CALIFORNIA COASTAL COMMISSION

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



Th6c

Filed:	4/4/16
180th Day:	10/1/16
Staff:	Z. Rehm-LB
Staff Report:	6/30/16
Hearing Date:	7/14/16

STAFF REPORT: CONSENT CALENDAR

Application Number:	5-16-0294
Applicant:	HSP 211 LLC
Agent:	George Avetisyan
Location:	211 Alma Real Drive, Pacific Palisades, City of Los Angeles, Los Angeles County; APN 4411-020-002.
Project Description:	Demolish existing home and construct 7,654 sq. ft., 32-ft high 2-story over basement single family home including 6- car garage and swimming pool on canyon-adjacent parcel.
Staff Recommendation:	Approval with Conditions.

SUMMARY OF STAFF RECOMMENDATION

HSP 211 LLC requests a permit to demolish an existing home and construct a new home, garage, and swimming pool. The proposed location is a gently sloping hillside parcel adjacent to Potrero Canyon in the Pacific Palisades district of Los Angeles, approximately 600 feet inland of Will Rodgers State Beach. The primary issue raised by the application is whether it minimizes risks to life and property and assures stability and structural integrity as required by Section 30253 of the Coastal Act. The area around Potrero Canyon is subject to historic and recent landslides and erosion, which motivated the City of Los Angeles to engineer a stabilized slope and drainage system at the western 50 feet of the subject property (and adjacent properties along the same slope), completed in 2012 subject to Coastal Development Permit Amendment 5-91-286-A7. No development within the canyon is proposed and the approximately 40-foot long retaining wall at the canyon edge at the southwest corner of the property is proposed to remain. The western edge

of the proposed home is set back from the edge of the canyon a minimum of 40 feet and the swimming pool is set back a minimum of 17 feet. Proposed grading activities consist of 2,078 cubic yards of cut and 103 cubic yards of fill (primarily for excavation of the large basement level). The applicant's geotechnical report indicates that the proposed retaining wall and rigid slab foundation will exceed a factor of safety of 1.5. The geotechnical report and foundation plans have been reviewed by the Grading Division of the Los Angeles Department of Building and Safety and the proposed development has received a local coastal development permit from the Los Angeles Department of City Planning.

Commission staff recommends **approval** of the proposed development with nine special conditions requiring the applicant to 1) comply with the terms of the approved development; 2) submit final plans consistent with the geotechnical recommendations; 3) submit a construction staging plan approved by the City of Los Angeles; 4) submit an interim erosion control and construction best management practices plan; 5) submit a final drainage plan; 6) submit a final landscaping plan; 7) submit a swimming pool leak detection plan; 8) assume the risks of the development; and 9) record a deed restriction recording the terms of the permit as conditions, covenants, and restrictions on the property.

TABLE OF CONTENTS

I.	MOTION AND RESOLUTION	4
II.	STANDARD CONDITIONS	4
III.	SPECIAL CONDITIONS	5
IV.	DUAL PERMIT JURISDICTION AREA	11
V.	FINDINGS AND DECLARATIONS	11
	A. PROJECT LOCATION AND DESCRIPTION	11
	B. PUBLIC ACCESS AND RECREATION	15
	C. WATER QUALITY AND BIOLOGICAL PRODUCTIVITY	
	D. NATURAL HAZARDS	
	E. DEED RESTRICTION	
	F. LOCAL COASTAL PROGRAM	16
	G. CALIFORNIA ENVIRONMENTAL QUALITY ACT	16

APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit 1 – Vicinity Map Exhibit 2 – Proposed Plans

I. MOTION AND RESOLUTION

Motion:

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

Staff recommends a YES vote. Passage of this motion will result in approval of all of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

- 1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. **Expiration**. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. **Interpretation**. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. **Assignment**. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. **Terms and Conditions Run with the Land**. These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Approved Development.** Coastal Development Permit 5-16-0294 permits the construction of a 7,654 square foot, 32-foot high single family home including six-car garage and 624 square foot storage space in basement, and swimming pool at the rear (west) side of the property. All development must occur in strict compliance with the proposal as set forth in the application, subject to the special conditions. The proposed development is subject to the review and approval of the City of Los Angeles. This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act, including the conditions of the City of Los Angeles local Coastal Development Permit No. ZA-2014-0688(CDP)(ZAD)(MEL) and the final conditions of the Grading Division of the City of Los Angeles Department of Building and Safety.

The permittee shall undertake development in accordance with the approved final approved plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations. In the event of conflict between the terms and conditions imposed by the local government and those of this coastal development permit, the terms and conditions of Coastal Development Permit 5-16-0294 shall prevail.

- 2. Final Plans Conforming to Geotechnical Recommendations. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, three sets of plans with evidence that an appropriately licensed professional has reviewed and approved all final architectural plans, grading plans, foundation plans, and drainage plans and certified that each of those final plans is consistent with all the recommendations specified in the above-referenced report. All final plans shall be consistent with the recommendations contained in the Grover Hollingsworth and Associates, Inc. report dated April 2, 2014, updated August 5, 2014. The applicant shall also comply with the recommendations of the City of Los Angeles Department of Building and Safety.
- 3. **Construction Staging Plan.** PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, three copies of a Construction Staging Plan approved by the City of Los Angeles. The applicant shall abide by all City rules and regulations regarding the use of City streets for transporting equipment and construction materials to and from the project site. Additionally, should construction staging activities be proposed on City streets or adjacent parcels which are not within the applicant's property, the applicant shall submit, for the review and approval of the Executive Director, documents from the City and/or adjacent property owners demonstrating a legal right to stage construction activities on areas not within the applicant's property. If the staging of construction vehicles and equipment is proposed on City streets, the applicant shall obtain all required City permits for such activities, including but not limited to authorization from the Department of City Planning, the Department of Building and Safety, The Department of Transportation, the Fire Department, and the Police Department.

