

CALIFORNIA COASTAL COMMISSION

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January 7-11, 2002

**TU 9h****STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 5-01-191**APPLICANTS:** Lawrence & Lana Tabak**RECORD PACKET COPY****AGENT:** Fleetwood Joiner & Associates**PROJECT LOCATION:** 3431 Ocean Boulevard, City of Newport Beach,
County of Orange

PROJECT DESCRIPTION: Demolition of an existing three (3) story single family residence and construction of a new 6,305 square foot five (5) story single family residence with an attached 782 square foot three (3) car garage, down a coastal bluff to a maximum height of 24 feet above finished grade. Additional construction consists of retaining walls, elevator, new concrete steps to the beach, spa and pool, kayak storage, shower, trash enclosure, waterfalls, decks, BBQ, tree wells, planters, an aqueduct, and a loggia. Grading will consist of 2,395 cubic yards of cut, 23 cubic yards of fill and 2,372 cubic yards of export. A caisson and grade beam foundation system will support the proposed structure.

SUMMARY OF STAFF RECOMMENDATION:

The applicant proposes to demolish and construct a single family residence down a coastal bluff immediately inland of a public beach. Associated construction includes retaining walls, elevator, new concrete steps to the beach, spa and pool, kayak storage, shower, trash enclosure, waterfalls, decks, BBQ, tree wells, planters, an aqueduct, and a loggia. The proposed project is located down a coastal bluff immediately inland of Corona Del Mar State Beach, which is a public beach. The primary issue before the Commission is the appropriateness of approving the project given landform alteration, the importance of preserving scenic resources, community character and impacts to public access. Staff recommends that the Commission **DENY** the proposed project.

As submitted, the proposed project is primarily inconsistent with Sections 30240, 30251 and 30253 of the Coastal Act and the City of Newport Beach Land Use Plan (LUP) regarding coastal bluff sites. The pattern of development along this segment of Ocean Boulevard is such that structures are sited at the top of the coastal bluff, while the bluff face remains largely undisturbed and vegetated. Although several lots have stairways traversing the bluff face and some have unpermitted development at the toe of the bluff (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped. Additionally, the toe of the bluff is immediately inland of Corona Del Mar State Beach, which is a public beach. The project site is consequently highly visible from the public beach. In addition, the proposed development is inconsistent with Sections 30240, 30251 and 30253 in that the proposed development constitutes new development seaward of the existing line of development, alters a largely undeveloped vegetated coastal bluff through grading, utilizes retaining walls and caissons to support the proposed development, and will have an adverse impact on public use of a public beach.

B. Staff Recommendation of Denial

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

C. Resolution to Deny the Permit

The Commission hereby **DENIES** a coastal development permit for the proposed development on the ground that the development will not conform with the policies of Chapter 3 of the Coastal Act and will 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 would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

II. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

A. Project Location, Description and Background**1. Project Location**

The proposed project is located at 3431 Ocean Boulevard in Corona Del Mar, City of Newport Beach, County of Orange (Exhibits #1-4). The subject site is immediately inland of Corona Del Mar State Beach, a public beach. The project site is located in a developed area where the overall appearance of the bluff is natural and undeveloped. The agent states that the existing bluff and base of bluff has been altered and therefore are not natural, but a majority of the bluff face remains undeveloped and has been vegetated, thus giving it a "natural" look. The subject property cascades from the top of the bluff down the bluff face to the toe of the bluff. The property consists of a partially graded and natural sea bluff. Upper portions of the bluff have been terraced with slopes and retaining walls to accommodate driveway access and the existing three story home. Lower portions of the bluff appear to be in a generally natural state but are landscaped with non-native shrubs, trees and ice plant. The bluff descends moderately 50+/- feet from the rear of the existing structure with an overall slope near 1.5:1 (horizontal: vertical). Maximum relief from the front of the property to the beach below is 70 +/- feet. The site is currently developed with a single family residence located at the top of the bluff. To the north, at the top of the bluff is Ocean Boulevard. To the northwest are existing residential developments. To the southeast are a natural vegetated bluff, a bluff park know as Inspiration Point and a public access way from Inspiration Point to the beach (Corona Del Mar State Beach) consisting of a concrete pathway, retaining wall and a grouted rock revetment. To the southwest of the project site is sandy beach, further southwest is the Breakers Drive street end and even further southwest is the Corona Del Mar State Beach Parking Lot. To the south, at the toe of the slope is existing vegetation, and south of the project site property line is the public access way from Inspiration Point to the beach consisting of a concrete pathway, retaining wall and a grouted rock revetment and a +/- 40 foot wide sandy public beach. The bluff face remains relatively undisturbed and vegetated, with exception of an existing wooden stairway located along the southeastern property line. The pattern of development along this segment of Ocean Boulevard primarily consist of structural development sited at the top of the bluff and minimal disturbance of the bluff face (i.e. stairways only) and the toe (unpermitted development, which is under investigation by the Commission) of the bluff.

2. Project Description

Demolition of an existing pre-coastal three (3) story single family residence and construction of a new 6,305 square foot five (5) story single family residence with an attached 782 square foot three (3) car garage, down a coastal bluff to a maximum height of 24 feet above finished grade (Exhibits #5-8). Additional construction consists of retaining walls, elevator, new concrete steps to the beach, spa and pool, kayak storage, shower, trash enclosure, waterfalls, decks, BBQ, tree

B. Development Requiring Protective Devices

Section 30253 of the Coastal Act states, in pertinent part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Development on a bluff is inherently risky due to the potential for bluff failure. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential structures. In general, bluff instability is caused by environmental factors and impacts caused by man. Environmental factors include seismicity, wave attack, drying and wetting of soils, wind erosion, salt spray erosion, rodent burrowing, percolation of rain water, poorly structured bedding, and soils conducive to erosion. Factors attributed to man include bluff oversteepening from cutting roads and railroad tracks, irrigation, over-watering, building too close to the bluff edge, improper site drainage, use of impermeable surfaces to increase runoff, use of water-dependent vegetation, pedestrian or vehicular movement across the bluff top and toe, and breaks in water or sewage lines.

