

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



W12a

A-5-LGB-21-0060 (Highgate Hotels)

February 24, 2022

EXHIBITS

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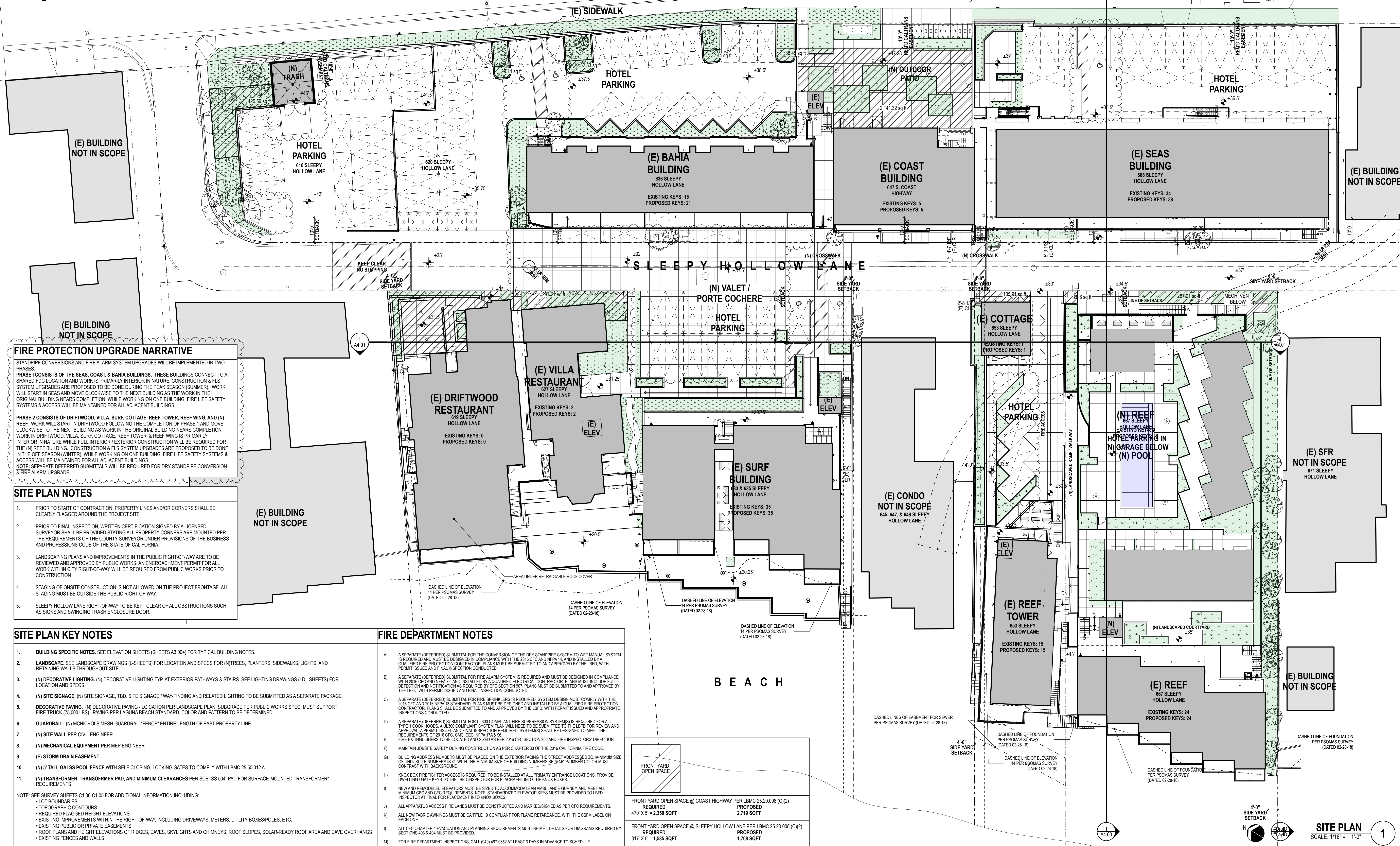
Exhibit 1: Project Location

Page 1 of 1



Photo credit: Google Maps

Page 1 of 5



ROCKEFELLER KEMPEL
ARCHITECTS



145 Standard Street
El Segundo, California
90245

T 310.335.6000
F 310.335.6060
W www.rockefellerkempel.com



DRAWING LOG

No.	Date	
7	07.25.19	Zoning Review Re-Submittal
8	09.24.19	Fire Dept Zoning Review Re-Submittal
10	11.19.19	Zoning Review Slip Sheets
13	02.18.2021	Additional Planning Corrections 3
14	05.28.2021	Additional Planning Corrections 4
15	07.16.2021	Additional Planning Corrections 5



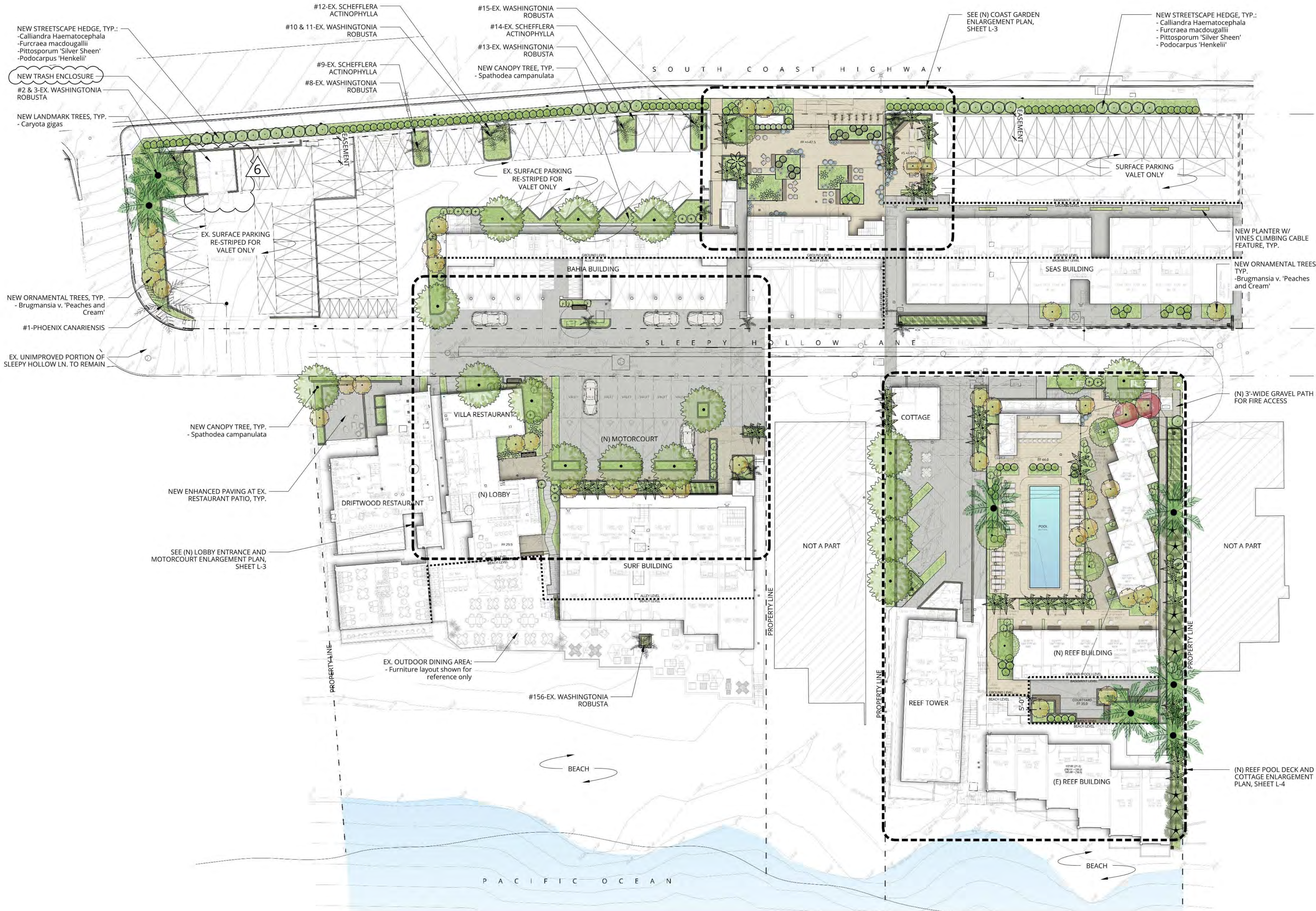
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PROJECT NO.	37011.00
DATE	7/16/21
SCALE	AS SHOWN
DRAWN BY	EC, AA, BK
SHEET TITLE	

PROPOSED SITE PLAN

SHEET NO

A1.01



PRELIMINARY PLAN - PLANTING AND DESIGN

CJM::LA STRIVES TO UPHOLD THE ARCHITECTURAL AND CULTURAL HERITAGE OF THE LAGUNA BEACH COMMUNITY THROUGH THE DEVELOPMENT OF ENGAGING SPACES. OUR APPROACH RESPONDS TO CONTEXT, HISTORY AND OUTLOOK IN ORDER TO PROVIDE OUTDOOR SPACES WHICH QUIET THE MIND AND ACTIVATE THE SENSES. THE BUILT ENVIRONMENT IS PARAMOUNT IN REPRESENTING THE IDENTITY OF A COMMUNITY, AND WE SEEK TO PROVIDE RESPONSIBLE DESIGN SOLUTIONS THAT RESPECT THE BALANCE OF PAST AND FUTURE. WE PRIDE OURSELVES IN DESIGN THAT IS UNIQUE AND SPECIFIC, ENDURING AND AUTHENTIC.