- 4. Interim Erosion Control and Construction Best Management Practices Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, three copies of an Interim Erosion Control and Construction Best Management Practices Plan, prepared by licensed civil engineer or qualified water quality professional. The consulting civil engineer/water quality professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices Plan is in conformance with the following requirements:
 - A. The Erosion Control Plan shall demonstrate that:
 - During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties, public streets, and Potrero Canyon.
 - The following temporary erosion control measures shall be used during construction: temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.
 - Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets.
 - All drainage from the flat portion of the lot shall be directed toward the street and away from the canyon slope into suitable collection and discharge facilities.

The Erosion Control Plan shall include, at a minimum, the following components:

- A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
- A site plan showing the location of all temporary erosion control measures.
- A schedule for installation and removal of the temporary erosion control measures.
- A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist.
- A written agreement indicating where all excavated material will be disposed and acknowledgement that any construction debris disposed within the coastal zone requires a separate coastal development permit.
- B. Construction Best Management Practices
 - i. No construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.

- ii. No construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, including the area within 15 feet of the edge of the coastal canyon on the property.
- iii. Construction debris and sediment shall be removed from work areas each day that construction occurs to prevent the accumulation of debris that may be discharged into coastal waters.
- iv. All trash shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- v. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.
- vi. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- vii. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- viii. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
 - ix. The discharge of any hazardous materials into any receiving waters shall be prohibited.
 - x. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- xi. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- xii. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- 5. **Final Drainage Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, three copies of a final Drainage Plan for the post-construction project site, prepared by a licensed civil engineer or qualified licensed water quality professional. The plan shall include detailed drainage and runoff control plans with supporting descriptions and calculations. The plan shall incorporate Best Management Practices (BMPs) including site design, source control and treatment control measures designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater

and dry weather runoff leaving the developed site. The consulting licensed civil engineer or qualified licensed professional shall certify in writing that the final Drainage Plan is in substantial conformance with the following minimum requirements:

- A. The plan shall incorporate appropriate Best Management Practices (BMPs) into the development, designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site. The drainage system shall also be designed to convey and discharge runoff from the developed site in a non-erosive manner;
- B. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized through the use of low-maintenance landscaping and efficient irrigation technology or systems;
- C. Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals;
- D. All slopes shall be stabilized in accordance with provisions contained in the Landscaping and/or Interim Erosion and Sediment Control Condition for this coastal development permit. The final drainage plans shall be designed and installed in conformance with the recommendations of the project consulting geotechnical engineer; and,
- E. Should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.
- 6. **Final Landscaping and Fuel Modification Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, three sets of a final Landscaping Plan, prepared by a licensed landscape architect or a qualified resource specialist. The final Landscaping Plan shall be reviewed and approved by the consulting geotechnical expert to ensure that the plans are in conformance with the consultants' recommendations. The consulting landscape architect or qualified resource specialist shall certify in writing that the final Landscaping Plan is in conformance with the following requirements:
 - A. All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within thirty (30) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation, landscaping shall consist primarily of native, drought tolerant plants, as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled

Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

B. The applicant shall provide, for the review and written approval of the Executive Director, a fuel modification and fire safety plan for the development. The fuel modification plan shall include the final landscaping plan, details regarding the types, sizes and location of plant materials, how often thinning is to occur, and the location of all combustible structures located between the westerly wall of the home and the canyon-side property line. Highly volatile plants that increase the fuel load, such as eucalyptus, conifers, and other introduced plants that add to the fuel load shall not be allowed to persist on the flat portion of the lot. The applicant shall not construct or otherwise incorporate vulnerable structures such as wooden decks at the canyon edge because of the increased risk of spreading fire. The plan shall minimize impacts to natural vegetation and public views and must have been reviewed and approved by the Los Angeles City Fire Department.

If the fuel modification plan anticipates any removal of vegetation, including thinning, on City of Los Angeles Department of Recreation and Parks land, the applicant shall provide, for the review and written approval of the Executive Director, a signed agreement with the City acknowledging that the property is adjacent to Potrero Canyon and is consistent with the visual quality and habitat resources of the park. The agreement shall specify the location and methods of fuel modification (if any) on City land, and shall specify the amount of any fees or indemnification required for the use of City land for such fire buffer.

- C. If new landscaping or irrigation is proposed on City of Los Angeles right-of-way between the subject property and Alma Real Drive, it shall be called out on the final landscaping plan. This permit does not authorize the removal of any trees or historical street signs on public property. If the proposed driveway cannot be constructed without removing the public trees along the public right-of-way, the applicant shall amend the project plans to relocate the driveway and preserve the public trees.
- D. Plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- E. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

- F. If using potable water for irrigation, the project shall use water-conserving emitters (e.g. microspray) and drip irrigation. Use of weather-based irrigation controllers and reclaimed water for irrigation is encouraged.
- 7. Swimming Pool Leak Detection Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a plan to mitigate for the potential of leakage from the proposed swimming pool and spas. The plan shall, at a minimum: 1) provide a separate water meter for the pool to allow monitoring of the water usage for the pool and the home; 2) identify the materials, such as plastic linings or specially treated cement, to be used to waterproof the underside of the pool to prevent leakage, and information regarding past success rates of these materials; 3) provide double wall construction of the pool with a drainage system and leak detection system installed between the walls, and; 4) identify methods used to control pool drainage and prevent infiltration from drainage and maintenance activities into the soils of the applicant's and neighboring properties. The applicant shall comply with the mitigation plan approved by the Executive Director.
- 8. Assumption of Risk, Waiver of Liability, and Indemnity. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards, including but not limited to waves, storms, flooding, landslide, bluff retreat, erosion, and earth movement, many of which will worsen with future sea level rise; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- 9. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. DUAL PERMIT JURISDICTION AREA

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction Area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or "dual") coastal development permit from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (i.e., projects in the Single Permit Jurisdiction Area), the City of Los Angeles local coastal development permit is the only coastal development permit required.

