

CALIFORNIA COASTAL COMMISSION

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



W15c

Agenda Item 10(a) SMMC 7/23/18

EXHIBITS

Staff Report
A-5-PPL-18-0035
June 29, 2018

[Exhibit 1 - Vicinity Map](#)

[Exhibit 2 – City-approved Plans](#)

[Exhibit 3 – Appeals](#)

[Exhibit 4 – City Coastal Development Permit ZA 2017-2170\(ELD\)\(CDP\)\(SPR\)](#)

[Exhibit 5 – West Los Angeles Area Planning Commission Determination](#)

[Exhibit 6 – Building and Safety approval letter](#)

[Exhibit 7 – Biological survey, Meridian Consultants](#)

[Exhibit 8 – Additional submittal from appellants](#)



Exhibit 1

Page 1 of 2



California Coastal Commission




Santa Ynez trailhead

Palisades Drive

Project Site

PALISADES DRIVE

RESIDENTIAL CARE FACILITY FOR THE ELDERLY

Exhibit 2	
Page 1 of 31	
	California Coastal Commission

PROJECT TEAM:

DEVELOPER:	PALISADES DRIVE LP
ARCHITECT:	GMPA ARCHITECTS, INC.
CIVIL ENGINEER:	HARVEY A GOODMAN CIVIL ENGINEER
SOILS ENGINEER:	STRATA TECH GEOTECHNICAL CONSULTANTS
LANDSCAPE ARCHITECT:	TGP INC., LANDSCAPE ARCHITECTS
LAND USE ATTORNEY:	JEFFER MANGELS BUTLER & MITCHELL LLP JMBM

EXHIBIT "A"
Page No. 1 of 31
Case No. 2017-2170 (CDP) (SPR)
(Handwritten initials)

2017 2170

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED IN THE INTEREST OF AN ARCHITECTURAL AND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATION DURING THE PROJECT.

SHEET NO.
A0.00
DATE
FEBRUARY 6, 2017



GMPA ARCHITECTS
11878 La Grange Ave, Los Angeles, CA 90025
T. 310.450.0200 F. 310.450.0225
www.gmpaArchitects.com

PROJECT SUMMARY

PROJECT ADDRESS: 17310 W. VEREDA DE LA MONTURA
LOS ANGELES, CA 90072

PROJECT DESCRIPTION: A NEW PROPOSED RESIDENTIAL CARE FACILITY FOR THE ELDERLY (R2.1 OCCUPANCY)
IN A FOUR STORY BUILDING TYPE IIA CONSTRUCTION OVER 2 LEVELS OF SUBTERRANEAN PARKING TYPE IIA CONSTRUCTION
IN COMPLIANCE WITH CITY OF LOS ANGELES ELDERCARE ORDINANCE

APN: 443-101-0011

LEGAL DESCRIPTION: LOT 1 OF TRACT NO. 64625, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA, AS PER MAP FILED IN BOOK 1380, PAGES 16 AND 17 OF MAPS, IN THE OFFICE
OF THE COUNTY RECORDER OF SAID COUNTY.

COUNCIL DISTRICT: CD 11 MIKE BONIN

LOT AREA: 43,097.74 SF (PER SURVEY)

ZONE: CT 1-H

GENERAL PLAN: NEIGHBORHOOD COMMERCIAL

COASTAL ZONE: YES

HILLSIDE AREA: YES

DENSITY ALLOWED: 43,097.74 SF / 500 = 86 SUITES (12.13 C-4)

DENSITY PROPOSED: 82 SUITES

OCCUPANCY: R2.1 (RCFE)

F.A.R. ALLOWED: BUILDABLE LOT AREA x F.A.R. = 43,097.74 SF x 1.5 = 64,646 SF

F.A.R. PROPOSED: 64,646 SF

HEIGHT ALLOWED: 45' MAXIMUM BUILDING HEIGHT

HEIGHT PROPOSED: 45' FROM REFERENCE GRADE (5' FROM BUILDING) ELEVATION OF 695'

TRANSITIONAL HEIGHT REQUIRED: YES (LAMC SECTION 12.21.C.10)

TRANSITIONAL HEIGHT PROVIDED: YES

STORIES ALLOWED: UNLIMITED

STORIES PROPOSED: 4

SETBACKS:
PER CODE FOR RESIDENTIAL USES

A. FRONT YARD (@ PALISADES DRIVE): 10' (MEASURED AFTER DEDICATION) PROVIDED

B. SIDE YARD (@ VEREDA DE LA MONTURA): 7' PROVIDED

C. SIDE YARD (MON STREET): 7' PROVIDED

D. REAR YARD: 16' PROVIDED

PARKING REQUIRED: FOR MEMORY CARE, 0.2 PARKING SPACE FOR EACH GUEST BED
FOR ASSISTED LIVING, 1 PARKING SPACE FOR EACH GUEST ROOM
SEE (12.21 A4 (J) (5))
65 TOTAL PARKING REQUIRED

PARKING PROVIDED: 66 TOTAL PARKING SPACE PROVIDED (2 LEVELS SUBTERRANEAN)

BICYCLE REQUIRED: 5 LONG-TERM BICYCLES AND 5 SHORT-TERM BICYCLES

BICYCLE PROVIDED: 5 LONG-TERM BICYCLES AND 5 SHORT-TERM BICYCLES

OPEN SPACE: NOT APPLICABLE-NOT DWELLING UNITS



AREA SUMMARY

	MEMORY CARE	ASSISTED LIVING	COMMON AREA	TOTAL
GROUND FLOOR	8,478 SF		10,227 SF	19,105 SF
2ND FLOOR		13,625 SF	4,953 SF	18,578 SF
3RD FLOOR		9,923 SF	3,546 SF	13,469 SF
4TH FLOOR		9,822 SF	1,786 SF	11,608 SF
GARAGE LEVEL			1,886 SF	1,886 SF
TOTAL	8,478 SF	33,370 SF	22,798 SF	64,646 SF

SUITE SUMMARY:

GUEST SUITE TYPE	DESCRIPTION	QUANTITY	PERCENTAGE
MEMORY CARE:			
MC-P	PRIVATE SUITES	15	18%
MC-S	SEMI PRIVATE SUITES	8	10%
ASSISTED LIVING:			
A	STUDIO SUITES	21	26%
B	ONE BDRM SUITES	32	39%
C	TWO BDRM SUITES	08	7%
TOTAL		82 SUITES	100%

VICINITY MAP



SHEET INDEX

GENERAL

- A0.00 COVER SHEET
- A0.01 PROJECT INFORMATION
- A0.02 RENDERING VIEW FROM VEREDA DE LA MONTURA
- A0.03 RENDERING VIEW FROM PALISADES DRIVE
- A0.04 LAND SURVEY
- A0.05 SITE CONTEXT INFORMATION
- A0.06 SITE CONTEXT INFORMATION

ARCHITECTURAL

- A1.01 PLOT PLAN
- A1.02 COMPOSITE SITE PLAN
- A2.01 P2 FLOOR PLAN
- A2.02 P1 FLOOR PLAN
- A2.03 GROUND FLOOR PLAN
- A2.04 SECOND FLOOR PLAN
- A2.05 THIRD FLOOR PLAN
- A2.06 FOURTH FLOOR PLAN
- A2.07 ROOF PLAN
- A2.10 MEMORY CARE GUEST SUITE FLOOR PLANS
- A2.11 ASSISTED LIVING GUEST SUITE FLOOR PLANS
- A3.01 BUILDING ELEVATIONS
- A3.02 BUILDING ELEVATIONS
- A3.03 BUILDING ELEVATIONS
- A3.04 EXTERIOR MATERIALS
- A4.01 BUILDING SECTIONS

LANDSCAPE

- L1 OVERALL LANDSCAPE PLAN
- L2 FIRST LEVEL LANDSCAPE PLAN
- L3 DRIVEWAY ENTRY - FIRST LEVEL
- L4 POOL DECK - FIRST LEVEL
- L5 CENTRAL COURTYARD - FIRST LEVEL
- L6 ROOF DECK - THIRD LEVEL
- L7 PLANT IMAGES
- L8 PLANT IMAGES

EXHIBIT
2 of 31
Class No. 2A 2019-2170

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2018, GMPA Architects, Inc. INFORMATION PROVIDED IS FOR CONCEPT PLANS & PRELIMINARY ANALYSIS AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL AND SURVEY OR ENGINEERING REPORT AND IS SUBJECT TO CHANGE AND NOT FOR CONSTRUCTION PERMITS.

SHEET NO. **A0.01**
DATE: FEBRUARY 6, 2017



GMPA ARCHITECTS
11878 La Grange Ave, Los Angeles, CA 90025
T: 310.450.0200 F: 310.450.0225
www.gmpaArchitects.com



VIEW FROM NORTHWEST

EXHIBIT "A"
 Page No. 3 of 31
 Case No. 2017-2170

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE, AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOLOGICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT.

SHEET NO
 A0.02
 DATE
 FEBRUARY 6, 2017



GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com



VIEW FROM NORTHEAST

EXHIBIT "A"
 Page No. 4 of 31
 Case No. 2A 2-12-2170

PALISADES DRIVE RCFE

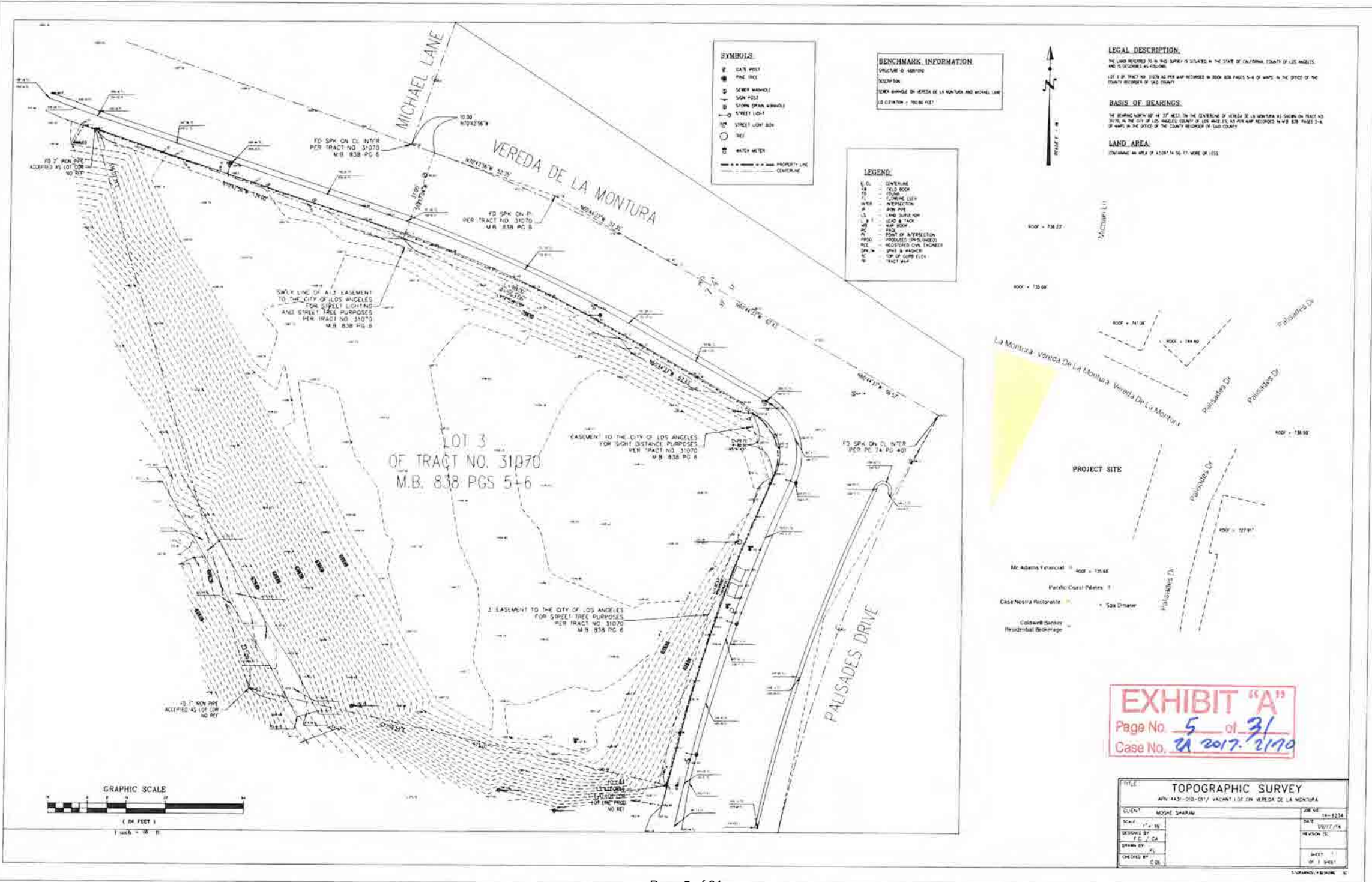
FOR PALISADES DRIVE L.P.

© Copyright 2016 GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING THE DESIGN PROCESS.

SHEET NO.
A0.03
 DATE
 FEBRUARY 6, 2017



GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com



- SYMBOLS**
- DATE POST
 - PINE TREE
 - SEWER MANHOLE
 - GAS POST
 - STORM DRAIN MANHOLE
 - STREET LIGHT
 - STREET LIGHT BOX
 - TREE
 - WATER METER
 - PROPERTY LINE
 - CENTERLINE

BENCHMARK INFORMATION

STRUCTURE ID: 488706

DESCRIPTION: CONCRETE BENCHMARK ON VEREDA DE LA MONTURA AND MICHAEL LANE

IS CORNER = 780.00 FEET

- LEGEND**
- C.O. CENTERLINE
 - TR FIELD BOOK
 - TO TOWN
 - COMING LEFT
 - INTERSECTION
 - ADJ. PVE
 - LAND SURVEY TOP
 - LEAD & TACK
 - GRID BOOK
 - PAID
 - POINT OF INTERSECTION
 - PROPOSED IMPROVEMENTS
 - PROJ. REGISTERED CIVIL ENGINEER
 - SPK. & WADDER
 - TOP OF CURB ELEV.
 - TRACT MAP

LEGAL DESCRIPTION.

THE LAND REFERRED TO IN THIS SURVEY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:

LOT 3 OF TRACT NO. 31070 AS PER MAP RECORDED IN BOOK 838 PAGES 5-6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER IN SAG COUNTY.

BASIS OF BEARINGS.

THE BEARING NORTH 87° 17' WEST ON THE CENTERLINE OF VEREDA DE LA MONTURA AS SHOWN ON TRACT NO. 31070 IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES, AS PER MAP RECORDED IN M.B. 838 PAGES 5-6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAG COUNTY.

LAND AREA.

CONTAINING AN AREA OF 42,074.50 SQ. FT. MORE OR LESS.

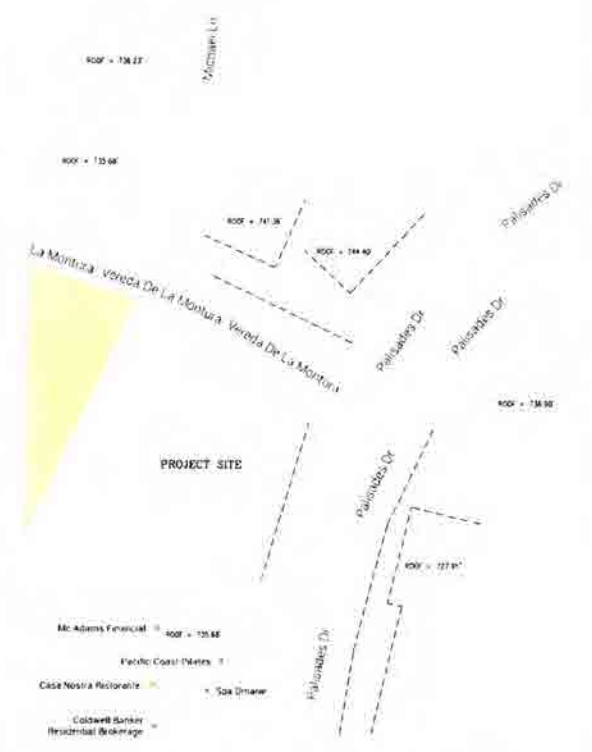


EXHIBIT "A"

Page No. 5 of 31

Case No. 2A 2017-2170

TITLE: TOPOGRAPHIC SURVEY		
APN 443-010-017 VACANT LOT ON VEREDA DE LA MONTURA		
CLIENT: MOJIB SHARAF	JOB NO: 14-0234	DATE: 09/17/14
SCALE: 1" = 10'	DESIGNED BY: F.E. CA	REVISION (S):
DRAWN BY: J.L.	CHECKED BY: C.O.	SHEET: 1 OF 3 SHEETS



EXHIBIT "A"
 Page No. 6 of 31
 Case No. LA 2017-2170

PALISADES DRIVE RCFE

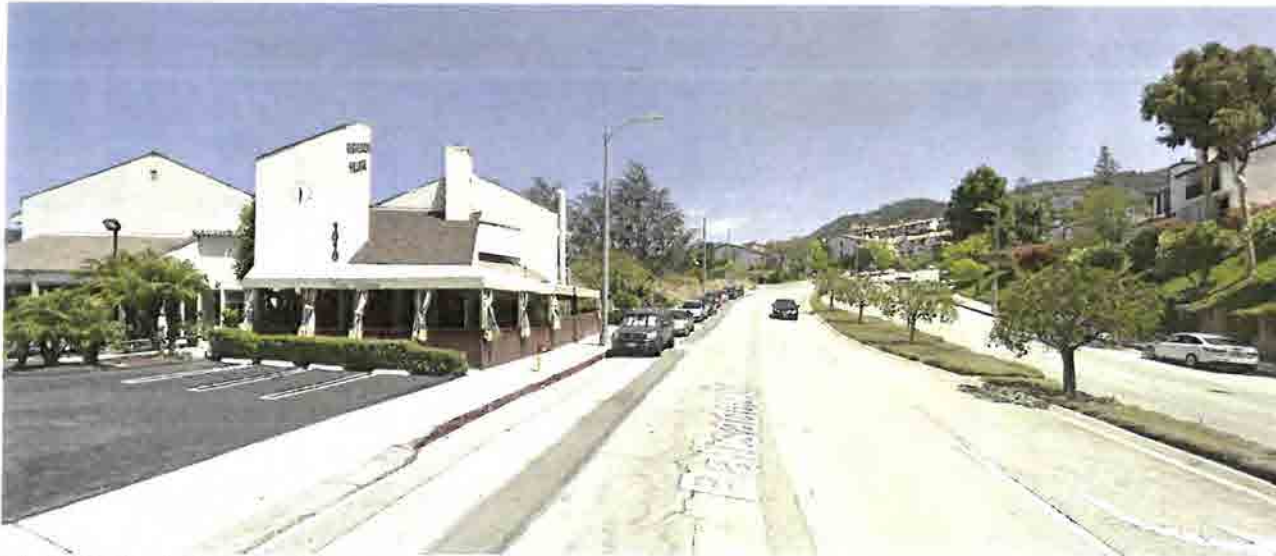
FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL (AND SURVEY OR GEOLOGICAL) REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT.

