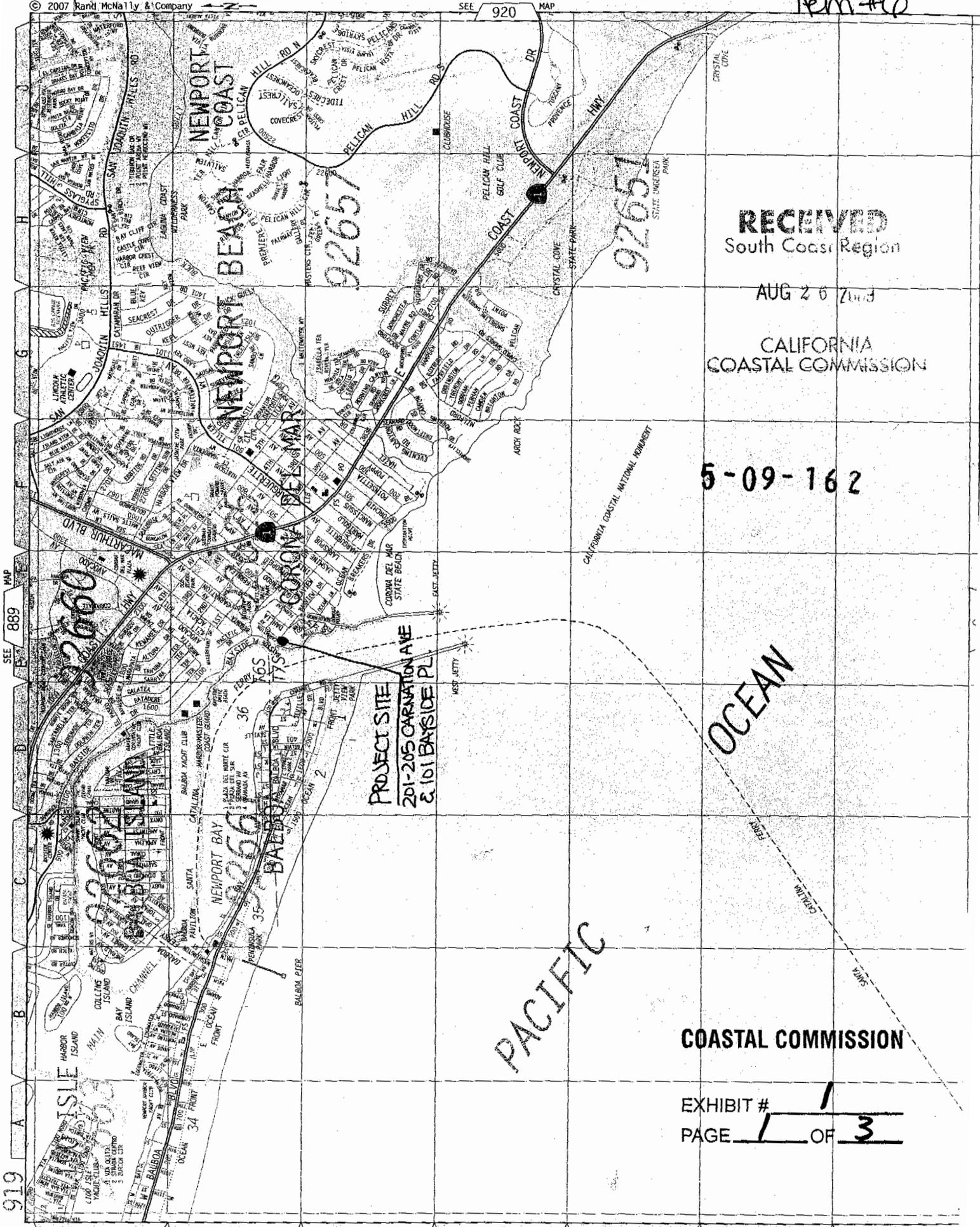


Item #10



RECEIVED  
South Coast Region

AUG 26 2008

CALIFORNIA  
COASTAL COMMISSION

5-09-162

PROJECT SITE  
201-205 CARNATION AVE  
& 101 BAYSIDE PL.

OCEAN

PACIFIC

COASTAL COMMISSION

EXHIBIT # 1  
PAGE 1 OF 3

SEE 889 MAP

919

ORANGE CO.

SEE 918 MAP





# AERIE PROJECT SITE

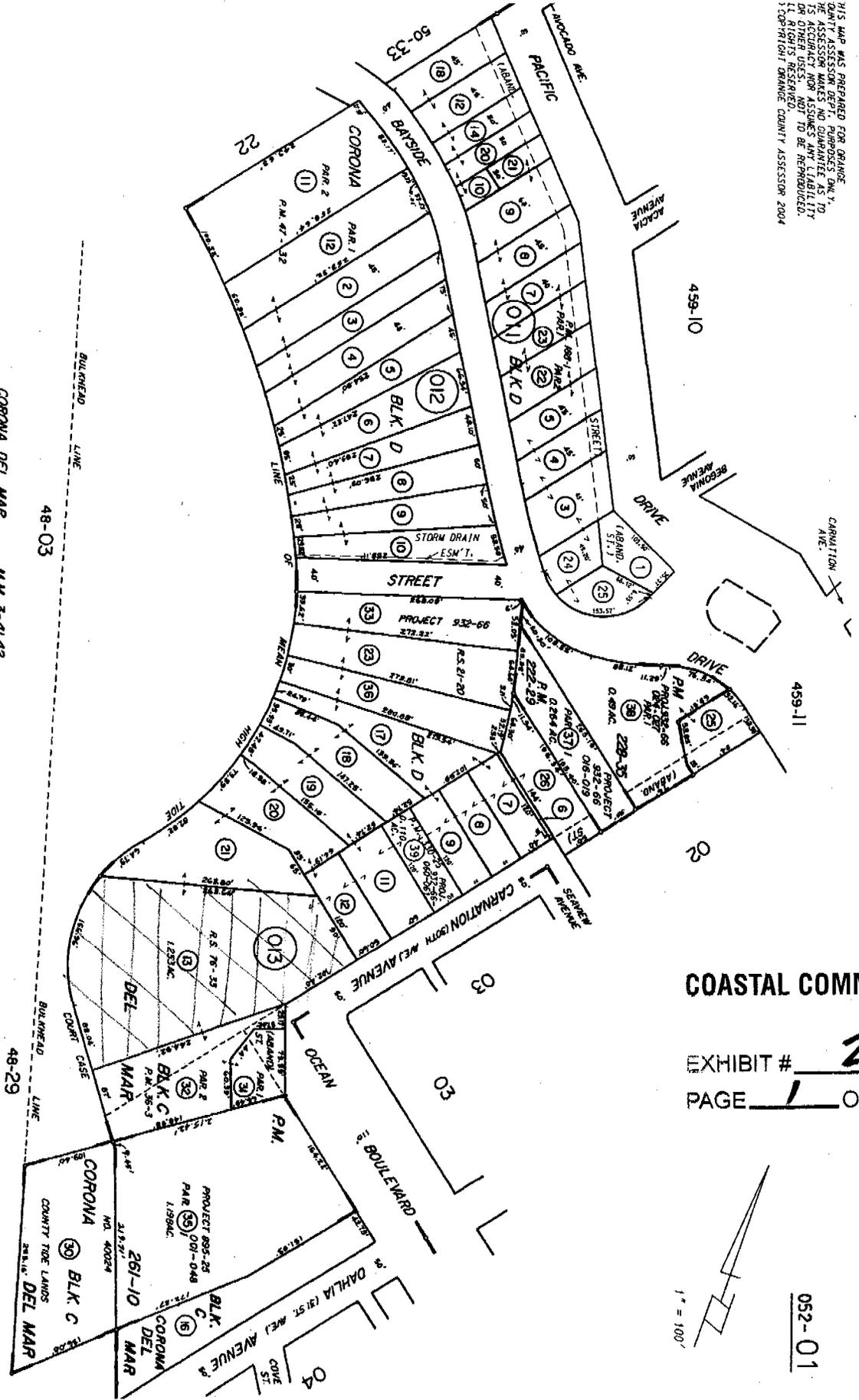
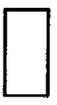
THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR'S OFFICE. THE ASSessor MAKES NO GUARANTEE AS TO ITS ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. ORANGE COUNTY ASSESSOR 2004

MARCH 1949

CORONA DEL MAR  
 PARCEL MAP  
 PARCEL MAP  
 PARCEL MAP  
 P.M. 3-41-42  
 P.M. 36-3  
 P.M. 47-38, 188-1  
 P.M. 222-29, 228-35, 261-10

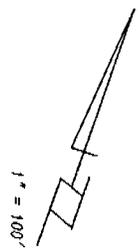
NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 052 PAGE 01 COUNTY OF ORANGE



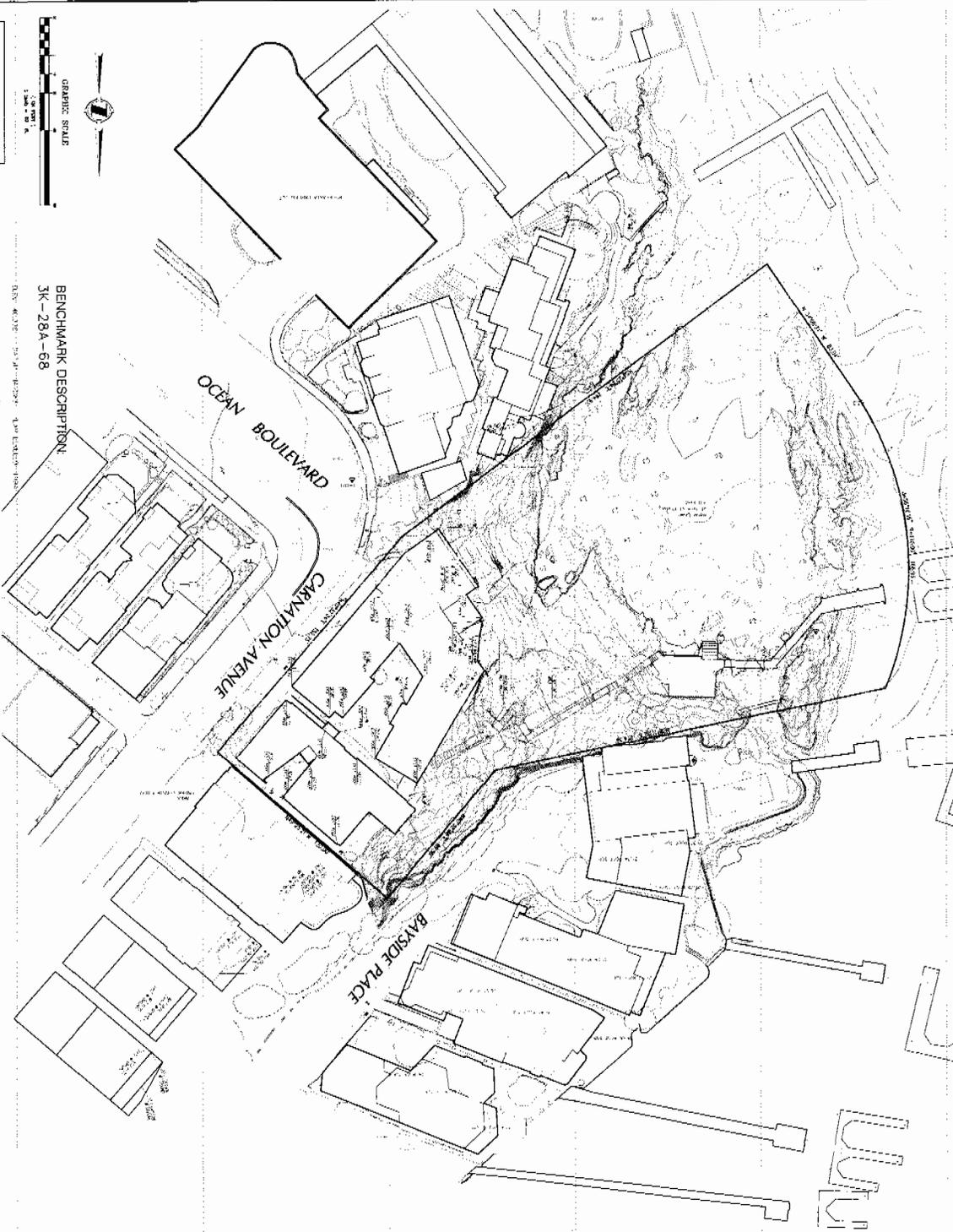
COASTAL COMMISSION

EXHIBIT # 2  
 PAGE 1 OF 1



052-01

**TOPOGRAPHIC SURVEY**  
 W.O. NO. 751-5 DATE OF EXHIBIT: MAY, 2007



**GRAPHIC SCALE**  
 1" = 100'

**BENCHMARK DESCRIPTION**  
 3K-28A-68

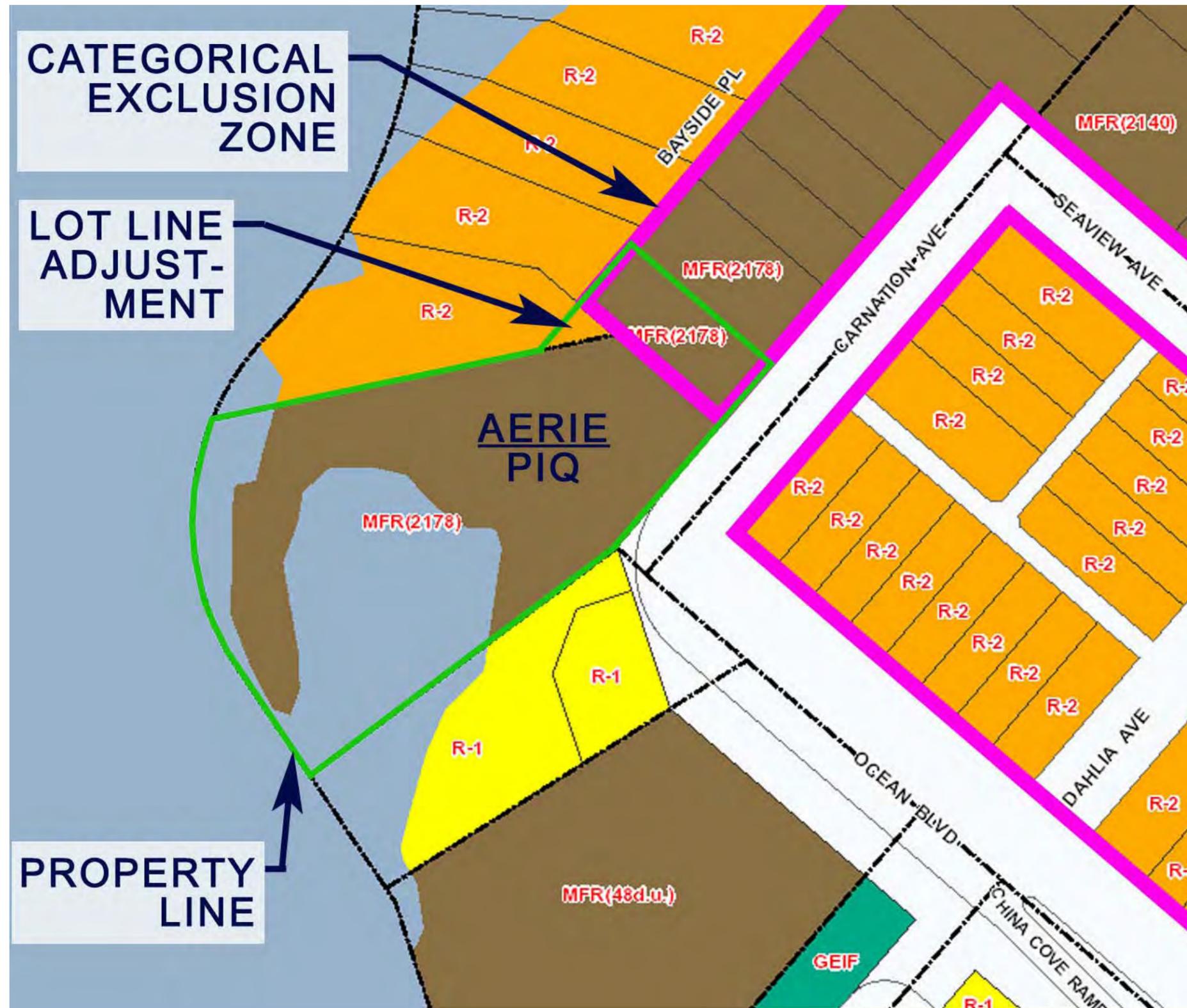
DATE OF SURVEY: MAY 2007  
 SCALE OF THE SURVEY: AS SHOWN ON THE SITE PLAN  
 CENTER OF GRAVITY: AS SHOWN ON THE SITE PLAN  
 CONTROLS: AS SHOWN ON THE SITE PLAN

**COASTAL COMMISSION**

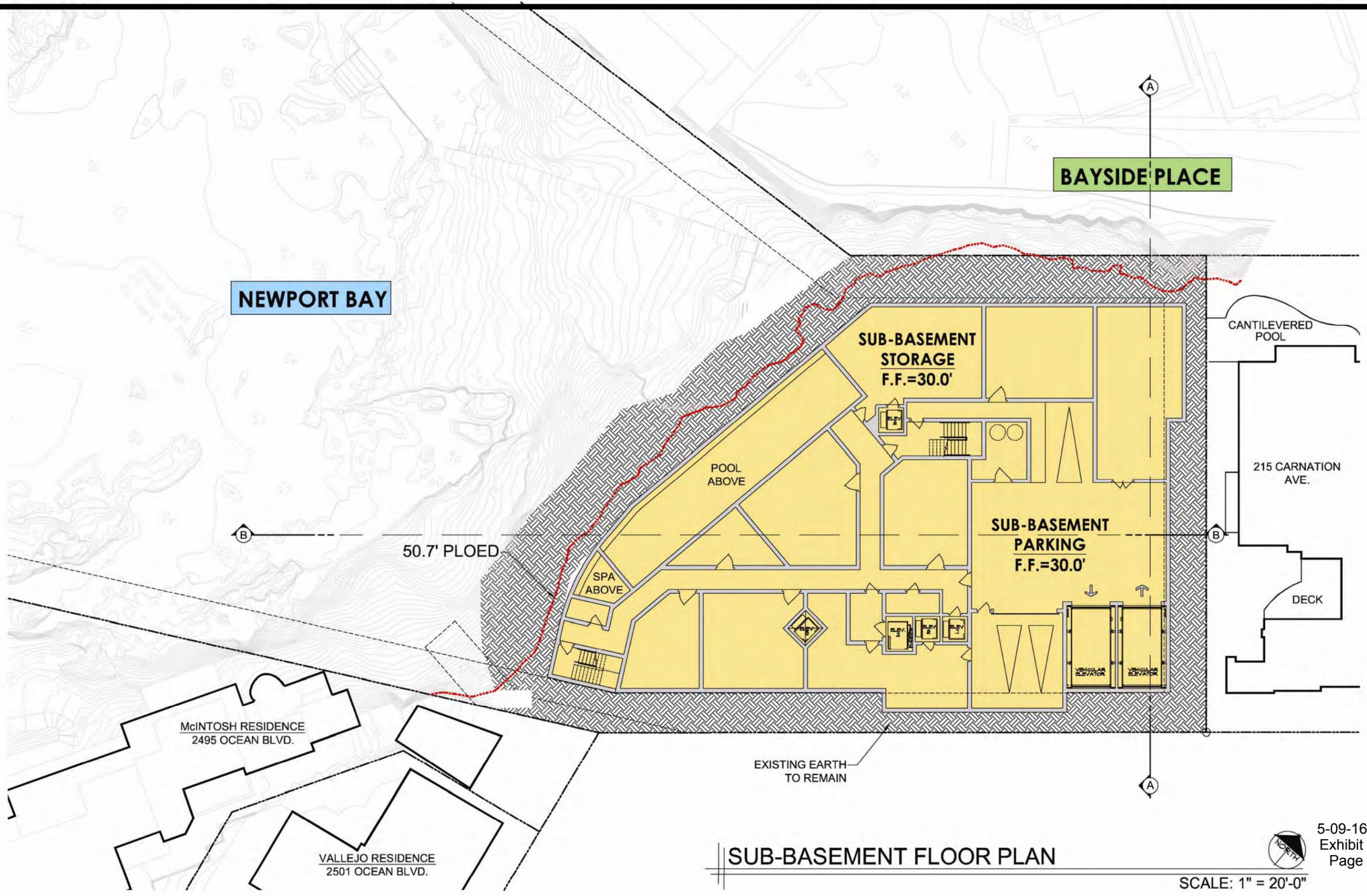
EXHIBIT # 3  
 PAGE 1 OF 1

PREPARED FOR:  
**ARES**  
 23702 Rockfield Boulevard, Suite 300  
 Laguna Hills, CA 92653  
 Tel: 949-255-5900  
 Fax: 949-955-5901

PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
 INC.  
 ENGINEERING & SURVEYING  
 11001 Wilshire Blvd., Suite 200  
 Los Angeles, CA 90025  
 Tel: 310-206-1100  
 Fax: 310-206-1101



# CATEGORICAL EXCLUSION ZONE/ ZONING MAP/ LOT LINE ADJUSTMENT



**NEWPORT BAY**

**BAYSIDE PLACE**

**SUB-BASEMENT STORAGE  
F.F.=30.0'**

POOL ABOVE

SPA ABOVE

**SUB-BASEMENT PARKING  
F.F.=30.0'**

CANTILEVERED POOL

215 CARNATION AVE.

DECK

50.7' PLOED

EXISTING EARTH TO REMAIN

VEHICULAR ELEVATOR

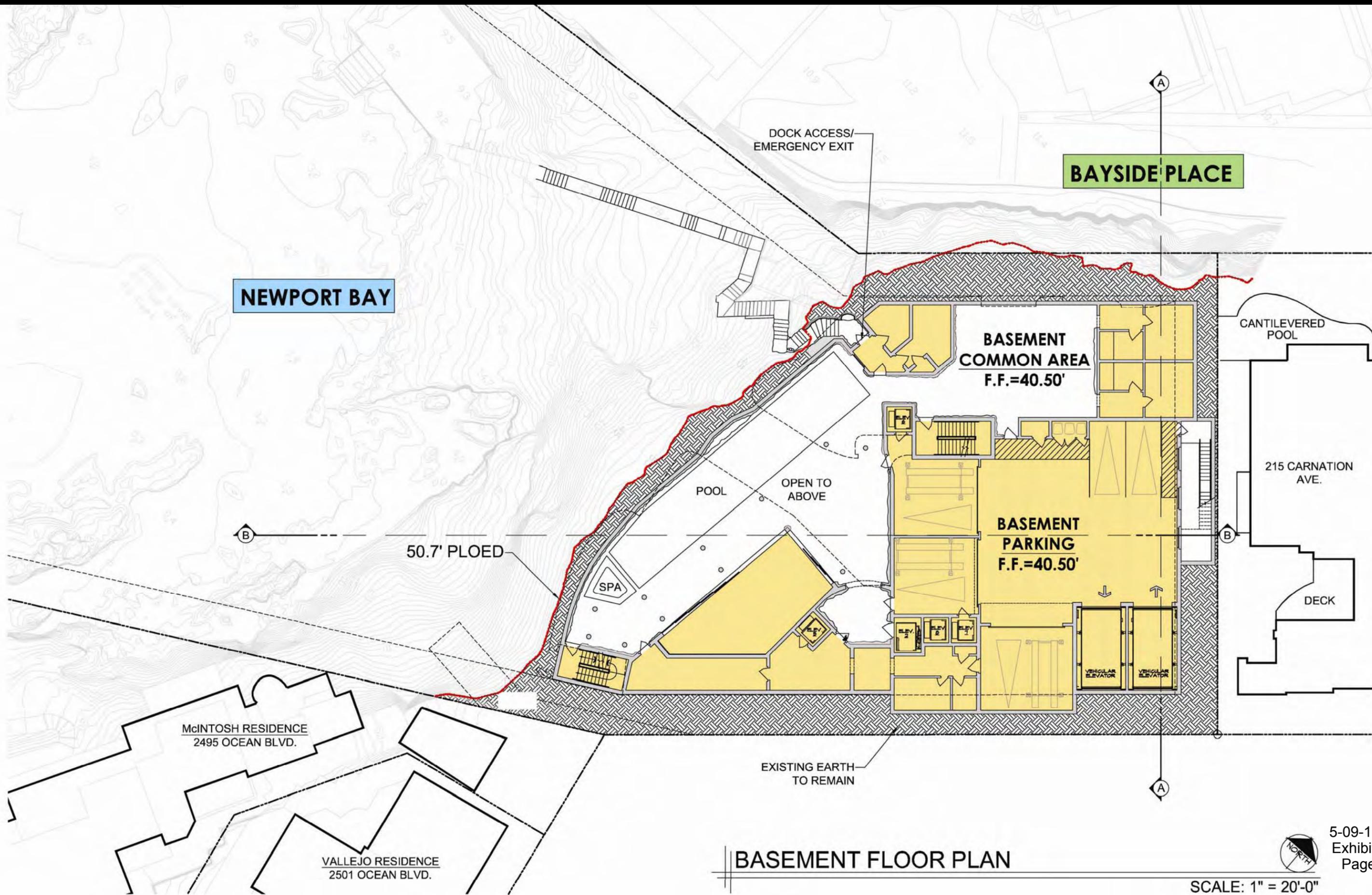
VEHICULAR ELEVATOR

McINTOSH RESIDENCE  
2495 OCEAN BLVD.

VALLEJO RESIDENCE  
2501 OCEAN BLVD.

**SUB-BASEMENT FLOOR PLAN**





**NEWPORT BAY**

**BAYSIDE PLACE**

**BASEMENT  
COMMON AREA  
F.F.=40.50'**

**BASEMENT  
PARKING  
F.F.=40.50'**

50.7' PLOED

DOCK ACCESS/  
EMERGENCY EXIT

CANTILEVERED  
POOL

POOL  
OPEN TO  
ABOVE

215 CARNATION  
AVE.

DECK

McINTOSH RESIDENCE  
2495 OCEAN BLVD.

VALLEJO RESIDENCE  
2501 OCEAN BLVD.

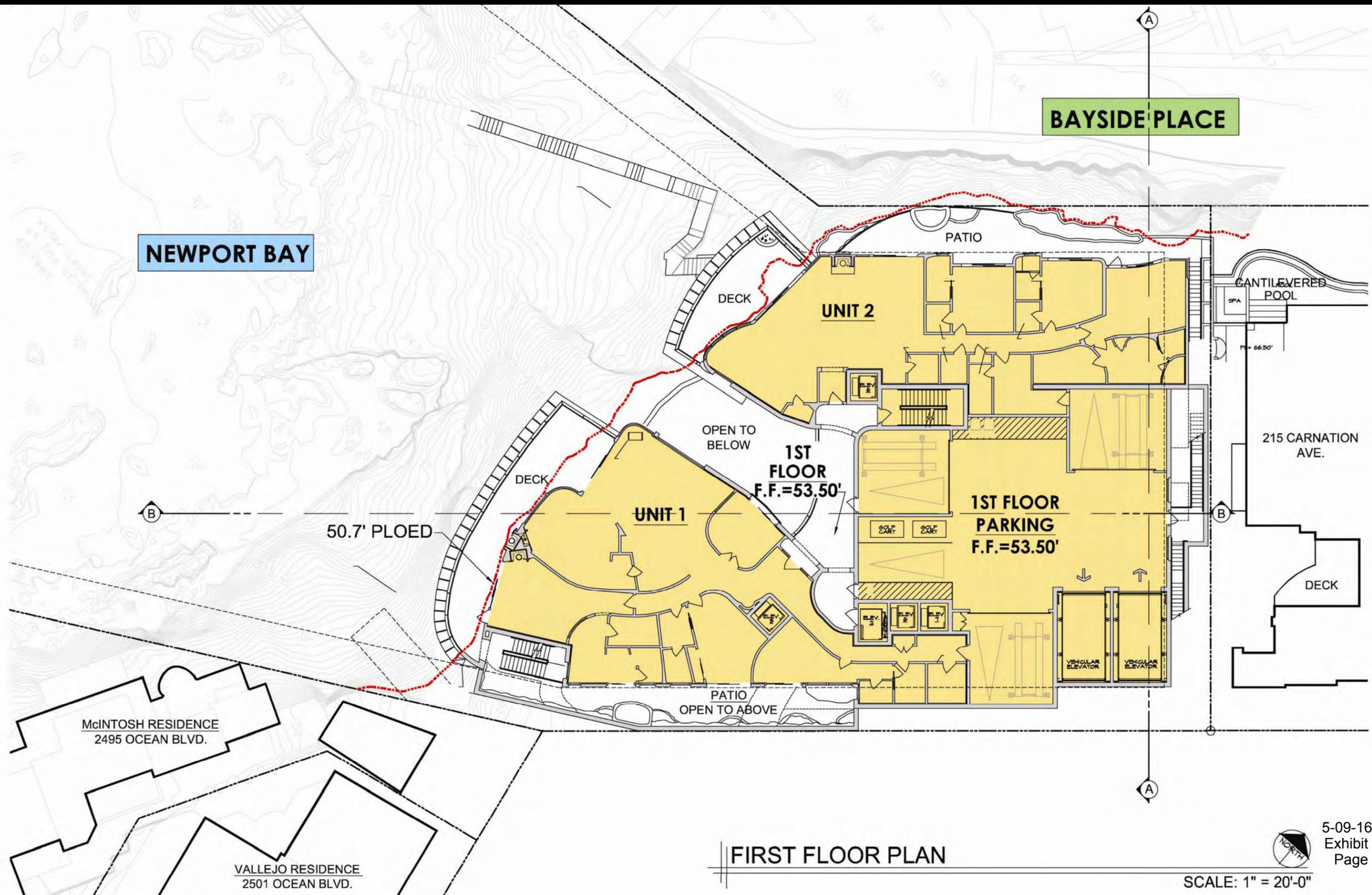
EXISTING EARTH  
TO REMAIN

**BASEMENT FLOOR PLAN**



**NEWPORT BAY**

**BAYSIDE PLACE**



B

50.7' PLOED

OPEN TO BELOW

**1ST FLOOR  
F.F.=53.50'**

**UNIT 1**

**UNIT 2**

PATIO

**1ST FLOOR  
PARKING  
F.F.=53.50'**

CANTILEVERED  
POOL

SPA

215 CARNATION  
AVE.

DECK

VEHICULAR  
ELEVATOR

A

McINTOSH RESIDENCE  
2495 OCEAN BLVD.

