 . Los Angeles County adopted ridge line protection in 2005 . Coastal has always had visual impact guidelines . All of this was in place when Mr. Evans purchased his land . At the first stroke of his pen on design these guidelines were ignored . Further disregard of guidelines is demonstrated by the lot line adjustment being requested . This request seeks to relocate the building site on Mulryan so it too will be on a prominent ridge line completing the placement of all 5 homes on ridge lines . What is before you is an attempt to obtain approvals that would clearly be denied to others . Unlimited money has been spent on design and lobbying in that effort .

The building sites for Vera and Mulryan both have off ridge line locations with bedrock nearly at the surface . This is shown on the enclosed sheet with blue for Vera and pink for Mulryan .

The water line construction will require a path for a tractor 10' wide plus the 4' deep trench . In addition the dirt has to be piled beyond the trench . This will create a path nearly 20' wide that will remain as a scar after the pipe is covered .

Respectfully ,

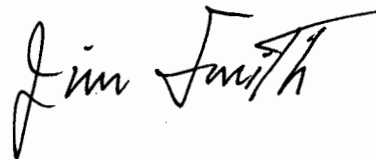


Exhibit 5
CDP 4-10-040 through 4-10-045 Addendum
Jim Smith Letter

[illegible]

1. THE PROPOSED PROJECTS WILL  
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4. New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of visual resources or ESHA.

## B. Development Design

1. The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, pursuant to Section 13.27 of the Malibu LIP the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure.
2. The length of on-site roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of visual resources or ESHA. Driveway slopes shall be designed to follow the natural topography. Driveways that are visible from a scenic highway, a beach, a public viewing area, or public hiking trail shall be a neutral color that blends with the surrounding landforms and vegetation.
3. Retaining walls visible from scenic highways, public viewing areas, trails, parks, and beaches should incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape.
4. Fences, walls, and landscaping shall not block views of scenic areas from scenic roads, parks, beaches, and other public view areas.
5. New development in scenic areas visible from scenic roads or public viewing areas shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
  - a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones.
  - b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
  - c. All windows shall be comprised of non-glare glass.
6. New water tanks in scenic areas visible from scenic roads or public viewing areas shall be designed to be partially below grade, where feasible. Water tanks shall incorporate colors that are compatible with the surrounding landscape and landscape screening to minimize visual impacts.

## C. Hillside Development

### 1. Ridgelines

- a. New development shall be sited and designed to prohibit construction of structures on a primary or secondary ridgeline. Any structures shall be located a minimum of 300 feet (measured horizontally) or 100 feet (measured vertically) from the top of a primary ridgeline, and shall maintain the roof or top of structure below a primary ridgeline when viewed from a public street or highway.
- b. Where there are no feasible building site that can conform to the requirements of Section a, or where the only feasible building site would result in unavoidable adverse impacts to environmentally sensitive habitat areas, then a variance may be approved for a building site that does not conform to these standards, with design measures that minimize the visual resource impacts. Any

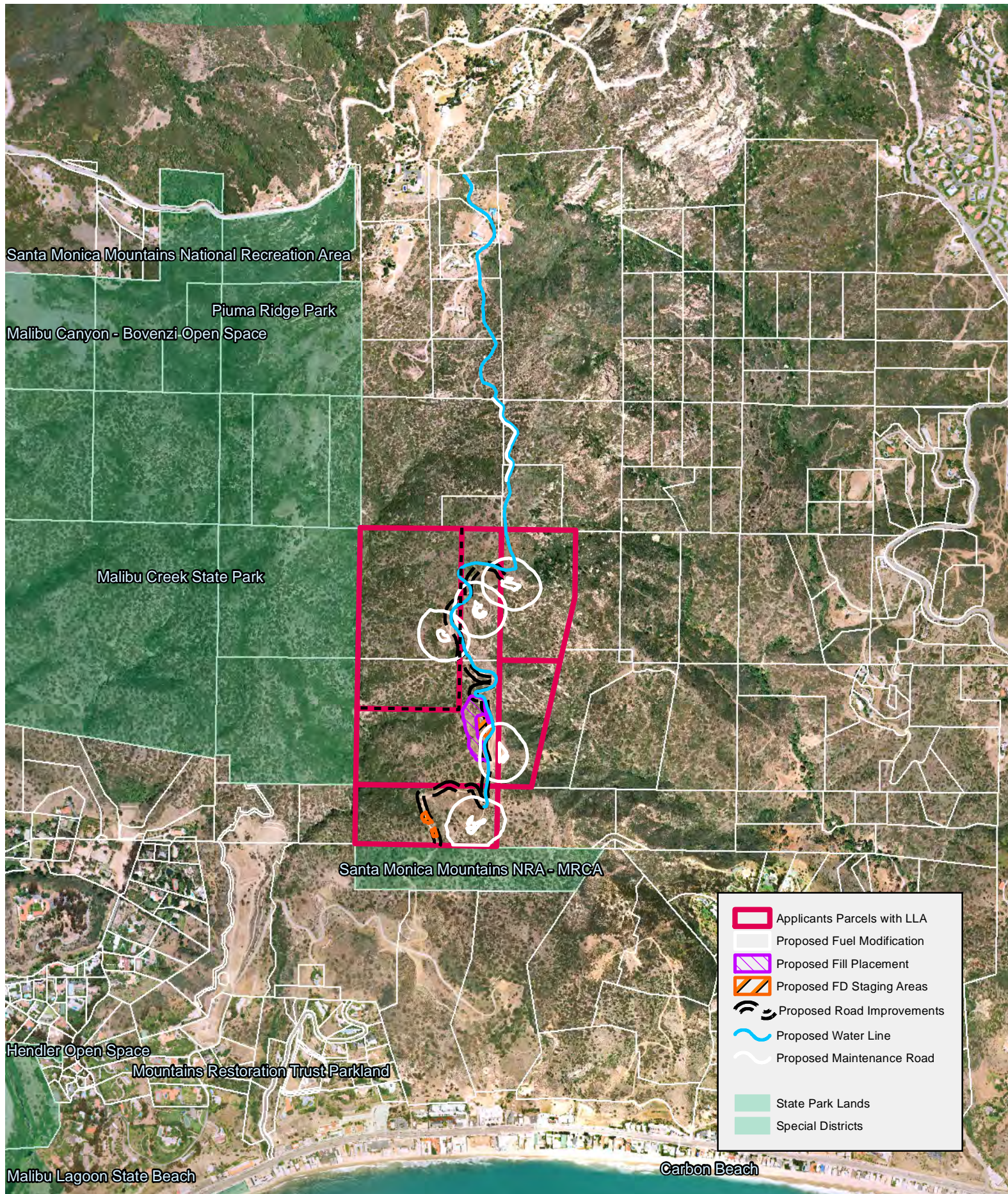
## LOS ANGELES COUNTY

designation, are set forth on the official Santa Monica Mountains North Area Plan Significant Ridgeline Map, prepared and maintained in the offices of the county department of regional planning, which is adopted by reference as part of this ordinance, and on the map and corresponding appendix following this Section.

b. The highest point of a structure that requires any permit shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, wind energy conversion systems, and amateur radio antennas.

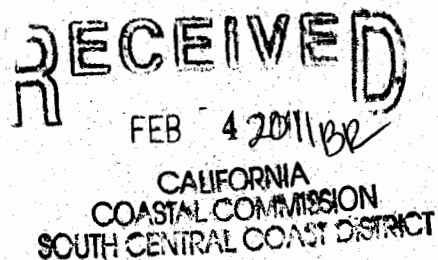
c. Where structures on a lot or parcel of land cannot meet the standards prescribed by subsection D.5.b, above, a variance as provided in Part 2 of Chapter 22.56 shall be required. In addition to the required findings set forth in Subsection A of Section 22.56.330, findings shall be made that: (1) alternative sites within the property or project have been considered and eliminated from consideration based on physical infeasibility or the potential for substantial habitat damage or destruction if any such alternative site is used; and (2) the proposed project maintains the maximum view of the applicable significant ridgeline through the use of design features for the project such as, but not limited to, minimized grading, reduced structural height, clustered structures, shape, materials, and color that allow the structures to blend with the natural setting, and use of locally indigenous vegetation for concealment of the project, as described on the list referenced in subsection D.4.b.







February 2, 2011  
(Via UPS)



California Coastal Commission  
South Central Coast District Office  
Jack Ainsworth, Deputy Director  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

**Re: February 2011 Coastal Commission Hearing – Item Th8a (CDP 4-10-040)**  
**Applicant: Lunch Properties, LLLP**  
**Issue: Precedent**

*A copy of the enclosed has been forwarded to Coastal Commission Staff and other Commissioners as per Public Resources Code sections 30319-30324*

Dear Mr. Ainsworth,

We are in receipt of the Staff Report for the above-referenced CDP application, which is scheduled to go before the Commission on February 10, 2011. We would like to provide the enclosed information to address Staff's assertion that the proposed driveway associated with this application is unprecedented.

The applicant purchased the subject 20-acre parcel that is zoned to allow for residential development with the intent to build a home on the property. The applicant is proposing one single-family residence with an access driveway that is the minimum required by the Los Angeles County Fire Department. Coastal Commission Staff has independently verified that the subject parcel was created legally in 1962, as evidenced in the Staff Report on pages 16-17.

Based upon a review of previous Coastal Commission action in approving homes of similar scope and scale, it becomes apparent that there is little that distinguishes this proposed home from many others that have been approved in the Santa Monica Mountains. Therefore, it is difficult to understand how Staff can characterize the proposed driveway as more "significant" in its potential impacts than the homes that the Commission has previously approved.



PROVIDERS OF LAND USE PLANNING  
FOR A BETTER COMMUNITY

HEADQUARTERS - MALIBU OFFICE  
29350 PACIFIC COAST HWY., SUITE 12  
MALIBU, CA 90265

TEL: 310.589.0773 FAX: 310.589.0353

EMAIL: [INFO@SCHMITZANDASSOCIATES.NET](mailto:INFO@SCHMITZANDASSOCIATES.NET)

RE  
52  
AG

**Exhibit 7**

**CDP 4-10-040 through 4-10-045  
Addendum**

**Don Schmitz Correspondence**


TEL: 310.589.0773 FAX: 310.589.0353  
WEBSITE: [WWW.SCHMITZANDASSOCIATES.COM](http://WWW.SCHMITZANDASSOCIATES.COM)

Attachment Number	Applicant	CDP Number	Length of Access Drive	Grading	Structure
1	Worldwide Resources, et. al.	4-93-144 thru 149	13,500 ft.	59,541 cu. yds	6 Homes
2	Creekside Ranch, LLC	4-04-077	8,850 ft.	32,795 cu. yds	1 Home
3	Stoney Heights, LLC	4-05-153	7,180 ft.	11,640 cu. yds.	1 Home
4	<b>Lunch Properties, LLLP (Subject Property)</b>	<b>4-10-040</b>	<b>4,191 ft.</b>	<b>16,200 cu. yds.</b>	<b>1 Home</b>
5	Hoang, Bao	4-07-001	2,700 ft.	1,100 cu. yds.	1 Home
6	Malibu Ocean Ranches, LLC	4-04-099	1,352 ft.	11,540 cu. yds.	1 Home
7	Bren-Haley, Inc.	4-02-019	1,100 ft.	16,716 cu. yds.	1 Home
8	Rein, Robert	4-05-132	1,100 ft.	4,433 cu. yds.	1 Home
9	Smith, Dennis	4-07-101	1,000 ft.	11,266 cu. yds.	1 Home

The Coastal Commission has approved numerous single-family residences with access driveways in excess of 1,000 linear feet and commensurate grading. The proposed access driveway is no different than many residences that have previously been approved by the Commission and built in the Santa Monica Mountains. Therefore, we do not understand the basis for Commission Staff to recommend denial of the subject application or to treat the applicant differently than it has treated other property owners, such as the ones referenced above.

Based upon the foregoing, we respectfully request that the Commission approve CDP 4-10-040. If you have any questions or comments, please do not hesitate to contact me at (818) 338-3636.

Sincerely,  
Schmitz & Associates, Inc.

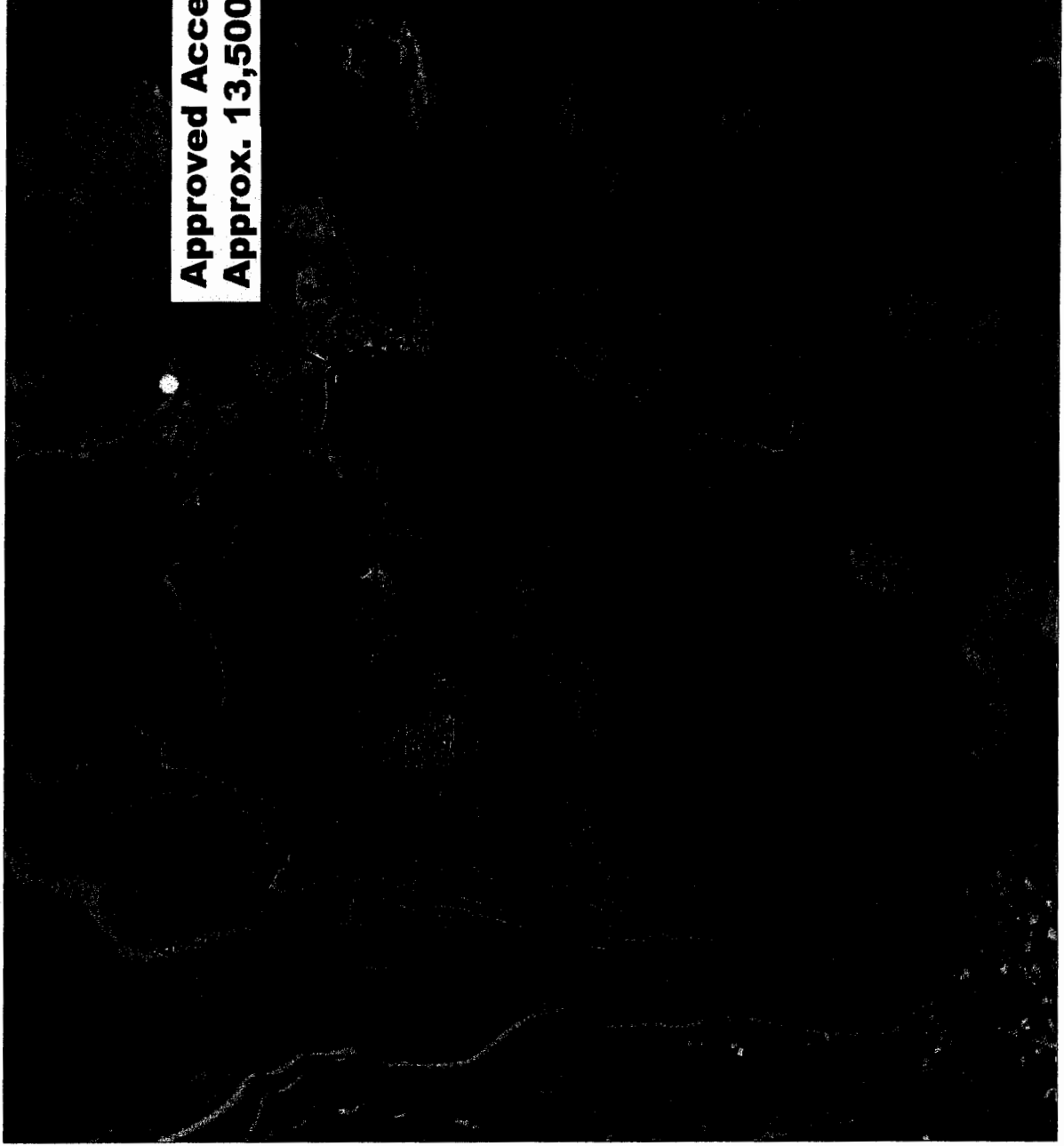


Donald W. Schmitz, II, AICP  
President

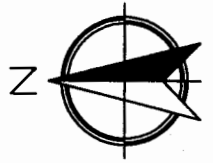
Cc: Lunch Properties, LLLP



**Attachment 1 - Approved Development  
CDPs 4-93-144 thru 4-93-149  
Topographic Map and Access Road**

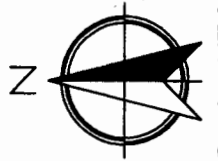


**Approved Access Road  
Approx. 13,500 Linear Feet**



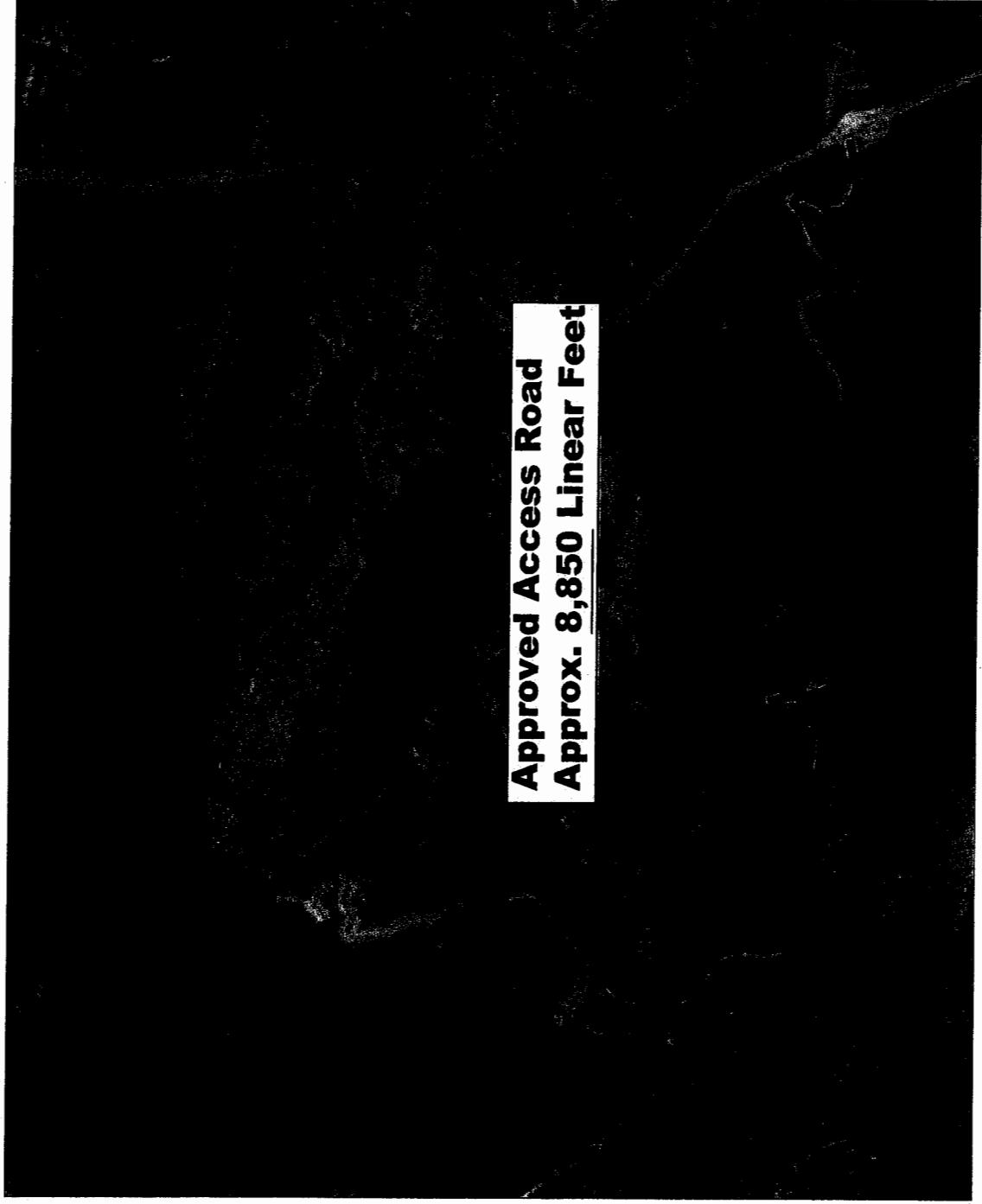
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**Attachment 1 - Approved Development  
CDPs 4-93-144 thru 4-93-149  
Topographic Map and Access Road**

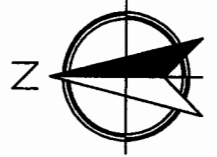


Scale: NTS

**Attachment 2 - Approved Development  
CDP 4-04-077 - Topographic Map and Access Road**



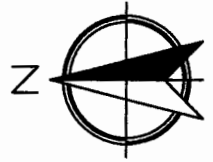
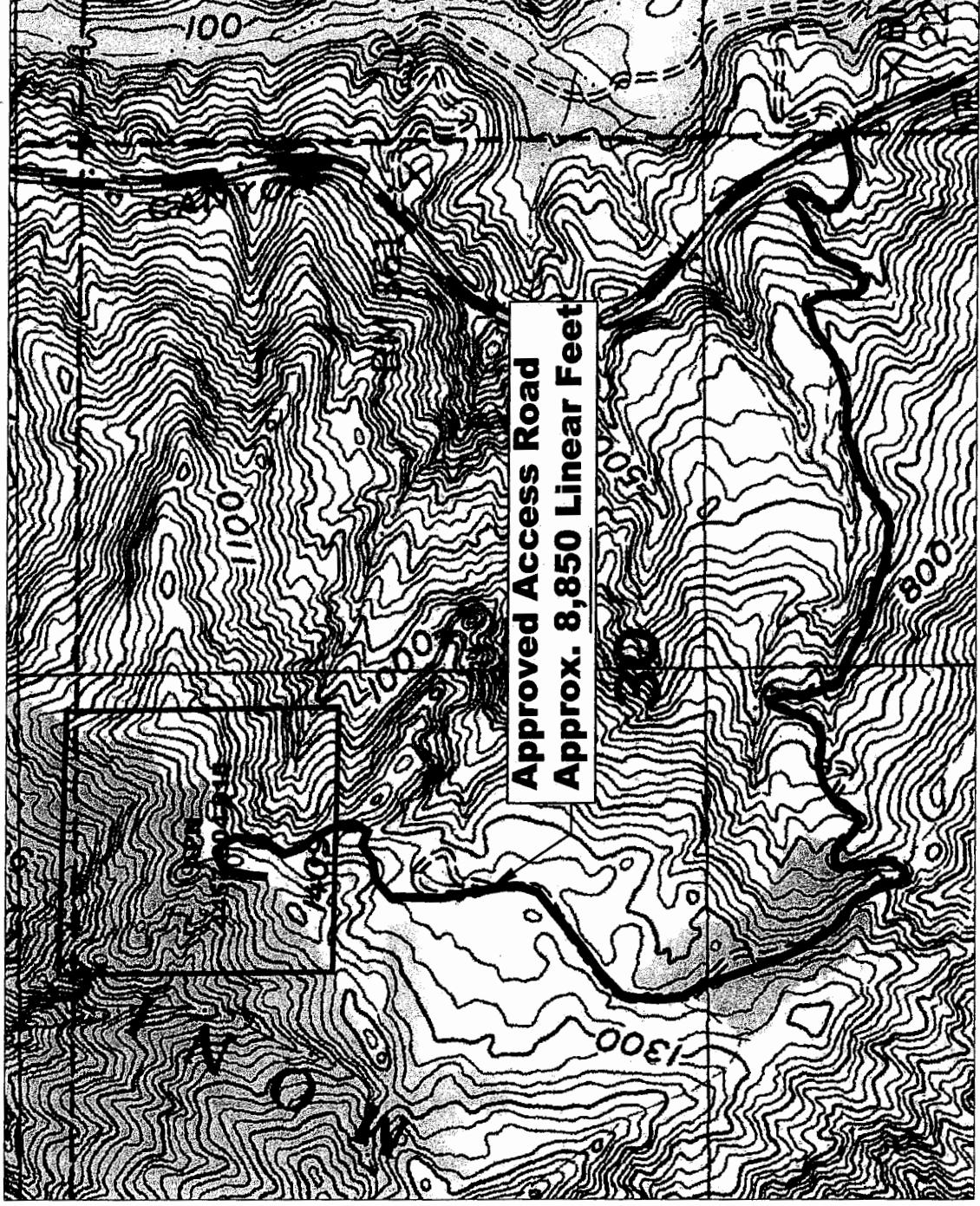
**Approved Access Road  
Approx. 8,850 Linear Feet**