The proposed project site is located within the Dual Permit Jurisdiction Area in the City of Los Angeles. On October 1, 2015, the City of Los Angeles Zoning Administrator approved local Coastal Development Permit No. ZA-2014-0688(CDP)(ZAD)(MEL). The City reported its final action to the Coastal Commission on October 26, 2015 and there were no appeals within the 20 day appeal period. A coastal development permit from the Commission is required to compliment the local coastal development permit issued by the City of Los Angeles. Chapter 3 of the Coastal Act is the standard of review.

V. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

HSP 211 LLC requests a permit to demolish an existing home on the gently sloping, developable portion of a canyon-adjacent residential parcel and construct a 7,654 square foot, 32-foot high single family home including six-car garage and wine cellar/storage area in 2,983 square foot basement **(Exhibit 2)**. The subject site includes Lots 15 and 16, Block 1, in the Huntington Palisades Tract, which have already been merged into one parcel and zoned R1 (Very Low Density Residential). The site is within the Brentwood-Pacific Palisades Planning Area of the City of Los Angeles, adjacent to Potrero Canyon, approximately 600 feet inland of Pacific Coast Highway and Will Rodgers State Beach **(Exhibit 1)**. The surrounding area is developed with one-story, two-story, and three-story single family homes.

On September 11, 1991, the Commission approved Coastal Development Permit 5-91-286, which authorized the City of Los Angeles to address historic and recent landslides and remediate 26 condemned residential properties on the rim of the coastal canyon. That permit has been amended nine times, most recently on October 8, 2014 and permits the City to install approximately three million cubic yards of fill in Potrero Canyon, which will be designated a public recreation area with trails, open space, and 7.9 acres of riparian habitat. The first two phases of the Potrero Canyon Park Restoration Project have been completed, which have regraded portions of the canyon and engineered stabilized slopes along both sides of the coastal canyon. The recreational and habitat restoration components of the project are 25 years behind schedule, currently projected to be completed in late 2018.

The canyon wall at the rear of the subject site was subject to erosion and slope failure, most recently caused by winter storms in 2005. In order to protect the private property at 211 and 231 Alma Real Drive (and prevent the private development from falling into the future public park), the City of Los Angeles applied for, and the Commission approved, Coastal Development Permit

Amendment 5-91-286-A7 on October 8, 2009. Approximately 161,000 cubic yards of fill was required to stabilize the slope at a 2:1 grade for a horizontal distance of approximately 500 feet. The stabilized slope and drainage system spans the 130 foot vertical canyon wall, part of which is on the applicant's property. The subject application does not propose any changes to the stabilized slope or to the retaining wall nearest the southwestern canyon edge.

The footprint of the new home is approximately the same as that of the existing home, set back 64 feet from the fronting street and set back 40 feet from the rear canyon edge, which is consistent with the setbacks of the surrounding development. A semi-circular driveway is proposed, which will create a new curbcut along Alma Real Drive but will not require the removal of any trees or a historic street sign within the public right-of-way. A swimming pool is proposed at the rear (west) side of the property, a minimum of 17 feet from the canyon edge **(Exhibit 2)**.

Proposed grading activities consist of 2,078 cubic yards of cut and 103 cubic yards of fill (primarily for excavation of the large basement level). The applicant's geotechnical report indicates that the proposed retaining wall and rigid slab foundation will exceed a factor of safety of 1.5. The geotechnical report (Grover Hollingsworth and Associates, Inc. report dated April 2, 2014, updated August 5, 2014) and foundation plans have been reviewed by the Grading Division of the Los Angeles Department of Building and Safety. The Grading Division provided comments to the original submittal, which the applicant's geotechnical expert addressed, and the Grading Division approved. Additionally, the proposed development has received a local coastal development permit from the Los Angeles Department of City Planning, which includes conditions requiring the applicant to submit final grading and construction plans to be reviewed by the Department of Building and Safety. Additionally, the local coastal development permit requires the applicant to collaborate with the Environmental Management Group of the City of Los Angeles Bureau of Engineering to ensure that the final landscaping plan is consistent with the plan palate for Potrero Canyon Park, and does not contribute to soil saturation, instability, or erosion.

Recommendations regarding the design and installation of the foundational elements and drainage features have been provided in the above noted report. Adherence to the recommendations is necessary to ensure that the proposed foundation assures stability and structural integrity, and neither creates nor contributes significantly to erosion or geologic instability. Therefore, **Special Condition 1** requires the applicant to comply with the proposal as set forth in the application, subject to the other special conditions. Special Condition 1 further clarifies that the proposed development is subject to the review and approval of the City of Los Angeles. This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act, including the conditions of the City of Los Angeles local Coastal Development Permit No. ZA-2014-0688(CDP)(ZAD)(MEL) and the final conditions of the Grading Division of the City of Los Angeles Department of Building and Safety.

In order to ensure that the applicant carries out the development in accordance with the final approved plans that provide maximum geologic stability, **Special Condition 2** requires the applicant to submit final plans with evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans (including grading plans, foundation plans, and drainage plans) and certified that each of those final plans is consistent

with all the recommendations specified in the above-referenced report. All final plans shall be consistent with the recommendations contained in the Grover Hollingsworth and Associates, Inc. report dated April 2, 2014, updated August 5, 2014. The applicant shall also comply with the recommendations of the City of Los Angeles Department of Building and Safety.

During the local review of the project, a nearby resident raised concerns about construction staging and truck traffic, which the applicant and the City have addressed and the City will regulate. The local coastal development permit issued by the City of Los Angeles has specific requirements limiting truck traffic (only one truck hauler allowed on site at a time; trucks must travel along a designated truck route; no truck traffic on weekends), construction equipment (must be stored on the applicant's property), and construction vehicles to designated areas (including a parking plan for construction employees' vehicles) and requires the applicant to obtain approval of a final construction management plan from the Department of Building and Safety. In order to ensure that the applicant and the City coordinates a construction staging plan which minimizes risks to life and property and does not adversely affect public access through the coastal neighborhood, Special Condition 3 requires the applicant to submit, prior to issuance of the permit, a Construction Staging Plan approved by the City of Los Angeles. The applicant shall abide by all City rules and regulations regarding the use of City streets for transporting equipment and construction materials to and from the project site. Additionally, should construction staging activities be proposed on City streets or adjacent parcels which are not within the applicant's property, the applicant shall submit, for the review and approval of the Executive Director, documents from the City and/or adjacent property owners demonstrating a legal right to stage construction activities on areas not within the applicant's property. If the staging of construction vehicles and equipment is proposed on City streets, the applicant shall obtain all required City permits for such activities, including but not limited to authorization from the Department of City Planning, the Department of Building and Safety, The Department of Transportation, the Fire Department, and the Police Department.