VALLEJO RESIDENCE  
2501 OCEAN BLVD.

**FIRST FLOOR PLAN**

SCALE: 1" = 20'-0"



**NEWPORT BAY**

**BAYSIDE PLACE**

CANTILEVERED POOL

215 CARNATION AVE.

DECK

**CARNATION AVENUE**

McINTOSH RESIDENCE  
2495 OCEAN BLVD.

VALLEJO RESIDENCE  
2501 OCEAN BLVD.

2ND FLOOR  
F.F.=65.0'

2ND FLOOR  
PARKING  
F.F.=66.80'

**UNIT 4**

**UNIT 3**

50.7' PLOED

PATIO BELOW

DECK

DECK

DECK

DECK

OPEN TO BELOW

OPEN TO PATIO BELOW

VEHICULAR ELEVATOR

VEHICULAR ELEVATOR

**SECOND FLOOR PLAN**

SCALE: 1" = 20'-0"



B

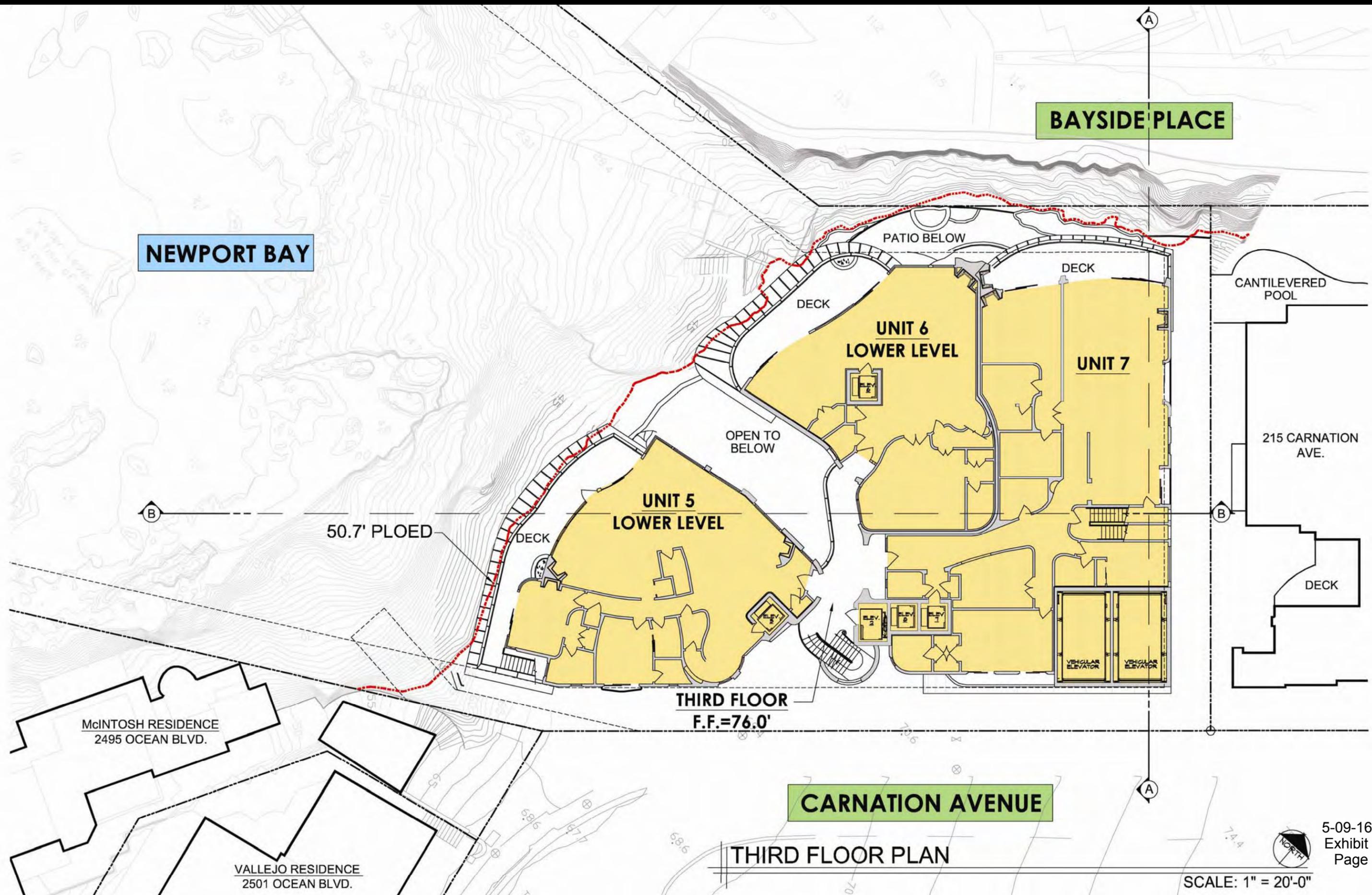
B

A

A

**NEWPORT BAY**

**BAYSIDE PLACE**



**CARNATION AVENUE**

**THIRD FLOOR PLAN**

**THIRD FLOOR  
F.F.=76.0'**

SCALE: 1" = 20'-0"



McINTOSH RESIDENCE  
2495 OCEAN BLVD.

VALLEJO RESIDENCE  
2501 OCEAN BLVD.

215 CARNATION AVE.

CANTILEVERED POOL

DECK

VEHICULAR ELEVATOR

VEHICULAR ELEVATOR

UNIT 7

UNIT 6  
LOWER LEVEL

UNIT 5  
LOWER LEVEL

OPEN TO BELOW

DECK

DECK

PATIO BELOW

50.7' PLOED

B

B

A

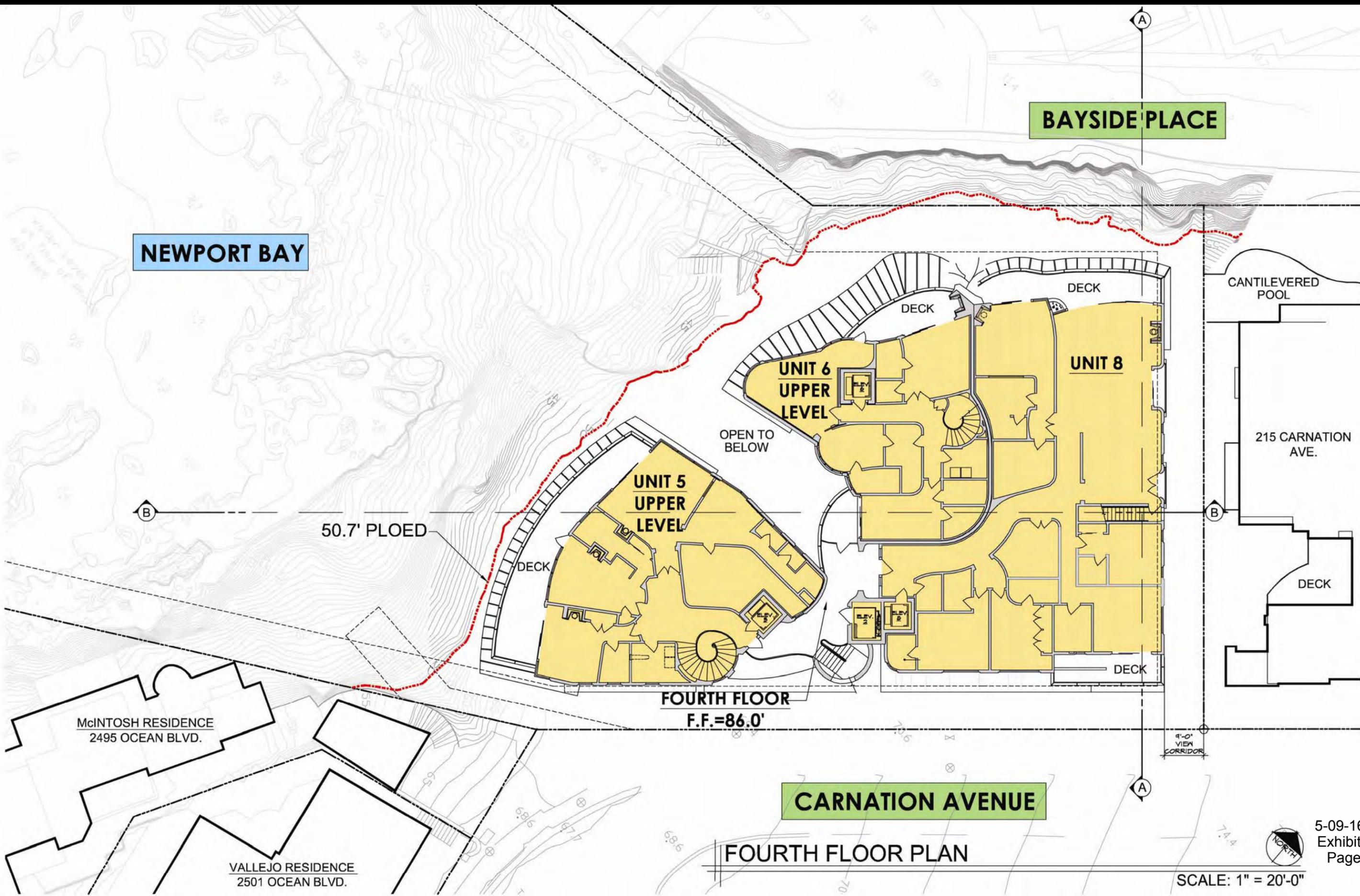
A

**NEWPORT BAY**

**BAYSIDE PLACE**

**CARNATION AVENUE**

**FOURTH FLOOR PLAN**



50.7' PLOED

OPEN TO BELOW

CANTILEVERED POOL

215 CARNATION AVE.

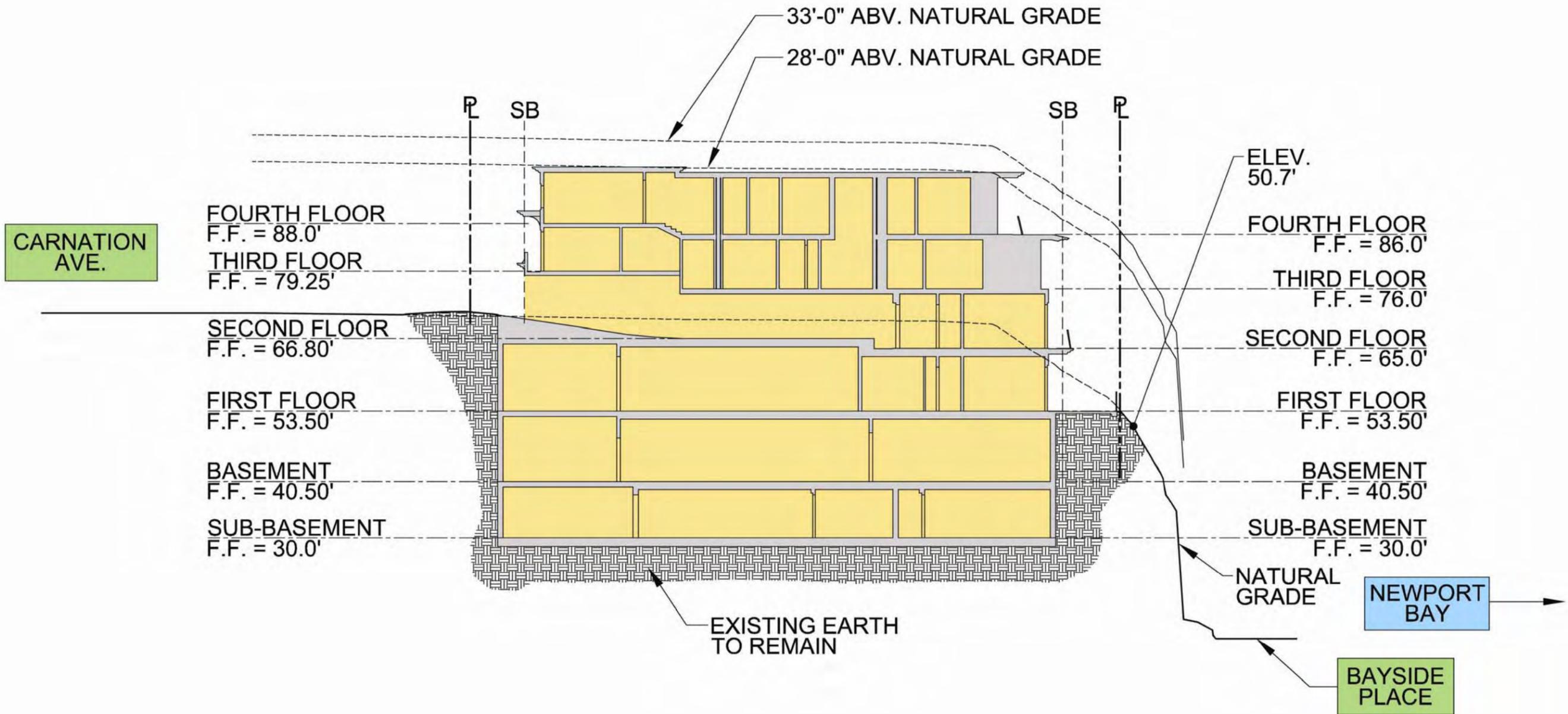
McINTOSH RESIDENCE  
2495 OCEAN BLVD.

VALLEJO RESIDENCE  
2501 OCEAN BLVD.

9'-0" VIEW CORRIDOR

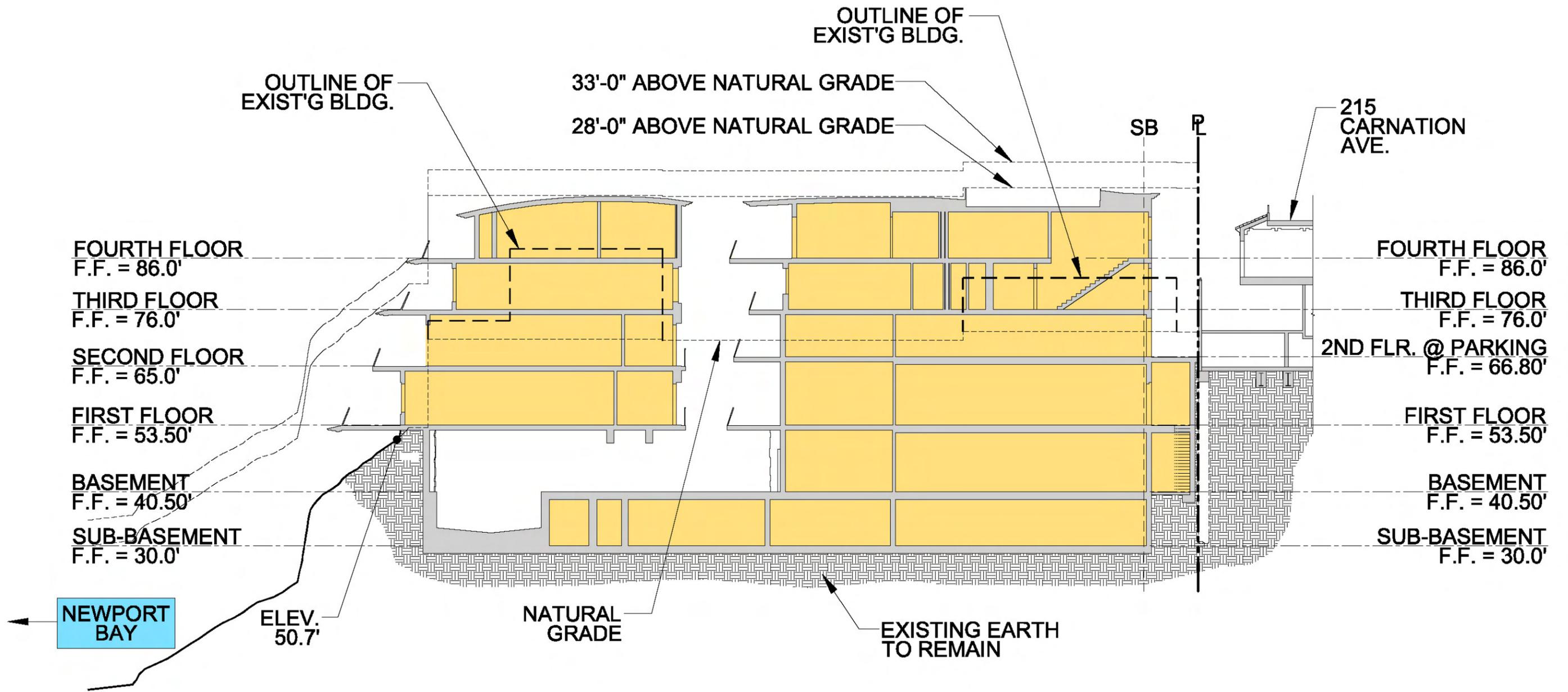
5-09-162  
Exhibit 5  
Page 6

SCALE: 1" = 20'-0"



SECTION A

SCALE: 1" = 20'-0"

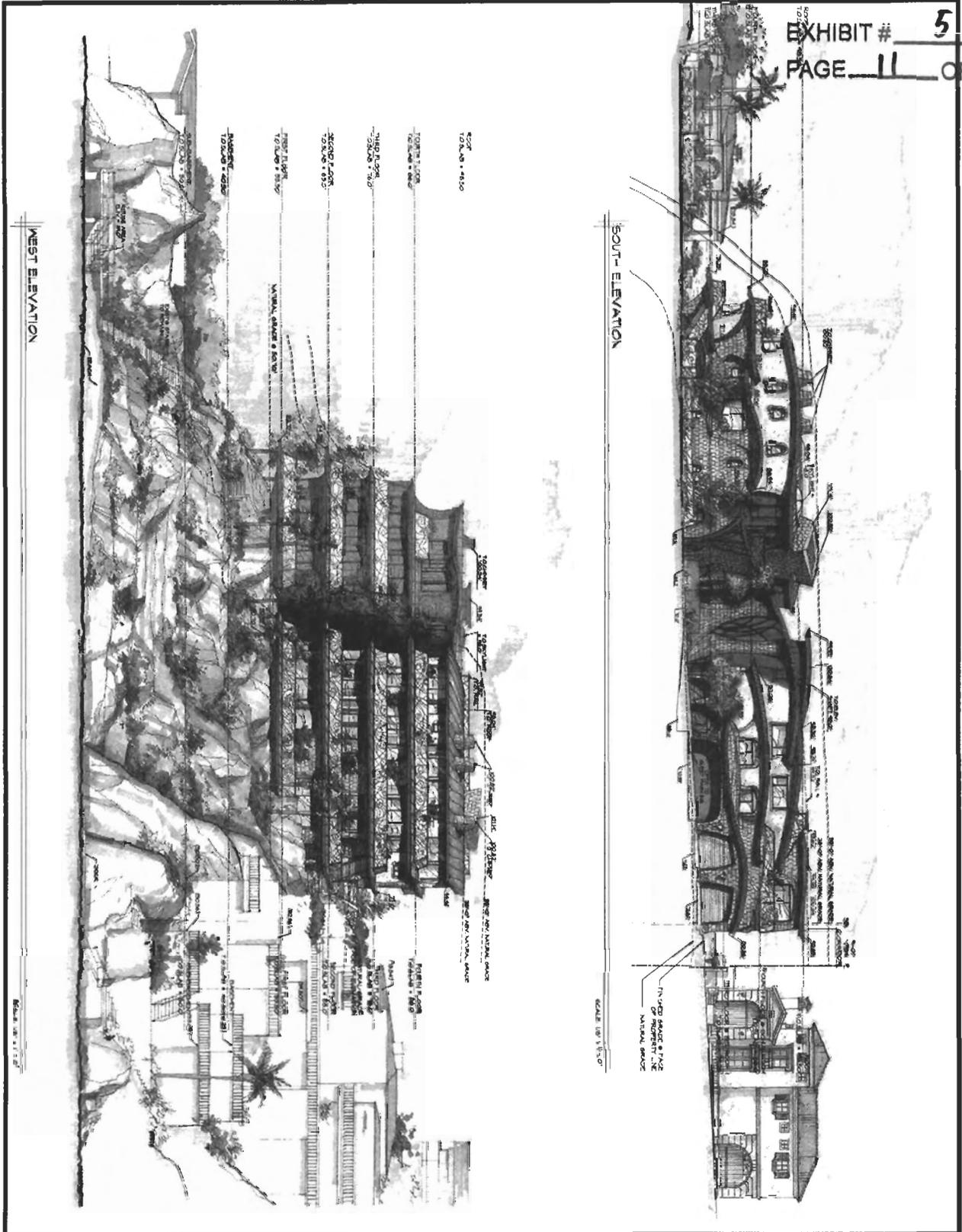


SECTION B

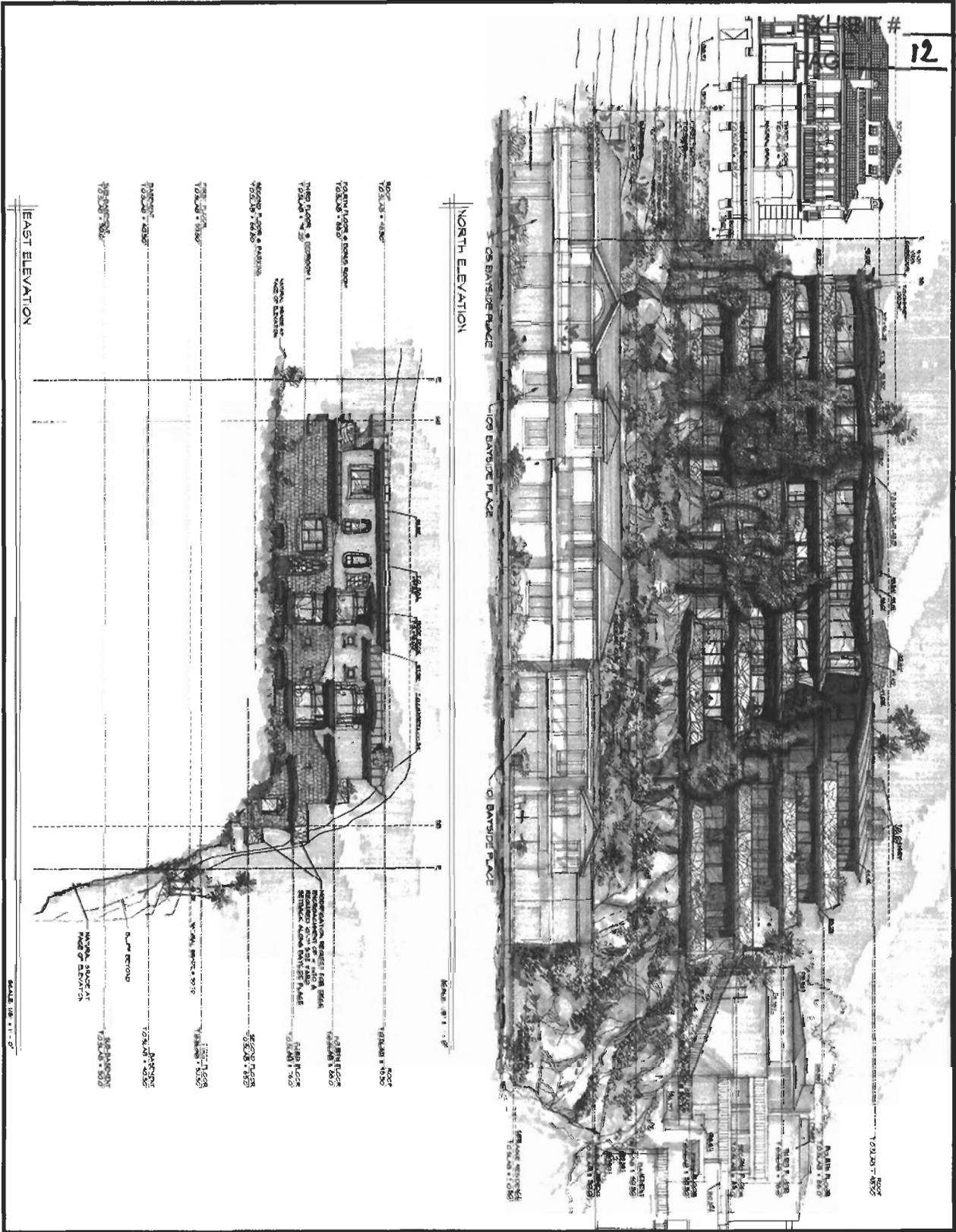
SCALE: 1" = 20'-0"





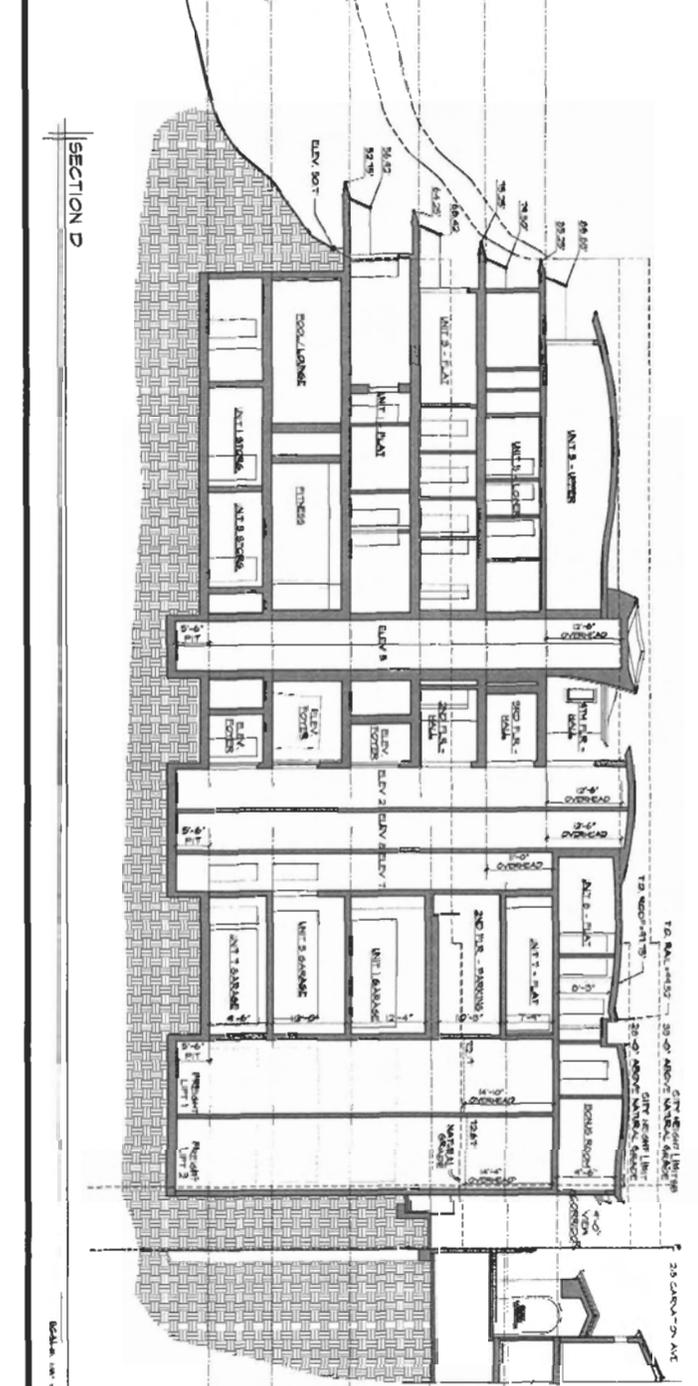
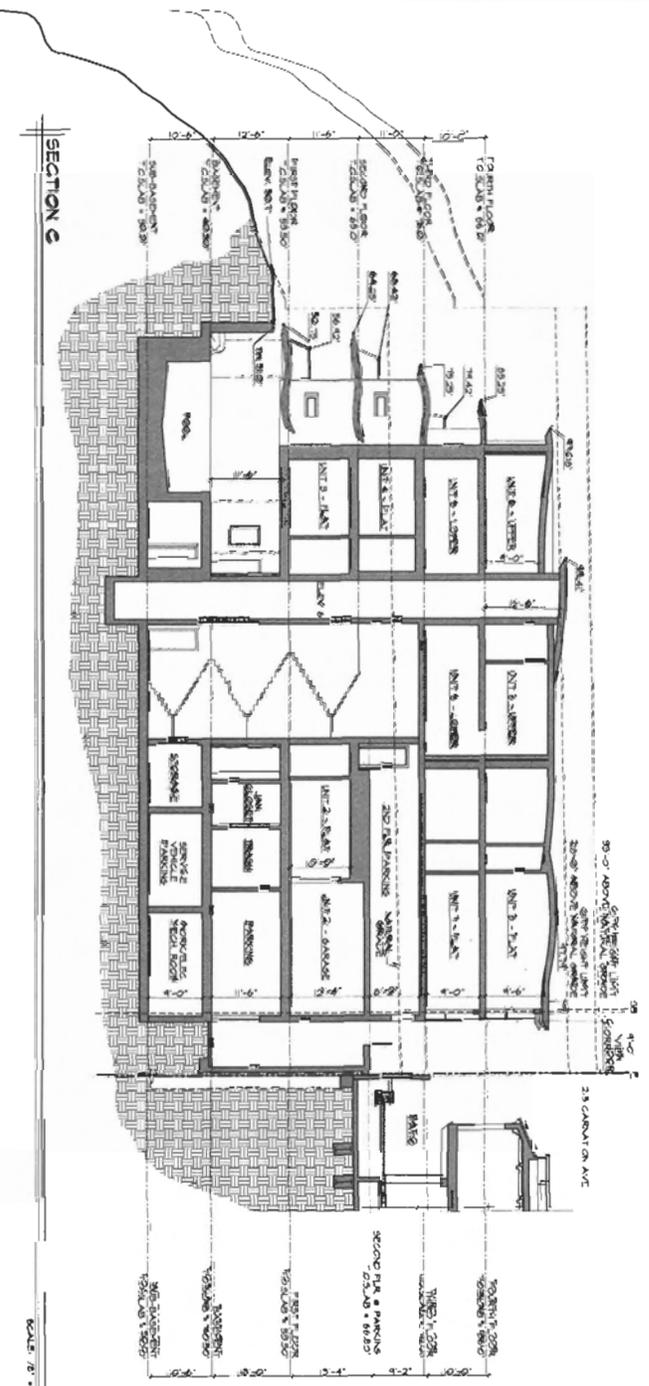