SHEET NO
A0.05
 DATE
 FEBRUARY 6, 2017



GMPA ARCHITECTS
 11879 La Grange Ave, Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com



VIEW OF THE NEIGHBORING RESTAURANT LOOKING NORTH



VIEW OF NEIGHBORING RESTAURANT LOOKING SOUTH



REPRESENTATIVE EXAMPLE OF BACK SIDE OF NEIGHBORHOOD PROPERTY



EXAMPLE OF RESIDENTIAL NEIGHBORHOOD FACADE



SITE AND CONTEXT

EXHIBIT A
 Page No. 7 of 31
 Case No. BA 2017-2170

PALISADES DRIVE RCFE

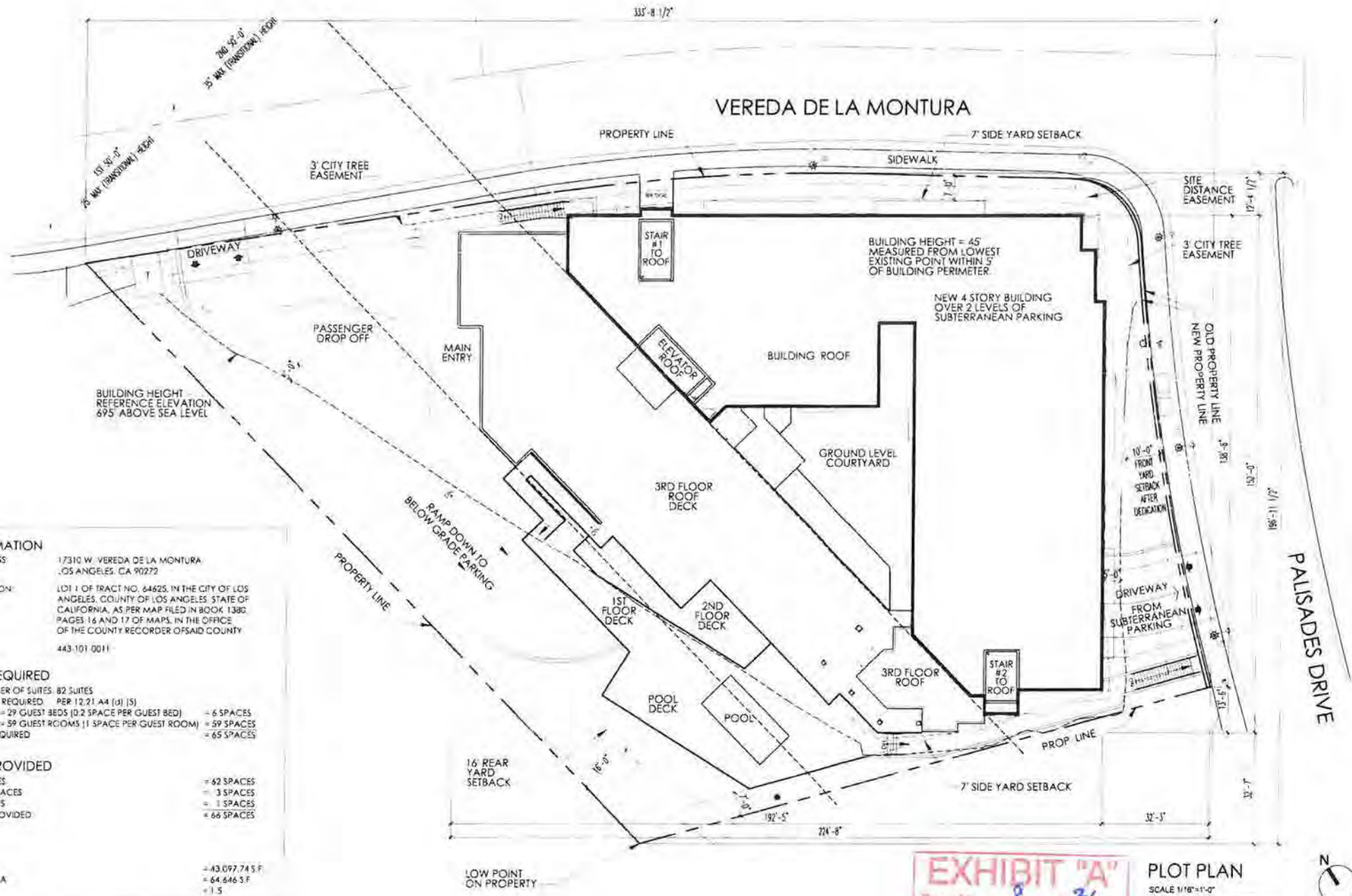
FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA ARCHITECTS, INC. (INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOLOGICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT)

SHEET NO.
A0.06
 DATE
FEBRUARY 6, 2017



GMPA ARCHITECTS
 11878 La Grange Ave., Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com



SITE INFORMATION	
PROJECT ADDRESS	17310 W. VEREDA DE LA MONTURA LOS ANGELES, CA 90072
LEGAL DESCRIPTION	LOT 1 OF TRACT NO. 64625, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1380 PAGES 16 AND 17 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY
APH	443-101-0011
PARKING REQUIRED	
PROPOSED NUMBER OF SUITES	82 SUITES
PARKING SPACES REQUIRED PER 12.21.04 (d) (5)	
MEMORY CARE = 29 GUEST BEDS (0.2 SPACE PER GUEST BED)	= 6 SPACES
ASSISTED LIVING = 59 GUEST ROOMS (1 SPACE PER GUEST ROOM)	= 59 SPACES
TOTAL SPACES REQUIRED	= 65 SPACES
PARKING PROVIDED	
STANDARD SPACES	= 62 SPACES
HANDICAPPED SPACES	= 3 SPACES
COMPACT SPACES	= 1 SPACES
TOTAL SPACES PROVIDED	= 66 SPACES
AREA	
TOTAL SITE AREA	= 43,097.74 S.F.
TOTAL FLOOR AREA	= 64,646 S.F.
FAR	= 1.5

EXHIBIT "A"
 Page No. 8 of 31
 Case No. 2A 2017-2170

PLOT PLAN
 SCALE 1/16"=1'-0"

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO. **A1.01**
 DATE **FEBRUARY 6, 2017**

GMPA ARCHITECTS
 11878 La Grange Ave. Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com

© Copyright 2017, GMPA Architects, Inc. INFORMATION PROVIDED IS THE SOLE PROPERTY OF GMPA ARCHITECTS, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS INFORMATION WITHOUT THE WRITTEN CONSENT OF GMPA ARCHITECTS, INC. IS STRICTLY PROHIBITED.



EXHIBIT "A"
 Page No. 9 of 31
 Case No. 2A 2017-2170

COMPOSITE SITE PLAN

SCALE 1/16"=1'-0"
 0 10' 20'



PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO. **A1.02**
 DATE: FEBRUARY 6, 2017

GMPA ARCHITECTS
 11878 La Grange Ave. Los Angeles, CA 90025
 T 310.450.0200 F 310.450.0225
 www.gmpaArchitects.com

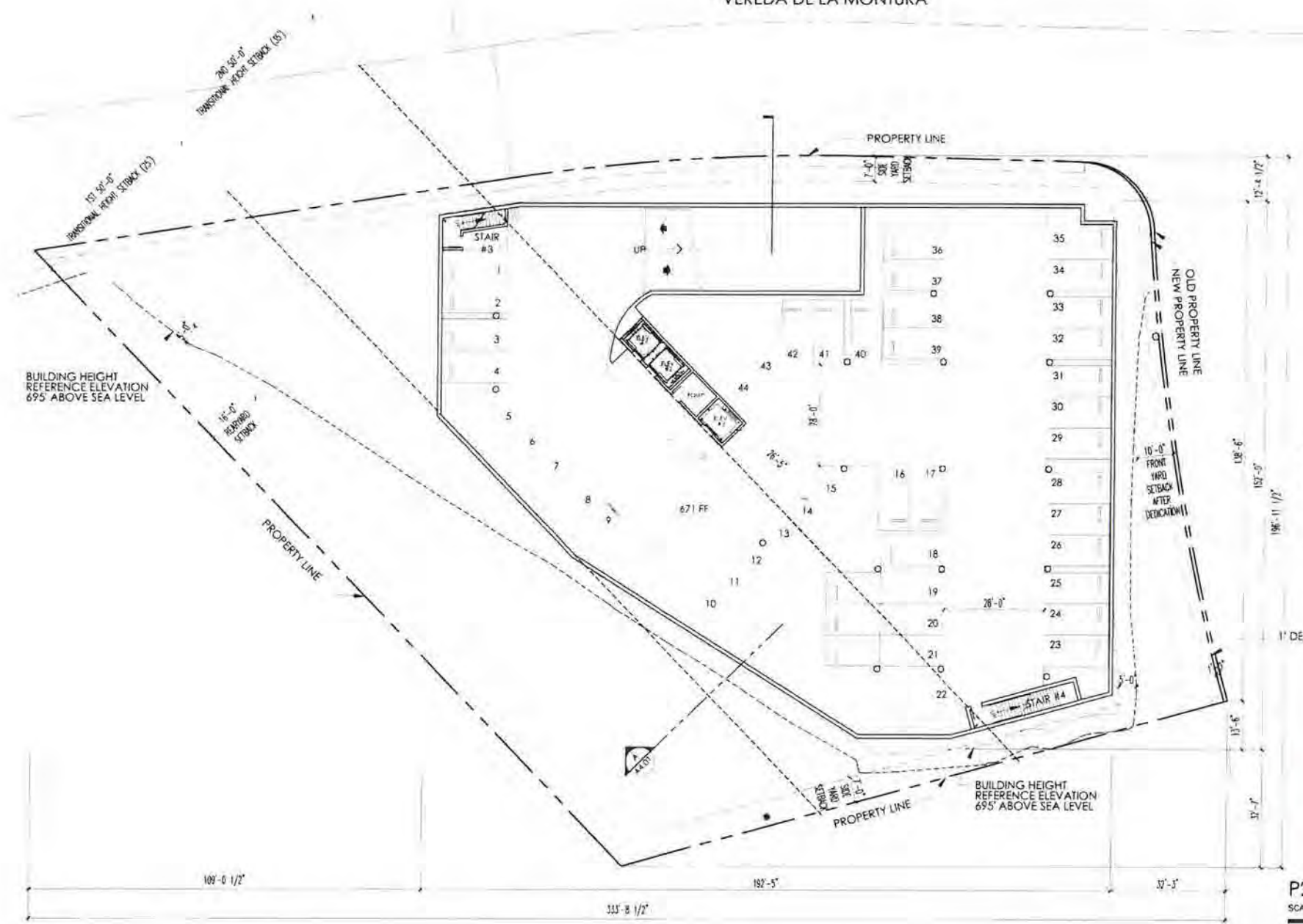


EXHIBIT "A"
 Page No. 10 of 31
 Case No. 2A 2017-2170

P2 FLOOR PLAN
 SCALE 1/16"=1'-0"

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO. **A2.01**
 DATE: FEBRUARY 6, 2017

GMPA ARCHITECTS
 11878 La Grange Ave. Los Angeles, CA 90025
 T 310.450.0200 F 310.450.0225
 www.gmpaArchitects.com

© Copyright 2016, GMPA Architects, INC. THIS INFORMATION IS CONSIDERED PRELIMINARY AND WAS PREPARED WITHIN THE SCOPE OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING THE DESIGN PROCESS.

VEREDA DE LA MONTURA

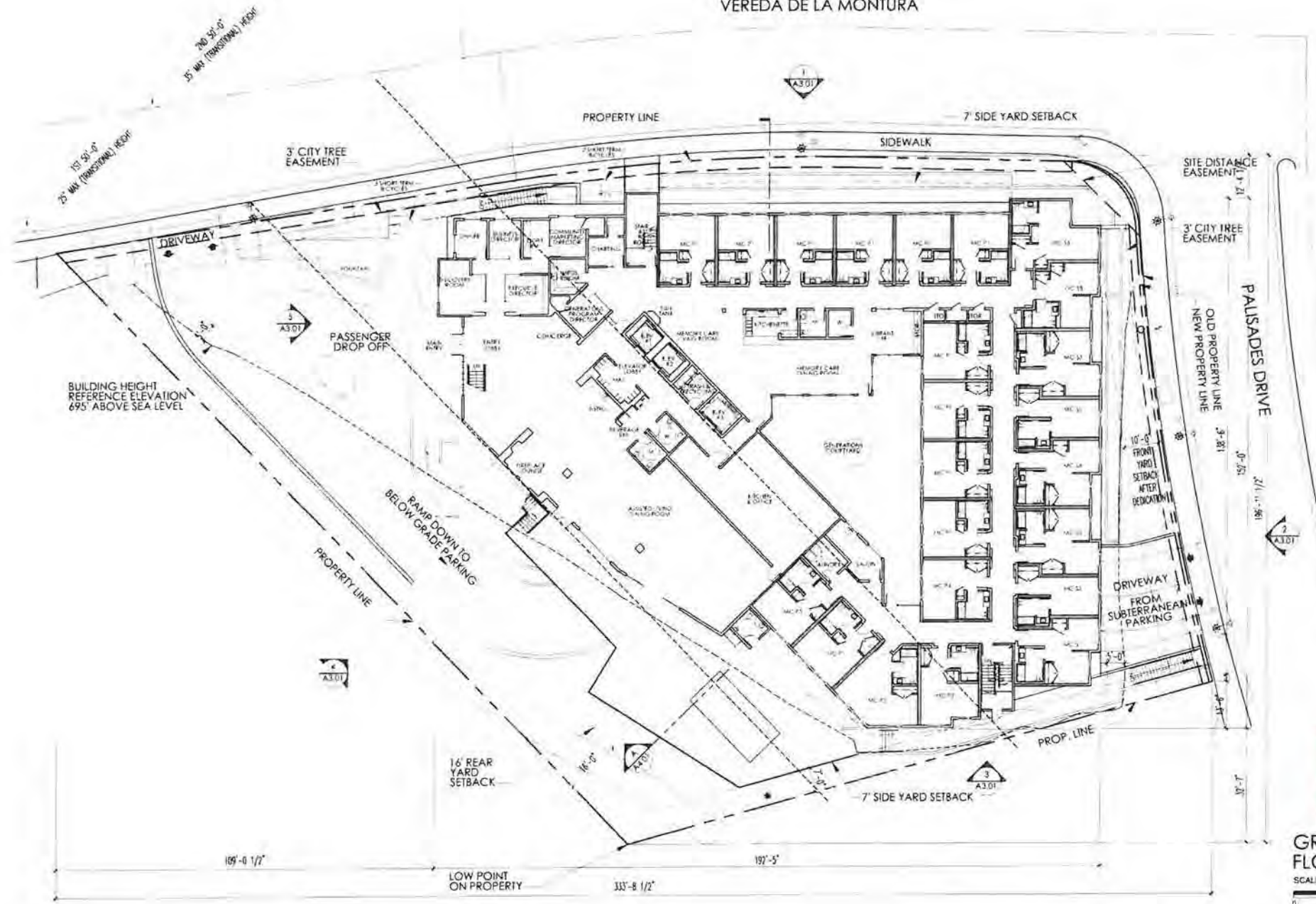


EXHIBIT "A"
 Page No. 12 of 31
 Case No. 2A 2017-2190

GROUND FLOOR PLAN
 SCALE 1/16"=1'-0"

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL AND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGE AND MODIFICATIONS DURING DEVELOPMENT.

SHEET NO. **A2.03**
 DATE: FEBRUARY 6, 2017

GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90026
 T. 310.450.0200 F. 310.450.0226
 www.gmpaArchitects.com

VEREDA DE LA MONTURA

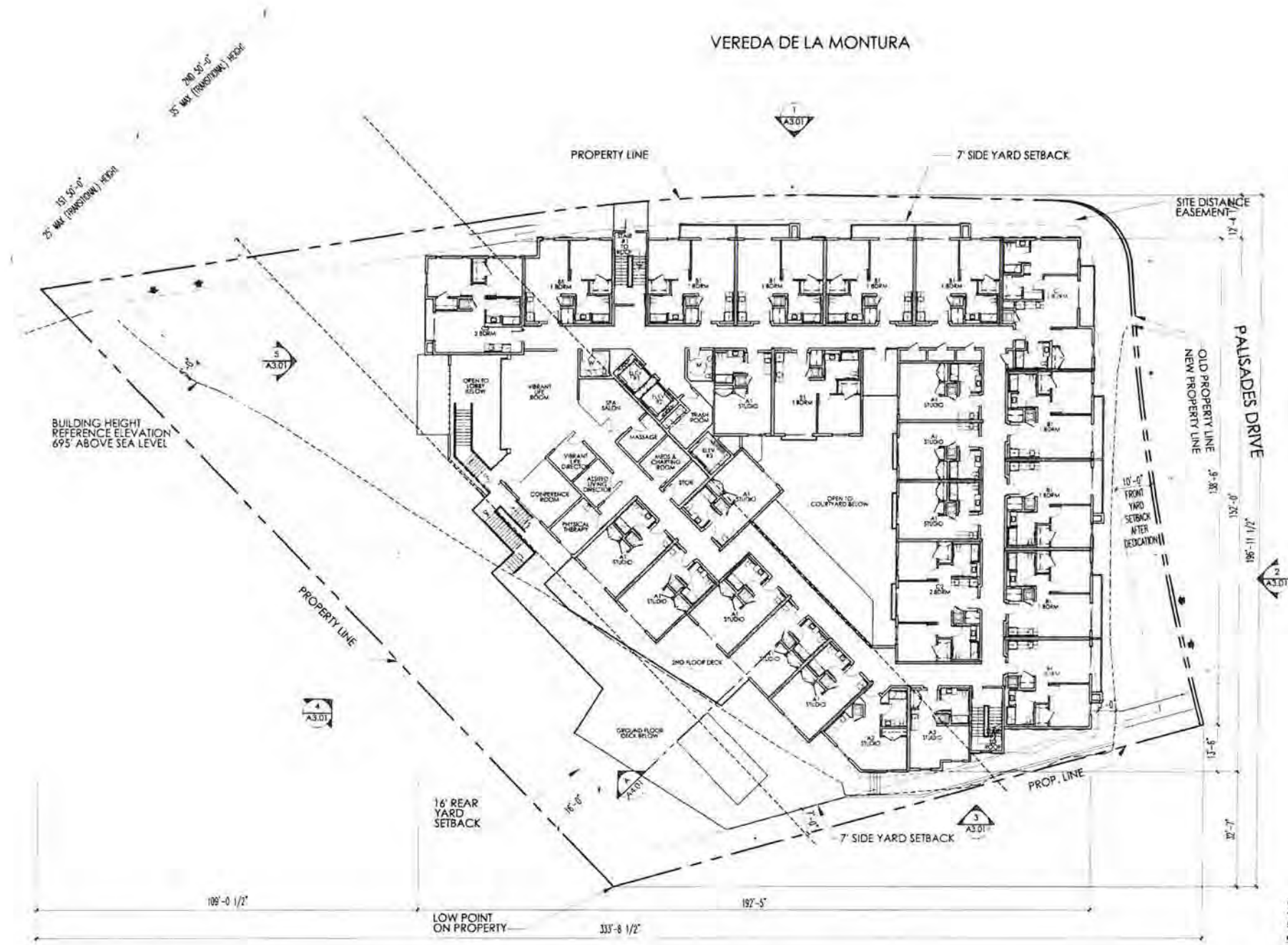


EXHIBIT "A"
 Page No. 13 of 31
 Case No. 2A 247-2170

2ND FLOOR PLAN
 SCALE 1/16"=1'-0"

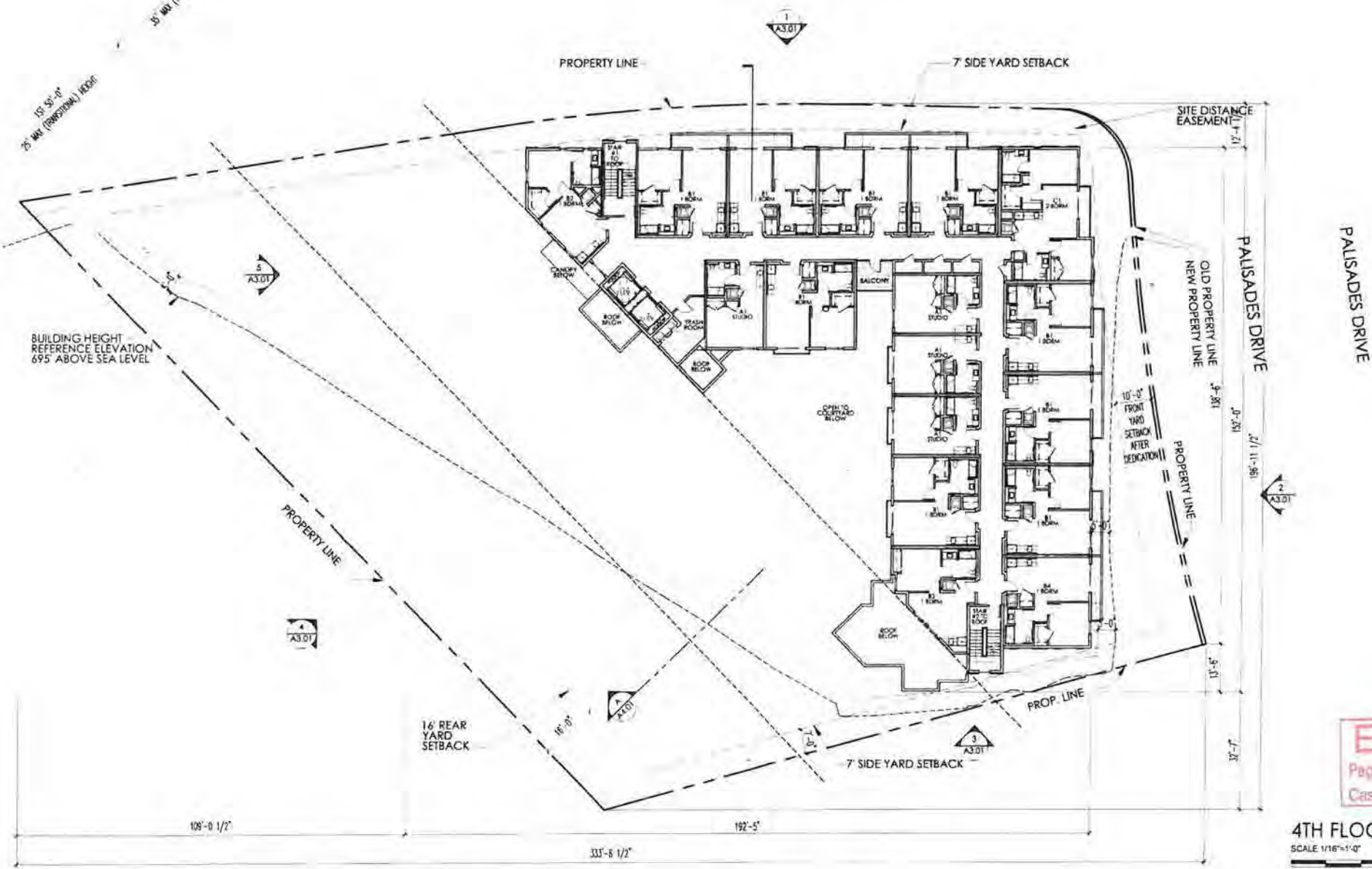
PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO. A2.04
 DATE FEBRUARY 6, 2017