1. Site Conditions and Geotechnical Recommendations

To address site-specific geotechnical issues, the applicant has submitted a *Summary of Geotechnical Conditions*, 3431 Ocean Boulevard, Corona Del Mar, California, prepared by Geofirm (Project No. 70934-00/ Report No. 8-2879) August 3, 2001. The primary objectives of the *Geotechnical Investigation* were: "...to assess the existing geologic setting and characteristics of the site and to evaluate geotechnical conditions relevant to proposed development of the property." The findings of the *Geotechnical Investigation* are based on: site reconnaissance, excavation and logging of four exploratory trenches, geologic mapping and reconnaissance of sea cliff bedrock exposures on the site and on adjacent properties, interpretation of stereoscopic pairs of aerial photographs, review of published regional maps and literature, and review of previous reports by this office pertaining to nearby properties.

The *Geotechnical Investigation* states that the property is situated at the seaward boundary of a regionally extensive marine terrace, which lies at the coastal margin of the San Joaquin Hills. Marine and subaerial erosion of this terrace during geologic time has created the sea bluff which forms the property. The site is underlain locally at the surface and at depth by bedrock strata of the Monterey Formation, which is overlain along the upper bluff by marine terrace deposits. Slopewash derived from terrace deposits mantles the bluff face. Uncertified fill occurs at scattered locations across the property.

With regards to slope stability, the *Geotechnical Investigation* states: "The lower sea bluff is backed by competent bedrock materials which are mantled with a thick slope wash. Historically the mode of sea cliff erosion and bluff retreat is piecemeal block toppling largely controlled by joints in the bedrock and episodically slumping of the marine terrace deposits in the upper bluff. These erosional processes were typically initiated by episodic wave erosion at the base of the sea cliff. However, since construction of the Newport Harbor jetties the beach and lower sea cliff are protected from westerly storm surf and swells and significant erosion of the toe of the sea bluff is considered unlikely. The upper bluff has been terraced and fattened with development and is no longer subject to significant instability." Consequently, the *Geotechnical Investigation* concludes: "No geotechnical conditions are manifest which would prevent residential development."

Although the *Geotechnical Investigation* states that the proposed project is feasible from an engineering perspective, the report discussed some major concerns of the proposed project. These concerns deal with the state of fill, slopewash, marine terrace deposits and the bluff.

Geotechnical Evaluation of Marine Erosion Potential prepared by Geofirm (Project No. 70934-01/ Report No. 01-3824) dated October 10, 2001, the sandy beach located in front of the proposed project is presently +/- 40 feet wide. The bluff contour and beach form a tight northwesterly facing crescent where the beach and bluff converge at Inspiration Point. The subject property is located at the northwesterly limb of this crescent. The shoreline fronting the site is located just to the east of the east jetty at the entrance to Newport Bay. The south jetty at the entrance of the bay acts to hold the beach in place, while the pair of jetties shelter the area from wave energy from the north and the west

To further analyze the suitability of the site for the proposed development relative to potential wave hazards, Commission staff requested the preparation of a wave run-up, flooding, and erosion hazard analysis, prepared by an appropriately licensed professional (e.g. coastal engineer), that anticipates wave and sea level conditions (and associated wave run-up, flooding, and erosion hazards) through the life of the development. For a 75 to 100 year structural life, the hazard analysis would need to take the 1982/83 storm conditions (or 1998 conditions) and add in 2 to 3 feet of sea level rise in order to determine whether the project site would be subject to wave run-up, flooding, and erosion hazards under those conditions. The purpose of this analysis is to determine the potential for future storm damage and any possible mitigation measures, which could be incorporated into the project design.

The applicant has provided the *Geotechnical Evaluation of Marine Erosion Potential* prepared by Geofirm (Project No. 70934-01/ Report No. 01-3824) dated October 10, 2001 which addresses the potential of hazard from flooding and wave attack at the subject site. The *Evaluation* states: *"Since the construction of the Newport Bay jetty in 1937, the shoreline at the rear of the property line has been protected from westerly waves and swells and such will not adversely impact the site in the future. There is little if any up coast and down coast movement of sand along the shoreline because the beach is isolated by the rocky headland to the southeast and the jetty to the northwest. However, the adjacent shoreline is exposed to southeasterly to southwesterly swells and windwaves...Coastal erosion from anomalous high swell/wind wave events at any location is possible, especially when concurrent with higher tides."*

The submitted *Evaluation* concludes the following:

"Based upon review of the previous topographic maps and reconnaissance of current conditions, it is my conclusion that no significant permanent erosion has occurred below the subject property since that time [1959]. However, erosion at the inner curve of the crescent between the revetment and the rock point remains active [Inspiration Point] and evidence of minor undercutting of the readily erodable slopewash on the adjacent property to the northwest was also observed."

Although the applicant's report indicates that the site is safe for development at this time, beach areas are dynamic environments, which may be subject to unforeseen changes. Such changes may affect beach processes, including sand regimes. The mechanisms of sand replenishment are complex and may change over time, especially as beach process altering structures, such as jetties, are modified, either through damage or deliberate design. Therefore, the presence of a wide sandy beach and a revetment at this time does not preclude wave uprush damage and flooding from occurring at the subject site in the future. The width of the beach may change, perhaps in combination with a strong storm event like those which occurred in 1983, 1994 and 1998, resulting in future wave and flood damage to the proposed development.

