

CALIFORNIA COASTAL COMMISSION

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



W11a

A-5-NPB-18-0006 (NICHOLSON CONSTRUCTION)

MARCH 7, 2018

EXHIBITS

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South Coast Region

STATE OF CALIFORNIA - THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION

JAN 22 2018

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4418

VOICE (562) 590-5071 FAX (562) 590-5084

CALIFORNIA
COASTAL COMMISSION

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: James M. Mosher

Mailing Address: 2210 Private Rd.

City: Newport Beach

Zip Code: 92660

Phone: (949) 548-6229

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Newport Beach
2. Brief description of development being appealed: Demolition of existing 2,260 square foot single family home & replacement with 4,500 sf home, plus rooftop deck, on a bluff-face lot where the LCP allows at most 2,865 sf.
3. Development's location (street address, assessor's parcel no., cross street, etc.):
2607 Ocean Blvd., Corona del Mar, CA. 92625
APN: 052-041-05 (Orange County)
4. Description of decision being appealed (check one.):
☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-5-NPB-18-0006

DATE FILED:

1-22-2018

DISTRICT:

South Coast.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☒ Planning Commission
☐ Other

6. Date of local government's decision: December 7, 2017 ("final" 1/6/2018)

7. Local government's file number (if any): CD2017-80

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Nicholson Construction (attn: John Ramirez)
 1 Corporate Plaza, #110
 Newport Beach, CA. 92660

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/~~county~~/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Darrin Ginsberg (property owner)
 301 Carnation
 Corona del Mar CA 92625

(2) (names of ~105 other people who wrote to city or spoke at hearings regarding this application will be supplied electronically)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**SECTION IV. Reasons Supporting This Appeal****PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

I believe the local approval was inconsistent with the City's recently-certified LCP.

The project is not designed and sited to minimize impacts to public coastal views (CLUP Policy 4.4.1-2) or impacts to natural landforms (CLUP Policy 4.4.1-3). In addition, the project proposes to privatize (by gating) a significant amount of public view land above and to the west of the property (at the top of the bluff) in contradiction of basic Coastal Act premises.

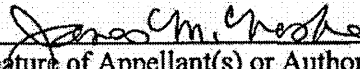
The oversized development was made possible by granting "variances" to the setback standards in the LCP, even though no such authority exists in the LCP and ~~the~~ request to include such authority & develop the findings necessary to exercise it is pending before the CCC as a request for a major amendment to the LCP.

Even without the variances, this development would be problematic, but with them, the City has made possible building on the presently undeveloped western half of lot/bluff face, as well as construction higher than would otherwise be allowed.

As to exhaustion of local remedies, an appeal to the City Council, Piled ^{by me} on 12/21/2017, was returned ^{by the city} with a letter dated 1/9/2018 stating no action would be taken due to failure to pay required appeal fees.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.


Signature of Appellant(s) or Authorized Agent

Date: Jan. 21, 2018

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize n/a
to act as my/our representative and to bind me/us in all matters concerning this appeal.

n/a
Signature of Appellant(s)

Date: n/a

CCC 5-NPB-18-0018 appeal (2607 Ocean Blvd, Corona del Mar) : Interested Parties list
 compiled by: Jim Mosher jimmosher@yahoo.com

This is a list of all persons who submitted letters to, or spoke at, the two Newport Beach Planning Commission meetings, with all the contact information that can be gleaned from the archived meeting materials.

November 9, 2017, meeting archive: <http://ecms.newportbeachca.gov/Web/0/foi/1236677/Row1.aspx>
 December 7, 2017, meeting archive: <http://ecms.newportbeachca.gov/Web/0/foi/1241129/Row1.aspx>
 (those not noted as "Support" expressed opposition to the approval)

Name	Address	City	Zip	email	phone	Nov 9, 2017	Dec 7, 2017	Support	Notes
Tom Nicholson	1 Corporate Plaza, Suite 110	NB	92660			x	x	x	Nicholson (
John P. Ramirez	1 Corporate Plaza, Suite 110	NB	92660	john@nicholsoncompanies.com	562-818-6719	x	x	x	appearing t
Darrin Ginsberg	301 Carnation					x	x	x	property or
Paul Tobin				paulktobin@gmail.com		x			
Lauri Preedger				lpreedger@gmail.com		x			
Susan Skinner	Warwick Lane			seskinner@me.com		x	x		I hope that
Brian Benoit	2616 Cove St.	CdM		brianbenoit@gmail.com		x	x		
Karen Carlson				kkc2616@aol.com	949-548-7646	x	x		
Andy Lingie				andylingie@gmail.com		x			
Elaine Linkhoff				elinhoff@shcglobal.net		x			
Don Harvey	Weybridge Place	Balboa		harveydonw@luno.com		x			
Lynn Lorenz				lynnetr@aol.com		x			
Lynn Swain	Big Canyon			lynn@lynswain.com		x			
Kent S. Moore	201 Carnation Ave.	CdM	92675	kentmoore@roadrunner.com	949-244-1832	x	x	x	
Martha S. Peyton	212 1/2 Fernleaf Ave	CdM		mpeyton12@gmail.com		x	x		
George V. Kent, M.D.	4627 Gorham Dr.	NB	92625	gvkent@mac.com		x			
Vicki Ronaldson	506 San Bernardino Ave	CdM	92663	vronaldson@gmail.com		x			
Cynthia Bartlett	417 Caballo Terrace	CdM		hunnbee1951@gmail.com		x		x	
Maureen Buffington	110 Yorktown	NB		buffington_santo@yahoo.com		x			
Sally Corngold	2241 Dornile Rd.			sallycorngold@gmail.com	949-644-5578	x			
Scott Paulsen				hsapaul@aol.com		x			
Harold Schneider	3607 Seabreeze Lane	CdM		hofftheback@gmail.com		x			
Rollin Daniel				rtdanielm2@gmail.com		x			
Jim Warren				jimsandrawarren@mac.com		x			
John Cummings	2600 Ocean Boulevard	NB	92660	jimmosher@yahoo.com	949-548-6229	x	x	x	appellant
Jim Mosher	2210 Private Rd			mammacub2@icloud.com		x			
Vicki Cubeiro				pmd81@aol.com		x			
Marsha Kendall				karen.h.clark@gmail.com		x			
Karen H. Clark	2618 Cove Street	CdM		joelgraves123@gmail.com	714-307-4214	x	x		
Joel Graves	615 S Marguerite Avenue	CdM	92625	joelgraves@me.com		x			
Joy Brenner				paula@drcastron.com		x			
Paula Castanon				tomlibaker@hotmail.com		x			
Tom Baker				stavlous@cox.net		x			
Phoebe Loos				slavlos@cox.net		x			
Dan Cohen	2007 Highland Drive	NB	92660	dcclen@maui.net		x			
Jean MacGregor				jmacgregor@rmx.com		x			
Charles Whisonant				elblensen@gmail.com		x			
E. J. Bastien									

Marianne Farrell	Irvine Terrace 2701 Shell		whtstee@dme.com	X		
Jerry and Kathy Thompson	230 Agate Avenue	China Cove	secretfallsranch@yahoo.com	X		
Mary Ann Hemphill	2 Seaside Circle	NB	mahemphill@me.com	X		
Bruce Bartram	3607 Seabreeze Ln	CdM	92663 gpa1xavo@verizon.net	X		
Beatriz Tirkantits	421 San Bernardino Avenue	NB	92625 btrittants@gmail.com	X		
Portia Weiss	2601 Way Lane	CdM	92663 portlaweiss@gmail.com	X		
Linda Beek	2616 Way Lae	CdM	92625	X		
Ronald J. Thommarson	4 Hutton Centre Dr #900	Santa Ana	92707 rthommarson@hartkinglaw.com	X		
Allan Beek				X		
Beth Kiley	Jasmine Creek		enkappp@aol.com	X		
Dorothy Kraus	Heliotrope		feguinhart@aol.com	X		
Margaret Quinlan	Westcliff			X		
Nancy Skinner	2608 Ocean Blvd		snavarro@furnanco.com	X		
Steve Navarro	2552 Vista Dr		murphy.charlene@gmail.com	X		
Charlene and Rick Murphy			cal.lincoln@gmail.com	X		
Carol H. Lincoln and Catherine Lincoln			lindastadler@gmail.com	X		
Tom Fredericks and Linda Stadler			pattytnesbit@yahoo.com	X		
Patty Nesbit			lorianpetry@hotmail.com	X		
Lorian Petry			szaby2@yahoo.com	X		
Richard Szabo	1729 Port Charles Place	NB	92660 clinic@trilliumepa.com	X		
Patricia Chinnici	2050 Main St. #520	Irvine	92614 marc.didomenico@a-xa-advisors.com	X		
Marc R. DiDomenico	2001 Port Provence Pl.	NB	92660 ealefriedman@gmail.com	X		
Gale Friedman			Cinderkinecitt@cscd.org	X		
Carol Rinderknecht	228 Jasmine Avenue	CdM	92625 mitch3462@aol.com	X		
Denise Mitchell	1836 Newport Hills Dr. E	NB	92660 olenicole@gmail.com	X		
Nicole Nelson	James Place	Newport Coast	jlimplace@sbcglobal.net	X		
Dianna Sahhar	Anne Drobka		dsahhar@aw.uci.edu	X		
Ane Drobka			anneddrobka@cox.net	X		
Jean Platt			jean.platt@gmail.com	X		
Barbara Bellone			barbarabellone@icloud.com	X		
Don and Leslie Kazarian	3412 Ocean Blvd.	CdM	donkazarian@gmail.com	X		
Brant Dahlfors	211 Laktspur Ave.	CdM	bdaahfors@mac.com	X		
Stewart and Jaclyn Ramsey	2627 Seaview	CdM	stewart@rad.agency	X		
Sheryl Brewer	1205 Sandkey	CdM	flowerladycdm@gmail.com	X		
Pam Howard			pamhoward23@gmail.com	X		
Mary Roosevelt			mwrrosev@uci.edu	X		
Marko Crawford Barker	1827 Port Seabourne Way	NB	92660	X		
Alice Coons			aacoons486@gmail.com	X		
Jon Engleking	1533 Priscilla Lane	NB	92660 jon.superkeapital.com	X		
Tony Guanci	2525 Channel Reef, Unit A6	CdM	92660 tony.guanci@balboaCorp.com	X		
Stephen Perkins	237 Carnation Ave	CdM	92625 sperkins@royalgs.com	X		
Spencer Brown	700 ½ Carnation Ave	CdM	92625 spencer.brown@colorado.edu	X		
Brian Flood	412 De Sola Terrace	CdM	92625 brian@brianflood.net	X		
Jason Krots			jkrots@redail.com	X		
Marc and Alanna Cole	17 Chataelaine	Newport Coast	marc.cole@gmail.com	X		

Patrick Charrou	2671 Point del Mar	CDM	patrick@sageinvestco.com	949-633-1331	X	X	
Jeff Brown	2707 Windover Drive	CDM	92625 jeff@brownquitypartners.com		X	X	
Terence and Karen Lyons	219 Larkspur Avenue	CDM	92625 terrylions1@roadrunner.com		X	X	I live nearb
Nancy K. Thompson	302 Fernleaf Avenue		thompsonnkt@gmail.com		X	X	
Bill Bird			bill@executivenovopsystems.com	714-688-4800	X	X	
Gart Sutton			gart@sutton.com	949-375-2104	X	X	
Karen and Warren James	2627 Cove St.		kdellmar@yahoo.com	949-675-4412	X	X	The story p
Alan Gin			aginh01@aol.com		X	X	
Gregg Miller	1130 West Trenton Avenue	Orange	92867 Gregg@mlereenvironmental.com	714-385-0099	X	X	
Paul Julian			pljulian@advancedonline.com		X	X	
Donald Santacrose	323 Larkspur Ave.	CDM	dsanta323@tvc.com		X	X	
Kendra edmonds		CDM	kendra.s.edmonds@gmail.com		X	X	
Marko Popovich	PO Box 102	Balboa Islai	92662 info@SPON-NewportBeach.org		X	X	The propos For SPON (i
Terri Rhodes			terriorthodes@gmail.com		X	X	
William and Jinx Hansen	221 Goldenrod Avenue	CDM			X	X	
Vicki and Harold Parker			Haroldparker@aol.com		X	X	
Nancy Skinner	1724 Highland Drive	NB	92660 jskinnernd@aol.com		X	X	
Ashley Knox	306 Jasmine Ave		ask77@mindspring.com		X	X	
Derek Ostensen			derekostensen@me.com		X	X	
Nancy Otis	721 Larkspur		ncotis@earthlink.net		X	X	
Michael Lee Toerge	3810 E Coast Hwy, Ste 2	CDM	92625 mike@stratalandco.com	(949) 723-1075	X	X	I would hav
Boyd and Charlene Bailey	304 Orchid Avenue				X	X	

RESOLUTION NO. 2075

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING VARIANCE NO. VA2016-005 AND COASTAL DEVELOPMENT PERMIT NO. CD2017-080 TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE, FOR PROPERTY LOCATED AT 2607 OCEAN BOULEVARD (PA2016-170)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Nicholson Construction on behalf of the Ginsberg Family Trust ("Applicant"), with respect to property located at 2607 Ocean Boulevard, in the City of Newport Beach, and legally described as a portion of Block 0-32 of Corona Del Mar, in the City of Newport Beach, County of Orange, State of California, as per map recorded in Book 3, Pages 41 and 42 of Miscellaneous Maps, in the Office of the County Recorder of said county ("Property"), requesting approval of a coastal development permit and a variance.
2. The Applicant requests a coastal development permit to allow the construction of a new 4,178 square-foot, single-family residence and a 629 square-foot, three-car garage, for a total 4,807 square feet ("Development") and a variance to allow the Development to:
 - a. Exceed the maximum floor area;
 - b. Encroach 10 feet into the 10-foot rear yard setback along Way Lane; and
 - c. Encroach 7 feet into the 10-foot front yard setback along Ocean Boulevard.
3. The Property is designated Single-Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1) Zoning District.
4. The Property is located within the coastal zone. The Coastal Land Use Plan category is Single-Unit Residential Detached – 6.0–9.9 DU/AC (RSD-B) and the Coastal Zoning District is Single-Unit Residential (R-1).
5. Public hearings were held on November 9, 2017 and December 7, 2017, in the Council Chambers at 100 Civic Center Drive, Newport Beach in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the public hearings was given in accordance with the Newport Beach Municipal Code ("NBMC"). Evidence, both written and oral, was presented to, and considered by, the Planning Commission at these public hearings.
6. At the December 7, 2017, public hearing meeting, the Planning Commission approved a reduced Development of 4,500 square feet in size inclusive of the required parking area and requested setback encroachments.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. Class 3 exempts the construction of limited numbers of new, small structures, including one single-family residence. The proposed project is a new single-family residence located within the R-1 (Single-Unit Residential) Zoning District.

SECTION 3. REQUIRED FINDINGS.

Variance

In accordance with NBMC Section 20.52.090(F) (Variances – Findings and Decision), the following findings and facts in support of such findings are set forth:

Finding:

- A. *There are special or unique circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification.*

Facts in Support of Finding:

1. The Property is approximately 4,257 square feet in area and slopes from Ocean Boulevard down to Way Lane with approximately a 35-foot grade difference.
2. The Property is shallow with a lot depth ranging from 35 to 53 feet. The lot is also 110 feet wide.
3. The limited lot depth after applying the 10-foot front and rear setbacks results in a sloping building pad that would be 15 to 33 feet deep. The standard front and rear setbacks comprise approximately 51 percent of the total lot area.
4. The lot is disproportionately shallow relative to its width resulting in a long and narrow building envelope. The long narrow portion of the lot would allow a maximum building area only 15 feet in width and represents over 65 percent of the total area of the lot.
5. The unusual lot shape and topography of this lot do not generally apply to other properties in the vicinity under the same R-1 zoning classification.

Finding:

B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other properties in the vicinity and under an identical zoning classification.

Facts in Support of Finding:

1. The strict application of development standards including setbacks and floor area limit, to this constrained lot result in a buildable area of 1,910 square feet and new residence of approximately 2,865 square feet in size. This is significantly diminished compared to other properties in the vicinity and same zone that have an average of 4,200 to 4,500 square feet in size.
2. The condition of the Property directly impacts the allowable floor area for the lot, and the ability to comply with setback requirements. The site constraints create challenges to design a residence of comparable size and position to other properties along Way Lane without providing relief from these code standards.

Finding:

C. Granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.

Facts in Support of Finding:

1. Without granting the variance request, the Property owner could only build 2,865 square-foot residence that is substantially smaller than what could be constructed on a typical rectangular R-1 lot in Corona del Mar.
2. When comparing the subject lot with other Way Lane bluff lots that are in the same zone, the other lots can accommodate larger homes with floor areas well above 5,000 square feet on average.

Finding:

D. Granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and in the same zoning district.

Fact in Support of Finding:

1. Approval of the variance request allows the Property owner to develop a 4,500 square-foot residence that is comparable in size and setback yard encroachments with other lots along Way Lane that are identically zoned.

Finding:

E. Granting of the variance will not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

Facts in Support of Finding:

1. The proposed residence will not adversely impact public views from Ocean Boulevard because it complies with the top of curb height restriction and would not interfere with neighborhood compatibility, private views, and privacy with the neighboring and abutting properties.
2. The proposed setbacks will not affect the flow of light or air to adjoining residential properties as adequate separation is provided since there are no adjacent properties along the property lines for which the encroachments are requested.
3. The existing garage setback encroachments have not proven detrimental and the new residence would improve the existing encroachments by removing any encroachments into Way Lane. The City's Traffic Engineer has reviewed and approved the proposed design including the proposed encroachments within the Way Lane setback and garage locations and access to Way Lane. Vehicular access to the project can be accommodated as proposed and it would not pose an undue hazard to access along Way Lane.
4. The new residence has been designed with articulation and modulation so it will not impact privacy for the abutting properties beyond that of the existing residence because the design complies with the setback along the east Property line where there is an abutting residence and the primary common living spaces are oriented toward the west of the Property where no residence is located.
5. The granting of the variance will not adversely impact public views from Ocean Boulevard because the proposed structure complies with the top of curb height restriction and the base height limit for structures within the R-1 Zoning District of 24 feet for a flat roof and 29 feet for a sloped roof.
6. To minimize disruption caused by demolition and construction to the nearby residents, the applicant has submitted a construction management plan that has been reviewed and approved by the City's Public Works Department thereby ensuring no impact to public access in the vicinity and to maintain street/emergency access during construction.

Finding:

F. Granting of the variance will not be in conflict with the intent and purpose of this section, this Zoning Code, the General Plan, or any applicable specific plan.

Facts in Support of Finding:

1. Granting the variance request would not increase the density beyond what is planned for the area, and will not result in additional traffic, parking, or demand for other services; and will not adversely impact the designated public views from Ocean Boulevard as it adheres to the top-of-curb height restrictions and complies with the base height limit for structures within the R-1 Zoning District of 24 feet for a flat roof and 29 feet for a sloped roof.
2. The proposed variance request provides similar setbacks for the property consistent with the existing development pattern along Way Lane that presently encroaches within setbacks.
3. Due to the site topography, narrow shape of the Property and top of curb height limit, the requested setback encroachments and buildable area for development based on the proposed setbacks to yield a comparable floor area are appropriate for the Property.
4. The Property is not located within a specific plan area.

Coastal Development Permit

In accordance with NBMC Section 21.52.015 (F) (Coastal Development Permits - Findings and Decision), the following findings and facts in support of such findings as set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

1. The proposed design, bulk, and scale of the Development is consistent with the existing single-family neighborhood pattern of development and expected future development.
2. The Property is located in an area known for the potential of seismic activity and liquefaction and is required to comply with the California Building Code ("CBC") and City's Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.
3. Pursuant to NBMC Section 21.35.050, due to the Development containing more than 75 percent of impervious surface area and hillside development on a slope greater than 15 percent, a Water Quality and Hydrology Plan ("WQHP") is required. The WQHP has been reviewed and approved by the City's Building Division.

4. With the granting of the requested variance, the proposed Development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. The maximum floor area limitation granted by the variance is 4,500 square feet and the proposed floor area is 4,500 square feet.
 - b. The proposed Development complies with the required setbacks, as approved by this variance, which are 3 feet along front setback on Ocean Boulevard; 0 feet along rear property line on Way Lane; and 4 feet along the west and east Property lines.
 - c. The entire proposed Development is below the curb line of Ocean Boulevard, as required for development on the Bluff side of Ocean Boulevard and in compliance with the base height limit for structures within the R-1 Zoning District of 24 feet for a flat roof and 29 feet for a sloped roof.
 - d. The proposed Development is required to comply with the required on-site parking based on the proposed livable floor area of the new residence.
 - e. A minimum of 287 square feet of open volume area is required, based on the code required buildable area of 1,910 square feet and the proposed residence includes 343 square feet of open volume area.
5. Proposed landscaping complies with NBMC Section 21.30.075 (Landscaping). A condition of approval is included that requires drought tolerant and prohibits invasive species. Prior to issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted.