A-10		DATE: 10/11/09 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	EXTERIOR ELEVATIONS		AERIE 201 - 207 CARNATION AVE CORONA DEL MAR, CA

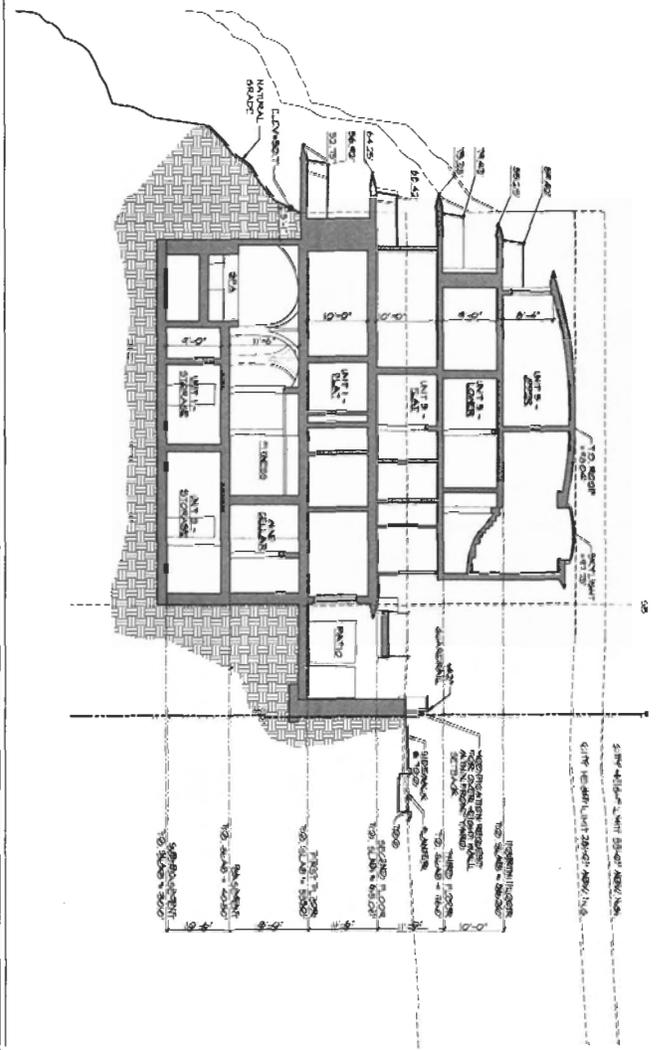


	DATE: 10/11/09 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name] PROJECT NO.: 09-008	EXTERIOR ELEVATIONS	biton Jeannotto Architecture 11400 Wilshire Blvd., Suite 1000, Los Angeles, CA 90025 TEL: 310.206.1100 FAX: 310.206.1101 WWW: www.bitonjeannotto.com	AERIE 201 - 207 CARNATION AVE CORONA DEL MAR, CA
	A-1			



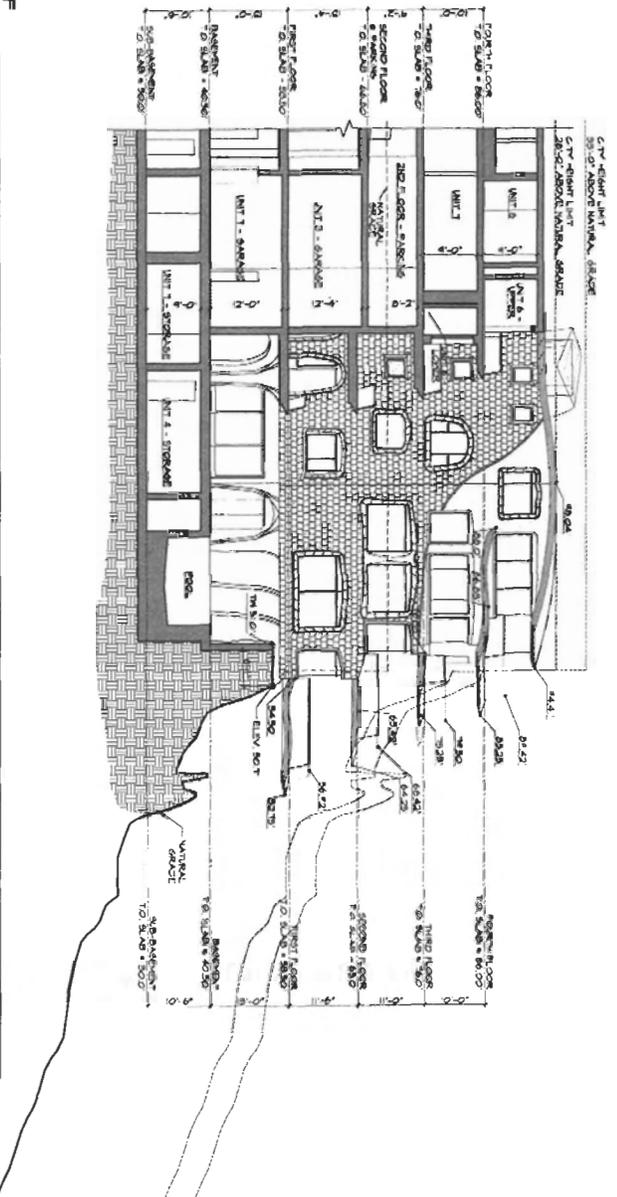


SECTION E



SCALE 1/8" = 1'-0"

SECTION F



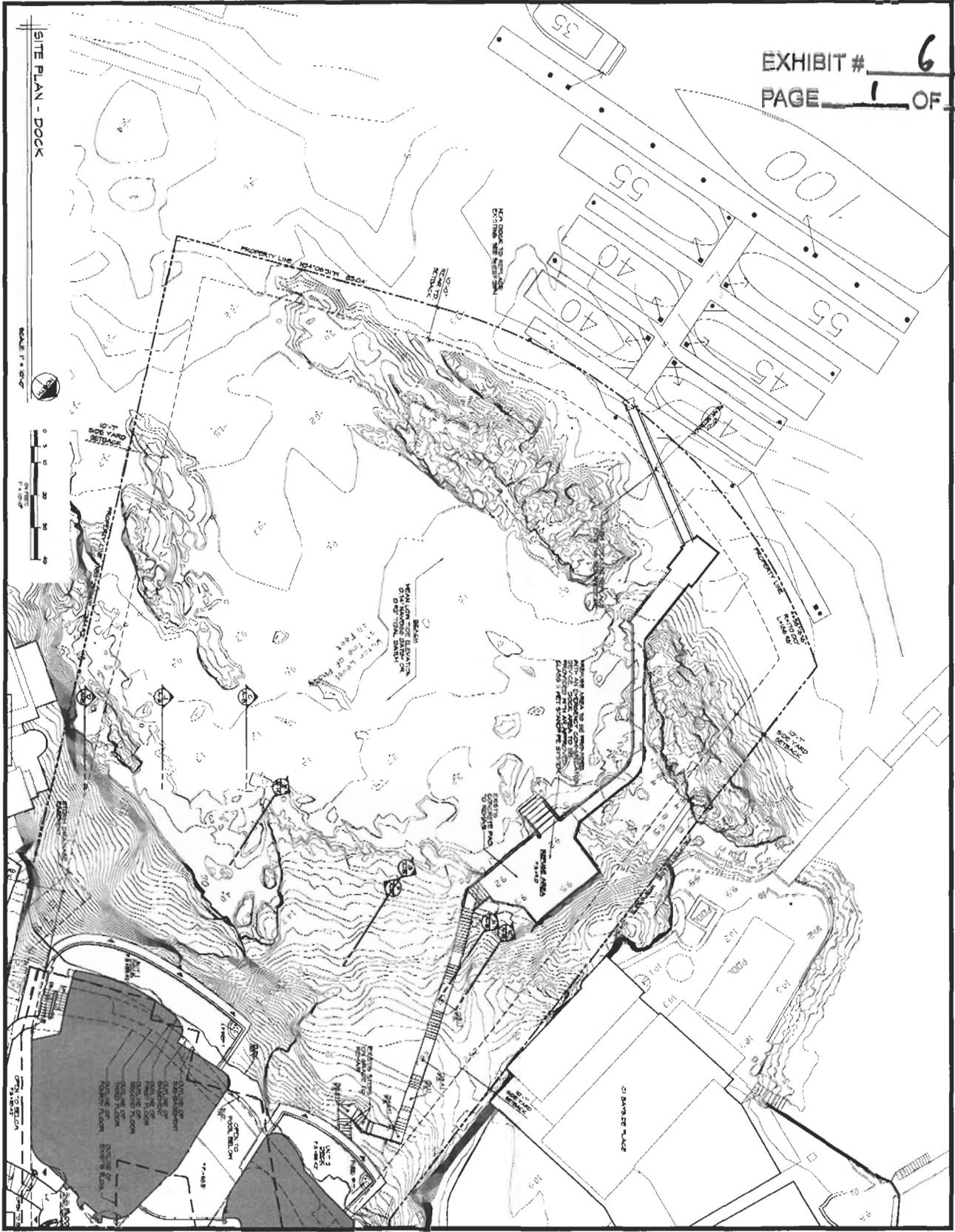
SCALE 1/8" = 1'-0"

	<p><b>BUILDING SECTIONS</b></p>	<p>Brian Jeannette Architecture</p>	<p>AERIE 201-207 CARNATION AVE. CORONA DEL MAR, CA</p>
	<p>DATE: 1/20/10</p>		
	<p>DESIGNER: [Name]</p>		
	<p>CHECKER: [Name]</p>		
	<p>PROJECT NO: 09-023</p>		





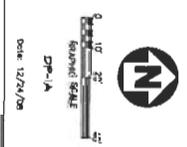
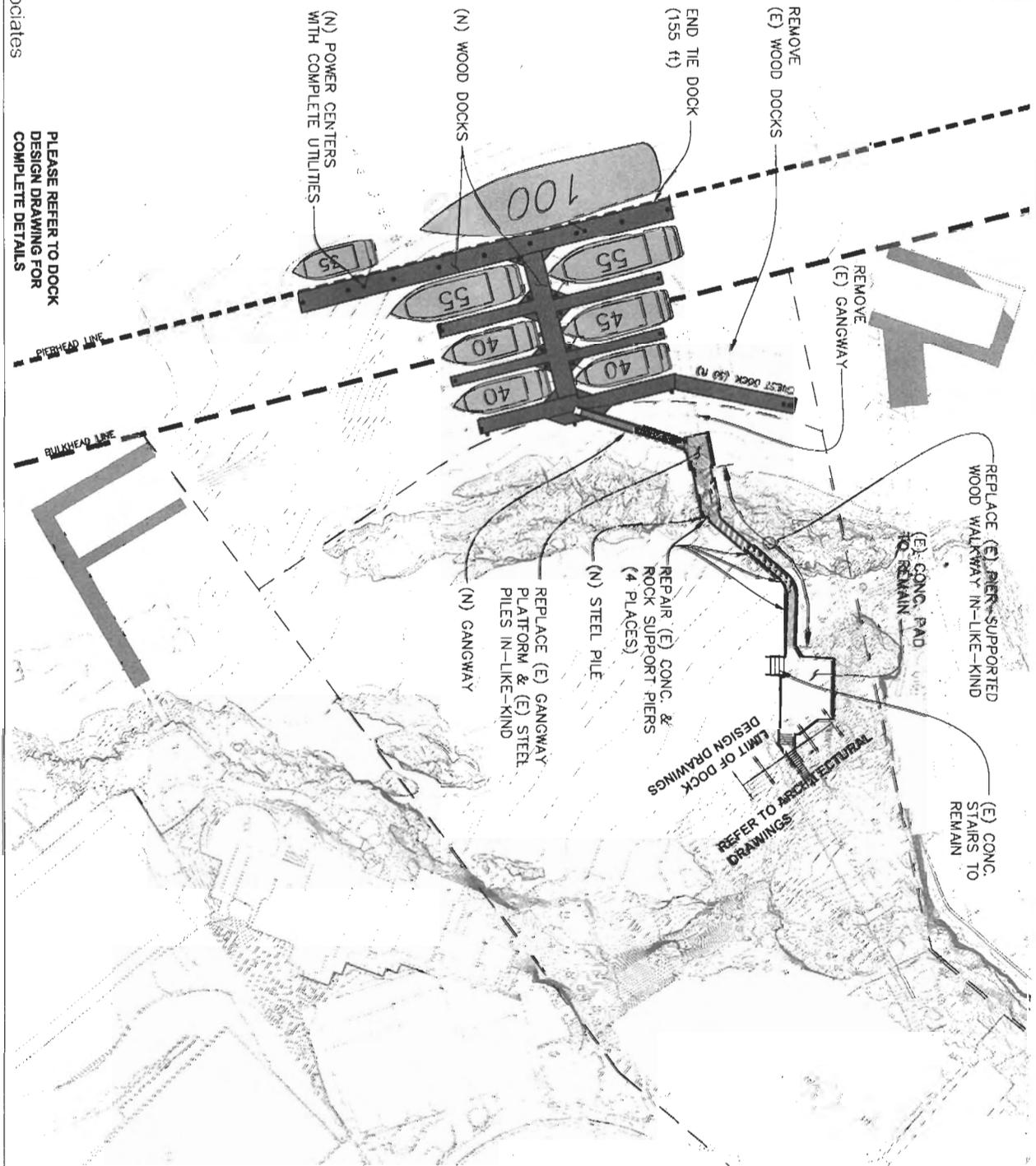




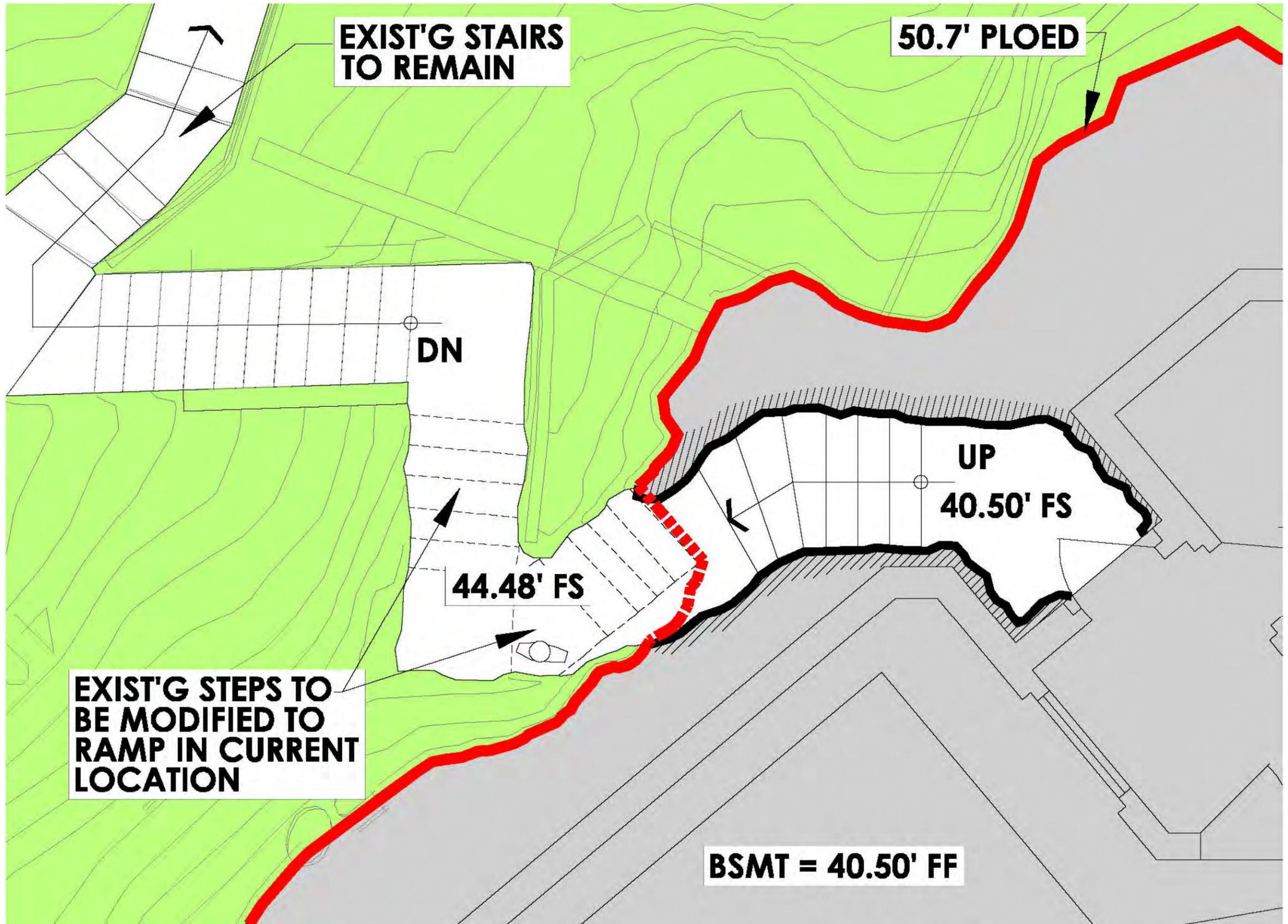
A-11		<table border="1"> <tr><td>DESIGN</td><td>DATE</td></tr> <tr><td>REVISION</td><td>DATE</td></tr> </table>	DESIGN	DATE	REVISION	DATE	<p><b>SITE PLAN DOCK</b></p> <p><i>Sron Jeannette Architecture</i></p> <p><small>10000 Wilshire Blvd., Suite 1000, Los Angeles, CA 90024 Tel: 310.206.1000 Fax: 310.206.1001</small></p>	<p><b>AERIE</b> 201-207 CARNATION CORONA DEL MAR, CA</p>																		
DESIGN	DATE																									
REVISION	DATE																									
REVISION	DATE																									
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REVISION	DATE																									

**URS**  
Cash & Associates

PLEASE REFER TO DOCK  
DESIGN DRAWING FOR  
COMPLETE DETAILS







**EXIST'G STAIRS TO REMAIN**

**50.7' PLOED**

**DN**

**UP  
40.50' FS**

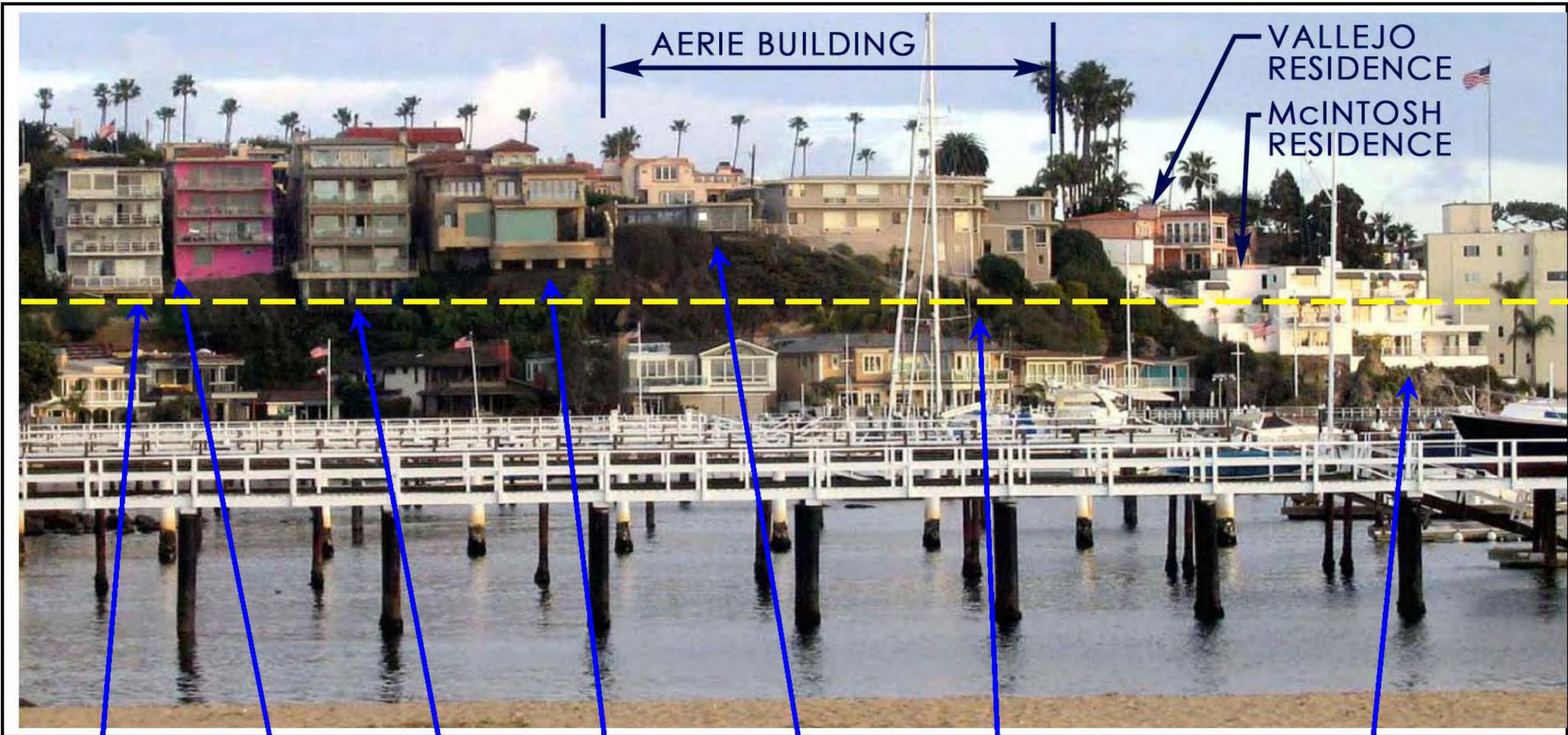
**44.48' FS**

**BSMT = 40.50' FF**

**DOCK ACCESS/ EMERGENCY EXIT AT BASEMENT**



**DOCK ACCESS/ EMERGENCY EXIT AT BASEMENT**



AERIE BUILDING

VALLEJO RESIDENCE  
McINTOSH RESIDENCE

50.7 feet

58.2 feet

48.1 feet

57.8 feet

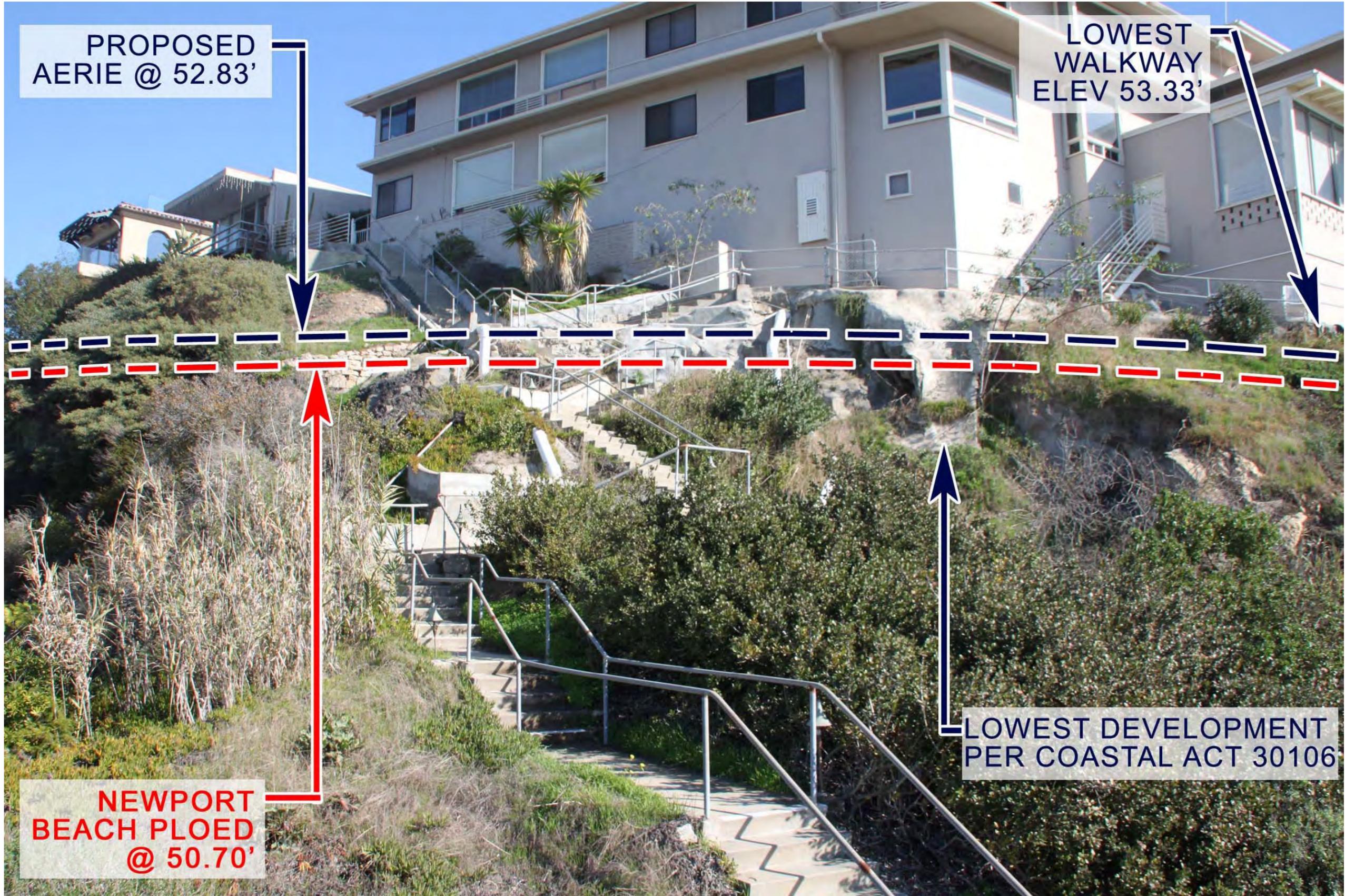
65 feet approx.

42.3 feet

24.1 feet

Median elevation of the seven structures is 50.7 feet MSL.

# CITY OF NEWPORT BEACH DEFINITION OF FLOED



PROPOSED  
AERIE @ 52.83'

LOWEST  
WALKWAY  
ELEV 53.33'

NEWPORT  
BEACH FLOED  
@ 50.70'

LOWEST DEVELOPMENT  
PER COASTAL ACT 30106

**EXISTING SITE**



Existing

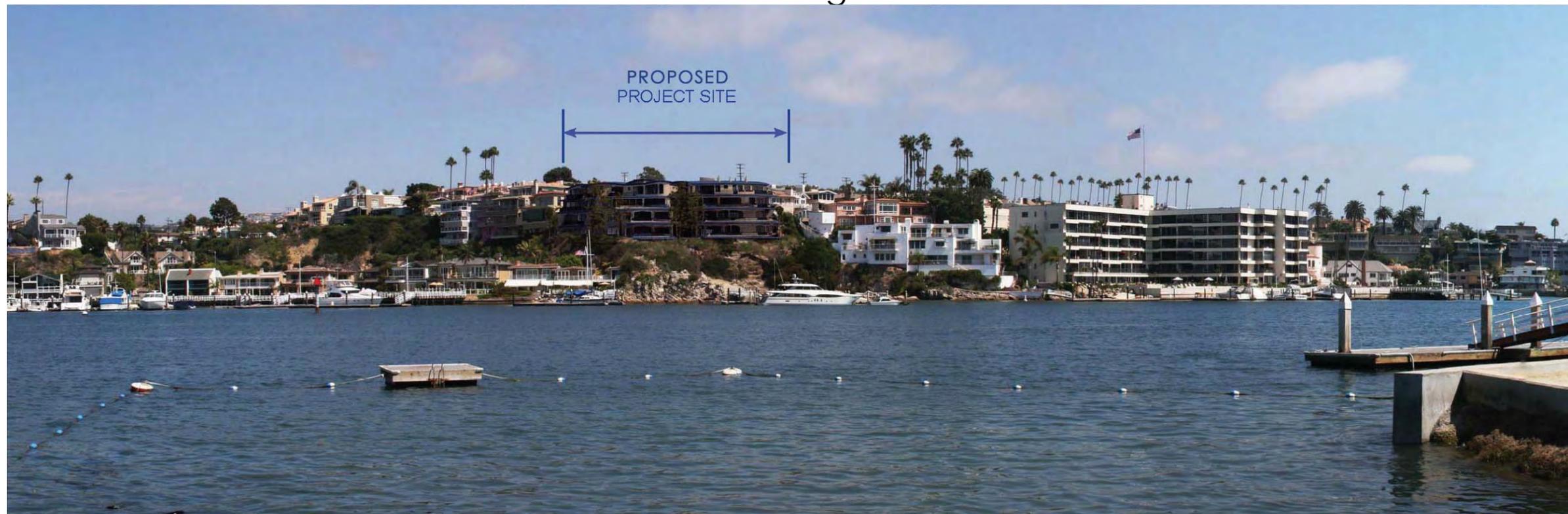


Proposed

# PUBLIC VIEW FROM BEGONIA PARK



Existing

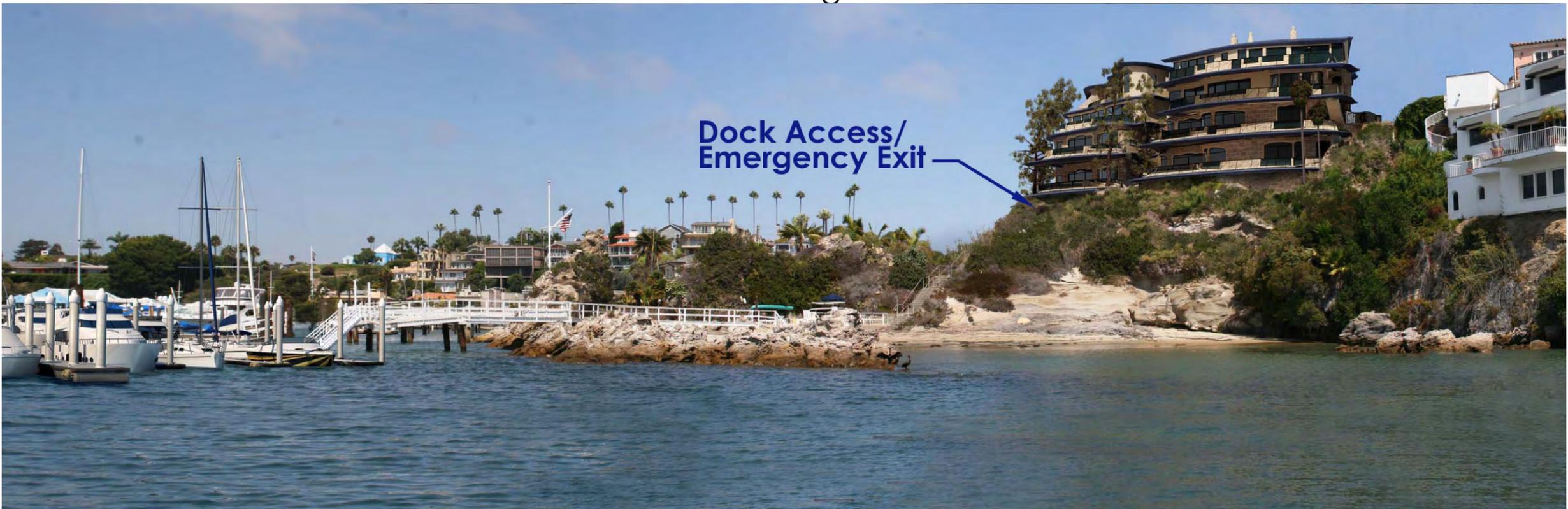


Proposed with Docks Loaded

# PUBLIC VIEW FROM BEACH AT CHANNEL ROAD



Existing



Dock Access/  
Emergency Exit

Proposed with Docks Loaded

# KAYAK VIEW FROM NEWPORT BAY

OUTLINE OF EXISTING BUILDING

PROPOSED UNIT 3 DECK AT  
ELEV. 64.92' (NAVD 88)

PROPOSED UNIT 3 @ ELEV.  
65.0' (NAVD 88)

**(76% INCREASE)**

**44°  
PROPOSED VIEW  
CORRIDOR**

**25°  
EXIST'G  
VIEW  
CORRIDOR**

**8'-4"**

POOL

**9'-0"  
VIEW  
CORRIDOR**

CARNATION AVE.

