

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-12-260

Applicant: Mr. & Mrs. Christian Evensen

Agent: Brion Jeannette & Associates

Location: 3225 Ocean Boulevard, Newport Beach (Corona Del Mar)
(Orange County)

Project Description: Demolition of an existing 2,023 square foot 2-1/2-level single-family residence at the top of a coastal bluff face and demolition of a detached 1,346 square foot 1-story 3-car garage and carport at the toe of the bluff and construction of a new 3,880 square foot 3-level single-family residence at the top of the coastal bluff face and construction of a detached 914 square foot 1-story 3-car garage at the toe of the bluff. The existing wooden stairway connecting the residence to the garage will be demolished and replaced with a new stairway and inclined elevator (funicular) that has a more compact footprint and alignment than the existing stairway. Grading will consist of 369 cubic yards of cut, 10 cubic yards of fill and 359 cubic yards of export to a location outside of the Coastal Zone.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION:

The subject site is located on a coastal bluff located seaward of Ocean Boulevard, and inland of Breakers Drive (a private street), vegetation, and a sandy public beach at Corona Del Mar State

Beach. The applicant proposes to demolish an existing single-family residence located at the top of the coastal bluff face and a detached 1-story 3-car garage and associated structures located at the toe of the bluff and construct a new 3,880 square foot 3-level single-family residence at the top of the coastal bluff face and construction of a detached 914 square foot 1-story 3-car garage at the toe of the bluff. The existing wooden stairway connecting the residence to the garage, which zigzags across the bluff face, will be demolished. It will be replaced by a new stairway and inclined elevator (funicular) that have a more linear alignment than the existing stairway, and will have a smaller visual impact. The funicular will provide a secondary, handicap access between the residence and garage. The primary issues before the Commission are the appropriateness of approving the project given the importance of preserving scenic resources and consistency with the pattern of development in the area, minimizing landform alteration and hazards. The general pattern of development in this area consists of development located at the top of the coastal bluff face with the remaining portion of the bluff kept intact. However, the existing project site and one (1) other lot in this area have development located at the top of the coastal bluff face and the toe of the bluff. These are exceptions that don't follow the general pattern of development found in this area.

A previous project proposal (Coastal Development Permit Application No. 5-10-032) by the same applicants was heard at the January 12, 2011 Commission Hearing in Long Beach. The applicants had proposed a larger 4-story 4,715 square foot house, connected to a 1,084 square foot garage at the toe of the bluff via a tunnel and elevator that was built into the bluff face. The Commission denied the project because it would have resulted in significant disturbance to the entire bluff face and the new residence exceeded the predominant line of existing development (located at the 56-foot contour), which would have caused significant visual impacts on the property.

Following the denial, the applicants requested Reconsideration (No. 5-10-032-R) of the Commission's decision at a hearing on April 13, 2011 in Santa Barbara. However, the Commission concluded that there was no new relevant evidence that could not have been presented at the January 12, 2011 public hearing and that there were no errors in fact or law that would have had the potential of altering the Commission's initial decision. Therefore, the Commission denied the request for reconsideration.

In response to the Commission decisions, the applicants redesigned the project and eliminated the lowest floor level of the single-family residence, the elevator and tunnel, and also the 2nd floor of the garage structure and submitted it to the Commission for review as Coastal Development Permit Application No. 5-12-260 (the current proposed project). The proposed residence no longer exceeds the predominant line of existing development, as the proposed residence now does not encroach down the bluff face past the 56-foot contour. The proposed residence is essentially in the same position on the bluff face as the existing residence.

The changes preserve a majority of the bluff landform and minimize landform alteration by eliminating the lowest floor level, elevator and tunnel from the residence to the garage at the bottom of the site. In place of the elevator and tunnel the applicants have now proposed an integrated stairway and inclined elevator (funicular) that will be constructed along the east side of the property that will traverse the bluff face and provide a handicap access between the residence and garage. Both the new stairway and funicular will be connected from the lower level deck of the residence to the roof top of the garage at the toe of the bluff. Additionally, the proposed garage at the toe of the

bluff has been reoriented so that it is located along the east property line in alignment of the new funicular and stairway. The funicular would be supported by one (1) 18-inch diameter caisson and the landing of the new stairway located approximately mid-bluff face would be supported by two (2) 18-inch diameter caissons. The revised plans also showed that the existing stairway, including its approximately sixteen (16) concrete foundation footings would be removed from the bluff face. These changes would remove the existing stairway and replace it with a stairway that occupies much less of the bluff face and results in less landform alteration than the existing since only two (2) 18-inch caissons would be needed to support it as opposed to the sixteen (16) footings for the existing stairway. Also, the revised funicular and stairway would only require a total of three (3) caissons located along the side of the bluff face as opposed to sixteen (16) footings that dart across the middle of the bluff face. These changes will concentrate development to one area of the bluff face, result in a less developed bluff face and minimize adverse visual impacts, making it more visually compatible with the character of the surrounding area.

As stated, the applicants submitted revised plans were only preliminary, so Revised Final Project Plans are necessary. Therefore, **SPECIAL CONDITION NO. 2** has been imposed which requires the applicants to submit Revised Final Project Plans in substantial conformance with the plans received on March 20, 2013 that show removal of the existing stairway, the revised location of the funicular and stairway along the east property line and the reorientation of the garage at the base of the bluff along the east property line as well, and a maximum number of three (3) caissons to support the funicular and stairway. Also, removal of the existing stairway should be accompanied with revegetation and restoration of the area on the bluff face once impacted by the existing stairway. Doing so would minimize adverse visual impacts upon the bluff face and post project would more so resemble the pattern of existing development where the bluff largely undisturbed and densely vegetated. Therefore, **SPECIAL CONDITION NO. 8** has been imposed which requires the applicant to submit Revised Final Landscape Plans, which includes landscaping of the area on the bluff face once impacted by the existing stairway. Additionally, the funicular and stairway should be visually treated with appropriate colors so as to blend in with the bluff face to further minimize adverse visual impacts. Therefore, **SPECIAL CONDITION NO. 3** has been imposed which requires the applicants to submit a Visual Treatment Plan. As conditioned, the proposed development would minimize alteration of natural landforms, be visually compatible with the character of the surrounding area and not result in potential cumulative impacts.

Staff is recommending **APPROVAL** of the proposed project subject to **TEN (10) SPECIAL CONDITIONS** regarding: **1)** an assumption of risk; **2)** submittal of Revised Final Project Plans similar to the plans received on March 20, 2013 that show removal of the existing stairway, the revised location of the funicular and stairway along the east property line and the reorientation of the garage at the base of the bluff along the east property line as well, and a maximum number of three (3) caissons to support the funicular and stairway; **3)** submittal of Visual Treatment Plans for the funicular and stairway; **4)** no future bluff or shoreline protective devices; **5)** future development; **6)** submittal of evidence of conformance with geotechnical recommendations; **7)** submittal of evidence that the submitted coastal hazards and wave run-up study is still current and valid; **8)** submittal of Revised Final Drainage and Run-Off Control Plans; **9)** submittal of Revised Final Landscape Plans; and **10)** a deed restriction against the property, referencing all of the Special Conditions contained in this Staff Report.

Section 30600(c) of the Coastal Act provides for the issuance of Coastal Development Permits directly by the Commission in regions where the local government having jurisdiction does not have a Certified Local Coastal Program (LCP). The City of Newport Beach only has a Certified Land Use Plan (LUP) and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The Certified Land Use Plan may be used for guidance.

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APPENDICES

Appendix 1 – Substantive File Documents

EXHIBITS

Exhibit #1 – Vicinity Map

Exhibit #2 – Assessor's Parcel Map

Exhibit #3 – Site Plan

Exhibit #4 – Floor Plans

Exhibit #5 – Elevation Plans/Section Plans

Exhibit #6 – Grading Plan

Exhibit #7 —Drainage Plan

Exhibit #8 – Aerial Photos of the Project Site and Surrounding Pattern of Development

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit No. 5-12-260 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a Coastal Development Permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned, located between the first public road and the sea, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual,

and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Assumption of Risk, Waiver of Liability and Indemnify

By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from bluff and slope instability, sea level rise, erosion, landslides and wave uprush or other tidal induced erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

2. Revised Final Project Plans

A. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT

PERMIT, the applicants shall submit, for the Executive Director's review and approval, two (2) full size sets of Revised Final Project Plans (i.e., site plan, floor plans and elevations, cross-sections, grading, foundation, etc.) in substantial conformance with the plans received on March 20, 2013 that show removal of the existing bluff face stairway and all associated footings, the construction of a funicular and stairway along the east property line, and the reorientation of the garage at the base of the bluff along the east property line as well. No more than two (2) caissons to support the revised location of the landing for the stairway and one (1) caisson for the funicular, as shown on the plans received on March 20, 2013, are allowed.

B. The permittees 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.

3. Visual Treatment Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the Executive Director's review and approval, a Visual Treatment Plan for the proposed funicular and stairway that is designed to soften, through the use of materials, color and vegetation, the visual impacts of this funicular and stairway that would be visible from public vantage points. The stairway and funicular shall be finished in earth tones including deep shades of brown, gray and

green, with no white, light or bright colors. A color board that identifies the selected colors shall be submitted as part of the plan. The color treatment shall be applied within 90 days of the completion of construction of the stairway and funicular and shall be maintained through-out the life of the structure(s). Any landscaping proposed with these plans shall be consistent with **SPECIAL CONDITION NO. 9.**

- B.** The permittees 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.

4. No Future Bluff or Shoreline Protective Devices

- A.** By acceptance of this Permit, the applicants agree, on behalf of themselves and all other successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-12-260 including, but not limited to, the residence, garage, foundations, decks, hardscape, stairway, funicular and any future improvements, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, sea level rise or other natural hazards in the future. By acceptance of this permit, the applicants hereby waive, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.
- B.** By acceptance of this Permit, the applicants further agree, on behalf of themselves and all successors and assigns that the landowners shall remove the development authorized by this permit, including the residence, garage, foundations, decks, hardscape, stairway, and funicular if any government agency has ordered that the structure is not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowners shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a Coastal Development Permit.

5. Future Development

This permit is only for the development described in Coastal Development Permit No. 5-12-260. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-12-260. Accordingly, any future improvements to the development authorized by this permit, including but not limited to improvements to the residence, garage, foundations, decks, hardscape, stairway, funicular and repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-12-260 from the

Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

6. Conformance with Geotechnical Recommendations

- A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with the requirements identified in **SPECIAL CONDITION NO. 2** of this permit and all recommendations contained in the geologic engineering investigations: *Geotechnical Update Report, New Single-Family Residence, 3225 Ocean Boulevard, California (Report No. 71862-01/Report No. 12-7206)* prepared by Geofirm dated November 2, 2012; *Geotechnical Update letter, New Single-Family Residence, 3225 Ocean Boulevard, California (Report No. 71862-01/Report No. 12-7178)* prepared by Geofirm dated September 18, 2012; and *Preliminary Geotechnical Investigation, Proposed New Single-Family Residence, 3225 Ocean Boulevard, Corona Del Mar, California (Report No. 71862-00/Report No. 09-6621)* prepared by Geofirm dated December 11, 2009. If conformance with the geotechnical recommendations requires any changes to the proposed project, an amendment to this Coastal Development Permit or a new Coastal Development Permit shall be required in order to implement such recommendations. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the above reports.
- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the Executive Director's review and approval, evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all the recommendations specified in the above-referenced geologic engineering investigations.
- C. The permittees 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.

7. Verification that the Submitted Coastal Hazards and Wave Run-Up Study Is Still Current and Valid

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the Executive Director's review and approval, evidence that the findings in the report entitled: *Coastal Hazard & Wave-Runup Study, 3225 & 3235 Ocean Blvd, Corona Del Mar, CA* prepared by Geosoils Inc. dated April 12, 2010 are still current and valid. If the verification reveals additional hazards and/or recommends any changes to the proposed design, such changes shall not be incorporated unless and until an amendment to this permit is obtained.

- B. The permittees 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.

