

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4302
(562) 500 5074

Filed: June 25, 2002
49th Day: August 13, 2002
180th Day: December 22, 2002
Staff: FSY-LB FSY
Staff Report: August 22, 2002
Hearing Date: September 9-13, 2002
Commission Action:

**TUES 4c****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-02-083**RECORD PACKET COPY****APPLICANT:** Christopher Brigandi**AGENT:** C.J. Light Associates**PROJECT LOCATION:** 105 Bayside Drive, City of Newport Beach, County of Orange

PROJECT DESCRIPTION: Demolish and construct a two story single-family residence with an attached three-car garage. An existing gangway will be reconfigured and construction of a new cantilevered deck over the bulkhead will take place. Grading will consist of 113 cubic yards of cut. The debris will be disposed of outside of the coastal zone.

SUMMARY OF STAFF RECOMMENDATION:

The applicant is proposing to demolish an existing single-family residence and construct a new single-family residence on a bulkheaded lot in Newport Beach. The major issues of this staff report concerns water quality.

Staff is recommending **APPROVAL** of the proposed project with four (4) special conditions requiring: 1) use of construction best management practices (BMPs); 2) debris disposal site to be located outside of the coastal zone; 3) submittal of Drainage and Run-Off Control Plan; and 4) submittal of a revised Landscaping Plan.

SUBSTANTIVE FILE DOCUMENTS: Coastal development permits 5-99-466 (Ray); *Geotechnical Investigation, Proposed Single-Family Residence, 105 Bayside Place, Newport Beach, California.* (J. N.155-02) by Petra Geotechnical, Inc., dated April 10, 2002; Letter from staff to C.J. Light Associates dated April 12, 2002; Letter from C.J. Light Associates to staff dated April 26, 2002; Letter from C.J. Light Associates to staff dated April 29, 2002; Letter from staff to C.J. Light Associates dated May 29, 2002; Letter from C.J. Light Associates to staff dated June 25, 2002; and Letter from C.J. Light Associates to staff dated July 29, 2002.

LOCAL APPROVALS RECEIVED: City of Newport Beach Approval-in-Concept dated March 7, 2002 and City of Newport Beach Harbor Resources Division Approval-in-Concept dated June 18, 2002.

LIST OF EXHIBITS

1. Location Map
2. Assessor's Parcel Map
3. Site Plan
4. Floor Plans
5. Roof Plan
6. Elevations
7. Grading/Drainage Plan
8. Landscaping Plan
9. Construction Plan
10. Approval-in-Concept/Cantilevered Deck and Gangway Plan

I. STAFF RECOMMENDATION, MOTION AND RESOLUTION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions by making the following motion and adopting the following resolution.

MOTION:

I move that the Commission approve CDP No. 5-02-083 pursuant to the staff recommendation.

Staff recommends a **YES** vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

RESOLUTION TO APPROVE PERMIT APPLICATION 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 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. 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. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

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

- (a) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave erosion and dispersion;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (c) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into Newport Harbor and a pre-construction meeting to review procedural and BMP guidelines;
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters.

2. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

3. Drainage and Run-Off Control Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a drainage and runoff control plan showing roof drainage and runoff from all impervious areas directed to dry wells or vegetated/landscaped areas. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants which are non-invasive.
- B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the

Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Landscaping Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a landscaping plan to the Executive Director for review and approval. The landscaping plans shall show the following change to the project:
1. Landscaping shall only consist of native plants or non-native drought tolerant plants which are non-invasive.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan 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 required.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND LOCATION

The project site is located at 105 Bayside Drive in the City of Seal Beach, Orange County (Exhibits #1-2). The property is within the Corona del Mar area of Newport Beach, fronting Newport Harbor. The project site is between the sea and the first public road paralleling the sea.

The proposed project will consist of demolition and construction of an approximately 27 foot high, two story, 6,134 square foot single-family residence with an attached 726 square foot, three-car garage (Exhibits# 3-9). Also, construction of a 225 square foot second floor deck, a 402 square foot roof deck, portions (6 foot and 3 foot high) of northern and southern rear property line walls, side yard gates and a rear patio barbeque will take place (Exhibits #3-9). In addition, an existing gangway will be reconfigured and comprise of 78 square feet and construction of a new 206 square foot cantilevered deck at a maximum five feet beyond the existing bulkhead with 3 foot-6 inch high clear view screens and a gate will take place (Exhibits#9-10). Grading will consist of 113 cubic yards of cut. The debris will be disposed of outside of the coastal zone.

A landscaping plan showing plants that were non-invasive was submitted with the proposed project; however, it contained a number of plants that were not drought tolerant.

B. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. 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 conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

D. WATER QUALITY

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

E. LOCAL COASTAL PROGRAM

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on January 9, 1990. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which 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.