Scale: NTS

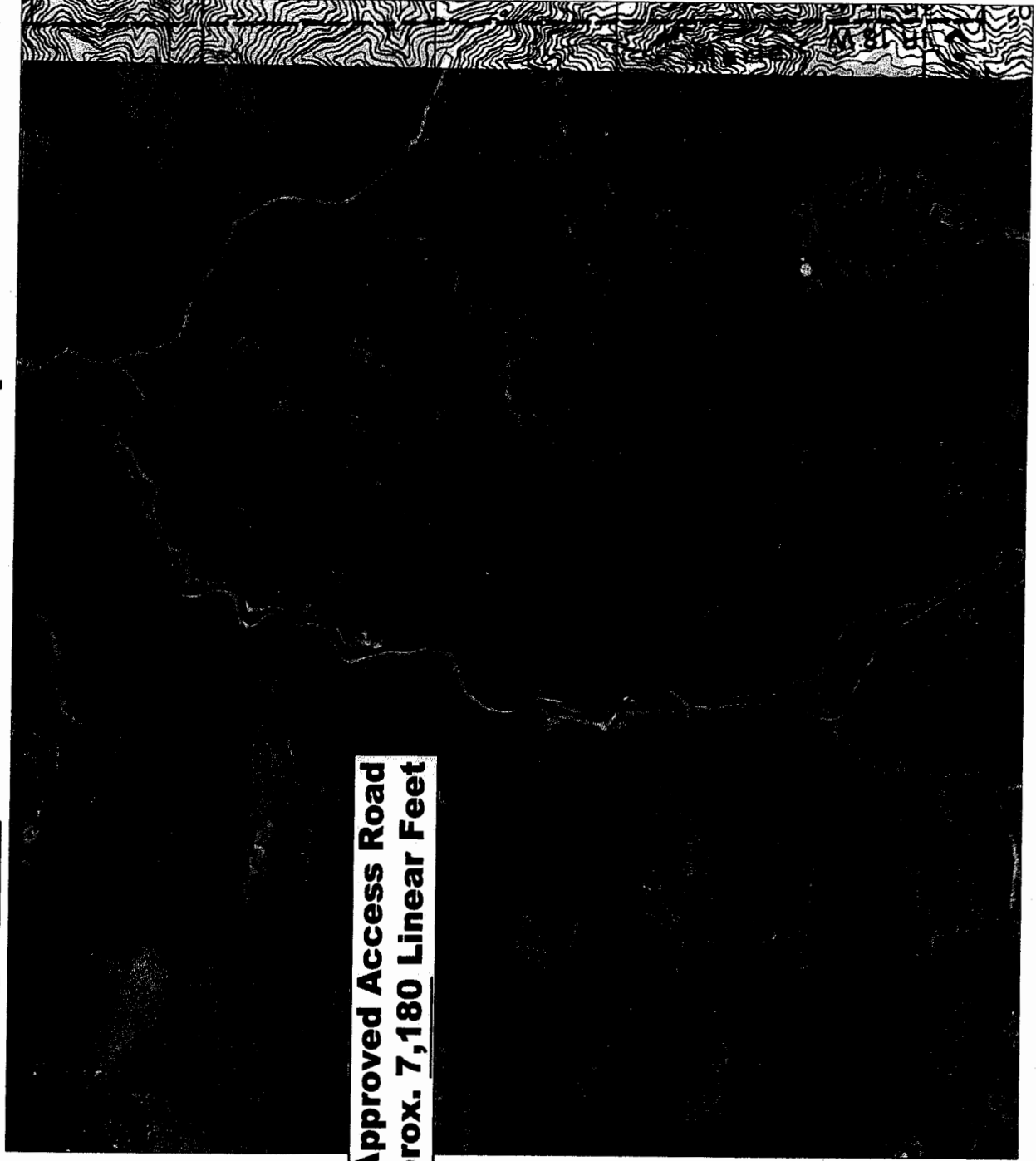


# Attachment 2 - Approved Development CDP 4-04-077 - Topographic Map and Access Road

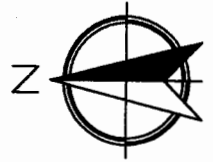


Scale: NTS

**Attachment 3 - Approved Development  
CDP 4-05-153 - Topographic Map and Access Road**



**Approved Access Road  
Approx. 7,180 Linear Feet**

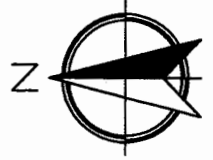
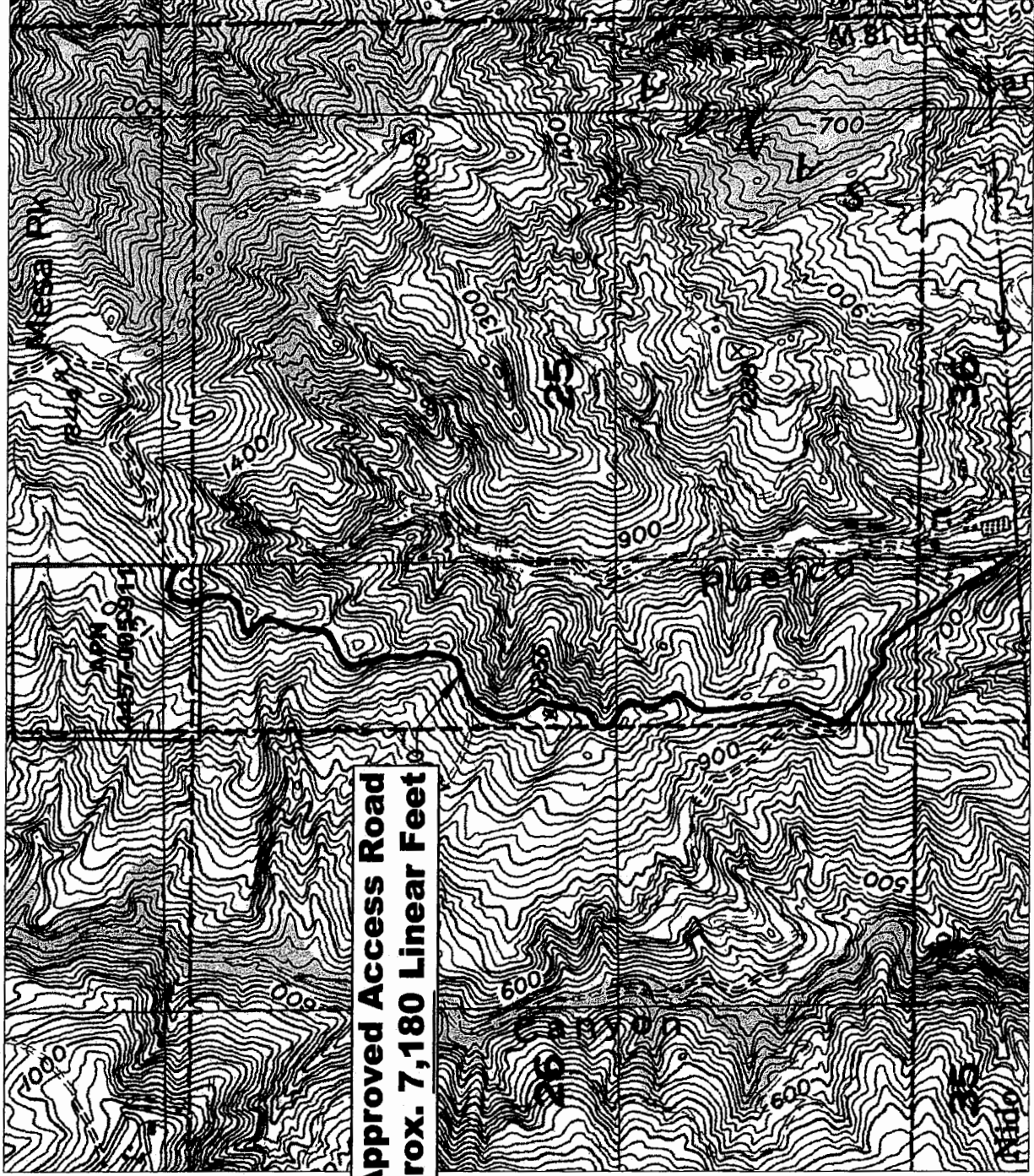


Scale: NTS



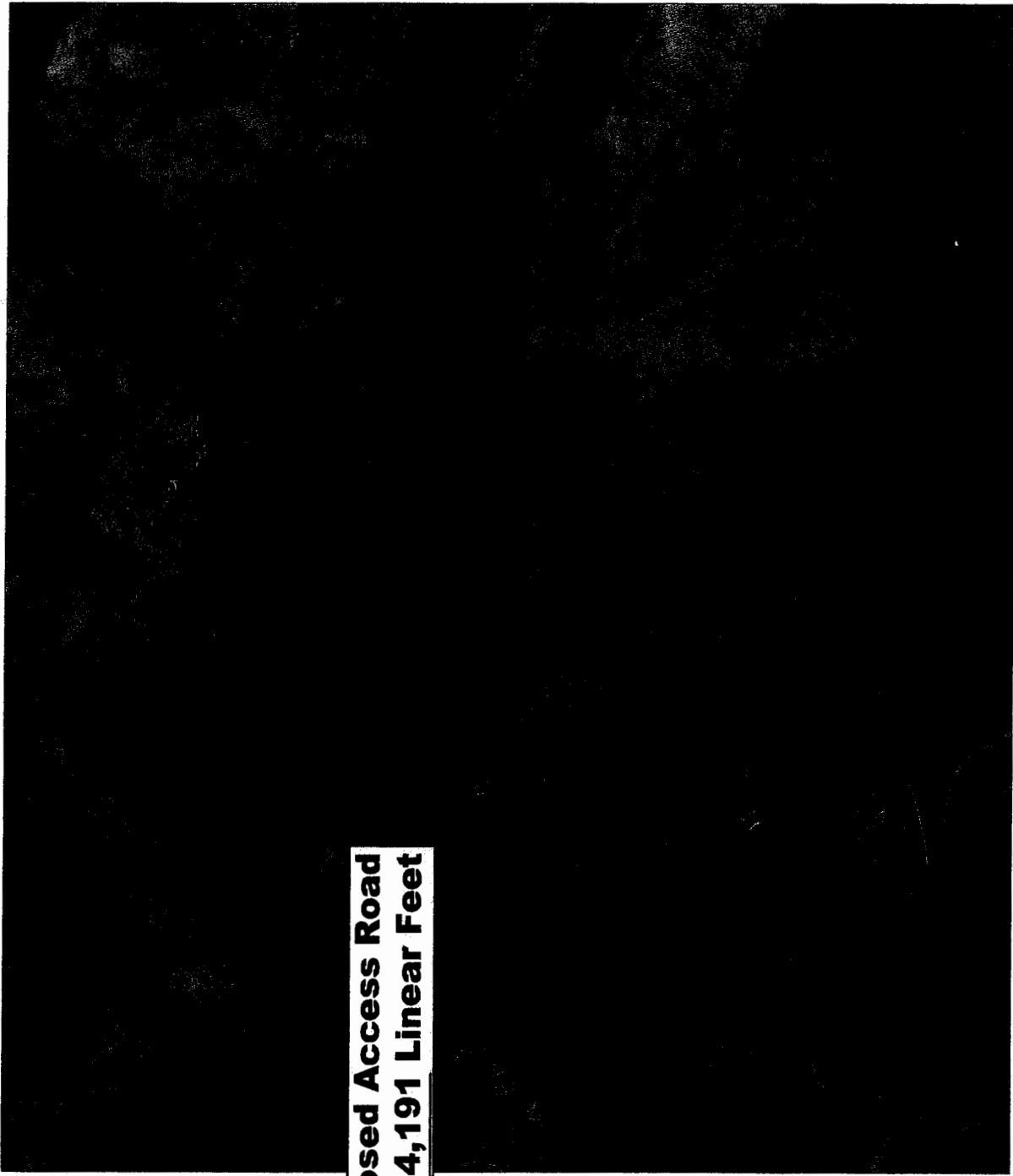


# Attachment 3 - Approved Development CDP 4-05-153 - Topographic Map and Access Road

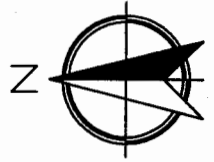


Scale: NTS

**Attachment 4 - Proposed Development**  
**CDP 4-10-040 - Topographic Map and Access Road**

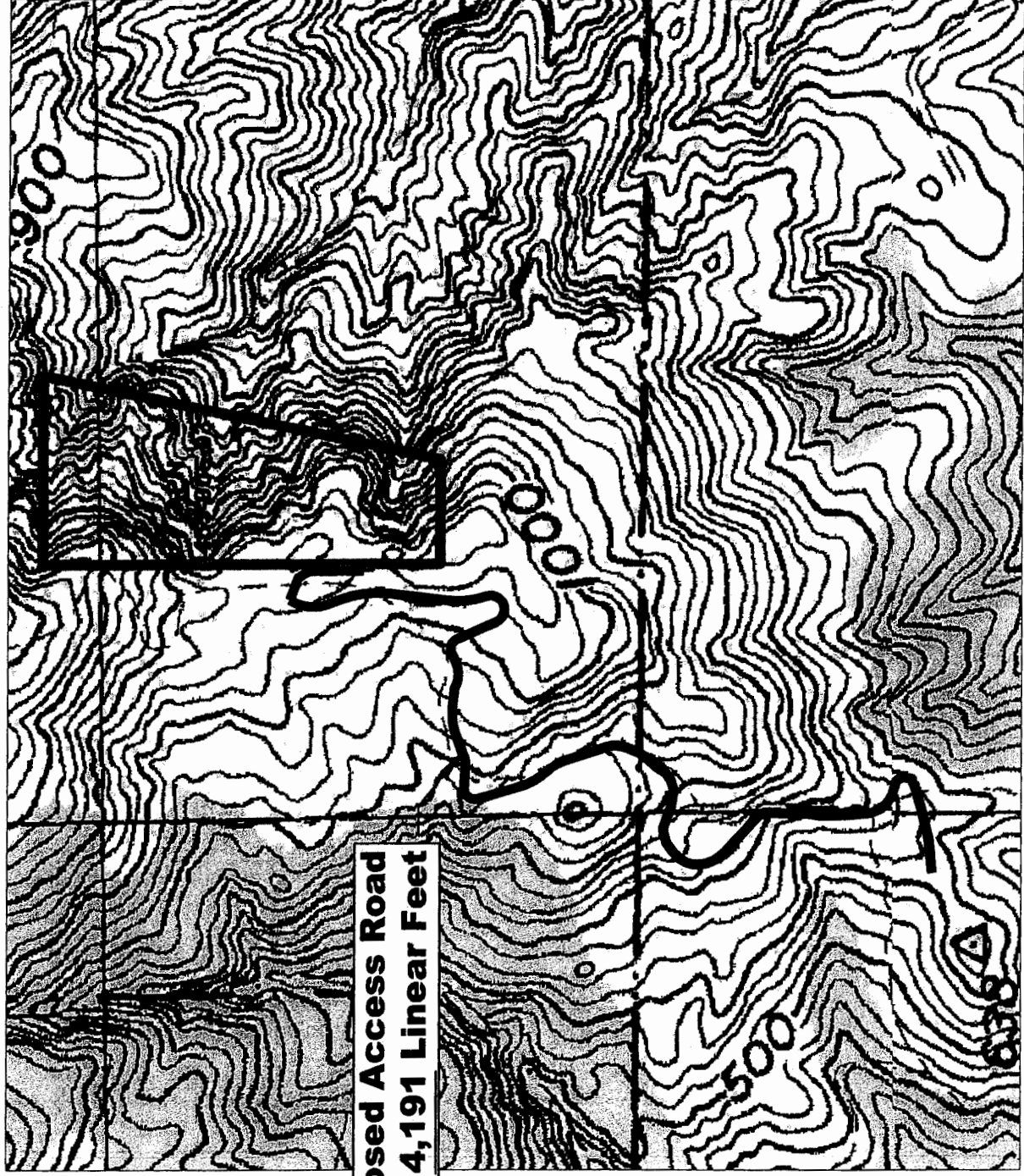


**Proposed Access Road**  
**Approx. 4,191 Linear Feet**

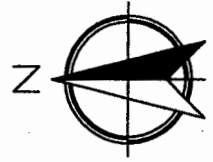


Scale: NTS

# **Attachment 4 - Proposed Development CDP 4-10-040 - Topographic Map and Access Road**



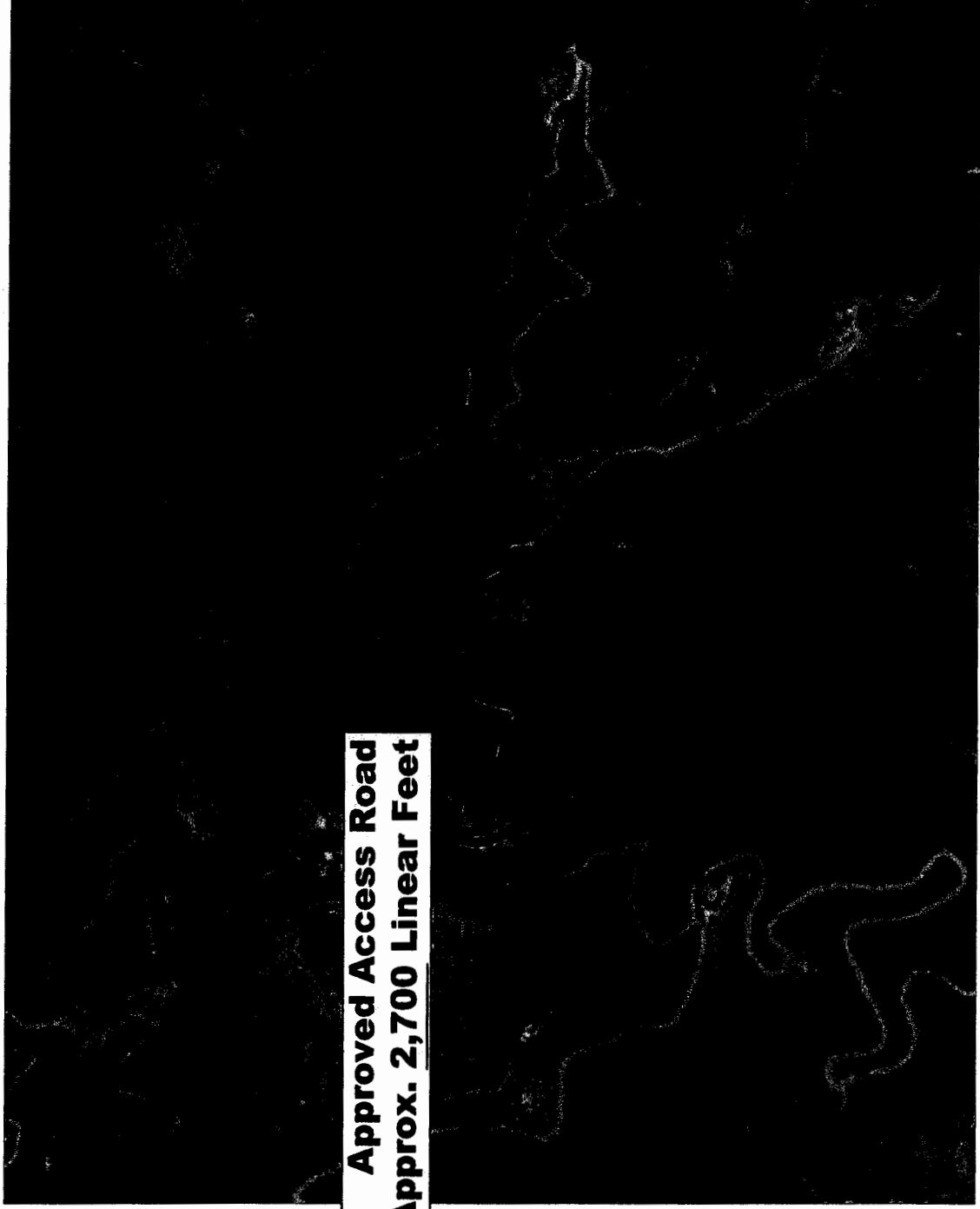
**Proposed Access Road  
Approx. 4,191 Linear Feet**



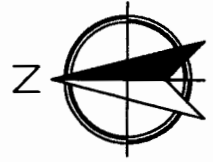
Scale: NTS



**Attachment 5 - Approved Development**  
**CDP 4-07-001 - Topographic Map and Access Road**

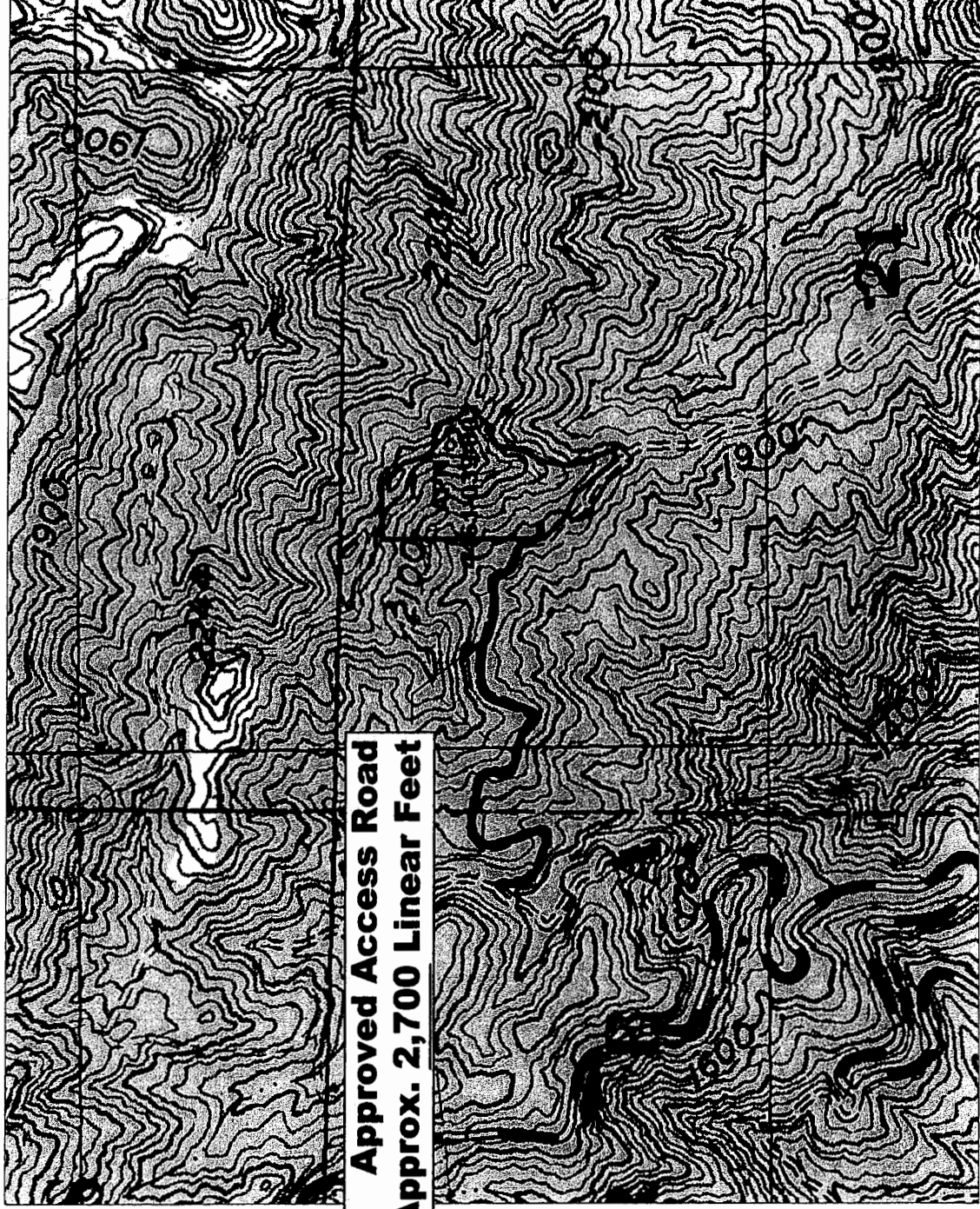


**Approved Access Road**  
**Approx. 2,700 Linear Feet**

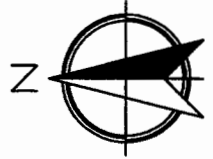


Scale: NTS

**Attachment 5 - Approved Development  
CDP 4-07-001 - Topographic Map and Access Road**

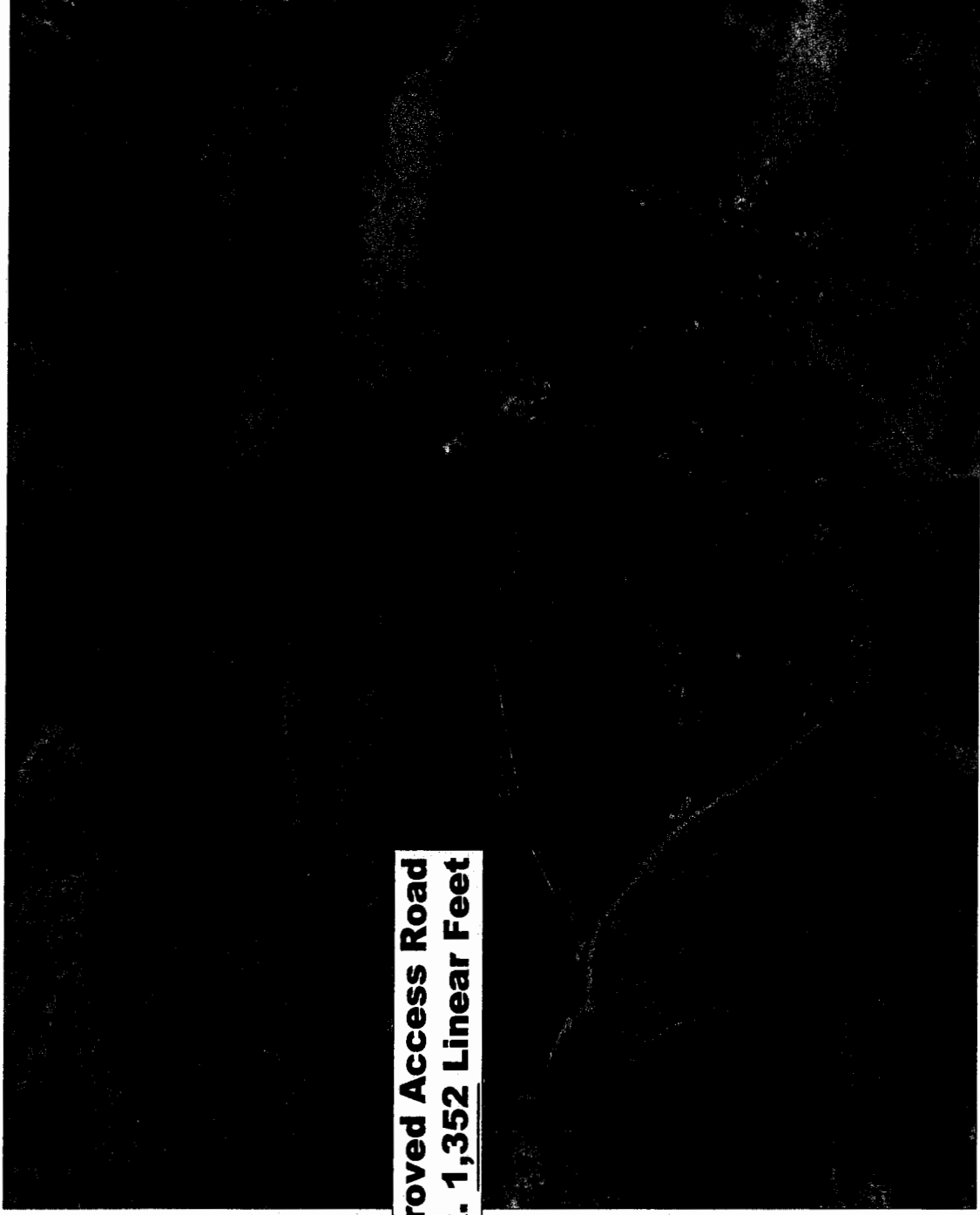


**Approved Access Road  
Approx. 2,700 Linear Feet**

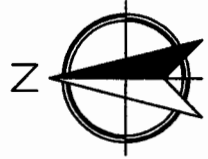


Scale: NTS

**Attachment 6 - Approved Development  
CDP 4-04-099 - Topographic Map and Access Road**

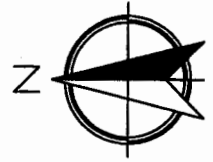
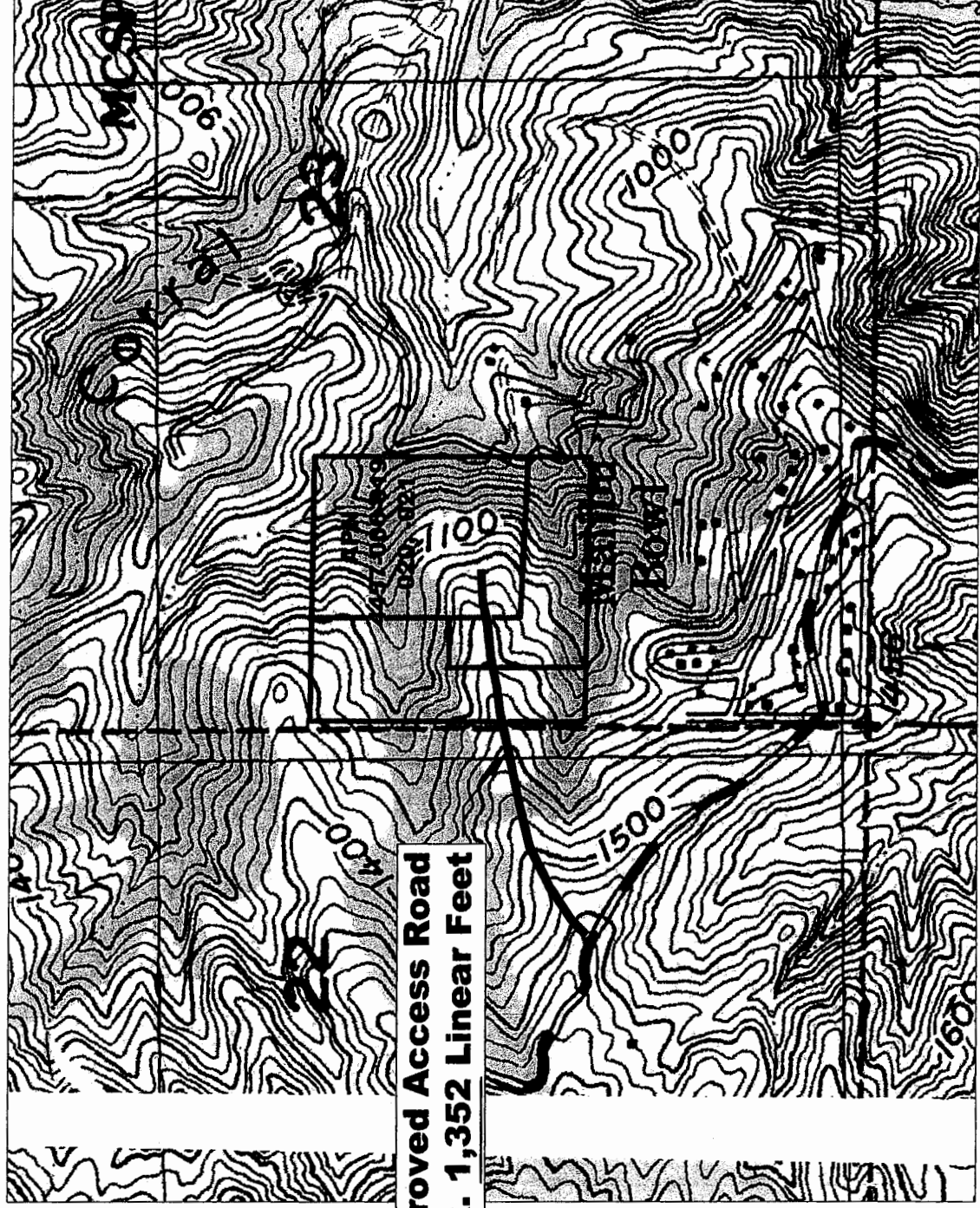