8. Revised Final Drainage and Run-Off Control Plans

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for review and approval of the Executive Director, two (2) full size sets of Revised Final Drainage and Run-Off Control Plans. The Revised Final Drainage and Run-Off Control Plan shall show that all roof drainage, including roof gutters and collection drains, and sub-drain systems for all landscape and hardscape improvements for the single-family residence located on the coastal bluff face and all yard areas, shall be collected on site for discharge to Ocean Boulevard and/or Breakers Drive (or connection to an existing drainage system) without allowing water to percolate into the ground. If the drainage is directed to Breakers Drive, in order to minimize disturbance to the bluff face, the conveyance line (e.g. pipe) shall be affixed to the proposed stairway/funicular system; no grading/trenching of the bluff face is authorized to install the conveyance. These plans shall show that all roof drainage and runoff from all impervious areas relating to the detached garage located at the toe of the bluff be directed to permeable areas, dry wells, percolation pits or trench drains located at the toe of the bluff on the seaward side of the property adjacent to Breakers Drive.
- B. The permittees 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.
- C. The applicants shall maintain the functionality of the approved Drainage and Run-Off Control plans for the life of the proposed development to assure that water associated with the single-family residence located on the bluff face is collected and discharged to the street without percolating into the ground and that water associated with the detached garage located at the toe of the bluff be directed to permeable areas, dry wells percolation pits or trench drains located at the toe of the bluff on the seaward side of the detached garage adjacent to Breakers Drive.

9. Revised Final Landscape Plans

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, in a form and content acceptable to the Executive Director, two (2) full size sets of Revised Final Landscape Plans prepared by an appropriately licensed professional which demonstrates the following:

- (1) The plans shall demonstrate that:
 - (a) All planting shall provide 90 percent coverage within 90 days and shall be repeated if necessary to provide such coverage;
 - (b) All plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan;
 - (c) Landscaped areas not occupied by hardscape shall be planted and maintained for slope stability and erosion control. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent or nearby native plant areas, all landscaping shall consist of native and drought tolerant plant species native to coastal Orange County and appropriate to the habitat type. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>);
 - (d) Removal of the existing stairway located on the bluff face will be accompanied by revegetation and restoration of the area on the bluff face once impacted by the existing stairway and its footings according to the specifics identified above in this condition; and
 - (e) No permanent irrigation system shall be allowed on the coastal bluff face. Any existing in-ground irrigation systems on the coastal bluff face shall be disconnected and capped. Temporary above ground irrigation to allow the establishment of the plantings is allowed. The landscaping plan shall show all the existing vegetation and any existing irrigation system.
- (2) The plan shall include, at a minimum, the following components:
 - (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features, and
 - (b) a schedule for installation of plants.

- B.** The permittees 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.

10. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the Executive Director's review and approval, documentation demonstrating that the landowner has executed and recorded against the parcel(s) owned by the applicants that are governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

II. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION, PRIOR COMMISSION ACTION ON SITE, LOCAL APPROVAL AND STANDARD OF REVIEW

1. PROJECT LOCATION

The proposed project is located at 3225 Ocean Boulevard in the community of Corona Del Mar that is part of the City of Newport Beach, County of Orange (Exhibits #1-2 and Exhibit #8). The lot size is 6,817 square feet, and the City of Newport Beach Land Use Plan (LUP) designates the site as Single-Unit Residential Detached and the proposed project adheres to this designation. The rectangular shaped property is located between Breakers Drive to the south (seaward side), and Ocean Boulevard to the north (landward side), with an approximately 50-foot wide City right-of-way between the northern property line and Ocean Boulevard. The right-of-way area is comprised of a lawn adjacent Ocean Boulevard, a short wall, and a landscaped sloping area of land adjacent to the property. To the west and east are existing residential developments. Further south of Breakers Drive is vegetation, and a sandy public beach (Corona Del Mar State Beach) approximately 200-feet wide.

Vehicular access to the project site is not available from Ocean Boulevard; however, pedestrian access is available. Pedestrian access from Ocean Boulevard is provided by an existing wooden staircase from Ocean Boulevard. Vehicular access is available from Breakers Drive, at the toe of the bluff.

The site slopes from Ocean Boulevard down to the south at an approximate slope ratio of 2:1 for approximately 60-feet, and transitions to an approximate 1:1 slope that extends approximately 35-feet down to Breakers Drive. The total slope height from north of the site at Ocean Boulevard to south of the project site at Breakers drive is 76-feet. The project site is underlain locally at the surface and at depth by bedrock strata of the late Miocene Age Monterey Formation which is overlain along the upper bluff by marine terrace deposits and at the toe of the bluff by beach deposits. Beach deposits underlie the property at the toe of the former sea bluff.

The site is currently developed with an existing pre-Coastal Act 2,023 square foot, 2-1/2-level single-family residence constructed at the top of the coastal bluff face (roof elevation is at approximately the 81 ft. elevation contour). An existing notch was carved into the bluff face to allow for the existing residence; the notch occurs between approximately the 75-foot elevation contour down to the approximately 56-foot elevation contour. A detached 1,346 square foot, 1-story, 3-car garage structure, a carport, hardscape, a fire pit and barbeque and rear and side yard property line walls are constructed at the toe of the bluff on the level area adjacent to Breakers Drive and the entire garage is located approximately at the 13-foot garage pad elevation contour; the roof of the garage rises to reach approximately the 22-foot

elevation contour. An existing wooden staircase is located on the bluff face between the residence at the top of the coastal bluff face and the garage at the toe of the bluff. Besides the existing wooden staircase, the area on the bluff face located between the residence located at the top of the coastal bluff face and the garage and other development located at the toe of the bluff remains largely undisturbed and densely vegetated (a span of approximately 34-vertical feet) (Exhibit #5, page 2 and Exhibit #8).

The proposed project includes the demolition of the existing 2-1/2-level single-family residence and detached 1-story 3-car garage and carport and construction of a new 3,880 square foot 3-level single-family residence at the top of the coastal bluff face and construction of a detached 914 square foot 1-story 3-car garage at the toe of the bluff (Exhibits #3-7). The existing wooden stairway connecting the residence to the garage will be demolished and replaced with a new stairway and inclined elevator (funicular) that has a more compact footprint and alignment than the existing stairway (Exhibit #3 and Exhibit #5, page 2). The stairway and funicular will be constructed along the east side of the property, traversing the bluff face in a linear manner, between the residence and garage (Exhibit #3 and Exhibit #5, page 2). The funicular would be supported by one (1) 18-inch diameter caisson and the landing of the new stairway located approximately mid-bluff face would be supported by two (2) 18-inch diameter caissons. The proposed residence will not extend above the top-of-curb height restriction along Ocean Boulevard. Grading will consist of 369 cubic yards of cut, 10 cubic yards of fill and 359 cubic yards of export to a location outside of the Coastal Zone.

The applicants state that the funicular will be the only handicapped access to the residence. The applicants have stated that the stairway is needed in order to have a secondary means of egress, in case there is a loss of power during an emergency situation that renders the funicular useless.

2. PRIOR COMMISSION ACTIONS ON SITE

Coastal Development Permit Application No. 5-10-032

On January 12, 2011 following a public hearing on the matter, the Commission denied Coastal Development Permit Application No. 5-10-032 for the demolition of an existing 2,023 square foot 2-1/2-level single-family residence at the top of a coastal bluff face and demolition of a 1,346 square foot detached 1-story 3-car garage at the toe of the bluff and construction of a new 4,715 square foot four-story single-family residence and a tunnel and elevator to a 1,084 square foot 2-story 3-car garage, all of which would have spanned the bluff face. Grading would have consisted of 944 cubic yards of cut, 16 cubic yards of fill and 928 cubic yards of export to a location outside of the Coastal Zone.

Coastal Development Permit Application No. 5-10-032-R

On April 13, 2011 following a public hearing on the matter, the Commission denied Coastal Development Permit Application No. 5-10-032-R for the Reconsideration of the permit. The applicants had asserted that there was relevant new evidence which, in the exercise of

reasonable diligence, could not have been presented at the hearing on the matter and the Commission committed numerous errors of fact and law that had the potential of altering the Commission's initial decision. The Commission concluded that there was no new relevant evidence that could not have been presented at the January 12, 2011 public hearing and that there were no errors in fact or law that would have had the potential of altering the Commission's initial decision of denial.

3. LOCAL APPROVAL

The project obtained Variance No. VA2012-003 (PA2012-089) from the City of Newport Beach Planning Commission to allow the lower subterranean level of the proposed single-family residence to encroach 10-feet into the required 10-foot front yard setback. The encroachment is subterranean, not visible and is located on the landward side/street side of the site (facing Ocean Boulevard).

4. STANDARD OF REVIEW

The City of Newport Beach has a Certified Land Use Plan (LUP) but the Commission has not certified a Local Coastal Program (LCP) for the City. As such, the Coastal Act policies are the standard of review with the Certified LUP providing guidance.

B. SCENIC RESOURCES, LANDFORM ALTERATION AND PATTERN OF DEVELOPEMNT/COMMUNITY CHARACTER

Section 30251 of the Coastal Act states, in relevant part:

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

The proposed project is located on a coastal bluff face. South (seaward) of the site is Breakers Drive (a private street), vegetation, and a sandy public beach (Corona Del Mar State Beach) approximately 200-feet wide. The project site is visible from adjacent public vantage points such as the sandy public beach (Corona Del Mar State Beach) and Inspiration Point. The predominant line of existing development along this segment of Ocean Boulevard is such that development is located at the top of the coastal bluff face while the remaining portion of the bluff is kept intact, largely undisturbed and vegetated (Exhibit #8). Development at this site, if approved, must be sited and designed to be visually compatible with the character of the surrounding area. It is also necessary to ensure that new development be sited and designed to protect views to and along the beach area and minimize the alteration of existing landforms consistent with Section 30251 of the Coastal Act and the following policies of the Certified City of Newport Beach Land Use Plan:

Scenic and Visual Resources, Policy 4.4.1-1 states,

Protect and, where feasible, enhance the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay, and harbor and to coastal bluffs and other scenic coastal areas.

Scenic and Visual Resources, Policy 4.4.1-3 states,

Design and site new development to minimize alterations to significant natural landforms, including bluffs, cliffs and canyons.

Scenic and Visual Resources, Policy 4.4.2-4 states,

Prohibit projections associated with new development to exceed the top of curb on the bluff side of Ocean Boulevard. Exceptions for minor projections may be granted for chimneys and vents provided the height of such projections is limited to the minimum height necessary to comply with the Uniform Building Code

This proposed bluff face development also raises the concern over the cumulative impacts that would occur if others propose to develop the coastal bluff face.

The following LUP policies are also applicable to the proposed project and state:

Natural Landform Protection, Policy 4.4.3-8 states,

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

Natural Landform Protection, Policy 4.4.3-9 states,

Where principal structures exist on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Coast Drive in Corona Del Mar, require all new development to be sited in accordance with the predominant line of existing development in order to protect public coastal views. Establish a predominant line of development for both principal structures and accessory improvements. The setback shall be increased where necessary to ensure safety and stability of the development.

Natural Landform Protection, Policy 4.4.3-15 states,

Design and site new development to minimize the removal of native vegetation, preserve rock outcroppings, and protect coastal resources.

Natural Landform Protection, Policy 4.4.3-15 states,

Design and site new development to minimize the removal of native vegetation, preserve rock outcroppings, and protect coastal resources.

“Predominant Line of Development” Definition from Section 5.0 Glossary states,

Predominant Line of Development: The most common or representative distance from a specified group of structures to a specified point or line (e.g. topographic line or geographic feature). For example, the predominant line of development for a block of homes on a coastal bluff (a specified group of structures) could be determined by calculating the median distance (a representative distance) these structures are from the bluff edge (a specified line).

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, 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).

Furthermore as discussed below, 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.

The Coastal Act requires new development to be sited to “*minimize the alteration of natural land forms.*” Similar policies are contained in the Certified Land Use Plan. The existing bluff is a natural landform visible from public vantage points such as the sandy public beach (Corona Del Mar State Beach) and Inspiration Point. Limiting the development to the existing footprint and preventing additional notching into the bluff face would minimize landform alteration and any resulting adverse visual impacts. The predominant line of existing development along this segment of Ocean Boulevard is such that development is located at the top of the coastal bluff face while the remaining portion of the bluff is kept largely intact (undisturbed and densely vegetated).