THIS PLAN ENGAGES BOTH SUSTAINABLE BUILDING PRACTICES AS WELL AS AESTHETIC AND FORWARD-THINKING DESIGN SOLUTIONS TO CREATE A UNIQUE ADDITION TO THE BUILT ENVIRONMENT.

- PEDESTRIAN, BICYCLE AND VEHICULAR CIRCULATION HAS BEEN STUDIED IN ORDER TO MAINTAIN APPROPRIATE CONNECTIVITY WITH THE SURROUNDING COMMUNITY, AS WELL AS WITHIN THE DEVELOPMENT.
- STORMWATER QUALITY WILL BE ADDRESSED WITH THE MOST APPROPRIATE BEST MANAGEMENT PRACTICES FOR THIS DEVELOPMENT.

EXISTING TREES ON SITE WILL BE PROTECTED TO THE MAXIMUM EXTENT FEASIBLE WITHIN THE PROJECT REQUIREMENTS.

THE PLANT PALETTE WILL BE MEDITERRANEAN IN CHARACTER AND SUITABLE TO THE LAGUNA REGIONAL CLIMATE. PLANT MATERIAL WILL BE LOW-WATER AND LOW-MAINTENANCE. ONLY ORGANIC FERTILIZERS AND SOIL AMENDMENTS WILL BE USED. REFER TO PRELIMINARY PLANT SCHEDULE FOR LIST OF PROPOSED PLANT SPECIES, SHEET L-5.

PRELIMINARY PLAN - EXISTING TREE NOTES

CJM::LA STRIVES TO PROTECT EXISTING TREES ON SITE TO THE MAXIMUM EXTENT FEASIBLE WITHIN THE PROJECT REQUIREMENTS.

MANY FACTORS ARE REVIEWED IN EVALUATING THE APPROPRIATENESS OF PROTECTING-IN-PLACE, RELOCATING, OR REMOVING EXISTING TREES AT EACH PROJECT SITE. IN GENERAL, THE FOLLOWING PARAMETERS ARE CONSIDERED:

- HEALTH AND LONG-TERM VIABILITY OF EXISTING TREES IS ASSESSED EITHER BY A REPRESENTATIVE OF CJM::LA OR BY THE PROJECT ARBORIST.
 - LOCATION OF EXISTING TREES IN RELATIONSHIP TO PROPOSED PROJECT ELEMENTS SUCH AS BUILDINGS, HARDSCAPE AND LANDSCAPE AMENITIES IS REVIEWED IN DEPTH.
 - APPROPRIATENESS OF EXISTING TREE SPECIES IN RELATIONSHIP TO PROJECT DESIGN AND ARCHITECTURAL STYLES IS CONSIDERED.
 - VALUE OF EXISTING TREES RELATED TO BIOLOGICAL HABITAT IS REVIEWED.
 - VISUAL AND AESTHETIC VALUE IS ASSESSED IN RELATIONSHIP TO NEIGHBORHOOD OR SITE CONTEXT.
 - HISTORIC VALUE IS REVIEWED, AND SPECIMEN TREES ARE NOTED.
- THE FOLLOWING TREES MAY REQUIRE SPECIFIC REVIEW AND ADDITIONAL REQUIREMENTS:
- STREET TREES
 - TREES ON CITY OR PUBLIC PROPERTY
 - SETBACK TREES
 - PARKING LOT TREES
 - HISTORIC OR SPECIMEN TREES

PRELIMINARY PLAN - IRRIGATION NOTES

ALL NEW AND EXISTING PLANTED AREAS WILL RECEIVE PERMANENT IRRIGATION. IRRIGATION WILL INCLUDE A COMBINATION OF LOW-VOLUME SPRAY HEADS, BUBBLERS AND DRIP SYSTEMS AS APPLICABLE. ALL IRRIGATION WILL BE CONTROLLED BY AN AUTOMATIC TIMER WITH A SEASONAL ADJUSTMENT CAPACITY (E.G. WEATHER SENSOR) TO APPLY LESS WATER DURING THE RAINY SEASON.

IRRIGATION AND LANDSCAPE CONSTRUCTION PLANS WILL BE PREPARED IN ACCORDANCE WITH THE CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWEO).

POTS WILL BE HAND-WATERED OR WILL INCLUDE SELF-WATERING SYSTEMS.



CJM::LA

COURTNEY JANE MILLER

Office 805.698.2120 email INFO@CJM-LA.COM
1221 STATE STREET SUITE 208
SANTA BARBARA CA 93101

PRELIMINARY
LANDSCAPE PLAN

PACIFIC EDGE HOTEL
647 S. COAST HIGHWAY
LAGUNA BEACH, CA 92651



REVISIONS	
06/12/18	Zoning Submittal 1
12/20/18	Zoning Submittal 2
04/24/19	Zoning Submittal 3
07/24/19	Zoning Submittal 4
11/02/20	PC/DRG Progress
02/18/21	PC/DRG Progress
05/27/21	Planning Progress

PROJECT NUMBER	1803
DRAWN BY	NH
DATE DRAWN	4/08/19
SCALE	1"=20'-0"
PRINT DATE	5/27/21

SHEET NUMBER
L-2

NOT FOR CONSTRUCTION



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12

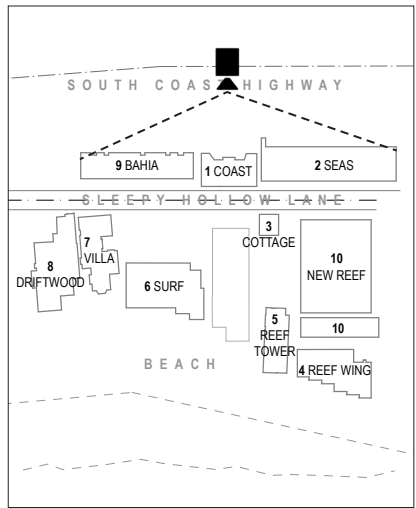
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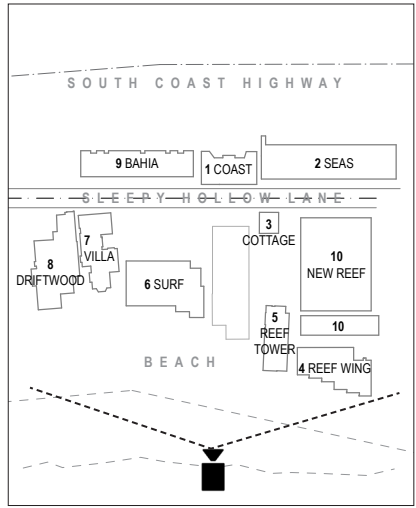
VIEW SOUTH FROM PCH



ROCKEFELLER
KEMPEL
ARCHITECTS

November 2, 2020 | 2

DESIGN REVIEW BOARD
PACIFIC EDGE HOTEL ON LAGUNA BEACH | 647 S COAST HWY, LAGUNA BEACH, 92651



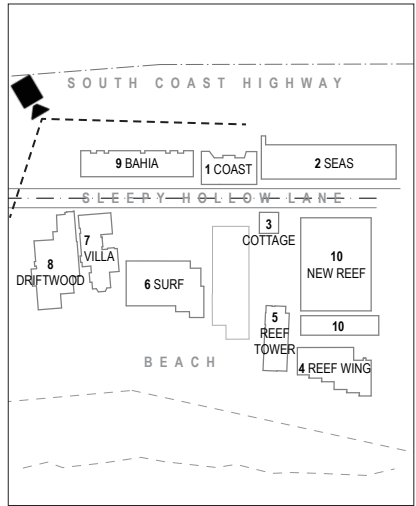
VIEW NORTH EAST FROM BEACH



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KEMPEL
ARCHITECTS

November 2, 2020 | 5

DESIGN REVIEW BOARD
PACIFIC EDGE HOTEL ON LAGUNA BEACH | 647 S COAST HWY, LAGUNA BEACH, 92651



08 03

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VIEW SOUTH WEST FROM PCH



**ROCKEFELLER
KEMPEL**
ARCHITECTS

November 2, 2020 | 1

DESIGN REVIEW BOARD
PACIFIC EDGE HOTEL ON LAGUNA BEACH | 647 S COAST HWY, LAGUNA BEACH, 92651

Development Review Application - Additional Information

647 S. Coast Highway, Laguna Beach, CA. 92651

COASTAL COMMISSION
 EXHIBIT # 3
 PAGE 1 OF 3

<u>Project Addresses:</u>	<u>A.P.N Numbers:</u>	<u>Building Name:</u>	<u>Lot Area:</u>
610 Sleepy Hollow Lane	644-021-01	Parking Lot	5,193 sf
619 Sleepy Hollow Lane	644-022-02	Driftwood	9,513 sf
620 Sleepy Hollow Lane	644-021-02	Parking Lot	4,027 sf
627 Sleepy Hollow Lane	644-022-16	Villa	9,624 sf
633 Sleepy Hollow Lane	644-022-17	Surf (North)	5,917 sf
635 Sleepy Hollow Lane	644-022-04	Surf (South)	10,000 sf
636 Sleepy Hollow Lane	644-021-03	Bahia	12,030 sf
647 S. Coast Highway	644-021-04	Lobby	5,406 sf
667 Sleepy Hollow Lane	644-022-07	Reef Wing	19,031 sf
668 Sleepy Hollow Lane	644-021-05	Seas	13,507 sf
*653 Sleepy Hollow Lane	644-022-06	Reef Tower / Cottage	8,250 sf

**653 Sleepy Hollow Lane (Reef Tower / Cottage) is under separate ownership with parking and use as approved under CUP #11-01. The Reef Tower / Cottage will be remodeled as indicated below under a separate building permit.*

Detailed Scope of Work:

1) General:

- a) New landscaping and lighting along PCH frontage.
- b) New landscaping and lighting along SHL.
- c) New paving / stripping and landscape in existing parking areas.
- d) New paving at SHL per City requirements.