3. Conclusion

Although the *Geotechnical Investigation* concludes that the proposed project is feasible from the engineering perspective, the Commission notes that, given sufficient engineering, virtually any project can be constructed. However, the requirements of Section 30253 of the Coastal Act establish the standard for evaluating the proposed development. Section 30253 prohibits new development that requires the use of protective devices that would substantially alter natural landforms along bluffs and cliffs. Consequently, the fact that a project could technically be built at this location is not sufficient to conclude that it is consistent with Section 30253 or that it *should* be undertaken. This proposed project would be incompatible with Section 30253 as it has **not** been

Development of Coastal Bluff Sites, Policy 2 (b) states,

Grading, cutting and filling of natural bluff face or bluff edges shall be prohibited in order to preserve the scenic value of bluff areas, except for the purpose of performing emergency repairs, or for the installation of erosion-preventive devices or other measures necessary to assure the stability of the bluffs.

The proposed project is located along a coastal bluff face immediately inland of Corona Del Mar State Beach. Because of its' location the project site is highly visible from the sandy public beach. The pattern of development along this segment of Ocean Boulevard is such that structures are sited at the top of the bluff, while the bluff face remains largely undisturbed and vegetated. Although several lots have stairways traversing the bluff face and some have unpermitted development at the toe of the bluff (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped. The agent states that the existing bluff and base of bluff has been altered and therefore are not natural, but a majority of the bluff face remains undeveloped and has been vegetated, thus giving it a "natural" look. Development at this site, if approved, must be sited and designed to be visually compatible with the undisturbed character of the surrounding area. It is also necessary to ensure that new development be sited and designed to protect views to and along the beach area and minimize the alteration of existing landforms and seaward encroachment of development. The proposed project, as submitted, would be a significant new development encroaching seaward. This seaward encroachment also raises the concern over cumulative impacts if others propose to develop the coastal bluff face.

1. Landform Alteration & Community Character

The applicant is proposing to demolish an existing three (3) story single family residence and construct a new 6,305 square foot five (5) story single family residence with an attached 782 square foot three (3) car garage, down a coastal bluff to a maximum height of 24 feet above finished grade (Exhibits #5-8). Additional construction consists of retaining walls, elevator, new concrete steps to the beach, spa and pool, kayak storage, shower, trash enclosure, waterfalls, decks, BBQ, tree wells, planters, an aqueduct, and a loggia. Among the proposed retaining walls for the project are two (2) stepped 6 foot high retaining walls at a total height of 12 feet located near the southern property line. Grading will consist of 2,395 cubic yards of cut, 23 cubic yards of fill and 2,372 cubic yards of export. This will be accomplished by grading the face of the bluff and the toe of the bluff. A caisson and grade beam foundation system will support the proposed structure. The proposed project will affect public views of the vegetated bluff from the adjacent public beach (Corona Del Mar State Beach), inconsistent with the pattern of development in the subject area. The Commission finds that the proposed project does not minimize alteration of natural landforms, is not visually compatible with the character of surrounding development and will affect the scenic and visual qualities of the subject area. As such, the proposed project is inconsistent with Section 30251 of the Coastal Act and the City's LUP policy regarding coastal bluff sites as discussed below.

a. Landform Alteration

The Coastal Act also requires new development to be sited to "minimize the alteration of natural land forms." The proposed project would be located along a coastal bluff. The existing bluff is a natural landform visible from public vantage points such as the beach (Corona Del Mar State Beach) and Inspiration Point. Any alteration of this landform would affect the scenic views of the coastline when viewed from the State Beach and Inspiration Point. Also, the proposed project would have an adverse visual impact because instead of a natural vegetated bluff seen on the bluff face from the beach, two (2) stepped 6 foot high retaining walls at a total height of 12 feet located near the southern property line and a large residence cascading down the bluff face would be visible from the beach. As such, new development at the subject site must be appropriately sited to minimize adverse effects to existing scenic resources. Thus, the proposed project is inconsistent with Section 30251 of the Coastal Act regarding scenic resources.

Unpermitted development cannot be used in order to conduct a proper stringline analysis. The southeastern point was from a structure that is not adjacent to the project site. This southeastern point was taken from a structure located further southeast, on the opposite side of the adjacent natural vegetated bluff, a bluff park known as Inspiration Point and a public access way from Inspiration Point to the beach (Corona Del Mar State Beach). There are no adjacent structures southeast of the project site, only the natural vegetated bluff. Thus, the structural stringline cannot be applied to this project.

The submitted deck stringline was, as well, not correctly drawn based on the Commission's methodology (Exhibit #9). The deck stringline was drawn from points that were not correctly located on the nearest adjacent corners of the adjacent decks. The northwestern point was from a deck that was seven (7) houses northwest of the site. In addition, this deck is part of a structure that appears to be unpermitted development (as stated previously) that the Commission's Enforcement Staff is currently investigating. Unpermitted development cannot be used in order to conduct a proper stringline analysis. The southeastern point was from a deck that is not adjacent to the project site. This southeastern point was taken from the observation deck on Inspiration Point, which is not adjacent to the project site. There are no adjacent decks southeast of the project site, only the natural vegetated bluff. Thus, the deck stringline cannot be applied to this project.

Though the application of the stringline cannot be applied with this project, the basis of the stringline is to prevent seaward encroachment of new development that can often have adverse impacts on a variety of coastal resources and the proposed project would encroach seaward. There is a distinct community character where development is located at the top of the bluff, while the bluff face remains largely undisturbed and vegetated. The proposed project would result in seaward encroachment and also be a visible intensification of use of the site, inconsistent with the surrounding undeveloped area. Thus, the proposed project must be denied because it proposes of seaward encroachment which would have adverse impacts on coastal resources and would violate Section 30251 of the Coastal Act.

c. Community Character

The proposed project would be incompatible with the surrounding development. Although several lots adjacent to the proposed project have stairways traversing the bluff face and some have unpermitted development at the toe of the bluff (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped. The project site and the six (6) lots located (3329-3431 Ocean Boulevard) to the southeast and six (6) lots (3207-3309 Ocean Boulevard) to the northwest have bluff faces that are principally covered with vegetation (Exhibits #3-4).

