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CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY



Filed: March 23, 1999
49th Day: May 11, 1999
180th Day: September 19, 1999
Staff: KFS-LB
Staff Report: April 22, 1999
Hearing Date: May 11-14, 1999
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-99-066

APPLICANT: Sonja Gregurek

AGENT: None

PROJECT LOCATION: 721 W. Balboa Blvd., Newport Beach, Orange County

PROJECT DESCRIPTION: Addition of 288 square feet of living space to an existing 1,366 square foot two-story single-family residence including conversion of an existing approximately 243 square foot living space to a single vehicle car port.

Lot Area:	2100 square feet
Building Coverage (existing):	705 square feet
Pavement Coverage (existing):	795 square feet
Landscape Coverage (existing):	600 square feet
Parking Spaces (existing):	None
Zoning:	R-1 (Single family residential)
Ht above final grade:	19 feet 3 inches

LOCAL APPROVALS RECEIVED: City of Newport Beach approval-in-concept 178-99; City of Newport Beach Modification Permit No. 4775

SUBSTANTIVE FILE DOCUMENTS: Administrative Coastal Development Permits: 5-93-211 (Coleman), 5-93-258 (Keys), 5-94-145 (Olsen), 5-94-209 (Noyes), 5-94-229 (Batniji), 5-96-122 (Saracino), and 5-97-037 (Branson); 5-95-060 (Rewers), 5-95-067 (Pifer), 5-97-095 (Hughes), 5-97-237 (Jacobs), and 5-98-027 (Woods)

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval of the proposed project with a future improvements special condition informing present and future owners of their obligation to obtain a coastal development permit for any future improvements in accordance with section 30106 of the Coastal Act. The major issue of this staff report concerns the proposed parking situation which does not meet the Commission's standard parking requirement of two spaces per residential unit as there is only one parking space.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. APPROVAL WITH CONDITIONS

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

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 this permit is reported to the Commission. 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. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **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.
7. **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. **Future Improvement/Parking**

This coastal development permit 5-99-066 is only for the development, located at 721 W. Balboa Boulevard, in the City of Newport Beach, County of Orange, as expressly described and conditioned herein. Any future improvements or development as defined in Section 30106 of the Coastal Act, including a change in the number of residential units or any other

change in the intensity of use of the property, shall require an amendment to this permit or a new coastal development permit from the Coastal Commission or its successor agency.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Location and Description

The subject site is located at 721 W. Balboa Boulevard, on the Balboa Peninsula within the City of Newport Beach (Exhibits 1 and 2). The subject site is not between the first public road and the sea, but is located within 300 feet of the inland extent of the beach.

The proposed project is to remodel and add a total of 288 square feet of living space to an existing 1,366 square foot two-story single-family residence with no garage (Exhibit 3). The addition and remodel will convert an existing approximately 243 square foot living space to a single vehicle car port. Accordingly, the proposed development will increase on-site parking by one parking space. Demolition of walls (not exceeding 50% of existing exterior walls) and additions will occur on the first and second floor. The existing height of 19 feet 3 inches above natural and finish grade will not change. Also, there is no proposed change in the number of dwelling units. Accordingly, there is no proposed change in the intensity of use of the site.

B. Public Access/Parking

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by: (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.

When a private development does not provide adequate on-site parking, users of that development are forced to occupy public parking used by visitors to the coastal zone. Thus, all private development must provide adequate on-site parking to minimize adverse impacts on public access.

The Commission has consistently found that two parking spaces is adequate to satisfy the parking demand generated by one individual residential unit. The existing single family residence should thus provide two parking spaces consistent with the standard of two parking spaces per residential dwelling unit. No parking spaces currently exist on-site. The proposed project will convert existing living space to an unenclosed carport with one parking space. Due to the narrow width of the lot and existing narrow setbacks, an additional parking space cannot be feasibly accommodated on the vehicle accessible portion of the site without substantial or complete demolition of the existing structure. However, no substantial demolition is proposed. Accordingly, the proposed development would be deficient by one parking space. However, overall there will be a net improvement to parking conditions at the site and no change in the intensity of use of the site.