OCEAN  
BLVD.

PUBLIC VIEWPOINT AT  
ELEV. 69.0':  
NEW PARK BENCH AND  
DRINKING FOUNTAIN



# VIEW CORRIDOR EXHIBIT



Existing



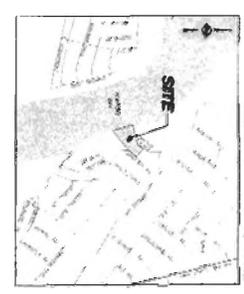
Proposed

# PUBLIC VIEW CORRIDOR FROM OCEAN BOULEVARD



SHEET 2

VICINITY MAP



**SITE ADDRESS**  
201, 205 & 307 CALISTOGA AVENUE  
AND A PORTION OF 101 SHANNON PLACE,  
CORONA DEL MAR, CA 92629

**EARTHWORK QUANTITIES**

CUT	29,240
FILL	0
EXPORT	28,240

**SHEET INDEX**

SHEET 1	SITE PLAN/INDEX MAP
SHEET 2	CONCEPTUAL SHADOW PLAN
SHEET 3	SECTIONS

**PROPERTY OWNER:**  
ADVANCED GROUP 99-0  
23792 Rockfield Boulevard  
Irvine, CA 92630  
PHONE: (949) 595-5900  
FAX: (949) 595-5901

**PREPARED FOR:**  
DEVELOPER



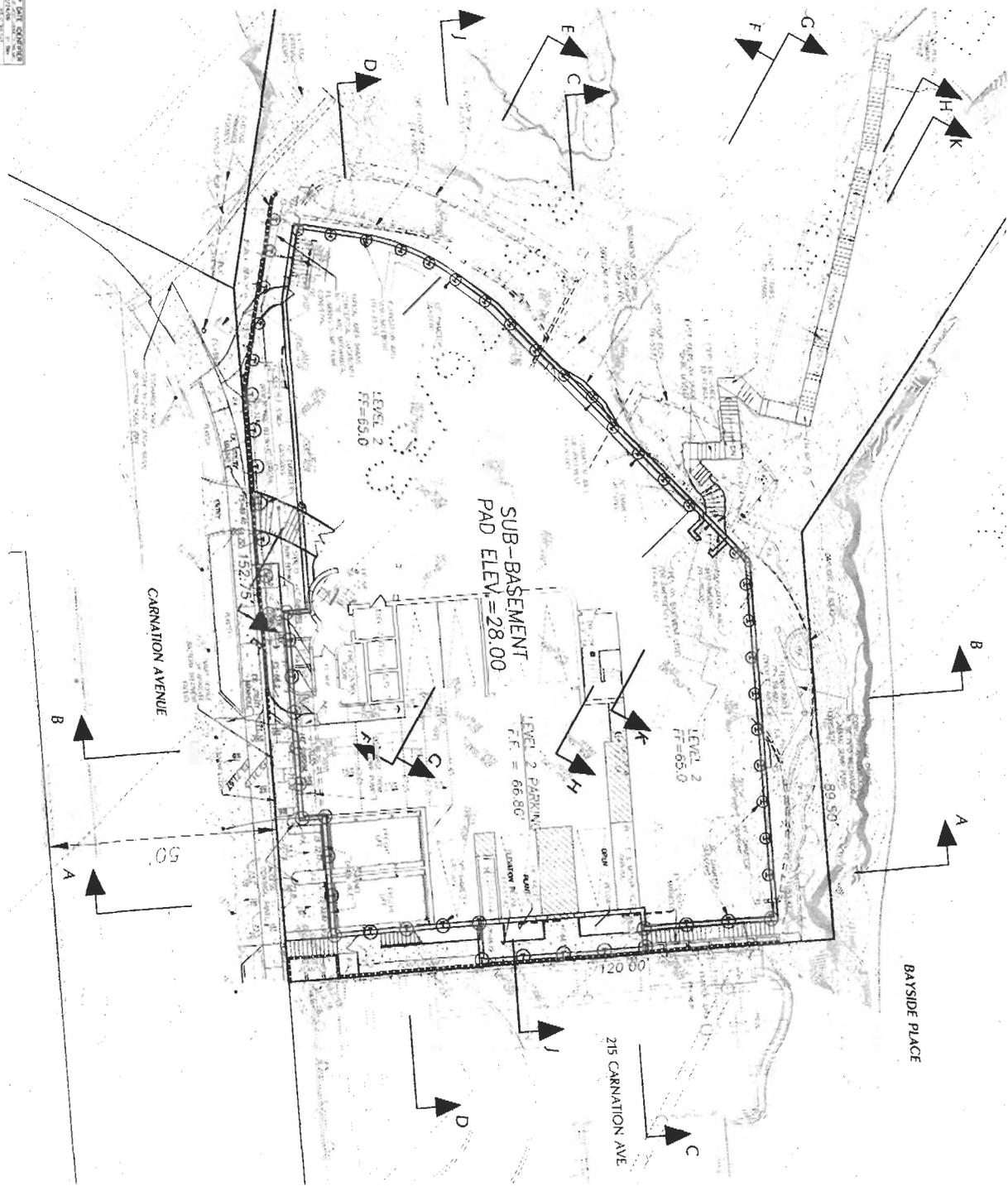
20701 Redwood Shores, Suite 800  
Ladera Ranch, CA 92650  
Tel: (949) 266-3800  
Tel: (949) 266-3900



HUNDSAKER & ASSOCIATES  
11111 N. Tustin Ave., Suite 100  
Tustin, CA 92680  
Tel: (714) 261-1111  
Tel: (714) 261-1111  
Tel: (714) 261-1111

**CONCEPTUAL  
GRADING PLAN**  
TTM NO. 16882

DATE: 03/22/06



**CONCEPTUAL GRADING PLAN**  
TTM NO. 16882

**PROPERTY OWNER:**  
ADVANCED GROUP 93-D  
23792 Rockfield Boulevard, Suite 100  
Irvine, CA 92630  
Phone: (949) 595-5830  
Fax: (949) 595-5801

**PREPARED FOR:**  
AREAS

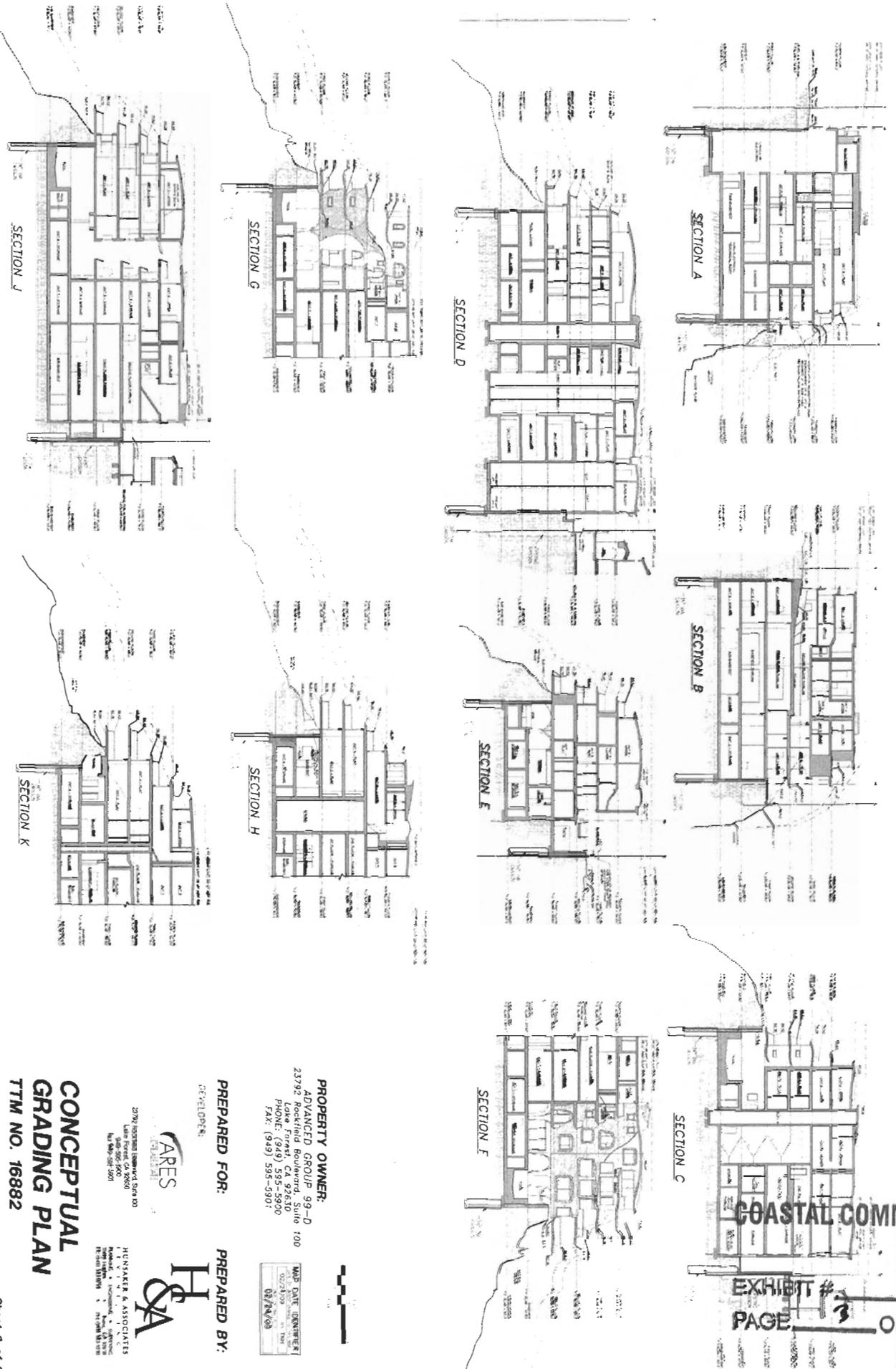
**PREPARED BY:**  
HUNNIGALL & ASSOCIATES  
11000 Wilshire Blvd, Suite 1000  
Beverly Hills, CA 90210  
Tel: (310) 274-1100



LEGEND

**COASTAL COMMISSION**

EXHIBIT # 10  
PAGE 2 OF 3



COASTAL COMMISSION

EXHIBIT # 10  
PAGE 3 OF 2

**PROPERTY OWNER:**  
**ADVANCED GROUP 99-D**  
 23792 Rockfield Boulevard, Suite 100  
 Dana Point, CA 92650  
 Phone: (949) 595-2850  
 Fax: (949) 595-4901

**PREPARED FOR:**  
 DEVELOPER:

**ARES**  
 23792 ROCKFIELD BOULEVARD, SUITE 100  
 DANA POINT, CA 92650  
 TEL: (949) 595-2850  
 FAX: (949) 595-4901

**HUNSAKER & ASSOCIATES**  
 ARCHITECTS & ENGINEERS  
 10000 WILSON AVENUE, SUITE 100  
 DANA POINT, CA 92650  
 TEL: (949) 595-2850  
 FAX: (949) 595-4901

**H&A**  
**PREPARED BY:**

**MAP DATE: (UN)MARKED**  
 02/21/09  
 02/24/09  
 02/24/09

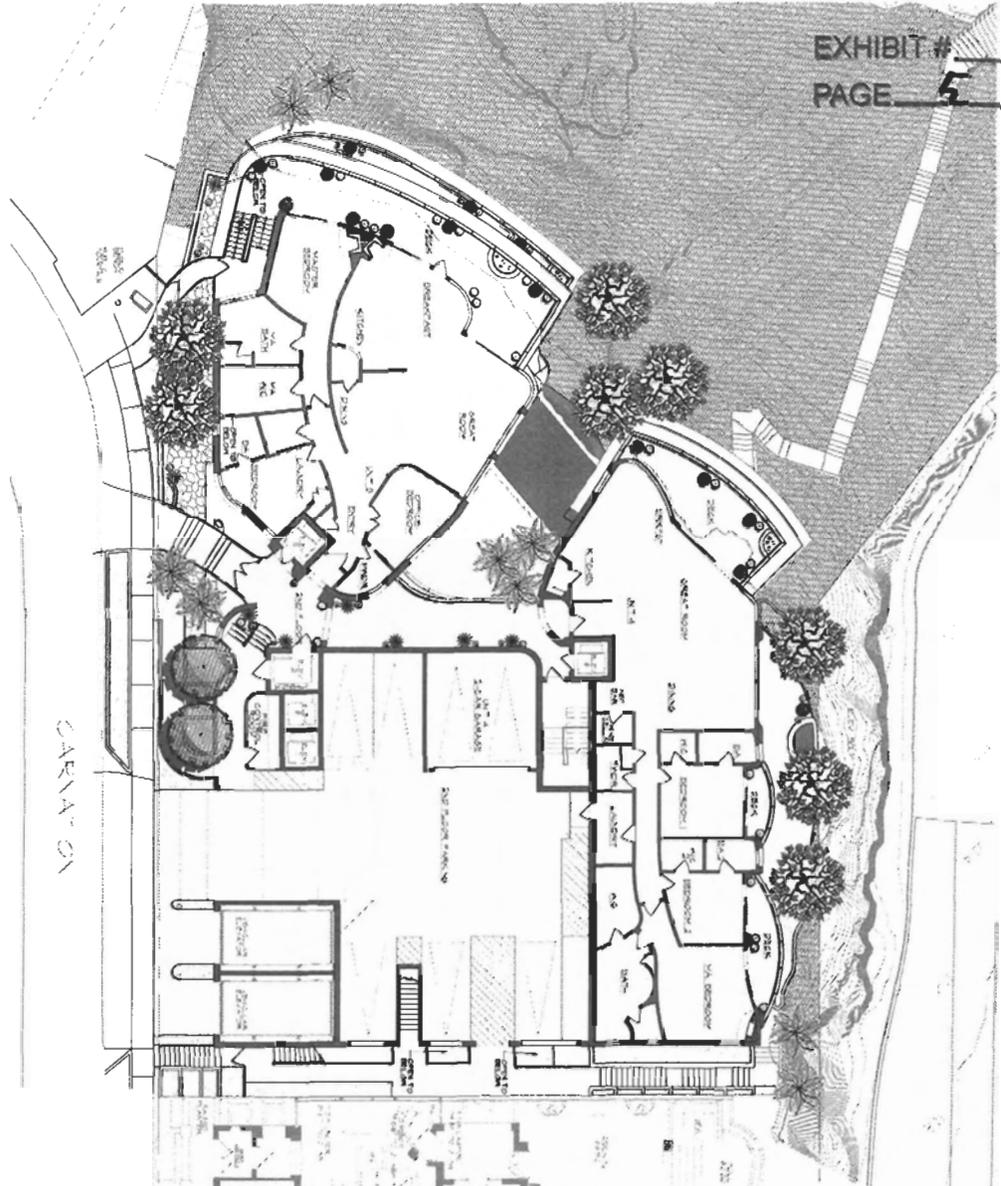
**CONCEPTUAL GRADING PLAN**  
 TTM NO. 16882











PLANT LEGEND

TREES, SHRUBS, TOLERANT WOODS LOW WATER USE TREES

VERTICAL UPRIGHT TREES TO SOFTEN BUILDING WEIGHT & MASSING  
 1. 10' TALL  
 2. 15' TALL  
 3. 20' TALL  
 4. 25' TALL  
 5. 30' TALL  
 6. 35' TALL  
 7. 40' TALL  
 8. 45' TALL  
 9. 50' TALL  
 10. 55' TALL  
 11. 60' TALL  
 12. 65' TALL  
 13. 70' TALL  
 14. 75' TALL  
 15. 80' TALL  
 16. 85' TALL  
 17. 90' TALL  
 18. 95' TALL  
 19. 100' TALL

VERTICAL CANOPY TREES TO SOFTEN BUILDING MASSING  
 1. 10' TALL  
 2. 15' TALL  
 3. 20' TALL  
 4. 25' TALL  
 5. 30' TALL  
 6. 35' TALL  
 7. 40' TALL  
 8. 45' TALL  
 9. 50' TALL  
 10. 55' TALL  
 11. 60' TALL  
 12. 65' TALL  
 13. 70' TALL  
 14. 75' TALL  
 15. 80' TALL  
 16. 85' TALL  
 17. 90' TALL  
 18. 95' TALL  
 19. 100' TALL

WIDE SPREADING ACCENT TREES  
 1. 10' TALL  
 2. 15' TALL  
 3. 20' TALL  
 4. 25' TALL  
 5. 30' TALL  
 6. 35' TALL  
 7. 40' TALL  
 8. 45' TALL  
 9. 50' TALL  
 10. 55' TALL  
 11. 60' TALL  
 12. 65' TALL  
 13. 70' TALL  
 14. 75' TALL  
 15. 80' TALL  
 16. 85' TALL  
 17. 90' TALL  
 18. 95' TALL  
 19. 100' TALL

VERTICAL ACCENT TREES  
 1. 10' TALL  
 2. 15' TALL  
 3. 20' TALL  
 4. 25' TALL  
 5. 30' TALL  
 6. 35' TALL  
 7. 40' TALL  
 8. 45' TALL  
 9. 50' TALL  
 10. 55' TALL  
 11. 60' TALL  
 12. 65' TALL  
 13. 70' TALL  
 14. 75' TALL  
 15. 80' TALL  
 16. 85' TALL  
 17. 90' TALL  
 18. 95' TALL  
 19. 100' TALL

CONTAINER SHRUBS AND VINES WITH SHEARED BARK MATCH ALL DROUGHT TOLERANT WOODS LOW WATER USE

CONTAINER SHRUBS AND VINES WITH SHEARED BARK MATCH ALL DROUGHT TOLERANT WOODS LOW WATER USE

CONTAINER SHRUBS AND VINES WITH SHEARED BARK MATCH ALL DROUGHT TOLERANT WOODS LOW WATER USE

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CONTAINER SHRUBS AND VINES WITH SHEARED BARK MATCH ALL DROUGHT TOLERANT WOODS LOW WATER USE

CONTAINER SHRUBS AND VINES WITH SHEARED BARK MATCH ALL DROUGHT TOLERANT WOODS LOW WATER USE

NOT FOR CONSTRUCTION

LIABILITY: PLANNING, DESIGN AND CONSTRUCTION SERVICES PROVIDED BY ARIE FOR THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND OTHER AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND OTHER AGENCIES.

DATE: 03/20/2018

PROJECT: CARAVAN

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

DESIGNER: ARIE

DATE: 03/20/2018

PROJECT: CARAVAN

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

DESIGNER: ARIE

ROBERT MITCHELL & ASSOCIATES

PLANNING & DESIGN

LANDSCAPE ARCHITECT

201-207 CARAVAN AVENUE  
CORONA DEL MAR, CALIFORNIA  
ADVANCED REAL ESTATE SERVICES  
19415 EL TORO ROAD, LAKE FOREST, CALIFORNIA 92551

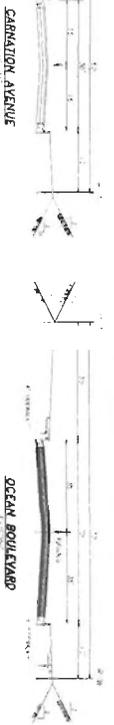
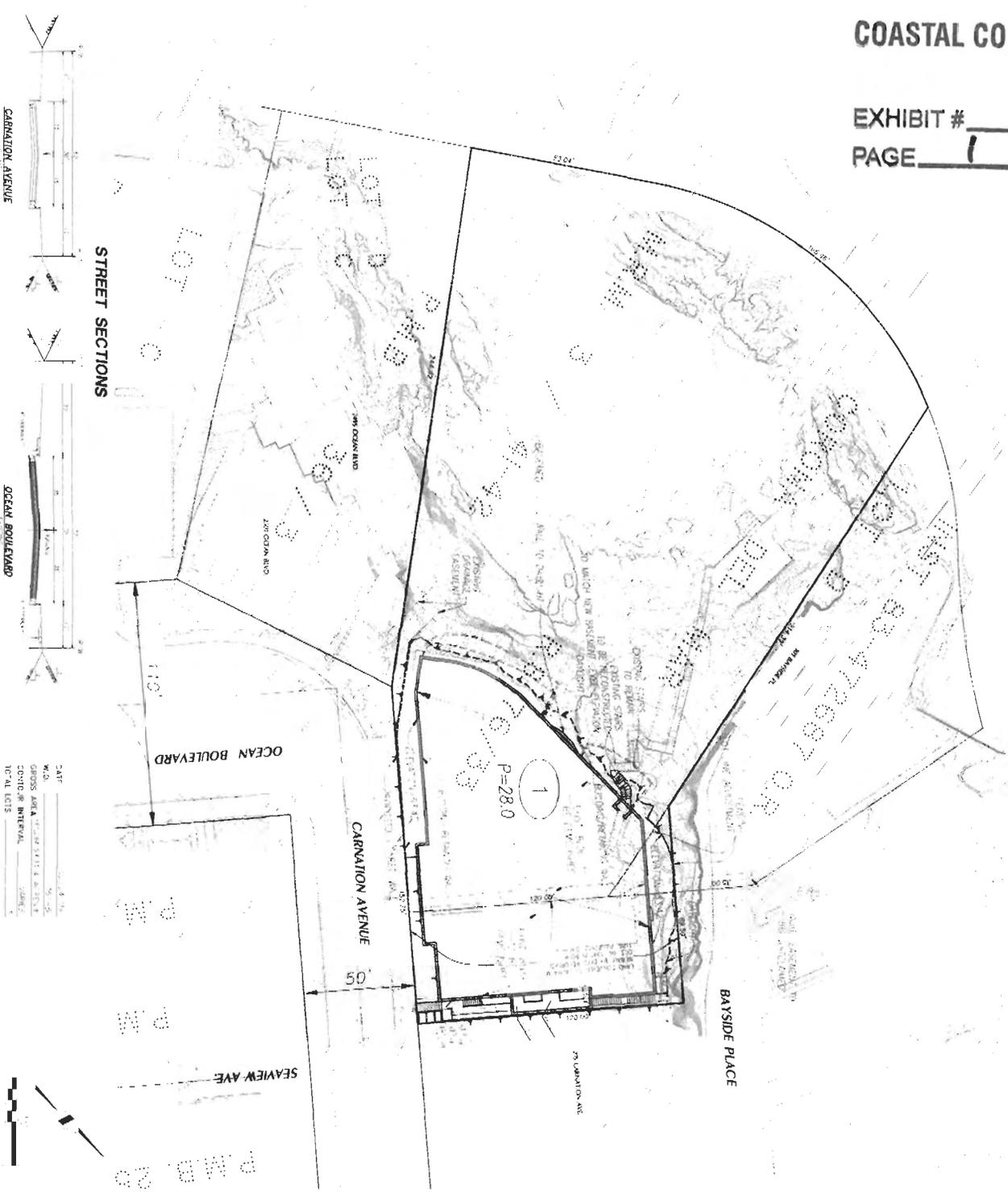
CONCEPTUAL LANDSCAPE FOR 2ND FLOOR LEVEL

1/24/2018 10:45:00 AM

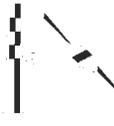




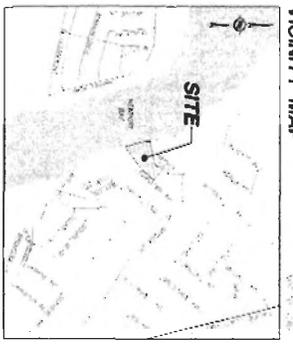




CAT  
M.O.  
GROSS AREA  
CORRIDOR INTERVAL  
TOTAL LOTS



VICINITY MAP



NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COASTAL COMMISSION AND OTHER AGENCIES.  
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COASTAL COMMISSION AND OTHER AGENCIES.  
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10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COASTAL COMMISSION AND OTHER AGENCIES.

EARTHWORK QUANTITIES

LEGAL DESCRIPTION

STATEMENT OF OWNERSHIP



PROPERTY OWNER:

23732 BAYVIEW DRIVE  
LOS ANGELES, CA 90024  
PHONE (310) 595-5900  
FAX (310) 595-5901

PREPARED FOR:



23732 Bayview Drive, Suite 100  
Los Angeles, CA 90024  
Tel: 310-595-5900

PREPARED BY:



HUNSMAN & ASSOCIATES  
11111 WILSON BLVD., SUITE 100  
LOS ANGELES, CA 90024  
TEL: 310-595-5900

**TENTATIVE TRACT  
NO. 16882  
FOR CONDOMINIUM PURPOSES**

MAP DATE: DECEMBER  
02/24/09

# LIST OF SUBSTANTIVE DOCUMENTS

COASTAL COMMISSION

EXHIBIT # 13  
PAGE 1 OF 1

1. Keeton Kreitzer Consulting; Environmental Impact Report, SCH No. 2007021054, Aerie PA2005-196, March 2009
2. Keeton Kreitzer Consulting; Mitigated Negative Declaration, SCH No. 2008051082, Aerie PA2005-196, 2008
3. AEI Consultants; Pre-Demolition Asbestos/ Lead-Based Paint Survey, 201-207 Carnation Avenue; December 13, 2007.
4. Austin-Foust Associates, Inc.; Aerie Corona del Mar Condominium Project Traffic Assessment; March 4, 2009. (Please refer Appendix C in the EIR)
5. Coastal Resource Management, Inc.; Eelgrass (Zostera Marina) Impacted Assessment for a Dock Renovation Project Located in Carnation Cove; May 12, 2008 (Revised March 4, 2009). (Please refer to Appendix J in the EIR)
6. Coastal Resource Management, Inc.; Sand Dollar Bed Exhibit; 2009.
7. GeoSoils, Inc.; Coastal Hazard Study; October 4, 2006.
8. GeoSoils, Inc.; Bluff and Shoreline Reconnaissance in the Vicinity of 201-207 Carnation Avenue, Corona del Mar; June 11, 2007.
9. GMU Geotechnical, Inc.; Summary Letter of third Party Geotechnical Review, Proposed Condominium Project; October 29, 2008.
10. Hunsaker & Associates Irvine, Inc.; Hydrology Analysis for Tentative Tract 16882; February 2, 2009.
11. Hunsaker & Associates Irvine, Inc.; Conceptual Water Quality Management Plan; December 30, 2007, Revised January 28, 2009.
12. Hunsaker & Associates Irvine, Inc.; Storm Water Pollution Prevention Plan; March 17, 2007; (Revised January 20, 2009).
13. Hunsaker & Associates Irvine, Inc.; Elevation Certification; April 12, 2007.
14. Hunsaker & Associates Irvine, Inc.; Water Quality Management Plan Exhibit; May 12, 2009.
15. ICF/ Jones & Stokes; Biological Impact Report for Aerie Residential Project; December 2008. (Please refer Appendix H in the EIR)
16. Brion Jeannette Architecture; Preliminary Construction Management Plan; October 30, 2008 (Revised December 23, 2008). (See refer to Appendix B in the EIR)
17. Brion Jeannette Architecture; Aerie Project Overview; May 8, 2006 (Revised February 15, 2007).
18. Leighton & Associates, Inc.; Preliminary Geotechnical Engineering Exploration and Analysis for the Proposed Aerie Dock Replacement; August 25, 2008 (Revised September 19, 2008).
19. LSA Associates, Inc.; Results of Cultural and Paleontological Resources Records Searches for the Carnation Villa Project; July 12, 2005.
20. Neblett & Associates, Inc.; Revised Plan Review and Response to Comments Aerie – 8 Unit Condominium Project; December 19, 2008.
21. Neblett & Associates, Inc.; Conceptual Grading Plan Review Report, Condominium Project, TTM 16882; September 20, 2008.
22. Neblett & Associates, inc.; 2007 CBC Seismic Design parameters (Update Letter Report); May 12, 2008.
23. Neblett & Associates, Inc.; Review of Architectural Plan; November 27 and December 17, 2007.
24. Noble Consultants; Coastal Engineering Assessment for the "Aerie" Dock Project (Letter Report); May 9, 2008.
25. P&D Consultants; Phase I Environmental Site Assessment; May 26, 2006.
26. P&D Consultants; Biological Constraints Analysis for Aerie Residential Project; June 10, 2005.
27. The Planning Center; Construction Noise and Vibration Study for: Aerie Residential Development; March 2009. (Please refer to Appendix F in the EIR)
28. Robert Mitchell & Associates; Existing Vegetation Map (Sheets L-1 and L-2); April 25, 2008. (Please refer to Sheets L-1 and L-2 in the AIC approved plans)
29. Synectecology; Aerie Residential Development Air quality Focused Analysis; December 22, 2008. (Please refer to Appendix D in the EIR)
30. Wieland Acoustics, Inc.; Environmental Noise Study for the Construction of the Proposed Carnation Cove Dock Replacement Project in the City of Newport Beach; March 12, 2009. (Please refer to Appendix E in the EIR)
31. Neblett & Associates, Inc.; Response to Comments (prepared by David H. Lee & Associates, Inc.); August 11, 2008.

