

**CALIFORNIA COASTAL COMMISSION**

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

**W8b**

October 7, 2013



Go to original staff report

**ADDENDUM**

**TO: COMMISSIONERS AND INTERESTED PERSONS**

**FROM: SOUTH COAST DISTRICT STAFF**

**SUBJECT: ADDENDUM TO ITEM 8B, COASTAL COMMISSION CONSENT CALENDAR, COASTAL DEVELOPMENT PERMIT NO. 5-13-0237 (NEWPORT PROPERTY VENTURES, LLC) FOR THE COMMISSION MEETING OF WEDNESDAY, OCTOBER 9, 2013**

**Correspondence**

Commission staff has received one email from two members of the public opposing a Coastal Development Permit for the project on grounds that "a 3-story home on the oceanfront will harm the view and feeling of Seashore Drive."

The proposed single family home at 4905 Seashore Drive, Newport Beach would be 29-feet tall. This is consistent with the City of Newport Beach's height limit for the area and the development pattern along that stretch of Seashore Drive. The project would replace an existing two-story duplex on the site. Public views are not impacted.

**Rabin, Jeffrey@Coastal**

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**From:** Faircher1@aol.com  
**Sent:** Monday, October 07, 2013 1:08 PM  
**To:** Rabin, Jeffrey@Coastal  
**Subject:** Public Hearing/Coastal Permit Application

Dear Mr. Rabin,

I am opposing a request for a three story home to be built at 4905 Seashore Dr. Newport Beach, CA. (424-452-04) The permit number is 5-13-0237. The Applicant is Newport Property Ventures LLC. I do not know the agenda number or where to send my letter. Please advise me. Can I email my letter to you? I feel that a 3 story home on the oceanfront will harm the view and feeling of Seashore Drive. Please get back to me and let me know if you can use this email as my letter.

Thank you.  
Cher Charney  
Kim Charney

**RECEIVED**  
South Coast Region

OCT 07 2013

CALIFORNIA  
COASTAL COMMISSION

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Long Beach, CA 90802-4302  
(562) 590-5071



# W8b

Filed: July 1, 2013  
180th Day: December 28, 2013  
Staff: J. Rabin - LB  
Staff Report: September 19, 2013  
Hearing Date: October 9, 2013

## STAFF REPORT: CONSENT CALENDAR

**Application No.:** 5-13-0237

**Applicant:** Newport Property Ventures, LLC

**Agent:** Eric Mossman, Architect

**Location:** 4905 Seashore Drive, Newport Beach (Orange County)

**Project Description:** Demolish existing two-story duplex and an attached two-car garage. Construct a new three-story, 29-foot high single family residence with 2,460 square feet of living area; an attached two-car, 475-square foot garage; 845 square feet of decks; and a 50 square foot balcony. Total area of the proposed structure is 2,936 square feet. Grading consists of 185 cubic yards of cut and fill.

**Staff Recommendation:** Approve with conditions.

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## SUMMARY OF STAFF RECOMMENDATION

The applicant proposes to demolish an existing two-story duplex and a two-car garage. In its place, the applicant wants to construct a new three-story, 29-foot high single-family residence with 2,460 square feet of living area, an attached two-car, 475-square foot garage, 845 square feet of decks, and a 50 square foot balcony on an oceanfront lot. Total area of the proposed structure is 2,936 square feet. The project includes retaining a 36" high wall, at-grade patio, handrail and steps and

installation of stepping stones set in sand within the City of Newport Beach Oceanfront Encroachment Area. Grading consists of 185 cubic yards of cut and fill.

The proposed project is consistent with the character of the beachfront Balboa Peninsula neighborhood, which consists primarily of two and three-story homes. The project includes development in the city's Oceanfront public right-of-way. Private improvements are allowed in the right-of-way under an Oceanfront Encroachment Policy and mitigation program approved by the Commission in June 1991 and incorporated into the City's Certified Coastal Land Use Plan. The proposed improvements involve installation of stepping stones set in sand to allow percolation of stormwater into the ground. As conditioned, the proposed development conforms to the requirements of the program outlined in the City's Coastal Land Use Plan.

