

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: June 24, 2011  
49th Day: August 12, 2010  
180th Day: December 21, 2011  
Staff: Liliana Roman-LB  
Staff Report: July 21, 2011  
Hearing Date: August 10-12, 2011  
Commission Action:



# Item W6b

## STAFF REPORT: CONSENT CALENDAR

**APPLICATION NUMBER:** 5-11-113

**APPLICANT:** Mr. and Mrs. Daniel Kassel

**AGENTS:** Sharon Tran and Patrick Donahue

**PROJECT LOCATION:** 5705 Seashore Drive, City of Newport Beach (Orange County)

**PROJECT DESCRIPTION:** Construction of a new 3,429 square foot, two-story, 29-feet high single-family residence including an attached 2-car garage, 162 square foot balcony deck, hardscape improvements including a 15' deep by 30' wide interlocking paver patio and a 3' tall perimeter block wall within the City's oceanfront encroachment area, no landscaping and minimal grading for site preparation on a vacant 2,475 square foot beachfront lot.

**LOCAL APPROVALS RECEIVED:** City of Newport Beach Approval-In-Concept (No. 2835-2006) dated February 4, 2011, Annual Oceanfront Encroachment Permit No. EN1350 issued June 22, 2011.

**SUBSTANTIVE FILE DOCUMENTS:** City of Newport Beach Certified Land Use Plan (LUP); *Coastal Hazard & Wave Runup Study, 5705 seashore Drive, Newport Beach, CA* prepared by GeoSoils, Inc. dated April 8, 2011; *Geotechnical Investigation, New Single-Family Residence, 5705 Seashore Drive, Newport Beach, CA* by Coleman Geotechnical, dated April 19, 2011.

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### SUMMARY OF STAFF RECOMMENDATION:

The applicant is proposing construction of a new beach-fronting single-family residence. The major issues of this staff report concerns beachfront development that could be affected by flooding during strong storm events and encroachments onto the public beach.

Staff is recommending **APPROVAL** of the proposed project with eight (8) special conditions regarding: 1) assumption of risk; 2) no future shoreline protective device; 3) conformance with the submitted drainage plan; 4) conformance with construction phase water quality protection requirements; 5) conformance with requirements related to the encroachments; 6) the right to revoke encroachment permit; 7) future development; and 8) a deed restriction against the property, referencing all of the Special Conditions contained in this staff report.

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.

### **LIST OF EXHIBITS**

1. Location Map
  2. Assessor's Parcel Map
  3. Project Plans
- 

### **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 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. Assumption of Risk, Waiver of Liability and Indemnity

By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from flooding, wave uprush, and sea level rise; (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.

#### 2. No Future Shoreline Protective Device

- A. By acceptance of this permit, the applicants agree, on behalf of themselves and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-11-113 including, but not limited to, the residence, garage, foundations, and patio, and any future improvements, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, sea level rise, 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 landowner(s) shall remove the development authorized by this permit, including the residence, garage, foundations, and patio, 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 landowner(s) 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.

#### 3. Drainage Plan

The applicants shall conform to the site drainage details depicted in the precise grading plan dated received in the Commission's office on June 24, 2011 indicating use of trench drain at the garage driveway entrance and roof downspouts leading into planters for on-site percolation of runoff from all site impervious areas. 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.

**4. Landscaping – Drought Tolerant, Non-Invasive Plants**

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. 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>).

**5. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**

The permittee shall comply with the following construction-related requirements:

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.

- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

**6. Deviation from Approved Encroachments/Mitigation Compliance**

- A. The only encroachment into the 15 foot deep encroachment area within the City of Newport Beach Oceanfront public right-of-way allowed by this coastal development permit is a 15' by 30' wide interlocking paver patio and a 3' tall patio perimeter block wall. Any development in the public right of way, including improvements, repairs, and maintenance, cannot occur without an amendment to this coastal development permit or a new coastal development permit from the Coastal Commission, unless the Executive Director determines through written confirmation that no amendment or new permit is legally required.
- B. The applicants and all other successors and assigns must remain enrolled in the City's public access impact mitigation program (i.e. annual payment to City for encroachment) and make the recurring annual payment so long as the encroachment remains in place.

**7. City's Right to Revoke Encroachment Permit**

Approval of this coastal development permit shall not restrict the City's right and ability to revoke, without cause, the approved City encroachment permit in order to construct public access and recreation improvements within the public right of way.

**8. Future Development**

This permit is only for the development described in Coastal Development Permit No. 5-11-113. 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. 5-11-113. Accordingly, any future improvements to the single-family house authorized by this permit, including but not limited to 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. 5-11-113 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

**9. Generic Deed Restriction**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner(s) have 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**

The subject site is located at 5705 Seashore Drive within the City of Newport Beach, Orange County (Exhibits 1 and 2). The lot size is 2,475 square feet. The City of Newport Beach Land Use Plan (LUP) designates the site Single-Family Residential and the proposed project adheres to this designation. The project is located within an existing urban residential area, between 58<sup>th</sup> and 57<sup>th</sup> Street on the Balboa Peninsula (between the Santa Ana River and Newport Pier).

The site is a beachfront lot located between the first public road and the sea. The lot is currently vacant as the previous two-story single-family residence was lost to a fire years ago, it is rectangular in shape, near level and bordered by developed single-family lots. The site fronts a wide sandy beach (approximately 450 feet wide) between the subject property and the Pacific Ocean. Due to its oceanfront location, the project site may be potentially exposed to the hazard of wave up-rush during a severe storm event.

The applicant is proposing to construct a new ocean-fronting 3,429 square foot, two-story, 29-feet high single-family residence including an attached 2-car garage, 162 square foot balcony deck, hardscape improvements including a 15' deep by 30' wide interlocking paver patio and a 3' tall perimeter block wall within the City's oceanfront encroachment area, no landscaping and minimal grading for site preparation. The Commission has found through previous permit actions in this area that the City's setback for residential structures in this area is acceptable for maintaining public access and addressing visual impacts. The proposed residence is consistent with the City's 5-foot required setback from the seaward property line. Vertical public access to this beach is available approximately 60 feet downcoast at the end of 57<sup>th</sup> St. Lateral public access is available along the wide sandy beach seaward of the subject site.

