

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT
200 Oceangate, Suite 1000
LONG BEACH, CA 90802-4302
(562) 590-5071 FAX (562) 590-5084
www.coastal.ca.gov

**TH 10**

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

*For the
July Meeting of the California Coastal Commission*

MEMORANDUM

Date: July 8, 2013

TO: Commissioners and Interested Parties

FROM: Sherilyn Sarb, South Coast District Deputy Director, (Orange County)

SUBJECT: ***Deputy Director's Report***

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Coast District Office for the July 11, 2013 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

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

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

REGULAR WAIVERS

1. 5-13-230-W Bill & Amelia Dickenson (San Clemente, Orange County)
2. 5-13-364-W Patricia A. Shahan (San Clemente, Orange County)

DE MINIMIS WAIVERS

1. 5-13-0306-W John Deverian (Balboa Island, Orange County)
2. 5-13-418-W Telmo Lamas (San Clemente, Orange County)

IMMATERIAL AMENDMENTS

1. 5-08-301-A1 Darrin Wilson, Darke Living Trust (Newport Beach, Orange County)
2. 5-10-298-A1 Advanced Group 99-D (Aerie), Attn: Mr. Richard J. Julian, President (Newport Beach, Orange County)

TOTAL OF 6 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-13-230-W Bill & Amelia Dickenson	A 191 square foot addition/expansion to an existing 270 square foot second story balcony deck and two new supporting columns, new guardrail, and a new door system for deck access.	1910 Calle De Los Alamos, San Clemente (Orange County)
5-13-364-W Patricia A. Shahan	A 576 sq. ft. first floor addition to an existing 18' high, two-story, 2,777 sq. ft. single-family residence with an attached 480 sq. ft. 2-car garage, no grading or landscaping is proposed. The new residence will be 3,833 sq. ft. including the existing attached garage with no change in the height of the existing residence.	248 Via Rancho, San Clemente (Orange County)

REPORT OF DE MINIMIS WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-13-0306-W John Deverian	Demolition of existing two-story single-family residence and construction of a new three-story, 32' tall, 2,863 sq. ft. (including a 385 sq. ft. 2-car garage and a roof deck) single family dwelling including hardscape improvements. Minor grading consisting of over-excavation cut/fill for soil re-compaction and site preparation. Surface area drains and roof downspouts will be directed to a perforated drain line and to perforated trench drains prior to reaching the main storm drain system. Minimal landscaping contained in raised planters proposed.	231 Agate Ave, Balboa Island (Orange County)
5-13-418-W Telmo Lamas	Conversion of a duplex on a single lot into two (2) condominium units. Four (4) parking spaces are provided on site.	209 W. Avenida Palizada, San Clemente (Orange County)

REPORT OF IMMATERIAL AMENDMENTS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

5-08-301-A1 Darrin Wilson, Darkc Living Trust	The applicant proposes to convert a 450 sq. ft. foundation area into a finished basement level living space with two north facing emergency escape windows. The proposed basement level will not daylight onto the west facing beachfront property line. No other changes to the previously approved 24 ft. tall, two-story single family residence with attached two-car garage, hardscape improvements or oceanfront encroachment area are proposed.	5404 Seashore Drive, Newport Beach (Orange County)
5-10-298-A1 Advanced Group 99-D (Aerie), Attn: Mr. Richard J. Julian, President	The proposed CDP amendment is for an additional two more caissons to the 31 already approved and installation of three sewer ejector pumps and would require a revision of Special Condition 14 which restricts the type of development that may occur below the 50.70 ft. contour/elevation.	201-205 & 207 Carnation Ave & 101 Bayside Place (Corona Del Mar), Newport Beach (Orange County)

CALIFORNIA COASTAL COMMISSION

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



June 28, 2013

Stan Schrofer & Associates, Architect
34932 Calle del Sol Suite A
Capistrano Beach, CA 92624

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

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

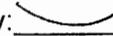
WAIVER#: 5-13-230**APPLICANT:** Bill and Amelia Dickinson**LOCATION:** 1910 Calle de los Alamos, San Clemente (Orange County)

PROPOSED DEVELOPMENT: A 191 square foot addition/expansion to an existing 270 square foot second story balcony deck and two new supporting columns, new guardrail, and a new door system for deck access.

RATIONALE: The subject site is a 14,213 sq. ft. foot coastal bluff top lot. The lot is designated residential low density in the City of San Clemente Land Use Plan (LUP). The proposed project is for improvements to an existing single family residence consisting of the expansion of an existing balcony deck, no new enclosed living space is proposed. No grading, landscaping or any work on the bluff slope is proposed. The existing residence is setback 25 feet from the coastal bluff and existing balcony deck meets the string line setback. The proposed balcony deck addition is on the coastal bluff side of the lot and also meets the string line setback and minimum 10' from the bluff edge setback for patios and decks so therefore will not result in further bluff ward encroachment as the addition will not extend past adjacent structures. The development at the site was approved by the Commission in September 2002 under CDP 5-01-493. The project is designed to be compatible with the character of the surrounding development. Public coastal access is available approximately one mile south west at the Riviera access point. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views; or prejudice the City's ability to prepare a Certified Local Coastal Program. Additionally the project is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their July 10-12, 2013 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director
cc: Commissioners/File

by: 
KARL SCHWING
Supervisor Regulation and Planning

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
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(562) 590-5071