Finding:

B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

Fact in Support of Finding:

1. The existing residential lot does not currently provide nor inhibit public coastal access. The Property is more than 200 feet from the nearest public beach and the proposed Development will remain a residential lot. The Development will not impact public access to local coastal resources and is not located between the sea or shoreline and the nearest public road.
2. The new residence would be constructed at a height below the adjacent curb line of Ocean Boulevard, as required by Code, thereby protecting any views from this public road and maintaining visual access to this coastal resource. Since there are no pedestrian access ways on the Bluff side of Ocean Boulevard, visual access would be

preserved for vehicular access. Pedestrian visual access on the land side of Ocean Boulevard would not be affected.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby approves Variance No. VA2016-005 and Coastal Development Permit No. CD2017-080, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. The Variance action shall become final and effective 14 days following the date this Resolution was adopted, unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning of the Newport Beach Municipal Code.
3. The Coastal Development Permit action shall become final and effective 14 days following the date this resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with NBMC Section 21.64.035 and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 7th DAY OF DECEMBER 2017.

AYES: Dunlap, Kleiman, Koetting, Kramer

NOES: Lowrey, Weigand

ABSTAIN: None

ABSENT: Zak

BY: 
Peter Koetting, Chairman

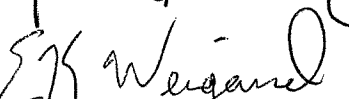
BY: 
Erik Weigand, Secretary

EXHIBIT "A"**CONDITIONS OF APPROVAL**

(Project-specific conditions are in italics)

PLANNING

1. The Development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
2. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
3. The Applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.
4. *The project shall not exceed the top of curb height pursuant to Zoning Code Section 20.30.060(B)(4) and shall comply with the base height limit for structures within the R-1 Zoning District of 24 feet for a flat roof and 29 feet for a sloped roof.*
5. *The project shall be limited to a total of 4,500 square-foot, single-family residence inclusive of the required parking area.*
6. *The vertical screen wall at the deck level shall be 42 inches maximum in height and made of a clear material. The final design and height of screen wall shall be reviewed and approved by the Planning Division.*
7. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the City's Building Division and field sets of plans prior to issuance of the building permits.
8. Prior to the issuance of a building permit, the Applicant shall submit a final landscape and irrigation plan prepared by a licensed landscape architect. These plans shall incorporate drought tolerant plantings and water efficient irrigation practices, and the plans shall be approved by the City's Planning Division.
9. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.

10. Prior to the issuance of a building permit, the Applicant shall pay any unpaid administrative costs associated with the processing of this application to the City's Planning Division.
11. Prior to the issuance of a building permit, the Applicant shall submit to the City's Planning Division an additional copy of the approved architectural plans for inclusion in the application file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Variance and Coastal Development Permit application.
12. Prior to the issuance of a building permit, the approved Construction Pollution Prevention Plan ("CPPP") and Water Quality and Hydrology Plan ("WQMP") shall be submitted with the Building Permit plans. Implementation shall be in compliance with the approved CPPP and WQMP and any changes could require separate review and approval by the City's Building Division.
13. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
14. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stock piles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
15. Best Management Practices ("BMPs") and Good Housekeeping Practices ("GHPs") shall be implemented prior to and throughout the duration of construction activity as designated in the CPPP.
16. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
17. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
18. Should the Property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
19. Construction activities shall comply with NBMC Section 10.28.040, which restricts hours of noise-generating construction activities that produce noise to between the hours of

7:00 a.m. and 6:30 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.

20. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of NBMC Title 20 Planning and Zoning.
21. To the fullest extent permitted by law, Applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Ginsberg Residence including, but not limited to, Variance No. VA2016-005 and Coastal Development Permit No. CD2017-080. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The Applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Public Works Conditions

22. *The proposed project shall extend the City sidewalk along Ocean Boulevard from the existing terminus to the area adjacent to the existing guardrail per City Standard STD-180-L.*
23. *The proposed walkway, stairs, guardrails, retaining walls (to support walkway and landings only), landing, drain lines and landscaping within the Ocean Boulevard public right-of-way shall require approval by the City Council. If approved by City Council, an encroachment agreement between the City and property owner shall be required.*
24. *All proposed landscaping within the Ocean Boulevard right of way shall be reviewed and approved by City's Municipal Operations Department, General Services Division and City's Public Works Department. Proposed landscaping shall be installed and maintained by the Property owner. Landscaping within the public right-of-way shall be low-growing ground cover or shrubs limited to 36-inch high maximum.*
25. *Reconstruct all damaged concrete sidewalk panels, curb and gutter along the Ocean Boulevard and Way Lane frontages shall be determined by the City's Public Works Department.*
26. *No structural encroachments, including but not limited to, retaining walls (for residence), caissons, tiebacks shall be permitted within the public right of way.*

27. *No staging/storage of materials shall be permitted within the public right-of-way.*
28. *In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way may be required at the discretion of the City's Public Works Inspector.*
29. *Prior to the commencement of demolition and grading of the project, the Applicant shall submit a construction management plan to be reviewed and approved by the Public Works Department and Community Development Department. The plan shall include discussion of project phasing; parking arrangements for the site during construction; anticipated haul routes; and construction nuisance mitigation. Construction parking shall be implemented so that there will be no impact to vehicular or emergency access and public parking spaces. Traffic control and truck route plans shall be reviewed and approved by the Public Works Department before their implementation. Large construction vehicles shall not be permitted to travel narrow streets as determined by the Public Works Department. Disruption caused by construction work along roadways and by movement of construction vehicles shall be minimized by proper use of traffic control equipment and flagman. Upon approval of the plan, the Applicant shall be responsible for implementing and complying with the provisions set forth in the approved plan.*

[illegible]

1. EMPLY NEWPORT BEACH STANDARD EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PROCESS.
2. A PUBLIC WORKS DEPT. ENCROACHMENT PERMIT INSPECTION IS REQUIRED BEFORE THE BUILDING DEPT. PERMIT FILL CAN BE ISSUED. AT THE TIME OF PUBLIC WORKS DEPT. INSPECTION, IF ANY OF THE EXISTING PUBLIC IMPROVEMENTS SURROUNDING THE SITE ARE DAMAGED BY THE PRIVATE WORK, NEW CONCRETE SIDEWALK, CURB, GUTTER, ALLEY/STREET PAVEMENT, AND OTHER PUBLIC IMPROVEMENTS WILL BE REQUIRED AND 1-1% PAID BY THE OWNER. SATE DETERMINATION AND THE EXTENT OF THE REPAIR WORK SHALL BE MADE AT THE DISCRETION OF THE PUBLIC WORKS INSPECTOR.
3. A CITY ENCROACHMENT PERMIT IS REQUIRED FOR ALL NON-STANDARD PRIVATE IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY.

1. ALL DEBRIS SHALL BE WET AT TIME OF HANDLING TO PREVENT DUST.
2. SEWER LINE SHALL BE CAPPED.
3. ALL BASEMENT FILLS SHALL BE CLEAN AND UNIFORM.
4. STREETS AND SIDEWALKS ARE TO REMAIN CLEAN AND CLEAR.
5. PEDESTRIAN CANOPY PROTECTION REQUIRED IF DEMOLITION WITHIN 10 FEET OF PUBLIC SIDEWALK.
6. STORM WATER PROTECTION PLAN IS REQUIRED.

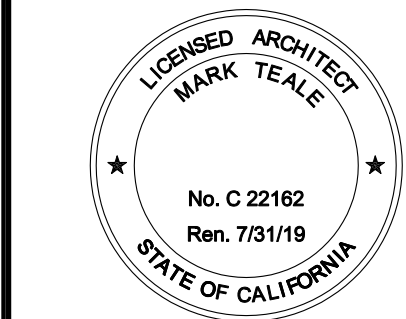
1. ISSUANCE OF A BUILDING PERMIT BY THE CITY OF NEWPORT BEACH DOES NOT RELIEVE APPLICANTS OF THE LEGAL REQUIREMENTS TO OBSERVE COVENANTS, CONDITIONS AND RESTRICTIONS WHICH MAY BE RECORDED AGAINST THE PROPERTY OR TO OBTAIN PLANS. THE CONTRACTOR SHALL CONTACT THE COMMUNITY ASSOCIATIONS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION AUTHORIZED BY THIS PERMIT.
2. PRIOR TO PERFORMING ANY WORK IN THE CITY RIGHT-OF-WAY, AND ENCROACHMENT PERMIT MUST BE OBTAINED FROM THE PUBLIC WORKS DEPT.

— — — — — PROPERTY LINE

— — — — — EXISTING STRUCTURE TO BE REMOVED

ALL WORK AND MATERIALS SHALL CONFORM STRICTLY TO THE 2016 C.R.C.; 2016 C.B.C.; 2016 C.P.C.; 2016 C.E.C.; 2016 C.M.C.; 2016 CEES (CA ENERGY); 2016 C.G. (CAL GREEN); AND ALL OTHER FEDERAL, STATE AND LOCAL CODE. NEWPORT BEACH MUNICIPAL CODE (NBMC); AND ALL OTHER FEDERAL, STATE AND LOCAL CODE.

THESE DRAWINGS AND ACCOMPANYING SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND ARE THE EXCLUSIVE PROPERTY OF THE ARCHITECT. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND TO THE PROJECT FOR WHICH THEY WERE ORIGINALLY PUBLISHED BY ANY METHOD IN WHOLE OR IN PART. REPRODUCTION OR PUBLICATION OF THESE DRAWINGS IS PROHIBITED EXCEPT BY WRITTEN PERMISSION OF THE ARCHITECT. PLANS AND/OR SPECIFICATIONS WILL REMAIN WITH THE ARCHITECT WITHOUT REJUDICE AND WITHOUT LIABILITY TO THE ARCHITECT.



PROJECT
2607 OCEAN
2607 OCEAN BLVD.
CORONA DEL MAR, CA. 92625
...

SHEET
DEMOLITION PLAN

Plot Date: 11/17/17

START DATE: 6/14/16

SCALE: 1/4" = 1'-0"

SHEET

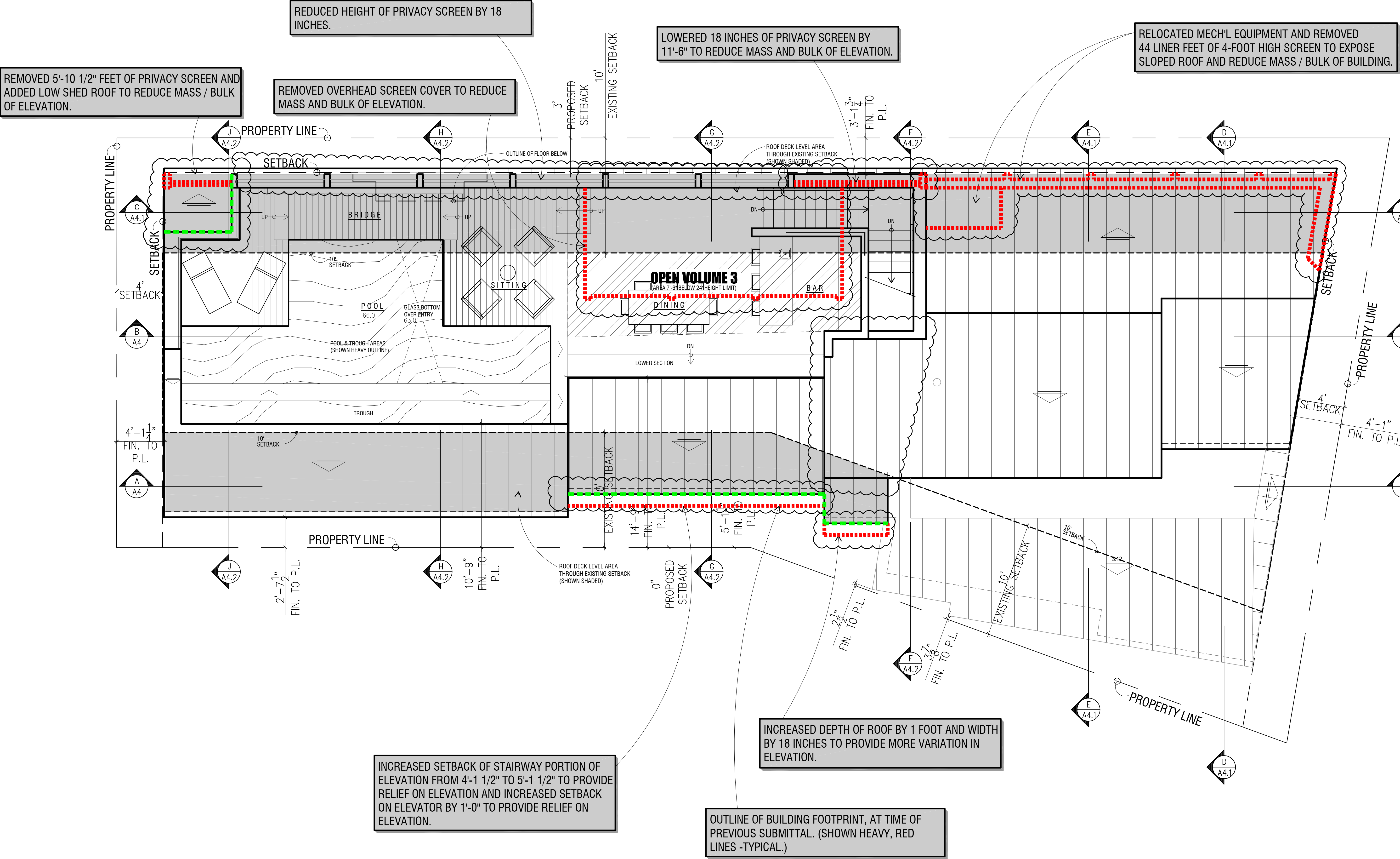
DEMO (A1.2)

Exhibit No. 3
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11/28/2017 11:05:22 AM







REMOVED 5'-10 1/2" FEET OF PRIVACY SCREEN AND ADDED LOW SHED ROOF TO REDUCE MASS / BULK OF ELEVATION.

REDUCED HEIGHT OF PRIVACY SCREEN BY 18 INCHES.

REMOVED OVERHEAD SCREEN COVER TO REDUCE MASS AND BULK OF ELEVATION.

LOWERED 18 INCHES OF PRIVACY SCREEN BY 11'-6" TO REDUCE MASS AND BULK OF ELEVATION.

RELOCATED MECH'L EQUIPMENT AND REMOVED 44 LINER FEET OF 4-FOOT HIGH SCREEN TO EXPOSE SLOPED ROOF AND REDUCE MASS / BULK OF BUILDING.

INCREASED SETBACK OF STAIRWAY PORTION OF ELEVATION FROM 4'-1 1/2" TO 5'-1 1/2" TO PROVIDE RELIEF ON ELEVATION AND INCREASED SETBACK ON ELEVATOR BY 1'-0" TO PROVIDE RELIEF ON ELEVATION.

INCREASED DEPTH OF ROOF BY 1 FOOT AND WIDTH BY 18 INCHES TO PROVIDE MORE VARIATION IN ELEVATION.

OUTLINE OF BUILDING FOOTPRINT, AT TIME OF PREVIOUS SUBMITTAL. (SHOWN HEAVY, RED LINES -TYPICAL.)

RED = REMOVED ELEMENTS
GREEN = ADDED ELEMENTS

ROOF DECK LEVEL FLOOR PLAN

KEY NOTES - FLOOR PLAN

- 2x6 WOOD FRAMING AT 16" O.C. PER C.R.C. w/ INTERIOR WALL - 5/8" GYPSUM BOARD EXTERIOR WALL - 5/8" EXTERIOR PLASTER w/ METAL LATH w/ BUILDING PAPER. PTDF SILL PLATE AT CONCRETE SLAB INSULATION PER T-24 SHEET. R-13 F.G. BATT INSULATION AT 2x4 WALLS. PLUMBING THROUGHOUT ALL INTERIOR WALLS AND FLOOR PLUMBING WALL - AS OCCURS
- 2x4 WOOD FRAMING AT 16" O.C. PER C.R.C. - SEE NOTE 1 ABOVE
- 5/8" TYPE "X" GYPSUM BOARD AT WALLS THROUGHOUT GARAGE TO HOUSE 5/8" TYPE "X" GYPSUM BOARD AT CEILING. (PROVIDE 2 LAYERS 5/8" TYPE "X" GYPSUM BOARD AT CEILING WHEN TRUSS JOISTS ARE USED.)
- PLUMBING FIXTURES AS SELECTED BY OWNER OR ARCHITECT. 1.25 GALLONS PER FLUSH W/C - SEE PLUMBING SYMBOLS A-1.1 30"x30" ATTIC ACCESS WITH 30" MINIMUM HEADROOM ABOVE CEILING
- TEMPERED GLASS SHOWER ENCLOSURE AND DOOR TO 6'-0" ABOVE THE DRAIN. DOOR SHALL SWING OUT. PROVIDE 22" MINIMUM WIDE DOOR. NET AREA OF SHOWER ENCLOSURE SHALL NOT BE LESS THAN 1.04 SQ. INCH (7.1 SQ. FT.) OF FLOOR AREA AND A MINIMUM OF 30 INCHES DIAMETER CIRCLE.
- TUB / SHOWER OR SHOWER SURROUND WITH CERAMIC TILE WALLS "MUDSET" WITH CEMENT PLASTER BACKING w/ WATERPROOF W/P/ MEMBRANE TO +72" MIN. ABOVE THE DRAIN PER TILE COUNCIL OF NORTH AMERICA. INSTALL W/P PER ICC ESR-1055. SHOWER HEAD AT +80" A.F.F. DOOR SHALL SWING OUT. PROVIDE 22" MINIMUM WIDE DOOR. PROVIDE BID FOR ONE SOAP NICHES MINIMUM 18" HIGH 18" WIDE - LOCATION TO BE VERIFIED IN FIELD.
- TANKLESS WATER HEATER. PROVIDE HORIZONTAL VENT TO OUTSIDE. PROVIDE P & T VALVE WITH DRAIN TO OUTSIDE. EARTHQUAKE STRAP WHEN USING (2) WATER HEATERS. PROVIDE VALVE TO ISOLATE WATER HEATERS. VENT SHALL BE TERMINATED ABOVE THE ROOF LEVEL.
- APPLIANCES PER OWNER - VENT (HOOD) THROUGH WALL LOCAL EXHAUST SYSTEM VENTED TO OUTDOORS SHALL HAVE A MIN EXHAUST RATE OF 100 CFM
- HARDWIRED SMOKE DETECTOR w/ BATTERY BACKUP BATTERY OPERATED SMOKE DETECTOR. CARBON MONOXIDE DETECTOR - HARDWIRED UL/NO - LOCATE NEAR BEDROOMS & AWAY FROM GAS APPLIANCES AS PER MANUF.'S RECOMMENDATIONS
- PROVIDE RECEPTACLES AND LIGHTING PER CODE. LOCATIONS SHOWN FOR CONCEPT ONLY. VERIFY WITH OWNER. SEE SHEET A-5 FOR ADD'L INFORMATION.
- CLOSET SHELF AND POLE - DOUBLE PER OWNER AND SHELVES
- NOT USED
- FORCED AIR UNIT. PROVIDE GAS STUB. SEE DETAIL FOR ADDITIONAL INFO. (DT)
- 4" DIAMETER DRYER VENT VENT TO OUTSIDE AIR w/ BACK DRAFT DAMPER
- WASHER AND DRYER HOOKUP. LEVER FAUCETS
- COLD WATER STUD-OUT AND SHUT OFF VALVE IN CABINET ADJACENT TO REFRIGERATOR FOR ICE MAKER.
- 3" DIAMETER GALVANIZED STEEL PIPE POST. 36" HIGH. SEE FOUNDATION PLAN. SEE DETAIL. (DT)
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS. UNDER-STAR SURFACE AND ANY SOPSITS PROTECTED ON THE ENCLOSED SIDE WITH 1/8" (12.7 MM) GYPSUM BOARD. CRC R303.7
- GARAGE DOOR WITH WEATHERSTRIPPING ALL AROUND. AS SELECTED BY OWNER.
- NEW STAIRS - SEE SYMBOLS - SHEET A-1.1 -WOOD HANDRAIL - +36" A.F.F. ALL STAIRWAYS SHALL HAVE AN ILLUMINATION LEVEL OF NOT LESS THAN 1 FOOT CANDLE (11 LUX) AT TREADS AND LANDINGS. CRC R303.6
- GUARD - +42" A.F.F.
- VELUX VS3055 DUAL-PANE SKYLIGHT WITH ELECTRICAL OPERATION. INSTALL PER MANUFACTURER RECOMMENDATIONS
- 20 FT. CONTINUOUS #4 REBAR UPR GROUND IN FOOTING. STUB OUT 3" ABOVE FINISH SURFACE. MAINTAIN 3 FT. CLEAR FROM FACE OF ELECTRICAL PANEL TO ANY WALL SURFACE OR OBSTRUCTION
- DECK: TILE w/ MORTAR BED w/ WATERPROOF MEMBRANE PER T.C.N.A. RECOMMENDATIONS. 1/4" PER FOOT MINIMUM SLOPE. (DROP DECK SHTG 2-1/2" FROM FLOOR FINISH SHTG AT WALL EDGE TO ACCOMMODATE FOR 1-1/2" MORTAR BED AND TILE)
- WATERPROOFING - SEE "WATERPROOF MEMBRANE" SPECIFICATION BELOW TYPICAL INDICATES MIRADRAIN SHORING CONDITION SEE BELOW. FRENCH DRAIN INDICATES TRADITIONAL SLOPE OUT BACK.
- WHOLE HOUSE VENTILATION. (NEW CONST AND ADDITIONS - 1,000 SF) PROVIDE A WHOLE-BUILDING MECHANICAL VENTILATION SYSTEM IN ACCORDANCE WITH THE FAN VENTILATION RATE (ASHRAE SEC. 4.1.1): MECHANICAL VENTILATION MIN REQ. 1 CFM PER 100 SF CONDITIONED FLOOR AREA PLUS 7.5 CFM FOR EA. OCCUPANT BEDROOM + 1. WHOLE BUILDING VENTILATION SHALL BE PROVIDED BY EXHAUST AIR, SUPPLY AIR OR COMBINED. NATURAL VENTILATION THROUGH DOORS/WINDOWS OR CONTINUOUS OPERATION OF FORCED AIR SYSTEM AIR HANDLERS USED IN CENTRAL FAN INTEGRATED VENTILATIONS SYSTEMS ARE NOT A PERMISSIBLE METHODS OF PROVIDING WHOLE-BUILDING VENTILATION. BEES 150(a), EXC. 5 TO 152(a) & ASHRAE STD. 62.2 PROVIDE: (2830 / 100 CFM PER SF) + (5 X 7.5 CFM) = 65.80 CFM MIN. EXHAUST FAN, 1 SONE PERMANENTLY ON WITH A NOTE ON THE SWITCH STATING "VENTILATION CONTROL" - CONTINUOUS OPERATION REQUIRED WHEN THE HOUSE IS IN USE - SEE SECOND FLOOR PLAN FOR WHOLE HOUSE VENTILATION FAN. PROVIDE BROAN QT800 FAN.
- AT KITCHEN VENT. HOOD. LOCAL EXHAUST SYSTEM VENTED TO OUTDOORS SHALL HAVE A MINIMUM EXHAUST RATE OF 100 CFM. BEES 150(a), EXC. 5 TO 152(a) & ASHRAE STD. 62.2. SEE FIRST FLOOR PLAN FOR KITCHEN VENT. HOOD.
- PREMANUFACTURED GAS BURNING FIREPLACE - PROVIDE CLEARANCE TO COMBUSTIBLES PER MANUFACTURER AND CODE. -INSTALL PER MANUFACTURERS INSTALLATION SPECIFICATIONS. -CONTRACTOR TO PROVIDE FIELD INSPECTOR WITH COPY OF LISTING BY APPROVED LISTING AGENCY (ICC-ES, WARNICK-HERSHEY, INTERTEK) MAJESTIC MARQUIS KILDY, CSA LISTED AND TESTED UNDER: ANSI Z21.68-2009 / CSA 2.23-2009 STANDARDS.