Special Conditions four through seven are necessary to ensure that the development minimizes erosion caused by natural and manmade processes and that landscaping is maintained to maximize slope stability and enhance the scenic and visual qualities of the natural landform. **Special Condition 4** requires the applicant to submit an interim erosion control and construction best management practices plan prior to issuance of the permit, which is necessary to ensure slope stability during construction and maintain water quality. **Special Condition 5** requires the applicant to submit a final drainage plan prior to issuance of the permit, which shall filter water on-site and comply with the geotechnical recommendations regarding drainage and slope stability. In order to maximize slope stability, **Special Condition 6** requires the applicant to submit a final landscaping plan prior to issuance of the permit, which shall consist primarily of drought tolerant plants native to the Santa Monica Mountains, and which shall minimize irrigation with a drip or microspray system.

Additionally, Special Condition 6 requires the applicant to work with the City of Los Angeles to develop a fuel modification and fire safety plan for the development. The fuel modification plan shall include the final landscaping plan, details regarding the types, sizes and location of plant materials, how often thinning is to occur, and the location of all combustible structures located between the westerly wall of the home and the canyon-side property line. Highly volatile plants that increase the fuel load, such as eucalyptus, conifers, and other introduced plants that add to

the fuel load shall not be allowed to persist on the flat portion of the lot. The applicant shall not construct or otherwise incorporate vulnerable structures such as wooden decks at the canyon edge because of the increased risk of spreading fire. The plan shall minimize impacts to natural vegetation and public views and must have been reviewed and approved by the Los Angeles City Fire Department. If the fuel modification plan anticipates any removal of vegetation, including thinning, on City of Los Angeles Department of Recreation and Parks land, the applicant shall provide, for the review and written approval of the Executive Director, a signed agreement with the City acknowledging that the property is adjacent to Potrero Canyon and is consistent with the visual quality and habitat resources of the park. The agreement shall specify the location and methods of fuel modification (if any) on City land, and shall specify the amount of any fees or indemnification required for the use of City land for such fire buffer.

Finally, in order to ensure that the proposed private development does not adversely affect public resources (including mature trees and a historic street sign, Special Condition 6 requires any new landscaping or irrigation proposed on City right-of-way between the subject property and Alma Real Drive to be called out on the final landscaping plan. This permit does not authorize the removal of any trees or historic street signs on public property. If the proposed driveway cannot be constructed without removing the public trees along the public right-of-way, the applicant shall amend the project plans to relocate the driveway and preserve the public trees.

In order to ensure that the swimming pool at the rear (west) side of the property adjacent to the coastal canyon does not leak water, which could cause slope failure along the canyon wall, **Special Condition 7** requires the applicant to submit a swimming pool leak detection plan which shall provide a separate water meter for the pool to allow monitoring of the water usage for the pool, identify the materials used to waterproof the underside of the pool to prevent leakage, provide double wall construction of the pool with a drainage system and leak detection system installed between the walls, and identify methods to control pool drainage and to prevent infiltration from drainage and maintenance activities into the soils of the applicant's and neighboring properties.

Under Section 30253 of the Coastal Act new development in areas of high geologic, flood, and fire hazard may occur so long as risks to life and property are minimized and the other policies of Chapter 3 are met. The Coastal Act recognizes that new development may involve the taking of some risk. When development is proposed within areas where hazards have been identified, the Commission considers the hazards associated with the project site and the potential cost to the public, as well as the individual's right to use his property. The applicant's geotechnical analysis has stated that the property is suitable for the proposed improvements from a geotechnical engineering and engineering geology standpoint provided that the recommendations are incorporated into the plans. However, the proposed project may still be subject to natural hazards such as slope failure and erosion. The geotechnical analysis does not guarantee that future erosion, landslide activity, and land movement will not affect the stability of the proposed project. Because of the inherent risks to development situated on sloping hillside lots, the Commission cannot absolutely acknowledge that the design of the retaining wall and rigid slab foundation will protect the subject property during future storms, erosion, and/or landslides. Therefore, the Commission finds that the proposed project is subject to risk from erosion and/or slope failure and that the applicant should assume the liability of such risk.

The applicant may decide that the economic benefits of development outweigh the risk of harm which may occur from the identified hazards. However, neither the Commission nor any other public agency that permits development should be held liable for the applicant's decision to develop. Therefore, the Commission imposes **Special Condition 8** to require the applicant and any future property owners to assume the risk of undertaking the development, waive any claim of damage or liability against the Commission, and indemnify the Commission against future claims. In order to ensure that future property owners are aware of the assumption of risk and the other special conditions subject to this permit, the Commission imposes **Special Condition 9** requiring the property owner record a deed restriction against the property, referencing all of the above special conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the property.

B. PUBLIC ACCESS AND RECREATION

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. WATER QUALITY AND BIOLOGICAL PRODUCTIVITY

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of ongoing best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

D. NATURAL HAZARDS

Development adjacent to slopes such as those found on canyons or hillsides is inherently hazardous. Development which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon public access, and visual resources. To minimize risks to life and property the development has been conditioned to: require an appropriate set-back from the top of slope, to prohibit construction of protective devices (such as a retaining wall) in the future, for a drainage and runoff control plan to minimize percolation of water into the slope, for a landscaping plan, and to require that the landowner or and any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

E. DEED RESTRICTION

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and

restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

F. LOCAL COASTAL PROGRAM

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

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

The City of Los Angeles is the lead agency for the purposes of CEQA review. On April 23, 2015, the City issued a Mitigated Negative Declaration for the project, which mitigated identified impacts related to aesthetics, seismic conditions, erosion/grading, general construction, geology, landslide, noise, and utilities. The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, in the form of special conditions, require the applicant to comply with the terms of the approved development, submit final plans consistent with the geotechnical recommendations, submit a construction best management practices plan, submit a final drainage plan, submit a final landscaping plan, submit a swimming pool leak detection plan, assume the risks of the development, and record a deed restriction recording the terms of the permit as conditions, covenants, and restrictions on the property.

