



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION ACTION REPORT**

**TO:** CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION  
**FROM:** Kimberly Brandt, Community Development Director  
Brenda Wisneski, Deputy Community Development Director  
**SUBJECT:** Report of actions taken by the Zoning Administrator, and/or Planning Division staff for the week ending March 29, 2013

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**ZONING ADMINISTRATOR ACTIONS  
MARCH 28, 2013**

- Item 1: 718 Poinsettia Avenue Parcel Map No. NP2013-001 (PA2013-008)  
718 Poinsettia Avenue  
Action: Approved by Resolution No. ZA2013-015 Council District 6
- Item 2: 309 Goldenrod Avenue Parcel Map No. NP2013-002 (PA2013-009)  
309 Goldenrod Avenue  
Action: Approved by Resolution No. ZA2013-016 Council District 6
- Item 3: 429 Orchid Avenue Parcel Map No. NP2013-007 (PA2013-036)  
429 Orchid Avenue  
Action: Approved by Resolution No. ZA2013-017 Council District 6

**COMMUNITY DEVELOPMENT DIRECTOR  
OR PLANNING DIVISION STAFF ACTIONS**

- Item 4: Mugel Residence - Staff Approval No. SA2013-003 (PA2013-059)  
2727 Shell Street  
Action: Approved Council District 6

**APPEAL PERIOD:** An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

## RESOLUTION NO. ZA2013-015

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2013-001 FOR A PARCEL MAP FOR TWO-UNIT CONDOMINIUM PURPOSES LOCATED AT 718 POINSETTIA AVENUE (PA2013-008)**

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Blake Corbin, with respect to property located at 718 Poinsettia Avenue, and legally described as Lot 20, Block 743, Corona del Mar, in the City of Newport Beach, County of Orange, State of California, as shown on Tract Map, recorded in Book 3, Pages 41 and 42, of Miscellaneous Maps, records of Orange County, California requesting approval of a tentative parcel map.
2. The applicant proposes a tentative parcel map for two-unit condominium purposes. No exceptions to the Title 19 (Subdivision Code) development standards are proposed with this application. The code required two-car parking per unit will be provided by the new development.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential (RT).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on March 28, 2013, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place, and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

#### SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed, and qualifies for a Class 15 (Minor Land Divisions) categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act).
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel

map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

### SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

#### Finding:

- A. *That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.*

#### Facts in Support of Finding:

- A-1. The proposed parcel map is for two-unit condominium purposes. An existing single-family residence (approximately 1,355 square feet) will be demolished and replaced with a new 3,347-square foot two-unit condominium project. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential."

#### Finding:

- B. *That the site is physically suitable for the type and density of development.*

#### Facts in Support of Finding:

- B-1. The lot is physically suitable for two-unit development because it is regular in shape and has a slope of less than 20 percent.

#### Finding:

- C. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

Facts in Support of Finding:

- C-1. This project has been reviewed, and it has been determined that it qualifies for a Class 15 categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act). The Class 15 (Minor Land Divisions) exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

Finding:

- D. *That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

Facts in Support of Finding:

- D-1. The proposed parcel map is for residential condominium purposes. All construction for the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.*

Facts in Support of Finding:

- E-1. The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

- F. *That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.*

Facts in Support of Finding:

- F-1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
- F-2. The site developed for residential use lies in a residentially zoned area.

Finding:

- G. *That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) There is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.*

Facts in Support of Finding:

- G-1. The property is not a "land project" as defined in Section 11000.5 of the California Business and Professions Code because the existing subdivision does not contain 50 or more parcels.
- G-2. The project is not located within a specific plan area.