2) 610/620 SHL (parking):

- a) Construct new trash enclosure.
- b) Repave and restripe parking lot.
- c) New landscaping / lighting.

3) 619 SHL (Driftwood Restaurant):

- a) Remodel street front patio wall and add landscaping.
- b) Legalize upper dining area with approved parking.

4) 627 SHL (Villa / Deck), restaurant and 2 existing hotel rooms:

- a) Interior / Exterior remodel to create new lobby / entry.
- b) Remodel of existing restaurant / bar and revise seating count.

5) 633 / 635 SHL (Surf), 35 existing hotel rooms:

- a) Interior / Exterior remodel, replacing MEP as required.
- b) Demolition of swimming pool and adjacent rooms.
- c) Construction of a new Port Cochere with storage / offices below grade.
 No floor area or room increase.

6) 636 SHL (Bahia), 15 existing hotel rooms:

- a) Interior / Exterior remodel replacing MEP as required. No area increase.
- b) Divide existing 15 hotel rooms to create additional 6 rooms.

Development Review Application – Additional Information

647 S. Coast Highway, Laguna Beach, CA. 92651.

Detailed Scope of Work (continued):

COASTAL COMMISSION

EXHIBIT # 3
PAGE 2 OF 3

- 7) 647 PCH (existing Lobby), 5 existing hotel rooms:
- a) Interior / Exterior remodel, replacing MEP as required.
 - b) Relocate existing lobby to Villa Building at 627 SHL.
 - c) Convert existing lobby to retail.
 - d) Convert existing lobby parking to public patio.
 - e) Remove driveway apron and curb and replace per Cal Trans.
- 8) 667 SHL (Reef Wing), 24 existing hotel rooms:
- a) Repairs to existing building façade, railings and decks.
 - b) Interior remodel to all rooms.
 - c) Add 10 new hotel rooms.
 - d) Construct new underground parking garage with swimming pool above.
 - e) New landscaping.
- 9) 668 SHL (Seas), 34 existing hotel rooms:
- a) Interior / Exterior remodel, replacing MEP as required. No floor area increase.
- 10) **653 SHL (Reef Tower / Cottage), 15 existing hotel rooms, 1 existing Cottage:*
- a) Repairs to existing building façade, railings, decks, replace existing steel stairs.*
 - b) Interior remodel to all rooms / bathrooms.*
 - c) Minor landscape revisions, repave existing parking lot.*

Project Valuations:

<u>Project Address / Area:</u>	<u>Property Owner</u>	<u>Project Valuation:</u>
General overall site work	Highgate	\$102,000
610 SHL (Parking)	Highgate	\$5,000
619 SHL (Driftwood)	Highgate	\$25,000
620 SHL (Parking)	Highgate	\$4,000
627 SHL (Villa)	Highgate	\$180,000
633 / 635 SHL (Surf)	Highgate	\$1,200,000
636 SHL (Bahia)	Highgate	\$1,000,000
647 SCH (Ex. Lobby)	Highgate	\$400,000
667 SHL (Reef Wing)	Highgate	\$1,500,000
668 SHL (Seas)	Highgate	\$1,000,000
Total Highgate owned property project valuation =		\$5,416,000
<i>*653 SHL (Reef Tower/Cottage)</i>	<i>Nanja</i>	<i>\$650,000</i>
Total Nanja owned property project valuation =		\$650,000
Total Overall Project valuation =		\$6,066,000

PACIFIC EDGE HOTEL - EXISTING FACILITY REMODEL ANALYSIS
647 SOUTH COAST HIGHWAY, LAGUNA BEACH, CA 92651

ATTACHMENT #1

CITY LAND USE ELEMENT MAJOR REMODEL INTERPRETATION

Community Development Department

(last updated March 13, 2020)

The City's Land Use Element defines "Major Remodel" as the alteration of or an addition to an existing building or structure that increases the square footage of the existing building or structure by 50% or more; or demolition, removal, replacement, and / or reconstruction of 50% or more of the existing structure; greater specificity shall be provided in the Laguna Beach Municipal Code (LBMC). As there is no certified language in the LBMC that further specifies the meaning of Major Remodel, the California Coastal Commission (CCC) and City staff have had differing interpretations of the term, which has led to numerous City-approved projects being appealed to the CCC.

While a Municipal Code amendment is in process to achieve a long-term resolution, City staff will begin interpreting "major remodel" in a manner similar to that of the CCC staff for properties located in the appealable area of the coastal zone. It should be emphasized that while City staff does not agree with the CCC staff's threshold for a major remodel, and specifically the CCC staff's interpretation of the elements that count toward demolition, the City staff desires to reduce the number of appeals and to minimize the number of appeals found to raise a substantial issue.

Provided below are the calculation methods that City staff believes the CCC staff uses for their assessment of projects in determining whether a project is a major remodel. Please note that the language below is City staff's best attempt in interpreting CCC staff's analysis based on their previous appeal reports. As such, these calculation methods have not been approved by the CCC staff; and therefore, the City cannot guarantee that the CCC staff will apply the identical interpretation.

Coastal Appealable Areas

- a. Foundation – (linear feet of foundation to be removed / reinforced) ÷ (linear feet of existing foundation) x 100. For caissons, use the diameter to calculate linear feet and include any associated grade beams.
- b. Interior and Exterior Walls – (linear feet of walls to be removed / reinforced for all floors) ÷ (linear feet of existing walls of all floors) x 100. Removal and / or reinforcement of load bearing interior walls count. Removal of non-bearing walls, drywall, stucco, etc. does not count. Window and door change-outs within the same window openings do not count towards removal. Filling in window and door openings do not count as demolition unless additional structural support is required / proposed.
- c. Roof – (square feet of roof area to be removed / reinforced, including roof eaves) ÷ (square feet of existing roof) x 100.

A Project is Considered a Major Remodel if:

- 1. Demolition or reinforcement of 50% or more of the exterior walls OR the combined roof / walls / foundation of the structure.
- 2. An addition to an existing primary dwelling unit or the construction of any detached structure that individually or when combined with prior additions, results in greater than a 50% expansion of the existing structure. "Existing structure" for the purposes of this section means the primary dwelling unit, the garage, and all enclosed detached structures that legally existed on the site up to January 13, 1993.
- 3. The construction and remodeling of accessory dwelling units are exempt.

% BUILDING STRUCTURAL MODIFICATION
AND AREA ADDITIONS

- 1. COAST - 647 South Coast Highway
Living / Habitable Addition = 3.9%
Combined Roof / Wall / Foundation Modifications = 1.7%
(See Attachments #3 thru #7 for calculations.)
- 2. SEAS - 668 Sleepy Hollow Lane
Living / Habitable Addition = 6.5%
Combined Roof / Wall / Foundation Modifications = 1.7%
(See Attachments #8 thru #12 for calculations.)
- 3. COTTAGE - 653 Sleepy Hollow Lane
Living / Habitable Addition = 0.0%
Combined Roof / Wall / Foundation Modifications = 9.2%
(See Attachments #13 thru #14 for calculations.)
- 4. REEF WING - 667 Sleepy Hollow Lane
Living / Habitable Addition = 0.0%
Combined Roof / Wall / Foundation Modifications = 3.7%
(See Attachments #15 thru #17 for calculations.)
- 5. REEF TOWER - 653 Sleepy Hollow Lane
Living / Habitable Addition = 0.0%
Combined Roof / Wall / Foundation Modifications = 3.4%
(See Attachments #18 thru #21 for calculations.)
- 6. SURF - 633 & 635 Sleepy Hollow Lane
Living / Habitable Addition = 30.4%
Combined Roof / Wall / Foundation Modifications = 4.0%
(See Attachments #22 thru #26 for calculations.)
- 7. VILLA - 627 Sleepy Hollow Lane
Living / Habitable Addition = 10.6%
Combined Roof / Wall / Foundation Modifications = 21.8%
(See Attachments #27 thru #30 for calculations.)
- 8. DRIFTWOOD - 619 Sleepy Hollow Lane
Living / Habitable Addition = 0.0%
Combined Roof / Wall / Foundation Modifications = 2.9%
(See Attachments #31 thru #34 for calculations.)
- 9. BAHIA - 636 Sleepy Hollow Lane
Living / Habitable Addition = 0.0%
Combined Roof / Wall / Foundation Modifications = 4.5%
(See Attachments #35 thru #39 for calculations.)