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

Appendix A – Substantive File Documents

- 1. Coastal Development Permit 5-91-286 (City of Los Angeles) Potrero Canyon Park Restoration Project; approved 9/11/91, most recently amended 10/8/14
- 2. Coastal Development Permit 5-99-409 (Bagnard) 421 Alma Real Drive; approved 2/15/00
- 3. Coastal Development Permit 5-06-360 (Walbridge) 431 Alma Real Drive; approved 10/16/08
- 4. City of Los Angeles local Coastal Development Permit ZA-2014-0688(CDP)(ZAD)(MEL); approved 10/1/15.

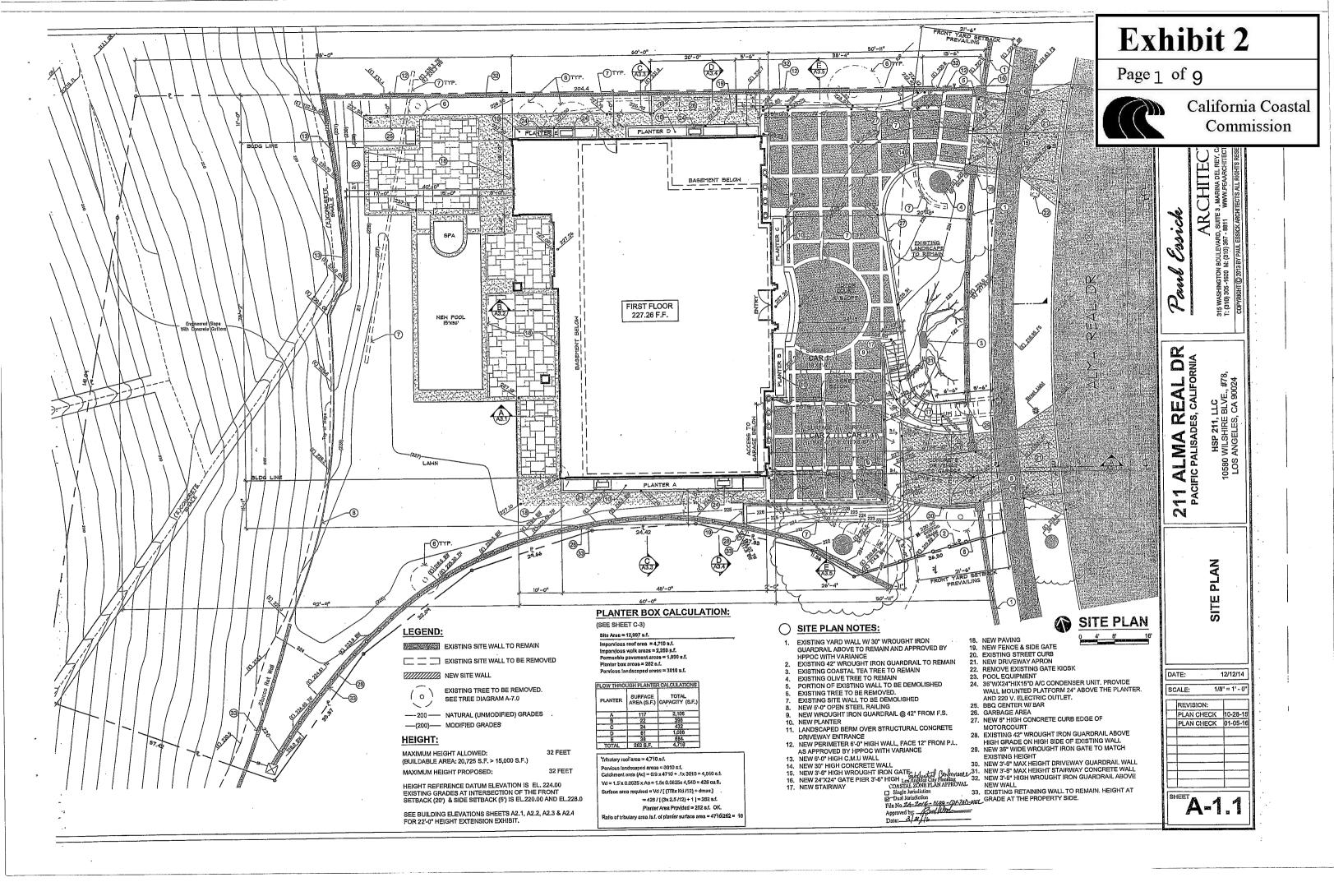
Vicinity Map: 211 Alma Real Drive, Pacific Palisades, Los Angeles