GMPA ARCHITECTS
 11878 La Grange Ave., Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com

VEREDA DE LA MONTURA



BUILDING HEIGHT
REFERENCE ELEVATION
695' ABOVE SEA LEVEL

EXHIBIT "A"
Page No. 15 of 31
Case No. 24 2019-2190

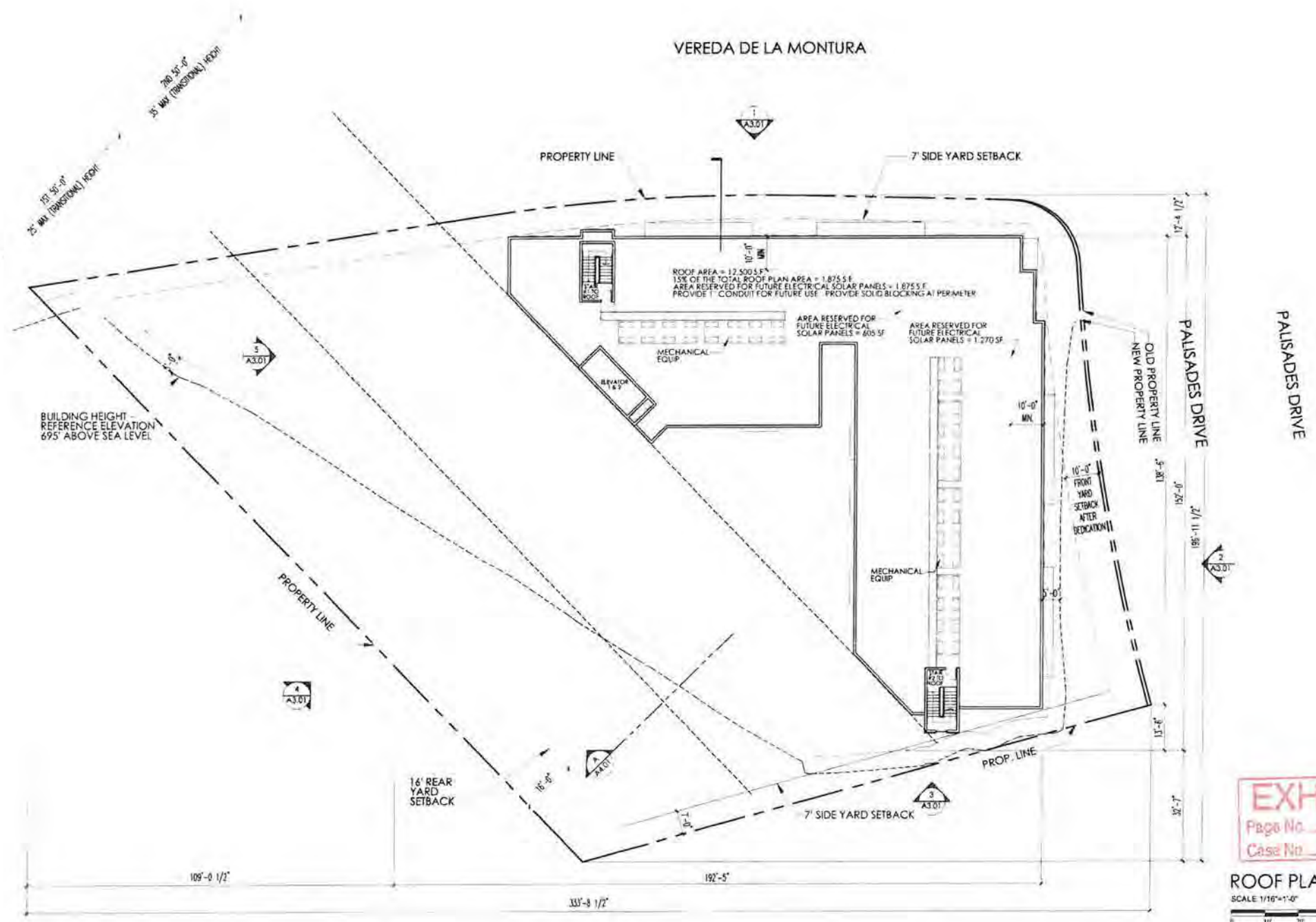
4TH FLOOR PLAN
SCALE 1/16"=1'-0"
0 10' 20' 40'

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO. **A2.06**
DATE **FEBRUARY 6, 2017**

GMPA ARCHITECTS
11878 La Granga Ave, Los Angeles, CA 90025
T. 310.450.0200 F. 310.450.0225
www.gmpaArchitects.com



VEREDA DE LA MONTURA

BUILDING HEIGHT -
REFERENCE ELEVATION
695' ABOVE SEA LEVEL

EXHIBIT "A"
Page No. 16 of 31
Case No. 2A 2019 2190

ROOF PLAN
SCALE 1/16"=1'-0"

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO
A2.07
DATE
FEBRUARY 6, 2017

GMPA ARCHITECTS
11878 La Grange Ave, Los Angeles, CA 90025
T 310 450 0200 F 310 450 0225
www.gmpaArchitects.com



MEMORY CARE SUITE MC - P1
AREA - 342 SF.



MEMORY CARE SUITE MC - P2
AREA - 434 SF.



MEMORY CARE SUITE MC - P3
AREA - 399 SF.



MEMORY CARE SUITE MC - P4
AREA - 362 SF.



MEMORY CARE SUITE MC - P5
AREA - 343 SF.



MEMORY CARE SUITE MC - S1
AREA - 396 SF.



MEMORY CARE SUITE MC - S2
AREA - 335 SF.



MEMORY CARE SUITE MC - S3
AREA - 417 SF.



MEMORY CARE SUITE MC - S4
AREA - 407 SF.



MEMORY CARE SUITE MC - S5
AREA - 351 SF.



MEMORY CARE SUITE MC - S6
AREA - 401 SF.

EXHIBIT "A"
Page No. 17 of 31
Case No. 2A-2017-2170

MEMORY CARE GUEST SUITE PLANS

SCALE 1/8"=1'-0"



PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

SHEET NO. A2.10
DATE FEBRUARY 6, 2017



GMPA ARCHITECTS
11878 La Grange Ave, Los Angeles, CA 90025
T 310 450 0200 F 310 450 0225
www.gmpaArchitects.com



ASSISTED LIVING SUITE A1
AREA - 410 SF.



ASSISTED LIVING SUITE A2
AREA - 435 SF.



ASSISTED LIVING SUITE A3
AREA - 400 SF.



ASSISTED LIVING SUITE B1
AREA - 619 SF.



ASSISTED LIVING SUITE B2
AREA - 554 SF.



ASSISTED LIVING SUITE B3
AREA - 500 SF.



ASSISTED LIVING SUITE B4
AREA - 604 SF.



ASSISTED LIVING SUITE B5
AREA - 604 SF.



ASSISTED LIVING SUITE C1
AREA - 800 SF.



ASSISTED LIVING SUITE C2
AREA - 850 SF.



ASSISTED LIVING SUITE C3
AREA - 700 SF.

EXHIBIT "A"
Page No. 18 of 31
Case No. 2A 2017-2170

INDEPENDENT LIVING SUITE PLANS
SCALE 1/8"=1'-0"



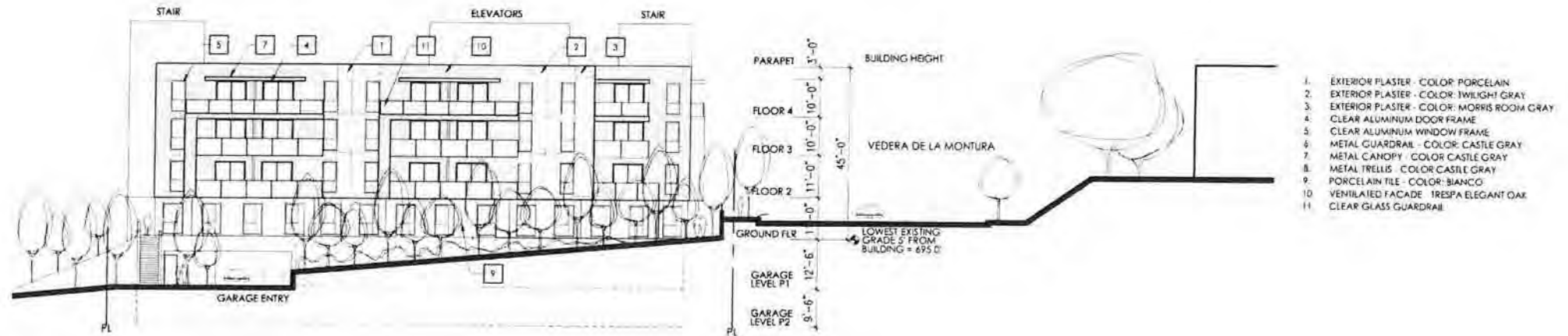
PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

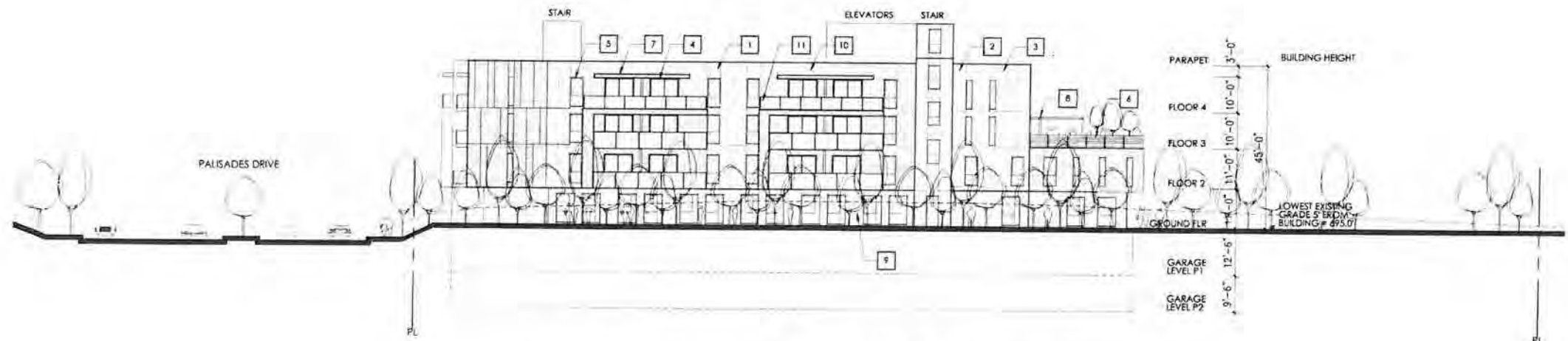
© Copyright 2016, GMPA ARCHITECTS, INC. INFORMATION PROVIDED IN THIS CONCEPT PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL AND SURVEY OR GEOCHEMICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT.

SHEET NO. **A2.11**
DATE
FEBRUARY 6, 2017

GMPA ARCHITECTS
11878 La Grange Ave, Los Angeles, CA 90025
T: 310.450.0200 F: 310.450.0225
www.gmpaArchitects.com



② EAST ELEVATION - ALONG PALISADES DRIVE



① NORTH ELEVATION - ALONG VEDERA DE LA MONTURA

EXHIBIT "A"
 Page No. 19 of 31
 Case No. 2A 2017-2176

BUILDING ELEVATIONS
 SCALE 1/16"=1'-0"

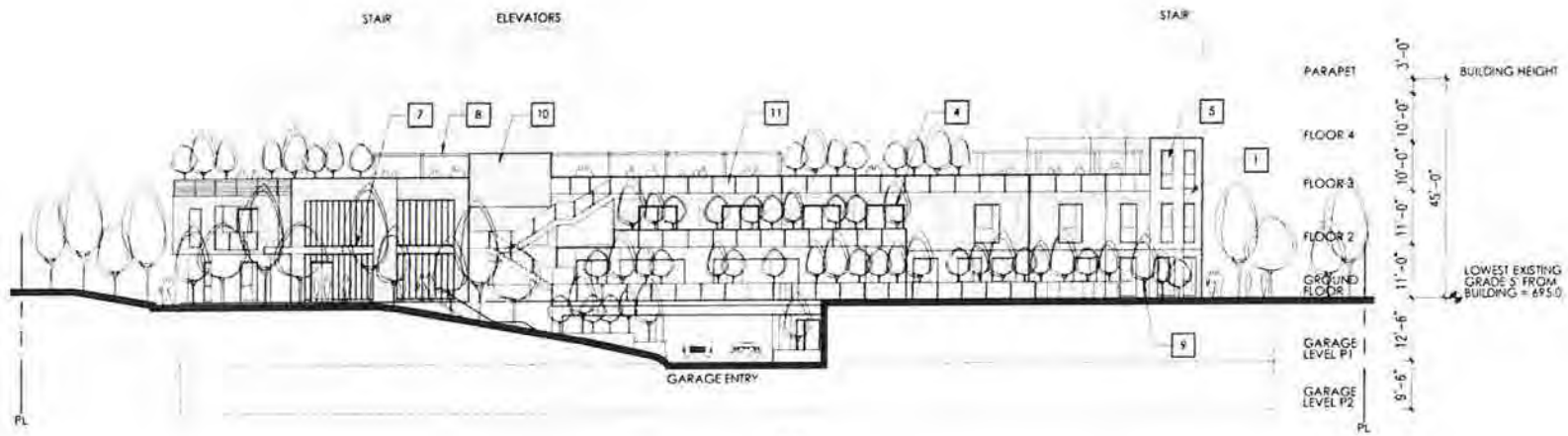
PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, INC. (INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND CORRECTIONS DURING THE DESIGN PROCESS)

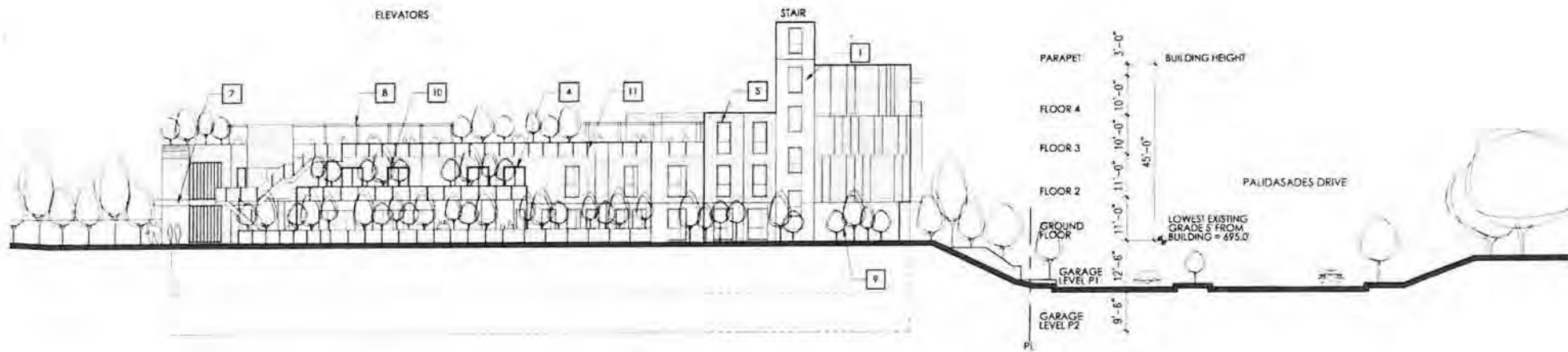
SHEET NO. A3.01
 DATE FEBRUARY 6, 2017

GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com



4 SOUTH WEST ELEVATION

1. EXTERIOR PLASTER - COLOR: PORCELAIN
2. EXTERIOR PLASTER - COLOR: TWILIGHT GRAY
3. EXTERIOR PLASTER - COLOR: MORRIS ROOM GRAY
4. CLEAR ALUMINUM DOOR FRAME
5. CLEAR ALUMINUM WINDOW FRAME
6. METAL GUARDRAIL - COLOR: CASTLE GRAY
7. METAL CANOPY - COLOR: CASTLE GRAY
8. METAL TRELLIS - COLOR: CASTLE GRAY
9. PORCELAIN TILE - COLOR: BIANCO
10. VENTILATED FACADE - TRESPA ELEGANT OAK
11. CLEAR GLASS GUARDRAIL



3 SOUTH ELEVATION

EXHIBIT "A"
 Page No. 20 of 31
 Case No. 2A 2017-2170

BUILDING ELEVATIONS

SCALE 1/16"=1'-0"



PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

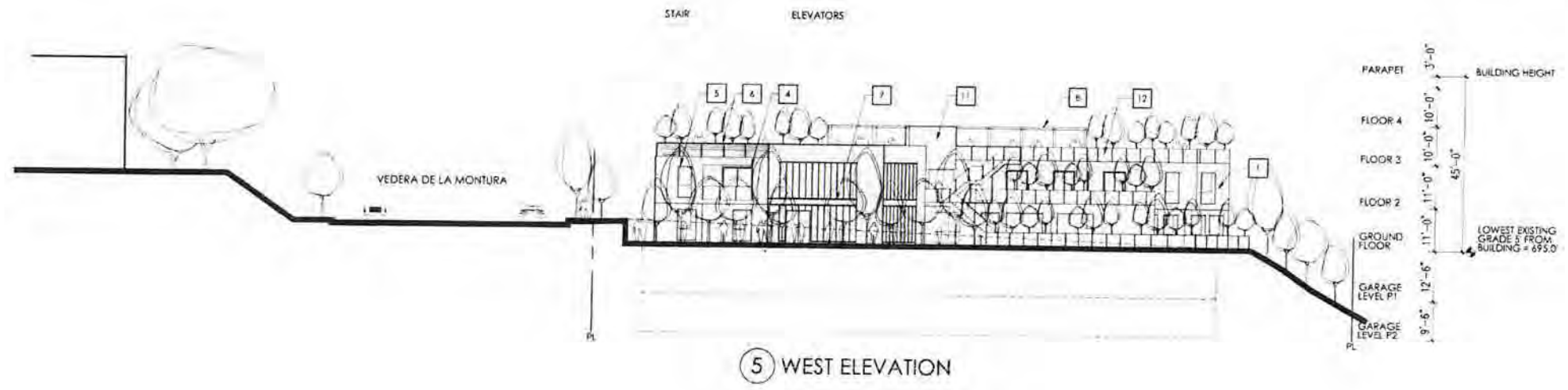
© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL SURVEY AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING THE DESIGN PROCESS.

SHEET NO. **A3.02**
 DATE **FEBRUARY 6, 2017**



GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com

- 1. EXTERIOR PLASTER - COLOR: PORCELAIN
- 2. EXTERIOR PLASTER - COLOR: TWILIGHT GRAY
- 3. EXTERIOR PLASTER - COLOR: MORRIS ROOM GRAY
- 4. CLEAR ALUMINUM DOOR FRAME
- 5. CLEAR ALUMINUM WINDOW FRAME
- 6. METAL GUARDRAIL - COLOR: CASTLE GRAY
- 7. METAL CANOPY - COLOR: CASTLE GRAY
- 8. METAL TRELLIS - COLOR: CASTLE GRAY
- 9. PORCELAIN TILE - COLOR: BIANCO
- 10. PORCELAIN TILE - COLOR: BEIGE
- 11. VENTILATED FACADE - TRESPA ELEGANT OAK
- 12. CLEAR GLASS GUARDRAIL



(5) WEST ELEVATION

EXHIBIT "A"
 Page No. 21 of 31
 Case No. 2A2017-2170

BUILDING ELEVATIONS
 SCALE 1/16"=1'-0"



PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA ARCHITECTS, INC. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED PURSUANT TO THE REQUEST OF AN ARCHITECTURAL FEE AGREEMENT OR OTHER CONTRACT AND IS SUBJECT TO CHANGE AND MODIFICATION DURING THE PROJECT.

SHEET NO. **A3.03**
 DATE: FEBRUARY 6, 2017

GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90025
 T 310.450.0200 F 310.450.0225
 www.gmpaArchitects.com



TYPICAL EXTERIOR MATEIRALS AND FINISHES:

- 1. EXTERIOR PLASTER
TO MATCH SHERWIN WILLIAMS PAINT COLOR SW 0053
PORCELAIN
- 2. EXTERIOR PLASTER
TO MATCH SHERWIN WILLIAMS PAINT COLOR SW 0054
TWILIGHT GRAY
- 3. EXTERIOR PLASTER
TO MATCH SHERWIN WILLIAMS PAINT COLOR SW 0037
MORRIS ROOM GRAY
- 4. METAL DOOR FRAME
TO MATCH ALCOA ARCHITECTURAL PRODUCTS
CLEAR ALUMINUM
- 5. METAL WINDOW FRAME
TO MATCH ALCOA ARCHITECTURAL PRODUCTS
CLEAR ALUMINUM
- 6. METAL GUARDRAIL
TO MATCH ALCOA REYNOBOND
CASTLE GRAY
- 7. METAL CANOPY
TO MATCH ALCOA REYNOBOND
CASTLE GRAY
- 8. METAL TRELLIS
TO MATCH ALCOA REYNOBOND
CASTLE GRAY
- 9. PORCELAIN TILE
TO MATCH ATLAS CONCORDE BLOCK
BIANCO
- 10. VENTILATED-FACADE SYSTEM PANELS
TO MATCH TRESPA METEON WOOD DECORS
ELEGANT OAK
- 11. GLASS GUARDRAIL
LOW IRON CLEAR GLASS

PALISADES DRIVE RCFE

FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, INC.

INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE, AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOGRAPHIC INFORMATION SYSTEM DATA. REFER TO SHEET A3.01 FOR CHANGES AND MODIFICATIONS DURING PRELIMINARY DESIGN.

EXHIBIT "A"
Page No. 22 of 31
Case No. 2A 2017-2170

EXTERIOR MATERIALS

SCALE 1/16"=1'-0"



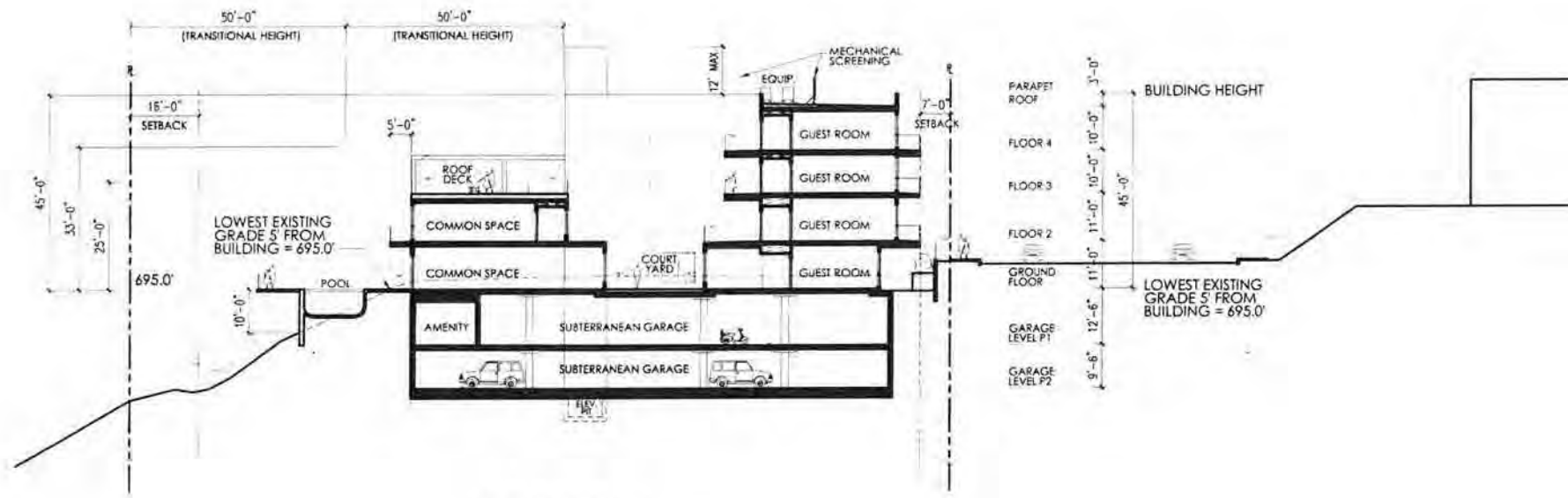
SHEET NO
A3.04
DATE
FEBRUARY 6, 2017



GMPA ARCHITECTS

11678 La Grange Ave., Los Angeles, CA 90025
T: 310 450 0200 F: 310 450 0225

www.gmpaArchitects.com



SECTION

PALISADES DRIVE RCFE

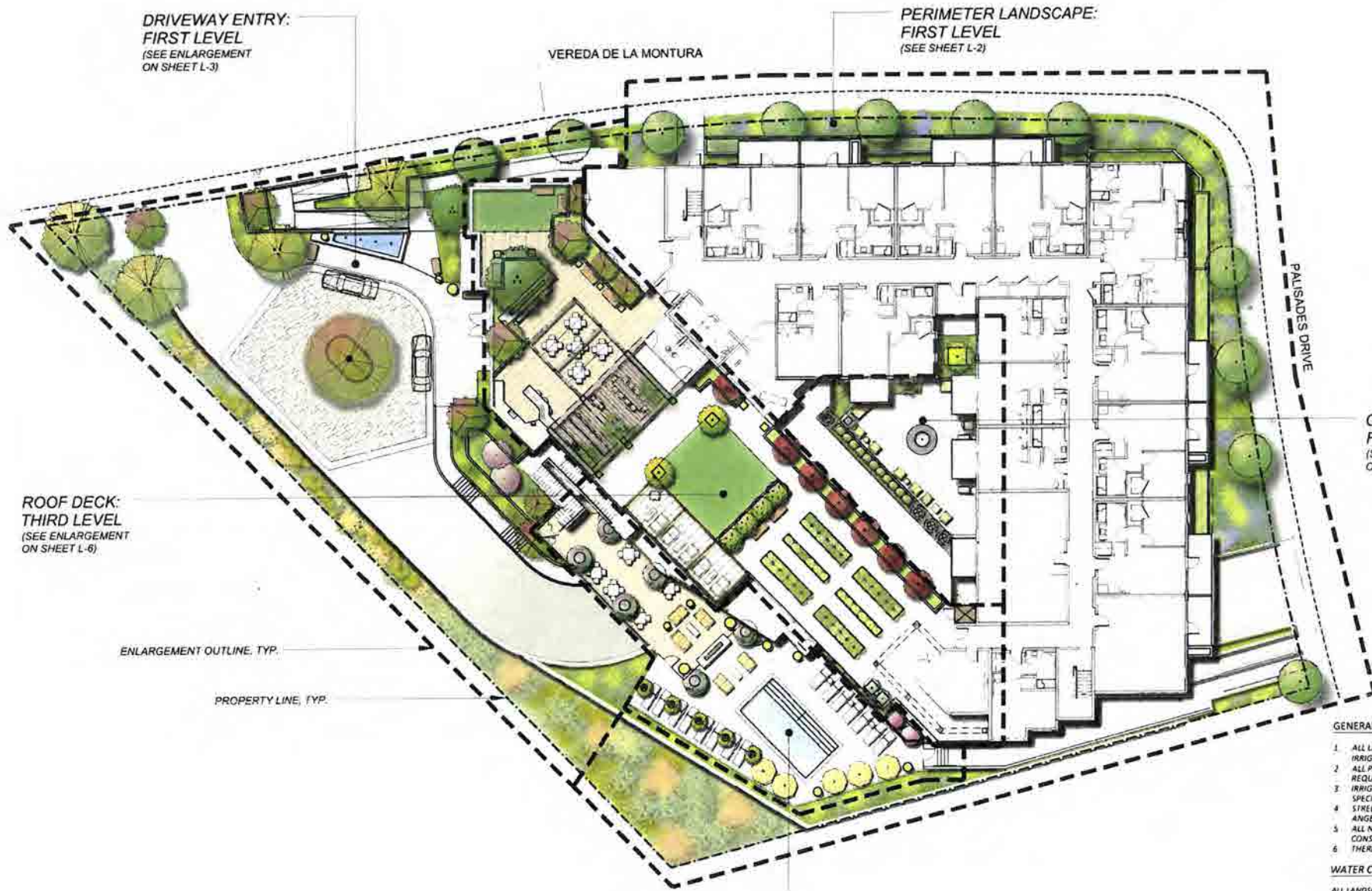
FOR PALISADES DRIVE L.P.

© Copyright 2016 GMPA Architects, Inc. (INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEO-TECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT)

EXHIBIT "A" BUILDING SECTION
 SCALE 1/16"=1'-0"
 Page No. 23 of 31
 Case No. 2A 2017-2170

SHEET NO. A4.01
 DATE FEBRUARY 6, 2017

GMPA ARCHITECTS
 11876 La Grange Ave, Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com



DRIVEWAY ENTRY:
FIRST LEVEL
(SEE ENLARGEMENT
ON SHEET L-3)

VEREDA DE LA MONTURA

PERIMETER LANDSCAPE:
FIRST LEVEL
(SEE SHEET L-2)

PALISADES DRIVE

CENTRAL COURTYARD:
FIRST LEVEL
(SEE ENLARGEMENT
ON SHEET L-5)

ROOF DECK:
THIRD LEVEL
(SEE ENLARGEMENT
ON SHEET L-6)

ENLARGEMENT OUTLINE, TYP.

PROPERTY LINE, TYP.

POOL DECK:
FIRST LEVEL
(SEE ENLARGEMENT
ON SHEET L-4)

- GENERAL NOTES:**
1. ALL LANDSCAPE AREAS WILL BE IRRIGATED W/ A HIGH EFFICIENCY IRRIGATION W/ SMART IRRIGATION CONTROLS.
 2. ALL PLANTING & IRRIGATION SHALL COMPLY WITH CITY OF LOS ANGELES REQUIREMENTS.
 3. IRRIGATION DESIGN WILL INCORPORATE EPA WATERSENSE SPECIFICATIONS.
 4. STREET TREES SHALL BE SELECTED AND INSTALLED PER CITY OF LOS ANGELES DEPARTMENT OF URBAN FORESTRY.
 5. ALL NEW PLANTED AREAS TO BE HEAVILY MULCHED FOR WATER CONSERVATION.
 6. THERE ARE NO EXISTING TREES ON THE SITE.
- WATER CONSERVATION STATEMENT:**
- ALL LANDSCAPE WILL BE SPECIFIED, PLANTED & IRRIGATED ACCORDING TO XERISCAPE DESIGN PRINCIPLES WHICH INCLUDE: THE PREDOMINANT USE OF DROUGHT TOLERANT PLANT MATERIALS; THE PRACTICE OF HYDROZONING OR GROUPING PLANTS WITH SIMILAR WATER REQUIREMENTS TOGETHER; MINIMIZING TURF AREAS AND THE EFFICIENT APPLICATION OF WATER BY USING MATCH PRECIPITATION HEADS, DRIP LINE, SEPARATE VALVES FOR TURF AND GROUND COVER AREAS AND RAIN SHUT OFF DEVICES. THIS PROJECT WILL COMPLY WITH THE STATE WATER CONSERVATION ORDINANCE EFFECTIVE JANUARY 1, 2010.

EXHIBIT "A"
Page No. 24 of 31
Case No. 2A 2017-2170

OVERALL LANDSCAPE PLAN

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.



SHEET NO.	L-1	GMPA ARCHITECTS 11878 La Granga Ave. Los Angeles, CA 90025 T. 310.450.0200 F. 310.450.0225 www.gmpaArchitects.com
DATE	JANUARY 30, 2017	



PLANT LEGEND - PERIMETER LANDSCAPE
NATIVE SLOPE SHRUBS AND
GROUNDCOVERS: 1,5,15 GAL.

SYMBOL	BOTANICAL NAME COMMON NAME
	ARCTOSTAPHYLOS SPECIES 'MANZANITA'
	BACCHARIS SPECIES 'BACCHARIS'
	CEANOTHUS SPECIES 'CALIFORNIA LILAC'
	RHUS INTEGRIFOLIA 'LEMONADE SUMAC'
	RIBES SPECIOSUM 'GOOSEBERRY'
	SALVIA SPECIES 'SAGE'

NOTE: PLANTS SHALL BE CHOSEN FROM THE LIST ABOVE.
ALL PLANT TYPES MAY NOT BE SPECIFIED.

PLANT LEGEND - PERIMETER LANDSCAPE
GENERAL SLOPE SHRUBS AND GROUND
COVERS: 1,5,15 GAL.

SYMBOL	BOTANICAL NAME COMMON NAME
	ARCTOSTAPHYLOS SPECIES 'MANZANITA'
	CAREX SPECIES 'SEDG'
	CEANOTHUS SPECIES 'CALIFORNIA LILAC'
	CISTUS SPECIES 'ROCKROSE'
	FESTUCA GLAUCA 'BLUE FESCUE'
	LAVANDULA SPECIES 'LAVENDER'
	SALVIA SPECIES 'SAGE'

NOTE: PLANTS SHALL BE CHOSEN FROM THE LIST ABOVE.
ALL PLANT TYPES MAY NOT BE SPECIFIED.

EXHIBIT "A"
Page No. 25 of 31
Case No. 2A 2017-2190

FIRST LEVEL LANDSCAPE PLAN

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, INC. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING THE DESIGN PROCESS.



SHEET NO	L-2
DATE	JANUARY 30, 2017

GMPA ARCHITECTS
11878 La Grange Ave, Los Angeles, CA 90025
T. 310.450.0200 F. 310.450.0225
www.gmpaArchitects.com



PLANT LEGEND - DRIVEWAY ENTRY			
SYMBOL	BOTANICAL NAME "COMMON NAME"	SIZE	QTY.
TREES			
	ARBUTUS 'MARINA' 'MARINA STRAWBERRY TREE'	24", 36" BOX, MULTI	4
	CERCIS CANADENSIS 'FOREST PANSY' 'FOREST PANSY EASTERN REDBUD'	36" BOX	2
	ERIOBOTRYA DEFLEXA 'BRONZE LOQUAT'	24" BOX	1
	ERYTHRINA SYKESII 'AUSTRALIAN CORAL TREE'	72" BOX	1
	OLEA EUROPAEA 'WILSONII' 'FRUITLESS OLIVE'	36" BOX	1
	PLATANUS RACEMOSA 'CALIFORNIA SYCAMORE'	36", 48", 60" BOX	4

NOTE: PLANTS SHALL BE CHOSEN FROM THE LIST ABOVE.
ALL PLANT TYPES MAY NOT BE SPECIFIED.

EXHIBIT "A"
Page No. 26 of 31
Case No. 2A 2017-2170

DRIVEWAY ENTRY - FIRST LEVEL

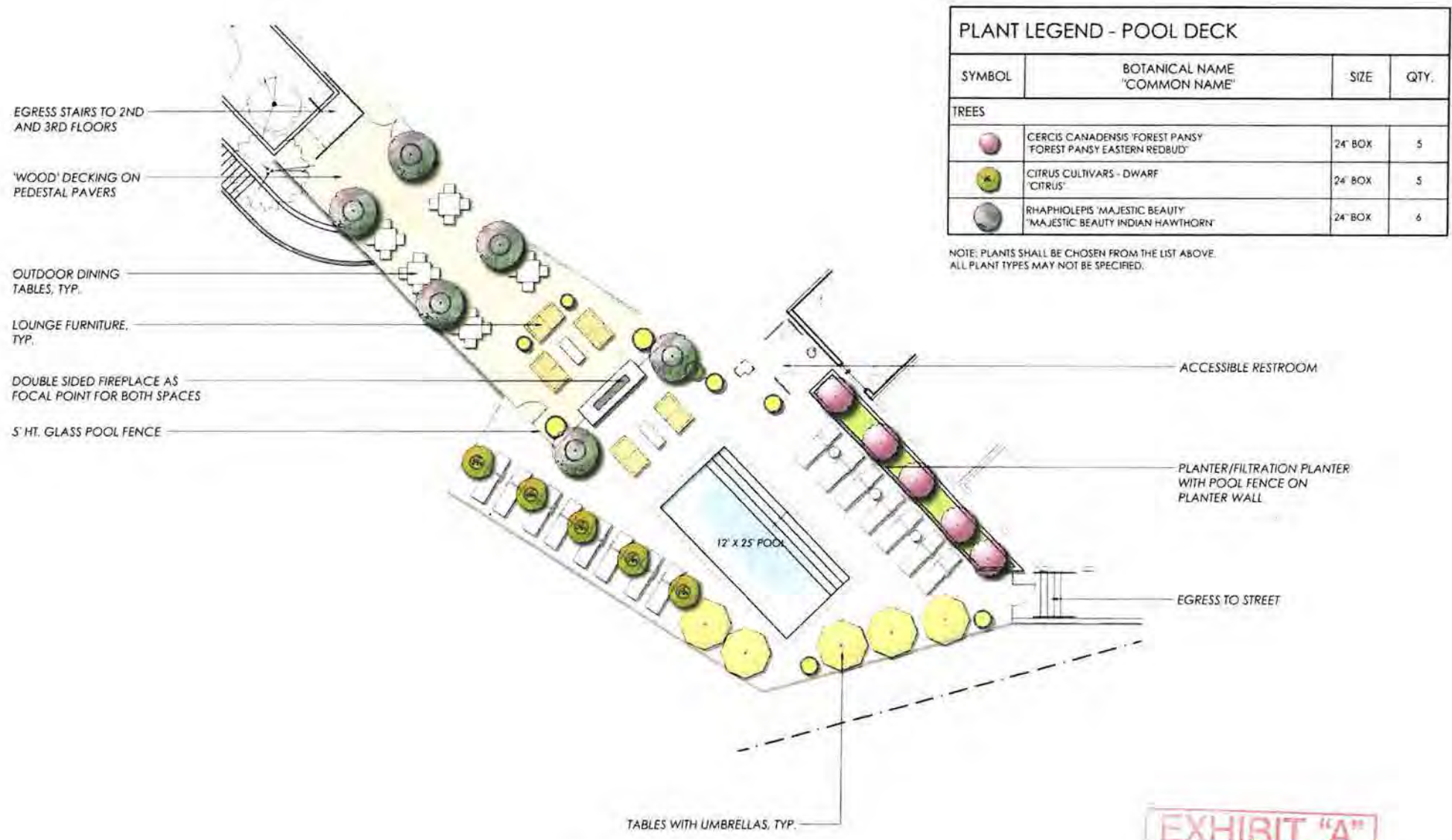
PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGE AND MODIFICATIONS DURING DEVELOPMENT.



SHEET NO. **L-3**
DATE: **JANUARY 30, 2017**

GMPA ARCHITECTS
11878 La Grange Ave., Los Angeles, CA 90025
T. 310.450.0200 F. 310.450.0225
www.gmpaArchitects.com



PLANT LEGEND - POOL DECK			
SYMBOL	BOTANICAL NAME 'COMMON NAME'	SIZE	QTY.
TREES			
	CERCIS CANADENSIS 'FOREST PANSY' 'FOREST PANSY EASTERN REDBUD'	24" BOX	5
	CITRUS CULTIVARS - DWARF 'CITRUS'	24" BOX	5
	RHAPHIOLEPIS 'MAJESTIC BEAUTY' 'MAJESTIC BEAUTY INDIAN HAWTHORN'	24" BOX	6

NOTE: PLANTS SHALL BE CHOSEN FROM THE LIST ABOVE.
ALL PLANT TYPES MAY NOT BE SPECIFIED.

EXHIBIT "A"
Page No. 27 of 31
Case No. 2A 2017 2190

POOL DECK - FIRST LEVEL

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA ARCHITECTS, INC. INFORMATION PROVIDED IS THE CONCEPTUAL PLAN OR PRELIMINARY DRAWING AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL (AND) SURVEY OR GEOGRAPHICAL REPORT. THE CLIENT HAS REVIEWED AND APPROVED THIS INFORMATION AND HAS MADE THE MODIFICATIONS SHOWN HEREIN.



SHEET NO.	L-4	 GMPA ARCHITECTS 11878 La Grange Ave., Los Angeles, CA 90025 T: 310.450.0200 F: 310.450.0225 www.gmpaArchitects.com
DATE	JANUARY 30, 2017	



PLANT LEGEND - CENTRAL COURTYARD	
SYMBOL	BOTANICAL NAME 'COMMON NAME'
TREES	
	BAMBUSA MULTIFLIX 'GOLDEN GODDESS' 'GOLDEN GODDESS BAMBOO'
	RHAPS EXCELSUS 'LADY PALM'
	SCHEFFERA ACTINOPHYLLA 'QUEENSLAND UMBRELLA TREE'
	PHOENIX ROOSELENE 'PYGMY DATE PALM'
	ASPARAGUS DENSIFLORUS 'MYERSI' 'FOXTAIL FERN'
	RHAPS EXCELSUS 'LADY PALM'
	SCHEFFERA ELEGANTISSIMA 'FALSE ARALIA'
GREEN ROOF TRAYS	
	ASPARAGUS DENSIFLORUS 'FOXTAIL FERN'
	CAREX DIVULSA 'BERKLEY SEDGE'
	DIANELLA TASMANICA 'TASMAN FLAX LILY'
	DIANELLA TASMANICA - VARIEGATA 'VARIEGATED FLAX LILY'
	LIRIOPE MUSCARI CULTIVARS 'LILY TURF'

NOTE: PLANTS SHALL BE CHOSEN FROM THE LIST ABOVE.
ALL PLANT TYPES MAY NOT BE SPECIFIED.

EXHIBIT "A"
Page No. 28 of 31
Case No. 2A 2017-2170

CENTRAL COURTYARD - FIRST LEVEL

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IS THE CONCEPTUAL PLAN'S PRELIMINARY NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT.



SHEET NO. **L-5**
DATE **JANUARY 30, 2017**

GMPA ARCHITECTS
11878 La Grange Ave., Los Angeles, CA 90025
T. 310.450.0200 F. 310.450.0225
www.gmpaArchitects.com



PLANT LEGEND - ROOF DECK			
SYMBOL	BOTANICAL NAME "COMMON NAME"	SIZE	QTY.
TREES			
	ARBUS 'MARINA' 'MARINA STRAWBERRY TREE'	36" BOX MULTI	2
	CITRUS CULTIVARS 'CITRUS'	36" BOX	2
	ERIOBOTRYA DEFLEXA 'BRONZE LOQUAT'	24" BOX	3
	MELALEUCA NESOPHILA 'PINK MELALEUCA'	24" BOX	4
	OLEA EUROPAEA 'WILSONII' 'FRUITLESS OLIVE'	36" BOX	1
	FRUIT TREES - ASSORTED	24" BOX	7

NOTE: PLANTS SHALL BE CHOSEN FROM THE LIST ABOVE. ALL PLANT TYPES MAY NOT BE SPECIFIED.