June 24, 2013

Jack Garland, Architect
P.O. Box 2036
Capistrano Beach, CA 92624

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

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

WAIVER#: 5-13-364 **APPLICANT:** Patricia Shahan

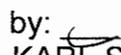
LOCATION: 248 Via Rancho, San Clemente (Orange County)

PROPOSED DEVELOPMENT: A 576 sq. ft. first floor addition to an existing 18' high, two-story, 2,777 sq. ft. single-family residence with an attached 480 sq. ft. 2-car garage, no grading or landscaping is proposed. The new residence will be 3,833 sq. ft. including the existing attached garage with no change in the height of the existing residence.

RATIONALE: The subject site is a 10,073 sq. ft. inland lot within the Cypress Cove private gated community within the first public road and the sea. The site is designated as Residential Low Density (RL) in the San Clemente Land Use Plan (LUP). The proposed project is a 576 sq. ft. addition for a new master bedroom, master bathroom, walk-in closet and hallway to the first floor of an existing two-story single family residence. The project meets the Commission's parking requirement (2 spaces per residence). The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. Public coastal access exists in the vicinity at Calafia Beach/San Clemente State Park to the north and Trestles access way in San Diego County to the south. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **July 10-12, 2013** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director
cc: Commissioners/File

by: 
KARL SCHWING
Supervisor Regulation and Planning

CALIFORNIA COASTAL COMMISSION

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Long Beach, CA 90802-4302
(562) 590-5071



June 21, 2013

William Guidero
425 30th Street Suite 23
Newport Beach, CA 92663

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

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

WAIVER#: 5-13-0306-W **APPLICANT:** John Deverian

LOCATION: 231 Agate Avenue, Balboa Island, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of existing two-story single-family residence and construction of a new three-story, 32' tall, 2,863 sq. ft. (including a 385 sq.ft.2-car garage and a roof deck) single family dwelling including hardscape improvements. Minor grading consisting of over-excavation cut/fill for soil re-compaction and site preparation. Surface area drains and roof downspouts will be directed to a perforated drain line and to perforated trench drains prior to reaching the main storm drain system. Minimal landscaping contained in raised planters proposed.

RATIONALE: The subject site is a 2,550 square foot lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Balboa Island. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design. Surface area drains and roof gutter downspouts are directed to gravel side yards and to an underground drainage system with perforated drain line encased in gravel for greater filtration on site. Public coastal access to the bay is available ~200 feet north of the site at N. Bayfront along a public walkway surrounding Balboa Island. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **July 10-12, 2013** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director

by: 
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

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(562) 590-5071



June 24, 2013

Victor M. Bejarano
P.O. Box 753
San Clemente, CA 92674

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

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

WAIVER#: 5-13-418-W **APPLICANT:** Telmo J. Lamas

LOCATION: 209 W. Avenida Palizada, San Clemente, Orange County

PROPOSED DEVELOPMENT: Conversion of a duplex on a single lot into two (2) condominium units. Four (4) parking spaces are provided on site.

RATIONALE: The subject lot is an inland 4,000 sq. ft. lot designated RM Multiple Family Residential in the certified City of San Clemente Land Use Plan (LUP). The proposed project (Tentative Parcel Map No. 2007-219) was approved by the City of San Clemente City Council Resolution 10-72 on 10/5/10. The proposed development consists of a conversion of an existing duplex into a two-unit condominium. Authorization for construction of any new single or two-family residences on the lot is provided under City of San Clemente Categorical Exclusion Order E-82-1, adopted by the Commission in 1982. The exclusion does not apply to development for which a lot split, parcel map or subdivision map is required, therefore Commission approval is necessary. The development proposes four total parking spaces, meeting the Commission's typically applied parking requirement of two parking spaces per residential unit. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **July 10-12, 2013** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director

by: 
KARL SCHWUNG
Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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5-08-301-A1**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: July 1, 2013

SUBJECT: Coastal Development Permit #5-08-301 granted to Mr. Darrin Wilson for:

Demolition of an existing single family residence and construction of a new 2,099 square foot, two-story single family residence with an attached 321 square foot two-car garage on a beachfront lot. No grading and minimum landscaping is proposed. The project also requests approval of a 15' deep by 25' wide concrete patio and 3' tall perimeter wall within the City's oceanfront encroachment area.

AT: 5404 Seashore Drive, Newport Beach (Orange County)

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

DESCRIPTION OF AMENDMENT REQUEST:

The applicant proposes to convert a 450 sq. ft. foundation area into a finished basement level living space with two north facing emergency escape windows. The proposed basement level will not daylight onto the west facing beachfront property line. No other changes to the previously approved 24' tall, two-story single family residence with attached two-car garage, hardscape improvements or oceanfront encroachment area are proposed.