**Approved Access Road  
Approx. 1,352 Linear Feet**



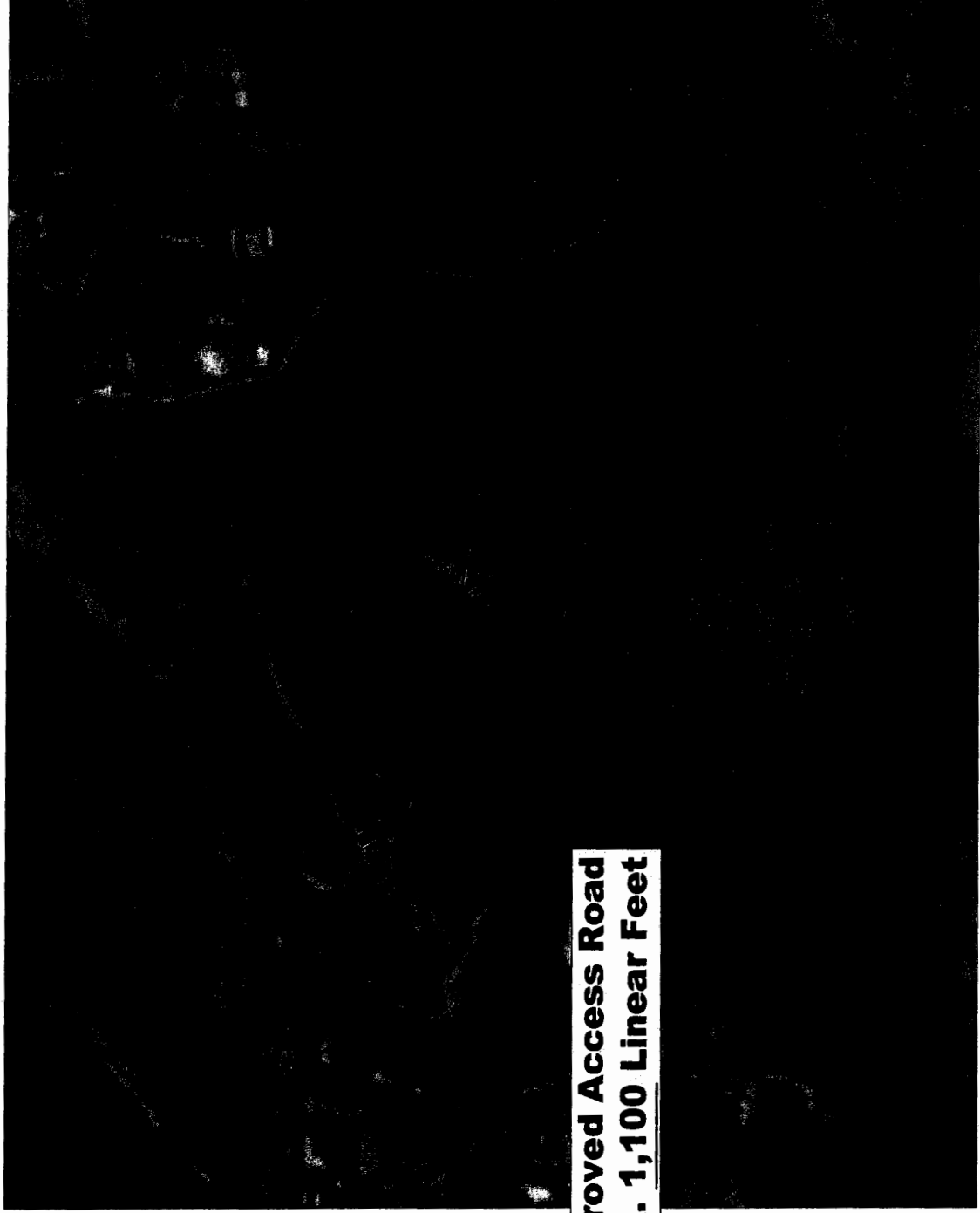
**Scale: NTS**

# Attachment 6 - Approved Development CDP 4-04-099 - Topographic Map and Access Road

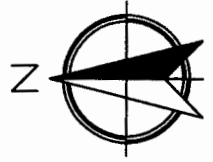


Scale: NTS

**Attachment 7 - Approved Development**  
**CDP 4-02-019 - Topographic Map and Access Road**



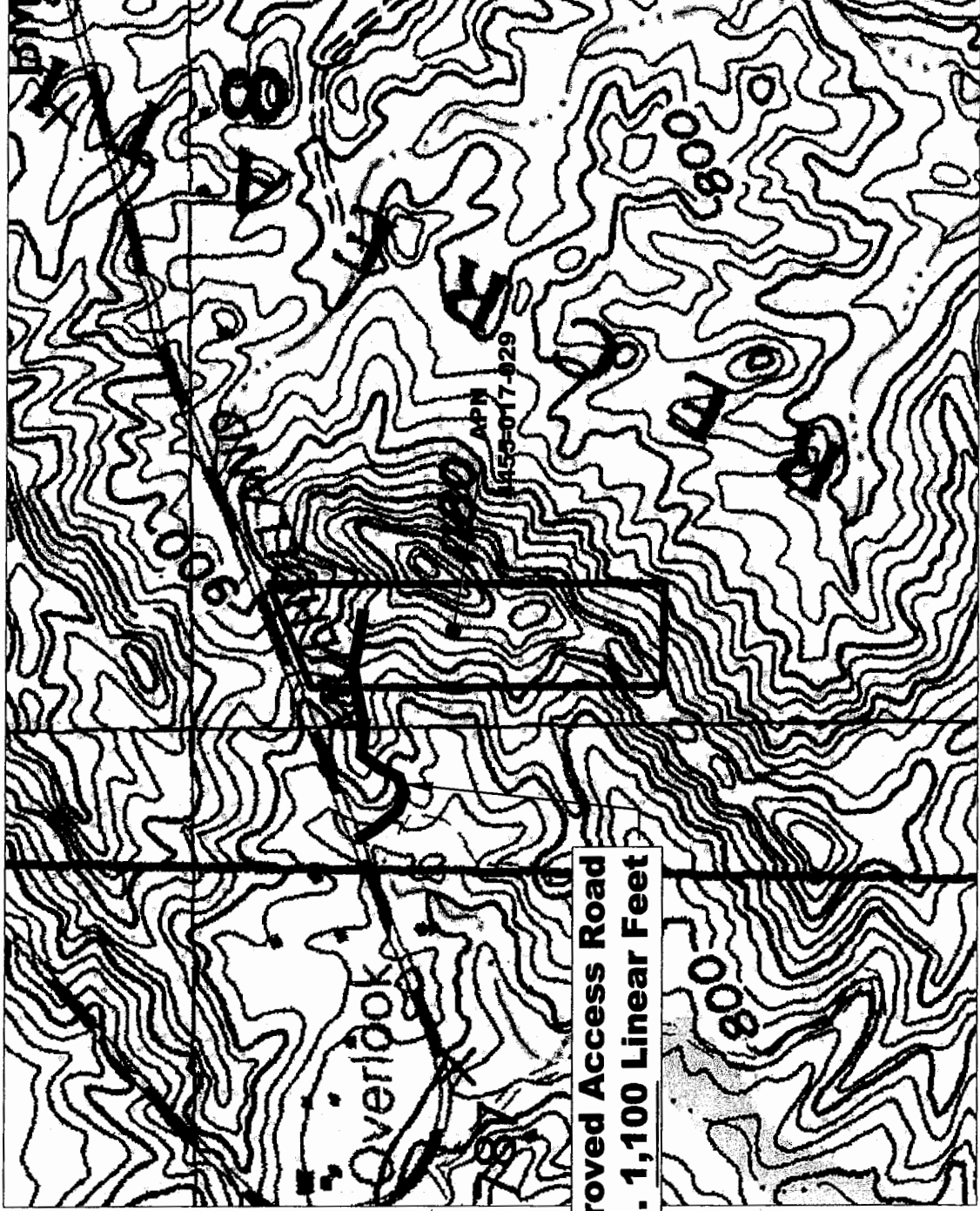
**Approved Access Road**  
**Approx. 1,100 Linear Feet**



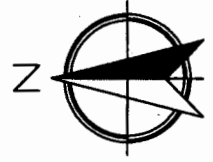
Scale: NTS



**Attachment 7 - Approved Development**  
**CDP 4-02-019 - Topographic Map and Access Road**



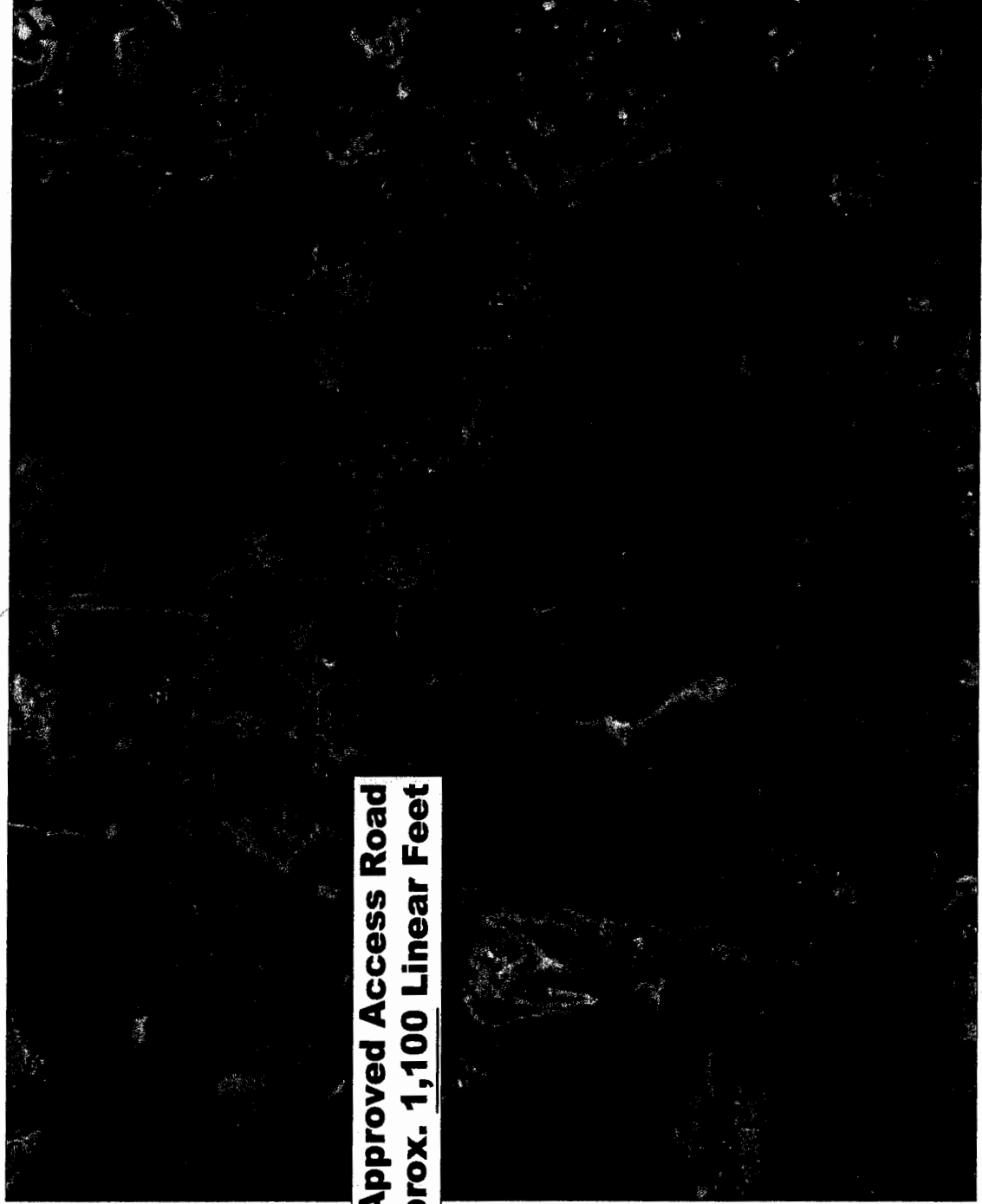
**Approved Access Road**  
**Approx. 1,100 Linear Feet**



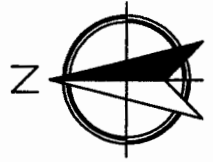
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# **Attachment 8 - Approved Development CDP 4-05-132 - Topographic Map and Access Road**



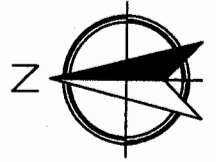
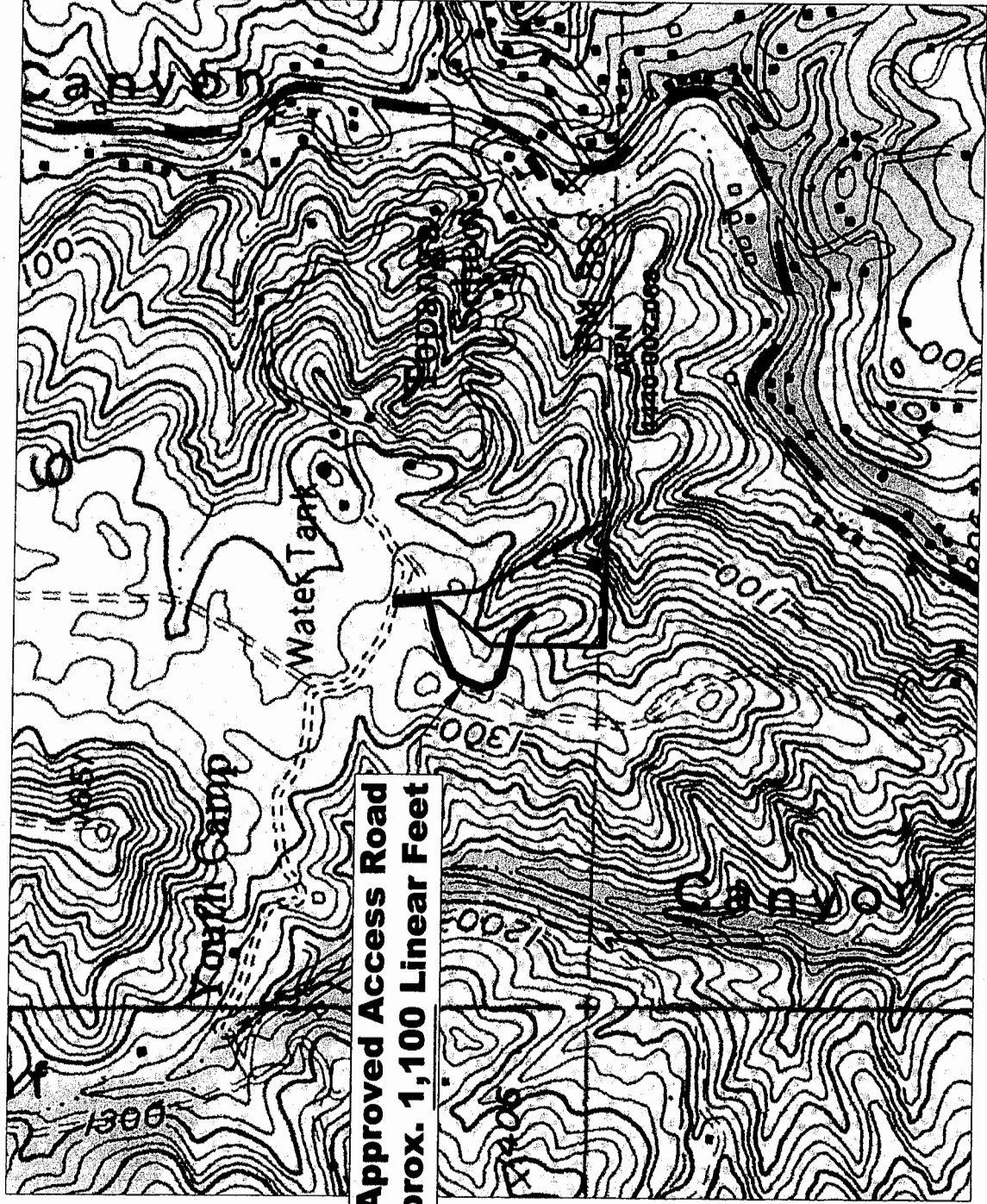
**Approved Access Road  
Approx. 1,100 Linear Feet**



Scale: NTS



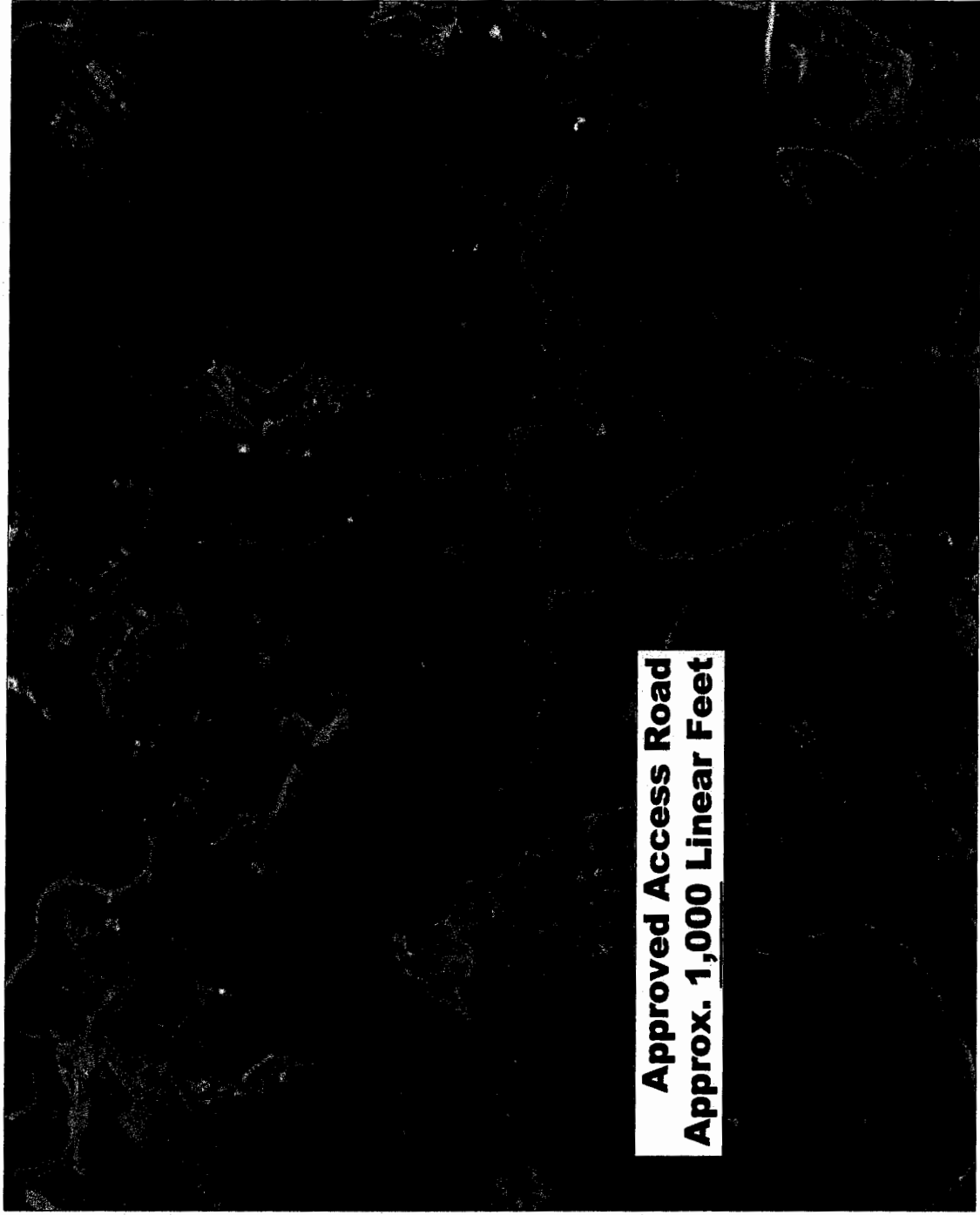
**Attachment 8 - Approved Development  
CDP 4-05-132 - Topographic Map and Access Road**



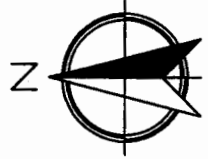
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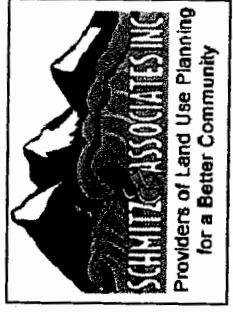
**Attachment 9 - Approved Development  
CDP 4-07-101 - Topographic Map and Access Road**



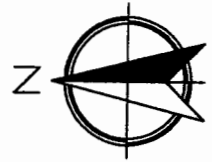
**Approved Access Road  
Approx. 1,000 Linear Feet**



Scale: NTS



# Attachment 9 - Approved Development CDP 4-07-101 - Topographic Map and Access Road



Scale: NTS



## ***Temescal Canyon Association***

*Since 1972 Dedicated to Preservation of the Santa Monica Mountains*

RECEIVED  
Feb 7, 2011 BR

February 5<sup>th</sup>, 2011

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

To: Members of the Coastal Commission

Re: Agenda item Thursday 2-10-11 8 a-f

Dear Commissioners: I am writing to you on behalf of Temescal Canyon Association, an environmental and hiking association based in Pacific Palisades, founded in 1972.

We strongly oppose the developments planned by the "Edge". The staff report recommends denying these projects. The developments planned are in currently undeveloped areas of the Santa Monica Mountains. They will impact ridgelines and potentially destroy the oak woodland habitat. And as currently planned they could create serious erosion problems.

Furthermore, Local Coastal Plan Resources policies and ordinances have now been updated. Areas adjacent to environmentally sensitive habitat areas and parks and recreation areas are to be compatible with the protection of the resources.

There are alternative options for this development that would protect environmentally sensitive habitat areas. We strongly recommend that the applicants be required to consider such alternatives.

Sincerely, Carol Leacock, President

Exhibit 8

CDP 4-10-040 through 4-10-045

Addendum

Carol Leacock Letter



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Feb 7 2011 B 12

February 7, 2011

California Coastal Commission  
South Central Coast Area Office  
89 South California St., Suite 200  
Ventura, CA 93001

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**Re: Sweetwater Mesa Development, Agenda items Th8a-f; Application Nos. 4-10-040, 4-10-041, 4-10-042, 4-10-043, 4-10-044, 4-10-045 (Lunch Properties LLLP, Vera Properties LLLP, Mulryan Properties LLLP, Morleigh Properties LLLP, and Ronan Properties LLLP)**

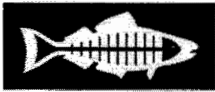
Dear Coastal Commissioners:

On behalf of Heal the Bay, a non-profit environmental organization with over 13,000 members dedicated to making the Santa Monica Bay and Southern California coastal waters and watersheds safe and healthy for people and local ecosystems, we have reviewed the staff report regarding the Sweetwater Mesa coastal development project and respectfully submit the following comments. Upon review of the staff report, we have identified multiple areas of the project that we are concerned about, especially as the project pertains to loss of sensitive habitat and water quality issues. In addition, we believe that wastewater and stormwater are inadequately addressed in the report. This development requires extensive and significant infrastructure, which would cause unmitigatable impacts to a biologically sensitive area and our coastal zone environment.

Although each of the proposed developments are submitted as separate items on the Coastal Commission agenda, we agree with Commission staff that these applications should be characterized and considered as a single development. This is not a minor project, and the cumulative impacts of such a large contiguous development should be thoroughly considered before the Coastal Commission decides whether or not to approve this project.

***Project Violates the California Coastal Act***

After review, we are concerned that the proposed project is inconsistent with several areas of the Coastal Act. We discuss the impacts of the proposed project in further detail below. The project is inconsistent with Section 30240 of the Coastal Act as each project would result in permanent and significant disruption of environmentally sensitive habitat area ("ESHA"). By building on ridgelines and steep, unstable terrain, erosion and run-off into local streams would increase; thus, we are concerned that the project would not uphold the requirements of Coastal Act Section 30231, which requires that biological productivity and stream water quality be maintained.



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### ***Destruction of Environmentally Sensitive Habitat***

This project includes building roads, water lines, structures, and a fire clearance area in an extremely valuable and sensitive chaparral and coastal sage habitat. Although habitat in the Santa Monica Mountains is severely fragmented and the water quality of many local streams is highly degraded, the Santa Monica Mountains Conservancy and Coastal Commission staff have identified this area as an undeveloped core habitat and ESHA, and the Commission's Staff Ecologist has identified the properties as "relatively pristine" habitat areas.<sup>1</sup> This project would adversely disturb and displace native wildlife that reside and depend on this essential habitat, including rare and endemic species.

