

CALIFORNIA COASTAL COMMISSION

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

**W10c****ADDENDUM**

June 13, 2011

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO **ITEM W10c**, COASTAL COMMISSION PERMIT APPLICATION **#5-10-298 (Advanced Group 99-D)** FOR THE COMMISSION MEETING OF **June 2011**.

Revisions to Staff Report

Commission staff recommends the following revision to the language of Special Condition #14: Revised Final Project Plans clarifying the intent of the special condition. Deleted language is shown in ~~strike through~~ and new language is in ***bold, underlined italic***. Staff proposes new language for Special Condition 14 on page 11 of the staff report as follows:

14. FINAL PROJECT PLANS

- A. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, two (2) full size sets of final revised project plans with City of Newport Beach Approval in Concept. The final revised project plans shall be in substantial conformance with the plans dated April 11, 2011 and submitted to the Commission on May 9, 2011 and conform to the requirements of the special conditions of this permit and indicate the final layout of all development including but not limited to: grading, buildings, water quality management system, decks and existing docks and piers. No work to the existing docks and piers is authorized by this coastal development permit approval. The plans shall be revised to include the following:
1. Depiction of all existing development on the site, including the existing bluff stairs and the existing dock system configuration as no demolition or work is proposed for the site below the 50.7' elevation contour and no dock structure replacement is authorized by this permit.
 2. Depiction of proposed park bench and drinking fountain view corridor access improvements outside of the project property line on the public-right-of-way at the corner of Ocean Blvd. and Carnation Ave.
 3. No development shall be sited seaward of the Predominant Line of Existing Development (PLOED) at elevation 50.70' (e.g., grading, enclosed living space, cantilevered decks, cantilevered patios, fences, guardrails and cantilevered pool areas).
 4. No development (e.g. grading, foundations, structures, etc.) shall occur below the PLOED at elevation 50.70' ~~(except ***as follows: i)*** to install the 31 caissons/piles for the pile-supported retaining wall depicted on the conceptual grading plan dated April 11, 2011 and any tieback anchors), ***ii) for 24" deep footings below the concrete slab bottom at 50.7' elevation to support structural internal and perimeter building foundation walls, iii) slab waterproofing systems***~~

between native soils and slab, iv) sewer to serve the proposed development; v) on site drainage pipes underneath the slab. These ancillary utility systems may be permitted no more than 36" below the concrete slab bottom at 50.7' elevation. Perimeter building foundations shall not project beyond the exterior building walls. All utility and drainage lines shall be located landward of the bluff face and perimeter building foundations.

5. Grading of the bluff face shall be minimized wherever possible. No further grading of the north bluff face (Carnation Ave. bluff) than as proposed in the plans dated April 11, 2011 (the lowermost exposed visible surface of the development on the west bluff or "Ocean Blvd. bluff" at the 51.14' elevation, approximately half a foot above the established PLOED at 50.70' elevation and on the north or "Carnation Ave. bluff" the lowermost exposed visible surface is at 61.31' elevation).
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

On the last section of page 17 of the staff report, staff recommends addition of the following language to the findings addressing the added language to Special Condition 14:

Bluff Setback - Use of Predominant Line of Existing Development

In the City of Newport Beach, the Commission typically imposes a minimum bluff edge setback of 25 feet from the edge of the bluff for primary structures on bluff top lots subject to marine erosion (e.g. the enclosed living area of residential structures). However, the Commission has used a different approach in areas like Corona del Mar where there is already development on the bluff face. Specifically, the Commission has used the City's bluff setback LUP provision to maintain an equitable approach to setback conditions that are consistent with the prevailing patterns of development in Corona del Mar and that are appropriate given the relatively stable geology of the area. In the Corona del Mar community, the City's CLUP has specific policies permitting new *bluff face* development (i.e., no bluff edge setback) on lots with pre-existing bluff face development if determined to be consistent with the predominant line of existing development (PLOED), but only when no feasible alternative exists and when designed and constructed to minimize alteration of the bluff face, to not contribute to erosion of the bluff face and to be visually compatible with the surrounding area. These setbacks are deemed acceptable within this area of Corona del Mar based on the relatively stable, underlying bedrock of the bluffs in the area. The intent of the setback is to substantially reduce the likelihood of new development from grading down further and altering the remaining bluff face (as substantial pre-Coastal Act development on the bluff face exists in this area of Corona del Mar).

The PLOED for the project was established at the 50.7' elevation by the City. As proposed the lowermost section of the basement slab is at the 50.7' elevation. However, as indicated in the section above, excavation for the basement level will require a caisson/pile supported retaining wall proposed to be kept in place rather than removed after excavation is complete. These caissons and other support systems of the project such as the 24" deep footings for the building's concrete perimeter foundation and internal structural walls, slab waterproofing system (e.g visqueen layer between concrete and native soils), sewer waste lines to support the proposed development and drainage lines will by definition be required to be placed below the basement slab and therefore, would be placed below the PLOED. These ancillary systems are required per

geotechnical recommendation and are basic building code requirements typically placed in a trench 36" below the lowest finish floor elevation; in this case 36" below the 50.7' elevation. Special Condition 14 requires the applicant submit final revised plans including final grading and foundation plans and limits development below and seaward of the PLOED of 50.7' except for the installation of the 31 caissons/piles for the pile-supported retaining wall and any tieback anchors, concrete perimeter building foundations and ancillary systems required to support the building such as slab waterproofing systems, sewer and drainage systems. These ancillary utility systems may be permitted no more than 36" below the concrete slab bottom at 50.7' elevation and perimeter building foundations shall not project beyond the exterior building walls. Furthermore, the condition requires all utility and drainage lines to be located landward of the bluff face and perimeter building foundations. This condition ensures the project substantially conforms to the PLOED setback.

Furthermore, the Commission finds that development on the upper portion of the bluff face does not result in a geologic hazard in this case because, as indicated in the geotechnical report, the geologic stability of the site is adequate to support the proposed development. Applying a PLOED setback would be appropriate for the proposed project considering that the proposed new structure would not daylight lower down the bluff face than the lowest point of visible development on the existing pre-Coastal Act structure on this bluff.

Correspondence

Staff received two ex-parte communications between Commissioners and the applicant agents, a copy of the information package the applicant provided the Commissioners prior to the hearing, 33 letters in support of the project and 15 letters in opposition between May 27 and June 13, 2011. The letters in opposition to the proposed project express two main concerns: 1) the scale of the project/above ground mass of the proposed structure/consistency with the character of the neighborhood and 2) protection of the coastal bluff. Staff believes these issues are adequately addressed in the staff report.

Additionally, there was one letter from Mr. Ron Yeo, Architect with an office in Corona del Mar raising a concern regarding the accuracy of the actual view cone as depicted in the proposed public view exhibit (Exhibit #9) in the staff report. To address Mr. Yeo's concerns, the applicant revised and re-submitted the attached Exhibit #9 and provided photographs comparing the standing view cone and the view cone sitting at proposed new public bench at the view corridor to clarify the existing and proposed view of Newport Bay and the Pacific Ocean if the project were approved. The new revised exhibit and photographs are included in the addendum. The proposed new structure would be set back 14 feet landward from the existing structure's location which accounts for the increase in the view corridor. The sitting view corridor from the proposed public bench though expanded, would still be partially obstructed by the adjacent property's wall/hedge. Staff will conduct an investigation into whether the adjacent property's wall/hedge is permitted with a coastal development permit to further address Mr. Yeo's comment regarding expanding the public view at this public view corridor.

The proposed view corridor is not a condition of approval but is included in the project proposal. Special Condition #9 requires that no development other than the proposed bench, water fountain and landscaping be sited within the proposed 44-degree wide view corridor located at the corner of Ocean Blvd. and Carnation Ave. The special condition further requires that the landscaped area within the view corridor only be planted with low-growing native or non-native drought tolerant non-invasive vegetation that does not reduce, obstruct, or in any way interfere with public views through the view corridor.

Staff recommends approval of the proposed project with eighteen (18) special conditions.

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project: Aerie Item 10c

Date and time of receipt of communication: June 13, 2011 8-:820
a.m.a.m. _____

Location of communication:
teleconference _____

Type of communication (letter, facsimile, etc.):
teleconference _____

Person(s) initiating communication: Donna Andrews

Edgar Gutierrez

Rick Julian (applicant)

Detailed substantive description of content of communication:

Agent inquired whether I had received video and book and I said no. Agent asked if they could e mail and I stated that I would only review if all Commissioners and staff had received. Agent assured me that this had been done.

Mr. Julian stated he is not a builder, it is to be his home, and that the project was for a group of empty nesters, 6 of the 7 units were already spoken for. Stated that the project met all city requirements, with no request for variance or modifications but the Commission had concerns particularly with the basement and pool which they had addressed.

I stated that I had reviewed the staff report and was focused on the areas where the Commission had concerns and how those issues had been addressed. When asked I indicated that my one question to this date arises from the staff report and conditions, as well as the letter from Ms. Beck asking for a deed restriction to clarify that the expansion of the dock is not included and will require separate discretionary review. I told Mr. Julian et al that am concerned that the purchasers of the condos have adequate notice of the requirement for a separate discretionary approval should they choose to apply for an expansion of the dock, and that there not be future dispute about the scope of the current approval. I therefore asked whether the applicant would agree to modify Condition #10, contents of the C,C and Rs, to specifically reference the restrictions set forth in Condition #2. Initially Mr. Julian started to argue the merits and fairness of allowing a dock expansion. I clarified the scope of my request, and they stated they would be prepared to address at the hearing.

6-13-11

Jana Zimmer

EX PARTE COMMUNICATIONS

ITEM W10c

Name of project: Application AERIE, Newport Beach, Application No. 5-10-298
Date/time of communication: May 24, 2011, 1:30 pm
Location of communication: K&S Ranch
Type of communication: Teleconference
Person in attendance at time of communication: Dave Neish Jr. & Sr,
Person receiving communication: Steve Blank

Detailed substantive description of the content of communication:

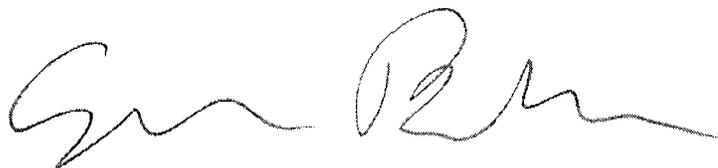
The agents provided an overview of the 7 Aerie project which continued by the Commission at the March 2011 hearing. They gave me the project briefing book and a 8-minute DVD, which served as a guide for our discussion.

They highlighted the issues that Commissioners raised at the last hearing as well as project modifications that have been performed to address the majority of the Commissioners' concerns. The project has been modified so that no development is below the predominant line of existing development.

The representatives also noted that Coastal Commission staff is recommending approval of the project for the third time. The applicant is in full agreement with Coastal staff report with and all of the Special Conditions.

Date: Thursday, June 9, 2011

Signature of Commissioner:



Date

Signature of Commissioner



June 6, 2011

California Coastal Commission
Ms. Liliana Roman
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Re: Application Number: 5-10-298 - AERIE, Newport Beach

Dear Ms. Roman:

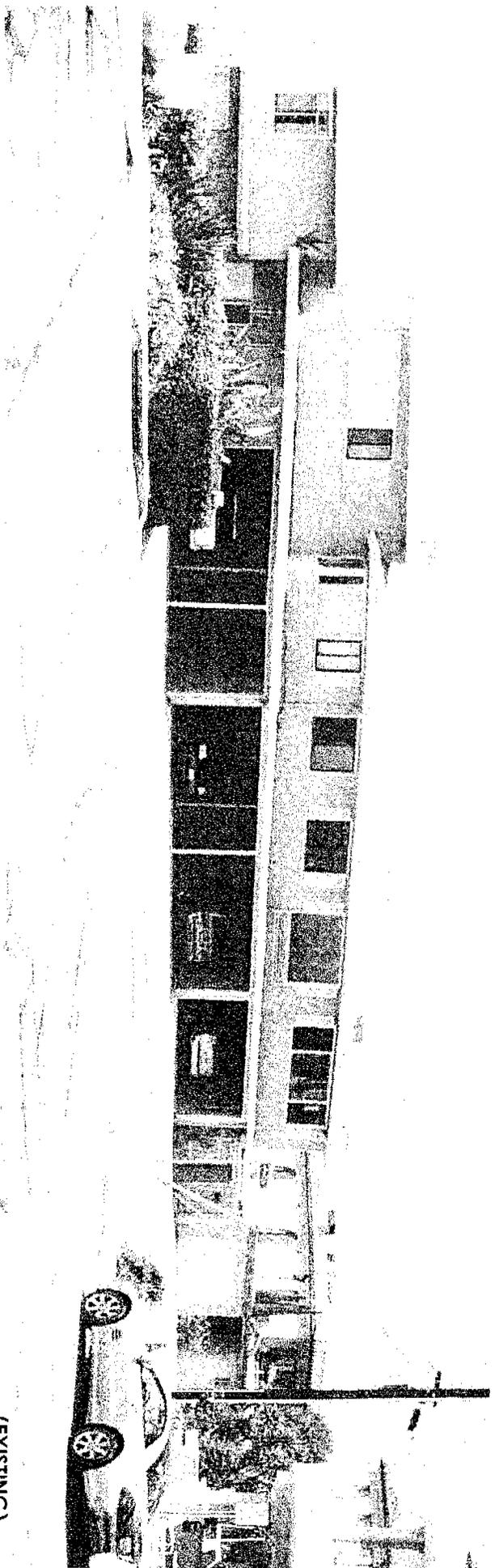
Enclosed for your information and files are copies of the information that we have sent to the following California Coastal Commissioner's:

Commissioner Sarah Glade Gurney
Commissioner Jana Zimmer
Commissioner Dayna Bochco
Commissioner Wendy Mitchell
Commissioner Bruce Reznik

If you should have any questions please do not hesitate to contact our office.

Sincerely

RICK JULIAN



(EXISTING)

LEED • LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN • SILVER



AERIE

Brion Jeannette Architecture

CALIFORNIA COASTAL COMMISSION

BRIEFING BOOK

CDP 5-10-298

JUNE 15, 2011

AGENDA ITEM W10c

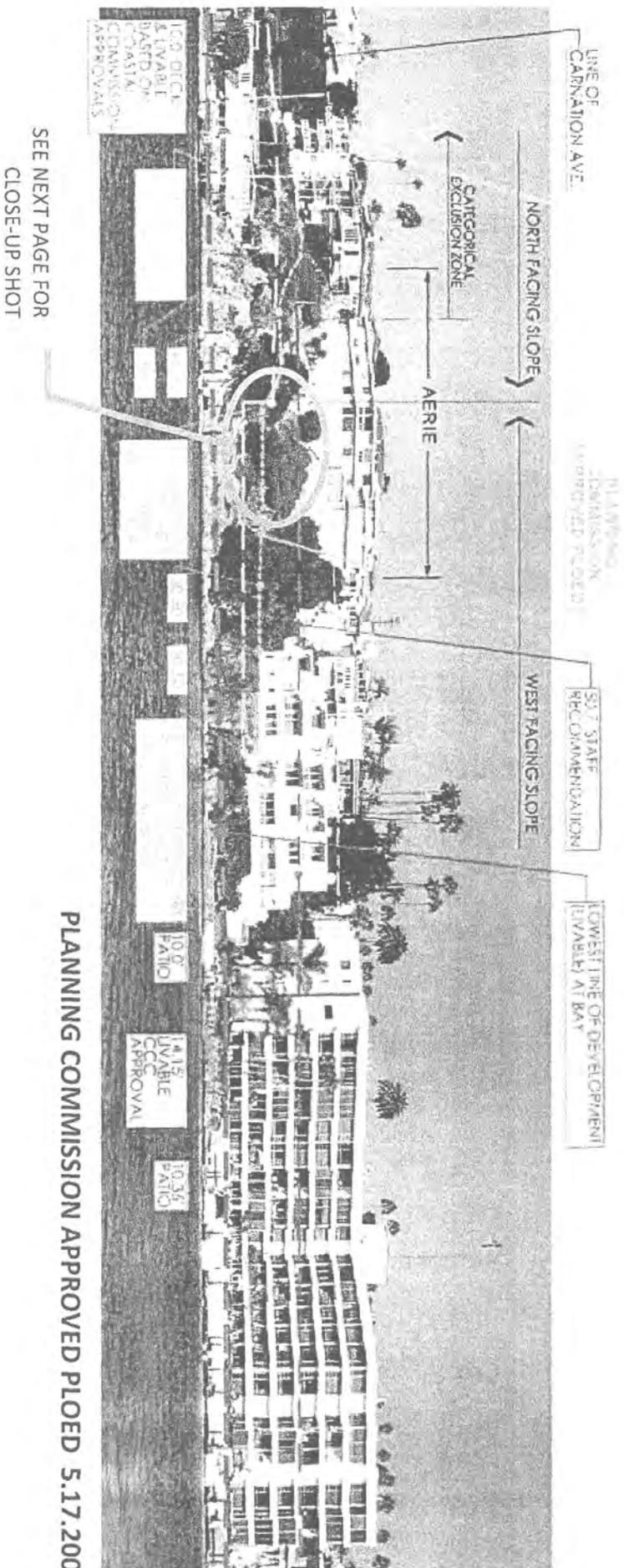
(CONTINUED FROM MARCH 9, 2011 HEARING – AGENDA ITEM 10b)



SENSIBLE REDEVELOPMENT

Brion Jeannette Architecture

WESTERLY BLUFF FACE

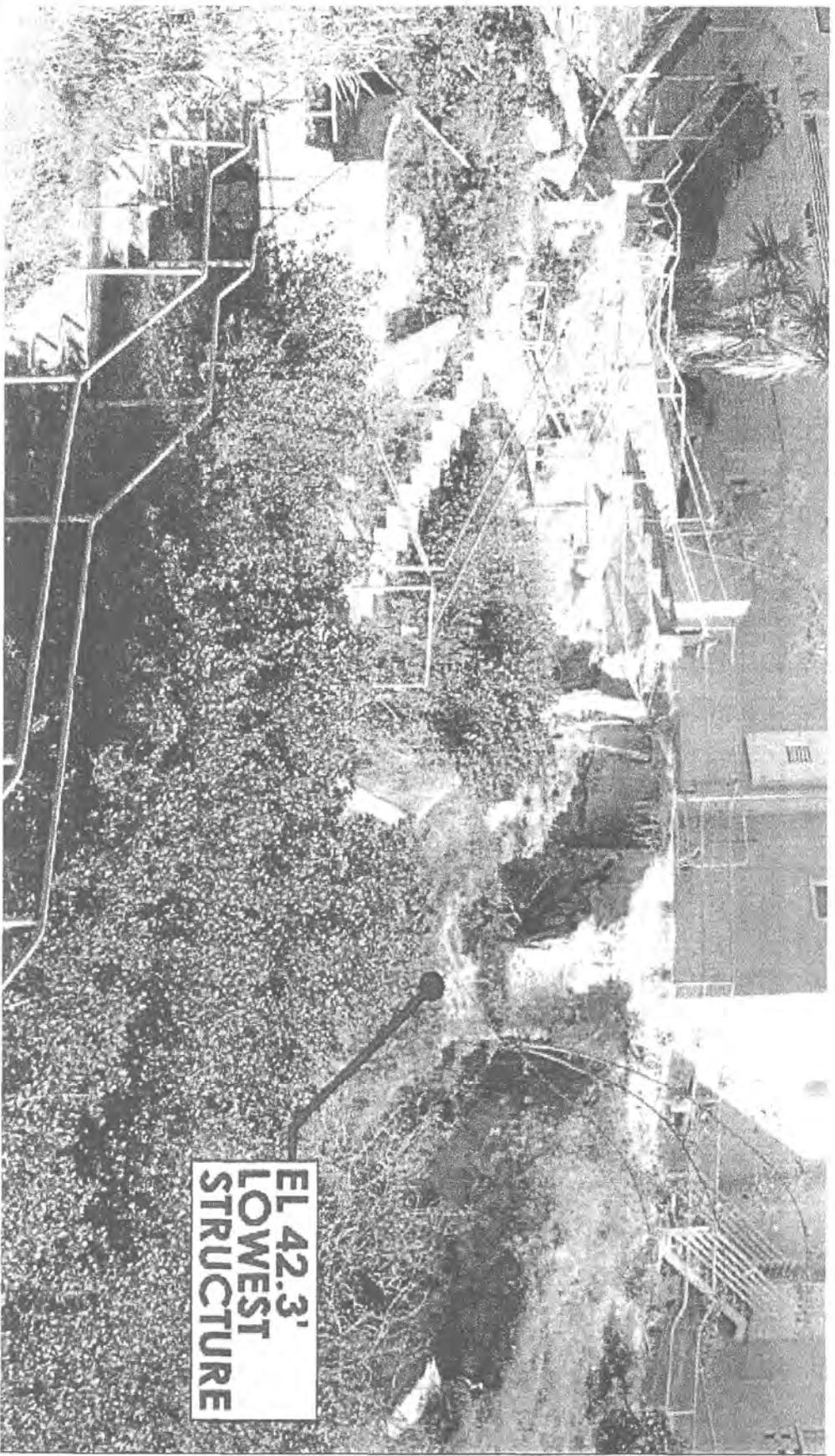


SEE NEXT PAGE FOR
CLOSE-UP SHOT

PLANNING COMMISSION APPROVED PLOED 5.17.2007

AS A RESULT OF PULLING THE BUILDING UP AND OMITTING THE CANTILEVERED DECKS BEYOND THE VERTICAL LINE OF FLOED AT EL. 50.7', NATURAL LANDFORM ALTERATION HAS BEEN FURTHER MINIMIZED

- *All miscellaneous concrete structures and debris will be cleaned up and the entire site will be replanted with native vegetation where it doesn't already exist.*

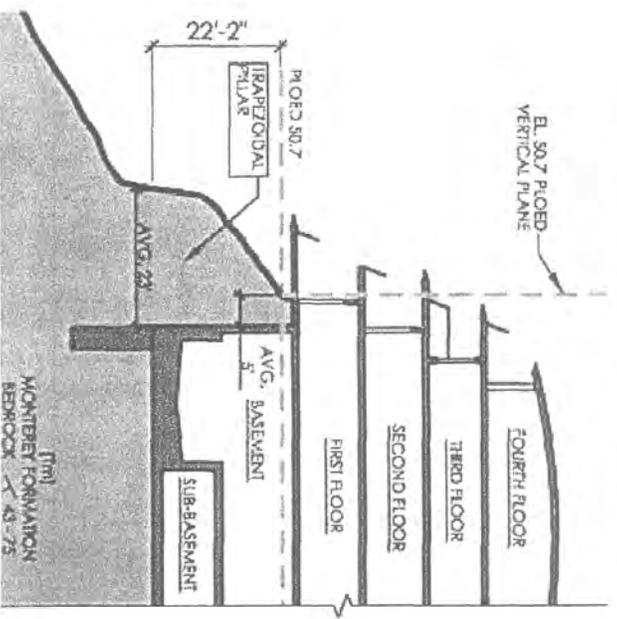


<u>Commission's and Staff's Concerns</u>		<u>Applicant's Responses</u>
1. Reduced landform alternation	✓	<ul style="list-style-type: none"> • Eliminated one residence • Redesigned building, eliminated 2 floors below PLOED • Landform alterations were minimized • Reduced grading by 15,430 cyds., 61% less
2. Excavation below PLOED appears excessive	✓	<ul style="list-style-type: none"> • Redesigned building, eliminated 2 floors • Reduce grading by 15,430 cyds, 61% less
3. Reduce depth of cut from PLOED	✓	<ul style="list-style-type: none"> • Depth of cut went from 23 ft to 0 ft below PLOED, 100% less
4. Trapezoidal landform may fail	✓	<ul style="list-style-type: none"> • Redesigned building, eliminated 2 floors • Eliminated trapezoidal pillar
5. Can total structural area be reduced?	✓	<ul style="list-style-type: none"> • Redesigned building, eliminated one residence • Reduced building by 10,585 SF, 17% less
6. Can parking area be reduced?	✓	<ul style="list-style-type: none"> • Redesigned building, removed 2 parking levels • Reduced parking spaces to city requirement • Reduced parking area by 4,642 SF, a 35% less
7. Vehicular elevators are unconventional	✓	<ul style="list-style-type: none"> • Removed both vehicular elevators • Redesigned parking area to provide a traditional drive in approach
8. North building façade appears massive	✓	<ul style="list-style-type: none"> • Redesigned building, removed 2 floors • Eliminated one residence

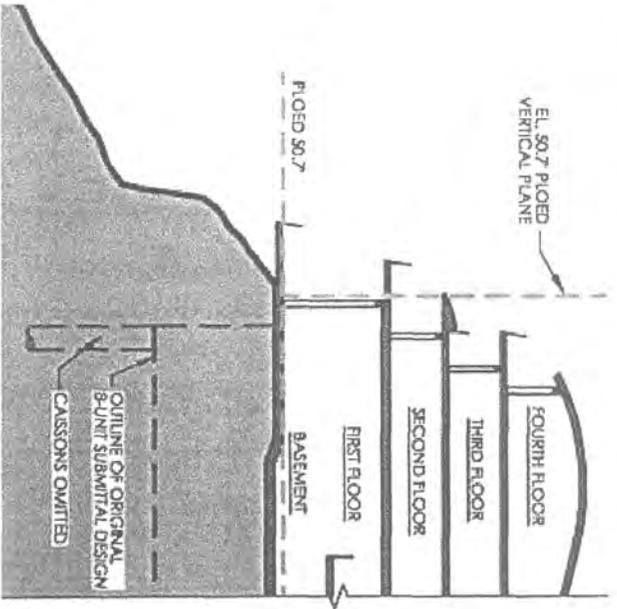
	recommended	✓	<ul style="list-style-type: none"> Redesigned building to protect North bluff face
10.	Building slab should be above EL. 50.7' PLOED	✓	<ul style="list-style-type: none"> Redesigned building, lowest building slab raised above the PLOED
11.	Pool should not go below EL. 50.7' PLOED	✓	<ul style="list-style-type: none"> Redesigned building and pool Raised the pool structure to be above PLOED
12.	Protect West public view by redesigning of decks	✓	<ul style="list-style-type: none"> Redesigned building, removed building corner and decks Enhanced the public view corridor
13.	Decks should not exceed EL. 50.7' PLOED vertical or horizontal plane	✓	<ul style="list-style-type: none"> Redesigned building, pulled in building walls, decks, and eaves behind the PLOED Pulled in decks and eaves to not exceed the extent of March 2011 CCC Hearing design
14.	Is the site suitable and stable for this project?	✓	<ul style="list-style-type: none"> Aerie site is on Monterey Formation Bedrock. Mark Johansson, Coastal geologist, stated "proposed project site is stable"
15.	What are positive benefits of the above adjustments?	✓	<ul style="list-style-type: none"> Reduced caissons by 30, 51% less Reduced excavation time by 46 days, 60% less Reduced construction time by 7 months, 22% less Reduced dump trucks by 1,287, 61% less Parking via access ramp, provided 3 on-street parking Eliminated one residence Increased and added new public view corridor Preserved and proposed to clean up face of bluff

VERTICAL PLANE OF PLOED AT EL. 50.7'

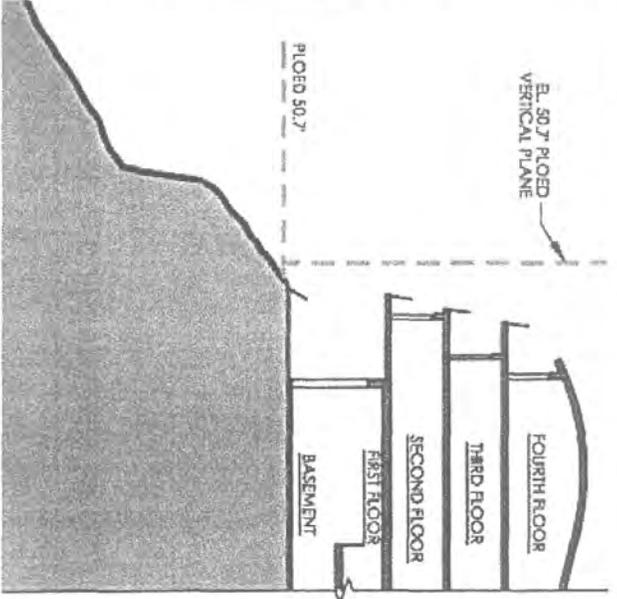
- All building finished floors have been raised to meet this goal
- All building walls and decks have been pulled back behind the vertical plane of PLOED at el. 50.7'.
(A completely new concept from the staff)
- Staff Requested redesigned decks and eave overhangs not to exceed the extent of March 2011 CCC Hearing



APRIL 2010 CCC HEARING WITH STAFF RECOMMENDED APPROVAL



MARCH 2011 CCC HEARING WITH STAFF RECOMMENDED APPROVAL



JUNE 2011 CCC HEARING WITH STAFF RECOMMENDED APPROVAL

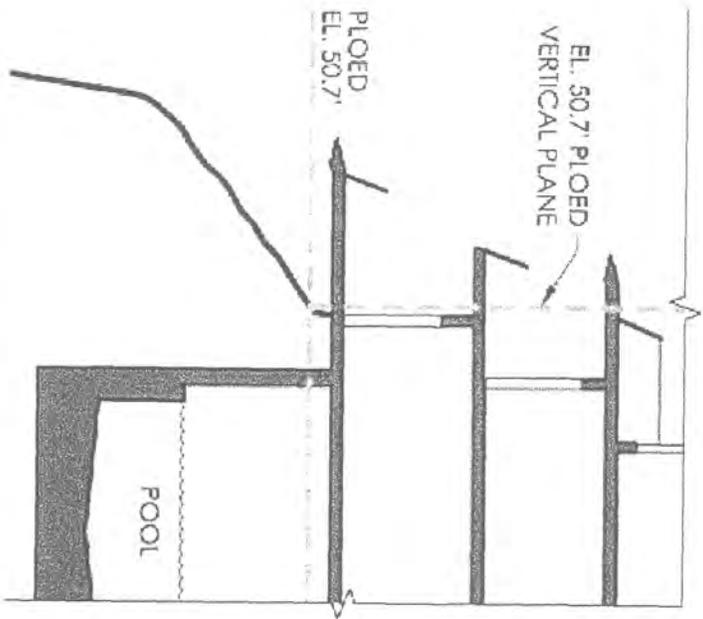
As of result:

- All levels (2) of subterranean development below PLOED have been removed
- Building structure has been reduced by 10,585 SF (-17%)
- 1 residence and both vehicular elevators have been removed
- Grading reduced by 15,430 cyds (-61%)
- Caissons reduced by 30 (-49%)
- Trapezoidal pillar eliminated

CCC: (2011-06-01)

RAISE THE POOL STRUCTURE TO ABOVE PLOED AT EL. 50.7'

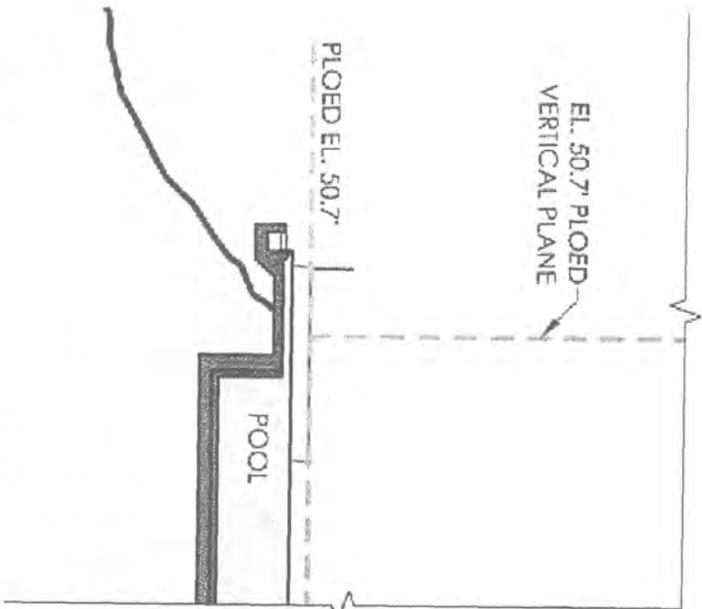
- Pool structure has been raised above PLOED and relocated to the Northerly side of site.
- The northerly portion of bluff has been maintained to preserve natural landform as proposed at the March 2011 Hearing.