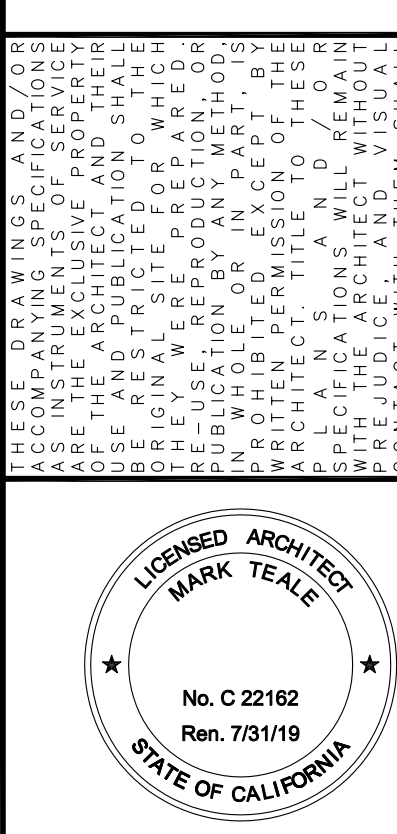
LIGHT & VENTILATION

NET GLAZING SHALL BE 8% OF THE FLOOR AREA	CRC R303.1
NET VENTILATION SHALL BE 4% OF THE FLOOR AREA	
GAME ROOM/BAR	43.28 S.F. WINDOW AREA REQ'D 48 S.F. PROVIDED 541 S.F.
BEDROOM	13.76 S.F. WINDOW AREA REQ'D 15.75 S.F. PROVIDED 172 S.F.

WALL LEGEND

- NOTE: VERIFY OVERALL DIMENSIONS PRIOR TO STARTING WORK. NOTIFY ARCHITECT IMMEDIATELY SHOULD THERE BE ANY DISCREPANCY.
- ALL INTERIOR DIMENSIONS SHOWN ARE TO FACE OF STUD. U.N.O.
ALL EXTERIOR DIMENSIONS SHOWN ARE TO EXT. FACE OF STUD. U.N.O.
OVERALL EXTERIOR DIMENSIONS ARE TO EXT. FACE OF SHTG / FOOTING AS INDICATED
- EXISTING WALL TO REMAIN
 - DEMOLISH AND REMOVE EXISTING WALL - REMODELS ONLY
 - NEW INTERIOR 2x4 STUD WALL FRAMING AT 16" O.C. U.N.O. - SEE STRUCTURAL DRAWINGS. -5/8" GYPSUM BOARD INTERIOR WALLS - PROVIDE AT MOIST AREAS. WATER RESISTANT "GREEN" GYPSUM BOARD - GREEN BOARD NOT ACCEPTABLE IN SHOWERS OR TUB SURROUNDS. PROVIDE 5/8" TYPE "X" GYPSUM BOARD AT GARAGE TO HOUSE. PROVIDE WATERPROOF MEMBRANE "BUILDING PAPER" BELOW ALL EXTERIOR WALL FINISHES. 2x4 FRAMING AT 16" O.C. - SEE STRUCTURAL. PROVIDE 8" WOOD TO EARTH SEPARATION OR PRESSURE TREATED WOOD. WOOD LOCATED ON CONCRETE SLAB SHALL BE PRESSURE TREATED.
 - NEW EXTERIOR 2x4 STUD WALL FRAMING AT 16" O.C. U.N.O. EXTERIOR WALLS (WITH WOOD SIDING) TO HAVE 1/2" PLYWOOD AT EXTERIOR SIDE. PROVIDE TWO LAYERS GRADE D PAPER OVER ALL WOOD BASE SHEATHING. 1" SHOWN FOR EXTERIOR FINISH - SEE STRUCT. DWGS
 - EXTERIOR WALLS (WITH EXTERIOR PLASTER) TO HAVE WOOD STRIP FLOORING AT EXTERIOR SIDE. PROVIDE TWO LAYERS GRADE D PAPER OVER ALL WOOD BASE SHEATHING. 1" SHOWN FOR EXTERIOR FINISH - SEE STRUCT. DWGS
 - NEW 2x6 STUD WALL FRAMING AT 16" O.C. U.N.O. - SEE NOTES ABOVE.
 - NEW 2x8 STUD WALL FRAMING AT 16" O.C. U.N.O. - SEE NOTES ABOVE.
 - NEW 2x10 STUD WALL FRAMING AT 16" O.C. U.N.O. - SEE NOTES ABOVE.
 - CONCRETE BLOCK WALL

2607 OCEAN
CORONA DEL MAR, CA. 92625



2607 OCEAN
CORONA DEL MAR, CA. 92625

ROOF DECK LEVEL FLOOR PLAN

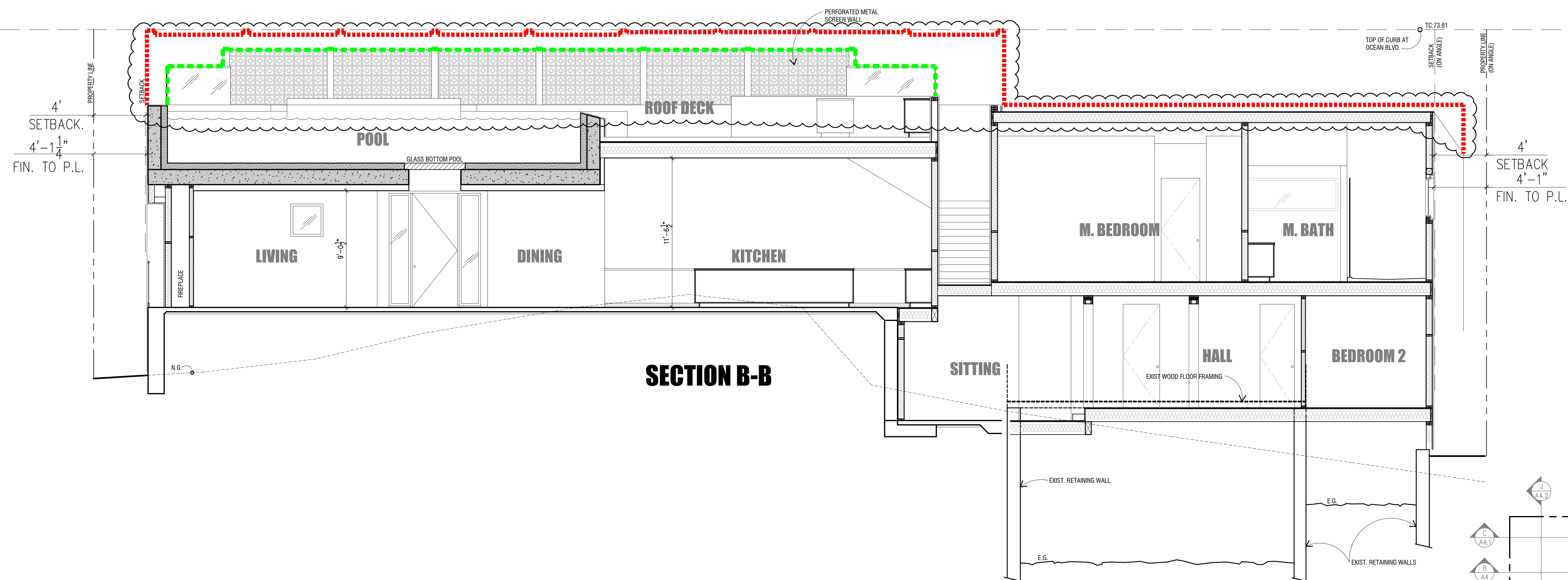
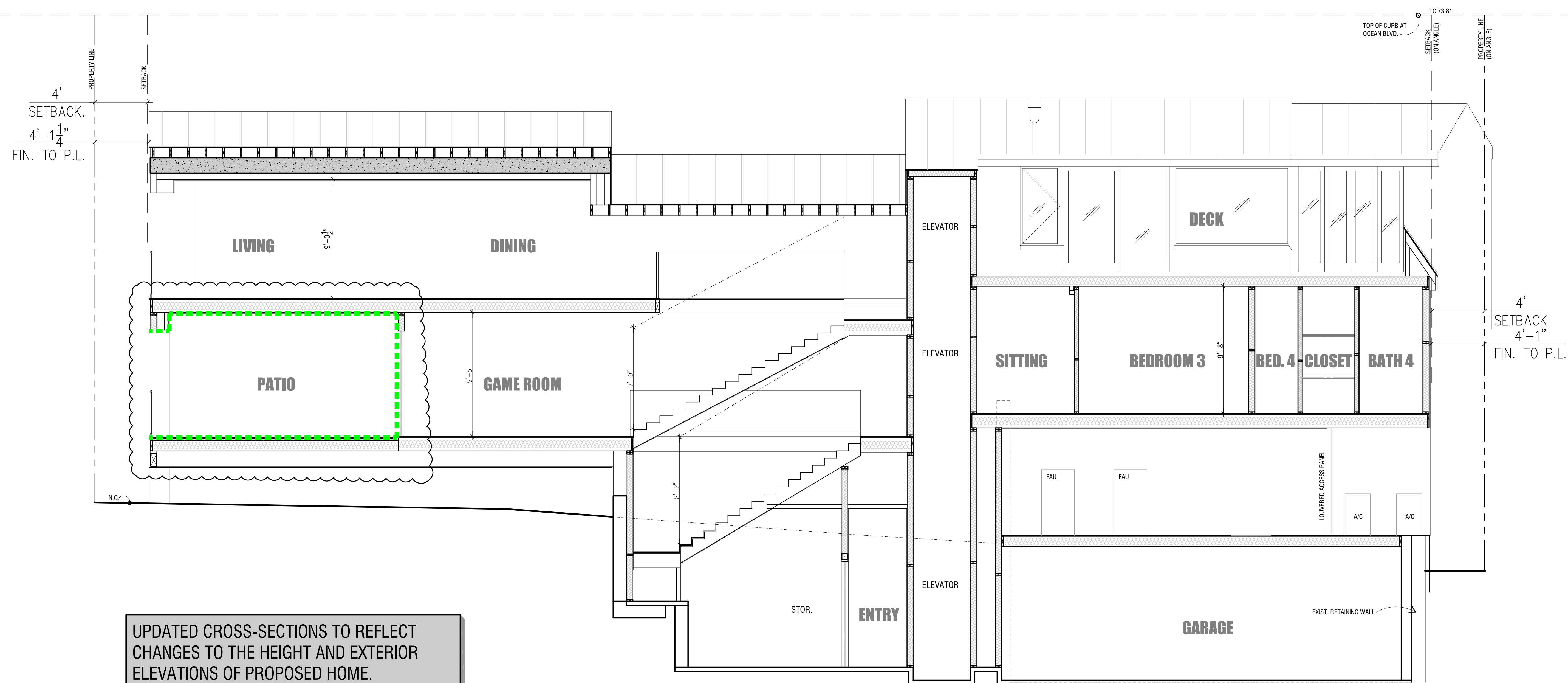
REVISIONS:

Plot Date: 11/27/17
START DATE: 6/14/16
SCALE: 1/4" = 1'-0"

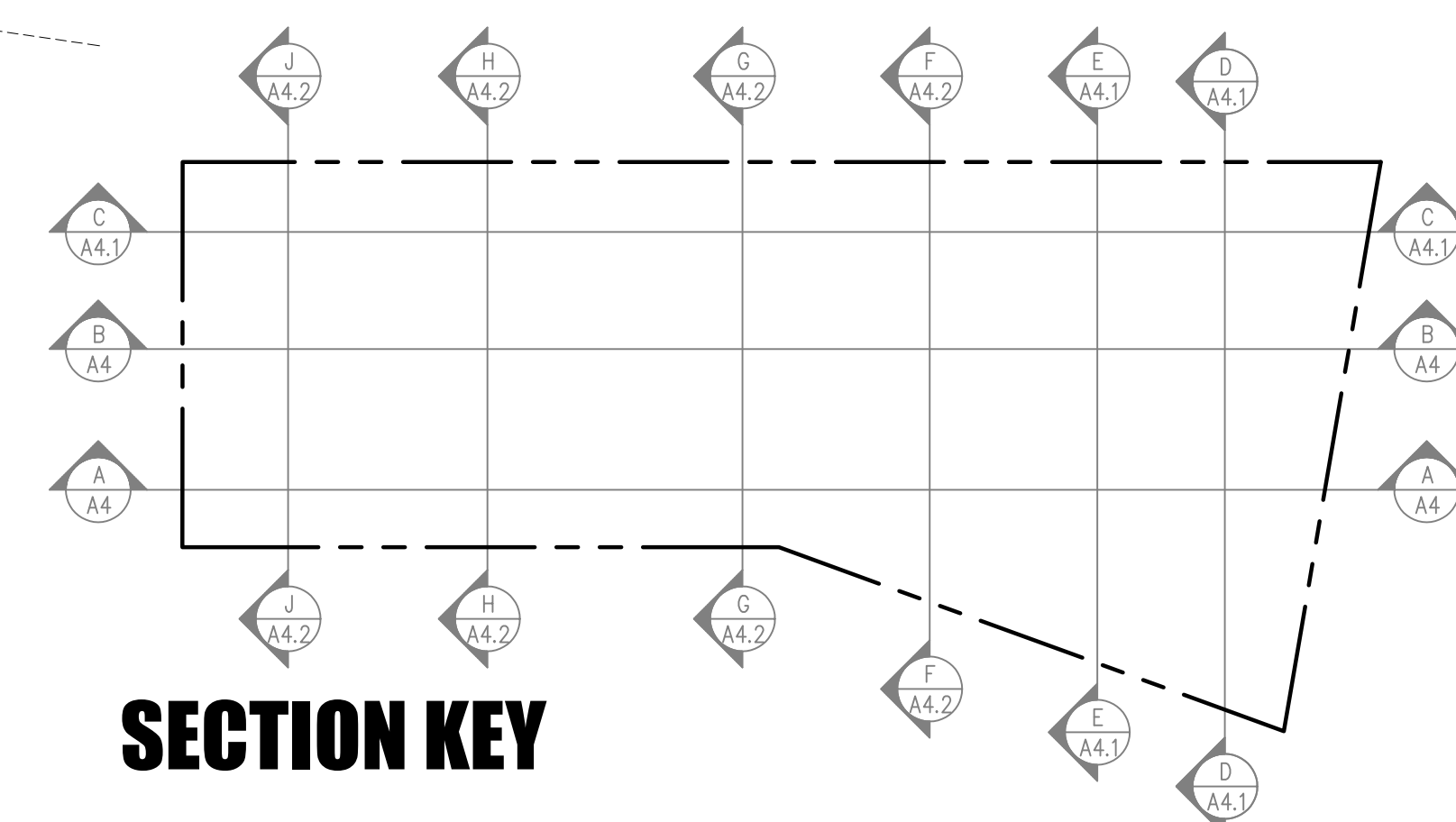
SHEET

A-23

Exhibit No. 3
Page 6 of 16



RED = REMOVED ELEMENTS
GREEN = ADDED ELEMENTS



- ## KEY NOTES -SECTIONS

- | | |
|-----|---|
| 1 | 2x RAFTERS / ROOF JOISTS - SEE FRAMING PLAN |
| 2 | BEAM PER STRUCTURAL |
| 3 | CONCRETE FOUNDATION AND FOOTINGS
- SEE FOUNDATION PLAN |
| 4 | CONCRETE SLAB w/ REINFORCING STEEL
o W/P MEMBRANE. SEE A-1 AND STRUCT. FOR SLAB INFO. |
| 5 | 2x 4" INSULATED JOISTS @ 18" o.c. |
| 6 | DOORS AND WINDOWS - SEE PLAN - TYPICAL |
| 7 | 2x4 STUDS @ 18" o.c. (TYPICAL U.N.O.) |
| 8 | 2x6 STUDS @ 18" o.c. |
| 9 | 2x P.T.D.F. MUD SILL |
| 10 | FLOOR JOISTS @ 18" o.c. - SEE FRAMING PLAN |
| 11 | EXTERIOR PLASTER o METAL LATH o BUILDING PAPER
COLOR COAT. - SEE SPECIFICATIONS - SHT A-3 |
| 11a | EXTERIOR WOOD SIDING o BUILDING PAPER
SEE SPECIFICATIONS - SHT A-3 |
| 12 | GUARD + 42" ABOVE ADJACENT SURFACE
PICKETS- MAX. SPACE 3/8" BETWEEN |
| 13 | 5/8" PLYWOOD ROOF SHEATHING
SEE TITLE 24 FOR RADIANT BARRIER - AS OCCURS. |
| 14 | 1-1/8" T&G PLYWOOD SUBFLOOR |
| 15 | FLUSH BEAM - SEE FRAMING PLAN |
| 16 | LIGHTING - SEE PLAN |
| 17 | STAIRS. SEE PLAN FOR RISE AND RUN
HANDRAIL - 34" TO 38" ABOVE NOSING |
| 18 | 2x SOLID BLOCKING |
| 19 | R-15 F.G. BATT. WALL INSULATION AT 2x4 WALLS.
R-21 F.G. BATT. WALL INSULATION AT 2x6 WALLS. SEE TITLE 24. |
| 20a | R-21 INSULATION
PROVIDE GREATER THAN 6-1/2" JOIST SPACE. |
| 20b | R-30 INSULATION
PROVIDE GREATER THAN 10-1/2" JOIST SPACE. |
| 21 | ROOFING OVER WATERPROOF MEMBRANE SEE ROOF PLAN AND
ELEVATIONS |
| 22 | MAINTAIN FINISH SLAB TO FINISH GRADE OR FINISH SURFACE MIN.
CLEARANCES PER CRC DETAIL. $\frac{30}{01}$ FINISH GRADE OR FINISH SURFACE
AWAY FROM BUILDING. SEE DETAIL. |
| 23 | 5/8" TYPE "X" GYPSUM BOARD AT WALLS (THROUGHOUT GARAGE TO HOUSE)
5/8" TYPE "X" GYPSUM BOARD AT CEILING. (PROVIDE 2 LAYERS 5/8" TYPE
"X" GYPSUM BOARD AT CEILING WHEN TRUSS JOISTS ARE USED.) - W/P GYPSUM
BOARD ENTIRE GARAGE WHERE TYPE "X" NOT REQUIRED BY CODE.
ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE:
UNDER-STAIR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED
SIDE WITH 1/2-INCH (12.7 MM) GYPSUM BOARD. CRC R302.7 |
| 24 | DECK. SEE "DECK MATERIAL" NOTE ON SHEET A-2.2. |
| 25 | FIRE BLOCK @ 10-0" o.c. HORIZONTAL AND VERTICAL. PER CRC R302.11 |
| 27 | WATERPROOFING. INSTALL BELOW-GRADE WATERPROOF MEMBRANE PER
MANUFACTURER'S RECOMMENDATIONS. PROVIDE PROTECTION BOARD
FROM BACKFILL. INSTALL FRENCH DRAIN BEHIND RETAINING WALL PER
SOLS REPORT. SEE DETAIL: $\frac{30}{01}$ |

NOTE TO STRUCT. ENG'R

PROVIDE 1 3/8" FLOOR SHEATHING UNLESS NOTED OTHERWISE.