Ideally, with redevelopment projects like this one, the Commission would seek to require that the new development conform entirely with the predominant line of existing development. This site and one (1) other are among the few lots along this stretch of Ocean and Breakers Drive that has development at the top and the toe of the bluff. Since construction of a structure at the toe of the bluff is unusual, it would be highly preferable to eliminate that development and concentrate development at the top of the coastal bluff face where most of the development on this site and the adjacent sites is located. However, vehicular access to this site creates complicating factors.

Vehicular access to this lot is gained from Breakers Drive at the toe of the bluff, where there is an existing garage. For the surrounding six (6) properties in this stretch of Ocean Boulevard (3207-3309 Ocean Boulevard), only three (3) take access from Breakers Drive. They include 3215 (upcoast) and 3325 (project site) Ocean Boulevard, which take vehicular access from Breakers Drive located at the toe of the bluff. 3309 (downcoast) Ocean Boulevard has vehicular access from both Ocean Boulevard and Breakers Drive. Of these, only 3225 (project site) and 3309 Ocean Boulevard have garages located at the toe of the bluff.

In order to minimize additional landform alteration, staff requested the applicant to look into providing vehicular access from Ocean Boulevard. However, the City of Newport Beach does not allow new vehicular access from Ocean Boulevard¹. Thus, even though the existing garage located at the toe of the bluff is inconsistent with the pattern of development in the area, vehicular access is necessary and, therefore, a garage at the toe of the bluff is the required location since new vehicular access is not allowed off Ocean Boulevard at the top of the coastal bluff face.

Proposed development should be sited in such a manner so that it is visually compatible with the character of surrounding areas. Seaward encroachment of new development that is inconsistent with the character of surrounding areas can often have adverse impacts on a variety of coastal resources. For example, the seaward encroachment of private development toward a beach can discourage public utilization of the beach. The seaward encroachment of structures can also have adverse visual impacts. In addition, the seaward encroachment of structures can increase the hazards to which the new development will be subjected. In order to prevent any adverse impacts associated with seaward encroachment of development, development should be consistent with the established pattern of development/stringline. This standard is reinforced in Sections 4.4.3-8 and 4.4.3-9 of the Certified Land Use Plan stated above.

¹ See City of Newport Beach, City Council Policy Manual L-2(F), Driveway Approaches, which says “No permit shall be issued for driveways on...the ocean side of Ocean Boulevard without City Council approval. No curb openings will be permitted on Ocean Boulevard when access is available from an existing alley, street or improved private roadway.” This policy document is not part of the City’s Certified Land Use Plan and it has not been certified by the Commission.

The predominant line of development/stringline in this area of Corona Del Mar falls within three (3) categories: 1) Bluff Face Development Area 3002-3036 Breakers Drive where primary structures cover a substantial portion of the bluff face but where there is no bluff top development; 2) Bluff Toe Development Area 3100-3200 Breakers Drive where primary structures are constructed along the toe of the bluff and cascade up the bluff, but where a significant portion of the upper bluff face and bluff top remain undeveloped and vegetated; and 3) Bluff Top Development Area 3207-3309 Ocean Boulevard (area fronting Breakers Drive and then the public sandy beach) and 3317-3431 Ocean Boulevard (area fronting the sandy public beach) where structures are concentrated at the upper bluff face and bluff top and where there is little or no encroachment of primary structures onto the lower bluff face and the bluff face is largely vegetated (Exhibit #8).

The subject site is located in the Bluff Top Development Area (3207-3309 Ocean Boulevard) described above, along the portion that is fronted by Breakers Drive. The site is bounded by two (2) lots (3207 and 3215 Ocean Boulevard) upcoast of the project site and two (2) lots (3235 and 3301 Ocean Boulevard) downcoast of the project site, which would also fall within the Bluff Top Development Area (Exhibit #8). The existing single-family residence at the top of the coastal bluff face is basically in alignment with adjacent residences. Currently, the project site has an existing 2-1/2-level single-family residence at the top of the coastal bluff face. The high point of the roof is at elevation 87-feet, and the residence is set into a notch that extends topographically from approximately the 75-foot elevation contour down to the approximately 56-foot elevation contour. There is also a 1-story 3-car garage with associated structures at the toe of the bluff (located entirely at approximately the 13-foot garage pad elevation contour at the toe of the bluff, with the high point of the roof rising to reach approximately the 22-foot elevation contour. Besides the existing wooden staircase, the area on the bluff located between the subject residence located at the top of the coastal bluff face and the garage and other development (i.e. hardscape, a fire pit, barbeque, etc.) located at the toe of the bluff, the bluff face remains largely undisturbed and densely vegetated (a span of approximately 43-vertical feet) (Exhibit #5, page 2 and Exhibit #8).

Within the last couple of years there have been a number of development projects approved downcoast of the subject site, between 3317-3431 Ocean Boulevard, in the Bluff Top Development Area. In approving these projects, the Commission has used the policies of the LUP that refer to predominant line of development as guidance and has limited development to the top of the coastal bluff face. Living or residential area was limited to landward of the 48-foot bluff elevation contour and accessory improvements were limited to landward of the 33-foot elevation contour. No other development was allowed below the 33-foot elevation contour upon the lower bluff face. While these elevational limits established by the Commission for these areas (3317-3431 Ocean Boulevard) have resulted in preservation of the lower portion of the bluff at these locations, due to topographical conditions, these same elevational limits cannot be applied to the subject site to establish the predominant line of existing development. Use of these limits at the project site and the remaining development located between 3207-3309 Ocean Boulevard would result in more significant adverse impact to the bluff because development on this stretch of Ocean Boulevard does not extend as far down the bluff face when compared with the residences downcoast (3317-3431 Ocean Boulevard). The predominant line of existing development in this location is roughly the line of the existing residential structure, at about the 56-foot elevation contour, which is within the stringline of residential structures both immediately upcoast and downcoast of the subject site.

If development below the pattern of existing development was allowed on this project, such development would not be visually compatible with the character of the surrounding area, and it is reasonably foreseeable that future applications for development will cite to such a precedent to support a position that the proposed development should be allowed to encroach further down the coastal bluff face. Over time, these projects would incrementally and gradually move development down the bluff face, resulting in cumulative significant adverse impacts on visual resources in this area. In the end, if such proposed development were approved, and others like it were approved as well, the bluff along this area of Ocean Boulevard could eventually become a wall of buildings with little coastal bluff face remaining visible, thus causing significant, cumulative adverse visual impacts since the site is visible from adjacent public vantage points such as the sandy public beach (Corona Del Mar State Beach). It is for these reasons- and most notably, the precedent and reasonably foreseeable cumulative impact resulting from approvals of development below the predominant line of existing development-that it is imperative that the Commission only approve development that is consistent with the predominant line of existing development in this area.

Prior to the current project, the same applicants had submitted a different project for the site (Coastal Development Permit Application No. 5-10-032) that was heard at the January 12, 2011 Commission Hearing in Long Beach. The project that included the demolition of an existing 2,023 square foot 2-1/2-level single-family residence at the top of a coastal bluff face and demolition of a 1,346 square foot detached 1-story 3-car garage at the toe of the bluff and construction of a new 4,715 square foot four-story single-family residence and a tunnel and elevator to a 1,084 square foot 2-story 3-car garage, all of which would have spanned the bluff face. Grading would have consisted of 944 cubic yards of cut, 16 cubic yards of fill and 928 cubic yards of export to a location outside of the Coastal Zone. The proposed development would have resulted in significant development that would have disturbed the entire bluff face and exceeded the predominant line of development (located at the 56-foot contour), which would have caused significant visual impacts on the property. Furthermore, the project would have resulted in significant alteration to the natural bluff landform and also raised concerns with the cumulative adverse impacts which may have resulted from the project. Thus, the Commission denied the project.

In response to the Commission decision, the applicants redesigned the project and eliminated the lowest floor level of the single-family residence, the elevator and tunnel, and also the 2nd floor of the garage structure and submitted it to the Commission, which is the project currently under review. To compensate for the loss in floor area resulting from the elimination of the lowest floor level of the residence, the project was redesigned to have the new lowest floor level (now located at the 56-foot contour) encroach 10-feet into the required 10-foot front yard (landward side/street side) setback, which required a Variance from the City. The encroachment is subterranean, not visible and is located on the landward side/street side (Ocean Boulevard.) of the site. The proposed residence no longer extends below the predominant line of existing development that is located at the 56-foot contour. Thus, landform alteration has been minimized.

The changes preserve a majority of the bluff landform and minimize landform alteration by eliminating the lowest floor level, elevator and tunnel from the residence to the garage at the bottom of the site. In place of the elevator and tunnel the applicants have now proposed an integrated stairway and inclined elevator (funicular) that will be constructed along the east side of the property

that will traverse the bluff face and provide a handicap access between the residence and garage. Both the new stairway and funicular will be connected from the lower level deck of the residence to the roof top of the garage at the toe of the bluff. Additionally, the proposed garage at the toe of the bluff has been reoriented so that it is located along the east property line in alignment of the new funicular and stairway. The funicular would be supported by one 18-inch diameter caisson and the landing of the new stairway located approximately mid-bluff face would be supported by two (2) 18-inch diameter caissons. The revised plans also showed that the existing stairway, including its approximately sixteen (16) concrete foundation footings would be removed from the bluff face. These changes would remove the existing stairway and replace it with a stairway that occupies much less of the bluff face and results in less landform alteration than the existing since only two (2) 18-inch caissons would be needed to support it as opposed to the sixteen (16) footings for the existing stairway. Also, the revised funicular and stairway would only require a total of three (3) caissons located along the side of the bluff face as opposed to sixteen (16) footings that dart across the middle of the bluff face. These changes will concentrate development to one area of the bluff face, result in a less developed bluff face and minimize adverse visual impacts, making it more visually compatible with the character of the surrounding area.

As stated, the applicants submitted revised plans were only preliminary, so Revised Final Project Plans are necessary. Additionally, removal of the existing stairway should be accompanied with revegetation and restoration of the area on the bluff face once impacted by the existing stairway. Doing so would minimize adverse visual impacts upon the bluff face and post project would more so resemble the pattern of existing development where the bluff largely undisturbed and densely vegetated. In addition, the funicular and stairway should be visually treated so as to blend in with the bluff face to further minimize adverse visual impacts. With these changes, the proposed development would not disrupt the existing pattern of development and not change character of the community, which could have led to cumulative impacts.

The City of Newport Beach recently updated their Zoning Code for the Bluff Overlay District which applies to this site (for local permit decisions). The applicants have stated that the proposed project is consistent with the Zoning Code Update. However, this updated Zoning Code is not the standard of review for Coastal Development Permits, and the code has not been reviewed or approved by the Commission.

CONCLUSION

The Commission has required **THREE (3) SPECIAL CONDITIONS**, which are intended to bring the proposed development into conformance with Section 30251 of the Coastal Act. These Special Conditions include: **SPECIAL CONDITION NO. 2** requires the applicants to submit of Revised Final Project Plans in substantial conformance to the plans received on March 20, 2013 that show removal of the existing stairway, the revised location of the funicular and stairway along the east property line and the reorientation of the garage at the base of the bluff along the east property line as well, and a maximum number of three (3) caissons to support the funicular and stairway. **SPECIAL CONDITION NO. 3** requires the applicants to submit a Visual Treatment Plan. **SPECIAL CONDITION NO. 8** requires the applicant to submit Revised Final Landscape Plans, which includes landscaping of the area on the bluff face once impacted by the existing stairway.

Only as conditioned to comply with the provisions of these Special Conditions does the Commission find that the proposed development conforms with Section 30251 of the Coastal Act.

C. HAZARDS

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

New development shall do all of the following:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Development on a bluff is inherently risky due to the potential for bluff erosion and collapse. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential structures. In general, bluff instability is caused by environmental factors and impacts caused by humans. Environmental factors include seismicity, wave attack, drying and wetting of soils, wind erosion, salt spray erosion, rodent burrowing, percolation of rain water, poorly structured bedding, and soils conducive to erosion. Factors attributed to humans that may be relevant to this site include irrigation, over-watering, building on the coastal bluff face, improper site drainage, use of impermeable surfaces that increase runoff, use of water-dependent vegetation, and breaks in water or sewage lines.

