

**CALIFORNIA COASTAL COMMISSION**

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

**W6a****ADDENDUM**

April 7, 2011

**TO:** Coastal Commissioners and Interested Parties

**FROM:** South Coast District Staff

**SUBJECT:** **ADDENDUM TO ITEM W6a, COASTAL COMMISSION PERMIT APPLICATION NO. 5-10-100-(ADAMS) FOR THE COMMISSION MEETING OF WEDNESDAY, APRIL, 13, 2011.**

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Commission staff received two (2) letters on April 5, 2011 in opposition to Coastal Commission Staff's recommendation of Approval for Coastal Commission Permit Application No. 5-10-100, which is on the Consent Calendar. These two (2) letters address concerns regarding: 1) impact to private views; and 2) the amount of grading.

The single-family residences will not exceed 25-feet above finished grade. No public views are available across the site. Additionally, impacts to private views are not a Coastal Act issue.

Grading for the proposed project will consist of 2,900 cubic yards of cut and export of 2,450 cubic yards to a location outside of the Coastal Zone. As stated in the staff report, the underlying geology of the subject site is somewhat unusual because of past grading. The applicants' geotechnical reports indicate that a landslide previously impacted the Eastern rear yard (bluff side) portion of the lot and that in 1976 the site was graded to place a buttress fill against the entire bayside of the lot. This existing man-made fill area encompasses a large section of the bayward-most portion of the rear yard. The remaining Western (landward) portion of the site is underlain by bedrock. Additional fill was placed on top of the bedrock. Thus, the existing house is placed entirely on fill. The entire project site landward of the slope edge is proposed to be graded. Therefore while there will be substantial grading taking place onsite, there are no concerns regarding alteration of natural landforms since grading primarily consists of removal of fairly recent fill.

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APR - 5 2011

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W 6a

6.A of the Agenda Scheduled for 13 April, 2011  
Application No. 5-10-100  
Joe and Yolande Bati Opposed to the Project

4 April 2011

California Coastal Commission  
South Coast District  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Re: Permit No. 5-10-100; Agenda Item No. 6.A of the Agenda to be heard on Wednesday, 13 April 2011

Esteemed Members:

This letter is written in opposition to the application.

We, the undersigned, Joe and Yolande Bati, bought our view-home at 1200 Santiago Drive, Newport Beach (CA) in 1966, located directly behind a row of flat-roof homes, one of which is subject property at 1232 Polaris Drive, proposed for radical remodel by applicants/current owners Walter and Anne Adams. Said row of flat-roof homes on Polaris Drive was in keeping with the Dover Shores Homeowners Association's "view-homes" brand. There are no houses between the applicants' flat-roof home and the row of view homes on Santiago Drive, overlooking Upper Newport Back Bay.

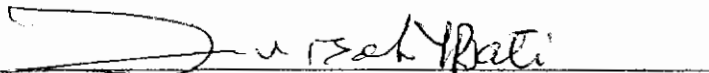
We are opposed to the project because of its projected height, size and amount of grading. The proposed house is in excess of 5,470 square feet, with an additional 796 square feet for a garage. The height of the proposed house adds additional footage from the existing flat-roof house. We are informed that 2,900 cubic yards will be cut out from the existing slope and lot!

We are opposed to the proposed new house because the extra height will take away the "open" view of Upper Newport Bay. Additionally, the size of the house will make it one of the largest, if not the largest home in the Dover Shores Community of Newport Beach.

The grading, that will consist of 2,900 cubic yards of 'cut', is substantial and will forever change the coastline from its natural state.

For these reasons, we are opposed to the project as currently submitted.

Respectfully,



Joe and Yolande Bati

Cc: Dover Shores Community Association  
Rutan & Tucker

DoverKeystone

W 69

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APR - 8 2011

6.A of the Agenda Scheduled for 13 April, 2011  
Application No. 5-10-100  
Joe and Yolande Bati Opposed to the Project

6 April 2011 CALIFORNIA  
COASTAL COMMISSION

California Coastal Commission  
South Coast District  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Re: Permit No. 5-10-100; Agenda Item No. 6.A of the Agenda to be heard on Wednesday, 13 April 2011

Esteemed Members:

Please refer to our letter dated 4 April 2011 relating to the above-referenced Permit submitted by applicants Walter and Anne Adams, owners of the flat-roof home at 1232 Polaris Drive, Newport Beach (CA).

Please be advised that as of this writing (6 April 2011), drilling and excavation have started at 1232 Polaris Drive, Newport Beach (CA), prior to your scheduled Agenda hearing on Wednesday, April 13 (2011).

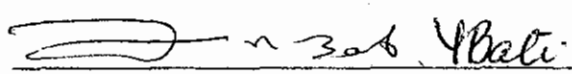
Mr. and Mrs. Adams are very powerful people.

We, the Batis, are today in an utter state of despair due to an overwhelming sense of helplessness!

Mr. and Mrs. Adams first failed to obtain their neighbors' sign-off, as required. Now, they proceed unimpeded and unrestrained, with their self-approved desired reconstruction which will radically, radically, alter the intended 'flat-roof coastline, and set a most grievous precedent!

The glorious morning view of the Bay and majestic stream of rowing athletes, all these past 45 years, will forever be gone! It is a sad day indeed!

Respectfully,

  
\_\_\_\_\_  
Joe and Yolande Bati

Cc: Dover Shores Community Association ✓  
Rutan & Tucker

DoverKeystone

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South Coast Region

W 6a

APR - 5 2011

CALIFORNIA  
COASTAL COMMISSION

Agenda Item No. - 6.A (Agenda for April 13, 2011)  
Application No. - Permit No. 5-10-100  
My Name - Richard Curnutt  
Position - Opposed to the Project

California Coastal Commission  
South Coast District  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Re: Permit No. 5-10-100 - Remodel of House at 1232 Polaris Drive, Newport Beach, California

Dear Ladies and Gentlemen:

My wife Sharon and I live at 1148 Santiago Drive, Newport Beach, California. We oppose the application and the project.

We live above the project and are opposed to the project because of its size (5,470 square feet plus a garage containing 796 square feet) and the amount of dirt that will have to be removed from the project site (2,900 cubic yards).

Because of its size and height, it will take away from the view of the Back Bay. The size of the house will make it one of the largest in our community of Dover Shores.

The amount of grading that will have to be done is substantial. For these reasons, we are opposed to the project.

Very truly yours,



Richard A. Curnutt

**CALIFORNIA COASTAL COMMISSION**

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

**W 6a**

Filed: February 2, 2011  
49th Day: March 23, 2001  
180th Day: August 1, 2011  
Staff: Fernie Sy-LB  
Staff Report: March 24, 2011  
Hearing Date: April 13-15, 2011  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-10-100

**APPLICANT:** Walter & Anne Adams

**PROJECT LOCATION:** 1232 Polaris Drive, City of Newport Beach, County of Orange

**PROJECT DESCRIPTION:** Demolition of an existing single-family residence and construction of a new 5,470 square foot single-family residence with two (2) garages (total of three (3) parking spaces) totaling 796 square feet. Grading will consist of 2,900 cubic yards of cut and export of 2,450 cubic yards to a location outside of the Coastal Zone.

**LOCAL APPROVALS RECEIVED:** City of Newport Beach Approval-In-Concept (No. 2005-2009) dated January 19, 2010.

**SUMMARY OF STAFF RECOMMENDATION:**

The subject site is a coastal bluff top lot located between the first public road and the sea (Newport Bay) in Newport Beach. Although a coastal bluff, the toe of the bluff at this site is not currently subject to tidal action/erosion as there is existing development (an aquatic center and parking lot) located between the bluff toe and the bay. The primary issues addressed in this staff report are the conformance of the proposed development with the geologic hazard policies of the Coastal Act.

Staff is recommending **APPROVAL** of the proposed project with **NINE (9) SPECIAL CONDITIONS** regarding: **1)** revised project plans showing removal of hardscape located within 10-feet of the seaward edge of the graded pad; **2)** additional approvals for any future development; **3)** evidence of conformance with geotechnical recommendations; **4)** assumption of risk; **5)** no future bluff or shoreline protective devices; **6)** compliance with the submitted drainage and run-off control plan; **7)** submittal of a pool and spa protection plan; **8)** landscape controls; and **9)** a deed restriction against the property.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Newport Beach only has a certified Land Use Plan and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The certified Land Use Plan may be used for guidance.

**SUBSTANTIVE FILE DOCUMENTS:** City of Newport Beach certified Land Use Plan; *Geotechnical Engineering Investigation, Proposed Residential Development, 1232 Polaris Drive, Newport Beach, CA (Project Number 14707-09)* prepared by *NorCal Engineering* dated April 3, 2009;

Engineering report from *Andrew Stone, CEG* to Mark Burkholder (*NorCal Engineering*) dated April 4, 2009; Letter from Commission staff to Hargrove Homes, LLC dated May 27, 2010; Letter from Hargrove Homes, LLC to Commission staff dated September 23, 2010; *NorCal Engineering* letter dated September 20, 2010; Letter from Commission staff to Hargrove Homes, LLC dated October 26, 2010; Communication from Hargrove Homes, LLC to Commission staff dated November 1, 2010; Letter from Hargrove Homes, LLC to Commission staff dated November 22, 2010; Letter from Commission staff to Hargrove Homes, LLC dated December 10, 2010; *NorCal Engineering* report dated April 3, 2009; *NorCal Engineering* report dated December 14, 2009; *NorCal Engineering* letter dated May 28, 2010; *NorCal Engineering* letter dated September 28, 2010 ; and *NorCal Engineering* letter dated November 5, 2010; *NorCal Engineering* letter dated November 10, 2010.

### **LIST OF EXHIBITS**

1. Location Map
2. Site Plan
3. Floor Plans
4. Elevation Plans
5. Grading Plan
6. Geologic Maps/Plans
7. Foundation/Soldier Pile Wall Plans

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### **STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

### **MOTION:**

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

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

### **RESOLUTION:**

## **I. APPROVAL WITH CONDITIONS**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the

environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. STANDARD CONDITIONS

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

## III. SPECIAL CONDITIONS

### 1. REVISED PROJECT PLANS

- A. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, two (2) full size sets of revised project plans. The revised plans shall be in substantial conformance with the plans submitted, except they shall be modified to demonstrate that proposed development, including but not limited to hardscape, shall be located at least 10-feet landward of the seaward edge of the graded pad. The seaward edge presently follows the approximately 61-foot elevation contour near the rear yard property line as generally depicted on Exhibit #5 of the March 24, 2011 Staff Report. Furthermore, no form of development (including but not limited to grading, hardscape and planters) other than planting of drought tolerant plants native to coastal Orange County and appropriate to the habitat type, shall occur seaward of the minimum 10-foot bluff edge setback or beyond the bluff edge.
- B. The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

### 2. FUTURE DEVELOPMENT

This permit is only for the development described in Coastal Development Permit No. 5-10-100. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-10-100. Accordingly, any future improvements to the single-family residence and appurtenances authorized by this permit, including a change in use and repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-10-100 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

### **3. CONFORMANCE WITH GEOTECHNICAL RECOMMENDATIONS**

- A.** All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the geologic engineering investigations: *Geotechnical Engineering Investigation, Proposed Residential Development, 1232 Polaris Drive, Newport Beach, CA (Project Number 14707-09)* prepared by *NorCal Engineering* dated April 3, 2009; Engineering report from *Andrew Stone, CEG* to Mark Burkholder (*NorCal Engineering*) dated April 4, 2009; *NorCal Engineering* letter dated September 20, 2010; *NorCal Engineering* report dated April 3, 2009; *NorCal Engineering* report dated December 14, 2009; *NorCal Engineering* letter dated May 28, 2010; *NorCal Engineering* letter dated September 28, 2010; and *NorCal Engineering* letter dated November 5, 2010; and *NorCal Engineering* letter dated November 10, 2010.
- B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the Executive Director's review and approval, final design and construction plans, including foundations, grading and drainage plans along with evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all the recommendations specified in the above-referenced geologic engineering reports.
- C.** The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment unless the Executive Director determines that no amendment is legally required.