To address water quality concerns, the applicant is proposing all walkways, driveway and front patio to be constructed of interlocking pavers to allow for onsite infiltration of surface water and water runoff and to direct roof downspouts to surface drains connected to perforated pvc pipe and rock filter system for greater onsite water infiltration. No landscaping or irrigation system is proposed.

The proposed project includes a second story deck/balcony with a 3' high glass railing. As noted in the submitted plans, the applicant proposes to have etched glass for greater visibility for birds and therefore prevent a possible bird strike hazard.

The proposed project also includes hardscape improvements such as a new interlocking paver driveway, walkway, front patio and a new 3' tall block wall extending into the 15-foot deep encroachment area within the City of Newport Beach oceanfront public right-of-way on the seaward side of the lot. The City holds the public right-of-way for street/walkway/bikeway purposes. The proposed encroachment would contribute to the cumulative adverse impact on beach use resulting from the various existing encroachments on the public right-of-way in the area. In addition, the encroachments could make it difficult in the future for the City to improve the public right-of-way for lateral access purposes.

In 1991, the Commission certified an amendment to the City of Newport Beach Land Use Plan (LUP). The LUP acknowledges the adverse public access impacts that will result from the development on the sandy beach area which is owned by the City for street purposes. This cumulative impact is addressed in the certified LUP by imposition of a mitigation plan. The mitigation plan requires that payments to the City by encroaching homeowners be applied to improving public access in Newport Beach. The City has constructed a number of public access improvements (including street end improvements which provide additional public parking spaces) using the encroachment funds. When it certified the LUP amendment allowing these encroachments, the Commission found that, if developed consistent with the mitigation plan, encroachments onto the City's Oceanfront public right-of-way would be consistent with the public access and recreation policies of Chapter 3 of the Coastal Act.

The LUP encroachment policies allow encroachment onto the Seashore Drive right-of-way in the area of the subject site, which is between the Santa Ana River and 52<sup>nd</sup> Street. Encroachments in this area may encroach a maximum of 15 feet oceanward of the rear (ocean facing) property line within the oceanward prolongation of the side property lines. The LUP policies allow encroachments only if they do not interfere with access to the beach or ocean, when a building permit is not required, and subject to the mitigation payment. The Commission finds that construction of the encroachments at the subject site is consistent with the certified LUP encroachment policies.

The applicant provided a copy of the Annual Oceanfront Encroachment Permit issued on June 22, 2011. In this case, the Commission finds that the proposed encroachment is consistent with the certified LUP encroachment policies and the Chapter 3 public access policies of the Coastal Act. The findings for which are found in the Newport Beach LUP Amendment 90-1 approved by the Commission on June 11, 1991 and which are incorporated here by reference. In addition, the City is continuing to carry out the public access improvements required by the LUP mitigation plan to offset any adverse impacts of the encroachments. The mitigation payment collected by the City is an annual recurring one. In order to assure that the encroachments are consistent with the Land Use Plan policies addressing Oceanfront encroachments as certified by the Commission, and so are consistent with the public access policies of the Coastal Act, the applicant has submitted a copy of a current encroachment permit application and evidence that they are enrolled in the annual mitigation payment program. The applicant and any successors in interest must remain enrolled in the annual mitigation program and make the recurring annual payment so long as the encroachment remains in place.

Section 13250 of the California Code of Regulations provides that development such as the proposed encroachments are not exempt from obtaining a coastal development permit pursuant to Coastal Act Section 30610(a). However, to ensure that no further encroachments occur without an

approved amendment to this coastal development permit or approval of a new coastal development permit, the Commission imposes a special condition which requires that an amendment to this permit or a new coastal development permit be obtained for any deviations to the encroachments described in this permit. This would allow the Commission to evaluate future encroachment deviations for adverse public access and recreation impacts.

Additionally, the permittee signed an encroachment agreement with the City in which he waived his right to contest the ability of the City to remove the encroachments in order to build public access improvements within the public right of way. Thus the proposed project is also conditioned to provide that issuance of the coastal development permit does not restrict nor interfere with the City's right to revoke its encroachment permit, without cause, in order to construct public access and recreation improvements in the public right-of way. This would ensure future opportunities for public access and recreation.

**B. HAZARDS**

Development adjacent to the ocean is inherently hazardous. Development which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon, among other things, public access, visual resources and shoreline processes. To minimize the project's impact on shoreline processes, and to minimize risks to life and property, the development has been conditioned for one or more of the following: require an appropriate set-back from the water; require a drainage and runoff control plan to direct, treat, and minimize the flow of water offsite; prohibit construction of protective devices (such as a seawall) in the future; and to require that the landowner and any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

**C. 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.

**D. 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.

**E. WATER QUALITY**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design



features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, one or more of the following: the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, 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.

