

CALIFORNIA COASTAL COMMISSION

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

F8f

| | |
|---------------|------------|
| Filed: | 10/7/14 |
| 180th Day: | 4/5/15 |
| Staff: | Z. Rehm-LB |
| Staff Report: | 10/30/14 |
| Hearing Date: | 11/14/14 |

STAFF REPORT: CONSENT CALENDAR

| | |
|------------------------------|---|
| Application Number: | 5-14-1495 |
| Applicant: | Accretive Realty Investments, LLC |
| Agent: | Christopher Brandon |
| Project Location: | 1324 East Balboa Boulevard, City of Newport Beach, Orange County; APNs 04816246 and 04816233. |
| Project Description: | Demolish approximately 2,572 square foot single family residence and detached garage and construct approximately 6,521 square foot two-story single family residence atop slab foundation including three covered parking spaces, pool, landscaping, and accessory walls/fences. The proposed development involves two legal parcels. |
| Staff Recommendation: | Approval with Conditions |

SUMMARY OF STAFF RECOMMENDATION

The site of the proposed development is a bayfront lot in a built-out residential neighborhood in Newport Beach, adjacent to a street-end providing public access to the beach. The proposed development is demolition of an existing single family residence and construction of a new single family residence in the same approximate location, with the same bayfront setback as existing. The proposed plans include three off-street parking spaces and the preservation of one on-street parking space in front of the single family residence. The applicant's geotechnical investigation and coastal hazards analysis conclude that development of the residence as proposed is feasible and that no shoreline protective device will be required over the life of the proposed development. Staff recommends **approval** of Coastal Development Permit Application 5-14-1495 with special conditions requiring the applicant to conform to the submitted grading and landscape plans, implement construction best management practices, assume the risks of the development, agree that no shoreline protective device(s) shall ever be constructed to protect the development, and record a deed restriction against all parcels governed by the permit.

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. 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 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 of the Coastal Act. 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 would 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

This permit is granted subject to the following special conditions:

1. **Grading Plan.** The applicant shall conform to the grading plan received by the South Coast District Office on August 13, 2014. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
2. **Landscape Plan.** The applicant shall conform to the landscape plan received by the South Coast District Office on August 13, 2014, showing landscaped areas consisting of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive 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 (<http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>). Existing vegetation that does not conform to the above requirements shall be removed.
3. **Construction Responsibilities and Debris Removal.** The applicant shall not allow discharge of silt or debris into coastal waters as a result of this project. By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs:
 - A. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion;
 - B. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers;
 - C. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project;
 - D. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
 - E. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
 - F. The applicants shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;

- G. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required;
 - H. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
 - I. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;
 - J. The discharge of any hazardous materials into any receiving waters shall be prohibited;
 - K. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;
 - L. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and
 - M. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
4. **Assumption of Risk.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, erosion, storm conditions, liquefaction, flooding, and sea level rise; (ii) to assume the risks to the applicant 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.
5. **No Future Shoreline Protective Device(s).**
- A. By acceptance of this Permit, the applicant agrees, on behalf of itself and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to coastal development permit No. 5-14-1495 including, but not limited to, the residence, and any future improvements, in the event that the development is threatened with damage or destruction from sea level rise, flooding, erosion, storm conditions or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself 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 applicant further agrees, on behalf of itself and all successors and assigns, that the landowner shall remove the development authorized by this permit, including the addition and remodel, 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 bay before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and the bay and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

6. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner has executed and recorded against the parcels 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 all 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.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION:

The proposed development is located between the first public road (East Balboa Boulevard) and the sea (Balboa Channel) in Newport Beach, Orange County (**Exhibit 1**). The proposed development includes demolition of an existing approximately 2,572 square foot single family residence and detached garage, constructed prior to the passage and implementation of the Coastal Act. The applicant proposes construction of an approximately 6,521 square foot two-story single family residence atop a slab foundation including a one-car garage and a two-car garage, accessible from East Balboa Boulevard. Additionally, the applicant proposes a pool, landscaping, and accessory walls/fences (**Exhibit 2**).

The subject site is designated as 1324 East Balboa Boulevard and involves two legal parcels. The existing and proposed development is located almost entirely on Parcel 1, legally described, in part, as lots 13 and 14 in block 21 of the east side addition of the Balboa tract. The property also includes Parcel 2, legally described, in part, as lot 13 and a one-half interest into lot 12 in block M of the bay front section of the Balboa tract (**Exhibit 1**). In aggregate, the two legal parcels encompass a triangular approximately 7,925 square foot area with a street frontage of approximately 75 feet (**Exhibit 3**). All development is proposed within the applicant's property and the setbacks and 29-foot high varied roofline are consistent with the City of Newport Beach zoning code and certified Land Use Plan,

existing development in the built-out residential neighborhood, and past Commission approvals in the area. The City of Newport Beach issued Approval In Concept No. 214050 on August 11, 2014.