Finding:

- H. *That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.*

Facts in Support of Finding:

- H-1. The proposed parcel map and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- I. *That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Facts in Support of Finding:

- I-1. The two-unit condominium project is consistent with the R-2 Zoning District which allows two units on the property. Therefore, the parcel map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

- J. *That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Facts in Support of Finding:

- J-1. Wastewater discharge into the existing sewer system has been designed to comply with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. *For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Facts in Support of Finding:

- K-1. The project is not located within the Coastal Zone, and therefore, is not applicable in regards to conformance with the certified Local Coastal Program and public access and recreation policies of Chapter Three of the Coastal Act.

SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby approves Parcel Map No. NP2013-001, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective ten days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in

accordance with the provisions of Title 19 Subdivisions, of the Newport Beach Municipal Code.

**PASSED, APPROVED AND ADOPTED THIS 28<sup>th</sup> DAY OF MARCH, 2013.**

A handwritten signature in blue ink, appearing to read "Brenda Wisneski", written over a horizontal line.

Brenda Wisneski, AICP, Deputy Director

**EXHIBIT "A"**

## CONDITIONS OF APPROVAL

1. A parcel map shall be recorded. The map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. As per California Fire Code Section 903.2.8, an automatic sprinkler system shall be installed throughout all new buildings in a Group R occupancy. Each unit will require separate utilities for the fire sprinklers.
4. Smoke alarms shall be installed outside of each separate dwelling unit sleeping area in the immediate vicinity of bedrooms, and on every level of a dwelling unit including basements.
5. Prior to the recordation of the parcel map, in-lieu housing fees for one additional dwelling unit shall be paid consistent with the fee amount in effect at the time of payment as established by the City of Newport Beach Municipal Code.
6. Prior to the recordation of the parcel map, park dedication fees for one additional dwelling unit shall be paid consistent with the fee amount in effect at the time of payment as established by the City of Newport Beach Municipal Code.
7. All improvements shall be constructed as required by Ordinance and the Public Works Department.
8. The applicant shall reconstruct the existing broken and/or otherwise damaged concrete curb, gutter, sidewalk and alley panels along the Poinsettia Avenue frontage. Limits of reconstruction are at the discretion of the Public Works inspector.
9. Additional public works improvements, including street and alley reconstruction work may be required at the discretion of the Public Works Inspector.
10. All existing overhead utility connections shall be placed underground.



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11. The applicant shall install new sod or low groundcovers of the type approved by the City throughout the Poinsettia Avenue parkway fronting the development site.
  12. The applicant shall remove and replace the existing street tree with a 36-inch box Bauhinia Variegata (Purple Orchid) street tree.
  13. All private, non-standard improvements within the Poinsettia Avenue or alley public right-of-way shall be removed.
  14. All above ground improvements shall stay clear of the alley setback.
  15. Each dwelling unit shall be served by its individual water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover. Water meters and sewer cleanouts shall be located within the public right-of-way.
  16. Each unit shall be served with individual gas and electrical service connections and shall maintain separate utility meters.
  17. Two-car parking, including one in a garage and one covered or in a garage, shall be provided on site for each dwelling unit per requirements of the Zoning Code.
  18. In compliance with the requirements of Chapter 9.04, Section 901.4.4, of the Newport Beach Municipal Code, approved street numbers or addresses shall be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background, and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke.
  19. An approved encroachment permit is required for all work activities within the public right-of-way.
  20. A Public Works Department encroachment permit inspection is required before the Building Division permit final can be issued. At the time of Public Works Department inspection, if any of the existing public improvements surrounding the site are damaged, new concrete sidewalk, curb and gutter, and alley/street pavement will be required and 100 percent paid by the owner. Said determination and the extent of the repair work shall be made at the discretion of the Public Works Inspector.
  21. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
  22. 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 Public Works Inspector.

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23. All on-site drainage shall comply with the latest City Water Quality requirements.
  24. The applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
  25. Prior to the recordation of the parcel map, the applicant shall apply for a building permit for description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is finalized.** The building permit for the new construction shall not be finalized until after recordation of the parcel map.
  26. 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 the 718 Poinsettia Avenue Parcel Map including, but not limited to, Parcel Map No. NP2013-001 (PA2013-008). 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.
  27. The parcel map shall expire if the map has not been recorded within 24 months of the date of approval, unless an extension is granted by the Director of Community Development in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.