EXHIBIT "A"
 Page No. 29 of 31
 Case No. 18-2017-2170

ROOF DECK - THIRD LEVEL

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, Inc. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT. ALL RIGHTS RESERVED. ALSO MODIFICATIONS DURING THE PERIOD.



SHEET NO L-6
 DATE JANUARY 30, 2017

GMPA ARCHITECTS
 11878 La Grange Ave., Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com

DRIVEWAY ENTRANCE: TREES



PERIMETER LANDSCAPE: GENERAL SHRUBS & GROUNDCOVERS



PERIMETER LANDSCAPE: NATIVE SHRUBS & GROUNDCOVERS



EXHIBIT "A"
 Page No. 30 of 31
 Case No. LA 2017-2190 PLANT IMAGES

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA ARCHITECTS, INC. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOTECHNICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT.

SHEET NO
L-7
DATE
JANUARY 30, 2017

GMPA ARCHITECTS
 11878 La Grange Ave, Los Angeles, CA 90025
 T: 310.450.0200 F: 310.450.0225
 www.gmpaArchitects.com

CENTRAL COURTYARD: TREES



CENTRAL COURTYARD: GREEN ROOF TRAYS



POOL DECK: TREES



ROOF DECK: TREES

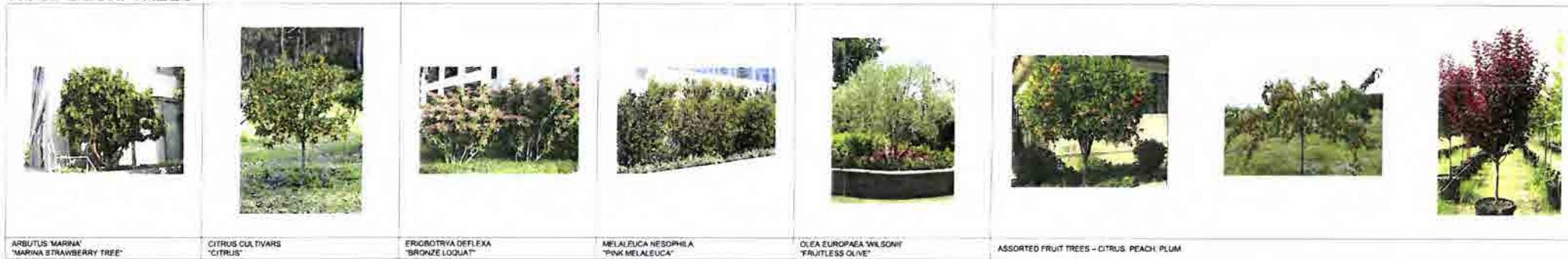


EXHIBIT "A"
 Page No. 31 of 31
 Case No. 24 2017-2170 PLANT IMAGES

PALISADES DRIVE RCFE DEVELOPMENT FOR PALISADES DRIVE L.P.

© Copyright 2016, GMPA Architects, INC. INFORMATION PROVIDED IN THIS CONCEPTUAL PLAN IS PRELIMINARY IN NATURE AND WAS PREPARED WITHOUT THE BENEFIT OF AN ARCHITECTURAL LAND SURVEY OR GEOLOGICAL REPORT AND IS SUBJECT TO CHANGES AND MODIFICATIONS DURING DEVELOPMENT.

SHEET NO L-8
 DATE JANUARY 30, 2017

GMPA ARCHITECTS
 11878 La Grange Ave. Los Angeles, CA 90025
 T. 310.450.0200 F. 310.450.0225
 www.gmpaArchitects.com

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CALIFORNIA 90802-4416
(562) 590-5071 FAX (562) 590-5084

WWW.COASTAL.CA.GOV

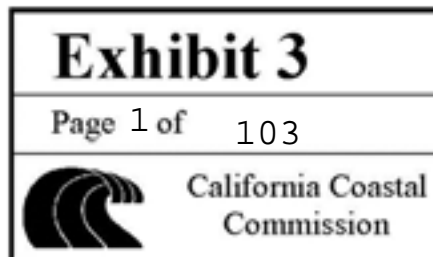
**COMMISSION NOTIFICATION OF APPEAL**

May 25, 2018

To: Cecilia Lamas
West Los Angeles Area Planning Commission
200 N. Spring Street, Room 532
Los Angeles, CA 90012

From: Charles Posner

Re: **Commission Appeal No. A-5-PPL-18-0035**



Please be advised that the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Sections 30603 and 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to the Public Resources Code Section 30623.

LOCAL PERMIT #: ZA-2017-2170-ELD-CDP-SPR-1A

APPLICANT: Palisades Drive, LP, Attn: Rony Shram

DESCRIPTION: Appeal of Local CDP for construction of a 4-story, 45-ft. high, 64,646 sq. ft. Eldercare Facility, with 82 guest rooms, including 19,308 cu. yds. of exported graded material, on a vacant lot

LOCATION: 1525 & 1533 N. Palisades Dr. (and 17310 & 17320 W. Vereda de la Montura), Pacific Palisades, City of Los Angeles, Los Angeles County

LOCAL DECISION: Approval; No Special Conditions

APPELLANTS:

Barbara Kohn, Tim Cannella, Nousha Soofi-Mashkouri and Nima Mashkouri, Naum Pisky, Behzad Emad and Deanna Gale Emad, Joda and Jody Margulies, Linda and Geoffrey Symcox, Susan Oppong, Larry Larson, Liza Sammuels, Susan A. Yeck, William Perkins, Bobby and Elena Ashrafi, Guler Padoett, Robin Spencer, Batsheva Spector, Jonathan and Maria Klar, Aileen Haugh, Alison Williams, Arthur Hoyle and Miriam Baer, Diane and Kimberly Bleak, Donna Vaccarino, Kristen Abcahan and Kristen Abraham, Liana Martin, Lisette Kremer, Melanie Bouer, Richard and Anna Aaron, Sarah Conner, Susan Stone, Alexandra and John Marcus Jackson, Alice Lewis, Barry DuRon, Benjamin Wallfish, Jan Ostendorf, Sangermano Ellen, Ileana Zapatero, Ilene Koenig, Jeanne W. Ruderman, Lev Altshuler, Laurie Levin, Matthew Grinsfelder and Victoria Collison, Rachael Smith and Dean Grinsfelder, Robert Brady, Amy Wecker, Wan-Yi Sweeting, Jennie Ostendorf, John O'reilly, Janice Amar, Andrew Feng, Brett Harwin and Harwin Michelle, Vicky and Bruce Rosin, Carey Roth, Richard, Luke, Edward, and Hannah Kim, Fariba Habibi and Farrokh Habibi-Ashrafi, Alexandra, Kathryn, Dennis, and Helen Gaskin, David Scharf, Alan Dreyfuss, Yolanda Gardia, Mark Ryavec, Massiano Ludovisi, Ness Moadeb, Judid Moadeb, Sandor Fischl, Alisa Gabay, Keith and Lorena Craven, Julie Fasteau, Joe and Arline Halper, Joanne Lou, Antoinette Reec, Jennifer and Gregg Champion, Chuck Foster and Pamela Nye, Sion, Beverly, and Dan Louks, Jana and Sam Gustman, Nathalie Reishman, Mary Beetly, Michek Burnur, Megan Barnum, Lili Geller, Shaylah O'Connor and Shannon Newell, Josette Sai, Robert T. and Sandra L. Flick, Caroline and Ron Kemalyan, Vicki Huth, Tom Rapier and Roberta Hollander, Michael and Kirsten Schaefer, Marianne and Friedrich Kastner, Philip and Elisabeth Alford, Alexandra Paul and Ian Murray, Jay, Alicia, and Brook Dougherty, Katie Whorrall, Gaby and Rachel Amar, Carol Taubman, Nicole and Steven Proto, Ted Docter, Pacific Palisades Residents Association, Inc., Pacific Palisades Residents Association, Inc., c/o Law Office of Thomas M. Donovan, Riccardo and Janis Gallo, Norman Parker, Dean Semler, Donna Gavin and Norman Neofotist, Melinda Ramm, Evan and Erica Fisher, Gordon Gerson and Shannon Colmenares, Harris and Deborah Leven, Jeffry A. Grossman, John and Anita Jenkins, John Wild, Joie Marie Gallo, Lucy Kerner, Malissa Johnson and Saad Javed, Maneli Mansoori and Richard Hart, Peter and Elisabeth Shakarian, Ralph and Karen Gidwitz, Danilo Kawasaki and Wendy Arneill, Alli and Conrad Solum, Christine Buyny and David Haynie, Edith and James Kinloch, Suzanne Myer, Stuart Rutkin

COMMISSION NOTIFICATION OF APPEAL

DATE APPEAL FILED: 05/23/2018

The Commission appeal number assigned to this appeal is A-5-PPL-18-0035. The Commission hearing date has not been scheduled at this time. Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the City of Los Angeles's consideration of this coastal development permit must be delivered to the South Coast District Office of the Coastal Commission (California Administrative Code Section 13112). Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, and a list, with addresses, of all who provided verbal testimony.

cc. Jeffer Mangels Butler & Mitchell, LLP, Attn: Kevin K. McDonnell, Esq., Palisades Drive, LP, Attn: Rony Shram, Luna & Glushon, Attn: Robert Glushon, Esq., Luna & Glushon, Attn: Kristina Kropp, Esq., Concilmember Mike Bonin, Barbara Kohn, Tim Cannella, Nousha Soofi-Mashkouri and Nima Mashkouri, Naum Pisky, Behzad Emad and Deanna Gale Emad, Joda and Jody Margulies, Linda and Geoffrey Symcox, Susan Oppong, Larry Larson, Liza Sammuels, Susan A. Yeck, William Perkins, Bobby and Elena Ashrafi, Guler Padoett, Robin Spencer, Batsheva Spector, Jonathan and Maria Klar, Aileen Haugh, Alison Williams, Arthur Hoyle and Miriam Baer, Diane and Kimberly Bleak, Donna Vaccarino, Kristen Abcahan and Kristen Abraham, Liana Martin, Lisette Kremer, Melanie Bouer, Richard and Anna Aaron, Sarah Conner, Susan Stone, Alexandra and John Marcus Jackson, Alice Lewis, Barry DuRon, Benjamin Wallfish, Jan Ostendorf, Sangermano Ellen, Ileana Zapatero, Ilene Koenig, Jeanne W. Ruderman, Lev Altshuler, Laurie Levin, Matthew Grinsfelder and Victoria Collison, Rachael Smith and Dean Grinsfelder, Robert Brady, Amy Wecker, Wan-Yi Sweeting, Jennie Ostendorf, John O'reilly, Janice Amar, Andrew Feng, Brett Harwin and Harwin Michelle, Vicky and Bruce Rosin, Carey Roth, Richard, Luke, Edward, and Hannah Kim, Fariba Habibi and Farrokh Habibi-Ashrafi, Alexandra, Kathryn, Dennis, and Helen Gaskin, David Scharf, Alan Dreyfuss, Yolanda Gardia, Mark Ryavec, Massiano Ludovisi, Ness Moadeb, Judid Moadeb, Sandor Fischl, Alisa Gabay, Keith and Lorena Craven, Julie Fasteau, Joe and Arline Halper, Joanne Lou, Antoinette Reec, Jennifer and Gregg Champion, Chuck Foster and Pamela Nye, Sion, Beverly, and Dan Louks, Jana and Sam Gustman, Nathalie Reishman, Mary Beetly, Michek Burnur, Megan Barnum, Lili Geller, Shaylah O'Connor and Shannon Newell, Josette Sai, Robert T. and Sandra L. Flick, Caroline and Ron Kemalyan, Vicki Huth, Tom Rapier and Roberta Hollander, Michael and Kirsten Schaefer, Marianne and Friedrich Kastner, Philip and Elisabeth Alford, Alexandra Paul and Ian Murray, Jay, Alicia, and Brook Dougherty, Katie Whorrall, Gaby and Rachel Amar, Carol Taubman, Nicole and Steven Proto, Ted Docter, Pacific Palisades Residents Association, Inc., Pacific Palisades Residents Association, Inc., c/o Law Office of Thomas M. Donovan, Riccardo and Janis Gallo, Norman Parker, Dean Semler, Donna Gavin and Norman Neofotist, Melinda Ramm, Evan and Erica Fisher, Gordon Gerson and Shannon Colmenares, Harris and Deborah Leven, Jeffrey A. Grossman, John and Anita Jenkins, John Wild, Joie Marie Gallo, Lucy Kerner, Malissa Johnson and Saad Javed, Maneli Mansoori and Richard Hart, Peter and Elisabeth Shakarian, Ralph and Karen Gidwitz, Danilo Kawasaki and Wendy Arneill, Alli and Conrad Solum, Christine Buyny and David Haynie, Edith and James Kinloch, Suzanne Myer, Stuart Rutkin

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
300 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4419
VOICE: (562) 990-8071 FAX: (562) 990-8084

MAY 23 2018

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Janis M Gallo

Mailing Address: 1545 Palisades Drive

City: Pacific Palisades, Ca

Zip Code: 90272

Phone: 310-971-7858

SECTION II. Decision Being Appealed

1. Name of local/port government:
2. Brief description of development being appealed: Vacant lot at 1525 Palisades Drive, surrounded on 3 sides by 2 state parklands, Santa Monica Recreational Park and residential homes on the 4th side. Poposed Elder Care Institution, 65 thousand Square feet of building space on a 44,000 square feet lot. Operate a 24/7 institutional care facility in extreme wildfire hazard zone with limited roadway access during a natural disaster also flooded in the past.
3. Development's location (street address, assessor's parcel no., cross street, etc.):
1525 North Palisades Drive. 17310 & 17320 Verreda de la Montura
4. Description of decision being appealed (check one.):
 - Approval; no special conditions.
 - Approval with special conditions:
 - Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-5-PPL-18-0035
DATE FILED: May 23, 2018
DISTRICT: South Coast

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: April 18, 2018

7. Local government's file number (if any): Department of City Planning

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Rony Shram
Palisades Dr, LP

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Jonathan Klar, Maria Klar and additional community members

(2) Robert Flick, and Santra Flick, and other community members

(3) Kristina Kropp, Esq and Robert L. Glushon, Esq, Luna and Glushon

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

James M. Gallo
Signature of Appellant(s) or Authorized Agent

Date: May 19, 2018

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize

_____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV: Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

The proposed project is within the California Coastal Zone at the center of 3 parklands: Santa Monica Recreation Area, Topanga State Park and Santa Ynez Park.

The project does not satisfy many of the requirements of the California Coastal Act:
If Fails in the following areas:

1. To Protect Sensitive Habitat and Parklands- The project endangers and degrades habitat and surrounding Topanga State Parklands.
2. To protect Scenic Values and Limit Development Near Parks
3. Protect the views from the Scenic Highway of Palisades Drive.
4. Minimize Risk to Life and Property in Areas of High Geologic Flood and Fire Hazard.
5. Minimize Energy Consumption and Vehicle Miles Traveled
6. The Project's Height, Scale and Lack of Setbacks would Severely Impair View Sheds.
7. The project is Totally incompatible with the Surrounding Neighborhood and Parks
8. The amount of residents and Staff required around the clock with require increased traffic including emergency ambulances.
9. There is no public transportation for staff for 2 miles up a steep graded drive. Staff will have to drive as will visitors, medical doctors, therapists, etc.

Jonathan Klar
Attorney at Law
1526 Michael Lane
Pacific Palisades, CA 90272
310.871.2140
jklarlaw@gmail.com

RECEIVED
South Coast Region
MAY 23 2018
CALIFORNIA
COASTAL COMMISSION

May 22, 2018

Via Fedex

California Coastal Commission
South Coast District Office
200 OceanGate, 10th Floor
Long Beach, Ca 90802-4416

Re: Case No.: CCC POST CERT. No. 5-PPL-18-0034


Dear Sir or Madam:

Please file the enclosed Appeal of Jonathan and Maria Klar from Coastal Permit Decision of Local Government in the above-referenced case.

I trust that you will call or email me if you have any questions or need additional information.

Thank you for your prompt attention to this matter.

Very truly yours,


Jonathan Klar

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
300 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4418
VOICE (562) 890-8077 FAX (562) 890-9044

MAY 23 2018

CALIFORNIA
COASTAL COMMISSION



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Jonathan and Maria Klar
Mailing Address: 1526 Michael Lane
City: Pacific Palisades, CA Zip Code: 90272 Phone: 310-459-8942

SECTION II. Decision Being Appealed

- Name of local/port government: City of Los Angeles
- Brief description of development being appealed: Construction of a 4-story, 45-to-57 feet high, **64,646** sf eldercare facility on a 0.99-acre lot (the "Site"), plus (a) two basement floors, primarily for parking, comprising approx. additional **40,000** sf; and (b) decks for pool and outdoor activities that add another **14,000** square feet. The Project Site, in the Coastal Zone of Pacific Palisades in the Santa Monica Mountains, shares a 237-foot common border with Santa Ynez Canyon Park, and the Site boundary is only 300 feet from the boundary of Topanga State Park and only 550 feet from the park's most popular Santa Ynez Canyon Trail entrance. The Santa Monica Mountains are designated a "highly-scenic area" by the California Department of Parks and Recreation Plan. The total Project square footage, including basements, will be approximately **four times** that of the largest building within 2 miles of the Site.
- Development's location (street address, assessor's parcel no., cross street, etc.):
1525-1533 North Palisades Dr.; 17310-17320 Vereda de la Montura, Pacific Palisades, CA 90272
- Description of decision being appealed (check one.)
 Approval, no special conditions
 Approval with special conditions
 Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

<u>TO BE COMPLETED BY COMMISSION:</u>	
APPEAL NO.	<u>A-5-PPL-18-0035</u>
DATE FILED	<u>May 23, 2018</u>
DISTRICT	<u>South Coast</u>

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission (West Los Angeles Area Planning Commission)
- Other

6. Date of local government's decision: April 25, 2018

7. Local government's file number (if any): Case No. ZA-2017-2170-ELD-CDP-SPR-1A

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Rony Shiran, Palisades Drive, L.P.
12166 Sunset Blvd.
Los Angeles, CA 90272

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Attorney for Applicant – Kevin K. McDonnell
Jeffer Mangels Butler & Mitchell
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067
- (2) Robert Glushon, Attorneys for Appellants Robert T. and Sandra L. Flick
Luna & Glushon
16255 Ventura Blvd. Suite 950
Encino, CA 91436
rglushon@lunaglushon.com
- (3) Robert T. and Sandra L. Flick
1516 Michael Lane
Pacific Palisades, CA 90272
rflick@flicklaw.com
- 4) West Los Angeles Area Planning Commission, Attn. Cecilia Lamas
11214 West Exposition Boulevard, 2nd Floor, Roll Call Room
Los Angeles, CA 90064
Cecilia.Lamas@lacity.org, apwestla@lacity.org, jason.wong@lacity.org
- 5) Councilmember Mike Bonin
200 N. Spring St., #475
Los Angeles, CA 90012
councilmember.bonin@lacity.org and ten.tugayen@lacity.org

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)
SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

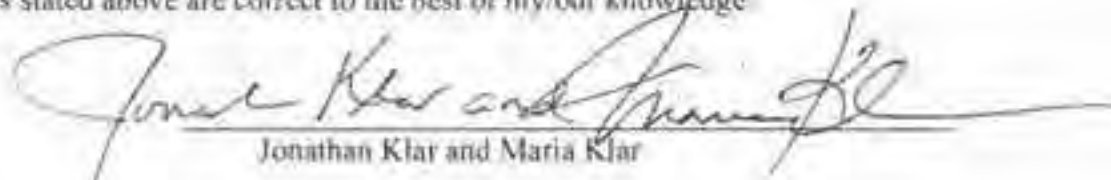
- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal, however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

**SEE ATTACHMENT TO APPEAL BY JONATHAN AND MARIA KLAR
TO GRANT OF COASTAL DEVELOPMENT PERMIT**

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge


Jonathan Klar and Maria Klar
Date: May 22, 2018

Note: If signed by agent, appellant(s) must also sign below

Section VI. Agent Authorization

I/We hereby authorize Jonathan Klar to act as my/our representative and to bind me/us in all matters concerning this appeal, Case No. CCC POST CERT No. 5-PPL-18-0034

Signature(s) _____
Name(s) _____
Date: _____
Address _____

Email: _____

Jonathan Klar
Attorney at law
1526 Michael Lane
Pacific Palisades, CA 90272
310.871.2140
jklarlaw@gmail.com

May 22, 2018

California Coastal Commission
South Coast District Office
200 OceanGate, 10th Floor
Long Beach, Ca 90802-4416

Case No.: CCC POST CERT. No. 5-PPL-18-0034

**ATTACHMENT TO APPEAL OF JONATHAN AND MARIA KLAR
OF GRANT OF COASTAL DEVELOPMENT PERMIT**

**Eldercare Project at 1525-1533 North Palisades Dr.; 17310-17320 Vereda de la
Montura, Pacific Palisades, CA 90272, Case No. ZA-2017-2170-ELD-CDP-SPR-1A
(West Los Angeles Area Planning Commission)**

I.
INTRODUCTION

The Project On April 25, 2018, the West Los Angeles Area Planning Commission ("APC") issued its decision (the "**Decision**") approving a development permit for a six-story, 100,000-plus square-foot assisted living and dementia care institution (the "**Facility**") on a 99-acre lot in the **heart of the Santa Monica Mountains area of the Coastal Zone** of the Pacific Palisades Highlands. Guest rooms and common area comprise most of the Facility's 64,646 square feet of space; and activity and pool-top decks add another 14,000 square feet to the Facility's size. The two "basement" floors are primarily, but not completely, for subterranean parking, and add approximately another 40,000 square feet to the Project.

