

CALIFORNIA COASTAL COMMISSION

200 OCEANGATE 10TH FLOOR
LONG BEACH, CA 90802-4325
(562) 590-5071
(562) 590-5084



W8 & 22
SOUTH COAST DISTRICT (LONG BEACH)
DEPUTY DIRECTOR'S REPORT
(ADDENDUM)

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 13, 2011

TO: Commissioners and Interested Parties

FROM: John Ainsworth, South Coast District Deputy Director (Los Angeles County)
Sherilyn Sarb, South Coast District Deputy Director (Orange County)

SUBJECT: **Letter received from John Davis**

John Ainsworth

From: jd@johnanthonydavis.com

Sent: Friday, March 25, 2011 2:37 PM

To: John Ainsworth

Cc: Peter Douglas; Jeff Staben; [REDACTED]

Subject: Coastal Staff Failure to Enforce Coastal Act, Request to Meet with Deputy Director Ainsworth

To: California Coastal
Commission
2011

March, 25,

Att: Deputy Director Jack Ainsworth

CC: Executive Director Peter Douglas, Andrew Willis, Mark Stone, Esther Sanchez, Richard Bloom, Office of State Auditor, Office of the Governor, Office of the Secretary of Natural Resources, NOAA

Re: Enforcement of Coastal Act Re Los Angeles Beach Curfew

From: John Davis

Dear Deputy Director Ainsworth,

PLEASE TRANSMIT THIS DOCUMENT TO ALL COASTAL COMMISSIONERS
PROVIDE CONFIRMATION VIA EMAIL.

I have tried to contact you but you have not returned my calls. I would like to meet with you in regard to my discussion with enforcement Staff in Long Beach regarding the violation of the Ca. Coastal Act by the City of Los Angeles regarding the curfew it and the County of Los Angeles have imposed in violation of the Coastal Act. The Director may impose a Cease and Desist Order to prevent further violations until the Commission can consider one.

Instead of being lead by the Coastal Act, Staff informs me that it will wait for the permit application. However, the City has stated in writing that IT WILL NOT APPLY FOR A PERMIT. The County has not been contacted and has thusly not responded.

If Staff proceeds as indicated, the violation will never reach the commission. Staff will then control the violation and do nothing.

I received a response to a public records request to the CCC this month. It indicates there are over 1000 open violation Staff is sitting one without bringing it before the legislative body, the Commission at a public meeting per the Bagley Keene Act.

Staff has reasoned to me the Commission cannot afford to enforce the Act and if the violations were brought forth, it would allow the violators to escape.

4/7/2011

The result is that Staff allows for massive amounts of violations to be swept under the rug and purposely prevents the legislative body from deciding what course to take, even if it is none due to finical constraints and further prevents maximum public participation, or to even let the people know what violations have occurred and by whom.

This opens the door to favoritism whereby the Staff may enforce against some violators favoring others with no enforcement, such as is the Case with the City of Los Angeles Curfew violation.

The Coastal Commission has lost control of its Staff in this respect. Staff appears to be engaged in misconduct or incompetence.

I would like to meet with you to resolve this matter so it is not necessary to follow other administrative remedies such as bringing this to the attention of the Office of the State Auditor.

The people have a right to know about violations, no matter what Staffs opinion is.

When I have requested meetings with you in the past you have not returned my phone calls at all and have refused to meet to discuss and resolve this matter, which is your exact responsibility.

Staffs actions are inconsistent with the CaCZMA and the U.S. Coastal Zone Management Act.

I would like to meet with you next Wednesday when your are present in the Long Beach Office for one half of an hour.

Please Reply,
Sincerely,
John Davis
PO 10152 Marina del Rey Ca. 90295
310.795.9640

CALIFORNIA COASTAL COMMISSION
SOUTH COAST DISTRICT

200 Oceangate, 10th Floor
LONG BEACH, CA 90802-4416
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W22

SOUTH COAST DISTRICT (LONG BEACH) DEPUTY DIRECTOR'S REPORT

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 13, 2011

TO: Commissioners and Interested Parties
FROM: John Ainsworth, South Coast District Deputy Director (Los Angeles County)
Sherilyn Sarb, South Coast District Deputy Director (Orange County)
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Coast District Office for the April 13, 2011 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the South Coast District.

REGULAR WAIVERS

1. 5-11-005-W Mr. & Mrs. Steven Litchfield (San Clemente, Orange County)
2. 5-11-026-W Farmers & Merchants Bank, Attn: Richard Darling (Newport Beach, Orange County)
3. 5-11-049-W Ms. Carol London (Venice, Los Angeles County)

DE MINIMIS WAIVERS

1. 5-10-178-W Mr. & Mrs. Michael Kane (Newport Beach, Orange County)
2. 5-11-030-W Cruse Consultants, Attn: Ms. Sissi M. Cruse (Newport Beach, Orange County)
3. 5-11-032-W Medie Descargar (San Pedro, Los Angeles County)
4. 5-11-035-W Vw Revocable Trust, Attn: Mr. & Mrs. Daniel E. Welden (Newport Beach, Orange County)
5. 5-11-036-W Mr. & Mrs. Frederick A. Dominski (Hermosa Beach, Los Angeles County)
6. 5-11-038-W Ms. Susan Stoneburner (Newport Beach, Orange County)
7. 5-11-039-W 569 Mount Holyoke, Llc, Attn: Merolo Abrera Jr. (Pacific Palisades, Los Angeles County)
8. 5-11-040-W 649 Las Casas, Llc, Attn: Merolo Abrera (Pacific Palisades, Los Angeles County)
9. 5-11-042-W 15050 Altata, Llc, Attn: Mr. Ken Ungar (Pacific Palisades, Los Angeles County)
10. 5-11-047-W Mr. Greg Paulk (Hermosa Beach, Los Angeles County)
11. 5-11-051-W Mr. & Mrs. Manoucherhr Moshayedi (Corona Del Mar, Orange County)
12. 5-11-054-W Mrs. Claudia Wiehen (Venice, Los Angeles County)
13. 5-11-057-W At&T Corp., Attn: Ms. Peggy J. Womack, Senior Proj. Manager ()
14. 5-11-058-W Foley Development, Inc., Attn: Mr. Mike Foley (Pacific Palisades, Los Angeles County)
15. 5-11-071-W California State Parks, Attn: Mr. Todd Lewis, State Parks Superintendent; Crystal Cove Alliance, Attn: Mr. Dan Gee (7703 E. Coast Hwy., Orange County)

IMMATERIAL AMENDMENTS

1. 5-09-124-A1 Mr. & Mrs. William J. Austin (Hermosa Beach, Los Angeles County)
2. 5-04-167-A2 Orange Coast College, Attn: Bruce Tice & Brad Avery (Newport Beach, Orange County)

TOTAL OF 20 ITEMS

Two Objection Letters

5-06-145-E3 (919 Bayside Drive, City Newport Beach)

5-08-221-E1 (One Hoag Drive-Lower Campus)

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-11-005-W Mr. & Mrs. Steven Litchfield	Remodel and addition to an existing 2,778 sq. ft., 12' high single family residence, resulting in a new 4,701 sq. ft., 12' high single family residence with 1,276 sq. ft. of new deck and patio area.	303 Calle Francesca, San Clemente (Orange County)
5-11-026-W Farmers & Merchants Bank, Attn: Richard Darling	459 sq. ft. addition to existing 5,505 sq. ft. vacant retail commercial building. Interior remodel and façade improvements. New hardscape and drought-tolerant landscaping. Restriping on-site garage to accommodate an ADA space.	2421 E. Coast Highway, Newport Beach (Orange County)
5-11-049-W Ms. Carol London	Extensive interior and exterior renovations and building additions to an existing three-story, 2,675 square foot single-family residence facing a walk street; resulting in a 28-foot high (with a 38-foot high roof access structure), 3,321 square foot single-family residence with a 488 square foot ground floor garage. Includes landscaping and a 42-inch high fence within a 12'x 30' front yard right-of-way encroachment authorized by a City-issued Revocable Encroachment Permit.	17 26th Avenue, Venice (Los Angeles County)