We support the findings in Exhibit 27 of the staff report from Commission Staff Ecologist, Dr. Jonna Engel, where the biological resources of the subject properties were evaluated. As the staff report states, "the entire 156 acres that make up the subject properties is comprised of relatively pristine native chaparral, sage scrub, and oak woodland habitat areas ... with the exception of an approximately 3-acre non-native grassland mesa area located on the Mulryan and Lunch properties and the 10 ft. wide jeep trail leading up to it." This property has immeasurable value to our local wildlife populations, as it provides essential habitat for species that require several habitat types during the course of their life histories, and if developed at the scale that the applicants propose, the project could adversely impact important wildlife populations in the area. According to a 2003 memorandum prepared by the Commission's Ecologist, Dr. John Dixon, native habitats of the Santa Monica Mountains, such as coastal sage scrub, chaparral, oak woodland and riparian woodlands are easily disturbed by human activities. Developments like the Sweetwater Mesa project have had many well-documented deleterious effects on natural communities, such as increased fire frequency, night lighting, fuel modification, vegetation clearance, and introduction of exotic and invasive species.<sup>2</sup> This area is important habitat for local mountain lions and other wildlife, and serves as a corridor between adjacent natural areas.

In addition to the native habitat that would be directly destroyed by the project, we are concerned that a large expanse of undisturbed native chaparral, sage scrub, and oak woodland habitat that surrounds the properties would also be impacted by the project. The proposed project area is within and surrounded by a contiguous wilderness area of about 2,800 acres – an extremely important habitat area for local wildlife, especially local mountain lion and bobcat populations which require more territory and undisturbed habitat to survive. Currently the area around the property has no paved roads and a minimal amount of dirt roads, unlike other areas of the Santa Monica Mountains. The properties are located within a "habitat linkage area", identified in the National Park Service's "Santa Monica Mountains National Area Land Protection Plan" that connects Malibu Creek State Park with Cold Creek

<sup>1</sup> Coastal Commission Staff Report posted on January 26, 2011 on Applications 4-10-040, 4-10-041, 4-10-042, 4-10-043, 4-10-044, 4-10-045 available at: <http://documents.coastal.ca.gov/reports/2011/2/Th8a-s-2-2011.pdf>

<sup>2</sup> March 25, 2003 Memorandum Regarding the Designation of ESHA in the Santa Monica Mountains, prepared by John Dixon, Ph. D: <http://www.coastal.ca.gov/ventura/smm-esh-memo.pdf>



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Canyon Preserve and surroundings to the northeast. These are all reasons for the Commission to carefully consider the project's surrounding cumulative impacts on ESHA.

Not only will this project have a direct impact on a biologically sensitive area, violating Section 30240 of the Coastal Act, but approval could usher in future development along the roads and water lines, further cutting into this ESHA. The Sweetwater Mesa development is not a resource-dependent ESHA use, thus it is inconsistent with the Malibu Land Use Plan and the Coastal Act. The construction of a residence on each property will require both the complete removal of ESHA from the home development area and fuel modification for fire protection purposes around them, and therefore the proposed projects would significantly disrupt habitats.

### ***Project May Cause Water Quality Issues***

If coastal resources are to be maintained, protected, and enhanced for the benefit of current and future generations, then more comprehensive steps need to be taken to control runoff and other environmental costs associated with a new development of this size. Heal the Bay is concerned that the water quality impacts of large coastal projects, such as the Sweetwater Mesa development, may cause irreparable and long-term damage to the surrounding watershed.

### **Erosion & Sedimentation:**

Significant grading and road development along the ridgeline is necessary for this project, and road development would result in a considerable area of impervious surfaces along the ridgeline, which would increase runoff volumes and rates down steep slopes descending to pristine canyons and blue-line streams below. It is unclear in the staff report where the development would drain to and what creeks and streams would be impacted, we recommend that these streams be identified in the report. Road development in this area will increase the susceptibility to erosion and geologic instability. Many of the proposed structures and roads are underlain by landslide debris, which poses a significant constraint for access and development of the properties, and are typically areas of high erosion, which would further impact water quality. There are several incidences of failed roads in steep areas of the Santa Monica Mountains contributing to erosion and habitat degradation, such as Las Flores and Tuna Canyon roads. Much of the Malibu Creek Watershed is listed as impaired for sedimentation on the 2006 303(d) list of impaired waterbodies for California. Development in steep areas and without adequate BMPs to prevent erosion contributes to this impairment. Although the proposed project is located just outside of the Malibu Creek Watershed, it requires "major alteration of natural landforms" with grades of up to 18.95% in unstable terrain, which will likely cause sediment loading in adjacent streams and waterways. Section 30231 of the Coastal Act requires that biological productivity and stream water quality be maintained and, where feasible, restored through means such as controlling runoff, and preventing substantial interference with surface water flows. As proposed, this project is inconsistent with this section of the Coastal





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Act, and instead will likely cause further degradation of water quality in local creeks and associated riparian habitats.

### Low Impact Development:

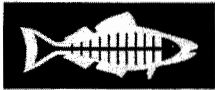
Although the proposed projects have been designed to be LEED certified, LEED certification falls short of incorporating low impact development ("LID") principles that address water quality and runoff. If approved, the Commission should require that LID principles be incorporated in the project, to be consistent with Los Angeles County's LID Ordinance, which became effective in 2009.<sup>3</sup> The LID approach is being taken by other jurisdictions in planning, for example the Los Angeles Regional Water Quality Control Board incorporates LID requirements in its draft MS4 permit for Ventura County.<sup>4</sup> LID is a land development and stormwater management strategy that emphasizes conservation and the use of onsite natural features integrated with engineered, small-scale hydrologic controls to reflect predevelopment hydrologic functions. The primary objective is to capture and infiltrate runoff on-site, which will result in reduced pollutant loads and peak storm flows. It is a source control strategy that minimizes the need for large sub-regional and regional treatment control Best Management Practices ("BMP") to reduce pollution associated with runoff.

Furthermore, to employ LID principles, facilitate compliance with nutrient and bacteria TMDLs, and reduce sediment loading to streams and waterbodies, hydrologic control measures should be integrated into the proposed development for all associated parcels with this project. LID infiltrates runoff so it cannot cause or contribute to water quality standards exceedances. The purpose of hydrologic controls is to minimize changes in post-development hydrologic storm water runoff discharge rates, velocities, and duration by maintaining the project's pre-development storm water runoff flow rates and durations. Specifically, we recommend the Commission integrate a provision that the project implement hydrologic control measures to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems. Incorporating LID requirements will help prevent water quality and riparian habitat degradation, including erosion and sedimentation, in natural areas adjacent to this project.

For previous coastal developments, the Commission has required compliance with Standard Urban Stormwater Mitigation Plan Standards which requires that 100% of the runoff generated from an 85<sup>th</sup> percentile storm must be captured, treated, or infiltrated on site. The Commission did not include this standard as a development requirement. Heal the Bay strongly believes that all new developments or significant re-developments should require a LID standard where 100% of the runoff generated from an 85<sup>th</sup> percentile storm be infiltrated or captured and reused on site.

<sup>3</sup> County of Los Angeles Low Impact Development (LID) Standards Manual 2009: [http://dpw.lacounty.gov/wmd/LA\\_County\\_LID\\_Manual.pdf](http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf)

<sup>4</sup> California Regional Water Quality Control Board Los Angeles Region, Ventura County Draft MS4 Permit, August 28, 2007.



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### Septic Systems:

The proposed development includes plans for septic systems, which could potentially leach bacteria and nutrients into nearby waterbodies, but the proposed project and staff report do not include requirements for those systems. We recommend that the Commission include requirements regarding the treatment, monitoring, and maintenance of these systems. The applicant should be required to include a wastewater management plan as part of their permit application with at least an advanced treatment system (tertiary treatment), as the City of Malibu requires. Failures in septic systems can degrade water quality, impair human health, and cause environmental damage to aquatic life, downstream riparian habitat, and coastal resources. Without guidance, the proposed development may exacerbate water quality problems. Specific treatment, performance, monitoring, and maintenance criteria are necessary to treat to the appropriate level, and ensure that these systems are properly sized, monitored, and maintained.

As demonstrated by the Malibu Creek Watershed nutrient and bacteria TMDLs, numerous streams and tributaries in the Santa Monica Mountains have excessively high levels of bacteria and/or nutrients and do not meet state water quality standards. Poorly sited and unregulated septic systems have the reasonable potential to cause or contribute to pollution problems.

### **Conclusion**

In conclusion, we urge the Commission to carefully consider in their decision that the proposed developments are inconsistent with several areas of the Coastal Act and do not protect ESHA from significant habitat destruction, while putting water quality and public safety at risk due to erosion and runoff through significant landform alteration. The proposed project should also be considered cumulatively in conjunction with fragmented development in the Santa Monica Mountains, as this property is one of few large areas still intact. In addition, stormwater and wastewater should be addressed in the report. The proposed Sweetwater Mesa project is likely to cause significant and unavoidable adverse impacts on one of our few-remaining natural California coastal landscapes. We appreciate the opportunity to comment on this application. Please contact us if you have any questions regarding our comments.

Sincerely,

Mark Gold, D. Env.  
President

Sarah Abramson Sikich, MESM  
Coastal Resources Director

Dana Roeber Murray, MESM  
Staff Scientist

3435 Wilshire Boulevard  
Suite 320  
Los Angeles, CA 90010-1904

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CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

February 4, 2011

To: the California Coastal Commission,

Re: Applications 4-10-040, -041, -042, -043, -044, and -045 ("The Edge")

The Executive Committee of the Angeles Chapter, acting at the request of Sierra Club California has voted overwhelmingly to support the staff recommendation of denial of the above applications for five homes 1000' to 1700' above the ocean on the most prominent coastal ridgeline in the Santa Monica Mountains, including a 7400' extension of a steep, mile-long substandard road and an even more growth-inducing 8000' water line brought down from the 2200' elevation on Saddle Peak.

The prominent ridgeline these applications propose to develop is designated a "significant ridgeline" in the LUP and in Los Angeles County's Draft Santa Monica Mountains LCP. It is one of the most impressive interfaces of coast and mountains to be found anywhere in the state. It is basically the coastal slope of Saddle Peak, which rises to an elevation of 2805' within 2.4 miles of the ocean.

Saddle Peak is not in faraway Big Sur; it is within one of the ten largest metropolitan areas in the world and dominates the view from beaches, piers, and waterfront parks all around Santa Monica Bay.

The Santa Monica Mountains Conservancy has mapped a 2920 acre area of roadless core habitat ESHA surrounding the project site on all sides (outlined in purple on the enclosed map). The proposed access road (black bordered in yellow), the five scattered ridgetop building sites (in yellow), and the water line extension (blue outlined in black) would bisect this core habitat area and facilitate the piecemeal development of the remainder.

Please support the denial of the above applications,

Mary Ann Webster, Chair

Exhibit 10

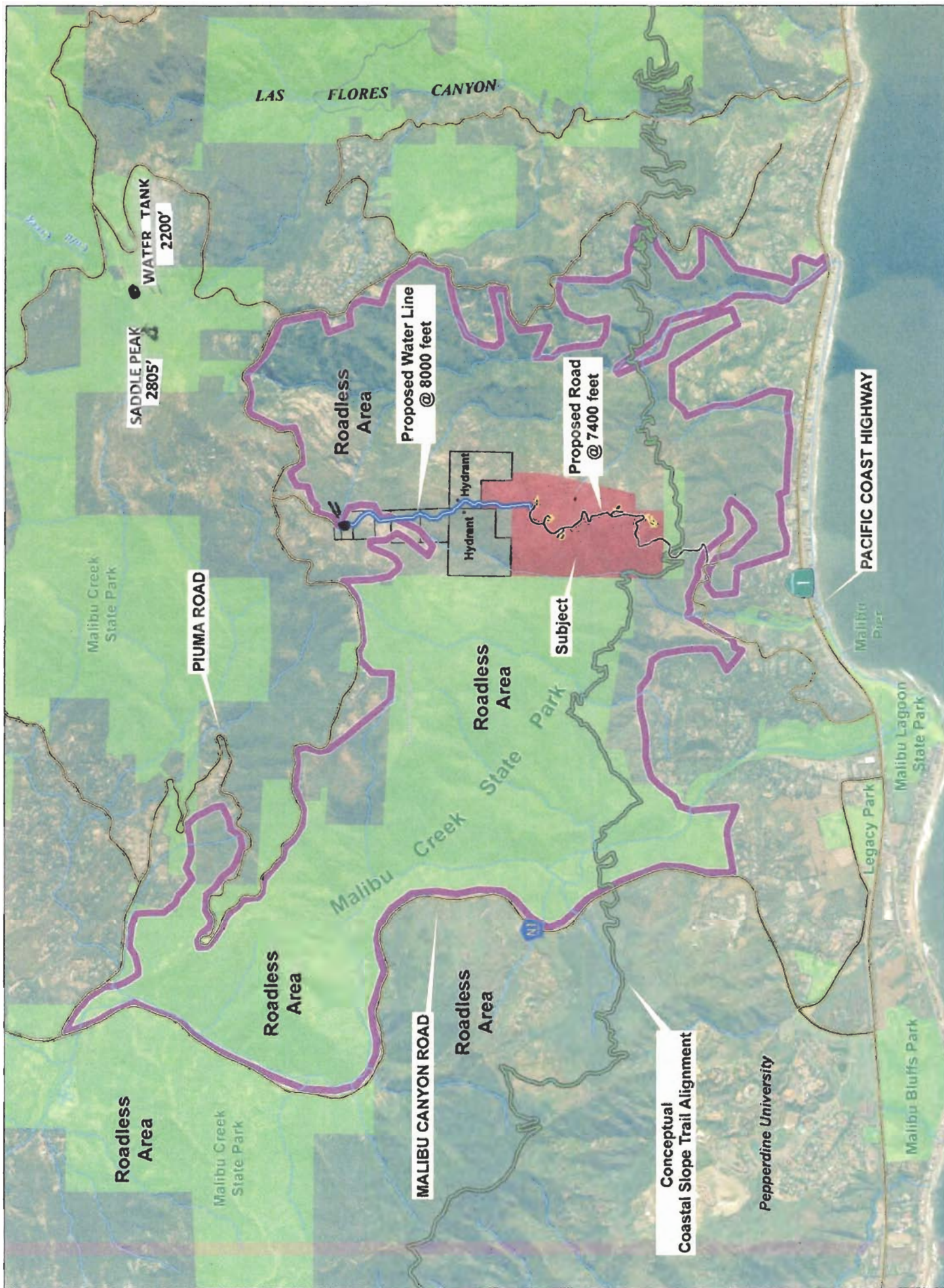
CDP 4-10-040 through 4-10-045

Addendum

Sierra Club Letter

Santa Monica Mountains Task Force, Angeles Chapter, Sierra Club





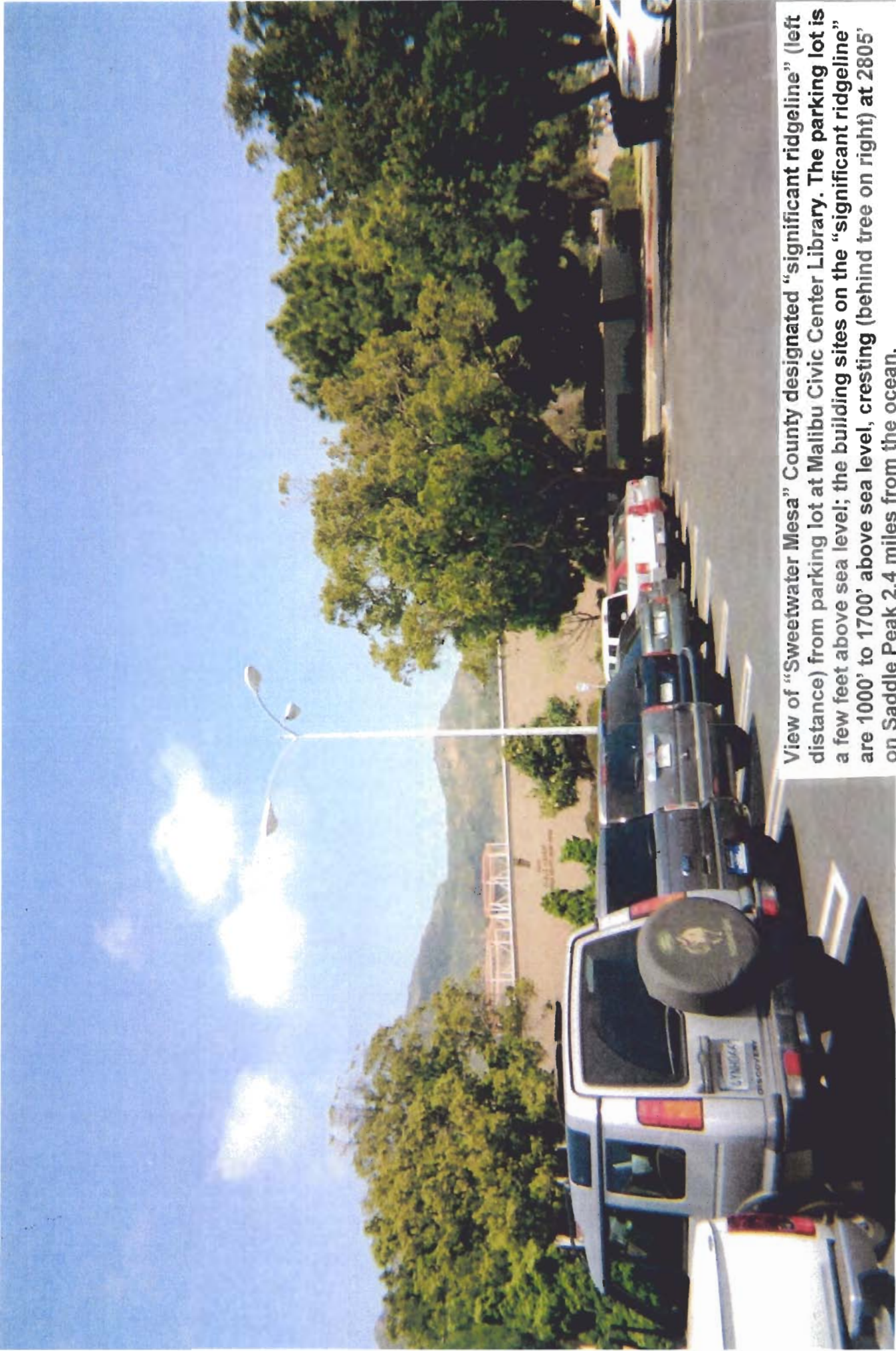
# Eastern Malibu Canyon Roadless Area (2920 Acres)



0 0.125 0.25

Miles  
0.5





View of "Sweetwater Mesa" County designated "significant ridgeline" (left distance) from parking lot at Malibu Civic Center Library. The parking lot is a few feet above sea level; the building sites on the "significant ridgeline" are 1000' to 1700' above sea level, cresting (behind tree on right) at 2805' on Saddle Peak 2.4 miles from the ocean.





View looking west from "Lunch" building site at 1000' above sea level. Malibu and Pacific Coast Highway on left 1000' below viewer. Try to imagine how five mansions here could be defended and evacuated in a chaparral fire driven by gale force winds with flames 100' to 200' high. Would emergency vehicles even try to come up here in a fire? Does it make sense to extend infrastructure (road, water line) and induce growth in such a hazardous location? This ridge is designated a "Significant Ridgeline" in Los Angeles County's adopted draft of the Santa Monica Mountains LCP.





View looking north from "Lunch" building site at 1000' elevation toward "Morleigh", "Mulryan", and "Ronan" building sites on rocky ridge ranging up to 1700' above sea level. Note very steep access road to "Mulryan" site to left of center of rocky ridge. The grassy meadow in the foreground (the "Lunch" site) is actually a mapped landslide still being tested.





View at 1000' looking south across mapped landslide (grassy meadow) to "Vera" site (behind rocky knoll on right).



View of Sweetwater Canyon looking north from proposed access road to the five proposed building sites on "Sweetwater Mesa". Proposed building sites are on the crest of the ridge to the right of photo.





View looking east from proposed "Lunch" building site 1000' above Santa Monica Bay. Santa Monica and the Los Angeles Basin, normally visible in the center background of this photo are obscured by haze.







*This burning mountain shows that houses situated on ridges and sideslope are extremely vulnerable to fire.*

**WIND-DRIVEN FIRE IN COASTAL CHAPARRAL IN PACIFIC PALISADES A FEW MILES EAST OF THE SWEETWATER MESA APPLICATIONS. THIS LOCATION IS SIMILAR TO SWEETWATER MESA, THOUGH THE RIDGE IS NOT AS HIGH.**

**PLEASE NOTE THE SIZE OF THE FLAMES, WHICH MUST BE AT LEAST 50' TO 60' LONG. NOTE HOW THE WIND DRIVES THEM UP THE MOUNTAIN SIDE AND OVER THE CREST, TURNING THE RIDGETOP - WHERE DAVID EVANS WOULD LOCATE MOST OF HIS PROPOSED HOUSES - INTO A RED, FIERY FURNACE.**

**HOW COULD ANY STRUCTURE, NO MATTER HOW IT IS CONSTRUCTED, WITHSTAND THE HEAT OF SUCH A FIRE. FURTHERMORE, COULD THE COMMISSION BE CERTAIN THAT THE INHABITANTS COULD ESCAPE FROM SUCH A HOLOCAUST, ESPECIALLY IF THEIR ONLY ACCESS IS A SINGLE LONG, STEEP, WINDING SUBSTANDARD ROAD THROUGH BURNING CHAPARRAL.**

**THE ONLY WAY TO MAKE SUCH BUILDING SITES SAFE FOR HUMAN HABITATION IS TO REMOVE VIRTUALLY ALL OF THE FUEL (i.e. THE COASTAL SAGE AND CHAPARRAL ESHA) AND DENUDE THE PROPERTY OF MOST OF ITS NATIVE COVER. SUCH EXTREME MITIGATION WOULD MAKE A MOCKERY OF SECTION 30240 OF THE COASTAL ACT.**

**REMOVAL OF SUFFICIENT NATIVE GROWTH TO REDUCE THE FIRE HAZARD TO ACCEPTABLE LEVELS WOULD CONTRIBUTE TO SLOPE INSTABILITY IN VIOLATION OF SECTION 30253 OF THE COASTAL ACT.**

**Photo From Homeowner's Guide to Fire and Watershed Safety at the Chaparral/Urban Interface, Published by the Los Angeles County Fire Department.**

THIS DIAGRAM WAS PUBLISHED IN *THE TIMES* IN APRIL, 2004, AS PART OF AN ARTICLE EXPLAINING WHY SO MANY HOMES WERE LOST IN THE SAN DIEGO AND SAN BERNARDINO COUNTY BRUSH FIRES OF THE YEAR BEFORE. IT REINFORCES THE IMPORTANCE OF NOT BUILDING ON RIDGELINES

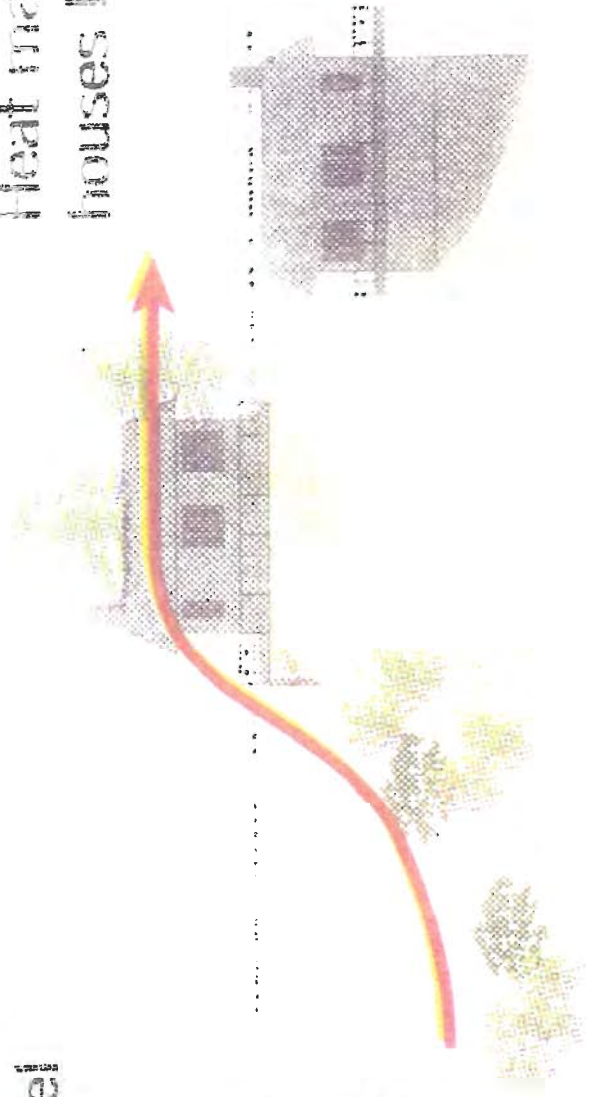
LOS ANGELES TIMES

A24 THURSDAY, APRIL 1, 2004

## Beating the heat

Fire tends to travel uphill. Houses atop a hill are most vulnerable, as hot air flows under eaves and decking.

Heat may pass over houses below a ridge.



Ridge line



February 4, 2011  
(Via UPS)

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California Coastal Commission  
South Central Coast District Office  
Jack Ainsworth, Deputy Director  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**Re: February 2011 Coastal Commission Hearing – Item Th8a (CDP 4-10-040)**  
**Applicant: Lunch Properties, LLLP**  
**Issue: Geology**

Dear Mr. Ainsworth,

For your reference and file, please find enclosed a copy of correspondence that has been transmitted to the California Coastal Commissioners regarding the above-referenced application, as per the requirements of Public Resources Code, sections 30319-30324. If you have any questions or comments, please feel free to contact me at (818) 338-3636. Thank you.

Sincerely,  
Schmitz & Associates, Inc.



Donald W. Schmitz, II, AICP  
President

Cc: Lunch Properties, LLLP



PROVIDERS OF LAND USE PLANNING  
FOR A BETTER COMMUNITY

HEADQUARTERS - MALIBU OFFICE  
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REGIO  
5234  
AGOU  
TEL: 8

Exhibit 11
CDP 4-10-040 through 4-10-045 Addendum
Don Schmitz Letters regarding Lunch Application – Geology and Fire Safety

February 4, 2011  
(Via UPS)

Ms. Sara Wan  
California Coastal Commissioner, Chair  
22350 Carbon Mesa Road  
Malibu, CA 90265

**Re: February 2011 Coastal Commission Hearing – Item Th8a (CDP 4-10-040)**  
**Applicant: Lunch Properties, LLLP**  
**Issue: Geology**

*A copy of the enclosed has been forwarded to Coastal Commission Staff and all Commissioners as per Public Resources Code sections 30319-30324*

Dear Ms. Wan,

The above-referenced CDP application is scheduled to go before the Commission on February 10, 2011. The enclosed information provides some additional background and context to the extensive geotechnical review and analysis that has been conducted for the proposed development.