# MADISON STREET PARTNERS

January 12, 2010

California Coastal Commission  
Ms. Sherilyn Sarb  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

**RECEIVED**  
South Coast Region

JAN 15 2010

CALIFORNIA  
COASTAL COMMISSION

RE: Application #: 5-09-162

Dear Ms. Sarb:

Please find my letter of support of the AERIE project in Corona del Mar. As a current resident of CdM, I often walk the sidewalk in front of the proposed project. As you are aware, the existing structure is an eyesore... aside from the obvious benefits from the visual improvements, etc. that a new structure will give, there are several other benefits that our community will benefit greatly from this project, including:

- An increased public view point
- Extra public parking
- Removal of existing visible pipes and building materials
- Reduced traffic by the decreased number of units
- A lower building height that what is currently required by code

I hope that you find the same consensus and approve this project. I may be reached at 949.468.2243 to discuss at any time. Thank you, Ms. Sarb.

Sincerely,



Paul Root  
Partner

CC: Ms. Lilianna Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 1 OF 61

---

**RONALD P. BEARD**

---

**RECEIVED**  
South Coast Region

JAN 20 2010

CALIFORNIA  
COASTAL COMMISSION

January 13, 2010

California Coastal Commission  
Ms. Sherilyn Sarb  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

RE: Application #: 5-09-162 for Aeire

Dear Ms. Sarb:

I live right down the street from the subject property, and I very much support the subject proposal. View corridors will be enhanced, overhead utilities will go underground, 3 more public parking spots will exist after its construction than currently exists, and most importantly, it's an absolutely timeless, gorgeous architectural gem.

It is a great addition to the eclectic and beautiful homes which line the bluffs, and it is a huge improvement over the existing structure. The project is extremely well thought out, and there have been numerous compromises made by the property owner over the many, many years that he has been trying to obtain all of the approvals.

Kind regards,



Ronald P. Beard

CC: Ms. Liliana Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 2 OF 61

Roskamp Services  
4 Ritz Cove Drive  
Dana Point, CA 92629

Ph. 949.487.9366

[rossroskamp@cox.net](mailto:rossroskamp@cox.net)

Fax: 949.487.9731

January 14, 2010

California Coastal Commission  
Ms. Sherilyn Sarb  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

RE: Application #: 5-09-162

Dear Ms. Sarb:

**RECEIVED**  
South Coast Region

JAN 20 2010

CALIFORNIA  
COASTAL COMMISSION

This letter is to inform you of our support for the Aerie project. I live in an ocean front home and have a keen interest in environmentally sensitive development along the coast. I know Aerie's architect, Brion Jeannette, and know he has incorporated a host of "green" architectural criteria and energy efficient elements. Although there are other features that will benefit the general public, I mention the following:

- A. The existing 50 year old building compromises the aesthetics of those living or visiting that bluff location. Aerie will be a compliment to all other homes.
- B. The new Aerie building will widen visual corridors so locals can enjoy better views of the ocean. Additionally, a public bench and drinking fountain will be provided local viewers.
- C. Existing above ground utility poles will be finally gone.
- D. The project will mitigate storm flows from this catch basin of some 11 acres. This improvement will have a beneficial impact on surface water being directed to an appropriate storm drain.
- E. Due to the elimination of the number of driveways into the current structure (an old apartment building) three new public parking spaces will be created. Resident and guests at Aerie will all park underground.
- F. Code requirements of preserving bluff face, set by the Coastal Commission and the City of Newport Beach have been honored as the project will not intrude down the bluff which all neighboring properties were allowed to do.
- G. Current number of apartment units is 15. To obtain city approval, Aerie was downsized resulting in only 8 units.
- H. Only 25% of the site will be developed, allowing 75% of the site as open space.

The applicant has modified the application many times during the five year attempt to obtain city approval. It is time to allow the general public to enjoy the benefits that will result from this much needed improvement.

Sincerely,

  
Gresham Roskamp

CC: Ms. Liliana Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 3 OF 61

**RECEIVED**  
South Coast Region

JAN 19 2010

CALIFORNIA  
COASTAL COMMISSION

RAYMOND W. ELDRIDGE  
934 GOLDENROD  
CORONA DEL MAR, CA 92625

January 15, 2010

California Coastal Commission  
Ms. Sherilyn Sarb  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4406

Re: Application #: 5-09-162

Dear Ms. Sarb,

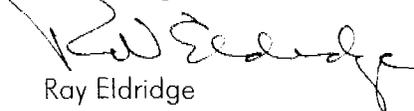
May this act to inform you that I am absolutely in favor of the proposed "Aerie" Development located at 205 Carnation, in Corona del Mar.

Coincidentally, I was a resident of this 14-unit apartment building about 15 years ago. Happy to see that it may possibly be replaced by a very well thought out and environmentally friendly new development. I still reside in Corona del Mar, but as a homeowner. I walk by almost everyday and the current structure is an eyesore. The proposed development really seems to fit in with the current neighborhood aesthetic.

A couple of the opposing neighbors seem to be acting as though Mr. Julian is proposing a residential development on a vacant meadow. He is definitely not. His proposal replaces a very obsolescent and unattractive apartment complex.

Additionally, the view corridor will be substantially improved and the current slope of the unsightly drainage pipes and broken concrete will get a whole new "make over". I am excited at the thought. Hope you are as well.

Warm Regards,

  
Ray Eldridge

Cc: Ms. Liliana Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 4 OF 61

January 13, 2010

California Coastal Commission  
Ms. Sherilyn Sarb  
200 Ocean Gate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

**RECEIVED**  
South Coast Region

JAN 14 2010

CALIFORNIA  
COASTAL COMMISSION

RE: Application #: 5-09-162

Dear Ms. Sarb:

I am pleased that the Commission will soon be reviewing the AERIE project in Newport Beach and I hope the Commission will see the benefit to the entire area as this beautiful piece of property will remain virtually the same. The new structures at the top of the bluff will be a great improvement to the now existing apartments.

Many years ago my best friend and boating companion, Harold Berkman, who was at that time a member of the Harbor Commission was quite upset with the white vinyl drain pipe that was placed on the bluff. Perhaps in his memory you can have this unsightly pipe removed.

Thank you,



Thomas Phillips  
2525 Ocean Blvd. # H5  
Corona Del Mar, CA 92625

30 Year resident and Condo owner at Channel Reef.

Cc:Ms. Lilian Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 5 OF 61

Roskamp Services  
4 Ritz Cove Drive  
Dana Point, CA 92629

Ph. 949.487.9366

[roskamps@cox.net](mailto:roskamps@cox.net)

Fax: 949.487.9731

January 14, 2010

California Coastal Commission  
Ms. Sherilyn Sarb  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

RE: Application #: 5-09-162

Dear Ms. Sarb:

**RECEIVED**  
South Coast Region

JAN 20 2010

CALIFORNIA  
COASTAL COMMISSION

This letter is to inform you of our support for the Aerie project. I live in an ocean front home and have a keen interest in environmentally sensitive development along the coast. I know Aerie's architect, Brion Jeannette, and know he has incorporated a host of "green" architectural criteria and energy efficient elements. Although there are other features that will benefit the general public, I mention the following:

- A. The existing 50 year old building compromises the aesthetics of those living or visiting that bluff location. Aerie will be a compliment to all other homes.
- B. The new Aerie building will widen visual corridors so locals can enjoy better views of the ocean. Additionally, a public bench and drinking fountain will be provided local viewers.
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- G. Current number of apartment units is 15. To obtain city approval, Aerie was downsized resulting in only 8 units.
- H. Only 25% of the site will be developed, allowing 75% of the site as open space.

The applicant has modified the application many times during the five year attempt to obtain city approval. It is time to allow the general public to enjoy the benefits that will result from this much needed improvement.

Sincerely,

  
Gresham Roskamp

CC: Ms. Liliana Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 6 OF 61

**RECEIVED**  
South Coast Region

January 23, 2010

FEB - 1 2010

California Coastal Commission  
Sherilyn Sarb  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802

CALIFORNIA  
COASTAL COMMISSION

RE: Application #5-09-162

Dear Ms. Sarb:

I am writing to let you know of my support for the AERIE project in Corona del Mar, spearheaded by Mr. Rick Julian. I own 212 Carnation Ave., just a few doors up and across the street from the proposed AERIE project.

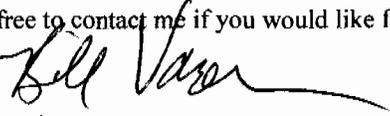
My wife and I often enjoy our weekend time on the water, both in the channel and out at sea. Whether on a rented Duffy electric boat, or onboard one of several boats owned by friends, or even kayaking up and down the channel, we are fortunate to experience Newport Harbor, one of southern California's coastal gems.

Part of the Newport boating experience is admiring the beauty and variety of residential architecture, landscape and hardscape while cruising the channel and harbor. This brings me to one of the many reasons I support the AERIE project. The bluff on which Rick Julian has been approved (by both the City Council and Planning Commission) to develop his project is in need of a major facelift. I can't count how many times out of town guests have remarked on the dichotomy that exists between the current structure occupying the proposed AERIE site vs. all the beautiful homes surrounding the site and all up and down the harbor. Inevitably, I always find myself giving a history lesson on how difficult it is to get all the approvals necessary, even when it's an obvious benefit to neighbors, guests, the general public, and all who enjoy the water way that passes by the proposed AERIE site.

From all the renderings, schematics and one-on-one conversations I've had with the architect, Brion Jeannette, AERIE appears to me to be a huge improvement and great asset to the coastline and to my neighborhood. This means a more attractive bluff view from both the water as well as for neighbors across the channel. It also means expanded view lines for myself and my neighbors on Carnation and Ocean avenues. I have yet to discover a downside to this project, aside from some temporary noise and dust that we already experience from the many other projects around us.

I urge you, please, to approve the AERIE project and trust you will conduct the proper research and analysis in the course of your approval process.

Please feel free to contact me if you would like further input.

Bill Varon   
212 Carnation Ave.  
CdM, CA 92625  
949-290-8383  
[bill@billvaron.com](mailto:bill@billvaron.com)

**COASTAL COMMISSION**

CC: Ms. Liliana Roman

EXHIBIT # 14  
PAGE 7 OF 61

**KENT S. MOORE**

**210 CARNATION AVENUE CORONA DEL MAR, CALIFORNIA 92625**

**TELEPHONE: (949) 673-7692 FACSIMILE: (949) 673-7699 kentmoore@adelphia.net**  
*Rowland Moore, CA*

March 3, 2010

**RECEIVED**  
South Coast Region

MAR - 8 2010

Ms. Sharilyn Sarb  
California Coastal Commission  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

CALIFORNIA  
COASTAL COMMISSION

RE: Application Number 5-09-162

Dear Ms. Sarb:

For almost 40 years I have lived continuously at the corner of Ocean Blvd. and Carnation Ave. in Corona del Mar and during this time have observed every new construction project undertaken in this neighborhood.

I am writing to give my support to Mr. Richard Julian's Aerie Project which was approved by the Newport Beach City Council a few months ago. I definitely feel that it deserves approval by the Coastal Commission, too, seeing Mr. Julian has addressed all earlier concerns which were raised.

I believe it will benefit the community in many ways in that the coastal bluff below the Aerie Project will be maintained as well as public views being enhanced and expanded. Neighborhood parking will also be improved. I know that most of my neighbors enthusiastically support this project.

Yes, there are some detractors and two of the most vocal opponents live directly next door to Mr. Julian's property. It may interest the Commission to know that both of these neighbors, also living on a coastal bluff, have been cited by the City of Newport Beach in the past for blocking the public-right-of-way. One of the neighbors has actually been cited on several occasions. Some of their arguments against the project are simply preposterous and, in my opinion, definitely fall within the NIMBY category. These particular homeowners should review the history of their own construction before passing judgment on Aerie.

The development of the Aerie property will create a beautiful addition to our neighborhood and I urge the Commission to give its approval at the upcoming hearing.

Please feel free to contact me if you have any questions.

Sincerely,



Kent S. Moore

c. Ms. Liliana Roman

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 8 OF 61

MAR 09 2010

*Baywood Development Group*

160 Newport Center Drive, Suite 155, Newport Beach, California 92660

(949) 640-2622

Fax (949) 640-2515

CALIFORNIA  
COASTAL COMMISSION

March 8, 2010

California Coastal Commission

Ms. Sherilyn Sarb

200 OceanGate, 10<sup>th</sup> Floor

Long Beach, CA 90802-4416

RE: Application #: 5-09-162

Dear Ms. Sarb:

I am writing in support of the subject project. I have been to many of the public hearings and am familiar with the project. I have owned a business in Newport Beach for over 30 years.

Aerie will significantly improve the image of the site from the bay. The project will be highly articulated and exciting architecturally and will replace a truly ugly building that exists on the site presently. I believe it will enhance the natural environment significantly.

The project also offers several public benefits relative to the bay and the ocean in terms of enhanced views and parking. It will also result in the undergrounding of very unsightly overhead power poles.

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 9 OF 41

I urge you to approve the project as submitted.

Regards,

A handwritten signature in black ink, appearing to read "W.R. Watt", with a long horizontal stroke extending to the right.

W.R.Watt, Pres.

Baywood Development

160 Newport Ctr. Dr. #155 -----

Newport Beach, CA 92660

CC: Ms. Liliana Roma

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 10 OF 61

Jim and Susan Hart  
200 Fernleaf Avenue  
Corona del Mar, CA 92625  
(949) 675-1650 phone and fax

**RECEIVED**  
South Coast Region

MAR - 8 2010

March 5, 2010

CALIFORNIA  
COASTAL COMMISSION

Ms. Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Dear Ms. Roman,

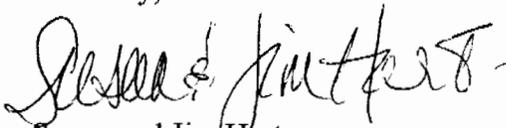
We are writing you to express our displeasure and concern for the AERIE condominium project to be built at the corner of Ocean Blvd. and Carnation Ave. in Corona del Mar, California. This project is scheduled for review by the Coastal Commission at the April session in Ventura on April 14-16. We are neighbors of this proposed project. It is a massive undertaking that will have a great negative impact on our neighborhood.

We believe this project will destroy the coastal bluff; overdevelop the neighborhood with individual condominiums that *well exceed* the size of any of the neighboring single-family homes. Yes, the AERIE lot is 61,284 sq. ft, but 66% of the lot is either submerged underwater or a slope that is greater than 50%. The Coastal Land Use Plan requires a developer to "design and site new development to *minimize alterations* to significant landforms". This project will permanently and irreparably destroy the natural slope and bluff face as well as destroy the sandy beach that exists today.

In addition, the developer has estimated the total truck trips for the evacuation of the dirt from the site and construction to be at least **2,926 truck trips**. As a neighbor, the noise, pollution and safety concerns are enormous. The neighborhood will be directly and adversely affected by the large volume of these truck trips and the negative impact is beyond comprehension.

We are not against development of this site. However, we believe strongly that this is an over-development of this lot and does not fit into the size, scale or character of the neighborhood as is required in the City's general plan. **We strongly urge the Commission to deny approval of this project.**

Sincerely,

  
Susan and Jim Hart

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 11 OF 61



**RECEIVED**  
South Coast Region

MAR 8 2010

CALIFORNIA  
COASTAL COMMISSION

1140 S Coast Hwy 101  
Encinitas, CA 92024

tel 760-942-8505  
fax 760-942-8515  
www.coastlawgroup.com

March 7, 2010

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4416

Via Electronic and US Mail

Lroman@coastal.ca.gov  
Kschwing@coastal.ca.gov

Re: AERIE Project - Corona Del Mar, Newport Beach  
Comments by Residents for Responsible Development and  
Coastal Environmental Rights Foundation

Dear Ms. Roman:

Coast Law Group LLP represents the Coastal Environmental Rights Foundation ("CERF") as well as neighbors and citizens concerned with the current design of the proposed AERIE Project in Corona Del Mar, Newport Beach (the "Project"). We understand the Project is expected to be brought before the Coastal Commission at its April meeting in Ventura. As a preliminary matter, we request that Project consideration be postponed until the June meeting, currently scheduled to be held in the South Coast Area. Numerous community activists and residents participated in the City of Newport Beach's public process for this Project, but will not be able to attend the Commission hearing if held in Ventura.

Both CERF and concerned citizens organized as "Residents for Responsible Development" ("RFRD") believe the Project fails fundamentally to comply with the City's July 14, 2009 final Local Coastal Program Coastal Land Use Plan ("CLUP"). Attached hereto you will find a letter written to the City and copied to Commission staff on August 13, 2007 regarding failure of the Project to meet numerous CLUP policies. While certain aspects of the Project changed prior to final City approval, virtually all of the concerns expressed in the letter remain unaddressed. We therefore respectfully request that you consider these important issues as you prepare the Staff Report for the Coastal Development Permit request.

Upon issuance of the Staff Report, we will be submitting additional comments to staff and individual Commissioners. Thank you for your careful consideration of this matter.

Sincerely,

COAST LAW GROUP LLP

Marco A. Gonzalez  
Attorney for CERF and RFRD

CC: Coastal Environmental Rights Foundation  
Residents For Responsible Development

**COASTAL COMMISSION**

EXHIBIT # 14  
PAGE 12 OF 61



169 Saxony Road  
Suite 204  
Encinitas, CA 92024

tel 760-942-8505  
fax 760-942-8515  
www.coastlawgroup.com

August 13, 2007

Mayor and City Council  
City of Newport Beach  
3300 Newport Blvd  
Newport Beach, CA 92663

Via Facsimile, First Class, and Electronic Mail  
(949.644.3229; jcampbell@city.newport-beach.ca.us)

RE: AERIE PROJECT (PA 2005-196)  
201-205, & 207 Carnation Avenue, and 101 Bayside Place  
**Citizens' Comments on Coastal Development Permit**

Honorable Mayor and City Council:

Coast Law Group LLP (CLG) submits this letter on behalf of Lisa and Joseph Vallejo, residents of 2501 Ocean Blvd., and Kathleen McIntosh, resident of 2495 Ocean Blvd., Corona Del Mar. On behalf of our clients, we urge you to deny the above-referenced project on the basis that it is inconsistent with Newport Beach's Coastal Land Use Plan (CLUP). The AERIE Project (Project) is fatally flawed in that it does not comply with the CLUP's Policies protecting natural landforms because it extends down to 30.5 feet above mean sea level on a 70 foot bluff, and will require excavation of 32,000 cubic yards of bluff material.<sup>1</sup>

**A. The CLUP Must Be Liberally Interpreted in a Manner that is Most Protective of Significant Coastal Resources.**

The Coastal Act must be liberally construed in light of its resource protective nature. (Pub. Res. Code § 30009.) "The highest priority must be given to environmental consideration in interpreting the statute." (*Bolsa Chica Land Trust v. Superior Court* (1999) 71 Cal. App. 4th 493, 506). While the Coastal Act is designed to allow reasonable private development along the coast, the right to new development is subordinate to protection of significant coastal resources. Specifically, new residential development in the Coastal Zone not considered a significant coastal resources.

Local Coastal Programs (LCP), must be consistent with the Coastal Act. While an LCP can be more restrictive and more resource-protective than the Coastal Act, it cannot be less protective. (*Yost v. Thomas* (1984) 36 Cal. 3d 561, 572.) For example, Coastal Act section 30251 states:

Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

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<sup>1</sup> The AERIE Project also violates the parking provisions of the CLUP

In this case, Newport Beach's CLUP is consistent with the Coastal Act, protecting views of coastal bluffs and minimizing alterations of natural landforms. (CLUP Policy 4.4.1.)<sup>2</sup> These bluff protection policies can be found throughout the CLUP. For example, Policy 4.4.1-1 of the CLUP states that the purpose of the CLUP is to "Protect and, where feasible, enhance the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay and harbor and to coastal bluffs and other scenic coastal areas." (CLUP Policy 4.4.1-1, emphasis added.) Policy 4.4.3 specifically identifies the coastal platform occupied by the Corona Del Mar ranges and notes that "The bluffs, cliffs, hillsides, canyons and other significant natural landforms are an important part of the scenic and visual qualities of the coastal zone and are to be protected as a resource of public importance." (CLUP Policy 4.4.3.) Thus, the purpose of the CLUP is to protect not only views of the ocean, but views of the natural bluffs as an important coastal resource.

In order to protect the bluffs from development, the CLUP mandates that developers, "Design and site new development to minimize alterations to significant natural landforms, including bluffs, cliffs and canyons." (CLUP Policy 4.4.1-3.) Policy 4.4.3-12 states that the City shall "Employ site design and construction techniques to minimize alteration of coastal bluffs to the maximum extent feasible..." Thus, the CLUP must be broadly interpreted to provide paramount protection for the bluffs, while specific policies must be interpreted in a manner that minimizes alterations of the bluff to the maximum extent feasible. Even policies which expressly permit bluff face development must be interpreted such that "development on the bluff face is controlled to minimize further alteration." (CLUP Policy 4.4.3 at p. 4-76.)

AERIE claims the CLUP only amounts to "guidance" because Newport Beach must prepare an implementation plan to have authority to issue coastal development permits. (Manatt, Phelps and Phillips Corresp., March 28, 2007 at 2.); See also Pub. Res. Code § 30600) Indeed, the Coastal Commission has stated that the CLUP should be considered guidance and not binding on the Coastal Commission. (CCC App. 5-06-035, at 1.) **However, identifying the CLUP as "guidance" simply means the development must comply with both the Coastal Act and the CLUP.** Because implementation ordinances have not been prepared, the Coastal Commission retains original permit jurisdiction and will review the project "de novo" for consistency with the Coastal Act, instead of appeal jurisdiction which reviews the Project solely for consistency with the LCP. (Pub. Res. Code 30600.)

While such procedural issues may affect the standard of review for the Coastal Commission, it will not affect how the City reviews the AERIE Project. The Project still must be found to be consistent with the CLUP. Further, the Coastal Commission will not

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<sup>2</sup> Many of the CLUP policies were written by Coastal Commission Staff in consultation with the City Staff. (Coastal Commission Staff Report NPB-MAJ 8.) However, it was the Coastal Commission staff that wrote the CLUP Policies controlling development on bluff faces. (Id.; See also, CLUP, Appendix A, "Findings for Approval with Suggested Modifications" at 3.)

approve development that may interfere with a local government's preparation of a certified LCP. (Pub. Res. Code § 30604.) Thus, the Coastal Commission will not approve any project it believes is inconsistent with the CLUP.

The City must realize any conflicts between the Coastal Act and the CLUP will be resolved in a manner that is most protective of significant coastal resources. (Pub. Res. Code § 30200.) Thus, to be consistent with Public Resources Code section 30251, and minimize alteration of natural landforms, the Coastal Commission will likely deny any project which exceeds the strictest interpretation of the predominant line of existing development. And the converse is equally true, for the Project to be approved by the Coastal Commission, it must comply with both the policy to minimize alteration of the bluff and the PLOED, assuming that the PLOED even applies.

As discussed below, because the AERIE Project will excavate, obscure and destroy a large portion of the natural bluff, it cannot be considered consistent with the CLUP. According to the building plans, the natural grade of the existing bluff corresponds to an elevation of 70 feet above mean sea level (MSL).<sup>3</sup> The proposed Project will build down 50 feet to 20 ft. MSL. (Neblett and Assoc., Conceptual Grading Plan Review Report, at 15.) This means that more than 50% of the natural bluff will be obscured by condominiums, the space for which will be created by excavation of more than 32,000 cubic yards of bluff material. Notwithstanding assertions to the contrary by the Applicant and its attorneys, the Project is plainly inconsistent with the intent of the CLUP to protect views of the natural landforms and minimize alteration of natural landforms.

**B. The Coastal Land Use Plan Does not Permit the AERIE Project to Extend onto the Bluff Face.**

According to one of the early Staff Reports for the Project, "The site is a steeply sloping coastal bluff and cliff and is subject to marine erosion." (Staff Report, Feb. 22, 2007 at p. 3, emphasis added.) Despite this unequivocal statement that the bluff at the AERIE Project is "subject to marine erosion", the MND and Staff Report all but ignore the policy implications of this fact.

There is no mention nor analysis of Policy 4.4.3-3, which controls development on bluffs subject to marine erosion. Such lack of analysis was of specific concern to the

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<sup>3</sup> It is unclear whether the "natural grade" identified on the building plans is actually existing grade (which was excavated during the previous construction) or the true natural grade. The exact elevation of the natural grade at the top of the bluff is specified on any of the conceptual drawings. (See MND A-10, A-11, A-12, A-13, A-14, A-15.) However, Applicant's Environmental Information Form identifies the bluff top at 70 feet above MSL. (P & D Consultants, "Environmental Information Form" August 2005, at 3.)

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Coastal Commission. (Coastal Commission Comments, dated May 14, 2007 at 2.)<sup>4</sup>

New development on the bluff face is permitted only when the bluff is not subject to marine erosion. This is reflected in the CLUP, which states:

Require all new bluff top development located on a bluff subject to marine erosion to be sited in accordance with the predominant line of existing development in the subject area, but not less than 25 feet from the bluff edge. This requirement shall apply to the principal structure and major accessory structures such as guesthouses and pools. The setback shall be increased where necessary to ensure safety and stability of the development.

(CLUP § 4.4.3-3, emphasis added.)

Thus, the first issue to be considered is whether the bluff is subject to marine erosion, *not* where the predominant line of existing development (PLOED) is located. If the bluff is subject to marine erosion, all new development must maintain a 25 foot setback from the bluff edge *regardless of where the PLOED is located.*

The City's lack of analysis of Policy 4.4.3-3 is incomprehensible in light of proposed mitigation measures directly recognize the impacts of marine erosion. For example, the Project must accept a waiver of future shoreline armoring during the economic life of the structure (75 years). (MND at 44-45.) A coastal hazard study was required of the applicant. (MND at 44.) In fact, the MND analyzes the Project for compliance with Policy 4.4.3-4 of the CLUP, which only applies to bluffs subject to marine erosion. According to the MND, the AERIE Project complies with the CLUP because "No new accessory structures are proposed." (MND at 47.) The analysis further recommends that existing accessory structures be removed if threatened by erosion, instability or other hazard. (Id.) If Policy 4.4.3-4 applies to accessory structures for the Project, the City certainly cannot claim that 4.4.3-3 does not apply to the principal structures.

In light of the clear evidence that the bluff is subject to marine erosion, the AERIE Project must comply with Policy 4.4.3-3.<sup>5</sup> The Project, as proposed, does not

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<sup>4</sup> Coastal Commission Staff specifically questioned why there was no analysis of CLUP Policy 4.4.3-3, yet no explanation has been forthcoming. The Commission specifically noted in the CLUP, "[T]he Commission does not regulate development differently depending on whether or not the site has been previously graded." (CLUP, Appendix A, at 3.) Whether there is existing development on the bluff face is irrelevant to the Coastal Commission's analysis.

<sup>5</sup> The City Attorney has stated that the more general policies such as 4.4.3-3 are subordinate to the more specific policies such as Policies 4.4.3-8 and 4.4.3-9 which specifically identify bluff development on the bluff face of Carnation Avenue.

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comply with the 25 foot setback required under the CLUP for new development along bluffs subject to marine erosion, and, therefore, must be denied.<sup>6</sup>

**C. The AERIE Project Cannot Extend onto the Bluff Face.**

The MND puts forth the argument that general policies protecting the natural bluff faces in the CLUP, such as Policies 4.4.1-1, 4.4.1-2, 4.4.1-3 and 4.4.3-12 are subordinate to CLUP Policies 4.4.3-8 and 4.4.3-9. (MND at pp. 46-47.) The MND states, "CLUP Policy 4.4.3-8 expressly allows 'private development on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar determined to be consistent with the predominant line of existing development.'" (MND at p. 27.) Therefore, the MND reasoning concludes, the Project may extend down the natural bluff face in line to the predominant line of existing development (PLOED). (MND at 27 & 47.) However, City Staff misquotes the CLUP. Properly interpreting CLUP Policy 4.4.3-8, even assuming the City can ignore the requirement for a 25 foot marine erosion setback on Carnation Avenue, the Project still may not extend onto the bluff face. CLUP § 4.4.3-8 states, in its entirety:

Prohibit development on bluff faces, except private development on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar determined to be consistent with the predominant line of existing development or public improvements providing public access, protecting coastal resources, or providing for public safety.  
**Permit such improvements only when no feasible alternative exists** and when designed and constructed to minimize alteration of the bluff face, to not contribute to further erosion of the bluff face, and to be visually compatible with the surrounding area to the maximum extent feasible.

(Emphasis added.)

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Commission Minutes, May 17, 2007) However, a policy which specifically identifies Carnation Avenue, and a policy which identifies bluffs which are subject to marine erosion are equally specific. Further, if possible, policies must be interpreted in harmony with each other. (*Conway v. City of Imperial Beach* (1997) 52 Cal. App. 4th 78, 84.) If it is impossible to resolve the conflict through harmonizing the policies, conflicts must be resolved in a manner that is most protective of significant coastal resources. (Pub. Res. Code §§ 30007.5, 30200.) Luxury condominiums are not significant coastal resources. The CLUP identifies the natural coastal bluffs as a significant coastal resource.