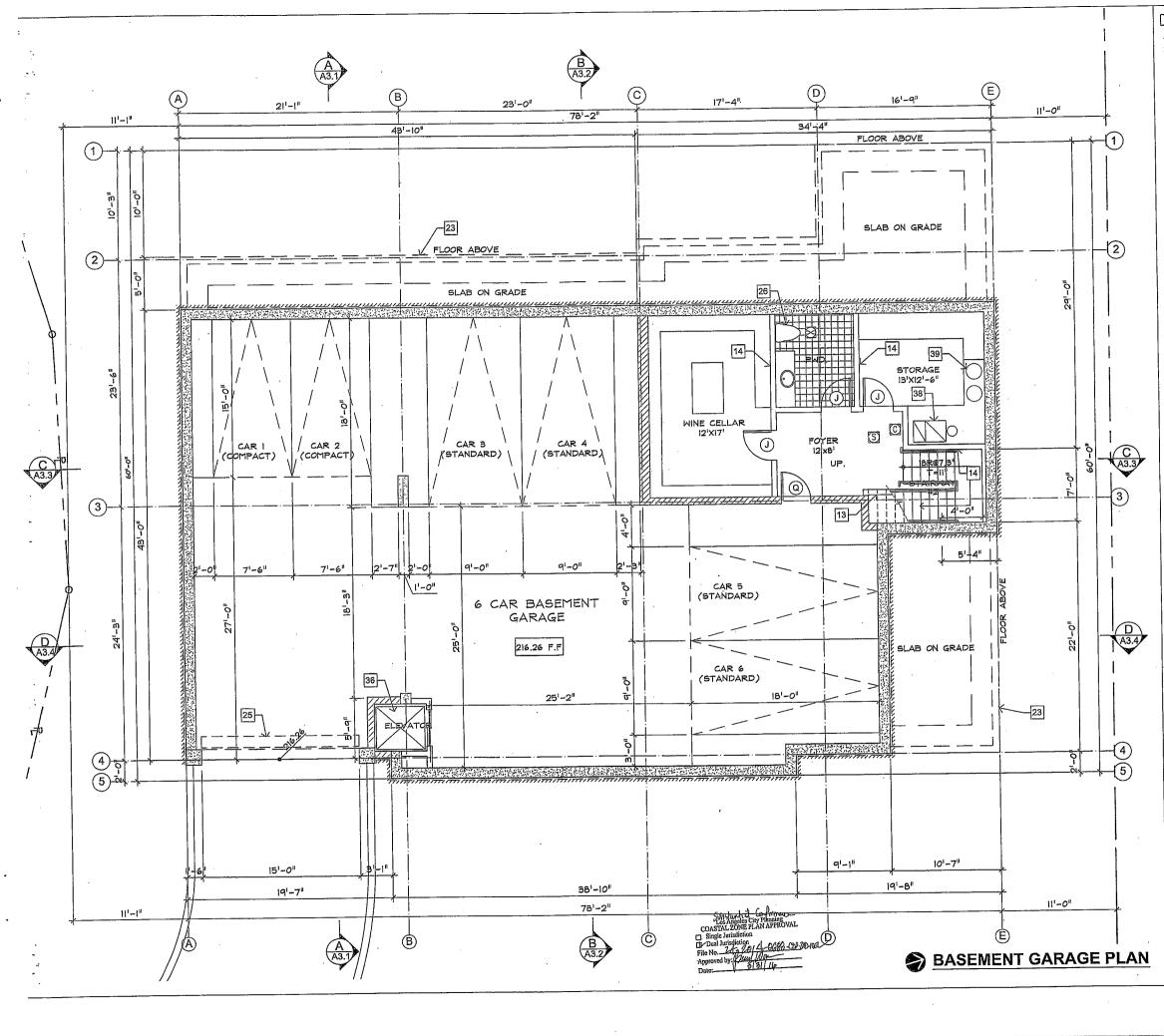


Commission



Photo: Google Maps





FLOOR PLAN NOTES

- SINK W/ GARBAGE DISPOSAL 1. DISHWASHER, PROVIDE SUR 2.
- GAP IF REQUIRED. 3. 39" CLEAR SPACE (FOR BUILT-REFRIGERATOR) WITH RECESS FOR WATER SUPPLY. PANTRY.
- 4. 5. 6'-0" TUB W/ WAINSCOT TO 72" RIGID PLUMBING CONNECTION SHOWER HEAD AT 84".
- 6. 7. SHOWER HEAD AT 84". SHOWER DRAIN IN FLOOR BEI CONN. TO 1 1/2" - DIA ABS PIPI SLOPE TO EXT.
- DIRECT VENT, SEALED COMB 8. FIREPLACE
- 9. PROVIDE WATER AND WASTE FOR WASHER. (RECESSED BOX AT INTERIOR LOCATIONS) 10. ELECTRICAL SERVICE PANEL. (SEE ELECTRICAL
- PLAN) 11. LINEN CABINET. SEE INTERIOR ELEVATIONS. DRYER, VENT HORIZONTAL TO OUTSIDE W/ BACKDRAFT DAMPER.
- 13. 5/8" TYPE "X" GYP, BD. UNDER STAIRS AT ENCLOSED USABLE SPACE W/ 8d COOLER NAILS @7" O.C. 14. 2x6 STUD WALL 15. 2x10 STUD WALL

- 42" HIGH GUARDRAIL PER APPLICABLE U.B.C. 16. 17. 34"-38" HIGH HANDRAIL ABOVE NOSING PER APPLICABLE C.B.C. (ATTACH TO WALL WHERE

- APPLICABLE C.B.C. (ATTACH TO WALL WHERE REQUIRED.)
 18. FLAT SOFFIT, SEE FRAMING PLAN PER HEIGHT.
 19. ARCHED SOFFIT. SEE INTTERIOR ELEVATIONS.
 20. SHOWVER-SEE PLAN FOR SIZE W/TILE FLOOR AND AT 3-WALLS TO 96° MIN. HIGH
 21. PROVIDE APPROVED 96° MIN. HIGH
 21. PROVIDE APPROVED 58° MATTER RESISTANT ENCLOSURE W CLEAR GLASS.
 22. DROPPED GYP. BD. CELLING.
 24. DROPED GYP. BD. CELLING.
 25. DROPPED AROVE

- DROPPED GYP. BD. CEILING.
 LINE OF FLOOR ABOVE.
 36"wX24"HIX15"D A/C CONDENSER UNIT. PROVIDE PLATFORM AND NOISE ABATEMENT UNDERNEATH OF THE UNIT. AND 220 V. ELECTRIC OUTLET.
- 25. ROLL-UP SECURITY GRILL 26. ULTRA-LOW CONSUMPTION WATER CLOSET. (1.6 DITRA-LUSH)
 TRASH COMPACTOR SPACE.
 22"x30" ATTIC ACCESS DOOR. 30" MIN. HD. CLR.
 29. WOOD TRELLIS. SEE DETAIL 10/A-6.5
 30. W.I. POTSHELF. SEE DETAIL 12/A-6.2