PROJECT INFORMATION

BUILDING AUTHORITY: California Building Code, Laguna Beach Municipal Code
BUILDING CODE: 2016

SITE ADDRESSES:	(E) Coast Building - 647 S. Coast Highway, Laguna Beach, CA 92651	Interior / exterior remodel, replace MEP as req'd, relocate lobby to Villa, convert (E) lobby to retail, convert (E) lobby parking to patio, remove (E) drive apron and curb per CalTrans
	(E) Seas Building - 668 Sleepy Hollow Lane, Laguna Beach, CA 92651	Interior / exterior remodel & replace MEP as req'd, add 4 (N) hotel rooms.
	(E) Reef Cottage Building - 653 Sleepy Hollow Lane, Laguna Beach, CA 92651	Interior / exterior remodel & replace MEP as req'd. No floor area increase.
	(E) Reef Wing Building - 667 Sleepy Hollow Lane, Laguna Beach, CA 92651	Interior / exterior remodel & replace MEP as req'd. No floor area increase.
	(N) Reef Building - 667 Sleepy Hollow Lane, Laguna Beach, CA 92651	Add 15 (N) hotel rooms, construct (N) underground parking garage w/ swimming pool / bar above, & add (N) landscaping.
	(E) Reef Tower Building - 653 Sleepy Hollow Lane, Laguna Beach, CA 92651	Interior / exterior remodel, replace MEP as req'd, repair (E) steel stairs, minor landscape revisions, & repave / regrade (E) parking lot. No floor area increase.
	(E) Surf Building - 633 & 635 Sleepy Hollow Lane, Laguna Beach, CA 92651	Interior / exterior remodel, replace MEP as req'd, demo (E) swimming pool, construct new Porte Cochere w/ storage and offices below.
	(E) Villa Building - 627 Sleepy Hollow Lane, Laguna Beach, CA 92651	Interior / exterior remodel to create (N) lobby / entry, remodel of (E) bar / restaurant, & revise seating count w/ approved parking.
	(E) Driftwood Building - 619 Sleepy Hollow Lane, Laguna Beach, CA 92651	Remodel street front patio / landscaping & legalize upper dining area w/ approved parking. No floor area increase.
	(E) Bahia Building - 636 South Coast Highway, Laguna Beach, CA 92651	Interior / exterior remodel, replace MEP as req'd, divide (E) 15 hotel rooms to create 6 additional rooms. No floor area increase.
	(E) Parking Lots - 610 & 620 Sleepy Hollow Lane, Laguna Beach, CA 92651	(N) trash enclosure, repave / stripe parking lot, & new landscape / lighting.
	(E) SHL & PCH	(N) landscaping / lighting along PCH & SHL, (N) paving / striping / landscape at (E) parking, & (N) paving at SHL per city.

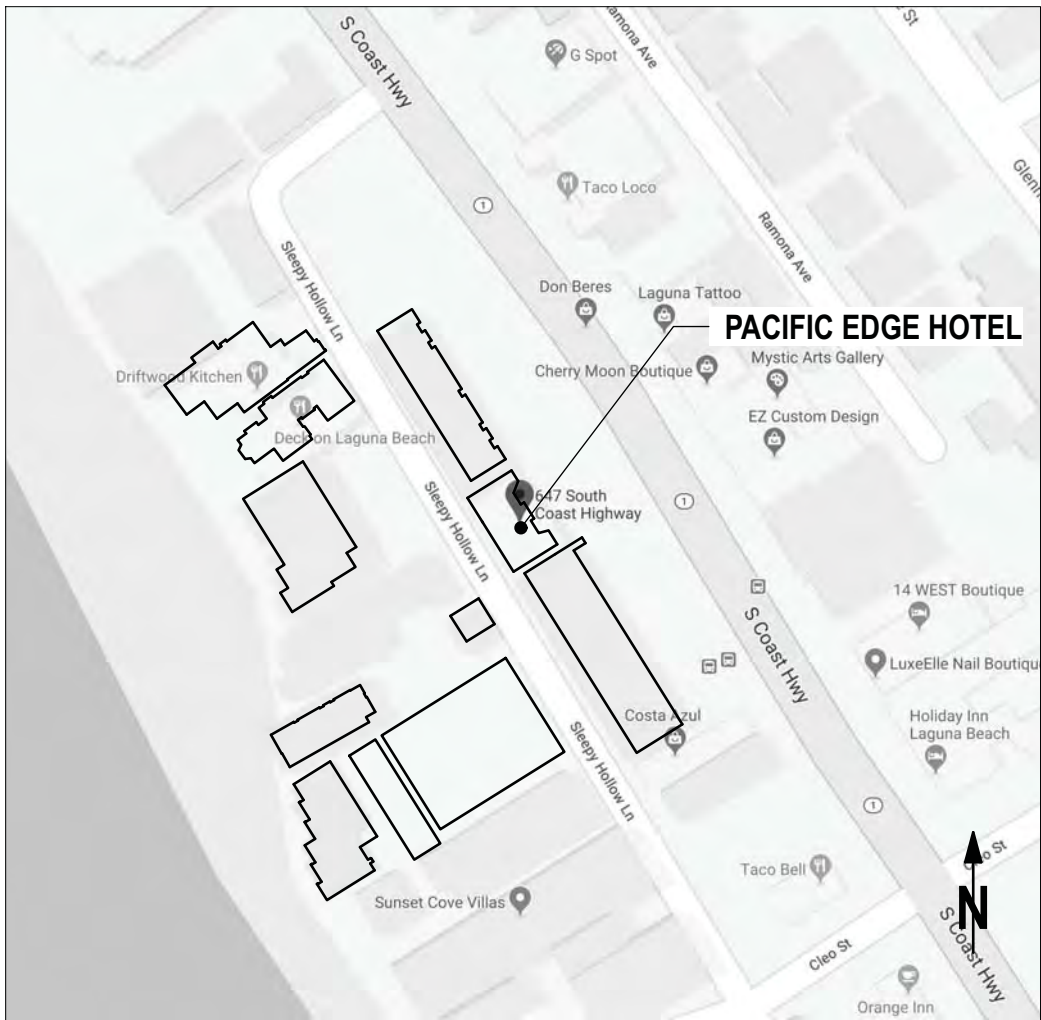
PROJECT DESCRIPTION

PARCEL DESCRIPTION	COAST	SEAS	COTTAGE	REEF WING	(N) REEF	REEF TOWER	SURF	VILLA	DRIFTWOOD	BAHIA	620	610
BUILDING:	416	416	416	416	416	416	935 & 9	Laguna Beach City	410	410	410	410
TRACT:	416	416	416	416	416	416	935 & 9	Laguna Beach City	410	410	410	410
BLOCK:	76	76	76	76	76	76	N/A & 76	-	76	76	76	76
LOT:	13	7	19	20	20	19	A & 14	21	22	17	16	14 & 15
PIN NUMBER:	5527	5528	5536	5537	5537	5536	5547 & 5535	5546	5534	5526	5525	5524
ASSESSOR PARCEL NO.:	644-021-04	644-021-05	644-022-06	644-022-07	644-022-07	644-022-06	644-022-17 & 644-022-04	644-022-16	644-022-02	644-021-03	644-021-02	644-021-01
LOT AREA:												

SHEET INDEX:

T 00	TITLE SHEET, ATTACHMENT #1
A 100	EXISTING SITE PLAN, ATTACHMENT #2
01-A 00	COAST BUILDING CALCULATIONS, ATTACHMENT #3
01-A200	COAST PLAN, ATTACHMENT #4
01-A201	COAST PLAN, ATTACHMENT #5
01-A202	COAST PLAN, ATTACHMENT #6
01-A203	COAST PLAN, ATTACHMENT #7
02-A 00	SEAS BUILDING CALCULATIONS, ATTACHMENT #8
02-A200	SEAS PLAN, ATTACHMENT #9
02-A202	SEAS PLAN, ATTACHMENT #10
02-A204	SEAS PLAN, ATTACHMENT #11
02-A205	SEAS PLAN, ATTACHMENT #12
03-A 00	COTTAGE BUILDING CALCULATIONS, ATTACHMENT #13
03-A200	COTTAGE PLANS, ATTACHMENT #14
04-A 00	REEF WING BUILDING CALCULATIONS, ATTACHMENT #15
04-A200	REEF WING PLAN, ATTACHMENT #16
04-A201	REEF WING PLAN, ATTACHMENT #17
05-A 00	REEF TOWER BUILDING CALCULATIONS, ATTACHMENT #18
05-A200	REEF TOWER PLAN, ATTACHMENT #19
05-A201	REEF TOWER PLAN, ATTACHMENT #20
05-A202	REEF TOWER PLAN, ATTACHMENT #21
06-A 00	SURF BUILDING CALCULATIONS, ATTACHMENT #22
06-A200	SURF PLAN, ATTACHMENT #23
06-A201	SURF PLAN, ATTACHMENT #24
06-A202	SURF PLAN, ATTACHMENT #25
06-A203	SURF PLAN, ATTACHMENT #26
07-A 00	VILLA BUILDING CALCULATIONS, ATTACHMENT #27
07-A200	VILLA PLAN, ATTACHMENT #28
07-A201	VILLA PLAN, ATTACHMENT #29
07-A202	VILLA PLAN, ATTACHMENT #30
08-A 00	DRIFTWOOD BUILDING CALCULATIONS, ATTACHMENT #31
08-A200	DRIFTWOOD PLAN, ATTACHMENT #32
08-A201	DRIFTWOOD PLAN, ATTACHMENT #33
08-A202	DRIFTWOOD PLAN, ATTACHMENT #34
09-A 00	BAHIA BUILDING CALCULATIONS, ATTACHMENT #35
09-A200	BAHIA PLAN, ATTACHMENT #36
09-A201	BAHIA PLAN, ATTACHMENT #37
09-A202	BAHIA PLAN, ATTACHMENT #38
09-A203	BAHIA PLAN, ATTACHMENT #39