The Facility will tower 45 to 57 feet above Palisades Drive, a city-designated **scenic highway**, and 45 feet above Vereda de la Montura; and its overall size will be nearly **four times** that of the largest building within two-miles of the Project Site.

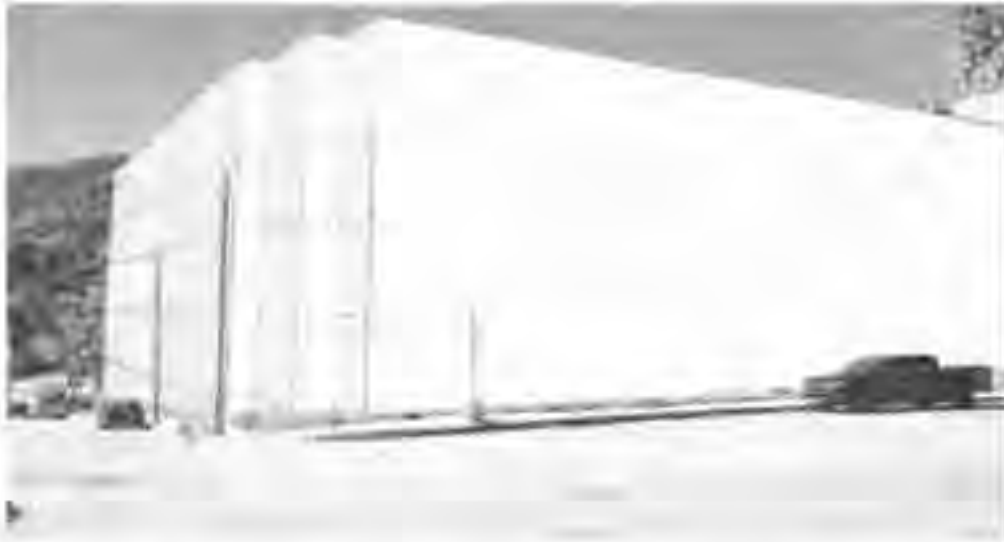
Steps from City, State and National Parks. The Project site ("Site") in the Palisades Highlands is a risky, precarious and inappropriate environment for the mammoth Facility. The Site straddles a wildland-suburban interface of the Santa Monica

Mountains Coastal Zone, surrounded on three sides by Topanga State Park (the "Park") -- one of the largest and most-visited parks in the Los Angeles area. The Santa Monica Mountains National Recreation Area website states that the Park, which has four trail entrances in the Highlands, is the largest state park within any city in the United States, featuring 76 miles of trails. (See, <https://www.nps.gov/samo/planyourvisit/topanga.htm>.)

Moreover, the Site shares a 237-foot long border with Santa Ynez Canyon Park, part of L.A.'s city-owned parks system. The state Park's boundary is only a short 300-foot walk down Vereda de la Montura from the Site. The Park's most popular West Los Angeles entrance, to Santa Ynez Canyon trail, is less than 600 feet immediately west of the Site, also on Vereda. The trail offers visitors and residents direct access to the vast trail network of Topanga State Park and the Santa Monica Mountains National Recreation Area, as do the other three trailheads in the Highlands.

"Before" and "After" Photos. The first photo below shows the Project Site in the immediate natural setting that surrounds it. The lamp post at the corner is approximately 32 feet high, and the stop sign post tops out at 12 feet. The Project will tower 45 feet high, about 13 feet higher than the top of the lamp post. 12 to 14-foot high rooftop elevator and stairwell extensions will make matters even worse. The second photo that follows is an A.L.A. architect's, computer-generated rendering of how views of the Site and its surroundings would be impaired by the Project.





The Facility stretches to the right of the black pickup truck for about an additional 150 feet along Vereda, eviscerating views of the Topanga State Parklands from large stretches of Palisades Drive, Vereda, and Michael Lane; as well as views by visitors to Topanga State Park of the Park's environs.

The Project is massive in height, scale, density, and design, and completely out of character and incompatible with the community, its natural surroundings, and adjacent properties, in violation of LAMC §16.05.F.2, which mandates that the Project be compatible with its "adjacent and neighboring properties."

The Decision is premised on a total fiction, namely, that the Project Site is a typical infill project in a highly-urbanized area that lacks any environmental significance and is undeserving of the protections of the California Coastal Act of 1976 ("Coastal Act"), the California Environmental Quality Act ("CEQA"), and the City's Brentwood-Pacific Palisades Community Plan (the "Community Plan"). The Decision's baseless, unsupported, and misleading assumptions and findings have permeated and prejudiced the entire decision-making process, resulting in unfounded and fact-free conclusions, misapplications of law, and, ultimately, a total abuse of discretion. The Decision is unconscionable in reaching a result without specifically addressing, except in the most perfunctory and conclusory fashion, the more than 75 specific legal and factual arguments that Appellants have made in their opposition brief submitted for the West Los Angeles Area Planning Commission hearing.

Moreover, inadequate parking at the Facility (only 66 spaces for 96 residents, visitors, two-to-three daily shifts for a staff of up to 35, and numerous service providers and vendors) will inevitably cause spillover parking on Vereda de la Montura. This street already has a shortage of parking, especially on weekends and holidays, making access difficult for visitors to Topanga State Park.

II.

THE PROJECT WOULD VIOLATE NUMEROUS COASTAL ACT STATUTES, GUIDELINES, AND REGIONAL INTERPRETIVE REGULATIONS ("RIGS")

A. The Project Does Not Comply with All Coastal Act Requirements.

There is no evidence that the proposed Project would comply with the Coastal Act. In *Kalnel Gardens, LLC v. City of Los Angeles*, 3 Cal. App. 5th 927, 940 (2016) ("*Kalnel*"), the Court recognized:

"As part of its enactment of the [Coastal] Act, the Legislature made several findings: that the coastal zone 'is a distinct and valuable natural resource of vital and enduring interest to all the people'; that permanent protection of the state's natural and scenic resources is of paramount concern; that 'it is necessary to protect the ecological balance of the coastal zone'; and that 'existing developed uses, and future developments that are carefully planned and developed consistent with the policies of [the Coastal Act], are essential to the economic and social well-being of the people of this state....' (Pub. Resources Code, § 30001, subs. (a), (c) & (d).)"

"The Coastal Act is to be 'liberally construed to accomplish its purposes and objectives.' (Pub. Resources Code, § 30009.)" *Kalnel* at p. 940. (Emphasis added.)

The California Supreme Court has emphatically stated that, "[A] fundamental purpose of the Coastal Act is to ensure that state policies prevail over the concerns of local government." *Pacific Palisades Bowl Mobile Estates, LLC v. City of Los Angeles*, 55 Cal.4th 783, 794 (2012); see also, *Kalnel*, *supra*, at p. 940.

The City lacked substantial evidence to conclude that the Project would comply with all statutory requirements of the Coastal Act, including the applicable Los Angeles County (South Coast Region) Regional Interpretive Guidelines for Pacific Palisades ("*RIGS*"). The Coastal Act requires that a new development must satisfy all the following mandates: not just most of them; and not just some of them.

B. PRC 30222. The Project Will Impede Available Recreational Opportunities in the Coastal Zone. PRC Sec. 30222 states that, "The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development"

The Property is zoned Commercial, yet construction of the enormous, 100,000-plus-square-foot Project, consisting of two basement floors and four above-ground floors, is

to 57 feet above Palisades Drive, will materially impede "public opportunities for coastal recreation," precisely opposite of what the Coastal Act requires. The constant stream of employees, visitors, contractors, vendors and servicers, in and out of the Facility on a 24/7/365 basis will create noise, pollution, traffic and viewshed impairment wholly incompatible with the Parklands bordering and immediately adjacent to the Property.

C. PRC 30240. The Project Will Not Protect Sensitive Habitat and Parklands.

Instead, the Project will degrade and disrupt the surrounding habitat of the Topanga State Parklands and its wildlife.

"The [Coastal] Commission has an ongoing duty to protect [environmentally sensitive habitat areas] . . . [Section 30240] states, without any limitation as to time: '(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas . . . (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.'" (*J.T.-WR, L.L.C. v. California Coastal Com.*, 152 Cal.App.4th 770, 792-793 (2007), emphasis and italics added.)

The statute's use of the word "*shall*" imposes a nondiscretionary duty on the Coastal Commission to protect habitat and recreation areas. The U.S. Supreme Court has ruled: "**The mandatory 'shall' . . . normally creates an obligation impervious to judicial discretion.**" (*Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26, 35 (1998); emphasis added.) The City and State have no "wiggle room" to ignore the law.

The Project is adjacent to Topanga State Park and Santa Ynez Canyon Park (also part of the Topanga State Parklands), which are environmentally sensitive habitat areas. The Topanga State Parklands and the Project Site that borders the Park are in the Santa Monica Mountains, designated as a "**highly-scenic area**" by the California Department of Parks and Recreation Plan. (*Douda v. California Coastal Commission*, 159 Cal.App.4th 1181, 72 Cal.Rptr.3d 98, 111 (2008).) Given the Facility's immense size, height and non-stop, 24/7/365 operations, it would cause, not prevent, impacts that would significantly degrade these areas and would not be compatible with the continuance of those habitat and recreation areas – two obvious violations of Public Resources Code Section 30240.

The Record contains the expert report of Cooper Ecological Monitoring, Inc., attached as Exhibit 6 to the April 9, 2016 Lima & Glushon letter to the West L.A. Area Planning Commission ("**Cooper Report**"). The Cooper Report describes in

detail the value that of the Site as habitat for state-identified rare species, such as Southern Sycamore Alder Rare Woodland and two-striped garter snake. Also, the Cooper Report points out that Santa Ynez Canyon is a wetland (i.e., a blue line stream) that may be subject to Federal regulation, which was not mentioned in the report provided by the developer.

The Cooper Report found that the developer's environmental study (which was not an Environmental Impact Report), prepared by Meridian Consultants ("Meridian"), provided no information on the USGS quad that was searched for the few results reported by Meridian. The Cooper Report stated that Meridian's species analysis was deficient because, among its other problems, it did not include the California Natural Diversity Data Base ("CNDDB") results for the 9 USGS quads surrounding the project site, as well as information from other relevant databases (e.g., eBird, iNaturalist). Meridian's specific analysis was also deficient in failing to explain why a species would not be expected at a given site.

The Cooper Report also found that an "industry standard" search of the Topanga USGS quad reveals that several additional sensitive species are either known to occur along Santa Ynez Canyon in the vicinity of the proposed Project, or would likely be present based on habitat present (during a search conducted by Cooper on April 2, 2018), such as Coast Range newt (*Taricha torosa*), San Bernardino ringneck snake (*Diadophis punctatus modestus*), California mountain kingsnake (*Lampropeltis zonata*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), fragrant pitcher sage (*Lepechinia fragrans*), white-veined monardella (*Monardella hypoleuca* ssp. *hypoleuca*), and Sonoran maiden-fern (*Thelypteris puberula* var. *sonorensis*).

Also, because not all sensitive species are listed in CNDDB, which requires voluntary submissions from consultants and other professional biologists, Meridian failed to consult other readily-available databases for records of sensitive species. For example, eBird lists the yellow warbler (*Setophaga petocharia*), a California Species of Special Concern, recorded along Santa Ynez Canyon on June 17, 2017 (when undoubtedly nesting). eBird also lists a breeding season record of Yellow-breasted chat (*Icteria virens*), another CSSC, along Santa Ynez Canyon (June 20, 1982), and another chat record from 2017 in nearby Los Liones Canyon, also west of Palisades Drive south of the Project area, and which also supports oak-sycamore riparian habitat (which, if anything, is more limited than that of Santa Ynez Canyon). Several breeding-season records of Cooper's hawk (*Accipiter cooperii*), a California WatchList species, are listed in eBird from Los Liones Canyon. Each of these species very likely nests directly adjacent to the Site.

Moreover, the Cooper Report describes the Site as abutting "one of the largest and most significant remaining sycamore-oak canyon habitats within the city of Los

Angeles (Santa Ynez Canyon), which borders (and in other areas includes) Topanga Canyon State Park"; after which the report's author comments, "I know of no similar natural environment within the city limits."

The Cooper Report further explains how the Project could adversely affect Santa Ynez Canyon Park, which abuts the Site along a 237-foot common boundary. Cooper notes that no substantial evidence rebuts these likely ill-effects. Given the Site's proximity to the County LCP area, which shows that significant portions of the land proximate to the Site on the other side of the Significant Ridgeline are classified as "Sensitive Environmental Resource Area," including H1 Habitat (Most Sensitive and Valuable—Vigorously Protected) and H2 Habitat (High Scrutiny Sub Area). The developer has not produced any substantial evidence that the Project, with well over 100 people living and working 24/7/365 on a one-acre parcel adjacent to such areas would avoid impacts that would significantly degrade those areas.

- D. **PRC 30251. The Project Will Not Protect Scenic Values or Natural Land Forms and is Wholly Incompatible with the Surrounding Areas.** The Project would violate PRC Section 30251, which uses the word "shall" three times in emphatically requiring that:

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

The Court's decision in *Kalnel* is particularly germane to the current Project analysis:

"As also noted above, this case involves an undisputed violation of Public Resources Code section 30251, which requires development design that protects scenic views and is visually compatible with the character of surrounding areas." The Coastal Act contains several other directives that . . . prevent intrusion into environmentally sensitive areas (Pub. Resources Code § 30240) . . . and in the case of new development, protect special communities and neighborhoods with unique characteristics that are popular visitor destination points for recreational uses (Pub. Resources Code, § 30253, subd. (e))." *Kalnel, supra* at p. 946. (Emphasis added.)

The Site borders City parklands along a 237-foot common boundary, adjacent to Topanga State Park in the heart of the Santa Monica Mountains, which are in the Los Angeles Coastal Zone and receive special protection as a "highly-scenic area":

"Section 30251 refers to the Department of Parks and Recreation's California Coastline Preservation and Recreation Plan (Department). The scope of the statute incorporated the Department's plan in providing recreation along the coastal landscape province. The plan . . . stated that the Santa Monica Mountain range was one of three mountain ranges within the coastal landscape province. Therefore, section 30251 identifies the Santa Monica Mountains as a highly scenic area designated in the Department's plan, and it requires that new development in that area be subordinate to the character of its setting. This bolsters the interpretation that the [Coastal] Commission's power to regulate scenic and visual resources (especially as to the Santa Monica Mountains) extends inland as far as the boundary of the coastal zone." (*Doula v. California Coastal Commission*, 159 Cal.App.4th 1181, 72 Cal.Rptr.3d 98, 111 (2008).) (Emphasis added.)

- E. PRC 30253 (a): The Project Will Not Minimize Risk to Life and Property in Areas of High Geologic, Flood and Fire Hazard. The Project would increase risk to lives and property, not minimize it.
1. The Project is in a "Very High Severity Fire Hazard Zone," posing extreme risk to helpless seniors. It is also in Landslide Zone and very close to a Liquefaction Zone along Palisades Drive, rendering the Site risky in heavy storms that can result in rock and mudslides, cutting off access to the Facility. There is no practical means to evacuate all 96 residents in case of natural disaster, and they have no place to go. It is reprehensible that the Developer would brush off these concerns with a claim that the residents could safely "shelter in place" during a firestorm. It is important to note that such a conflagration threatened the Palisades Highlands in 1993, prompting a mandatory evacuation of the entire community.
 2. There is no other street into or out of the Highlands if Palisades Drive is closed by flooding, landslides, liquefaction, accidents, or rockslides.
 3. The Project significantly increases geologic risks to Vereda de la Montura due to plans to excavate more than 19,300 cubic yards of compacted fill that abut and support Vereda de la Montura. Because the Project is on a steep Hillside lot on top of uncertified fill up to 50 feet deep, the geologic risk is exponentially greater. See the following discussion, especially the Appellants' Geosols Report.
 4. The Developer offers no credible plan to mitigate these risks to a reasonable level.

F. PRC 30253 (b): The Project Will Not Assure Stability and Structural Integrity, and Would Instead Likely Create or Contribute to Erosion, Geologic Instability, and the Destruction of the Site or Surrounding Area.

There is no substantial evidence that the Property has not been adequately or appropriately studied for geologic risks. The massive excavation of uncertified compacted fill will risk eroding the surrounding canyon, potentially undermining and shutting down Vereda de la Montura, and threatening slides on the small building next door, especially during heavy rains or flooding conditions.

The Flick Appellants' Appeal to the APC included the expert report dated April 6, 2018 by Wilson Geosciences Inc. and Geo-Dynamics, Inc. ("Appellants' Geosols Report"), Exhibit 5 to the Luna & Glushon letter of the same date to the APC, which lists six findings concerning significant geosols risks of the Project:

1. There is ambiguity in the data presented with regard to the condition of the artificial fill underlying most of the site. Geotechnical data and information from Tracts 31072 and 31073 are applied to the site Tract 31070 without apparent justification leaving the engineering certification and fill suitability open to question.
2. The vertical and horizontal extent of existing fills at the site is not sufficiently defined. Artificial fill characteristics would impact the surficial stability of the existing fill slope, and the adequacy/feasibility of the proposed foundation system.
3. Based on available data, slope stability of the sidewall excavations for the proposed basement would be affected by exposure of daylighted bedding planes. Stability of temporary excavations should be based on the actual height of the deepest temporary excavations. Seismic slope stability analysis may not correspond with the current requirements of City Document No.: P/BC 2017-049.
4. Bedrock claystone layers were not tested or analyzed for the potential effects on temporary and long-term stability of the basement excavation sidewalls and for the potential out-of-slope bedding effects on the uncertified artificial fill mass.
5. The impact of the proposed tie backs on existing improvements on adjacent property should be evaluated before establishing the feasibility of the proposed development plan.
6. The mapped east-west trending fault (parallel to the active Malibu Coast fault) at the south edge of the site was neither mentioned nor evaluated for any potential impacts to the site.

Appellants' Geosofts Report reached the following "*Summary of Results and Conclusions*":

"Our review indicates there is uncertainty regarding the extent and distribution of the existing fill at the site. . . . [T]here is credible geologic evidence for potential slope instability within and adjacent to the proposed development site that have not been considered or addressed. Specifically, the bedrock contains claystone layers that were not tested for residual strength and not analyzed for the potential effects on temporary and long-term stability of the basement excavation sidewalls as well as the subsurface out-of-slope bedding component interacting with the uncertified artificial fill mass" (Emphasis added.)

"This uncertified fill has not been carefully evaluated with respect to potential voids, the presence of past construction debris (e.g., wood, metal, concrete), to the pre-development steep-walled canyon that passes beneath the site. Furthermore, reported shear strength parameters of some of the existing fill indicates a potential for surficial instability that was not discussed nor evaluated by [the developer's consultant] Strata-Tech. The inability of Strata-Tech or Schick to provide data to substantiate that the fill was placed on properly constructed benches in bedrock also indicates the potential for surficial and deeper slope instability. Previous indications of landslide features identified by Slosson [a previous consultant who evaluated the area] may have been within the site and no discussion is present." (Emphasis added.)

"In our professional opinion, these feasibility and design issues should be considered and addressed prior to approval of the project as it is currently defined."

G. PRC 30253 (d): The Project Will Not Minimize Energy Consumption and Vehicle Miles Traveled.

1. The Project will do exactly the opposite. There is no bus service in the Highlands, and the nearest bus stop is 2.4 miles away. The facility will operate three shifts daily, 24/7/365. With no public transportation available, employees, staff, visitors, vendors, contractors, et al., will be forced to drive to the Project Site.
2. There are no doctor or other medical offices or clinics anywhere in the Highlands, and the nearest medical providers are six miles away in Palisades business district. The nearest hospitals are much further away, in Santa Monica; and the nearest trauma center is even farther at UCLA Westwood. This will exacerbate already-high levels of traffic congestion and wasted fuel.

3. The massive hauling operation will consume tens of thousands of gallons of diesel fuel, with trucks idling their engines waiting to enter the Site, and then hauling the excavated earth 42 miles to Moorpark and back each trip. The Project will need at least 30 tractor trailer rigs, loading at a rate of 6 per hour, five days a week for more than 9 weeks, if not even longer. Appellants' evidence shows that this operation could be double to triple the Developer's unreliable estimates.

ii) **PRC 30253 (e): The Project Will Not Protect Special Communities and Neighborhoods That, Because of Their Unique Characteristics, Are Popular Visitor Destination Points for Recreational Uses.**

As stated previously, the Project Site shares a 237-foot common border with Santa Ynez Canyon Park and is less than 300 feet east of the boundary of Topanga State Park. The Santa Ynez Canyon Trail entrance, 550 feet west of the Project Site's boundary on Vereda de la Montura, is the most popular entrance to the Park. However, the only available parking is street parking on Vereda, which fills up on holidays and weekends. Overflow parking for the Facility will quickly exhaust limited street parking for the Park when the number of visitors peaks.