105 Bayside Place
Corona Del Mar, CA 92625

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MAR 14 2002

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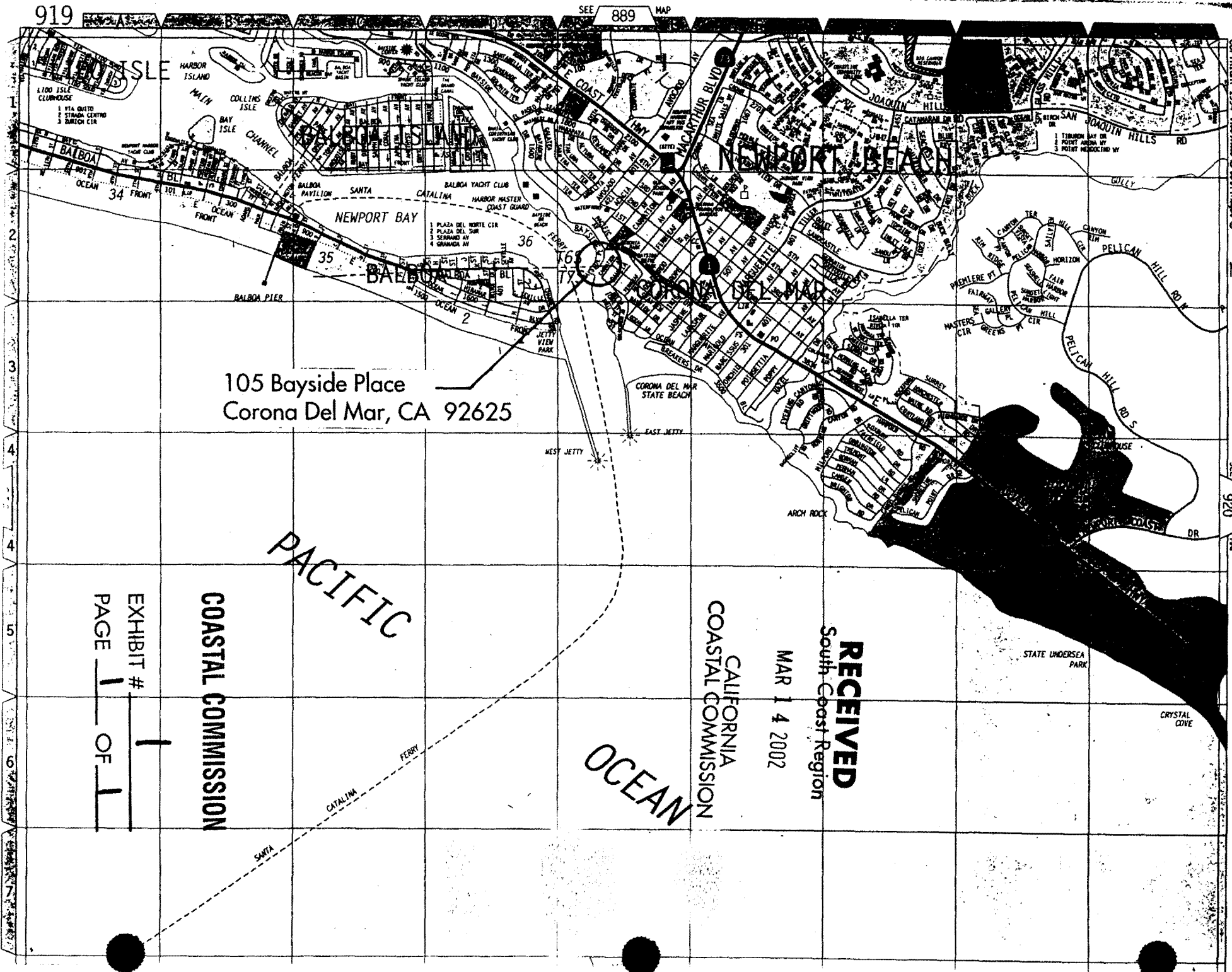
EXHIBIT #

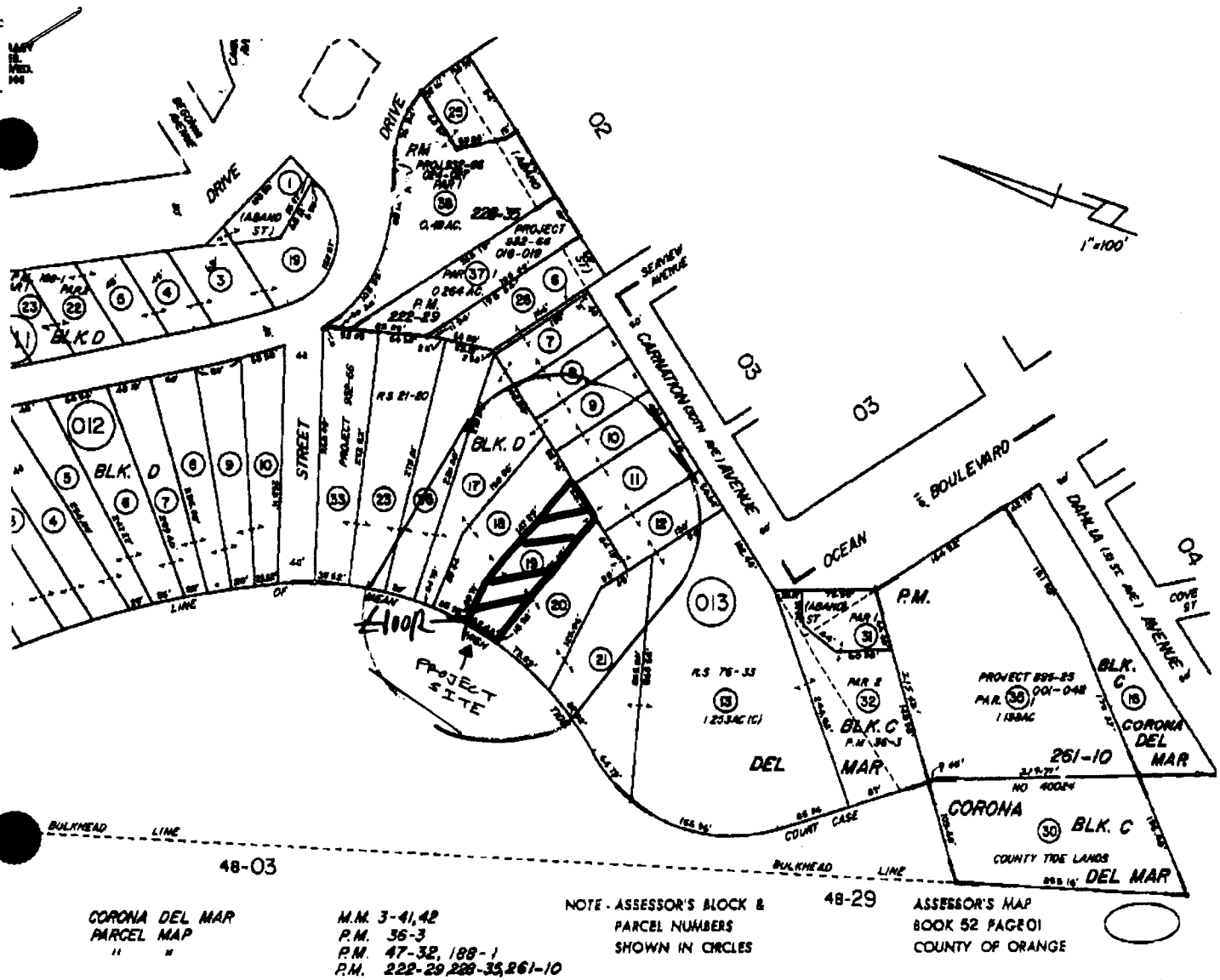
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EXHIBIT # 2
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Newport Beach, CA 92660
(949) 851-8000
Fax (949) 851-1116