The site currently features three covered parking spaces and one uncovered guest parking space, and there is space for one full-size vehicle to park on East Balboa Boulevard fronting the residence. The applicant proposes two separated garages fronting the residence: one garage with space for one car and storage area and the other garage with space for two cars (**Exhibit 2**). The applicant proposed new curb cuts for each garage, but part of an existing curbcut will be closed. That will establish one 20-foot long un-metered public on-street parking space, the same condition as existing, as required by the City. There will be no impact to the two un-metered, public parking spaces in the street-end adjacent to the east side of the development, designated as Street F. The City has also required and the applicant has proposed to repair the sidewalks and improve drainage along East Balboa Boulevard and Street F.

Public access to the beach and Balboa Channel is available from Street F, adjacent to the site. Lateral access along the sandy beach fronting the channel is challenging due to the low height of the gangways on numerous private docks (even on the wet sand below the mean high tide line; see **Exhibit 4**). The subject property is one of few bayfronting properties in the area that does not feature a private dock.

The footprint of the proposed structure is similar to the footprint of the existing structure. The most seaward portion of the proposed residence is located in the same location as the most seaward portion of the existing residence – set back approximately 100 feet from the property line/mean high tide line (**Exhibits 2 and 3**). The proposed residence is elevated on a concrete slab foundation approximately eight-inches above existing grade. Existing accessory structures seaward of the proposed structure include a concrete patio and a wood fence along the eastern property line differentiating the applicant's property from the street end and public beach adjacent to the property (incorrectly labeled wood sea wall on the site plan). Both structures are proposed to remain in place (**Exhibits 2 and 3**).

The applicant's geotechnical investigation concludes that development of the proposed residence on a concrete slab foundation is feasible as proposed. Following demolition of the existing structures, the majority of the site will be overexcavated and recompacted. Groundwater has been recorded at a depth of five to six-feet and will not be an issue as no basement is proposed. The swimming pool will be constructed with best management practices, under the supervision of the City of Newport Beach Building Division.

Commission staff required the applicant to complete a coastal hazards analysis, considering the potential effects of sea level rise in conjunction with high tides, wave action, and other natural processes. According to the analysis received October 7, 2014, the highest high tides observed in the area have reached approximately 7.8 feet above MLLW, most recently in 2005. In conjunction with a worst-case scenario 5.5 sea level rise, water could reach 13 feet above current MLLW during extreme high tides by the year 2100, which would flood the entire Balboa Peninsula.

In a more conservative analysis, average high tides are approximately four feet in Newport Area and sea level rise is approximately one and a half feet by the year 2100. According to the applicant's coastal hazards analysis, the subject site will not be subject to substantial coastal erosion or wave action. The top of the proposed slab foundation is approximately nine feet above the mean low tide line, which is consistent with other structures in the area, and is set back further than other structures in the area. The applicant's coastal hazards analysis concludes that no shoreline protective device will be

required over the life of the proposed development. The applicant has agreed to [Special Condition 5](#), which states that no shoreline protective device(s) shall ever be constructed to protect the development. [Special Condition 4](#) requires the applicant to assume the risks of the development.

[Special Condition 1](#) requires the applicant to comply with the grading plan submitted with Coastal Development Permit Application 5-14-1495. The grading plan features drainage elements which are necessary to protect coastal waters, including gutters and downspouts which drain to planters along the sides of the site and multiple catch basins to capture excess stormwater. Water quality will also be protected by [Special Condition 2](#) which requires the applicant to landscape the site with only drought tolerant non-invasive species and [Special Condition 3](#) which requires the applicant to implement construction best management practices. 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 6](#), which requires the property owner to record a deed restriction against all parcels governed by this permit, 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.

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. The City of Newport Beach only has a certified Coastal Land Use Plan 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 Coastal Land Use Plan may be used for guidance.

B. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. DEVELOPMENT

Development adjacent to the ocean is inherently hazardous. Development which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon, among other things, public access, visual resources and shoreline processes. To minimize the project's

impact on shoreline processes, and to minimize risks to life and property, the development has been conditioned to: require an appropriate setback from the water; require a drainage and runoff control plan to direct, treat, and minimize the flow of water offsite; prohibit construction of protective devices (such as a seawall) in the future; and to require that the landowner and any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

E. 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 a special condition requiring that the property owner record a deed restriction against all parcels governed by this permit, 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, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

F. LOCAL COASTAL PROGRAM

Coastal Act Section 30604(a) states that, prior to certification of a local coastal program (LCP), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on October 8, 2009. As conditioned, the proposed development 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 an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, 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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.