Impairment of visitors' enjoyment of the Park will be especially severe during the two to three years of construction. Noise, dust, and diesel exhaust pollution from large tractor trailer rigs and heavy equipment, will significantly denigrate the Park's quiet environment.

i) **The Project Will Prejudice the Ability of Los Angeles to Prepare a Local Coastal Program in Conformity with PRC Section 30620 of the Coastal Act**

1. By ignoring repeated precedents that have previously limited the size and scale of developments on the Project Site, the Project opens the door to demolition of the rustic commercial building next door, only half as high, 43% the size, and one-third as dense as the Project, not counting the two basement levels, which will inevitably lead to its eventual replacement by a monstrous new structure. This probability is not theoretical or remote, given that the 95-year old owner of the small building next door has previously listed it for sale at an eight-figure asking price that could only make commercial sense for a developer planning to construct an even more enormous replacement structure.
2. Because the next-door lot is about 10% larger than the Project Site, it is all but certain that the City of Los Angeles will speedily approve an even more horrifically massive structure to replace the current development next door. The combination of back-to-back, twin, mammoth commercial structures would dramatically affect these valuable Coastal resources, which are the very reasons

why residents chose to live in the Highlands.

3. Protecting community character is a classic cumulative impacts issue, and this Project must be considered in combination with other past, current and probably future projects in the Highlands. Accordingly, if allowed to proceed, this Project's adverse precedent will prejudice the ability to adopt a Local Coastal Program that protects Highlands unique community character. (See, LAMC 12.20.2.)

J. The Project Will Impact a Sensitive Coastal Area, Contrary to PRC Section 30116 of the Coastal Act Because the Project Site shares a 237-foot boundary with pristine parklands, it is a "sensitive coastal resource area" as defined under each of following subparts of PRC Section 30116:

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following: . . . (b) Areas possessing significant recreational value, (c) Highly scenic areas, . . . (e) Special communities or neighborhoods which are significant visitor destination areas, (f) Areas that provide . . . recreational opportunities for low- and moderate-income persons.

1. **The Project Would Impair "areas possessing significant recreational value." (30116(b).)** As discussed previously, Topanga State Park and Santa Ynez Canyon City Park offer visitors unparalleled opportunities within the City limits for hiking, trail riding, rock climbing, birdwatching and wildlife viewing, and peace and quiet. The Santa Ynez Canyon trail entrance to Topanga State Park is its most popular West Los Angeles access route, and is barely 600 feet down Vereda de la Montaña from the Project Site's boundary. The Facility's viewshed impairment, lack of parking, traffic congestion, and noise would prove especially bothersome.
2. **The Project Would Impair "highly scenic areas." (PRC 30116(c).)** Topanga State Park is designated a "high-scenic" area by the California Department of Parks and Recreation (*Douda v. California Coastal Commission*, 159 Cal.App.4th 1181, 72 C.R.3d 98, 111 (2008).)
3. **The Project Would Impair "special communities or neighborhoods which are significant visitor destination areas." (PRC 30116(e).)** For the previously-stated reasons, a four-story 100,000 square-foot institution, operating 24/7/365, and only steps from parks, will inevitably impair the special nature of the surrounding neighborhood and community.

4. **The Project Would Impair “areas that provide . . . recreational opportunities for low- and moderate-income persons.” (PRC 30116(f).)** As previously explained, all of the activities that attract visitors to the parklands adjacent to the Project Site are available absolutely free of charge. For this reason, there are recreation opportunities available to low and moderate-income persons. Anyone who has visited the parks will quickly discover a breadth of visitors from all income groups.

III.

THE PROJECT WOULD VIOLATE NUMEROUS COASTAL ACT REGIONAL INTERPRETIVE GUIDELINES APPLICABLE TO THE PALISADES

The Project would violate numerous Regional Interpretive Guidelines – South Coast Region Los Angeles County (“RIGS”) that apply specifically in the Palisades, and which have been in effect since 1980. The California Supreme Court held that these Guidelines must be followed: “The guidelines are the formulation of a general policy intended to govern future permit decisions, rather than the application of rules to the peculiar facts of an individual case.” *Pacific Legal Foundation vs. Coastal Commission, et al., et al.*, 3 Cal.3d 158, 168 (1982). This is a summary of at least four RIGS that the Project would violate:

1. **RIGS-Pacific Palisades Sec B.1:** “Commercial establishments should be public recreation and recreation supportive or otherwise coastally related facilities (interpreting PRC 30222 and 30255).” The Project contains no such facilities.
2. **RIGS-Pacific Palisades Sec C.1:** “Views to Santa Monica Mountains from public roads should be preserved and protected (interpreting PRC 30251 and 30211).” The high-rise Project would obscure views of the Santa Monica Mountains from Vereda de la Montura, Michael Lane, Palisades Drive (a city-designated scenic highway), and all residential streets within view of the Site. It would further degrade views from all surrounding trails that look down at the site.
3. **RIGS-Pacific Palisades Sec C.2:** “Development adjacent to Santa Monica Mountains Parks must protect views from trails (interpreting PRC 30251 and 30210).” The incongruous high-rise Project would be clearly visible from numerous vista points along the miles of trails in Topanga State Park.
4. **RIGS-Appendix-Alteration of Landforms:** “In all cases, grading should be minimized (interpreting PRC 30251, 30253 and 30240).” The Project would likely require the export of far more than double the low-ball estimate of 19,300 cubic yards of soil along the bluff immediately looking over Santa Ynez Canyon and the parklands next to it. Besides the excavation of the two-floor basement garage, the

developer would need to refill all remaining open excavation areas on the Site with an equal amount of certified fill. Additionally, the developer would need to raise the southwesterly-facing slope of the Project site as much as 12 feet, where the driveway meets Vereda de la Montura, thereby requiring import of even more thousands of cubic yards of certified fill.

IV.

THE PROJECT WOULD BE WHOLLY INCOMPATIBLE WITH THE NEIGHBORING PARKS AND RESIDENCES; AND IT WOULD VIOLATE MANY REQUIREMENTS OF THE LOCAL COMMUNITY PLAN

PRC Section 30620 requires the Coastal Commission to prepare and disseminate interpretive guidelines to assist local governments to determine how Coastal Act policies will be applied in the coastal zone before certification of their local coastal programs. In the absence of an adoptive local coastal program, the Community Plan serves as a functional equivalent of the local land use policies. The April 18, 2018 APC Decision acknowledged longstanding City policy that, "There is no adopted Local Coastal Program for the Pacific Palisades. The Brentwood – Pacific Palisades Community Plan contains the applicable land use policies and goals for that portion of the Coastal Zone." (APC Decision at p. 11.)

This language in the 2018 Decision was virtually identical to what the Planning Commission stated in 2008 regarding the same Project Site: "Currently, there is no adopted local coastal program (LCP) for this portion of the Coastal Zone; in the interim, the adopted Brentwood-Pacific Palisades Community Plan serves as the functional equivalent in conjunction with any pending LCP under consideration." (Case No. ZA 2007-4681(CDP)(MEL) at p. 8.) For this reason, application for a Coastal Development Permit must satisfy the Coastal Act, the RIGS, and the Palisades Community Plan.

1. **The Project's Bloated Size and Towering Height Render It Manifestly Incompatible with the Vast Wilderness Parklands and Residences in the Surrounding Community.** L.A. City Planning has gone to breathtaking lengths to ignore the patently incompatible nature of the Project with existing development and the surrounding natural environment. It is oblivious to the Project's massive size and height, which violate the Community Plan and are totally out of character when compared to all other Highlands developments.
2. **The Project Violates All Local Compatibility Requirements.** The following sections will discuss the Project's incompatibility when considered in context of the Los Angeles Municipal Code and related requirements to which the Project is subject. In addition to approximately two dozen violations of the Community Plan policies, the Project also violates each of the following compatibility requirements which are found in:

- a. LAMC section 14.3.1E (subparts (1) and (4)), each of which specifically impose **compatibility** requirements on eldercare projects;
 - b. LAMC section 16.05.F, which specifically imposes a “**compatibility**” test for approval of developments that require Site Plan approval; and
 - c. California Environmental Quality Act (CEQA). The City’s form Application for a Class 32 Exemption from CEQA compliance expressly requires compliance with the Community Plan, including the Plan’s **compatibility** requirements. The lack of compatibility means that the Project is not exempt from CEQA and a full EIR must therefore be submitted and approved.
3. **The Project Would Violate Community Plan Policy 1-3.1, which Requires Setbacks and Greenery Compatible with the Neighboring Community** Policy 1-3.1 mandates that the City must “**seek a higher degree of architectural compatibility and landscaping** for new development to protect the character and scale of existing residential neighborhoods.” Despite this, the City dismisses residents’ concerns by suggesting that the six-floor Facility (four stories and two floors of “basement” parking and other facilities) is somehow comparable to the small, two-floor commercial building next-door, which faces no homes on Vereda and blocks no one’s views, and which is **only a fraction the overall size of the Project**. Worse yet, the City has ignored its own compatibility requirement, knowing that 20 to 50-foot landscape buffers of the adjacent townhomes are 3 to 8 times wider than those approved for the Project.
 4. **The Project Would Violate Community Plan Policy 1-3.2, which “conditions new development adjacent to or in the viewshed of State parkland to protect views from public lands and roadways.”** The Site is only steps away from four major trailheads into Topanga State Park, and impairs, and in many instances, destroys the viewsheds. Moreover, Palisades Drive, the only road in and out of the Highlands, is designated as a “scenic highway” in recognition of the rugged natural beauty, the rock outcroppings, the canyons, and the mountains through which the road winds. The Project is undermined by its shocking and total insensitivity to the environment and the importance of these scenic values.
 5. **The Project Would Violate Community Plan Policy 1-3.3, which Requires the City to “preserve existing views in hillside areas.”** The Site is zoned “Hillside” in the Santa Monica Mountains, yet the Facility’s towering height and scale will obliterate viewsheds along Michael Lane, Vereda de la Montura, and Palisades Drive; and significantly impair many more for visitors going to and from the Park, or while inside the Park, walking or cycling its trails.
 6. **The Project Would Violate Community Plan Policy 1-6, which “limits the**

intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.” Appellants’ Geosciences Report details significant risks of siting the Project on this steep, 36% uncertified fill-slope.

7. The Project Would Violate Community Plan Policy 1-6.1, which “limits development [in hillside areas] according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.”

Palisades streets are clogged during morning and afternoon rush hours. Palisades Drive is the only route in and out of the Highlands, and there are ONLY two routes to Palisades Drive: Sunset and PCH. Moreover, the 7-mile distance from Palisades Drive to the 405 via Sunset often backs up several miles before the 405. The PCH alternative is no better. During peak hours, traffic is backed up at the signal at PCH and Sunset, delaying westbound Sunset drivers for up to 10 minutes or more, just to turn left onto PCH. The Project will only make matters far worse.

8. The Project Would Violate Community Plan Policy 1-6.3 that states, “Development of land located in the hillside areas may be limited by the suitability of the geology of the area for development; and the steepness of the natural topography of the various parts of the area.” The Project Site is uncertified fill – as much as 50 feet deep – perched over a steep canyon with a 36-degree slope, according to the experts’ reports. The developer intends to excavate much of the uncertified fill area for the foundation and the two-floor basement, including parking garage, making serious debris flow into Santa Ynez Canyon inevitable.

9. The Project Would Violate Community Plan Policy 1-6.6, which Requires that the “scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.” The Project would have the opposite effect.

10. The Project Would Violate Community Plan Policy 2-1.3 that Mandates Commercial Projects “be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.” It is hard to imagine any Project that could be more incompatible with the suburban, rustic look and feel of the Highlands: (a) it is incompatible with the only commercial building in the Highlands; (b) it is incompatible with the homes and townhomes throughout the Highlands, mostly two-stories high with their landscaped setbacks 20 to 50 feet from the street, or more, and sloped, tile roofs; and (c) it is incompatible with bordering Santa Ynez Canyon Park and Topanga State Park, which not only

afford residents and visitors the quiet and beauty of a non-urban setting, but whose majestic views of mountains, canyons, streams, waterfalls, trees, fauna, and wildlife give the Highlands its distinct name. For example, Santa Ynez Falls is featured in a highly-regarded trail guide (See, <https://www.hikespeak.com/trails/santa-ynez-falls/>)

11. **The Project Clashes with Community Plan Policy 2-3.3, which Requires that “commercial projects achieve harmony with the best of existing development.”** No development imaginable could be **more incompatible** or **less harmonious** with the neighborhood and existing development. The Project’s height, size, and narrow setbacks are in sharp contrast to neighboring properties, and there will be a great impairment of view corridors by along Palisades Drive, Michael Lane, and Vereda de la Montura. Most townhomes facing the Project are only two-stories high above grade – **not three** – with heights well under 24 feet. The Project wholly ignores the obliteration of view corridors available to the many cars and pedestrians who pass alongside the Project site every day. The Project impairs views of the Park for visitors walking along Michael Lane, Vereda de la Montura and Palisades Drive.
12. **The Project Would Violate Community Plan Policy 2-4.2, which Mandates that a development “preserve community character, scale and architecture diversity.”** Nothing about the Project is consistent with the community’s character, scale and diversity.
13. **The Project Would Violate Community Plan Policy 2-4.4, which Mandates that “landscape corridors should be created and enhanced,” not Ruined** The Project’s 7 to 10-foot setbacks, and its failure to provide any transitional heights in front of the 45-foot soaring facade along both Vereda de la Montura and 50-foot plus facade towering above Palisades Drive – the two streets that the Project fronts – are wholly inconsistent with the existing level of setbacks in the Community. Setbacks in the neighboring townhouses are now range from 20 to 50 feet, and more in some spots. They are extensively landscaped, and most setbacks are terraced upwards. Virtually all townhomes are grouped, 3 or 4 together side-by-side, with landscaped walkways and corridors separating each of these small groups of homes. The Project’s monumental facades, set almost on the sidewalks, are a true eyesore. Moreover, the spartan 7-foot setback along Vereda de la Montura leaves scant room for anything but very small trees, completely incompatible with the 40-foot Monterrey Pines and other lush landscaping in the surrounding community.

To make matters even worse, on May 15, 2017, the L.A. City Council approved a new ordinance allowing developers to pay a fee to the City in lieu of planting, or in many cases replanting, required trees. By paying the fees, the developer can avoid the costs of planting, and then maintaining, trees in front of the Project, leaving residents to look out on a stark, four-story institutional facade that will have impaired views of the parklands. (See, <http://enewspaper.latimes.com/desktop/latimes/default.aspx?>)

14. The Project Would Violate Community Plan Policy 3-2.1 that Protects Parklands in the Community Plan Area, Stating that:

“The Federal, State, County and City of Los Angeles properties comprising approximately 13,157 acres of open space land existing in the plan area. Open space is important due to its role in both physical and environmental protection. These natural resources within the plan area should be conserved. Priority of development in natural and scenic resource areas should be given to those uses which complement the resources.”

15. The Project Would Violate Community Plan Policy 5-1.1 that Mandates,

“Permitted development shall be sited and designed . . . to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in the visually degraded areas.” As stated previously, the Project would do the opposite.

16. The Project Would Violate Community Plan Policy 13-1.2 that Requires that, “New development projects shall be designed to minimize disturbance to existing traffic flow with proper ingress and egress to parking.” See the previous and following discussions on traffic and parking.

17. The Project Would Violate Community Plan Policy 15-1 that Mandates the Developer to “provide parking in appropriate locations in accord with Citywide standards and community needs.” A severe lack of street parking already exists in the immediate neighborhood. The Project violates Plan Goal 15-1, which requires the Developer to “Provide parking in appropriate locations in accord with Citywide standards and community needs.” There is no credible parking study that substantiates the claim that parking will be convenient or meet the community’s needs when faced with an onslaught of visitors, vendors, providers, personal caregivers and others, who must compete for limited spaces in the underground garage.

Worse still, most visitors will not want to navigate the cramped underground garage with their large trucks and SUV’s. Many other visitors, especially the elderly, are rightfully concerned about being robbed or attacked in underground garages and instead look for street parking to avoid these perceived security risks.

18. The Project Would Violate Community Plan Policy 17-1.2 that Emphasizes the Obligation to “Protect and preserve archaeological sites of Native Americans.” The Developer has ignored mentioning the history of Native Tongva Tribes throughout the Palisades and Malibu, which City Planning found very relevant in its

1988 decision that designated the Site as potentially archaeologically significant. (See, CEQA Mitigated Negative Declaration dated July 27, 1988, MND 88-285a-C(PP), Case 88-0435.)

19. The Project Would Violate Community Plan Policy at Page IV-2 that Requires "senior citizen housing projects [be located] in neighborhoods within reasonable walking distance of health and community facilities, services and public transportation." No such health or community facilities exist anywhere in the Highlands – and most certainly not within "walking distance." The nearest full-service pharmacy, CVS in the Palisades, is 4.8 miles away. The nearest doctors and dental offices are equally distant. The closest trauma center, UCLA in Westwood, is 45 to 60 minutes away, and the nearest ERs at St John's and UCLA in Santa Monica are 30 minutes or more away in traffic. The nearest Kaiser Permanente facility – where many seniors are longtime members – is 14.8 miles away in West Los Angeles. Worse still, there is no bus service in the Highlands, and the nearest bus stop is more than 2.4 miles away on Sunset. Last, there are no community facilities or services within walking distance anywhere in the Highlands.
20. The Project Would Violate Community Plan Policy at Page V-2 that Mandates "screening all rooftop equipment and building appurtenances from adjacent properties." Because of its flat-roof design, the Facility's multiple elevator and stairway shafts, which soar up to 14 feet above the roof, will stick out like giant sore thumbs. The large rooftop HVAC and mechanical units, which are cleverly absent from the artist's renderings, will make a bad building, even with screening, positively jarring to the eyes.
21. The Project Would Violate Community Plan Policy at Page V-3 that Mandates that "no structures should exceed 30 feet in height within 15 feet and 30 feet of front and rear property lines, respectively, or as specified in the Specific Plan areas." Rooftop heights already range from about 45 to 57 feet along Palisades Drive, and generally 45 feet along Vereda de la Montura. These numbers do not include rooftop appurtenances soaring as much as 14 feet even higher.
22. The Project Would Violate Requirements 5 and 6 of Community Plan Policy at Page V-4 that Mandate the "screening of mechanical and electrical equipment" and "all rooftop equipment and building appurtenances from public view." While that might be done to a small degree, it would require at least at least 8 to 10 feet of rooftop sound baffling and visual screening. It would also require screening of the two, rooftop elevator and stairway exits and entrances, which will extend approximately 12 to 14 feet above the roofline. These appurtenances and equipment would render the true height of the facility from a front view to over 57 feet above grade along Vereda de la Montura; and to 65 to 70 feet above Palisades Drive at the south end of the Site, where a P-1 level entrance and exit of the parking garage are located.

23. **The Project Would Violate Community Plan Policy at Page V-4 (“Surface Parking Landscape”) that Requires “a landscaped buffer along public streets or adjoining residential uses.”** The Project’s spartan 7-foot landscape strip along more than 300 feet of Vereda is not what was ever envisioned, given the 15-foot minimum setback requirements in Community Plan Policy at Page V-3.
24. **The Project Is Completely Incompatible with the Larger Palisades Community Palisades Village by Caruso Affiliated, nearing completion in the Palisades central business district, which is two-stories, was restricted to a height of 33-feet. By contrast, the Project will be at least 45-feet high, more than a third higher. Worse yet, views from across Palisades Drive, a scenic highway, will unmask one floor of the “underground” garage, making the true Project height appear 57 feet above grade. Also, the height will be almost double that the small, two-story building next door. Although Palisades Village is subject to a Specific Community Plan and the Highlands is subject only to the Brentwood-Pacific Palisades Community Plan, Palisades Village does reflect overwhelming community sentiment throughout the entire Palisades as to what limits on height and density in commercial developments are compatible with the neighboring community.**
25. **The Project is Incompatible Because Its Density Per Square Foot Is Far Greater Than Elsewhere in the Larger Community.** The Project’s 64,646 square feet are more than half the size of the entire Palisades Village development, a sprawling, 3.2-acre retail complex with more than 40 stores and restaurants, plus a movie theater and apartments. The Facility’s floor-to-area ratio (known as “FAR”) is nearly **two-thirds greater than** that in the Palisades Village and exceeds zoning limits by 23%. And, unlike Palisades Village, the Project teeters on the precipice of a steep canyon “Hillside” lot on top of uncertified fill up to 50 feet deep, bordering a City park.
26. **The Project Site is a Quintessential Wildland-Suburban Interface, Incompatible with a 24/7/365 Health Care Institution.** Consider the following photo of the Site:



The upper right portion of the above photo shows popular Trailer Canyon trail network off Michael Lane, north of the Site. This trail, which rises almost 500 feet higher than the Site, has dead-on panoramic views of the Site. Although not easy to see in the photo, the Santa Ynez Canyon trail west of the Site climbs several hundred feet above the Site and has spectacular views of the Site from the Quarry Canyon vantage points north of the Site.