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-10-178-W Mr. & Mrs. Michael Kane	Remove an existing one-story mobile home and replace with a new 1,665 square foot two-story manufactured home with a stem wall foundation. The maximum height of the residence will be approximately 29-feet above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.	40 Saragoga, Newport Beach (Orange County)

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-11-030-W Cruse Consultants, Attn: Ms. Sissi M. Cruse</p>	<p>Demolition of an existing two-story single-family residence and construction of a new three-story, 2,568 sq. ft., 28' tall, single family dwelling, 762 sq. ft. roof deck, 109 sq. ft. second story deck, attached 477 sq. ft. 2-car garage and landscape/hardscape improvements. Grading consists of 200 cu. yds. cut and 300 cu. yds. fill for soil re-compaction and site preparation. Roof downspouts and area drains will be directed over French drains and catch basins to provide filtration of runoff prior to the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as dwarf yedda hawthorne and succulents.</p>	<p>3512 Marcus Ave, Newport Beach (Orange County)</p>
<p>5-11-032-W Medie Descargar</p>	<p>Convert a 280 square foot office/storage space of a 3 unit 3,600 square foot apartment building to a residential rental unit for a total of 4 rental units and the addition of one parking space for a total of seven on-site parking spaces.</p>	<p>741 West 39th Street, San Pedro (Los Angeles County)</p>
<p>5-11-035-W Vw Revocable Trust, Attn: Mr. & Mrs. Daniel E. Welden</p>	<p>Demolition of existing single family residence.</p>	<p>1104 E. Balboa Blvd/, Newport Beach (Orange County)</p>
<p>5-11-036-W Mr. & Mrs. Frederick A. Dominski</p>	<p>Demolition of the existing single family residence, and construction of a new, 25' high, 3,841 sq. ft. single family residence with garage.</p>	<p>322 30th Street, Hermosa Beach (Los Angeles County)</p>
<p>5-11-038-W Ms. Susan Stoneburner</p>	<p>Demolition of existing three-story duplex and construction of a new three-story, 2,387 sq. ft., 29' tall, single family dwelling, 756 sq. ft. roof deck, 220 sq. ft. balconies, an attached 405 sq. ft. 2-car garage and hardscape improvements including concrete block walls along the side property lines. Grading consists of 235 cubic yards of over-excavation cut/fill for soil re-compaction and site preparation. Roof downspouts and area drains will be directed over drainage swales, trench drains, French drains and catch basins to provide filtration of runoff prior to the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as bougainvillea, rosemary and lavender.</p>	<p>112 Emerald Ave., Newport Beach (Orange County)</p>
<p>5-11-039-W 569 Mount Holyoke, Llc, Attn: Merolo Abrera Jr.</p>	<p>Demolition of an existing single-family residence and construction of a two-story 3,909 square foot single-family residence, with an attached garage, on a 7,318 square foot lot.</p>	<p>569 North Mount Holyoke Ave, Pacific Palisades (Los Angeles County)</p>
<p>5-11-040-W 649 Las Casas, Llc, Attn: Merolo Abrera</p>	<p>Demolition of an existing single-family residence and construction of a two-story 5,048 square foot single-family residence, with an attached garage, on a 10,038 square foot lot.</p>	<p>649 North Las Casas Ave, Pacific Palisades (Los Angeles County)</p>
<p>5-11-042-W 15050 Altata, Llc, Attn: Mr. Ken Ungar</p>	<p>Demolition of a two-story, 3,403 square foot single-family residence on a 12,490 square foot lot, and construction of a two-story, 34-foot high (above grade), 7,203 square foot single-family residence with an attached 558 square foot, three-car garage; and install a new swimming pool in the rear yard.</p>	<p>15050 Altata Drive, Pacific Palisades (Los Angeles County)</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

5-11-047-W Mr. Greg Paulk	Construction of a new, 30' high, 4,881 sq. ft. single family residence.	41 16th Street, Hermosa Beach (Los Angeles County)
5-11-051-W Mr. & Mrs. Manoucherhr Moshayedi	Demolition of an existing single-family residence with an attached garage and associated hardscape and landscape. The existing bulkhead will remain in place with no change. The project also includes the merger of the two (2) lots (a 9,627 square foot lot and a 12,959 square foot lot) into a single lot (22,586 square foot lot). No additional development or grading is proposed. All debris will be removed from the site and disposed of at a location outside of the Coastal Zone.	2121 & 2125 Bayside Drive, Corona Del Mar (Orange County)
5-11-054-W Mrs. Claudia Wichen	Construction of a two-story, 23-foot high, 606 square foot single-family residence (over a two-car garage and a one-stall carport) on a 4,800 square foot lot occupied by an existing one-story, 1,341 square foot single-family residence.	729 Indiana Ave, Venice (Los Angeles County)
5-11-057-W At&T Corp., Attn: Ms. Peggy J. Womack, Senior Proj. Manager	Installation of three 1.5" HDPE ducts of underground fiber-optic cable within paved public right-of-way at three locations: El Camino Real for 1400 linear feet, El Camino Real/Avenida San Luis Rey/Avenida del Presidente for 500 linear feet and Avenida del Presidente/Cristianitos Road for 800 linear feet. Additionally, two manholes will be installed for access. All work is proposed within paved public right-of-way. No vegetation removal or landscaping is proposed.	El Camino Real, Avenida San Luis Rey, Avenida Del Presidente, Cristianitos Rd.
5-11-058-W Foley Development, Inc., Attn: Mr. Mike Foley	Demolition of an existing single-family residence and swimming pool and construction of a two-story, 27'-6" high, 3,781 square foot single-family residence, with an attached 420 square foot garage on a 5,750 foot lot.	16020 Miami Way, Pacific Palisades (Los Angeles County)
5-11-071-W California State Parks, Attn: Mr. Todd Lewis, State Parks Superintendent Crystal Cove Alliance, Attn:	Modification of North observation deck to meet ADA access. Minor modification of Shake Shack to enclose the garage area and improve the kitchen area.	Crystal Cove State Park, 7703 E. Coast Hwy. (Orange County)

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-09-124-A1 Mr. & Mrs. William J. Austin	Changes to footprint of the structure including removal of a 5ft. x 20ft area on northern edge of first floor. Removal of basement level. Interior reconfiguration, including revisions to walls and staircases. Changes to hardscape and landscaping. The amended project results in a 3,912 sq. ft., 30ft. high, three story single family residence with 386 sq. ft. of garage, and 832 sq. ft. of decks.	2108 The Strand, Hermosa Beach (Los Angeles County)

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

5-04-167-A2

Orange Coast College, Attn:
Bruce Tice & Brad Avery

Remove an existing finger, relocate and shorten one (1) finger to 4.25ft x 22.5', relocate two (2) steel pipe piles; and shorten and relocate an existing L shaped finger to 4.25ft x 52ft and 4.25ft. X 22.5ft. The proposed project would reduce the area of water coverage from 750 square feet to 540 square feet. The dock system will be composed of Douglas fir and Trex decking

1801 W. Pacific Coast Highway, Newport Beach
(Orange County)

CALIFORNIA COASTAL COMMISSION

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



3/29/2011

Michael Luna & Assoc., Architects
1531 N. El Camino Real, Suite A
San Clemente, CA 92672

SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) and (b) of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13250(c) or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11- 005 -W

APPLICANT: Amy and Steve Litchfield

LOCATION: 303 Calle Francesca, San Clemente, Orange County

PROPOSED DEVELOPMENT: Remodel and addition to an existing 2778 sq. ft., 12' high single family residence, resulting in a new 4701 sq. ft., 12' high single family residence with 1276 sq. ft. of new deck and patio area.