EXHIBITS

Exhibit 1 – Vicinity Maps

Exhibit 2 – Site Plans

Exhibit 3 – Topographic Map/Survey

Exhibit 4 – Site Photos

**Exhibit 1.1 Application 5-14-1495
California Coastal Commission**

1324 East Balboa Boulevard, Newport Beach, Orange County

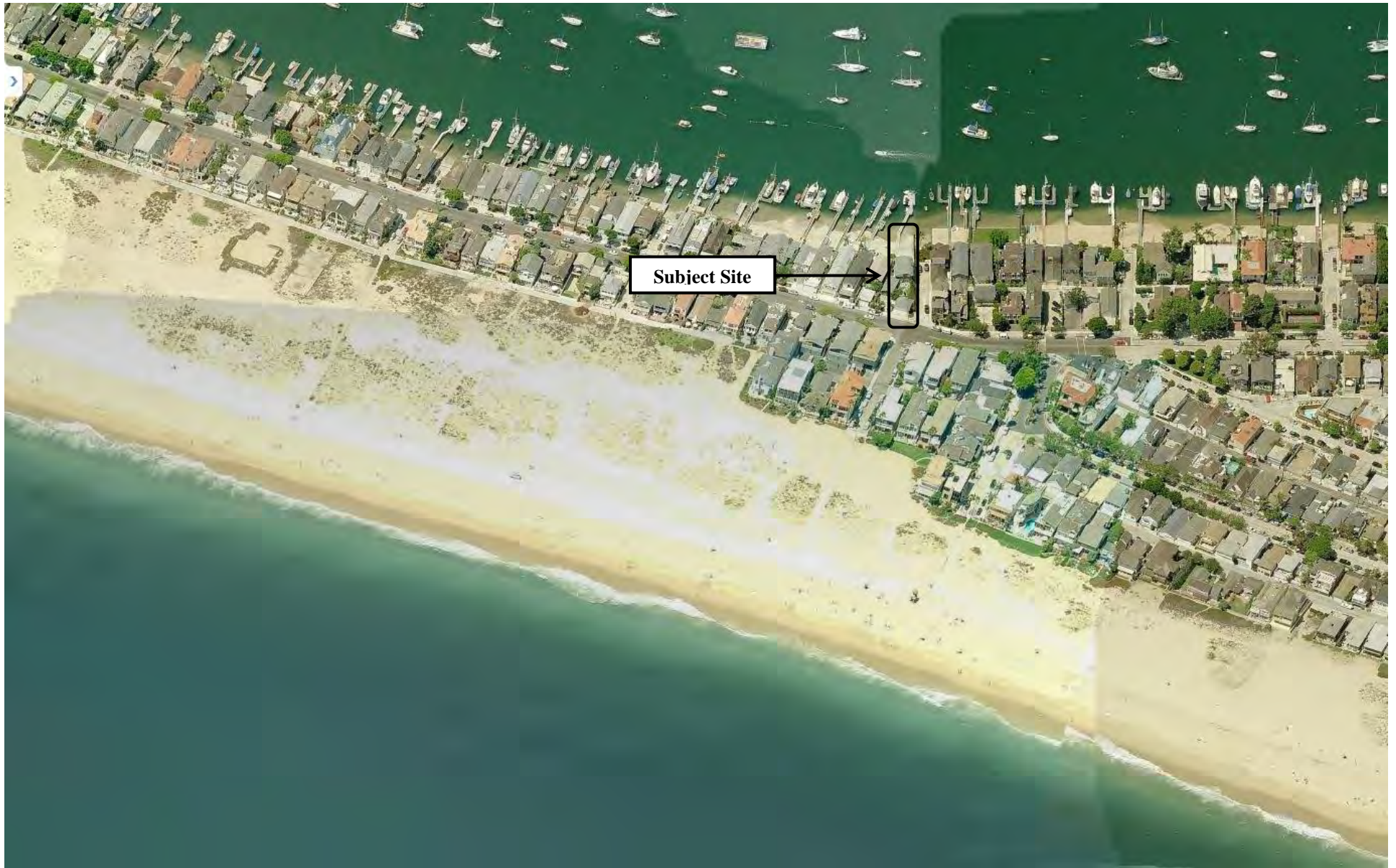


Photo credit: Bing Maps