APRIL 2010 CCC HEARING WITH STAFF RECOMMENDED APPROVAL

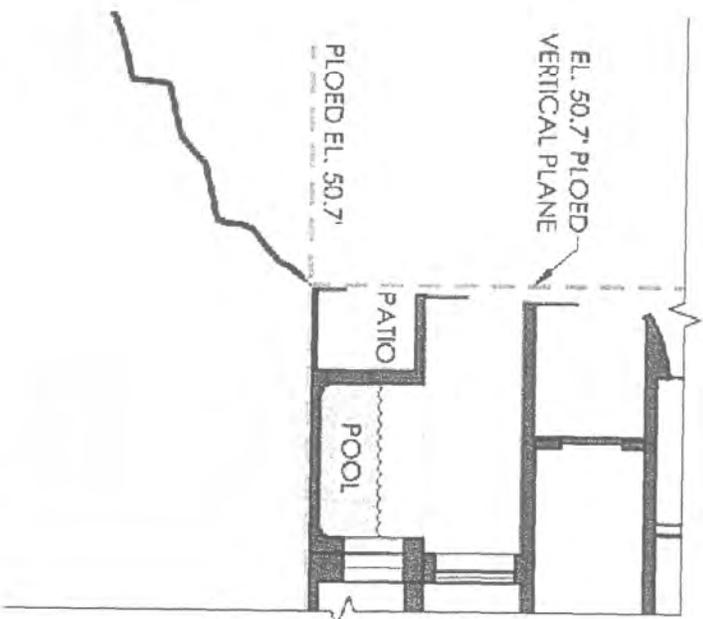
WEST

CCC: (2011-06-01)



MARCH 2011 CCC HEARING WITH STAFF RECOMMENDED APPROVAL

WEST



JUNE 2011 CCC HEARING WITH STAFF RECOMMENDED APPROVAL

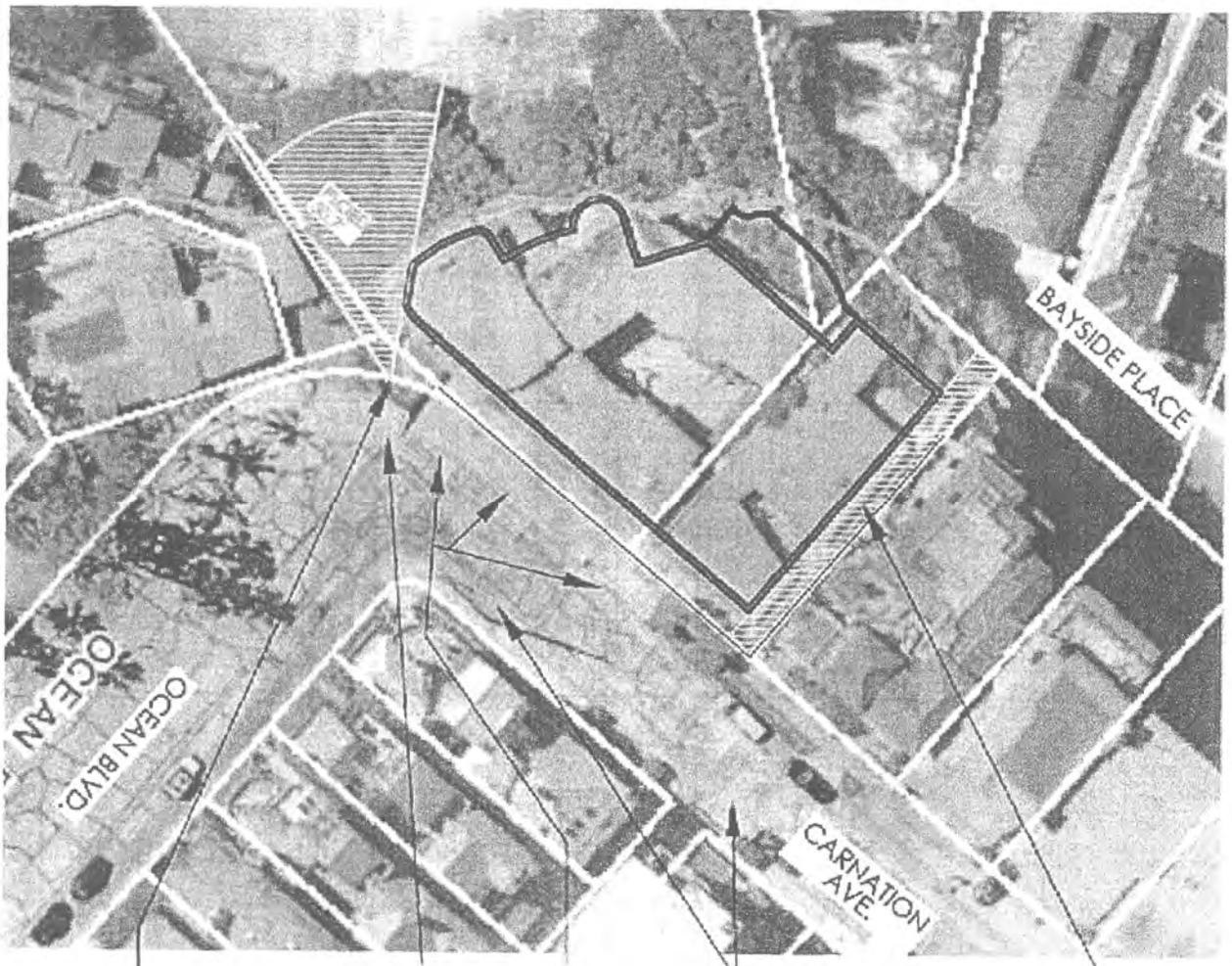
NORTH



SENSIBLE REDEVELOPMENT

Brion Jeannette Architecture

<i>Project Data</i>	<i>April 2010 CCC Hearing</i>	<i>March 2011 CCC Hearing</i>	<i>June 2011 CCC Hearing</i>	<i>Percent Changed from April 2010 CCC Hearing</i>
Number of Units	8	7	7	-13%
Total Square Footage of the Project	61,709 s.f.	51,177 s.f.	51,124 s.f.	-17%
Cubic Yards of Export	25,240 cu. yds.	11,460 cu. yds.	9,810 cu. yds.	-61%
Number of Levels Below 50.70' PLOED	2	0	0	-100%
Cantilevered Decks and Roof Eaves beyond PLOED	Avg. 12 Feet	Avg. 10 Feet	None	-100%
Trapezoidal Setback at Excavation	5' min. at top 17' max. at bottom	None	None	-100%
Emergency Exit/ Dock Access Tunnel	Tunnel at el. 44.48'	No Tunnel	No Tunnel	-100%
Vehicular Elevators	2	0	0	-100%
Number of Caissons	61	31	31	-51%
Lowest Development	23' Below PLOED	Bluff face at el. 50.7' / behind bluff face at el. 49.2'	Daylight at 50.7'	-55%
Excavation at Bluff (below PLOED)	23 Feet	0 Feet	0 Feet	-100%
Excavation Depth along Carnation Ave.	Avg. 41 Feet	Avg. 22 Feet	Avg. 20 Feet	-51%
Exposed Levels at the Northeasterly Bluff	4	3	3	-25%
Construction Duration	32 months	±25 months	±25 months	-22%



CREATED VIEW CORRIDOR

UNDERGROUND (2) UTILITY POLES

CREATED (3) STREET PARKING SPACES

UPGRADE CATCH BASIN & ADDED FILTER TO STORM DRAIN SYSTEM

ENHANCED PUBLIC VIEW, NEW PARK BENCH, AND DRINKING FOUNTAIN



EXISTING



APRIL 2010 CCC HEARING



JUNE 2011 CCC HEARING



AERIE

SENSIBLE REDEVELOPMENT

ADDITIONAL INFORMATION

Brion Jeannette Architecture

February 14, 2008



Mr. David Lepo, Planning Director
City of Newport Beach
3300 Newport Blvd.
Newport Beach, CA 92663

Re: Water Quality Management Plan--- "AERIE" Tent. Tact 16882---Support

Dear Mr. Lepo:

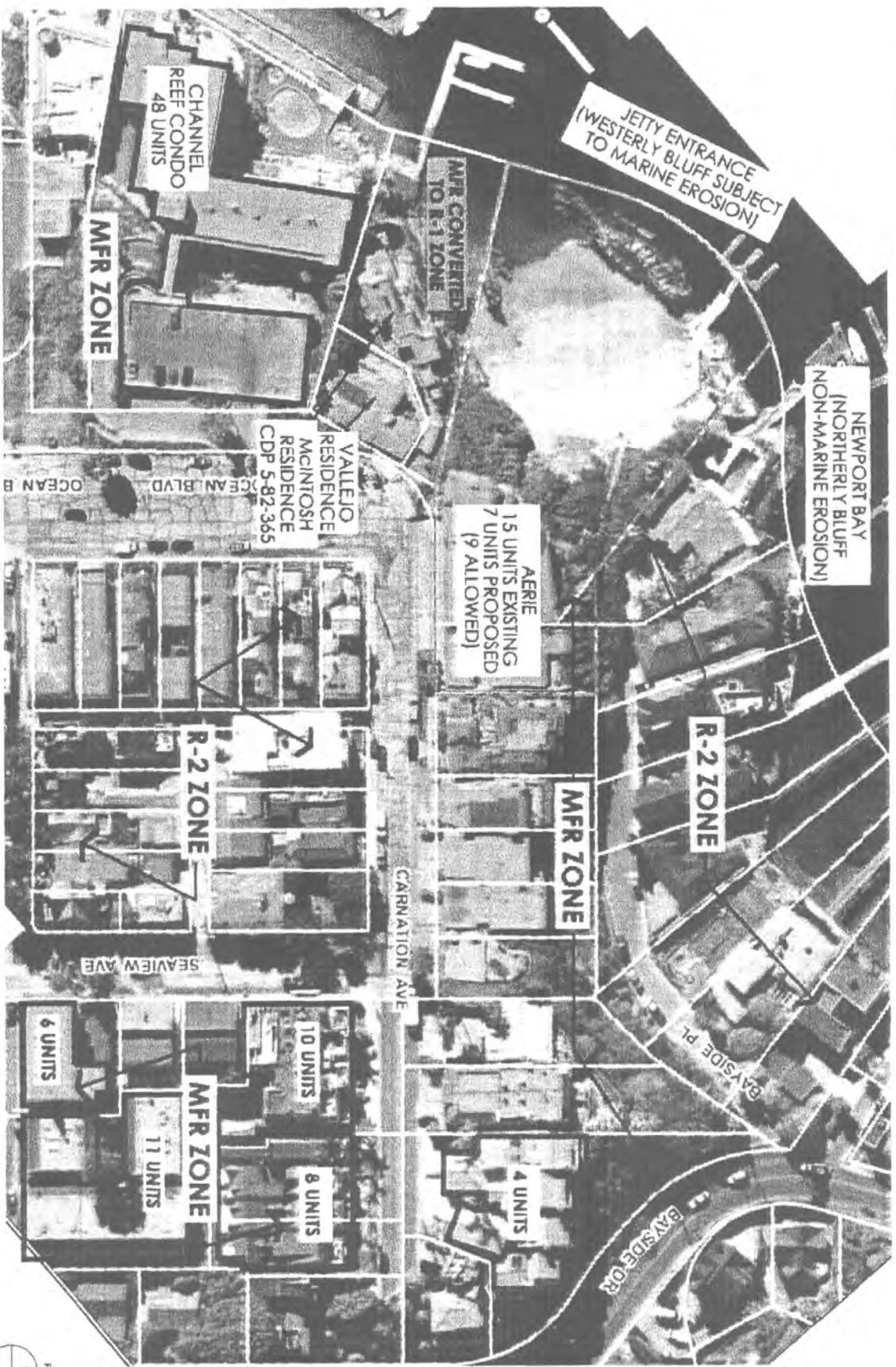
Orange County Coastkeeper is a non-profit corporation focused on water quality and healthy marine habitats. Our mission is to protect and preserve our marine habitats and watersheds through education, advocacy, restoration and enforcement. One of our programs is to constructively work with the development community to review and make recommendations on proposed Water Quality Management Plans (WQMP) of specific development projects. This effort is to ensure that new development projects embrace state-of-the-art technologies, design and management to eliminate polluted runoff from discharging off the project property.

Coastkeeper has reviewed the Water quality management plan for the AERIE project and have met with the applicants. On February 9, 2007 Coastkeeper submitted a letter of support for the Water Quality Management Plan component of the project. After reviewing the proposed WQMP Coastkeeper made recommendations for technologies to be installed on the project that would treat and remove pollutants of concern and eliminate up to 90% of the bacteria that otherwise would be discharged into Newport Harbor. Coastkeeper believes this to be important since the projects discharges directly into Newport Harbor. The applicant has agreed with our recommendation to install this technology.

Realizing the current proposed project has been modified from the previous design, the WQMP is essentially unchanged. Therefore, Coastkeeper continues to support the WQMP of this project as it will represent the use of the "Best Available Technology" and will exceed regulatory standards. Just to clarify, this is an endorsement of the WQMP as a component of the project. Coastkeeper does not take positions on projects as a whole as that is the decision of the local community. Our interest is ensuring that if a project is approved and built it will not contribute pollutants to our waterways and harbors.

Respectfully,

Garry Brown
Executive Director



NEWPORT BAY
(NORTHERLY BLUFF
NON-MARINE EROSION)

JETTY ENTRANCE
(WESTERLY BLUFF SUBJECT
TO MARINE EROSION)

MFR CONVERTED
TO R-1 ZONE

MFR ZONE

CHANNEL
REEF CONDO
48 UNITS

VALLEJO
RESIDENCE
MCINTOSH
RESIDENCE
CDP 5-82-365

AERIE
15 UNITS EXISTING
7 UNITS PROPOSED
(9 ALLOWED)

R-2 ZONE

MFR ZONE

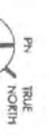
R-2 ZONE

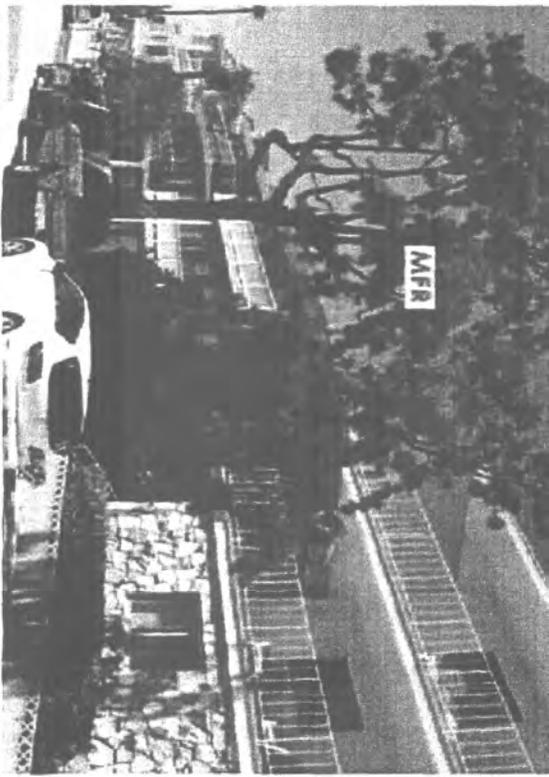
EXISTING = 15 UNITS

APRIL 2010 HEARING - 8 UNITS

JUNE 2011 HEARING - 7 UNITS

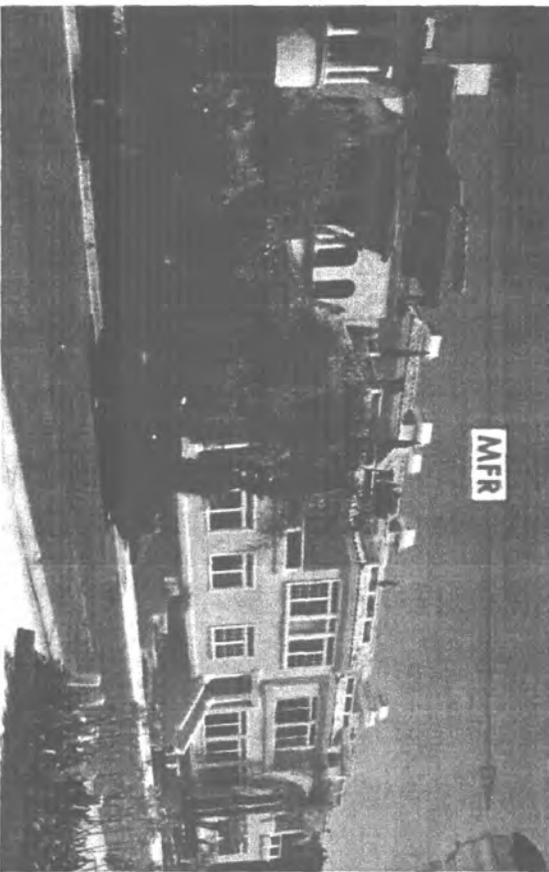
CCC: (2011-06-01)





MFR

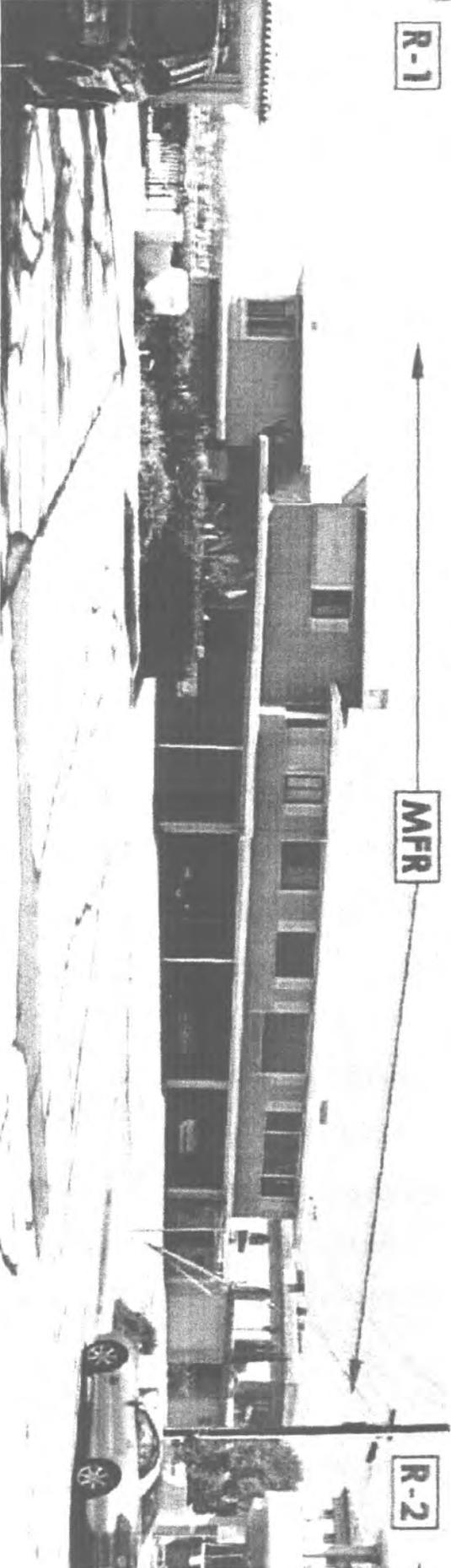
SEAVIEW AVE. - 3 LEVELS



MFR

CARNATION AVE. - 3 LEVELS + SUBTERRANEAN GARAGES

**NEIGHBORHOOD CONTEXT FROM CARNATION AVE.
(MASS AND SCALE)**



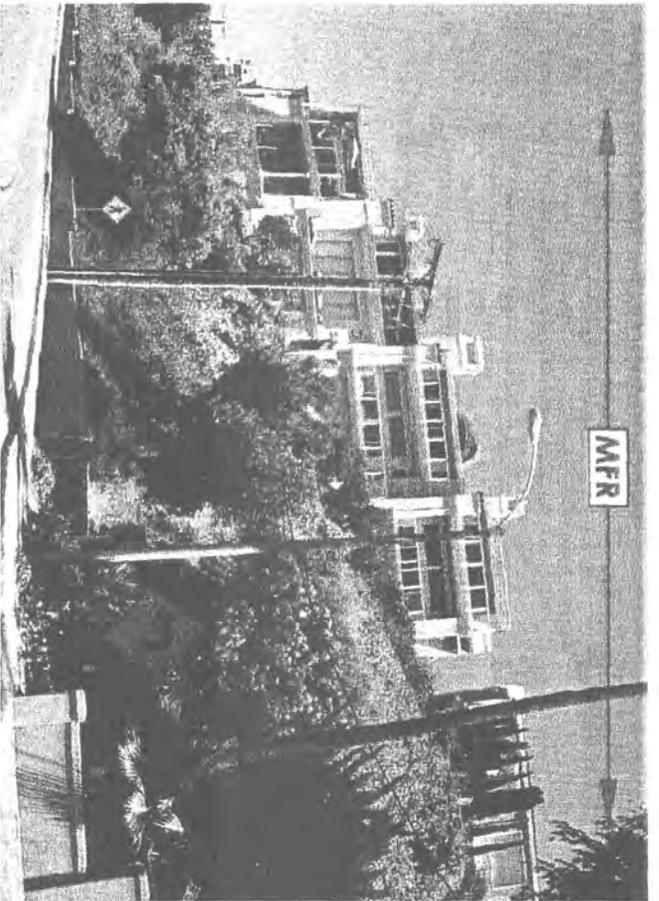
R-1

MFR

R-2

CARNATION AVE. - EXISTING BUILDING

CCC: (2011-06-01)



CARNATION AVE. - 3 & 4 LEVELS

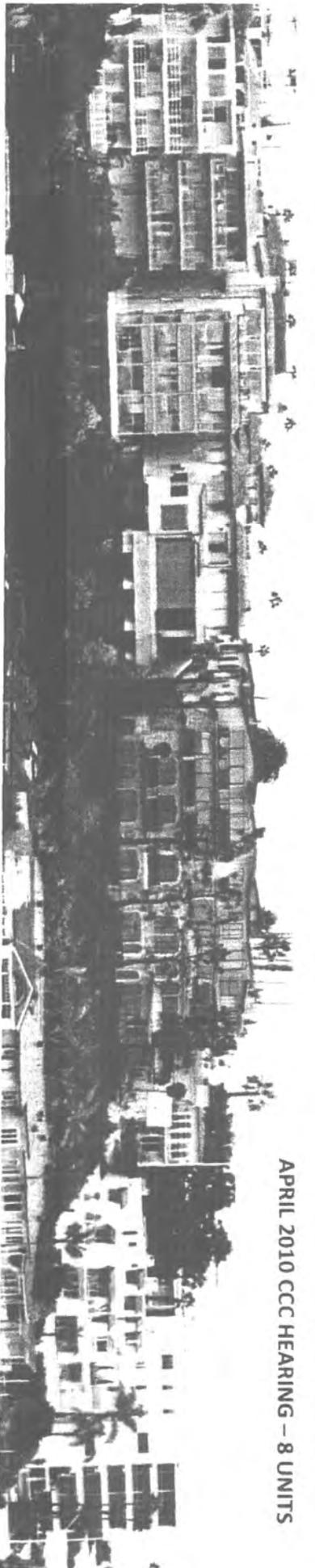


CARNATION AVE. - 4 LEVELS

**NEIGHBORHOOD CONTEXT FROM BAY
(MASS AND SCALE)**



CARNATION AVE. FROM BAY - EXISTING CONDITION



APRIL 2010 CCC HEARING – 8 UNITS

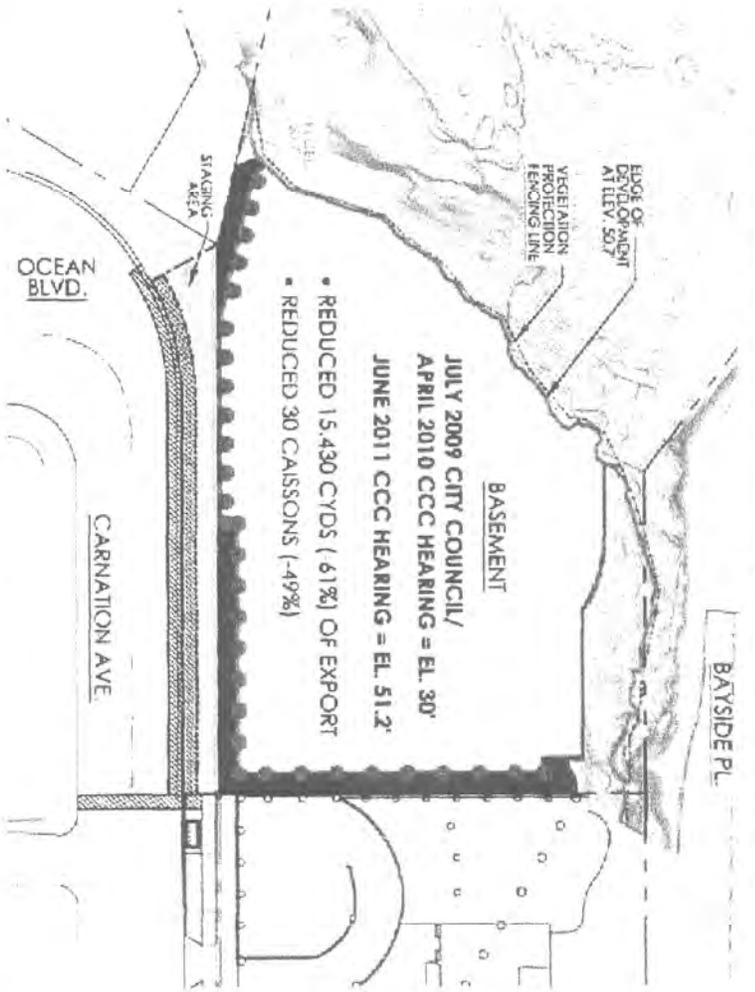


JUNE 2011 CCC HEARING – 7 UNITS

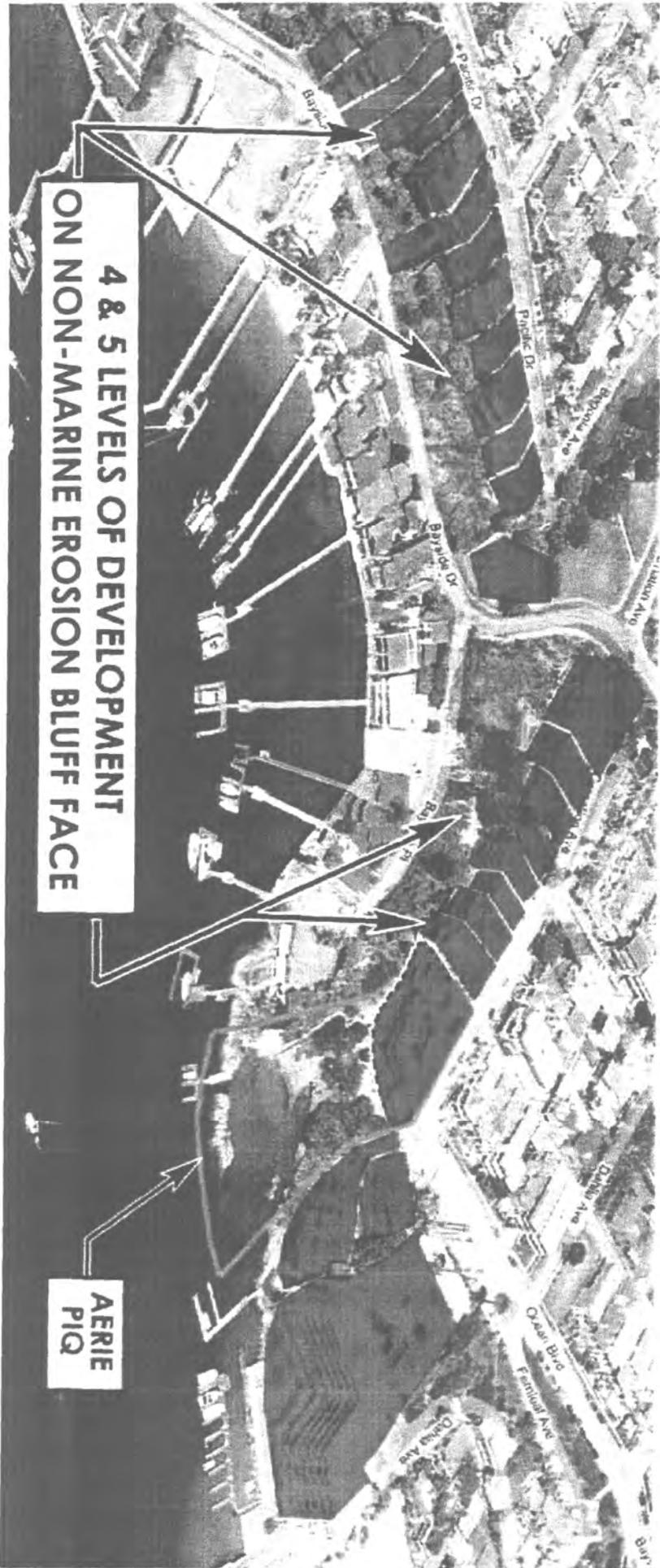
NORTHERLY CARNATION BLUFF

CCC: (2011-06-01)

CONSTRUCTION MANAGEMENT PLAN (CMP) - EXCAVATION PROGRAM



	APRIL 2010 CCC HEARING	MARCH 2011 CCC HEARING	JUNE 2011 CCC HEARING	PERCENT CHANGED FROM APRIL 2010 CCC HEARING
EXPORT (12YD. PER DUMP TRUCK)	25,240 YD ³	11,460 YD ³	9,810 YD ³	-61%
EXCAVATION DURATION	77 DAYS	36 DAYS	31 DAYS	-60%
TOTAL CONSTRUCTION DURATION	32 MTHS	25 MTHS	25 MTHS	-22%
NO. OF DUMP TRUCKS	2,105	955	818	-61%
NO. OF CAISSONS	61	31	31	-49%
GRADING LIMITED TO WINTER MONTHS ONLY FROM SEPTEMBER - MAY				



**** HOUSES HIGHLIGHTED IN RED INDICATE BLUFF SITE WITH EXCAVATION BELOW STREET**

The AERIE Project includes a host of community benefits that are being provided voluntarily by the applicant.

1. **View Corridors** - Views from the “public view point” at Carnation Avenue and Ocean Boulevard would be enhanced by approximately 76 percent as a result of the Project. A public bench and drinking fountain will be added at this “public view point” to enhance the public viewing experience. The Project also creates a 9 foot wide view “corridor” at the northerly property limits, which currently does not exist.

2. **New Public Parking** - The Project will create three additional on-street public parking spaces because the length of the curb cut on the Project site has been substantially reduced. These on-street parking spaces will accommodate visitors to the area, particularly during the peak summer/tourist season.

3. **Visual Improvements**

- Two utility poles on the street would be removed and utility lines would be relocated underground
- Parking which is now in driveways and carports will be relocated underground and out of sight
- Existing concrete, pipes, and building materials that litter the bluff face will be removed.

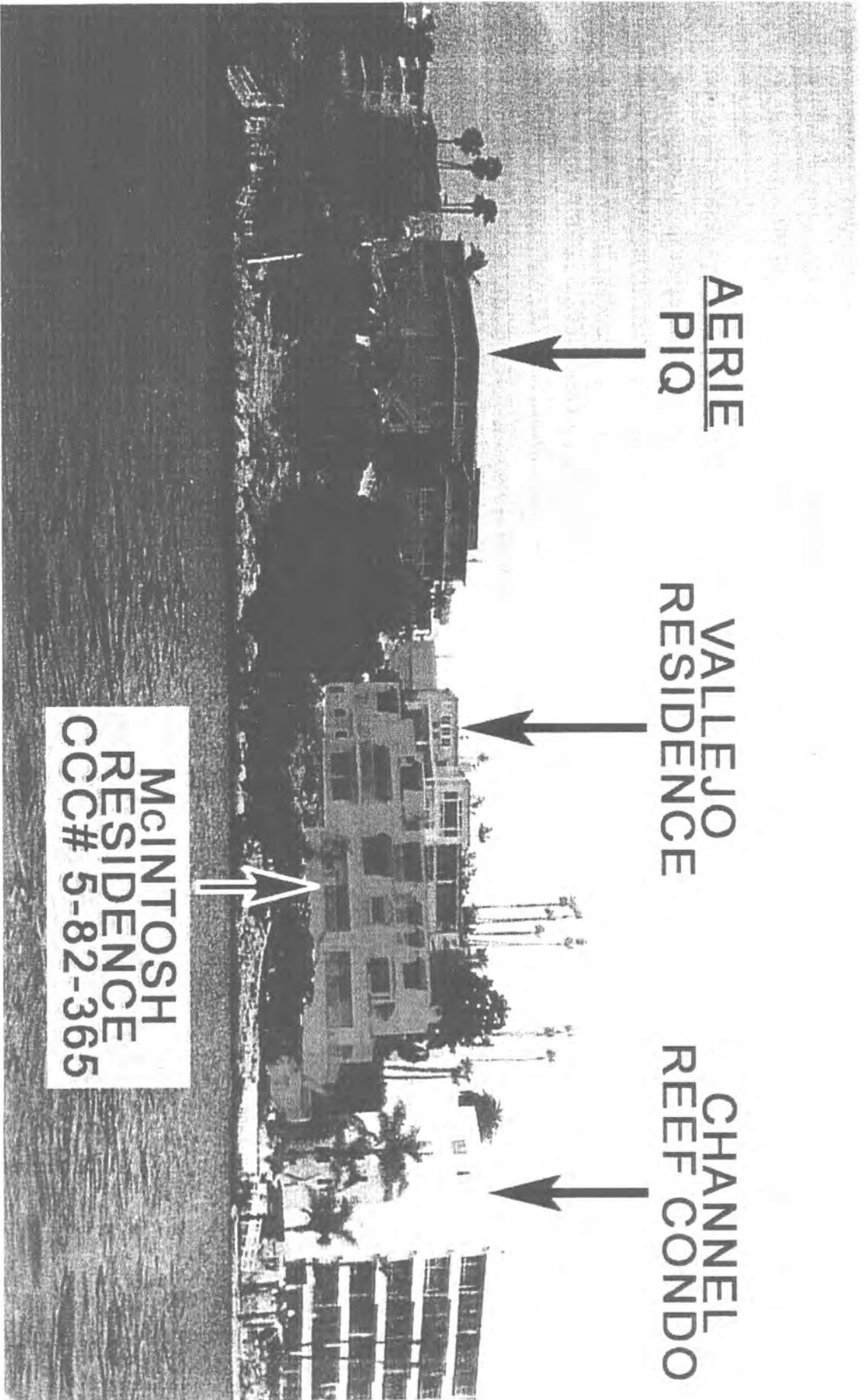
4. **Other Improvements:**

- Increases City’s property tax roll. The property is currently assessed at approximately \$12,000,000. Aerie is estimated to be assessed at approximately \$80,000,000.
- Upgrades an existing deficient catch basin and enhances water quality of storm drain system
- The new parking arrangement allows for cars to enter onto the street in a forward position rather than backing out which exists now at the property and most neighboring properties. This will improve the safety and traffic flow in the area.
- Enhances neighboring property values
- Reduces number of dwelling units permitted by zoning, there are only 7 units at Aerie versus the 15 that exist today
- Reduces traffic with reduced number of units

- Does not descend as low as surrounding properties to the waterline thereby preserving the bluff below 50.7 feet (WHICH IS ABOVE THE EXISTING BUILDING at elevation 42.3') as well as stabilizing the northerly sloughing slope.
- Utilizes only 19% of the site, preserving the remaining 81% as open space, twice the amount of open space required by code
- Creates jobs in this maligned economy

5. State-of-the Art Energy Features – The Project has been designed utilizing “green” architecture criteria and energy efficient design, including but not limited to the following features:

- Design to maximize solar orientation to increase the use of daylighting concepts and reduce energy usage
- Use of high-thermal mass for capturing and retaining heat through solar heat gain apertures
- Optimum overhangs to minimize harsh summer sun exposures while allowing winter heat gain
- Natural ventilation systems that capitalize on prevailing ocean breezes and thermal convection dynamics
- Dual paned glazing systems using Low-E glass (both non-mechanical and hybrid systems)
- Solar domestic hot water and pool heating
- Solar photovoltaic arrays to generate electricity
- Multi-zoned, high velocity hydronic heating and cooling systems
- Instantaneous hot-water boilers with solar domestic hot-water assist
- Reduction of energy use through high efficacy lighting fixtures
- Lutron Homeworks interactive lighting control systems.
- On site water retention for property irrigation & maintenance
- Use of environmentally friendly and sustainable materials
- California drought tolerant landscaping
- The cove will be maintained free of artificial debris including plastic and Styrofoam which will help protect the marine life
- Potential for LEED Silver certification
- Implements the most state of the art water quality plan available, Endorsed by COASTKEEPERS including upgraded catch basin and advanced water filtration devices



**AERIE
PIQ**

**VALLEJO
RESIDENCE**

**CHANNEL
REEF CONDO**

**McINTOSH
RESIDENCE
CCC# 5-82-365**

After 1983

Even though basements and other development below the PLOED are abundant along the coastal bluffs, the applicant has removed from their plans the 2 subterranean levels that were approved by the City of Newport Beach as a response to requests made by the Coastal Commission.