<sup>6</sup> New development must be brought into conformance with the regulations of the district in which such property is located. (Newport Beach Municipal Code § 20.62.080.)

Thus, improvements on the bluff face of Carnation Avenue may be properly permitted when there are no feasible alternatives other than building on the bluff face and such development is consistent with the PLOED. There is no indication in the record that it is infeasible to locate new development entirely on top of the bluff. In fact, the existing structure is entirely on top of the bluff (assuming the bluff was not excavated to accommodate the structure originally). The existing structure does not extend down the bluff, and thus it is entirely feasible to approve new development within the previous footprint of the building.

City staff has argued that the second sentence of Policy 4.4.3-8, "Permit such improvements only when no feasible alternative exists..." only applies to public improvements. (Planning Commission Meeting minutes, May 17, 2007, at p. 8 of 20.) However, the second sentence's language, "Permit such improvements" indicates that the prohibition on bluff development was intended to apply to all improvements, not to only public improvements. Omission of the word "public" demonstrates improvements has a different meaning. (See, *Cornette v. Dep't of Transp.* (2001) 26 Cal. 4th 63, 73.; *People v. Gardeley* (1996) 14 Cal. 4th 605, 621, indicating the court will not add nor omit words from a statute.) If the drafters of the CLUP intended to limit such requirement solely to public improvements, then it would have included specific language in Policy 4.4.3-8, especially considering that the previous sentence distinguishes between public improvement and private development. Because it did not make such a distinction, "improvements" must mean all improvements, public and private. The AERIE Project may not extend down the bluff face unless there are no feasible alternatives.

**D. The Predominant Line of Existing Development Limits the House to the Existing Foot Print.**

City Staff correctly states that the specific Policies of 4.4.3-8 and 4.4.3-9 permitting bluff face development must be interpreted and applied in a manner that is harmonious with more general policies requiring new development to minimize alterations of the natural bluffs. (Staff Report, May 17, 2007, at 3; See also, CLUP Policies 4.4.1-1, 4.4.1-3, 4.4.3, 4.4.3-12, 4.4.3-15.) For example, Policy 4.4.3 identifies Carnation as one of the places where continued development along bluff faces is permitted. "However, development on the bluff face is controlled to minimize further alteration." (Policy 4.4.3 at 4-76, emphasis added.) The CLUP's stated intention to minimize "further" alteration, despite permitting continued bluff face development, strongly indicates that the drafters of the CLUP wished bluff face development to remain in its existing footprint and not further extend down the bluff. As noted in the April 5, 2007 Staff Report, limiting the proposed development to within the footprint of the existing development "would minimize alteration of the bluff to the greatest extent." (Staff Report, April 5, 2007 at 4 of 10.) Thus, to be most consistent with the policies of the CLUP, the City Council should limit such footprint to the existing building.

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According to the Staff Report, the elevation of 201-205 Carnation is 52 feet MSL. (Staff Report, May 17, 2007 at 4.) Staff's original PLOED calculation of 52 feet MSL essentially limited the development to the existing development's footprint. (Staff Report, April 5, 2007 at 6.) City Staff later revised the PLOED analysis to include a house at 2495 Ocean Blvd, which extends down to 30.5 feet. Thus, Staff's recommendation is that the City Council adopt a PLOED for the Project at 50.7 feet above MSL, which is the mean height of development along Carnation Avenue and the adjacent houses along Ocean Boulevard.

The Planning Commission's approval of the Project permitted the visible portion of the development to extend down the bluff face to 30.5 feet MSL and 59 feet above MSL at the North East Corner of the development. (Meeting Minutes, at p. 15 of 20, May 17, 2007.) However, this takes into account both Carnation Avenue and Ocean Boulevard Development, which are separate streets, and operating under separate rules. In addition, as noted in the April 5, 2007 Staff Report, such PLOED does not minimize the alteration of the bluffs.

Both the Applicant and the Planning Commission make a fundamental mistake by including buildings along Ocean Boulevard in their analysis of the PLOED. The AERIE Project is located entirely along Carnation Avenue, not Ocean Boulevard. Ocean Boulevard has a completely different set of requirements for bluff face development designed to protect the public view along Ocean Boulevard. The CLUP states, "Prohibit projections associated with new development to exceed the top of curb on the bluff side of Ocean Boulevard." (CLUP Policy 4.4.2-4.) Thus, historically, bluff face development was more intensive along Ocean Boulevard, because such development was designed to maintain the view along Ocean Boulevard. Including development along different streets completely skews the PLOED analysis.

For example, the Applicant's calculation included development such as the Channel Reef development, which is sitting on the beach below the bluff, and houses on Bayside Drive located in front of the Carnation Avenue bluff, to argue that the PLOED is actually 10 feet above MSL. (MND at 28; See also, MND figure A-19.) Thus, under the Applicant's interpretation of the CLUP, only the bottom ten feet of the bluff must be protected in order to comply the CLUP. Clearly such interpretation does not comply with the CLUP's stated goal of minimizing alteration of the natural bluffs, as there would be essentially no visible natural bluff left. (CLUP Policy 4.4.3.; See also, Pub. Res. Code § 30251.)

The applicant cannot take advantage of the development patterns along both Carnation Avenue and Ocean Boulevard, yet refuse to comply with the height limits along Ocean Boulevard. The development is entirely on Carnation Avenue, and therefore may only consider existing development along Carnation Avenue for determining the PLOED. The PLOED as calculated solely using Carnation Avenue development, and as originally calculated by City Staff, is 52 feet above MSL.

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Further, the City Council will be setting a precedent on how to interpret the CLUP in this decision. If the City Council permits the PLOED to be determined by averaging the lowest extent of development within 250 feet, including those developments that are actually at the base of the bluff, then the CLUP is essentially meaningless. The public views of the natural bluff from Balboa Peninsula and the waterway leading to Newport Bay would be completely destroyed.

Finally, The City must interpret the calculation of the PLOED in a manner that can be applied to all bluff face development in all situations. The PLOED cannot be re-interpreted on a case by case basis, otherwise it becomes the essence of arbitrary and capricious decision making. The most logical and enforceable way to interpret the PLOED is to limit the line to the mean sea level elevations of the development along the street where the development is located. Any other interpretation would result in a lack of enforceable standards for bluff face developments and prove an endless source of controversy and trouble to the City.

**E. The AERIE Project Must be Denied Because it Violates the Parking Policy in the CLUP.**

CLUP policy 2.9.3-1 states that the City must:

Site and design new development to avoid use of parking configurations or parking management programs that are difficult to maintain and enforce.

(See also General Plan CE 7.1.1)

Despite this clear policy statement against unorthodox "parking configurations," the AERIE Project is designed to have 18 resident parking spaces and 7 guest parking spaces, the majority of which will be solely accessible by the use of two vehicle elevators. (MND Figure A-4.) Parking will occur on all lower levels, with the lowest parking stalls at 31.5 feet MSL in elevation. (MND figure A-13) Thus, the elevators must potentially lift a car 40 feet in elevation. There is no analysis of the time it takes for one of the elevators to fully travel from the street level to the lowest parking level, and then return to the street level for another car. There is no analysis of the success of similarly designed parking configurations.

This concern was discussed in the April 5, 2007 Staff Report which noted that "if the elevators are in use and someone desires to access them from Carnation, they will be forced to wait within the public right-of-way for the elevator possibly inconveniencing the public." (Staff Report, dated April 5, 2007 at 5.) The Staff Report continues, "Additionally, residents and their guests and service providers might be more inclined to park on the street when it is more convenient to do so. They will take on-street parking away from visitors to the coastal zone, which would negatively impact public a **COASTAL COMMISSION** (Id.) The Staff Report concludes that the parking configuration may be inconsistent with

CLUP Policy 2.9.3-1.

Despite this direct commentary on the parking problems associated with the Project, the final MND talks glowingly of the scheme simply because the Project exceeds minimum requirements. (MND at 54.) Additionally, because the Project reduces the curb cuts the MND goes so far as to claim the Project will create a beneficial impact in this popular beach destination area. (MND at 54.) Interestingly, discussion of Policy 2.9.3-1 was left out of the draft resolution for the Planning Commission and is not analyzed in the MND.

The parking configuration further fails to take into account the realities of the lifestyles of the very wealthy, for whom this project is clearly tailored. The City Council should anticipate each of the units will require service personnel requiring additional parking spaces. Seven guest parking spots for nine 5,000 to 7,000 square foot condominiums borders on absurd, and it is not credible that these spaces will serve both guests and workers expected to service the luxury condominiums. Parking will be greatly impacted in an area that is already described as a "popular beach destination area." (MND at 54.) The parking should be designed in such a manner that it is convenient to use and will accommodate the actual number of cars residing at and visiting the complex. The currently proposed parking configuration is neither convenient nor adequate and will be impossible to enforce. Residents, guests, visitors and employees will be parking on the street to avoid such inconvenient parking. The AERIE Project does not comply with CLUP Policy 2.9.3-1, and therefore the Project must be denied.

**CONCLUSION**

**A Project Cannot Be Approved Which Does not Comply with the CLUP.**

The applicant for the AERIE Project desires a number of exceptions to the CLUP in order to maximize the size, scale and bulk of the AERIE Project. The applicant cannot take advantage of certain parts of the CLUP Policy without accepting the disadvantages of such Policy as well. As noted above, the applicant wishes to take advantage of the PLOED along Ocean Avenue, which limits new construction to below curb height, but wants to take advantage of the 30 foot height limit on Carnation Boulevard. This defies logic and reasoning, is not sound public policy, and legally cannot be done. The Project is entirely on Carnation Avenue and must be limited to the PLOED of those buildings – 52 MSL.

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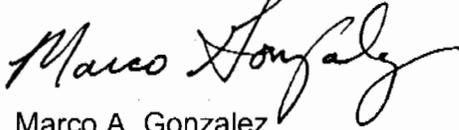
**COASTAL COMMISSION**

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The CLUP is extremely clear. Even if the PLOED does apply, it must be applied in a manner which minimized further alteration of the bluff face. (CLUP Policy 4.4.3) Excavating approximately 32,000 cubic feet of bluff cannot be considered "minimizing" the alteration. The Project is inconsistent with the language, intent and spirit of Newport Beach's Coastal Land Use Plan. The AERIE Project must be denied.

Sincerely,

**COAST LAW GROUP LLP**



Marco A. Gonzalez  
Todd T. Cardiff

CC: Karl Schwing, Orange County Area Supervisor  
California Coastal Commission

James Campbell, Senior Planner, City of Newport Beach  
(jcampbell@city.newport-beach.ca.us)

**COASTAL COMMISSION**

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RECEIVED  
South Coast Region

MAR - 8 2010

HERIE

5-09-162

CALIFORNIA  
COASTAL COMMISSION

Lillian Roman,

I am writing in response to an E-mail I just received. I hope the Coastal Commission will either put a stop to the Venice project or seriously cut it down! It will be a disaster in the making!

I have lived in Corona del Mar for 45 yrs. and have seen enough "Mega-mansions" to last the rest of my life but they just keep coming! Our Charming Town is no more.

Keep!

Pat Jannin  
318 Jasmine Ave  
Carm 92625

COASTAL COMMISSION

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March 8, 2010

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

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South Coast Region

MAR 09 2010

CALIFORNIA  
COASTAL COMMISSION

COASTAL COMMISSION

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Dear Ms. Roman:

I am writing to express my strong opposition to the Aerie Condominium Project in Corona del Mar, CA. This condominium project is too big for the space available. In order for them to build 8 condos with a subterranean garage for about 32 cars, as well as other amenities planned for the project, it will result in defacement of the bluff. The project includes 61,709 square feet while the lot size is 61,284 sq. ft. which includes the bluff face and submerged land. 66% of this lot space is submerged land or slope of greater than 50%. This bluff should be protected under the provisions of the Coastal Land Use Plan and the Coastal Act. In addition, the beach on the property should be open to public access and I have not seen anything in which the developer addresses this issue.

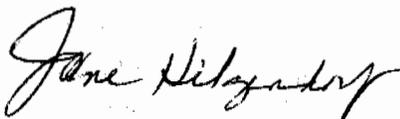
The City's General Plan and the Coastal Land Use Plan requires new developments to minimize alterations to significant natural landforms, including bluffs. It is supposed to be visually compatible with the surrounding area and is supposed to be on the flattest area of the site. This project does not meet these criteria.

The Newport Beach City Council states in the city's General Plan that they want to maintain the character of the neighborhoods. This oversized project, a six level complex, does not fit in with our neighborhood. In addition, the proposed marina with boat docks in front of Carnation Cove will intrude too far into the channel. This marina was an add-on to the original plan. Approval of this project will set a terrible precedent in our small "village" community.

I live on the "truck route" and the number of truck trips needed to complete this project is estimated to be almost 3,000 trips. My guess is that it will be way more than that since they cited trucks for excavation and cement trucks, but I have seen nothing estimating the number of truck trips that will be required to deliver the building materials. This will create years of unacceptable noise, street wear and tear, dirty air, traffic, and safety concerns since these streets are very narrow and this will impact the entire community for the years of construction.

Thank you for your consideration and please do NOT approve this project as presented.

Sincerely,



Jane Hilgendorf  
245 Heliotrope Ave.  
Corona del Mar, CA 92625

cc: Steve Blank  
Sara Wan  
Dr. William A. Burke  
Steven Kram  
Mary K. Shallenberger  
Patrick Kruer  
Lester Snow, Paul Thayer, Dale E. Bonner  
Bonnie Neely  
Ross Mirkarimi  
Mark W. Stone  
Khatchik Achadjian  
Richard Bloom  
Esther Sanchez

March 8, 2010

Seal of the California Coastal Commission  
South Coast Region

MAR 11 2010

CALIFORNIA  
COASTAL COMMISSION

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Dear Ms. Roman:

I am writing to express my strong opposition to the Aerie Condominium Project in Corona del Mar, CA. This condominium project is too big for the space available. In order for them to build 8 condos with a subterranean garage for about 32 cars, as well as other amenities planned for the project, it will result in defacement of the bluff. The project includes 61,709 square feet while the lot size is 61,284 sq. ft. which includes the bluff face and submerged land. 66% of this lot space is submerged land or slope of greater than 50%. This bluff should be protected under the provisions of the Coastal Land Use Plan and the Coastal Act. In addition, the beach on the property should be open to public access and I have not seen anything in which the developer addresses this issue.

The City's General Plan and the Coastal Land Use Plan requires new developments to minimize alterations to significant natural landforms, including bluffs. It is supposed to be visually compatible with the surrounding area and is supposed to be on the flattest area of the site. This project does not meet these criteria.

The Newport Beach City Council states in the city's General Plan that they want to maintain the character of the neighborhoods. This oversized project, a six level complex, does not fit in with our neighborhood. In addition, the proposed marina with boat docks in front of Carnation Cove will intrude too far into the channel. This marina was an add-on to the original plan. Approval of this project will set a terrible precedent in our small "village" community.

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Thank you for your consideration and please do NOT approve this project as presented.

Sincerely,

*Barbara Power*  
*300 Heliotrope Ave*  
*Corona del Mar Ca*  
*92625*

**COASTAL COMMISSION**

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March 8, 2010

**RECEIVED**  
South Coast Region

MAR 10 2010

CALIFORNIA  
COASTAL COMMISSION

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Dear Ms. Roman,

I am in total opposition to the Aerie condo project planned for Corona del Mar, CA. The local natural bluff will be totally destroyed and if left unprotected by the coastal commission will be contributing to coastal land loss, effects on local habitats and increased danger to the existing neighborhood. The project at 61,709 square feet, including 66% that will be dug out of the bluff, does not seem to meet the criteria of "minimizing alterations to significant natural landforms".

We hope to maintain the character of our small community often referred to as the "village". As a resident of Seaview Ave, on the proposed "truck route", the 3000+ trucks going by my two year olds bedroom window will hardly feel like a village. This is unacceptable noise pollution and I have serious concerns for the safety of our residents in this largely pedestrian community.

Please do not approve this project as presented; it must be rethought for the safety of our coast and our neighborhood.

Sincerely,



Christine Vorobieff  
301 Heliotrope Ave  
Corona del Mar, CA 92625

CC: Steve Blank  
Sara Wan  
Dr. William A. Burke  
Steven Kram  
Mary K. Shallenberger  
Patrick Kruer  
Bonnie Neely  
Ross Mirkarimi  
Khatchik Achadjian  
Richard Bloom  
Ester Sanchez

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RFRD  
Residents For Responsible Development  
[contact@rfrd.info](mailto:contact@rfrd.info)  
[www.rfrd.info](http://www.rfrd.info)

March 9, 2010

VIA US MAIL  
AND FACSIMILE: 1-562-590-5084

**RECEIVED**  
South Coast Region

MAR 12 2010

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4416

CALIFORNIA  
COASTAL COMMISSION

**RE: AERIE Project on Carnation Avenue Bluff in Corona Del Mar**

Dear Ms. Roman:

RFRD is a group of concerned residents of Corona Del Mar formed to protest the development known as AERIE when it went to the City of Newport Beach Planning Department and the City Council. RFRD set up a web site and an on-line petition for concerned residents to sign. This petition was signed by those opposing this project when it went to the City Council. One of the signers on the petition was Dr. Jan Vandersloot who passed away last year. Dr. Vandersloot was very vocal in his objection to this development project and came to and spoke in opposition to it at every Planning and Council meeting.

There are 113 signatures on this petition. We hope that the Commissioners will be willing to read and consider the comments by residents who mostly live in the neighborhood of the project.

Additionally, we are submitting a hand-signed petition from the residents of the Channel Reef Condominium building on Ocean Blvd. This petition contains the names of 52 residents and focuses specifically on the objection to the proposed Marina as part of the AERIE project.

We would like for you to include these two petitions in your Staff Report to the California Coastal Commission. Thank you.

RFRD – Residents for Responsible Development  
[contact@rfrd.info](mailto:contact@rfrd.info)  
[www.rfrd.info](http://www.rfrd.info)

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Residents For Responsible Development  
Petition Opposing AERIE

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Name	Address	City	State	Zip Code	Comments
Brylyn Beck	303 Carnation Avenue	Corona Del Mar	CA	92625	I am opposed to this project. I believe it is too large, out of scale for the neighborhood and sets a dangerous precedent for future development on the Carnation Bluff.
Blinda McClure	2801 Seaview Ave	corona del mar	ca	92625	Please keep us informed as to when there is a meeting for this project. Thank you. I'm against such a big development on this site.
Jane Hilgenlof	245 Heliotrope Ave.	Corona del Mar	CA	92625	I am opposed to this massive project. Just the construction traffic alone will be horrendous since these trucks will pass directly by my home. Our quiet neighborhood will have almost 3 years of disruption with the construction.....if they stay on their time line, which I think is highly unlikely.
Jinx Hansen	221 Goldenrod Avenue	Corona del Mar	CA	92625	Please keep me informed and let me know when you'd like me to rally neighbors.
William R. Hansen	221 Goldenrod Ave.	Corona del Mar	CA	92625	The 60,000 sq building size is far to large for the actual usable site area. For a comparison of scale, the current Newport Beach City Hall is about 40,000 sq. The new City Hall office building is proposed to be about 70,000 sq. The impractical parking by elevator design proves site is too small for the building.
De Wright	543 Baywood Drive	Newport Beach	Ca	92660	The 25,240 cubic yards of excavation for this project removes the natural bluff and bluff face. 25,240 cubic yards is the same as a hole 88 feet wide x 88 feet long x 88 feet deep.
John McLearney	PO Box 1112	Corona del Mar	CA	92625	Please let me know what I can do to help. We can't let this happen in Newport Beach. Thanks. De
Tony&Kathy Delap	225 Jasmine Ave	corona del Mar	ca	92625	Thank you for your efforts in opposing this plan. We have lived at this address since 1985, and are convinced that this development and its construction are the worst idea that developers have come up with yet. It is incompatible with the neighborhood and the traffic flow... for residents, visitors, and emergency vehicles. The Marguerite St. light is already overwhelmed at certain times. Visitors regularly ignore the signs and go directly up Marguerite St. from the center lane. Instead of turning left. There are lots of families walking with dogs or strollers, they're all at risk with these trucks. Can we count on support from the Harbor Commission? What about the coastal Commission?
Chick Daly	312 Jasmine Ave	Corona Del Mar	CA	92625	Way too much traffic now at PCH/Marguerite intersection, which is the only outlet from my CDM neighborhood.
Sheryl Johnson	3500 Ocean Blvd.	Corona Del Mar	CA	92625	Way too much traffic on Ocean Blvd.. We are opposed to project.
Alice Coons	207 Iris Ave	Corona del Mar	CA	92625	I am opposed to this project. It is over sized for the area.
John Coons	207 Iris Ave	Corona del Mar	CA	92625	I do not support this project due to the impact on our neighborhood.
Patricia S Irwin	218 Jasmine	corona del mar	ca	92625	NO! DON'T WANT ALL THOSE TRUCKS TRYING TO CROSS COAST HIGHWAY
Pat Vranicar	214 Heliotrope Ave.	Corona del Mar	CA	92625	It's much too big a development for the area. It would be a great idea to just demo the old apartments and make a beautiful cliffside park overlooking the harbor. That way many people could enjoy the view, rather than sell it at a great profit for a wealthy few.
Mr & Mrs Jack Scribner	314 Margoid Ave	Corona del Mar	CA	92625	Plan fails to meet General Plan specifications! To much density for the community!!
Blake	2711 Seaview Ave	corona del mar	ca	92625	Why have a General Plan that requires a conservative approach to development if we're going to allow a project of this magnitude to proceed? NO!!!
Michele Wilhite	322 Heliotrope Ave.	Corona Del Mar	CA	92625	We oppose the proposed project. The development itself, sounds unappealing. It seems that no construction should be allowed cutting into the bluff! The project seems much too large and overbearing for the area. It would spoil the tranquility at the foot of Carnation, and impact the whole neighborhood. I sincerely hoped that this project can be stopped for the benefit of the whole neighborhood.
Greg Hansen	309 Marguerite Ave. C	Corona del Mar	CA	92625	Too much...if they are going to create that much traffic/noise, then they should provide some benefit to the community such as paying for all the utilities to go underground on the south side of PCH! I vote no!
Jay Ritkin	300 Larkspur Avenue	Corona del Mar	CA	92625	I oppose the development project and marina as described by the Aerie development project. The amount of construction traffic alone through Corona Del Mar, Village and Pacific Coast Highway is busy enough without a proposed 2976 trips of heavy trucks through our neighborhood. If this project is approved, why don't they use Avocado via PCH rather than going on Marguerite and Ocean Boulevard as these are the main routes to the State beach.
Debbie Helms	218 Goldenrod Ave	Corona del Mar	CA	92625	I am strongly against a development of this size impacting the neighborhood of Corona del Mar. This development does not conform to the General plan of our neighborhood and will completely cripple the neighborhood streets with construction personnel parking, heavy trucks for initial excavation for a 5 month period. Emergency vehicles would not be able to reach our neighborhood. Marguerite a very congested intersection at all times of the year, would be at a standstill. Please vote against this type of development in that location.
Gregory Helms	218 Goldenrod Ave	Corona del Mar	CA	92625	Please vote no for this development, it does not conform with general plan and will severely impact our already congested neighborhood.
Jessica Helms	218 Goldenrod Ave	Corona del Mar	CA	92625	Vote no for this project!
Robert Miller	220 narcissus ave	corona del mar	ca	92625	much too much

# COASTAL COMMISSION

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## Residents For Responsible Development Petition Opposing AERIE

Name	Address	City	State	Zip Code	Comments
Kelly Aguilar	419 Goldenrod Ave.	Corona del mar	CA	92625	I am not opposed to development just to the immense size of this project. It is not in alignment with Corona del Mar and it will destroy a huge portion of the hill side. Please revise the project to something more within reason.
Damien Marr	316 Heliotope Ave.	Corona Del Mar	CA	92625	As a resident along the proposed haul route I wholeheartedly propose the development of the property at Ocean Blvd. @ Carnation. Corona Del Mar should only re-develop those properties that are in existence and take a hands off approach to the little natural bluffs that exist today.
Anthony Smith	316 Heliotope Ave.	Corona Del Mar	CA	92625	I oppose this development.
Robert Sipe	217 Goldenrod Avenue	Corona del Mar	CA	92625	Project is too large and is out of character with the neighborhood.
Yones Kabir	323 Marguerite	Corona Del Mar	CA	92625	
Joseph Vallejo	2501 Ocean Blvd.	Corona del Mar	CA	92625	The project is much too big for the area, and will destroy an excessive amount of the natural bluff. Also, the oversized marina will block the public's view of the natural rock formation, as well as be a detriment to navigation in the harbor.
Lisa Vallejo	2501 Ocean Blvd.	Corona del Mar	CA	92625	How can this project have got this far with the City? It will destroy a protected coastal bluff for a humongous six story building!!! And the marina will destroy Carnation Cove and the public's enjoyment of that area of the harbor will be changed forever!!! Bad idea and terrible precedent for future development in our "BEACH COMMUNITY"!!!
Linda Martin	239 Carnation Ave.	Corona del Mar	CA	92625	This project is so overwhelming for the neighborhood that I am surprised it's gotten this far!
Fini Van Natta	1312 S. Bayfront	Balboa Island	CA	92662	This project would be a detriment to Newport Beach!
John Martin	902 So. Bayfront	Newport Beach,	CA	92662	I am completely in opposition to this out of scale project in a sensitive coastal hillside location
Henry and Deborah Mayhew	3108 Ocean Blvd.	Corona del Mar	CA	92625	We oppose the Aerie Project
Gail Ream	325 Mayflower Drive	Newport Beach	CA	92660	The project is too big for the size of property. I lived in the apartments for 30 plus years and it is straight up and down and will be way too large.
Paul Smith	220 Jasmine Ave	Corona del Mar	CA	92625	Please notify the City Council that I vehemently oppose this project.
Patricia Heiga Pralle	2727 Ocean Blvd.	Corona del Mar	CA	92625	I oppose the Aerie Development.
G Marsden Blanch	219 Heliotope Ave.	Corona del Mar	CA	92625	I find the size of the proposed project and the marina totally unacceptable.
Darin Ginsberg	317 Carnation Ave	Corona Del Mar	CA	92625	I am vehemently opposed to the Aerie development at Carnation Ave. and Ocean Blvd. I am totally opposed to the size and scale of this project and the impact to the neighborhood. The construction route is unbelievable.....
Tom and Candi Steff	322 Larkspur Avenue	Corona del Mar	CA	92625	We'd like to keep this quaint community as low-keyed and charming as it currently is.
Elizabeth Young	519 Dahlia Ave.	Corona del Mar	CA	92625	Who wants 2100 truckloads of dirt belching diesel exhaust for the next couple of years on PCH?
Daniel Walker	300 Dahlia Place Apt. A	Corona Del Mar	CA	92625	I am originally from Nebraska and moved to this location approximately one year ago. If this project is approved I will definitely move out of the area. What a disaster for all the residents in this area and along the haul route. Not to mention all the visitors that are up and down Ocean Blvd. throughout the year. This would run the very essence of what this area is all about. I can't believe this is even being considered. Daniel Walker
Michelle Dupue Dewitt	213 Dahlia	Corona del Mar	CA	92625	I am opposed to the Aerie development as described on this website.
Raymond Kent Harvey	316 Poppy Ave	Corona del Mar	CA	92625	My father was a local architect, designed numerous homes in CdM, including our current home on Poppy, which he built in 1948. The AERIE project imposes such a disproportionate burden on the community, the mass of the project and the elevator parking are absurd. Keep up your good work and efforts to stop this project.
pamela phares	308 poinsettia	corona del mar	ca	92625	I say no to this development -- It will be noisy and a cause of great pollution to the environment and the ocean as well as an eye sore to our beautiful community. stop the madness of all the money hungry developers!!!!
Ron & Lesley Clear	3700 Ocean Blvd	CDM	CA	92625	We are concerned by the size of the project.
Richard L. Kasper	3 Bordeaux	Newport Beach	Ca	92660	It makes no sense to have vertical car elevators several stories high which could be derailed by even a small earthquake and Imprison and endanger passengers. I wonder if safe guards for such a real situation have been considered.
Manlyn Collins	301 Carnation	Corona Del Mar	CA	92625	I would like to go on record as being totally against this project as proposed. It's mind boggling to think that the Planning Commissioners and the City Council would spend one minute entertaining the idea of such a monstrous undertaking in our beautiful Corona del Mar.
DeeDee King	425 Fernleaf	Corona Del Mar	Ca	92625	Although I respect ambitious architecture, I feel this location is inappropriate for such a enormous project.
Charles Allen	320 Poinsettia Ave	Corona Del Mar	CA	92625	The development is to large for the area.
Kathy Temple	1555 Sandcastle Drive	Corona del Mar	CA	92625	Do not allow this project to proceed at this size. The visual beauty of this bluff as viewed from Bayside Drive, Balboa Island, the harbor and the open ocean will be lost forever. Our family moved to Balboa Island in 1962 and we continue to enjoy the beauty of the bluffs that remain. We must deny this plan because of the size. They need to reduce it to one third the proposed size to keep the impact minimal. Thank you for giving me this chance to speak.
William & Sandra Beckman	206 122 Fernleaf Ave.	Corona Del Mar	CA	92625	Have submitted our opposition to the Aerie Project to Mayor Ed Selich, Nancy Gardner and to the entire Planning Commission
Ron Hagerthy	303 Narcissus Ave.	Corona del Mar	CA	92625	The current plan is an obscene overbuilding of the site.