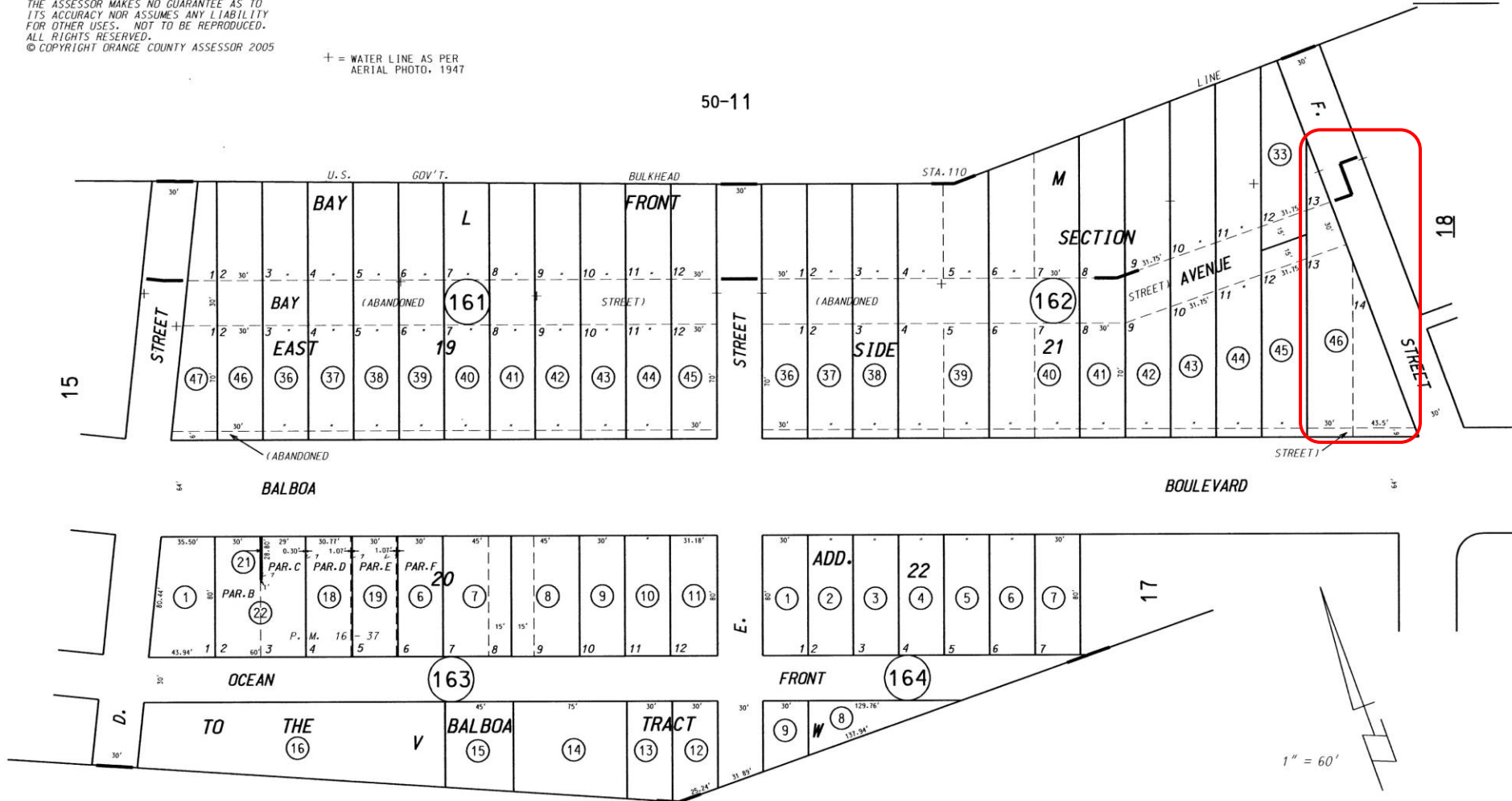
Exhibit 1.2 Application No. 5-14-1495 California Coastal Commission

THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR DEPT. PURPOSES ONLY. THE ASSESSOR MAKES NO GUARANTEE AS TO ITS ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT ORANGE COUNTY ASSESSOR 2005