Just a few examples of such developments that are very close to the AERIE project site follow:

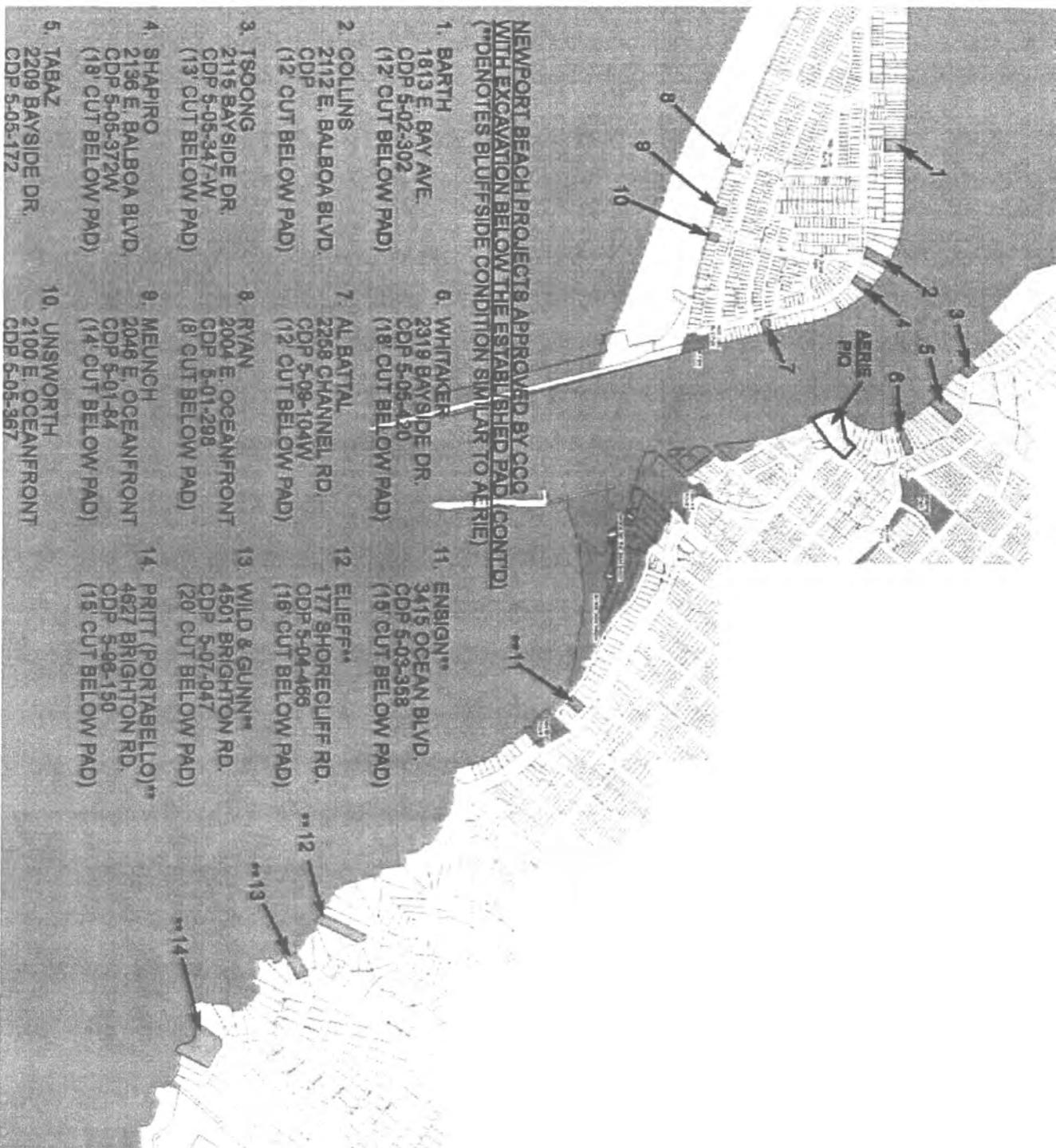


JUNE 2011 CCC HEARING – 7 UNITS



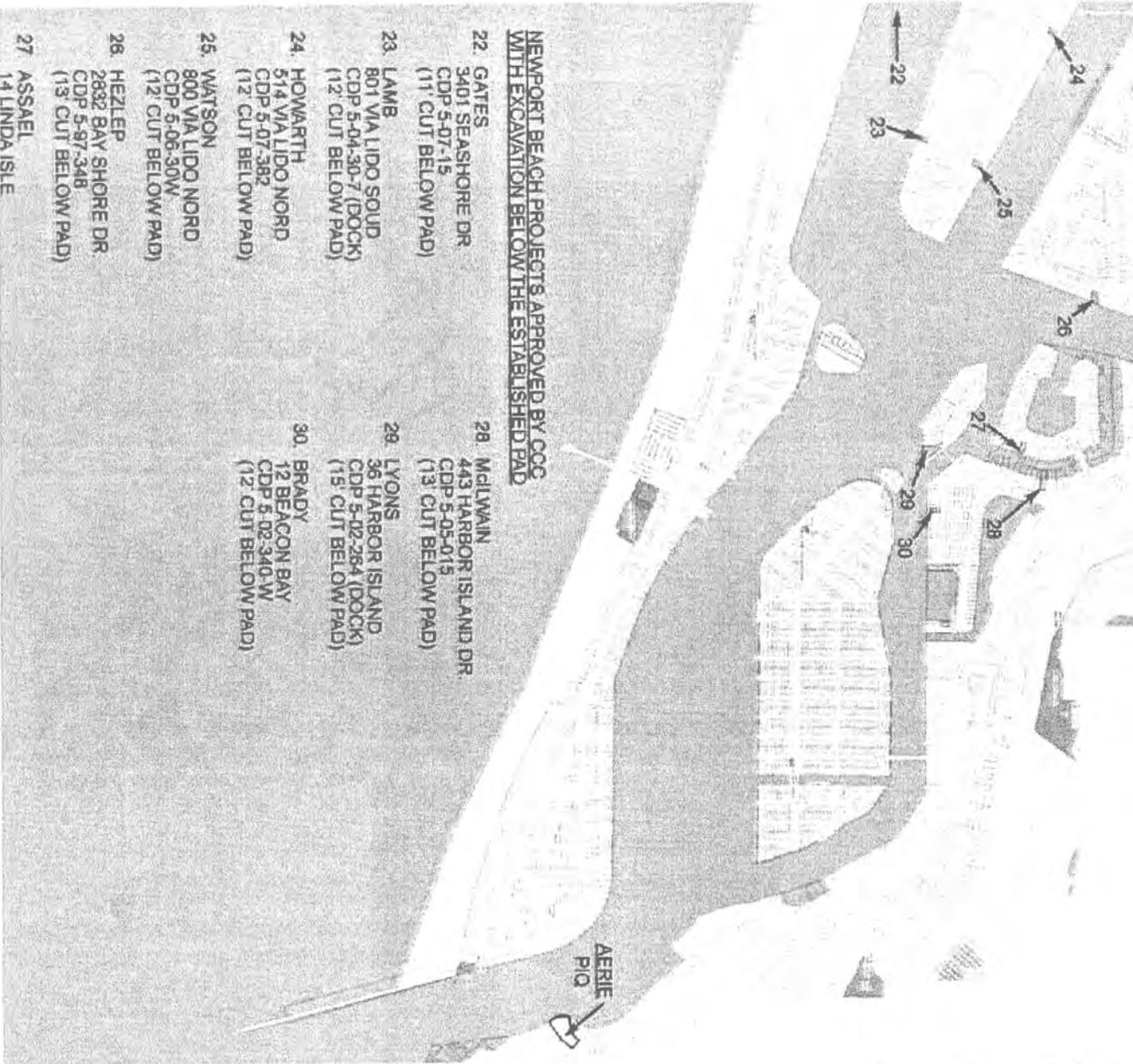
AERIE (CDP 5-10-298)

CALIFORNIA COASTAL COMMISSION APPROVED PROJECTS
WITH EXCAVATION BELOW THE ESTABLISHED PAD



NEWPORT BEACH PROJECTS APPROVED BY CCG WITH EXCAVATION BELOW THE ESTABLISHED PAD. (CONT'D.)
 (**DENOTES BLUFFSIDE CONDITION SIMILAR TO AERIE)

- 1. BARTH
1813 E. BAY AVE.
ODP 5-02-302
(12' CUT BELOW PAD)
- 2. COLLINS
2112 E. BALBOA BLVD.
CDP
(12' CUT BELOW PAD)
- 3. TSOONG
2115 BAYSIDE DR.
CDP 5-05-347-W
(13' CUT BELOW PAD)
- 4. SHAPIRO
2136 E. BALBOA BLVD.
CDP 5-05-372-W
(18' CUT BELOW PAD)
- 5. TABAZ
2209 BAYSIDE DR.
CDP 5-05-172
- 6. WHITAKER
2319 BAYSIDE DR.
ODP 5-05-430
(18' CUT BELOW PAD)
- 7. AL BAYTAL
2258 CHANNEL RD.
CDP 5-09-104W
(12' CUT BELOW PAD)
- 8. RYAN
2004 E. OCEANFRONT
CDP 5-01-298
(8' CUT BELOW PAD)
- 9. MEUNICH
2046 E. OCEANFRONT
CDP 5-01-84
(14' CUT BELOW PAD)
- 10. UNSWORTH
2100 E. OCEANFRONT
CDP 5-05-367
- 11. ENIGN**
3415 OCEAN BLVD.
ODP 5-03-358
(15' CUT BELOW PAD)
- 12. ELIEFF**
177 SHORECLIFF RD.
ODP 5-04-489
(16' CUT BELOW PAD)
- 13. WILD & GUNN**
4501 BRIGHTON RD.
CDP 5-07-047
(20' CUT BELOW PAD)
- 14. PRITT (PORTABELLO)**
4627 BRIGHTON RD.
CDP 5-08-150
(15' CUT BELOW PAD)



NEWPORT BEACH PROJECTS APPROVED BY CCC WITH EXCAVATION BELOW THE ESTABLISHED PAD

- 22. GATES
3401 SEASHORE DR
CDP 5-07-15
(11' CUT BELOW PAD)
- 23. LAMB
801 VIA LIDO SOUND
CDP 5-04-30-7 (DOCK)
(12' CUT BELOW PAD)
- 24. HOWARTH
514 VIA LIDO NORD
CDP 5-07-382
(12' CUT BELOW PAD)
- 25. WATSON
800 VIA LIDO NORD
CDP 5-06-30W
(12' CUT BELOW PAD)
- 26. HEZLEP
2832 BAY SHORE DR
CDP 5-97-348
(13' CUT BELOW PAD)
- 27. ASSAEL
14 LINDA ISLE
- 28. McILWAIN
443 HARBOR ISLAND DR
CDP 5-05-013
(13' CUT BELOW PAD)
- 29. LYONS
36 HARBOR ISLAND
CDP 5-02-284 (DOCK)
(15' CUT BELOW PAD)
- 30. BRADY
12 BEACON BAY
CDP 5-02-340-W
(12' CUT BELOW PAD)

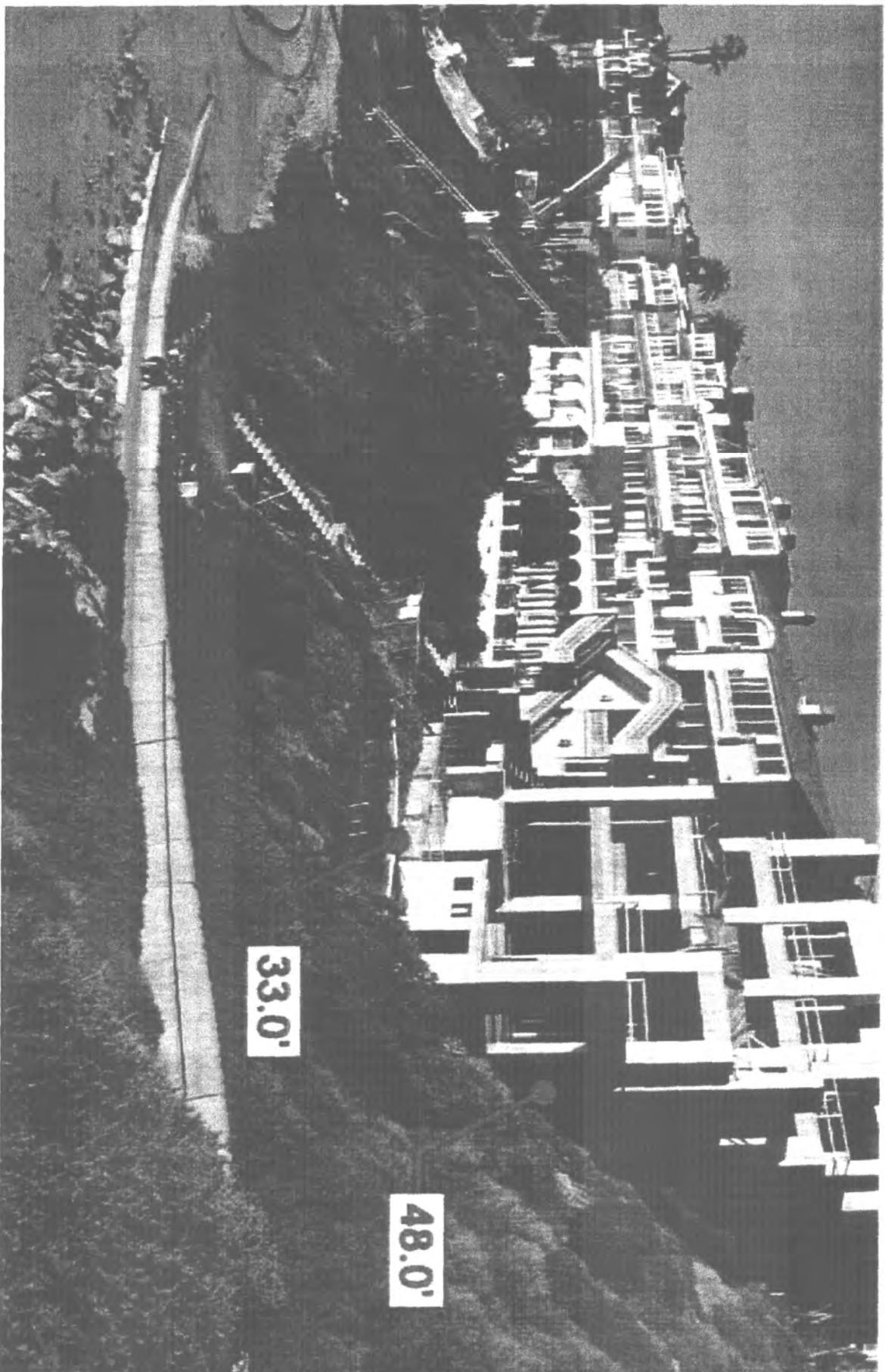
APPROVED BY CCC WITH EXCAVATION BELOW THE ESTABLISHED PAD

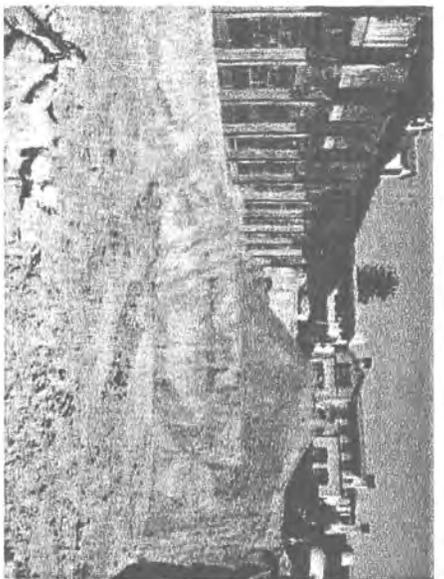
- 15. HEARN
6 MONARCH COVE DR
CDP 03-09
(13' CUT BELOW PAD)
- 16. CRAWFORD
49 STRAND BEACH DR
CDP 04-23
(14' CUT BELOW PAD)
- 17. BRICE
31 STRAND BEACH DR
CDP 04-03
(13' CUT BELOW PAD)

APPROVED BY CCC WITH EXCAVATION BELOW THE ESTABLISHED PAD

- 18. SARTINI
118 EMERALD BAY
PA05-0020
(20' CUT BELOW FLOED)
- 19. LINGELBACH
2457 RIVIERA DR
CDP 5-96-112
(12' CUT BELOW FLOED)
- 20. WUNDERMAN
31281 CAMEL POINT DR
CDP 85-512
(12' CUT BELOW FLOED)
- 21. LODER
2585 RIVIERA DR
CDP 5-99-206
(10' CUT BELOW FLOED)
- 31. DE LA PENNA
111 S. LA SENDA DR
CDP 5-09-208
(7' CUT BELOW FLOED)

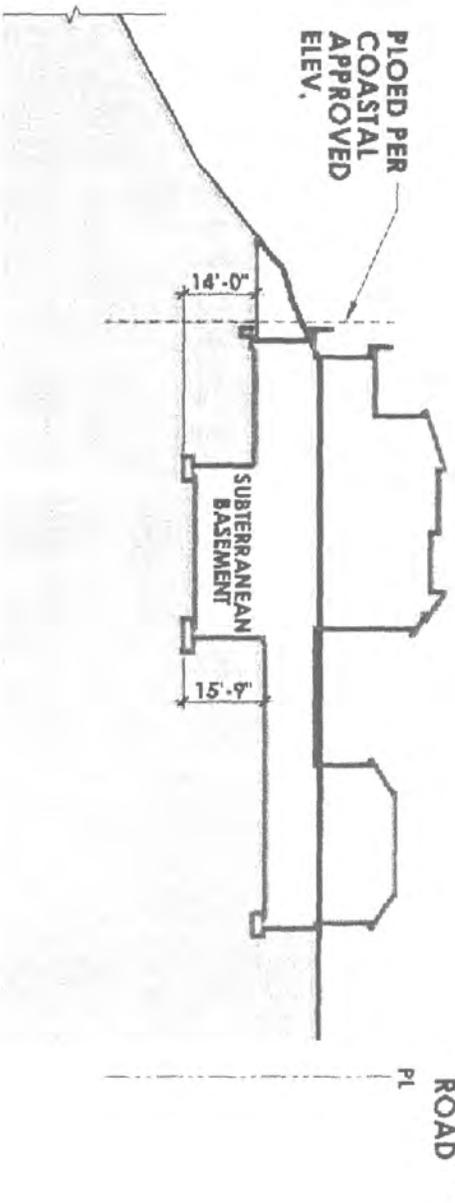
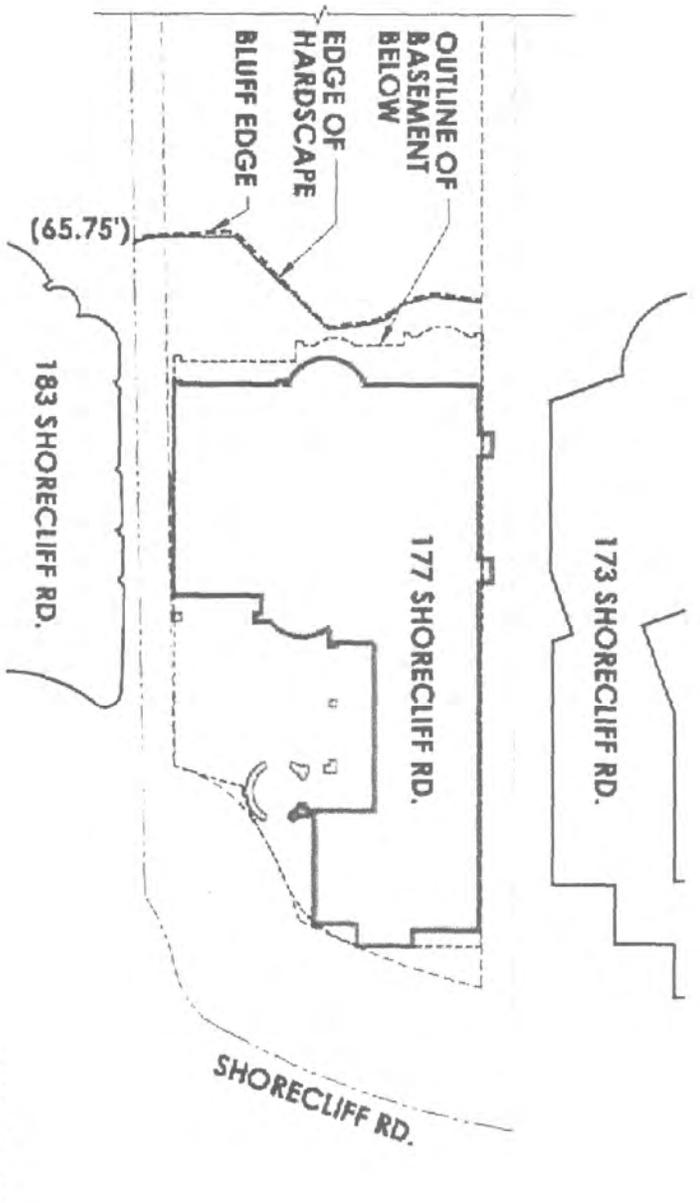
EXAMPLES OF BUILDINGS ON OCEAN BOULEVARD BLUFF





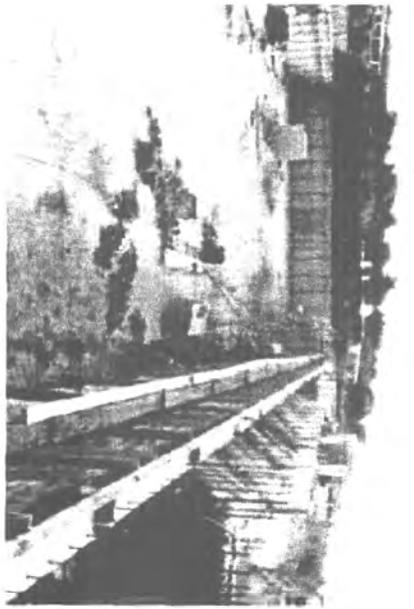
12. ELIEFF RESIDENCE

CCC: (2011-06-01)



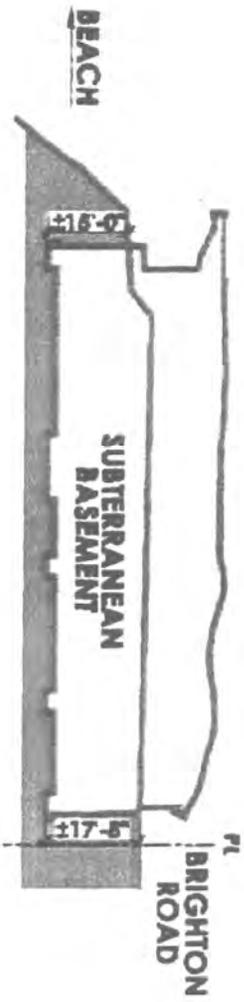
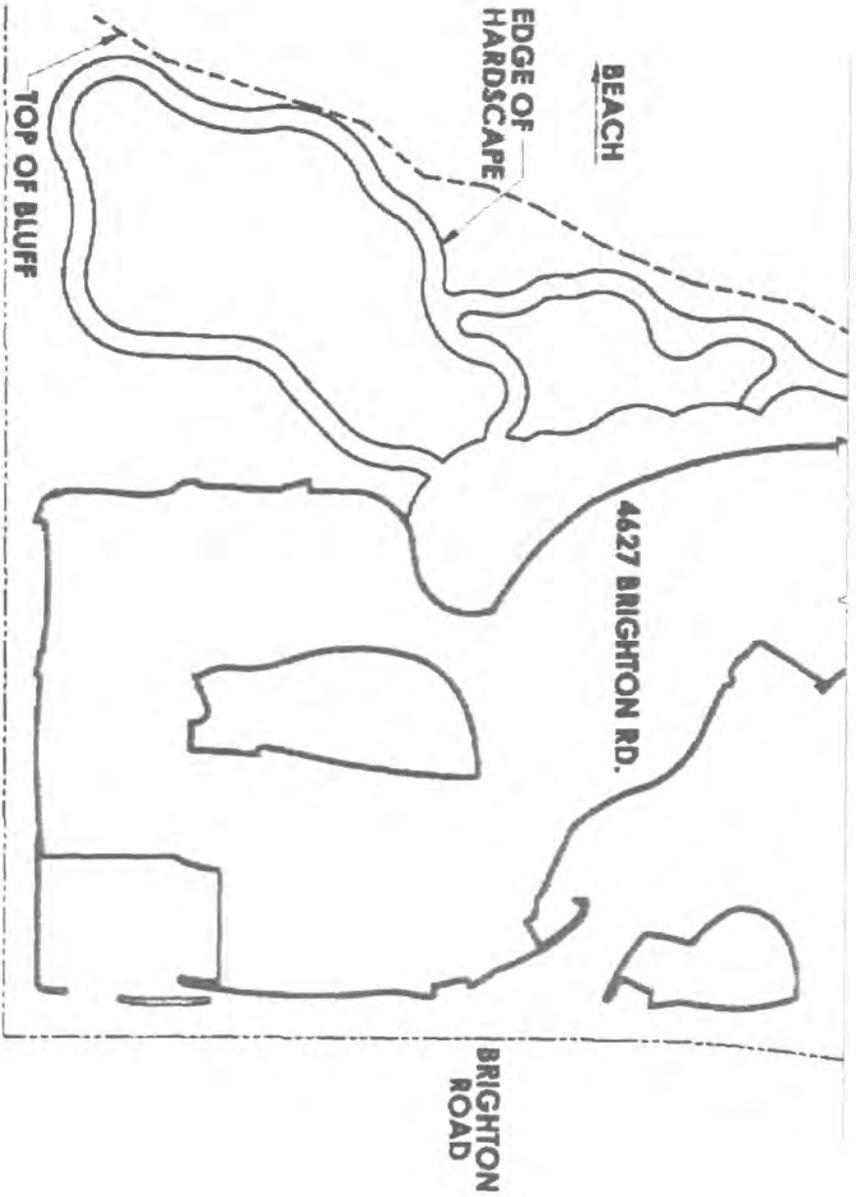
177 SHORECLIFF ROAD, CORONA DEL MAR

CDP 5-04-466



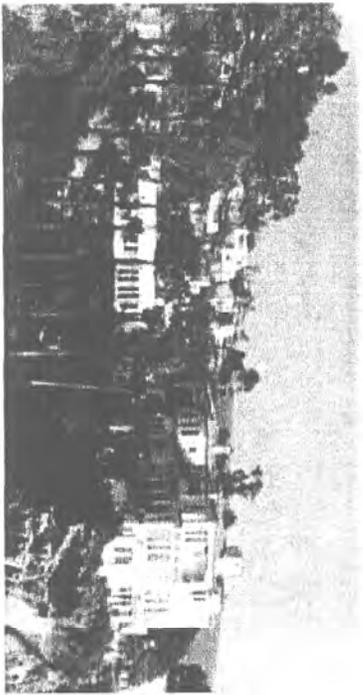
14. PRITT (PORTABELLO)

CCC: (2011-06-01)



4627 BRIGHTON ROAD, CORONA DEL MAR

CDP 5-96-150

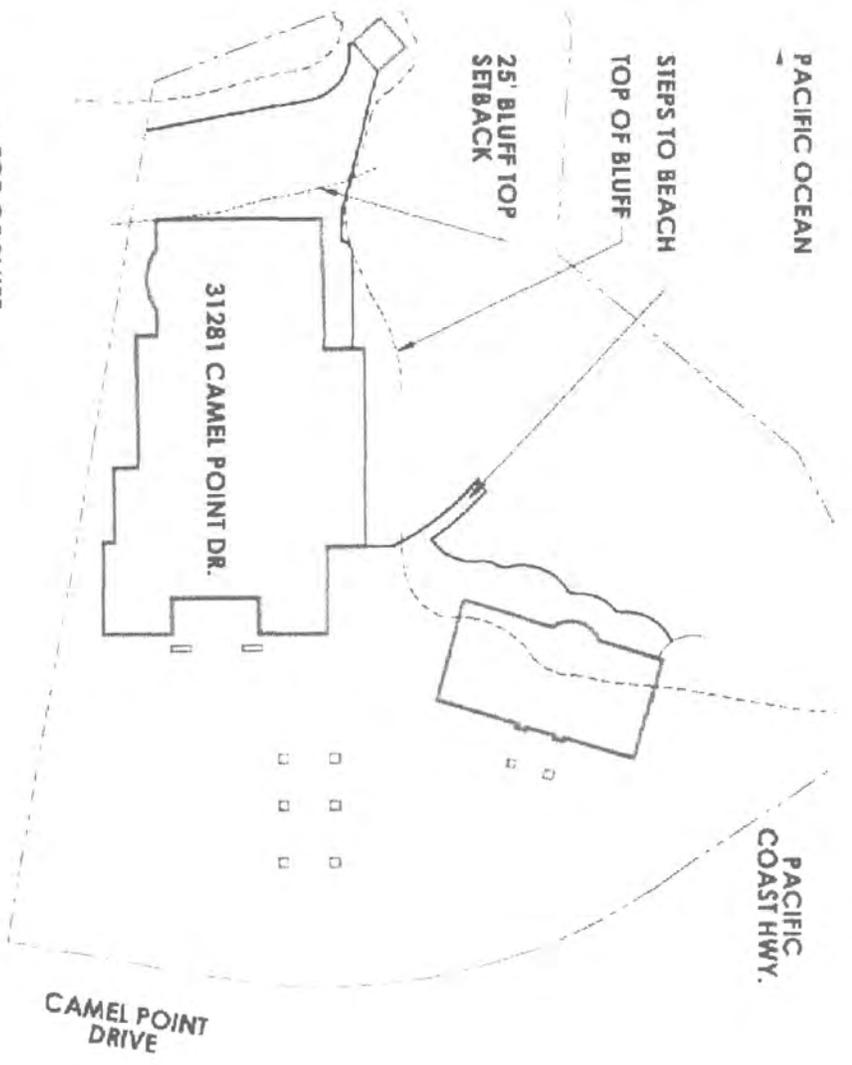


PACIFIC OCEAN

STEPS TO BEACH
TOP OF BLUFF

25' BLUFF TOP
SETBACK

PACIFIC
COAST HWY.