VICINITY MAP



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DRAWING LOG

No.	Date	Description
2	07.23.18	Zoning Review Re-Submittal
3	12.20.18	Zoning Review Re-Submittal
5	03.29.19	Zoning Review Re-Submittal
7	07.25.19	Zoning Review Re-Submittal
8	09.24.19	Fire Dept Zoning Review Re-Submittal
9	10.10.19	Zoning & Fire Dept Review Slip Sheets



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PROJECT NO.	37011.00
DATE	12-22-2020
SCALE	AS SHOWN
DRAWN BY	EC, BK, AJK, AK, & KI
SHEET TITLE	

EXISTING FACILITY
REMODEL ANALYSIS
TITLE SHEET

SHEET NO.	T 00
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Exhibit 4

Page 1 of 26

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

NO FEE PER GOVT. CODE 6103

City Clerk
City of Laguna Beach
505 Forest Avenue
Laguna Beach, CA 92651

APNs: 644-021-01, 644-021-02, 644-021-03, 644-021-04, 644-021-05, 644-022-02, 644-022-04,
644-022-06, 644-022-07, 644-022-16, 644-022-17

[Space above Line for Recorder's Use]

LATERAL PUBLIC ACCESS EASEMENT

THIS LATERAL PUBLIC ACCESS EASEMENT (hereinafter referred to as “Lateral Public Access Easement”) is made this ____ day of _____ 2022 by HCI Laguna Owner LP, a Delaware limited partnership (hereinafter referred to as “Grantor”).

I. WHEREAS, Grantor is the legal owner of a fee interest of certain real property, commonly referred to as the Pacific Edge Hotel (“Hotel”), located in the City of Laguna Beach, County of Orange, State of California, legally described as set forth in attached **EXHIBIT A**, and depicted generally in **EXHIBIT A-1** attached hereto and incorporated herein by reference (hereinafter referred to as the “Property”); and

II. WHEREAS, all of the Property is located within the coastal zone as defined in Section 30103 of the California Public Resources Code, a section of the California Coastal Act of 1976 (hereinafter referred to as the “Act”); and

III. WHEREAS, all of the Property is additionally located between the first public road and the shoreline; and

IV. WHEREAS, the Act and the certified City of Laguna Beach Local Coastal Program (hereinafter referred to as the “LCP”) require that any coastal development permit approved by the City of Laguna Beach (hereinafter referred to as the “City”) or the California

Coastal Commission (hereinafter referred to as the “Commission”), on appeal, must be consistent with the LCP and, as to development proposed between the first public road and the shoreline, must be consistent with the public access and recreation policies of Chapter 3 of the Act, commencing with Section 30200 of the California Public Resources Code; and

V. WHEREAS, Grantor’s predecessor-in-interest, Laguna Resort Property, LLC, (“Laguna Resort Property”) previously applied to the City for coastal development to develop a portion of the Hotel property, commonly referred to as the “Villa” property, at 627 Sleepy Hollow Lane, Laguna Beach;

VI. WHEREAS, the City approved Coastal Development Permit 090-43, subject to conditions, including Condition 20, which required dedication of a lateral public access easement over the sandy beach seaward of the Villa property.

VII. WHEREAS, on May 6, 2010, Laguna Resort Property dedicated to the City a lateral public access easement over a 47-foot wide portion of sandy beach, from the seaward edge of the developed portion of the Villa property to the mean high tide line. The easement dedication provided, in part, as follows:

[N]othing in this grant of easement shall forbid, restrict or impair the right of Grantor to place and maintain lounges, chairs, umbrellas and other types of non-permanent personal property on or about the Lateral Public Access Easement Area for the use and enjoyment by Grantor and guests and invitees of Grantor, provided the placement and maintenance of such items shall not unreasonably interfere with the exercise of public access rights granted herein.

VIII. WHEREAS, on May 29, 2018, Grantor applied to the City for a coastal development permit to undertake development, as defined in Section 30106 of the Act, to remodel the Hotel on the Property; and

IX. WHEREAS, on August 10, 2021, the City granted local Coastal Development Permit 19-5507, subject to conditions, including Condition 48, which provides:

Prior to the issuance of a demolition or building permit, the applicant shall execute and record a document granting permanent lateral public access along the shoreline of the resort, from the mean high tide line to the seaward edge of the development in compliance with Municipal Code Section 25.53.022(F), except for that area adjacent to the Villa property (627 Sleepy Hollow Lane), where such lateral public access presently exists.

X. WHEREAS, on September 7, 2021, the City's decision was appealed to the Commission; and

XI. WHEREAS, on March 9, 2022, the Commission granted Coastal Development Permit No. A-5-LGB-21-0060 (hereinafter referred to as the "Permit"), in accordance with the provisions of the Staff Report: De Novo Review ("Staff Report"), prepared _____, 2022, attached hereto as **EXHIBIT B**, and Notice of Intent to Issue Permit, dated _____, 2022, attached hereto as **EXHIBIT B-1**, each herein incorporated by reference, subject to Special Conditions ("Permit Conditions"), including Special Condition 9, which provides:

Conditions Imposed by Local Government. This action has no effect on conditions imposed by the City of Laguna Beach pursuant to an authority other than the Coastal Act, except as provided in the last sentence of this condition. The permittee is responsible for compliance with all terms and conditions of this coastal development permit in addition

to any other requirements imposed by other local government permit conditions pursuant to the local government's non-Coastal Act authority. In the event of conflicts between the terms and conditions imposed by the local government and those of this coastal development permit, such terms and conditions of this coastal development permit shall prevail.

XII. WHEREAS, under the policies of Section 30210 through 30212 of the Act and City of Laguna Beach Municipal Code Section 25.53.022, public access to the shoreline and along the coast is to be maximized, and in all new development projects located between the first public road and the shoreline shall be provided; and

XIII. WHEREAS, the Commission and City found that but for the imposition of the Permit Conditions, the proposed development could not be found consistent with the provisions of the Act, including Sections 30210 and 30212 of the Act, and the LCP and that a coastal development permit could therefore not have been granted; and

XIV. WHEREAS, Grantor has elected to comply with the conditions of approval imposed by the Commission and all conditions imposed by the City on local Coastal Development Permit 19-5507 that do not conflict with conditions imposed by the Commission, including City Condition 48; and

NOW, THEREFORE, in consideration for the issuance of the Permit by the Commission, Grantor, for itself and for its assigns and successors in interest, does hereby irrevocably remise, release, and forever grant to the City of Laguna Beach, a California municipal corporation, a non-exclusive, perpetual easement for pedestrian public access purposes including the right of ingress and egress on, over and across that portion of Grantor's property described and depicted

on Exhibits A and B, attached hereto and incorporated herein by this reference (the “Lateral Public Access Easement Area”).

1. DESCRIPTION. The Lateral Public Access Easement dedicated hereby affects the portion of the Property particularly described as set forth in **EXHIBIT C** and depicted generally in **EXHIBIT C-1** (the “Lateral Public Access Easement area”), both exhibits attached hereto and incorporated herein by reference.

2. PURPOSE. This grant of a Lateral Public Access Easement is for the purpose of providing a dedicated non-exclusive, perpetual easement for pedestrian public access purposes on, over, and across the Lateral Public Access Easement area.

3. DECLARATION OF RESTRICTIONS. Upon recordation of this Lateral Public Access Easement and the City’s acceptance thereof, and thereafter in perpetuity, the use of the Lateral Public Access Easement area shall be limited to public access and passive recreation in compliance with the limitations set forth herein and the Permit. No development, as defined in Section 30106 of the Coastal Act which is attached hereto as **EXHIBIT D** and incorporated herein by this reference), including but not limited to, grading, paving, planting of native or non-native vegetation, tilling, or installation of structures such as signs, fences, buildings permanent irrigation devices, etc., shall occur or be allowed within the Lateral Public Easement Area. Grantor shall retain all normal rights and incidents of ownership of the underlying fee interest in the Property not inconsistent with the Easement Areas.

4. DURATION. Upon recordation, this Lateral Public Access Easement shall have the effect of a public access easement in gross and perpetuity and shall run with the land and be binding upon the Grantor and its heirs, successors in interest and assigns.

5. TAXES AND ASSESSMENTS. It is intended that this Lateral Public Access Easement is irrevocable and the use restrictions contained here shall constitute enforceable restrictions within the meaning of (a) Article XIII, § 8, of the California Constitution, and (b) § 402.1 of the California Revenue and Taxation Code or successor statute. Furthermore, this Lateral Public Access Easement shall be deemed to constitute a servitude upon and burden to the Property within the meaning of § 3712(d) of the California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded property.