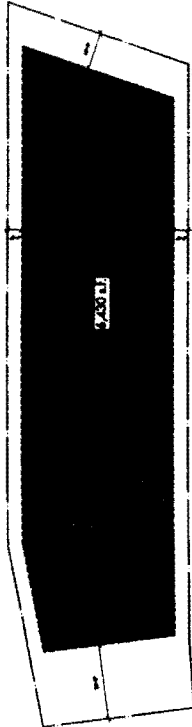
Charles E. Light, A.C.E.
Professional Engineer
No. 10000
State of California
Expiring 12/31/2000
I hereby certify that I am a duly Licensed Professional Engineer in the State of California, and I am duly qualified to prepare and seal the plans and specifications for the project described herein, and I am duly qualified to take the oath of office and to perform the duties of the office of the Engineer in Charge of the project described herein.

Brigandi Residence
105 Bayside Place
Corona Del Mar • California • 92625

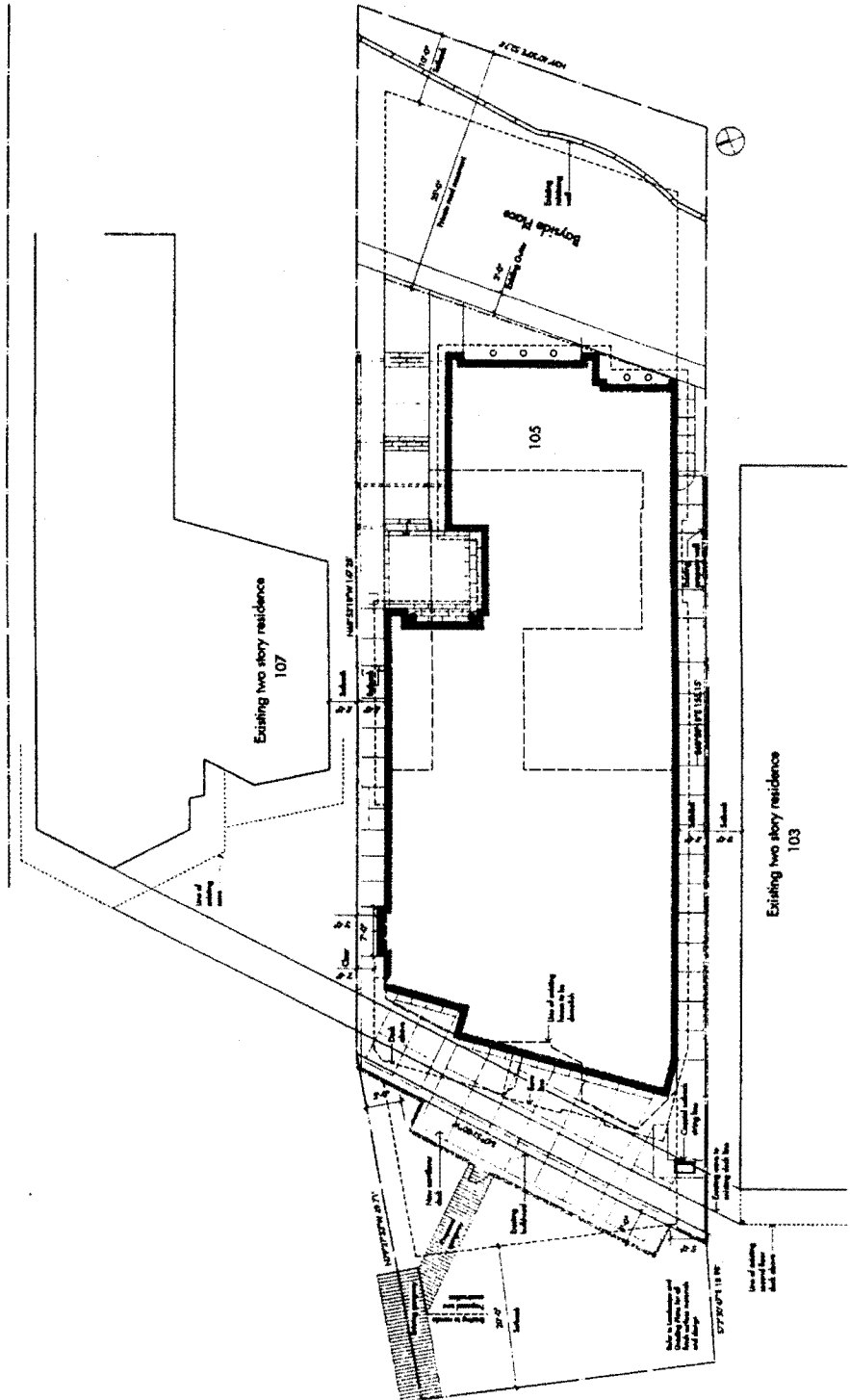
Site Plan

Job Number: 100
Scale: 1/8"
Date:
2. No Coastal Land Shaded Red

SP1

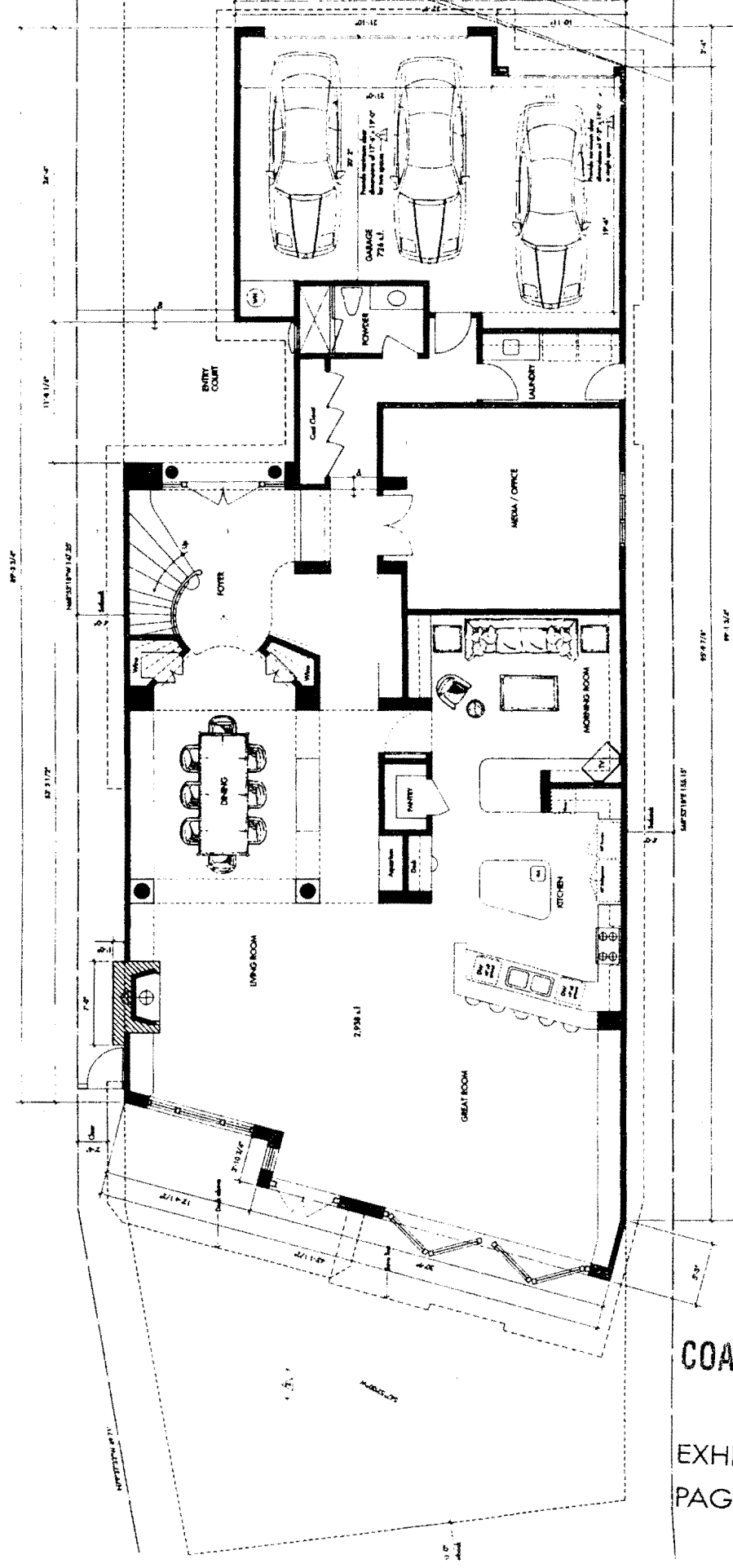


Site Area Calculations:
Approximate Site Area: 9,070 s.f.
Buildable Area: 6,430 s.f.
Allowed Buildable Area: Buildable Area x 1.9 = 9,645 s.f.



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EXHIBIT # 3
PAGE 1 OF 1



First Floor Plan
 Scale: 1/8" = 1'-0"

Notes:
 1. Overall dimensions are given in feet and inches.
 2. Refer to the site plan for location of the house.
 3. Existing conditions to be maintained.

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1401 Quail Street, Suite
Newport Beach, CA 926
(949) 851-8345
Fax (949) 851-1116

Three Drawings, Specifications, and other prepared by the Architect for this Project are of the Architect's work and are the work of the Architect. Their use or publication restricted to use solely with respect to this Project. Architect shall be deemed by notice, demand and shall retain all common law and other reserved rights, including the right Architect's Drawings, Specifications, and documents shall not be used in whole or in part for other projects, for the Project or for completion of the work by others, except by agreement in writing with appropriate compensation to the

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Second Floor Plan

ASC: February 19, 2011
ASC Corrections: March 7, 2011

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Second Floor Plan
SCALE: 1/4"=1'-0"

Notes

1. Overall dimensions are part of delta 1.

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EXHIBIT # 4

PAGE 2 OF 2



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Fax (949) 851-1116

These Drawings, Specifications and other documents prepared by the Architect for this Project are instruments of the Architect's service and are the exclusive property of the Architect. These are or publication shall be restricted for use solely with respect to this Project, and the Architect shall be deemed the author of the documents and shall retain all common law, state and other reserved rights, including the copyright. The Architect's Drawings, Specifications or other documents shall not be used in whole or in part by the Owner or others on other projects, for addition to this Project or for completion of this Project by others, except by agreement in writing with the architect's permission. In the Architect's