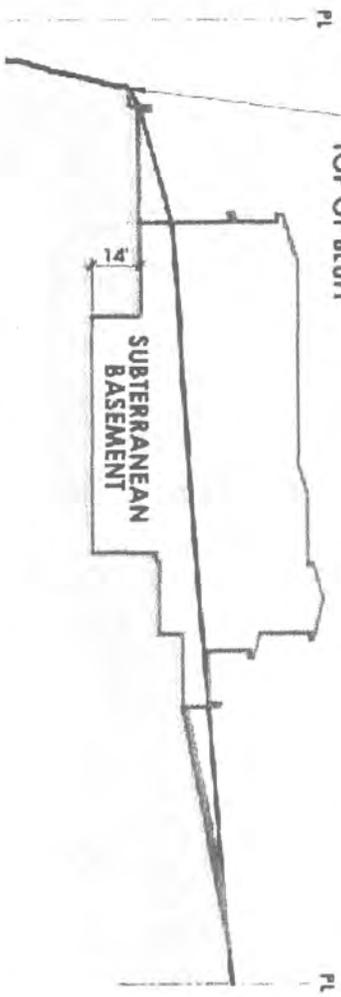
CAMEL POINT
DRIVE

31281 CAMEL POINT DR.

TOP OF BLUFF

PL

PL



SUBTERRANEAN
BASEMENT

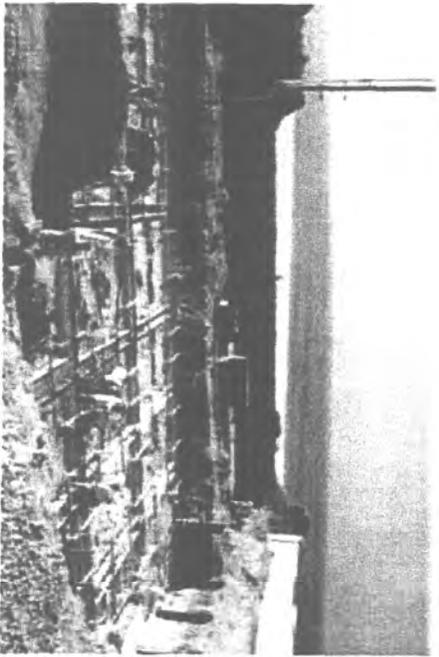
14'

20. WUNDERMAN RESIDENCE

31281 CAMEL POINT DRIVE, LAGUNA BEACH

CPD 85-51Z

CCC: (2011-06-01)

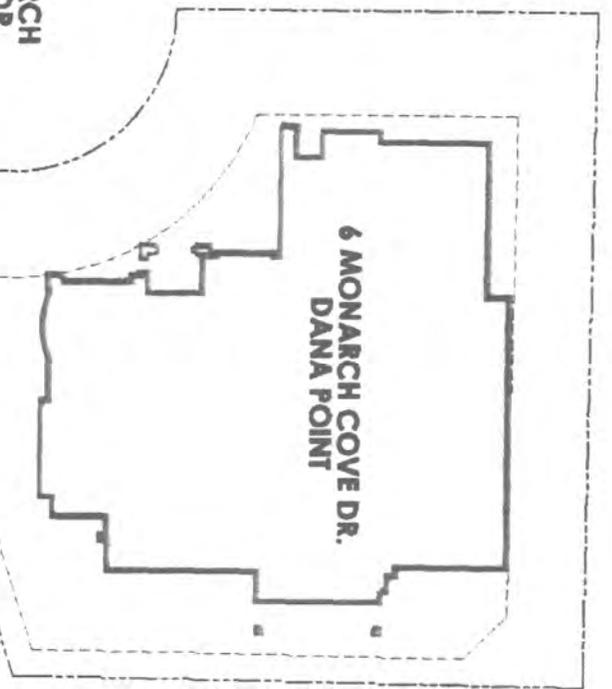


16. HEARN RESIDENCE

CCC: (2011-06-01)



MONARCH COVE DR.



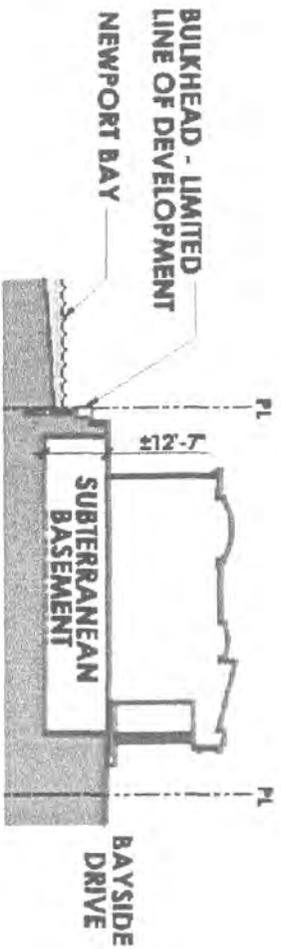
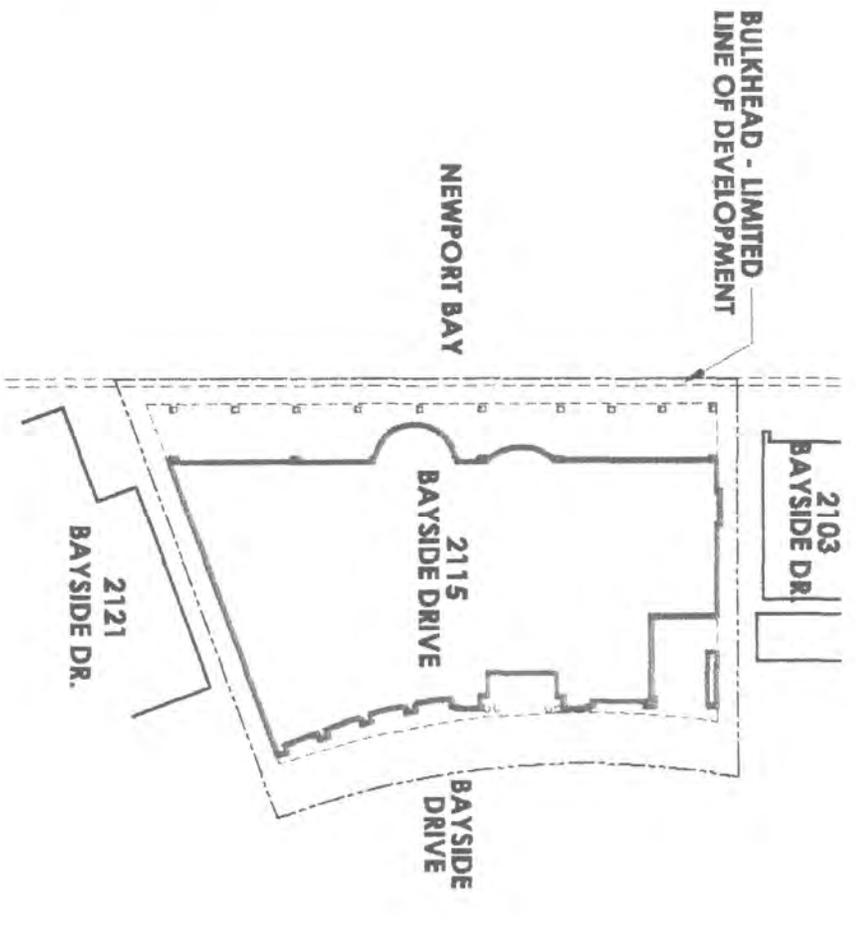
MONARCH BEACH

MONARCH COVE DR.



6 MONARCH COVE DRIVE, DANA POINT

CDP 03-09

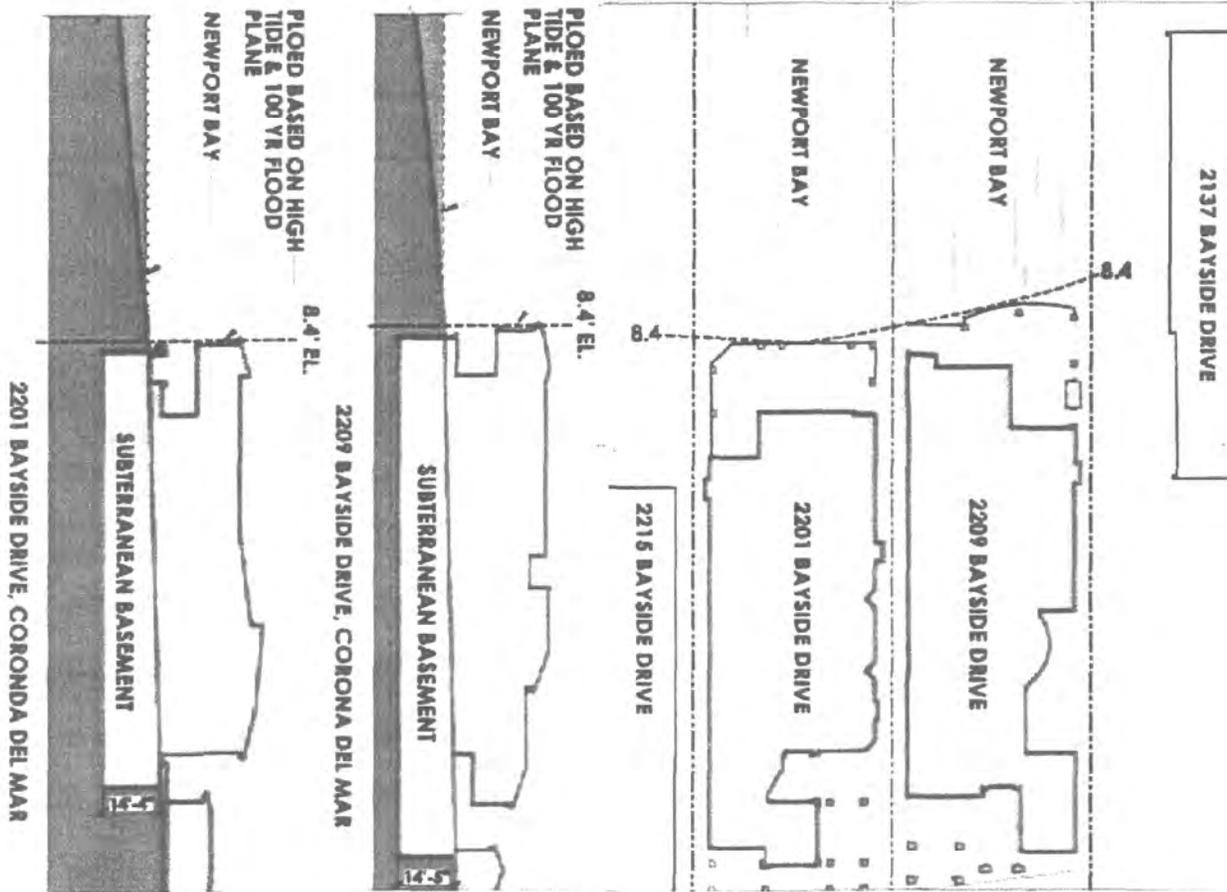


3. TSOONG RESIDENCE

2115 BAYSIDE DRIVE, CORONA DEL MAR

CDP 5-05-347-W

CCC: (2011-06-01)

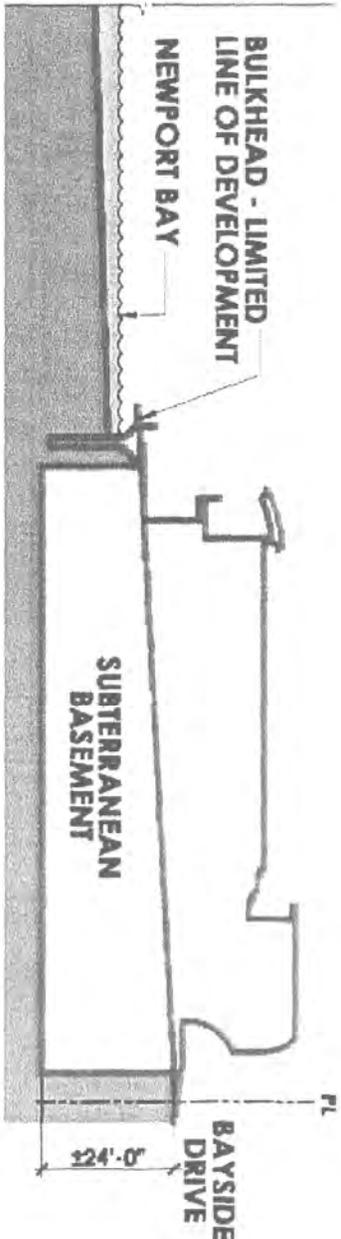
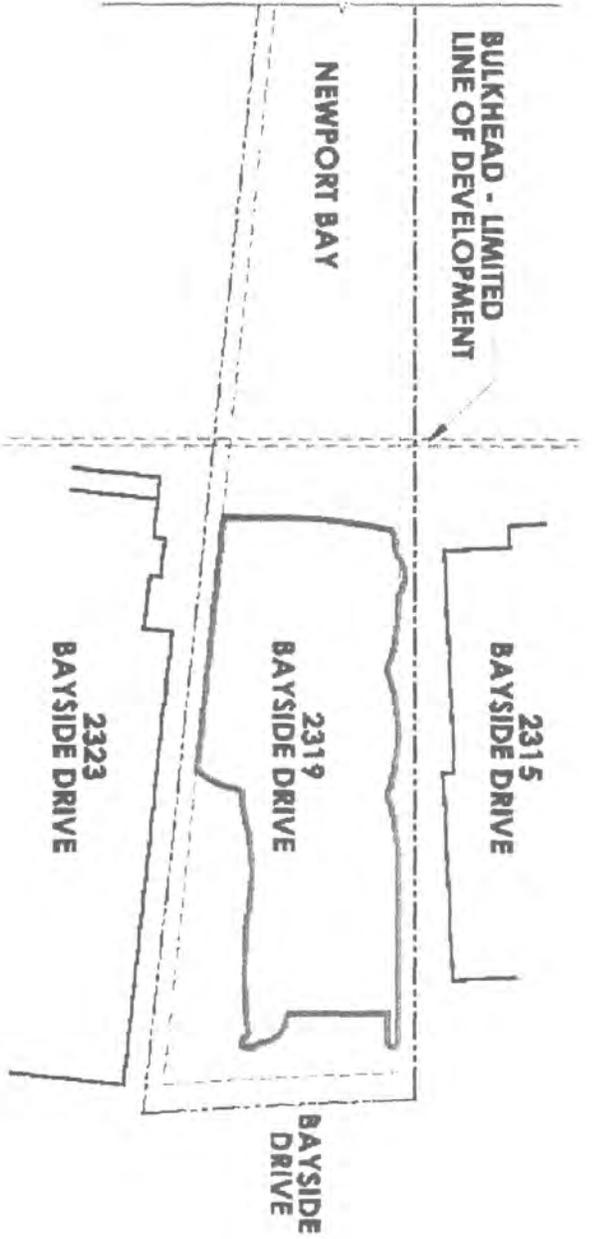


5. TABAZ RESIDENCE

2009 & 2001 BAYSIDE DRIVE, CORONA DEL MAR

CDP 5-05-172

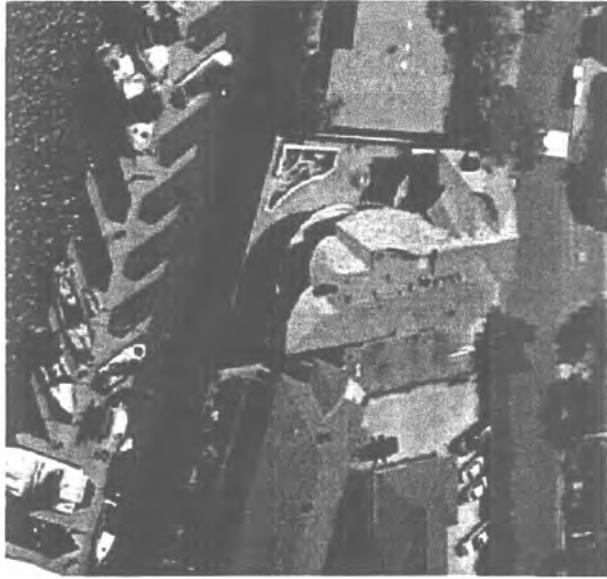
CCC: (2011-06-01)



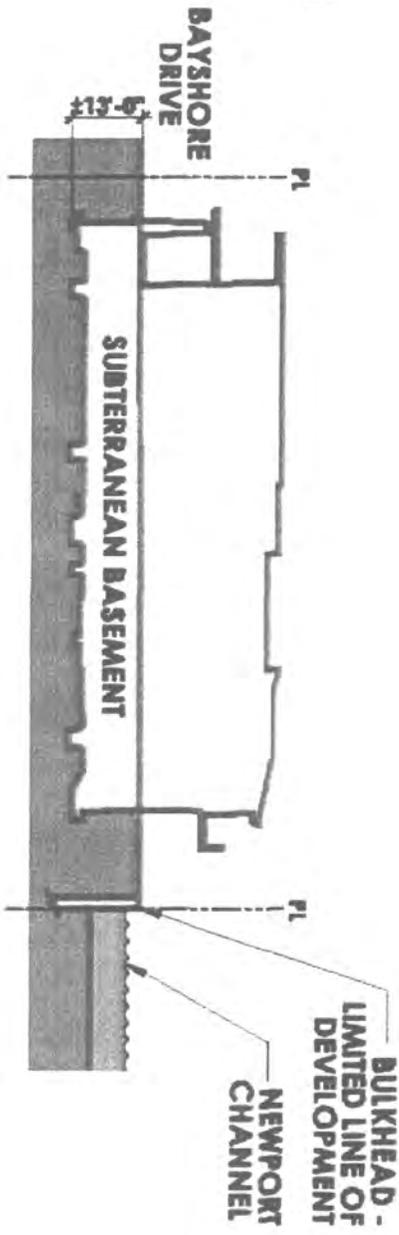
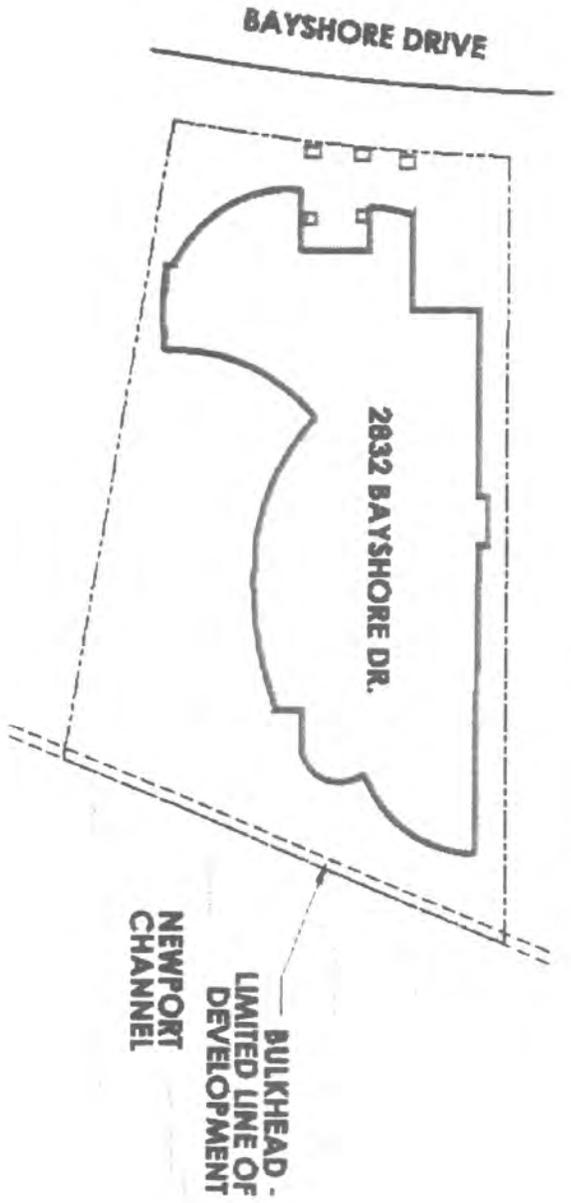
6. WHITAKER RESIDENCE

2319 BAYSIDE DRIVE, CORONA DEL MAR

CDP 5-05-420



26. HEZLEP RESIDENCE



2832 BAYSHORE DRIVE, NEWPORT BEACH

CDP 5-97-348

CCC: (2011-06-01)

California Coastal Commission
Ms. Sherilyn Sarb
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
Application Number: 5-10-298

SUPPORT **RECEIVED**
South Coast Region

JUN 2 - 2011

CALIFORNIA
COASTAL COMMISSION

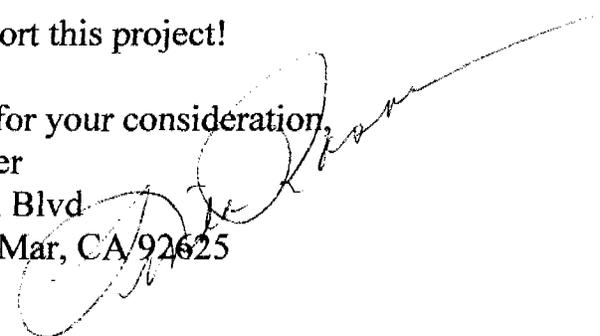
You have for your consideration a project which has been greatly revised to meet the concerns that were expressed at the Coastal Commission last April when it was previously presented. I would urge you to approve the Aerie Project as it is presented to you at this time. I have been following the progress of this project since it's inception, and I know that Rick Julian, the applicant, has listened to comments and has changed the project to address those concerns. This is after he has previously listened to the neighbors and the City of Newport Beach and changed the plans accordingly.

The project as presented at this time has reduced the number of units, eliminated the vehicular elevators, reduced the amount of excavation, and does not extend below the PLOED including even the pool or the slab; or above the height limits set by the City of Newport Beach. The result of those changes are positive for the neighborhood such as fewer truck trips resulting from the excavation, increased parking on the street, under grounding of the utility poles, and greatly enhancing the public view corridors including adding a public bench and drinking fountain. In addition to all that, part of the plan is to greatly enhance the existing storm drain system and upgrade the catch basin which is currently in very poor condition.

As a native of Orange County, over the last 60+ years, I have watched as development has changed our county from a rural, sleepy region to today's more energetic, dynamic urban destination. The Aerie Project currently on your agenda would leave more of the Coastal bluff uncovered than the ugly existing building currently on the site, and certainly not desecrate the Coastal bluff as the homes and buildings to the Southeast have done.

Please support this project!

Thank you for your consideration,
Linda Rasner
2500 Ocean Blvd
Corona del Mar, CA 92625



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

SUPPORT
Application #: 5-10-298-A
RECEIVED
South Coast Region

JUN 08 2011

May 30, 2011

“There is a project here!” That was the positive vocalized pronouncement agreed to by the total Commission at the last April hearing in Santa Cruz. The Aerie managers have listened to the concerns that were presented by your staff and the Commissioners, and have met all of the proposed changes. Your staff has done a very thorough examination with comprehensive due diligence and recommends a positive vote with an extensive list of conditions already agreed to by the applicant. As new board members join, there seems a natural urge to add some restrictions so they might be viewed as performing their job. But please know that this project has been thoroughly vetted and even many previous adversaries (both public and governmental) have agreed that the changes are now favorable for, and are giving, their approval. You will see those letters in your support series now. This winning over has occurred for most except for the very few most entrenched vague opposition who are unable to change and are now seen unwilling to agree at all; as these type people are often seen to be contrary to any progress even if well designed like this one. The Aerie parcel is a very large property and will be less dense than the properties of the people who continue to squawk. Most all of the locals in close proximity are in full agreement and favor. This venture can be welcomed as a fine example of an ecologically thoughtful endeavor in this contemporary world.

My home is on the corner of Ocean and Carnation paralleling the Aerie project. The planned removal of the dilapidated apartment and the improvements (many of which are voluntary) proposed by the applicant are well received, well designed and of high quality. The plan form, size, and appearance is certainly consistent with the existing neighborhood and is evident as shown in the presentation. It is less dense than the neighbors. Mr. Julian has been responsive to everyone and especially the vocal few and he has changed this project to meet all the concerns of any and all government authority. He remains committed to living in Aerie with his family as has been his plan from the onset. The silver Leeds qualification is evidence of the respect by the owner.

My wife and I are active in community affairs. I have been a resident of Corona del Mar for 40 years and have lived within two hundred feet of the proposed project for over 20 years. We have always known that someday a project would occur on the property. I am pleased that it is someone who will live here with his family and has a vested interest. It is also laudable that the improvements will entirely be done at the same time, instead of piecemeal, and this by a local expert team who is committed to excellence and cooperation with the neighbors. It is clearly in scale and maintains the character of this community which is demonstrated clearly in the material submitted to the Commission.

Thank you for your thoughtful consideration. Please support this project!


Bud Rasner

2500 Ocean Blvd
Corona del Mar, CA 92625

Date 5/27/2011

Application Number:

CDP 5-10-298 SUPPORT

RECEIVED
South Coast Region

JUN 8 - 2011

CALIFORNIA
COASTAL COMMISSION

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

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

As a long time owner of a view property in Corona del Mar, I am in approval of the Aerie project.

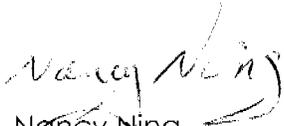
Brian Jeanette has designed a beautiful 7 unit condominium building to replace a very old rundown 15 unit apartment building. This reduces the amount of traffic on the corner and puts the parking area out of sight.

They also intend to put the unsightly utility lines underground which modernizes the look of the whole neighborhood.

Additionally, the public will have a beautiful location to sit and enjoy the view. There will be a bench and a drinking fountain, plus additional street parking. None of these public benefits are there now.

Please approve this project as we feel it is for the betterment of the coast.

Sincerely,


Nancy Ning

2220 Pacific Dr.
Corona del Mar, CA
92625

Date 5/27/2011

CDP 5-10-298 SUPPORT

Application Number:

RECEIVED
South Coast Region

JUN 3 - 2011

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

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

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Brian Jeanette has designed a beautiful 7 unit condominium building to replace a very old rundown 15 unit apartment building. This reduces the amount of traffic on the corner and puts the parking area out of sight.

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Additionally, the public will have a beautiful location to sit and enjoy the view. There will be a bench and a drinking fountain, plus additional street parking. None of these public benefits are there now.

Please approve this project as we feel it is for the betterment of the coast.

Sincerely,



Stanley Ning
2220 Pacific Dr.
Corona del Mar, CA
92625

Date 5/18/2011

Application Number: CDP 5-10-298

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

RECEIVED
South Coast Region

MAY 26 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

I am a resident and a Realtor in Corona del Mar. I have specialized in the area for 22 years and I see the construction of Aerie as a significant benefit to the neighborhood.

The construction of this beautiful building will improve the neighborhood in various ways:

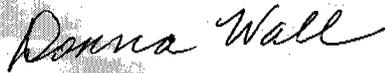
- 1) Instead of a dilapidated, old 15 unit apartment building there will be a high end 7 unit condominium building. This also substantially increases the tax revenue to the city.
- 2) The utility poles will be removed and the power lines put underground giving the neighborhood a cleaner look with unobstructed views. This will increase the property values for the entire neighborhood.
- 3) With the most recent reduction in size, this building does not overwhelm the cliff and there is a clean look from the water. This is a benefit to residents across the water on the Peninsula and to boaters.

The public who visit the area will have a much wider view corridor to the jetty and to the ocean. There will also be a bench to sit upon, a drinking fountain and parking spaces. None of these amenities exist now.

So much effort has been made by the owner and his team of professionals to comply with the city, the Coastal commission, and the neighbors. I respectfully request your approval of this project.

Sincerely,

Donna Wall



DRE#00906939

Coldwell Banker, Fashion Island

Newport Beach, 92660

Date *5/25/2011*

Application Number: CDP 5-10-298

RECEIVED
South Coast Region

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

MAY 31 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

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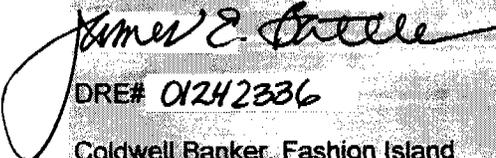
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So much effort has been made by the owner and his team of professionals to comply with the city, the Coastal commission, and the neighbors. I respectfully request your approval of this project.

Sincerely,

 **JAMES E. BATTLE**

DRE# 01242336

Coldwell Banker, Fashion Island

Newport Beach, 92660



5669 CALLE REAL • GOLETA, CA 93117

(805) 964-7802 • FAX (805) 967-9654

May 26, 2011

Ms. Sherilyn Sarb
California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416

RECEIVED
South Coast Region

MAY 31 2011

CALIFORNIA
COASTAL COMMISSION

Ref: AERIE Condominium Project, Application #: CDP 5-10-293

Dear Ms. Sarb:

I recommend approval of the Aerie project.

My son and his family just purchased a home across the street from the project. We were concerned about the status of the old apartment building that now occupies the property. As part of our due diligence, we found that a beautiful new condominium project for the property has been going through the development process for several years and is now up for approval.

We think that this project will be of significant benefit to the neighborhood and as well as the general public. The builder has gone to considerable lengths to design a project that will be a good neighbor. Features include increasing views of the harbor and coastline, increasing public parking spaces and undergrounding of overhead utilities.

Additionally, the Aerie project will utilize state of the art energy features and other "Green technologies" that will benefit the area and the environment.

We therefore encourage the Coastal Commission to give speedy consideration and approval of this project so that everyone can begin to experience their benefits as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn J. Davis", written over a horizontal line.

Glenn J. Davis
Broker



CITY OF NEWPORT BEACH

OFFICE OF THE CITY COUNCIL

Mayor

Michael F. Henn

Mayor Pro Tem

Nancy Gardner

Council Members

Keith D. Curry

Leslie J. Daigle

Rush N. Hill, II

Steven J. Rosansky

Edward D. Selich

Steven Rosansky

404 Lugonia Street
Newport Beach, CA 92663

(714) 381-2460 Phone

(949) 650-4900 FAX

May 31, 2011

SUPPORT

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South Coast Region

JUN 6 - 2011

CALIFORNIA
COASTAL COMMISSION

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

RE: AERIE 7 unit condominium project in Newport Beach,
Application CDP 5-10-298

Dear Ms. Sarb:

I write to you today in connection with CDP Application #5-10-298, which is for approval of a seven-unit condominium project in the Corona del Mar area of Newport Beach. When this project was originally brought before the City Council for approval, I was one of the two council members who voted against the project. Although I was in favor of many aspects of the project, my comment at the time was that it was "too much of a good thing."

Since that time the project has undergone extensive revisions and reductions. At this time I believe the project is more in line with what I and the residents of the area envision for that site and if the project were to come before me again in its current status, I would vote for it.

Sincerely

Steven Rosansky
Newport Beach City Council-District 2



CITY OF NEWPORT BEACH

OFFICE OF THE MAYOR

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MAY 31 2011

CALIFORNIA
COASTAL COMMISSION

Mayor

Michael F. Henn

Mayor Pro Tem

Nancy Gardner

Council Members

Keith D. Curry

Leslie J. Daigle

Rush N. Hill, II

Steven J. Rosansky

Edward D. Selich

May 20, 2011

Members of the Coastal Commission
c/o Ms. Sherilyn Sarb
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Application Number: CDP 5-10-298 SUPPORT

RE: AERIE 7 unit condominium project in Newport Beach

Dear Commission Members:

I am a City Council Member of Newport Beach, and currently serve as Mayor. I served on the City Council throughout the entire time the AERIE project was reviewed by the City of Newport Beach. As you are aware, our City completed a very rigorous review of this project, with multiple Planning Commission and City Council meetings, ultimately approving the plan that was brought before you in April of 2010.

Since the date of our approval, I understand that both the building size and the related excavation have been significantly reduced, resulting in an overall project that is substantially scaled back compared to our approval. In view of these reductions, I urge you to approve the plan that is coming before you in June.

Should you have any questions, please feel free to contact me.

Sincerely,

Michael F. Henn

cc: Ms. Liliana Roman

NANCY GARDNER
323 Jasmine, Corona del Mar CA 92625
949 673-0706 gardnerncy@aol.com

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South Coast Region

MAY 27 2011

CALIFORNIA
COASTAL COMMISSION

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

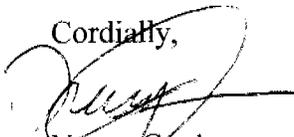
May 19, 2011

Re: CDP 5-10-298, Aerie Project

Dear Ms. Sarb:

I am a member of the Newport Beach City Council and was one of two who voted against the Aerie project when it was first presented. To my mind, it was too much for the site in terms of units, in terms of the coastal bluff on which it sits and in terms of excavation of that bluff. Mr. Julian has walked me through the revised plans which he will be presenting to the Commission. It has fewer units and less impact on the bluff both from an external perspective and in terms of interior excavation. If this plan had been presented initially, I could have supported the project.

Cordially,



Nancy Gardner
Newport Beach City Council

May 17, 2012

Application Number: CDP 5-10-298

SUPPORT

Edward Selich
City Council Member 5th District
City of Newport Beach
627 Bayside Drive
Newport Beach Ca 92660

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JUN 2 - 2011

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

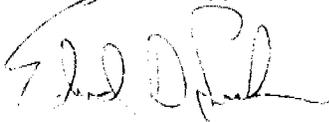
CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

This letter is to express support for the approval of the Aerie project as amended and now before the California Coastal Commission. I voted to approve the project as originally submitted to the California Coastal Commission when it was before the Newport Beach City Council. I felt the project was in conformance with the City approved Coastal Land Use Plan and the Coastal Act. I have reviewed the proposed changes to the proposed development and feel it is still within the policies of the City's approved Coastal Land Use Plan and the Coastal Act.

The proposed development will be an asset to our City and I wholeheartedly urge the California Coastal Commission to approve it as revised.



Edward D Selich
City Council Member 5th District
City of Newport Beach

CC: Ms. Liliana Roman

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South Coast Region

JUN 01 2011

CALIFORNIA
COASTAL COMMISSION



INTERIOR
DESIGNERS
INSTITUTE

1061 CAMELBACK RD
NEWPORT BEACH
CA 92660

P. 949.675.4451
F. 949.759.0667
www.idi.edu

May 30, 2011

California Coastal Commission
Ms. Sherilyn Sarb
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416'

Ref: Application Number: 5-10-298
AERIE, Newport Beach

Dear Ms. Sherilyn Sarb:

As a professional interior designer, educator and as a city commissioner I would like to inform you of my support for the AERIE Project in Newport Beach, CA. I believe this project is well conceived, environmentally friendly and an asset to the coastal community. This team of professionals, who have worked on this project, have altered their original designs to reflect concerns and recommendations of the California Coastal Commission, the city and the local community. This is the type of project, with concerned professionals and clients that the California Coastal Commission should encourage by granting an approval of their project.

As a professional designer and a commissioner I see design and construction from a different perspective than the community at large. Please give this project your attention and grant the needed approval(s) to support and encourage future professionals to create more projects like the AERIE to enhance our coastline.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul J. Rice', is written over a large, stylized, circular scribble.