#### **F. DEED RESTRICTION**

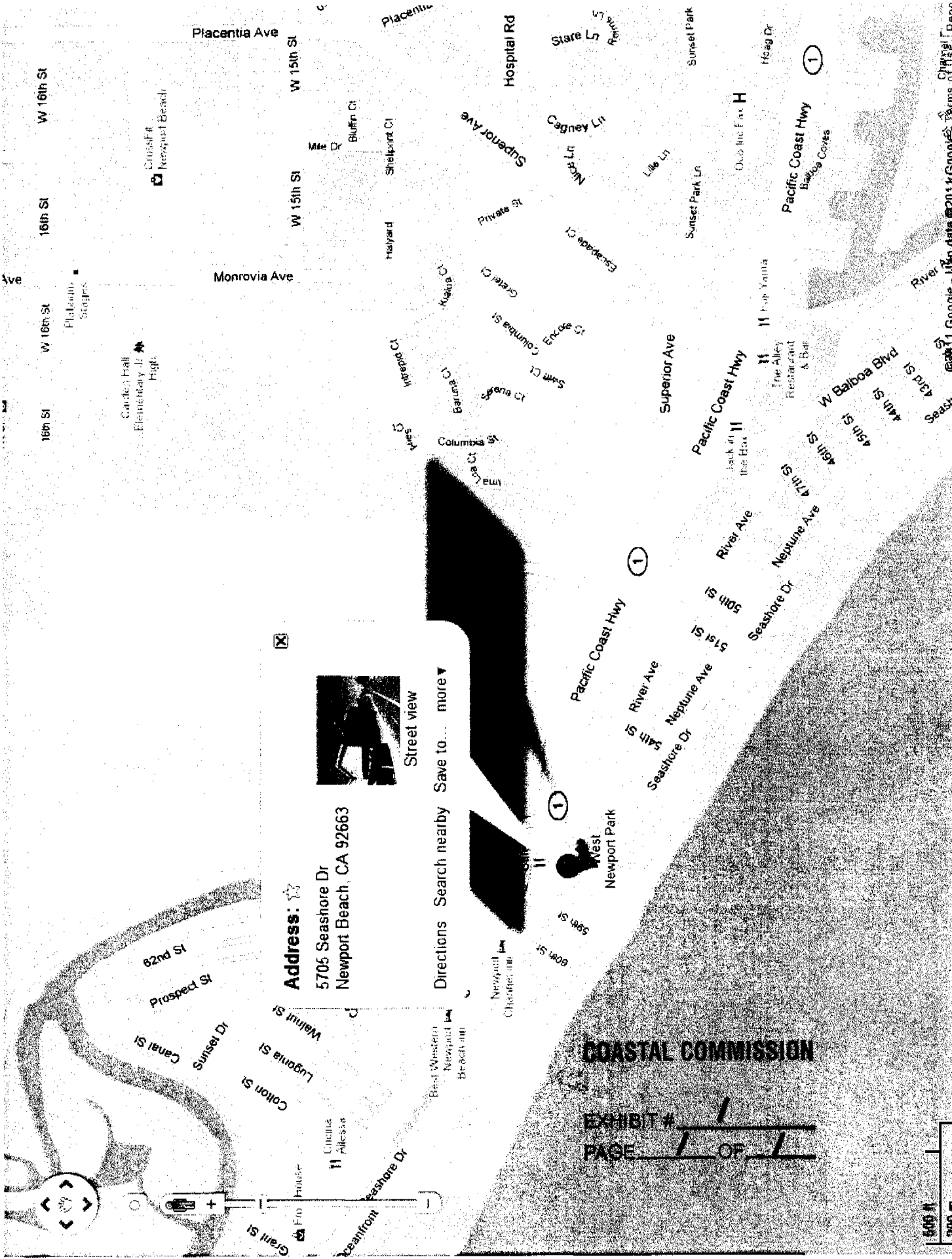
To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions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

#### **G. LOCAL COASTAL PROGRAM**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on October 2005. 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 an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

#### **H. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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.



Street view

**Address:**  
5705 Seashore Dr  
Newport Beach, CA 92663

Directions Search nearby Save to... more ▼

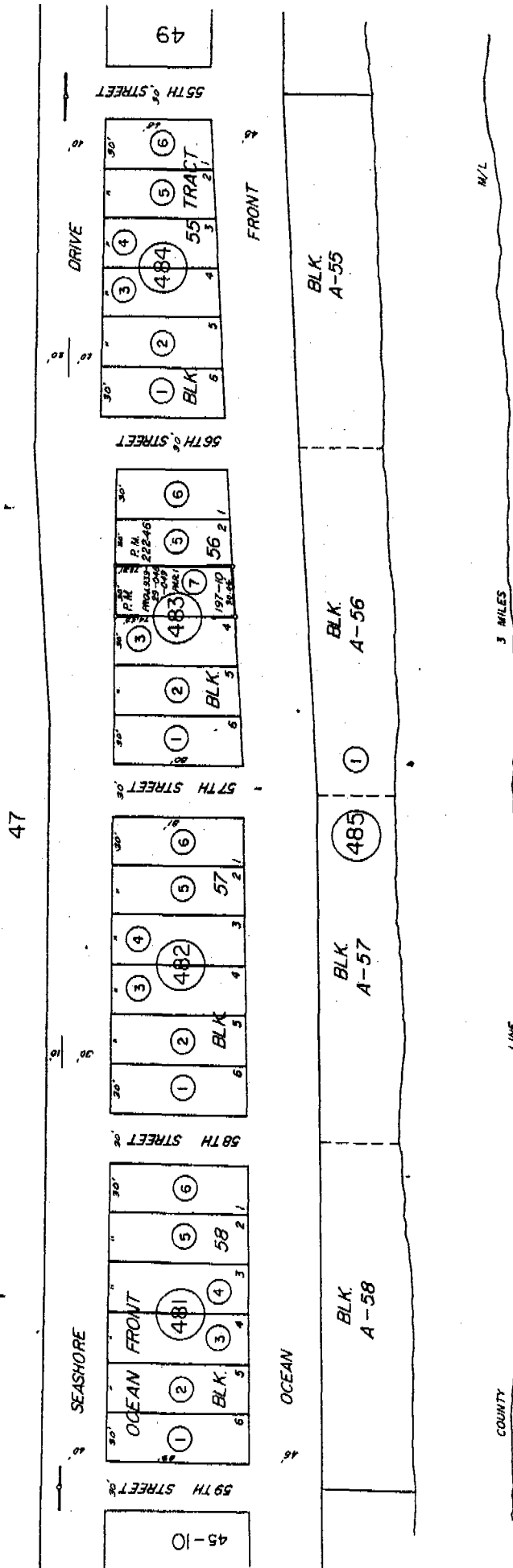
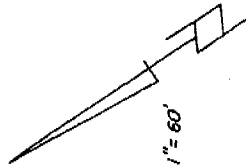
COASTAL COMMISSION

