

Palisair Homewoners Assn

April 14, 2017

Palisair Homewoners Assn
P.O. Box 901
Pacific Palisades, CA 90272
Sent via e-mail: Pallisair@gmail.com

Re: 1055 El Medio project

PHOA:

As the owner of one of four adjoining properties, all of which have keen opposition to the above expansive project, I wish to recite my disapproval for the requested variances (CC&R Violations) by the project owner, as well as, other proposals that affect the safety and value of mine and adjoining properties.

1. Excavation for basement 14/15' deep by 110' wide. Setback from toe of hillside 16'.
2. Elevator for underground parking of 4/6 autos. Shaft depth, about 20/22. Setback 16'
3. Location of garage for 4 automobiles..
4. Five foot side yard setback on east wing of residence and basement.
5. Distance of front yard and rear yard setbacks.
6. Glare and reflection from photo voltaic device and skylight additions on east wing of residence.
7. Location and construction of swimming pool on side of steep hill on caissons
8. Restricted height of the extensions of east and west wings.
9. Residence extensions of east and west wings off-pad on pilons.
10. Roof deck on west wing of residence.

- 1) I am opposed to the dig and excavation for the basement. There are no plans, other than it's location. Geologists and an earth moving contractor have informed me that this project has a very high risk of damaging the stability of the steep (75/80% slope) hill, above, belonging to lots 21(Rushkin) and 24 (Oliver). According to the CC&Rs, land includes, the subsurface, as well as the surface, and the PHOA board must seriously consider not allowing the excavation of the 3,000 cubic yards of dirt, requested by the builder. Building and safety requires an acceptable geologic map and slope analysis, etc. of lot 22 (Chapin), by a licensed civil engineer or geologist. We would like to have a licensed expert, selected by you or the owners of lots 21 and 24, perform the same tasks for our hillsides, and have Mr. Chapin pay all costs. Historically, in 1954, the developers took the south 12' of property from lots 21, 24 and 25, a total of 280' from El Medio westward, and gave it to the flag lot 22, for a driveway. Eight feet of that property was graded level with lot 22, and four feet was retained as the toe of the hill. The owners of lot 22, planted five eucalyptus trees, and plumbed a waterline in the 4' area, which is now about level with the driveway. This has caused the fill to fail. A slide on any part of the northern hillside, would cause severe loss of property values for lots 21, 24, 25, 22 and 23 (Ray). Lot 22, currently has more than 60' of level land from the toe of the northern hillside, which is 27' tall. The excavation for the basement and elevator shaft reduces this level land to 16', which includes a submerged water zone below ground. I have engaged a geologist to examine my hillside in 2002, and again in March of this year. He states that moisture from cracks in the driveway of lot 22 are probably due to the presence of a

saturated zone beneath the pavement. Either, slight hydraulic gradient is present which forces water up, or the moisture is drawn to the surface by capillarity. Part of the severe slope of lot 24 from 80' to 165' west of El Medio, is underlain with uncompacted artificial fill. The batter boards installed help to secure this section of slope fill. The filled section of the slope would not have been permitted because of its steepness, had the present Code been in existence at that time. An earth moving contractor, examined this project last week, informing me that he would not accept the excavating job without core drilling on the adjoining hillside properties. Over the past forty years, he has experience bad cave- ins and slides, when the excavation is too close to a severely sloped hillside. He believes the weight of the homes above, cause downward pressure that cannot be retained by the short strip of level ground during the deep dig for the basement and elevator shaft. My geologist replied that an acceptable geological map of all the concerned land could possibly answer these risks. But, he did question the 47' drop from hilltop to the bottom of the elevator shaft, with just 16' of level land between my hill and the proposed excavation.