### **4. ASSUMPTION OF RISK, WAIVER OF LIABILITY AND INDEMNIFY**

By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from bluff and slope instability, erosion, landslides and wave uprush or other tidal induced erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including



costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

**5. NO BLUFF OR SHORELINE PROTECTIVE DEVICES**

- A.** By acceptance of this Permit, the applicants agree, on behalf of themselves and all other successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-10-100 including, but not limited to, the residence, foundations, pool, spa, decks, hardscape, and any future improvements, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions or other natural hazards in the future. By acceptance of this permit, the applicants hereby waive, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.
- B.** By acceptance of this Permit, the applicants further agree, on behalf of themselves and all successors and assigns that the landowners shall remove the development authorized by this permit, including the residence, pool and decks, if any government agency has ordered that the structure is not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowners shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

**6. DRAINAGE AND RUN-OFF CONTROL PLAN**

- A.** The applicants shall conform to the drainage and run-off control plan received on November 24, 2010 showing all roof drainage and runoff directed to area collection drains and sub-drain systems on site for discharge to the street through piping or directed to a bottomless trench for percolation.
- B.** The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**7. POOL AND SPA PROTECTION PLAN**

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,**** the applicant shall submit, for review and approval of the Executive Director, two (2) full size sets of pool and spa plans prepared by an appropriately licensed professional that incorporates mitigation of the potential for geologic instability caused by leakage from the proposed pool and spa. The pool and spa plan shall incorporate and identify on the plans the following measures, at a minimum: 1) installation of a pool and spa leak detection system such as, but not limited to, leak detection system/moisture sensor with alarm and/or a separate water meter for the pool and spa which are separate from the water meter for the house to allow for the

monitoring of water usage for the pool and spa, and 2) use of materials and spa design features, such as but not limited to double linings, plastic linings or specially treated cement, to be used to waterproof the undersides of the pool and spa to prevent leakage, along with information regarding the past and/or anticipated success of these materials in preventing leakage; and where feasible 3) installation of a sub drain or other equivalent drainage system under the pool and spa that conveys any water leakage to an appropriate drainage outlet.

- B.** The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment unless the Executive Director determines that no amendment is legally required.

## **8. LANDSCAPING**

Vegetated landscaped areas shall only consist of drought tolerant plants native to coastal Orange County and appropriate to the habitat type. Native plants shall be from local stock wherever possible. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

## **9. DEED RESTRICTION**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the landowner has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

## **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. PROJECT LOCATION AND DESCRIPTION AND PREVIOUS COMMISSION ACTION ON SITE**

1. Project Location and Description

The subject site is located at 1232 Polaris Drive within the City of Newport Beach, Orange County (Exhibit #1). The site is currently occupied by a one-story single-family residence with a detached garage, swimming pool and associated decking, concrete walkway and tilted rear patio. A wooden deck also currently exists in the rear yard. The lot size is 18,378 square feet and the City of Newport Beach Land Use Plan (LUP) designates use of the site for Single Unit Residential Detached (RSD-A) and the proposed project adheres to this designation. The project is located within an existing developed urban residential area. Existing single-family residential development is located to the North, West, and South of the project site. To the East of the home site is an approximately 50-foot high coastal bluff that descends at a 2:1 slope downward to a relatively flat plain occupied by the bayfront Newport Aquatic Center. Bayward of the aquatic center is Newport Back Bay and the Upper Newport Bay Ecological Reserve (UNBER). The UNBER has been designated a State Ecological Reserve, which is important for both its habitat values as well as scenic and visual resource values. Much of Upper Newport Bay is surrounded by steep coastal bluffs which serve as a scenic backdrop for the “Bay” and contribute to its scenic and visual qualities.

The applicant is proposing demolition of an existing single-family residence and associated structures and construction of a new 5,470 square foot single-family residence with two (2) garages (total of three (3) parking spaces) totaling 796 square feet (Exhibits #2-5). A pool and spa are also proposed in the rear yard (between the house and the slope edge). Grading will consist of 2,900 cubic yards of cut and export of 2,450 cubic yards to a location outside of the Coastal Zone. The foundation system will consist of deepened footings, grade beams and for portions of the eastern sections of the project a caisson foundation system (caissons embedded into bedrock) is proposed (Exhibit #7). A soldier pile wall will be constructed along the North property line (between the subject site and the adjacent single family home) and a masonry retaining wall will be constructed along the South property line (next to the adjacent home on that side) (Exhibit #7). The single-family residence will not exceed 25-feet above finished grade.

The proposed project area is located on a bluff adjacent to Upper Newport Bay, much of which is subject to modest tidal erosion. However, this specific site is not typical of the general area as there is existing development, the Newport Beach Aquatics Center, between the toe of the bluff and Newport Bay. Thus, the applicants’ property boundary is not presently subject to flooding or erosion forces caused by wave action, tidal changes or a rise in sea level as currently existing. However, in time the bluff may be subject to tidal changes and a rise in sea level and associated erosive forces that will affect the subject property and proposed development. While there is evidence that geologic conditions change, the Commission must rely upon, and hold the applicants to their information, which in this case states that the site is safe for development without the need for protective devices (to be further discussed later in the staff report).

The underlying geology of the subject site is somewhat unusual because of past grading. The applicants’ geotechnical reports indicate that a landslide previously impacted the Eastern rear yard portion of the lot and that in 1976 the site was graded to place a buttress fill against the entire bayside of the lot. This existing man-made fill area encompasses a large section of the bayward-most portion of the rear yard. The remaining Western (landward) portion of the site is underlain by

bedrock (Exhibit #6). Additional fill was placed on top of the bedrock. Thus, the existing house is placed entirely on fill. There is a buried “line” separating the bedrock area and the buttress filled area which runs diagonally along the width of the property in the rear Eastern portion of the site (Exhibit #6). Technically, based on past Commission action, the ‘bluff edge’ is that buried contact line between the bedrock and the fill. However, the actual slope edge, composed of fill, is much further seaward. Because of the significant past grading and the unusual site circumstances, the seaward slope edge is being utilized for site planning purposes and to establish setbacks.

The entire project site landward of the slope edge is proposed to be graded. On part of the site, that grading will result in removal of about 10-feet of the existing fill that overlays the entire site. The geotechnical reports recommend that the existing fill soils to be retained in the portion of the site underlain by bedrock simply be recompacted, and that standard foundations be used. However, the buttress fill described above is subject to continued settlements and is not considered suitable for the support of the proposed residential development (Exhibit #6). In those areas where the structure is located on top of the buttress fill, a foundation system consisting of caissons embedded into bedrock (located below the buttress fill) is proposed (Exhibit #7). Using these methods, the entire project will be supported on bedrock materials to minimize any differential settlements. While it is recommended that the existing buttress fill materials not be utilized to support the intended improvements, the geotechnical reports have evaluated the factor of safety for the descending slope and determined that it indicates a safety factor of 1.5 or greater and is thus judged to be grossly stable under the design conditions.

The City’s certified Land Use Plan (LUP) requires that any new bluff top development is sited a sufficient distance from the bluff edge, but not less than 25-feet from the bluff edge, to ensure stability. The proposed residence and pool are set back a minimum of 38-feet (for the residence) and 30-feet (for the pool) from the edge of the graded buttress fill slope, which at this location is sufficient to ensure stability of the proposed development (Exhibit #5). The proposed residence is actually setback farther inland than the existing residence (Exhibit #2,).

For accessory development (i.e., hardscape and appurtenances), the LUP requires at least a 10-foot setback from the bluff edge. However in this case, the proposed at grade concrete deck will be located within the minimum 10-foot setback (Exhibit #5). Therefore, a portion of the proposed development does not conform to the 10-foot bluff edge setback for accessory development (i.e., hardscape and appurtenances). Therefore, the Commission is imposing **SPECIAL CONDITION 1**, which requires the applicant to submit revised project plans showing relocation of all hardscape and appurtenances at least 10-feet from the edge of the graded buttress fill slope.

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, without controls on future development, the applicant could construct amenities to the proposed home that would have negative impacts on coastal resources, and could do so without first acquiring a coastal development permit, due to the exemption for improvements to existing single-family residences in Coastal Act Section 30610 (a). In order to prevent the current authorization from allowing such future negative effects, it is necessary to ensure that any future development -- including the development of amenities that would otherwise normally be exempt -- will require a permit. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission imposes **SPECIAL CONDITION NO. 2**, which is a future improvements special condition.

The geotechnical consultants have found that the proposed development is feasible provided the recommendations contained in the geotechnical reports prepared by the consultants are

implemented in regards to the design and construction of the project. The geotechnical recommendations address foundation systems and grading requirements. In order to ensure that risks of development are minimized, as per Section 30253, the Commission imposes **SPECIAL CONDITION NO. 3**, which states that the geotechnical consultants' recommendations should be incorporated into the design of the project.

Although adherence to the geotechnical consultants' recommendations will minimize the risk of damage from bluff and slope instability, erosion, landslides and wave uprush the risk is not entirely eliminated. Galaxy Drive has been prone to bluff failures on a consistent basis. Even more so, a landslide has occurred previously on the project site. Therefore, the standard waiver of liability condition has been attached via **SPECIAL CONDITION NO. 4**.

No shoreline or bluff protection device is proposed. However, because the proposed project includes new development, it can only be found consistent with Section 30253 of the Coastal Act if a shoreline protective device is not expected to be needed in the future. The applicants' geotechnical consultant has indicated that the property boundary is not presently subject to flooding or erosion forces caused by wave action, tidal changes or a rise in sea level as currently existing and that the site is stable and that no shoreline protection devices will be needed. If not for the information provided by the applicants that the site is safe for development, the Commission could not conclude that the proposed development will not in any way "require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs." However, as stated previously, the record of coastal development permit applications and Commission actions has also shown that geologic conditions change over time and that predictions based upon the geologic sciences are inexact. Even though there is evidence that geologic conditions change, the Commission must rely upon, and hold the applicants to their information, which states that the site is safe for development without the need for protective devices. Therefore, the Commission imposes **SPECIAL CONDITION NO. 5** which states that no shoreline or bluff protective devices shall be permitted to protect the proposed development and that the applicants waive, on behalf of themselves and all successors and assigns on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

One factor that can minimize the hazards inherent to bluff-top development is proper collection of site drainage. Another factor that can minimize the hazards inherent to bluff development is limiting the amount of water introduced to the bluff top area. In order to maximize bluff stability, the amount of water introduced to the site should be minimized. The proposed project's drainage plan indicates that all roof drainage and runoff from the Northeasterly half of the site will be collected in series of area drains. These area drains will be discharged then to the street. The Southwesterly half of the site will be collected in the sump. The runoff is then pumped to the energy dissipater and then goes to the bottomless trench for percolation. Any excess will be discharged to the street via curb drain. Thus, site drainage has been designed to minimize hazards to bluff-top development. Therefore, the Commission imposes **SPECIAL CONDITION NO. 6**, which requires the applicant to comply with the submitted drainage and run-off control plan.