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Roof Plan

ASC: February 19
ASC Correctional: March 7

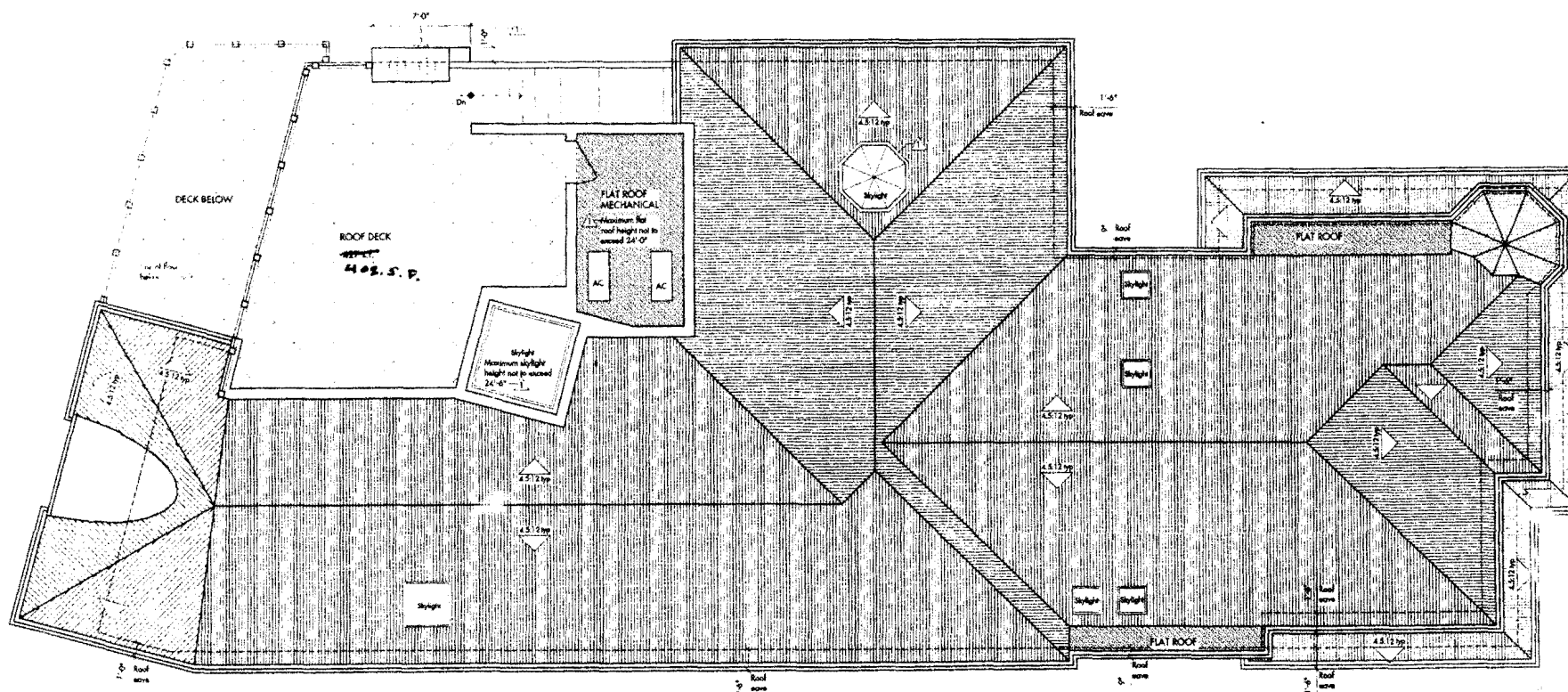
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Roof Plan
SCALE: 1/4"=1'-0"

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EXHIBIT # 5

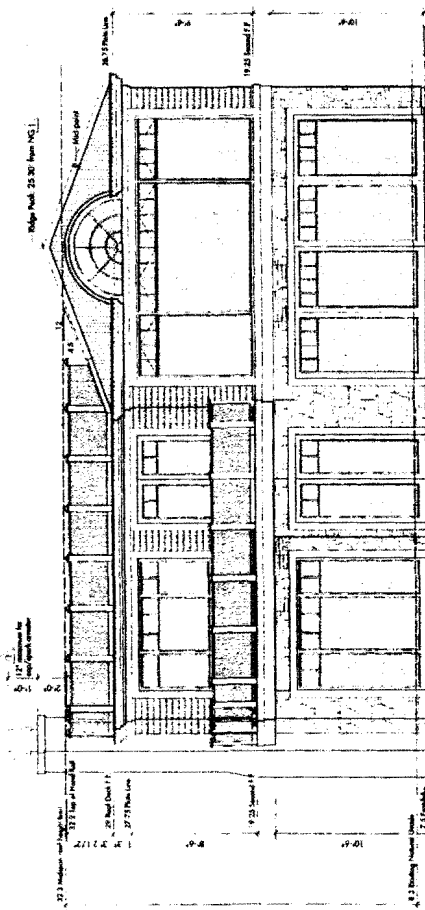
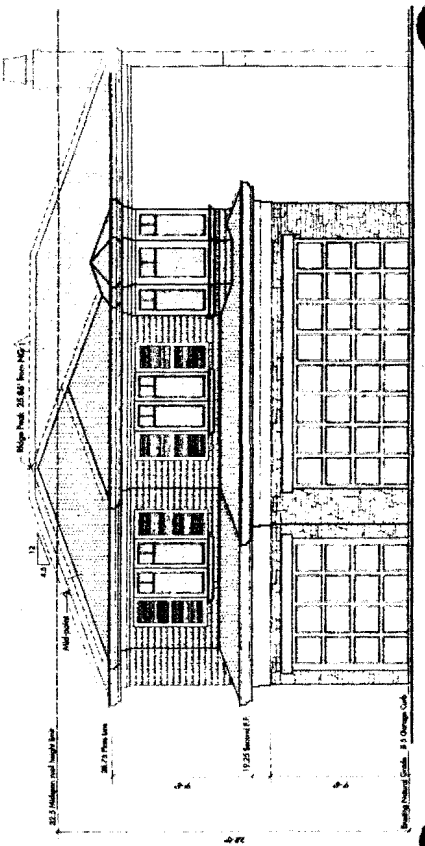
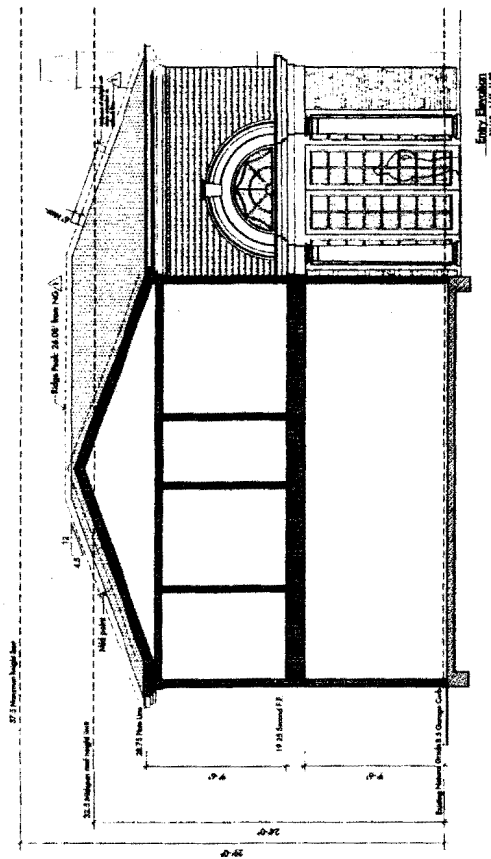
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Brigandi Residence
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Exterior Elevations

Job Number 0
 Scale 1/8"=1'
 Date
 Δ AEC Member 19
 Δ AEC Contributor 7



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EXHIBIT # 6
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C.J. LIGH ASSOCIATE
1401 Grand Street, Suite
100, San Francisco, CA 94109
Tel: (415) 774-4343
Fax: (415) 774-1116