FOR SHEAR WALLS GREATER THAN 5FT LONG USE 6" LESS THAN THE MEASURED LENGTH FOR CALCULATION PURPOSES WHEREVER POSSIBLE.

[illegible]

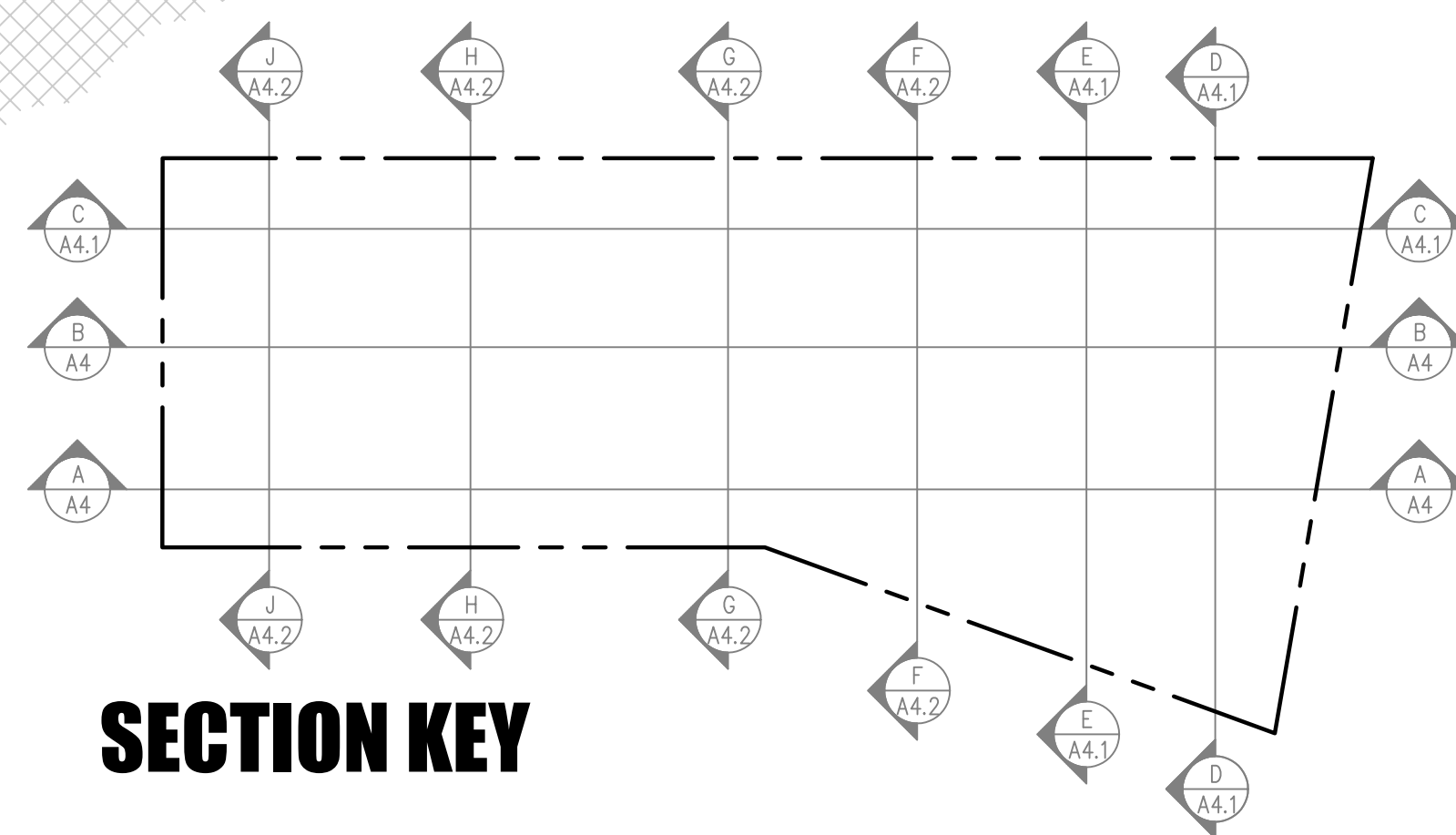


NOTE:
24' AND 29' HEIGHT LIMIT LINES SHOWN ON SECTIONS
ARE FOR REFERENCE ONLY. THE HEIGHTS ESTABLISHED
BY THESE LINES EXIST AT THAT PARTICULAR SECTION ONLY.
ITEMS SHOWN IN ELEVATION BEYOND ARE NOT AFFECTED
BY THESE LINES.

-HEIGHT LIMITS ARE NOT DETERMINED BY THESE LINES
PLEASE REFER TO SHEETS A-2.4 & A-2.5 FOR HEIGHT
LIMIT CALCULATIONS.



RED = REMOVED ELEMENTS
GREEN = ADDED ELEMENTS



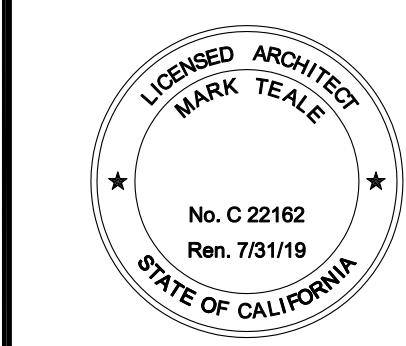
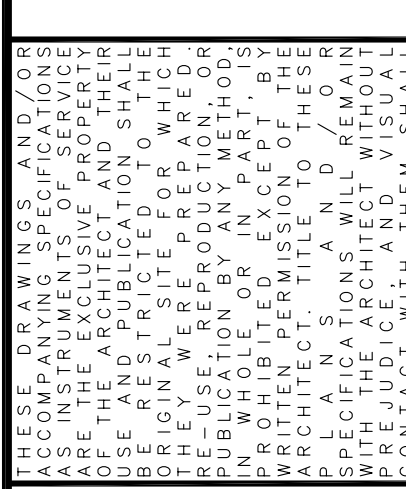
- | | |
|-----|--|
| 2 | 2x RAFTERS / ROOF JOISTS - SEE FRAMING PLAN |
| 2 | BEAM PER STRUCTURAL |
| 3 | CONCRETE FOUNDATION AND FOOTINGS
- SEE FOUNDATION PLAN |
| 4 | CONCRETE SLAB w/ REINFORCING STEEL
w/ W/P MEMBRANE. - SEE A-1 AND STRUCT. FOR SLAB INFO. |
| 5 | 2x4 CEILING JOISTS @ 16" o.c. |
| 6 | DOORS AND WINDOWS - SEE PLAN - TYPICAL |
| 7 | 2x4 STUDS @ 16" o.c. (TYPICAL U.N.O.) |
| 8 | 2x6 STUDS @ 16" o.c. |
| 9 | 2x P.T.F. MUD SILL |
| 10 | FLOOR JOISTS @ 16" o.c. - SEE FRAMING PLAN |
| 11 | EXTERIOR PLASTER w/ MESH LATH w/ BUILDING PAPER
COLOR COAT. - SEE SPECIFICATIONS - SHT 3-A |
| 11A | EXTERIOR WOOD SING. - BUILDING PAPER
SEE SPECIFICATIONS - SHT 3-A |
| 12 | GUARD - 4" ABOVE ADJACENT SURFACE
PICKETS - MAX. SPACE 3'-0" BETWEEN |
| 13 | 5/8" PLYWOOD ROOF SHEATING
SEE TITLE 2-4 FOR RADIANT BARRIER AS OCCURS. |
| 14 | 1-1/8" T&B PLYWOOD SUBFLOOR |
| 15 | FLUSH BEAM - SEE FRAMING PLAN |
| 16 | LIGHTING - SEE PLAN |
| 17 | STAIRS. SEE PLAN FOR RISE AND RUN
HANDRAIL - 34" TO 38" ABOVE NOSSING |
| 18 | 2x SOLID BLOCKING |
| 19 | R-15 G.G. BATT. WALL INSULATION AT 2x4 WALLS. |
| 20 | R-21 G.G. BATT. WALL INSULATION AT 2x6 WALLS. SEE TITLE 2-4. |
| 20A | R-21 INSULATION
PROVIDE GREATER THAN 6-1/2" JOIST SPACE. |
| 20B | R-30 INSULATION
PROVIDE GREATER THAN 10-1/2" JOIST SPACE. |
| 21 | ROOFING OVER WATERPROOF MEMBRANE SEE ROOF PLAN AND
ELEVATIONS |
| 22 | MAINTAIN FINISH FLOOR TO FINISH GRADE OR FINISH SURFACE MIN.
CLEARANCES PER CRC R302.1. SLOPE FINISH GRADE OR FINISH SURFACE
AWAY FROM BUILDING. SEE DETAIL (30) |
| 23 | 5/8" TYPE "X" GYPSUM BOARD AT WALLS THROUGHOUT GARAGE TO JOISTS
5/8" TYPE "X" GYPSUM BOARD AT CEILING. (PROVIDE 2 LAYERS 5/8" TYPE
"X" GYPSUM BOARD AT CEILING WHEN TRUSS JOISTS ARE USED). - W/P GYPSUM
BOARD ENTIRE GARAGE WHERE TYPE "X" NOT REQUIRED BY CODE. |
| 24 | ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS,
UNDER-STAIR SURFACE AND ANY OTHERS PROTECTED ON THE ENCLOSED
SIDE WITH 1/2-INCH (12.7 MM) GYPSUM BOARD. CRC R302.7 |
| 25 | DECK. SEE "DECK MATERIAL" NOTE ON SHEET A-2.2. |
| 26 | FIRE BLOCK @ 10'-0" o.c. HORIZONTAL AND VERTICAL. PER CRC R302.11 |
| 27 | WATERPROOFING. INSTALL BELOW-GRADE WATERPROOF MEMBRANE PER
MANUFACTURER'S RECOMMENDATIONS. PROVIDE PROTECTION BOARD
FROM BACKFILL. INSTALL FRESH DRAIN BEHIND RETAINING WALL PER
SOLS. REPORT. SEE DETAIL (30) |

1. PROVIDE FIRE BLOCKS @ 10'-0" o.c. BOTH VERTICALLY AND HORIZONTALLY PER CRC R302.11
2. CONCEALED WALL SPACE NOT TO EXCEED 10 FEET INTERV. HORIZONTALLY. CRC R302.11
3. WHERE "LIGHT-WEIGHT CONC" IS CALLED OUT, INSTALL α/ WATERPROOF MEMBRANE α/ PLYWOOD SHEATHING.

PROVIDE 1 3/8" FLOOR SHEATHING UNLESS NOTED OTHERWISE.

FOR SHEAR WALLS GREATER THAN 5FT LONG USE 6" LESS THAN THE MEASURED LENGTH FOR CALCULATION PURPOSES WHEREVER POSSIBLE.

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ARCHITECTURE**
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tealearchitecture.com



PROJECT
2607 OCEAN
2607 OCEAN BLVD.
CORONA DEL MAR, CA. 92625

SHEET
BUILDING SECTIONS

Plot Date: 11/27/17

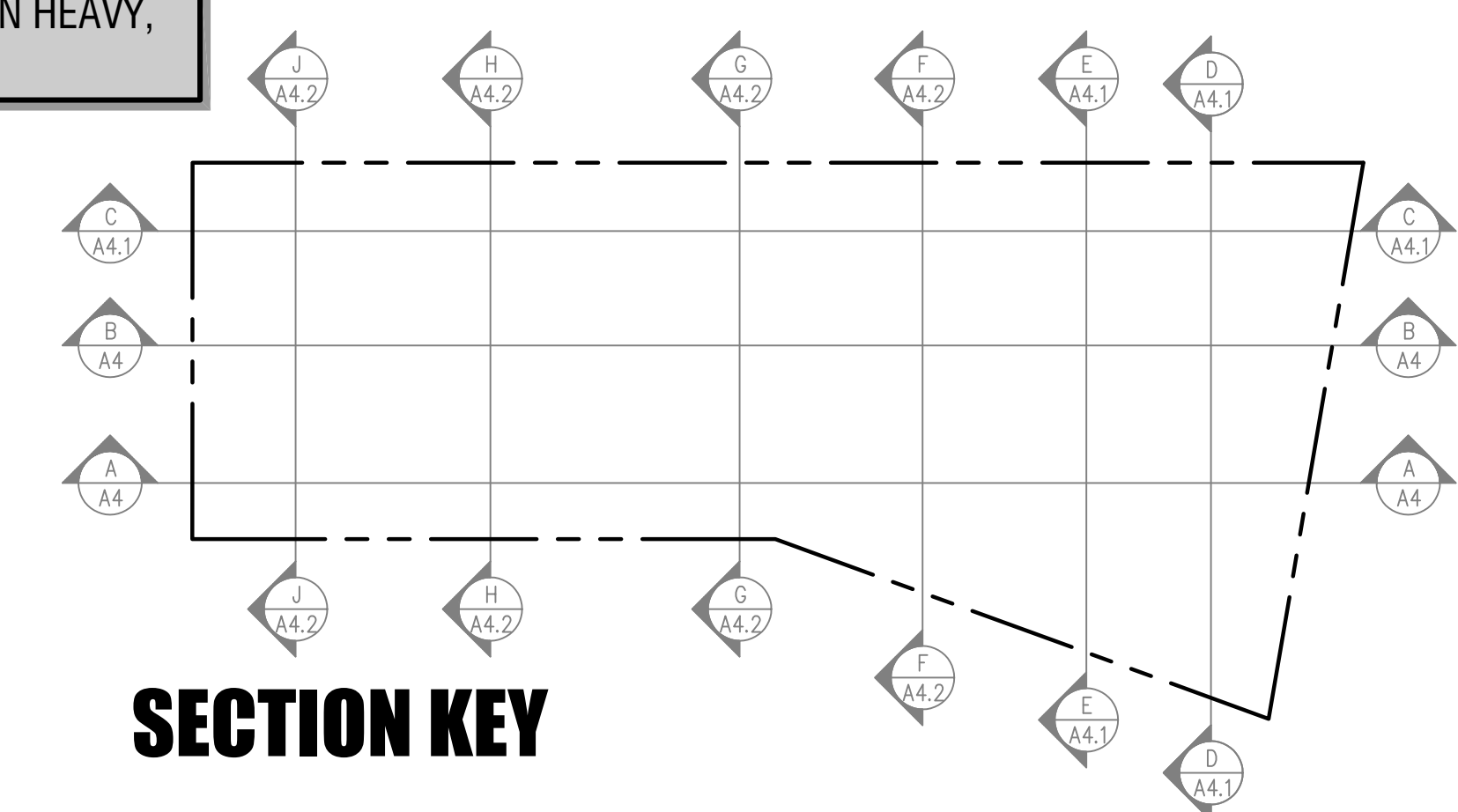
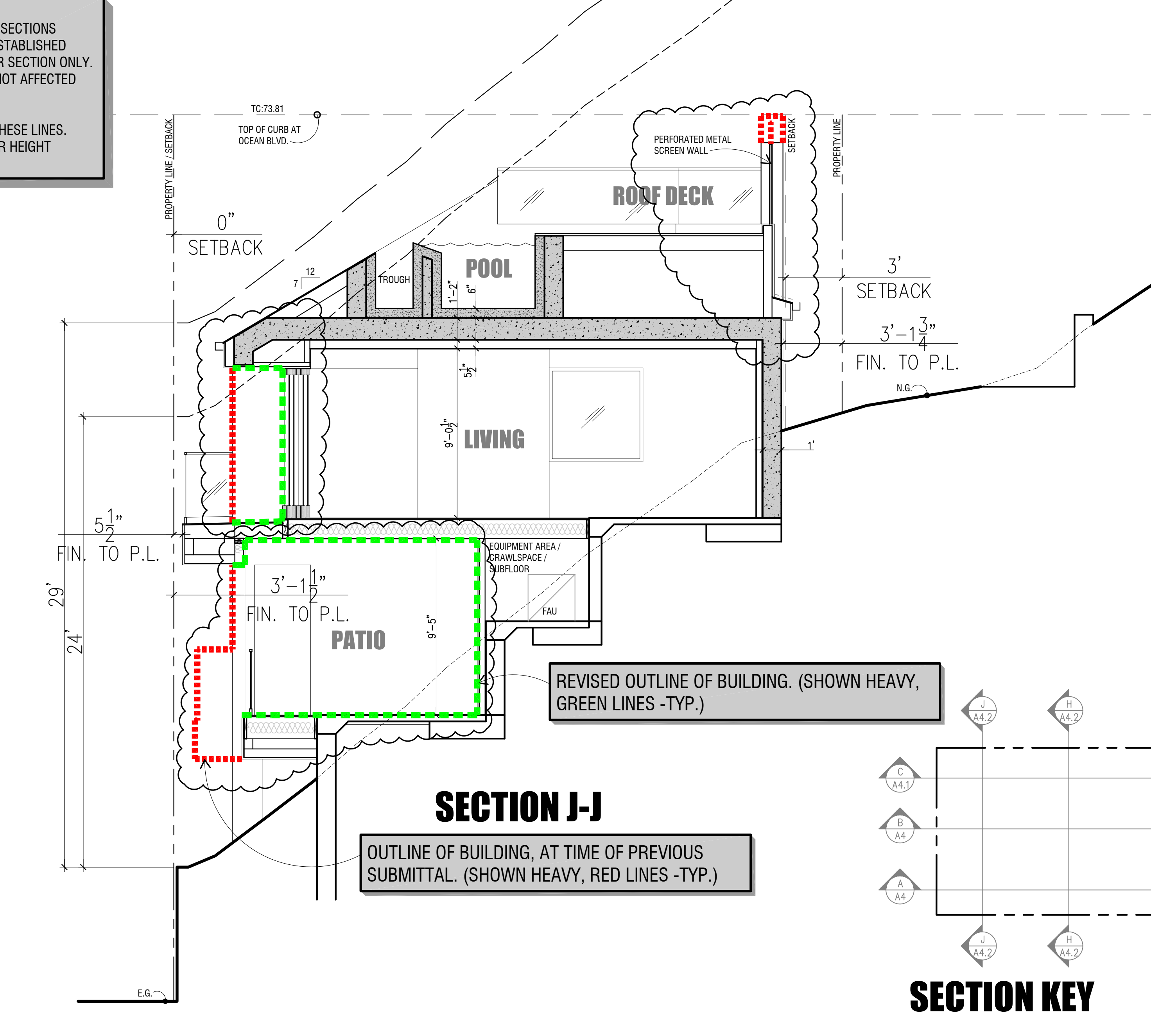
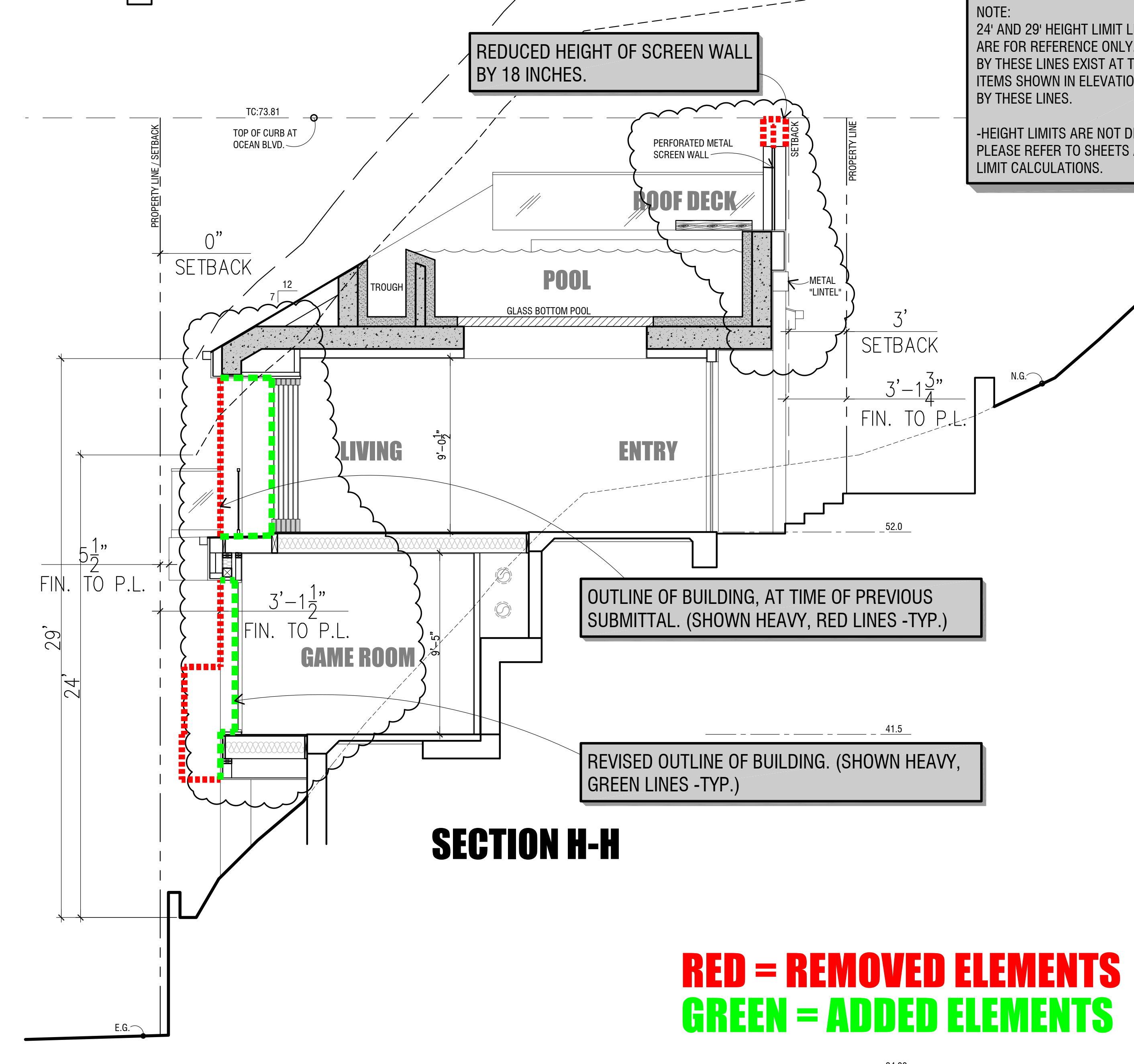
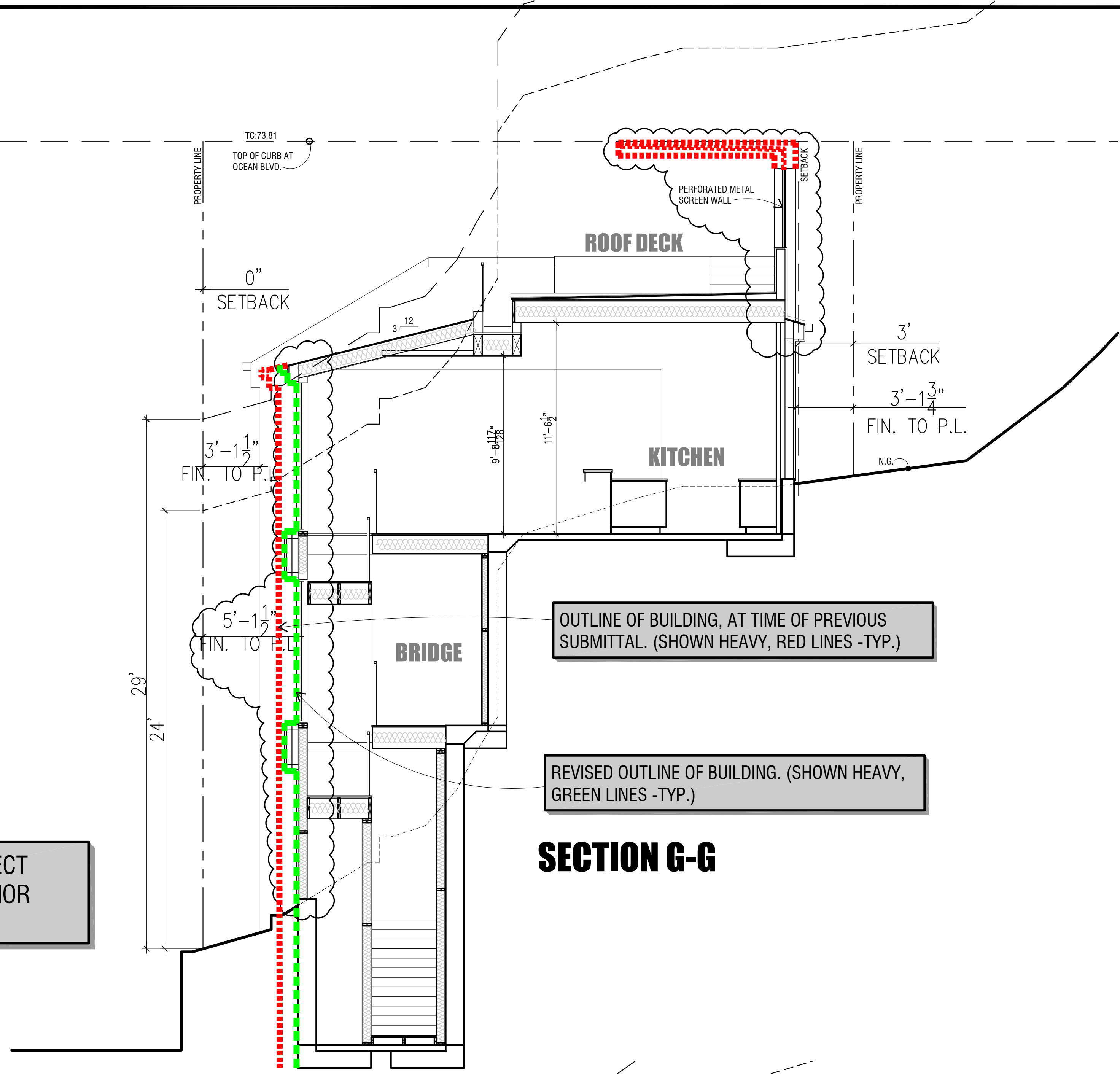
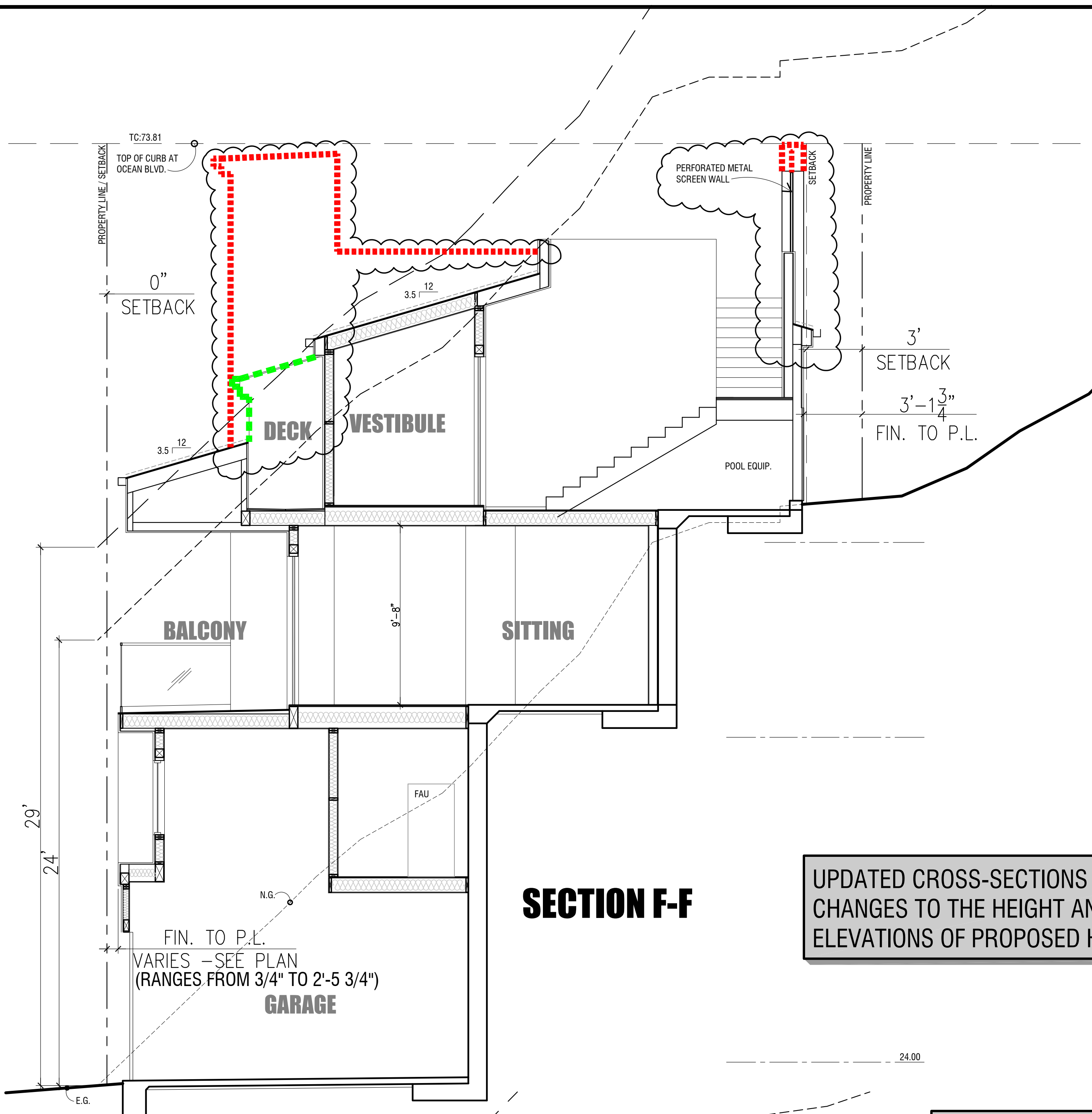
START DATE: 6/14/16