The proposed project consists of construction of a pool and spa in the rear yard. If water from the proposed pool and spa is not properly controlled there is a potential for bluff failure due to the infiltration of water into the bluff. For this reason, the potential for infiltration into the bluff should be minimized. This can be achieved by various methods, including having the spa double lined and installing a spa leak detection system to prevent the infiltration of water into the bluff due to any possible spa problems. The applicant has stated that water from the pool will be drained using a

sump pump that discharges pool water to the street. In addition, a water meter may be installed to monitor the amount of water used for the new swimming pool and spa. However, no such plans have been submitted that show these elements have been included into the project. Therefore, the Commission imposes **SPECIAL CONDITION NO. 7**, which requires the applicant to submit a pool and spa protection plan.

Because of the fragile nature of coastal bluffs and their susceptibility to erosion, the Commission requires a special condition regarding the types of vegetation to be planted. The installation of in-ground irrigation systems, inadequate drainage, and landscaping that requires intensive watering are potential contributors to accelerated weakening of some geologic formations; increasing the lubrication along geologic contacts and increasing the possibility of failure, landslides, and sloughing. Use of non-native vegetation that is invasive can have an adverse impact on the existence of native vegetation within the adjacent Upper Newport Bay Ecological Reserve.

Since the proposed development is adjacent to the Upper Newport Bay Ecological Reserve where the protection and enhancement of habitat values is sought, the placement of vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org>) and California Native Plant Society ([www.CNPS.org/](http://www.CNPS.org/)) in their publications. In the areas on the rear of the lot, landscaping should consist of plant species native to coastal Orange County only.

The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" (a.k.a. WUCOLS) prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

Low water use, drought tolerant, native plants require less water than other types of vegetation, thereby minimizing the amount of water introduced into the bluff top. Drought resistant plantings and minimal irrigation encourage root penetration which increases bluff stability. Water on site can be reduced by limiting permanent irrigation systems. Consequently, irrigation must be limited to temporary irrigation only as needed to establish plants.

The applicant has not submitted plan. To make sure that vegetated landscaped areas only consist of drought tolerant plants native to coastal Orange County and appropriate to the habitat type, the Commission imposes **SPECIAL CONDITION NO. 8**, which requires only this type of vegetation. This will minimize the potential for the introduction of non-native invasive species and will also minimize the potential for future bluff failure.

### 3. Prior Commission Actions at Subject Area

On August 24, 1983, the Commission approved Coastal Development Permit No. 5-83-512-(German) for the demolition of a single-family residence and construction of a two-level, 5,310 square foot with three (3) onsite parking spaces, 17-feet above AFG, single-family residence. Staff recommended approval of the project subject to three (3) conditions which address scenic and visual resources and landform alteration and geologic stability: **SPECIAL CONDITION NO. 1**

requires submittal of revised plans which indicate that the structure will be setback a minimum of 25-feet from the top of the bluff and detailed plans which minimize the alteration of the bluff face and which conform with Exhibit #2 of the August 10, 1983 staff report, which delineates the alternate proposed grade; 2) **SPECIAL CONDITION NO. 2** requires Applicant's Assumption of Risk; and 3) **SPECIAL CONDITION NO. 3** requires the plans to conform to the Geology Report. On August 29, 1983, the Notice of Intent was issued. On December 17, 1985, a time extension (CDP No. 5-83-512-E1) was granted for the permit. Also again, on September 15, 1986, another time extension (CDP No. 5-83-512-E2) was granted for the permit. The permit was ultimately never issued. Thus, the Coastal Development Permit expired.

## **B. HAZARDS**

Development adjacent to the ocean and the edges of coastal bluffs and hillsides is inherently hazardous. Development which may require a bluff, hillside, or shoreline protective device in the future cannot be allowed due to the adverse impacts such devices have upon public access, visual resources, and shoreline processes. To minimize risks to life and property and to minimize the adverse effects of development on coastal bluffs, hillsides, and shoreline processes the development has been conditioned to require one or more of the following: adherence to the geotechnical recommendations, an appropriate set-back from the edge of a bluff or hillside, to prohibit the construction of protective devices (such as a retaining wall or shoreline protective device) in the future, for a drainage and runoff plan to minimize the percolation of water into the hillside or bluff, and to require that the landowner or any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

## **C. HABITAT**

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

## **D. WATER QUALITY**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. Furthermore, uncontrolled runoff from the project site and the percolation of water could also affect the structural stability of bluffs and hillsides. To address these concerns, the development, as proposed and as conditioned, incorporates design features to minimize the infiltration of water and the effect of construction and post construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, the use of native and/or non invasive drought tolerant vegetation, and for the use of post construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

## **E. DEVELOPMENT**

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development, which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

**F. PUBLIC ACCESS**

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed the development, as conditioned, conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

**G. DEED RESTRICTION**

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

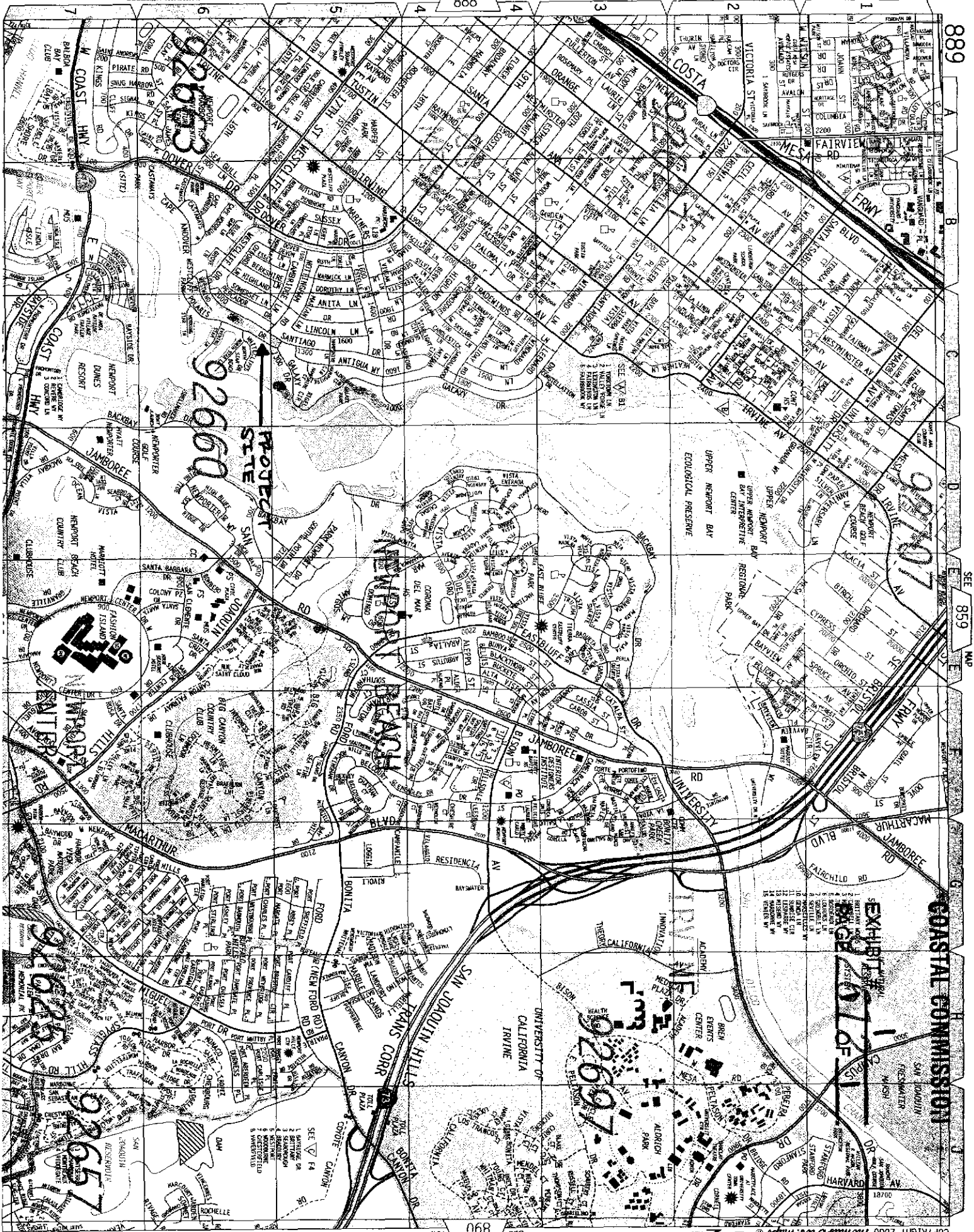
**H. LOCAL COASTAL PROGRAM (LCP)**

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. At the October 2005 Coastal Commission Hearing, the certified LUP was updated. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

**I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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





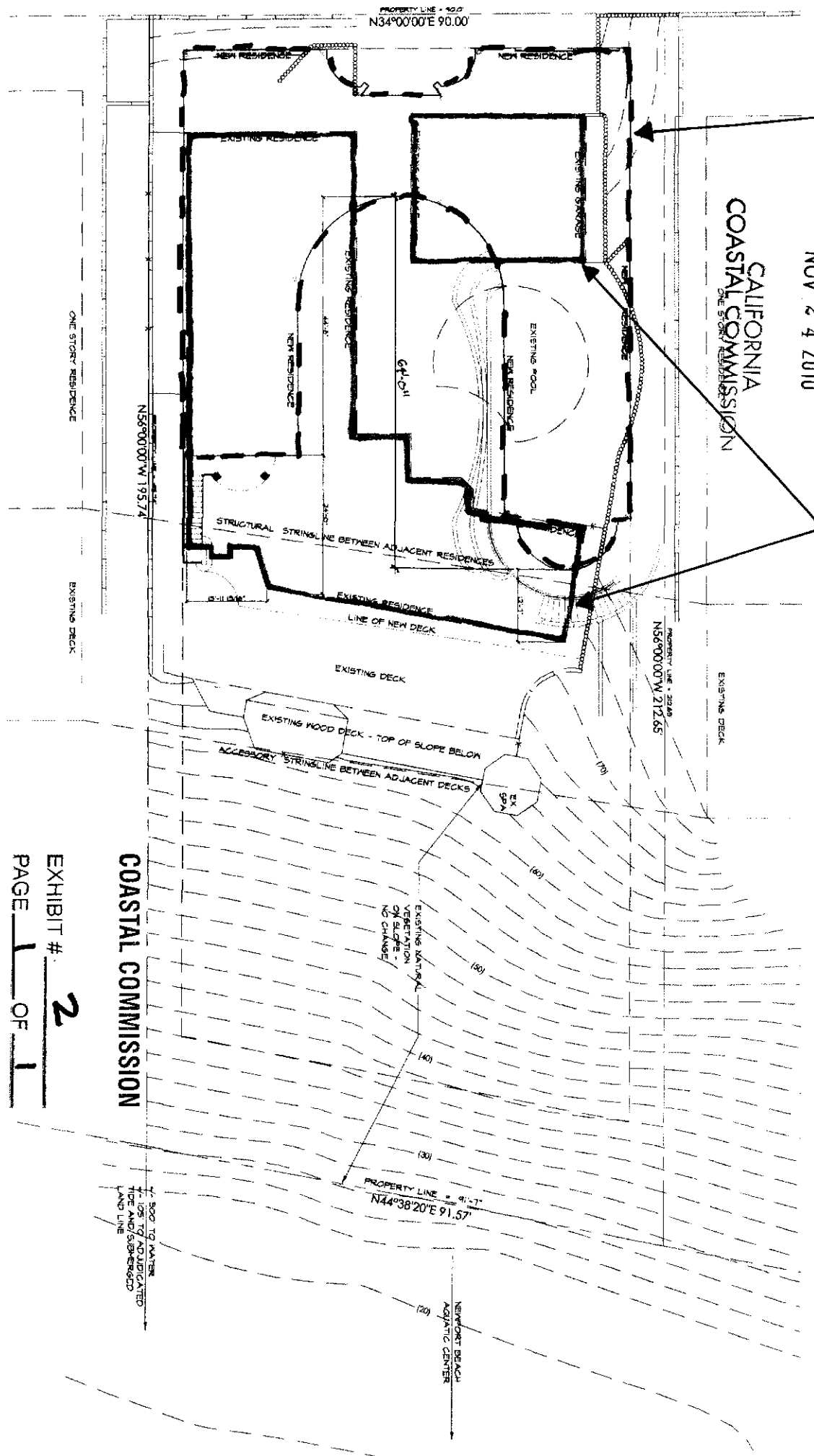
COASTAL COMMISSION

EXHIBIT 1  
PAGE 2 OF 2

PROPOSED RESIDENCE RECEIVED NOV 24 2010 SOUTH COAST REGION

EXISTING RESIDENCE

CALIFORNIA COASTAL COMMISSION ONE STORY RESIDENCE



COMPOSITE SITE PLAN WITH EXISTING & NEW RESIDENCES  
NEW RESIDENCE FOR MR. & MRS. WALTER ADAMS 1232 POLARIS DRIVE, NEWPORT BEACH, CA 92660