+ = WATER LINE AS PER AERIAL PHOTO, 1947

048-16

50-11



MARCH 1949

BAY FRONT SECTION
THE EAST SIDE ADD. TO THE BALBOA TRACT
PARCEL MAP

32

M.M. 6-15
M.M. 4-20
P.M. 16-37

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

ASSESSOR'S MAP
BOOK 048 PAGE 16
COUNTY OF ORANGE

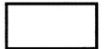
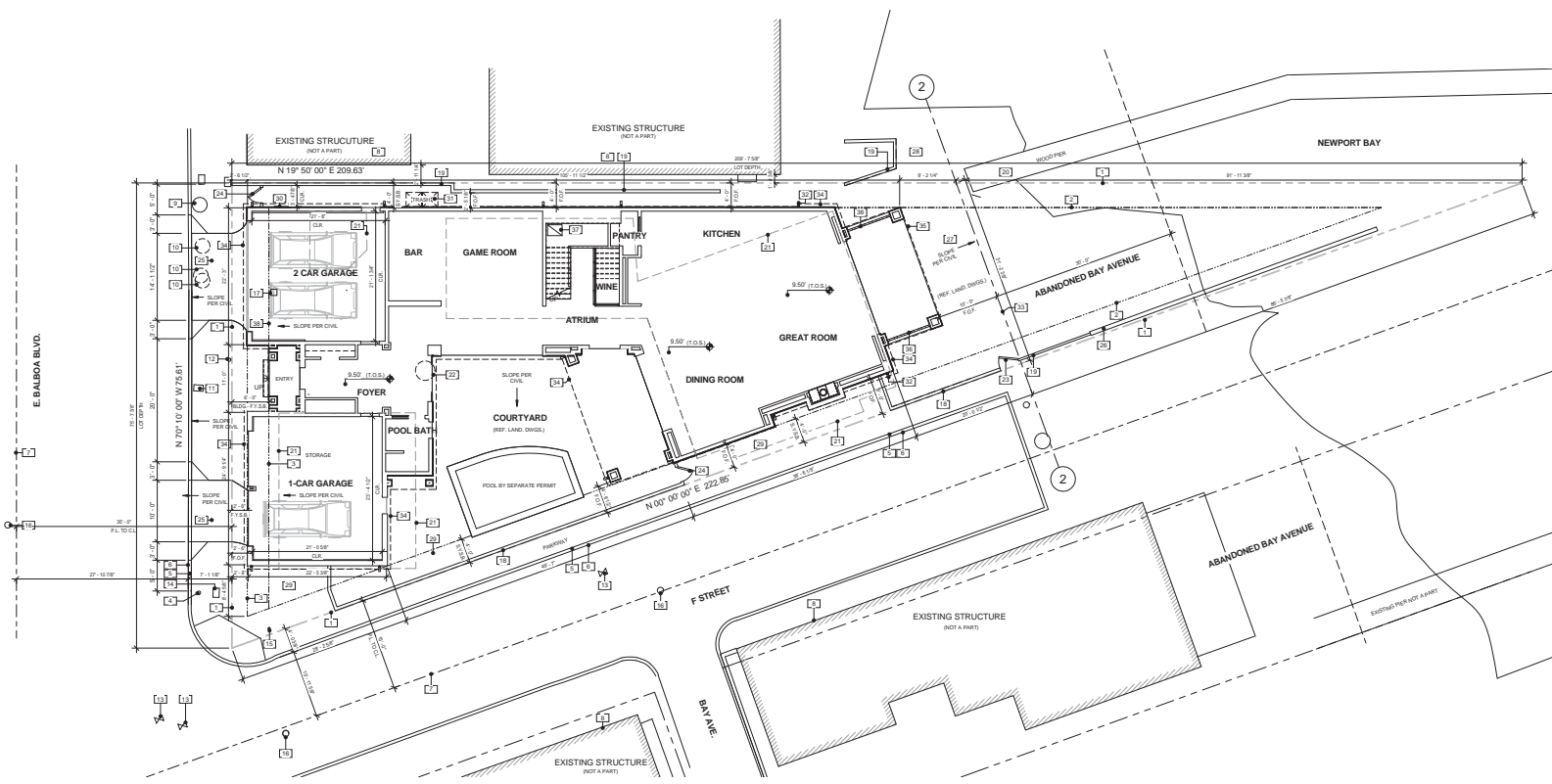


Exhibit 2.1 Application No. 5-14-1495
California Coastal Commission



ARCHITECTURAL SITE PLAN
1/8" = 1'-0"

TRUE NORTH PROJECT NORTH

OMISSION NOTE:
ALL DIMENSIONS ARE TO FACE OF SHEATHING (EXT. WALLS) OR FACE OF STRUCTURE (F.O.S.)
F.O.S. DIMENSIONS TO THE NEAREST 1/8" CONTACT ARCHITECT IN WRITING FOR ANY
CLARIFICATION OF NOTED DIMENSIONS. DO NOT SCALE PLANS.

| KEYNOTE LEGEND | |
|----------------|------------------------------------|
| 1 | PROPERTY LINE |
| 2 | EXISTING STRUCTURE - NOT A PART |
| 3 | PROPOSED STRUCTURE |
| 4 | PROPOSED DRIVEWAY |
| 5 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 6 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 7 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 8 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 9 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 10 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 11 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 12 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 13 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 14 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 15 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 16 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 17 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 18 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 19 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 20 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 21 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 22 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 23 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 24 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 25 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 26 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 27 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 28 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 29 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 30 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 31 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 32 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 33 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 34 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 35 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 36 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 37 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 38 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 39 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 40 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 41 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 42 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 43 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 44 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 45 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 46 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 47 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 48 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 49 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 50 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 51 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 52 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 53 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 54 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 55 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 56 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 57 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 58 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 59 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 60 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 61 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 62 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 63 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 64 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 65 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 66 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 67 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 68 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 69 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 70 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 71 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 72 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 73 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 74 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 75 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 76 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 77 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 78 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 79 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 80 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 81 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 82 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 83 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 84 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 85 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 86 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 87 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 88 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 89 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 90 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 91 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 92 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 93 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 94 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 95 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 96 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 97 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 98 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 99 | PROPOSED DRIVEWAY PROTECTIVE FENCE |
| 100 | PROPOSED DRIVEWAY PROTECTIVE FENCE |

PROJECT NAME
LEBEAU RESIDENCE

STATUS
A.I.C.