Paul J Rice, IIDA, ASID, CID
Director of Education
Interior Designers Institute

457 Santa Ana Avenue
Newport Beach, CA 92663

May 24, 2011

California Coastal Commission
200 Occangate, 10th Floor
Long Beach, CA 90802-4416

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South Coast Regi

MAY 31 2011

Attention: Ms. Sheriln Sarb

CALIFORNIA
COASTAL COMMISSION

Re: Application #5-10-298 AERIE Newport Beach

Dear Ms. Sarb:

My husband and I are long term Newport Beach residents and are very much in favor of the above listed project. Below are some of the reasons we would like to see AERIE approved.

There will be a larger view corridor than presently exists with the addition of a "view bench" and water fountain. Wonderful!

An unsightly power pole will be removed and utility lines will be relocated underground.

Public parking spaces will be added and the parking, which is now in driveways and carports, will be relocated underground. The new parking arrangement enhances safety as cars will no longer have to back out on to the street.

Lastly, the dilapidated apartment building will be replaced by a beautiful new building. We see this as a huge improvement over the existing structure.

We sincerely hope approval is granted and look forward to seeing this beautiful new apartment building.

Sincerely,



Mr. and Mrs. R. Derby Williams

May 22, 2011

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

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South Coast Region

MAY 31 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

We are writing this letter in support of the Aerie project.

Our family is new to the neighborhood having just purchased a home across the street from the project. As a result, we are among those who will be most affected by the renovation. We have therefore, given ample consideration to the proposal.

It is our opinion that the project is of benefit to both the neighborhood and the public in general. Benefits, as we see them, are many. The current building is old, run down and detracts from the beauty of the surrounding area. The new building will clearly enhance the aesthetics of the area. The project will also remove unsightly telephone poles from the street and provides a larger public viewing area. Other benefits to the neighborhood include decreasing the number of units in the project which will decrease congestion and improve public parking.

Our family is environmentally conscious and the Aerie project appears consistent with our views. The building itself will utilize state of the art energy features which will be an obvious improvement over the technology in the current dwelling. The project is also designed such that only about twenty percent of the land will be developed leaving a large percentage as open space. More importantly, the open space will be cleaned up and restored to its natural state.

In summary, we believe the Aerie project should be approved. It utilizes an environmentally conscious design that is beneficial to both the neighborhood and the public in general. Aerie will improve the beauty of the surrounding area and improve our coastline.

Sincerely,



Brent Davis
2504 Ocean Ave.
Corona Del Mar, CA 92625

CC: Ms. Liliana Roman

May 26, 2011

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

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South Coast Region

MAY 31 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

I am writing this letter in support of the Aerie project.

Our family is new to the neighborhood having just purchased a home across the street from the project. As a result, we are among those who will be most affected by the renovation. We have therefore, given ample consideration to the proposal.

I believe that the AERIE project will improve the view to the public, as compared to the current building which is in need of repair and takes away from the beauty of the coastal area. Also, since only 20% of the land will be developed, there will still be a large amount of open space, which will be cleaned up and restored to its natural state. It is also a plus that there will be environmentally conscious energy features utilized.

In summary, I believe the Aerie project should be approved. It will improve the view and benefit the neighborhood as well as the general public.

Sincerely,



Joy Davis
2504 Ocean Ave.
Corona Del Mar, CA 92625

CC: Ms. Liliana Roman

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South Coast Region

MAY 27 2011

CALIFORNIA
COASTAL COMMISSION

May 23, 2011

California Coastal Commission
Ms. Sherilyn Sarb
200 Occangate, 10th Floor
Long Beach, Ca 90802-4416

RE: Application # 5-10-298

Dear Ms. Sarb,

I have lived in Corona del Mar for over 20 years and sailed in and out of the bay many times. I don't see this project as being anything but a benefit to the local Harbor.

The public view that we will see while entering the Harbor will be greatly enhanced by this timeless architecture.

The project when completed will increase the public view corridor from two locations on the bluff and the additional on street parking will be increased by three spaces.

They have reduced the allowable dwelling units for this site among many other changes.

The state of the art energy features, underground utilities, an off street drainage area, property tax increase and enhancement to neighboring properties are only a few of the benefits.

I trust that you will approve the AERIE project.

Sincerely,



Beverley Johnson
703.5 Poinsettia Ave.
Corona del Mar, Ca. 92625

CC: Ms Leliana Roman

LETTER OF SUPPORT – AERIE 7 – CONDOMINIMUM PROJECT

RECEIVED

South Coast Region

May 23, 2011

Application Number: CDP 5-10-298

MAY 27 2011

California Coastal Commission

Ms. Sherilyn Sarb

200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

CALIFORNIA
COASTAL COMMISSION

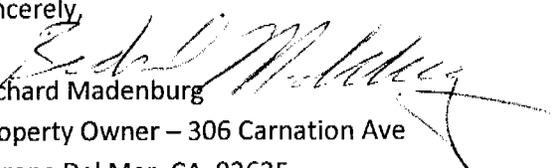
RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

I am a neighbor, living at 306 Carnation Avenue (approximately 400 feet from the referenced project) – both the existing dwelling and the referenced project are in our directly line of view. Given the deteriorated condition of the existing dwelling – the referenced AERIE project would represent an improvement to the neighborhood – providing less visual obstruction of view; increased street parking; decreased resident traffic and an overall improvement of the residential property values.

I have no financial interest in the AERIE project - I would like to see the California Coastal Commission approve this referenced project.

Sincerely,


Richard Madenburg

Property Owner – 306 Carnation Ave

Corona Del Mar, CA 92625

949-200-9082

CC: Ms. Liliana Roman

MICHAEL J. MURTAUGH
2716 Windover Drive
Corona Del Mar, California 92625
(949) 644-5652

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South Coast Region

MAY 27 2011

CALIFORNIA
COASTAL COMMISSION

May 24, 2011

Application Number: CDP 5-10-298

SUPPORT

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

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

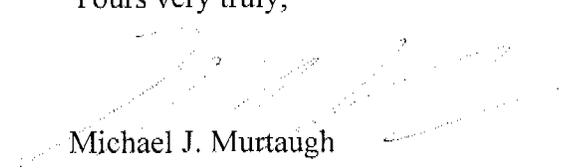
Dear Ms. Sarb:

My wife and I have made Corona del Mar our home for some twenty-five years, and we love the area and have no intention of ever leaving.

The purpose of this letter is to convey our support for the seven-unit condominium project which is proposed at the intersection of Ocean Boulevard and Carnation Avenue. In our view, not only is the seriously dated apartment building at that location something of a detriment to the area, but also and more importantly the proposed project would be a significant enhancement in that it provides a nice piece of real architecture while at the same time increasing the public view corridors.

Thank you for your consideration; and if anyone would be interested in hearing further about our views, we can be reached at (949) 644-5652.

Yours very truly,


Michael J. Murtaugh

cc: Ms. Liliana Roman

May 29, 2011

Application Number: 5-10-298 SUPPORT

California Coastal Commission
Ms. Sherilyn Sarb
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416
ssarb@coastal.ca.gov

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South Coast Region

JUN 01 2011

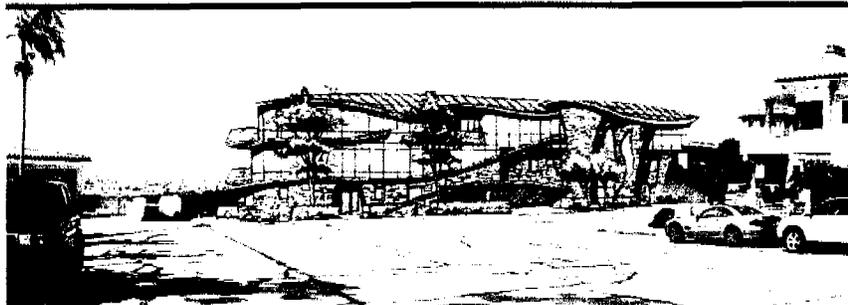
CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: 5-10-298

Dear Ms. Sarb:

Oh please, enough already. The Aeries project has been so watched over, drilled into, explored eviscerated, gutted and over-processed, please just let the community remove an eyesore and move on to a better place. The benefits gained by approval are numerous. Getting rid of ugly above ground utilities, improved handling of storm water through the upgraded catch basin, creation of improved view corridors to the beautiful harbor beyond, and added on-street public parking all combine to provide ample public benefit.

What's not counted above, however, is the creation of what will be a spectacular landmark visible to all who live or go to the area.



As a 33 year resident of the City of Newport Beach and a very frequent passerby of the property site in question, I get almost daily reminders of a process gone astray. Residents are sick and tired of what is there now and fully appreciate the positive impact of very, very good architecture. Please don't sell the residents short by furthering this process unnecessarily and crushing the dreams of property owners who have rights to protect, too.

Please finally end this process and support this project.

Sincerely,

Fredric J. Forster

C: Ms. Liliana Roman - lroman@coastal.ca.gov

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South Coast Region

JUN 01 2011

May 29, 2011

To: California Coastal Commission
From: Aviva Forster, Resident Corona del Mar
SUBJECT: APPROVAL OF AERIE, Application #5-10-298

CALIFORNIA
COASTAL COMMISSION

Dear Ms. Sarb,

The purpose of this letter is to request your approval of the AERIE Project in Newport Beach, Application #5-10-298.

I moved to Newport Beach over 30 years ago. Over the years I have seen many projects approved by the Coastal Commission. AERIE is by far the most beautiful proposed project to date and it will do greatly add to the beauty and functionality of my neighborhood.

Once AERIE is built, I will have better views of the water, and there will be less congestion because the number of units will be reduced from 16 (in the original apartment building) to 7 units.

I urge you and the Coastal Commission to approve the AERIE Project.

Sincerely,



Aviva Forster
1221 Starboard Way
Corona del Mar, CA 92625

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

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South Coast Region

JUN 01 2011

Ref: Application Number: 5-10-298
AERIE, Newport Beach

CALIFORNIA
COASTAL COMMISSION

Dear Ms. Sarb:

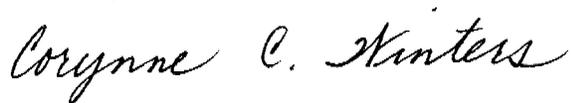
I am rarely prompted to write letters to governmental entities, but I feel strongly about our harbor here in Newport Beach, thus this letter to support a beneficial project to our area.

My husband and I have lived in Newport Beach for many years and since we are boaters, we are in and out of this harbor frequently. As I am certain you are aware, the entrance to our beautiful harbor is a potpourri of buildings which in my opinion make it very interesting. However, when there is an opportunity to replace a dilapidated 16 unit apartment building with a beautiful building with only 7 units, I feel it is a benefit to the area and to the environment and to the people who live here. In addition, the public will benefit by a beautiful structure that is more consistent with the surrounding area. It is my understanding that an unsightly power pole will also be removed.

Through the years that we have been residents I have followed the career and architecture of Brion Jeannette and you couldn't choose a better person to be in charge of this type of project. He is creative and diligent, with the utmost integrity.

In closing, I would encourage you to approve the AERIE project as a benefit to the public within our community and also to all the visitors that visit our harbor yearly. There are few times in our life where we can make a decision without compromise; but in this case, I feel the project will be advantageous to everyone.

Sincerely,



Corynne C. Winters
100 Via Koron
Newport Beach, CA 92663

Date 6/05/11

Application Number: CDP 5-10-298

SUPPORT

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

RECEIVED
South Coast Region

JUN - 8 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

I would like to introduce myself, Gregory Hawkins.

My family and I have lived in Corona del Mar for over a decade. I am very familiar with this unsightly dilapidated 16 unit apartment building that is nestled in the harbor bluff hillside. I currently view this property from the curbside almost every day and in the harbor at least 3 to 4 nights a week (competitive harbor sailing). I am extremely perplexed on why this is taking so long for approval based on the information that I have diligently researched. Newly constructed beautifully designed 7 unit structure that would replace the current eyesore. Based off of my research this new project will add an additional 3 public parking spaces which are needed. In addition, that unsightly power pole will no longer be in view.

My family is 100% in support of the proposed AERIE seven unit development.

If you need any additional support on my behalf please feel free to contact me. Reference contact information below:

Gregory & Vanessa Hawkins
4614 Wayne Rd.
Corona del Mar, CA 92625
hawkinsgregory@sbcglobal.net

Regards,

Gregory Hawkins

CC: Ms. Lihiana Roman

MARY ANN SODEN

2801 Ebbtide Road, Corona del Mar, California 92625

June 6, 2011

California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, CA 90802-44 16
Attention: Ms. Sheriln Sarb

RECEIVED
South Coast Region

JUN - 8 2011

CALIFORNIA
COASTAL COMMISSION

Re: Support of Application # 5-10-298 - AERIE Newport Beach

Dear Commissioners:

I am resident of Corona del Mar, a community within Newport Beach. I am aware of the Aerie project from the media coverage and my own walks along the cliff and harbor. I am acquainted with the proposing architect Brion Jeannette from my work with him regarding projects in my community; he is a highly respected architect in Newport Beach and has designed significant and innovative residential properties throughout our city.

I am writing to communication my support for the Aerie project before you this month. Several aspects of the design are a beneficial to residents and visitors to Newport Beach:

- There will be a larger view corridor than presently exists with the addition of a "view bench" and water fountain.
- The utility lines will be relocated underground removing an unsightly power pole.
- Public parking spaces will be added and the parking, which is now in driveways and carports, will be relocated underground. The new parking arrangement will now provide more street parking for beach-goers which is definitely needed for the Corona del Mar state beach.
- The existing structure is replaced by an attractive modern new building with a scope and scale appropriate to its location.

I see this as a significant improvement over the existing structure as it will provide increased access to harbor views and more parking enhancing overall the Corona del Mar community. I sincerely hope approval is granted and look forward to seeing the Aerie project implemented.

Sincerely,


Mary Ann Soden

cc: Brion Jeannette



700 Carnation Avenue, Corona Del Mar, California, 92625

Phone: (949) 723-6449
Fax: (949) 723-1115

June 3, 2011

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

RECEIVED
South Coast Region

JUN 08 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

As the manager of a business located in Corona del Mar for 27 years, the preservation and enhancement of all aspects of our beautiful Newport Beach community are of vital importance to me. It has recently come to my attention that the above-referenced proposed condominium project is to be reviewed in an upcoming hearing. I would like to offer my unmitigated support for this project.

From an environmental standpoint, the impact on the bluff would be reduced from 42.3 feet to the waterline with the existing structure to 50.7 feet with the proposed improvements. This level of bluff face preservation is significantly superior to that of many projects approved over the last several years. The northerly sloughing slope will also be stabilized as part of the construction process. The project has been designed using "green" architecture criteria and energy efficient design features including the implementation of a state of the art water quality plan with an upgraded catch basin, enhanced storm drain water quality and advanced water filtration devices, on site water retention for property irrigation and maintenance, the elimination of artificial debris such as plastic and Styrofoam which will help protect marine life in the cove, the use of environmentally friendly and sustainable materials, drought resistant landscaping and the maximization of solar orientation for hot water and pool heating and energy generation.

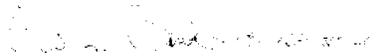
In reference to the scale of the project, and its compatibility with surrounding structures, the proposed structure will utilize only 19% of the site, preserving the remaining 81% as open space; this represents twice the amount required by the City of Newport Beach Building Code. The number of proposed units has been reduced from 8 (overwhelmingly approved by the City of Newport Beach) to 7. The existing structure includes 15 units. Parking will be relocated from driveways and carports to an underground facility. The view corridor from the intersection of Carnation Avenue and Ocean Boulevard would be expanded from 14 to 28 feet and a new 9-foot wide view corridor would be created at the northerly property limits.

The aesthetics of the architecture of the proposed structure versus the existing structure speak for themselves. The visually appealing and environmentally appropriate new design is vastly superior to that of the current structure. The incorporation of waves into the design softens the elevations and blends the proposed building gracefully into the site.

In addition to the expanded view corridors, and the elimination of an unsightly apartment building, there are a host of community and public benefits that would be realized with the approval of this project. Public safety and traffic flow will be enhanced as a result of the project parking changes that will allow vehicles to exit the parking structure moving forward, rather than backing out. Traffic will be reduced due to the reduced number of units. Three additional public parking spaces would be created due to the reduction of the project curb cut. Neighboring property values will be enhanced and the City of Newport Beach, and therefore its available funding for public works projects, will benefit as a result of the increase in the property tax value of the subject property, estimated to be from \$12 million to \$80 million.

Based on these considerations, and numerous others, I believe that the proposed project provides far greater advantages than disadvantages for the environment, prospective neighbors, the community of Newport Beach and its visitors.

Sincerely,



Cheri Clark Hodgson
Tony Valentine Construction
700 Carnation Avenue
Corona Del Mar, CA 92625

CC: Ms. Liliana Roman

June 6, 2011

Application Number CDP: CDP 5-10-298

Support

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

RECEIVED
South Coast Region

JUN 08 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach
Application #: 5-10-298

Dear Ms. Sarb:

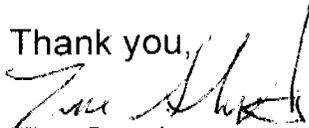
As a owner and a neighbor for the last 25 years who lives less than a block from the proposed project, I wish to express my complete and unconditional support. This project will enhance the surrounding area and will also replace an existing ugly apartment complex. It will also improve my own small ocean view located at Carnation Avenue and Ocean Boulevard.

In addition, the approval of this project will create additional public parking. This is important for we have very limited public parking in our area.

Also, two utility poles on the street would be removed and utility lines would be relocated underground, enhancing the overall visual look for the neighborhood.

Finally, I once again wish to express my total support for this project and urge the commission to grant approval.

Thank you,



Tim Stephens

2501 Seaview Avenue
Corona Del Mar, CA 92625

June 6, 2011

Application Number 5-10-298

SUPPORT

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

RECEIVED
South Coast Region

JUN 08 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application # 5-10-298

Dear Ms. Sarb:

My husband and I have made Channel Reef Condominiums our home for the past 25 years. Our condo in Channel Reef is only a few hundred feet from the Aerie project.

We are and have always been strong supporters of the project. We were very disappointed that the Coastal Commission did not approve the plans last year.

We urge the Commission to approve this project as it is a very good use of the property. It will provide many benefits such as additional on street parking and the elimination of a utility pole. This project will also eliminate an old ugly 14 unit structure and provides a new beautiful 7 unit building along with added public view of Newport Harbor.

My husband and I prepared a letter to the California Coastal Commission and asked persons to sign if they were in favor of the project. While not everyone we approached signed our letter it appears that about 98 percent did sign and do agree with the project.

We will be sending the letter with the signatures under separate copy.

Thank you,



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

CC: Ms Lilliana Roman

June 6, 2011

Application Number 5-10-298

SUPPORT

RECEIVED
South Coast Region

JUN 08 2011

CALIFORNIA
COASTAL COMMISSION

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

RE: AERIE 7 unit condominium project in Newport Beach, Application # 5-10-298

Dear Ms. Sarb:

My wife and I have made Channel Reef Condominiums our home for the past 25 years. Our condo in Channel Reef is only a few hundred feet from the Aerie project.

We are and have always been strong supporters of the project. We were very disappointed that the Coastal Commission did not approve the plans last year.

We urge the Commission to approve this project as it is a very good use of the property. It will provide many benefits such as additional on street parking and the elimination of a utility pole. This project will also eliminate an old ugly 14 unit structure and provides a new beautiful 7 unit building along with added public view of Newport Harbor.

My wife and I prepared a letter to the California Coastal Commission and asked persons to sign if they were in favor of the project. While not everyone we approached signed our letter it appears that about 98 percent did sign and do agree with the project.

We will be sending the letter with the signatures under separate copy.

Thank you,



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

CC: Ms Lilliana Roman

DAWSON & DAWSON

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

2660 EAST COAST HIGHWAY

CORONA DEL MAR, CALIFORNIA 92625

JOHN HARLAN DAWSON
(1907-1987)

KEITH ABBOT DAWSON

TELEPHONE (949) 720-9414

TELECOPIER (949) 759-9144

June 3, 2011

Application No.: CDP 5-10-298

SUPPORT

California Coastal Commission
Attn.: Ms. Sherilyn Sarb
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

RECEIVED
South Coast Region

JUN 6 - 2011

Re: Aerie 7 Unit Condominium Project

Dear Ms. Sarb:

CALIFORNIA
COASTAL COMMISSION

Some people are born contrarians - they find fault in everything. They find fault no matter what. Sometimes they have their own agendas. Sometimes they don't need an agenda to find fault. They support nothing. They oppose everything. They show up at every meeting or hearing and voice their contrary views. They rally others to join in their contrariness. They feed off each other's negativity, and their followers march blindly forward waiving their contrary banners.

I have been fortunate to live in Corona Del Mar since 1972 - almost 40 years. In addition to our home, my wife and I own a commercial building on Pacific Coast Highway in Corona Del Mar. Unlike the contrarians, we are active participants in our community and have been for many years. Indeed, while the contrarians have put their monstrosities up for sale, my wife and I have a stake in the future of Corona Del Mar where we fully intend to spend the rest of our lives.

The Aerie Project will replace a 15 unit dilapidated apartment house that bears an uncanny resemblance to Alcatraz when viewed from the bay. Although the applicant has, in good faith, addressed each and every objection or concern that the contrarians have raised, having run out of objections, they now contend that the proposed structure is "simply too big for the neighborhood" - this coming from the owners of massive structures directly adjacent to the Aerie Project that could never be built under today's standards.

Perhaps that's what's going on here. The contrarians know full-well that their properties which completely obscure the entire bluff face from the bluff top above to the water below could never be built today. They've got theirs. Now, they want to slam the door.

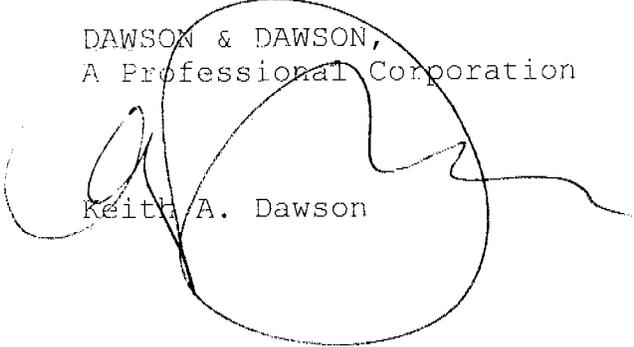
Ms. Sherilyn Sarb
California Coastal Commission
June 3, 2011

It is the Coastal Commission's charge to "protect and preserve the bluff". The Aerie Project will do much more than that. It will restore and improve the bluff by removing unsightly concrete, discarded building materials, rusted railings and pipes that have littered the bluff face for years. At the same time, it will greatly improve the public view point from the street level of the Project at the southerly boundary while adding a non-existent view corridor at the northerly boundary.

This marks the third time that I have written in support of the Aerie Project. Corona Del Mar deserves the Aerie Project, and the applicant deserves our sincere thanks for believing in our community and for his tenacious commitment to the future of our community. I urge the Coastal Commission to approve the Aerie Project.

Very Truly Yours,

DAWSON & DAWSON,
A Professional Corporation


Keith A. Dawson

KAD/jj



Corona del Mar June 1, 2011

Application Number: CDP 5-10-298

SUPPORT

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

RECEIVED
South Coast Region

JUN 6 - 2011

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

CALIFORNIA
COASTAL COMMISSION

Dear Ms. Sarb:

I am part of a team of realtors in Corona del Mar and just recently learned about this exciting project through my business partners who are all long-time residents of Corona del Mar.

I am in support of this important project for many reasons. Currently, the entrance to Newport Harbor -- one of the most beautiful Harbors in the Country -- does not reflect the look and appeal it should. The area has look tired for many years, and we feel the AERIE development is a dramatically needed change to coincide with the lifestyle of boating residents and the millions of tourists who visit Corona del Mar and Newport Beach each year. Secondly, the proposed AERIE site is the perfect location for high-end buyers who desire to live on the water near the ocean entrance. This project will generate a significant amount of tax revenue for the city which is badly needed at this time. Finally, we do not believe that one or a few residents should carry the stature of blocking a development for the sole reason it will impact them on a short-term basis. As a resident and realtor in the area, I can attest that we have all been impacted at one time or another by progress and the beautification efforts in Corona del Mar Village. The condition of the current development is an eye-sore to the area and has not been well cared for; thus, bringing down the home values in the area.

During our teams combined 30+ year careers in real estate, property management and retail development, we have never witnessed a group of people who are so careful and thorough in their due diligence as it relates to development. We are fortunate to have the current AERIE project owners in charge of this important piece of land in Corona del Mar. They have demonstrated time and time again that they are compliant and creative in their efforts to add a stunning and much needed development to what is now an old and run-down area of one of Corona del Mar's most important landmarks.

We appreciate your time in reviewing our thoughts and urge you to support the AERIE project.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Fuchs".

Paul Fuchs

Surterre Properties - Corona del Mar
2515 East Coast HWY, Suite 5
Corona del Mar, CA 92625

CC: Ms. Liliana Roman

June 3, 2011

RECEIVED
South Coast Region

SUPPORT FOR AERIE

JUN - 9 2011

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

CALIFORNIA
COASTAL COMMISSION

RE: AERIE condo project in Corona del Mar, CA (Newport Beach). Application #CDP 5-10-298

Dear Ms. Sarb:

I am a homeowner at 212 Carnation Ave., two doors up and across the street from the proposed AERIE project. I am writing this letter to let you know that I am in favor of the project and to explain why I feel this will enhance the coastal bluff at the project site.

As a frequent boater, kayaker and "beach goer" in and around the channel, it's important to me that each of the many construction projects taking place every year will add some level of improvement to our surroundings. From all the plans I have seen, and all the City Council and Planning Commission meetings I've sat through, I believe AERIE represents a unique upgrade from both the water side as well as the neighborhood views.

The existing structure has been a 360 degree eyesore and in disrepair long before Rick and Karen Julian acquired the property. Their intentions all along have been to enhance the beauty of this site, and they have been very open and collaborative with all their neighbors about how to construct AERIE to make it a "win-win" for the neighborhood. Unfortunately, two or three reclusive neighbors have unconditionally objected to every plan, every idea, and every compromise the Julians have proposed.

I understand the importance of all voices being heard, but I hope the small handful of detractors have finally exhausted every "hail Mary" attempt to stop this project. I'm thankful the property is in the hands of a developer and an architect who have a bias for tasteful, artistic, and environmentally "green" development. Rick Julian and Brion Jeannette are a breath of fresh air vs. a developer looking to build another square "box" that takes up every bit of dirt and air possible. It's time to move forward with AERIE

Please feel free to call me directly if you wish to discuss any further.

Sincerely,



Bill Varon
(949) 290-8383
bill@billvaron.com

CC: Ms. Liliana Roman

Michael D. Reeves
4533 Tremont Lane Corona Del Mar, CA 92625

June 3, 2011

Application Number: CDP 5-10-298

SUPPORT

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

RECEIVED
South Coast Region

JUN 10 2011

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

I, Michael D. Reeves, am a current residence of the City of Corona Del Mar. I frequently travel along Carnation Avenue and find myself drawn to the unsightly apartment building. It has come to my attention that the proposed AERIE project will replace the existing structure in addition to benefiting the City as well as the public. The newly constructed condominiums will not only enhance the look of the neighborhood, but also decrease traffic by reducing the number of units to seven. It will also create public parking spaces as well as improve public view points. In addition to these benefits, the AERIE project will relocate the existing utility poles underground, and will no longer be in view. The AERIE project has my full support and hope that it will soon come to fruition.

Should you have any questions, please feel free to contact me.

Sincerely,


Michael D. Reeves

CC: Ms. Liliana Roman

Date June 7, 2011

Application Number: CDP 5-10-298

SUPPORT

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South Coast Region

JUN 10 2011

CALIFORNIA
COASTAL COMMISSION

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

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

The AERIE Project includes a host of community benefits that are being provided voluntarily by the applicant.

This much needed project will add to our city. The current eye sore at the entrance to our harbor should be removed and replaced by something as spectacular as this project.

The applicant has worked hard to respond to your every wish. I am hoping that you , now, will be able to approve his project and allow him to move forward with something that will truly beautify our city and harbor.

Respectfully submitted,



Dr. Lawrence Brown

Newport Beach resident of 26 years

Date June 7, 2011

Application Number: CDP 5-10-298

SUPPORT

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South Coast Region

JUN 10 2011

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

CALIFORNIA
COASTAL COMMISSION

RE: AERIE 7 unit condominium project in Newport Beach, Application #: CDP 5-10-298

Dear Ms. Sarb:

The AERIE Project includes a host of community benefits that are being provided voluntarily by the applicant.

1. **View Corridors** - Views from the "public view point" at Carnation Avenue and Ocean Boulevard would be enhanced by approximately 76 percent as a result of the Project. A public bench and drinking fountain will be added at this "public view point" to enhance the public viewing experience. The Project also creates a 9 foot wide view "corridor" at the northerly property limits, which currently does not exist.
2. **New Public Parking** - The Project will create three additional on-street public parking spaces because the length of the curb cut on the Project site has been substantially reduced. These on-street parking spaces will accommodate visitors to the area, particularly during the peak summer/tourist season.
3. **Visual Improvements**
 - Two utility poles on the street would be removed and utility lines would be relocated underground
 - Parking which is now in driveways and carports will be relocated underground and out of sight

- Existing concrete, pipes, and building materials that litter the bluff face will be removed.

4. Other Improvements:

- Increases City's property tax roll. The property is currently assessed at approximately \$12,000,000. Aerie is estimated to be assessed at approximately \$80,000,000.
- Upgrades an existing deficient catch basin and enhances water quality of storm drain system
- The new parking arrangement allows for cars to enter onto the street in a forward position rather than backing out which exists now at the property and most neighboring properties. This will improve the safety and traffic flow in the area.
- Enhances neighboring property values
- Reduces number of dwelling units permitted by zoning, there are only 7 units at Aerie versus the 15 that exist today
- Reduces traffic with reduced number of units
- Is consistent with the General Plan and Zoning
- Does not descend as low as surrounding properties to the waterline thereby preserving the bluff below 50.7 feet (WHICH IS ABOVE THE EXISTING BUILDING at elevation 42.3') as well as stabilizing the northerly sloughing slope.
- Utilizes only 19% of the site, preserving the remaining 81% as open space, twice the amount of open space required by code
- Creates jobs in this maligned economy

5. State-of-the Art Energy Features – The Project has been designed utilizing “green” architecture criteria and energy efficient design, including but not limited to the following features:

- Design to maximize solar orientation to increase the use of daylighting concepts and reduce energy usage
- Use of high-thermal mass for capturing and retaining heat through solar heat gain apertures
- Optimum overhangs to minimize harsh summer sun exposures while allowing winter heat gain
- Natural ventilation systems that capitalize on prevailing ocean breezes and thermal convection dynamics
- Dual paned glazing systems using Low-E glass (both non-mechanical and hybrid systems)
- Solar domestic hot water and pool heating
- Solar photovoltaic arrays to generate electricity
- Multi-zoned, high velocity hydronic heating and cooling systems
- Instantaneous hot-water boilers with solar domestic hot-water assist
- Reduction of energy use through high efficacy lighting fixtures
- Lutron Homeworks interactive lighting control systems.

- On site water retention for property irrigation & maintenance
- Use of environmentally friendly and sustainable materials
- California drought tolerant landscaping
- The cove will be maintained free of artificial debris including plastic and Styrofoam which will help protect the marine life
- Potential for LEED Silver certification
- Implements the most state of the art water quality plan available, Endorsed by COASTKEEPERS including upgraded catch basin and advanced water filtration devices

These are just a few of the numerous contributions that this much needed project will add to our city. The current eye sore at the entrance to our harbor should be removed and replaced by something as spectacular as this project.

The applicant has worked hard to respond to your every wish. I am hoping that you , now, will be able to approve his project and allow him to move forward with something that will truly beautify our city and harbor.

Respectfully submitted,

Wendy Webb, Realtor
Newport Beach resident of 26 years

A handwritten signature in cursive script, appearing to read "Wendy Webb".

CC: Ms. Liliana Roman

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South Coast Region
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South Coast
JUN 13 2011
JUN 13 2011
CALIFORNIA
COASTAL COMMISSION
CALIF
COASTAL COMMISSION
Support

June 9, 2011

California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Attn: Sherilyn Sarb

Re: Application No. 5-10-298
AERIE. Newport Beach, Calif.

Gentlemen and Ms. Sherilyn Sarb

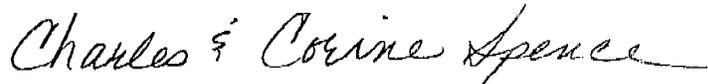
We love our City of Newport Beach and wish to convey to your commission our support of the newly redesigned residential project at Carnation Ave. and Ocean Blvd. in Newport Beach.

Replacing the older dilapidated 16 unit eyesore with this new smaller 7 unit designed by the noted firm of Brion Jeannette Architecture is a win-win for our area as well as for the City. The bluff phase area will be much cleaner, providing views of our coast. There are a number of PLUSES to this project: Removal of unsightly power poles and installation of underground utilities, Adding 3 public parking spaces where none now exist and last, but not least, there will be an increased view corridor for the public on the South and a view bench and water fountain.

To be honest with you, I cannot imagine ANYONE would not prefer to have this project which greatly enhances the community in lieu of the old, run down 16 unit building that now exists.

Thank you for your support in allowing this IMPROVEMENT to the neighborhood.

Sincerely,



Charles and Corinne Spence

FAX TRANSMITTAL SHEET

Date : 11 June, 2011

TO : Lilliana Roman -- Attention California Coastal Commissioners

South Coast District Office

ADDRESS : 200 Oceangate, 10th Floor

Long Beach, CA 90802-4416

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

RECEIVED
South Coast Region

JUN 13 2011

FROM : WILLIAM & SANDRA BECKMAN

ADDRESS : 206 1/2 FERNLEAF AVENUE

CORONA DEL MAR, CA 92625

CALIFORNIA
COASTAL COMMISSION

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

TRANSMITTING 1 PAGE INCLUDING THIS COVER.