COASTAL COMMISSION

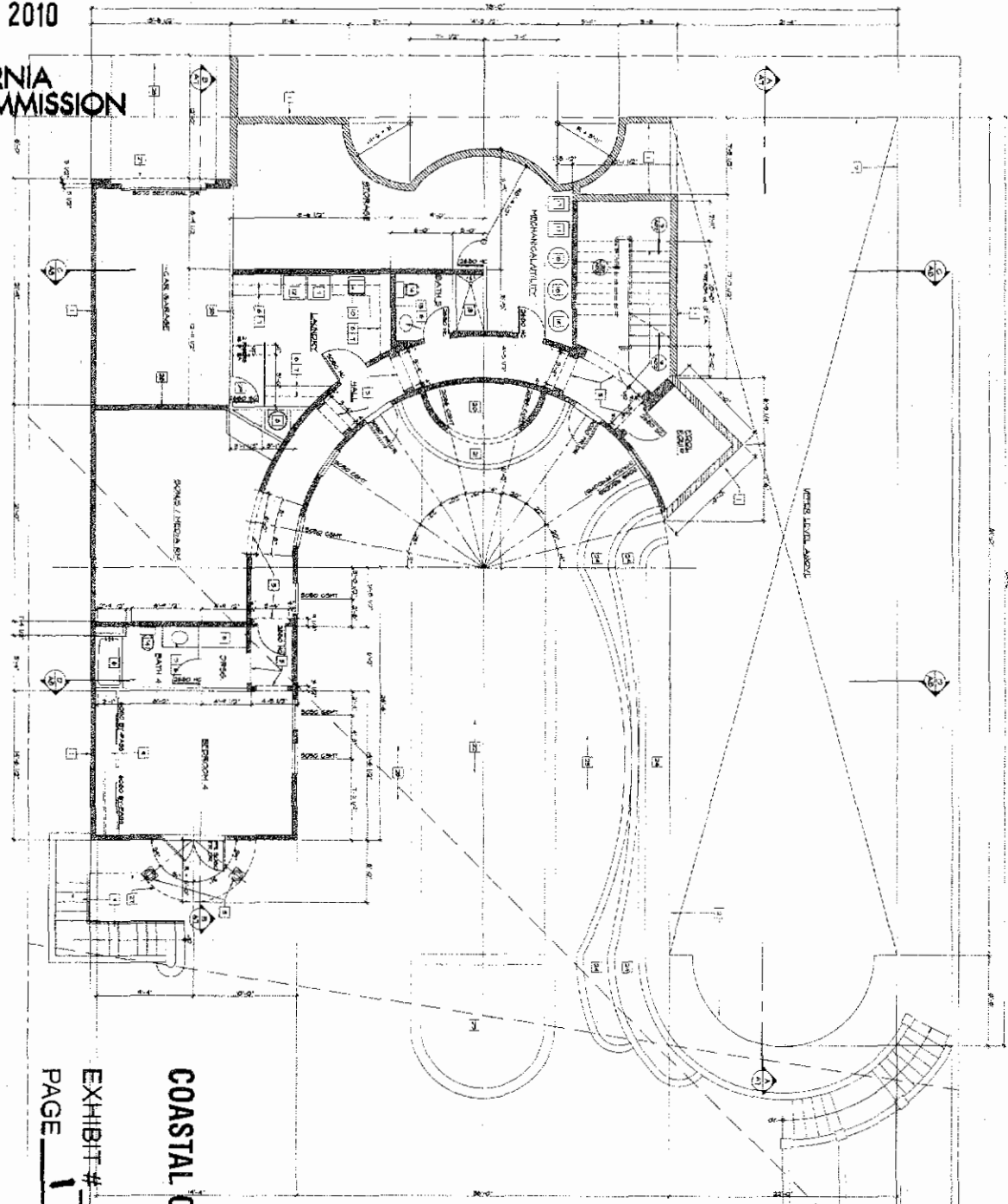
EXHIBIT # 2  
PAGE 1 OF 1



SEP 27 2010

**CALIFORNIA  
COASTAL COMMISSION**

LOWER LEVEL FLOOR PLAN  
SCALE 1/8"=1'-0"



**COASTAL COMMISSION**  
EXHIBIT # **3**  
PAGE **1** OF **2**



DATE: 08/12/10  
SCALE: 1/8" = 1'-0"  
DATE: January 18, 2010  
DRAWN BY: [illegible]

**LOWER LEVEL HAZARD NOTES**

1. EXISTING REMAINING WALL -
2. LINE OF POOL LEVEL, ABOVE
3. REMOVED COLUMN
4. STAIR TO UPPER LEVEL
5. REMOVED CHIMNEY - SEE INTERIOR
6. STAIR TO UPPER LEVEL
7. ST. CLIP WALL CABINET - SEE INTERIOR
8. LANTERN CASE - PROVIDE 1" X 6" SLAB ENCLOSURE
9. FIELD & MOLE - SHED AT 2'-0" AFF.
10. PROVIDE SPACE - PROVIDE SLOPE WATER
11. LAVATORY
12. PROVIDE SPACE - PROVIDE TELL GAS
13. LAVATORY
14. LAVATORY CLOSET - LOW-FLOOR FINISH
15. BULLION SINKER WITH STONE TILE AND TYPED GLASS ENCLOSURE
16. 32" X 40" TUBS WITH SINK TILE SURROUND TO TOP HED ABOVE RILEY
17. PROVIDE AIR INT ON 10" HIGH PLATFORM - PROVIDE TELL GAS
18. WATER GAUGE - PROVIDE TELL GAS
19. VACUUM PAN - OTHER
20. BATH, (BY OTHER)
21. BATH, (BY OTHER)
22. LAP POOL, (BY OTHER)
23. JACOZZI SPA, (BY OTHER)
24. PLANTING AREA
25. OCCUPANT PARKING AT DECK
26. PROVIDE SPACE - PROVIDE TELL GAS
27. PROVIDE SPACE - PROVIDE TELL GAS
28. PROVIDE SEPARATION BETWEEN SHARPS AND SWELLING JNT - SHALL BE NOT LESS THAN 1/2" MIN. PROVIDE TELL GAS
29. DOOR BETWEEN SHARPS AND SWELLING JNT SHALL BE SELF-CLOSING AND PROVIDE TELL GAS
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**NOTE:**  
LIVING SPACES WITHOUT NATURAL VENTILATION SHALL BE PROVIDED WITH MECHANICAL VENTILATION SYSTEMS BY THE CALIFORNIA MECHANICAL CODE.

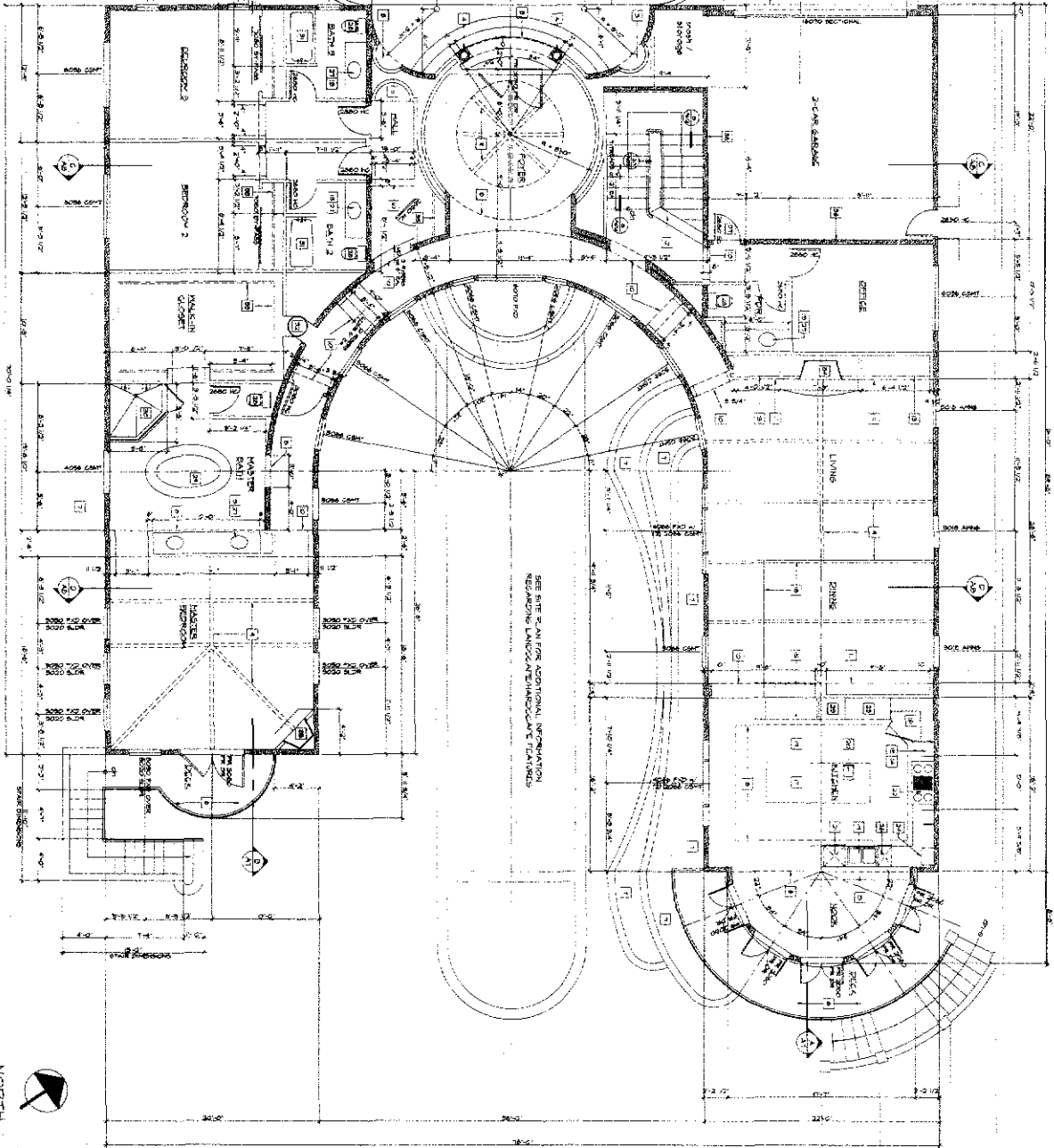
**RUSSELL W. TIEPFER**  
ARCHITECT  
421 Laurel Street  
Orange, CA 92668  
Phone: 714.962.8888

**NEW RESIDENCE for  
MR. & MRS. WALT ADAMS**  
2221 Laurel Drive  
Newport Beach, CA 92660

SEP 27 2010

CALIFORNIA  
COASTAL COMMISSION

SCALE: 1/4" = 1'-0"  
UPPER LEVEL FLOOR PLAN



NORTH  
COASTAL COMMISSION



UPPER LEVEL PLAN NOTES

1. EXISTING STAIRS TO BE REPLACED
2. REMOVING WALL WITH REFRIGERATOR
3. DISCREETIVE RECESSES
4. REFRIGERATOR CABINET - SEE 5. PLANTATIONS
5. STOVE WITH REFRIGERATOR - SEE 6. SINK
6. SINK WITH REFRIGERATOR - SEE 7. PANTRY CABINET
7. PANTRY CABINET - SEE INTERIORS
8. REFRIGERATOR - SEE INTERIORS
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NOTE:  
1. WORK SHOWN WITHOUT MATERIALS  
2. VENTILATION SHALL BE PROVIDED WITH  
MECHANICAL VENTILATION AS REQUIRED  
BY THE CALIFORNIA MECHANICAL CODE.

