

## JUSTIFICATION TO APPEAL

### ENV-2019-5520-MND

Related Entitlement Case Nos.: DIR-2019-6352-CDP-MEL; DIR-2019-5524-CDP-MEL; DIR-2019-5571-CDP-MEL; DIR-2019-5584-CDP-MEL; ZA-2019-5525-ZAD; ZA-2019-5574-ZAD; ZA-2019-5585-ZAD.

Project Addresses: 17538, 17544, and 17550 Tramonte Drive (SHP House 1); 17532, 17540, and 17548 Revello Drive (SHP House 2); 17523, 17529 Revello Drive (JDR House 1); 17533, 17537, 17541, and 17547 Revello Drive (JDR House 2).

Appellants: Castellammare Mesa Home Owners, the homeowners' organization serving the homes in the Castellammare neighborhood of Pacific Palisades to which this Project is adjacent to and in the immediate vicinity of.

Project: Collectively:

1. Construction of a new two-story 9,051 square-foot single family residence with a 5,887 square-foot basement, a new pool/spa with attached garage, decks, two new retaining walls, each with a maximum height of 10 feet, landscaping and hardscaping improvements, trellises, and an Accessory Dwelling Unit (ADU), located at 17538 - 17550 Tramonto Drive.
2. Construction of a new two-story 4,160 square-foot single-family residence with a 5,096 square-foot basement, a new pool/spa with attached garage, decks, two new retaining walls, each with a maximum height of 10 feet, landscaping and hardscaping improvements and trellises, located at 17532 - 17548 Revello Drive.
3. Construction of a new two-story 2,619 square-foot single-family residence with a 2,428 square-foot basement, a new pool/spa with attached garage, decks, two new retaining walls, each with a maximum height of 10 feet, landscaping and hardscaping improvements and trellises, located at 17523 - 17529 Revello Drive.
4. Construction of a new two-story 5,645 square-foot single-family residence with a 6,292 square-foot basement, a new pool/spa with attached garage, decks, two new retaining walls, each with a maximum height of 10 feet, landscaping and hardscaping improvements and trellises, located at 17533 - 17547 Revello Drive.

Justification for Appeal:

### **The Proposed Mitigated Negative Declaration Does Not Comply with CEQA**

The Mitigated Negative Declaration adopted by the Director of Planning is inadequate under CEQA and substantial evidence supports a fair argument that the Project may have a significant effect on the environment based on the following (to be further elaborated prior to and at the appeal hearing):

1. Aesthetics. The Project will have a substantial adverse effect on a scenic vista, protected by the Coastal Act, as described above, and will conflict with both the Brentwood-Pacific Palisades Community Plan regulations which protect scenic views and Coastal Act regulations and requirements regarding scenic quality. The MND makes no mention of the Coastal Act regulations or the *California Coastline Preservation and Recreation Plan*.

2. Air Quality. The Project will expose sensitive receptors to substantial pollutant concentrations and emissions adversely affecting a substantial number of people during construction and such impacts are not adequately analyzed.

3. Geology and Soils. The MND and Geotechnical Report on which it relies fail to adequately assess the geology and soils impacts on the Project location, one of the most active landslides within the City of Los Angeles, with a long history of movement. There is no analysis provided to substantiate the conclusions reached in the MND, no slope density analysis to confirm grading amounts; no clearance requirements from proposed piles and caissons; no setback requirements from ridgelines. Expert reports set forth that the proposed construction of the retaining wall along Tramonto Drive will undermine the lateral support for the bulkhead piles which support Tramonto Drive, further putting at risk the condition of the roadway and the bulkhead which supports it. There is insufficient information provided in the file regarding the sufficiency of the proposed landslide stabilization method as the Applicant's team has not taken into account all of the relevant factors, including an adequate dewatering mechanism necessary to achieve a stabilization result. Substantial evidence supports a fair argument that the Project will have a significant impact on geology and soils resources, impacts which have not been analyzed or mitigated, in the MND.

4. Hazards and Hazardous Materials. The Project poses a significant hazard to the public and the environment which will impair the response/emergency evacuation plan and routes for the approximately two hundred homes within the boundaries of the Castellammare Mesa Home Owners organization therefore also posing a significant risk of loss, injury or death involving wildland fires.

5. Hydrology and Water Quality. The Project will alter the existing drainage pattern of both the Project site and area, the details of which are not included or analyzed in the MND. As set forth in the report by geologist Eugene D. Michael, the "stabilization" method for the landslide proposed fails to consider the dewatering mechanism necessary to achieve a stabilization result. The Project, as proposed, also provides no permanent drainage infrastructure.

6. Land Use and Planning. As set forth above, the proposed Project is not in substantial conformance and directly conflicts with the Brentwood-Pacific Palisades Community Plan. The MND fails, at all, to discuss consistency with the Coastal Act requirements, the California Coastline Preservation and Recreation Plan and the City's Mobility Plan 2035 with which the Project inconsistent with.

7. Noise. There is substantial evidence in the record that the Project will cause a noise impact, in particular with regard to construction noise.

8. Transportation. There is substantial evidence in the record that the Project will cause an unmitigated transportation impact. The Project, including the proposed construction of the retaining wall along Tramonto Drive undermining the lateral support for the bulkhead piles which support Tramonto Drive, further putting at risk the condition of the roadway and the bulkhead which supports it, and its failure to comply with the Streets and Highways Code and Mobility Plan 2035 requirements will increase hazards to and from Revello and Tramonto and result in inadequate emergency access for the homeowners in this area as further described above.

9. Cumulative Impacts. There is no evidence, much less substantial evidence, to support the conclusion that the “cumulative impact” of the Project will not result in any potentially significant impacts. There are no other reasonably foreseeable future projects listed and none analyzed.