1. Prior to submittal of the CDP application, the applicant's geotechnical consultants conducted extremely thorough geologic testing, modeling, and analysis. Project consultants confirmed proposed development to be feasible.
  - a. 37 Borings, 16 Test Pits, 3 Seismic Trenches, 25 Cross Sections  
(Attachment 1)
2. In addition to thorough geotechnical reports, Commission Staff requested County Geology review/approval in concept (AIC). The applicant had to work with the County to create an AIC process, as they did not have a system in place. Following the County's nearly 6-month review process, the County issued a Geology AIC. (Attachment 2)
3. Commission Geo/Engineering Staff requested structural engineering plans and an outside consultant to review highly detailed structural plans (including details regarding subsurface mitigation utilizing concrete and steel) which is far in excess of the conceptual plans that the Commission typically requires. (Attachment 3a, 3b, and 3c)
  - a. Commission Geo/Engineering Staff and outside consultants requested extensive amounts of additional information and reviewed Geo/Engineering for nearly a year. (Attachment 4)



PROVIDERS OF LAND USE PLANNING  
FOR A BETTER COMMUNITY

**SCHMITZ & ASSOCIATES, INC.**

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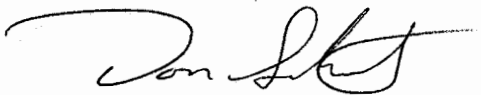
4. Staff Report confirms that the proposed development has been designed to be stable, safe, and suitable consistent with Section 30253 of the Coastal Act.  
**(Attachment 5a, Attachment 5b, Attachment 6, Attachment 7)**

As evidenced by the foregoing and attached, the applicant has undergone an excruciatingly thorough geotechnical review process over the course of over three and a half years. The applicant has spent hundreds of thousands of dollars in testing, preparation of reports and plans, and additional review fees over this lengthy time period.

The proposed development has been reviewed and approved by the project geotechnical consultants, Los Angeles County Geotechnical and Materials Engineering Division, the Coastal Commission Geologist and Engineer, and the Coastal Commission's outside consultants. In light of the overwhelming amount of geology review that has been done and the conclusions reached by all parties, it is abundantly clear that the proposed development fully minimizes potential geologic hazards and is clearly consistent with Section 30253 of the Coastal Act.

If you have any questions or comments, please do not hesitate to contact me at (818) 338-3636.

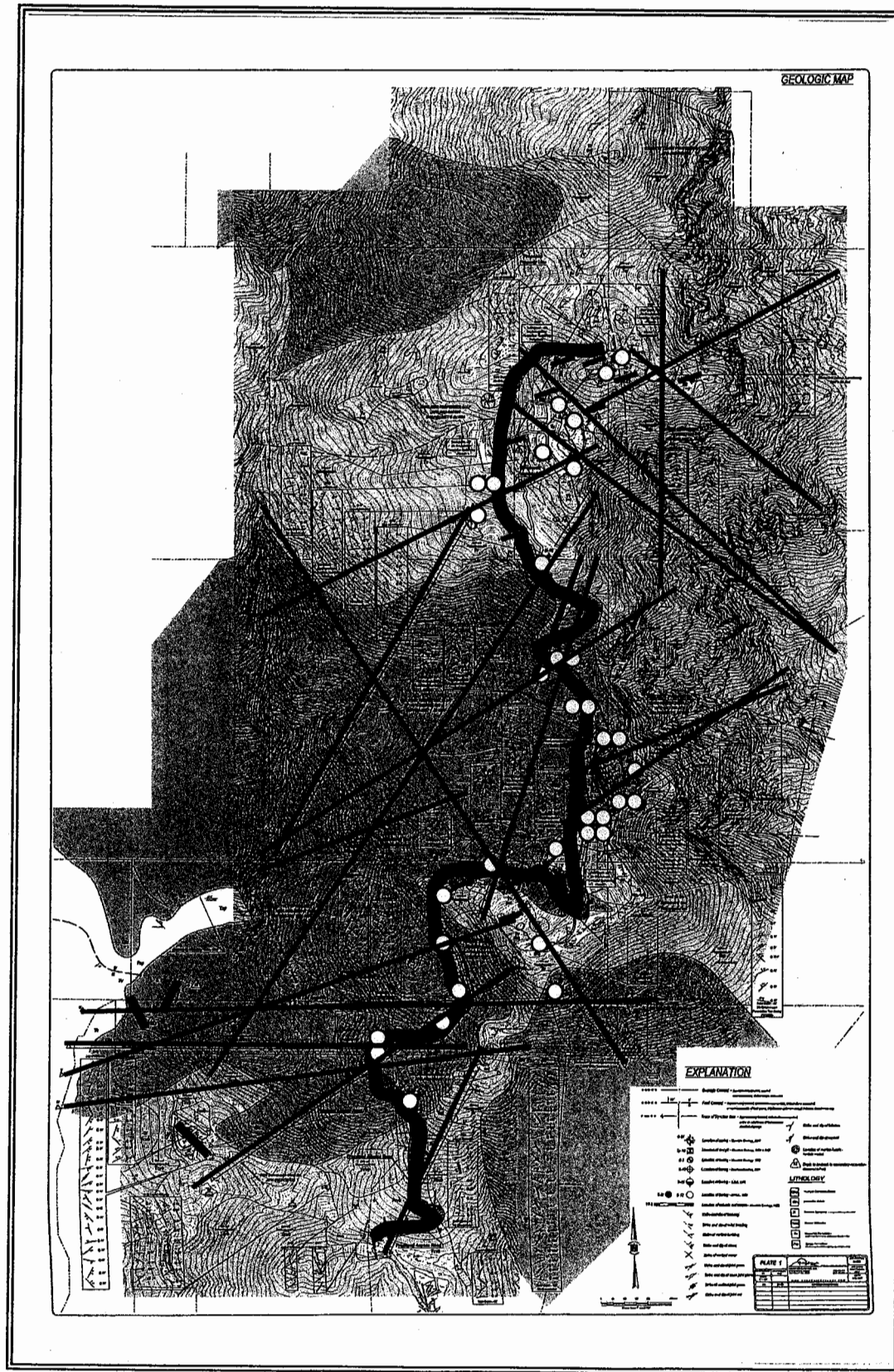
Sincerely,  
Schmitz & Associates, Inc.



Donald W. Schmitz, II, AICP  
President

Cc: Lunch Properties, LLLP

# Attachment 1 – Extensive Geologic Testing



37 Borings ○

3 Seismic Trenches

16 Test Pits

25 Cross Sections

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION**

**SOILS ENGINEERING REVIEW SHEET**

Address: 900 S. Fremont Ave., Alhambra, CA 91803  
Telephone: (626) 458-4925  
Fax: (626) 458-4913

District Office 9.1  
Job Number MMSIR  
Sheet 1 of 2

Review of Conceptual Design - Pad for Single Family Residence and Access Road

Location Sweetwater Mesa, (Lunch Properties, APN# 4453-005-037)  
Developer/Owner Lunch Properties  
Engineer/Architect \_\_\_\_\_  
Soils Engineer CalWest Geotechnical, Inc. (4743-2-lunch)  
Geologist Mountain Geology (JH6727)

**DISTRIBUTION:**

1 Drainage  
1 Grading  
1 Geo/Soils Central File  
1 District Engineer  
1 Geologist  
1 Soils Engineer  
1 Engineer/Architect

Miscellaneous Application No. 0706150005

**Review of:**

Geotechnical Report Dated 7/14/08, 12/27/07, 5/22/07  
Geologic Report Dated 7/7/08, 12/18/07, 6/11/07  
Previous Review Sheet Dated 4/2/08

**REMARKS:**

1. A visual inspection of the proposed building site and a cursory review of the submitted geotechnical report(s) indicate there are no apparent adverse geotechnical conditions that would preclude the development of the identified building site as long as the geotechnical consultants' recommendations are followed. However, additional data may become available in the future, which may supersede this finding. Specific development plans must be submitted for review during the building/grading permit process. At that time, a comprehensive geotechnical review will be conducted, which may require addendum geology and soils reports.
2. The Department of Public Works "Geologic Site Inspection" review is intended to preliminarily tell you if readily apparent conditions indicate that a geology or soils report may be required and/or to tentatively indicate possible conditions that may have to be met prior to issuance of a permit. This process is not intended to produce geotechnical review sheets suitable for submittal to Building and Safety Division for the issuance of building/grading permits or to any other agency. Any comments, determinations, opinions or other statements concerning the property which are contained in this review sheet are tentative and subject to change. Additional data may be brought to the Department's attention which may materially affect and/or supersede statements made herein. Because of the very limited nature of the review conducted by the Department, any statements made in this review sheet are not binding on this Department and are not to be relied upon by anyone in deciding whether to build on or buy any property. Further review requires submittal of a permit application for Grading and/or Building.

Prepared by



*Clayton Masters*  
Clayton Masters  
Geology Section

Date 10/27/08

[illegible]



**CALIFORNIA COASTAL COMMISSION**

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FAX (415) 904-5400  
TDD (415) 597-5885

Attachment 4



25 January 2011

**GEOTECHNICAL REVIEW MEMORANDUM**

To: Deanna Christensen, Coastal Program Analyst  
From: Mark Johnsson, Staff Geologist  
Re: Sweetwater Mesa Project

In connection with the above-referenced project, I have reviewed the documents listed in Appendix A. In addition, I have attended numerous meetings and teleconferences among the Commission staff, applicants' consultants, and consultants for the Commission over the past two years. I visited the site on 8 April 2009.

**Introduction**

To summarize very briefly, the project consists of a lot-line adjustment, the construction of five single-family residences, the installation of a water line, and the construction of an access road extending from within the City of Malibu, into unincorporated Los Angeles County, and through multiple lots to the five proposed residences. This review will include all the proposed project elements except the part of the road within the City of Malibu.

The proposed access road within unincorporated Los Angeles County traverses the western side of a north-south oriented, sharp-crested ridge. At the City Limits the proposed road is at an elevation of approximately 835 feet, roughly 100 feet below, and 300 feet west of, the crest of the ridge. The proposed road and the ridgeline rise irregularly to a high point within the project area of approximately 1500 feet over a straight-line distance of approximately 0.53 miles. To the east of the somewhat meandering ridgeline is a very steep slope, marked by vertical cliffs, dropping into Carbon Canyon. To the west, somewhat gentler (but still very steep) slopes descend to Sweetwater Canyon. Several drainages extending from both canyons modify these steep slopes.

The bedrock making up this ridge is primarily layered sedimentary rocks (conglomerates, volcanic breccias, sandstones, siltstones and shales) assigned to The Vaqueros Formation, underlain by sandstones of the Sespe Formation. These rocks are broadly folded and lie on the east limb of syncline, or downwarp, and so primarily dip to the west. The Vaqueros Formation makes up most of the western side of the ridge, and the underlying Sespe Formation makes up most of the eastern side of the ridge. This broad structure is interrupted by many minor folds and inactive faults. Isolated igneous rocks, known as the Conejo Volcanics, were intruded into the sedimentary rocks.

Exhibit 25  
CDP 4-10-040 through 4-10-045  
Mark Johnsson Memorandum

### Proposed Single Family Residences

Of the five proposed residences, only one (Residence 2 - Lunch) is proposed atop a landslide area. However, given the extremely steep topography across the remainder of the Lunch property, there are no other feasible building sites within the bounds of the parcel that are outside landslide areas. Moreover, the submitted geology, geotechnical, and/or soils reports conclude that the Lunch project site is suitable for the proposed project based on the evaluation of the site's geology in relation to the proposed development. The reports contain recommendations to be incorporated into the project plans to ensure the stability and geologic safety of the proposed project, the project site, and the adjacent properties. As discussed previously, landslide debris underlies the majority of the Mulryan property. As such, a lot line adjustment is proposed for the Mulryan and Morleigh parcels in order to site the Mulryan residential development outside landslide areas. The submitted geology, geotechnical, and/or soils reports conclude that the proposed Residence 1 - Vera, Residence 3 - Morleigh, Residence 4 - Mulryan, and Residence 5 - Ronan project sites are suitable for the proposed projects based on the evaluation of the site's geology in relation to the proposed development. The reports contain recommendations to be incorporated into the project plans to ensure the stability and geologic safety of the proposed project, the project site, and the adjacent properties.

However, each of the proposed home sites (Residences 1 - 5) is situated on or near the ridgeline, with slopes steeply descending to canyons below. The approved fuel modification plan for each of the proposed residences utilizes the standard three zones of vegetation modification, which extend a maximum of 200 feet from the proposed residences. As such, a significant portion of the fuel modification area of each residential structure would extend across steeply sloping terrain below the ridgeline, which has the potential to increase the site's susceptibility to erosion and geologic instability. In addition, the large size of each development area, coupled with the required access drive for each home site and Fire Department requirements for access and staging, would result in a significant area of impervious surfaces along the ridgeline that lies above steep slopes descending to pristine canyons and blue-line streams below. Impervious surfaces have the potential to increase runoff volumes and rates, thereby increasing a site's susceptibility to erosion and geologic instability. There are a number of measures that could be incorporated into the projects that would minimize erosion and ensure geologic stability, such as proper drainage, runoff, and erosion control measures and landscaping of disturbed and graded slopes. Although the proposed residences have been designed to be stable and safe, consistent with Section 30253 of the Coastal Act, all of the development that is required to provide safe access, services, and fire protection and ensure stability for each residence would have significant impacts to coastal resources, particularly ESHA and visual resources, as discussed in the preceding sections. Alternatives exist that would minimize impacts to coastal resources while also assuring safety and stability of residential development. There are discussed in the Alternatives section of this report.

system and the "dog bone" caissons had been deleted. As with the initial design, the caissons would require careful field installation since reinforcing steel for each caisson was designed to be oriented with the direction of the slide. By refining the geologic landslide mapping and using the appropriate parameters during the CSA review process, the applicants' consultants were able to replace the previously proposed dog-bone caissons with cylindrical caissons and reduce the amount and size of the stabilization elements of the access road.

The applicant's structural engineer also examined the option of a tied-back wall rather than a caisson system because such a design was thought to have the potential to further reduce both the caisson diameter and necessary reinforcing steel. However, the assessment of that option found that the tie-back installation would require far more site disturbance than the caissons, since large trenches would need to be excavated downslope of the slide to install the tiebacks. Approximately 1,010 feet of roadway would require slot excavations at least 30 to 60 feet deep to install the tie-back system, extending the site disturbance well beyond the existing roadway footprint. Lesley Ewing has reviewed the alternative design analysis and concurs that a tie-back stabilization system at this site would cause greater site disturbance than the caissons.

Staff has determined that the site geologic hazards, limits of landslides, type of sliding, and depth of the slide planes in the access road corridor have been appropriately characterized and that the structural design of the road will be safe and stable as long as the recommendations provided in the relevant reports are followed. Staff also has determined that because of the steepness of the access road corridor, the ability to devise other designs that would reduce grading and wall heights is limited. The Commission concurs with its staff's conclusions in these respects.

Although the proposed engineering design of the access road is simpler than what was previously proposed, it is still a relatively complex road design that would require a significant amount of grading, retaining walls, large cut/fill slopes, Fire Department staging areas, drainage devices, and an expansive overall footprint. Although the proposed access road has been designed to be stable and safe, consistent with Section 30253 of the Coastal Act, all of the development that is required to provide that safety and stability would have significant impacts to coastal resources, particularly ESHA and visual resources, as discussed in the preceding chapters. Alternatives exist that would minimize impacts to coastal resources while also assuring safety and stability of development. There are discussed in the Alternatives section of this report.

#### Fire Department Staging Areas and Placement of Excess Excavated Material

Given the remoteness of the area and the length and steepness of the road, the Fire Department has required construction of the three proposed Fire Department staging areas along the access road to accommodate safe emergency vehicle access and staging. Two of the staging areas (approximately 2,800 sq. ft. and 6,200 sq. ft. in size) are adjacent to one another and located where the proposed access road begins within the unincorporated Los Angeles County jurisdiction on the Vera parcel. These two

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TDD (415) 597-5885

Attachment 6



25 January 2011

**GEOTECHNICAL REVIEW MEMORANDUM**

To: Deanna Christensen, Coastal Program Analyst  
From: Mark Johnsson, Staff Geologist  
Re: Sweetwater Mesa Project

In connection with the above-referenced project, I have reviewed the documents listed in Appendix A. In addition, I have attended numerous meetings and teleconferences among the Commission staff, applicants' consultants, and consultants for the Commission over the past two years. I visited the site on 8 April 2009.

**Introduction**

To summarize very briefly, the project consists of a lot-line adjustment, the construction of five single-family residences, the installation of a water line, and the construction of an access road extending from within the City of Malibu, into unincorporated Los Angeles County, and through multiple lots to the five proposed residences. This review will include all the proposed project elements except the part of the road within the City of Malibu.

The proposed access road within unincorporated Los Angeles County traverses the western side of a north-south oriented, sharp-crested ridge. At the City Limits the proposed road is at an elevation of approximately 835 feet, roughly 100 feet below, and 300 feet west of, the crest of the ridge. The proposed road and the ridgeline rise irregularly to a high point within the project area of approximately 1500 feet over a straight-line distance of approximately 0.53 miles. To the east of the somewhat meandering ridgeline is a very steep slope, marked by vertical cliffs, dropping into Carbon Canyon. To the west, somewhat gentler (but still very steep) slopes descend to Sweetwater Canyon. Several drainages extending from both canyons modify these steep slopes.

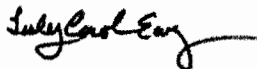
The bedrock making up this ridge is primarily layered sedimentary rocks (conglomerates, volcanic breccias, sandstones, siltstones and shales) assigned to The Vaqueros Formation, underlain by sandstones of the Sespe Formation. These rocks are broadly folded and lie on the east limb of syncline, or downwarp, and so primarily dip to the west. The Vaqueros Formation makes up most of the western side of the ridge, and the underlying Sespe Formation makes up most of the eastern side of the ridge. This broad structure is interrupted by many minor folds and inactive faults. Isolated igneous rocks, known as the Conejo Volcanics, were intruded into the sedimentary rocks.

Exhibit 25  
CDP 4-10-040 through 4-10-045  
Mark Johnsson Memorandum

January 24, 2011

TO: Deanna Christensen  
Jack Ainsworth

FROM: Lesley Ewing



SUBJECT: Engineering Review of the Sweetwater Mesa Project

I have been asked to review the engineering aspects of the proposed Sweetwater Mesa Project, including the access road, driveways and building pads. Attachment 1 includes the full list of documents that I have reviewed. In addition to reviewing the submitted materials, I visited the site on 28 January 2010 and have participated in numerous conference calls and meetings with staff, technical consultants, and the applicants' consultants concerning this proposed project.

The proposed project will be located in the Santa Monica Mountains and will include an access road, utilities, and building pads, drive ways, septic systems, and ancillary buildings for 5 separate home sites. The access road is an extension of Sweetwater Mesa Road; part of the road would be in the City of Malibu and part of the road would be in unincorporated Los Angeles County. My review only covers the portion of the road within unincorporated Los Angeles County. This area of the Santa Monica Mountains is quite rugged, and the current roadway is a dirt trail only easily accessible by four-wheel drive. To underscore the steepness of the terrain, during our site visit, the four-wheel drive vehicles could only drive safely on the lower part of the road, and we were only able to get to the steeper, northern (upper) part of the site on foot.

There are several large landslides on the site, and the geologic conditions pose significant engineering challenges to provide safe development, especially for the access road. In addition to the basic access requirements for a road (providing ingress and egress for construction equipment, building residents and guests, fire equipment, etc.), the County will require that, at a minimum, roadway be designed to remain stable in the event of landslide movement. And, it must stabilize the landslide material upslope of the road. During my review of this project, three different structural engineering designs have been developed and proposed for the roadway.

The portion of the access road within the unincorporated County will be 4,883 feet long or approximately 0.9 miles long. It will cross two large landslides, and two sections of the road, one 590 feet long and one 905 feet long, will be supported on caissons to provide for safe access across these slide areas. In addition to the 1,495 feet of caisson-supported roadway, there will be several retaining walls and a significant amount of cut and fill to provide for a level road surface. The civil engineering plans for stabilizing the road would include, in total 5 retaining walls ranging in length from 90 feet to 390 feet and totaling 955 feet of retaining wall. The retaining walls would range in height from averages of 5 to 11 feet and maximum heights of 7.5 to 18 feet. The longest retaining wall, along the right side (or upslope side) of the northern portion of the road, has been designed to be 390 feet long and to have an average height of 11 feet and a



development to be undertaken in a manner that will minimize the risks from the identified geologic hazards. If approved, there should be conditions on this project for the following:

- Any necessary retaining walls should be colored, texturized and possibly vegetated so that they will be visually compatible with the surrounding area
- Final engineering plans should incorporate all recommendations from the CSA letter of January 21, 2011, and outlined on pages 10 and 11
- All road stabilization caissons should be at least 20 feet long, or at the length identified by the structural engineering plans
- All fill slopes and contour grading areas, including the non-structural fill areas, should be properly keyed and benched and designed to control both sub-grade and surface drainage in a non-erosive manner.
- The reinforcing steel for the caissons in the road support system should include a 30 degree uncertainty in the direction of the slide force
- The caissons for the road support system should be checked to insure compliance with the California Building Code for structural loading (Equation 9-7) and guidance by the American Concrete Institute (Section 9.2.1)
- There shall be a geologist on-site during construction of the road support system to inspect each caisson excavation and the orientation of each caisson during installation.

With the above listed modifications, the proposed project should be able to assure stability and structural integrity to a reasonable degree and to minimize risks to life and property, consistent with Coastal Act section 30253.

Please contact me if there are other aspects of this project that you would like to discuss.

February 3, 2011  
(Via UPS)

California Coastal Commission  
South Central Coast District Office  
Jack Ainsworth, Deputy Director  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

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FEB 7 2011

BR

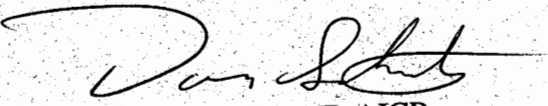
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**Re: February 2011 Coastal Commission Hearing – Item Th8a (CDP 4-10-040)**  
**Applicant: Lunch Properties, LLLP**  
**Issue: Fire Safety**

Dear Mr. Ainsworth,

For your reference and file, please find enclosed a copy of correspondence that has been transmitted to the California Coastal Commissioners regarding the above-referenced application, as per the requirements of Public Resources Code, sections 30319-30324. If you have any questions or comments, please feel free to contact me at (818) 338-3636. Thank you.

Sincerely,  
Schmitz & Associates, Inc.

  
Donald W. Schmitz, II, AICP  
President

Cc: Lunch Properties, LLLP



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**SCHMITZ & ASSOCIATES, INC.**

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February 3, 2011  
(Via UPS)

Ms. Sara Wan  
California Coastal Commissioner, Chair  
22350 Carbon Mesa Road  
Malibu, CA 90265

**Re: February 2011 Coastal Commission Hearing – Item Th8a (CDP 4-10-040)**  
**Applicant: Lunch Properties, LLLP**  
**Issue: Fire Safety**

*A copy of the enclosed has been forwarded to Coastal Commission Staff and all Commissioners as per Public Resources Code sections 30319-30324*

Dear Ms. Wan,

As you may be aware, the above-referenced CDP application is scheduled to go before the Commission on February 10, 2011. We would like to provide the enclosed information to address potential concerns that have been expressed regarding fire safety for the proposed development.

The Santa Monica Mountains are located in a Class 4 fire zone. The applicant is acutely aware of this and has gone to great lengths to ensure maximum fire safety. Fire protection measures include:

1. Connection to Las Virgenes Municipal Water District's municipal water system
  - a. Required by the Los Angeles County Fire Department  
(Attachments 1 and 2)
2. Landscape/Fuel Modification Plan approved by LA County Fire Department Forestry Division (Attachment 3)
3. Active fire suppression sprinkler system that provides 75 ft. radius of fire protection in case of wildfire. (Attachment 4a, 4b, 4c, and 4d)
4. Two Fire Department staging areas along proposed access driveway.  
(Attachment 5a and 5b)
5. Fire Hydrant located near main residence to provides sufficient available water supply for firefighting. (Attachment 6)
6. Utilization of fire resistant materials such as concrete, steel, and glass.  
(Attachment 7)



PROVIDERS OF LAND USE PLANNING  
FOR A BETTER COMMUNITY

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As evidenced by the foregoing and attached, the applicant has incorporated numerous fire protection and emergency access provisions to maximize fire safety and to minimize potential hazards associated with wildfire, consistent with Section 30253 of the Coastal Act.

If you have any questions or comments, please do not hesitate to contact me at (818) 338-3636.

Sincerely,  
Schmitz & Associates, Inc.

A handwritten signature in black ink, appearing to read 'Donald W. Schmitz, II', with a large, sweeping initial 'D'.

Donald W. Schmitz, II, AICP  
President

Cc: Lunch Properties, LLLP



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 890-2461

P. MICHAEL FREEMAN  
FIRE CHIEF  
FORESTER & FIRE WARDEN

RECEIVED  
JAN 5 2008

COASTAL DISTRICT (213) 890-4125  
SOUTH CENTRAL COAST DISTRICT

December 26, 2007

Deanna Christensen, Coastal Program Analyst  
89 South California St., Suite 200  
Ventura, CA 93001

Dear Ms. Christensen:

### PROPOSED WATER LINE EXTENSION (CDP APPLICATION 4-07-068)

On August 29, 2007, I met with Don Schmitz who represents the applicant for the above-referenced Coastal Development Permit application. I reviewed the plans for the proposed water line extension, which proposes to extend water service from Costa Del Sol to the subject property located north of Sweetwater Mesa Road in the unincorporated Santa Monica mountains.

As you may be aware, the Santa Monica Mountains are classified as the Very High Fire Hazard Severity Zone. In these types of locations, it is far superior from a fire safety standpoint to have public mains and hydrants as opposed to relying on water wells and/or tanks. Public mains provide a much more reliable and consistent source of water with sufficient flow rates to adequately protect the residents and structures in the area.

The proposed water line extension would certainly help to reduce and minimize risks to life and property due to fire hazard and would maximize water supply to an area that needs it. Pursuant to my review of the proposed water line extension, I would like to express my strong support for the water line extension and respectfully request Staff to recommend approval of the application.

If you have any further questions regarding this matter, please contact me at (323) 890-4132.