Following the line of residential development further to the northwest along Breakers Drive are an additional thirteen (13) homes, which take their addresses from Breakers Drive. Of the thirteen (13) homes on Breakers drive, six (6) of the homes in the northwestern most stretch (3002-3036 Breakers Drive) constitute the limited area where development occurs over the majority of the bluff face (Exhibit #3). The Commission has recently approved Coastal Development Permit 5-00-452 (Cowan) for a residential development located at 3030 & 3030 1/2 Breakers Drive, which is located within these six (6) homes where development occurs over the majority of the bluff face. Unlike the proposed development which is immediately inland of the public beach, the Cowan (5-00-452) project is well setback from the ocean by a public sandy beach, an approximately 200 foot wide parking lot for Corona Del Mar State Beach, vegetation, a wall and Breakers Drive. The four (4) residential developments that are to the northwest of 3030 & 3030 1/2 Breakers Drive and the one lot immediately southeast, consist of residential structures which start at beach level (toe of bluff) and cascade up the bluff face. Thus, the new residential development at 3030 & 3030 1/2 Breakers Drive would be in-fill development similar to the existing development in this limited area. The Commission approved Coastal Development Permit 5-00-452 (Cowan) and found that the specific

proposed project would set a precedent for the construction of other such development along the bluff face and the toe of the bluff that would significantly alter the natural land form and cause adverse visual impacts and encroach seaward. Scenic resources would not be preserved. Development at this site must be sited and designed to be visually compatible with the undisturbed character of the surrounding area. Therefore, the Commission cannot allow the proposed project to be constructed as submitted.

2. Conclusion

The Commission finds that the proposed project, as currently proposed, is not sited and designed to protect scenic and visual qualities of coastal areas as a source of public importance. Denial of the proposed project would preserve existing scenic resources and would be consistent with preserving the existing community character where development occurs at the top of the coastal bluff. The alteration of the bluff would result in an adverse visual effect when viewed from public vantage points such as the beach and Inspiration Point. Allowing the proposed project would also lead to seaward encroachment of new development in an area where extensive unpermitted development has occurred that has encroached seaward and affected the community character. The Commission finds that the proposed project would result in the alteration of natural landforms and would not be visually compatible with the character of the surrounding area. Consequently, the proposed project would increase adverse impacts upon visual quality in the subject area. Therefore, the Commission finds that the proposed project is inconsistent with Section 30251 and Section 30253 of the Coastal Act and with the City's LUP policy regarding coastal bluff sites and therefore must be denied.

D. Public Access

Section 30240 (b) of the Coastal Act states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The project site is located along a lower portion of a bluff face and the toe of a bluff on the seaward side of Ocean Boulevard, which is the first public road immediately inland of Corona del Mar State Beach. The project site is highly visible from the sandy public beach. The pattern of development along this segment of Ocean Boulevard is such that structures are sited at the top of the bluff, while the bluff face remains largely undisturbed and vegetated. Although several lots have stairways traversing the bluff face and some have unpermitted development at the toe of the bluff (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped. Public access is available directly seaward of the toe of the bluff at Corona del Mar State Beach. Development at this site, if approved, must be sited and designed to be compatible with Section 30240 (b) of the Coastal Act. Section 30240 (b) of the Coastal Act states that development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas. It is necessary to ensure that new development be sited and designed to prevent seaward encroachment of development that would impact public access to coastal resources. The proposed project, as submitted, would be a significant new development encroaching seaward.

The proximity of the proposed project to Corona Del Mar State Beach, a public beach, raises Coastal Act concerns, as it would be new seaward encroaching development that would discourage use of the public beach. The project would diminish the value of the beach for public use by discouraging public access to the beach through the presence of, two (2) stepped 6 foot high retaining walls at a total height of 12 feet located near the southern property line and a large residence cascading down the bluff face would be visible from the beach at the southern end of the property, which is immediately inland of Corona Del Mar State Beach. The proposed retaining walls would be imposing structural features that would affect public use of the beach by discouraging the public from using the public beach area intended for public use adjacent to the retaining walls and fence. This would force the public to move more seaward and thus have an impact on public use of the beach. Thus, the proposed project would adversely impact public access to the public beach.

The City of Newport Beach Land Use Plan (LUP) was certified on May 19, 1982. Since the City only has an LUP, the policies of the LUP are used only as guidance. The Newport Beach LUP includes the following policies that relate to development at the subject site:

Public Access, Policy 4 states,

Public access in coastal areas shall be maximized consistent with the protection of natural resources, public safety, and private property rights.

Development of Coastal Bluff Sites, Policy 2 (b) states,

Public Views. The location and design of a proposed project shall take into account public view potential.