Since the development would not result in additional residential units nor the attendant increase in parking demand, the Commission finds that the applicant should not be required to provide the deficient one parking space at this time. Nevertheless, future development could

result in an increase in the number of residential dwelling units. This would result in an increase in parking demand and adverse impacts on public access.

Therefore, the Commission finds that it is necessary to place a condition informing the current permittee and future owners of the subject site that a new coastal development permit, or an amendment to this permit, would be required for any future development at the subject site, including a change in the intensity of use of the site which may result in increased parking demand. This type of special condition has been previously imposed by the Commission or the Executive Director for similar residential projects which did not result in a change in intensity of use but did have inadequate parking based on the Commission's commonly used standards. These include administrative permits 5-93-211 (Coleman), 5-93-258 (Keys), 5-94-145 (Olsen), 5-94-209 (Noyes), 5-94-229 (Batniji), 5-96-122 (Saracino), and 5-97-037 (Branson); and coastal development permits 5-95-060 (Rewers), 5-95-067 (Pifer), 5-97-095 (Hughes), 5-97-237 (Jacobs), and 5-98-027 (Woods). Thus, as conditioned, the Commission finds that the proposed development is consistent with Section 30252 of the Coastal Act.

C. Land Use Plan

Section 30604 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 permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

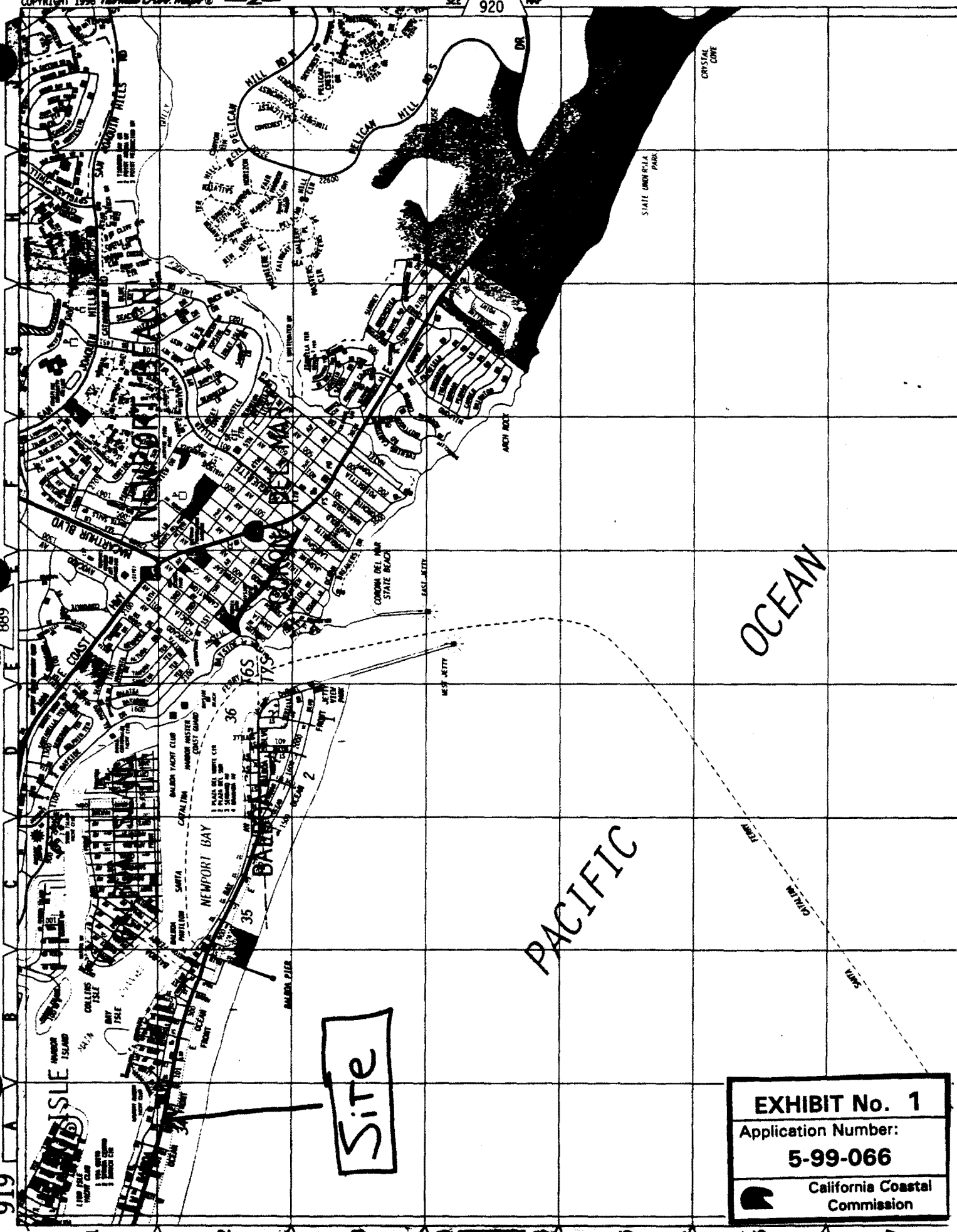
The Newport Beach Land Use Plan was effectively certified on May 19, 1982. The proposed development is consistent with the policies of the certified Land Use Plan. Therefore, the Commission finds that approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program (Implementation Plan) for Newport Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

D. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The project is located in an urbanized area. Development already exists on the subject site. In addition, the proposed development has been conditioned, as follows, to assure the proposed project is consistent with the public access policies of the Coastal Act: future improvements special condition. As conditioned, no feasible alternatives or feasible mitigation measures are known, beyond those required, which would substantially lessen any identified significant effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with CEQA and the Chapter Three policies of the Coastal Act.

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SEE 889



Site

OCEAN

PACIFIC

EXHIBIT No. 1
Application Number: 5-99-066
California Coastal Commission

Ocean

Bench

Newport Bay

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	1025
1012	1017
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1008	1009
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10TH STREET

942	8	951
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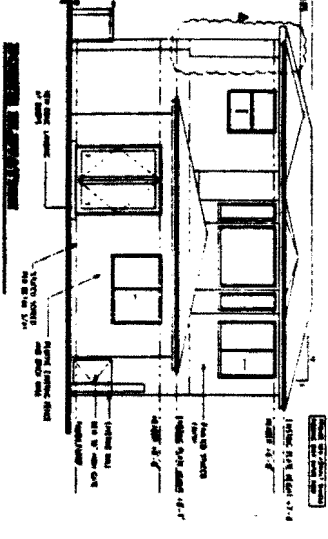
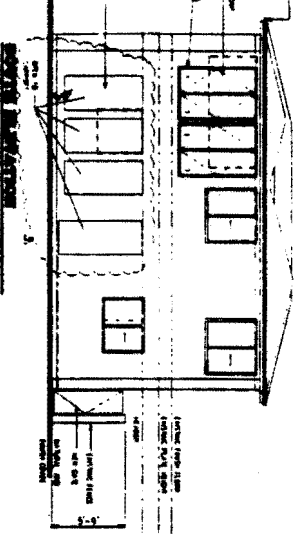
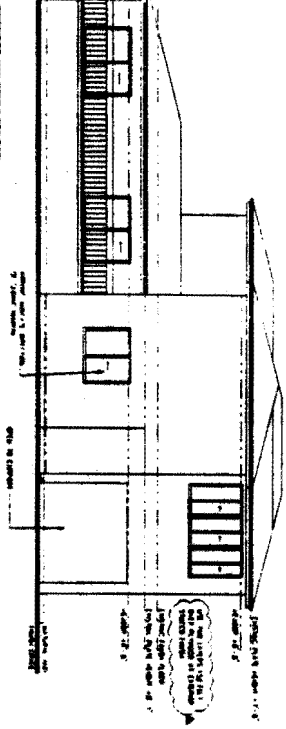
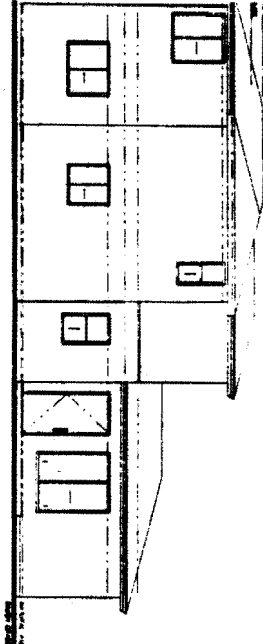
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West Calboa Blvd.