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Residents For Responsible Development  
Petition Opposing AERIE

Name	Address	City	State	Zip Code	Comments
David Demuth	319 Carnation Avenue	Corona del Mar	CA	92625	Stop the development of this project. The resources of this area are already strained.
Diane Nelson	421 Fernleaf Ave	Corona Del Mar	ca	92625	we just moved to 421 Fern Leaf but have not changed our address with voters registration. old address 1524 Sandcastle Dr. CDW
Merrill B. Hill	305 Poinsettia ave	Corona Del Mar	CA	92625	thank you
William McPherson	305 Poinsettia	Corona Del Mar	ca	92625	Have the project meet the conservative requirements
Donette McPherson	2735 Ocean Blvd	Corona del Mar	CA	92625	Stop the Aerie development project at the corner of carnation and Ocean
Sally Hamilton	2735 Ocean Blvd	Corona del Mar	CA	92625	No questions.
John Hamilton	2735 Ocean Blvd	Corona del Mar	CA	92625	no comment
Cheryl Fischer	240 Heliotrope Avenue	Corona del Mar	CA	92625	I do not believe this proposed project is not appropriate for this area. We sail, and I believe the Marina will congest the canal and the units do not comply with the plan for the area. In addition, I believe the truck traffic this project will generate in such a compact and congested residential area with narrow streets will be very disruptive and dangerous due to the number of people that walk/jog each day.
Philip Gold	2601 Way Lane	Corona Del Mar	CA	92625	The size of the project is much too large for the site and area. It's impact upon the immediate area during the period of construction is not acceptable for the location and effect on individuals and surrounding property. The project should be reduced in size and scope for the protection of the community and its citizens.
Jeffrey H. Beck	303 Carnation Avenue	Corona del Mar	CA	92625	The project is: too large for the site and neighborhood; violates the spirit and letter of the applicable land use regulations as to minimizing impact on coastal bluffs; requires variance from applicable rear set back requirements that should not be granted and set a dangerous precedent; violates the horizontal predominant line of existing development, a relevant factor the city's planning staff has either negligently or intentionally ignored and completely disregarded. The design of the project is also entirely out of character with the surrounding development, thereby also a violation of applicable land use regulations that are intended to protect neighborhoods from the imposition of outlandish design concepts out of character with the surrounding neighborhood.
Pamela A. Lawrence	406 1/2 Jasmine Ave.	Corona del Mar	CA	92625	In in.
Laura Morrisson	406 1/2 Jasmine Ave	Corona del Mar	CA	92625	Enough is enough
Melinda Luthin	P. O. Box 417	Corona del Mar	CA	92625	I believe this project should be more strictly studied for its impact on the community, the beach, the harbor and the environment in general.
Melinda Luthin	P. O. Box 417	Corona del Mar	CA	92625	I believe this project should be more strictly studied and scaled back, if necessary, in order to ensure there is no increased negative impact on the community, the beach, the harbor and the environment in general.
Christine VOROBIEFF	301 Heliotrope Ave	Corona del Mar	CA	92625	I live on Seaview and have a walking toddler. I already think we have too much traffic and speed issues and cannot imagine the added noise and danger to this street. We will be put in harms way trying to back out of our garage with endless trucks coming. We must work to limit this project!
Christopher Schran	314 Orchid Avenue	Corona del Mar	CA	92625	I do not support this project and believe the request to build it on this site be denied. This is totally overbuilt and out of context with the rest of the neighborhood.
Pat Parsons	2525 Ocean Blvd.	Corona del Mar	CA	92625	I believe that the proposed development is still too massive for the lot size, and that the marina is an outrageous assault on the harbor. Regarding the exterior design, my personal opinion is that it looks better suited for Dubai than Corona del Mar.
Russell Wolfshagen	4108 Pacheco Street	san francisco	CA	94116	I oppose this project- ruins the character of Corona del Mar.
Jenny Williams	331 Poppy Avenue	Corona del Mar	CA	92625	Stop Aerie
Linda Dominic Ashe	1956 Anaheim Avenue	Costa mesa	CA	92627	This is NOT good for our community. This development must be stopped.
Nina Smith	2224 Heather Lane	Newport Beach	CA	92660	I oppose the Aerie project in its currently proposed state.
Mike & Joan Hoppe	3501 Seaview Ave	Corona del Mar	CA	92625	We strongly oppose this project because as presented it is out of conformity with the historical character and charm of this beach community.
Mavis O'Brien	315 Irls Ave	Corona del Mar	CA	92625	I worry about the heavy equipment needed for a project this size and it's affect in the neighborhood for such a long period of time.
Sue Cozy	224 Jasmine Ave.	cdm	ca	92625	We are losing the "quaintness" of our village. Please stop or scale back this project!
Beth Nicholas	224 Jasmine Ave.	Corona del Mar	ca	92625	
Tommy Denman	224 Jasmine Ave.	cdm	ca	92625	
Penelope W. Taube	2622 Circle Drive	Newport Beach	CA	92663	none
Robert L. Taube	2622 Circle Drive	Newport Beach	CA	92663	No comment
Jan Vanderstoet	2221 E. 16th St.	Newport Beach	CA	92663	Thank you

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Residents For Responsible Development  
Petition Opposing AERIE

Name	Address	City	State	Zip Code	Comments
Larry Porter	1501 Westcliff Dr. #201	Newport Beach	CA	92660	Why doesn't your group hire someone to pay the city like the developer obviously has? the project grossly over builds and is not in keeping with this residential neighborhood. There is great danger in possibly destabilizing the bluff. Truck traffic would be very hard of this area.
Berk Keil	3309 Ocean Blvd	corona del Mar	ca	92625	Keep up the good work!
Jan Van der Pol	2221 E 16th Street	Newport Beach	CA	92663	Jan
Daniel P. Spill	713 1/2 Goldenrod Ave	Corona del Mar	CA	92625	This project is too big as proposed and the impact of construction trucks on the is unacceptable.
Susan Hart	200 Fernleaf	Corona del Mar	CA	92625	I vote NO on the Aerie project.
James Hart	200 Fernleaf	Corona del Mar	CA	92663	I'm not an immediate neighbor, but I see the environmental impacts.
Andrea Hughes	401 Lugonia St.	Newport Beach	ca	92663	This is another example of a developer believing that he has the right to invade public and protected space for financial gain. This project is far too massive for a protected bluff in Corona del Mar or Newport Beach. What would make the developer believe he has the use of public right of way on the water for the proposed massive marina. Perhaps we should consider one-way streets in Corona del Mar to allow developers to use public sidewalks and the other traffic lane for development. Lets get back to the basic standards that we all have had to adhere to in the past - rather than this new attitude of entitlement for profit.
Kathleen McIntosh	2495 ocean blvd	corona del mar	ca	92625	I am OPPOSED to the Aerie project
Doris Staughton	3708 ocean blvd	corona del mar	ca	92625	We all know that CDM is a developer's dream, but there comes a point to where it's ridiculous. This is certainly it. Carnation park should be left with it's pristine view, not to mention thge traffic it will cause. The city has better things to do, then to okay a project that the community is set against.
Donald F. Staughton	3708 ocean blvd.	corona del mar	ca	92625	This changes the unique personality of the village and its residents. This is a true shame.
Tim Dupue	424 1/2 Heliotrope Ave	Corona Del Mar	CA	92625	Keep the bluffs/ide in its natural state. Allow the tiny beach below to remain as it is. Marinas contribute to the pollution of our waterways.
Katy Tackes	426 riverside ave	newport beach	ca	92663	PLEASE STOP THIS BUILDING PROJECT!
Carrie Slayback	1 Belcourt Drive	Newport Beach	CA	92660	I oppose the Aerie Project.
Sherril Stevens	497 Morning Cyn Road	Corona del Mar	CA	92625	This development is completely out of scale for the neighborhood.
R. Dossantos					Thank you
Andrea Lingle	2024 Newport Beach	Newport Beach	CA	92660	Protect our bluffs
Ryan Kray	Corona del Mar	Corona del Mar	CA	92625	Our streets and neighborhood can not tolerate the construction vehicles and additional traffic. The economy is horrible and we don't need to have to assume the added burden of street repair nor the nuisance of heavy vehicle noise and hazardous conditions for pedestrians.
Cathy DeRosssett	2804 Ocean Blvd	Corona del Mar	CA	92625	Please keep our coastline pristine and do not allow this development to go through!
Mary Schmidt	379 Jasmine street	laguna beach	ca	92651	I oppose this coastal bluff development.
Sarah Bortz	1433 Superior Ave. Apt. 248	Newport Beach	CA	92663	Aeria Development Project is not a conservative means to help protecting our environment nor is it responsible to allow 8 condos to take up 61,207 sq ft. Please do not allow this project to move forward
Jennifer Ruion	217 1/2 Marguerite	Corona Del Mar	CA	92614	Respectfully, Jennifer Ruion
Joan McCauley	542 Santa Ana Ave.	Newport Beach	CA	92663	The scale of this development is completely out of proportion for this area. Please ask the developer to propose a more appropriately sized project. This project as proposed will have a terribly negative impact on the neighborhood.
Craig Morissette	PO Box 888	Newport Beach	CA	92661	The scale of the project, as well as the environmental impact to the bluff is outrageous.
Frans Van Overeem	3104 Ocean Blvd.	Corona Del Mar	CA	92625	strongly against it!
David Hanson	3104 Ocean Blvd.	Corona Del Mar	CA	92625	definitely do not want the additional noise of construction trucks.
Eric Weilton	2960 Bayview Dr.	Corona del Mar	CA	92625	Absolutely "no" to the Aeries project. This is an abomination to the property and community.
Brendal/Roy Fittner	2525 ocean Blvd B-1	Corona del Mar	Cal	92625	We are opposed to the scale of this project and especially to the size of the marina. To be able to tie up a 100 ft boat in the most dangerous part of the harbour is insane. In the interest of safety common sense needs to prevail.

**Residents For Responsible Development  
Petition Opposing AERIE**

# COASTAL COMMISSION

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Name	Address	City	State	Zip Code	Comments
Robert Plance	900 Goldenrod Ave	Corona Del Mar	CA	92625	I live a few blocks from this proposed project - have owned my home here for over 15 years on the corner of Goldenrod and Seaview. I have run by the proposed site for over twenty years.
Karen K. James	2627 Cove St	Corona del Mar	CA	92625	I am very concerned about the change and especially worried as my home sits directly on the path that will be used to supply the construction. Half a century ago this section of the bluff - from my home to the proposed site was a more commercial area with a hotel(s?) and I believe even a gas station. Since then we have elected to become a peaceful residential area. I do not see how this project contributes to that and can only detract.
Chris Turner	610 heliotrope ave 119 Avenida San	corona del mar	ca	92625	This project is too large for our neighborhood and certainly a hazard for the bay. I cannot believe it is even being considered the way it is designed. Where is the Coastal Commission in all this? Karen James OPPOSED, stop developing
Rebecca Robles	Fernando	San Clemente	CA	92672	The Aede Project is too large for the site and is sure to have significant impacts.

PETITION

TO: Newport Harbor Commission

FROM: Channel Reef Owners and Residents

SUBJ: Dock Replacement Project -- 201-207 Carnation Avenue

We, the undersigned owners and residents of the Channel Reef Condominiums located at 2525 Ocean Avenue in Corona del Mar, strongly oppose the Dock Replacement Project which is being proposed by the Aerie Condominium group. There are multiple reasons for our opposition to this project, which will be presented at the Harbor Commission Meeting on August 13, 2008.

Patricia Parsons	Michael A. Alderman
Judy Lurie	Margie A. Baupfer-White, MKD
Barbara Fitterer	David White
E.P. Fitterer	Randall B. Zorn
Lutz S. Budlong	Bruce Chandler, PPH
Erin Baker	Kris Chandler, PPH
Patricia V. Zorn	Judy Marsh
Melinda Henderson	Jan J. Jand
Amy Henderson	Bill Parker
Bonnie Johnson-Abelman	Kathleen Phillips
Jim Johnson	Tom Phillips KP
Ronald C. Nichols	Melissa Jones
Louise OPH	Mary-Lene Seewig

COASTAL COMMISSION

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~~John Henry~~  
~~Richard Lewis~~  
~~Tom Miller~~  
~~Edith S. O'Neil~~  
~~W. E. H. H. H.~~  
Barbara Parnier  
Bruce Keckie  
Robert S. Sangh  
B. J. Willett  
Edward H. Willett  
Hans J. Jeger  
Sarah K. Kelle  
James W. T. T. T.  
Alan Carl

~~John Henry~~  
~~Richard Lewis~~  
~~Tom Miller~~  
Alan Carter  
John S. H. H.  
Patricia C. Payne  
Brian Bennett  
Alan Carter  
Helen Carter  
Kathy Aske  
Victoria Hershey  
Lawrence J. Hershey  
J. J. J.

COASTAL COMMISSION

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G. BERK KELLOGG  
3309 OCEAN BOULEVARD  
CORONA DEL MAR, CALIFORNIA 92625

March 12, 2010

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10th Floor  
Long Beach Ca 90802-4416

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South Coast Region

MAR 12 2010

CALIFORNIA  
COASTAL COMMISSION

Dear Coastal Commission,

We live on Ocean Boulevard several blocks from the proposed development at Ocean Blvd an Carnatic in Corona del Mar.

Our main concern for this project is potential destabilization of the bluff and importantly the massive amount of trucking of material going to and from the site over a period of two plus years which will disrupt this neighborhood.

Sincerely

Laura + Berk Kellogg

**COASTAL COMMISSION**

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Marilyn L Beck  
303 Carnation Avenue  
Corona Del Mar, CA 92625  
[mdb@becktrustee.com](mailto:mdb@becktrustee.com)

**RECEIVED**  
South Coast Region

MAR 12 2010

March 9, 2010

CALIFORNIA  
COASTAL COMMISSION

VIA US MAIL AND FACSIMILE: (562) 590-5084

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4416

**COASTAL COMMISSION**

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RE: **AERIE Development Project – CDM**

To the California Coastal Commission:

I will focus my objections to this project in the following categories:

**I. Compliance with the requirements of the CLUP**

- The City of Newport Beach has a General Plan within which is a comprehensive Coastal Land Use Plan. Section 4 of the CLUP provides measures throughout to protect coastal resources and bluffs. It is difficult to see how the Aerie project complies with either the letter or the intent of these provisions.
- Section 4.4.3 Natural Landform Protection specifically requires throughout the numerous policies that development along coastal bluffs must be minimized. Aerie is a 61,709 square foot development for 8 condo units which average a ratio of 7,700 square feet per unit. How can this project be in compliance with the CLUP? This is the largest development, both residential and commercial, to be built in Corona Del Mar since 1963. It is nearly as large as the proposed Newport Beach City Hall. A 61,000+ square foot, 8-unit condo building on a protected coastal bluff appears to be a travesty of coastal protection.
- The City took the position that a 'bluff' meant a 'bluff face'. In doing so, the City allows Aerie to build subterranean which at its lowest point is 28 feet above mean sea level. The original plans submitted by the developer took advantage of the corner location of the lot at Ocean and Carnation and asked for height allowances for Carnation Avenue and predominant line of development (PLOED) allowances on Ocean Blvd. The City restricted the project to the PLOED on Carnation which is 50.7 feet above mean sea level. Nonetheless, when the City took the position that a 'bluff' is only on the 'face' they permitted Aerie to develop subterranean two-plus levels below the PLOED, thus allowing the project to go to its original lowest point of 28 feet above mean sea level. No other property on the Carnation Avenue coastal bluff goes subterranean below the PLOED at 50.7. This is extremely important for several reasons, not the least of which is coastal bluff protection. But it is particularly important to me because I own a property on this bluff and this will set a dangerous precedent for future development.

## II. Precedence on the Carnation Coastal Bluff

- The Carnation Avenue bluff is a mixture of single family and multi-family properties, four of which are in original condition (not including the Aerie site). Two of these are currently on the market. Allowing Aerie the variances to build as extensively as it is planned, and allowing it to go subterranean below the PLOED, will set a precedent for future development on this bluff. The four original properties are contiguous to one another. There is a very real fear that a developer could buy 2 or all 4 and join them together to build another 50,000+ square foot structure. The City would not be able to deny that application after approving Aerie.
- I do not believe that Aerie is in the character, size or scale of Corona Del Mar as required by the CLUP. I believe that defining the bluff as merely a 'face' is the wrong interpretation of the CLUP and will cause significant future damage to our coastal bluffs.
- I do not and cannot condone the destruction of a protected coastal bluff to make room for subterranean spas, gyms, wine storage rooms, etc. Nor do I believe that a swimming pool should be allowed to be built entirely below the 50.7 PLOED.

## III. Damage to the neighborhood

- There is a great deal of concern in the neighborhood about the construction damage that will be caused by the scale of this project. Clearly, any construction will cause inconvenience, disruption and a degree of damage to roadways and adjacent properties. But there is a big difference between building a 20,000 or 30,000 square foot building and a 61,000+ building which goes two levels subterranean. The developer estimates that 3000 truck trips will be needed during the excavation phase alone for the removal of 25,000 cubic yards of bluff. Again, this just seems a travesty in light of the CLUP which requires developers to take a *conservative* approach and to *minimize development* along coastal bluffs in Newport Beach.

Although I have been very vocal in my objection to this project as it is currently proposed, I want to state that I do not object to the concept of Aerie or to the developer. I have met with Mr. Julian on a number of occasions and we have had important discussions about the proposals. He has listened to my concerns and I have listened to his position, and we have tried to find areas for common ground. I would like for this project to move forward but with specific limitations to its overall size and invasiveness of the bluff.

Thank you for your consideration of my comments.

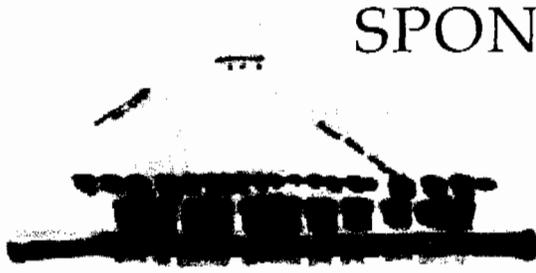
Very truly yours,



Marilyn L Beck

**COASTAL COMMISSION**

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South Coast Region

MAR 22 2010

CALIFORNIA  
COASTAL COMMISSION

March 10, 2010

**COASTAL COMMISSION**

Liliana Roman  
California Coastal Commission  
South Coast Area Office/Long Beach  
200 Oceangate, Suite 1000  
Long Beach, CA 90802

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RE: Correspondence sent via fax at (562) 590-5084 to be sent to the members of the CCC, re- Proposed Aerie Condominium Complex, Corona del Mar, CA.

Honorable Commissioners:

Since the onset of the Aerie condominium project, Jan Vandersloot and SPON Steering Committee have opposed it for a number of reasons that echo the findings of two dissenting members of the City of Newport Beach's City Council. Among other criticisms, the opposing Council members found that the project is just too big for the sensitive coastal bluff site.

Relative to the California Coastal Commission's review of the project, we at SPON find that the project is inconsistent with a number of different CCC rules and regulations.

First, we find that the project is inconsistent with the City's Coastal Land Use Plan. The City, as the custodial administrative body over its jurisdictional Coastal Resources, had established a Predominant Line of Existing Development for the project site. During the City's study of this line, the alignment of this PLOED was *negotiated down* the bluff face to allow more a deeper development. The line is lower than the City Staff's original proposal.

The City has historically held that the Carnation Avenue PLOED would have no development of any kind below the established PLOED. However, for the Aerie project, the City relaxed this precedent allowing the developer to use a double standard, establishing a PLOED line much lower than might have been reasonably established by a consistent application of the Carnation vs. Ocean Boulevard standards.



California Coastal Commission

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In its review of the project, we ask that the CCC undertake the following:

- Study and find its own PLOED to better protect the State's Coastal Bluffs and visual resources related to them.
- Send the PLOED back to the City with a requirement to better protect the Coastal resource.
- Ask the City to explain the Carnation properties and the Ocean Boulevard planning regulations and their application of each for this development.

When a PLOED is established, we ask that the CCC not allow:

- Penetrations below a line that is lower than the line protected. The City, after adopting a PLOED, then incorporated new and additional alteration of the coastal bluff at elevation 40.5' to allow for a pool and private exit essentially through the bluff face.
- Construction up to this 'day light' line as common grading and the building of walls always result in the loss of bluff within 5' of this line. The applicant offering to 'build back' natural bluff with ornamental rock designed to look like coastal material should not be allowed.
- Decks and other construction that might overhang and diminish the views and vistas of such protected land forms or PLOED should allow the bluff to be seen without shadow or overhang obstruction. The proposed project is 61,709 sq ft, 6 levels high, has four decks, three balconies, a staircase and entrance- all built into the bluff.

The CCC or City CLUP regulation or policy requiring that a proposed project minimize alteration of coastal bluffs to the maximum extent feasible, as required by Policy 4.4.3-12, cannot be so pliable as to allow this project to remove and dispose of 25,240 cubic yards of Coastal Bluff and truck it to a land fill. The Policy and the Coastal Rules have to stand for something greater.

Much of the reason for the project's excessive grading is its two stories of subterranean underground parking garage that would require removal of natural bluff and bluff supporting materials. This results in an amount of project grading so excessive that it violates California Air Resources Board and SCAQMD thresholds, and results in unmitigatable significant adverse air quality impacts.

The size and aggressive intrusion of this project into the coastal bluff does not serve our sensitive coastal environment, the coastal user, visitor, other area residents or anyone, other than the proponents of the private development, in any positive way.

**COASTAL COMMISSION**



California Coastal Commission

3-15-2010

Page 3

A common refrain from the Planning Commissioners and the City Council was that, 'the applicant has done everything that we have asked them to do'. Community and environmental groups and other observers of the City process might add that the City diluted their own policies (many of them the CLUP policies) into such a useless array of paragraphs that approval of such a huge and daunting project occurred. It is the great hope that reasonable enforcement will return to CLUP Policies 4.4.3-3 and 4.4.3-4, and specifically Policies 4.4.3-8, 4.4.3-9, and 4.4.3-12, many of which were mentioned in a preliminary Coastal Commission report. To not have the City uphold these policies damages the community and our coastal resource. We request that the CCC require the City to re-address and uphold these important coastal policies or retain the governance of the Coastal areas in Newport Beach.

Policy 4.4.3 states that "the bluffs, canyons, and other significant landforms are an important part of the scenic and visual qualities of the coastal zone, and are to be protected as a resource of public importance". The Coastal Act 30251 states "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas..."

Reasonable community residents, the unanimous Steering Committee of SPON and at least one preliminary Coastal Commission Report conclude that the proposed project does not minimize alteration of coastal bluffs to the maximum extent feasible as required by this policy. We find that this damages the community and the Coastal fabric and we ask the CCC require a smaller, less intrusive project or deny this application outright to save this significant loss of alteration of coastal bluffs.

The project includes an 8 slip marina including a dock for a 100' vessel. This marina intrudes past the point established by precedent along the bay pier head. We find that the size of the marina limits public access, endangers the marine life ecosystem of the Cove and impacts natural relic marine life and rock formations in the cove. The marina also compromises the public view especially from the public dock and beach across from the project site near the south bend of Balboa Peninsula.

**COASTAL COMMISSION**



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We welcome the redevelopment of the project site in a manner consistent with the original PLOED and without massive intrusion into the coastal bluff. We ask that the CCC require that the project comply more directly with the CLUP and the CCC regulations that minimize alteration and destruction of the coastal bluffs. Approval of the Aerie project as is would damage the community and our coastal resource. We very respectfully request that the Commission not approve this application.

Sincerely,



Don Krotee AIA, Co Chair  
SPON

cc.  
SPON Steering Committee Members  
Newport Bay Naturalists and Friends Board of Directors  
John G. McClendon, Esq.

**COASTAL COMMISSION**

**JAMES W & MAVIS B OBRIEN  
315 IRIS AVENUE  
CORORNA DEL MAR, CALIFRNTIA 92626**

**RECEIVED**  
South Coast Region

March 10, 2010

MAR 12 2010

Lillian Roman  
South Coast District Office  
California Costal Commission  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach , CA 90802-4416

CALIFORNIA  
COASTAL COMMISSION

Re: AERIE CONDOMINUM PROJECT

Dear Ms Roman

We are long time residents of Corona del Mar having moved here in 1970 and owned two homes in the originally developed community. We are strongly opposed to the proposed project. Initially we object to the proposed excavation of the coastal bluff, to say nothing of the clear adverse impact the removal of in excess of 25,000 cubic yards of natural material will have on the entire community as the result of in excess of 2000 dirt hauler truck trips on the very narrow streets of the old part of Corona del Mar. I suggest that the project clearly violates the provision of Coastal Land Use Plan and he Coastal Act that requires developers minimize alterations to natural landforms, including bluffs.

We further believe that the project is incompatible with the balance of the local community. A six level condo complex, with an average size in excess of 7,700 square feet for the eight condo seems to us to change he nature of a community built of 40 or 45 by 118 foot lots, where even the new constructions does not exceed 5,000 square feet.

We urge the staff to recommend a denial of the plan and further that the Commission itself reject the plan, following its hearing on the matter.

Very truly yours

*Mavis O'Brien*

*Jim O'Brien*  
Mavis and Jim Obrien

**COASTAL COMMISSION**

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March 10, 2010

VIA US MAIL AND FAX TO (562) 590-5084

Liliana Roman  
California Coastal Commission  
South Coast Area Office/Long Beach  
200 Oceangate, Suite 1000  
Long Beach, CA 90802

SEARCHED  
SERIALIZED  
MAR 12 2010  
COMMUNICATIONS SECTION

**RE: Proposed Aerie Condominium Complex 201-207 Carnation Avenue & 101 Bayside Place, Corona del Mar (Existing building size 16,498 sq ft, proposed building size 61,709 sq ft on a 61,000 sq ft protected coastal bluff where the total site is 1.4 acres but 66% is either submerged land or unbuildable slope. The Spelling Mansion, which is the largest home in LA County, is 56,500 sq ft on 5 acres)**

Dear Commissioners,

We who live in the beach community of Corona del Mar have followed this proposed project for many years, and watched the system of public government fail here in Newport Beach, to the point where there is pending litigation by multiple parties against the City for their approval of a project that does not conform with their own General Plan or CLUP.

The following is a brief overview.

At a City Council meeting on August 14, 2007 the City Council tried to do the right thing, with the majority denying the Aerie project and then-Mayor Rosansky telling the applicant that "if he wished to continue with his project then he would expect to see a very changed project since this was not the direction that the City wanted to go", in reference to the size and scale, and the resulting destruction of the coastal bluff. Also at this meeting the Mayor asked planning staff member James Campbell if the project conformed to each recited CLUP policy, and his answer was "no". That evening the City Council gave the applicant a vertical Predominant Line of Development (PLOED) of 50.7' on the bluff, (not the 28' they were asking for), so that the project was consistent with other properties on the Carnation Avenue bluff, which are built "ON TOP" of the bluff, rather than Ocean Boulevard properties that are built down the bluff and have a height restriction of approximately curb height. The Aerie property is legally on Carnation, near the corner of Ocean Boulevard. It was mentioned that the applicant was attempting to get the "best of both worlds" by trying to go down into the bluff, and also multiple stories above the street. (The actual PLOED average for Carnation Avenue bluff properties is 53.7', not 50.7', but staff gave the Council the wrong number that evening by including the home at 2495 Ocean Blvd.).

This same point is addressed in the preliminary Coastal Commission report of May 14, 2007, prepared by Karl Schwing and which summarizes, "the proposed project is

**COASTAL COMMISSION**

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attempting to utilize the allowances for bluff face development without adhering to the view protection features for which these allowances were created". If allowed, wouldn't it then entitle everyone on Ocean Boulevard to add on to their homes, blocking public views from this scenic location? Additionally the above-referenced Coastal Commission report "did not concur with the MND's analysis of the project's consistency with the City's Coastal Land Use Plan". We don't know which MND that was, as there have been many, but the report, though preliminary in nature, also concludes that the proposed project does not minimize alteration of coastal bluffs to the maximum extent feasible as required by Policy 4.4.3-12.

At one point the applicant stated, in writing, that he could go as low as 10', having included the Channel Reef (built on Ocean Blvd. in 1962) and the Kerchoff Marine Laboratory (built in 1926), **which are on the beach**, and built **in front of the bluff**, as well as other properties on the sand such as Bayside Place and Breakers Drive, for a property that is legally on Carnation Avenue.

When the project returned to the City Council on July 14, 2009, it had been minimally reduced in size, and still proposing to go down to 28' (plus footings), with the parking garage, living areas, gym, wine storage etc. now being referred to as "a basement", or "subterranean". When asked about the stability of the bluff face after previous expert testimony stating that it was doubtful it could survive such massive excavation of the bluff behind it, the project's architect stated that if it did not survive he could do a pretty good job of making it look like bluff by using fake rock.

That evening the project was approved by the Newport Beach City Council in a 4-2 vote, not unanimous, and there was still general concern about the projects size and the marina, with at least one Council member stating they did not believe it conformed to the City's General Plan.

It should be noted that prior to this, the legal counsel for the applicant did an excellent job of wordsmithing the CLUP policies, to the point where their intent, which is to minimize alteration of, and protect coastal bluffs, became conflicted and ultimately meaningless, and resulted in a necessary amendment of the wording of the CLUP (See Coastal Land Use Plan Amendment No. 2007-003 (PA 2007-196).

All this to fit an enormous condominium complex on a protected coastal bluff that is so constrained it needs two car elevators to access the parking garage levels underground. Mayor Rosansky had commented that the use of car elevators for multi-family residential was unprecedented in the City. The FAR calculation used for this outcome has come into question since the property consists of 1.4 acres but 66% is either submerged land or slope greater than 50%. This is a precedent-setting case, with the unfortunate and permanent consequence of making the predominant line of development much lower and outwardly projected on Carnation Avenue, and would have a terrible precedent-setting impact on the future of the Carnation Avenue bluff, and other coastal bluff development.

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The proposed project appears to be inconsistent with CLUP Policies 4.4.3-3 and 4.4.3-4, and specifically Policies 4.4.3-8, 4.4.3-9, and 4.4.3-12, many of which were mentioned in the above referenced preliminary Coastal Commission report. These policies were also cited in a previous staff report summary prepared by the City of Newport Beach stating “that the project is inconsistent with the following CLUP policies”.

Lastly, Policy 4.4.3 states that **“the bluffs, canyons, and other significant landforms are an important part of the scenic and visual qualities of the coastal zone, and are to be protected as a resource of public importance”**. The Coastal Act 30251 states **“The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...”**

Though preliminary in nature, the previously referenced Coastal Commission Report concludes that the proposed project does not minimize alteration of coastal bluffs to the maximum extent feasible as required by Policy 4.4.3-12, and reinforces the fact that the PLOED doesn’t trump other bluff protection policies.