RATIONALE: The subject lot is a 14,359 sq. ft. inland lot designated as Residential Low Density in the City's Certified Land Use Plan. The proposed project has been approved in concept by the City of San Clemente. Runoff from the site will be minimized through the use of a landscaped front yard setback, which is composed of species which are non-invasive and predominantly drought-tolerant. Two parking spaces are provided on site, meeting the Commission's typically applied requirement of 2 parking spaces per unit. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-14, 2011** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

Original Signed By
by: _____ (signature on file)
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

ALIFORNIA COASTAL COMMISSION

North Coast Area Office
1000 Ocean Gate, Suite 1000
Newport Beach, CA 90802-4302
Tel: 949-590-5071



4/4/2011

Planet Design
Attn: William Edwards
2549 East Bluff Drive, Suite 297
Newport Beach, CA 92660

SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) and (b) of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13250(c) or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11- 026 -W**APPLICANT: Farmers + Merchants Bank****LOCATION: 2421 East Coast Highway, Newport Beach (Corona Del Mar), Orange County****PROPOSED DEVELOPMENT:** 459 sq. ft. addition to existing 5,505 sq. ft vacant retail commercial building. Interior remodel and façade improvements. New hardscape and drought-tolerant landscaping. Restriping on-site garage to accommodate an ADA space**RATIONALE:** The subject lot is a 5289 sq. ft. inland lot located 0.4 miles from Newport Bay in an existing developed commercial area. The site is designated as Corridor Commercial in the City's Certified Land Use Plan. The proposed project has been approved in concept by the City of Newport Beach. The proposed development satisfies City of Newport Beach parking requirements by providing 9 spaces on-site, and the annual purchase of 10 parking permits for employees in an underused municipal parking lot located 400 ft. away. Runoff will be diverted to bottomless trench drains, catch basins, and planter drains, for on-site infiltration. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-14, 2011** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

Original Signed By
by:  (signature on file)
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 30, 2011

Thomas Carson, Carson Architects
1239 ½ Appleton Way
Venice, CA 90291

SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) & (b) of the Coastal Act.

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER: 5-11-049 **APPLICANT:** Carol London

LOCATION: 17 26th Avenue, Venice, City of Los Angeles, Los Angeles County.

PROPOSED DEVELOPMENT: Extensive interior and exterior renovations and building additions to an existing three-story, 2,675 square foot single-family residence facing a walk street; resulting in a 28-foot high (with a 38-foot high roof access structure), 3,321 square foot single-family residence with a 488 square foot ground floor garage. Includes landscaping and a 42-inch high fence within a 12'x 30' front yard right-of-way encroachment authorized by a City-issued Revocable Encroachment Permit.

RATIONALE: The proposed project, which is situated within the "Dual Permit" area of the City of Los Angeles (within 300 feet of the beach), has been approved by the City of Los Angeles Planning Department (Case #DIR2010-3160, 2/15/11) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. The structure is deed restricted to be a single-family dwelling by Coastal Development Permit P-78-3788. Although the proposed project is a minor building addition, it requires a coastal development permit because it would result in a height and floor area increase greater than ten percent of the existing building's height and floor area (Ca. Regs. Sec. 13253). The proposed project maintains the existing 4'9" front yard setback and conforms to all Commission building standards, including the 28-foot height limit for structures on walk streets in the North Venice area (roof deck railings and a one hundred square foot roof access structure are parts of the structure that are permitted to exceed the 28-foot roof height limit). Adequate on-site parking is provided: a two-car garage with two uncovered spaces on the driveway, all accessed from the rear alley (25th Place). The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site (620 square feet of permeable landscaped area will be maintained on the project site, which includes a 12'x 30' landscaped yard on the fronting walk street right-of-way). The proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at its April 13, 2011 meeting in Santa Barbara. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File

Original Signed By
(signature on file)
CHARLES R. POSNER
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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



March 29, 2011

Michael & Judy Kane
40 Saratoga
Newport Beach, CA 92660

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-10-178 **APPLICANT:** Michael & Judy Kane

LOCATION: 40 Saratoga (Bayside Village Mobile Home Park), Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Remove an existing one-story mobile home and replace with a new 1,665 square foot two-story manufactured home with a stem wall foundation. The maximum height of the residence will be approximately 29-feet above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The subject site consists of a 2,460 square foot mobile home space located on a larger parcel that is designated as Multiple Residential (RM) in the City of Newport Beach Land Use Plan (LUP) and is located between the first public road and the sea. The subject mobile home space is located in the Bayside Village Mobile Home Park which is identified by the City as one of its affordable housing resources. However, the City does not include any of the mobile homes in their inventory of affordable units within the City because these mobile home parks are regulated by HCD, not the City. The proposed project will not change any existing affordable restrictions, will not result in any division of land or change the manner of ownership of the land, and will not adversely impact the inventory of lower cost housing available in the Coastal Zone. One (1) parking space is provided on site. Additional parking for the guests and residents of the Bayside Village Mobile Home Park is provided within the park grounds, a total of 160 parking spaces. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access is not available on site, but the proposed development will not change public access conditions on-site. Public access to the Upper Newport Bay is available near the site at the end of North Bayside Drive. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The additional height of the structure will not result in adverse impacts to public coastal views. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their April 13-14, 2011 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be re

PETER DOUGLAS
Executive Director

Original Signed By
(signature on file) ←
KARL SCHWING
Orange County Area Supervisor

CALIFORNIA COASTAL COMMISSION

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



March 28, 2011

R.A. Jeheber Residential Design, Inc.
 410 32nd Street Suite 202
 Newport Beach, CA 92663

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11-030 **APPLICANT:** Sissi M. Cruse

LOCATION: 3512 Marcus Ave., Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing two-story single-family residence and construction of a new three-story, 2,568 sq. ft., 28' tall, single family dwelling, 762 sq. ft. roof deck, 109 sq. ft. second story deck, attached 477 sq. ft. 2-car garage and landscape/hardscape improvements. Grading consists of 200 cu. yds. cut and 300 cu. yds. fill for soil re-compaction and site preparation. Roof downspouts and area drains will be directed over French drains and catch basins to provide filtration of runoff prior to the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as dwarf yedda hawthorne and succulents.

RATIONALE: The subject site is a 2,862 sq. ft. lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on a bulkhead lot. No work is proposed to the bulkhead or dock. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design. Surface area drains and downspouts are directed to an underground drainage system with perforated drain line encased in gravel for greater filtration on site. Public coastal access to the bay is adjacent to the site at the corner of Marcus Ave and 36th St. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-15, 2011** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director

by:  Original Signed By
 KARL SULLIVAN (signature on file) _____
 Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 22, 2011

Nieves and Associates
 21250 Hawthorne Boulevard, #700
 Torrance, CA 90503

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11-032W

APPLICANT: Medie Descargar

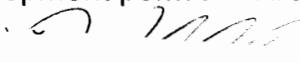
LOCATION: 741 West 39th Street, San Pedro

PROPOSED DEVELOPMENT: Convert a 280 square foot office/storage space of a 3 unit 3,600 square foot apartment building to a residential rental unit for a total of 4 rental units and the addition of one parking space for a total of seven on-site parking spaces.

RATIONALE: The proposed project is located within a residential neighborhood and is approximately 700 feet from Point Fermin Park, which is a coastal bluff top park, and over a ½ mile from the nearest public beach access point. Because of the small size of the unit, the one parking space added for the new unit will be adequate to meet the demand for the new unit and will not have an adverse impact on coastal access. The proposed project is not located between the first public road and the sea and will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with the City's certified LUP and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their April 13-14, 2011 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director


 Original Signed By _____
 (signature on file)
 Al J. Padilla
 Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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



3/28/2011

Hal Woods Jr
3500 W. Lake Center Drive, Suite B
Santa Ana, CA 92704

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11- 035 -W**APPLICANT: Vw Revocable Trust****LOCATION: 1104 E. Balboa Blvd., Newport Beach, Orange County****PROPOSED DEVELOPMENT: Demolition of existing single family residence**

RATIONALE: The subject lot is a 4,922 sq. ft. bayfront lot designated as Single Unit Residential Detached in the City's Certified Land Use Plan. The proposed project has been approved in concept by the City of Newport Beach. The proposed development consists of demolition of the existing single family residence. No other construction is proposed for the site at this time. Sandbags are proposed during demolition to prevent runoff from travelling off-site. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-15, 2011** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

Original Signed By
by: _____ (signature on file)
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



3/25/11

Srour + Assoc.
 1001 6th St, Suite 110
 Manhattan Beach, CA 90266

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
 Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11- 036 -W

APPLICANT: Frederick and Chris Dominski

LOCATION: 322 30th St, Hermosa Beach, Los Angeles County

PROPOSED DEVELOPMENT: Demolition of the existing single family residence, and construction of a new, 25' high, 3,841 sq. ft. single family residence with garage.