EXHIBIT # 1  
PAGE 1 OF 1

500 ft  
200 m

COASTAL COMMISSION

EXHIBIT # 2  
PAGE 1 OF 1



MARCH 1984

OCEAN FRONT TRACT  
PARCEL MAP

M.M. 4-12  
P.M. 197-10

NOTE - ASSESSOR'S BLOCK &  
PARCEL NUMBERS  
SHOWN IN CIRCLES

ASSESSOR'S MAP  
BOOK 424 PAGE 48  
COUNTY OF ORANGE

**GENERAL NOTES**

1. ALL WORK SHALL BE COMPLETED BY THE END OF THE WORKING DAY.
2. THE PROJECT SHALL BE COMPLETED BY THE END OF THE WORKING DAY.
3. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.
4. ALL MATERIALS SHALL BE APPROVED BY THE ENGINEER BEFORE USE.
5. ALL MATERIALS SHALL BE STORED PROPERLY ON THE SITE.
6. ALL MATERIALS SHALL BE PROTECTED FROM WEATHER AND DAMAGE.
7. ALL MATERIALS SHALL BE KEPT CLEAN AND FREE OF DEBRIS.
8. ALL MATERIALS SHALL BE KEPT DRY AND FREE OF MOISTURE.
9. ALL MATERIALS SHALL BE KEPT FREE FROM CONTAMINATION.
10. ALL MATERIALS SHALL BE KEPT FREE FROM OBSTRUCTION.
11. ALL MATERIALS SHALL BE KEPT FREE FROM INTERFERENCE.
12. ALL MATERIALS SHALL BE KEPT FREE FROM HAZARD.
13. ALL MATERIALS SHALL BE KEPT FREE FROM POLLUTION.
14. ALL MATERIALS SHALL BE KEPT FREE FROM NOISE.
15. ALL MATERIALS SHALL BE KEPT FREE FROM VIBRATION.
16. ALL MATERIALS SHALL BE KEPT FREE FROM AIR POLLUTION.
17. ALL MATERIALS SHALL BE KEPT FREE FROM WATER POLLUTION.
18. ALL MATERIALS SHALL BE KEPT FREE FROM SOIL POLLUTION.
19. ALL MATERIALS SHALL BE KEPT FREE FROM CLIMATE POLLUTION.
20. ALL MATERIALS SHALL BE KEPT FREE FROM ENVIRONMENTAL POLLUTION.

**EROSION CONTROL**

1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. EROSION CONTROL MEASURES SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE WORK.
3. EROSION CONTROL MEASURES SHALL BE REINSTALLED IMMEDIATELY UPON COMPLETION OF THE WORK.
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**REQUIRED INSPECTIONS**

1. THE ENGINEER SHALL BE NOTIFIED 48 HOURS BEFORE THE START OF CONSTRUCTION.
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**GRADING DETAILS**

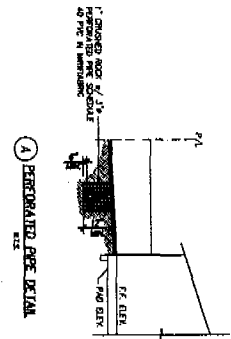
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**GRADING DETAILS CONTINUED**

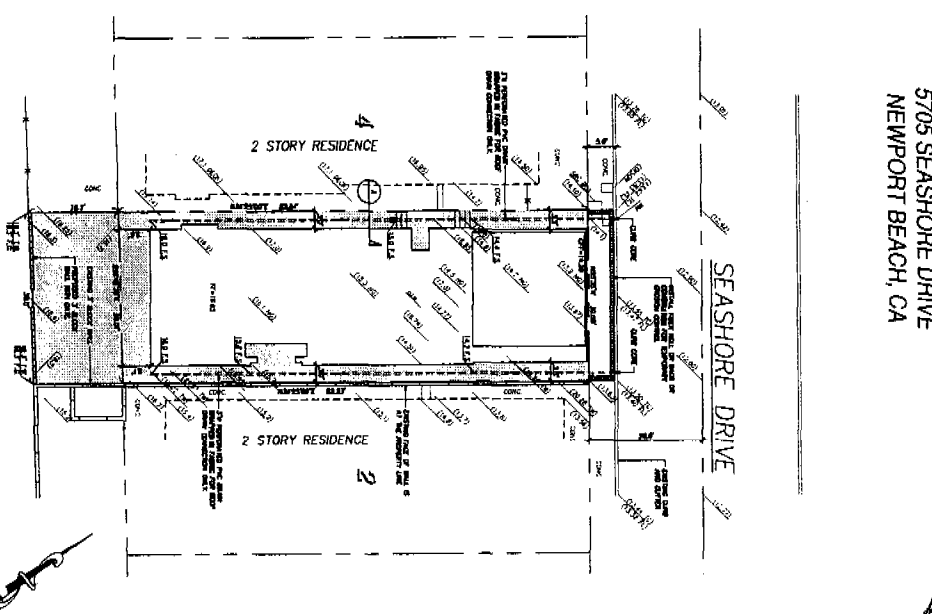
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10. ALL GRADING SHALL BE TO THE FINISHED GRADE SHOWN ON THE GRADING PLAN.

**FOUNDATION**

1. ALL FOUNDATION WORK SHALL BE TO THE FINISHED GRADE SHOWN ON THE FOUNDATION PLAN.
2. ALL FOUNDATION WORK SHALL BE TO THE FINISHED GRADE SHOWN ON THE FOUNDATION PLAN.
3. ALL FOUNDATION WORK SHALL BE TO THE FINISHED GRADE SHOWN ON THE FOUNDATION PLAN.
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8. ALL FOUNDATION WORK SHALL BE TO THE FINISHED GRADE SHOWN ON THE FOUNDATION PLAN.
9. ALL FOUNDATION WORK SHALL BE TO THE FINISHED GRADE SHOWN ON THE FOUNDATION PLAN.
10. ALL FOUNDATION WORK SHALL BE TO THE FINISHED GRADE SHOWN ON THE FOUNDATION PLAN.