Staff is recommending **approval** of the proposed project with **ten (10) Special Conditions** regarding: **1)** assumption of risk; **2)** no future shoreline protective device; **3)** future development; **4)** recommendations of the geotechnical report; **5)** submittal of a final revised drainage and run-off control plan; **6)** drought tolerant landscaping; **7)** storage of construction materials, mechanized equipment, and removal of construction debris; **8)** deviation from approved encroachments; **9)** City's right to revoke encroachment permit; and **10)** recording 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.

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### APPENDICES

Appendix A - Substantive File Documents

### EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Aerial View

Exhibit 3 – Photo of Existing Duplex at 4905 Seashore Drive, Newport Beach

Exhibit 4 – Site Plan

Exhibit 5 – Floor Plans

Exhibit 6 – Elevations

## I. MOTION AND RESOLUTION

### 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 of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

### Resolution:

*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 of the Coastal Act. 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

This permit is granted subject to the following 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

This permit is granted subject to the following Special Conditions:

1. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, erosion, storm conditions, liquefaction, flooding, 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 applicant and landowner agrees, on behalf of itself 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. 5-13-0237 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, liquefaction, flooding, sea level rise, or any other coastal hazards in the future. By acceptance of this permit, the applicant and landowner hereby waives, on behalf of itself 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 applicant and landowner further agree, on behalf of itself 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. Future Development.** This permit is only for the development described in Coastal Development Permit No. 5-13-0237. 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. 5-13-0237. 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. 5-13-0237 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- 4. Recommendations of the Geotechnical Report.** All final design and construction plans shall be consistent with all recommendations contained in the Geotechnical Investigation for Proposed Residential Development Located at 4905 Seashore Drive, Newport Beach, California presented to Kemp Bros. Construction, Santa Fe Springs, California. The geotechnical report, dated January 14, 2013, was prepared by EGA Consultants, LLC of Costa Mesa, California. 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.
- 5. Submit revised final drainage and run-off control plan.** PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a final revised drainage and runoff control plan that substantially conforms to all of the following: the Roof Plan (Sheet A5) received May 7, 2013, which shows stormwater runoff directed to roof drains, gutters, and downspouts; the Erosion and Siltation Plan (Sheet GD) received July 1, 2013; and the Site/Grading Plan (Sheet ST) received May 7, 2013, which shows trench drains extending across the entire front and rear of the property, installation of stepping stones set in sand in most of the Oceanfront Encroachment Area and along with the entire east side yard from front of the property almost to the rear of the garage and in the front portion of the west side yard. The applicant shall comply with the revised final plans approved by the Executive Director. 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.
- 6. Drought Tolerant Non-Invasive Landscaping.** 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 or very

low water use plants as identified by California Department of Water Resources (See:<http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).

**7. 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.

**8. Deviation from Approved Encroachments.** The retained 36" high wall, at-grade patio, handrail and steps and proposed installation of stepping stones in sand is the only

development allowed by this Coastal Development Permit 5-13-0237 in the City of Newport Beach Oceanfront Encroachment Area that extends 10 feet seaward from the beachfront property line at 4905 Seashore Drive, as depicted on the Site/Grading Plan (Sheet ST) received May 7, 2013. Any development in the Oceanfront public right-of-way, including additional 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.

The City of Newport Beach issued an Annual Oceanfront Encroachment Permit No. EN1116 to the applicant on June 25, 2013. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit evidence, for the review and approval of the Executive Director that the applicant has made the initial payment to the City's public access impact mitigation program (i.e. annual payment to City for encroachment.) The applicant 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.

9. **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.
  
10. **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 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:**

### **A. PROJECT LOCATION AND DESCRIPTION**

The subject site is a residential lot located between the Santa Ana River and the Newport Pier at 4905 Seashore Drive, Newport Beach (Exhibit 1). The nearly rectangular parcel is 30 feet wide and approximately 66 feet long. The lot size is 1,980 square feet. The city's certified Land Use Plan (LUP) designates the property as Single Unit Residential and the proposed single-family residence is consistent with this designation. The project is located in an existing urban residential area on the Balboa Peninsula (Exhibit 2).