BRANDON ARCHITECTS, INC.
ARCHITECTS
3001 Red Hill Ave. Bldg. 1 Ste. 102
Costa Mesa, CA 92626
P: 714.754.4040 F: 714.754.4034
WWW.BRANDONARCHITECTS.COM

OWNER INFORMATION
Acropolis Realty Investment, LLC
1301 Red Hill Ave. Bldg. 1 Ste. 102
Costa Mesa, CA 92626
P: 714.754.4040 F: 714.754.4034
WWW.BRANDONARCHITECTS.COM

DOCUMENT VALIDATION

ORIGINAL SIGNATURE

ARCHITECTURAL SITE PLAN
1324 E BALBOA BLVD.
NEWPORT BEACH, CA 92661

JOB NO.
DATE
07/24/2014
SHEET NO.
A-0

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|

Exhibit 2.3 Application No. 5-14-1495 California Coastal Commission

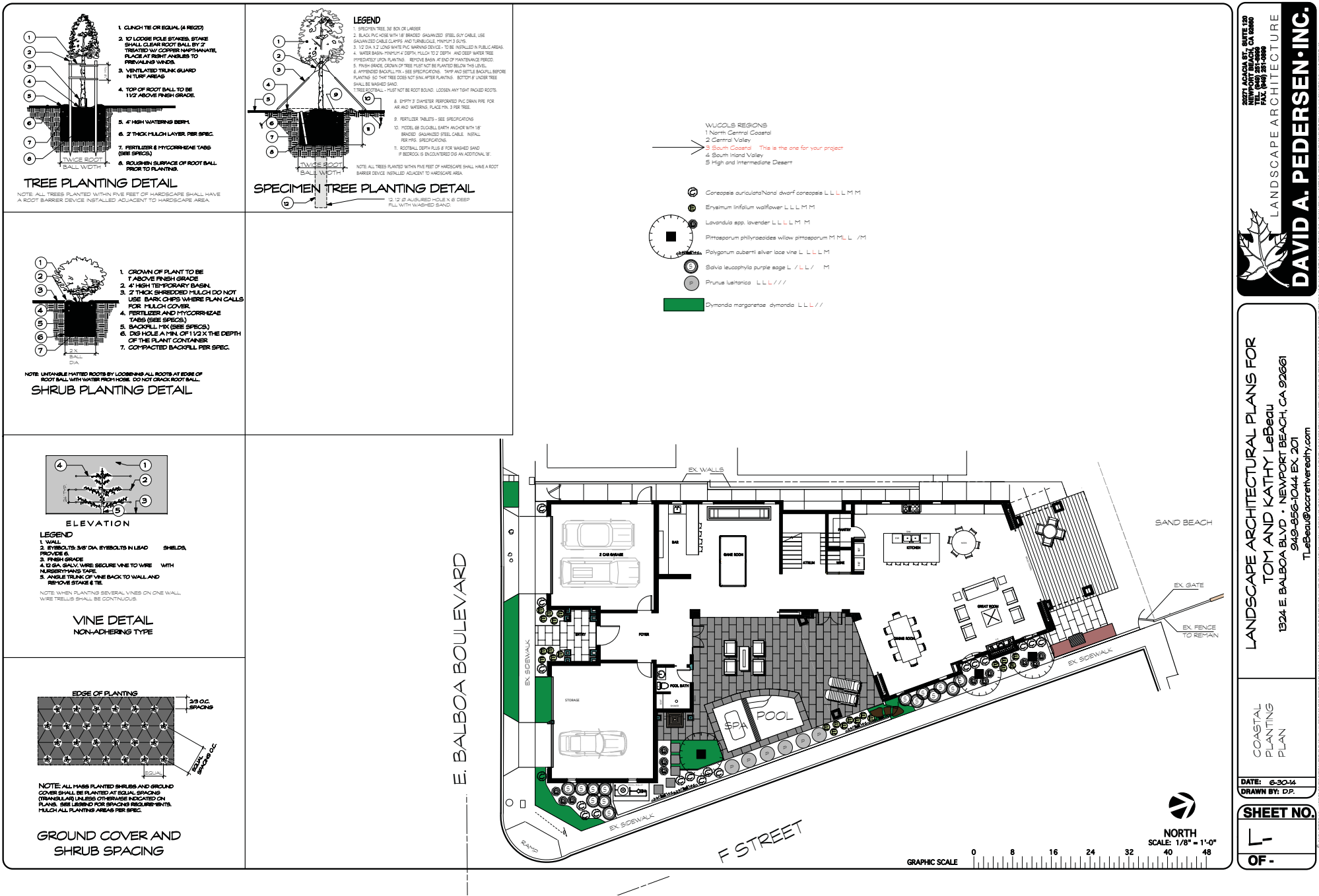


Exhibit 3 Application No. 5-14-1495
California Coastal Commission

LEGEND

| | | |
|-------------------|-------|-----------------------|
| CONCRETE | R/W | RIGHT OF WAY |
| WATER VALVE | SCD | SEWER CLEAN OUT |
| ASPHALT PAVEMENT | SDMH | STORM DRAIN MANHOLE |
| BOTTOM DRIVEWAY X | SL | STREET LIGHT |
| CATCH BASIN | SLP/B | STREET LIGHT PULL BOX |
| CABLE TV PULL BOX | SMH | SEWER MANHOLE |
| CENTERLINE | TC | TOP OF CURB |
| EDGE OF GUTTER | TFS | TELEPHONE PULL BOX |
| FLOWLINE | TX | TOP OF DRIVEWAY X |
| FINISHED SURFACE | WDF | WOOD FENCE |
| GAS METER | WM | WATER METER |
| NATURAL GROUND | WV | WATER VALVE |
| PROPERTY LINE | () | EXISTING ELEVATION |
| MANHOLE RM | ● | FOUND MONUMENT |
| | ○ | SET MONUMENT |
| | TBM | TEMPORARY BENCHMARK |

TITLE REPORT/ASSESSMENT NOTES

APN:048-152-46

TITLE REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY, ORDER NO. 03-8A-68023R, DATED FEBRUARY 07, 2014.

NO EASEMENTS AFFECT THE SUBJECT PROPERTY

LEGAL DESCRIPTION

REAL PROPERTY SITUATED IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