SCALE: 1/4" = 1'

SHE

A-4.1

Exhibit No. 3
Page 11 of 16



- KEY NOTES -SECTIONS**
- 2x RAFTERS / ROOF JOISTS -SEE FRAMING PLAN
 - BEAM PER STRUCTURAL
 - CONCRETE FOUNDATION AND FOOTINGS
 - CONCRETE SLAB w/ REINFORCING STEEL
 - 2x4 CEILING JOISTS @ 16"o.c.
 - DOORS AND WINDOWS -SEE PLAN -TYPICAL
 - 2x4 STUDS @ 16"o.c. (TYPICAL U.N.D.)
 - 2x6 STUDS @ 16"o.c.
 - 2x P.T.D.F. MUD SILL
 - FLOOR JOISTS @ 16"o.c. -SEE FRAMING PLAN
 - EXTERIOR PLASTER or METAL LATH or BUILDING PAPER
 - EXTERIOR WOOD SIDING or BUILDING PAPER
 - GUARD + 42" ABOVE ADJACENT SURFACE
 - 5/8" PLYWOOD ROOF SHEATHING
 - 1-1/8" T&G PLYWOOD SUBFLOOR
 - FLUSH BEAM -SEE FRAMING PLAN
 - LIGHTING -SEE PLAN
 - STAIRS. SEE PLAN FOR RISE AND RUN
 - 2x SOLID BLOCKING
 - R-15 F.G. BATT. WALL INSULATION AT 2x4 WALLS.
 - R-21 F.G. BATT. WALL INSULATION AT 2x6 WALLS. SEE TITLE 24.
 - R-21 INSULATION
 - PROVIDE GREATER THAN 6-1/2" JOIST SPACE.
 - R-30 INSULATION
 - PROVIDE GREATER THAN 10-1/2" JOIST SPACE.
 - ROOFING OVER WATERPROOF MEMBRANE SEE ROOF PLAN AND ELEVATIONS
 - MAINTAIN FINISH SLAB TO FINISH GRADE OR FINISH SURFACE MIN.
 - 5/8" TYPE "X" GYPSUM BOARD AT CEILING. PROVIDE 2 LAYERS 5/8" TYPE "X" GYPSUM BOARD AT CEILING WHEN TRUSS JOISTS ARE USED. -W/P GYPSUM BOARD ENTIRE GARAGE WHERE TYPE "X" NOT REQUIRED BY CODE.
 - ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS.
 - UNDER STAIR SURFACE AND ANY SORTS PROTECTED ON THE ENCLOSED SIDE WITH 1/2-INCH (12.7 MM) GYPSUM BOARD. CRC R302.7
 - DECK: SEE "DECK MATERIAL" NOTE ON SHEET A-2.2.
 - FIRE BLOCK @ 10'-0"o.c. HORIZONTAL AND VERTICAL. PER CRC R302.11
 - WATERPROOFING. INSTALL BELOW-GRADE WATERPROOF MEMBRANE PER MANUFACTURER'S RECOMMENDATIONS. PROVIDE PROTECTION BOARD FROM BACKFILL. INSTALL FRENCH DRAIN BEHIND RETAINING WALL PER SOILS REPORT. SEE DETAIL: (30) D1
- GENERAL NOTES -SECTIONS**
- PROVIDE FIRE BLOCKS @ 10'-0"o.c. BOTH VERTICALLY AND HORIZONTALLY PER CRC R302.11
 - CONCEALED WALL SPACE NOT TO EXCEED 10 FEET INTERVAL HORIZONTALLY. CRC R302.11
 - WHERE "LIGHT-WEIGHT CONC" IS CALLED OUT, INSTALL or WATERPROOF MEMBRANE or PLYWOOD SHEATHING.

RED = REMOVED ELEMENTS
GREEN = ADDED ELEMENTS

TEALE ARCHITECTURE

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tealearchitecture.com

PROJECT
2607 OCEAN
2607 OCEAN BLVD.
CORONA DEL MAR, CA. 92625

SHEET
BUILDING SECTIONS

REVISIONS:

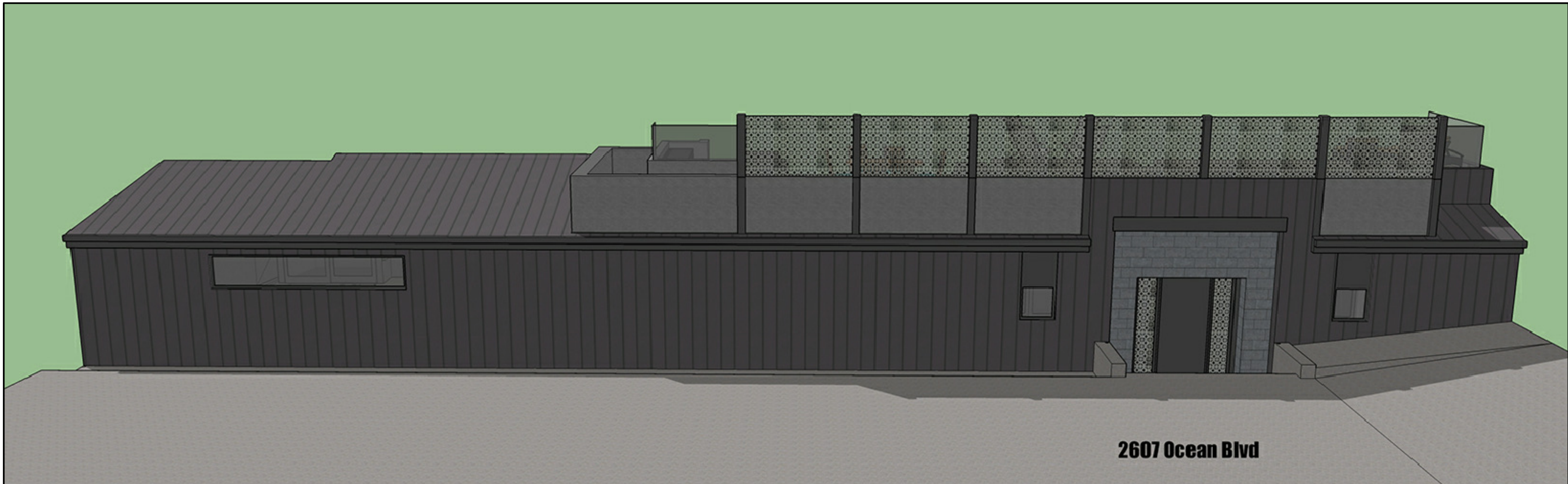
Plot Date: 11/27/17
START DATE: 6/14/16
SCALE: 1/4" = 1'-0"
SHEET

A-4.2

Exhibit No. 3
Page 12 of 16



CLOSE-UP OF LIVING & GAME ROOM DECKS



LOOKING DOWN FROM OCEAN BLVD



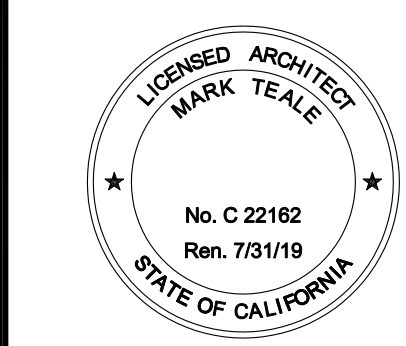
FROM ABOVE WAY LANE



FROM WAY LANE

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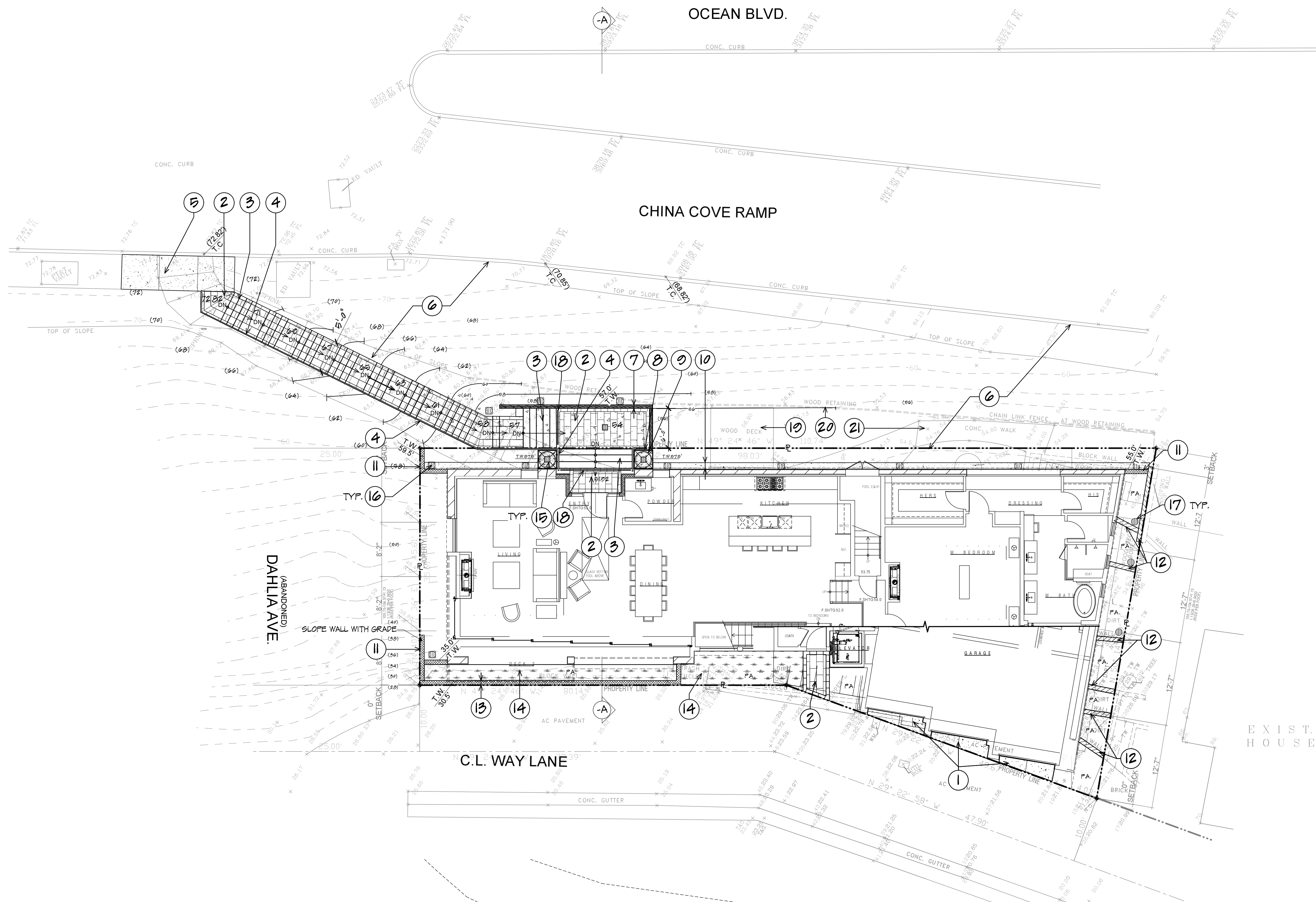
PROJECT
2607 OCEAN
2607 OCEAN BLVD.
CORONA DEL MAR, CA. 92625
...