Development of Coastal Bluff Sites, Policy 2 (b) states,

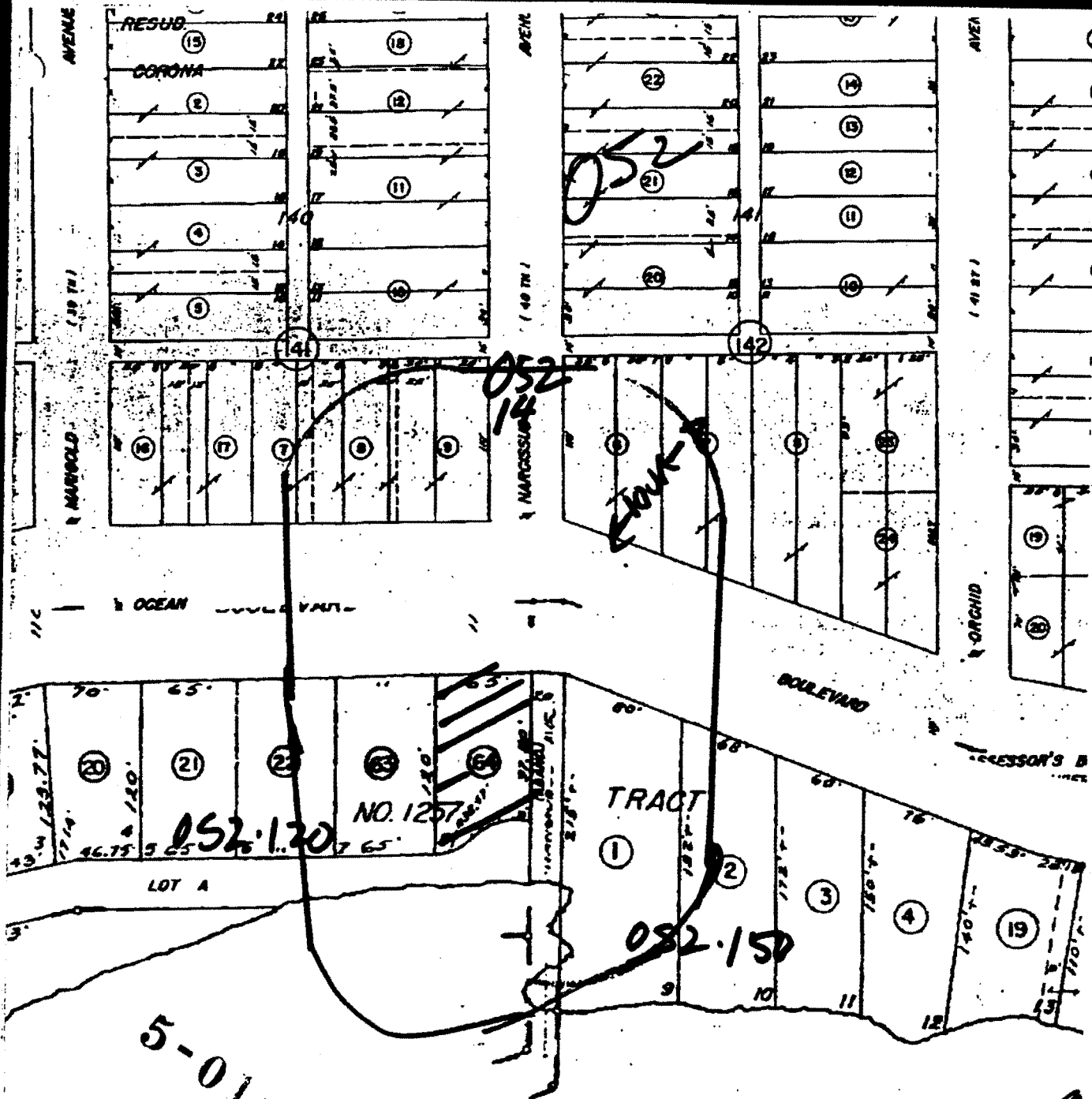
Grading, cutting and filling of natural bluff face or bluff edges shall be prohibited in order to preserve the scenic value of bluff areas, except for the purpose of performing emergency repairs, or for the installation of erosion-preventive devices or other measures necessary to assure the stability of the bluffs.

The construction of the proposed project is inconsistent with the policies in the City's certified LUP and as well as Chapter 3 policies of the Coastal Act discusses previously, specifically Sections 30240, 30251 and 30253 of the Coastal Act. Development on the coastal bluff would cause adverse impacts to the natural landform, the coastal scenic resources and public access, which is inconsistent with Sections 32044, 30251 and 30253 of the Coastal Act. Section 30240 of the Coastal Act states that development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and be incompatible with their recreational use. Section 30251 of the Coastal Act states that permitted development should minimize landform alteration, visual impacts and the cumulative adverse impact that would occur if other lots develop the bluff face. Section 30253 of the Coastal Act states that new development should not contribute to significant erosion and geologic instability. The proposed development would prejudice the City's ability to prepare a Local Coastal Program for Newport Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a). Therefore, the project is found inconsistent with the policies in the City's certified LUP and the Chapter 3 policies of the Coastal Act and must be denied.

G. California Environmental Quality Act

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, 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.

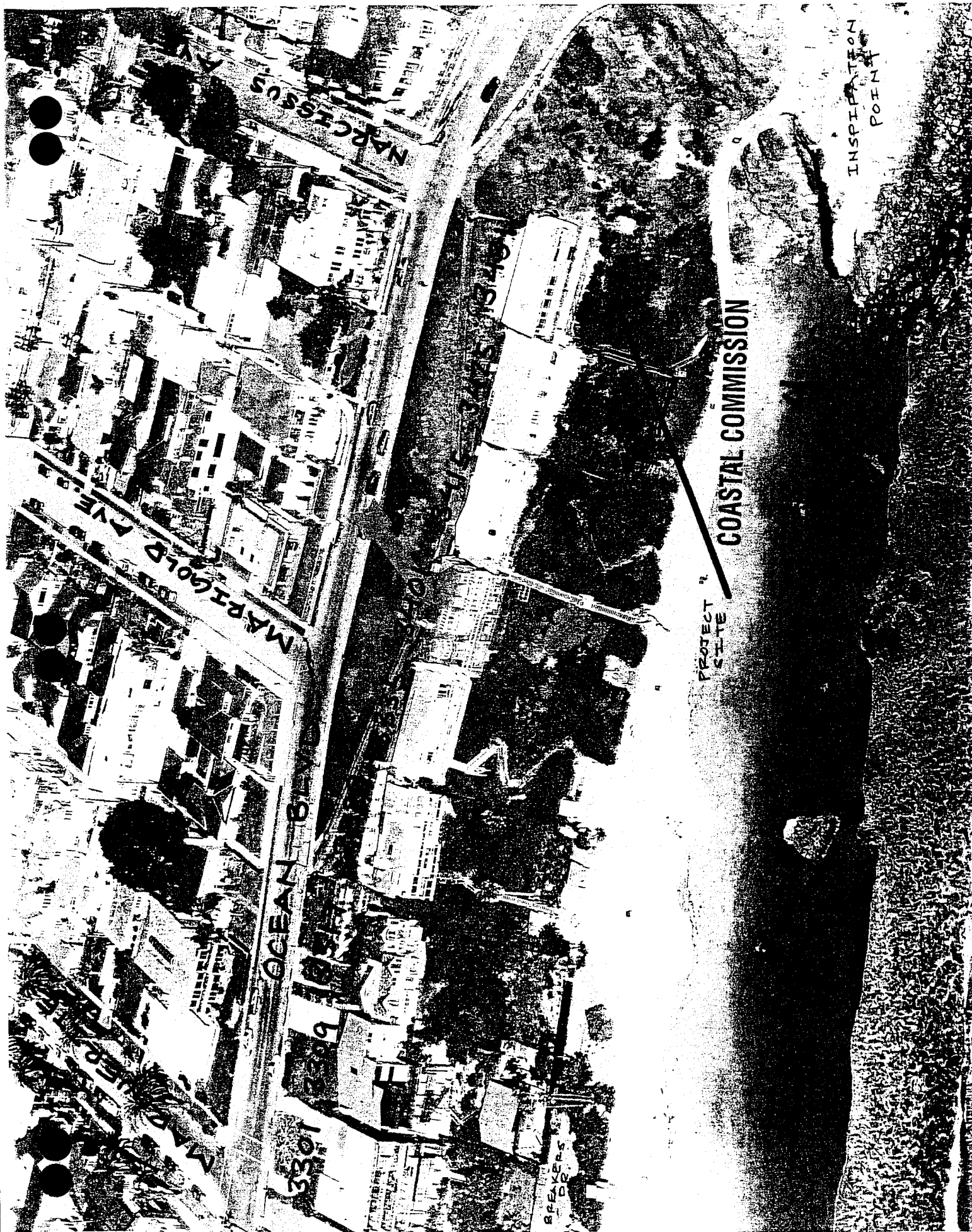
As described above, the proposed project would have adverse environmental impacts. There are feasible alternatives or mitigation measures available, such as remodeling of the existing home that would substantially lessen any significant adverse impacts, the activity may have on the environment. Therefore, the proposed project is not consistent with CEQA or the policies of the Coastal Act because there are feasible alternatives, which would lessen significant adverse impacts, which the activity would have on the environment. Therefore, the project must be denied.