RATIONALE: The subject lot is a 2400 sq. ft. inland lot designated as high density residential in the City's Certified Land Use Plan. The proposed project has been approved in concept by the City of Hermosa Beach. The proposed development consists of demolition of the existing single family residence, and construction of a new single family residence. Two parking spaces are provided on site, meeting the Commission's typically applied requirement of 2 parking spaces per unit. Runoff is directed towards landscaped permeable areas and an infiltration pit for on-site infiltration. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-14, 2011** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director

Original Signed By
 by: _____ (signature on file)
 GARY TIMM /
 Coastal Program Manager

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 28, 2011

Ian J.N. Harrison, Architect
 3535 East Coast Highway #301
 Corona Del Mar, CA 92625

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
 Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11-038 **APPLICANT:** Susan Stoneburner

LOCATION: 112 Emerald Ave, Balboa Island, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of existing three-story duplex and construction of a new three-story, 2,387 sq. ft., 29' tall, single family dwelling, 756 sq. ft. roof deck, 220 sq. ft. balconies, an attached 405 sq. ft. 2-car garage and hardscape improvements including concrete block walls along the side property lines. Grading consists of 235 cubic yards of over-excavation cut/fill for soil re-compaction and site preparation. Roof downspouts and area drains will be directed over drainage swales, trench drains, French drains and catch basins to provide filtration of runoff prior to the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as bougainvillea, rosemary and lavender.

RATIONALE: The subject site is a 2,550 square foot lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Balboa Island. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design. Surface area drains and downspouts are directed to an underground drainage system with perforated drain line encased in gravel for greater filtration on site. Public coastal access to the bay is available ~100 feet southwest at S. Bayfront along a public boardwalk surrounding Balboa Island. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-15, 2011** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director

by: _____ Original Signed By
 KARL S. ILLIING (signature on file) _____
 Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 29, 2011

Jaime Massey, Permits Unlimited
 29711 Mulholland Highway
 Agoura, CA 91301

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
 Developments Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER: 5-11-042

APPLICANT: 15050 Altata, LLC (Ken Ungar)

LOCATION: 15050 Altata Drive, Pacific Palisades, City of Los Angeles, Los Angeles County.

PROPOSED DEVELOPMENT: Demolition of a two-story, 3,403 square foot single-family residence on a 12,490 square foot lot; and construction of a two-story, 34-foot high (above grade), 7,203 square foot single-family residence with an attached 558 square foot, three-car garage; and install a new swimming pool in the rear yard.

RATIONALE: The project site is a developed lot in an established residential neighborhood situated about one-quarter mile inland of Will Rogers State Beach. The site is designated as low-density residential land use in the Brentwood-Pacific Palisades Community Plan. The proposed project has received an Approval-in-Concept from the City of Los Angeles Planning Department (Case #ZA-2011-385, 2/11/11) and is consistent with the RE-11-1 zoning designation and the surrounding pattern of residential development. The project site will be graded in order to direct site runoff to the fronting street and into City's storm drain system. The elevation range of the project site is about six feet. The City of Los Angeles generally discourages infiltration of water on sites in Pacific Palisades. The proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at its **April 13, 2011 meeting in Santa Barbara** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director

cc: Commissioners/File

Original Signed By
 (signature on file)
 CHARLES R. POSNER
 Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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



3/28/2011

Scott Cross
 SC Homes, Inc.
 PO Box 999
 Corona Del Mar, CA 92625

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
 Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11- 047-W

APPLICANT: Greg Paulk

LOCATION: 41 16th Street, Hermosa Beach, Los Angeles County

PROPOSED DEVELOPMENT: Construction of a new, 30' high, 4,881 sq. ft. single family residence.

RATIONALE: The subject lot is a 3,610 sq. ft. inland lot designated as Medium Density Residential in the City's Certified Land Use Plan. The proposed project has been approved in concept by the City of Hermosa Beach. The proposed development consists of construction of a new single family residence. Runoff from the site will be directed towards landscaped permeable areas and percolation pits, for on-site infiltration. Three parking spaces are provided on site, meeting the Commission's typically applied requirement of 2 parking spaces per unit. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-14, 2011** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director

Original Signed By
 by: _____
 GARY THIMM (signature on file)
 Coastal Program Manager

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 29, 2011

Brion Jeannette & Associates
Attention: Alison Oh
470 Old Newport Boulevard
Newport Beach, CA 92663

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11-051

APPLICANT: Manouchehr & Sophie Moshayedi

LOCATION: 2121 & 2125 Bayside Drive, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing single-family residence with an attached garage and associated hardscape and landscape. The existing bulkhead will remain in place with no change. The project also includes the merger of the two (2) lots (a 9,627 square foot lot and a 12,959 square foot lot) into a single lot (22,586 square foot lot). No additional development or grading is proposed. All debris will be removed from the site and disposed of at a location outside of the Coastal Zone.

RATIONALE: The subject site consist of two (2) bulkheaded lots (a 9,627 square foot lot and a 12,959 square foot lot), is designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP) and is located between the first public road and the sea. Public access to the bay is located approximately ½ a mile northwest of the project site at Bayside Drive Beach. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their April 13-14, 2011 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File

Original Signed By
= (signature on file) =
KARL SCHWING
Orange County Area Supervisor

CALIFORNIA COASTAL COMMISSION

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



March 29, 2011

Claudia Wiehen
729 Indiana Avenue
Venice, CA 90291

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER: 5-11-054**APPLICANT:** Claudia Wiehen**LOCATION:** 727-729 Indiana Avenue, Venice, City of Los Angeles, Los Angeles County.**PROPOSED DEVELOPMENT:** Construction of a two-story, 23-foot high, 606 square foot single-family residence (over a two-car garage and a one-stall carport) on a 4,800 square foot lot occupied by an existing one-story, 1,341 square foot single-family residence.

RATIONALE: The proposed project, which is located one mile inland of the beach, has received approval from the City of Los Angeles Planning Department (Case #DIR-2011-0569, 3/4/11) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. The proposed project conforms with the Commission's 25-foot height limit for flat-roofed structures in the Oakwood area of Venice, and the resulting two residential units conform to the Commission's density limit for the site. Adequate on-site parking is provided (four spaces) for the two residential units. Vehicular access to the on-site parking is provided only from the rear alley (Vernon Court). The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site (2,280 square feet of permeable landscaped area will be maintained on the 4,800 square foot project site). The proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at its **April 13, 2011 meeting in Santa Barbara** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Original Signed By
(signature on file)

CHARLES R. POSNER
Coastal Program Analyst

PETER DOUGLAS
Executive Director

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 29, 2011

Land Services, Inc. Attn: Steven B. Imhoof
 7680 Goddard Street Suite 120
 Colorado Springs, CO 80920

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
 Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11-057 **APPLICANT:** AT&T Corp. Attn: Peggy J. Womack

LOCATION: Span 1: El Camino Real between Hwy 5 S. on ramp and Avenida Junipero; Span 2: Avenida San Luis Rey Hwy 5 overcrossing; and Span 3: Avenida Del Presidente from Avenida de las Palmeras to Cristianitos Road, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Installation of three 1.5" HDPE ducts of underground fiber-optic cable within paved public right-of-way at three locations: El Camino Real for 1400 linear feet, El Camino Real/Avenida San Luis Rey/Avenida del Presidente for 500 linear feet and Avenida del Presidente/Cristianitos Road for 800 linear feet. Additionally, two manholes will be installed for access. All work is proposed within paved public right-of-way. No vegetation removal or landscaping is proposed.