Sincerely,

*James G. Bailey*

JAMES G. BAILEY, HEAD FIRE PREVENTION ENGINEER  
FIRE PREVENTION ENGINEERING  
FIRE PREVENTION DIVISION

JGB:ij

Cc: Don Schmitz

#### SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

GOURA HILLS  
RTESIA  
ZUSA  
ALDWIN PARK  
ELL  
ELL GARDENS  
ELLFLOWER

BRADBURY  
CALABASAS  
CARSON  
CERRITOS  
CLAREMONT  
COMMERCE  
COVINA

CUDAHY  
DIAMOND BAR  
DUARTE  
EL MONTE  
GARDENA  
GLENORA  
HAWAIIAN GARDENS

HAWTHORNE  
HIDDEN HILLS  
HUNTINGTON PARK  
INDUSTRY  
INGLEWOOD  
IRWINDALE  
LA CANADA FLINTRIDGE

LA HABRA  
LA MIRADA  
LA PUENTE  
LAKEWOOD  
LANCASTER  
LAWDALE  
LOMITA

LYNWOOD  
MALIBU  
MAYWOOD  
NORWALK  
PALMOALE  
PALOS VERDES ESTATES  
PARAMOUNT

PICO RIVERA  
POMONA  
RANCHO PALOS VERDES  
ROLLING HILLS  
ROLLING HILLS ESTATES  
ROSEMEAD  
SAN DIMAS  
SANTA CLARITA

SIGNAL HILL  
SOUTH EL MONTE  
SOUTH GATE  
TEMPLE CITY  
WALNUT  
WEST HOLLYWOOD  
WESTLAKE VILLAGE  
WHITTIER





# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 881-2461

Attachment 2

P. MICHAEL FREEMAN  
FIRE CHIEF  
FORESTER & FIRE WARDEN

April 6, 2010

Deanna Christensen, Coastal Program Analyst  
89 South California St., Suite 200  
Ventura, CA 93001

### Re: Proposed Water Line Extension (CDP Application 4-09-057)

Dear Ms. Christensen:

It has come to my attention that the proposed water line extension associated with the above referenced application may be recommended for denial by the California Coastal Commission Staff. Below is the Los Angeles County Fire Department's position as it pertains to the proposed water line extension from Costa Del Sol to the subject property located north of Sweetwater Mesa Road.

As you are aware, the Santa Monica Mountains are subject to wildland fires and are classified as the Very High Fire Hazard Severity Zone. Pursuant to Section 508.1 of the 2008 Los Angeles County Fire Code the applicant must provide "an approved water supply capable of supplying the required fire flow for fire protection..." Section 508.3 further explains that "fire flow requirements for buildings or portions of buildings and facilities shall be determined by the fire code official." Regulation #8 of the Los Angeles County Fire Department establishes the required fire flow for development projects. In accordance with Regulation #8, the proposed development requires a minimum of 2,000 gallons per minute of water flow for the duration of two hours. Due to the required fire flow, the proposed extension of the municipal water line is required to meet these standards.

Private water tanks and sprinklers have previously been approved by our department in instances where a municipal water supply was unavailable or infeasible to extend to a subject property. However, this proposed development is located within a reasonable distance to the existing water main located in Costa Del Sol and our department will require the proposed water main extension in association with the proposed development. The alternate of using a water tank and sprinklers will not be accepted due to the size of the proposed residences, their location and the fact that a finding of practical difficulty or unreasonable hardship is unfounded.

#### SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

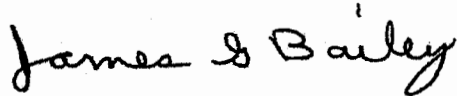
AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	WALNUT
BELL GARDENS	COMMERCE	GLENDORA	IRVINDALE	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WESTLAKE VILLAGE
						SANTA CLARITA	WHITTIER

Ms. Christensen  
April 6, 2010  
Page 2

The proposed water line extension will provide a reliable water source which in turn will help reduce and minimize risks to life and property due to fire hazard and would maximize water supply to an area that needs it. Pursuant to my review of the proposed water line extension, I appreciate the opportunity to clarify that the position of the Los Angeles County Fire Department is that the water main and fire hydrant locations, approved by this department on December 7, 2009, is a prerequisite for the construction of the homes on the subject parcels.

If you have any further questions regarding this matter, please contact me at (323) 890-4132.

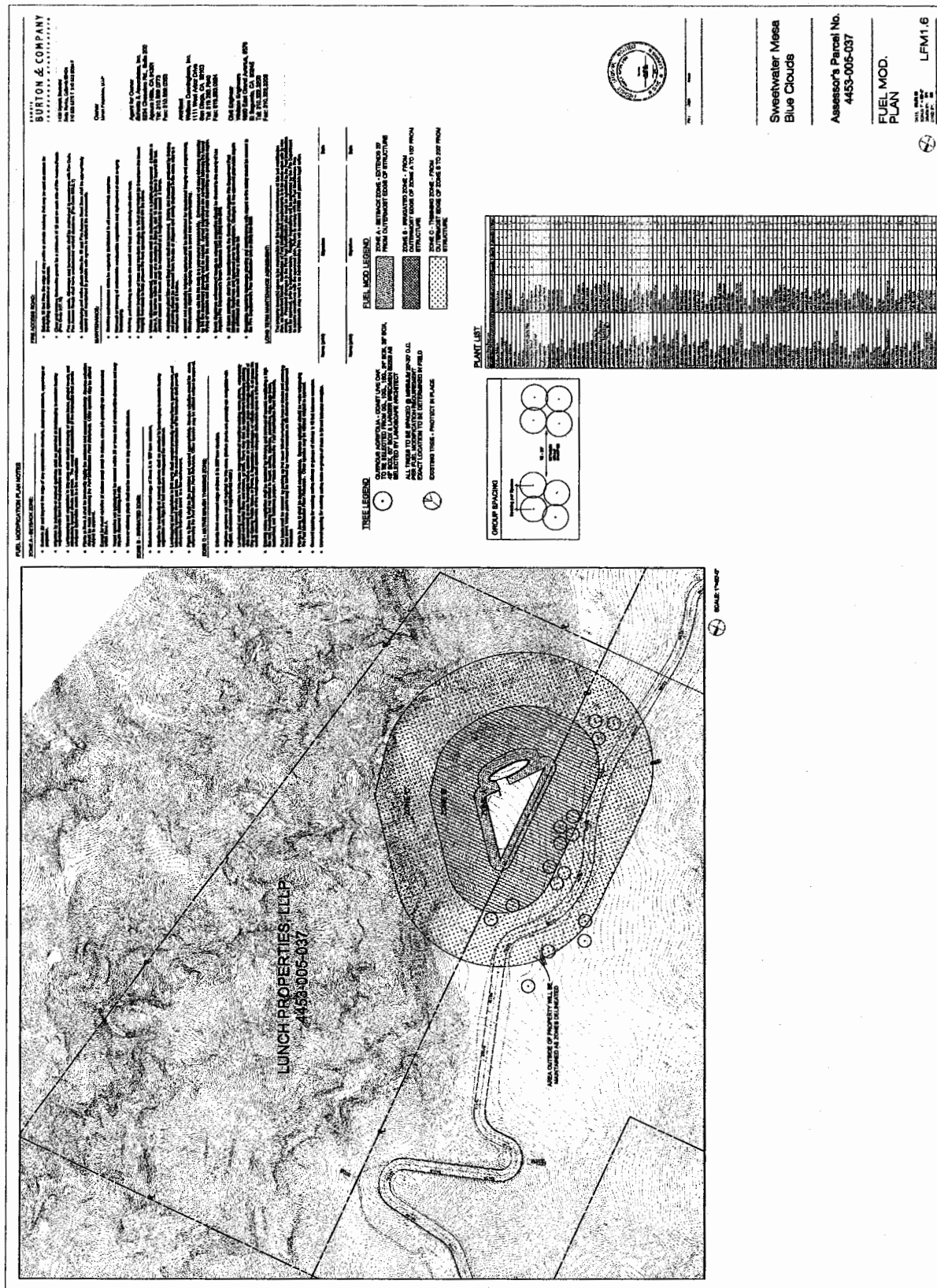
Sincerely,



JAMES G. BAILEY, HEAD FIRE PREVENTION ENGINEER  
FIRE PREVENTION ENGINEERING  
FIRE PREVENTION DIVISION

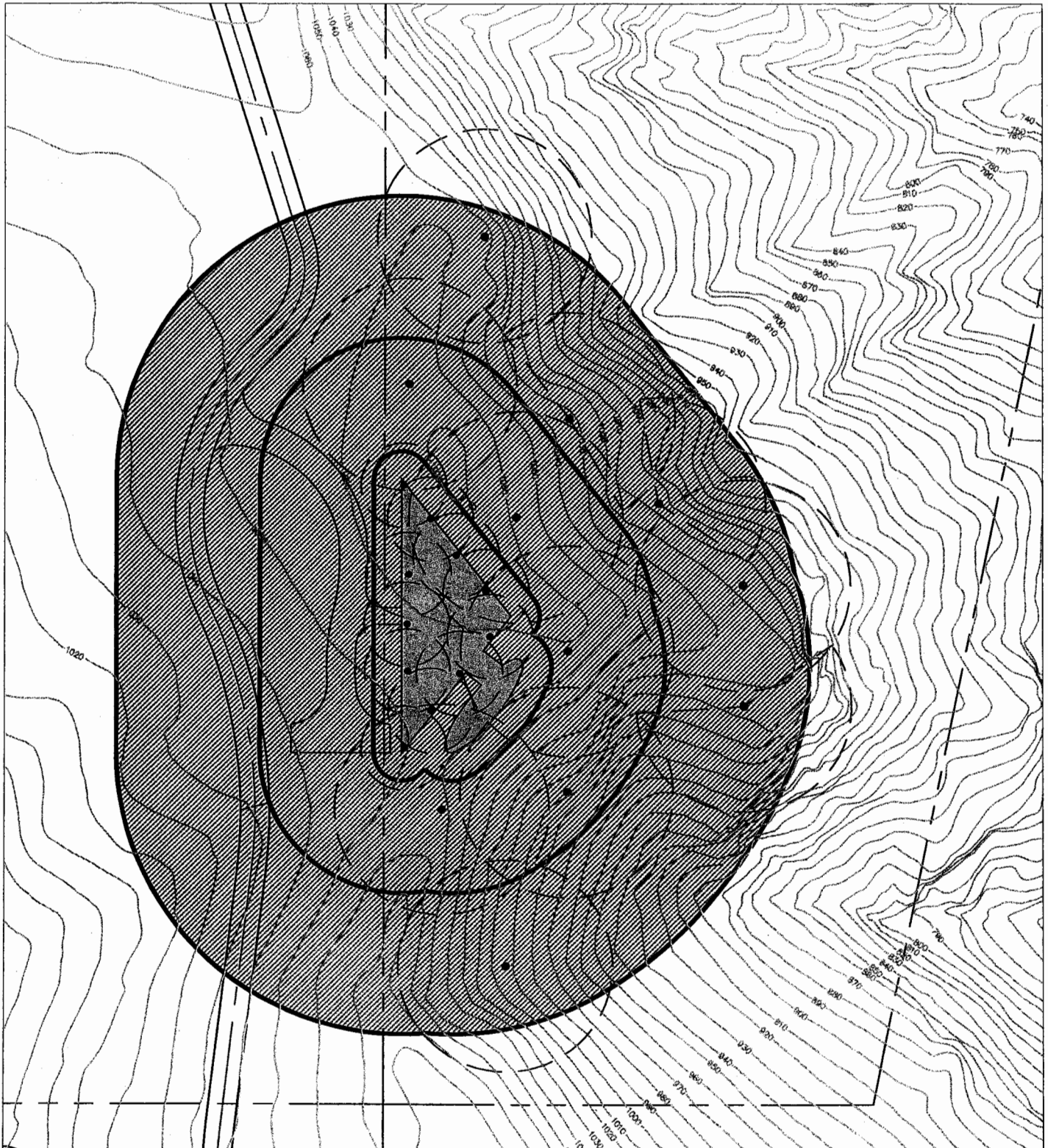
Cc: Schmitz & Associates, Inc.  
Stefanie Edmondson, Principal Planner City of Malibu

## **Attachment 3 – Fuel Modification Plan for Proposed Residence**









**Attachment 4a - CDP 4-10-040**  
**Wildfire Suppression/Sprinkler System**

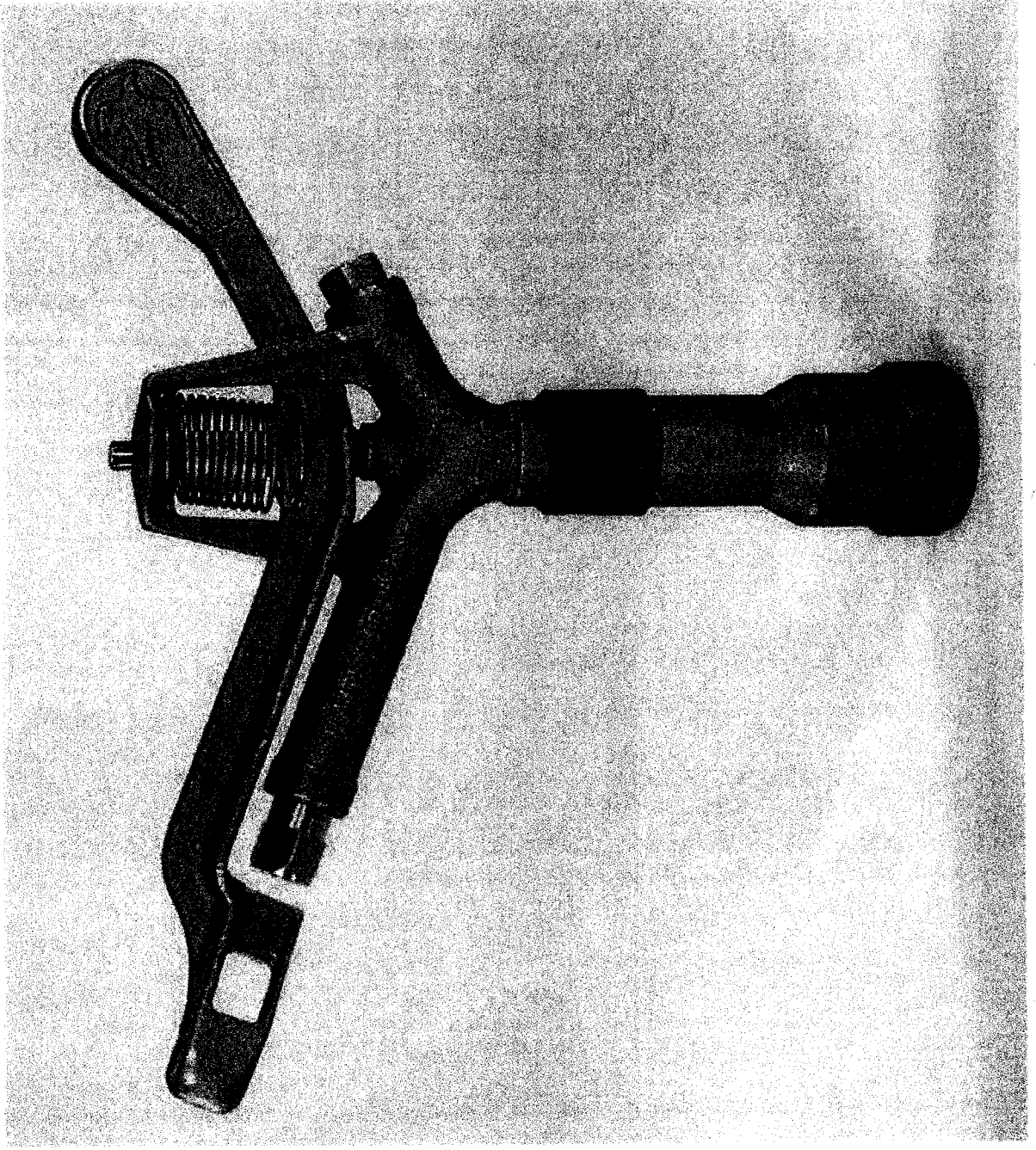


Not to Scale

**LEGEND:**

-  Fuel Modification Zone A
-  Fuel Modification Zone B
-  Fuel Modification Zone C
-  Fire Suppression Sprinklers

**Attachment 4b – Wildfire Suppression Sprinkler for Proposed Residence**



## Attachment 4c – Wildfire Suppression System for Proposed Residence

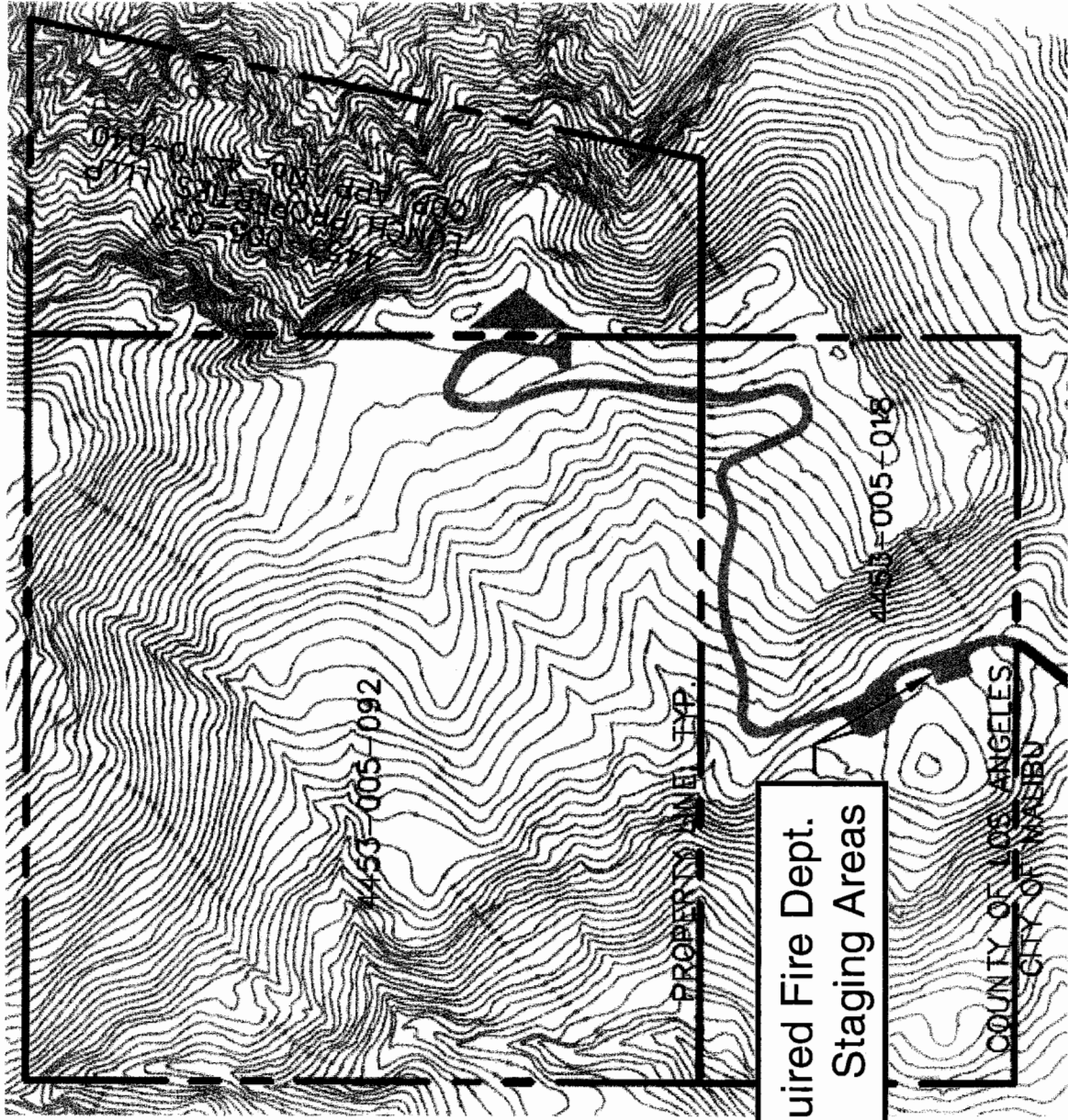




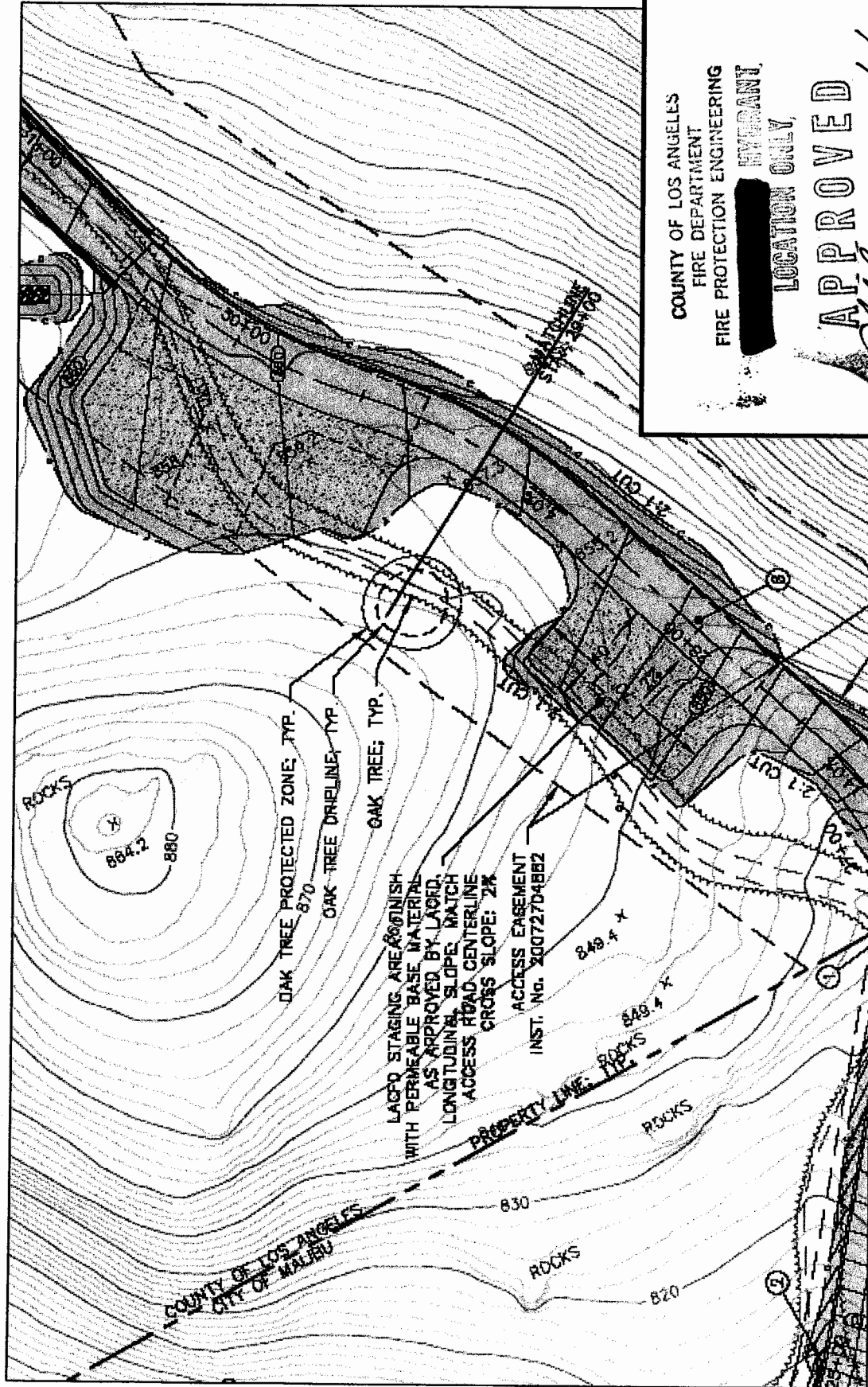
**Attachment 4d – Wildfire Suppression System for Proposed Residence**