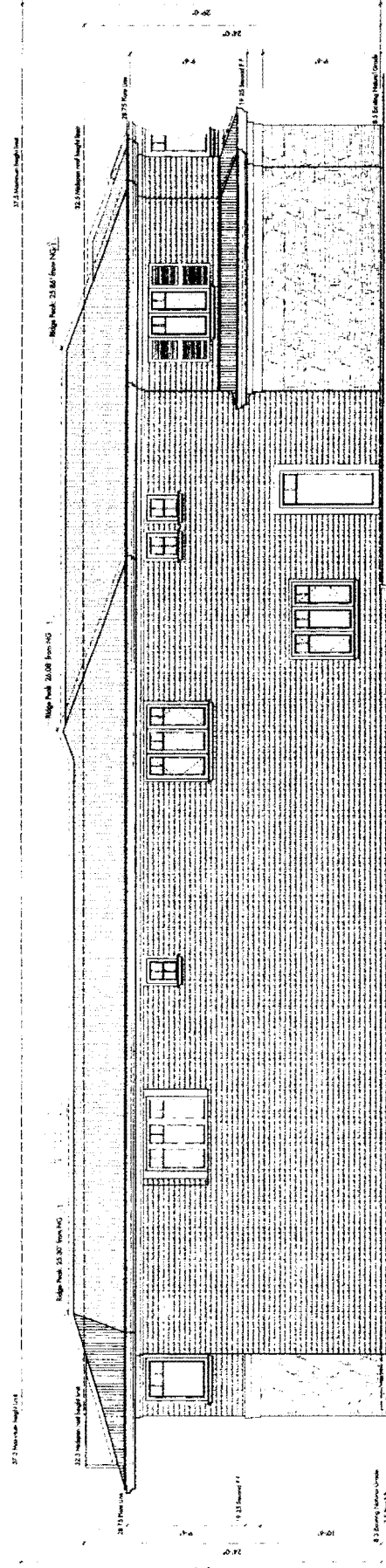
Architect: C.J. Ligh
Project: 105 Bayview Place
Location: Coronado, CA
Scale: 1/4" = 1'-0"

Brigandi Residence

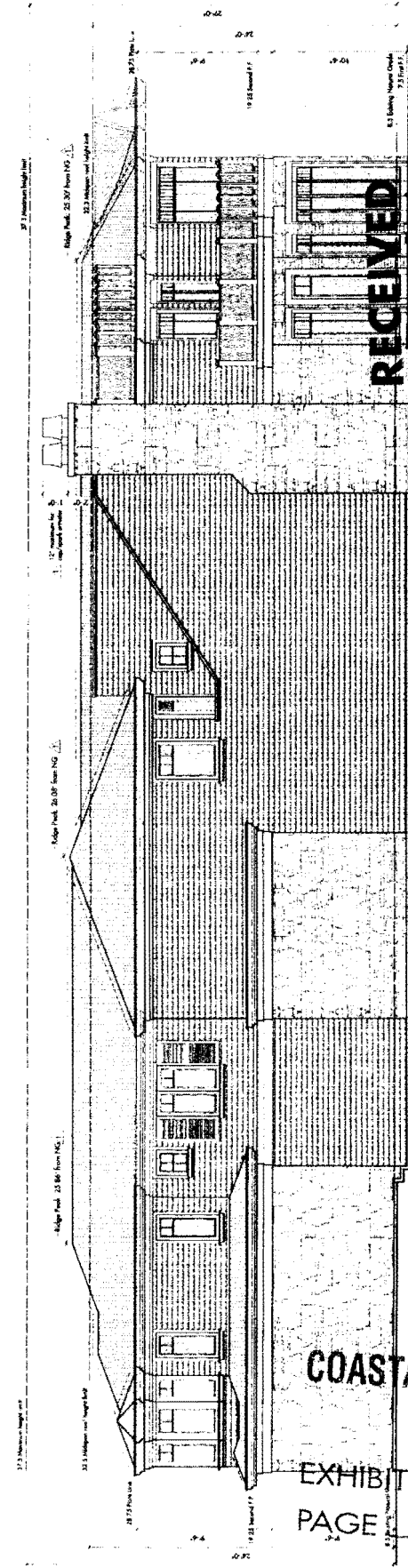
105 Bayview Place
Coronado Del Mar • California • 92625

Exterior Elevation

Job Number
Scale 1/4"
Date



Left Side Elevation
Scale: 1/4" = 1'-0"



Right Side Elevation
Scale: 1/4" = 1'-0"

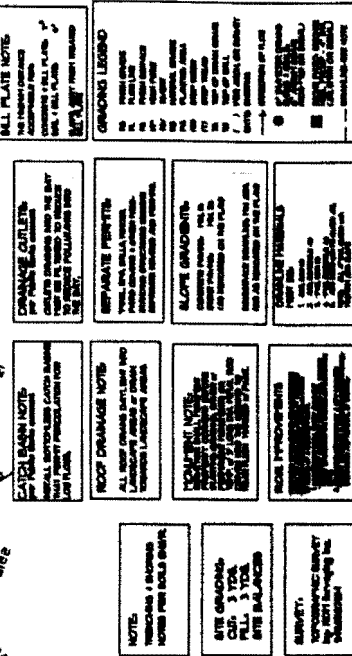
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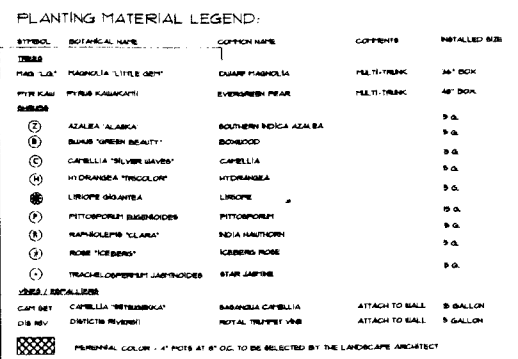
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PAGE 2 C

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Advertisement: While *Neurology* is a journal of peer-reviewed research, it also contains a number of sections that are not subject to peer review. These include: Letters to the Editor, Book Reviews, and the "Neurology News" section. The "Neurology News" section is a brief summary of recent news in the field of neurology. It is not subject to peer review.