RATIONALE: The subject work is entirely within paved public right of way (ROW). The proposed new buried fiber-optic cable/telecommunications system would upgrade AT&T infrastructure providing long distance and data transmission and support future demands for high-speed bandwidth and Internet-based services. The proposed development is not exempt as they are new facilities providing expansion of service capacity and not a replacement of an existing system. The ROW is already used for other utilities (i.e., gas, water, sewer, telecommunications, etc.). The ROW is often disturbed for utility maintenance in addition to routine road and roadside shoulder maintenance. Adequate measures to address water quality have been incorporated during construction. Public coastal access is available approximately 700 yards west of I-5 at El Camino Real at Calafia Beach. Possible lane closures may result during construction but no full street closures are proposed. The proposed development will not result in adverse impacts to public coastal views, access, coastal resources, or public recreation. Additionally, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 13-15, 2011** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
 Executive Director

by: _____ Original Signed By
 KARL S. WILSON (signature on file)
 Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



March 30, 2011

Todd Lewis
California State Parks & Crystal Cove Alliance
8471 N. Coast Highway
Laguna Beach, CA 92651

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-11-071-W **APPLICANT:** California State Parks & Crystal Cove Alliance

LOCATION: Ruby's Shake Shack in Crystal Cove State Park
7703 East Coast Highway, Newport Beach, Orange County

PROPOSED DEVELOPMENT: California State Parks is proposing to renovate the Shake Shack concession and adjacent parking area located within Crystal Cove State Park to comply with the Americans with Disabilities Act (ADA). Some modifications were previously proposed and approved under CDP Waiver No. 5-10-219-W. Proposed improvements requested now are to excavate a portion of an unpaved median between the parking area and the Coast Highway travel lanes to add two (2) new parking stalls, and repave and reconfigure remainder parking spaces, for a total of 17 parking spaces (as opposed to 15 spaces).

RATIONALE: The subject site is located along the seaward side of Coast Highway, adjacent to the Crystal Cove Cottage Historic District within Crystal Cove State Park. The project is intended to bring the existing facility up to current American's with Disabilities Act (ADA) standards. As determined by a State Parks staff ecologist, the project will not displace sensitive native habitat. The proposed project will not create any adverse impacts on existing public access in the area. Public access to the beach exists immediately seaward of the project site at Crystal Cove State Beach. The proposed new parking spaces will offset the loss of two parking spaces that was previously proposed under CDP Waiver No. 5-10-219-W, resulting in no net loss of parking spaces as a result of the project. Water quality management measures are proposed. The existing structure is not identified as a historic structure and thus was not made part of the 'historic district' in the Public Works Plan/Crystal Cove Historic District Preservation & Public Use Plan. The proposed development will not result in adverse impacts to coastal access, water quality, coastal resources, public recreation or coastal views. The proposed development requires Commission consideration because, although the facility is identified as an existing concession, the specific project was not previously contemplated and therefore is not contained in the certified Public Works Plan (PWP). Nonetheless, the proposed development is consistent with the land use designation in the PWP, past Commission actions in the area, and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their April 13-14, 2011 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File

Original Signed By 
(signature on file)
KARL SCHWINN
Supervisor, Regulation & Planning
Orange County Area

CALIFORNIA COASTAL COMMISSION

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



5-09-124-A1

NOTICE OF PROPOSED PERMIT AMENDMENT

TO: All Interested Parties
FROM: Peter Douglas, Executive Director
DATE: April 4, 2011
SUBJECT: Permit No. **5-09-124** granted to **Mr. & Mrs. Subrah S. Iyar** for:

Demolition of an existing duplex and construction of a 3,961 square foot, 30 foot-high, three-story single-family residence with a basement level, a roof deck and an attached two-car garage on a 2,420 square-foot lot.

PROJECT SITE: 2108 The Strand, City of Hermosa Beach, Los Angeles County

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Changes to footprint of the structure including removal of a 5' x 20' area on northern edge of first floor. Removal of basement level. Interior reconfiguration, including revisions to walls and staircases. Changes to hardscape and landscaping. The amended project results in a 3,912 sq. ft., 30' high, three story single family residence with 386 sq. ft. of garage, and 832 sq. ft. of decks.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed amendment is consistent with the underlying permit approval (CDP# 5-09-124) and will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact John Del Arroz at the Commission Area office in Long Beach (562) 590-5071.

CALIFORNIA COASTAL COMMISSION

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



5-04-167-A2

NOTICE OF PROPOSED PERMIT AMENDMENT

TO: All Interested Parties

FROM: Peter Douglas, Executive Director

DATE: April 4, 2011

SUBJECT: Coastal Development Permit No. 5-04-167 granted to Orange Coast College School of Sailing and Seamanship:

The proposed project will consist of: 1) installation of ADA compliant gangway and landing; 2) reinstallation of the existing east gangway; 3) install longer and wider west gangway; 4) reconfiguration of the existing instructional docks; 5) installation of two (2) new 30' x 4' fingers and a new 51' x 4' dock with a 22' x 4' backwalk; 6) installation of eight (8) new steel piles ranging from 8" to 12" in diameter coated with NSP-120; 6) removal of ten (10) existing piles ranging from 8" to 10" in diameter; and 7) installation of a new fire system.

PROJECT SITE: Orange Coast College School of Sailing and Seamanship
1801 West Pacific Coast Highway, Newport Beach (Orange County)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above-referenced permit, which would result in the following change(s):

Remove an existing finger, relocate and shorten one (1) existing finger to 4.25' x 22.5', relocate two (2) steel pipe piles; and shorten and relocate an existing "L" shaped finger to 4.25' x 52' and 4.25' x 22.5'. The proposed project would reduce the area of water coverage from 750 square feet to 540 square feet. The dock system will be composed of Douglas fir and Trex decking.

FINDINGS:

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) this amendment is considered to be **IMMATERIAL** and the permit will be modified accordingly if no written objections are received within ten working days of the date of this notice. This amendment has been considered "immaterial" for the following reason(s):

The proposed development will not result in adverse impacts to marine resources and water quality. The proposed amendment is consistent with the underlying permit approval (CDP# 5-04-167), the previous amendment (CDP# 5-04-167-A1) and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed project reduces overall water coverage allowing for more sunlight to reach the harbor bottom which increases potential eelgrass growth. The project is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Fernie Sy at the Commission District Office in Long Beach (562) 590-5071.

CALIFORNIA COASTAL COMMISSION

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



April 4, 2011

OBJECTION TO EXECUTIVE DIRECTOR'S DETERMINATION

TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, Deputy Director, South Coast District, Orange County
Teresa Henry, Manager, South Coast District
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area
Fernie Sy, Coastal Program Analyst II

Re: Extension of Coastal Development Permit 5-06-145-E3 (919 Bayside Drive, City of Newport Beach, County of Orange)

On January 28, 2011, the applicant (UGS Development, Inc, Attn: Tom Utman) submitted a request to extend Coastal Development Permit 5-06-145 for an additional one (1)-year period. Coastal Development Permit 5-06-145, originally approved by the Commission on February 15, 2007 permits the demolition of an existing 64-unit apartment complex and creation of a parcel map for 17 single-family residential lots. In addition, the project consists of construction of a gated community [Gating not approved by the California Coastal Commission. Refer to Special Conditions No. 1, 2, 3, 4, and 6.] with 17 custom single-family residences in accordance with height, setback and other development standards identified in the Planned Community Text. The existing vertical public access on site will be made ADA compliant and widened within the existing easement to provide an 8-foot wide concrete walkway. In addition, the project proposes replacing an existing lateral access, consisting of an existing 6-foot floating public walkway, with an 8-foot landside ADA compliant walkway such that 3-feet of the walkway will be partially on land, with the remaining 5-feet cantilevered over the existing bulkhead. Grading will consist of 4,200 cubic yards of cut, 4,600 cubic yards of fill and 400 cubic yards of import. The proposal also establishes a limitation on use of an existing 34-slip marina located seaward of the new residential community. The project location is 919 Bayside Drive, City of Newport Beach, County of Orange.