SHEET
3-D IMAGES
REVISIONS:

Plot Date: 11/28/17
START DATE: DATE
SCALE: NO SCALE

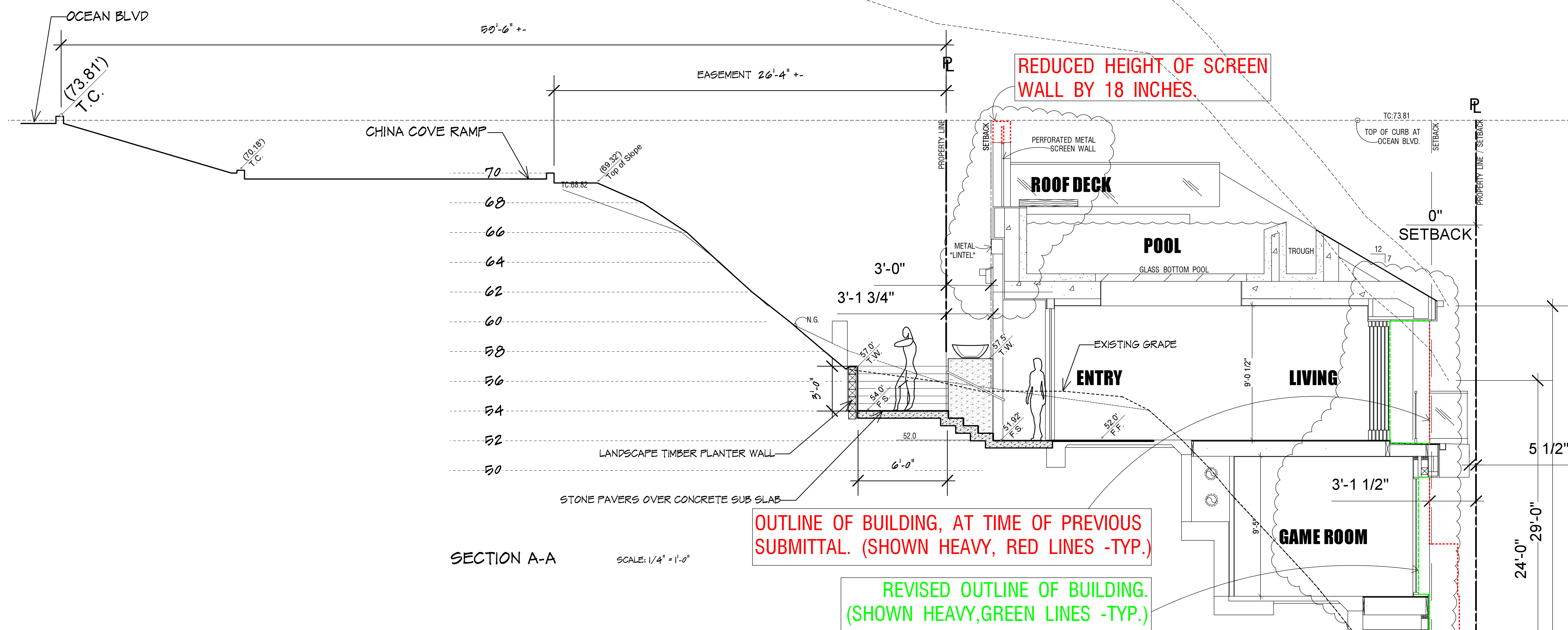
SHEET
3D

Exhibit No. 3
Page 13 of 16



HARDSCAPE LEGEND

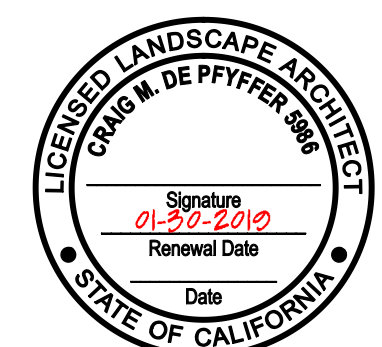
- 6" THICK COLORED CONCRETE DRIVE WITH A LIGHT WASH FINISH
- LIMESTONE PAVERS OVER CONCRETE TO MATCH INTERIOR
- LIMESTONE PAVES TREADS AND RISERS TO MATCH INTERIOR
- 3/4" HIGH HANDRAIL
- NEW CONCRETE SIDEWALK PER CITY STANDARDS, FUTURE ACCESS RAMP AND VIEWPOINT BY CITY
- SLOPE TO BE RELANDSCAPED AND OWNER TO MAINTAIN. MUNICIPAL OPERATIONS DEPT. APPROVAL OF LANDSCAPING REQUIRED
- 3/4" HIGH LANDSCAPE TIMBER PLANTER WALL
- CAST IN PLACE CONCRETE COLUMN
- CAST STONE PLANTER BOWLS WITH IRRIGATION AND DRAINAGE
- CONCRETE DRAINAGE 'V' DITCH, REFER TO CIVIL ENGINEER'S PLAN
- CONCRETE RETAINING WALL, REFER TO STRUCTURAL ENGINEER'S PLAN
- EXISTING CONCRETE RETAINING WALLS TO REMAIN
- 6'-0" HIGH CMU BLOCK RETAINING WALL WITH STUCCO FINISH AND STUCCO CAP TO MATCH HOUSE FINISH, REFER TO STRUCTURAL ENGINEER'S PLAN
- BIO PLANTER, REFER TO CIVIL ENGINEER'S PLAN
- 3" SQ. BRONZE DRAIN
- 12" SQ. ATRIUM DRAIN
- ATRIUM AREA DRAIN
- SLOT DRAIN
- REMOVE WOOD DECK
- REMOVE WOOD RETAINING WALL AND CHAIN LINK FENCE
- REMOVE STONE PAVING



NOTE:
UPDATED CROSS-SECTION TO REFLECT CHANGES TO THE HEIGHT AND EXTERIOR ELEVATIONS OF PROPOSED HOME

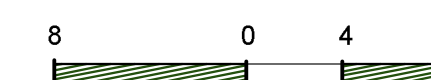
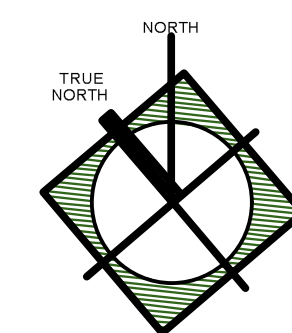


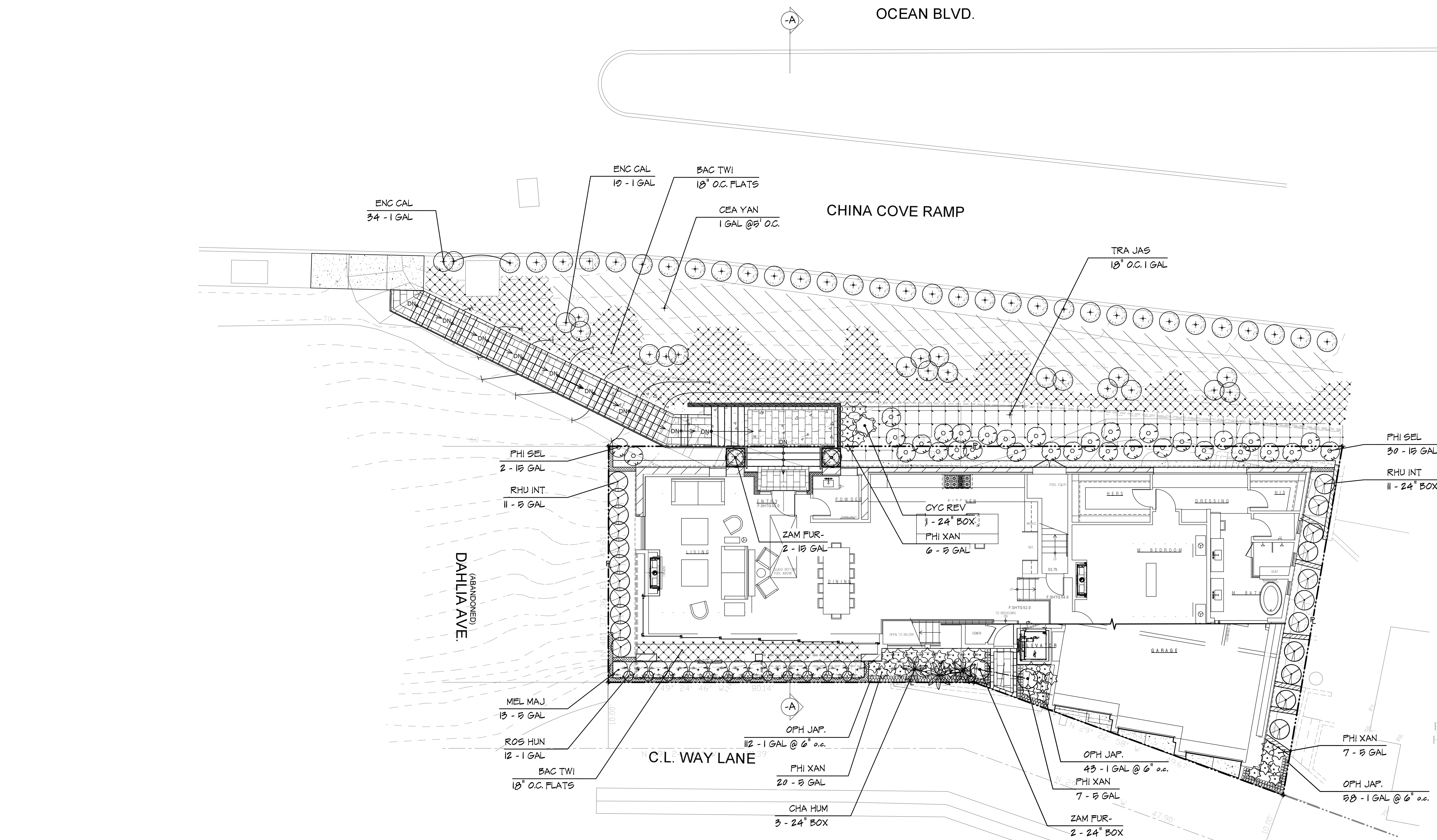
2607 OCEAN RESIDENCE
2607 OCEAN BLVD.
CORONA DEL MAR, CA.



PRELIMINARY HARDSCAPE PLAN

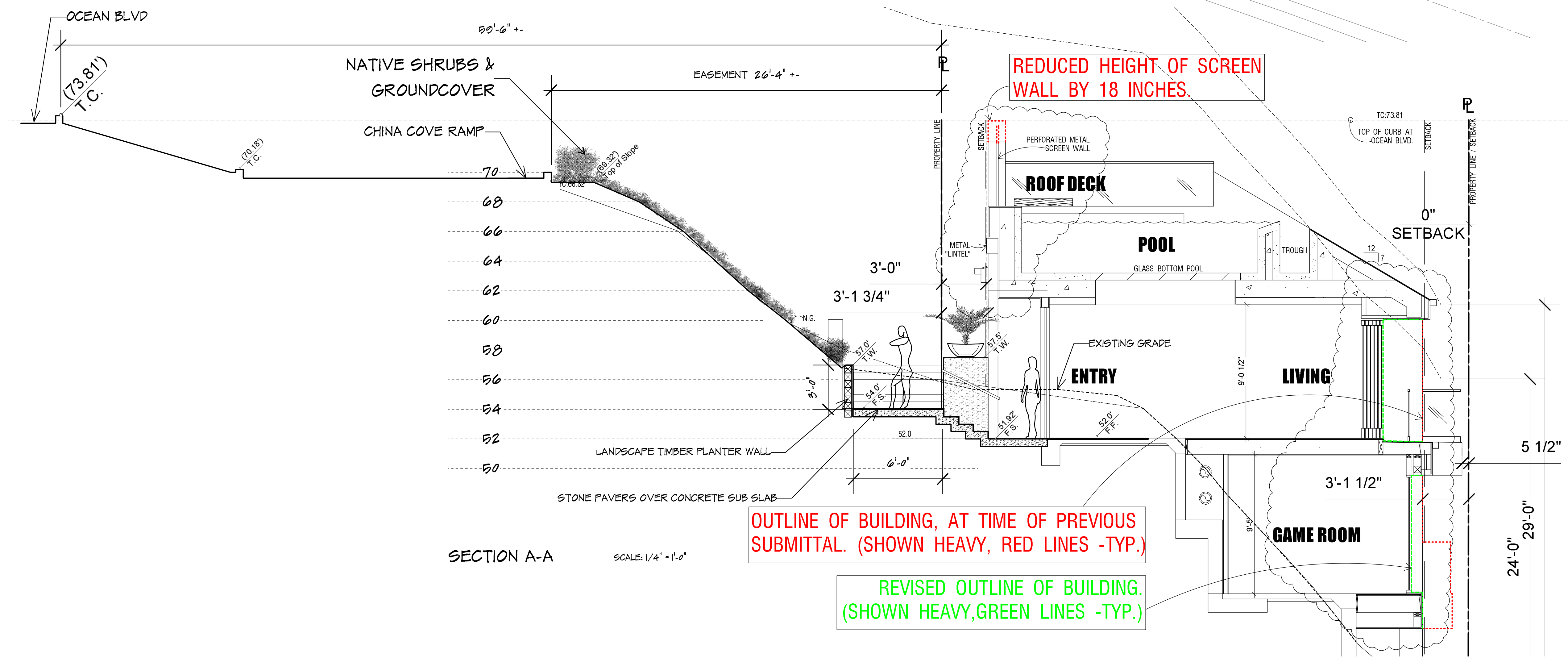
DESIGNER
CRAIG DE PUYFYER
DATE
MAY 11, 2017
SCALE
1/8" = 1' - 0"
PROJECT NAME
2607 Ocean_Preliminary_11-27-17.vwx
SHEET
L-1



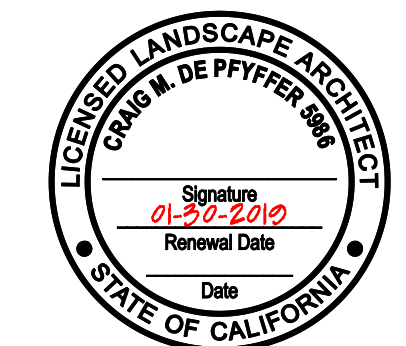


PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	MATURE SIZE
TREES			
CHA HUM	<i>Chamaecyparis humilis</i>	Mediterranean Fan Palm	12' H x 8' W
SHRUBS			
CYC REV	<i>Cycas revoluta</i>	Sage Palm	5' H x 3' W
ENG CAL	<i>Eucalyptus californicus</i>	Coast Sittflower	5' H x 4' W
MEL MAJ	<i>Melanthus major</i> 'Antonow's Blue'	Antonow's Blue Honey Bush	8' H x 8' W
PHI SEL	<i>Philodendron sellowii</i>	Cut-Leaf Philodendron	7' H x 7' W
PHI XAN	<i>Philodendron xanadu</i>	NGN.	2' H x 2' W
RHU INT	<i>Rhus integrifolia</i>	Lemonade Berry	5' H x 3' W
ZAM FUR-	<i>Zamia furfuracea</i>	Cardboard Palm	5' H x 3' W
GROUNDCOVERS / PERENNIALS			
BAC TWI	<i>Baccharis pilularis</i> 'Twin Peaks'	Dwarf Coyote Brush	10' H x 3' W
CEA YAN	<i>Ceanothus griseus</i> 'horizontalis	Yankee Point Ceanothus	2' H x 8' W
OPH JAP.	<i>Ophiopogon japonicus</i>	Mondo Grass	6' H x 6' W
ROS HUN	<i>Rosa multiflora</i> 'Huntington Carpet'	Huntington Carpet Rosemary	1' H x 2' W
TRA JAS	<i>Tracheloperium pinnatifidum</i>	Star Jasmine	1' H x 3' W



2607 OCEAN RESIDENCE
 2607 OCEAN BLVD.
 CORONA DEL MAR, CA.



PRELIMINARY PLANTING PLAN

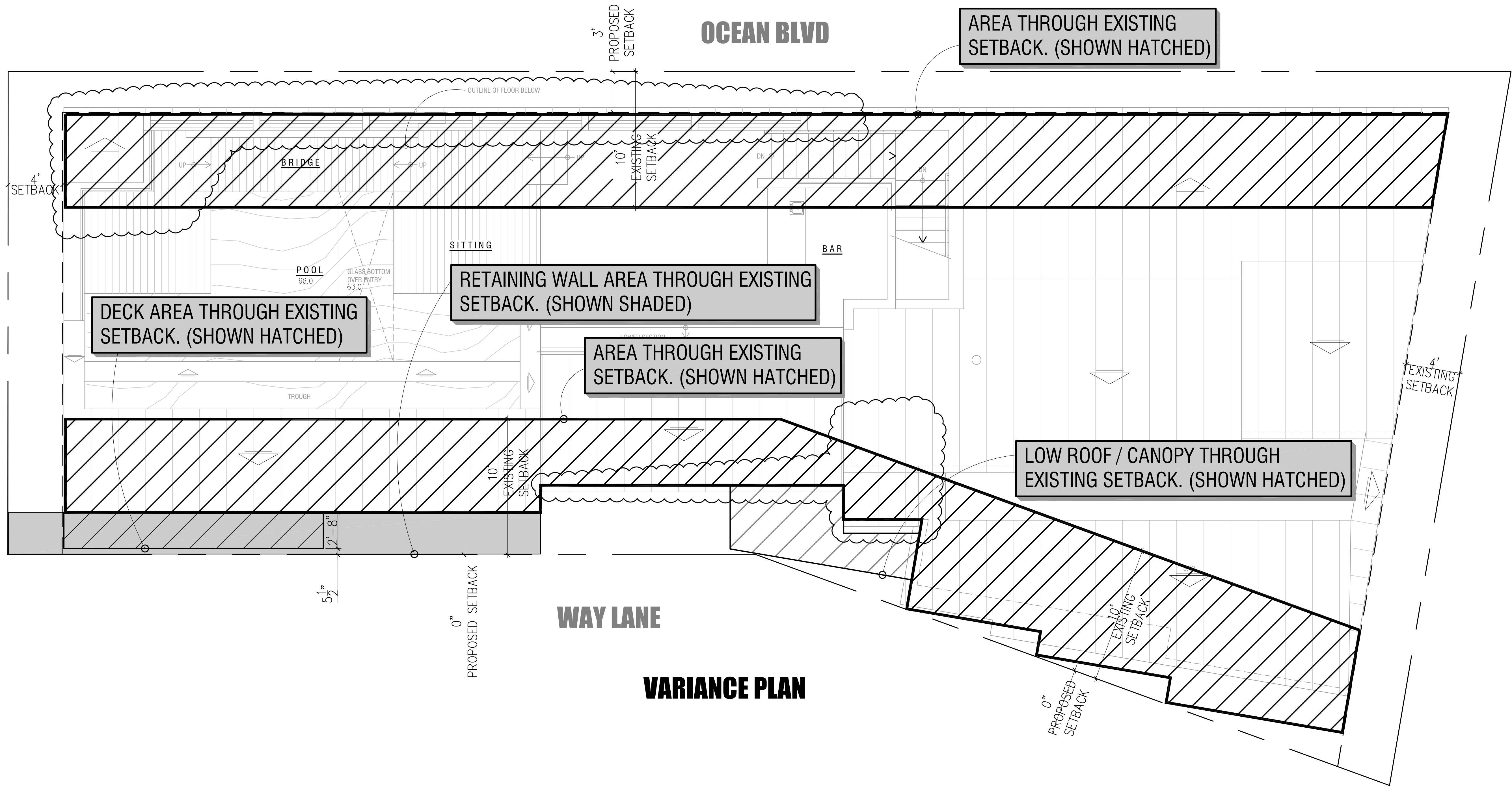
DESIGN: CRAIG P. PFYFFER

DATE: MAY 11, 2017

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

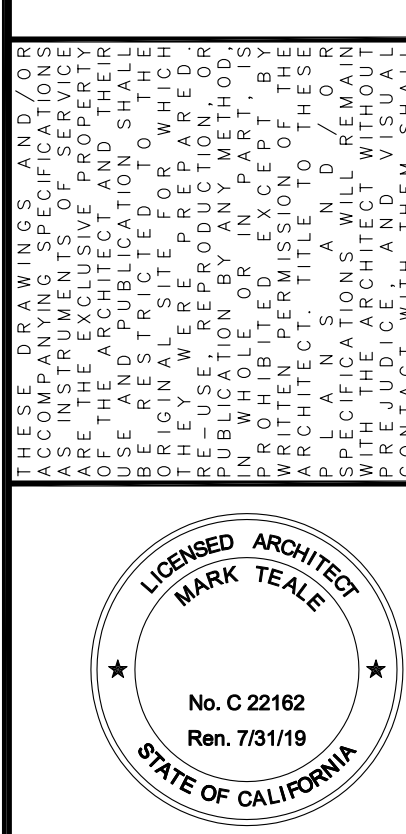
FILE NAME: 2607 Ocean_Preliminary_11-27-17.mxd