Ms. Lilliana Roman,

Please provide the following Facsimile to the California Coastal Commission Staff preparing its report to the Commissioners about the proposed Aerie Condominium Project Complex on Carnation Avenue here in Corona Del Mar, CA, that is scheduled to go before the California Coastal Commission on June 15, 2011 in Marina del Rey, CA. This is in regards:

AIRIE - 5-10-298
OPPOSED TO PROJECT

DATE: MARCH 11, 2011
TO: THE COASTAL COMMISSION
RE: AERIE - ADVANCED GROUP 99-D

We are opposed to the Aerie Condominium project as it is proposed. We are aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But we strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar and the adjacent properties on that coastal bluff.

We believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

There is no development in Corona del Mar since the Coastal Act was established (in 1972) of the size and scale comparable to Aerie. This project has 7 units with an overall ratio of 7,303 square feet of building per unit! Corona del Mar is a beach village. Adjacent single family homes are in the range of 4,000 square feet. And most multi-family units on that coastal bluff are even smaller. Aerie, in comparison, is enormous (the White House is 55,000 square feet).

We urge you to DENY this resort-style development. It does not belong in Corona del Mar on that protected coastal bluff.

Respectfully,
William and Sandra Beckman,
Property owners of 206 & 206 1/2 Fernleaf Avenue
Corona del Mar, CA 92625-3218 - for the past 33+ years

Agenda: W10c
Application: 5-10-298
From: SPON
OPPOSITION

P.O. Box 102, BALBOA ISLAND, CA 92662

June 9, 2011

California Coastal Commission
South Coast District
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
Re: AERIE – agenda item W10c
Honorable Commissioners:

Attn: Liliana Roman

RECEIVED
South Coast Region

JUN 13 2011

CALIFORNIA
COASTAL COMMISSION

SPON requests denial, based on these five items which are discussed in detail below:

- 1 - Violates Land Use Policy LU 3.2; projects must enhance neighborhood character.
- 2 - Detail of 1; the face presented to the neighborhood is a stark vertical plane.
- 3 - Detail of 1; the façade is 3 times as wide as the adjacent house; tighter criteria apply.
- 4 - Coastal Resources Policy LU 4.4.2-3 limits a project's bulk and physical mass.
- 5 - Policy 4.4.1-3 requires minimal destruction of bluff faces.

SPON has reviewed the plans, correspondence, and material in the W10c staff report, and a brochure distributed by the applicant's architect. SPON retained a registered architect with over 30 years experience who has studied these materials and met with the applicant. We welcome the improvements in the plans to reduce bulk and excavation and to show more respect for the PLOED. However, we still are opposed to the current project for the reasons shown.

We also welcome removal of the eight-slip marina and dock for a 100' vessel. The marina and vessel would have intruded past the pierhead line established by precedent along this part of the bay. If there is to be a resubmission and hearing on this part of the project, please include SPON as an interested party.

We note that the southwest side elevation facing the bay is not included in the plans and can not be evaluated. We feel that no project should be approved while significant data is missing.

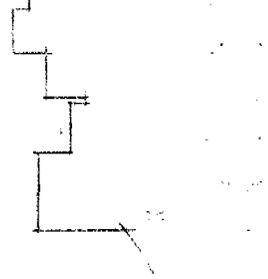
For questions about this letter or its ideas, we are glad to answer at 949-514-1686.

1 - Violates Land Use Policy LU 3.2; projects must enhance neighborhood character.

The proposed design lacks the relief that would make it compatible with the neighborhood. In particular, the long flat façade on the southeast, facing the street and the neighbors, and constituting the major architectural statement of the project, needs to be broken up to provide relief. The neighborhood face is constructed largely of a glass or glazed surface. SPON finds that the glass exterior treatment presents increased bird strike issues and makes "compatibility with general neighborhood" a failure.

2 - Detail of 1; the face presented to the neighborhood is a stark vertical plane.

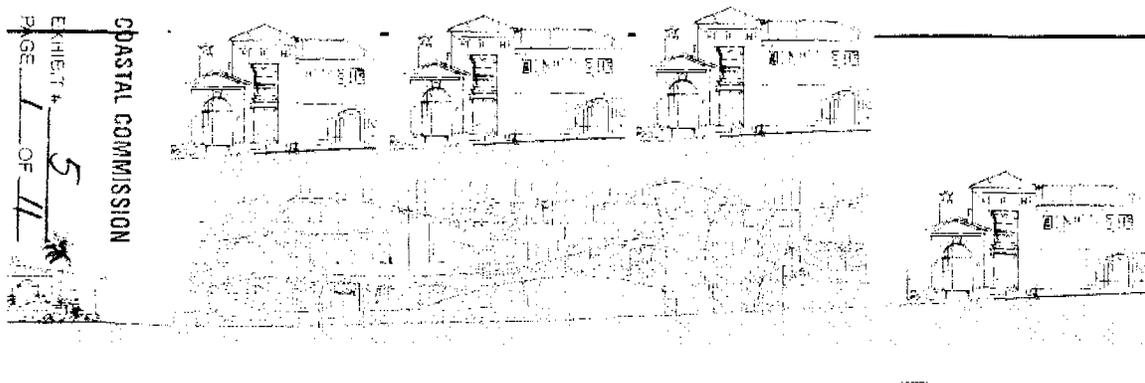
The contrast between opposite sides of the building can be seen in the drawing on the next page, "Section A," an enlargement from Exhibit 10, page 3 of 3. The northwest side, facing the bay, is on the right. It has good design, and relief from monotony in its shape. The southeast side, which faces the street and the neighbors, is on the left. It can be seen that it consists of a flat vertical wall three stories high. It can not possibly be compatible with the one- and two-family houses across the street.



SECTION A

3 - Detail of 1; façade 3 times as wide as the adjacent house; tighter criteria apply.

Below is the front drawing page to the plans in the staff report, showing the façade of the project, with the house next door and its side yard copied and placed three times above the project. The project is three times as wide as its neighbor! If it were a mere 30 to 50 feet wide, this lack of neighborhood compatibility might be passed off as another bulky and poorly designed home. But its excessive width requires it to meet an enhanced standard of compatibility.

**4 - Coastal Resources Policy LU 4.4.2-3 limits a project's bulk and physical mass.**

The project is located in Old Corona del Mar, subdivided many years ago. 90% of the lots are 30 x 118 feet. By city code, this limits the floor area to 3348 sq ft for the entire house. The project gives more than twice this much area — 7303 sq ft — to each unit; and there are seven units in this house. This is not compatibility of mass and bulk — it is mass and bulk run amok.

5 - Policy 4.4.1-3 requires minimal destruction of bluff faces.

All constructed improvements — retaining walls, patio decks, pillars, house walls — require preparation in the ground for footings. These extend a couple of feet on either side of the improvement. There is no physical way to excavate for the required footings without destroying and rebuilding the protected bluff. So to protect the bluff at the PLOED, improvements should be required to stay at least two feet back from the PLOED.

Such a requirement will reduce disturbance of the natural bluff for at least two to three feet along the edge of the first floor patios. It will make the patios narrower, but they will still be wider in most places than the decks of the higher floors.

Respectfully, SPON, by Marko Popovich, Co-Chair

MARKO POPOVICH

Brion Jeannette Architecture

June 14, 2011

Liliana Roman
California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, Calif. 90802-4416

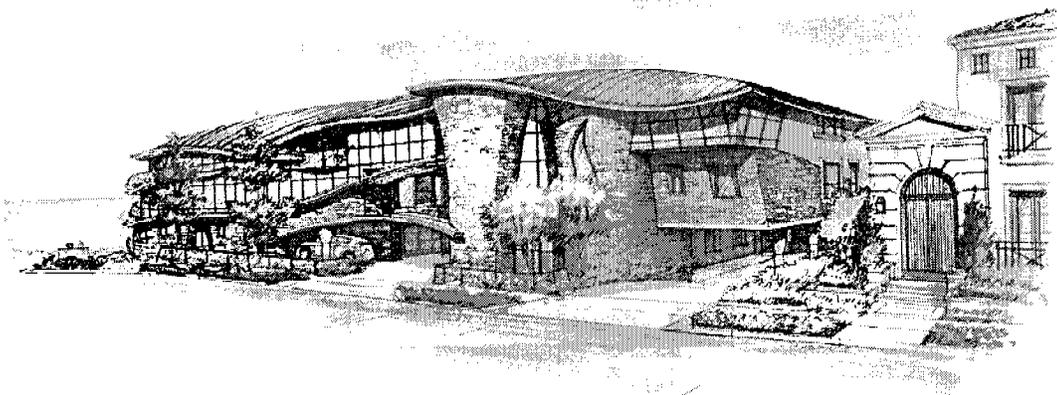
Re: AERIE 7 unit condominium project in Newport Beach – Application CDP # 5-10-298
Response to SPON's comments

Dear Ms. Roman,

The letter sent to the Coastal Commission dated June 7, 2011 from the group called SPON is erroneous from start to finish. Below is a summary of the false and inaccurate statements with corresponding facts supporting evidence of errors.

Essentially, SPON's primary concern is their belief that the street elevation of the building will be flat and architecturally boring. I believe their concern comes from difficulty in reading architectural drawings. I have included a color perspective drawing of the street elevation which clearly illustrates the architectural interest and articulation in Aerie's exterior design.

In all cases the responses provided below are **factual** and not subject to subjective interpretation; which is precisely why this project was overwhelmingly supported by the City of Newport Beach governing staff, Planning Commission and City Council.



1. SPON's False Statement #1:

"Violates Land Use Policy LU 3.2; projects must enhance neighborhood character."

FACTS:

LU 3.2 Policy, Growth and Change states: *Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale and character.*

A. Aerie does NOT violate Land Use Policy LU 3.2.

Aerie DOES enhance the neighborhood character in a great many ways. Aerie is consistent with the fabric of the community and provides benefits that improve the neighborhood character:

B. Approved by City of Newport Beach:

This project was reviewed in great depth and detail through the City of Newport Beach Staff, Planning & Zoning Department, the Planning Commission and the City Council. This project received a Certified Environmental Impact Report and all aspects of the project were found to be in conformance with the GP/LCP policies. **This project was approved through all agencies and governing bodies of the City of Newport Beach.**

C. Aerie enhances the community in the following ways:

- 1) Aerie will replace 14 existing old, dilapidated, unsightly apartments and 1 separate house with similar conditions that are out of compliance with health, safety and energy codes.
- 2) Aerie will eliminate two unsightly overhead power/utility poles and provide underground service.
- 3) Aerie will create systems to filter local storm water drainage into the bay where no filtering system currently exists.
- 4) Aerie will update an existing public catch basin that is currently deficient.
- 5) Aerie will expand and enhance the public viewing corridor to the West, add a public viewing bench and drinking fountain where none currently exists.
- 6) Aerie will create a new public view corridor to the North, where none currently exists.
- 7) Aerie will create 3 public street parking places where none currently exist.
- 8) Aerie will improve the street safety by eliminating 9 open carports that force residents to leave by backing out into the street. Aerie will allow residents to exit the property facing their cars forward for greater visibility and public safety.
- 9) Aerie will greatly enhance the community by eliminating the unsightly visual impact of 9 exposed carports that stretch the full width of the

building on the street and replace them with a driveway, thus making it more aesthetically pleasing to the community.

- 10) Aerie is designed to conserve energy utilizing active & passive solar techniques.
- 11) Aerie will be built with sustainable materials and comply with LEED Silver status.
- 12) Aerie will replace all of the non-native invasive landscape material currently existing on the bluff face with native, drought tolerant plant material.
- 13) Aerie is an exciting architectural structure that will be a source of pride to the community.

D. Compatible with neighborhood:

- 1) This project is compatible with the varied architectural styles throughout this neighborhood. Architectural diversity is welcomed within the Zoning Code; reference code below:

GP/LU5.1.1- Compatible but Diverse Development.
Establish property development regulations for residential projects to create compatible and high quality development that contributes to neighborhood character.

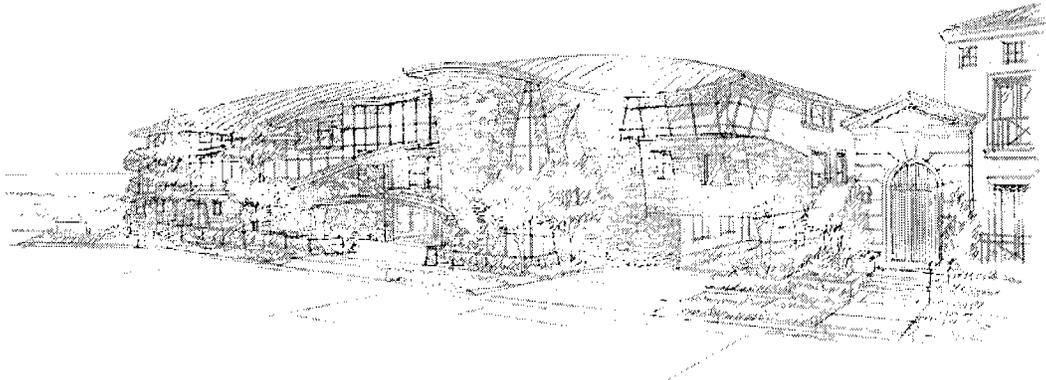
- 2) The many new and older structures in Corona Del Mar represent a variety of architectural themes; the contemporary, energy efficient, sustainable conscious design of the Aerie project fits within the varied context of the community and the goals of the GP.

1.1 – SPON’s False Statement:

“The proposed building lacks relief that would make it compatible with the neighborhood. In particular, the long flat facade on the southeast, facing the street and the neighbors and constituting the major architectural statement of the project, needs to be broken up to provide relief. The neighborhood face is constructed largely of a glass or glazed surface.”

FACT:

The Aerie project has considerable design relief. The elevations are NOT flat but rather are articulated in a variety of architectural ways:



South (Street) Elevation showing diverse architectural articulation

Undulation exists throughout all four facades of the buildings providing a variety of visual relief and textural changes:

1. Exterior finishes vary from natural stone, plaster, glass and steel.
2. Driveway openings which create a void at street level
3. The roof line, in itself, undulates
4. Each level steps from one level to another
5. Patios and decks

1.2 SPON's False Statement:

"The neighborhood face is constructed largely of a glass or glazed surface."

FACT:

This building exterior on the South (street) elevation is approximately 40% glass and 60% stone, plaster, open space or other finishes. Some of the more recent contemporary buildings on Ocean Blvd have 80-90% glass/glazed exteriors. Aerie is consistent with the fabric of the community.

1.3 SPON's False Statement:

"SPON finds that the glass exterior treatment presents increased bird strike issues."

FACT:

Many glazing systems are available that deter bird strikes. A highly rated system will be utilized in the construction of the Aerie project. The glazing system used will provide birds with visibility factors that deter them from flying into the glass. Refer to attached **Exhibit A** providing specification for one such product: Arnold Glass's Ornilux Bird Protection Glass, which has a coating with UV patterns that are transparent to humans but visible to birds.

2. SPON's False Statement #2:

"Detail of 1; the face presented to the neighborhood is a stark vertical plane."

FACT:

Aerie is neither 'stark' nor a solid 'vertical plane.' Refer to 1.1 False Statement above and rendered elevation of exterior elevation.

2.1 SPON's False Statement:

"The contrast between opposite sides of the building can be seen in the drawing on the next page, "Section A It can be seen that it consists of a flat vertical wall three stories high. . . ."

FACT:

- A. **NOTHING ABOUT AERIE IS FLAT.** Aerie has gentle organic curves and considerable architectural features.
- B. **Section A of the architectural plans is a Building Section** depicting the elevator shaft and created to show the retention of the bay ward side bluff face. This Building Section does not describe the nature or articulation of the Northwest (Bay side) facing elevation.
- C. The elevator shaft (within the interior of the building) is 10 feet wide and is a vertical element housing the required Fire Department 'gurney' elevator within the building.
- D. The building has been stepped back to respond to the CCC's request to expand the view corridor for the public. This has been accomplished through redesign of the elevations but by no means has the architecture been compromised; the building has articulation throughout its many exterior faces and the architectural design theme is carried throughout the building but respects the PLOED, setbacks and public view corridor:
- E. Undulation exists throughout all four facades of the buildings providing a variety of visual relief and textural changes (refer to 1.1 above).

3.1 SPON's Misrepresentation of the facts:

"Detail of 1; facade 3 times as wide as the adjacent house; tighter criteria apply."

"..... The project is three times as wide as its neighbor!"

FACT:

- A. The Aerie project is not 3 single family homes. It is a 7 unit condominium project on a MFR (Multi-Family Residential) zoned property.
- B. This is a parcel 150 ft wide (on the South – street) zoned MFR (Multi-Family Residential). This property currently has 14 apartment units and 1 separate house on it. The Aerie site is in a zoning district with many multi unit apartments, condominiums and a few single family homes.
- C. The Aerie project has fewer units than MOST of the surrounding multi-family living complexes.
- D. The existing condo complex two parcels to the South (Channel Reef) is 48 units.
- E. Several existing condo complexes to the East of this project have 11, 10, 8 & 6 units respectively.

4 SPON's Misrepresentation of the facts:

"Coastal Resources Policy LU 4.4.2-3 limits a projects bulk and physical mass." SPON wants to compare the 61,284 SF Aerie site to many of the 30 x 118 ft lots (3,540 SF lots) that exist in the interior of Corona del Mar. SPON concludes, "Aerie is mass and bulk run amok"

FACT:

- A. The project conforms completely and totally to the Coastal Resource Protection Policy LU 4.4.2-3
- B. This project was reviewed in great depth and detail through the City of Newport Beach Staff, Planning & Zoning Department, the Planning Commission and the City Council. This project received a Certified Environmental Impact Report and all aspects of the project were found to be in conformance with the GP/LCP policies. This project was approved through all agencies and governing bodies of the City of Newport Beach.

- C. All side and rear yard setbacks are greater than those of any structures on Carnation Ave. The setbacks were increased to create and enhance the public views.

LU 4.4.2-3 states: *"Implement the regulation of the building envelope to preserve public views through the height, floor area, lot coverage, and building bulk regulation of the zoning code in effect as of October 13, 2005 that limit the building profile and maximize the public views."*

- D. The Aerie project satisfies and exceeds the LU 4.4.2-3 requirements:

- 1) Public views were expanded by 76% to the west and a new view corridor was created to the north.
- 2) Building is within the city zoning height limits
- 3) Proposed buildable square footage is 51,000 SF; compared to the allowable building area of 75,868 SF
- 4) Building footprint occupied 22%, leaving 78% open space including submerged land and over 50% slope. Structures on typical Corona del Mar lots occupy 63% of the parcel. Aerie occupies 62.9% of the usable site; consistent with all other projects in this community.

- E. This project is compatible with the varied architectural styles throughout this neighborhood. Architectural diversity is a criteria within the Zoning Code; reference code below:

GP/LU5.1.1- Compatible but Diverse Development. *Establish property development regulations for residential projects to create compatible and high quality development that contributes to neighborhood character.*

- F. The many new and older structures in Corona Del Mar represent a variety of architectural themes; the contemporary, energy efficient, sustainable conscious design of the Aerie project fits within the varied context of the community and the goals of the GP.

4.2 SPON's False statement:

..... The project gives 7393 sq ft to each unit.

FACT:

The units are an average of 4,600 SF each of livable area.

- A. SPON simply divided the total square footage of the entire structure including: enclosed driveway, garages, mechanical (pool, solar, water purification and heating), equipment storage and elevator equipment storage necessary to support the residences by 7 (the number of living units). In fact, the areas mentioned above are NOT part of the living area square footage.
- B. NOTE: The surrounding MFR and R-2 condominiums, duplexes, and triplexes vary from 3,500 SF to over 7,500 SF. The adjacent R-1 parcels were purposely spot-zoned with homes that are 5,000 SF to 7,500 SF. Many private homes in the immediate vicinity are 12,000 SF of living area.

5. SPON's Misrepresentation of the facts:

Policy 4.4.1-3 requires minimal destruction of the bluff faces.

FACT:

The CLUP 4.4.1-3 states: "*Design and site new development to minimize alterations to significant natural landforms, including bluffs, cliffs and canyons.*"

- A. Construction of Aerie will protect the bluff face**
- B. No construction will occur on the bluff face below the PLOED**
- C. Aerie will improve the existing bluff face condition.**

Aerie will replace all of the non-native invasive landscape material, concrete block walls and exposed storm drains currently existing on the bluff face with native, drought tolerant plant material.

5.1 SPON's False statement:

" There is no physical way to excavate for the required footings without destroying and rebuilding the protected bluff.

FACT:

This statement is categorically false. There is NO foundation built at the face of the bluff. There is NO danger to the bluff face.

The City Council and Coastal Commission Staff have found this project to be consistent with these all governing Policies. The approvals granted through the City of Newport Beach were scrutinized through every governing agency of the City. The City's due diligence included review of a Certified Environmental Impact Report.

SPON's assessment of the Aerie project is clearly based on a lack of understanding of both the governing rules and regulations and their understanding of the character and articulation of this project which will enhance the community and the public in a great many ways.

Sincerely,

Brion Jeannette, AIA
Architect

EXHIBIT A

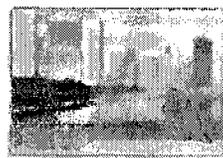
EXAMPLE: The glazing system used will provide birds with visibility factors that deter them from flying into the glass. Below is specification for one such product: Arnold Glass's Ornilux Bird Protection Glass, which has a coating with UV patterns that are transparent to humans but visible to birds.



The Future of Bird Safe Architecture is Clear...

Hundreds of millions of birds die every year due to collisions with glass surfaces. It is the reflective and transparent characteristics of glass that make windows and facades invisible to birds. Birds see the trees or sky reflected in a window or behind the glazing, but not the glass itself. It is not recognized as a barrier. To prevent these collisions the glass must be made visible to birds.

Knowing that birds possess the ability to see light in the ultraviolet spectrum, ARNOLD GLAS has developed ORNILUX Bird Protection Glass. The glass has a patterned UV reflective coating making it visible to birds while maintaining transparency to the human eye.



ORNILUX: The transparent solution

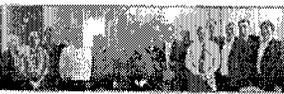
ORNILUX has been tested by the Max-Planck-Institute for Ornithology at the Ornithological Station in Radolfzell, Germany resulting in a significant reduction of bird strikes compared to standard glazing. As a multi-functional glass, the patented and unique ORNILUX is the only transparent solution to bird safe and can be supplied as

laminated glass or in a double glazed, insulated configuration with high energy efficiency performance attributes.

First introduced in Europe in 2006, ORNILUX is now available in North America. ORNILUX is made with its microscopic patterned coating is nearly invisible to the human eye.

Science Meets Manufacturing with Common Goal of Bird Safety

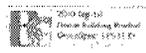
ARNOLD GLAS hosts meeting to establish scientific and manufacturing cooperation to improve bird-friendly glazing technology.



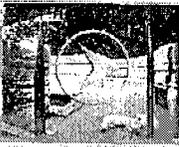
Participants at Conference in Cologne, Germany, March 2011

ORNILUX Bird Protection Glass selected as a BuildingGreen Top-10 Product for 2010

ORNILUX Bird Protection Glass has been selected as one of BuildingGreen's Top-10 products of the year by the editors of *Environmental Building News and GreenSource*. This merit award recognizes the most innovative and exciting green building products added to the GreenSource Directory during the past year of coverage in *Environmental Building News*.



Visit our History & Research page to learn more about the legislation for ORNILUX glass.



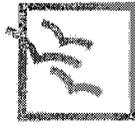
View our video of ORNILUX at the Smithsonian's National Zoo



Download our Brochure

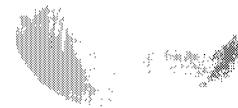
Find us on Facebook





ORNILUX Bird Protection Glass

Innovation by **ARNOLD GLAS**



The future of bird safe architecture is clear...

Hundreds of millions of birds are killed every year due to collisions with glass surfaces. Due to the reflective and transparent characteristics of glass, birds see the trees or sky reflected in a window or behind the glazing; the glass itself is not recognized as a barrier. To prevent these collisions the glass must be made visible to birds.

Knowing that birds have the ability to see light in the ultraviolet spectrum, ARNOLD GLAS has developed ORNILUX Bird Protection Glass. The glass has a patterned UV reflective coating making it visible to birds while maintaining transparency to the human eye.

ORNILUX has been tested by the Max-Planck-Institute for Ornithology in Radolfzell, Germany resulting in a significant reduction of bird strikes compared to standard glazing. As a multi-functional glass ORNILUX is the only transparent solution to bird strike, and is available in two insulating glass configurations with energy efficient performance attributes, or a triple laminated configuration for glass walls, partitions or enclosures.

Glass Type	Energy Performance			Bird Strike		Thermal Properties					
	U-Value	g-value	Light Transmittance	Number of Strikes	Area of Impact	U-Value	g-value	Light Transmittance	U-Value	g-value	Light Transmittance
ORNILUX 1000 2 mm laminated glass	0	76	48	15/18	34	0.254	0.153	1.1	66	58	1.31
ORNILUX 1000 4 mm laminated glass	0	50	71	16/17	37	0.248	0.181	1.1	28	24	2.1
ORNILUX 1000 3 mm laminated glass	1	78	46	11/11	7	0.163	0.789	5.7	71	61	1.25

- All performance data is calculated using TRNSYS software in accordance with environmental conditions per EN10976 (EN10976-1) and EN10976-2 (EN10976-2) under ASHRAE, except European climate, which is calculated using EN 1519 and EN 15193 (EN 15193), manufacturing tolerances EN 15193.
- Due to the high reflectance of the glass and the thermal and solar control properties of coatings for particular light and total energy transmission, stated values are specified as +/- 2%.
- In order to reduce errors, the computation takes place with a base of eight decimal positions and the final results are rounded.
- It is calculated if value is valid for the middle part of the glazing only.
- The differences caused by the existence of different coatings or window frames are not considered in the calculation of thermal properties.

CONTACT: E-mail: info@arnoldglas.com | Phone: +49 76 20 10 10 10 | Fax: +49 76 20 10 10 10 | Website: www.arnoldglas.com

June 8, 2011

Agenda Item @10c
AERIE 5-10-298
John Hamilton - OPPOSED

Ms. Sherilyn Sarb
California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, CA 90802

Dear Ms. Sarb and Coastal Commissioners:

I am opposed to the Aerie project as revised. I am aware of the most recent changes per Commission suggestions; however, the bulk, scale and mass of the project, also of concern to several Commissioners, have not been properly addressed.

I live in the surrounding neighborhood and have been in the building and development industry for 40 years. Perhaps staff has not viewed the proposed project site and the village atmosphere that exists here in Corona del Mar, having recommended approval of such an enormous structure on an environmentally sensitive coastal bluff in the beach community.

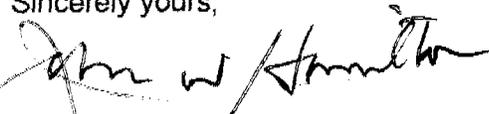
The physical mass of the project should be reduced to protect the character of the neighborhood. At 51,124 sq. ft. and 33 ft. high, the expanse of frontage on Carnation Avenue will equal approximately three homes, or 120 ft., with no breaks, looking more like a hotel or industrial complex. This does not conform to the policy requiring neighborhood character be enhanced or maintained.

A smaller project would result in removal of less bluff material and would conform to the existing neighborhood. Staff recommended approval will create a bad precedent for future mega projects in the City.

I believe in individual property rights; however, I will remain opposed until this project is reduced in size and bulk and conforms to the unique village character of Corona del Mar.

Unless these objectives are met, I respectfully urge the Commission to deny this application.

Sincerely yours,



John W. Hamilton
President

JWH/cns

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South Coast Region

JUN - 9 2011

CALIFORNIA
COASTAL COMMISSION

June 7, 2011

OPPOSED TO AERIE 5-10-298

California Coastal Commission
c/o Sherilyn Sarb, Deputy Director
200 Ocean Gate, 10th Floor
Long Beach, CA 90802-4416

Re: Aerie 5-10-298

Ms. Sarb:

We would like to thank the Coastal Commission for all of the thoughtful work they have done relating to the above referenced project. We would also like to acknowledge the changes that Mr. Julian has made to his project as a direct result of the Commissioners' input.

After reviewing the plans and the Staff report we are still expressing our concern and opposition to this project. Our objections have not changed and are based on the following:

There is still significant excavation (9,810 cu. yds) of the bluff.

Although there is a decrease in the amount of bluff excavation, the excavation of 9,810 cu. yds. of material from the bluff does not minimize development of this coastal bluff or protect it. The process of excavation and construction of infrastructure pose an additional treat to the bluff.

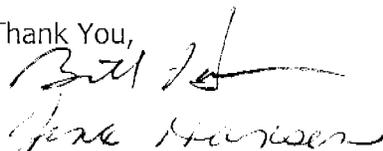
Due to the massiveness of the structure the project is NOT in character with the surrounding neighborhood.

This 51,000 sq.ft. structure is too big for the lot. There is no decrease in the square footage of the building from the previous submission in March 2011. In reducing the amount of excavation, the square footage has been reduced. However, the above grade structure area and mass are actually increased.

Please consider these facts when assessing this project. While the gross area of the lot is 1.4 acres, over 28,000 sq.ft. of the lot is **totally** submerged and cannot be built on. Another 11,000+ sq.ft. has a slope of greater than 50%. The actual "buildable area" is approximately 20,000 sq.ft. The result is a massive building on a "buildable area" which is totally out of character with anything in Corona del Mar. Please consider these facts when assessing this project.

We ask you to deny the approval of the Aerie project.

Thank You,



Bill & Jinx Hansen
221 Goldenrod Avenue
Corona del Mar, CA 92625

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South Coast Region

JUN - 9 2011

CALIFORNIA
COASTAL COMMISSION

AERIE – 5-10-298

OPPOSED TO PROJECT

Date: 8 June 2011

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

RECEIVED
South Coast Region

JUN – 9 2011

CALIFORNIA
COASTAL COMMISSION

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

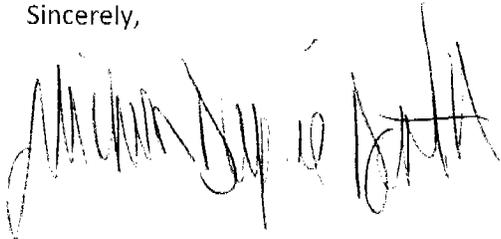
I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

There is no development in Corona del Mar since the Coastal Act was established (in 1972) of the size and scale comparable to Aerie. This project has 7 units with an overall ratio of 7,303 square feet of building per unit! Corona del Mar is a beach village. Single family homes are in the range of 4,000 square feet. And most multi-family units are even smaller. Aerie, in comparison, is enormous (the White House is 55,000).

I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,



Michele Dupuie DeWitt

213 Dahlia Avenue

Corona del Mar, CA 92625

RECEIVED
South Coast Region

JUN 6 - 2011

AERIE - 5-10-298

CALIFORNIA
COASTAL COMMISSION

OPPOSED TO PROJECT

Date: 6/1/11

TO: THE COASTAL COMMISSION

RE: AERIE - ADVANCED GROUP 99-D

I am a concerned neighbor that owns property on Carnation Avenue. I am totally opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. I firmly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar. This will look so out of place in our neighborhood.

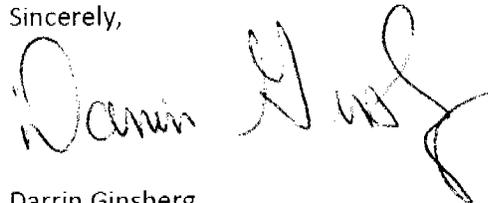
I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

There is no development in Corona del Mar since the Coastal Act was established (in 1972) of the size and scale comparable to Aerie. This project has 7 units with an overall ratio of 7,303 square feet of building per unit! Corona del Mar is a beach village. Single family homes are in the range of 4,000 square feet. And most multi-family units are even smaller. Aerie, in comparison, is enormous (the White House is 55,000).

I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,



Darrin Ginsberg

Property Owner

317 Carnation Ave, Corona Del Mar, Ca 92625

Kent and Kathy Harvey
637 Selkirk Ranch Rd.
Angels Camp, CA 95222
tel. 209-890-7189

RECEIVED
South Coast Region

JUN 8 - 2011

CALIFORNIA
COASTAL COMMISSION

June 3, 2011

TO: THE COASTAL COMMISSION
RE: OPPOSITION to AERIE - 5-10-298
AERIE - ADVANCED GROUP 99-D OPPOSED TO PROJECT

My wife and I own our home at 316 Poppy Ave, Corona del Mar, which is currently rented while we are temporarily living closer to family.

I am opposed to the Aerie Condominium project. It is not consistent with the standards of the California Coastal Act which require new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'.

Since enactment of Coastal Act in 1972 there has been no development in Corona del Mar the size and scale of Aerie's 51,124 square feet. Single family homes are in the range of 1,200 to 4,000 square feet. And most multi-family units are even smaller.

I urge you to DENY this misplaced development. It does not belong in Corona del Mar on a protected coastal bluff.

Sincerely,


Raymond Kent Harvey

RECEIVED
South Coast Region

JUN 3 - 2011

AERIE - 5-10-298

CALIFORNIA
COASTAL COMMISSION

OPPOSED TO PROJECT

Date: 6/1/11

TO: THE COASTAL COMMISSION

RE: AERIE - ADVANCED GROUP 99-D

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

There is no development in Corona del Mar since the Coastal Act was established (in 1972) of the size and scale comparable to Aerie. This project has 7 units with an overall ratio of 7,303 square feet of building per unit! Corona del Mar is a beach village. Single family homes are in the range of 4,000 square feet. And most multi-family units are even smaller. Aerie, in comparison, is enormous (the White House is 55,000).