On February 28, 2011, the Commission's South Coast District Office in Long Beach issued a notice of the Executive Director's determination that there are no changed circumstances that may affect the proposed development's consistency with the Chapter 3 policies of the Coastal Act. As required by Section 13169(b) of Title 14 of the California Code of Regulations, the Executive Director reported this determination to the Commission at its March 9, 2011 Commission meeting in Santa Cruz.

During the ten working-day period (February 28, 2011 to March 14, 2011) in which any person may object to the Executive Director's determination, the South Coast District Office received two (2) letters objecting to the permit extension request.

The 1st objector, Walter G. Ferguson, is opposed to the proposed project because he feels the project would result in impacts to views and access of the ocean and waterway and that the existing structure has a historical significance and is irreplaceable (Exhibit A). Except along the existing public walkway, existing public views are not afforded on site. The proposed development will not adversely impact views from the walkway. However, the adjacent designated public view area along Bayside Drive at Promontory Bay provides public views and will continue to do so with the proposed project. Thus, public views will not be impacted. There is existing vertical and lateral access to the bay along the perimeter of the project site and they will remain post project. Additionally, the proposed project also proposes enhancements and improvements to these accessways. Thus, public access to the ocean and waterways will be maintained. The existing structure was not documented to have any historical significance. Thus, no historical structures are being impacted by this project.

The 2nd objector, Teri Ferguson, is opposed to the proposed project because she prefers to remain and live in one of the existing 64 apartments on site and does not want to be displaced by the approved construction of the 17-single-family residences (Exhibit B). Her objection does not raise any Coastal Act related issues.

The Executive Director has concluded that the objection letters do not identify any changed circumstances that may affect the proposed development's consistency with the Chapter 3 policies of the Coastal Act. As required by Section 13169(c) of Title 14 of the California Code of Regulations, the Executive Director is reporting this conclusion to the Commission along with copies of the objection letters. If three (3) Commissioners object to the extension on the grounds that there may be circumstances that affect consistency, the Executive Director shall schedule the extension for a public hearing in accordance with Section 13169(d) of Title 14 of the California Code of Regulations. If three (3) Commissioners do not object to the extension, the time for commencement of development shall be extended for one (1) year from the expiration date of the permit.

In this case, the approval of the extension request will extend the expiration date of Coastal Development Permit 5-08-221 to February 15, 2012, one (1) year from the previous date of expiration, and five (5) years from the date of the original approval.

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MAR 9 - 2011

CALIFORNIA
COASTAL COMMISSION

Walter G. Ferguson
919 Bayside Drive
Newport Beach, CA
949-310-4717
acs.walter@verizon.net

Re: Permit 5-06-145 (Notice of Extension)

Dear Peter Douglas:

I would ask you and the Natural Resources Agency under the State of CA to please reconsider Coastal Development Permit 5-06145-E3 for extension.

I represent many families that live at this location, some for over 20 years, many over 10 years and although I have lived there almost 2 years, we all share the same concerns. The fact that an existing 64 home planned family community, which houses 64 families with views and access to our most precious coastline and waterways would be lost forever. A situation that would take away those rights of 64 families to have views and access of the ocean and waterways and give it to a limited and exclusive 17 homes, would be limiting the views and access for far too many.

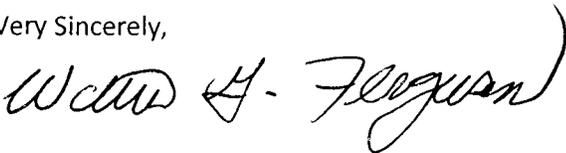
This complex was built in 1959 and has historical significance and is a landmark of that era, that is not replaceable.

The owners and or developers have better options to preserve this complex or even convert to condo units and not displace these 64 families. This would not curtail them from making the profit they desire, actually they would make more profit and the 64 families would be saved, the views and access for many would be saved, the historical beauty of the 1950's would be saved and 64 families rights would be protected under the Coastal Commission.

As a friend of Jerry Brown I know he would agree to the protection of a unique complex and not having so many families displaced that I am copying him in on this letter.

This is a formal objection to this application and I would hope that your agency would help to ensure the rights and preservation of the views and access of these many long time residents.

Very Sincerely,



Walter G. Ferguson

CC: Gov Jerry Brown

COASTAL COMMISSION

EXHIBIT # A
PAGE 1 OF 2

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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4302
(562) 999-3071

(5-06-145-E3)



**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

28 February 2011

Notice is hereby given that **UGS Development, Inc, Attn: Tom Utman** has applied for a one-year extension of Coastal Development Permit **5-06-145**, as amended, granted by the California Coastal Commission on **February 15, 2007** for:

Demolition of an existing 64-unit apartment complex and creation of a parcel map for 17 single-family residential lots. In addition, the project consists of construction of a gated community [Gating not approved by the California Coastal Commission. Refer to Special Conditions No. 1, 2, 3, 4, and 6.] with 17 custom single-family residences in accordance with height, setback and other development standards identified in the Planned Community Text. The existing vertical public access on site will be made ADA compliant and widened within the existing easement to provide an 8-foot wide concrete walkway. In addition, the project proposes replacing an existing lateral access, consisting of an existing 6-foot floating public walkway, with an 8-foot landside ADA compliant walkway such that 3-feet of the walkway will be partially on land, with the remaining 5-feet cantilevered over the existing bulkhead. Grading will consist of 4,200 cubic yards of cut, 4,600 cubic yards of fill and 400 cubic yards of import. The proposal also establishes a limitation on use of an existing 34-slip marina located seaward of the new residential community.

At: **919 Bayside Drive, City of Newport Beach, County of Orange**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: Fernie Sy
Coastal Program Analyst II

REC
South Coast
MAR 9 - 2011
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SEARCHED
SERIAL #
PAGE 2 OF 2

From Teri Ferguson
919 Bayside Dr 0-7
Newport Beach CA 92660

March 5th, 2011

Dear California Coastal Commission,
There are enough multi million
dollar homes on the bay + bay islands.

We love our apartment. We do most
of our shopping on Balboa Island +
the close by Trader Joes. We bring
our families + friends here often
to add to Newport's revenue base.

I love my home and I really don't
want to be kicked out. Tom Utman
will displacing 64 families to be
replaced by 17? Makes no sense
to me and makes me very sad.

I object.

Sincerely,

Teri Ferguson
(949) 310-4716

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EXHIBIT **B**
PAGE 1 OF 2

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CALIFORNIA COASTAL COMMISSION

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

(5-06-145-E3)



NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

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28 February 2011

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Notice is hereby given that **UGS Development, Inc, Attn: Tom Utman** has applied for a one-year extension of Coastal Development Permit **5-06-145**, as amended, granted by the California Coastal Commission on **February 15, 2007** for:

Demolition of an existing 64-unit apartment complex and creation of a parcel map for 17 single-family residential lots. In addition, the project consists of construction of a gated community [Gating not approved by the California Coastal Commission. Refer to Special Conditions No. 1, 2, 3, 4, and 6.] with 17 custom single-family residences in accordance with height, setback and other development standards identified in the Planned Community Text. The existing vertical public access on site will be made ADA compliant and widened within the existing easement to provide an 8-foot wide concrete walkway. In addition, the project proposes replacing an existing lateral access, consisting of an existing 6-foot floating public walkway, with an 8-foot landside ADA compliant walkway such that 3-feet of the walkway will be partially on land, with the remaining 5-feet cantilevered over the existing bulkhead. Grading will consist of 4,200 cubic yards of cut, 4,600 cubic yards of fill and 400 cubic yards of import. The proposal also establishes a limitation on use of an existing 34-slip marina located seaward of the new residential community.

