

CALIFORNIA COASTAL COMMISSION

South Coast District Office
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SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
October Meeting of the California Coastal Commission*

MEMORANDUM

Date: October 07, 2015

TO: Commissioners and Interested Parties
FROM: For Orange Co.: Sherilyn Sarb, South Coast District Deputy Director
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 October 2015 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.

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>
<p>5-03-013-A7 Marblehead Developments Partners LLC</p>	<p>Eliminate the custom lot program approved in Coastal Development Permit (CDP) Amendment 5-03-013-A4 for 69 lots (lots 78-146) and revert to production home program as originally approved in CDP 5-03-013. In addition, use two native shrubs along the western boundary to soften the visual effect of two retaining walls as approved in CDP Amendment 5-03-013-A4.</p> <p>In place of the custom lot program, production homes will be built on lots 78-146, similar to the original approvals embodied in the original Coastal Development Permit No. 5-03-013. The homes to be constructed will be a variety of models from the 5500, 6000 and 7000 series architectural products submitted to the Coastal Commission. In addition, lots 140, 145, 146, 147, 167 and 168 will be subject to special development standards, including a maximum height of 16-feet, maximum of 3,000 square feet of residential living area to be constructed within a 3,500 square foot rectilinear building envelope, and a prohibition on tower elements.</p> <p>Additionally, the proposed project involves the relocation and redesign of the private community recreation center, which was approved under CDP Amendment 5-03-013-A5. The five homes previously proposed for lots 207-211 will be built as originally approved in CDP 5-03-013, but the four lots underlying the proposed new location (lots 217-220) will be merged and the homes on those lots replaced with the redesigned recreational center. The new private community recreation center will be approximately 4,661 square feet with a height of 26 feet-10 inches with the exception of the tower, which will extend to 30-foot height. In addition, the new recreational center has a</p>	<p>Inland Of El Camino Real, Northwest of San Clemente (Orange County)</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

**5-03-013-A7
(Continued)**

glass wall, which will be treated with CollidEscape to minimize the potential for bird strikes. Moreover, the new recreation center will be located on lots visible from proposed parks, trails and open space and, therefore, will adhere to Special Condition No. 22 of the underlying permit (CDP 5-03-013) requiring an appropriate exterior paint color.

The proposed project also includes the removal of approximately 2,306 linear feet of approved fencing and a small adjustment to the alignment of the trail within Lot M as approved in CDP Amendment 5-03-013-A5.

**5-12-065-A1 &
5-12-066-A1**

Remove properties Campbell-4001 Morning Star Drive and Ross-4021 Morning Star Drive from the list of properties subject to CDP#5-12-065 (slope repair only), and add these two properties to list of properties subject to CDP#5-12-066 (Full bulkhead repair). The applicants maintain that upon recent inspection, the bulkheads at the 4001 and 4021 properties are in a worse deteriorated state than originally anticipated and require pile repair, installation of sheet piles, and grout and rock slope protection consistent with the underlying permit approval (CDP#5-12-066).

16661 Bolero LN; 16891 Bolero LN, 17011 Bolero LN, 16572 Ensign CIR, 4001 Morning Star DR, 4012 Morning Star DR, 4021 Morning Star DR, 4022 Morning Star DR, 4031 Morning Star DR, 4041 Morning Star DR, 4141 Morning Star DR, 4151 Morning Star DR, 16611 Nalu CIR, 3741 Ragtime CIR, 3481 Sagmore DR, 16492 Somerset LN, 16771 Bolero LN, 16777 Bolero LN, 16781 Bolero LN, 17019 Edgewater LN, 3432 Venture DR, 4002 Morning Star DR, 4171 Morning Star DR, 4181 Morning Star DR, Huntington Beach, (Orange)

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **5-03-013-A7**

Date: September 30, 2015

To: All Interested Parties

From: Charles Lester, Executive Director

Subject: Coastal Development Permit No. 5-03-013 originally granted to MT No. I LLC, transferred to SunCal Marblehead, and most recently transferred to **LV Marblehead LLC**, for:

Residential and commercial development, public park, trails and open space and associated infrastructure including roads and utilities on the 201.38 acre portion of the Marblehead property within the coastal zone. Included are a property subdivision and construction of 308 single family homes on 44.24 acres, a 12,931 square-foot private recreation center, 77,576 square feet of commercial space in several commercial buildings on 22.3 acres, 15.43 acres of public parks; 95.04 acres of public and private open space and pedestrian and bicycle trails; 12.43 acres of private streets; 10.91 acres of public streets. The application also requested follow up approval for emergency bluff stabilization grading that occurred in the early 1990s. ...More specifically described in the application file in the Commission offices.

Project Site: Northwest of the intersection of Avenida Pico and N. El Camino Real, City of San Clemente (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):

Eliminate the custom lot program approved in Coastal Development Permit (CDP) Amendment 5-03-013-A4 for 69 lots (lots 78-146) and revert to production home program as originally approved in CDP 5-03-013. In addition, use two native shrubs along the western boundary to soften the visual effect of two retaining walls as approved in CDP Amendment 5-03-013-A4.

In place of the custom lot program, production homes will be built on lots 78-146, similar to the original approvals embodied in the original Coastal Development Permit No. 5-03-013. The homes to be constructed will be a variety of models from the 5500, 6000 and 7000 series architectural products submitted to the Coastal Commission. In addition, lots 140, 145, 146, 147, 167 and 168 will be subject to special development

Notice of Proposed Immaterial Permit Amendment

5-03-013-A7

standards, including a maximum height of 16-feet, maximum of 3,000 square feet of residential living area to be constructed within a 3,500 square foot rectilinear building envelope, and a prohibition on tower elements.