I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

Alice Coons
207 Iris Ave
Corona del Mar, Ca. 92625

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JUN 3 - 2011

CALIFORNIA
COASTAL COMMISSION

AERIE - 5-10-298

OPPOSED TO PROJECT

Date: July 2, 2011

TO: THE COASTAL COMMISSION

RE: AERIE - ADVANCED GROUP 99-D

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

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I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

*Corina Le...
3 B...
1/10/11*

AERIE – 5-10-298

OPPOSED TO PROJECT

Date: June 2, 2011

RECEIVED
South Coast Region

JUN 3 - 2011

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

CALIFORNIA
COASTAL COMMISSION

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

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I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

[Handwritten signature]
[Handwritten name]
[Handwritten address]

Linda J. Martín
239 Carnation Avenue
Corona del Mar, CA 92625

APPROVED
South Coast Region
JUN 2 - 2011
CALIFORNIA
COASTAL COMMISSION

AERIE – 5-10-298

OPPOSED TO PROJECT

Date: June 1, 2011

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

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I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

Linda J. Martin
239 Carnation Ave.
Corona del Mar, CA 92625

AERIE – 5-10-298

OPPOSED TO PROJECT

Date: 6-1-11

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

RECEIVED
South Coast Region

JUN 2 – 2011

CALIFORNIA
COASTAL COMMISSION

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

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I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,



RECEIVED
South Coast Region

JUN 2 - 2011

AERIE - 5-10-298

OPPOSED TO PROJECT

June 1, 2011

CALIFORNIA
COASTAL COMMISSION

THE COASTAL COMMISSION

AERIE - ADVANCED GROUP 99-D

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much **TOO LARGE** for the village community of Corona del Mar.

I believe that 51,124 square feet on 5 levels is **TOO big**. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does **NOT** meet these standards.

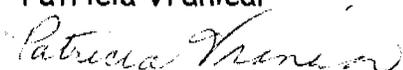
There is no development in Corona del Mar since the Coastal Act was established (in 1972) of the size and scale comparable to Aerie. This project has 7 units with an overall ratio of 7,303 square feet of building per unit! Corona del Mar is a beach village. Single family homes are in the range of 4,000 square feet. And most multi-family units are even smaller. Aerie, in comparison, is enormous (the White House is 55,000).

I urge you to **DENY** this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

Patricia Vranicar



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South Coast Region

JUN 08 2011

RFRD

Residents for Responsible Development
Corona del Mar, California

CALIFORNIA
COASTAL COMMISSION

June 2, 2011

AERIE # W10C

To: California Coastal Commission
CC: Copy Sent to Coastal Commission Staff

OPPOSED TO AERIE
5-10-298 - Item 10c

RFRD has reviewed the revisions to the Aerie project and is pleased that the project has been brought up above and behind the 50.7' PLOED. We recognize the progress made by the Applicant in this regard. Members of RFRD have met with the Applicant a number of times throughout this process, twice in the past month. It was our desire to work with the Applicant to achieve a project without further opposition. We had hoped this would have happened prior to the Public Hearing. But we are still in disagreement on the issue of the project's massive size and scale.

The excavation of the bluff was, and is, a major issue of our opposition, but of equal concern is the enormous size of the building. It was hoped that if the project was pulled up the bluff and behind the vertical PLOED, that the overall size would also be reduced. This has not happened. The square footage has stayed the same. Instead of being reduced, the building has now been pushed up on the Carnation side rising to 33' above the street level and 98.7' above the PLOED on the bluff/harbor side. The square footage remains over 51,000.

The Coastal Commission may take the position that this is a neighborhood/local issue and not a Coastal Act issue. But the Coastal Act sets a standard for development along California's coastal bluffs and requires new development to be 'minimized' and to be within the 'character of the neighborhood'. Aerie is sited on a prominent coastal bluff above the harbor of Newport Beach. We believe that Aerie fails to meet both of these Coastal Act standards. It is the largest development of any kind in Corona del Mar in 49 years. It cannot be considered under any circumstances to be 'minimizing' development OR in the character of this neighborhood.

Further, the mission statement for the Commission is to 'protect, conserve, restore, and enhance the environment of the California coastline'. Allowing a 51,124 square foot building to be developed on a prominent coastal bluff in a village community where homes average in the range of 3,000 to 4,000 sq feet and most multi-family units are less than 2,000 sq feet, cannot be deemed as fulfilling either the Coastal Act standard or the Mission Statement. If it is your desire to 'protect, conserve, restore and enhance' this coastal bluff environment, we appeal to you not to approve this massive structure.

The major concerns of the opposition continue to be:

- **Preservation of the Bluff & Character of Neighborhood**
- **Size, bulk, scale, mass of structure on coastal bluff**
- **Precedent for development of Carnation bluff and elsewhere in Corona del Mar**
- **Marina**

Character of Corona del Mar (CdM):

Corona del Mar is a beach and village community made up of single family homes and small multi-family complexes. There are few homes within the village larger than 4,000 to 5,000 sq feet. The largest single family home near to the project (the adjacent McIntosh property) is actually less square footage than the largest unit in Aerie! The unit sizes are 6,543 sq ft, 5,231 sq ft, 4,771 sq ft, 4,629 sq ft, 4,600 sq ft, 3,453 sq ft, and 3,005 sq ft. These are considerably larger than anything in the surrounding area, either single family homes or condo units!

Most multi-family properties are less than 4 units and the units are less than 2,500 sq feet. The lots of CdM are small and narrow and unless they are combined, cannot tolerate large square footage. The exception is the pre-Coastal Act complex called Channel Reef building which was built in 1962.

Aerie is proposed at 51,124 sq feet with a ratio of 7,300 sq feet per unit of building. The livable square footage is 32,232 sq feet. The parking is 8,592 sq ft, leaving over 10,000 sq feet for amenities such as meeting rooms, fitness room, pool, storage, etc. RFRD does not believe this is in keeping with the character of Corona del Mar. Nothing like this resort-style of development exists in Corona del Mar.

There are a total of 10 properties along the Carnation Avenue bluff, including the two parcels that make up Aerie. The 8 other properties on the Carnation bluff consist of 3 single family homes and 5 multi-family properties of 2, 3 and 4 units. The total sq footage of these 8 properties combined is just over 34,000. If you add in the two structures currently on Aerie's site the total is just over 50,800 for all 10 properties. Aerie is larger than ALL the Carnation Avenue properties combined.

Precedent for development of Carnation Bluff and Corona del Mar:

The precedent set by allowing a development of 51,124 sq feet on this coastal bluff is very important. There are four other 'original' properties on the Carnation bluff, only a few hundred feet from the Aerie site. All four are contiguous. Two are for sale. If Aerie is approved, there is nothing to stop a developer from doing the same with these four other properties. Instead of one huge complex on the Carnation bluff, we may well end up with two. Corona del Mar has many original cottages; many zoned multi-family, others on the coastal bluffs, allowing Aerie sets a very dangerous precedent and may forever change the character of this coastal community.

Staff Report Conclusions in Error:

The staff report makes several points in favor of this development that are incorrect:

Separating the Two Parcels - Greater Impact to Bluff in the Exclusion Zone: Staff makes the point that allowing the Aerie development is actually preventing further destruction of the bluff, if the lots were separated there would be greater destruction of the bluff. The single family lot component is outside the Exclusion Zone and outside the jurisdiction of the Coastal Commission, thus it would be able to develop to 10' from the Bayside property line. This is incorrect. The City of Newport Beach established a Predominant Line of Development for the entire Carnation Avenue bluff at 50.7'. If the properties are developed separately, they will both be held to the 50.7' PLOED, no further destruction of the bluff would take place.

Standard for Development on Ocean Blvd vs Carnation Avenue: Staff states that there is significant bluff face development on Ocean Blvd and thus, what Aerie is proposing is consistent with this pattern of

development. Staff also states that development on the Carnation Avenue bluff goes below the 50.7' PLOED.

As to the latter point, there is only one property (other than the Aerie parcel) that goes below 50.7', by 2.6', all the other properties are at or well above the 50.7' line. And NONE of the Carnation Avenue properties rise to 33' above the street level. (The height restriction on Carnation Avenue is actually 28' above the street level, the extra height for Aerie is something that the City will need to approve.)

Ocean Blvd has a different standard of development. Properties built on the Ocean Blvd bluff are allowed to go much lower on the bluff face, but they are restricted to 4' height above street level. Aerie is sited entirely on Carnation Avenue and is therefore kept to the PLOED standard on Carnation Avenue. In doing so, it gains the height advantage allowing it to rise 3 levels to 33' above street level.

Staff makes the argument that there is already significant bluff face development and therefore allowing Aerie is within the existing pattern. But Staff does not take into consideration the size and scale of the existing development versus what Aerie is proposing. The homes along the Ocean Blvd bluff and the Carnation Avenue bluff are considerably smaller in scale. Even the multi-family condos are a fraction of the size and scale of Aerie. The one exception is the pre-Coastal Act Channel Reef development. It is clearly in the picture, but it would never be allowed today, either by public desire or by Coastal Act standards. One massive eye-sore in this neighborhood should not be an argument in allowing approval of another one.

Marina:

The Marina has been removed from the current submittal, but remains a major area of concern. There was strong opposition to this component when it originally came before the Harbor Commission, and the opposition remains unconvinced that this type of development at this location is either environmentally acceptable or strategically safe. Although it is not part of the current submission, RFRD remains opposed to portion of the project proposal.

RFRD

Jeffrey & Marilyn Beck
Carnation Avenue

Marilyn Collins
Carnation Avenue

Richard Kasper, MD
Bordeaux
Newport Beach

Joseph & Lisa Vallejo
Ocean Blvd

Pamela A. Lawrence
Jasmine Avenue

G. Wesley Hatfield
Jasmine Avenue

Kathleen McIntosh
~~Carnation Avenue~~
OCEAN BLVD

Patricia L. Lawrence
Jasmine Avenue

Suzanne B. Sandmeyer
Jasmine Avenue

William & Jinx Hansen
Goldenrod

Laura J. Morrisson
Jasmine Avenue

Jane Hilgendorf
Heliotrope Ave

Continued list of Opposition to Aerie

Michele White
322 Heliotrope

Matthew Bush
Ocean Blvd.

Casey Turner
Ocean Blvd.

Margarita Hohl
Ocean Blvd.

Barry & Christy Ellerbroek
Newport Beach

Lorraine Gray
Newport Beach

Jim and Susie Croul
Newport Beach

Marilyn & Jeffrey Beck
303 Carnation Avenue
Corona del Mar, CA 92625
mdb@becktrustee.com

June 1, 2011

AGENDA # WOC

OPPOSED TO AERIE 5-10-298

California Coastal Commissioners
c/o Sherilyn Sarb, Deputy Director
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Re: Aerie 5-10-298

Dear Ms. Sarb:

I am addressing this to you but sending it individually to each of the Commissioners.

I have seen and reviewed the revised plans currently before the Commission and while I applaud the revisions which have lessened the amount of excavation and pulled back the balconies, I still find the project objectionable because of its size and mass.

I believe that allowing a development of this size and scale in the coastal community of Corona del Mar is wrong and against the both the letter and the intent of the Coastal Act. As I have pointed out in the past, Aerie is larger than all of the properties along the Carnation Avenue bluff, all ten put together (including the present-day Aerie buildings). Just one of the units of Aerie is larger than the largest single family house in the neighborhood. Aerie has seven units with a ratio of 7,300 square feet per unit of building. This is an astounding size.

Nothing about this project fits the Coastal Act standard to 'minimize' development on a protected coastal bluff. And nothing about this massive building is in keeping with the character of this neighborhood.

I realize that everyone is tired of seeing this project before the Commission, that there is a feeling of this being a 'local' issue. But that is not a reason to approve something so wrong in its concept. It is not just a local issue. This is a prominent coastal bluff visible from most of the Newport Beach harbor, from the jetty and the ocean in front of the Corona del Mar beach. Approving this sets a dangerous precedent for future development in this area.

Please do not approve this project unless you are convinced that it 'minimizes' development and is in the 'character of the neighborhood'. Please do not approve this project unless you believe without any doubt that in doing so you are protecting and conserving and enhancing this coastal bluff environment. I personally do not believe that a building that is 51,124 sq feet for 7 condo units which are individually larger than 90% of the single family homes in the surrounding area meets this criteria.

Please, again, do not approve Aerie. It does not deserve approval just because the developer has made changes to his previously submitted plans. He changed only what he was forced to do. In any event, this should not be the criteria for granting approval of a flawed project. The only reason to approve this project is if you truly believe it meets all the standards of the California Coastal Act and preserves this important coastal bluff in the best possible way.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marilyn Beck".

Marilyn Beck

PS – I am out of the country for this meeting and unfortunately not able to attend this hearing, but am represented by our counsel, Marco Gonzalez.

Cc: Marco Gonzalez

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JUN 08 2011

June 6, 2011 CALIFORNIA
COASTAL COMMISSION

Agenda # W10c
AERIE-#5-10-298
Joe & Lisa Vallejo
OPPOSED TO PROJECT

California Coastal Commission
c/o Ms. Sherilyn Sarb
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416

RE: Aerie 7 unit Condominium Complex in Newport Beach- OPPOSED
Application # CDP 5-10-298

Dear Commissioners,

Thank you for your excellent judgment in denying the Aerie project in the past. While we are pleased that the applicant has incorporated some of the Commission's suggestions on the most recent project modification, we had expected these suggestions to result in a smaller project. Unfortunately it is slightly larger than when presented to you in March of this year, when Mr. Neish interrupted the hearing and asked for a continuance due to unfavorable comments.

The project is still over 50,000 sq ft on 5 levels, and will remove nearly 10,000 sq ft of coastal bluff. It does not conform to the size, scale and character of our beach community or to the policies that protect our neighborhoods from such over-sized developments.

Additionally, using the pre-Coastal Act Channel Reef, built on Ocean Blvd. in 1962, is not a justifiable argument for Aerie to be built now, at this size, on this protected coastal bluff location. It is also incorrect to compare Aerie, which is proposed on Carnation Avenue, to any properties on Ocean Boulevard. These two streets have completely different regulations.

In 2007 the Newport Beach City Council gave the applicant the PLOED of 50.7' on the bluff, with the implications being two-fold: to preserve the bluff, and to reduce the mass and bulk of the project. Unfortunately the applicant chose to interpret this PLOED limitation to only what was visible, thus the project you denied in April 2010.

Without a 3-D model it's very difficult to picture how large a 50,000 sq ft solid structure is, so we've included some photos of structures that are similar in size, but on much larger lots.

Please review the photos and imagine if this project were being proposed on a

protected coastal bluff in your community, setting a dangerous new precedent.

Thank you for your consideration.

Sincerely,



Joe and Lisa Vallejo
2501 Ocean Blvd.
Corona del Mar, CA 92625

Combined square footage of existing apartment building and single family home: 16,498 sq ft

Proposed Aerie square footage: 51,124 on a 61,000 sq ft coastal bluff (total lot including submerged land and slope is 1.4 acres)

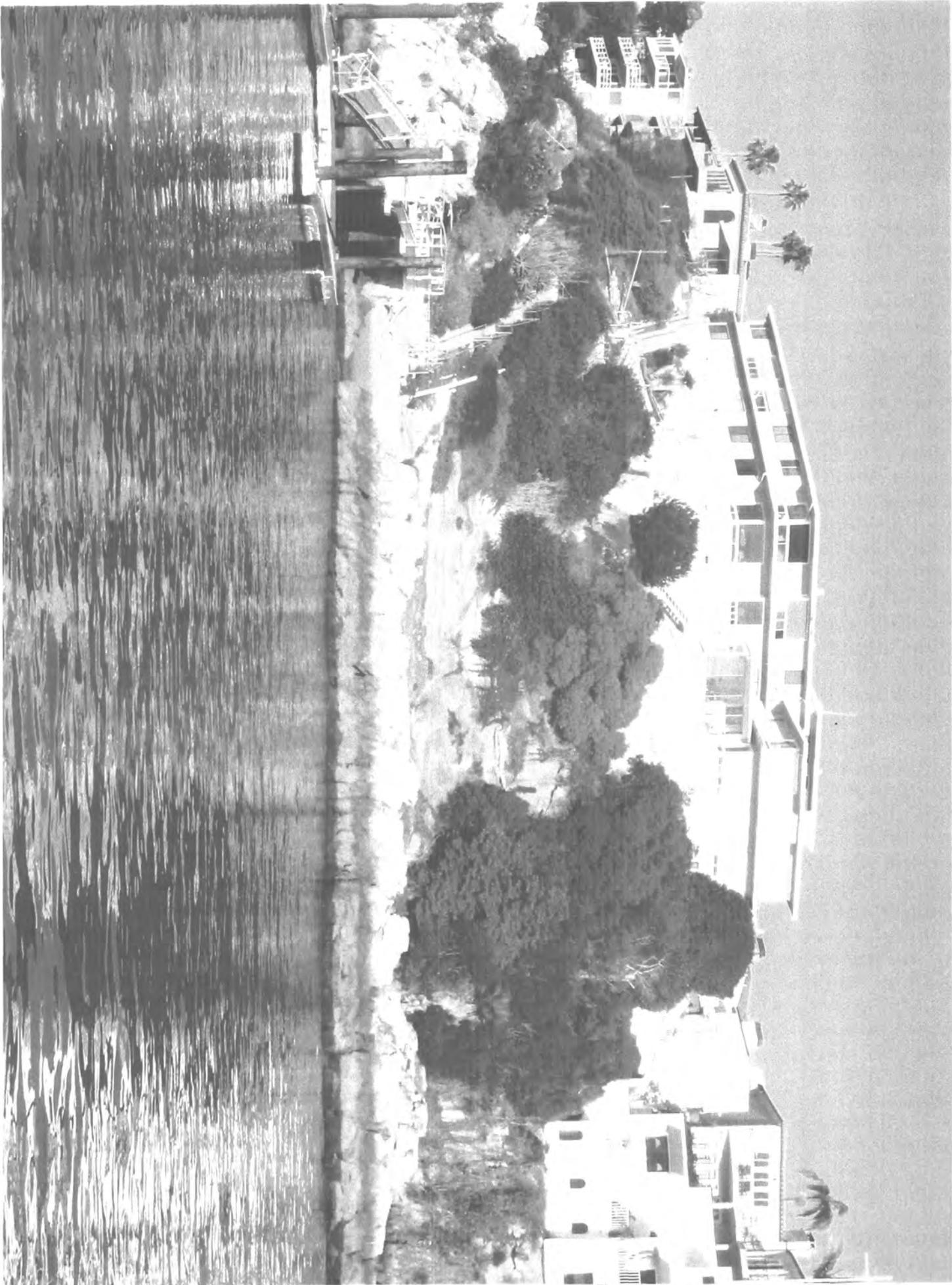
The White House square footage: 55,000 sq ft on 5 acres

The Spelling Mansion square footage: 56,500 sq ft on 6 acres (the largest home in LA County)

Hearst Castle square footage: 60,645 sq ft

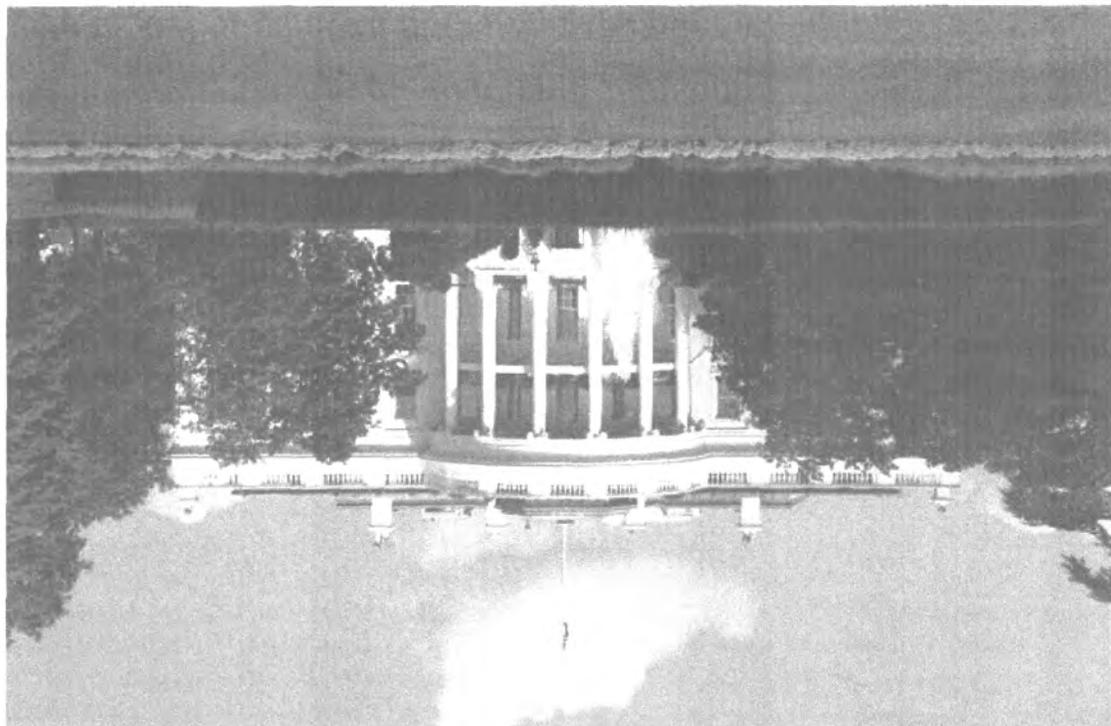
Please see attached photos of above

Aerie site: ^{on} Carnation ^{by} Existing apartment building and single family home--16,498 Sq. Ft.

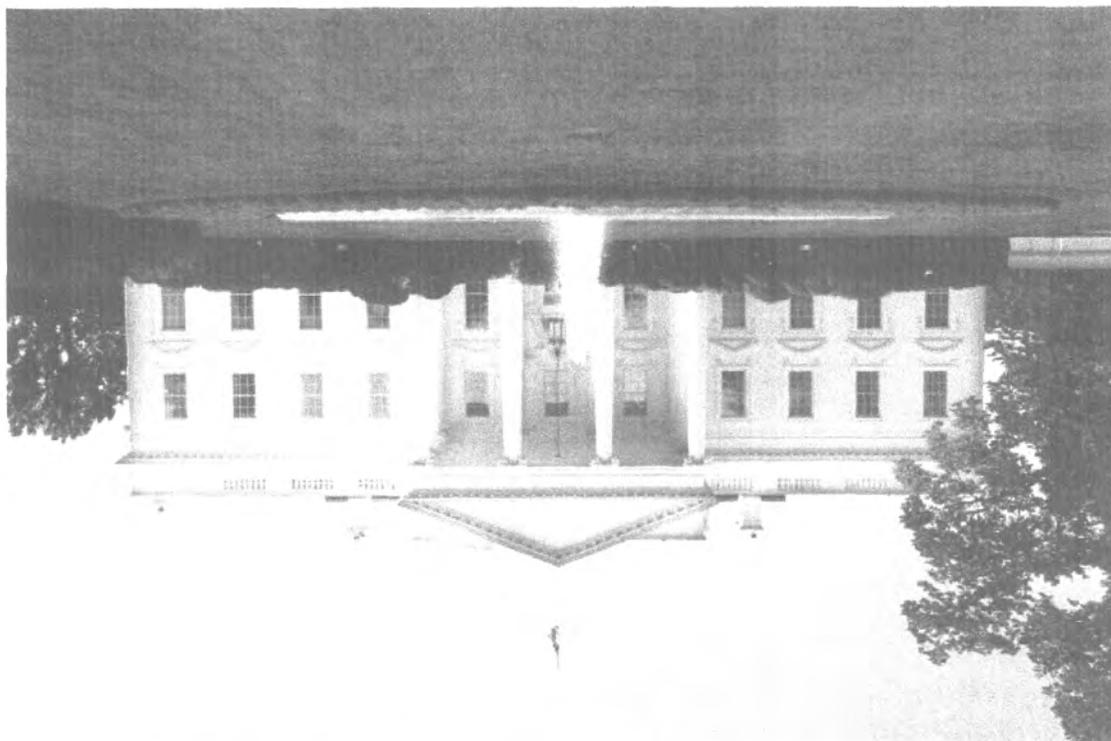


← Ocean Blvd
← City difference PUCED and regulation

The White House Residence — 55,000 sq. ft.
 on 5 Acres
 Area is
 51,124 sq. ft.
 on 61,000
 sq. ft. coastal
 bluff



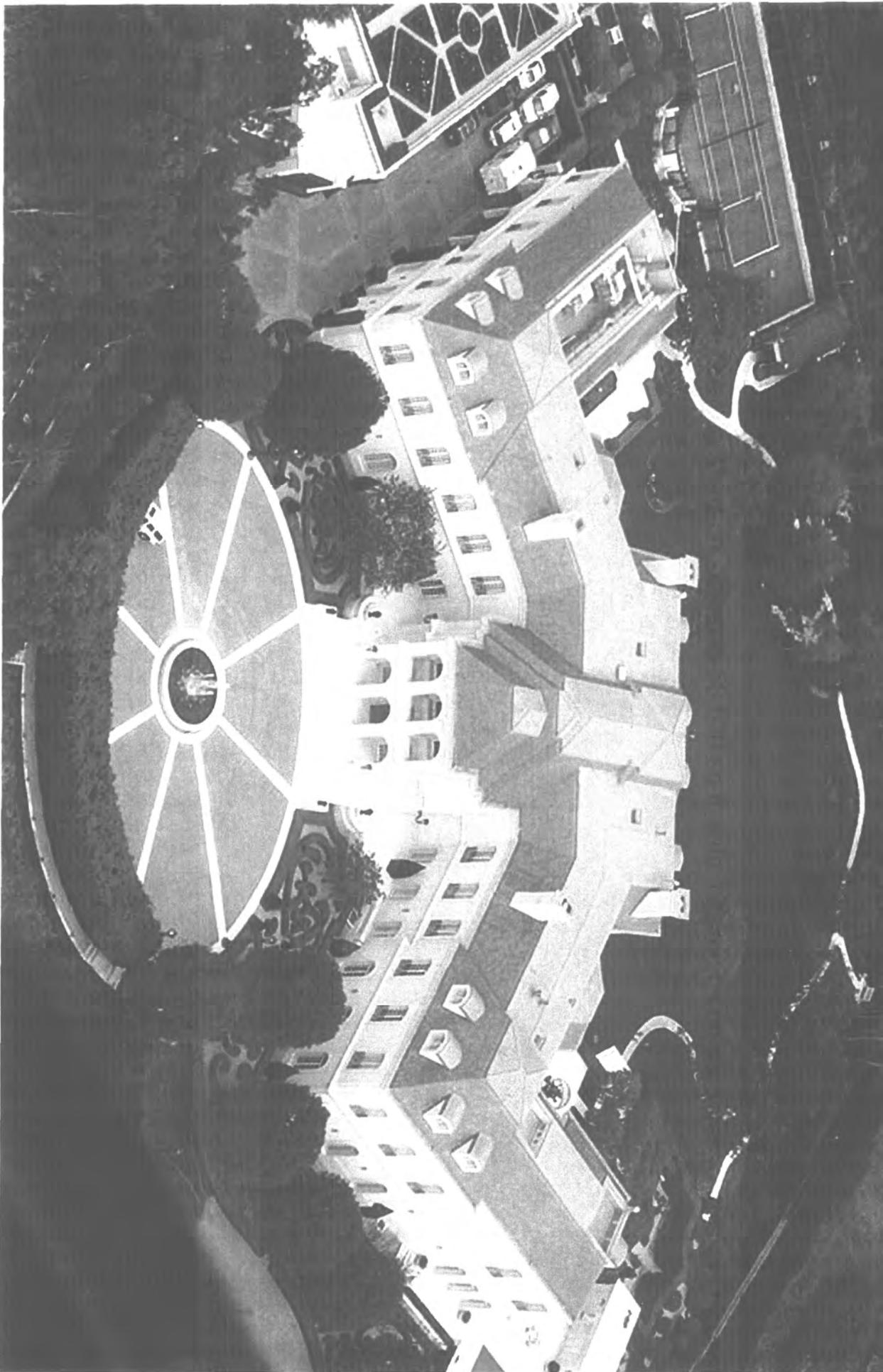
South face, with round portico in 2007 (Derek Jensen)



North face, with square portico in 2007 (Derek Jensen)

The White House Residence — 55,000 sq. ft.

on 5 Acres



This is the former Aaron Spelling Mansion...it's [redacted] 56,500 sq. ft. with 123 rooms on six acres, and is the biggest house in Los Angeles County.



© 2004 QT Luong / ferragalleria.com

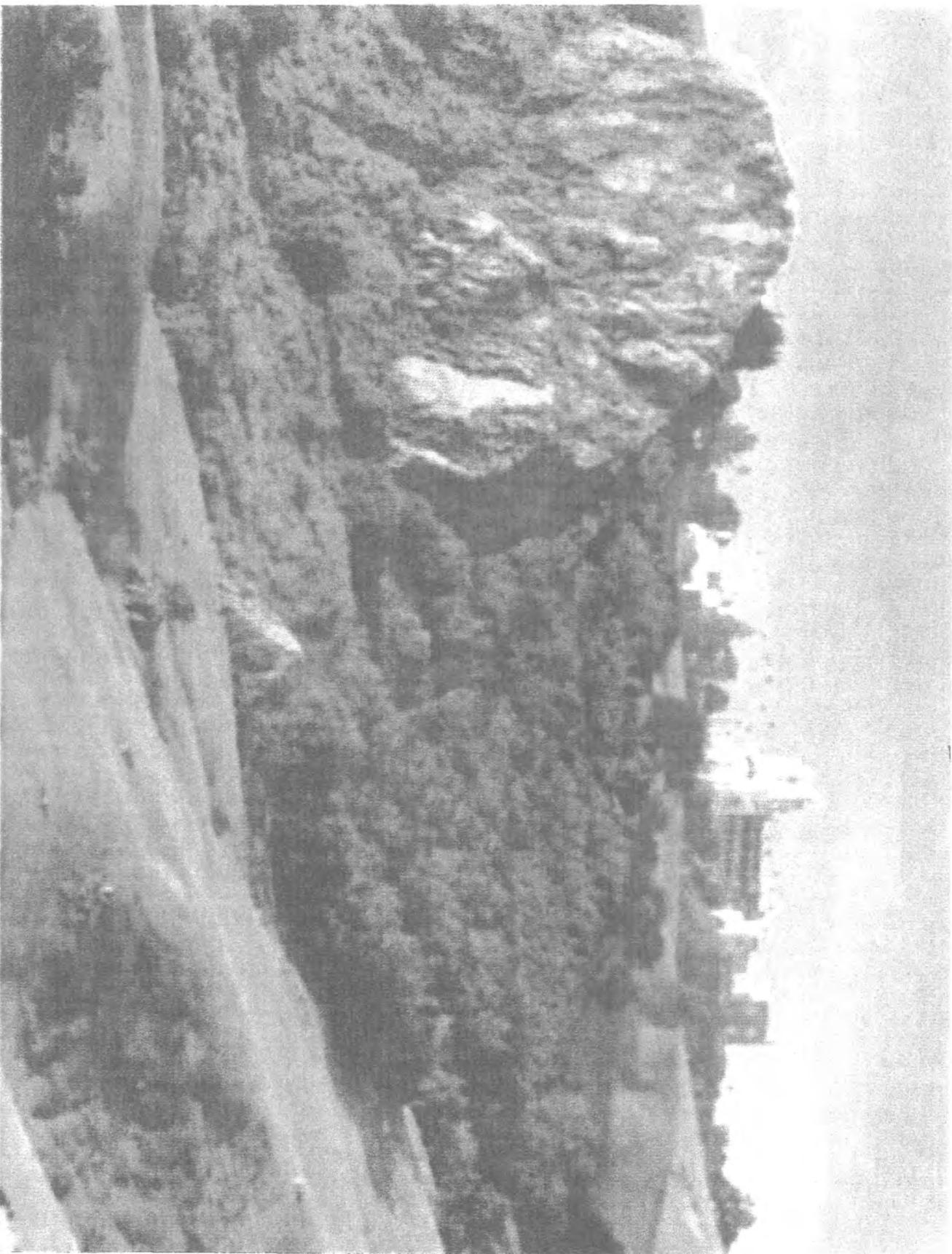
USC190 24

Hearst Castle, California, USA - 600,445 sq. ft. -

Aerie
5,120
sq. ft.

Aene is 51,124 sq ft

The Hearst Castle 160,445 sq ft



A view from the road leading to the castle.

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JUN 08 2011

CALIFORNIA
COASTAL COMMISSION

Kathleen McIntosh
2495 Ocean Blvd.
Corona del Mar, California
92625

OPPOSED TO AERIE 5-10-298

California Coastal Commissioners
c/o Sherilyn Sarb, Deputy Director
200Oceangate, 10th Floor
Long Beach, Ca. 90802-4416

Re: Aerie 5-10-298

Dear Commissioners:

Although the developer has finally brought the project up to the New established PLOED, which allows this project 3 more vertical feet of excavation and development than previous projects on Carnation Ave., it does not meet the provisions of the General Plan and its policies related to mass of structure. It is completely out of scale with the existing residential properties in the neighborhood of "Old Corona del Mar Village" where over 90% of the structures tend to be either Beach Cottage or soft Mediterranean in style and range in size from under 1,000 square feet to well under 10,000 square feet. Nowhere in the Village, since the Coastal Act was established, has there been a single residential development of over 51,000 square feet nor should there be even if it was several blocks off the protected Bluff as has been suggested by investors of the Aerie project.