**Attachment 5a – Required Fire Department Staging Areas**



# **Attachment 5b – Required Fire Department Staging Areas**

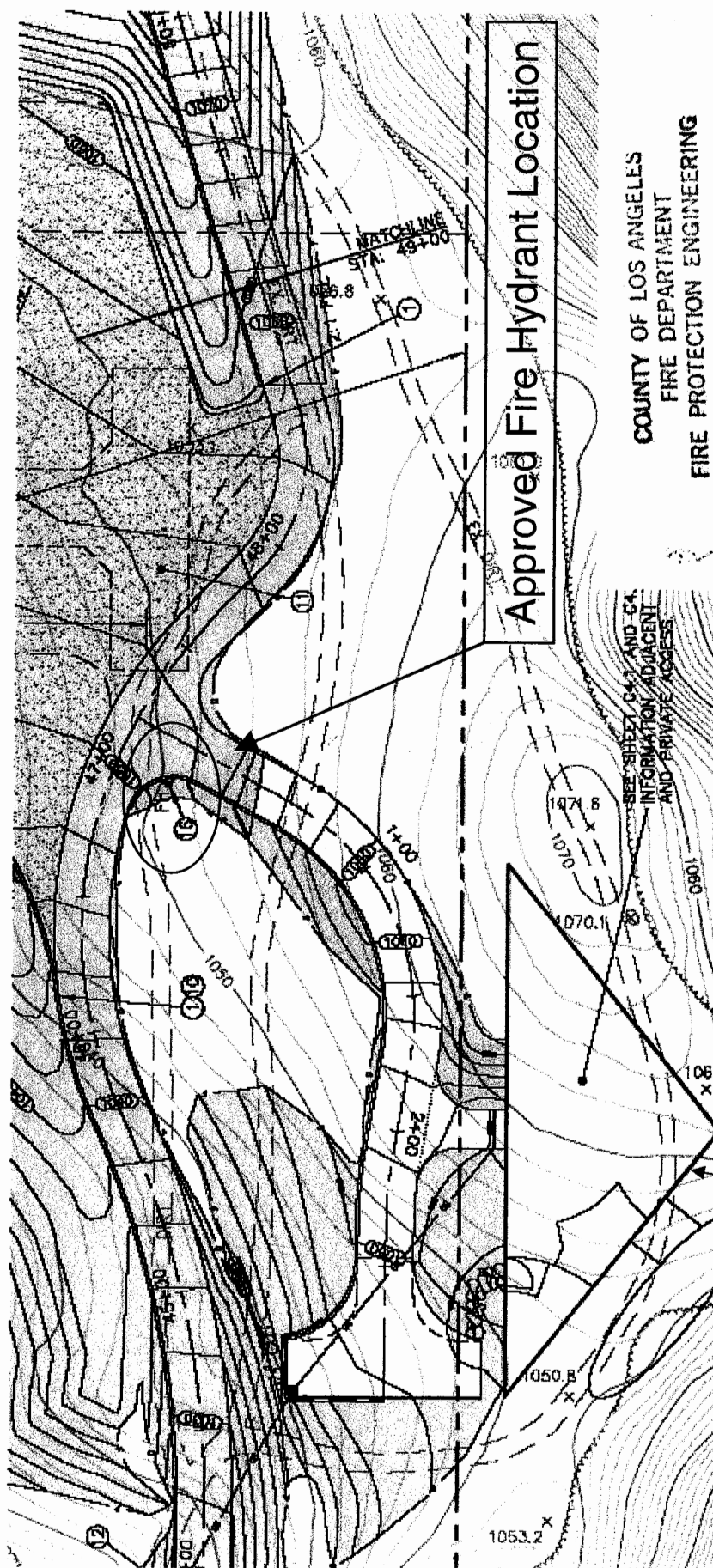


COUNTY OF LOS ANGELES  
FIRE DEPARTMENT  
FIRE PROTECTION ENGINEERING  
HYDRANT  
LOCATION ONLY  
**APPROVED**

By *[Signature]* Date *12/2/09*



## **Attachment 6 – Approved Fire Hydrant Location Near Proposed Residence**



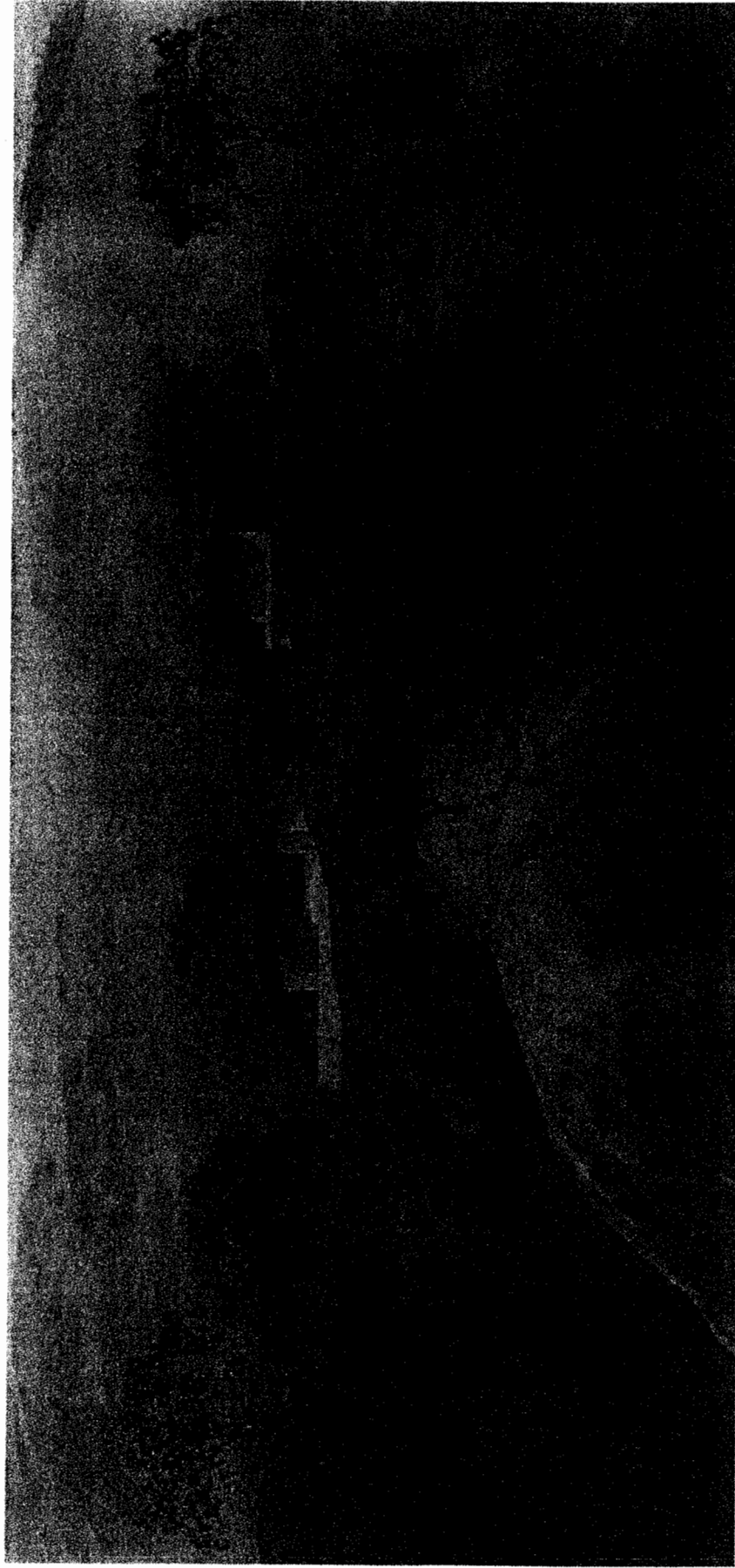
COUNTY OF LOS ANGELES  
FIRE DEPARTMENT  
FIRE PROTECTION ENGINEERING  
HYDRANT

# APPROVED

**Date:**

**Proposed Residence – CDP 4-10-040**

**Attachment 7 – Proposed Residence – Fire Safe Building Materials**



February 4, 2011  
(Via UPS)

RECEIVED  
FEB 7 2011

California Coastal Commission  
South Central Coast District Office  
Jack Ainsworth, Deputy Director  
89 South California Street, Suite 200  
Ventura, CA 93001-2801

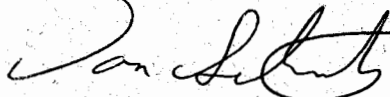
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**Re: February 2011 Coastal Commission Hearing – Item Th8c (CDP 4-10-042)**  
**Applicant: Mulryan Properties, LLLP**  
**Issue: “Unity of Ownership”**

Dear Mr. Ainsworth,

For your reference and file, please find enclosed a copy of correspondence that has been transmitted to the California Coastal Commissioners regarding the above-referenced application, as per the requirements of Public Resources Code, sections 30319-30324. If you have any questions or comments, please feel free to contact me at (818) 338-3636. Thank you.

Sincerely,  
Schmitz & Associates, Inc.



Donald W. Schmitz, II, AICP  
President

Cc: Mulryan Properties, LLLP



PROVIDERS OF LAND USE PLANNING  
FOR A BETTER COMMUNITY

HEADQUARTERS - MALIBU OFFICE  
29350 PACIFIC COAST HWY., SUITE 12  
MALIBU, CA 90265  
TEL: 310.589.0773 FAX: 310.589.0353  
EMAIL: [INFO@SCHMITZANDASSOCIATES.NET](mailto:INFO@SCHMITZANDASSOCIATES.NET)

REGIO  
5234  
AGOU  
TEL: 1

<b>Exhibit 12</b>
<b>CDP 4-10-040 through 4-10-045</b>
<b>Addendum</b>
<b>Don Schmitz Letter regarding</b>
<b>Mulryan Application – Unity of</b>
<b>Ownership</b>

WEBSITE



February 4, 2011  
(Via UPS)

Ms. Sara Wan  
California Coastal Commissioner, Chair  
22350 Carbon Mesa Road  
Malibu, CA 90265

**Re: February 2011 Coastal Commission Hearing – Item Th8c (CDP 4-10-042)**  
**Applicant: Mulryan Properties, LLLP**  
**Issue: “Unity of Ownership”**

*A copy of the enclosed has been forwarded to Coastal Commission Staff as per Public Resources Code sections 30319-30324*

Dear Ms. Wan,

The above-referenced CDP application is scheduled to go before the California Coastal Commission on February 10, 2011. The Staff Report recommended denial of the above-referenced application, based almost entirely upon a theory of “unity of ownership” between the owner of the subject property and neighboring property owner(s). Staff’s theory is espoused in large part by speculation pertaining to purported past social relationships, decade-old business interactions, newspaper articles, and internet postings.

Staff’s conclusions are entirely unprecedented. This is most clearly evidenced by the Commission’s deliberation leading to the approval of six Coastal Development Permits (CDPs) for six single-family residences in the Santa Monica Mountains approximately ten years ago. The parallels between the Commission’s previous approval of these permits and the circumstances surrounding the subject application are strikingly similar.

1. The previously approved residences and subject property are located in close proximity to one another and in similar proximity to the coastline. **(Attachment 1)**
2. The previously approved residences and the subject application both propose a single-family residence on a legal parcel. **(Attachment 2)**
3. The approved development included an access road that was 13,500 ft. long, which is significantly longer than the access driveway proposed by the applicant. **(Attachment 3)**
4. Site characteristics such as topography and vegetation are substantially similar between the approved development and the subject application. **(Attachment 4 and 5)**



PROVIDERS OF LAND USE PLANNING

HEADQUARTERS - MALIBU OFFICE  
29350 PACIFIC COAST HWY., SUITE 12  
MALIBU, CA 90265  
TEL: 310.589.0773 FAX: 310.589.0353

**SCHMITZ & ASSOCIATES, INC.**  
REGIONAL - CONEJO VALLEY OFFICE  
5234 CHESEBRO ROAD, SUITE 200  
AGOURA HILLS, CA 91301  
TEL: 818.338.3636 FAX: 818.338.3423

During the Coastal Commission hearing for six homes, Commissioner Madeline Glickfeld asked Chief Counsel Ralph Faust whether the Commission could deny the CDPs based upon "unity of ownership" because the same family allegedly owned all of the ownership entities. The pertinent part of the exchange between Ms. Glickfeld and Mr. Faust is as follows:

**Commissioner Glickfeld:** Do we have the ability, under the Constitution, and under the Coastal Act, to deny the use – deny the present applications before us, on four of these lots, and approve it on two of these lots with findings what indicates that a lot line adjustment between these lots, or a reconfiguration and clustering of the lots, with would keep the – which would shorten the road, minimize the impacts of Solistice Canyon? Is that something within our legal ability?

**Chief Counsel Faust:** Through the Chair. Commissioner Glickfeld, I can go into – or try to – as much detail as you want, but the basic answer to your question, Ms. Patterson and I agree, is no, the Commission does not have the authority to order the reconfiguration of the lots, and –

**Commissioner Glickfeld:** I didn't say to order the reconfiguration off the lots –

**Chief Counsel Faust:** -- you don't have the –

**Commissioner Glickfeld:** --I asked do we have the ability to deny them –

**Chief Council Faust:** -- ability to order the reconfiguration. You do not have the ability to deny on that basis.

**Commissioner Glickfeld:** Even though they conflict with the Coastal Act, and the plan?

**Chief Council Faust:** There are existing legal lots there. Under the present law, as we understand it, the owners of existing legal lots have the Constitutional right to economic use of their property.

Under the Constitution, you are charged on a lot-by-lot basis with making a determination as to first whether or not what they propose is consistent with Chapter 3 of the Coastal Act. Second, if you believe that it is not consistent with Chapter 3 of the Coastal Act, then you move to a Constitutional question of what economic use of that property is permissible. (May 11, 1994 Transcript, p. 57-58) *(Emphasis added)*

Mr. Faust clearly stated that under the United States Constitution, the Commission is charged on a lot-by-lot basis with making a determination as to whether or not the proposed development is consistent with the Chapter 3 policies of the Coastal Act. Following this admonishment, the Commission approved the six CDP applications.

The Commission recently reaffirmed its decision on September 8, 2010, when it extended the above-referenced CDPs with written findings confirming that there are no changed circumstances affecting the proposed project's consistency with the Coastal Act. Merely four months later, Staff has now taken a position that is completely at odds with this

determination. Clearly, the six homes that were previously approved were considered on a lot-by-lot basis under Constitutional law. Those same principles apply to any legal lot, including the subject property.

Therefore, Staff's recommended alternative, which is the basis for denial, is entirely flawed and unfounded. Based upon the foregoing, we respectfully request that the Commission approve the pending Coastal Development Permit.

For additional information pertaining to this issue, please refer to the October 18, 2010 letter prepared by Cox, Castle & Nicholson, which is located under Exhibit 24 of the Staff Report. If you have any questions or comments, please do not hesitate to contact me at (818) 338-3636.

Sincerely,  
Schmitz & Associates, Inc.

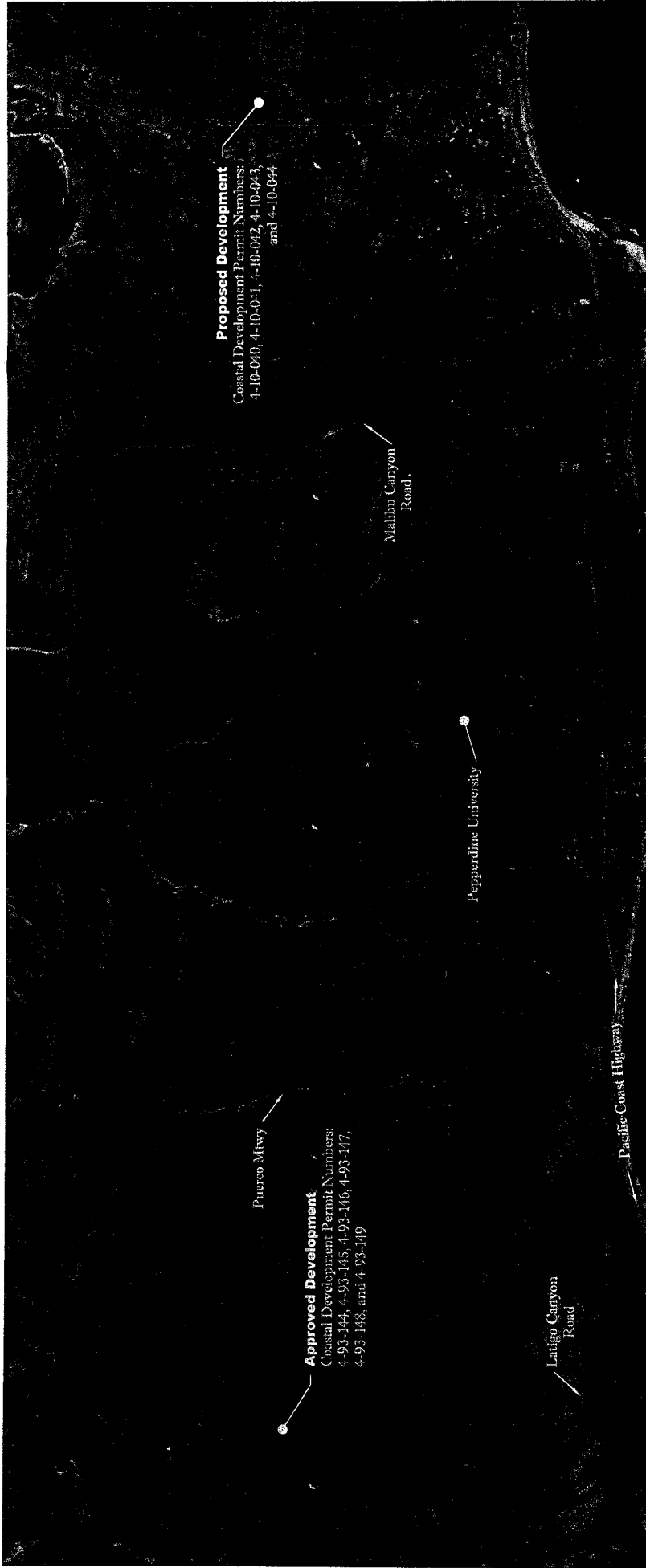
A handwritten signature in black ink, appearing to read "Don Schmitz", with a long horizontal flourish extending to the right.

Donald W. Schmitz, II, AICP  
President

Cc: Mulryan Properties, LLLP



# Attachment 1 Vicinity Map



Scale: NTS



## Attachment 2 - Approved Development Project Description



### CDP 4-93-144

Applicant: World Wide Resources

Agent: Alan Robert Block, Esq.

Project Description: Construction of a single-family residence with attached garage, swimming pool, water well, septic system, and access drive.

### CDP 4-93-145

Applicant: World Wide Resources

Agent: Alan Robert Block, Esq.

Project Description: Construction of a single-family residence with attached garage, guest house, swimming pool, water well, septic system, and access drive.

### CDP 4-93-146

Applicant: Vinetta E. Lough

Agent: Alan Robert Block, Esq.

Project Description: Construction of a single-family residence with detached garage, swimming pool, water well, septic system, and access drive.

### CDP 4-93-147

Applicant: Rodger Lough

Agent: Alan Robert Block, Esq.

Project Description: Construction of a single-family residence with attached garage, swimming pool, water well, septic system, and access drive.

### CDP 4-93-148

Applicant: Richard & Rodger Lough

Agent: Alan Robert Block, Esq.

Project Description: Construction of a single-family residence with attached garage, guest house, swimming pool, water well, septic system, and access drive.

### CDP 4-93-149

Applicant: Rodger & Richard Lough

Agent: Alan Robert Block, Esq.

Project Description: Construction of a single-family residence with detached garage, guest house, swimming pool, water

## Attachment 2 - Proposed Development Project Description



CDP 4-10-040

Applicant: Lunch Properties, LLLP  
Project Description: Construction of a single-family residence with attached garage, basement, swimming pool, driveway, septic system, and 2 Fire Dept. staging areas.

CDP 4-10-041

Applicant: Vera Properties, LLLP  
Project Description: Construction of a single-family residence with detached garage, basement, swimming pool, septic system, driveway, and extension of water line down to the subject property.

CDP 4-10-042

Applicant: Mulryan Properties, LLLP  
Project Description: Construction of a single-family residence with attached garage, swimming pool, septic system, access drive, one Fire Dept. staging area, and contour grading native plant restoration area.

CDP 4-10-043

Applicant: Morleigh Properties, LLLP  
Project Description: Construction of a single-family residence with attached garage, daylight basement, swimming pool, septic system, and access drive.

CDP 4-10-044

Applicant: Ronan Properties, LLLP  
Project Description: Construction of a single-family residence with detached garage, basement, septic system, and access drive.

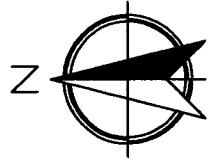
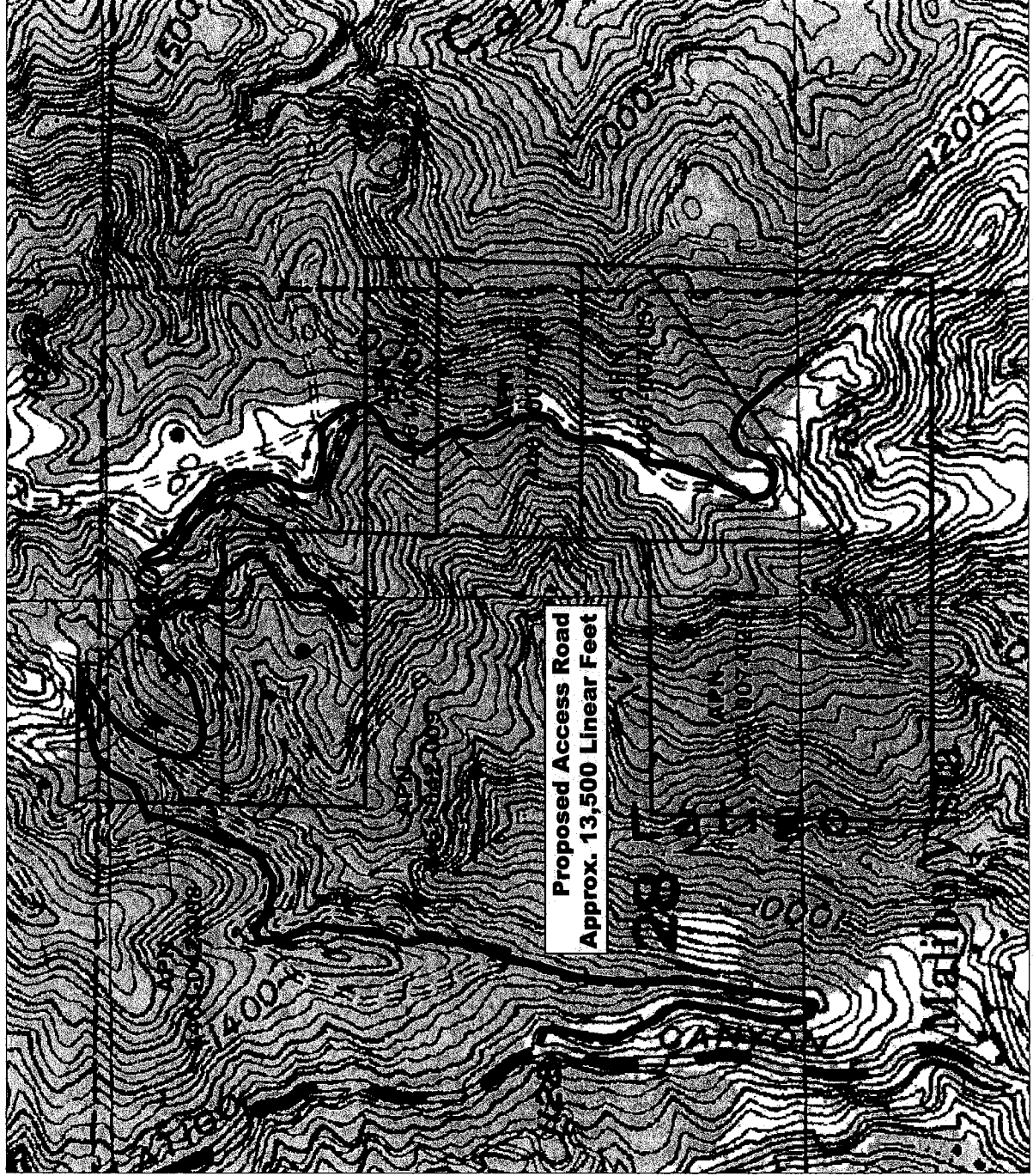


Scale: NTS





# Attachment 3 - Approved Development Topographic Map and Access Road



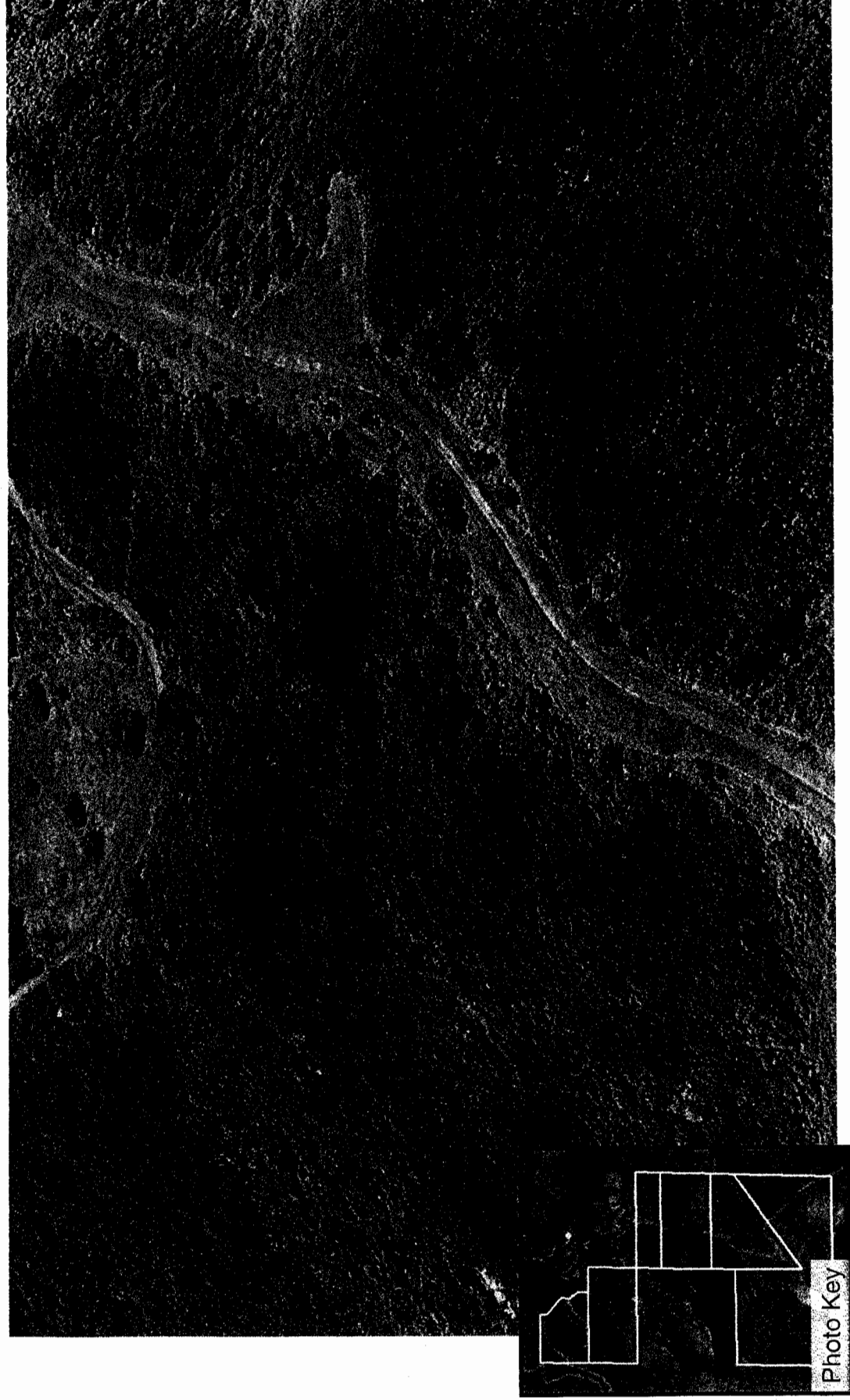
Scale: 1" = 800'