**PRECISE GRADING PLAN  
KASSEL RESIDENCE  
5705 SEASHORE DRIVE  
NEWPORT BEACH, CA**



SCALE: 1"=10'

- LEGEND**
- 1. FINISHED GRADE
  - 2. EXISTING GRADE
  - 3. PROPOSED GRADE
  - 4. PROPOSED GRADE
  - 5. PROPOSED GRADE
  - 6. PROPOSED GRADE
  - 7. PROPOSED GRADE
  - 8. PROPOSED GRADE
  - 9. PROPOSED GRADE
  - 10. PROPOSED GRADE

**COASTAL COMMISSION**

EXHIBIT # 3  
PAGE 1 OF 6

**PHB & ASSOCIATES, INC.**  
1320 SOUTH MAIN STREET  
SUITE 200  
NEWPORT BEACH, CA 92660  
(949) 440-1111

**OWNER/APPLICANT:**  
Dan Kassel  
5705 Seashore Drive  
Newport Beach, CA  
949-337-2203

**LEGAL DESCRIPTION:**  
LOT 3, BLK. 57, Occidental Tract

**BENCH MARK:**  
Top of Club at P.L. Pond  
Elevation = 13.50 Based on NGVD 88 Datum

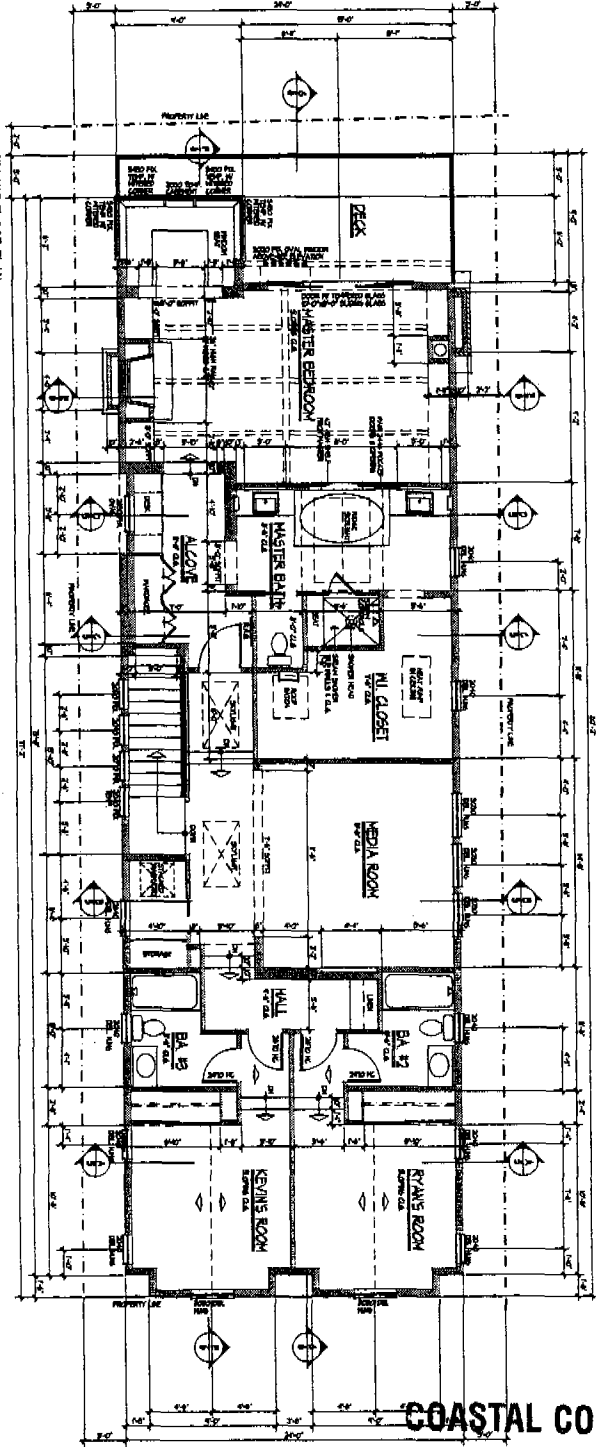
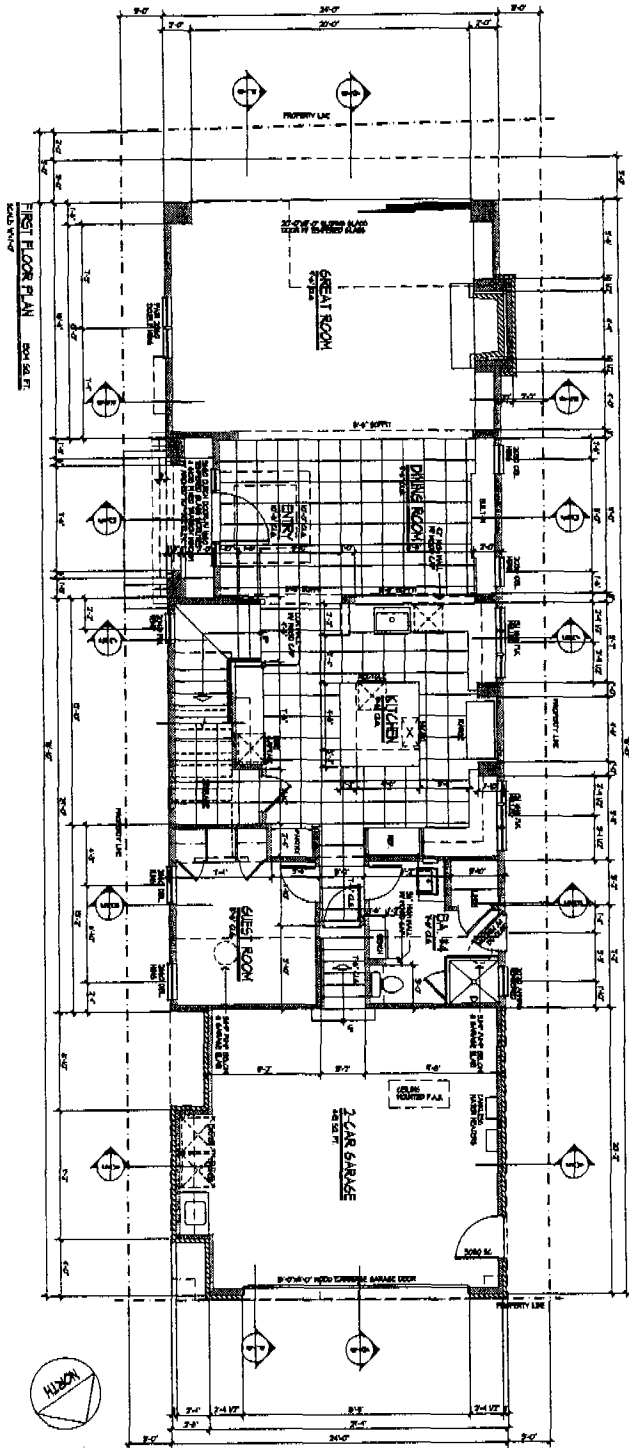
**ADDRESS OF PROJECT:**  
5705 SEASHORE, Newport Beach, CA