UPPER LEVEL  
FLOOR PLAN

NEW RESIDENCE for  
MR. & MRS. WALT ADAMS

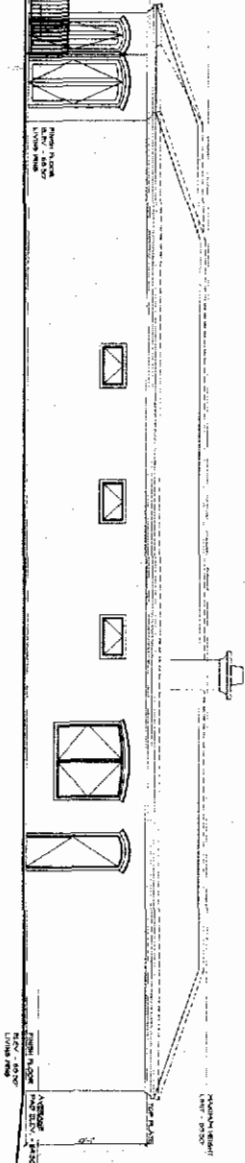
RUSSELL W. TOPFER  
ARCHITECT  
4811 Wilshire Avenue  
Beverly Hills, CA 90210  
Phone: 310.204.1212

job number: 3003  
scale: 1/4" = 1'-0"  
date: January 18, 2010  
sheet number: A3

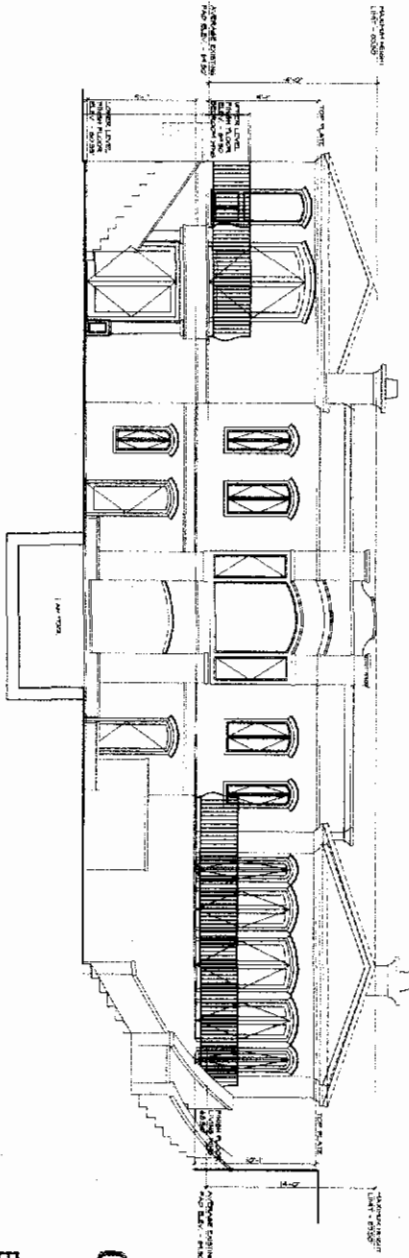
SEP 27 2010

**CALIFORNIA  
COASTAL COMMISSION**

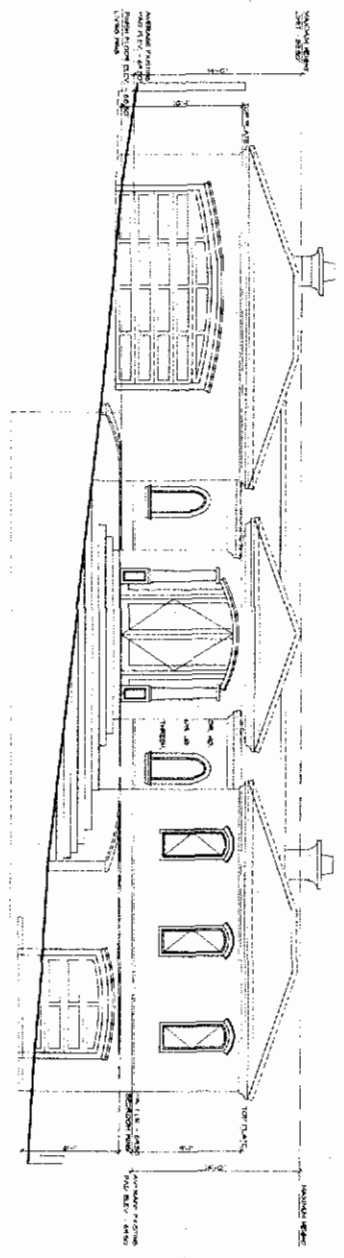
**NORTH ELEVATION**  
SCALE: 1/4"=1'-0"



**EAST ELEVATION (REAR SIDE)**  
SCALE: 1/4"=1'-0"



**WEST ELEVATION (STREET ENTRY)**  
SCALE: 1/4"=1'-0"



**EXTERIOR ELEVATION NOTES**

1. ROOMING MATERIALS
2. SHAVED / OAK VENEER TRIM WITH STUCCO FINISH
3. SHAVED / OAK VENEER OVER 3 LAYERS GIBBON D
4. SHAVED / OAK VENEER OVER 3 LAYERS GIBBON D
5. 2X4 / OAK VENEER TRIM WITH STUCCO FINISH
6. SHAVED / OAK VENEER TRIM WITH STUCCO FINISH
7. DECORATIVE MOLDINGS
8. DECORATIVE MOLDINGS
9. DECORATIVE MOLDINGS
10. STUCCO / OAK VENEER WITH DECORATIVE FRAMING
11. STUCCO / OAK VENEER WITH DECORATIVE FRAMING
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17. STUCCO / OAK VENEER WITH DECORATIVE FRAMING
18. STUCCO / OAK VENEER WITH DECORATIVE FRAMING

**COASTAL COMMISSION**

EXHIBIT # **4**  
PAGE **1** OF **2**

EXTERIOR ELEVATIONS

NEW RESIDENCE FOR  
MR. & MRS. WALT ADAMS

2227 Palms Drive  
Mariposa Beach, CA 92028

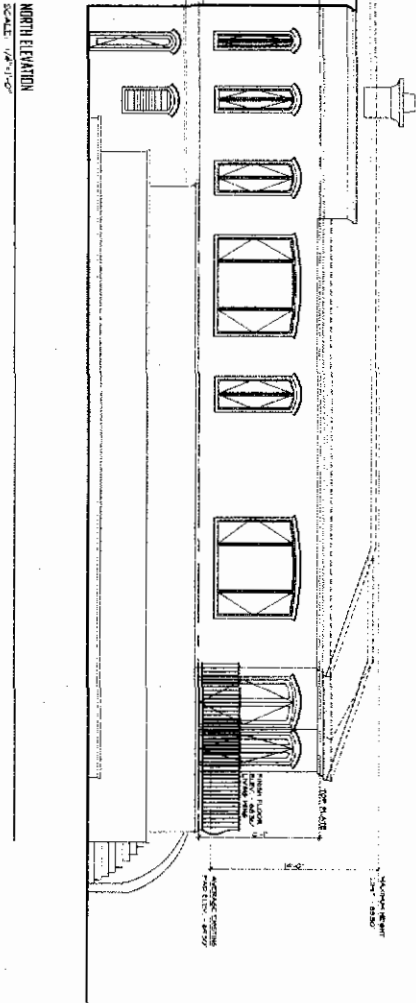
RUSSELL W. TOEPFER  
ARCHITECT  
4811 Larkspur Lane  
Mariposa Beach, CA 92028  
Phone: 818-510-0127

job number: 5003  
scale: 1/4" = 1'-0"  
date: January 8, 2010  
sheet number:

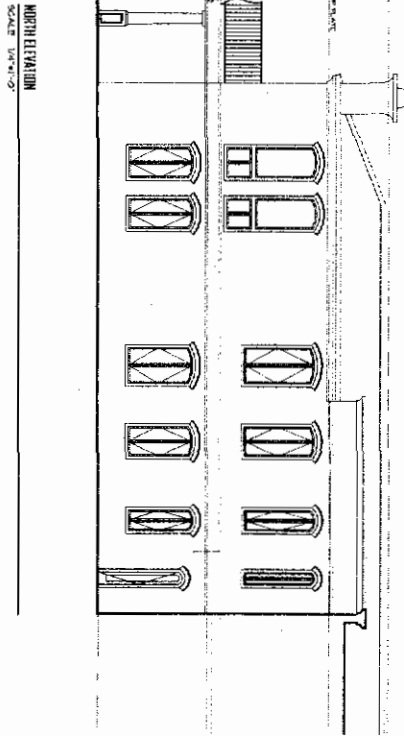
**RECEIVED**  
South Coast Region

SEP 27 2010

**CALIFORNIA  
COASTAL COMMISSION**

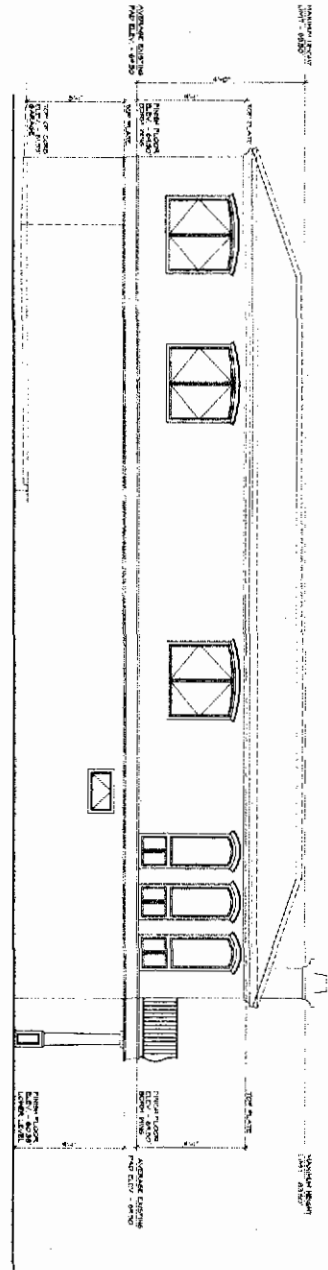


NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



NORTH ELEVATION  
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SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