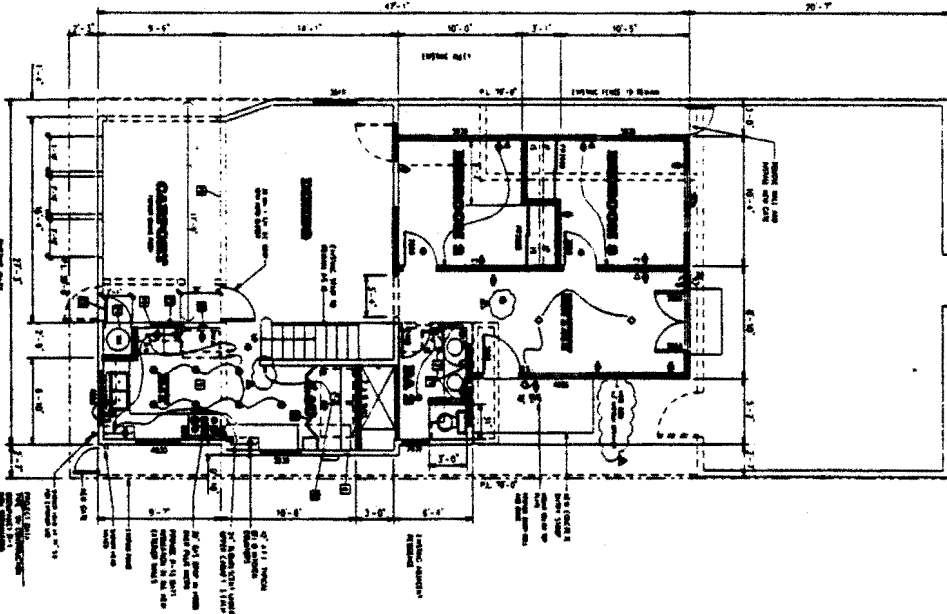
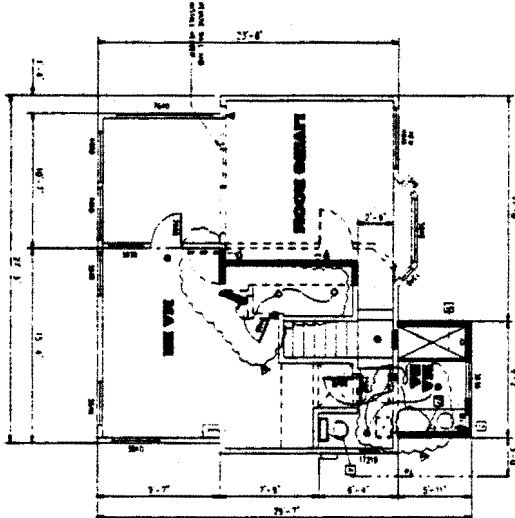
West Ocean Front

AVENUE

EXHIBIT
Applicat
8



1. The proposed addition is a two-story structure with a gabled roof and a porch area. It is located on the left side of the existing house. The addition will be constructed of brick and will have a finished basement. The addition will be approximately 12 feet wide and 18 feet deep. The addition will be set back from the property line by approximately 5 feet. The addition will be finished with a brick exterior and will have a gabled roof with a 12/12 pitch. The addition will have a porch area on the front side. The addition will have a finished basement with a living area, a kitchen, and a bathroom. The addition will have a total area of approximately 1,200 square feet. The addition will be constructed in accordance with the City of Atlanta Building Code. The addition will be set back from the property line by approximately 5 feet. The addition will be finished with a brick exterior and will have a gabled roof with a 12/12 pitch. The addition will have a porch area on the front side. The addition will have a finished basement with a living area, a kitchen, and a bathroom. The addition will have a total area of approximately 1,200 square feet. The addition will be constructed in accordance with the City of Atlanta Building Code.