6. RIGHT OF ENTRY. The Commission or its agent may enter onto the Property at times reasonably acceptable to Grantor to ascertain whether the use restrictions set forth above are being observed.

7. REMEDIES. Any act, conveyance, contract, or authorization by the Grantor, whether written or oral, which uses or would cause to be used, or would permit use of this easement contrary to the terms of this Lateral Public Access Easement will be deemed a violation and a breach hereof. The Commission and Grantor may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Lateral Public Access Easement. In the event of a breach, any forbearance on the part of any such party to enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding any subsequent breach.

8. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this Lateral Public Access Easement shall be binding upon the Grantor and its heirs, successors in interest and assigns.

9. SEVERABILITY. If any provision of this Lateral Public Access Easement is held to be invalid, or for any reason becomes unenforceable, no other provision shall be affected or impaired.

Executed as of this ____ day of _____, 2022, at _____, California.

HCI Laguna Owner LP,
A Delaware limited partnership

By: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

STATE OF CALIFORNIA
COUNTY OF _____

On _____, before me, _____,
a Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Lateral Public Access Easement, dated _____, 2022, in which _____, a _____, hereby granted to the City of Laguna Beach, a California Municipal Corporation, the within described real property, is hereby accepted by the undersigned officer or agency on behalf of the City of Laguna Beach City Council pursuant to the authority conferred by Resolution No. _____, adopted by the City Council on _____, 2022, and recorded on _____, 2022, as Document No. ____, Official Records of Orange County, California, and the City of Laguna Beach consents to the recordation of the Lateral Public Access Easement by its duly authorized officer.

Dated: _____

By: _____

Ann Marie McKay
City Clerk
City of Laguna Beach, California

[City Seal]

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

EXHIBIT “A”
Legal Description
Pacific Edge Hotel Property

PARCEL A

Those portions of Lots 7, 8, 9, 10, 11, 12 and 13 in Block 76 of Map of Laguna Terrace, in the City of Laguna Beach, County of Orange, State of California, as per the map filed in Book 4, Page 80 of Miscellaneous Maps, in the office of the County Recorder of said County, together with those portions of Lots 14, 15, 16, 17, 18, 19 and 20 of Map of Laguna Beach filed in Book 1, Page 78 of said Miscellaneous Maps, described as follows:

BEGINNING at the most easterly corner of said Lot 7;

thence along the southeasterly line of said Lot 7 South 58°57'03" West 90.00 feet to the northeasterly line of the land described in the Final Judgement to the City of Laguna Beach recorded February 5, 1931 in Book 455, Page 285 of Official Records, in the office of said County Recorder;

thence along the northeasterly and easterly lines of said land the following three courses:

1. North 31°02'57" West 440.64 feet to the beginning of a tangent curve, concave easterly having a radius of 25.00 feet;
2. Northerly 37.22 feet along said curve through a central angle of 85°17'51";
3. North 54°31'03" East 49.96 feet to a line that is parallel with and 20.00 feet southwesterly of the northeasterly lines of said Lots 14, 15, 16, 17, and 18;

thence along said parallel line South 35°28'54" East 221.34 feet to the northwesterly prolongation of the northeasterly lines of said Lots 7, 8, 9, 10, 11, 12 and 13;

thence along said prolongation and said northeasterly lines South 31°02'57" East 248.62 feet to the **POINT OF BEGINNING**.

PARCEL B

Those portions of Lots 14, 15, and 16 in Block 76 of Map of Laguna Terrace, in the City of Laguna Beach, County of Orange, State of California, as per the map filed in Book 4, Page 80 of Miscellaneous Maps, in the office of the County Recorder of said County, and those portions of Lots 20, 21, and 22 of Map of Laguna Beach, as per the map filed in Book 1, Page 78 of said Miscellaneous Maps, also together with those portions of Sections 25 and 26, Township 7 South, Range 9 West, San Bernardino Meridian, according to the official plat thereof filed in the District Land Office on August 13, 1876, described as follows:

BEGINNING at the intersection of the southwesterly line of the land described in the Final Judgement to the City of Laguna Beach recorded February 5, 1931 in Book 455, Page 285 of Official Records, in the office of said County Recorder with the southeasterly line of said Lot 16;

thence along said southeasterly line and its southwesterly prolongation South $58^{\circ}57'03''$ West 209.00 feet, more or less, to the Line of Mean High Tide as shown on Parcel Map No. 82-656 filed in Book 178, Pages 1 and 2 of Parcel Maps in the office of said County Recorder;

thence northerly along said Line of Mean High Tide to the southeasterly line of Parcel 1 of said Parcel Map No. 82-656;

thence along said southeasterly line North $54^{\circ}31'03''$ East 200.50 feet to the southwesterly line of the land described in said Final Judgement;

thence along said southwesterly line South $31^{\circ}02'57''$ East 191.97 feet to the **POINT OF BEGINNING**.

PARCEL C

Those portions of Lots 19, 20, 21, 22, and 23 in Block 76 of Map of Laguna Terrace, in the City of Laguna Beach, County of Orange, State of California, as per the map filed in Book 4, Page 80 of Miscellaneous Maps, in the office of the County Recorder of said County, together with that portion of Sections 25, Township 7 South, Range 9 West, San Bernardino Meridian, according to the official plat thereof filed in the District Land Office on August 13, 1876, described as follows:

BEGINNING at the intersection of the southwesterly line of the land described in the Final Judgement to the City of Laguna Beach recorded February 5, 1931 in Book 455, Page 285 of Official Records in the office of said County Recorder with the southeasterly line of said Lot 23;

thence along said southeasterly line and its southwesterly prolongation South 58°57'03" West 247.50 feet, more or less, to the Line of Mean High Tide as shown on Parcel Map No. 82-656 filed in Book 178, Pages 1 and 2 of Parcel Maps in the office of said County Recorder;

thence northerly along said Line of Mean High Tide to the southwesterly prolongation of the northwesterly line of said Lot 19;

thence along said southwesterly prolongation and said northwesterly line North 58°57'03" East 220.00 feet to the southwesterly line of the land described in said Final Judgement;

thence along said southwesterly line South 31°02'57" East 124.86 feet to the **POINT OF BEGINNING**.

See Exhibit "A-1" attached hereto and made a part hereof.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act (Bus. & Prof. Code §8700).

Signature: Teri Kahlen
Teri Kahlen, PLS 8746

Date: 2/10/2022



EXHIBIT A-1

GRAPHIC DEPICTION OF THE PROPERTY

EXHIBIT "A-1"