Is removing 25,240 cubic yards of coastal bluff material to allow for two subterranean levels consistent with the above policies? Aerie has been engineered to replace bluff area with wine storage, gym equipment, and other “amenities”, and to cut away the coastal bluff to allow the complex to encroach over 20’ below the 50.7’ PLOED. How can this be in compliance with CLUP policies or the Coastal Act, and for a Carnation Avenue property?

**Furthermore, while specifically directed by the City Council to not encroach below the predominant line of development that had been set at 50.7’, the project then incorporated new and additional alteration of the coastal bluff at elevation 40.5’ to allow for the pool and the complex’s residents to enter and exit the beach. Is this consistent with these policies?**

When the project came back to the City Council it included a proposed marina with slips for 9 boats, including a dock for a 100’ vessel. Not only will this limit public access to Carnation Cove, which is frequently used by kayakers, swimmers, and small fishing boats, but it will endanger the marine life ecosystem of the Cove. Additionally, the natural relic rock formations in the cove would then be obscured from public view, again violating policies that protect the scenic and visual qualities of the coastal zone.

Due to the narrow location of the proposed marina in Newport Harbor it could also impact the way the harbor is used in this area for general boating, tacking, the Christmas Boat Parade etc. It is also a potential navigational hazard since it would go all the way out to the pierhead line (which was drawn in the 1940’s), and would thus project much further into the harbor than any surrounding docks, not far from the mouth of the cove. One Newport Beach Harbor Commissioner commented that he didn’t think it would be

**COASTAL COMMISSIO**

approved by the Army Corp of Engineers. Other concerns expressed by the Commissioners included potential hazards it would create, especially in storm events, the potential for sand shifting, and the possibility of the docks being used/leased by non-residents. The Harbor Commission originally voted unanimously to deny the marina, with Commissioner Beek stating that a proposal for docking a 100' boat at the pierhead line was 'insulting', and that there is no 'right' to have 1 slip per resident, there are many residences along the waterfront without docks. **Another Commissioner said that he didn't want to see Newport look like Miami Beach.**

**Please go to the small beach across from the project site on the Balboa Peninsula. Look at the Carnation bluff from there, or from the harbor and you'll see what could be lost. The Carnation Avenue bluff still looks like coastal bluffs, not Miami Beach, but that will change if this project is approved as proposed.**

In following the Coastal Commission's dealings with the McNamee's over their picnic table and other amenities in Corona del Mar, your conclusion was..."**The commission could reasonably conclude that the bulky shed, barbeque and storage locker detracts from, as the relevant statute puts 'the scenic and visual qualities' of the beach and slope behind it".**

**The Aerie project will completely obliterate a protected coastal bluff, and substantially degrade the scenic and visual qualities of the coastal zone and the community.**

It is a massive condominium complex. There is nothing like it in anywhere in the surrounding area, which consists of predominantly single family homes and small duplexes, except for the Channel Reef which was built in 1962 and would never be allowed today...and as Mayor Rosansky said when the project was compared to the Channel Reef, "that was then, this is now". It is not consistent in size, scale or character with the surrounding neighborhood, a CLUP and Newport Beach General Plan requirement.

**The proposed complex is 61,709 sq ft, 6 levels high, has four decks (including a rooftop deck), three balconies, a staircase and entrance built into the bluff, and an at grade walkway. It also has fire pits and/or barbeques and spas on the decks. All for 8 condominiums. And as railings and additional safety features are required, the size, mass and obstruction of view will only increase, as will the need for public safety measures due to the steep drop-off created by the massive excavation.**

We and many concerned residents have met with the applicant on several occasions in hopes that the project could be scaled down to a reasonable size. **No alternatives have been seriously considered and the project remains basically the same as it was from the beginning, with the addition of the proposed marina.**

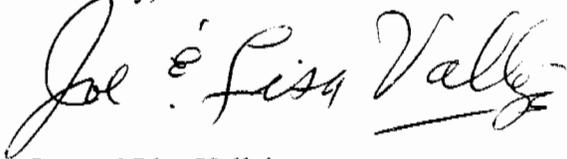
**We would like to see the property redeveloped, but with a project that complies with the CLUP and minimizes alteration and destruction of the coastal bluff.** **COASTAL COMMISSION**

5.

**Approval of this project would set a terrible precedent and undermine the ultimate adoption of a legally conforming LCP.**

We appreciate your serious consideration on this important and precedent-setting project.

Sincerely,



Joe and Lisa Vallejo  
2501 Ocean Blvd.  
Corona del Mar, CA 92625  
[vallejogallery@earthlink.net](mailto:vallejogallery@earthlink.net)

**COASTAL COMMISSION**

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**RECEIVED**  
South Coast Region

MAR 11 2010

CALIFORNIA  
COASTAL COMMISSION

**FAX TRANSMITTAL SHEET**

Date : 10 March, 2010

**TO : Lilliana Roman – Attention California Coastal Commissioners**  
**South Coast District Office**

**ADDRESS : 200 Oceangate, 10<sup>th</sup> Floor**  
**Long Beach, CA 90802-4416**

**FAX No. : 562-590-5084 Phone No. 562-590-5071**

**FROM : WILLIAM & SANDRA BECKMAN**  
**ADDRESS : 206 ½ FERNLEAF AVENUE**  
**CORONA DEL MAR, CA 92625**

**FAX No. : (949) 675 - 3279 Phone No. : (949) 673 - 6630**

**TRANSMITTING 3 PAGES INCLUDING THIS COVER.**

Ms. Lilliana Roman,  
Please provide the following Facsimile to the California Coastal Commission Staff preparing its report to the Commissioners about the proposed Aerie Condominium Project Complex here in Corona Del Mar, CA, that is scheduled to go before the California Coastal Commission in April 14-16, 2010 in Ventura, CA

At the May 21, 2009 Newport Beach, CA Planning Commission meeting and again at the Newport Beach City Council Meeting on July 22, 2009 we heard details about the Environmental Impact Report (EIR) for the proposed Aerie Project, that emphasized there that the Project (even Alternate B) is too big for the property at 201-205 & 207 Camation Avenue here in Corona Del Mar. This proposed complex to create 8 residential units far exceeds the size of the Newport Beach Older Adult Social & Information Services (OASIS) Center now being rebuilt (36,500 square feet), and approaches the size of the proposed Newport Beach City Hall.

Though the EIR provided for this proposed Aerie Project minimized the inappropriate size of the Project for this Corona Del Mar bluff site, we are strongly opposed to the proposed 62,000 square foot size for the Aerie Condominium Complex at Camation Avenue & Ocean Boulevard in Corona Del Mar for the following reasons: (even though approved by the Newport Beach Planning Commission, Planning Department and Newport Beach City Council – split vote decision:

- 1) The proposed Aerie Complex does not conform to the Coastal Land Use Plan to minimize alterations to the Coastal Bluffs here in Corona Del Mar, even though the Newport Beach Planning Commission, Planning Department and Newport Beach City Council (split vote decision) approve;
- 2) The proposed Aerie Complex does not conform to the City of Newport Beach's General Plan, its Land Use Policies, or the California Coastal Act which promise to protect our scenic and **COASTAL COMMISSION** though the Newport Beach Planning Commission, Planning Department and Newport Beach City Council (split vote decision) approve;

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- 3) The proposed Complex does not conform to the size of other residences in that part of Corona Del Mar on Carnation Avenue and other residences on nearby streets, even though the Planning Commission, Planning Department and Newport Beach City Council disagree with this;
- 4) The construction of the proposed Complex will have a severe impact on those of us who live in Corona Del Mar between the only two streets to this site from Pacific Coast Highway. These are Ocean Boulevard and Seaview Avenue. The Architect, the Planning Commission, the Planning Department and the Newport Beach City Council (split vote decision) minimize these impacts to residents of Corona Del Mar.

The Architect/builders in their Construction Management Plan (CMP) have indicated that in order to achieve this gross size for the proposed Aerie Complex, they will have to excavate more than 25,000 cubic yards of dirt (and rocks) from the site to make room for the Complex' garage and lower Condo Units. This will require at least 2,100 heavy truck loads of material be hauled out on Ocean Boulevard to the Pacific Coast Highway (then off 40 miles to the Brea/Olinda Landfill). Then over 800 heavy cement trucks will be hauling cement into the site on Seaview Avenue, over a period of twenty four (24) months on this narrow street.

The architect advised in his CMP, a truck can be loaded every 15 minutes, within each 8 hour work-day (7AM to 4PM). Thus there will be time to pack 32 truck loads each day. The Brea/Olinda Landfill is approximately 40 miles on freeways. We have traveled the proposed route and analyzed the minimum time required for a truck to make this trip to be one hour (60 Minutes), if there are no traffic jams on any of the Freeways involved. Round trip to Brea and return to Corona Del Mar thus will take two hours minimum.

The Architect advised that only 27 or 28 truck loads per day would be necessary to excavate to the depths he envisioned for the Project. After reviewing his CMP, we found that this number of heavy trucks loads will have to be close to 32 truck loads each work-day (7AM to 4PM) to move the 25,000 cubic yards of material. Apparently the Architect figured the average number based upon calendar days, rather than the 5-day work-week he proposed. This Phase 1 will also have to include the 60 loads of existing building debris/demolition material to be removed.

Per the CMP during this Phase I of the project, over 190 heavy cement trucks will be coming in on Seaview Avenue to the Aerie site to build the Caissons required to hold the building on the site. So there will be at least 2355 heavy truck loads to be moved in and out of Corona Del Mar on Seaview Avenue and Ocean Boulevard during the 126 day Phase 1 period from the proposed project start date of July 16, 2010 to January 10, 2011, resulting in an average of 18.7 heavy trucks per day proceeding through these narrow streets.

Even though the Draft EIR stated there would be a flag person on Carnation Avenue so no trucks would queue on Carnation Avenue, nothing is stated about the traffic interference and constant truck noise while trucks are sitting on Seaview Avenue, after their return from Brea/Olinda.

As shown on the CMP the combined Phase II and Phase III activities of the proposed Aerie Project (during the period from 11 January, 2011 through September 12, 2011), there will be another 622 heavy loads of cement to be delivered to the site via Seaview Avenue, at a rate of 20 loads per work day, during Pour Events occurring for 3 to 5 work days for each Pour Event. And this doesn't take into account the trucks hauling in construction material for the building. Assume 6 day work weeks for these truck activities. Thus for nearly 42 weeks (3½ years) we will be subjected to persistent truck noise and movement on Ocean Boulevard and Seaview Avenue. Our home (for 32 years) is 100 feet from Ocean Boulevard (where the heavily loaded dirt trucks will traverse) and 150 feet from Seaview Avenue (where the heavily loaded cements trucks will traverse) and thus we will be subjected to this constant loud truck noise and traffic from early in the morning throughout the day for 3 ½ years!!!!.

This is certainly a serious impact to those of us living here in Corona Del Mar while these heavy trucks are moving in and waiting to load on Seaview Avenue and moving out on Ocean Boulevard. This will severally impact all residents living on the following streets in Corona Del Mar: Seaview Avenue, Ocean Boulevard, Carnation Avenue, Dahlia Avenue, Fernleaf Avenue, Goldenrod Avenue, Heliotrope Avenue, Iris Avenue, Jasmine Avenue, Larkspur Avenue and to Marguerite Avenue (which is the only entrance or exit to Pacific Coast Highway from this part of Corona Del Mar) for the trucks.

**COASTAL COMMISSION**

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There are approximately 250 single family residences, 75 duplex residences and 10 apartment buildings in this group of Corona Del Mar homes – probably averaging 2-3 persons per unit/residence, totaling more than 750 people that will be severely impacted for 3 ½ years by construction of this oversized Aerie Complex.!!! Also impacted will be many other residents of Corona Del Mar, Newport Beach and Orange County.

This construction project will have a critical safety impact on beach visitors trying to reach or exit the Corona Del Mar State Beaches, with traffic backups on Marguerite Avenue and Pacific Coast Highway that we already experience every day. The entrance to the Corona Del Mar State Beaches on Ocean Boulevard is only 2 blocks from the traffic light at Pacific Coast Highway. That traffic signal at the Pacific Coast Highway (Route No. 1) permits left turns from the Beaches no more often then once every 2 ½ minutes. Typically five autos make each cycle on left turn to Pacific Coast Highway from Marguente Avenue. And these heavy truck trips will incur dangers to pedestrian traffic crossing Pacific Coast Highway there as they walk to the beaches or are shopping in Corona Del Mar Village.

Further dangers will occur at the Goldenrod Avenue Footbridge and trucks traversing Seaview Avenue, for families walking to and from the beaches and to their homes in Corona Del Mar!!!!

If this proposed Complex is to be approved, the builder/contractors should be required to find an alternate method of moving the dirt (and rock), such as by loading it onto a sea-going barge in the Newport Harbor channel below the site. The builder/contractor should be required to find an alternate method of transporting cement to the site for the Caissons required for the site, such as having them poured at a remote site and transported via sea-going vessels, and unloaded and installed from the Newport Harbor channel below the site.

And furthermore this CMP does not indicate any activities that will require access to the Carnation Avenue site for building the associated Aerie boat dock, below in the Harbor Channel. This further over-building of the Aerie Condominium Complex will further impact us here in Corona Del Mar.

The EIR proposes that the construction workers be prohibited from parking on Carnation Avenue and Ocean Boulevard. This parking restriction will have to include No Parking for the workers on Dahlia Avenue, Fernleaf Avenue, Goldenrod Avenue, Heliotrope Avenue, Iris Avenue, Jasmine Avenue, Larkspur Avenue and to Marguerite Avenue. This is significant since all of these streets are narrow and have each side closed to parking one morning each week for street sweeping. The EIR advises that shuttle buses will be bringing the workers to the site. This will add an additional 15 to 25 vehicle trips to Seaview Avenue and Ocean Boulevard per working day. This will probably start at 6AM (assume the work-day starts at 7AM), with lunch break shuttle service and finish at 4 - 5PM. In addition we were told that vehicles for Project Managers and building inspectors would park anywhere near the proposed site, which will add to the impacts.

Please do not approve such a large construction project that will impact us who own property and live near the proposed Aerie Condominium Complex site.!!!

Respectfully,

*William and Sandra Beckman*

William and Sandra Beckman,  
Property owners of 206 & 206 ½ Fernleaf Avenue  
Corona Del mar, CA 92625-3213

**COASTAL COMMISSION**

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MAR 15 2010

CALIFORNIA  
COASTAL COMMISSION

Liliana Roman  
California Coastal Commission  
South Coast Area Office / Long Beach  
200 Southgate Avenue, Suite 1000  
Long Beach, California 90802

**COASTAL COMMISSION**

Re: AERIE

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Dear Coastal Commissioners:

In addition to agreeing with the numerous problems with the proposed Aerie condominium project that have been submitted by others I would like to address the proposed marina.

The applicant/developer has proposed building a marina structure that is approximately 6 times larger than the existing dock, which currently accommodates 4 vessels into a marina that could and will house up to 13 vessels. The applicant is proposing to build the structure to the outer limit of the pierhead line (approximately 20'+ wider than exists) and then side-tying a yacht of approximately 100' to the outer harbor side of the dock and into public right of way.

The city has requested that the beam of that vessel not exceed 25 feet and at that size with the addition of tie off buoys for the boat and the new enlarged marina at this narrow portion of the bay small boat traffic, paddle boarders, kayakers, children in the sailing program, Duffy boats and swimmers would have to move at least 50' farther into the main stream of boat traffic lanes than they currently do to avoid this marina. Historically this has been a safe area and safe side of the bay for the use of Newport Beach residents and visitors with none of the adjacent docks exceeding the blukheadline. How can this be considered safe and proper use of the Harbor? Why should any boat be allowed to extend into public right of way and beyond the outer limit of the pierhead line.

Approximately 3 years ago, prior to completing escrow on the proposed site, the applicant had sand moved from a dredging site two properties to the west and dumped on the subject property which caused an increase in depth of

sand of approximately 4' to 5 ' feet, by a width of between 20 to 30 feet for the entire length of the property which exists on the cove and had always been submerged at high tide. This increase of sand gave the false appearance of a sandy beach, not affected by tides to investors and has since caused numerous problems to the surrounding properties, buried the existing sand dollar population at the time, filled in a relic cave, covered significant rock outcroppings and has brought in eelgrass that did not previously exist. In addition to the influx of new eel grass to the cove the previously existing eelgrass that had been in the footprint of the proposed new marina has mysteriously disappeared. For the past 3 years the new sand has been moving and has found its way under the two adjacent docks, causing the docks to be out of water on normal low tides where they had never been out of water in the previous 25 years even on the most extreme low tides.

Having previously expressed my opposition to the condominium development and marina, as proposed, I would once again like to state that my late husband and I have always been in favor of reasonable redevelopment of the subject property and would hope that the applicant would be held to the same standards that property owners along the bluff side of Carnation Avenue and the water side Ocean Boulevard have been held to in the past. It would seem to me that if the City of Newport Beach and the California Coastal Commission do not hold current and future applicants and properties to the existing rules, regulations and guidelines of the General Plan, the CLUP and enforce minimization of bluff destruction then they should be prepared to release all existing bluff properties and allow the owners to have as much free reign over their properties as they would be allowing the applicant over the subject property. Additionally, I am sure that enforcing "public view protection" in just one section of Corona del Mar would also be challenged by homeowners who have been forced to go along with that regulation in order to obtain permits to build their homes.

The applicant knew the problems he would be facing with this grandiose project, has spent 5 years trying to bend the rules and regulations that have prevailed and governed all previous development in this neighborhood rather than reduce the size of the proposed development, has spent undisclosed money to encourage the process in his favor and will have succeeded in corrupting a City and City policy if allowed to go forward thus setting a new precedent for future building in the City of Newport Beach.

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Please do not allow this application to continue until the project has been scaled down to a reasonable and compatible size for the existing neighborhood and boating community. Reducing the size of the structure and marina will bring down the excavation and building costs, reduce damage to the neighborhood and still allow the all important profit margin to remain the same without gutting an entire PROTECTED COASTAL BLUFF.

Thank you for your consideration.

Sincerely,



Kathleen McIntosh

**COASTAL COMMISSION**

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South Coast Region

MAR 15 2010

March 12, 2010

CALIFORNIA  
COASTAL COMMISSION

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Ocean Gate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Sent Via Facsimile

Re: Proposed Aerie Condo Development Project at the corner of Ocean  
Boulevard and Carnation Avenue in Corona del Mar, California

Dear Ms. Roman:

The signatories to this letter are all residents of the Corona del Mar coastal community located south of Pacific Coast Highway.

As residents directly affected by the development of the above-referred to project that is currently scheduled for review by your agency on April, 14-16, 2010, we wish by this letter to state our unconditional opposition to the approval of the subject project.

The massive size and scope of this condominium project substantially impacts the general conformity of our coastal neighborhood and harbor, as well as the established coastal land use of our surrounding residential community.

Consequently, the proposed 60,000 square foot plus, six (6) level condo project constitutes a gross overdevelopment for the area, which is primarily single family residences. Furthermore, your agency must consider the extremely negative impact that such a massive project as proposed will have on the coastal bluff itself. The developer proposes a significant coastal bluff alteration that will substantially interfere with the public purpose as protected by the Coastal Land Use Plan and the Coastal Act.

Specifically, the developer has acknowledged that construction will require the removal of more than 25,000 cubic yards of bluff, requiring an estimated total of 2,929 truck trips; that is, 20-25 truck trips per day for several months. Such undesirable activity will result in heavy traffic congestion on a daily basis because of the existing limited street ingress and egress and will emit constant noise impacting the use and enjoyment of the surrounding home owners' property in this otherwise quiet coastal community during the construction of this massive project. Also, it should be noted that the subject project with its proposed egregious bluff alteration would also create a substantial negative impact to the coastal enjoyment by the public of the harbor, including jetty access and use of the adjacent sand beach at China Cove.

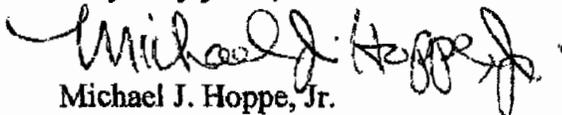
**COASTAL COMMISSION**EXHIBIT # 14  
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In short, we appeal to the California Coastal Commission to bring sanity back during its review of this overdevelopment project proposed to be built in our coastal community and make a decision that protects our coastal community from this highly irresponsible development project.

Although we cannot attend the upcoming meeting of the Coastal Commission, please treat this letter as our collective opposition to what can best be described as a "coastal albatross," better suited as proposed for development somewhere else, rather than in our coastal community of Corona del Mar.

Thank you in advance for your consideration.

Very truly yours,



Michael J. Hoppe, Jr.  
222 Narcissus Avenue  
Corona del Mar, CA 92625

(other signatories continued on next page)

**COASTAL COMMISSION**

EXHIBIT # 14  
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Resident:

Jane & Judy Hagerthy

Address:

303 Narcissus, CDM

Resident:

David Dunkel & Barbara Keller

Address:

307 Narcissus Av, CDM 92625

Resident:

J. Pedersen

Address:

304 NARCISSEUS AV. CDM, CA 92625

Resident:

Margaret A. Boden

Address:

321 NARCISSEUS AVE, CDM, CA 92625

Resident:

Cindy Boden

Address:

321 Narcissus Ave, CDM CA 92625

Resident:

Mrs

Address:

301 ORCHID AVE, CDM, CA. 92625

Resident:

Mary Lou Jensen

Address:

300 Narcissus Ave CDM Ca. 92625

Resident:

Betty L. Scott

Address:

327 MARIGOLD AVE. CDM, CA. 92625

Resident:

CM Kays

Address:

327 MARIGOLD AVE. CDM. CA 92625

Resident:

Darryl Hart

Address:

292 Narcissus CDM 92625

Resident:

Diane Davis

Address:

323 NARCISSEUS CDM 92625

Resident:

Scott Mueller

Address:

301 Narcissus CDM 92625

Resident:

Jean Hyspe

222 Narcissus Ave CDM 92625

**COASTAL COMMISSION**

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**COASTAL COMMISSION**

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Resident: Guthrie J. Miller  
Address: 220 Narcissus Ave. Corona del Mar 92660

Resident: Robert P. Miller  
Address: 220 Narcissus Ave Corona del Mar, CA. 92625

Resident: Frank Raussein  
Address: 225 orchid Ave, CDM

Resident: Ann Eisenberg  
Address: 221 Narcissus Ave CDM

Resident: Nancy Eisenberg  
Address: 221 Narcissus Cdm 92625

Resident: JH & Hyl  
Address: 302 NARCISSUS AVE CDM 92625

Resident: Valene Murphy  
Address: 303 Orchid Ave. CDM 92625

Resident: David Murphy  
Address: 303 Orchid Ave, Corona del Mar CA 92625

Resident: Quinn  
Address: 229 Orchid Ave, Corona del Mar, CA 92625

Resident: Walter L. Sebring Sr  
Address: 219 ORCHID AVE CORONA DEL MAR, CA 92625

Resident: Douza Marie Sebring  
Address: 219 Orchid Avenue Corona del Mar, CA 92625

Resident: Theresa Ann Cui  
Address: 223 Orchid Avenue Corona del Mar, CA 92625

Resident: Rob  
Address: 208 MARBOLA Corona del Mar, CA 92625

March 12, 2010

Liliana Roman  
California Coastal Commission  
South Coast Area Office/Long Beach  
200 Oceangate, Suite 1000  
Long Beach, CA 90802  
Via US Mail & FAX (562) 590-5084

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South Coast Region  
MAR 15 2010

CALIFORNIA  
COASTAL COMMISSION

COASTAL COMMISSION

RE: Proposed Aerie Condominium Complex

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Dear Commissioners:

After hearing the descriptions of the Aerie project, we became curious about how a 61,000 sq.ft. structure could be constructed on pad area of less than 20,000 sq.ft. We have reviewed the building plans prepared by Brion Jeannette Architecture and have met with James Campbell, Senior Planner, City of Newport Beach for clarification.

Mr. Campbell explained that "Buildable Area" was not really buildable area, but as defined by City policy, is determined by deducting setback areas from the gross lot area. By this policy, submerged land and/or non-buildable slope areas are included in "Buildable Area".

The Aerie site contains a unique combination of non-buildable slope and submerged land, clearly outside of the proportions that the City policy was intended to address. Submerged land and bluff slopes represent about 70% of the 1.4 acre Aerie site. The proposed Aerie project represents an exploitation of a flawed City policy allowing the inclusion of submerged land and bluff slopes in "Buildable Area" resulting in a proposed development far beyond the capability of the site.

This exploitation is emphasized by the proposed excavation of 25,240 cu.yds., representing the removal of the bluff and bluff face material equivalent to an 88' x 88' x 88' cube, or excavating the building pad to a depth of 50 feet below Carnation Avenue. The Draft Aerie Construction Management Plan indicates the excavation alone will require 2,105 truckloads of material to be removed from the site.

In approving the proposed Aerie Project, we are most concerned with the Newport Beach City Councils' disregard for the **Natural Resources Element of the General Plan** with specific reference to the following sections:

**NR 22 Maintain the intensity of development around Newport Bay to be consistent with the unique character and visual scale of Newport Beach.**

**NR 22.1 Regulation of Structure Mass** - Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.

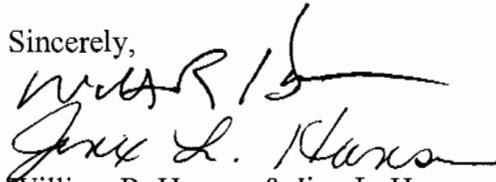
**NR 23 Development respects natural landforms such as coastal bluffs.**

**NR 23.1 Maintenance of Natural Topography** - Preserve cliffs, canyons, bluffs, significant rock outcroppings, and site buildings to minimize alteration of the site's natural topography and preserve the features as a visual resource.

The mass, scale and floor area of the proposed Aerie project is out of character with the neighborhood. *The massive excavation required for this project will significantly alter the site's natural coastal bluff topography and impact the stability of the remaining land.*

We respectfully request the Coastal Commission to deny the Proposed Aerie Condominium Complex and prevent the exploitation of this unique property. We believe the ultimate development of the property should be in accordance with the City's General Plan, reflecting the scale and character of the neighborhood.

Sincerely,



William R. Hansen & Jinx L. Hansen  
221 Goldenrod Avenue  
Corona del Mar, CA 92625

**COASTAL COMMISSION**

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**RECEIVED**  
South Coast Region

MAR 15 2010

**From:** Kathy Delap <tdelap@uci.edu>  
**Subject:** AERIE project, Corona del Mar, CA  
**Date:** March 13, 2010 11:01:44 AM PST  
**To:** Lilliana Roman, South Coast District Office, CA Coastal Commission

CALIFORNIA  
COASTAL COMMISSION

Lilliana Roman  
South Coast District Office  
California Coastal Commission  
200 Oceangate, 10th floor  
Long Beach, CA 90802-4416 ( fax 562-590-5084

Re: AERIE project, Corona del Mar, CA 92625

| March 13, 2010

We are long-time residents of Corona del Mar and object strenuously to this project.

Aerie is a huge apartment-like structure that weighs heavily on a small wedge of land facing Ocean and Carnation. This structure overwhelms both the land and the community. It is twice the size of the community center now under construction, yet provides residential space to just eight condos. It is the largest project in Corona del Mar in 40 years. It attacks the bluff, adds a marina to what was a small moorage. It sets a precedent for changing the character of the town, something we all value. The town has changed in the 45 years we have lived on Jasmine Avenue and residents regularly undergo smaller construction projects as Corona del Mar has moved from being a small vacation town to one with many expensive homes and a variety of architectural styles. The neighbors understand the need for owners to improve their property. But this project is totally out of character to our growing community.

We think neighborhood safety is severely threatened by this project, with large numbers of trucks circling our homes and residents, for months & months. These are modest streets, not freeways. Our residents push their kids in strollers, older folks use walkers to get to the town shops. People walk their dogs. Runners of all ages use the streets for exercise. Visitors park blocks away and walk their kids through the neighborhood with surfboards and swim gear to the Corona del Mar beach. Emergency vehicles need to access the area on these streets. They'll have to negotiate around the trucks. Marguerite & PCH is already a dangerous crossing, with visitors often not following the various lane directions. A project this size can't help but increase the noise and lack of privacy for local people.

We attended one of the planning commission meetings at city hall, and felt strongly that the city and its staff was predisposed to agree to this project, to the point of misleading the public about the impact of the project on Corona del Mar. For instance, the staff did NOT state the harbor commissioners vote which was negative.

We thought Mr. Toerge gave a welcome, well-reasoned common-sense discussion of his concerns about the project, and we certainly commend him for his persistence. We now ask the California Coastal Commission to give thoughtful consideration to the small seaside towns which are in danger of losing their quality of life for the sake of oversize real estate projects.

Sincerely yours,

Kathleen and Tony DeLap  
225 Jasmine Avenue, Corona del Mar, CA 92625

**COASTAL COMMISSION**

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South Coast Region

9 March 2010

MAR 11 2010

Lilliana Roman,

CALIFORNIA  
COASTAL COMMISSION

I have lived in Corona del Mar since 1964 and at 3708 Ocean Blvd. since 1972. I am very much against the AERIE condominium project that is being proposed at the corner of Ocean Blvd. and Carnation Avenue!!

The construction of a project of this size will overwhelm our community!!! The streets of Corona del Mar were built to handle a small sized community and even without construction vehicles are too narrow for general traffic and parking. I cannot even imagine the wear and tear of cement and construction trucks will cause on the pavement as well as the traffic situation in our small town.

Corona del Mar was planned to be a small beach community! Over the years the village has grown and developed way beyond this small town feel and that is NOT a good thing!! Bigger is not better!!! The size of the AERIE project is just way out of balance for the size of the property.

Also creating a private marina in the public channel of Newport Harbor is ridiculous. Newport Harbor has a significant amount of boat moorings available already. In order to create this marina the beautiful, natural rock formation would be destroyed which to me is just what the California Coastal Commission would be against.

In all honest it befuddles me to think the California Coastal Commission would even consider approving the AERIE project!!!

Thank you very much.

Sincerely,  
  
Doris M. Stoughton  
3708 Ocean Blvd.  
Corona del Mar, Ca. 92625  
(949) 760-1724

**COASTAL COMMISSION**

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