**EXTERIOR ELEVATION NOTES**

1. ROOFING MATERIAL
2. SHAVED POLY DAVE TRIM WITH STICCO FINISH
3. STICCO FINISH
4. STICCO FINISH
5. SHAVED POLY DAVE TRIM WITH STICCO FINISH
6. SHAVED POLY DAVE TRIM WITH STICCO FINISH
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20. STICCO FINISH

**COASTAL COMMISSION**

EXHIBIT # **4**

PAGE **2** OF **2**

NEW RESIDENCE for  
**MR. & MRS. WALT ADAMS**

**RUSSELL W. TOEPPER**  
ARCHITECT  
1027 Harbor View  
San Juan Capistrano, CA 92675  
Phone: 949.266.0022

**EXTERIOR ELEVATIONS**

job number: 0002  
scale: 1/4" = 1'-0"  
date: January 18, 2010  
sheet number: **AB**





# POLARIS DRIVE

LEGEND	DESCRIPTION
3457	MEAS. ELEVATIONS
3458	REC. BKG. & DIST.
3459	BRICK
3460	WALL
3461	BUILDING
3462	LOT LINE
3463	WATER METER
3464	FINISH FLOOR
3465	GARAGE FLOOR
3466	CONCRETE
3467	FINISH SURFACE
3468	MAN-HOLE
3469	ASPHALT
3470	TOP-GRADE

**URVEYING INC.**  
 EXENA, L.S. 4623  
 ANGE FOREST DRIVE #409  
 HILLS, CA 94029  
 518-252-2224 OFFICE  
 518-252-2224

TOPOGRAPHIC SURVEY  
 DATE: 2/18/09  
 LTR. 44-51

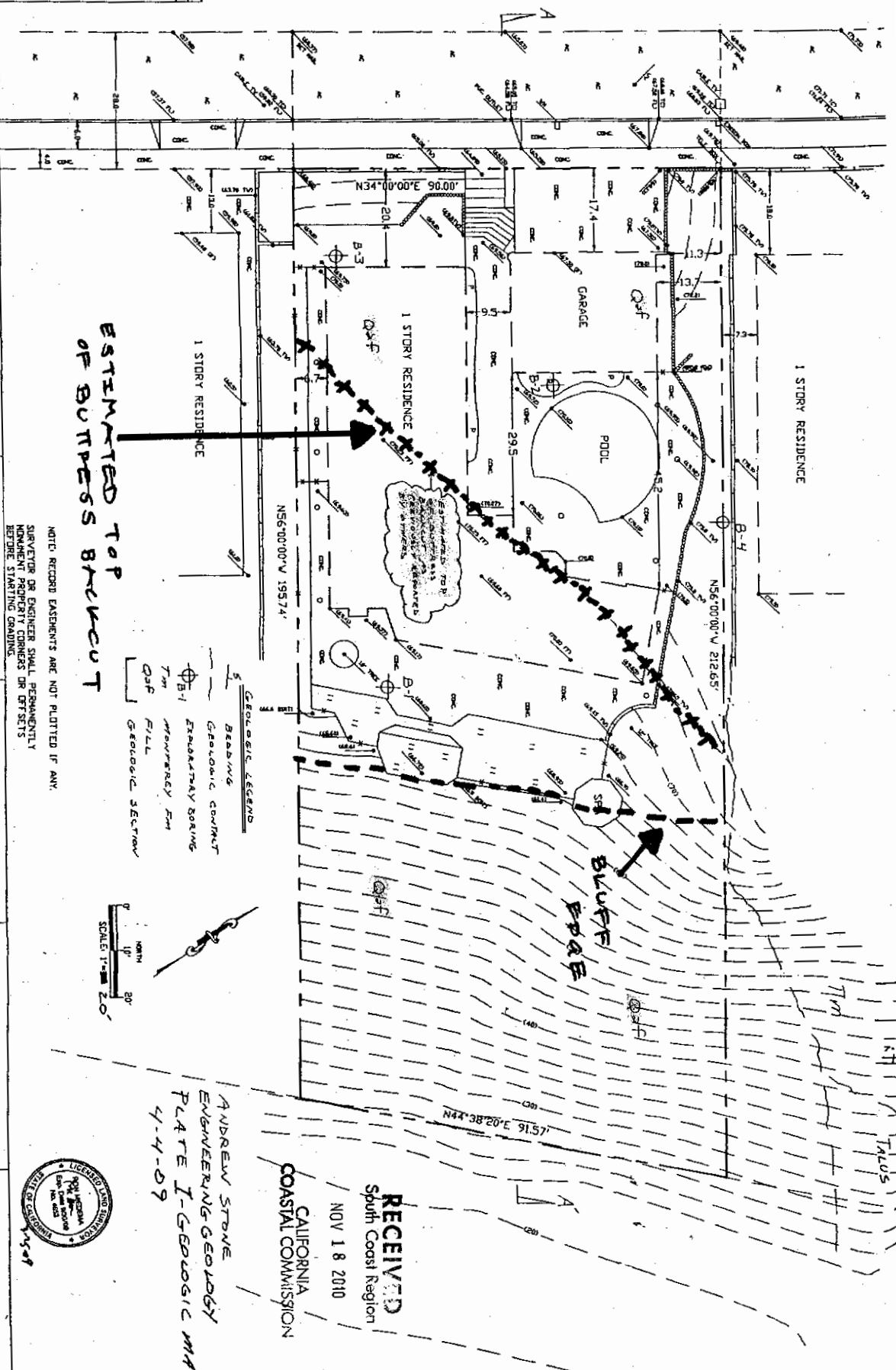
DINNER  
 WALTER ADAMS  
 605 E. BALBOA  
 NEWPORT BEACH, CA

LEGAL DESCRIPTION  
 LOT 96, TRACT NO. 4224

BENCH MARK  
 COUNTY OF ORANGE BENCH MARK N186-14-70  
 ELEVATION = 70.27 (NAVA) 88 DATUM

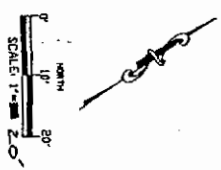
ADDRESS OF PROJECT  
 1232 PALM AVE  
 NEWPORT BEACH, CA

**COASTAL COMMISSION**



**ESTIMATED TOP OF BLUFFS BREAKOUT**

**Geologic Legend**  
 BEARING  
 GEOLGIC CONTACT  
 STRATIGRAPHIC BORING  
 MASONRY  
 FILL  
 GEOLGIC SECTION



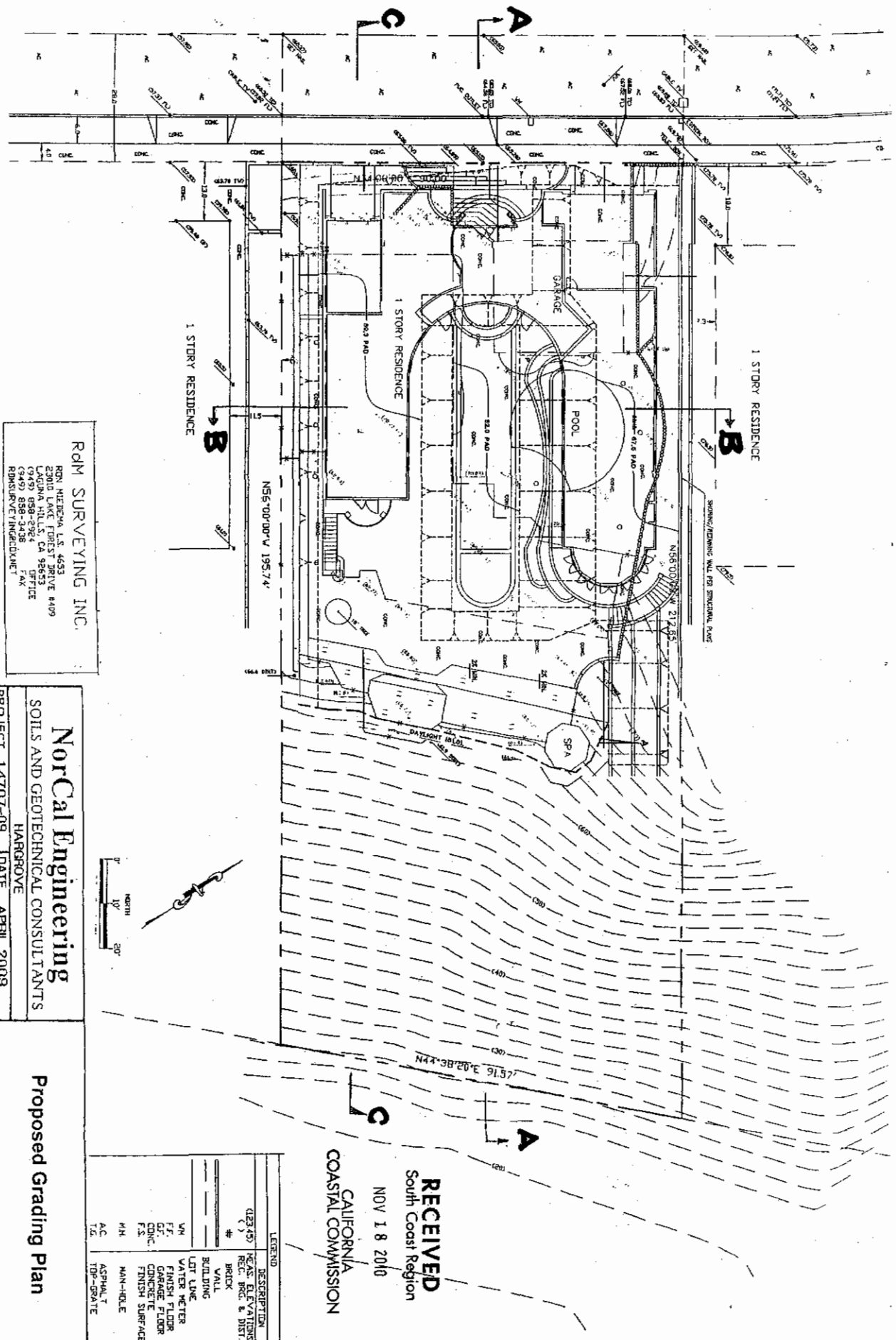
ANDREW STONE  
 ENGINEERING GEOLOGY  
 PLATE I - GEOLOGIC MAP  
 4-4-09

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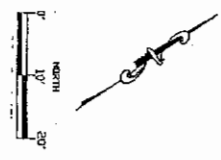


POLARIS DRIVE



**RIM SURVEYING INC.**  
 RIM NEDENIA, L.S. 4633  
 2300 LAKE FOREST DRIVE #409  
 LAGUNA HILLS, CA 92653  
 (949) 898-3438 FAX  
 RIMSURVEY@MCDOWNET