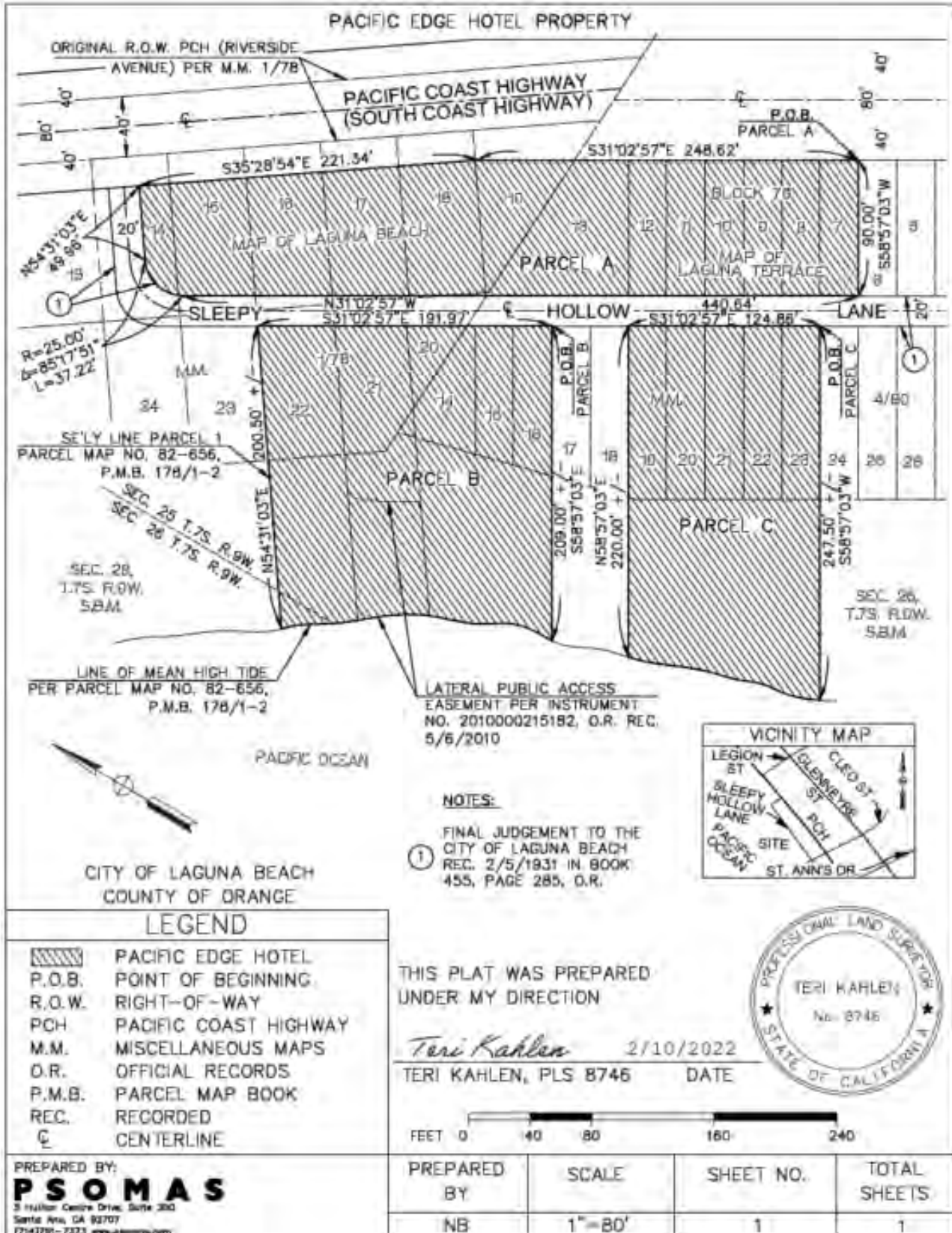


EXHIBIT B

ADOPTED COASTAL COMMISSION FINDINGS

EXHIBIT B-1

NOTICE OF INTENT TO ISSUE PERMIT

EXHIBIT C
LEGAL DESCRIPTION OF
LATERAL PUBLIC ACCESS EASEMENT AREAS

EXHIBIT "C"
Legal Description

Pacific Edge Hotel
Lateral Public Access Easement Area

PARCEL 1

Those portions of Sections 25 and 26, Township 7 South, Range 9 West, San Bernardino Meridian, in the City of Laguna Beach, County of Orange, State of California, according to the official plat thereof filed in the District Land Office on August 13, 1876, described as follows:

COMMENCING at the most easterly corner of Parcel 1 of Parcel Map No. 82-656, filed in Book 178, Pages 1 and 2 of Parcel Maps, in the office of the County Recorder of said County;

thence along the southeasterly line of said Parcel 1 South 54°31'03" West 108.04 feet to the **TRUE POINT OF BEGINNING**;

thence leaving said southeasterly line South 35°58'14" East 50.01 to the northeasterly prolongation of the northwesterly line of the land described as "Description of Lateral Public Access Easement Area" in the document recorded May 6, 2010 as Instrument No. 2010-000215182 of Official Records, in the office of said County Recorder;

thence along said northeasterly prolongation and said northwesterly line South 54°31'03" West 92.15 feet, more or less, to the Line of Mean High Tide as shown on said Parcel Map No. 82-656;

thence northerly along said Line of Mean High Tide to the southeasterly line of Parcel 1 of said Parcel Map No. 82-656;

thence along said southeasterly line North 54°31'03" East 93.65 feet to the **TRUE POINT OF BEGINNING**.

PARCEL 2

That portion of Section 25, Township 7 South, Range 9 West, San Bernardino Meridian, in the City of Laguna Beach, County of Orange, State of California, according to the official plat thereof filed in the District Land Office on August 13, 1876, described as follows:

COMMENCING at the intersection of the southwesterly line of the land described in the Final Judgement to the City of Laguna Beach recorded February 5, 1931 in Book 455, Page 285 of Official Records, in the office of said County Recorder with the southeasterly line of Lot 16 in Block 76 of Map of Laguna Terrace, as per the map filed in Book 4, Page 80 of Miscellaneous Maps, in the office of the County Recorder of said County;

thence along said southeasterly line and its southwesterly prolongation South $58^{\circ}57'03''$ West 136.29 feet **TRUE POINT OF BEGINNING**;

thence continuing along said southwesterly prolongation South $58^{\circ}57'03''$ West 72.58 feet, more or less, to the Line of Mean High Tide as shown on Parcel Map No. 82-656 filed in Book 178, Pages 1 and 2 of Parcel Maps in the office of said County Recorder;

thence northerly along said Line of Mean High Tide to the northwesterly line of the land described as "Description of Lateral Public Access Easement Area" in the document recorded May 6, 2010 as Instrument No. 2010-000215182 of Official Records in the office of said County Recorder;

thence along said northwesterly line North $54^{\circ}31'03''$ East 72.59 feet;

thence leaving said northwesterly line South $30^{\circ}28'05''$ East 13.40 feet;

thence South $59^{\circ}31'55''$ West 3.15 feet;

thence South $30^{\circ}15'34''$ East 22.87 feet;

thence South $58^{\circ}42'28''$ West 4.07 feet;

thence South $31^{\circ}01'39''$ East 4.16 feet;

thence South $10^{\circ}51'03''$ East 10.69 feet;

thence South 59°31'28" West 2.60 feet;

thence South 30°30'16" East 14.76 feet;

thence South 57°36'04" West 1.94 feet;

thence South 30°11'24" East 20.18 feet to the **TRUE POINT OF BEGINNING.**

PARCEL 3

That portion of Section 25, Township 7 South, Range 9 West, San Bernardino Meridian, in the City of Laguna Beach, County of Orange, State of California, according to the official plat thereof filed in the District Land Office on August 13, 1876, described as follows:

COMMENCING at the intersection of the southwesterly line of the land described in the Final Judgement to the City of Laguna Beach recorded February 5, 1931 in Book 455, Page 285 of Official Records in the office of said County Recorder with the southeasterly line of Lot 23 in Block 76 of Map of Laguna Terrace, in the City of Laguna Beach, County of Orange, State of California, as per the map filed in Book 4, Page 80 of Miscellaneous Maps, in the office of the County Recorder of said County;

thence along said southeasterly line and its southwesterly prolongation South 58°57'03" West 199.79 feet the **TRUE POINT OF BEGINNING;**

thence continuing along said southwesterly prolongation South 58°57'03" West 48.52 feet, more or less, to the Line of Mean High Tide shown on Parcel Map No. 82-656 filed in Book 178, Pages 1 and 2 of Parcel Maps in the office of said County Recorder;

thence northerly along said Line of Mean High Tide to the southwesterly prolongation of the northwesterly line of Lot 19 in Block 76 of said Map of Laguna Terrace;

thence along said southwesterly prolongation North 58°57'03" East 49.60 feet; thence

leaving said southwesterly prolongation South 29°42'09" East 30.20 feet; thence South

60°17'51" West 9.06 feet;

thence South 29°19'39" East 17.11 feet;

thence North 65°04'42" East 3.11 feet;

thence South 15°22'55" East 22.37 feet;

thence South 02°51'14" West 22.05 feet;

thence South 24°52'10" East 37.83 feet to the **TRUE POINT OF BEGINNING**.

See Exhibit "C-1" attached hereto and made a part hereof.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act (Bus. & Prof. Code §8700).

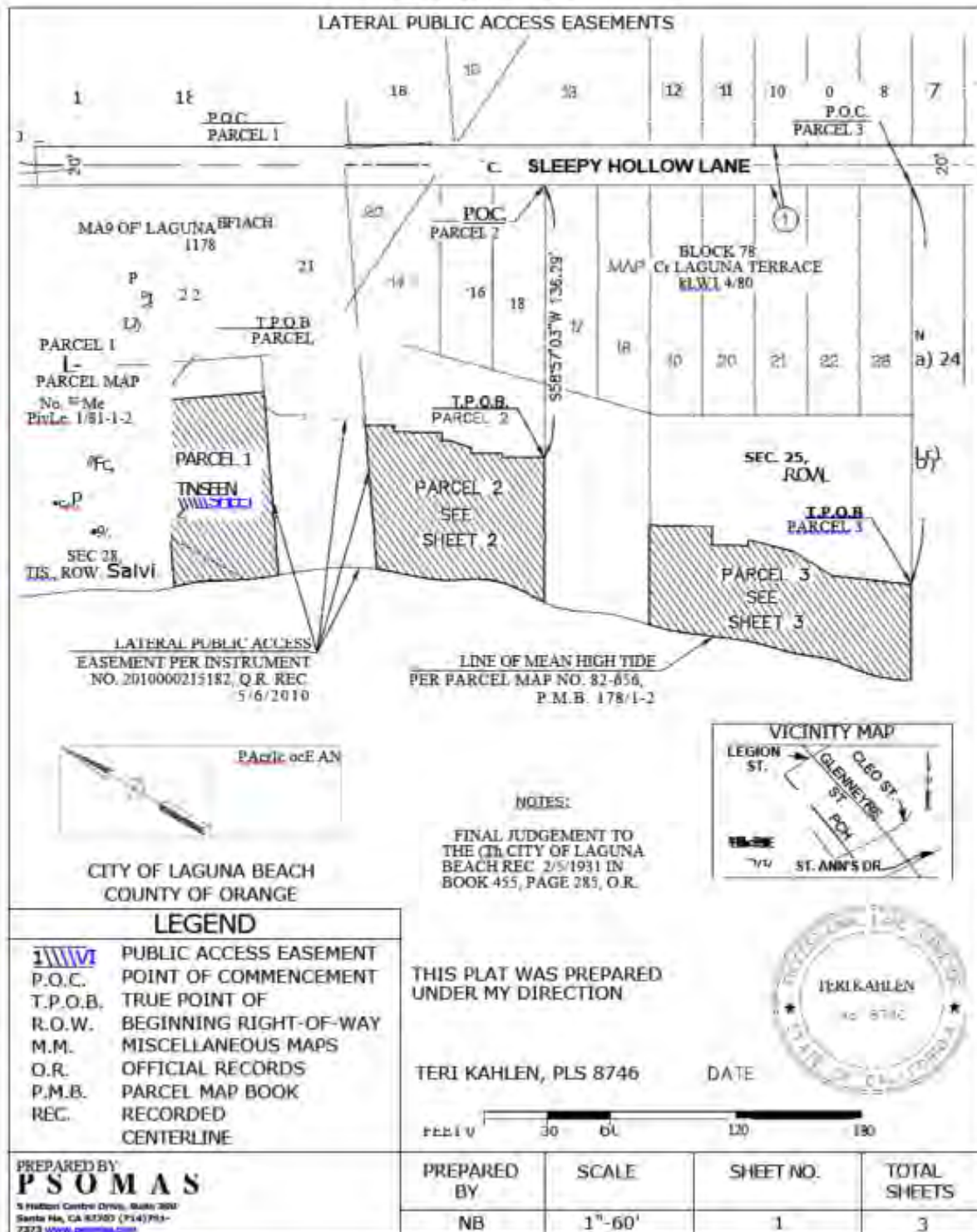
Signature: Teri Kahlen
Teri Kahlen, PLS 8746