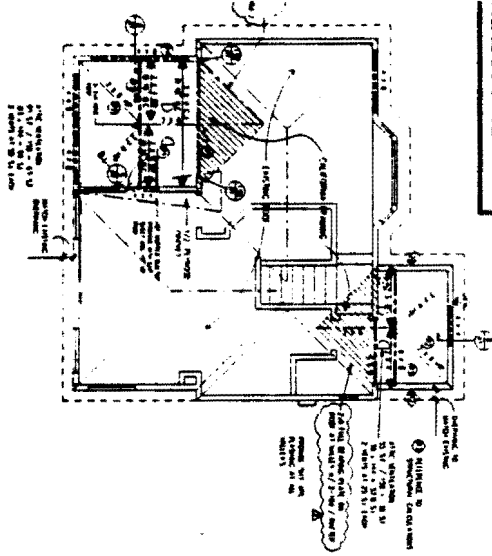


- FINISH LISTING**
- 1. BRICK EXTERIOR FINISH
 - 2. GYP. BOARD INTERIOR FINISH
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COASTAL COMMISSION
5-99-066
EXHIBIT # 3
PAGE 2 OF 3

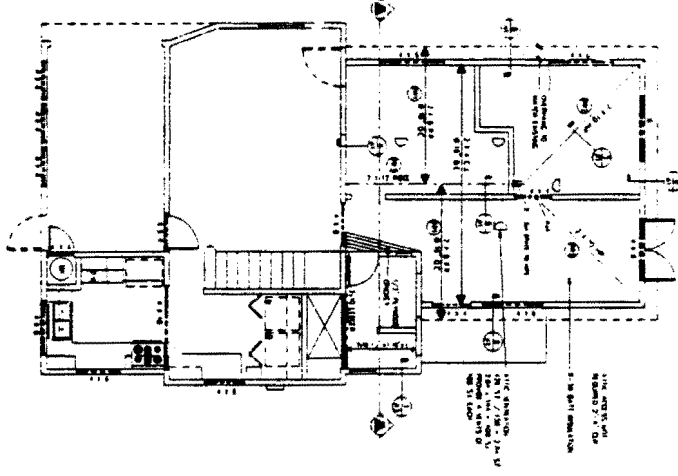
FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 DATE: 10/15/99
 DRAWN BY: [Name]
 CHECKED BY: [Name]