1. SITE SPECIFIC SETBACK INFORMATION

a. Geotechnical Issues

To address site-specific issues, the applicants have submitted a geotechnical investigation, which evaluates the current proposal: *Geotechnical Update Report, New Single-Family Residence, 3225 Ocean Boulevard, California (Report No. 71862-01/Report No. 12-7206)* prepared by Geofirm dated November 2, 2012; *Geotechnical Update letter, New Single-Family Residence, 3225 Ocean Boulevard, California (Report No. 71862-01/Report No. 12-7178)* prepared by Geofirm dated September 18, 2012; and *Preliminary Geotechnical Investigation, Proposed New Single-Family Residence, 3225 Ocean Boulevard, Corona Del Mar, California (Report No. 71862-00/Report No. 09-6621)* prepared by Geofirm dated December 11, 2009. The information provided states that the bedrock materials backing the bluff are anticipated to remain seismically and grossly stable. However, slopewash deposits along the toe of the bluff are considered surficially unstable and may exhibit shallow instability during strong seismic shaking. The information submitted ultimately concludes the coastal bluff on the site is grossly stable and that the project is feasible from an engineering perspective provided the applicant complies with the

recommendations contained in the investigation. As discussed previously, some of the recommendations for construction of the project site include: foundation systems consisting of drilled caissons for the residence and the garage. The Commission's staff geologist has reviewed the project and agrees with the investigations' conclusions. The slope will be subject to surficial instabilities, but the geotechnical report makes recommendations that should assure safety of the development. The project can be built, but only with the support of a significant engineering effort.

b. Coastal Hazards

To analyze the suitability of the site for the proposed development relative to potential wave hazards, Commission staff requested the preparation of a wave run-up, flooding, and erosion hazard analysis, prepared by an appropriately licensed professional (e.g. coastal engineer). The purpose of this analysis is to determine the potential for future storm damage and any possible mitigation measures, which could be incorporated into the project design.

The applicants have since submitted the following coastal hazard investigation: *Coastal Hazard & Wave-Runup Study, 3225 & 3235 Ocean Blvd, Corona Del Mar, CA* prepared by Geosoils Inc. dated April 12, 2010. Ultimately, this study concludes: "... coastal hazards will not significantly impact these properties over the life of the proposed improvements. The proposed developments will neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or adjacent area. There are no recommendations necessary for wave or wave runup protection. No shore protection is proposed or should be necessary in the next 75 years. The improvements minimize risk from flooding."

Although the applicants report indicates that the site is safe for development at this time, beach areas are dynamic environments, which may be subject to unforeseen changes. Such changes may affect beach processes. For example, the study states that: "*The stable beach, Newport Bay jetties, and adjacent headlands have prevented wave attack in the past and will continue to provide protection in the future.*" As long as the beach, jetties and headlands are present the study concludes that the beach should be fairly stable. However, if something were to happen that would cause damage to the beach, jetties and headlands, then shoreline retreat may occur. Therefore, the proposed development is located in an area where coastal hazards exist and can adversely impact the development.

2. SPECIAL CONDITIONS

Section 30253 of the Coastal Act states that new development shall minimize the risk to life and property in areas of high geologic, flood and fire hazard and shall assure stability and structural integrity and not in "*any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*" William Kockelman, U.S. Geological Survey, wrote an article entitled "Some Techniques for Reducing Landslide Hazards", [Bulletin of the Association of Engineering Geologists, vol. 23: pp. 29-52 \(1986\).](#)

that discusses several ways to minimize landslide hazards such as bluff erosion and instability, including:

- (1) Require a permit prior to scraping, excavating, filling, or cutting any lands.
- (2) Prohibit, minimize, or carefully regulate the excavating, cutting and filling activities in landslide areas.
- (3) Provide for the proper design, construction, and periodic inspection and maintenance of weeps, drains, and drainage ways, including culverts, ditches, gutters, and diversions.
- (4) Regulate the disruption of vegetation and drainage patterns.
- (5) Provide for proper engineering design, placement, and drainage of fills, including periodic inspection and maintenance.

Kockelman also discusses the option of disclosure of hazards to potential buyers by the recordation of hazards in public documents. The recordation of a deed restriction which records all the Special Conditions including the assumption of risk condition is one means the Commission utilizes to inform existing and future buyers of property of the potential threat from soil erosion and slope failure (landslide) hazards. Several of these recommendations are routinely required by local government, including requiring permits for grading, minimizing grading, and requirements for proper engineering design.

The Commission has imposed many of these same recommendations, including requiring the consulting geologist to review foundation and drainage plans in order to confirm that the project conforms to the policies of the Coastal Act. The findings in this Staff Report regarding the general causes of bluff erosion and the specific findings from the geotechnical investigation confirm that the coastal bluff at this location is eroding and that measures to minimize bluff erosion are necessary. The following Special Conditions will mitigate the impacts of the proposed development on bluff erosion and instability, and will assure that the proposed new development will not require the construction of a protective device along the bluff, as required by Section 30253 of the Coastal Act.

a. Assumption of Risk

Coastal bluffs in southern California are recently emergent landforms in a tectonically active environment. Any development on an eroding coastal bluff involves some risk to development.

Although adherence to the geotechnical consultant's recommendations will minimize the risk of damage from known erosion processes, but there is inherent uncertainty as to the full extent of the risk of geologic hazards along bluffs and cliffs given the fact that there are many unpredictable variables that could affect the stability of the site in the future, like sea level rise and significant climatic events. The findings in Section

1 above, including site-specific geologic information, support the contention that development on coastal bluffs involves risks and that structural engineering can minimize the known risks but cannot eliminate all potential risks that may occur in the future. Therefore, although, as conditioned, the project will sufficiently reduce the risks to make it approvable, the applicant must be aware of the remaining risks and must assume responsibility for the project should he decide to proceed. Accordingly, the standard waiver of liability condition has been attached via **SPECIAL CONDITION NO. 1**

By this means, and by the recordation of this condition against the title to the property pursuant to **SPECIAL CONDITION NO. 10** (discussed more later), the applicant and future buyers are notified that the proposed development is located in an area that is potentially subject to bluff erosion that can damage the applicant's property.

b. Revised Final Project Plans

The proposed project consists of the demolition of an existing single-family residence at the top of the coastal bluff face and a garage located at the toe of the bluff. A new single-family residence at the top of the coastal bluff face and a new garage at the toe of the bluff are proposed. The existing wooden stairway connecting the residence to the garage will be demolished and replaced with a new stairway and inclined elevator (funicular) that has a more compact footprint and alignment than the existing stairway. The stairway and funicular will be constructed along the east side of the property, traversing the bluff face in a linear manner, between the residence and garage. The funicular would be supported by one (1) 18-inch diameter caisson and the landing of the new stairway located approximately mid-bluff face would be supported by two (2) 18-inch diameter caissons. This proposal related to the stairs and funicular are a recent change, submitted by the applicant on March 20, 2013. The revised plans shifted the funicular from the west side to the east side of the property and integration of the funicular with a new staircase, both of which connected the lower level deck of the residence to the roof top of the garage at the toe of the bluff. Also the proposed garage at the toe of the bluff would be reoriented so that it was located along the east property line in alignment of the new funicular and stairway. Additionally, the revised plans also showed that the existing stairway, including its approximately sixteen (16) concrete foundation footings would be removed. The revised funicular and stairway would only require a total of three (3) caissons located along the side of the bluff face as opposed to sixteen (16) footings that dart across the middle of the bluff face. These changes concentrate development to one area of the bluff face and results in a less developed bluff face and minimized adverse visual impacts that is consistent with the pattern of development. As stated, the applicants submitted revised plans were only preliminary, so Revised Final Project Plans are necessary. Therefore, **SPECIAL CONDITION NO. 2** has been imposed which requires the applicants to submit Revised Final Project Plans in substantial conformance with the plans received on March 20, 2013.

c. Future Bluff and Shoreline Protective Devices

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

No bluff or shoreline protection device is proposed. However, because the proposed project includes new development, it can only be found consistent with Section 30253 of the Coastal Act if the new development is built in such a manner that it will not *“in any way require the construction of protective devices.”* The applicants’ geotechnical consultants have indicated that the site is stable and that no bluff or shoreline protection devices will be needed. If not for the information provided by the applicants that the site is safe for development, the Commission could not conclude that the proposed development would not in any way *“require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.”* However, as stated previously, the record of Coastal Development Permit applications and Commission actions has also shown that geologic conditions change over time and that predictions based upon the geologic sciences are inexact. Even though there is evidence that geologic conditions change, the Commission must rely upon, and hold the applicants to, their information, which states that the site is safe for development without the need for protective devices. If the Commission were forced, in the future, to approve a bluff or shoreline protection device to protect the structures being approved now, it would mean that the project approved now is not consistent with Section 30253’s prohibition on new development requiring shoreline protective devices. Therefore, the Commission imposes **SPECIAL CONDITION NO. 4** which states that no bluff or shoreline protective devices shall be permitted to protect the proposed development and that the applicants waive, on behalf of themselves and all successors and assigns on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

d. Future Development

The development is located within an existing developed area and, as conditioned, is compatible with the character and scale of the surrounding area. However, without controls on future development, the applicants could construct future improvements

to the single-family residence and garage, including but not limited to landscaping, improvements to the residence and decks, that would have negative impacts on coastal resources, and could do so without first acquiring a coastal development permit, due to exemption for improvements to existing single-family residences in Coastal Act Section 30610 (a). Unpermitted improvements could lead to negative geologic impacts such as slope instability. In order to prevent the current authorization from allowing such future negative effects, it is necessary to ensure that any future development -- including the development of amenities that would otherwise normally be exempt -- will require a permit. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission imposes **SPECIAL CONDITION NO. 5**, a future development Special Condition. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act relating to geologic hazards.

e. Conformance with Geologic Recommendations

The geotechnical consultant has found that development is feasible provided the recommendations contained in the geotechnical investigation prepared by the consultant are implemented in regards to the design and construction of the project. The geotechnical recommendations address things such as foundations and runoff on site. In order to assure that risks of development are minimized, as per Section 30253, the Commission imposes **SPECIAL CONDITION NO. 6**, which requires the applicants to submit evidence that the geotechnical consultants' recommendations are incorporated into the design of the project. If conformance with the geotechnical recommendations requires any changes to the proposed project, an amendment to this Coastal Development Permit or a new Coastal Development Permit shall be required in order to implement such recommendations.

f. Verification that the Submitted Coastal Hazards and Wave Run-Up Study Is Still Current and Valid

To analyze the suitability of the site for the proposed development relative to potential wave hazards, the applicants have since submitted the following coastal hazard investigation: *Coastal Hazard & Wave-Runup Study, 3225 & 3235 Ocean Blvd, Corona Del Mar, CA* prepared by Geosoils Inc. dated April 12, 2010. The applicants report indicates that the site is safe for development at this time. However, the study is more than three (3) years old. The Coastal Commission generally considers reports to be obsolete one (1) year after the date of preparation. In order to verify the current validity of the submitted coastal hazards and wave run-up study, the Commission imposes **SPECIAL CONDITION NO. 7**, which requires the applicants to submit evidence that the study is still current and valid.

g. Revised Final Drainage and Run-Off Control Plans and Landscape Plans

The applicants previously submitted a Drainage and Run-Off Control Plan and it shows that drainage on site for both the single-family residence at the top of the

coastal bluff face and the detached garage at the toe of the bluff will be directed to the street drainage system at Breakers Drive with piping. Therefore, adverse impacts caused by possible infiltration of the bluff are avoided. However, these plans show that drainage from the single-family residence relies on two (2) new drain lines, one (1) located along the west property line and one (1) located along the east property line that both lead down the bluff face to Breakers Drive (Exhibit #7). Installation of those drain pipes would involve trenching the bluff face. That trenching could be avoided by affixing a single pipe to the proposed stairway/funicular system instead. In order to minimize landform alteration, the project should be modified accordingly. Additionally, since the project has been conditioned for Revised Final Project Plans, updated Drainage and Run-Off Control Plans are needed. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 8**, which requires the applicants to submit Revised Final Drainage and Run-Off Control Plans.