FINDINGS:

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

The proposed development consists of converting a 450 sq. ft. area previously graded during foundation work (slab on grade foundation) for the approved two-story single family residence into a finished basement for additional living space. The proposed amendment will not result in a change in height of the residential structure. The proposed permit amendment does not conflict with any of the conditions or terms of the underlying coastal development permit, is consistent with community character and will not result in any adverse impacts to coastal resources, access, public recreation, coastal views or water quality. The amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals and will not prejudice the City's ability to prepare an LCP. Therefore, recommends the Commission grant the amendment request.

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

CALIFORNIA COASTAL COMMISSION

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5-10-298-A1**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: July 5, 2013
SUBJECT: Coastal Development Permit 5-10-298 granted to for:

Demolition of an existing 13,688 sq. ft., 4-level, 14-unit apartment while retaining existing on-grade stairway on the bluff face and existing two-slip dock system, demolition of a 2,810 sq. ft. single-family residence, and construction of a new 51,124 sq. ft., 7-unit, 33-foot tall, 5-level condominium structure (three levels visible from grade/street level and all five levels visible from the seaward side) with 18 parking spaces and common amenities including a fitness facility, meeting room, patio, pool and spa; hardscape and landscaping improvements; grading consisting of 9,810 cu. yds. of cut; lot line adjustment to merge a 584 sq. ft. portion of 101 Bayside Place with the parcel identified as 201-205 Carnation Avenue and with the parcel identified as 207 Carnation Ave into one single 61,284 sq. ft. lot for residential purposes; and tentative tract map to subdivide the air space for seven residential condominium units.

AT: 201-205 Carnation Ave, 207 Carnation Ave and a portion of 101 Bayside Place,
City of Newport Beach (Orange County)

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

DESCRIPTION OF AMENDMENT REQUEST:

The proposed CDP amendment is for an additional two more caissons to the 31 caissons already approved and installation of three sewer ejector pumps and would require a revision of Special Condition 14 which restricts the type of development that may occur below the 50.70' contour/elevation. The condition would be modified as follows, deleted language is shown in ~~strikethrough~~ and new language is in **bold, underlined italic**:

4) No development (e.g. grading, foundations, structures, etc.) shall occur below the PLOED at elevation 50.70' (except as follows: i) to install the ~~31~~ **33** caissons/piles for the pile-supported retaining wall depicted on the ~~conceptual grading plan dated April 11, 2011~~ **amended Shoring Plan dated July 2, 2013** and any tieback anchors), ii) for 24" deep footings below the concrete slab bottom at 50.7' elevation to support structural internal and perimeter building foundation walls, iii) slab waterproofing systems between native soils and slab, iv) sewer to serve the proposed development; v) on site drainage pipes underneath the slab; **vi) three sewer ejector pumps just inside the Carnation Avenue property line requiring excavation of three pits approximately 54 inches in diameter and 144 inches below the 50.70' elevation.** These ancillary utility systems may be permitted no more than 36" below the concrete slab bottom at 50.7' elevation, **with the exception of the three sewer ejector pumps.** Perimeter building foundations shall not project beyond the exterior building walls. All **ancillary** utility and drainage lines shall be located landward of the bluff face and perimeter

building foundations. *Only the main utility line connections from the building to the City infrastructure lines may extend beyond the perimeter building foundations.*

FINDINGS:

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

The applicant proposes to modify the approved project plans to include two additional caissons and three sewer ejector pumps; this is development that requires a permit amendment. Furthermore, the proposed amendment requires a revision to one of the special conditions of the permit. Special Condition 14 specifically restricted development below the 50.70' elevation which is the Predominant Line of Existing Development (PLOED) on the subject site. The intent of the restriction was to protect the coastal bluff from further grading or structures below this elevation. Special Condition 14 Section 4 makes certain exceptions to this restriction specifically for caissons and ancillary utility systems that support the approved residential structure.

The proposed two additional 36-inch diameter caissons beyond the 31 authorized by the original permit are intended to comply with new Code requirements. At the time of permit approval, 31 caissons were proposed as they would meet the loading requirement for the retaining walls and shoring (only loading for fluid pressure caused by the retaining soil and surcharge from adjacent structures was required), the new Code now requires inclusion of seismic load of the retaining soil; the addition of two more caissons would address this new Code requirement. The spacing between caissons will be shortened to squeeze in two additional caissons within the previously approved caisson alignment footprint.

Due to the fact that Unit 1, Unit 3, and the Common Area are situated well below the existing City sewer line located at Carnation Avenue, the applicant is proposing to install three sewer-ejector pumps on the First Floor (lowest level of the building) to lift the waste and discharge it into the sewer on Carnation. The City of Newport Beach Conditions of Approval requires that each dwelling unit be served by an individual sewer lateral connection and cleanout, thus the need to provide one pump for each unit as well as one for the common area. The pumps would be installed towards the front of the property just inside the property line along Carnation Avenue (away from the bluff edge) and require pits that are approximately 54 inches in diameter and 144 inches below the 50.7 PLOED.

Both proposed changes in the permit amendment do not conflict with the intent of the conditions or terms of the underlying coastal development permit and will not result in any adverse impacts to coastal resources or access. The amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals and will not prejudice the City's ability to prepare an LCP. Therefore, staff is recommending that the Commission grant the amendment request.

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