ROOF FRAMING PLAN

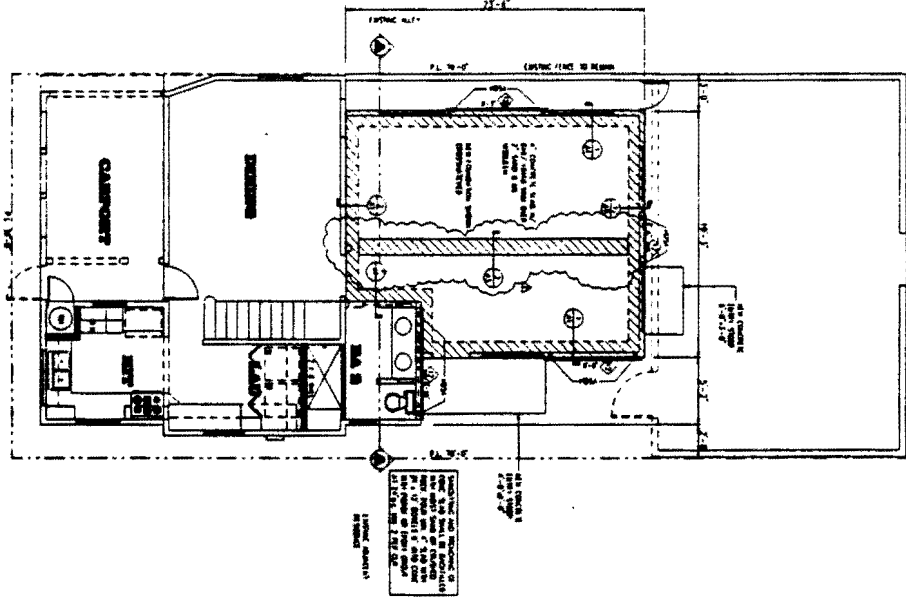


ITEM	DESCRIPTION	QTY	UNIT
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5	2x12 TRUSS	12	EA
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47	2x96 TRUSS	12	EA
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49	2x100 TRUSS	12	EA

ROOF FRAMING PLAN



FOUNDATION PLAN



EVACUATION NOTES:

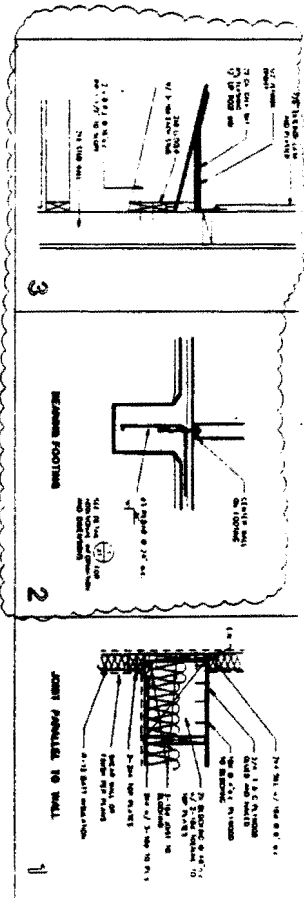
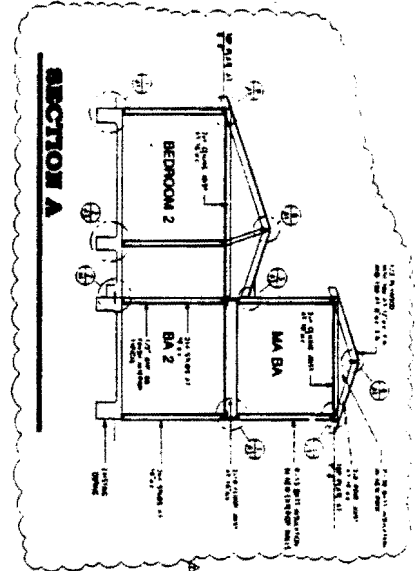
1. ALL EVACUATION ROUTES SHALL BE CLEAR AND UNOBSTRUCTED AT ALL TIMES.

2. ALL EVACUATION ROUTES SHALL BE MARKED WITH EVACUATION ROUTE MARKINGS.

3. ALL EVACUATION ROUTES SHALL BE MARKED WITH EVACUATION ROUTE MARKINGS.

4. ALL EVACUATION ROUTES SHALL BE MARKED WITH EVACUATION ROUTE MARKINGS.

5. ALL EVACUATION ROUTES SHALL BE MARKED WITH EVACUATION ROUTE MARKINGS.



NO.	DESCRIPTION	QTY	UNIT
1	2x4 TRUSS	12	EA
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46	2x94 TRUSS	12	EA
47	2x96 TRUSS	12	EA
48	2x98 TRUSS	12	EA
49	2x100 TRUSS	12	EA

GREGUREK ADDITION
 721 WEST BALBOA BLVD.
 SEAFORT BEACH, FL 32178

RON BARTLO & ASSOCIATES, INC.
 ARCHITECTURE DESIGN PLANNING
 1000 W. PALM BLVD. SUITE 100
 WEST PALM BEACH, FL 33411
 (561) 835-1111

COASTAL COMMISSION
 5-99-066
 EXHIBIT # 3