Because of the fragile nature of coastal bluffs and their susceptibility to erosion, the Commission requires a Special Condition regarding the types of vegetation to be planted. The applicants have submitted Landscape Plans, as well as Revised Landscape Plans associated with the revision of the existing stairway and funicular as discussed previously. Revised Final Landscape Plans are necessary as those most recently submitted revised plans were only preliminary and further changes to the Landscape Plan may be necessary. Additionally, the original and recently submitted Landscape Plans do not indicate that the area where the applicants have now proposed to remove the existing stairway would be revegetated and restored. Doing so would reduce adverse visual impacts and would also aid in stability of the bluff.

Any proposed vegetated landscaped areas located on site should only consist of native and drought tolerant plant species native to coastal Orange County and appropriate to the habitat type. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).

Due to the potential impacts to the bluff from infiltration of water into the bluff, the Commission imposes **SPECIAL CONDITION NO. 9**, which requires the applicant to submit Revised Final Landscape Plans. To minimize the potential for the introduction of non-native invasive species and to minimize the potential for future bluff failure, Revised Final Landscape Plans shall be prepared by a licensed landscape architect and shall incorporate the following criteria: 1) to minimize the introduction of water into the ground, no permanent in-ground irrigation shall be permitted on the coastal bluff face, any existing in-ground irrigation system on the coastal bluff face shall be disconnected and capped, temporary above ground

irrigation to establish the plantings is permitted; 2) landscaping shall consist of native and drought tolerant plant species native to coastal Orange County and appropriate to the habitat type and invasive, non-indigenous plant species, which tend to supplant native species shall not be used; and 3) removal of the existing stairway located on the bluff face will be accompanied by revegetation and restoration of the bluff face area once impacted by the existing stairway.

h. Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes **SPECIAL CONDITION NO. 10** requiring that the property owners record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, any prospective future owners will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

CONCLUSION

The Commission has required **NINE (9) SPECIAL CONDITIONS**, which are intended to bring the proposed development into conformance with Section 30253 of the Coastal Act. These Special Conditions include: **SPECIAL CONDITION NO. 1** requires an assumption of risk. **SPECIAL CONDITION NO. 2** requires the applicants to submit Revised Final Project Plans in substantial conformance with the plans received on March 20, 2013 that show removal of the existing stairway, the revised location of the funicular and stairway along the east property line and the reorientation of the garage at the base of the bluff along the east property line as well, and a maximum number of three (3) caissons to support the funicular and stairway. **SPECIAL CONDITION NO. 4** requires no future bluff or shoreline protective devices. **SPECIAL CONDITION NO. 5** relates to future development. **SPECIAL CONDITION NO. 6** requires the applicants to submit evidence of conformance with geotechnical recommendations. **SPECIAL CONDITION NO. 7** requires the applicants to submit evidence that the submitted coastal hazards and wave run-up study is still current and valid. ; **SPECIAL CONDITION NO. 8** requires the applicants submit Revised Final Drainage and Run-Off Control Plans. **SPECIAL CONDITION NO. 9** requires the applicants submit Revised Final Landscape Plans. **SPECIAL CONDITION NO. 10** requires a deed restriction against the property, referencing all of the Special Conditions contained in this Staff Report. Only as conditioned to comply with the provisions of these Special Conditions does the Commission find that the proposed development conforms with Section 30253 of the Coastal Act.

D. PUBLIC ACCESS

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30240 (b) of the Coastal Act states:

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

The project site is located between Breakers Drive to the south (seaward side), and Ocean Boulevard to the north (landward side) (Exhibit #1 and Exhibit #8). Further south of Breakers Drive is vegetation, and a sandy public beach (Corona Del Mar State Beach) approximately 200-feet wide. The public can access the Corona Del Mar State Beach by way of an entrance on Ocean Boulevard located approximately 800-feet west of the project site. Public access to the bay is also available at several locations in the vicinity of the subject project, including Inspiration Point and China Cove. These access points are located approximately 730-feet to the east and approximately 2,000 feet to the west of the project site, respectively. The proposed project would not adversely impact any of these public access points. Therefore, the Commission finds that the proposed development, as conditioned, is consistent with Sections 30210, 30211 and 30240 (b) of the Coastal Act.

E. LOCAL COASTAL PROGRAM (LCP)

The City of Newport Beach Land Use Plan (LUP) was effectively certified on May 19, 1982. The Certified LUP was updated on October 8, 2009. Since the City only has an LUP, the policies of the LUP are used only as guidance. The following Newport Beach LUP policies relate to development at the subject site (not a comprehensive list): 4.4.1-1, 4.4.1-3, 4.4.2-4, 4.4.3-8, 4.4.3-9, and 4.4.3-15.

The proposed development, as conditioned, is consistent with Chapter 3 of the Coastal Act and with the Certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice

the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

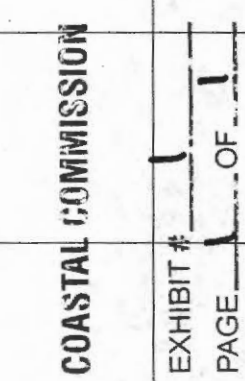
The City of Newport Beach is the lead agency responsible for certifying that the proposed project is in conformance with the California Environmentally Quality Act (CEQA). The City determined that in accordance with CEQA, the project is Categorically Exempt from Provisions of CEQA for the construction. Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA).

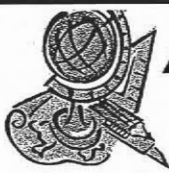
Although the proposed development is categorically exempt from CEQA, the Commission has imposed the following conditions to ensure conformity with Coastal Act requirements, regarding: **1)** an assumption of risk; **2)** submittal of Revised Final Project Plans in substantial conformance with the plans received on March 20, 2013 that show removal of the existing stairway, the revised location of the funicular and stairway along the east property line and the reorientation of the garage at the base of the bluff along the east property line as well, and a maximum number of three (3) caissons to support the funicular and stairway; **3)** submittal of Visual Treatment Plans for the funicular and stairway; **4)** no future bluff or shoreline protective devices; **5)** future development; **6)** submittal of evidence of conformance with geotechnical recommendations; **7)** submittal of evidence that the submitted coastal hazards and wave run-up study is still current and valid; **8)** submittal of Revised Final Drainage and Run-Off Control Plans; **9)** submittal of Revised Final Landscape Plans; and **10)** a deed restriction against the property, referencing all of the Special Conditions contained in this Staff Report.

Therefore, as conditioned, the Commission finds that there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and consistent with the requirements of the Coastal Act and CEQA.

APPENDIX 1

SUBSTANTIVE FILE DOCUMENTS: City of Newport Beach Certified Land Use Plan (LUP); Coastal Development Permit No. 5-10-032-(Evensen); Coastal Development Permit No. 5-10-032-R-(Evensen); Approval-in-Concept from the City of Newport Beach Harbor Resources Division dated September 21, 2012; Variance No. VA2012-003 (PA2012-089) from the City of Newport Beach Planning Commission; Letter to Commission staff from Brion Jeannette Associates dated September 25, 2012; *Geotechnical Update Report, New Single-Family Residence, 3225 Ocean Boulevard, California (Report No. 71862-01/Report No. 12-7206)* prepared by Geofirm dated November 2, 2012; *Geotechnical Update letter, New Single-Family Residence, 3225 Ocean Boulevard, California (Report No. 71862-01/Report No. 12-7178)* prepared by Geofirm dated September 18, 2012; *Preliminary Geotechnical Investigation, Proposed New Single-Family Residence, 3225 Ocean Boulevard, Corona Del Mar, California (Report No. 71862-00/Report No. 09-6621)* prepared by Geofirm dated December 11, 2009; *Coastal Hazard & Wave-Runup Study, 3225 & 3235 Ocean Blvd, Corona Del Mar, CA* prepared by Geosoils Inc. dated April 12, 2010; Letter to Brion Jeannette Associates from Commission staff dated October 22, 2012; and Letter to Commission staff from Brion Jeannette & Associates dated November 5, 2012.





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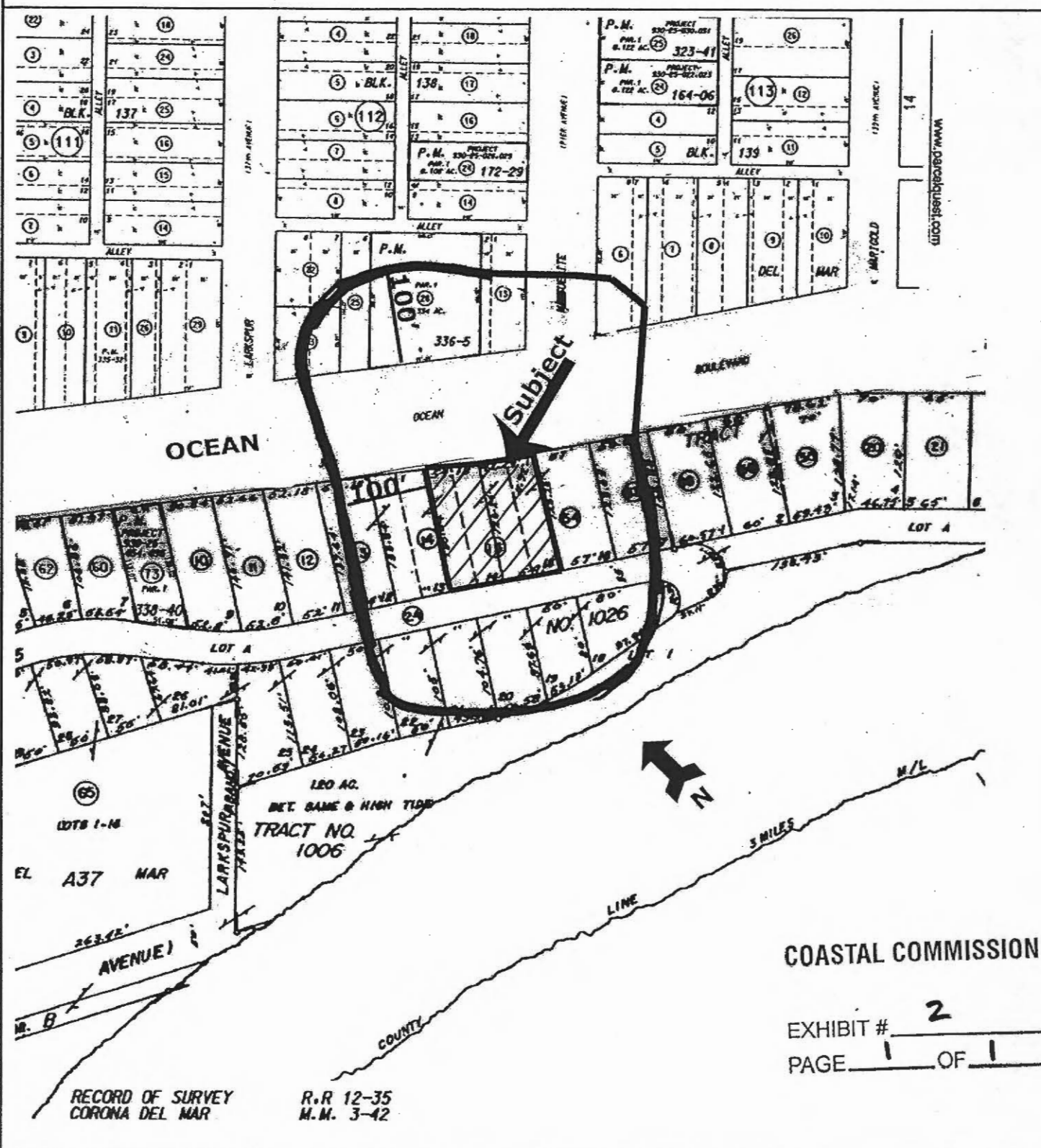
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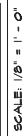
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CALIFORNIA
COASTAL COMMISSION