- 31 STAINI ESS STEEL BAR SINK.
- STAINLESS STEEL DATA GINA.
 DECK DRAIN. SEE DETAIL 2/A-6.3
 W.I. RAILING SEE EXTERIOR ELEVATIONS.
 LOCATION OF VENT(S) TO OUTSIDE AIR FOR
- GARAGE VENTILATION. 35. PLANTER

- PLANTER
 HYDRAULIC ELEVATOR SYSTEM.
 THE ALARM SHALL BE AUDIBLE IN ALL SLEEPING AREAS OF THE DWELLING WHICH THEY SERVE.
 VERTICAL AIR CONDITIONER AIR HANDLER
 WATER HEATERS
- BASEMENT PERIMETER CALCULATION:

PERIMETER OF BASEMENT WHERE THE ELEVATION OF THE UPPER SURFACE OF THE FLOOR ABOVE IS LESS THAN 77/1777/1777 3'-0" IN HEIGHT ABOVE NATURAL GRADE

60% MIN.

230'-8"

94% >60%

247'-3" TOTAL BASEMENT PERIMETER:

REQUIRED PERIMETER LESS THAN 3':

PROPOSED PERIMETER LESS THAN 3':

GENERAL NOTES:

- SUFFICIENT CONDUCTOR SIZING AND SERVICE CAPACITY TO INSTALL LEVEL 2 EVSE SHALL BE
- CAPACITY TO INSTALL LEVEL 2 EVSE SHALL DE PROVIDED. A LABEL STATING "EV CAPABLE" SHALL BE POSTED IN A CONSPICUOUS PLACE AT SERVICE PANEL OR SUBPANEL AND NEXT TO THE RACEWAY TERMINATION POINT

PLAN LEGEND:

A	DOOR SCHEDULE. SEE A-5.1
$\langle 1 \rangle$	WINDOW SCHEDULE. SEE A-5.2
\bigcirc	CARBON MONOXIDE SENSOR
S	120v HARD-WIRED SMOKE DETECTOR WITH BATTERY BACK UP
\boxtimes	ENERGY STAR EXHAUST FAN CAPABLE

- THE OUTSIDE O GD GARBAGE DISPOSAL
- GFI GROUND FAULT CIRCUIT INTERRUPTER

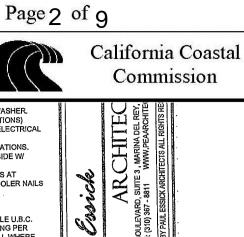


Exhibit 2

4 BOULEVARD, SUITE 3 M: (310) 367 - 8811 Park NGTON | 315 WASHIN T: (310) 305 -11 ALMA REAL DR PACIFIC PALISADES, CALIFORNIA LLC E BLVE., #78, , CA 90024 HSP 211, L WILSHIRE E ANGELES, (10580 \ LOS /

N ENT EM BASE шб GARAGE

12/12/14

1/4" = 1' - 0"

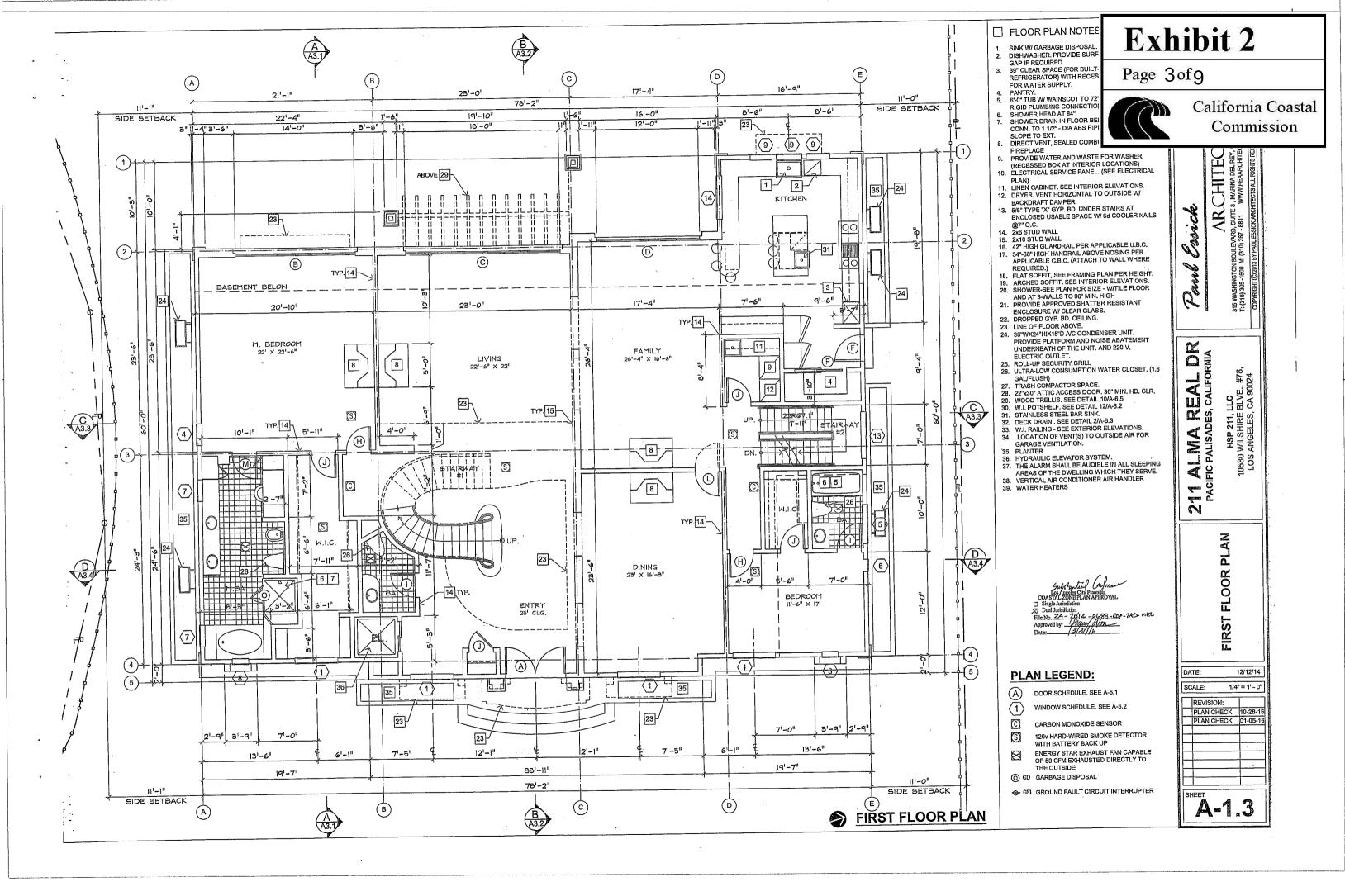
DATE:

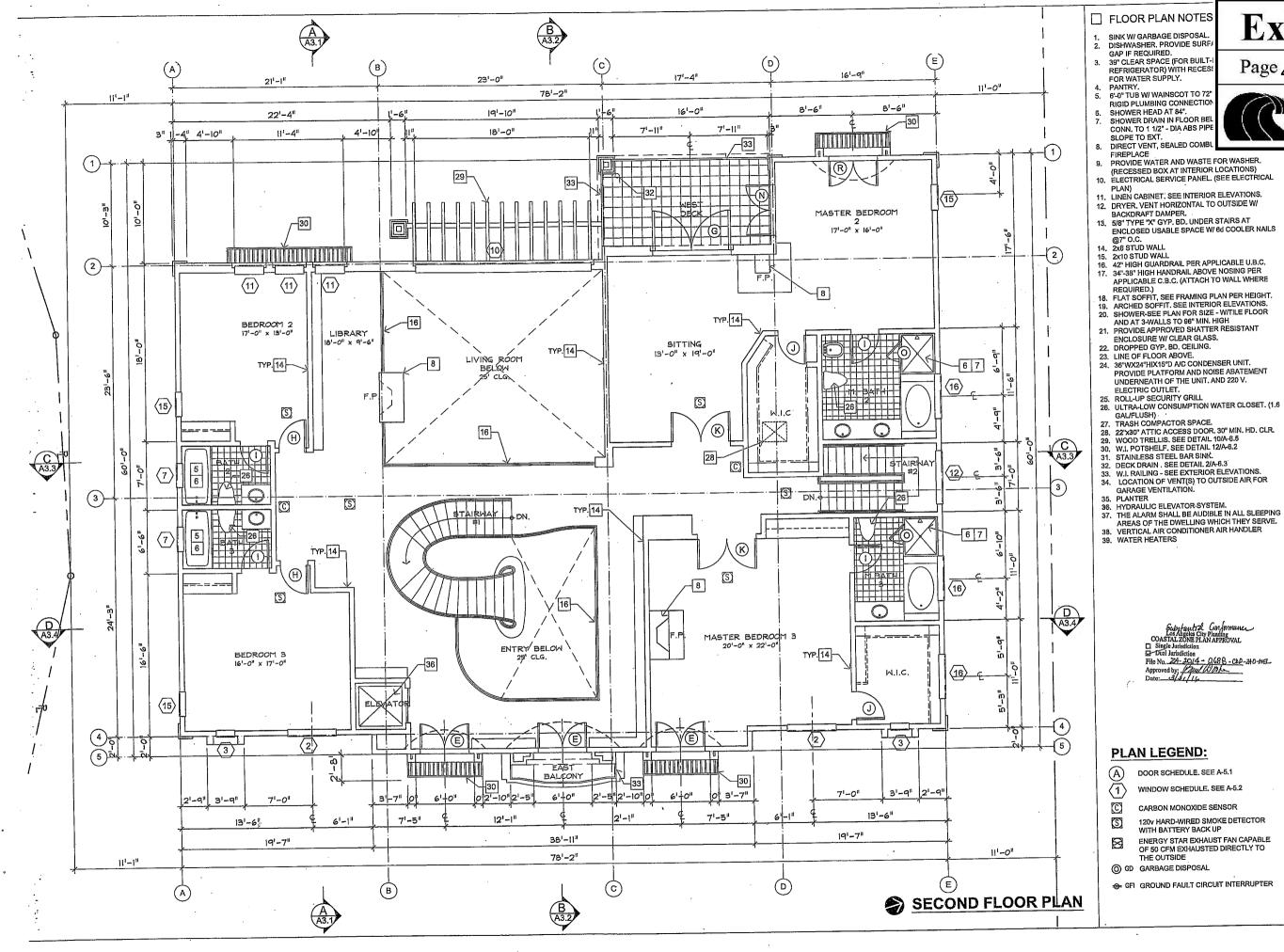
SCALE:

SHEE

A-1

REVISION: PLAN CHECK 10-28-15 PLAN CHECK 01-05-16





- FIREPLACE PROVIDE WATER AND WASTE FOR WASHER. (RECESSED BOX AT INTERIOR LOCATIONS) 10. ELECTRICAL SERVICE PANEL. (SEE ELECTRICAL
- PLAN) 11. LINEN CABINET. SEE INTERIOR ELEVATIONS. 12. DRYER. VENT HORIZONTAL TO OUTSIDE W/

Substant 2 Conforman Los Angoles City Planting COASTAL ZONE PLAN APPROVAL Single Jurisdiction File No. 24.2014 - 0688 - CAD-240-14EL Approved by: <u>faul 10 nL</u> Date: <u>3/3/1/16</u>

(A)	DOOR SCHEDULE. SEE A-5.1
$\langle 1 \rangle$	WINDOW SCHEDULE, SEE A-5.2
\odot	CARBON MONOXIDE SENSOR
\mathbb{S}	120v HARD-WIRED SMOKE DETECTOR WITH BATTERY BACK UP
\boxtimes	ENERGY STAR EXHAUST FAN CAPABLE OF 50 CFM EXHAUSTED DIRECTLY TO THE OUTSIDE
() GD	GARBAGE DISPOSAL
⊕= GFI	GROUND FAULT CIRCUIT INTERRUPTER