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EXHIBIT # 2
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INSPIRATION
POINT

COASTAL COMMISSION

PROJECT
SITE

4 2001

COASTAL COMMISSION

PARCEL 3
LOT -7
6214 SF AT 2ND FLOOR

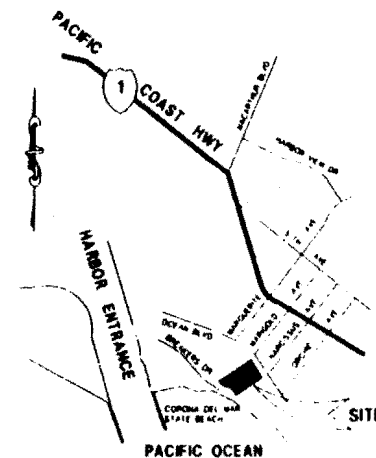
LOT 8
765 SF AT 3RD FLOOR
587 SF AT GROUND FLOOR

COASTAL COMMISSION

EXHIBIT # 5
PAGE 1 OF 3

EXISTING RESIDENCE SITE PLAN

SCALE 1/8" = 1'-0"



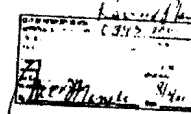
VICINITY MAP

NTS

LEGEND



Handwritten notes and signatures, including a date 2/14/11 and a signature.



THE TABAK RESIDENCE

LESTWOOD & JONES
ARCHITECTS



ARCHITECTS

1111

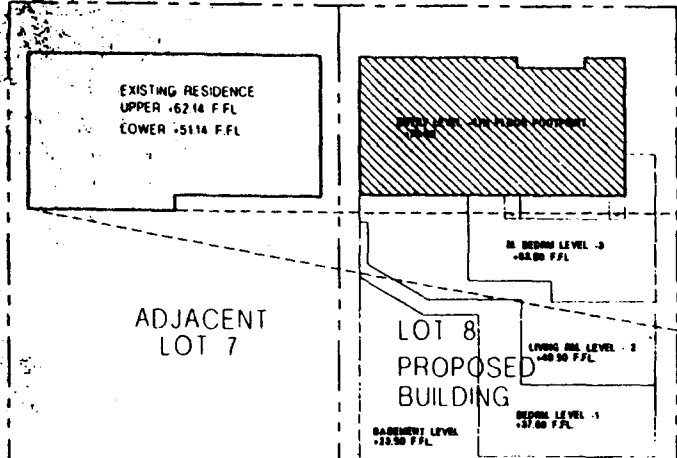
21

EXISTING RESIDENCE ON LOT 3
 THIS PROJECT BEHIND THE EXISTING
 RESIDENCE ON LOT 3, ADJACENT
 TO THE RESIDENCE ON LOT 7, AS NOTED
 BY THE PEOPLE OF THE EXISTING NATURAL HILLSIDE TO THE SOUTH