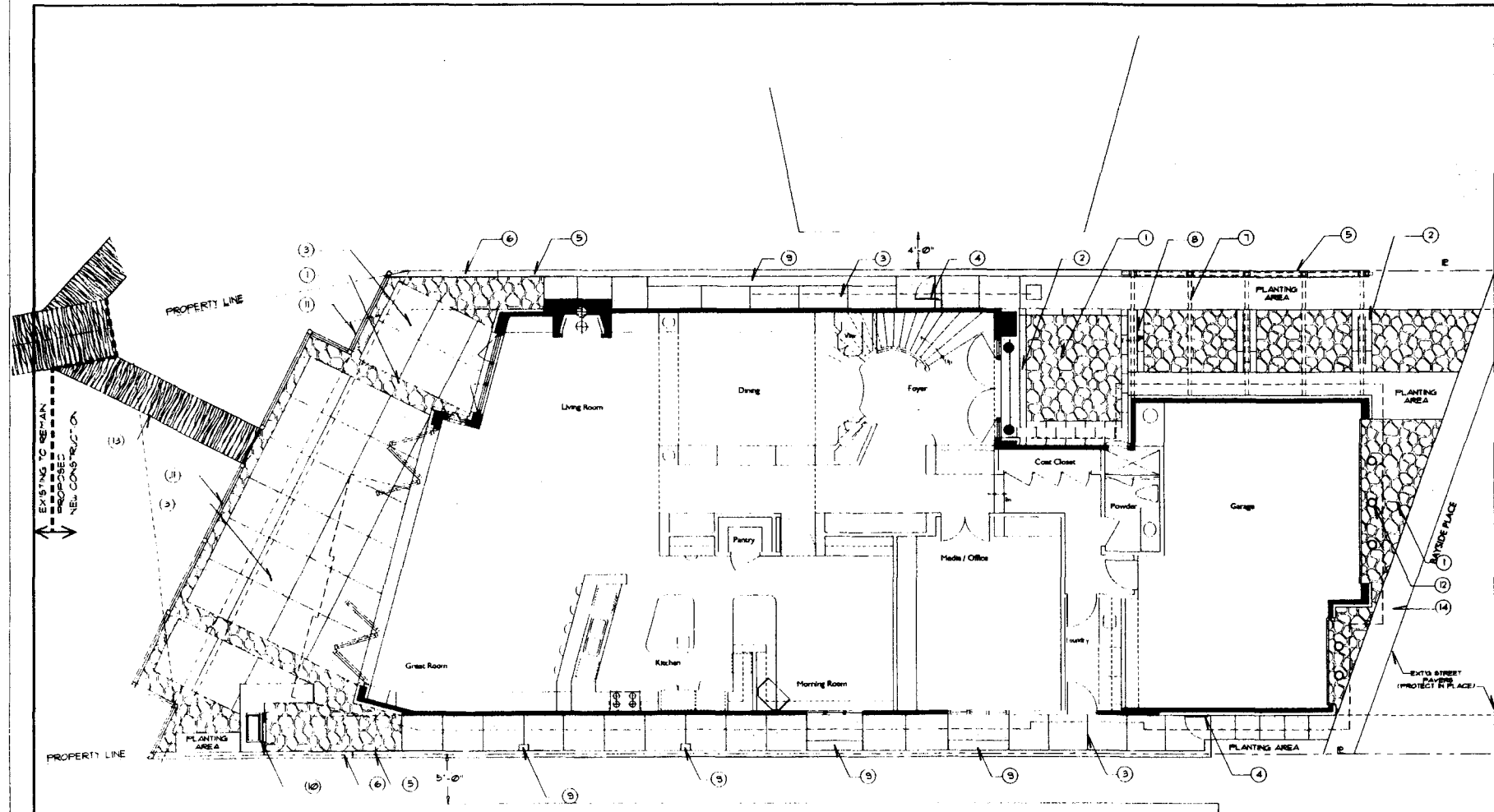
THE FOLLOWING IS A SUMMARY OF THE PROPOSED IRRIGATION CONCEPT FOR THE LANDSCAPE AREAS:

PURPOSE: TO PROVIDE A MECHANICAL DEVICE TO DISTRIBUTE WATER AND ENSURE PLANT SURVIVAL IN THE MOST EFFICIENT MANNER AND WITHIN A TIME FRAME THAT LEAST INTERFERES WITH THE ACTIVITIES OF THE HOMEOWNER.

CONCEPT: THE SYSTEM WILL DENIVE ITS WATER FROM THE DOMESTIC WATER PURVEYOR. ALL POINTS OF CONNECTIONS WILL BE PROTECTED BY A BACKFLOW PREVENTION UNIT IN ACCORDANCE WITH CITY STANDARDS. THE SYSTEM WILL UTILIZE VARIOUS TYPES OF IRRIGATION HEADS COMPATIBLE WITH THE AREA BEING WATERED AND INFILTRATION RATES OF THE SOIL WITH MATCHED PRECIPITATION RATES. VARIOUS PROGRAMS WILL MOST AUTOMATIC