LOTS 13 AND 14 IN BLOCK 21 OF THE "EAST SIDE ADDITION TO THE BALBOA TRACT", AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 20 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF THE NORTHEASTERLY 6.20 FEET OF BALBOA BOULEVARD, AS SHOWN ON SAID MAP, ADJOINING SAID LOTS 13 AND 14 ON THE SOUTHWEST, AS VACATED BY RESOLUTION NO. 5837 OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, A CERTIFIED COPY OF WHICH WAS RECORDED JUNE 30, 1959 IN BOOK 470, PAGE 77 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY. SAID PORTION BEING BOUNDED NORTHEASTERLY BY THE SOUTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF SAID LOT 13 AND BOUNDED SOUTHEASTERLY BY THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF SAID LOT 14.

PARCEL 2:

LOT 13 AND AN UNDIVIDED ONE-HALF INTEREST IN LOT 12 IN BLOCK M OF THE "BAY FRONT SECTION OF THE BALBOA TRACT", IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14, PAGE 10 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF LOT 12 IN PARCEL 2 LYING NORTHERLY OF THE U.S. GOVERNMENT BULKHEAD LINE BETWEEN STATIONS 109 AND 110 AS SHOWN ON THE MAP OF NEWPORT BAY, CALIFORNIA, SHOWING HARBOR LINES, APPROVED JANUARY 18, 1917 BY WM. INGRAHAM, ASSISTANT SECRETARY OF WAR.

PARCEL 3:

THAT PORTION OF BAY AVENUE, AS SHOWN ON THE MAP OF THE "BAY FRONT SECTION OF THE BALBOA TRACT", RECORDED IN BOOK 6, PAGE 15 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, AND THE MAP OF THE "EAST SIDE ADDITION TO THE BALBOA TRACT", RECORDED IN BOOK 4, PAGE 20 OF SAID MISCELLANEOUS MAPS, AS SAID BAY AVENUE WAS VACATED BY RESOLUTION NO. 4867 OF THE CITY OF COUNCIL OF THE CITY OF NEWPORT BEACH, A CERTIFIED COPY OF WHICH WAS RECORDED SEPTEMBER 3, 1907 IN BOOK 4025, PAGE 185 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY.

BENCHMARK INFORMATION

BENCHMARK NO: NB-14-71

DESCRIBED BY DCS 2002 - FOUND 3.34" OCS ALUMINUM BENCHMARK DEK STAMPED "NB-14-71" SET IN THE TOP OF A 4 IN. BY 4 IN. CONCRETE POST. MONUMENT IS LOCATED IN THE SOUTHEAST CORNER OF THE INTERSECTION OF F STREET AND BALBOA BOULEVARD, 61 FT. SOUTHEASTERLY OF THE CENTERLINE OF F STREET AND 37.3 FT. NORTHEASTERLY OF THE CENTERLINE OF BALBOA BOULEVARD. MONUMENT IS SET LEVEL WITH THE SECOND FLOOR.