- 2) You have not seen any plans for the design and construction of the elevator, nor it's equipment, safety features and the waterproofing of the shaft. The shaft must be much deeper than the basement. Should there be any mechanical breakdown when the top platform is not level with the surrounding ground, up or down, the elevator should be considered a very high risk and safety factor, especially located next to the driveway and near to the front door. The ability to construct space for the parking of 8/10 autos in a single family house with only two adults and two very young children is not compatible with any residence in our tract. See geology item one.
- 3) Original owners of lot 22, built the existing residence and garage in 1956. Should the current owners choose to build a new garage in the acquired property for a driveway. The owners of lots 21 and 24, want to dispute the plan. We ask the PHOA Board not to allow garage built as per location. A suggestion has been made to eliminate the housing for autos in the basement, and replacing the elevator with the 4 car garage. Possibly, this would help settle some of the conflicts described in items 1, 2, 3, 4, and 5,.....and would improve a huge safety factor.
- 4) The current building on lot 22, has an east side setback of about 17'. This enables automobiles in area, to turn around before heading out to El Medio, some 250' from the new, as intended garage. This is a matter of safety and accidental trespassing damage that the board should consider. The new plans show a side setback of only 5' from lot 23 (Ray), at which point, the dig of the basement and elevator shaft starts. For the safety and access to lot 22, they should provide for fire engines and large trucks to turn around. That is main reason for driveway and front yard setback. Also, consider the deep dig, so close to the Ray's property line.
- 5) The new BHO ordinance requires R15 hillside properties to have a front and back yard setback to be 25% of the lot depth. I could not find the lot depth on the plans, but it is certainly more than 100'. The swimming pool is located 20' from south border, and the front yard doesn't seem to have more than 8' from the driveway. Can you explain, why this should be permitted?
- 6) I have contacted the manufactures of two skylight and two photo voltaic companies. They all said that the glare and reflection from their products cannot be eliminated when the sun is out. This will cause a huge, obvious nuisance on all sunny days, for all of the neighbors, living above lot 22,..... namely, the Rushkins, Olivers and Cohen. We ask that this requested variance be turned down.

- 7) I am opposed to the construction of swimming pool on the side of a hill, without any retaining Below, and on a slope with about 40 degree angle. Lot 22, back yard setback is 20'. I believe it should be 25'. CC&Rs require construction on level ground. Height of pool, of course, is not parallel with natural grade, as shown in your sketches. It has a height violation 20'1".
- 8) According to SKC Pacific, LLC, (shown on plans) revised plan letter of 3/30/2017, the extension of the east wing of residence is still off-pad 11', and the west wing is off-pad 16'. Height of east wing is 26'5", and west wing is 23'8". In neither instance, is the roof parallel to the natural grade, per your sketch in Application Process for Construction (7pages). East wing, still blocks view from next door neighbor, lot 23. Hopefully, you will find remedies to these violation, and or, not approve.
- 9) This item is a continuation of item 8. Lot 22, has a history of slides, and it is within a slide area. My reasoning in items 7, 8, and 9, show no prevention for alleviating these concerns, but they do add to the risks of a slide happening again. If the slide happens on an adjoining property, (see items 1, 2, 3, 4, and 5), there would probably be litigation.
- 10) Nothing has been mentioned about roof deck on the revised plans, however the stairway to the roof remains. If it is to remain included, it will add height to the building's low point of 14', and it's high point 23'8". Additionally, since the building is not parallel to the natural grade, it violates another requirement. A possible change to their current ridged sloped roof design, may benefit them, since they would probably be able to add their skylight and photo voltaic device on their far western sloped roof. There should not be any reflective glare, bothersome to the neighbors, above.

Thank you for, finally, allowing me to view the plans. It helped me to construct this letter, and bring up thoughts and problems that I don't believe, have been discussed to this point. I do hope that the entire board will read this letter, and have the time to discuss each item of expression, before The Meeting of Decision. All of the adjoining neighbors and my associates have read it, and concur with it's content. Also, it should lessen speaking time.

Very truly,

Hal Oliver