OCEAN

COASTAL COMMISSION

EXHIBIT # 5
 PAGE 3 OF 3



MAX. VIEW LINE FROM UPPER FLOOR OF ADJACENT RESIDENCE LOT 7

MAX. VIEW LINE FROM LOWER FLOOR OF ADJACENT RESIDENCE LOT 7

PUBLIC BEACH ACCESS RAMP

BREAKERS DRIVE

SAND BEACH

EXISTING NATURAL
 HILLSIDE

PACIFIC OCEAN

PUBLIC
 OBSERVATION DECK

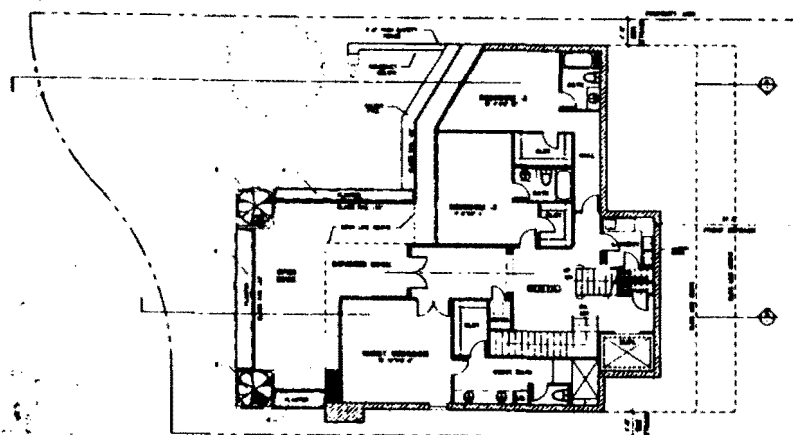
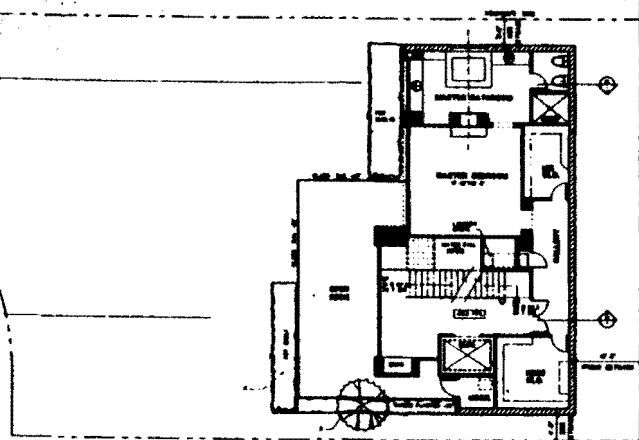
SITE PLAN
 SCALE: 1" = 10'-0"

THE TABAK RESIDENCE

RETTWOOD & JONES
 AND ASSOCIATES

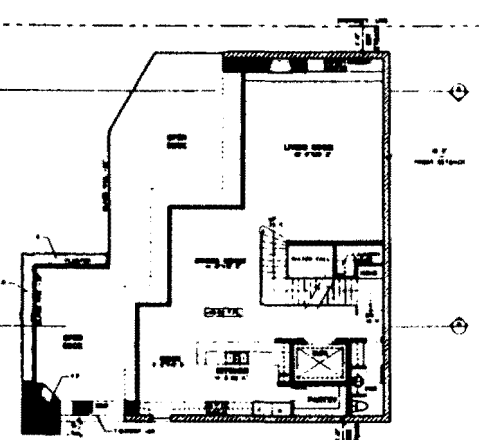


DATE: 11/11/11
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SCALE: 1" = 10'-0"



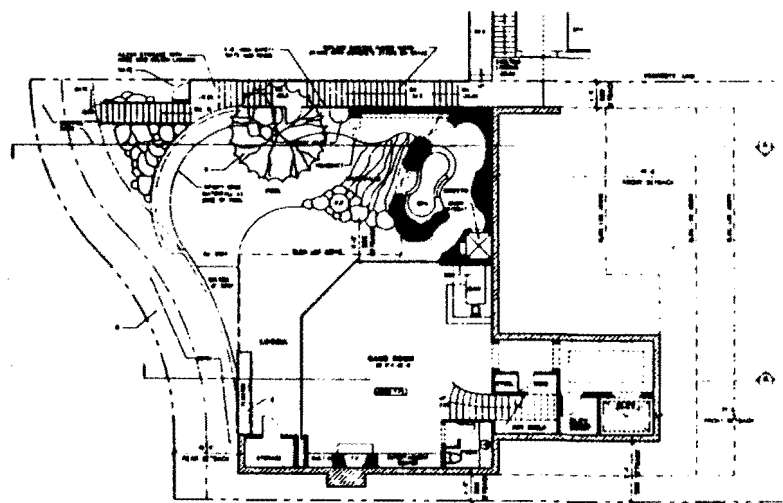
COASTAL COMMISSION

EXHIBIT # 6
PAGE 2 OF 2



PLANTING LEGEND:

1. HYPOFORM
2. ACACIA
3. POWDER PUFF
4. GRAPE IVY
5. IVY GERANIUM
6. EXHIBITS TO BE AUGMENTED WITH
BEACH ASTOR AND CRANSTON.



BASEMENT LEVEL

1548 S.F. POOL & DECK AREA

FLOOR PLANS

SCALE 1/8" = 1'-0"