At: 919 Bayside Drive, City of Newport Beach, County of Orange

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

attached

Sincerely,
PETER M. DOUGLAS
Executive Director

By: Fernie Sy
Coastal Program Analyst II

COASTAL COMMISSION

REPORT # B
PAGE 2 OF 2

CALIFORNIA COASTAL COMMISSION

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



April 4, 2011

OBJECTION TO EXECUTIVE DIRECTOR'S DETERMINATION

TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, Deputy Director, South Coast District, Orange County
Teresa Henry, Manager, South Coast District
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area
Fernie Sy, Coastal Program Analyst II

Re: Extension of Coastal Development Permit 5-08-221-E1 (One Hoag Drive (Lower Campus), City of Newport Beach, County of Orange)

On January 12, 2011, the applicant (Hoag Memorial Hospital Presbyterian) submitted a request to extend Coastal Development Permit 5-08-221 for an additional one (1)-year period. Coastal Development Permit 5-08-221, originally approved by the Commission on April 8, 2009, permits the applicant to install landscaping along Pacific Coast Highway, within the westerly parking area, and upon an upper hillside slope; enhancing existing pedestrian and vehicular circulation (i.e. removal of existing parking and replacement with a new parking lot featuring a circular drop-off, wider sidewalks, etc.), and install of 123 additional parking spaces in the area between the Advanced Technology pavilion and the existing Cancer Center at One Hoag Drive (Lower Campus), City of Newport Beach, County of Orange.

On February 28, 2011, the Commission's South Coast District Office in Long Beach issued a notice of the Executive Director's determination that there are no changed circumstances that may affect the proposed development's consistency with the Chapter 3 policies of the Coastal Act. As required by Section 13169(b) of Title 14 of the California Code of Regulations, the Executive Director reported this determination to the Commission at its March 9, 2011 Commission meeting in Santa Cruz.

During the ten working-day period (February 28, 2011 to March 14, 2011) in which any person may object to the Executive Director's determination, the South Coast District Office received one (1) letter objecting to the permit extension request (Exhibit A). An additional letter was received from the applicant in response to the objection letter (Exhibit B). Lastly, a letter from the objector of the permit extension was received requesting that their letter of objection be retracted (Exhibit C).

The Executive Director has concluded that the objection letter does not identify any changed circumstances that may affect the proposed development's consistency with the Chapter 3 policies of the Coastal Act. As required by Section 13169(c) of Title 14 of the California Code of Regulations, the Executive Director is reporting this conclusion to the Commission along with copies of the objection letters. If three (3) Commissioners object to the extension on the grounds that there may be circumstances that affect consistency, the Executive Director shall schedule the extension for a public hearing in accordance with Section 13169(d) of Title 14 of the California Code of Regulations. If three (3) Commissioners do not object to the extension, the time for commencement of development shall be extended for one (1) year from the expiration date of the permit.

In this case, the approval of the extension request will extend the expiration date of Coastal Development Permit 5-08-221 to April 8, 2012, one (1) year from the previous date of expiration, and three (3) years from the date of the original approval.

VILLA BALBOA



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CALIFORNIA
COASTAL COMMISSION

March 7, 2011

Peter M. Douglas, Executive Director
Fernie Sy, Coastal Program Analyst II
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

Dear Mr. Douglas and Mr. Sy,

I write this letter as Chair of the Board of Directors of the Villa Balboa Community Association, a complex of 450 residential condominium units adjacent to the Hoag Memorial Hospital Presbyterian upper and lower campuses. Our association objects to a one-year extension of Hoag's Coastal Development Permit 5-08-221, as amended, granted by the California Coastal Commission on April 8, 2009. We request that the Commission conduct a hearing on this matter in the South Coast California area. The issues cited below demonstrate that circumstances have changed during the course of the last two years thus establishing a basis for the denial of Hoag's request.

The matters cited below demonstrate that Hoag has not been a trustworthy steward of Coastal Newport Beach by failing to meet general requirements of the Coastal Commission and/or specific requirements established by the Commission in granting its previous development permits. In particular, Hoag has demonstrated poor stewardship in the responsible use of its current lower campus parking facility located between the child care center and power generating plant, utilized between the hours of 5:00 a.m. and 8:00 p.m. These concerns should be addressed and corrected before Hoag is allowed to replicate these practices in a vast expansion of this current lower campus parking facility. During the past two years the Villa Balboa Community Association has attempted to work with Hoag to address these matters to little or no avail.

MAINTENANCE OF LOWER CAMPUS PARKING LOT

The lower campus parking lot is unsightly due to poor maintenance. The lot is rarely swept or washed as required for proper maintenance. Hoag's failure to regularly maintain this parking area results in the surface of the lot becoming polluted leading to automobile oil spills, multiple types of construction grease and other materials, and dirt being carried into the city drainage system that drains into the ocean during periods of rain.

Managing Agent: Villageway Management, Inc.
P.O. Box 4708 • Irvine, CA 92616-4708
(949) 450-1515 • FAX (949) 585-0146

COASTAL COMMISSION

EXHIBIT # A
PAGE 1 OF 3

HIGH LEVEL OF EXHAUST FUMES

Exhaust fumes carry into the public park (Sunset View Park) and adjacent residences from 5:00 a.m. to 8:00 p.m. emanating from vehicles that travel throughout the parking lot. This is exacerbated when combined with constant use of shuttle buses that transport employees from the lower campus to upper campus and back. Prevailing ocean breezes further elevate hazardous pollution levels wafting into the park and residences throughout the entire 15 hours that the lot is utilized.

EXCESSIVE NOISE LEVELS

With vehicular traffic throughout the day excessive traffic noise is frequently evident. Further, during early morning hours (5:00 a.m.) employees often speak loudly and allow car alarms to become activated resulting in excessive noise levels that carry into adjacent residences.

EXCESSIVE LIGHTING OF PARKING LOT

The intensity of the parking lot lighting is extremely excessive. This is due to several ill-advised design features including the use of light poles that are approximately 25 feet in height rather than the use of ground level lighting. As previously mentioned the parking lot is utilized five days per week from 5:00 a.m. to 8:00 p.m. However, parking lot lights remain on from dawn to dusk, 365 days/year rather than being turned off when the lot is not in use. Furthermore, the lot is never in use on Saturdays or Sundays when the lights should be turned off. Failure to turn the lights off when the lot is not in use significantly detracts from the quality of life that is a reasonable expectation of Villa Balboa residents and visitors to Sunset View Park.

DISTRACTING VEHICLE LIGHTS

During the early morning and early evening hours vehicular lights shine into adjacent residences and also significantly distract from the serene experiences of those who visit the Sunset View Park to enjoy the sunrise and sunset.

INCOMPLETE LANDSCAPING

When Hoag first met with the residents of the Villa Balboa Community landscape personnel promised that the lower campus would be landscaped by deploying a "canopy of trees" to mitigate the unsightly parking lot. This promise has not been delivered. The current parking facility looks very "commercial."

We request that the Commission hold a hearing on Hoag's request in the South Coast area. Thank you for your consideration of this very urgent request.

Sincerely,



Carleen Hallstead
Chair, Board of Directors

Managing Agent: Villageway Management, Inc.
P.O. Box 4708 • Irvine, CA 92616-4708
(949) 450-1515 • FAX (949) 585-0146

COASTAL COMMISSION

EXHIBIT # A
PAGE 2 OF 3

CALIFORNIA COASTAL COMMISSION

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

(5-08-221-E1)

**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

28 February 2011

Notice is hereby given that **Hoag Memorial Hospital Presbyterian** has applied for a one-year extension of Coastal Development Permit 5-08-221, as amended, granted by the California Coastal Commission on April 8, 2009 for:

Landscaping along Pacific Coast Highway, within the westerly parking area, and upon an upper hillside slope; enhancing existing pedestrian and vehicular circulation (i.e. removal of existing parking and replacement with a new parking lot featuring a circular drop-off, wider sidewalks, etc.), and installing 123 additional parking spaces in the area between the Advanced Technology pavilion and the existing Cancer Center.