**NorCal Engineering**  
 SOILS AND GEOTECHNICAL CONSULTANTS  
 HARGROVE  
 PROJECT 14707-09 DATE APRIL 2009



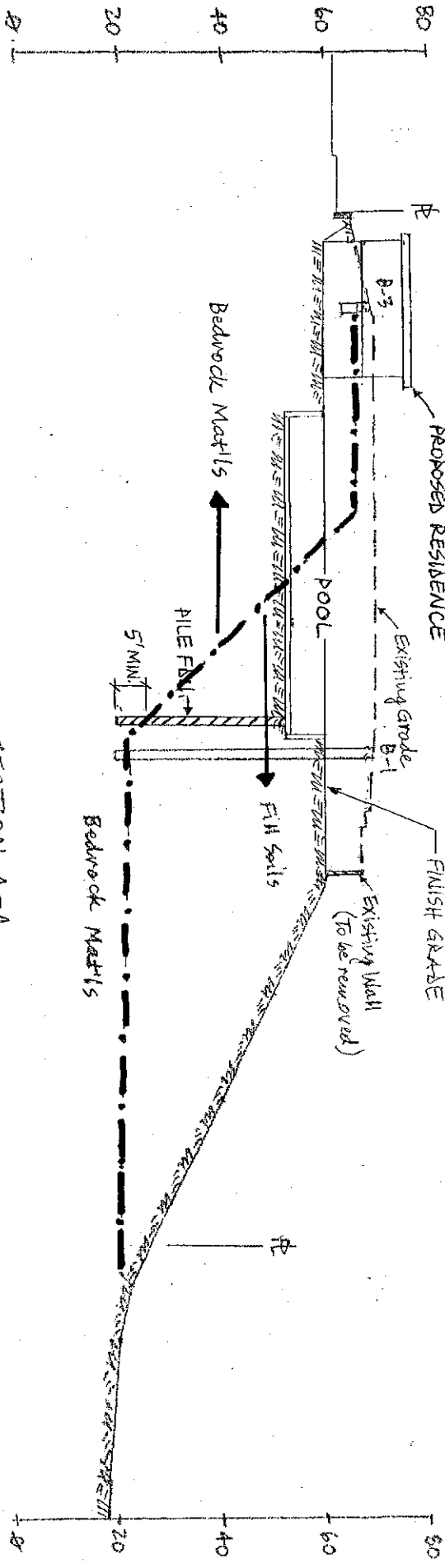
LEGEND	DESCRIPTION
U23.45	NEAS. ELEVATIONS
( )	REC. BRG. & DIST.
#	BRICK
---	WALL
---	BUILDING
---	LOT LINE
---	WATER METER
FF	FINISH FLOOR
GF	GARAGE FLOOR
CONC.	CONCRETE
F.S.	FINISH SURFACE
M/H	MAN-HOLE
AC	ASPHALT
T.G.	TOP-GRADE

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Proposed Grading Plan

COASTAL COMMISSION

EXHIBIT # 6  
 PAGE 2 OF 5



SECTION A-A

**NorCal Engineering**  
 SOILS AND GEOTECHNICAL CONSULTANTS  
 HARBORVIEW  
 PROJECT 14707-09 DATE APRIL 2009

SECTION A-A

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 NOV 18 2010

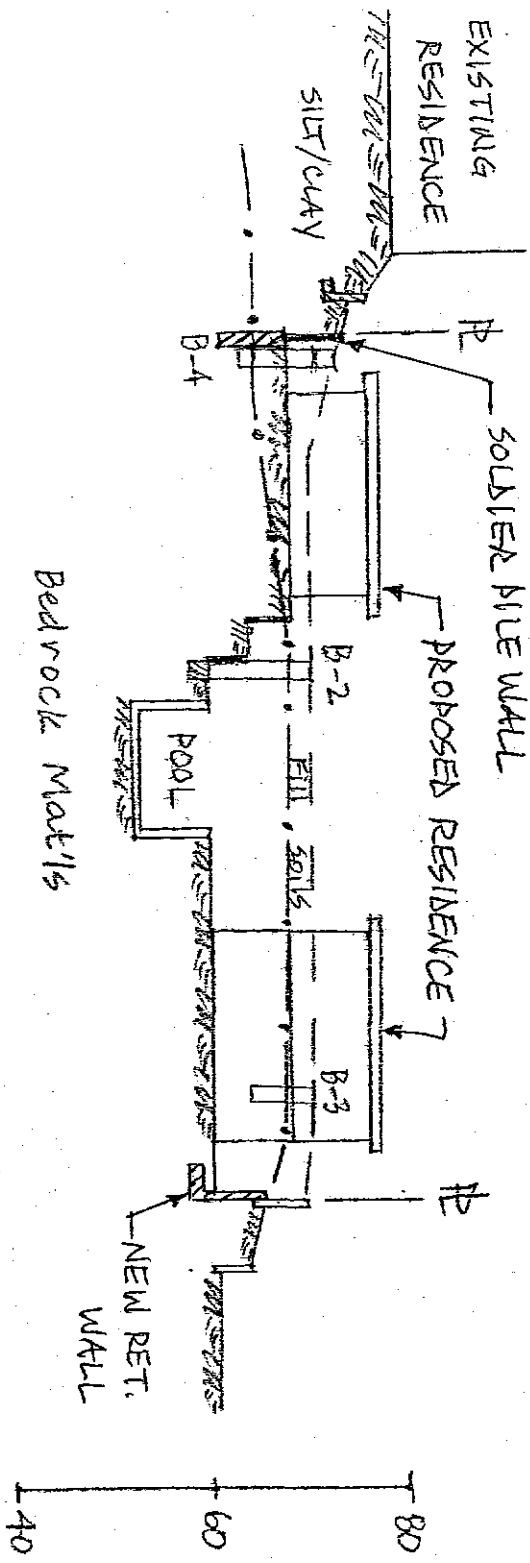
**COASTAL COMMISSION**

FIGURE 2

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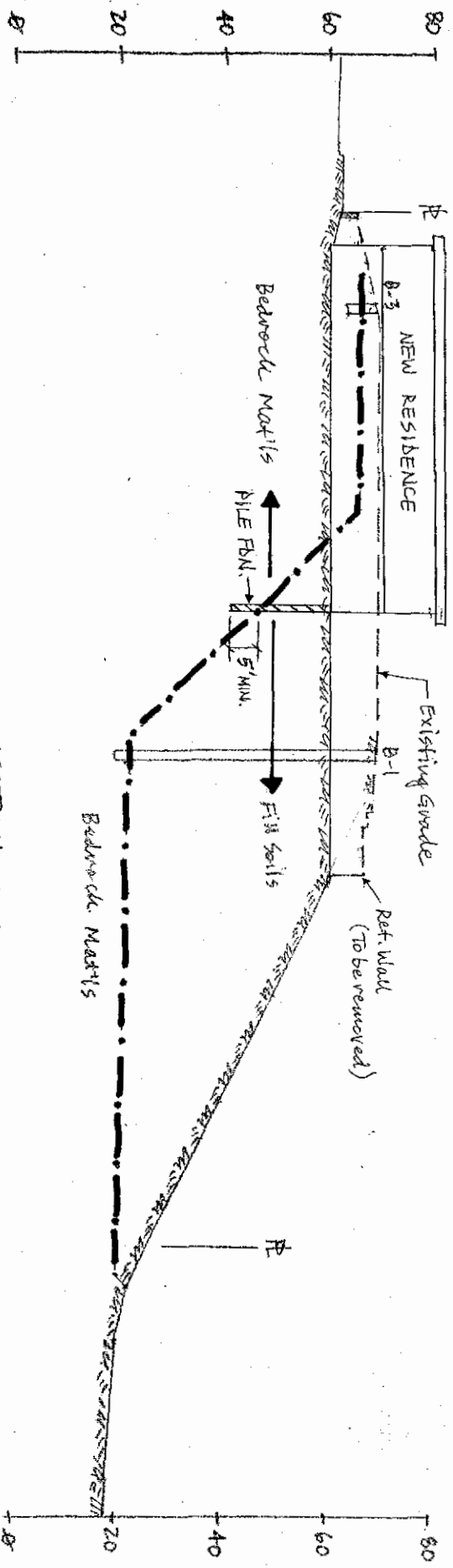
SECTION B-B

**NorCal Engineering**  
SOILS AND GEOTECHNICAL CONSULTANTS

PROJECT: 11/10/07/1010 11/10/07/1010

COASTAL COMMISSION  
EXHIBIT # 6  
PAGE 4 OF 5

SECTION B-B



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SECTION C-C

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NorCal Engineering  
 SOILS AND GEOTECHNICAL CONSULTANTS  
 HARBORVE  
 PROJECT 14707-09 DATE APRIL 2009

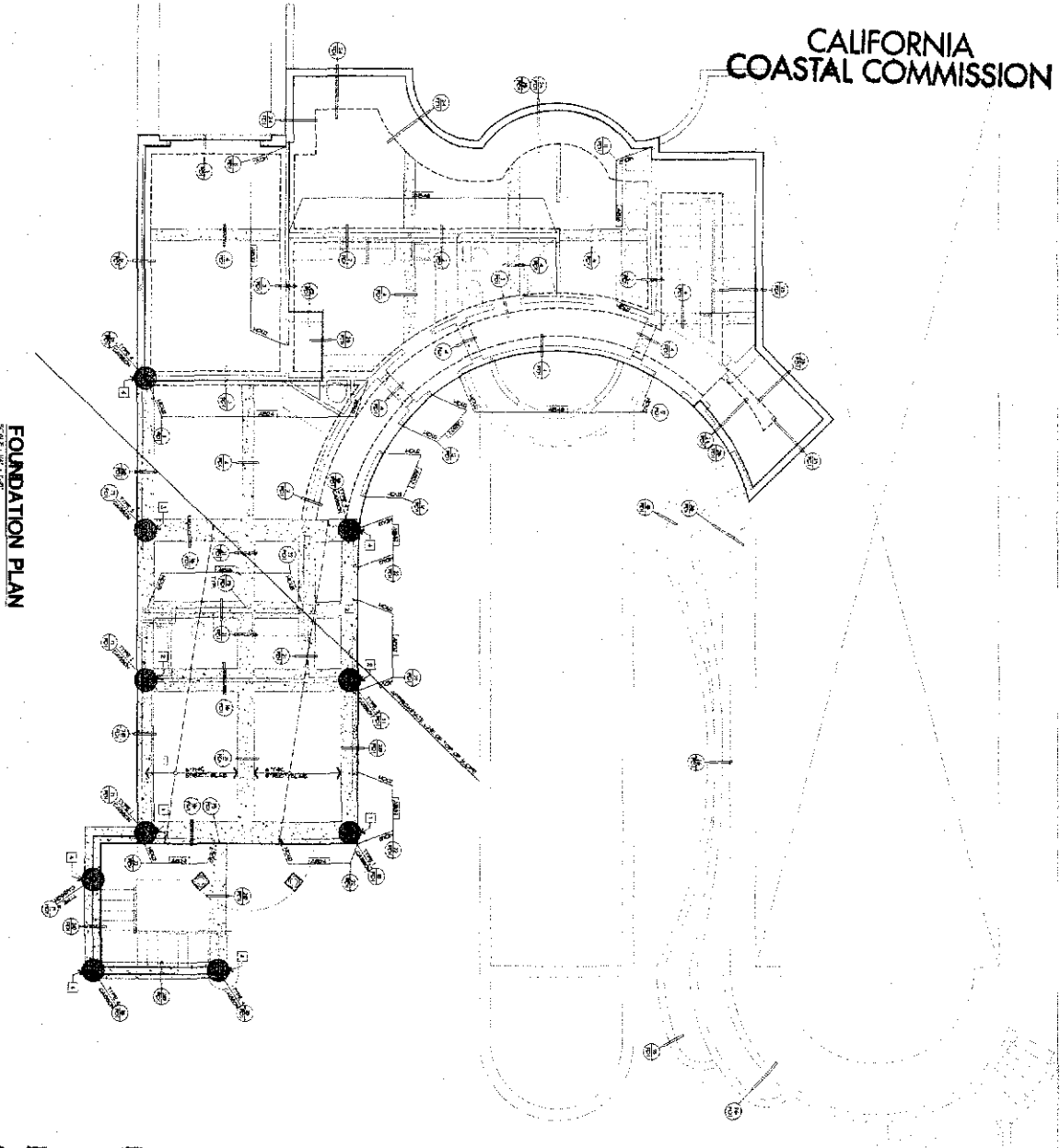
SECTION C-C

FIGURE 4

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FOUNDATION PLAN

COASTAL COMMISSION

EXHIBIT # 7

PAGE 1 OF 3

**FOUNDATION NOTES:**

1. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

2. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

3. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

4. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

5. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

6. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

7. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

8. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

9. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

10. FOUNDATION PLAN IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

**SOIL INFORMATION:**

1. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

2. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

3. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

4. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

5. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

6. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

7. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

8. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

9. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

10. SOIL INFORMATION IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

**ANCHOR BOLT LEGEND:**

- 1. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 2. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 3. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 4. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 5. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 6. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 7. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 8. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 9. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].
- 10. ANCHOR BOLT LEGEND IS BASED ON THE GEOTECHNICAL REPORT BY [REDACTED] DATED [REDACTED].