As noted above, the site consists of a single lot located between the first public road and the sea. There is a sandy beach (about 260 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 run-up during a severe storm event.

The applicant proposes to demolish a two-story duplex (Exhibit 3) and an attached two-car garage. In its place, the applicant wants to construct a new three-story, 29-foot high single-family residence with 2,460 square feet of living area; an attached two-car, 475-square foot garage; 845 square feet of decks; and a 50 square foot balcony.

In addition, the project includes retention of a 36" high wall, at-grade patio, handrail and steps and installation of stepping stones set in sand within the City's Oceanfront Encroachment area. No landscaping is proposed. The project also involves installation of roof drains, gutters and downspouts; installation of stepping stones set in sand along the entire east side yard from front of the property almost to the rear of the garage. Stepping stones set in sand also are to be placed in the front portion of the west side yard. Trench drains are to be installed across the entire front and rear property lines to capture, treat, and infiltrate stormwater runoff into the ground.

Ornilux bird protection glass is specified for use on all glass railings to deter bird strikes.

### **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 by **Special Conditions 1, 2, 4 and 5** to: require that the landowner and any successor-in-interest assume the risk of undertaking the development; prohibit construction of protective devices (such as a seawall) in the future; require conformance with recommendations in the applicant's geotechnical report, require an appropriate setback from the water; and require a drainage and run-off control plan to direct, treat, and minimize the flow of stormwater offsite. 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 future development **Special Condition 3** be imposed. As conditioned the development conforms to the Chapter 3 policies of the Coastal Act.

### D. PUBLIC ACCESS

The proposed project will not have an adverse effect on public access. The project site is located along a portion of the Balboa Peninsula accessible to the public. The Commission has found through previous permit actions that the City's setback in this area is acceptable for maintaining public access. The proposed project is consistent with the City's required 5-foot setback for primary structures from the seaward property line. Vertical public access to the beach is available nearby at the end of 49<sup>th</sup> and 50<sup>th</sup> Street. Lateral public access is available along the wide sandy beach seaward of the subject site and the encroachment area.

The project includes development within the Oceanfront public right-of-way that lies between the site's southern property line and the beach. Within this encroachment area, designated in the City of Newport Beach's certified Coastal Land Use Plan, the applicants propose to retain a 36" high wall, at-grade patio, handrail and steps. The applicants also plan to install stepping stones set in sand to allow stormwater to percolate into the ground. On June 25, 2013, the City of Newport Beach Public Works Department issued an Annual Oceanfront Encroachment Permit, No. EN1116, to the applicant.

Private improvements are allowed in the Oceanfront public right-of-way under an Oceanfront Encroachment Policy and mitigation program approved by the Commission in June 1991 (the findings in support of that action are incorporated here by reference). Proceeds from the annual encroachment fee charged to property owners have been used by the City of Newport Beach for a mitigation program to reconstruct 33 unimproved street ends on the Balboa Peninsula to provide additional parking and improved public access. Pursuant to the mitigation program, a minimum of 85 percent of the encroachment fees will be used for the construction and maintenance of improvements, which directly benefit the beach-going public, such as parking spaces, restrooms, vertical or lateral walkways along the beach and similar projects. The City of Newport Beach reserves the right to use the encroachment area right-of-way for public projects in the future. **Special Conditions 8 and 9** address these requirements.

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, the proposed development, as conditioned, conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

## **E. WATER QUALITY**

The proposed development has a potential for 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: a construction-phase erosion control plan, appropriate management of equipment and construction materials, reducing runoff through use of permeable surfaces, installation of roof drains, gutters, downspouts, and trench drains across the entire front yard and the back of the property next to the garage. Post-construction best management practices should minimize the project's potential adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms to 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 an additional **Special Condition 10** 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, this permit ensures that 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 and again in 2009. 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 (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.