Date: 2/10/2022



EXHIBIT C-1
GRAPHIC DEPICTION OF THE
LATERAL PUBLIC ACCESS EASEMENT AREAS

EXHIBIT "C-1"



EXFIBIT "C-1"

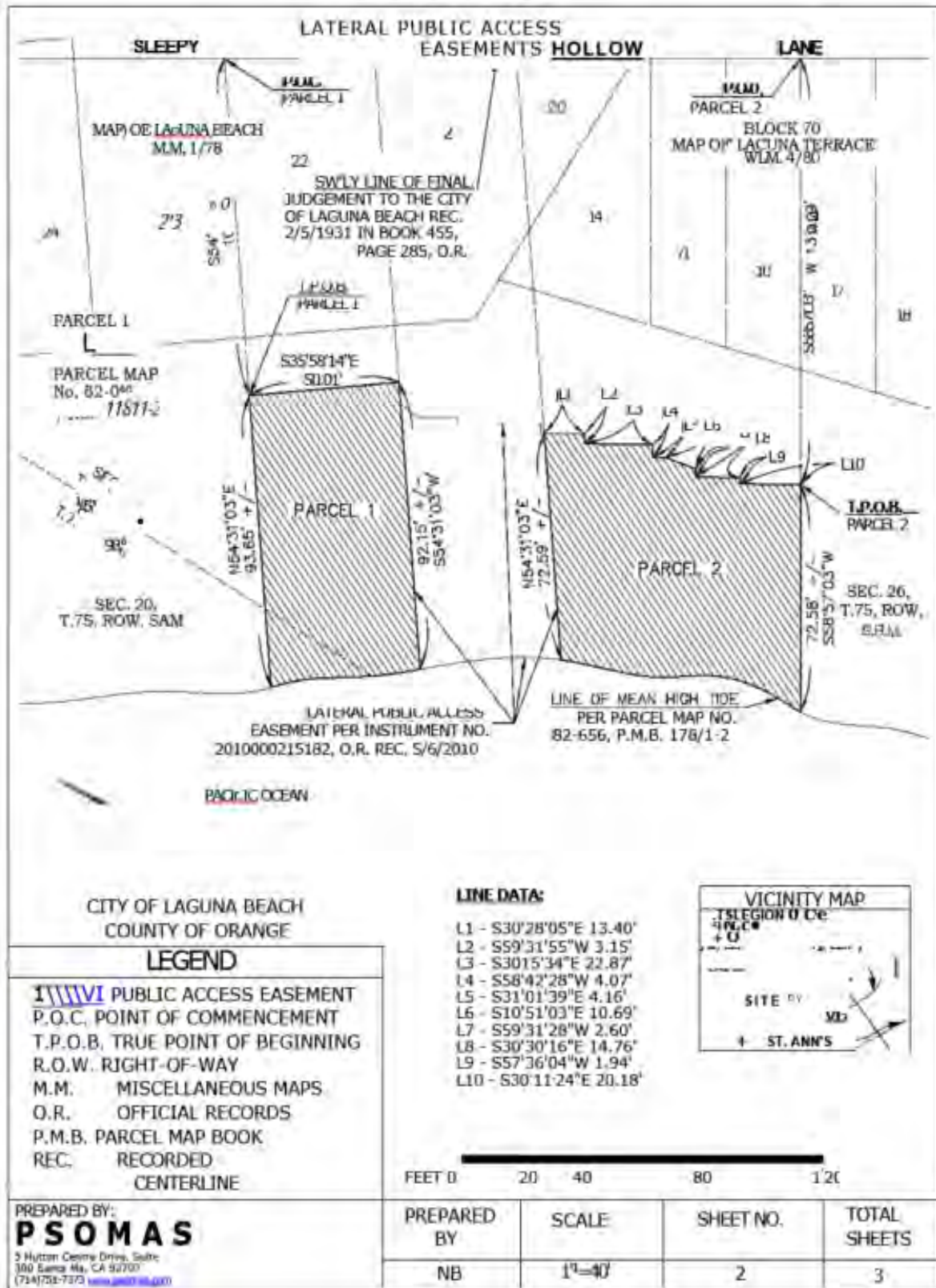


EXHIBIT "C-1"

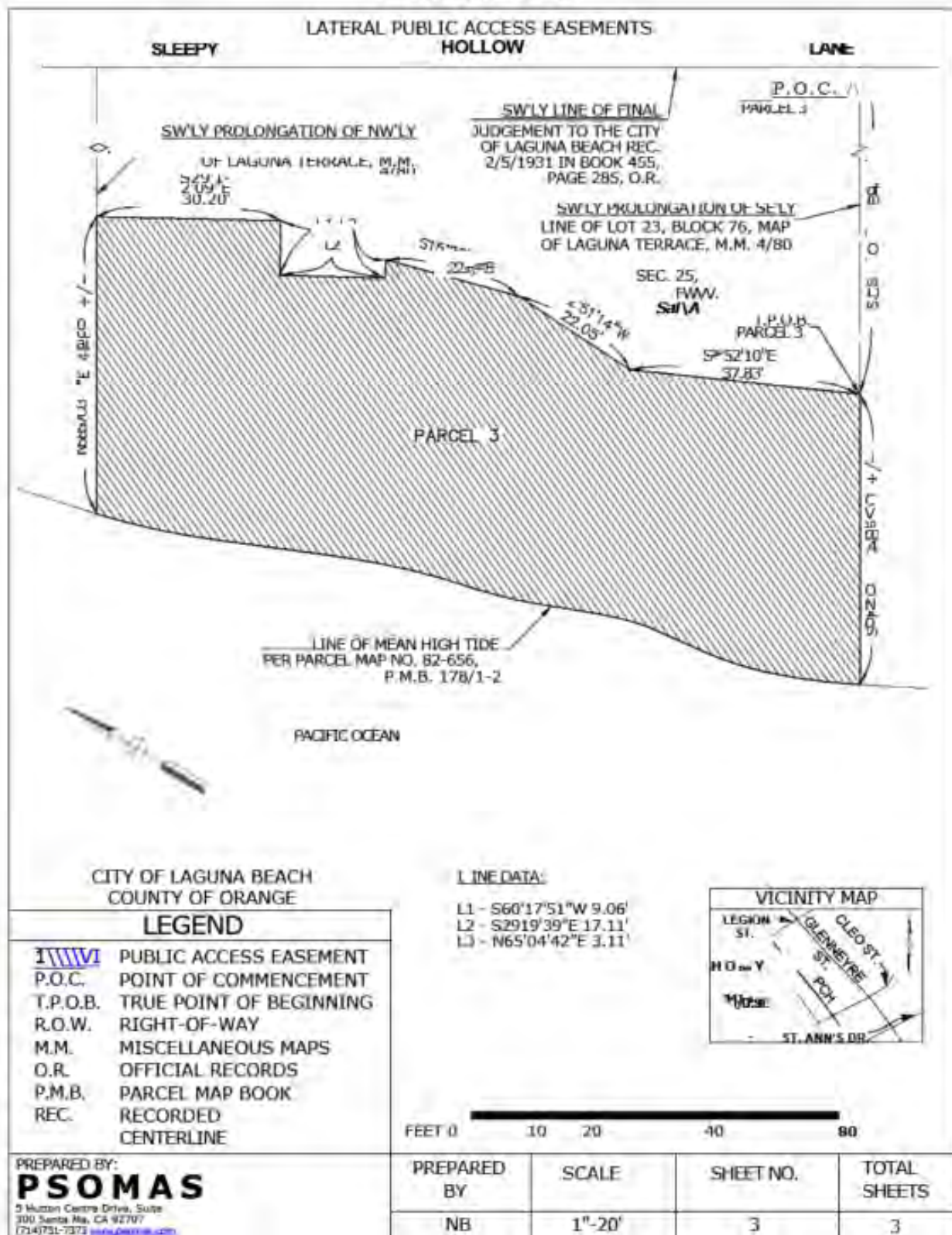


EXHIBIT D

SECTION 30106 OF THE COASTAL ACT

DEFINITION OF DEVELOPMENT

Public Resources Code section 30106 of the Coastal Act defines “development” as follows:

“Development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal water; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity or use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, ‘structure’ includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.”