SHEET: L-2



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ted@tealearchitecture.com

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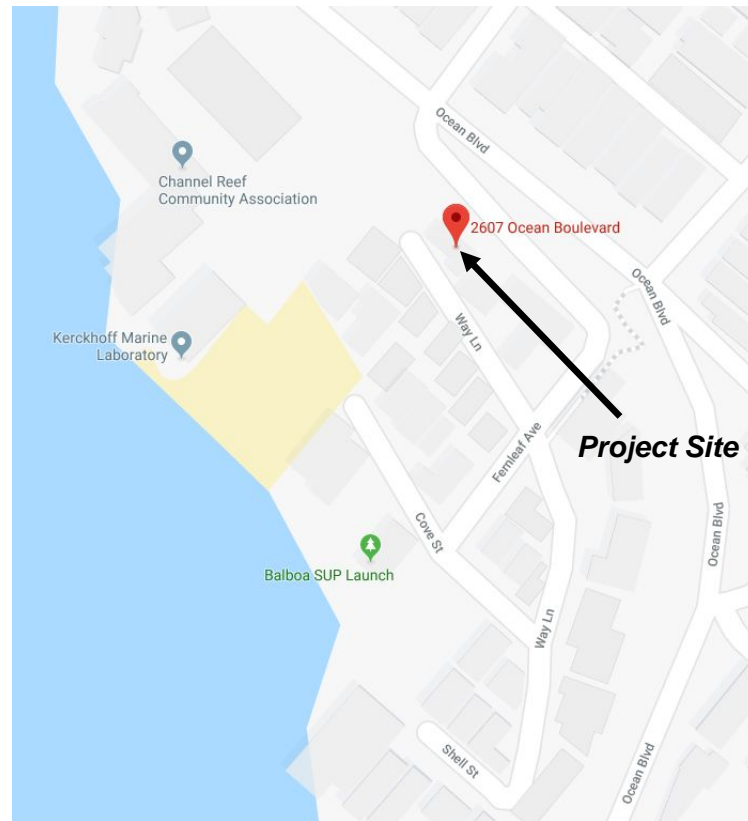
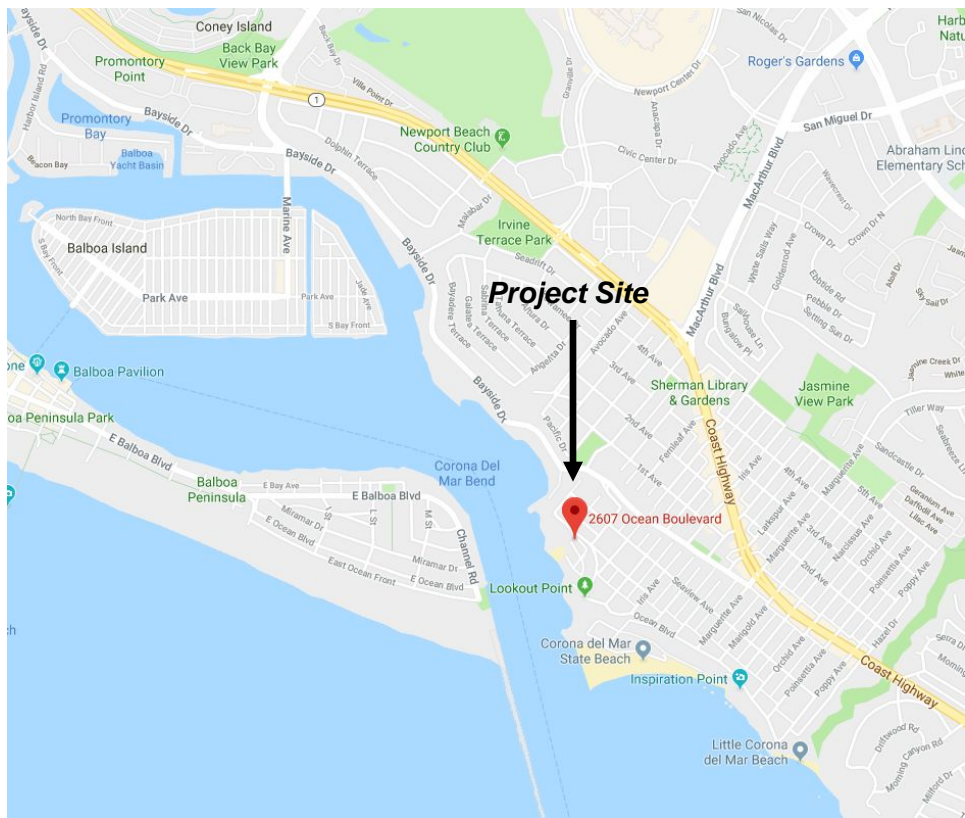
PROJECT
2607 OCEAN
2607 OCEAN BLVD.
CORONA DEL MAR, CA. 92625
...

SHEET
VARIANCE SHEET

REVISIONS:

Plot Date: 11/17/17
START DATE: 6/14/16
SCALE: 1/4" = 1'-0"

SHEET
VAR-1
Exhibit No. 3
Page 16 of 16



February 5, 2018

Fernie Sy
California Coastal Commission
South Coast District Office
200 Oceangate, 10th Floor
Long Beach CA 90802-4416

Re: Commission Appeal No. A-5-NPB-18-0006 - Appeal of local CDP for construction of a 4-level, 4,500 sq. ft., single-family residence, with rooftop pool deck and ground floor, 3-car garage.

Mr. Sy,

My name is John Ramirez and I am representing Nicholson Construction and the property owner on the above-referenced application. I would like to use this letter as an opportunity to respond the statements made by Mr. Jim Mosher in his appeal of our project made to the Coastal Commission on January 22, 2018 and attached herein for reference (Attachment 1).

Background

Site Description

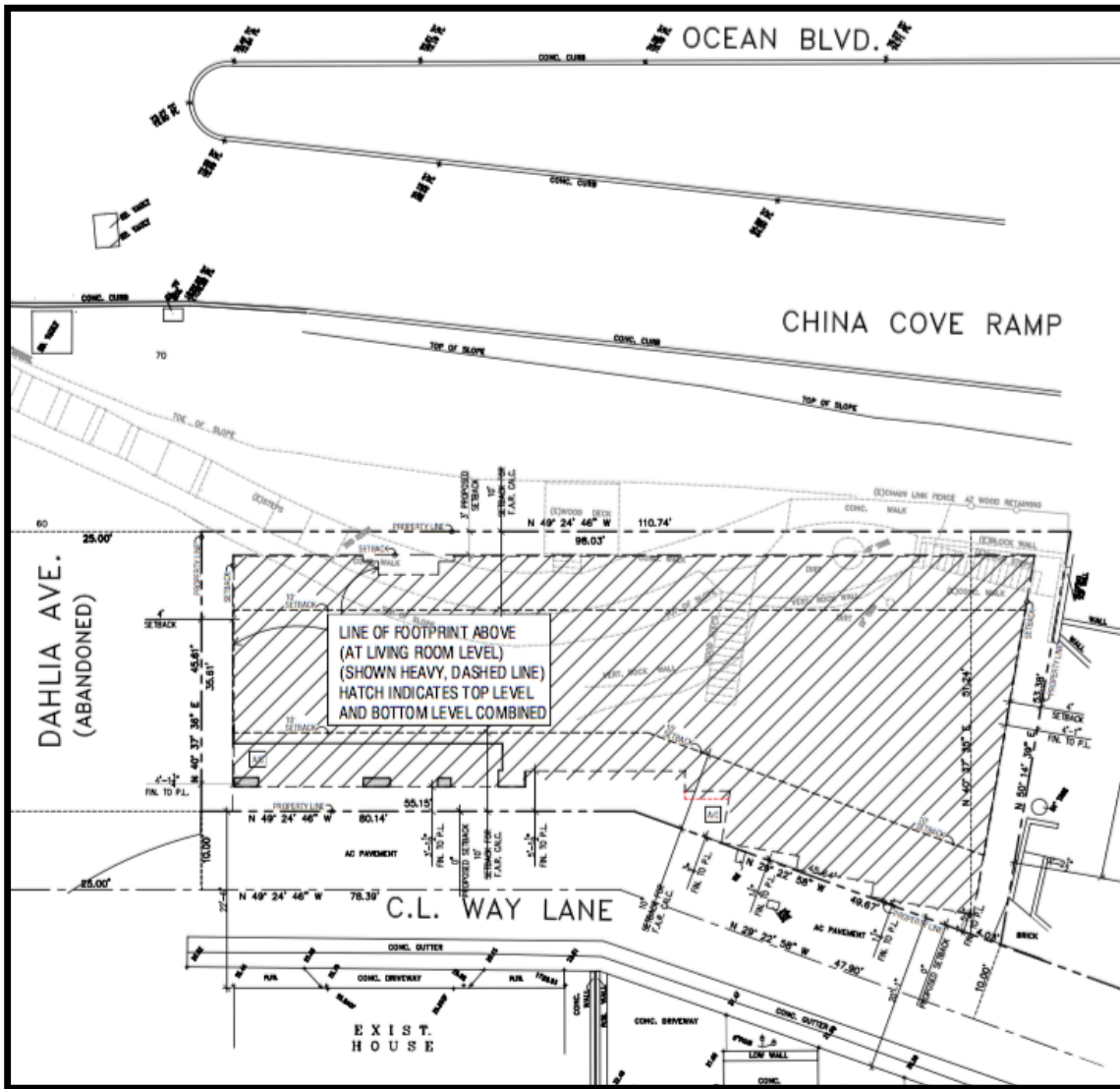
The existing 2,260 square foot 3-story single family home is located on a 4,257 square foot lot that is irregularly shaped and contains an extreme slope that varies from 15%-45% on most of the lot. The existing home has a (legal nonconforming) setback from 0-4 feet along Way Lane and a (legal nonconforming) setback of 7 feet along the Ocean Boulevard right of way. The property takes vehicular access from Way Lane. There are pedestrian access points to the property from Way Lane as well as from an existing gated access way from Ocean Boulevard.

Coastal Development Permit

The property is currently zoned R-1 (Single-Unit Residential) and has a General Plan land use designation of RS-D (Single-Unit Residential Detached). The property is located within the City's Coastal Zone and within the Coastal Zone Categorical Exclusion Area. The City's Local Coastal Program (LCP) classifies the property as RSD-B (Single Unit Residential Detached – 6.0-9.9 DU/AC). Additionally the property is located with R-1 Single-Unit Residential District of the LCP.

This project is located within the Coastal Zone Categorical Exclusion Area, and the demolition and reconstruction of a single family home would not typically require a CDP since the project is consistent with the land use plan and classification of the property and is within an area that is already developed within similar land uses and there is existing infrastructure to serve the property. However, since this request to demolish an existing 2,260 square foot non-conforming (related to setbacks) 3-story single-family home and construct a new 4,500 square foot 3-story single-family home at 2607 Ocean

Boulevard includes variance requests, the City required approval of a Coastal Development Permit as part of the development review of the project. See the Site Plan below.

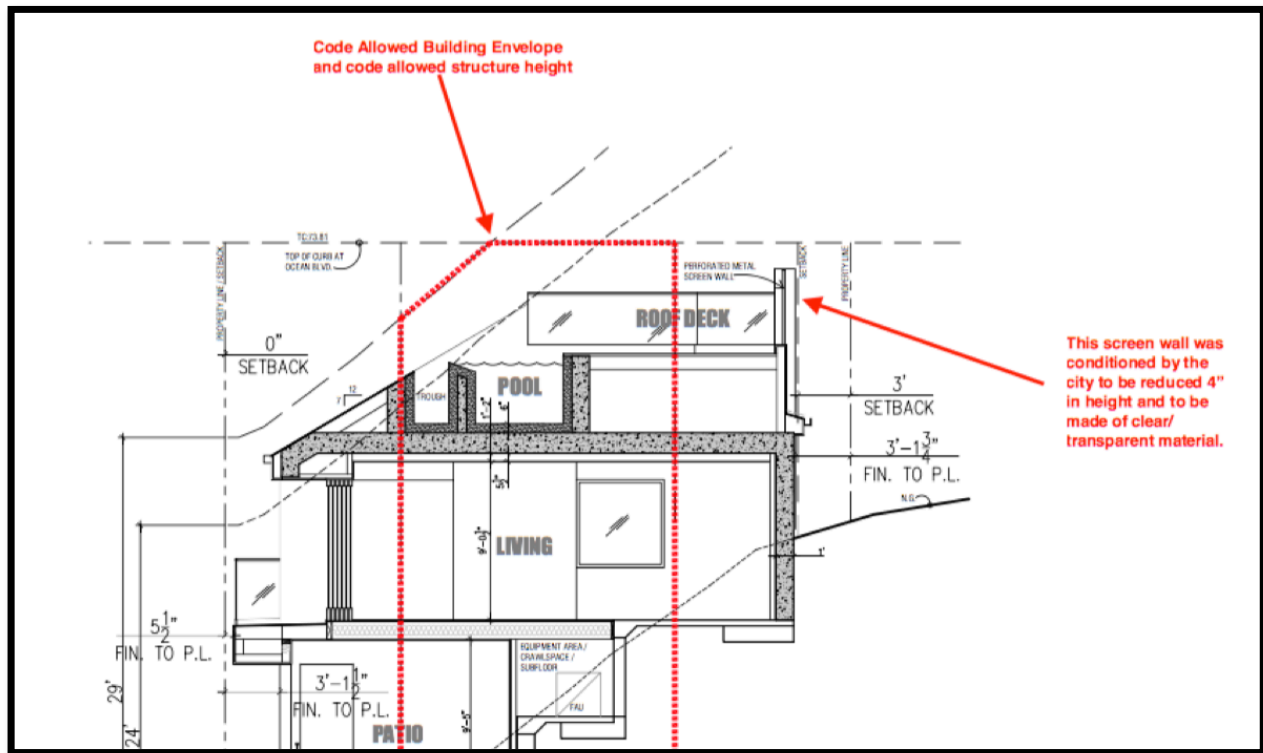


Site Plan

Coastal Views

In his letter, Mr. Mosher indicates the project is not “designed or sited” to minimize impacts to public coastal views (CLUP Policy 4.4.1-2). Although Mr. Mosher makes this erroneous assertion, the project is actually designed specifically with consideration to coastal views. This property is located on the bluff side of Ocean Boulevard and therefore restricted to a maximum height of 24 ft. and 29 ft. for flat and sloped roofs respectively, and not allowed to exceed the curb height of Ocean Boulevard (Local Coastal Program Implementation Plan Section 21.18.030, Table 21.18-2 and 21.30.060 B4).

The proposed development complies with the above-referenced height limitations identified in the LCP Implementation Plan. **IN FACT**, the project structure height is almost two feet below (22 inches) the curb height of Ocean Boulevard. The project is lower in height than what would otherwise be allowed by the LCP (see comparison below).

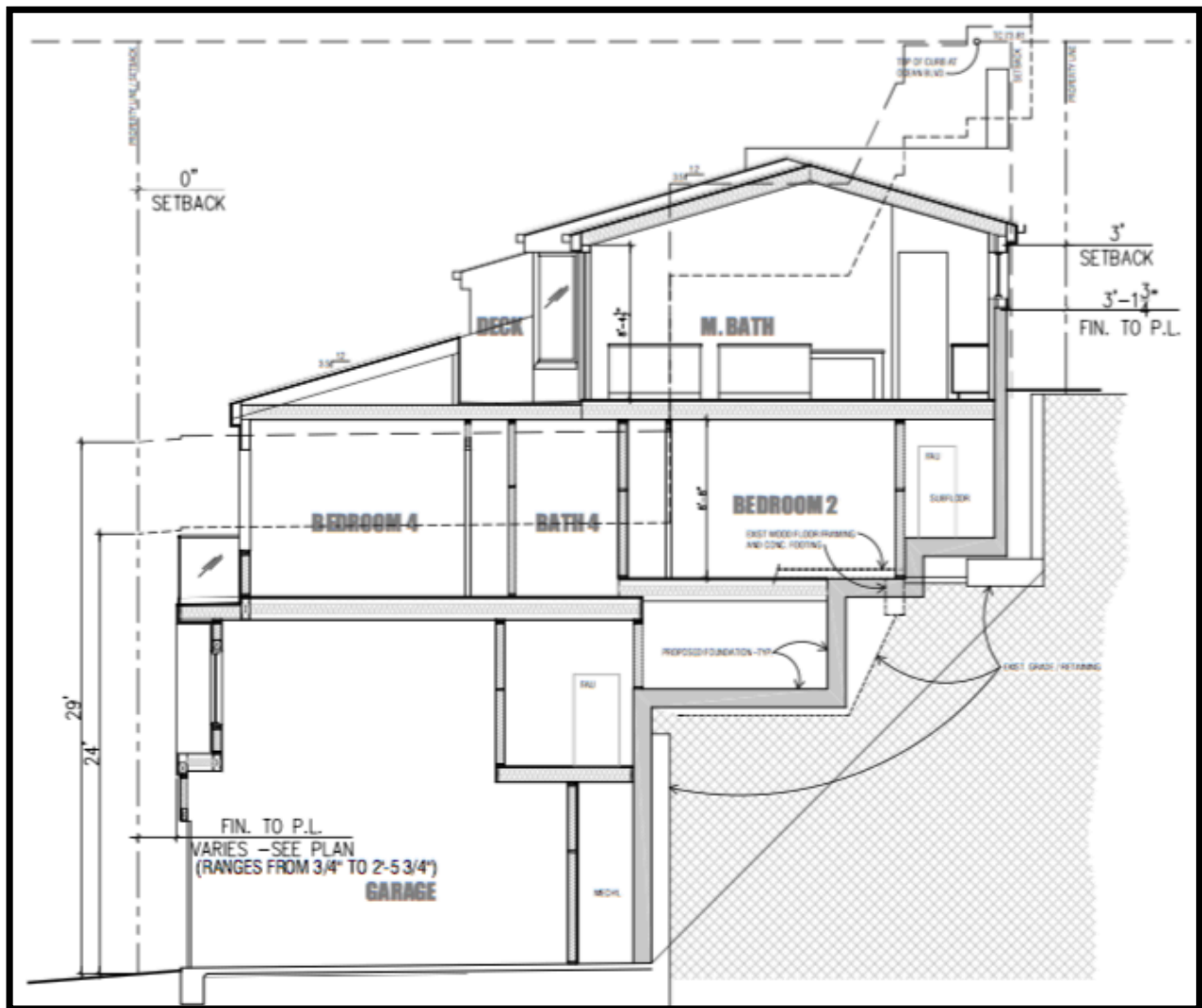


Project Height comparison to Code Allowed Height

In addition to being designed at a height less than required by the LCP Implementation Plan, the project also complies with the side yard setbacks identified in the Implementation Plan. The two design components of any structure that would have a potential impact on public views would be structure height and structure width – both of which relate to the horizontal and vertical view paths. Both of these design components of the project comply with the LCP Implementation Plan. The LCP Implementation Plan has been reviewed by Coastal Commission to ensure the regulations within the Implementation Plan provide for development that uphold the intent of the LCP and uphold the policies, goals and objectives of the LCP. Moreover, the Coastal Commission has certified the City's LCP as consistent with the Coastal Act. **Since the design of the project complies with the regulations within the LCP Implementation Plan related to height and side yard setbacks, the project is consistent with CLUP Policy 4.4.1-2.**

Natural Landforms

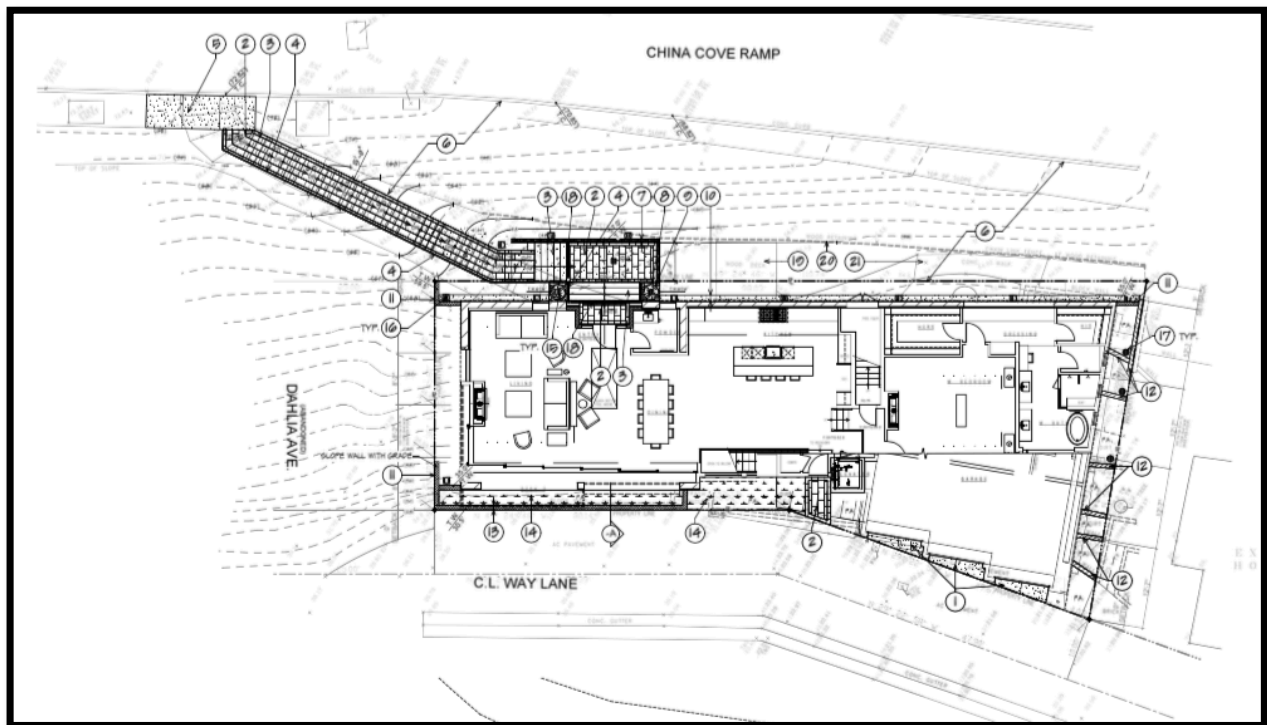
Mr. Mosher mistakenly asserts that the site is not designed to minimize impacts to natural landforms (CLUP Policy 4.4.1-3). The property owner and homebuilder specifically designed the new home with consideration for the natural slope on this property. The new home is designed to use the existing retaining wall structures that hold the existing home in place so as not to unnecessarily disturb the existing slope. Additionally, the home does not include the construction of a basement, as that would necessitate a complete reconstruction of the slope. Instead, the project “treads lightly” on the property and within the neighborhood by being designed into the slope and nesting with the existing landform of the hillside. **Please note that in the building cross-section below, the building uses existing structures and conforms to the existing slope and minimizes impact to existing natural landforms in a consistent with CLUP Policy 4.4.1-3.**



Home Cross Section

Privatization of Land

Mr. Mosher further asserts that the development would “privatize” a significant amount of public view land above and to the west of the property. This assertion is completely untrue. The property currently takes pedestrian access from Ocean Boulevard, which it has done for more than 40+ years. Mr. Mosher implies that this walkway is a new element introduced into the area, when, in fact, the access predates the Coastal Act of 1976. The design of the walkway is being coordinated between the property owner and the City to ensure that any future sidewalk or other use of the area would not be affected by pedestrian access to the property. The original design of the pedestrian access (as indicated below) was configured this way due to the hazard of having a pedestrian entry immediately entering the China Cove Ramp, where there is no connection to any safe pedestrian path.