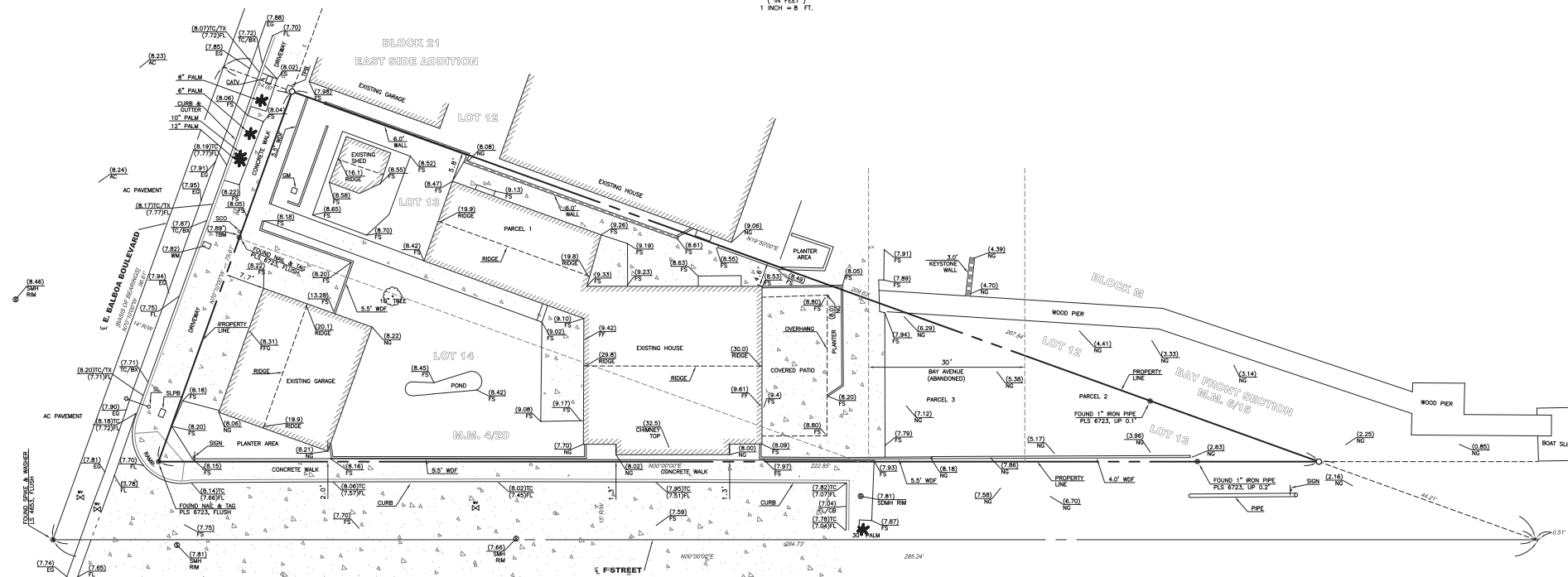
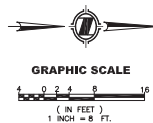
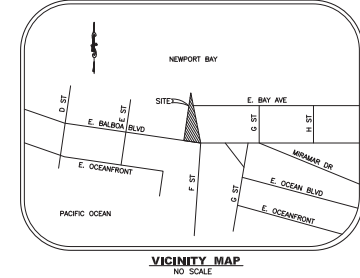
ELEVATION: 7.829 FEET (NAVOD83), YEAR LEVELED 1989

BASIS OF BEARINGS

THE BASIS OF BEARINGS SHOWN HEREON IS THE CENTERLINE OF BALBOA BOULEVARD, BEING NOW 100' WIDE AS SHOWN ON R.S.S. 21910-11, RECORDS OF ORANGE COUNTY.

SURVEYOR'S NOTE

- THE DETECTIVE BOUNDARY SHOWN HEREON WAS PLOTTED PER ON-SITE FIELD OBSERVATIONS. ALL BEARINGS AND DISTANCES ARE MEASURED, UNLESS NOTED OTHERWISE.
- PROPERTY CORNERS SHALL BE MONUMENTED BY A LICENSED LAND SURVEYOR BEFORE THE START OF GRADING.
- SURVEYOR TO SUBMIT A "RECORD OF SURVEY" TO THE COUNTY SURVEYOR. EVIDENCE OF SUBMITTAL TO BE SUBMITTED TO THE BUILDING INSPECTOR AT OR PRIOR TO PRE-GRADE MEETING.



PROJECT SURVEYOR

DATE 3/4/2014

SCALE 1" = 5'

CHECKED J. A. H.

P. D. C.

TOPOGRAPHIC MAP

1324 E. BALBOA BOULEVARD
NEWPORT BEACH, CA 92661
APN: 048-152-46

SHEET FILE

PROJECT

1 of 1



PAUL D. CRAFT, P.E., S. 8516
LICENSE RENEWAL DATE 12/31/14

DATE 7/15/2014

NOTE: SECTION 87101 OF THE CALIFORNIA BUSINESS AND PROFESSIONS CODE STATES THAT THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A LICENSED LAND SURVEYOR IN THE PRACTICE OF LAND SURVEYING OR THE PREPARATION OF MAPS, PLATS, REPORTS, DESCRIPTIONS OR OTHER SURVEYING DOCUMENTS ONLY CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

**Exhibit 4.1 Application No. 5-14-1495
California Coastal Commission**



Exhibit 4.2 Application No. 5-14-1495
California Coastal Commission



**Exhibit 4.3 Application No. 5-14-1495
California Coastal Commission**