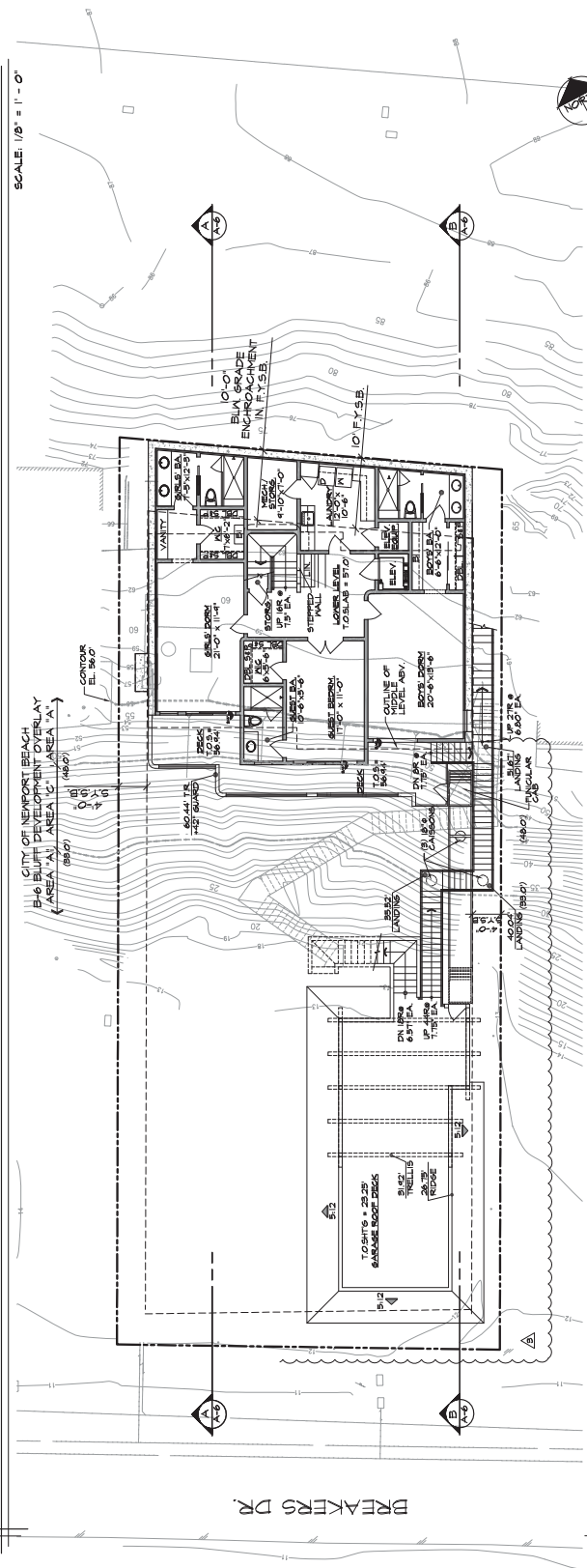
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100' Radius

Address: 3225 Ocean Blvd
Corona Del Mar CA 92625





EXAMPLES OF VARIOUS FUNICULARS \triangle



AKROTIRI
3225 OCEAN BLVD.
CORONA DEL MAR, CA

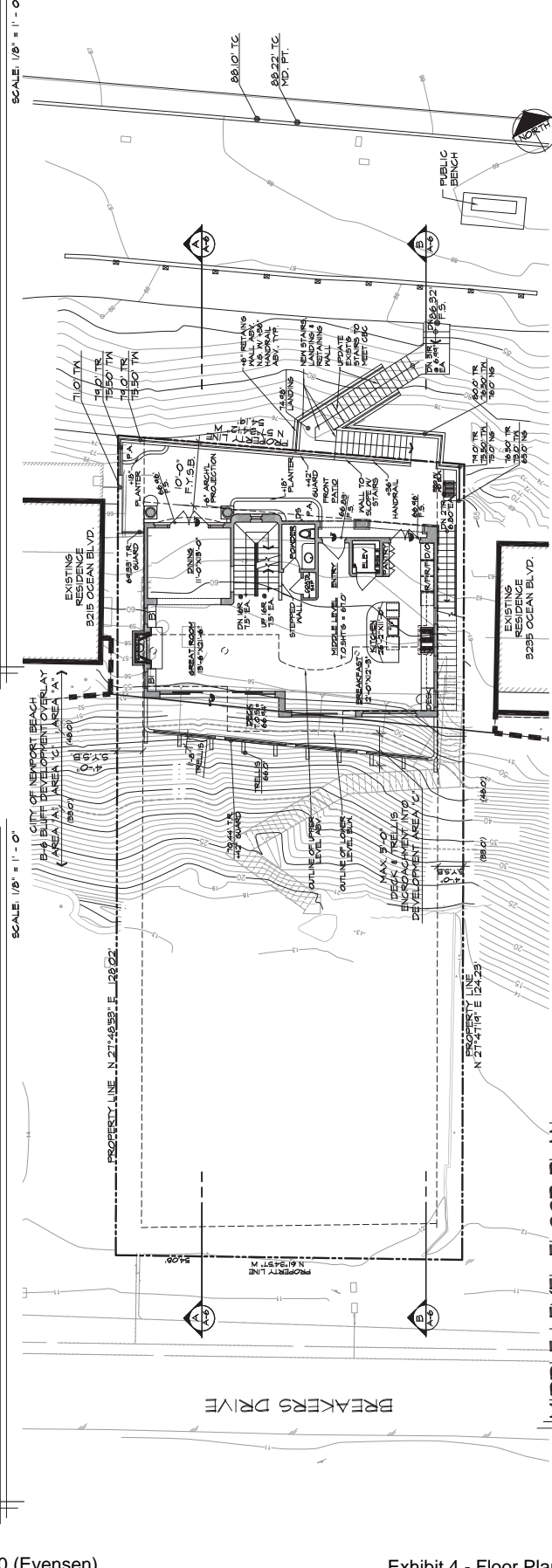
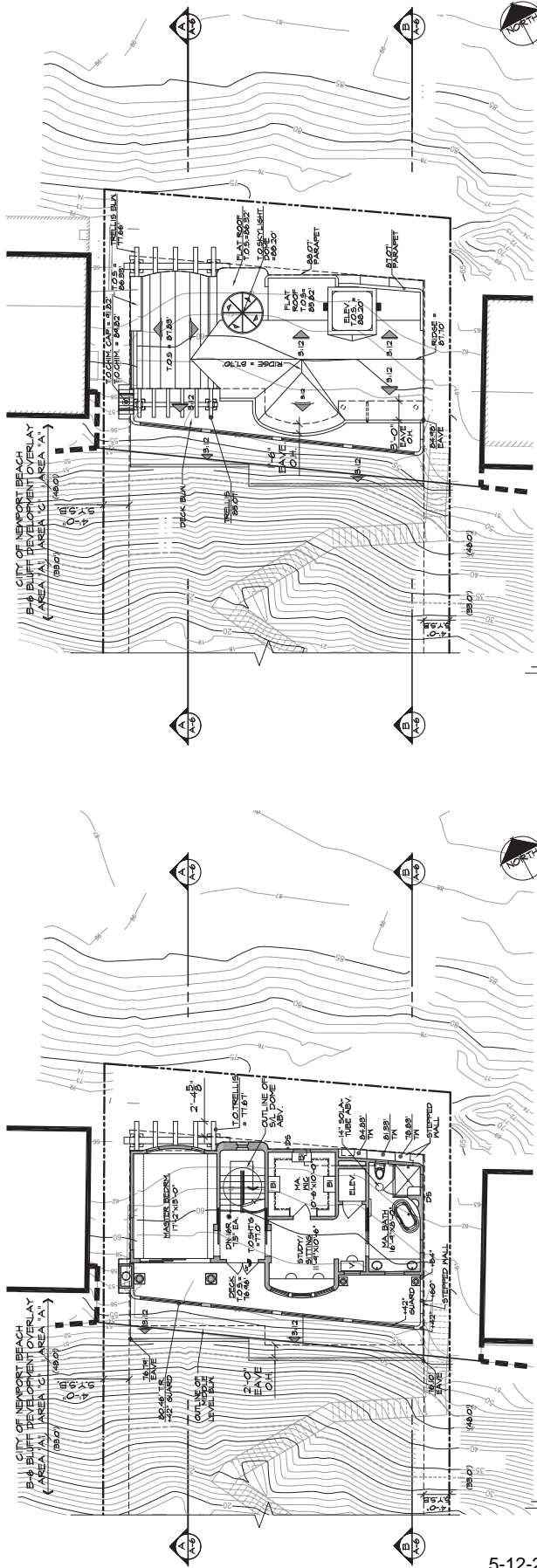
Brion Jeannette Architecture
400 Newport Blvd., Suite 100, Newport Beach, CA 92660
Tel: 949.445.8888 Fax: 949.445.8889
www.brionjeannette.com

MIDDLE & UPPER
FLOOR PLAN
ROOF PLAN

Date:	100 No. 04-08T
Revision:	
Revision:	
Revision:	
Revision:	

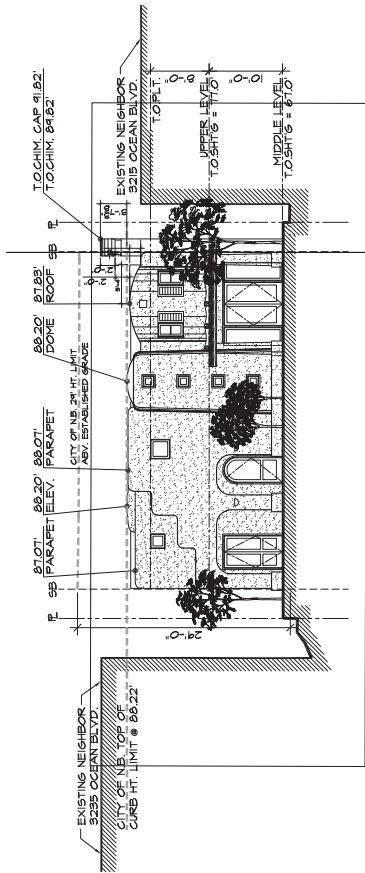


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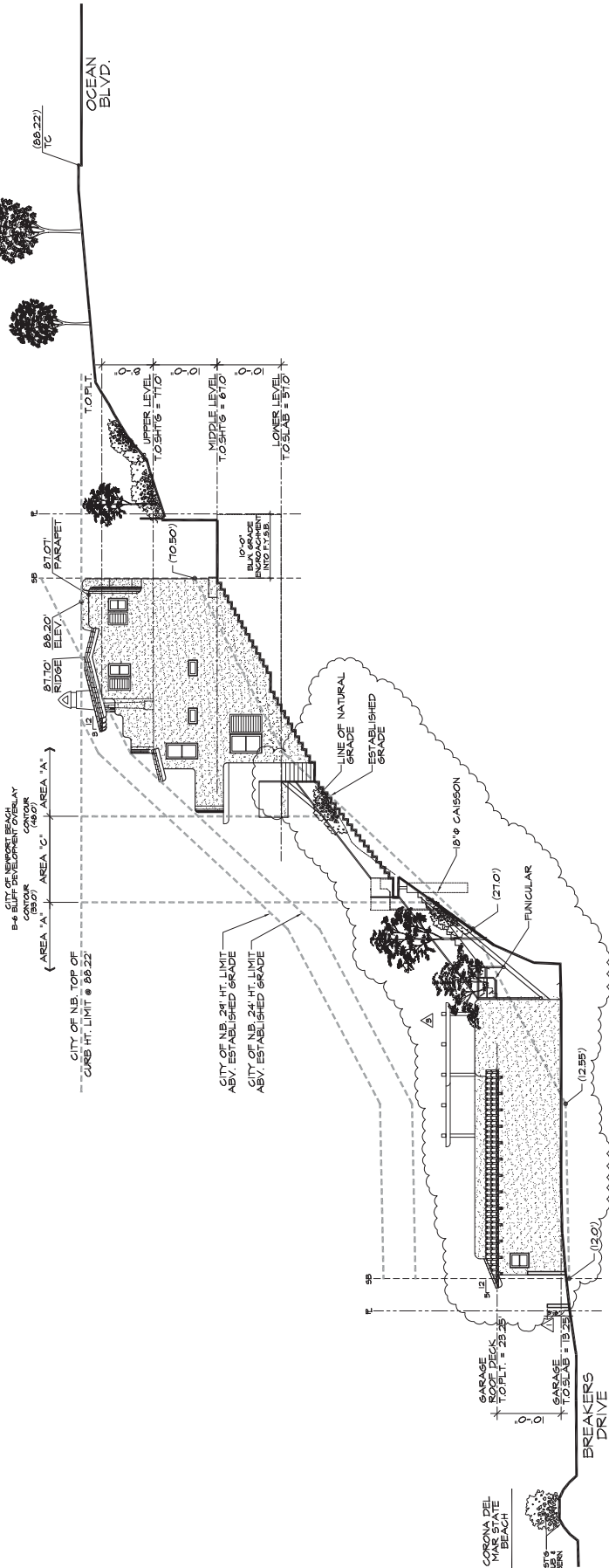