ADAMS RESIDENCE  
1232 POLARIS DRIVE  
NEWPORT BEACH, CA 92860



FOUNDATION PLAN

ES/FME INC. ENGINEERS  
1234 5678 91011  
1234 5678 91011  
1234 5678 91011

DATE	10/1/10
SCALE	AS SHOWN
SHEET	S1
TITLE	FOUNDATION PLAN
PROJECT	ADAMS RESIDENCE
CLIENT	ADAMS RESIDENCE
DESIGNER	[REDACTED]
CHECKER	[REDACTED]
APPROVER	[REDACTED]

NO.	1
DATE	10/1/10
DESCRIPTION	FOUNDATION PLAN
BY	[REDACTED]
CHECKED	[REDACTED]
APPROVED	[REDACTED]

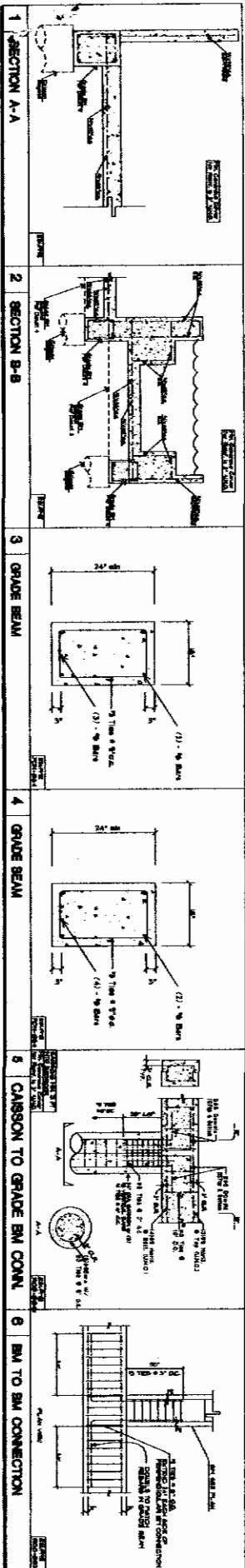
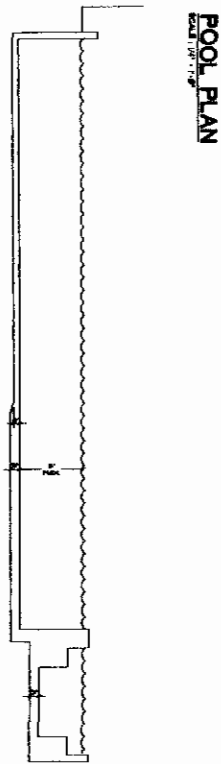
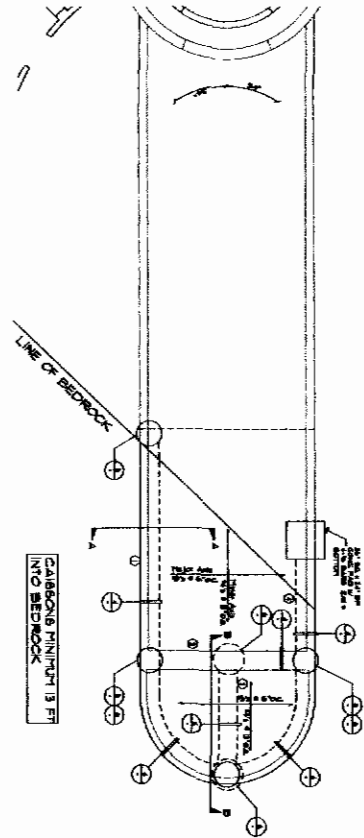
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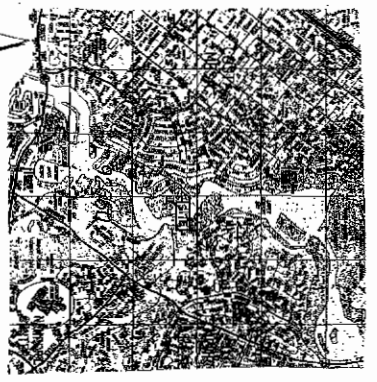
SEP 27 2010

CALIFORNIA  
COASTAL COMMISSION

COASTAL COMMISSION

EXHIBIT # 7  
PAGE 2 OF 3



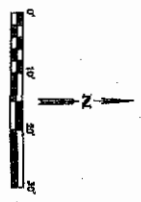


VICINITY MAP

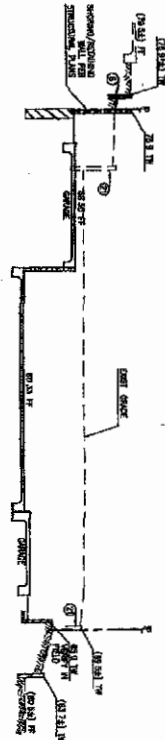
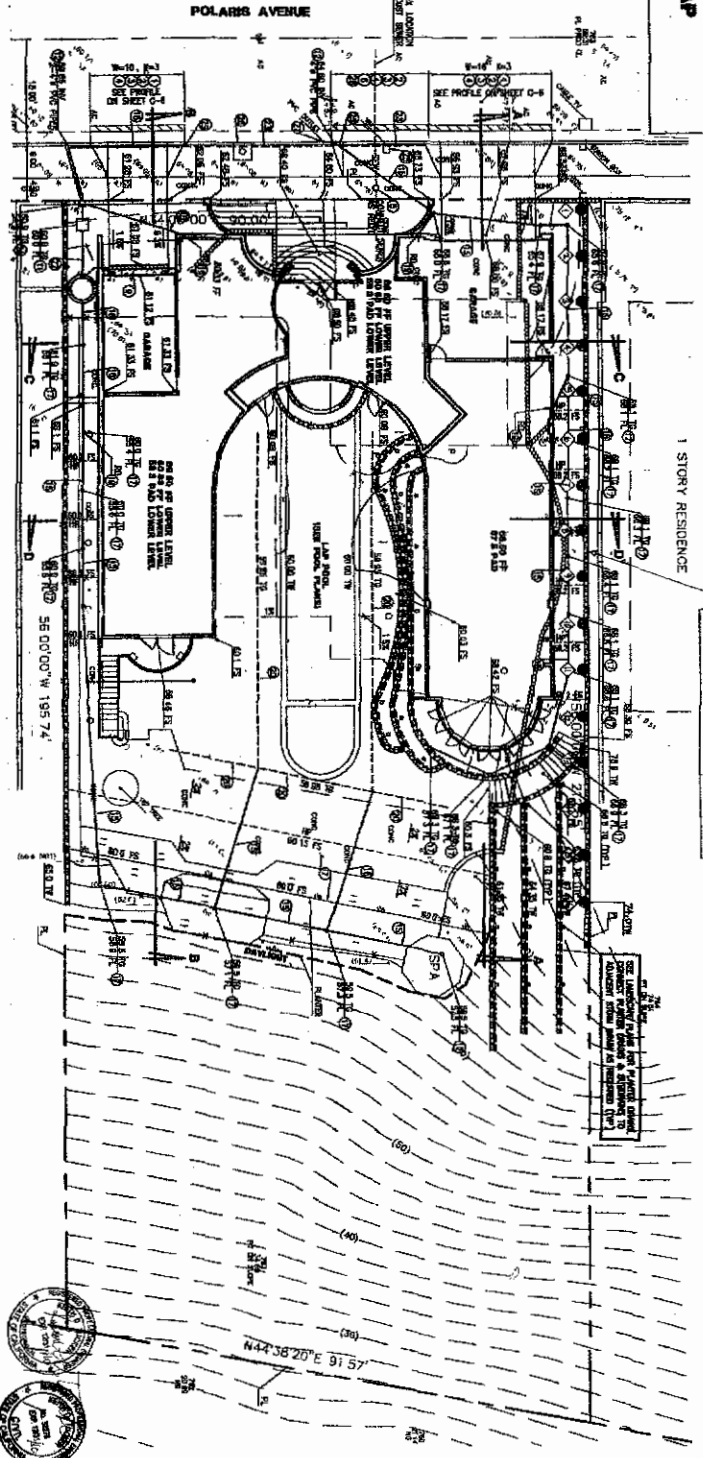
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SITE PLAN



SECTION G-C

SOLDIER PILE WALL

- CONSTRUCTION NOTES**
1. Grading operations should be performed in the following sequence to provide adequate future support for the existing or adjacent to the south property line.
    - A. Soldier pile installation ground level after ground level by January 5, 2020 for each project item.
    - B. Soil reinforcement should be placed in 12 inch diameter pile construction.
    - C. Foundation walls to be installed after pile construction up to top of wall.
    - D. Final grading and paving to be completed by January 5, 2020.
    - E. Final landscape work including Civil 3-D modeling by February 1, 2020.
  2. Concrete slabs and walls shall be cast with 4000 psi concrete. Form existing grade down to 24 inch (2'0" max) depth.
  3. Work shall be done in accordance with City of Santa Monica building requirements and any other applicable codes.
  4. A CALCRSIA permit is required for excavation deeper than 5 feet and for shoring and/or underpinning. Contractor to provide a copy of CRSIA permit.
  5. Licensed architect to provide construction of shoring and improvements to adjacent properties and submit results with a report to the shoring. Shoring to be installed and removed on a daily basis during construction shall be used and removed as needed.
  6. In the event of special inspection by Agency Building Inspector, professional engineer shall provide continuous supervision during shoring and excavation operations and during removal of shoring.
  7. Contractor shall notify adjacent property owners by certified mail 10 days prior to starting the shoring or excavation work.

CIVIL ENGINEER  
KEITH D. TOCKER  
Professional Engineer  
No. 10481  
City of Santa Monica, CA 90401

GEOTECHNICAL ENGINEER  
NorCal Engineering  
Soil and Geotechnical Consulting  
10441 Elwood Street, Los Alamitos, CA 94770  
(949) 799-9900 Fax: (949) 799-9909

OWNER



SITE ADDRESS  
1232 POLARIS DRIVE  
NEWPORT BEACH, CA

VICINITY MAP AND SITE PLAN

REVISIONS	BY

PROJECT	SP-1
DATE	07/12/19
BY	AS/STH
NO.	