THE TABAK RESIDENCE

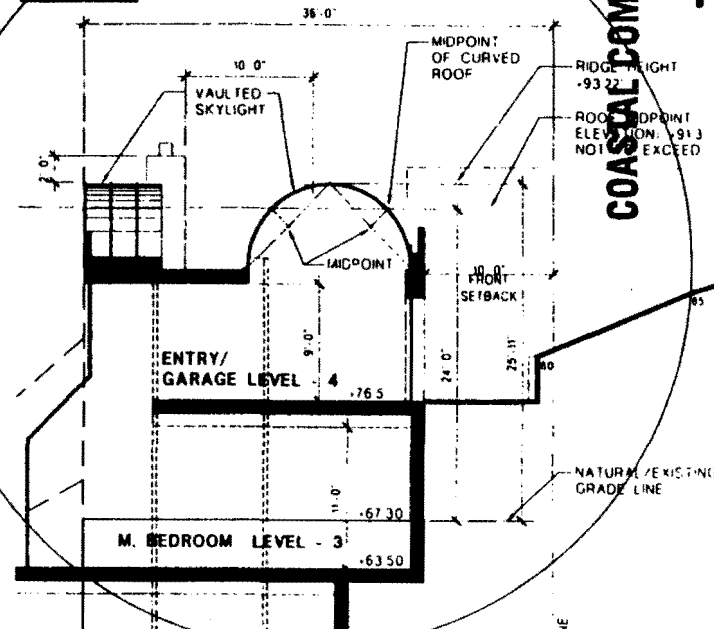
**FLETCHER L. JONES
AND ASSOCIATES**



100-443887-100

A6

SECTION B-B @ SOUTH ELEVATION



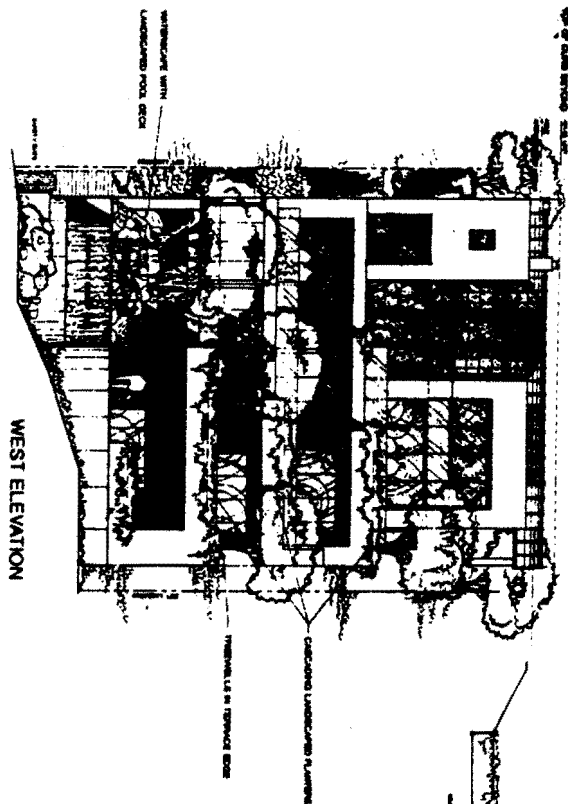
AVERAGE ROOF HEIGHT DETAIL

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

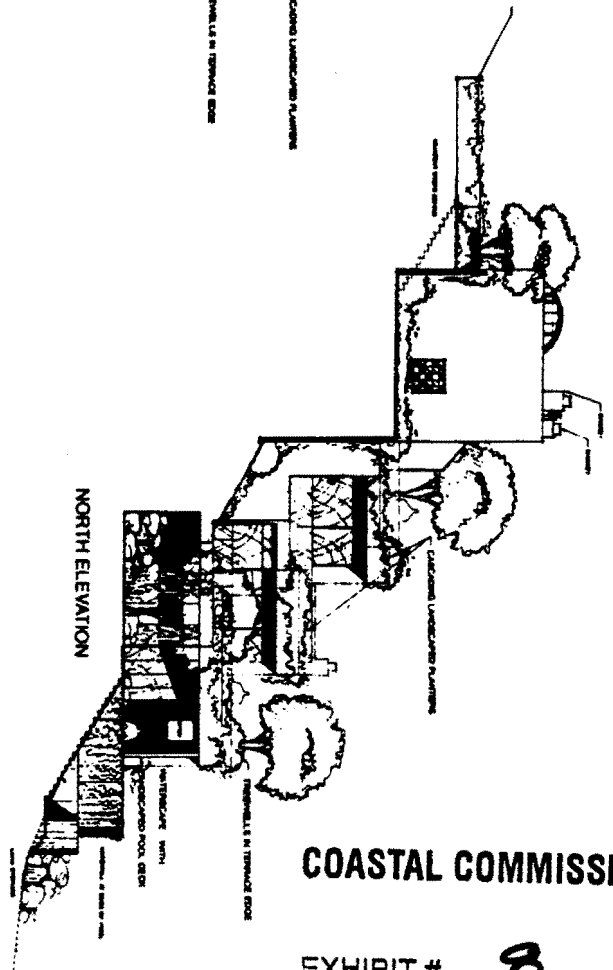
SECTION C-C @ NORTH ELEVATION

SECTIONS

SCALE: 1/8" = 1'-0"



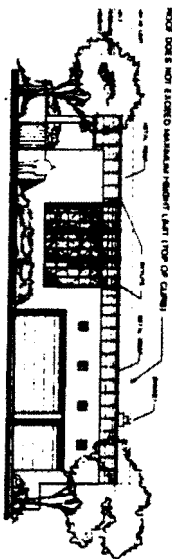
WEST ELEVATION



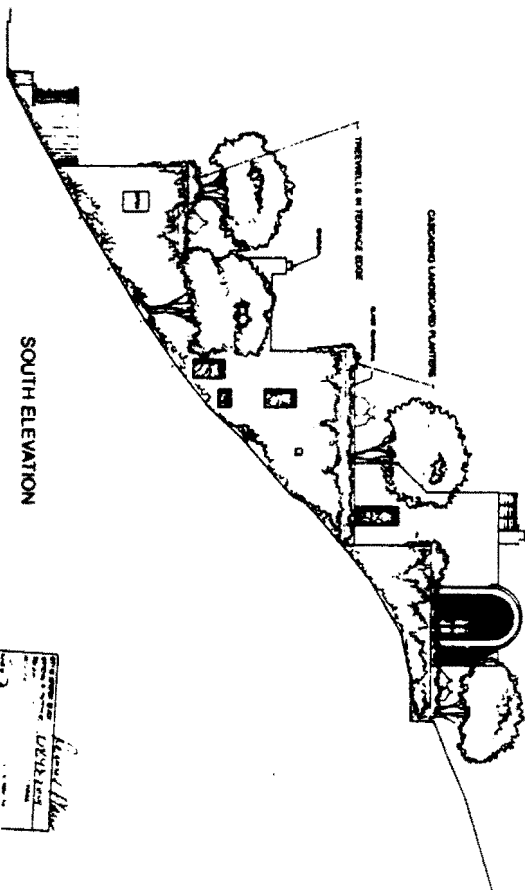
NORTH ELEVATION

COASTAL COMMISSION

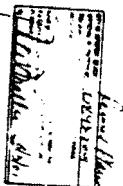
EXHIBIT # 8
PAGE 2 OF 2



EAST ELEVATION



SOUTH ELEVATION



EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"



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