EXTERIOR FINISH SPECIFICATIONS:

1. EXTERIOR PLASTER:
EXTERIOR PLASTER O (O) LAYER GRADE P PAPER AT BUILDING FIELD TO RECEIVE A SMOOTH TEXTURE. FINAL COLOR COAT TO BE OCEANA AKROFLEX OR OCEANAFLEX COLOR TO BE DETERMINED. COLOR TO BE APPROVED BY ARCHITECT PRIOR TO APPLICATION.
2. ROOFING:
ROOF TILE TO BE 3 PIECE BARREL TILES BY BERLAND. COLOR TO BE DETERMINED. ROOF MATERIAL AT FLAT ROOF TO BE GLASS 'A' BUILT-UP ROOFING IN ACCORDANCE WITH SPEC. EQUIVALENT TO GAF SPEC N-1-2-201 MGPFR. GAF RUBEROID 20 INTERPLY, HOT MOPPED BETWEEN LAYERS O (O) GAF #15 BASE SHEET. APPLY GAF HOT GRANULE PLUS ON SHEET AT FLAT ROOFS.
3. MOOD:
MOOD TO BE SEALED, STAIN GRADE NANOGANT, COLOR TO BE DETERMINED.
4. DECK RAILING:
METAL HANDRAILS WITH OIL-RUBBED BRONZE FINISH.
5. DOORS / WINDOWS:
DOORS AND WINDOWS TO BE ALUMINUM-CLAD WOOD WITH KYNAR 500 FINISH BY TO BE DETERMINED.
6. RAIN COLLECTION SYSTEM & EXPOSED METAL FLASHING:
GUTTERS, DOWNSPOUTS, COLLECTIONS BOXES ARE TO BE POWDER COATED ALUMINUM. COLOR TO BE DETERMINED.
7. SHUTTERS:
SHUTTER TO BE OPERABLE IN PLANK STYLE WITH MROUGHT IRON SHUTTER DOGS. MOOD TO BE PAINTED REDWOOD TO MATCH BLUE.



NORTH ELEVATION



EAST ELEVATION

AKROTIRI
3225 OCEAN BLVD.
CORONA DEL MAR, CA

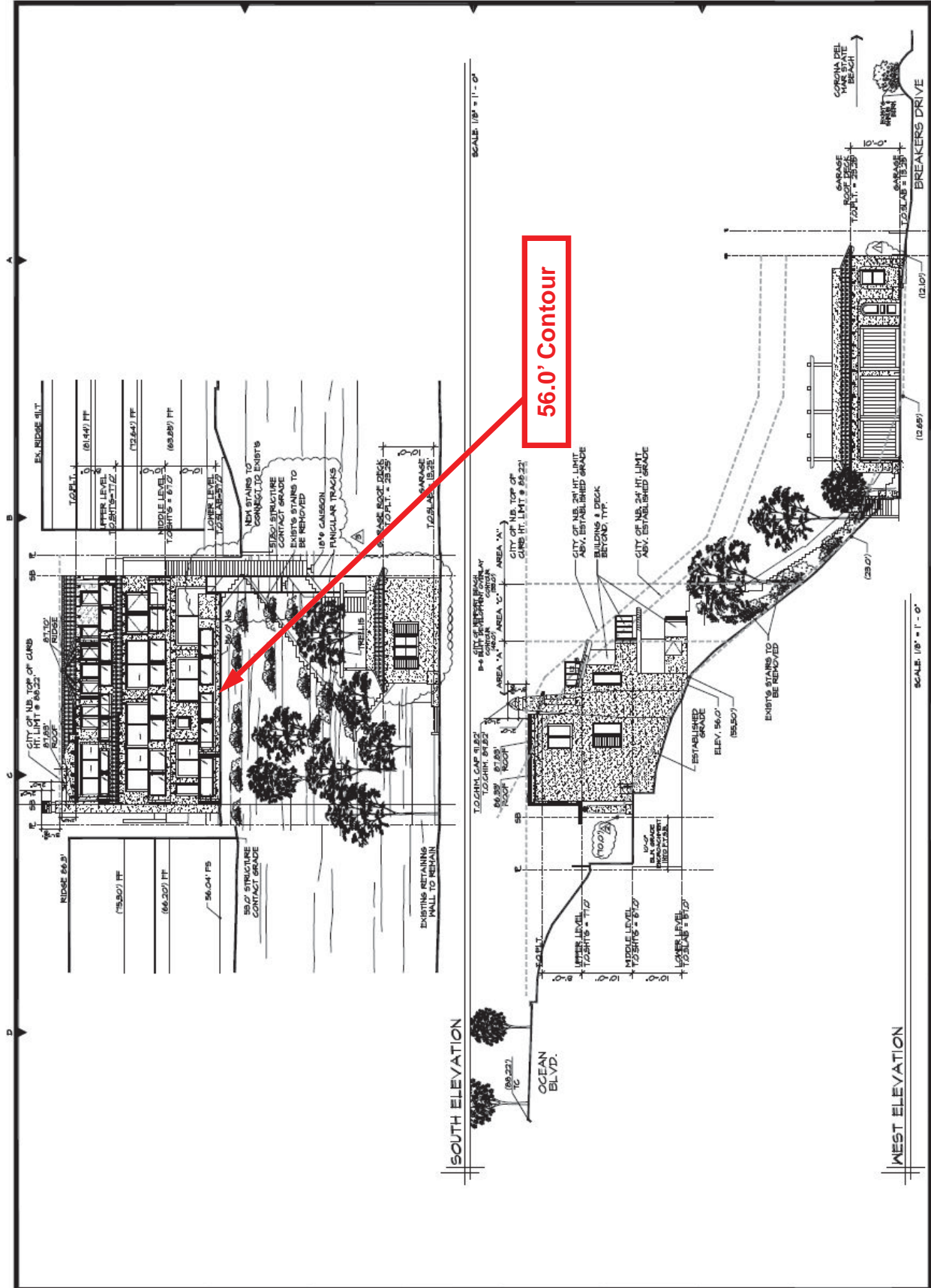
Brion Jeannette Architecture
400 Westwood Boulevard
Westwood, CA 90024
Tel: 310.454.8884 Fax: 310.454.8883
www.brionjeannette.com

ELEVATIONS

Date:	02/15/2017
Drawn by:	02/15/2017
Rev 1:	02/15/2017
Rev 2:	02/15/2017
Rev 3:	02/15/2017
Rev 4:	02/15/2017
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A-4



Date:	11/15/18
Revision:	11/15/18
Revision:	11/15/18
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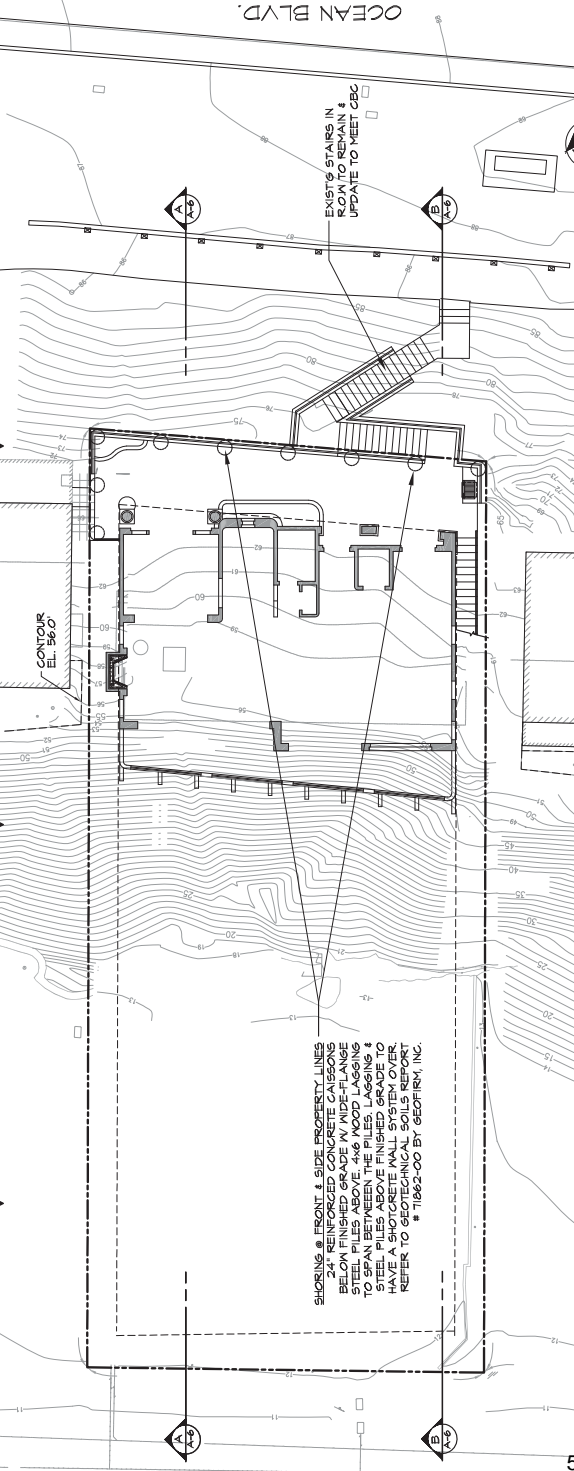


- SHORING CONSTRUCTION SEQUENCE
1. DRILL CAISSON, INSERT CAISSON AND SET STEEL COLUMNS USING CONCRETE. CAISSONS SHALL BE 36" DIA. AND 10' LONG. CAISSONS NOTED ON PLAN, MAINTAIN A 3" INCH CLEARANCE BETWEEN STEEL COLUMN AND EXISTING CONCRETE. CAISSONS SHALL BE 5000 PSI. REINFORCED CONCRETE CAISSONS SHALL BE DRILLED & REINFORCED INSTALLED, MAINTAIN 3" o.c. FROM FACE OF CAISSON TO PLACEMENT OF CAISSONS.
 2. PLACE DE-WATERING, IF REQUIRED, WELLS BEHIND WALL AFTER 48 HOURS.
 3. BEGIN EXCAVATION AFTER CAISSONS HAVE REACH 3000 PSI.
 4. CONTINUE EXCAVATION TO FINISHED GRADE. INSTALL LAGGING AS EXCAVATION PROCEEDS. PROVIDE SLURRY WALL BEHIND LAGGING IN AREAS OF EXCAVATION. MAINTAIN 3" o.c. FROM FACE OF CAISSON TO PLACEMENT OF CAISSONS.
 5. DEMOLISH CONCRETE AROUND STEEL COLUMN IF CONCRETE IS PLACED ABOVE FINISH GRADE.
 6. INSTALL WATER PROOFING.
 7. INSTALL REINFORCING IN REMAINING WALL FOOTING.
 8. POUR CONCRETE IN WALL FOOTING. CONCRETE STRENGTH AT 28 DAYS IN FOOTING SHALL BE 5000 PSI.
 9. AFTER FOOTING CONCRETE HAS REACHED THE STRENGTH OF 2000 PSI, BEGIN CONCRETE WALL REINFORCING FOR WALLS & POUR CONCRETE.
 10. REMOVE FORMS AFTER WALL CONCRETE HAS REACHED A STRENGTH OF 4000 PSI. CONCRETE WALLS MAYBE BACK FILLED.
 11. CONTINUOUS INSPECTION SHALL BE PROVIDED DURING CONSTRUCTION AND PLACEMENT.
 12. GEOTECHNICAL ENGINEER SHALL PROVIDE MONITORING.
 13. PROVIDE CONTINUOUS INSPECTION FOR ALL CONCRETE & REINFORCING PLACEMENT.