**DATE:**  
10/20/11

**PROJECT NO.:**  
11-001

**PROJECT NAME:**  
Kassel Residence

**PROJECT LOCATION:**  
5705 Seashore Drive, Newport Beach, CA



**COASTAL COMMISSION**

EXHIBIT # 3  
PAGE 2 OF 6

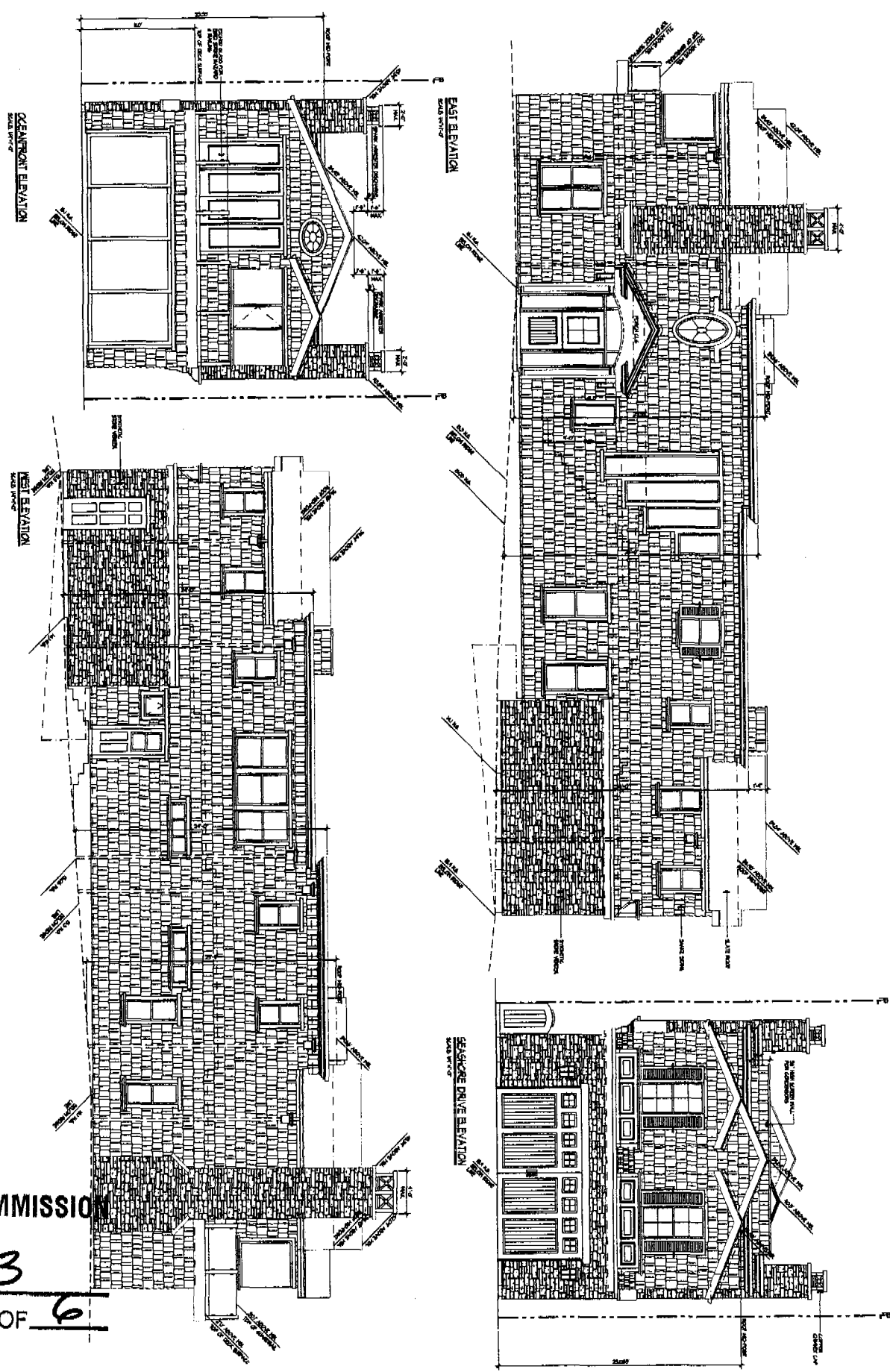
2	REVISIONS

**FLOOR PLAN**  
2984 SQ. FT.

**KASSEL RESIDENCE**  
CITY OF NEWPORT BEACH

Mark Gross & Associates, Inc.  
Architects • Planning

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**COASTAL COMMISSION**

EXHIBIT # 3  
 PAGE 3 OF 6

3	DATE	BY	REVISION

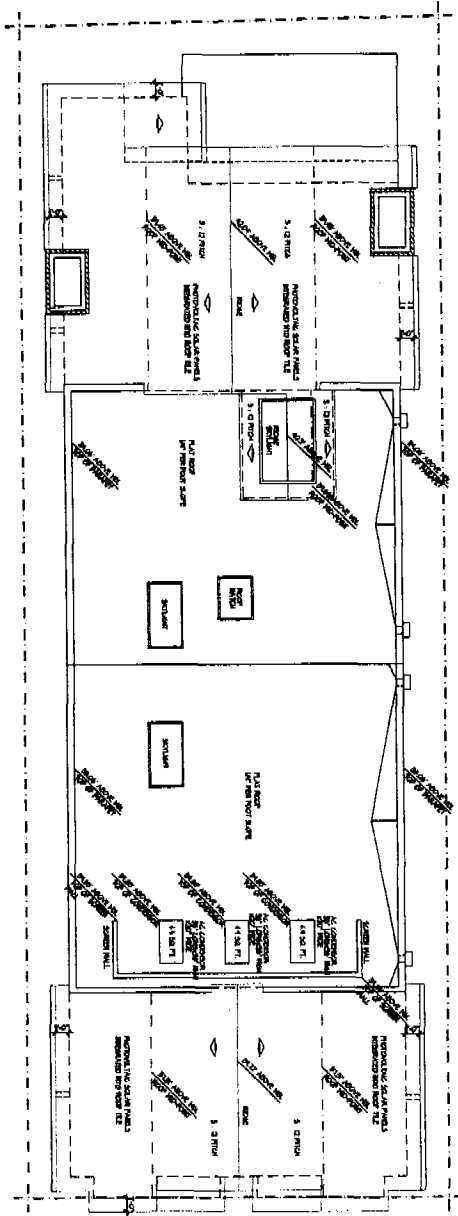
**EXTERIOR ELEVATION**

**KASSEL RESIDENCE**  
 CITY OF NEWPORT BEACH  
 2925 DEVEREUX DRIVE  
 NEWPORT BEACH, CALIFORNIA

**Mark Gross & Associates, Inc.**  
 6555 CENTURYPARK DRIVE  
 SUITE 200-1000 NEWPORT BEACH, CALIFORNIA 92646  
 (949) 441-5200 FAX (949) 441-5202  
**MCA** Architecture Planning

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ROOF PLAN  