**Attachment 4**  
**Approved Development**  
**Site Photographs**

**Prepared:**  
**February 3, 2011**

APN 4461-007-037

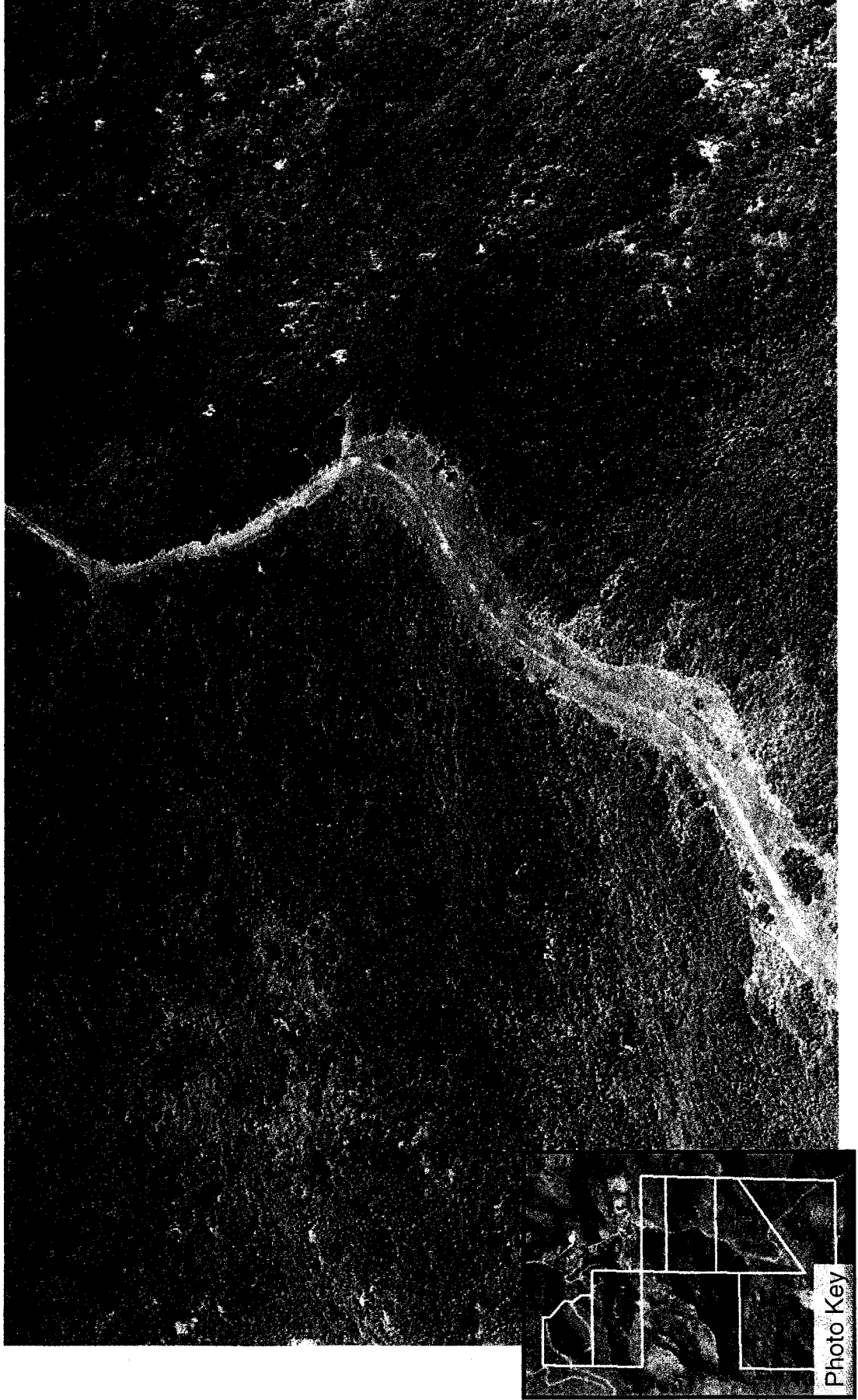
View South





APN 4461-007-036

View North



APN 4461-042-008

View West



**Attachment 5  
Proposed Development  
Site Photographs**

**Prepared:  
February 3, 2011**

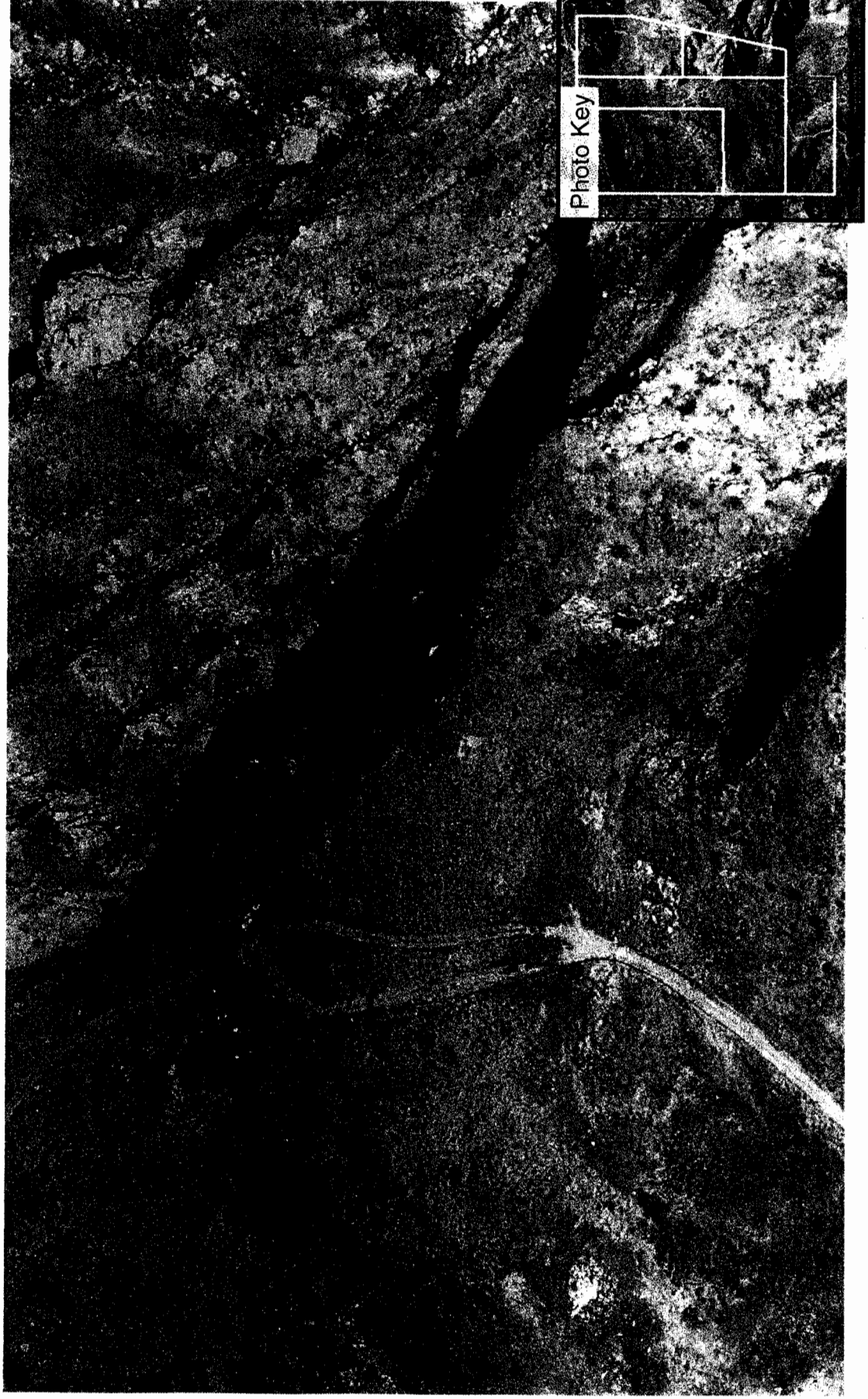


APN: 4453-005-018  
View North

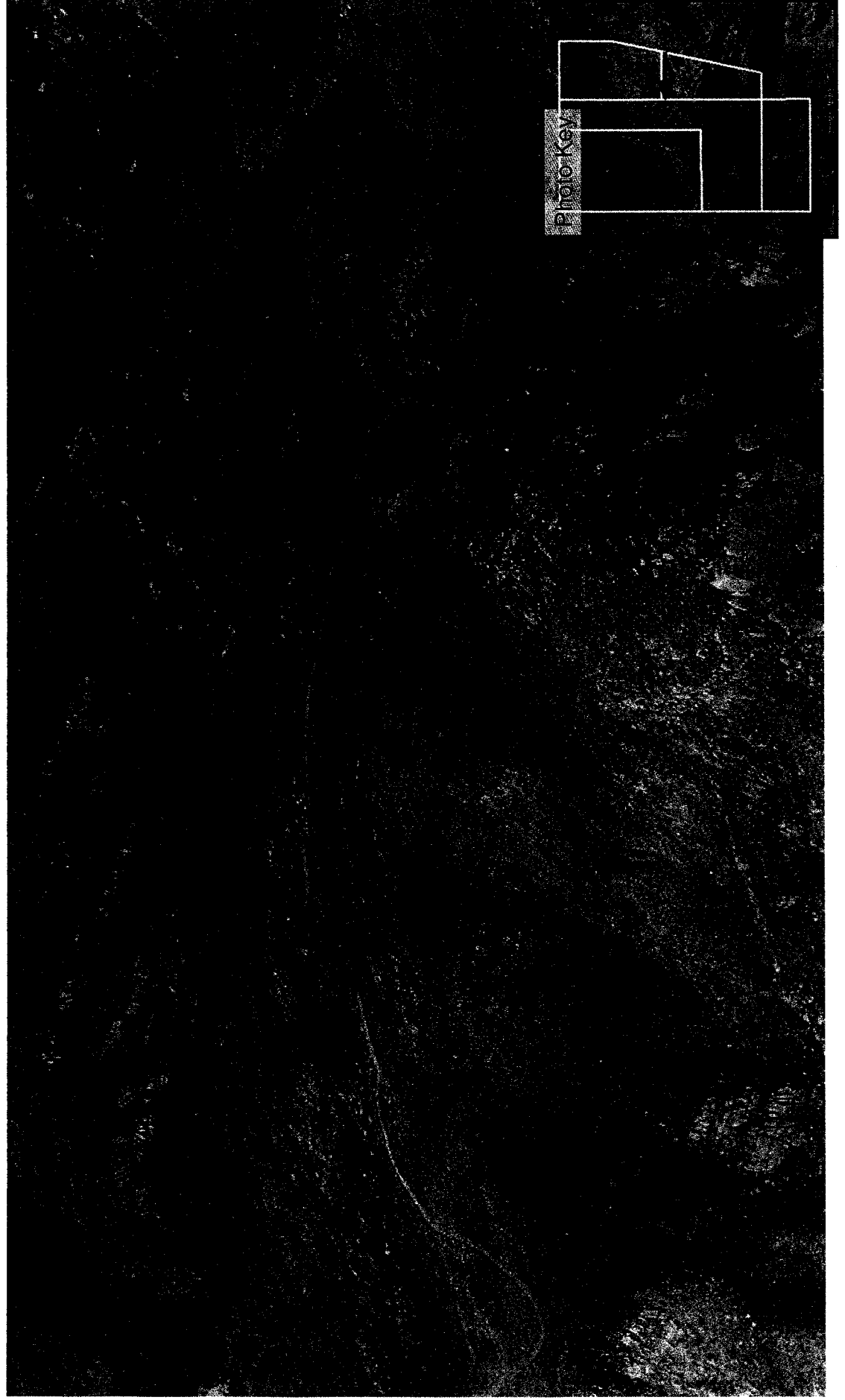


APN: 4453-005-037

View North



APN: 4453-005-092  
View West





APN: 4453-005-038  
View South





CENTER for BIOLOGICAL DIVERSITY

RECEIVED  
Feb 7 2011 BR

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

February 4, 2011

To: Chair Sara Wan  
Vice Chair Esther Sanchez  
Commissioner Steve Blank  
Commissioner William A. Burke  
Commissioner Wendy Mitchell  
Commissioner Mary K. Shallenberger  
Commissioner David Allgood  
Commissioner Kenneth Zanzi,  
Commissioner Ross Mirkarimi  
Commissioner Mark W. Stone  
Commissioner Mary Ann Reiss  
Commissioner Richard Bloom

Cc: John Ainsworth, Deputy Director  
Steve Hudson, District Manager

Re: Sweetwater Mesa Development—CDP Application Nos.: 4-09-056: Lunch Properties, LLLP; 4-09-057: Vera Properties LLLP; 4-09-058: Mulryan Properties LLLP; 4-09-059: Morleigh Properties LLLP; 4-09-060: Ronan Properties LLLP; 4-09-061: Mulryan Properties LLLP and Morleigh Properties LLLP

Dear Chair Wan, Vice-Chair Sanchez, and Commissioners:

The Center for Biological Diversity previously commented on the Sweetwater Mesa project, expressing our serious concerns with the long-term environmental impacts of the development in our detailed comment letter dated August 17, 2010. While those comments were made on behalf of our entire membership, many of our online activists wished to express their concerns personally and to urge the Commission to follow the recommendation of your staff to reject the proposed project. Each of these letters (4172 in total) is contained on the attached cd-rom. Although not all of the letters are the same (many of our activists have commented in their own words), attached for your convenience is a paper copy that is representative of most.

Thank you very much for your attention and consideration of these comments. If you have any questions about the attached letters or the Center's concerns about this project, please do not hesitate to contact me.

Sincerely,

  
Adam Keats

Exhibit 13

CDP 4-10-040 through 4-10-045  
Addendum

Center for Biological Diversity  
Letter

Arizona • California • Nevada • New Mexico • Alaska • Oregon • Minnesota • Vermont

Adam Keats, Senior Counsel • 351 California St., Suite 600 • San Francisco  
Phone: 415-436-9682 x304 • Fax: 415-436-9683 • akeats@biologicaldiversity.org

California Coastal Commission

Dear Commission Members,

I concur with Commission's staff that The Edge's five luxury house developments on Sweetwater Ridge near Malibu will cause significant and unavoidable adverse impacts and for that reason they should be denied. As one of the few remnants of natural California coastal landscapes left, this area should remain undeveloped so that the Ecologically Significant Habitat Area, covered by coastal scrub, chaparral and oak woodland, can continue to provide wildlife habitat onsite and wildlife movement corridors to the directly adjacent conservation investments of California State Parks and the Mountains and Recreation Conservation Authority. Sweetwater Ridge also needs to be preserved for its iconic viewshed values as one of the last unspoiled prominent ridges in the area.

Please support the staff recommendation and deny The Edge's development on Sweetwater Ridge. Thank you.

Mrs. Elda Unger  
PO Box 6128  
Malibu, CA 90264



RECEIVED  
Feb 7, 2011 BR2  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Ron and Sally Munro  
3085 Rambla Pacifico Road  
Malibu, CA 90265

February 2, 2011

Coastal Commission  
South Central Coast District Office

Sara Wan Public Member, Malibu Resident  
Richard Bloom, South Coast Representative

89 South California Street, Suite 200  
Ventura, CA 93001-2801

Re: Permit Numbers 4-10-040, 4-10-041, 4-1-042, 4-1-043, 4-10-044, 4-10-045  
Five estates North of Sweetwater Mesa Road, Santa Monica Mountains

Dear Commissioners,

We are writing to support your staff recommendation to deny the above referenced projects. Our Rambla Pacifico neighborhood is on the west facing slopes east of Carbon Canyon and we would definitely object to the impact of structures perched on that ridge line. As you have stated, the impact of five large single family dwellings along the ridgeline would affect views from both the east and west sides of the ridge.

It is our understanding that ridgeline protection is one of the mandates under the purview of the California Coastal Commission. We trust you will be able to work with the builders to relocate the structures further down the slope to avoid the disruption of this scenic view, as you have accomplished with other similar situations.

Our architect took care to nestle our hillside home into the site when we built in 1972, a wise plan both for aesthetics and fire protection. We expect the same sensibility from others. Please use your authority to promote appropriate construction and protect the view from the surrounding area.

Sincerely,

*Sally and Ron Munro*

Sally and Ron Munro

Exhibit 14

CDP 4-10-040 through 4-10-045  
Addendum

Ron and Sally Munro Letter



**MALIBU**  
**TOWNSHIP COUNCIL, INC.**  
*A Community Association*  
MALIBU, CALIFORNIA  
P.O. BOX 803, 90265-0803

February 4, 2011

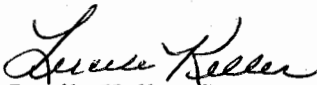
Agenda 8 a-f Edge Project  
California Coastal Comm.  
February 10, 2011

California Coastal Commission  
89 S. California St.  
Ventura, Ca. 93001

Dear Commissioners:

Please support the Staff Report on these projects, and deny approval. The structures are located in a remote area and will cause extreme environmental damage during construction of the required access, site pads and structures.

Thank you for your consideration,

  
Lucile Keller, Secretary

RECEIVED  
FEB 7 2011 BR  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Exhibit 15
CDP 4-10-040 through 4-10-045 Addendum
Malibu Township Council Letter


[@U2'S DUBLIN GUIDE](#)

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"Why is it that we want our idols to die on a cross of their own making, and if they don't, we want our money back? But you know, Elvis ate America before America ate him."

-- Bono, tribute to Elvis Presley, 2004

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## THE EDGE BIOGRAPHY

by **Maddy Fry**

**David "The Edge" Howell Evans**

**Born: August 8, 1961**

**Instrument: Guitars, piano, keyboards, vocals and background vocals**

Dave 'The Edge' Evans was born in Barking, Essex, in East London, to parents of Welsh descent, Gwenda and Garvin Evans. When he was a year old, the family - which included younger sister Gillian (Gill) and older brother Richard (Dick) - moved to Dublin, where he has lived ever since. There, he grew up as a quiet yet very intelligent kid. He did well in school - first at St. Andrew's Primary School and then at Mount Temple - and until he met the boys who would be his future bandmates, he wanted to go to university and become a doctor or an engineer.

In the fall of 1976 he spotted Larry's note on the Mount Temple Comprehensive High School bulletin board asking for anyone interested in forming a band. He was the first to respond, and he went to the first meeting in Larry's house with his brother Dick. The Edge showed guitar skills well beyond his age, and the chemistry among the group was obvious from the beginning.

Early in the band's career, Dave Evans was re-baptized by Bono - then Bono Vox - as 'The Edge'. The nickname was inspired in the beginning by the sharp features of his face, but it also applied to his sharp mind and the way he always observed things from the edge.

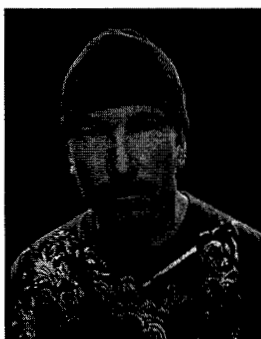
Despite his previous academic ambitions, Edge's commitment to the band grew to such an extent that when he finished high school, he told his parents he'd take a year off to see where the band and their music would take him.

Along with Bono and Larry, The Edge began attending prayer group meetings in the late 1970s. The young men were in search of spirituality and the answer to the big questions, and consequently were torn between their Christian ideals and their rock and roll lifestyle. Larry and Bono quickly chose the band, but The Edge was uncertain to the point where he nearly left U2 during the October tour. But he took Bono's advice to follow his heart, and after a reasonable period of soul searching, he chose the band as well. The Edge soon realized he didn't have any trouble reconciling his beliefs with his music and lifestyle; it was other people who did. In his words: "there was no problem. It was other people's problems".

In 1983, Edge married Aislinn O'Sullivan, with whom he remained for seven years and had three daughters: Hollie (born 4th July 1984), Arran (born 15th October 1985), and Blue Angel (born 26th June 1989). They separated in 1990 and divorced in 1996. He now has a daughter, Sian (born 7th October 1997), and a son, Levi (born 1st October 1999), with Morleigh Steinberg, the belly dancer and choreographer from the Zoo TV Tour, whom he started dating in 1993. The two were married on 18th June, 2002.

The Edge's unmistakable guitar sound -- clean, sharp, incisive, and cutting-Edge -- is part of U2's trademark. The characteristic and mesmerizing sounds and the emotions he expresses through them make him one of the most respected guitarists in rock and roll. He has often been called an "anti-guitar hero" because of his aversion to the indulgent, showy style based on intense soloing of many contemporaries, preferring instead to play in often a technically undemanding and low-key, yet original, way. He is renowned for being a guitarist who is more concerned with sounds, texture and innovation rather than flashy technique.

He's also lent his vocal talents to several U2 songs, first singing lead on "Seconds" from the *War* album. He later took the lead on songs such as "Van Diemen's Land" and "Numb", and sang a solo version of "Sunday Bloody Sunday" during 1997-98's PopMart Tour. He also released a solo album, *Captive*, the soundtrack to the film of the same name, in 1986.



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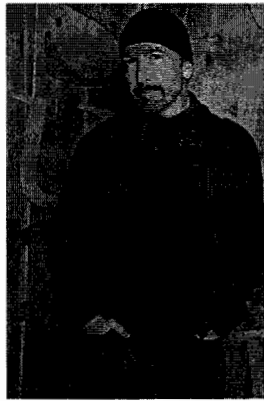
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On the band's 2000 album, *All That You Can't Leave Behind*, Edge left behind the experimental electro and dance rhythms that he had explored on the previous three albums and returned to the more mainstream rock guitar sound similar to that of the band's earliest recordings. He continued this trend on 2004's *How to Dismantle an Atomic Bomb*, in keeping with U2's post-1990s ethos of stripping away all artifice from their music.



Although all the band members have long been individual supporters of organizations such as Greenpeace and Amnesty International, it wasn't until 2005 that The Edge became involved in public philanthropy. In response to the USA's Hurricane Katrina disaster which devastated New Orleans, Edge co-founded the charity [Music Rising](#) in November 2005 along with Bob Ezrin and Henry Juskiewicz, with the aim of restoring the Gulf Coast's musical culture by replacing instruments that had been lost to the disaster. The organisation's aim was initially to provide replacement instruments solely to those professional musicians who had been affected by the storms. However, they now seek to provide instruments to affected churches and schools as well. This is all part of the charity's aim of "Rebuilding the Gulf Region note by note." Since then, The Edge has also publicly supported the organisations the New York Food Bank and Mencap Northern Ireland.

As a guitarist of astonishing versatility, The Edge continues, at all levels of his playing, to resist the rock n' roll clichés. His unconventional attitude to his craft is perhaps best summed up by his admission that "I suppose ultimately I'm interested in music. I'm a musician. I'm not a gunslinger. That's the difference between what I do and what a lot of guitar heroes do."

#### Related stories:

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Adam Clayton, bass

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## The Edge in Malibu; rocker has big plans for big acreage in Malibu, if only his pesky neighbors would leave him alone

U2's Dave "The Edge" Evans is riling up his neighbors in Malibu, Calif., as he considers developments there on hundreds of acres.



We have been meaning to get around to writing about the Edge's recent real-estate exploits, which have been discussed more by alt-weeklies and music publications than by celebrity real estate gossips. But, ever since the Los Angeles Times' [Ruth Ryon](#) wrote in April 2007 about The Edge's purchase of 120 acres of land in Malibu for a reported \$15 million, we have been meaning to spend some time on this subject. Now, with neighbors complaining loudly of late about the Edge's plans — and, with the Edge reportedly having evicted a well-known, longtime archery club from his land — the time is right for us to wade in.

The initial idea that is pending — of the Edge building five houses on a very large parcel of close to 300 acres — is, of course, not something that should aggravate most neighbors anywhere in the United States. However, the Edge's neighbors appear most irritated by the fact that the site work to prepare the land for development — which involves effectively flattening a mountain on the property — will require a whopping 5,000 truckloads of earth to be removed from the land. In addition, neighbors on Sweetwater Mesa Road in the Serra Retreat area of Malibu aren't real pleased with the Edge's plans to construct a 20-foot-wide, 1,669-foot-long private access road onto the property — which previously has been approved by the city but apparently needs to be re-approved — particularly since they fear that the road eventually will be extending up to Piuma Road, meaning that the Pacific Coast Highway could one day connect with

Pioma Road. Neighbors also fear that their views would be negatively impacted by the Edge's project.

The land also would contain the Edge's dream home, which has been dubbed "Leaves in the Wind" and which reportedly would have an S-shaped swimming pool. The Edge also plans to build a large trench that neighbors believe would trap wildlife.

It's hard to keep the Edge's properties separate from other property owners' parcels in the area — particularly since he and some prior owners use limited-liability companies and partnerships, and also given that few of the properties have addresses attached to them by the assessor. But, we'll do our best. Before we lay out his real estate portfolio, we should note that we have no idea how several news stories have come up with the statement that the Edge (shown here with Green Day's Billie Joe Armstrong) owns 1,000 acres in the Malibu area. Having gone through land records in painstaking detail, we arrive at the Edge owning 431.3 acres (excluding one very small parcel whose exact acreage, as we note below, was unavailable to us in public records). Although we would welcome anyone else's information on properties of the Edge's that we might have missed, we currently assume that the estimate of him owning 1,000 acres was made by an incredibly uninformed local. (In fairness, we should note that KTLA more accurately reported recently that the Edge plans to build the five-home development on "nearly 300 acres.")

In addition, we would caution our readers against totaling up all the prices paid below to get at a total amount that the Edge has paid for all of his properties; given the similarity of many of these purchase prices, it's easy to assume that his purchases consisted of multiple parcel purchases at one time.

And now, without ado, here's the Edge's real-estate portfolio — as we have been able to assemble it — in greater Malibu:

- Parcel # 4453-005-037 (21 acres): owned by something called Lunch Properties LLP (formerly owned by Mulryan Properties L.P.), purchased in November 2005 for \$1,750,000
- Parcel # 4453-005-091 (40 acres): owned by something called Morleigh Properties LLC (and yes, the Edge's wife's first name is Morleigh), purchased in November 2005 for \$1,750,000
- Parcel # 4453-005-013 (10 acres): owned by something called Ed West Coast Properties LLC, purchased in November 2005 for \$525,000
- Parcel # 4453-005-092 (40 acres): owned by something called Mulryan Properties LLC, purchased in November 2005 for \$1,750,000
- Parcel # 4453-005-018 (18.75 acres): owned by something called Vera Properties LLC, purchased in November 2005 for \$1,750,000
- Parcel # 4459-003-007 (38 acres) at 5688 Latigo Canyon Road: owned by something called Morleigh Properties L.P., purchased in November 2006 for undisclosed amount
- Parcel # 4453-005-038 (27 acres): owned by something called Ronan Properties L.L.C., purchased in November 2005 for \$1,750,000
- Parcel # 4459-004-004 (90.86 acres) at 5902 Latigo Canyon Road: owned by something called Cyan Properties LLP, purchased in November 2006 for \$3,000,000
- Parcel # 4459-002-025 (11.03 acres) at 5670 Latigo Canyon: owned by something called Alison Properties LLP, purchased in February 2007 for \$500,000
- Parcel # 4459-005-013 (undisclosed acreage) at 5906 Latigo Canyon Road: owned by something called Alison Properties L.P., purchased in November 2006 for \$3,000,000
- Parcel # 4459-004-001 (4.05 acres): owned by something called Liffey Properties L.P., purchased in November 2006 for \$3,000,000
- Parcel # 4459-005-001 (6.5 acres that are zoned "heavy manufacturing"): owned by something called Dunluce Properties L.P., purchased in November 2006 for \$3,000,000
- Parcel # 4459-005-003 (22.22 acres that are zoned as an irrigated farm): owned by something called Alison Properties LLP, purchased in November 2006 for \$3,000,000
- Parcel # 4453-003-009 (20.5 acres) at 5700 Latigo Canyon Road: owned by something called Ronan Properties LLP, purchased in July 2007 for an undisclosed amount
- Parcel # 4453-003-008 (30 acres) at 5694 Latigo Canyon Road: owned by something called Ed West Coast Properties LLC, purchased in November 2006 and again in July 2007 for an undisclosed amount
- Parcel # 4453-003-010 (36.5 acres) at 5706 Latigo Canyon Road: owned by something called Mulryan Properties L.P., purchased in November 2006 and again in July 2007, both for undisclosed amounts
- Parcel # 4459-002-024 (5.36 acres) at 4968 Latigo Canyon Road: owned by something called Leffey Properties LLP, purchased in February 2007 for \$500,000



—Parcel # 4459-002-022 (4.43 acres) at 4878 Latigo Canyon Road: owned by something called Cyan Properties LLP, purchased in February 2007 for \$500,000

—Parcel # 4459-002-023 (5.1 acres) at 4962 Latigo Canyon Road: owned by something called Dunluc Properties LLP, purchased in February 2007 for \$500,000

The money managers whose names appear on the Edge's deeds are Adrianna Jordan and Statham, Georgia-based Jim Vanden Berg.

By [Bob Goldsborough](#) at 9 April, 2009, 9:21 am



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[Marirena Penisului](#) 10 December 2010

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Juan 10 January 2011

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