At: One Hoag Drive (Lower Campus), City of Newport Beach, County of Orange

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: Fernie Sy
Coastal Program Analyst II

release date 3/11/11

COASTAL COMMISSION

EXHIBIT **A**
PAGE **3** OF **3**

COPY

O'NEIL LLP

ATTORNEYS AT LAW

DEAN DUNN-RANKIN
SANDRA A. GALLE
WILLIAM E. HALLE
ANDREW K. HARTZELL
LAWRENCE J. HILTON
JOHN D. HUDSON

19900 MACARTHUR BOULEVARD, SUITE 1050
IRVINE, CALIFORNIA 92612
(949) 798-0500 • (949) 798-0511 (FAX)
EMAIL: counsel@oneil-llp.com

WRITER'S DIRECT DIAL: (949) 798-0734
EMAIL: doneil@oneil-llp.com

DENNIS D. O'NEIL
JAY F. PALCHIKOFF
PAUL A. ROWE
WILLIAM L. TWOMEY
JOHN P. YEAGER

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MAR 14 2011

March 11, 2011

VIA OVERNIGHT MAIL

CALIFORNIA
COASTAL COMMISSION

Carleen Hallstead
Villa Balboa Community Association President
c/o Pamela Cooper
Villageway Management, Inc.
2 Venture, Suite 500
Irvine, CA 92618

Erik Thurnher
Friends of Sunset View Park
200 Paris Lane, No. 308
Newport Beach, CA 92663

Richard Runyon
Friends of Sunset View Park
200 Paris Lane, No. 208
Newport Beach, CA 92663

Gloria Quirk
Friends of Sunset View Park
200 Paris Lane, No. 213
Newport Beach, CA 92663

Re: Notice of Violation of Settlement Agreement Dated October 1, 2008

Ladies and Gentlemen:

Notice is hereby given to the parties listed above, with copies to their respective attorneys, concerning the attached letter dated March 7, 2011 ("Villa Balboa Letter") from the Villa Balboa Community Association to Peter Douglas, Executive Director, and Fernie Sy, Coastal Program Analyst II, of the California Coastal Commission objecting to the request of Hoag Memorial Hospital Presbyterian ("Hoag Hospital") for a one-year extension of Coastal Development Permit No. 5-08-221 ("CDP") relating to certain requirements set forth in the City Approvals as hereinafter defined. The Villa Balboa Letter constitutes a direct violation and breach of the terms and conditions of that certain Settlement Agreement entered into between the Villa Balboa Community Association ("Villa Balboa"), Friends of Sunset View Park ("Friends") and Hoag Hospital, effective as of October 1, 2008 ("Settlement Agreement"). Sections 20, 21 and 22 of the Settlement Agreement contain provisions that expressly provide that Villa Balboa waives its right to, and shall not challenge in any court or administrative proceeding, or otherwise file written or offer verbal testimony before the California Coastal Commission relating to the City's approval of the Hoag Hospital Master Plan Update (PA 2007-073), General Plan Amendment No. 2007-005, Planned Community Development Plan Amendment No. 2007-001, Development Agreement No. 2007-001, and SEIR granted by the City Council on May 13, 2008 ("City Approvals").

COASTAL COMMISSION

As legal counsel for Hoag Hospital, I am hereby making demand that Carleen Hallstead, Chair of the Villa Balboa Board of Directors and as the author of the Villa Balboa Letter, immediately file a request to the California Coastal Commission that the Villa Balboa Letter be withdrawn and all statements therein be retracted from the record. Further, demand is made that Villa Balboa take no subsequent action objecting to Hoag Hospital's application to extend the CDP or for that matter any other application to the California Coastal Commission relating to the City Approvals.

Unless the undersigned receives evidence of the withdrawal of the Villa Balboa Letter within five days of receipt of this letter, Hoag Hospital shall take appropriate action(s) to seek and prosecute all available remedies against Villa Balboa to protect and enforce its rights under the Settlement Agreement.

Very truly yours,



Dennis D. O'Neil

DDO/clt

cc: Peter M. Douglas
Fernie Sy
Terri W. Cammarano, Esq.
Stephen M. Miles, Esq.
Michele A. Staples, Esq.
Denise Iger, Esq.

COASTAL COMMISSION

EXHIBIT # B
PAGE 2 OF 4

VILLA BALBOA



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South Coast Region

MAR 8 - 2011

CALIFORNIA
COASTAL COMMISSION

March 7, 2011

Peter M. Douglas, Executive Director
Fernie Sy, Coastal Program Analyst II
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

Dear Mr. Douglas and Mr. Sy,

I write this letter as Chair of the Board of Directors of the Villa Balboa Community Association, a complex of 450 residential condominium units adjacent to the Hoag Memorial Hospital Presbyterian upper and lower campuses. Our association objects to a one-year extension of Hoag's Coastal Development Permit 5-08-221, as amended, granted by the California Coastal Commission on April 8, 2009. We request that the Commission conduct a hearing on this matter in the South Coast California area. The issues cited below demonstrate that circumstances have changed during the course of the last two years thus establishing a basis for the denial of Hoag's request.

The matters cited below demonstrate that Hoag has not been a trustworthy steward of Coastal Newport Beach by failing to meet general requirements of the Coastal Commission and/or specific requirements established by the Commission in granting it previous development permits. In particular, Hoag has demonstrated poor stewardship in the responsible use of its current lower campus parking facility located between the child care center and power generating plant, utilized between the hours of 5:00 a.m. and 8:00 p.m. These concerns should be addressed and corrected before Hoag is allowed to replicate these practices in a vast expansion of this current lower campus parking facility. During the past two years the Villa Balboa Community Association has attempted to work with Hoag to address these matters to little or no avail.

MAINTENANCE OF LOWER CAMPUS PARKING LOT

The lower campus parking lot is unsightly due to poor maintenance. The lot is rarely swept or washed as required for proper maintenance. Hoag's failure to regularly maintain this parking area results in the surface of the lot becoming polluted leading to automobile oil spills, multiple types of construction grease and other materials, and dirt being carried into the city drainage system that drains into the ocean during periods of rain.

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HIGH LEVEL OF EXHAUST FUMES

Exhaust fumes carry into the public park (Sunset View Park) and adjacent residences from 5:00 a.m. to 8:00 p.m. emanating from vehicles that travel throughout the parking lot. This is exacerbated when combined with constant use of shuttle buses that transport employees from the lower campus to upper campus and back. Prevailing ocean breezes further elevate hazardous pollution levels wafting into the park and residences throughout the entire 15 hours that the lot is utilized.

EXCESSIVE NOISE LEVELS

With vehicular traffic throughout the day excessive traffic noise is frequently evident. Further, during early morning hours (5:00 a.m.) employees often speak loudly and allow car alarms to become activated resulting in excessive noise levels that carry into adjacent residences.

EXCESSIVE LIGHTING OF PARKING LOT

The intensity of the parking lot lighting is extremely excessive. This is due to several ill-advised design features including the use of light poles that are approximately 25 feet in height rather than the use of ground level lighting. As previously mentioned the parking lot is utilized five days per week from 5:00 a.m. to 8:00 p.m. However, parking lot lights remain on from dawn to dusk, 365 days/year rather than being turned off when the lot is not in use. Furthermore, the lot is never in use on Saturdays or Sundays when the lights should be turned off. Failure to turn the lights off when the lot is not in use significantly detracts from the quality of life that is a reasonable expectation of Villa Balboa residents and visitors to Sunset View Park.

DISTRACTING VEHICLE LIGHTS

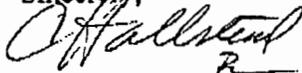
During the early morning and early evening hours vehicular lights shine into adjacent residences and also significantly distract from the serene experiences of those who visit the Sunset View Park to enjoy the sunrise and sunset.

INCOMPLETE LANDSCAPING

When Hoag first met with the residents of the Villa Balboa Community landscape personnel promised that the lower campus would be landscaped by deploying a "canopy of trees" to mitigate the unsightly parking lot. This promise has not been delivered. The current parking facility looks very "commercial."

We request that the Commission hold a hearing on Hoag's request in the South Coast area. Thank you for your consideration of this very urgent request.

Sincerely,



Carleen Hallstead
Chair, Board of Directors

COASTAL COMMISSION

EXHIBIT # B
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