SCALE 1/8" = 1'-0"



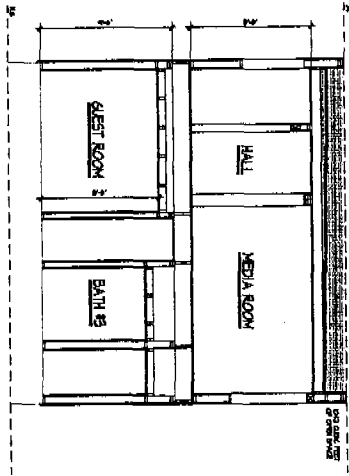
**COASTAL COMMISSION**

EXHIBIT # 3  
PAGE 4 OF 6

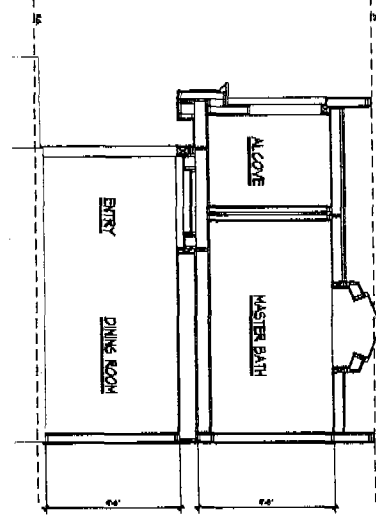
<p>4</p> <p>DATE: 10/15/10</p> <p>BY: [Signature]</p> <p>PROJECT: KASSEL RESIDENCE</p> <p>NO. 10/15/10</p> <p>MARK GROSS &amp; ASSOCIATES, INC.</p> <p>1000 WEST 10TH AVENUE</p> <p>NEWPORT BEACH, CALIFORNIA 92656</p> <p>TEL: 949-440-8800 FAX: 949-440-8801</p>	<p><b>ROOF PLAN</b></p>	<p><b>KASSEL RESIDENCE</b> CITY OF NEWPORT BEACH</p> <p>500 WEST 10TH AVENUE NEWPORT BEACH, CALIFORNIA</p>	<p><b>Mark Gross &amp; Associates, Inc.</b></p> <p>1000 WEST 10TH AVENUE NEWPORT BEACH, CALIFORNIA 92656 TEL: 949-440-8800 FAX: 949-440-8801</p> <p><b>MGA</b> Architects • Planners</p>
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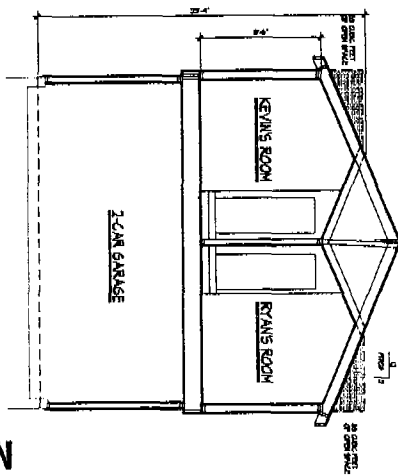
BUILDING SECTION B-B  
SCALE 1/8" = 1'-0"