This project as currently presented still does not meet Coastal Resources Protection Policies involving minimizing alterations to a significant land form. The developer has reduced the number of cubic yards to be excavated from the project by a significant number, however, since the original application for development was at least 100% more than what should have been allowed for a property with more than 50% of land either under water or unbuildable due to slope restrictions, a reduction of less than 50% still leaves room to reduce square footage by at least 10,000 square feet more, which would substantially reduce the amount of excavation and would bring the project closer to meeting the criteria

for Coastal Development, minimizing the destruction of a protected Coastal Bluff and the original City of Newport Beach staff suggestion for a project under 40,000 square feet.

Please do not forget that the applicant via his political consultant, and out of order, asked for a continuance at the last meeting prior to the vote. Since that time the structure has been reconfigured to be built above the New PLOED, which could have been done years ago, increased the overall bulk and height of the building but did not reduce the square footage thus making the structure look more out of place.

You, who give your time to sit on the Coastal Commission are tasked with making sure that policies are carried out not ignored, overlooked as a favor because of incentives offered or because too much time has been spent in process. You are the final word in the process. Please make the right decision and DENY this resort hotel style development as currently submitted. It does not have neighborhood compatibility as required by the California Coastal Commission. We all, including the opponents, look forward to this property being redeveloped – it is long overdue but it must be right for the neighborhood.

Thank you for your consideration and time in reading my letter of Opposition.

Kathleen McIntosh

AERIE – 5-10-298

OPPOSED TO PROJECT

Date:

June 7, 2011

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CALIFORNIA
COASTAL COMMISSION

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

I am opposed to the Aerie Condominium project as it is proposed. I am aware of the revisions having been made to the project after past Coastal Commission meetings and denial. But I strongly believe that the overall square footage is still much TOO LARGE for the village community of Corona del Mar.

I believe that 51,124 square feet on 5 levels is too big. It is not consistent with the standards of the California Coastal Act which requires new development to be 'minimized' on protected coastal bluffs and to be consistent with the 'character of the neighborhood'. Aerie does NOT meet these standards.

There is no development in Corona del Mar since the Coastal Act was established (in 1972) of the size and scale comparable to Aerie. This project has 7 units with an overall ratio of 7,303 square feet of building per unit! Corona del Mar is a beach village. Single family homes are in the range of 4,000 square feet. And most multi-family units are even smaller. Aerie, in comparison, is enormous (the White House is 55,000).

I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

Ayathia Cm

AERIE – 5-10-298

OPPOSED TO PROJECT

Date: June 5, 2010

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

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South Coast Region

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CALIFORNIA
COASTAL COMMISSION

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I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,

Vicki & Harold Parker

AERIE -- 5-10-298

OPPOSED TO PROJECT

Date: 6-4-11

TO: THE COASTAL COMMISSION

RE: AERIE -- ADVANCED GROUP 99-D

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South Coast Region

JUN 08 2011

CALIFORNIA
COASTAL COMMISSION

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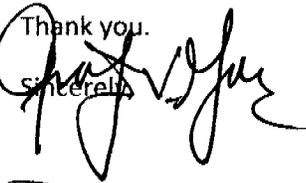
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I urge you to DENY this resort-style development. It does not belong in Corona del Mar on a protected coastal bluff.

Thank you.

Sincerely,



TONY GUANCA

109 GRAND CANAL #B

NEWPORT BEACH

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JUN 08 2011

Eric D. Welton
2855 East Coast Hwy.
Corona del Mar, California 92625

CALIFORNIA
COASTAL COMMISSION

June 6, 2011

Ms. Sherilyn Sarb
California Coastal Commission
200 Ocean Gate, 10th floor
Long Beach, Calif. 90802

AGENDA ITEM WIOC
"OPPOSED"

RE: AERIE project 5-10-298

Dear Ms. Sarb and Coastal Commissioners,

I am opposed to the subject project, as revised, based solely on the bulk and mass of the project as it fronts Carnation Ave.

Staff acknowledgement of this issue is paid no more than lip service and is seemingly ignored in the final recommendation, notwithstanding the good job done by architect and applicant in addressing other issues.

Staff recommended approval risks creation of a bad precedent for an exception to the rules that govern the unique streetscape of old Corona del Mar, and is at least tangentially inconsistent with the intent of the well established inviolate view plane limit at top of nearby Ocean Blvd. curbing.

It seems that the letters of support, mostly from people not in the affected neighborhood, have perhaps been solicited by the applicant and architect and therefore should be given less weight than those of us who, as neighbors, are more impacted.

It should also be taken into account that support efforts led by the neighbor across the street involves preservation and potential

Page Two,
June 6, 2011

enlargement of his direct view corridor (said view already being enhanced by illegal removal of large specimen parkway trees) .

Additionally, public safety could be an issue related to the heretofore publicly undiscussed issue of a fault line under northward contiguous dwellings that required previous emergency pressure grouting concurrent with the excavation of the now completed adjacent Jeannette designed residence.

As someone who has developed in the area for the last forty years and is a strong property rights advocate, I sympathize with the problems encountered by Mr. Julian and all the efforts he has made to deal with objections to this project, however that does not trump my desire to preserve what makes old CdM so special.

Unless the height was once again reduced, I remain opposed to the project and urge its denial.

A handwritten signature in black ink, appearing to be 'E. M.', written in a cursive style.

AERIE – 5-10-298

OPPOSED TO PROJECT

Date: _____

TO: THE COASTAL COMMISSION

RE: AERIE – ADVANCED GROUP 99-D

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Thank you.

Sincerely,



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JUN 6 - 2011

CALIFORNIA
COASTAL COMMISSION

RON YEO, FAIA ARCHITECT, INC.

500 JASMINE AVENUE CORONA DEL MAR, CALIFORNIA 92625 PHONE: (949) 644-8111 FAX: (949) 644-0449

MEMO

TO: Sherilyn Sarrb, Deputy Director
California Coastal Commission
200 Oceangate, 10th floor
Long Beach, CA 90802-4416

FROM: Ron Yeo, Architect DATE: June 2, 2011

RE: Aerie Project 5-10-298

CC:

For the record... The "public view corridor exhibit" is misleading.

Sitting on the proposed bench it would appear that one would only be able to see the adjoining property's fence, landscaping & sky. The adjacent Macintosh entry gate, fence and landscaping blocks out all of the view from the bench. See attached photo.

To be accurate the actual view cone drawing should be reduced to about 20°. Refer to the attached drawing.

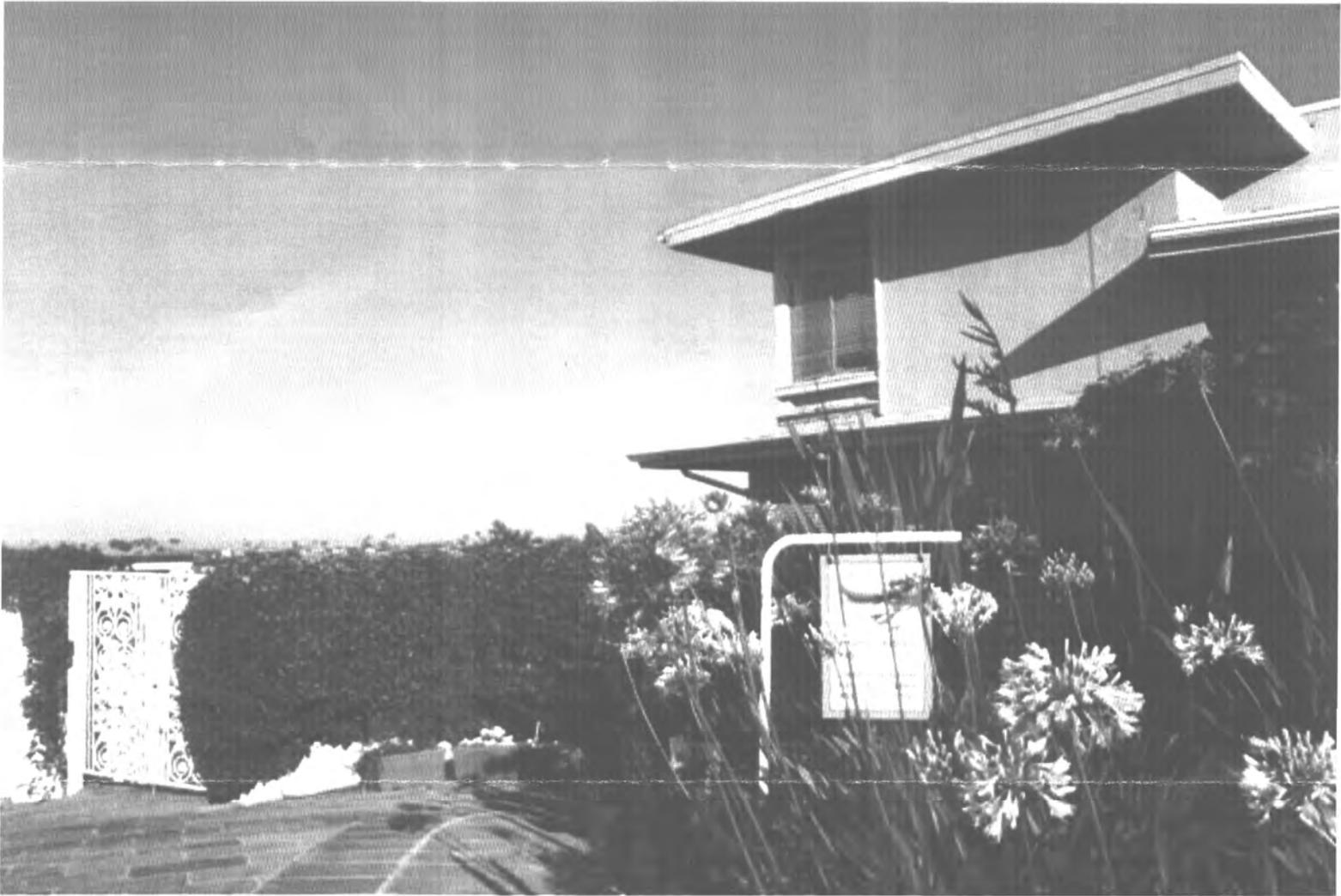
The bay view is only available by standing on your "tippy toes" or moving over to the Macintosh driveway. See 2nd attached photo

It is probably not legal, but it would be nice to add to the condition #17 that would require an agreement with the Macintosh property owners to lower their fence in order to provide a harbor view that would meet the Newport Beach General Plan goals.

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JUN 6 - 2011

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COASTAL COMMISSION



VIEW FROM THE PROPOSED BENCH

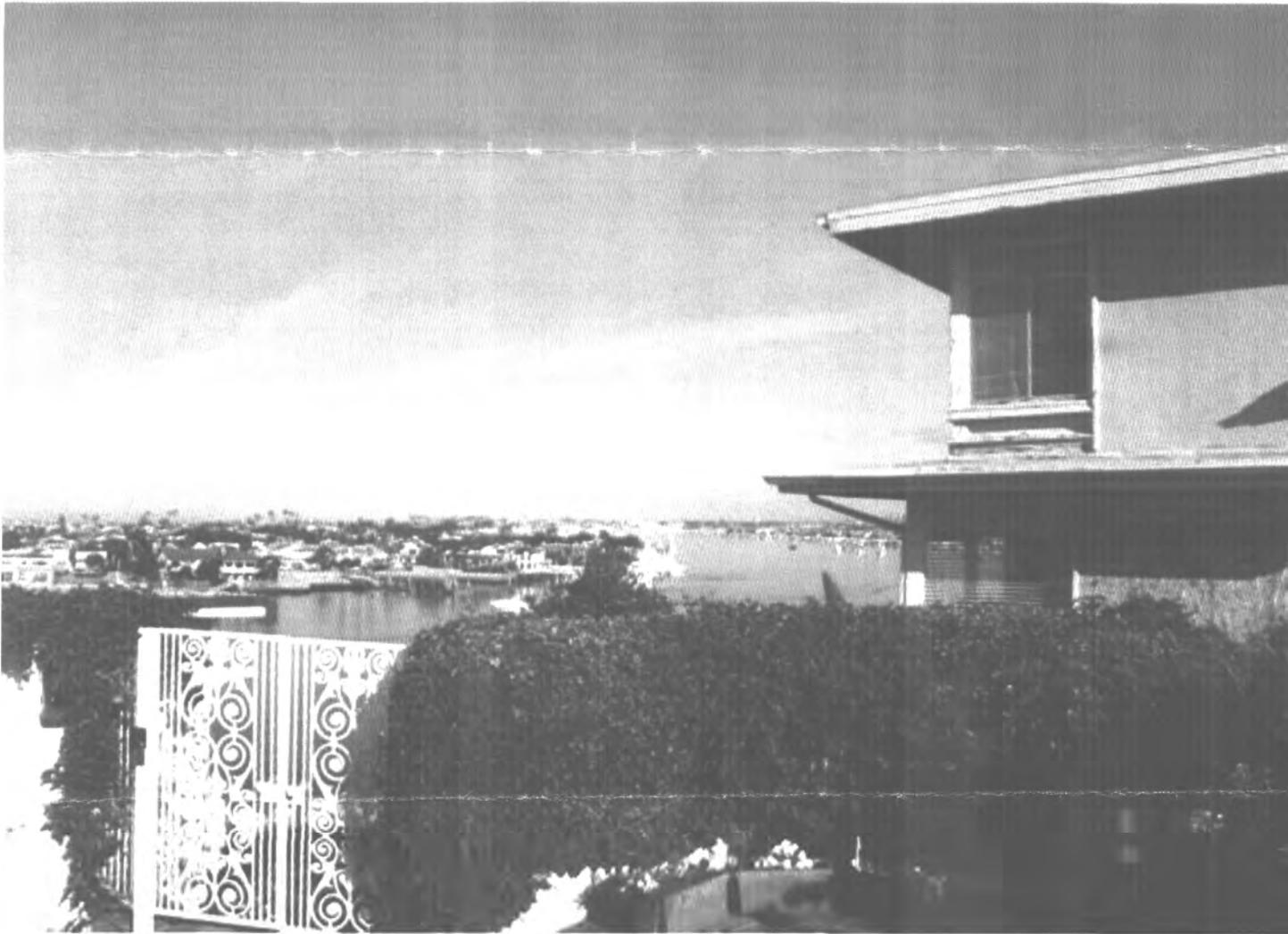
AERIE - 5.16.2008

6/2/11

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JUN 6 - 2011

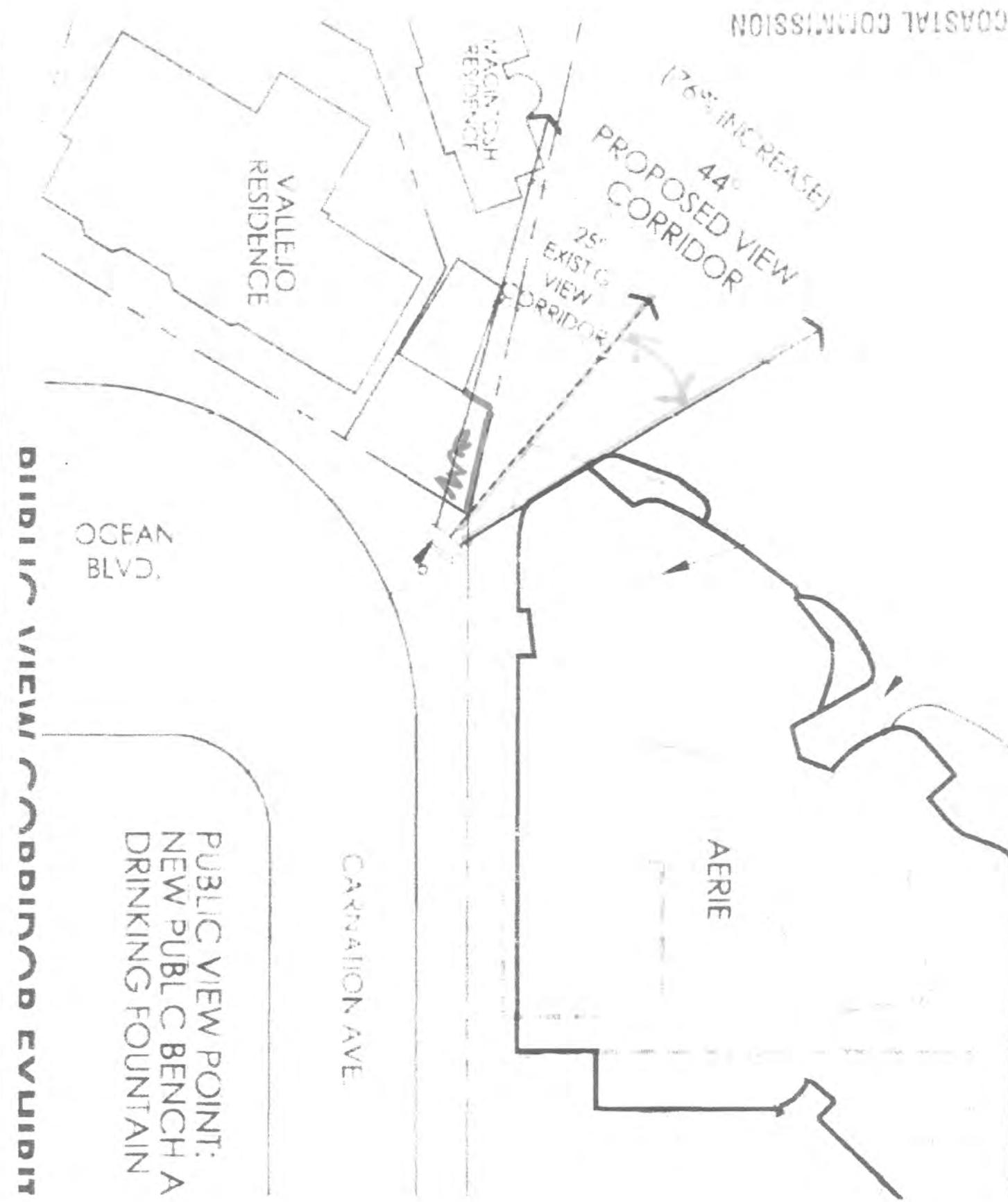
CALIFORNIA
COASTAL COMMISSION



VIEW FROM THE PROPOSED BENCH - STANDING UP ON
"TIPPY TOES"

AERIE - 5-10-298

6/2/11



PUBLIC VIEW POINT: NEW PUBLIC BENCH AND DRINKING FOUNTAIN

**PUBLIC VIEW POINT:
NEW PUBLIC BENCH AND
DRINKING FOUNTAIN**

CARNATION AVE

OCEAN BLVD.

VALLEJO
RESIDENCE

MAGNOLIA
RESIDENCE

AERIE

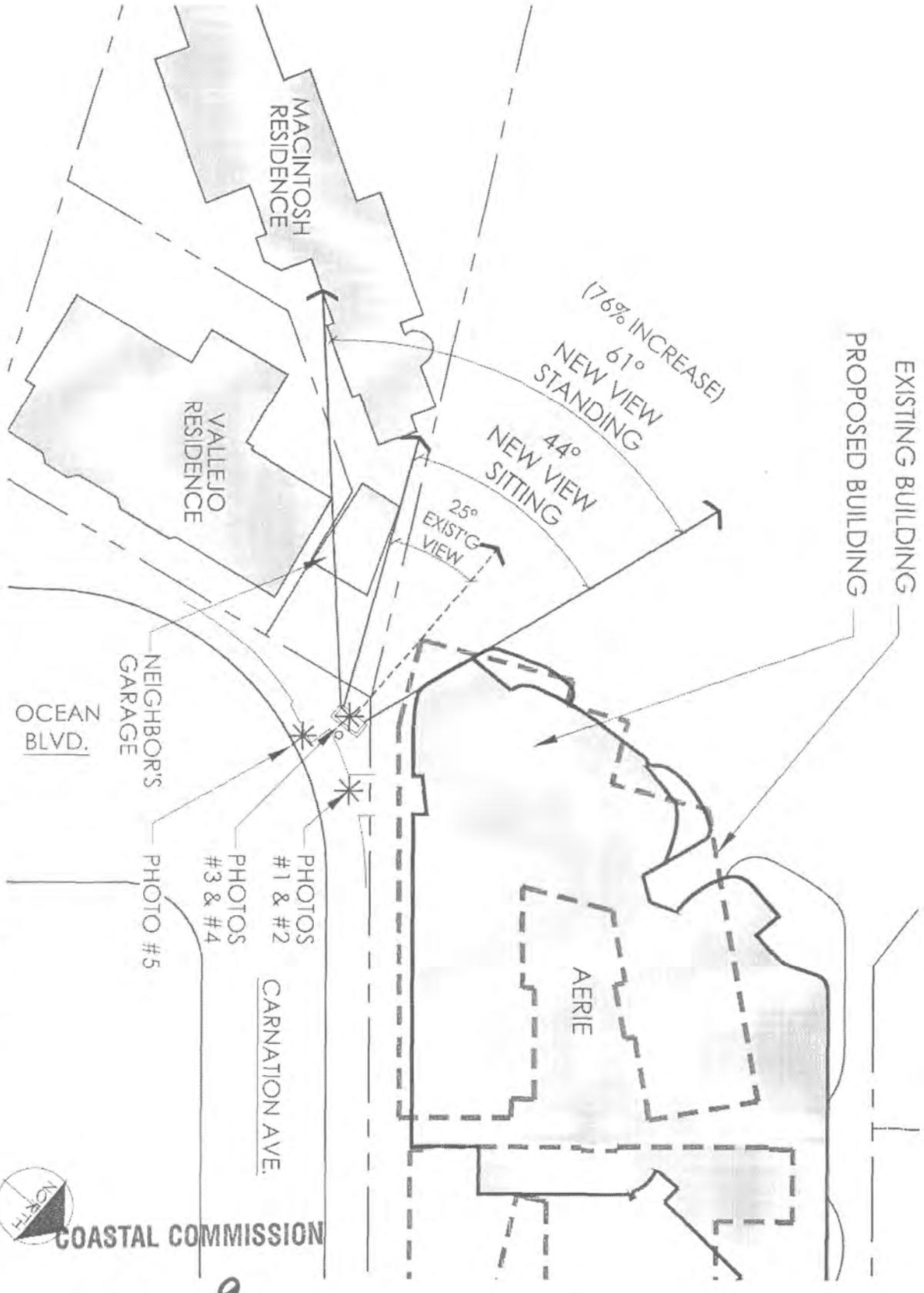
PROPOSED VIEW
CORRIDOR

EXISTING VIEW
CORRIDOR

44°
(76% INCREASE)

25°

PUBLIC VIEW CORRIDOR EXHIBIT

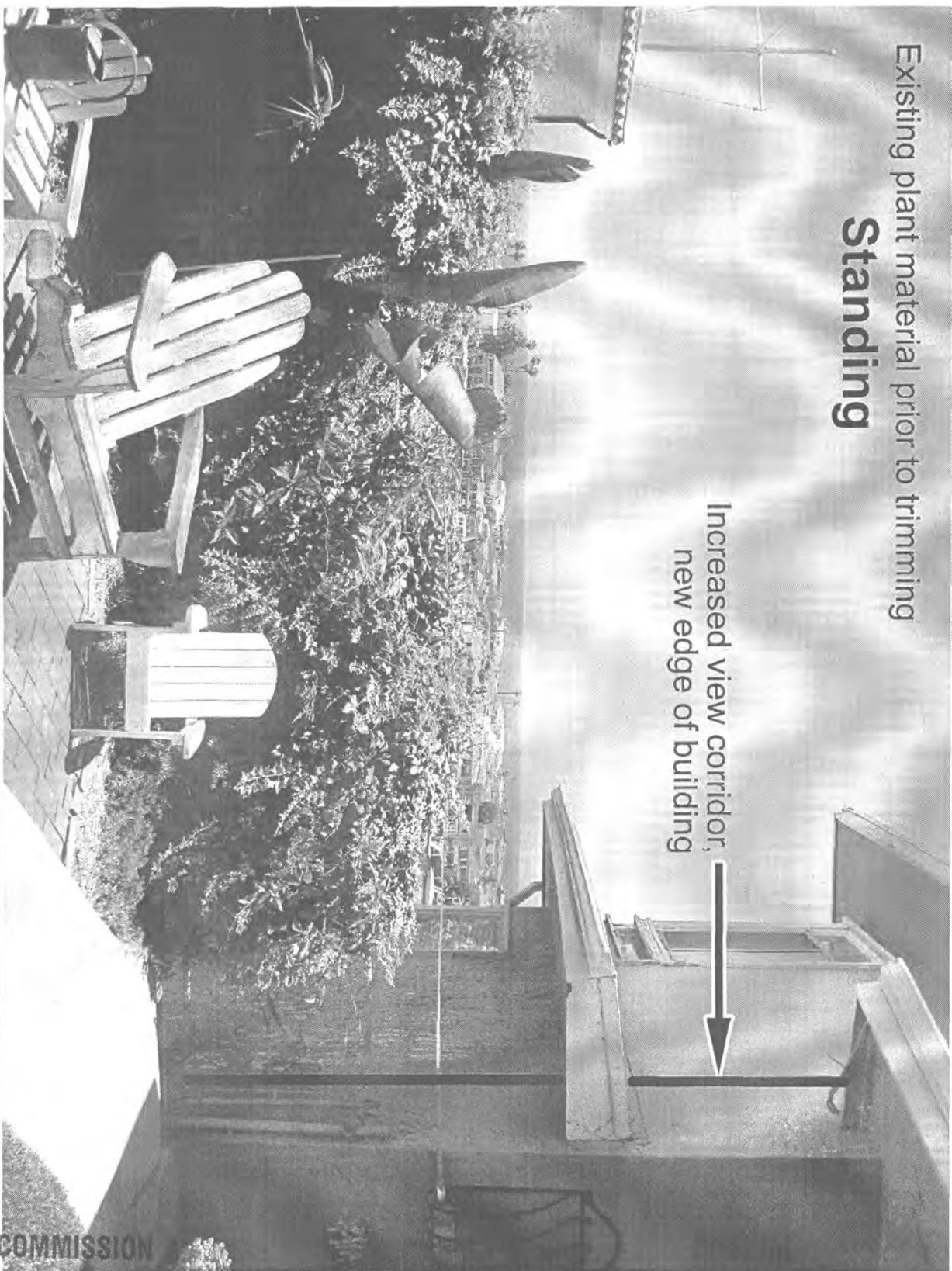


COASTAL COMMISSION

EXHIBIT # 9
PAGE 1 OF 5

Existing plant material prior to trimming
Standing

Increased view corridor,
new edge of building



COASTAL COMMISSION

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EXHIBIT # 9
PAGE 2 OF 5

Existing plant material trimmed at view corridor

Standing

Increased view corridor,
new edge of building

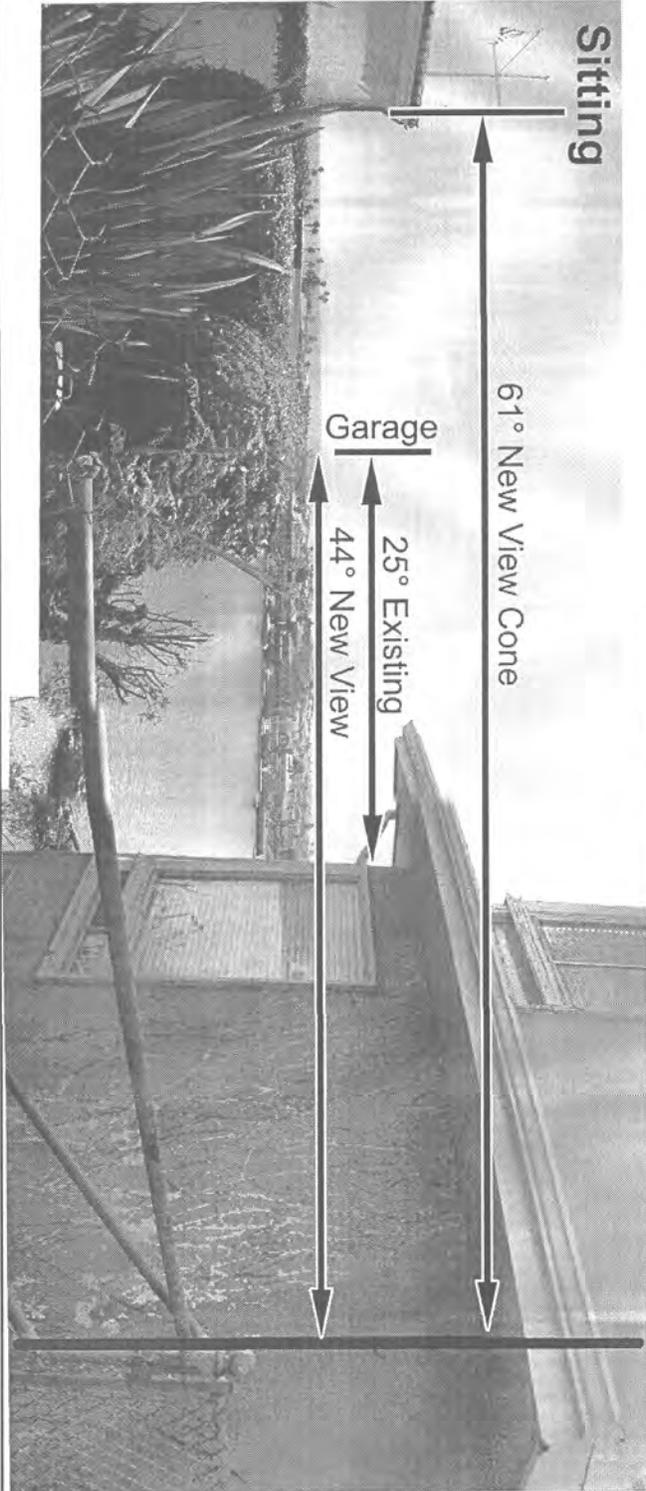


Location of bench

COASTAL COMMISSION

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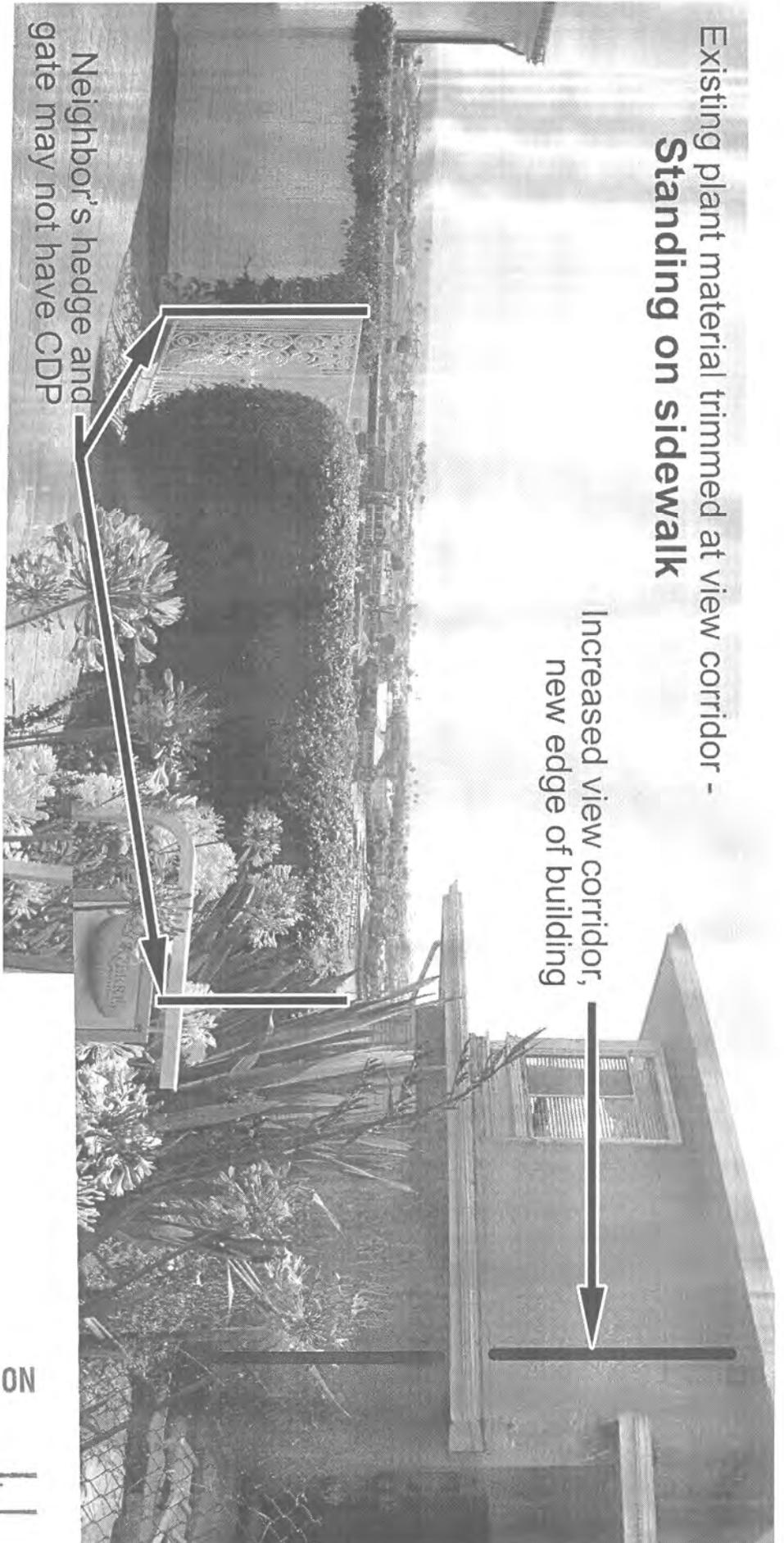


COASTAL COMMISSION

EXHIBIT # 9
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Existing plant material trimmed at view corridor -
Standing on sidewalk

Increased view corridor,
new edge of building



COASTAL COMMISSION

EXHIBIT # ³⁰ 9
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