## APPENDIX A

**Substantive File Documents:** City of Newport Beach Certified Land Use Plan; City of Newport Beach Approval-in-Concept No. 2013-012, dated April 1, 2013; Coastal Development Permit Application File No. 5-13-0237; City of Newport Beach Annual Oceanfront Encroachment Permit No. EN1116 for 4905 Seashore Drive issued by the City of Newport Beach Public Works Department on June 25, 2013; Geotechnical Investigation for Proposed Residential Development Located at 4905 Seashore Drive, Newport Beach, California presented to Kemp Bros. Construction, Santa Fe Springs, California. The geotechnical report dated January 14, 2013 was prepared by EGA Consultants, LLC of Costa Mesa, California; Coastal Hazards & Wave Run-up Study, 4905 Seashore Drive, Newport Beach, prepared for Mr. Greg Solaas dated January 8, 2013 by GeoSoils, Inc. of Carlsbad, California; Findings in support of the Commission's approval of City of Newport Beach Land Use Plan Amendment No. 90-1.

4905 Seashore Drive, Newport Beach

CDP 5-13-0237

Exhibit 1



4905 Seashore Drive, Newport Beach CDP 5-13-0237 Exhibit 2



Encroachment Area  
(outlined in blue)

SITE



**4905 Seashore Drive, Newport Beach**

**CDP 5-13-0237**

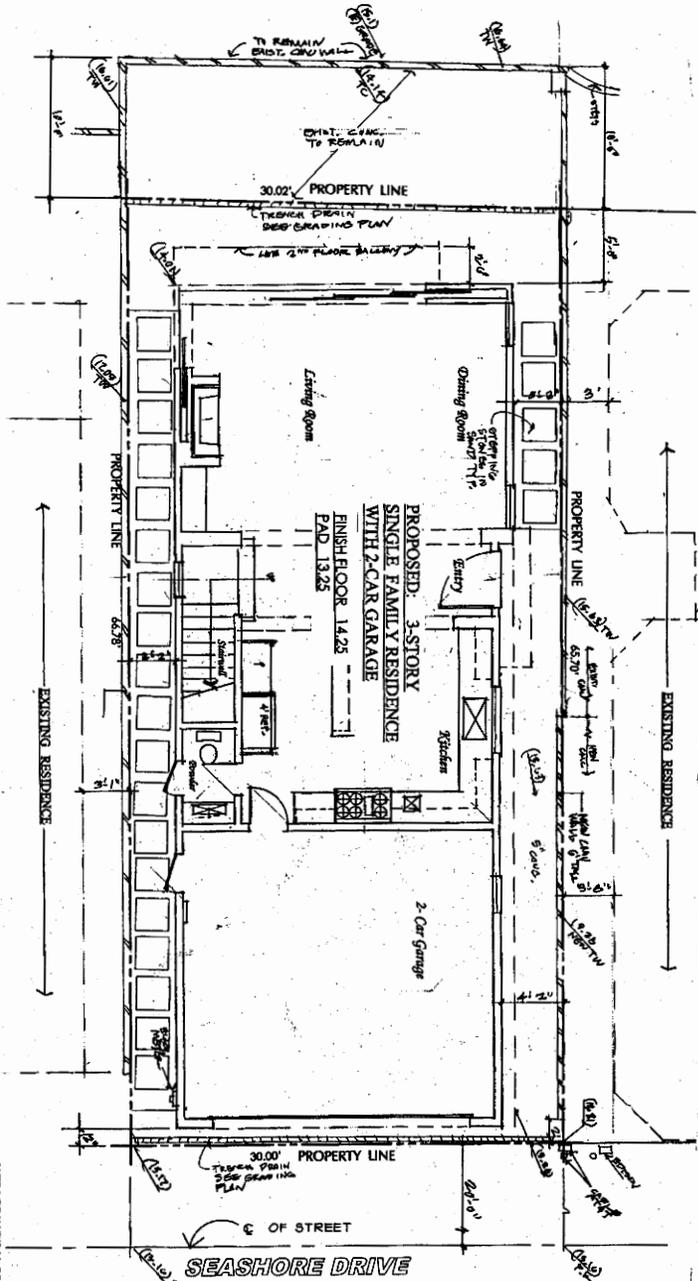
**Exhibit 3**



**Existing Duplex**



# SITE PLAN



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

LEGAL DESCRIPTION  
 LOT 3 BLOCK 46  
 OCEAN FRONT TRACT

AVERAGE NATURAL GRADE  
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NOT TO SCALE  
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 DATE: 11/14

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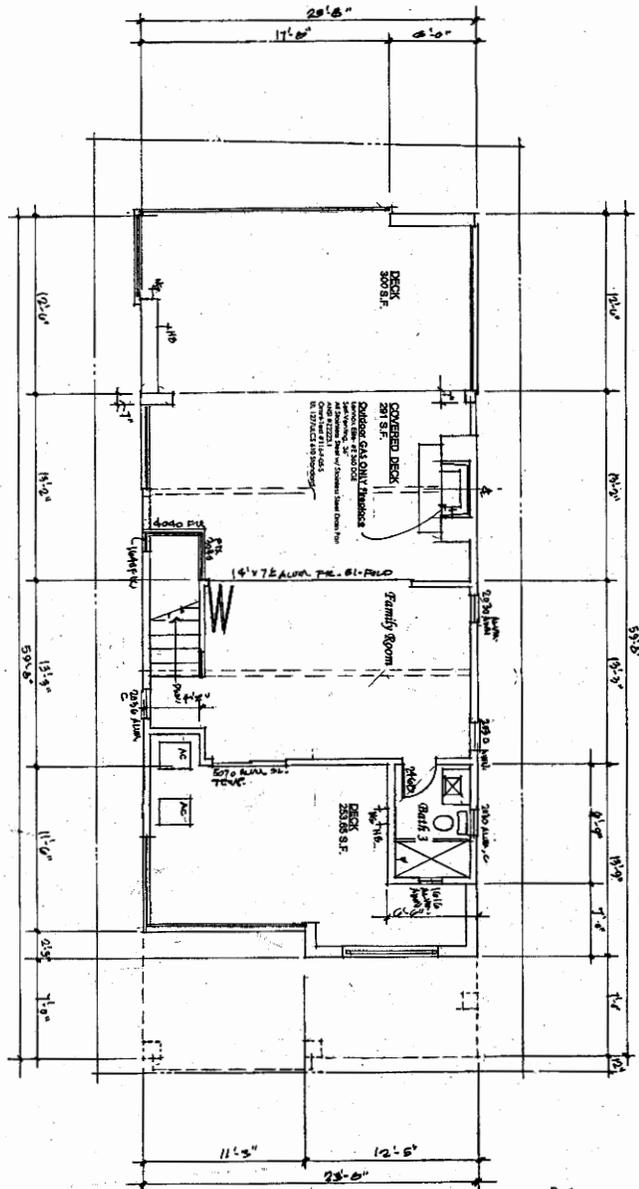
Custom Residence For : **Newport Property Ventures**  
 Located at : 4905 Seashore Drive, Newport Beach, CA 92663

**ERIC F. MOSSMAN ARCHITECT**  
 AIA RAIC NCARB  
 (949) 675-1252  
 2025 W. BALBOA BLVD. SUITE 8, NEWPORT BEACH, CA 92661

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DATE	
BY	
CHECKED	
APPROVED	





**THIRD FLOOR**  
283 S.F. LIVING

0717 OF APPROVED DESIGN  
APPROVED FOR CONSTRUCTION OF THIS PROJECT  
THIS PLAN IS TO BE USED FOR CONSTRUCTION OF THE PROJECT  
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DATE: 11/11/11