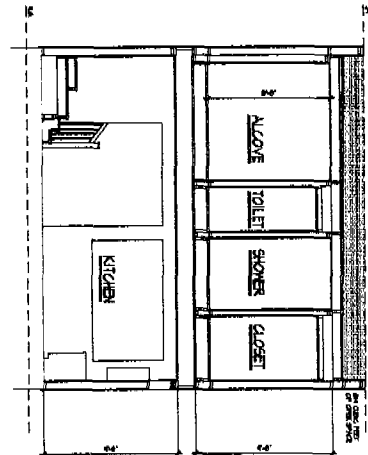
BUILDING SECTION D-D  
SCALE 1/8" = 1'-0"



BUILDING SECTION A-A  
SCALE 1/8" = 1'-0"



BUILDING SECTION C-C  
SCALE 1/8" = 1'-0"



COASTAL COMMISSION

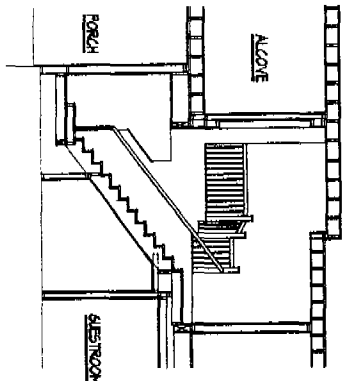
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PAGE 5 OF 6



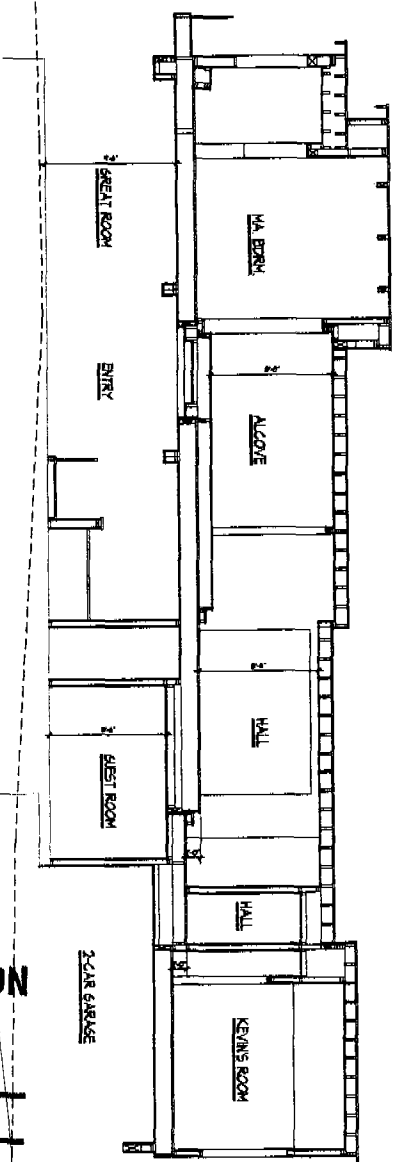
**COASTAL COMMISSION**

EXHIBIT # 3  
 PAGE 6 OF 6

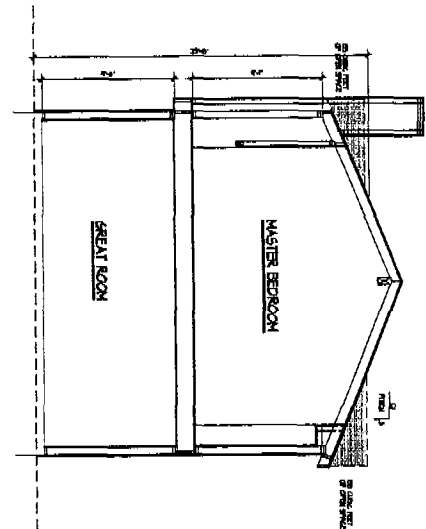
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SCALE 1/8" = 1'-0"



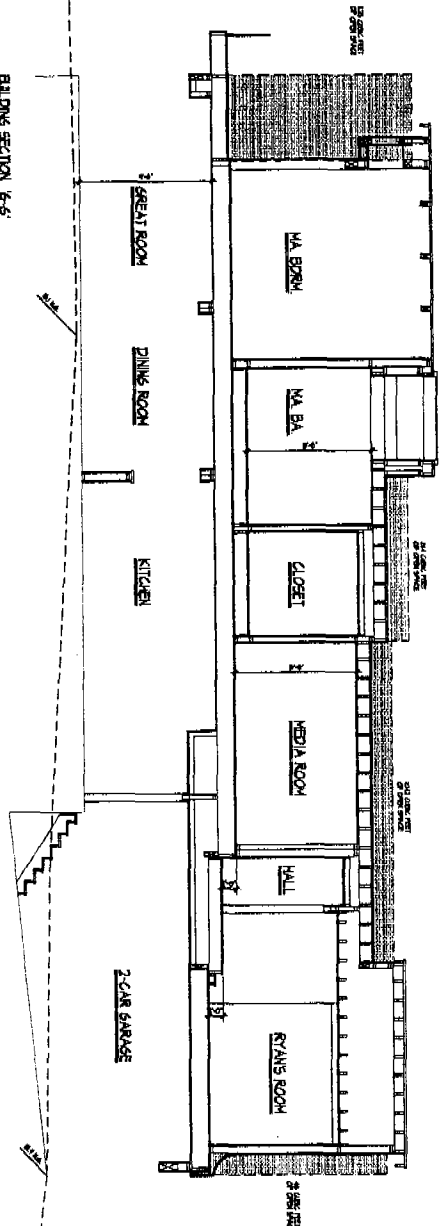
BUILDING SECTION F-F  
SCALE 1/8" = 1'-0"



BUILDING SECTION E-E  
SCALE 1/8" = 1'-0"



BUILDING SECTION G-G  
SCALE 1/8" = 1'-0"



9	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50
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**BUILDING SECTIONS**

**KASSEL RESIDENCE**  
 CITY OF NEWPORT BEACH  
PHOTO COURTESY OF THE CITY OF NEWPORT BEACH

Mark Gross & Associates, Inc.  
1001 Newport Drive  
 Newport Beach, California 92659  
 (949) 861-8800 Fax (949) 861-8801



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