Design of Updated Pedestrian Access

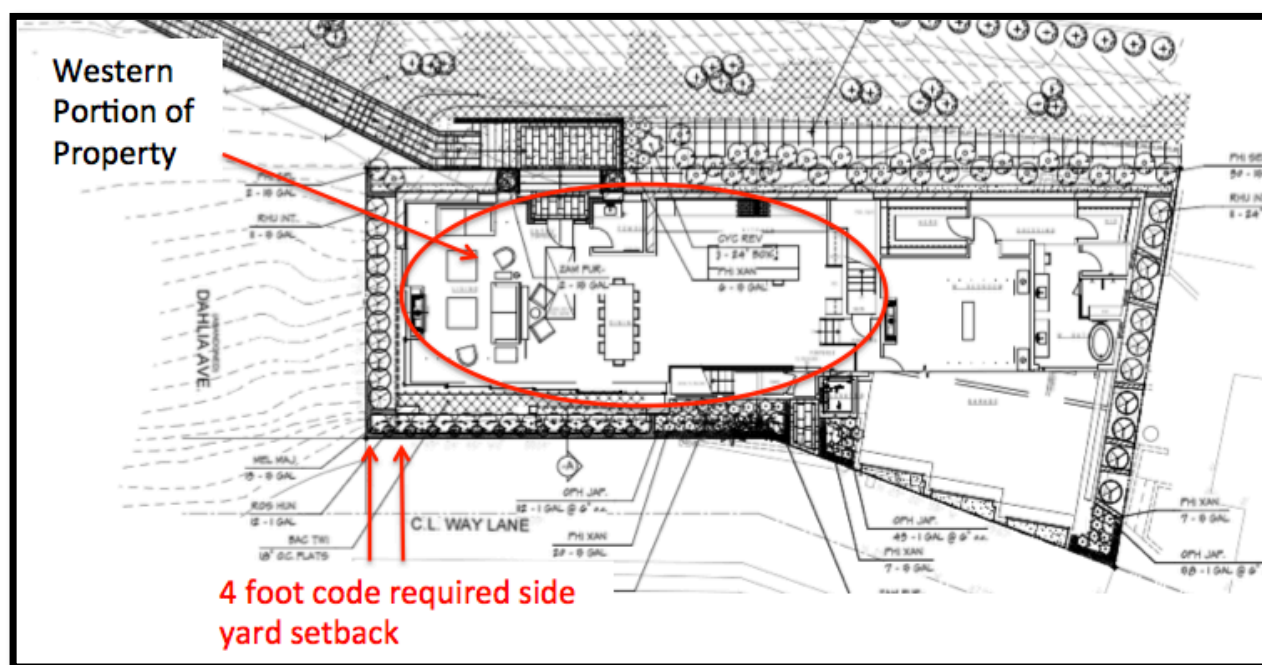
City Authority

Mr. Mosher further asserts that the LCP does not include authority to grant variances to the setback standards in the LCP. However, the LCP Implementation Plan provides for Rules of Interpretation for the Implementation Plan. Within the LCP, the Director has the authority to interpret the meaning of provisions of the Implementation Plan, including authority to apply and/or enforce the Implementation Plan (LCP IP 21.12.020). This authority to interpret, enforce and apply the provisions of the LCP rest completely and wholly with the Director. These rules for interpretation are included in the LCP Implementation Plan for the specific reason that it is not practical to anticipate every possible situation and allow for due process in an instance of a lack of substantive or

procedural clarity. Although incorrect, this particular assertion of Mr. Mosher is moot, given that our project has been appealed to the Coastal Commission and being reviewed in this process.

Western Portion of Property

Again, Mr. Mosher incorrectly asserts that the city “has made it possible” for building on the western half of the property as a result of their action. However, the property’s allowed building area is only limited at the most westerly 4 feet of the property (the side yard setback). The project complies with the side yard setback requirement along the westerly property line, so to assert/imply or otherwise state that the western portion of the site is not allowed to be developed is incorrect. See the plan below demonstrating that the home complies with side setback requirements.



West Property Line Setback

Exhaustion of Local Remedies

In his appeal document, Mr. Mosher indicates that an appeal was filed to the City Council. However, Mr. Mosher did not submit a valid appeal request since he refused to pay the appropriate processing fee for the appeal. As to the exhaustion of local remedies, Mr. Mosher failed to exhaust these remedies since he failed to file a complete and valid appeal of the project. It was not worth it to the appellant to file a complete and valid appeal to the City Council, thereby, in effect, circumventing the process and the City’s Local Coastal Plan by placing the item before the Coastal Commission without any consideration before the Newport Beach City Council.

Photos Submitted by Mr. Mosher

Although not part of his formal appeal documents, Mr. Mosher provided Coastal Commission staff several photos of the site that were taken while the story poles were erected for the benefit of the community. The concern is that the photos Mr. Mosher provided were taken from the China Cove Ramp, which descends rather quickly below the curb line height of Ocean Boulevard. Several of the photos provided are taken from **BELOW** the curb line height of Ocean Boulevard. These photos were taken from a location that is a vehicle travel lane, where there is no legal pedestrian access and is an extremely dangerous location to walk (although many locals do it anyway). Moreover, China Cove Ramp is not a location where visual resources are a consideration. One fact in this regard would be the development of homes immediately adjacent to the subject property at a height that is substantially higher than the grade of the ramp. I have attached four photos that provide views from the ramp and views from Ocean Boulevard (Attachment 2). You will notice from the photos that the ramp is a narrow two-way vehicle travel lane that has no pedestrian path and descends below the curb line. The last photo is of an existing house at the end of the ramp that is code-compliant and extends well above the grade of the ramp. Several of the photos provided by Mr. Mosher were taken from a different location than Ocean Boulevard and from a different elevation of Ocean Boulevard. The photos attached will provide appropriate context for the story poles that were installed and the adjacent homes to the project site.

Conclusion

As part of the design and development of the project, the property owner and homebuilder held two community meetings on site with the general public who were invited to meet at the site through a mailing. These meetings occurred before and during the Planning Commission meetings. Additionally, we met with several community members on various occasions at the site along with City staff to discuss the project impacts, story poles and overall project design. The City of Newport Beach Planning Commission held two meetings for the Public Hearing. Story poles were erected for two weeks to allow the community to review building envelope of the project (even though the project complies with the height requirements of the LCP Implementation Plan). The design of the project was modified according to direction from the Planning Commission where the building was reduced in size, several architectural changes were made, the elevator tower was removed and the overall height of the building was reduced by 18 inches.

The Planning Commission approved the project with conditions requiring the home and garage to be a maximum of 4,500 s.f., and requiring the rooftop screen to be reduced in height by 4 inches and to be installed as a transparent material. The result is a maximum structure height that is **22 inches below what is allowed by the LCP and the use of transparent material, which reduces the visual height of the structure by another 4 feet.** The plans and renderings we have included do not reflect these changes, as we have not updated our drawings at this time. We intend to have these updated plans by the March meeting.

Please feel free to contact me if you have any questions.

Thank you,

John P. Ramirez
john@mljresources.com
562-818-6719

Attachments:

1. Mosher Appeal
2. Photos

RECEIVED
South Coast Region

STATE OF CALIFORNIA - THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION

JAN 22 2018

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4418

VOICE (562) 590-5071 FAX (562) 590-5084

CALIFORNIA
COASTAL COMMISSION

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: James M. Mosher

Mailing Address: 2210 Private Rd.

City: Newport Beach

Zip Code: 92660

Phone: (949) 548-6229

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Newport Beach
2. Brief description of development being appealed: Demolition of existing 2,260 square foot single family home & replacement with 4,500 sf home, plus rooftop deck, on a bluff-face lot where the LCP allows at most 2,865 sf.
3. Development's location (street address, assessor's parcel no., cross street, etc.):
2607 Ocean Blvd., Corona del Mar, CA. 92625
APN: 052-041-05 (Orange County)
4. Description of decision being appealed (check one.):
☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-5-NPB-18-0006

DATE FILED:

1-22-2018

DISTRICT:

South Coast.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☒ Planning Commission
☐ Other

6. Date of local government's decision: December 7, 2017 ("final" 1/6/2018)

7. Local government's file number (if any): CD2017-80

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Nicholson Construction (attn: John Ramirez)
 1 Corporate Plaza, #110
 Newport Beach, CA. 92660

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/~~county~~/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Darrin Ginsberg (property owner)
 301 Carnation
 Corona del Mar CA 92625

- (2) (names of ~105 other people who wrote to city or spoke at hearings regarding this application will be supplied electronically)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**SECTION IV. Reasons Supporting This Appeal****PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

I believe the local approval was inconsistent with the City's recently-certified LCP.

The project is not designed and sited to minimize impacts to public coastal views (CLUP Policy 4.4.1-2) or impacts to natural landforms (CLUP Policy 4.4.1-3). In addition, the project proposes to privatize (by gating) a significant amount of public view land above and to the west of the property (at the top of the bluff) in contradiction of basic Coastal Act premises.

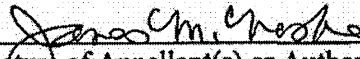
The oversized development was made possible by granting "variances" to the setback standards in the LCP, even though no such authority exists in the LCP and ~~the~~ request to include such authority & develop the findings necessary to exercise it is pending before the CCC as a request for a major amendment to the LCP.

Even without the variances, this development would be problematic, but with them, the City has made possible building on the presently undeveloped western half of lot/bluff face, as well as construction higher than would otherwise be allowed.

As to exhaustion of local remedies, an appeal to the City Council, Piled ^{by me} on 12/21/2017, was returned ^{by the city} with a letter dated 1/9/2018 stating no action would be taken due to failure to pay required appeal fees.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.


Signature of Appellant(s) or Authorized Agent

Date: Jan. 21, 2018

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize n/a
to act as my/our representative and to bind me/us in all matters concerning this appeal.

n/a
Signature of Appellant(s)

Date: n/a

CCC 5-NPB-18-0018 appeal (2607 Ocean Blvd, Corona del Mar) : Interested Parties list
 compiled by: Jim Mosher jimmosher@yahoo.com

This is a list of all persons who submitted letters to, or spoke at, the two Newport Beach Planning Commission meetings, with all the contact information that can be gleaned from the archived meeting materials

November 9, 2017, meeting archive: <http://ccms.newportbeachca.gov/Web/0/foi/1236677/Row1.aspx>
 December 7, 2017, meeting archive: <http://ccms.newportbeachca.gov/Web/0/foi/1241129/Row1.aspx>
 (those not noted as "Support" expressed opposition to the approval)

Name	Address	City	Zip	email	phone	Nov 9, 2017	Dec 7, 2017	Support	Notes
Tom Nicholson	1 Corporate Plaza, Suite 110	NB	92660			x	x	x	Nicholson (
John P. Ramirez	1 Corporate Plaza, Suite 110	NB	92660	john@nicholsoncompanies.com	562-818-6719	x	x	x	appearing t
Darrin Ginsberg	301 Carnation					x	x	x	property or
Paul Tobin				paulktobin@gmail.com		x			
Lauri Preedger				lpreedger@gmail.com		x			
Susan Skinner	Warwick Lane			seskinner@me.com		x	x		I hope that
Brian Benoit	2616 Cove St.	Cdm		brianbenoit@gmail.com		x	x		
Karen Carlson				kkc2616@aol.com		x	x		
Andy Lingie				andylingie@gmail.com		x			
Elaine Linkhoff				elinhoff@shcglobal.net	949-548-7646	x			
Don Harvey	Weybridge Place	Balboa		harveydonw@luno.com		x			
Lynn Lorenz				lynnetto@aol.com		x			
Lynn Swain	Big Canyon			lynn@lynswain.com		x			
Kent S. Moore	201 Carnation Ave.	Cdm	92675	kentmoore@roadrunner.com	949-244-1832	x	x	x	
Martha S. Peyton	212 1/2 Fernleaf Ave	Cdm	92625	mpeyton12@gmail.com		x	x		
George V. Kent, M.D.	4627 Gorham Dr.	NB	92663	gvkent@mac.com		x			
Vicki Ronaldson	506 San Bernardino Ave	Cdm		vronaldson@gmail.com		x			
Cynthia Bartlett	417 Caballo Terrace	NB		hunnbee1951@gmail.com		x			
Maureen Buffington	110 Yorktown			buffington_santo@yahoo.com		x			
Sally Corngold	2241 Dornile Rd.			sallycorngold@gmail.com	949-644-5578	x			
Scott Paulsen				hsapaul@aol.com		x			
Harold Schneider	3607 Seabreeze Lane	Cdm		hofftheback@gmail.com		x			
Rollin Daniel				rtdanielm2@gmail.com		x			
Jim Warren				jimsandrawarren@mac.com		x			
John Cummings	2600 Ocean Boulevard	NB	92660	jimmosher@yahoo.com	949-548-6229	x	x	x	appellant
Jim Mosher	2210 Private Rd			mammacub2@icloud.com		x			
Vicki Cubeiro				pmd81@aol.com		x			
Marsha Kendall				karen.h.clark@gmail.com		x			
Karen H. Clark	2618 Cove Street	Cdm		joelgraves123@gmail.com	714-307-4214	x	x		
Joel Graves	615 S Marguerite Avenue	Cdm	92625	joelgraves@me.com		x			
Joy Brenner				paula@drcastron.com		x			
Paula Castanon				tomlibaker@hotmail.com		x			
Tom Baker				stavlous@cox.net		x			
Phoebe Loos				slavos@cox.net		x			
Dan Cohen	2007 Highland Drive	NB	92660	dcclen@maui.net		x			
Jean MacGregor and Charles Whisonant				jmacgregor@rmx.com		x			
E. J. Bastien				elbsten@gmail.com		x			

Marianne Farrell	Irvine Terrace		whtsteeed@me.com	X		
Jerry and Kathy Thompson	2701 Shell	China Cove	secretfallsranch@yahoo.com	X		
Mary Ann Hemphill	230 Agate Avenue	NB	mahemphill@me.com	X		
Bruce Bartram	2 Seaside Circle	CdM	92663 gpa1xavo@verizon.net	X		
Beatriz Tirkantits	3607 Seabreeze Ln	NB	92625 btrittants@gmail.com	X		
Portia Weiss	421 San Bernardino Avenue	CdM	92663 portlaweiss@gmail.com	X		
Julia Gold	2601 Way Lane	CdM	92625	X		
Linda Beek	2616 Way Lae	Santa Ana	92707 lthommarson@hartkinglaw.com	X		
Ronald J. Thommarson	4 Hutton Centre Dr #900			X		
Allan Beek			enkappp@aol.com	X		
Beth Kiley	Jasmine Creek		feguinhart@aol.com	X		
Dorothy Kraus	Helliotrope			X		
Margaret Quinlan	Westcliff			X		
Nancy Skinner	2608 Ocean Blvd		snavarro@furnanco.com	X		
Steve Navarro	2552 Vista Dr		murphy.charlene@gmail.com	X		
Charlene and Rick Murphy			cal.lincoln@gmail.com	X		
Carol H. Lincoln and Catherine Lincoln			lindastadler@gmail.com	X		
Tom Fredericks and Linda Stadler			pattytnesbit@yahoo.com	X		
Patty Nesbit			lorianpetry@hotmail.com	X		
Lorian Petry			szaby2@yahoo.com	X		
Richard Szabo			92660 clinic@trilliumepa.com	X		
Patricia Chinnici	1729 Port Charles Place	NB	92614 marcf.didomenico@aax-advisors.com	X		
Marc R. DiDomenico	2050 Main St. #520	Irvine	92660 ealefriedman@gmail.com	X		
Gale Friedman	2001 Port Provence Pl.	NB	Cinderkinecitt@cvsd.org	X		
Carol Rinderknecht		CdM	92625 mitch3462@aol.com	X		
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Dianna Sahhar			anneddrobka@cox.net	X		
Anne Drobka			jean.platt@gmail.com	X		
Jean Platt			barbarabellone@icloud.com	X		
Barbara Bellone			dontkazarian@gmail.com	X		
Don and Leslie Kazarian	3412 Ocean Blvd.	CdM	bhdahfors@mac.com	X		
Brant Dahlfors	211 Laktspur Ave.	CdM	flowerladycdm@gmail.com	X		
Stewart and Jaclyn Ramsey	2627 Seaview	CdM	pamhoward23@gmail.com	X		
Sheryl Brewer			mwrrosev@uci.edu	X		
Pam Howard	1205 Sandkey	CdM		X		
Mary Roosevelt				X		
Marko Crawford Barker	1827 Port Seabourne Way	NB	92660	X		
Alice Coons			aacoons486@gmail.com	X		
Jon Engleking	1533 Priscilla Lane	NB	92660 jon.superkeapital.com	X		
Tony Guanci	2525 Channel Reef, Unit A6	CdM	92660 tony.guanci@balboaCorp.com	X		
Stephen Perkins	237 Carnation Ave	CdM	92625 sperkins@royalgs.com	X		
Spencer Brown	700 ½ Carnation Ave	CdM	92625 spencer.brown@colorado.edu	X		
Brian Flood	412 De Sola Terrace	CdM	92625 brian@brianflood.net	X		
Jason Krots			jkrots@redail.com	X		
Marc and Alanna Cole	17 Chataelaine	Newport Coast	marc.cole@gmail.com	X		

Patrick Charrou	2671 Point del Mar	CDM	patrick@sageinvestco.com	949-633-1331	X	X	
Jeff Brown	2707 Windover Drive	CDM	92625 jeff@brownquitypartners.com		X	X	
Terence and Karen Lyons	219 Larkspur Avenue	CDM	92625 terrylions1@roadrunner.com		X	X	
Nancy K. Thompson	302 Fernleaf Avenue		thompsonnkt@gmail.com		X	X	I live nearb-
Bill Bird			bill@executivenovopsystems.com	714-688-4800	X	X	
Gart Sutton			gart@sutton.com	949-375-2104	X	X	
Karen and Warren James	2627 Cove St.		kdjelm@yahoo.com	949-675-4412	X	X	The story p
Alan Gin			aginh01@aol.com		X	X	
Gregg Miller	1130 West Trenton Avenue	Orange	92867 Gregg@mlereenvironmental.com	714-385-0099	X	X	
Paul Julian			pljulian@advancedonline.com		X	X	
Donald Santacrose	323 Larkspur Ave.	CDM	dsanta323@tvc.com		X	X	
Kendra edmonds		CDM	kendra.s.edmonds@gmail.com		X	X	
Marko Popovich	PO Box 102	Balboa Islai	92662 info@SPON-NewportBeach.org	949-864-6616	X	X	The propos For SPON (i
Terrt Rhodes			terrtorhodes@gmail.com		X	X	
William and Jinx Hansen	221 Goldenrod Avenue	CDM			X	X	
Vicki and Harold Parker			Haroldparker@aol.com		X	X	
Nancy Skinner	1724 Highland Drive	NB	92660 jskinnermd@aol.com		X	X	
Ashley Knox	306 Jasmine Ave		ask77@mindspring.com		X	X	
Derek Ostensen			derekostensen@me.com		X	X	
Nancy Otis	721 Larkspur		ncotis@earthlink.net		X	X	
Michael Lee Toerge	3810 E Coast Hwy, Ste 2	CDM	92625 mike@stratalandco.com	(949) 723-1075	X	X	I would hav
Boyd and Charlene Bailey	304 Orchid Avenue				X	X	



**View of site with story poles from Ocean Boulevard
(Looking Southwest)**



**View of Site from Landside of Ocean Boulevard Public Sidewalk
(Looking Southwest)**



View of site from Ocean Boulevard at China Cove Ramp Entry (Looking South)



View From Lower Segment Of China Cove Ramp Entry (Looking Southwest)