**WHOLE HOUSE VENTILATION CALCULATION**

2 Bedrooms	72 CMAH	15 CMAH
Master Bedroom	72 CMAH	15 CMAH
2nd BR	72 CMAH	15 CMAH
3rd BR	72 CMAH	15 CMAH
4th BR	72 CMAH	15 CMAH
5th BR	72 CMAH	15 CMAH
6th BR	72 CMAH	15 CMAH
7th BR	72 CMAH	15 CMAH
8th BR	72 CMAH	15 CMAH
9th BR	72 CMAH	15 CMAH
10th BR	72 CMAH	15 CMAH
11th BR	72 CMAH	15 CMAH
12th BR	72 CMAH	15 CMAH
13th BR	72 CMAH	15 CMAH
14th BR	72 CMAH	15 CMAH
15th BR	72 CMAH	15 CMAH
16th BR	72 CMAH	15 CMAH
17th BR	72 CMAH	15 CMAH
18th BR	72 CMAH	15 CMAH
19th BR	72 CMAH	15 CMAH
20th BR	72 CMAH	15 CMAH
21st BR	72 CMAH	15 CMAH
22nd BR	72 CMAH	15 CMAH
23rd BR	72 CMAH	15 CMAH
24th BR	72 CMAH	15 CMAH
25th BR	72 CMAH	15 CMAH
26th BR	72 CMAH	15 CMAH
27th BR	72 CMAH	15 CMAH
28th BR	72 CMAH	15 CMAH
29th BR	72 CMAH	15 CMAH
30th BR	72 CMAH	15 CMAH
31st BR	72 CMAH	15 CMAH
32nd BR	72 CMAH	15 CMAH
33rd BR	72 CMAH	15 CMAH
34th BR	72 CMAH	15 CMAH
35th BR	72 CMAH	15 CMAH
36th BR	72 CMAH	15 CMAH
37th BR	72 CMAH	15 CMAH
38th BR	72 CMAH	15 CMAH
39th BR	72 CMAH	15 CMAH
40th BR	72 CMAH	15 CMAH
41st BR	72 CMAH	15 CMAH
42nd BR	72 CMAH	15 CMAH
43rd BR	72 CMAH	15 CMAH
44th BR	72 CMAH	15 CMAH
45th BR	72 CMAH	15 CMAH
46th BR	72 CMAH	15 CMAH
47th BR	72 CMAH	15 CMAH
48th BR	72 CMAH	15 CMAH
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61st BR	72 CMAH	15 CMAH
62nd BR	72 CMAH	15 CMAH
63rd BR	72 CMAH	15 CMAH
64th BR	72 CMAH	15 CMAH
65th BR	72 CMAH	15 CMAH
66th BR	72 CMAH	15 CMAH
67th BR	72 CMAH	15 CMAH
68th BR	72 CMAH	15 CMAH
69th BR	72 CMAH	15 CMAH
70th BR	72 CMAH	15 CMAH
71st BR	72 CMAH	15 CMAH
72nd BR	72 CMAH	15 CMAH
73rd BR	72 CMAH	15 CMAH
74th BR	72 CMAH	15 CMAH
75th BR	72 CMAH	15 CMAH
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77th BR	72 CMAH	15 CMAH
78th BR	72 CMAH	15 CMAH
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81st BR	72 CMAH	15 CMAH
82nd BR	72 CMAH	15 CMAH
83rd BR	72 CMAH	15 CMAH
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93rd BR	72 CMAH	15 CMAH
94th BR	72 CMAH	15 CMAH
95th BR	72 CMAH	15 CMAH
96th BR	72 CMAH	15 CMAH
97th BR	72 CMAH	15 CMAH
98th BR	72 CMAH	15 CMAH
99th BR	72 CMAH	15 CMAH
100th BR	72 CMAH	15 CMAH

DATE	11/11/11
BY	ERIC F. MOSSMAN
PROJECT	NEWPORT PROPERTY VENTURES
SHEET	A2

Custom Residence for:

**Newport Property Ventures**

Located at:  
4905 Seashore Drive, Newport Beach, CA

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ARCHITECT  
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NO. OF SHEETS	27
SHEET NO.	27