Additionally, the proposed project involves the relocation and redesign of the private community recreation center, which was approved under CDP Amendment 5-03-013-A5. The five homes previously proposed for lots 207-211 will be built as originally approved in CDP 5-03-013, but the four lots underlying the proposed new location (lots 217-220) will be merged and the homes on those lots replaced with the redesigned recreational center. The new private community recreation center will be approximately 4,661 square feet with a height of 26 feet-10 inches with the exception of the tower, which will extend to 30-foot height. In addition, the new recreational center has a perimeter glass wall, which will be treated with CollidEscape to minimize the potential for bird strikes. Moreover, the new recreation center will be located on lots visible from proposed parks, trails and open space and, therefore, will adhere to Special Condition No. 22 of the underlying permit (CDP 5-03-013) requiring an appropriate exterior paint color.

The proposed project also includes the removal of approximately 2,306 linear feet of approved fencing and a small adjustment to the alignment of the trail within Lot M as approved in CDP Amendment 5-03-013-A5.

FINDINGS

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

The subject coastal development permit was issued on March 27, 2006, following completion of all 'prior to permit issuance requirements.' The development commenced soon thereafter. However, in November 2008 the permittee, Suncal Marblehead, filed for bankruptcy following the financial troubles of its primary lender, Lehman Brothers. Thereafter only limited work was undertaken as funding was made available from construction bonds and/or through the bankruptcy authorization. LV Marblehead, the current owner, took title to the non-commercial components of the property in April 2012 and worked with the City and the former bonding company so that now LV Marblehead is in a position to move forward in earnest on the improvements.

The proposed amendment will not extend beyond the previously approved footprint of development, and will not result in adverse impacts to shoreline processes, public coastal access, coastal resources, public recreation or coastal views. Landscaping will consist solely of drought-tolerant, non-invasive species and will be efficiently irrigated in adherence with local water control measures; irrigation will have automatic irrigation system controllers to adjust for weather or soil moisture. Storm water runoff will be diverted to the wetland basins for detention and bio-filtration; low flows will be pumped to the wastewater treatment facility. The proposed amendment would not result in development that would prejudice the

Notice of Proposed Immaterial Permit Amendment

5-03-013-A7

City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Marlene Alvarado at the phone number provided above.

cc: Commissioners/File

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. 5-12-065-A1 & 5-12-066-A1

September 30, 2015

To: All Interested Parties

From: Charles Lester, Executive Director

Subject: **Permit No. 5-12-065** granted to **Vera J. Butler, Tobin Campbell, Thomas & Sandra Gallagher, Samuel Glesy, Don Goodwin, Ken & Karen Kawaguchi, Lois Lacy, Oren & Carol Langston, Elmer & Lincoln Malchow, Lynn Freer, Mulvania Richard, William & Joyce Ritchie, Leigh Ross, Ralph Thorne, Gilbert & Rory Unatin, Ing Wong, Thera Fae Wood, Michael Younessi** for: Bulkhead repair by placement of geotextile filter fabric and rock to restore and protect the toe of bulkhead at 19 properties on various man-made islands throughout Huntington Harbour.

Permit No. 5-12-066 granted to **Al & Sharon Appel/Stanko, Isaac Azoulay, Paula D'Onofrio, Tad Fujioka, Michael & Pamel Myers/Rieder, Walter Nisbet, Dick & Joyce Opdahl, R. Bruce Rieser, Michael Woods** for: Repair existing bulkheads by the cutting of timber piles deteriorated 25 percent or more and installing a jack between the pile and the bulkhead, placement of new sheet piles, cement-grout, concrete footing and rock slope protection to provide toe protection to inhibit any future scouring/erosion at nine (9) locations on various islands throughout Huntington Harbor.

Project Site: **Permit No. 5-12-065:** 16661 Bolero LN; 16891 Bolero LN, 17011 Bolero LN, 16572 Ensign CIR, 4001 Morning Star DR, 4012 Morning Star DR, 4021 Morning Star DR, 4022 Morning Star DR, 4031 Morning Star DR, 4041 Morning Star DR, 4141 Morning Star DR, 4151 Morning Star DR, 16611 Nalu CIR, 3741 Ragtime CIR, 3481 Sagmore DR, 16492 Somerset LN, Huntington Beach, (Orange);
Permit No. 5-12-066: 16771 Bolero LN, 16777 Bolero LN, 16781 Bolero LN, 17019 Edgewater LN, 3432 Venture DR, 4002 Morning Star DR, 4171 Morning Star DR, 4181 Morning Star DR, Huntington Beach, (Orange)

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

Remove properties Campbell-4001 Morning Star Drive and Ross-4021 Morning Star Drive from the list of properties subject to CDP#5-12-065 (slope repair

Notice of Proposed Immaterial Permit Amendment

5-12-065-A1 & 5-12-066-A1

only), and add these two properties to list of properties subject to CDP#5-12-066 (Full bulkhead repair). The applicants maintain that upon recent inspection, the bulkheads at the 4001 and 4021 properties are in a worse deteriorated state than originally anticipated and require pile repair, installation of sheet piles, and grout and rock slope protection consistent with the underlying permit approval (CDP#5-12-066).

FINDINGS

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

The proposed development will not result in adverse impacts to shoreline processes, public access and water quality. Mitigation for any impact to soft bottom habitat arising from the proposed project will come from a "soft bottom mitigation bank" previously established in compliance with CDP#5-01-020; the mitigation site is located within the Bolsa Chica Ecological Reserve, approximately one mile southwest of Huntington Harbor. The proposed approximately 116.5 square-foot impact to soft bottom has been mitigated at a 2:1 ratio with approximately 233 square feet of soft bottom from the mitigation bank. The proposed amendment is consistent with the underlying permit approval (CDP#5-12-066) and will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Marlene Alvarado at the phone number provided above.

cc: Commissioners/File