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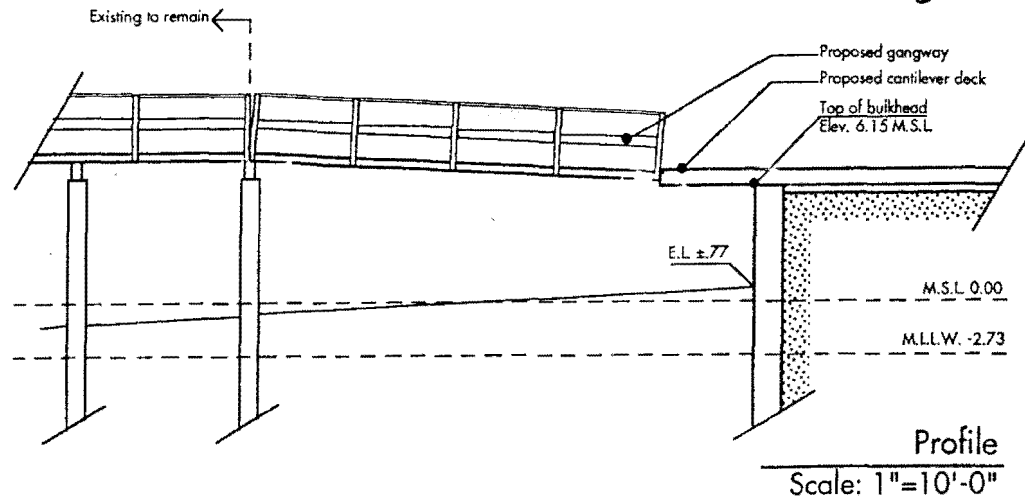
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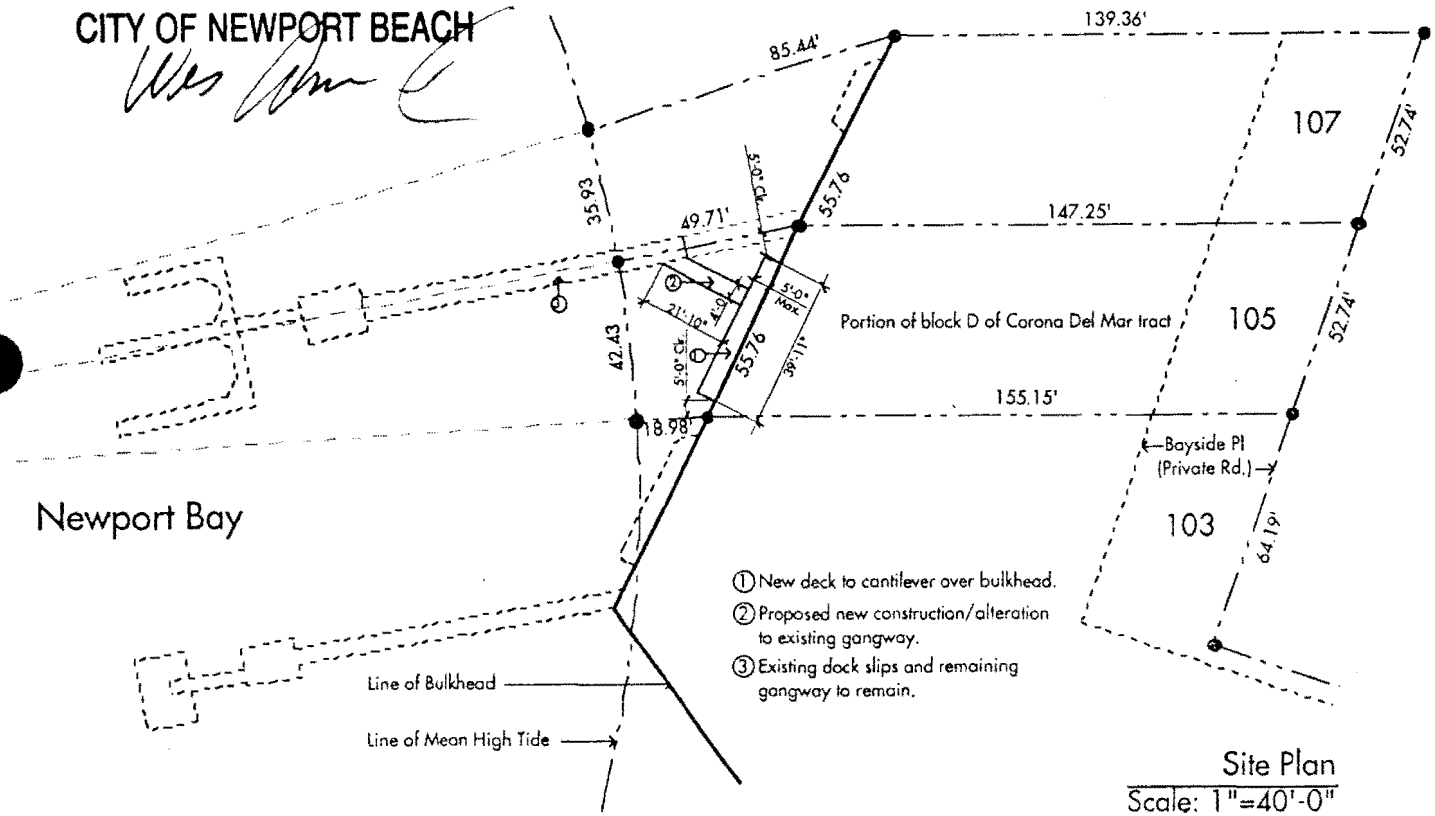
- CONSTRUCTION CALLOUTS:**
- ① NATURAL STONE PAVING IN RANDOM FLAGSTONE PATTERN
 - ② NATURAL STONE BANDING IN CUT PIECES
 - ③ INTEGRAL COLOR CONCRETE WITH MEDIUM WASH FINISH AND DECORATIVE SAWCUTS AS SHOWN PER PLAN
 - ④ WOOD SIDEYARD GATES TO MATCH GARAGE DOORS
 - ⑤ 6'-0" HIGH SOLID PROPERTY LINE WALL WITH SMOOTH PLASTER FINISH
 - ⑥ 3'-0" HIGH SOLID PROPERTY LINE WALL WITH SMOOTH PLASTER FINISH
 - ⑦ NON-COMBUSTIBLE METAL TRELLIS OVER ENTRY WALK ATTACHED TO HOUSE AND PROPERTY LINE WALL
 - ⑧ NATURAL CUT STONE STEP TREADS AND RISERS
 - ⑨ VINE PLANTING POCKETS
 - ⑩ BUILT-IN BARBECUE AND COUNTER
 - ⑪ 3'-6" HIGH CLEAR VIEW SCREEN AND GATE
 - ⑫ WELL UPLIGHTS FLUSH WITH DRIVING SURFACE
 - ⑬ PROPOSED NEW CONSTRUCTION GANGWAY. SEE CONCEPT APPROVAL FOR DETAILS

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6-18-02
HARBOR RESOURCES DIV.
CITY OF NEWPORT BEACH



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EXHIBIT # 10
PAGE 1 OF 1

EEL GRASS INSPECTION
☒ NO EEL GRASS WITHIN 15' OF PROJECT
☐ EEL GRASS IN THE PROJECT AREA

SIGNATURE

PERMIT #

DATE _____

PROJECT ADDRESS: 105 BAYSIDE PLACE CORONA DEL MAR, CA 92625

OWNER NAME: CHRIS BRIGANDI

TELEPHONE NO: 949-640-3600

1