27. **The City Ignored the Highlands Unique Character.** The Highlands has attracted residents seeking to avoid the noise and congestion of urbanized life. For that, they sacrifice being able to walk to stores and services, for the rare opportunity to live next to nature. Sadly, the Project will be visible from, and will blight, vista points along every Highlands trail into Topanga State Park. It will also impair views and scenic corridors enjoyed by visitors and drivers along adjacent streets. The following photograph accurately depicts the Highlands environment.



V.

THE PROJECT WILL CREATE INTOLERABLE NOISE FROM ITS 24/7/365 OPERATIONS, WHICH WILL DEGRADE WILDLIFE HABITAT AND DISTURB VISITORS TO TOPANGA STATE PARK

- A. **The City's Approval of the Project Did Not Consider that the Mountains Surrounding the Highlands Act as an Amphitheater, Projecting Sound Over Great Distances.** The industrial- size roof-top HVAC equipment will be grinding

away 24/7/365. Truck engines and ambulance sirens, clearly audible for more than a mile away given the terrain, are especially disruptive at night. During the two-year plus construction period, noise will be intolerable, given the deafening sounds of tractor-trailer rigs, non-stop soil hauling; jackhammers; pile drivers; bulldozers; and diesel trucks lining Vereda de la Montura. Mandatory back-up "beeping" devices on delivery trucks and shuttles will compound the annoyances.

- B. **Noise Generated by the Facility Will Be Relentless.** Additionally, loud televisions, outdoor events, and late night "meet and greets" and "goodbyes" create noise that can be heard for many hundreds of yards away, to say nothing of the slamming of car doors of visitors, employees and staff coming in and out of the Facility 24/7. Worse, many vehicles' horns give a brief "honk" each time the doors are locked or unlocked. The Developer's unfounded claim that "noise will be minimal since outdoor uses are oriented away from the subject site," is absurd, given that the two outdoors recreation decks will face the Country Estates HOA and the Highlands Villas HOA directly across Vereda. These noises will disturb Park wildlife and visitors alike.

VI.

THE CITY ERRONEOUSLY GRANTED A CLASS 32 CATEGORICAL EXEMPTION FROM CEQA COMPLIANCE, THEREBY DEPRIVING CITY PLANNERS, THE PUBLIC, AND THE COASTAL COMMISSION OF SIGNIFICANT INFORMATION REQUIRED IN AN EIR

- A. **The Project Site Does Not Satisfy the Requirements for an Urban "Infill" Categorical Exemption from CEQA Compliance under Section 15332.**

1. **The Project Had No Legal Right to a Categorical Exemption from CEQA Compliance.** The California Court of Appeal, citing PRC Section 15300.2(c), reiterated that categorical exemptions are construed strictly, and may not be unreasonably expanded beyond their terms. *McQueen v. Mid-Peninsula Regional Open Space*, 202 Cal. App. 3d 1136, 1148-1149 (1988).

The Supreme Court has strictly limited categorical exemptions:

"A separate cluster of statutes limits the availability of CEQA exemptions where future residents or users of certain housing development projects may be harmed by existing conditions. These limits on exemptions extend to projects located on sites that will expose future occupants to certain hazards and risks — including . . . sites subject to wildland fire, seismic, landslide or flood hazards — unless (in some cases) the hazards and risks can be removed or mitigated to insignificant levels." *California Building Industry Assoc. v. Bay Area Air Quality Management District*, 62 Cal.4th 369 at p. 391 (2015). (Emphasis added.)

The Supreme Court's decision also specifically stated that an "infill housing" exemption cannot be granted in areas with "wildland fire, seismic, landslide or flood hazards," such as the Project Site.

2. **The Project Does Not Satisfy Any Requirements for a Class 32 Categorical Exemption.** Class 32 requires that the Developer must demonstrate that the Project: (1) is an urban "infill" project, and (2) is "environmentally benign," and (3) is consistent with the local Community Plan and Zoning requirements. (See, LA City CEQA Exemption Application Form CP-7828, Specialized Requirements at p. 1.) Additionally, this Exemption is not available to any project: (4) "that would result in any significant traffic, noise, air quality, or water quality impacts," or (5) "that requires mitigation measures to reduce potential environmental impacts to less than significant." There is no credible evidence that the Developer can satisfy all 5 standards listed in this paragraph. Moreover, it is questionable whether the Project could satisfy even one of these requirements.
3. **Public Resources Code Section 21061.3 Defines the Minimum Requirements of an Infill Site:**

"Infill site means a site in an urbanized area that meets either of the following criteria:

"(a) The site has not been previously developed for urban uses and both of the following apply:

"(1) The site is immediately adjacent to parcels that are developed with qualified urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, and the remaining 25 percent of the site adjoins parcels that have previously been developed for qualified urban uses.

"(2) No parcel within the site has been created within the past 10 years unless the parcel was created as a result of the plan of a redevelopment agency."

"(b) The site has been previously developed for qualified urban uses."

The Project Site does not qualify for a CEQA Exemption because it does not satisfy the requirements of PRC 21061.3, chief of which is that it is not immediately adjacent to parcels with qualified urban uses along at least 75% of the Site's perimeter. Under PRC 21061.3, it is an absolute condition precedent to a CEQA Exemption that the Site be surrounded by at least a 75% minimum of

"immediately adjacent" parcels developed for "qualified urban uses." The City ignores this key statutory requirement, but instead uncritically accepts the myth that the Site is entitled to the infill Exemption because it is generally surrounded by urban uses. But that is not the law, and, more importantly, it is factually untrue.

The perimeter of the Site is 868.75 feet. The adjacent parcel, zoned Open Space and comprised of undeveloped parklands, adjoins the Site's west-southwestern perimeter along a mutual boundary of 237.1 feet. This 237.1-foot boundary comprises 27.29% of the Site's total perimeter ($237.1 \div 868.75$). This means that the Site does not, and cannot, qualify as an Urban Infill project because adjacent urban uses are unquestionably less than the 75% under Section 21061.3(a)(1).

Next, Michael Lane intersects with the Site's northern perimeter and, according to ZIMAS, is 60-feet wide. The width of a street does not count as a "qualified urban use." (See, PRC section 21072.) Consequently, the width of Michael Lane reduces the adjacent lengths of the perimeters of the two townhome complexes immediately north of Vereda by 60 feet, thereby increasing non-urban uses on the perimeter of the Site from 237.1 feet to 297.1 feet, or 34.2% of the 868.75-foot Site perimeter ($297.1 \div 868.75$).

Therefore, at most, the Site is only adjacent to parcels developed with qualified urban uses along 65.8% of its perimeter ($100\% - 34.2\%$), far less than the 75% minimum; and the adjacent parklands count zero. Clearly, the Site is not entitled to a Class 32 Infill Exemption.

Finally, the "remaining 25 percent of the Site" does not "adjoin parcels that have previously been developed for qualified urban uses." (See, PRC section 21061.3(a)(1).) This is a second fatal failure to satisfy the statute.

The California Supreme Court, in 2015, emphasized the requirements of PRC section 21061.3 are mandatory and that a project site must satisfy the statutory percentage minimum perimeter to qualify:

"An urban project refers to a project located on a site in an urbanized area that meets specified conditions, including that a specified percentage of the immediately adjacent parcels or adjoining parcels to the site are developed with qualified urban uses, or that the site itself has been previously developed for qualified urban uses. (See § 21061.3)" *California Building Industry, Inc. v. Bay Area Air Quality Management District*, 62 Cal.4th 369 at fn5 (2015). (Emphasis added.)

The City ignored both the statutory definition of an infill lot and the ruling of California's Supreme Court that the statute had to be strictly followed.

B. Apart from the Project's Failure to Qualify as an Infill Site under PRC Section 21061.3, the Assertion that the Site Is Urban Infill Defies All Common Sense.

1. **The Site Borders and Is Closely Surrounded by Parks and Open Spaces.** The parklands that immediately abut the Site are owned by the City and are zoned "open space" and comprise Santa Ynez Canyon Park. Topanga State Park's 17.9 square miles envelop Santa Ynez Canyon Park and border much of it. The Site's "Hillside" location, on the very edge of a steep 36-degree slope overlooking Santa Ynez Canyon, covered by uncertified fill up to 50 feet deep. It is also a designated "High Severity Fire Hazard Zone" due to the wildlands and chaparral that border and surround it. Finally, there is no bus service within 2.5 miles of the Site; there are no retail stores within at least two miles of the Site; and the nearest closest medical and dental offices are almost six miles away.
2. **The Location is not "Urban Infill" because it is "*not substantially surrounded by urban uses*," as required by City Guidelines Sec. 3(c) and as defined in PRC Section 20161.3.** The purpose of "urban infill" is to utilize vacant lots in a city's urban core, for example to replace an old salvage yard with a mixed-use urban development, i.e., one that replaces ugliness with a beautiful development. Infill also encourages building "up" in transportation corridors, so that people don't need two cars. But the Class 32 "Infill" Exemption was never intended to permit a mammoth, multi-story institution in a sensitive environment consisting of thousands of acres of parklands.

C. The Complete Lack of Significant Commercial Development in the Area Refutes Any Contention that the Site Is "Highly-Urbanized."

There is only one small commercial building in the entire Highlands; it is only 27,800 square feet with a one-story restaurant and two stories of small offices and studios, less than 30 feet high. The Project's top four floors alone would have 2.4 times the square footage of any building within a radius of two miles; and the Project's more than 1.50 Floor-to-Area Ratio ("FAR") is almost three times as dense as its neighboring building. The small building next door provides no other services needed by, or beneficial to, physically and mentally impaired residents. The next closest commercial structure is a one-story strip mall at the corner of Palisades Drive and Sunset – more than two miles south of the Project Site.

- D. There is No Credible Evidence that the Project Complies with the Community Plan**
The City's guidelines for Exemption from CEQA require that the Project must be "consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations." The City's Instructions for a Class 32 "Urban Infill" Exemption from CEQA specifically require

compliance with the **Community Plan**, among other requirements. Section IV summarized at least two dozen ways in which the Project would be completely incompatible with the Community Plan.

VII.

EVEN IF THE SITE MET THE STRINGENT REQUIREMENTS OF URBAN "INFILL" UNDER CEQA, WHICH IT DOES NOT, THE PROJECT WOULD STILL BE DISQUALIFIED FROM A CATEGORICAL EXEMPTION BY ADDITIONAL GUIDELINES SET FORTH IN CEQA GUIDELINE 15300.2

A. **In 1988, the City Found Possible "Significant Effects" from a Proposed 28,300 Square-Foot Mixed-Use Development on the Project Site which, under Guideline 15300.2(c), Should Have Disqualified the Project's Categorical Exemption from CEQA Compliance.** (See, Negative Declaration, Case No. 2A 88-0435 at pp 2-3, dated July 6, 1988 ("1988 MND"). These were the 1988 conclusions:

1. *"The ERC initial study prepared for the proposal indicates that possible environmental impacts could occur due to major landforms on the site."*
2. *"The ERC initial study also indicates that the property is potentially subject to flood hazards."*
3. *"The ERC initial study prepared for the proposal also indicated possible environmental impacts due to public facilities (fire). ..."*
4. *"Decision-maker [should] consider limiting height of project to 30 feet, as is done in the Palisades Village."*

B. **The Project Is Disqualified from a Categorical Exemption from CEQA because "the project may cause a substantial adverse change in the significance of an historical resource," Guideline 15300.2(f)**

1. **The Project Threatens the Discovery of Archeologically-Significant Artifacts in the Highlands**, as recounted in the Community Plan. *"The first inhabitants of the land were the Shoshonean-speaking tribe, the HISTORY Tongva. They had a highly organized culture that stretched from Orange County north to Topanga and beyond. Under the Spanish, they were brought into the mission system—specifically San Gabriel—and renamed Gabrielinos."* (Section III-28, Policy 17-1.2.)
2. **In 1988, the City's MND confirmed that the Project Site was likely to contain, or be nearby, archaeological treasures of early tribes:**

"The ERC initial study prepared for the proposal also indicates possible

environmental impacts due to its location in an area 'likely to yield unrecorded archaeological sites.'

- ③ Importantly, the City's 1988 MND checked the "**YES**" box to the question, "*Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site?*"

C. **The Project Would Violate State Greenhouse Gas Reduction Requirements.** It is obvious that siting a new Project of this size, scale and intensity so remotely from the homes of its potential staff, employees and vendors – and where there is a complete lack of public transportation – will drastically increase greenhouse gas emissions. The problem will be compounded by the construction of the Facility, and the several thousand trips by large diesel trucks, 42 miles each way to Moorpark and back, for many months. These diesels will spew their highly-toxic exhausts throughout the Highlands, both when parked and driving. Large diesel machinery, such as bulldozers, pile-drivers, cranes, etc., guarantee a continuing witches' brew of toxic and noxious emissions.

California's landmark legislation addressing global climate change, the California Global Warming Solutions Act of 2006, established as state policy the achievement of a substantial reduction in the emission of gases contributing to global warming " (See, *Center for Biological Diversity v. Department of Fish & Wildlife*, 62 Cal.4th 204, 215 - 217 (2015) and *Communities for a Better Environment v. City of Richmond*, 184 Cal. App.4th 70, 90 (2010).) This is even more important given the City and State Parks that surround the Project Site. Such likely impacts demand an analysis of a project's greenhouse gas emissions.

CEQA guidelines require the lead agency to "describe, calculate or estimate" the amount of greenhouse gases a project will emit and, when assessing the significance of greenhouse gas emissions, the lead agency should consider if "the project emissions exceed a threshold of significance that the lead agency determines applies to the project." (Cal. Code Regs., § 15064.4 (a), (b).)

VIII.

THE COASTAL COMMISSION CANNOT FAIRLY EVALUATE THE PROJECT'S EFFECT OF THE PROJECT ON THE COASTAL ENVIRONMENT WITHOUT AN ENVIRONMENTAL IMPACT REPORT

The City ignored CEQA's mandate that, "The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. . . . Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains,

coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.” (CEQA Guidelines section 15126.2(a).) The California Supreme Court has explained:

“The Legislature has made clear that an EIR is ‘an informational document’ and that ‘[t]he purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.’” (*Laurel Heights Improvement Assn. v. Regents of University of California*, 47 Cal.3d 376, 391 (1988); Guidelines, §15002.)

In a decision involving another Pacific Palisades project wrongly approved by the City, the California Supreme Court ruled: “[S]ince the preparation of an [environmental impact report] is the key to environmental protection under [CEQA], accomplishment of the high objectives of that act requires the preparation of an [environmental impact report] whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact.” (*See, No Oil, Inc. v. City of Los Angeles*, 13 Cal.3d 68 at p. 75 (1974); accord, *Citizens for Responsible Equitable Environmental Development v. City of San Diego Redevelopment Agency*, 134 Cal.App.4th 598, 609 (2005).)

IX.

IN 1988 THE CITY DETERMINED THAT A PROPOSED TWO-STORY BUILDING ON THE SITE WAS TOTALLY INCOMPATIBLE

In 1988, the City rejected a two-story, 28,300 square foot, mixed-use project, finding it **completely incompatible** with the neighboring community. The following are the City’s key findings (see, Case Nos. ZA 88-0435 (PP) and CDP 88-012 at p. 5):

1. *“Inspection of the subject and surrounding properties, however, reveal that there is already some spillover parking on adjacent and abutting public streets as a result of the existing retail center just southerly of the proposed project. While it is acknowledged that convenience retail (Neighborhood Commerce) was originally envisioned at this corner by the Community Plan, it appears the size and scale of the proposed project goes far beyond convenience retail with the second story proposed for offices for a total of 28,300 square feet of floor area on the 43,095 square-foot lot. Such an intensity of development goes far beyond not only the plan but also beyond that ever anticipated by the community.”*
2. *“This intensity will most likely have the following adverse impacts on the neighborhood and community:*

- *Substantial increase in traffic, congestion and noise;*
- *Substantial increase in on-street parking due to most off-street parking being subterranean;*
- *Dramatic change in the low intensity character of the area, impacting both atmosphere and view."*
- *"All of these impacts should be minimized or eliminated by a scaled back, perhaps one-story, retail center with adequate surface parking."*

3. *"It is therefore the considered judgement of the Zoning Administrator that the proposed project is not proper in relation to adjacent uses or the development of the community and the various elements and objectives of the General Plan and all applicable specific plans, and that the project will be materially detrimental to the character of the development in the immediate neighborhood."*

It is incomprehensible that, the current Project, thirty years later, much more than twice as large and double the height of the rejected 1988 project, could now be found "compatible" with the surrounding neighboring development, given that, in 1988, the far smaller two-story building, was rejected for being "materially detrimental" to the community due to traffic, congestion, noise, parking, and impact on views. There has been no materially significant change to the community since 1988.

X.

THE PROJECT WOULD VIOLATE NUMEROUS CITY ZONING CODES

A. The Building Exceeds Maximum Square Footage Limits by 12,494.6 Square Feet.

1. In approving a 64,646-square foot building, the City wrongly permitted the maximum size of the Building to be 1.50 times the Site's gross square footage of 43,097.8, rather than 1.50 times the Site's net "Buildable Area," which is only 34,832.6 square feet. If the 1.50 FAR been correctly based on net "Buildable Area," the Facility's size would have been limited to 52,151.4 maximum square feet, some 12,494.6 feet less than the City approved.
2. LAMC section 12.21.1A states, "The total floor area contained in all the main buildings on a lot in a commercial or industrial zone in Height District No. 1 shall not exceed one-and-one-half times the buildable area of said lot." LAMC section 12.03 defines "Buildable Area" as "that portion of a lot located within the proper zone for the proposed main building, excluding those portions of the lot which must be reserved for, . . . building line setback space." These setbacks are

required by the APC's Decision and are specified on the approved set of plans

3. These **required setbacks** are as follows: (i) 10 feet along the 132.52-foot boundary fronting Palisades Drive = 1,325 square feet; (ii) 7 feet along the 324-foot boundary fronting Vereda de la Montura = 2,268 square feet; (iii) 7 feet along the 175-foot boundary that adjoins the commercial lot to south = 1,225 square feet; and (iv) 16 feet along the 237.1-foot boundary that adjoins the parklands on the west-southwestern side of the lot = 3,793.6 square feet. The aggregate square footage of these four required setback strips equals 8,611.6 square feet. However, because overlapping setbacks would lead to a "double-count" of the areas where two setbacks intersect, the net total square footage of the required setbacks must be reduced by 346 square feet to 8,265.6 square feet (i.e., 8,611.6 - 346).
4. The calculation of Buildable Area under LAMC section 12.03 is a matter of simple arithmetic. The gross lot size is 43,097.8 square feet, which, after deducting 8,265.6 square feet of required setbacks, equals 34,832.6 square feet of net Buildable Area. Multiplying by a 1.50 FAR, the Facility would be limited to 52,151.4 square feet (i.e., 34,832.6 x 1.5), about 12,397 square feet less than the 64,646 square feet approved by the City.

B. The City Ignored Violations of LAMC 12.13.A.2(b)(2), which States, "All activities in a C1 Zone must be conducted wholly within an enclosed building, except that ground floor restaurants may have outdoor eating areas." This means that the 1,700 square-foot "Generations Courtyard" is either (1) a Code violation - i.e., an illegal activity; or (2) enclosed to become part of the "Building," with its square footage added to the Developer's planned 64,646 feet of floor area - thereby rendering the Project's FAR that much greater than the code maximum of 1.50. Likewise, the 11,000 and 3,000 square-foot activities decks require that the Building be reduced by an aggregate of 15,700 square feet (1,700 + 3,000 + 11,000) to comply with the 1.50 FAR limits of the C1 Zone. These violations directly impact Coastal resources because noise generated by these daily and nightly activity areas will be projected across Santa Ynez Canyon into Topanga State Park, thereby disrupting wildlife and habitat.

XI

THE COASTAL ZONE IS AN INAPPROPRIATE AND DANGEROUS LOCATION FOR AN ASSISTED LIVING/DEMENTIA CARE FACILITY

The Project is in a state-designated "Very High Severity Fire Hazard Zone." Not only does the density of residents on the knife-edge of a flammable canyon environment present a danger to the residents, the intensity and nature of its activities present a far greater risk that a careless act might start the fire. Importantly, about one-third of all residents will need

dementia care,

The City ignored the serious risk of a fire starting in or around the Facility, which rapidly spreads to the adjacent Coastal lands, and from there races miles in all conceivable directions in a matter of a couple of hours. This Project never should have been proposed, much less approved, in this severe fire zone in the middle of the Santa Monica Mountains Coastal Zone.

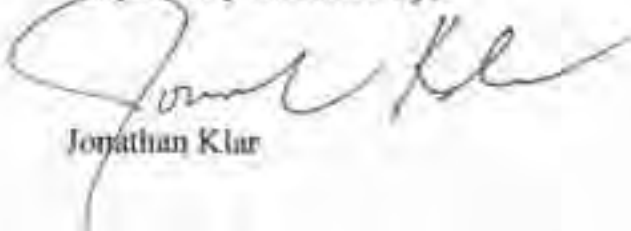
XIII. **CONCLUSION**

The City has given only lip service to the Coastal Act's many requirements, chief of which is stated at PRC section 30251:

"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas."

We urge the Coastal Commission to protect the Coastal Zone and its parklands and habitats, which the City would not.

Respectfully submitted by,



Jonathan Klar