GENERAL NOTES

CONTRACTOR SHALL CONFORM SHORING WITH DRAWINGS OF RECORD TO EXISTING FOUNDATION. SHORING SHALL BE DESIGNED BY THE CONTRACTOR AND ANY OTHER ITEMS AFFECTED BY THE SHORING, SUCH AS, STEPPED FOOTINGS, DRAINAGE AND INTERPROOFING TO BE PROVIDED BY THE CONTRACTOR. NO EXCAVATION OR GRADING SHALL COMMENCE UNTIL 10 DAYS AFTER THE SHORING IS INSTALLED. THE SHORING SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 3201.2 OF THE CALIFORNIA BUILDING CODE.

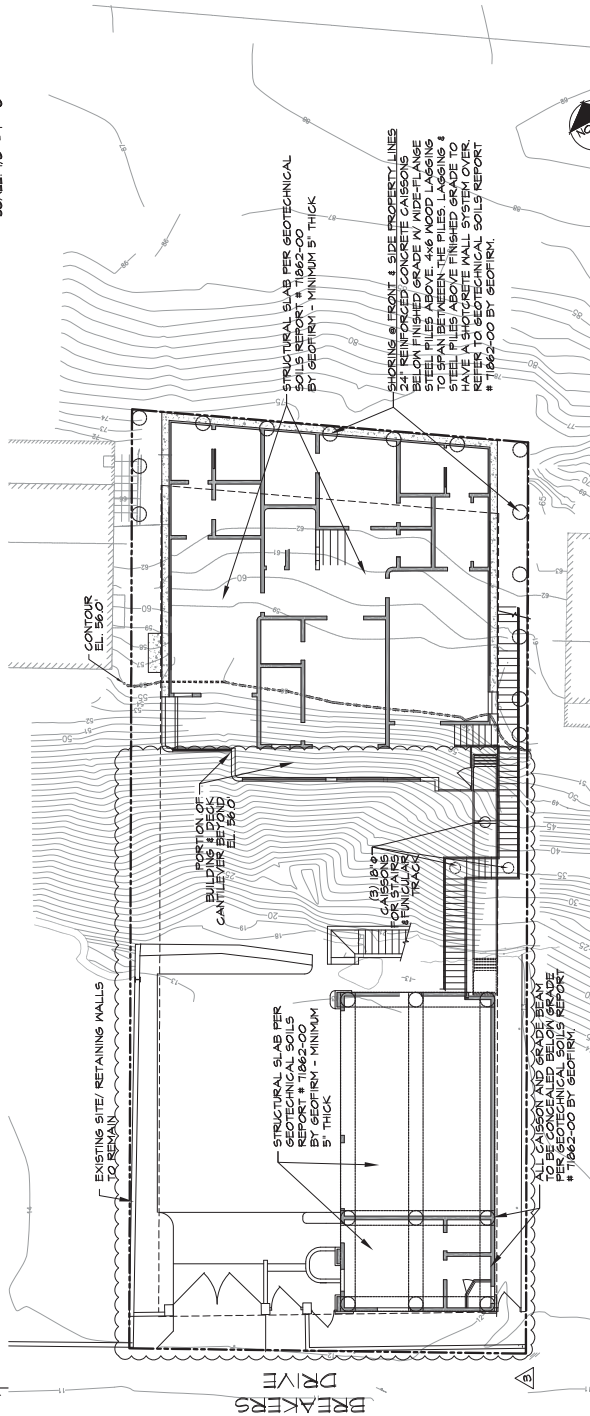
Shoring Engineer To Provide Monitoring Of Shoring And Improvements Building Inspector On A Daily Basis During Excavation And Shoring And Weekly Basis Thereafter.



PRELIMINARY UPPER LEVEL SHORING PLAN

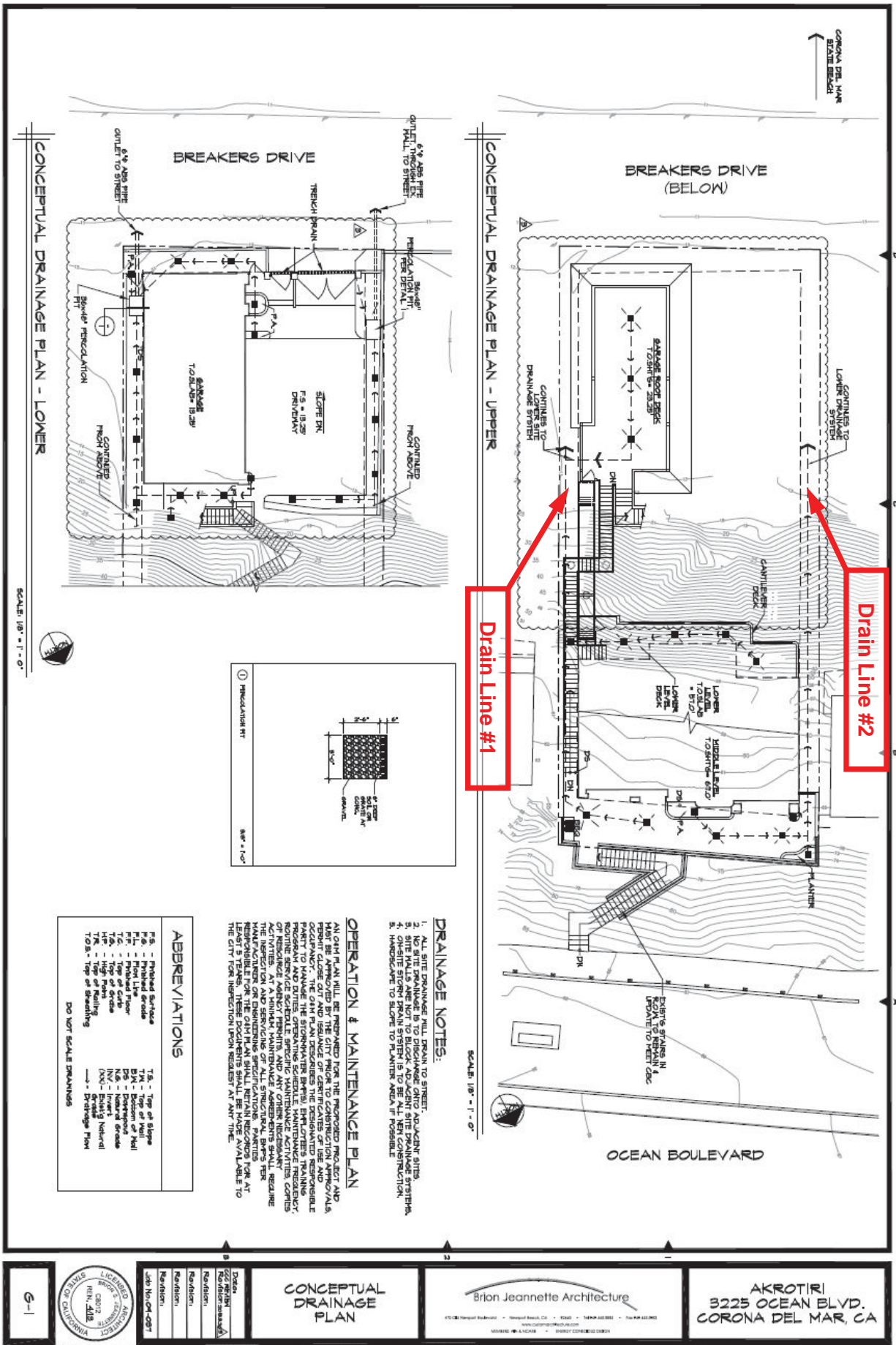
SCALE: 1/8" = 1' - 0"

5-12-260 (Evensen)



PRELIMINARY LOWER LEVEL & GARAGE LEVEL FOUNDATION/ SHORING PLAN

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





Imagery Date: September 19, 2008

PROJECT SITE

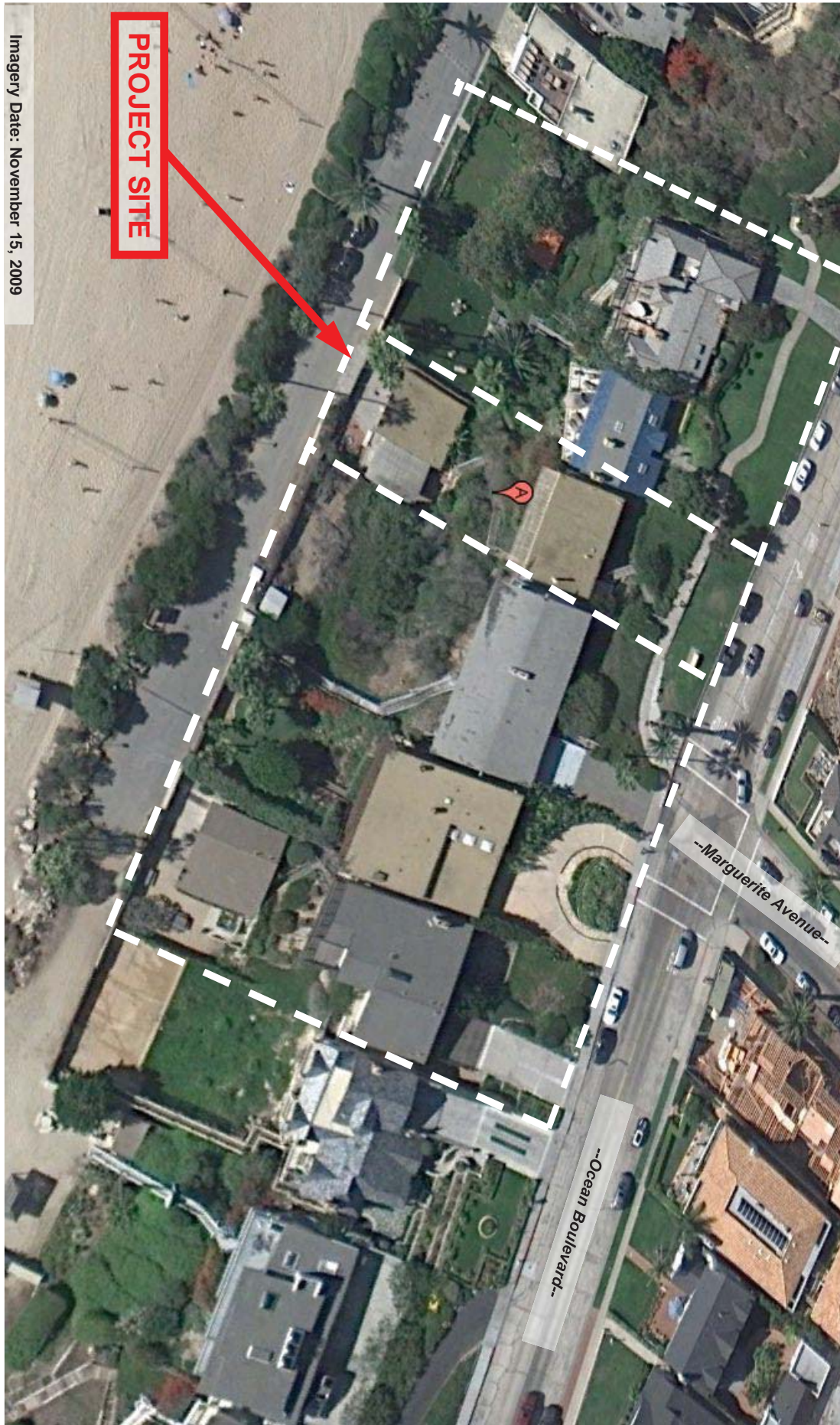
Bluff Face
Development Area

Bluff Toe Development Area

Bluff Top Development Area

--Ocean Boulevard--

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Coastal Records Project, www.Californiacoastline.org



Imagery Date: November 15, 2009