## RESOLUTION NO. ZA2013-016

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2013-002 FOR A PARCEL MAP FOR TWO-UNIT CONDOMINIUM PURPOSES LOCATED AT 309 GOLDENROD AVENUE (PA2013-009)**

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Galina Cohen, with respect to property located at 309 Goldenrod Avenue, and legally described as Lot 9 and the southwesterly 10 feet of Lot 11 in Block 233, excepting therefrom the northwesterly 27 feet of the northeasterly 2 feet of the southwesterly 10 feet of Lot 11 in Block 233 of Corona del Mar, as per map thereof recorded in Book 3, Pages 41 and 42 of Miscellaneous Maps, records of said Orange County, by Deed dated September 20, 1956, recorded September 24, 1956, in Book 3654, Page 116, official records of Orange County requesting approval of a tentative parcel map.
2. The applicant proposes a tentative parcel map for two-unit condominium purposes. No exceptions to the Title 19 (Subdivision Code) development standards are proposed with this application. The code required two-car parking per unit will be provided by the new development.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential (RT).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Two-Unit Residential (RT-D).
5. A public hearing was held on March 28, 2013, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place, and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

#### SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed, and qualifies for a Class 15 (Minor Land Divisions) categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act).
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is

in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

### SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

#### Finding:

- A. *That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.*

#### Facts in Support of Finding:

- A-1. The proposed parcel map is for two-unit condominium purposes. An existing single-family residence (approximately 625 square feet) will be demolished and replaced with a new 4,917-square-foot two-unit condominium project. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential."

#### Finding:

- B. *That the site is physically suitable for the type and density of development.*

#### Facts in Support of Finding:

- B-1. The lot is physically suitable for two-unit development because it is regular in shape and has a slope of less than 20 percent.

#### Finding:

- C. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

Facts in Support of Finding:

- C-1. This project has been reviewed, and it has been determined that it qualifies for a Class 15 categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act). The Class 15 (Minor Land Divisions) exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

Finding:

- D. *That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

Facts in Support of Finding:

- D-1. The proposed parcel map is for residential condominium purposes. All construction for the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.*

Facts in Support of Finding:

- E-1. The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

- F. *That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.*

Facts in Support of Finding:

- F-1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
- F-2. The site developed for residential use lies in a residentially zoned area.

Finding:

- G. *That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) There is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.*

Facts in Support of Finding:

- G-1. The property is not a "land project" as defined in Section 11000.5 of the California Business and Professions Code because the existing subdivision does not contain 50 or more parcels.
- G-2. The project is not located within a specific plan area.

Finding:

- H. *That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.*

Facts in Support of Finding:

- H-1. The proposed parcel map and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- I. *That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Facts in Support of Finding:

- I-1. The two-unit condominium project is consistent with the R-2 Zoning District which allows two units on the property. Therefore, the parcel map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

- J. *That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Facts in Support of Finding:

- J-1. Wastewater discharge into the existing sewer system has been designed to comply with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. *For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Facts in Support of Finding:

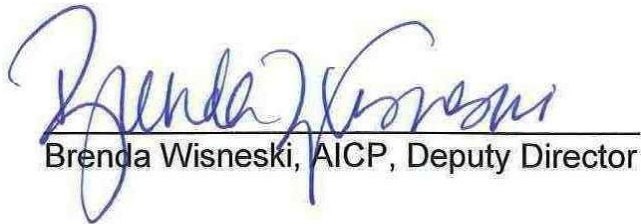
- K-1. The proposed parcel map is for two-unit condominium purposes. The proposed subdivision and improvements are consistent with the Coastal Land Use Plan designation RT-D (Two-Unit Residential).
- K-2. The subject property conforms to public access policies of Chapter Three of the Coastal Act because the new development maintains public access from the nearest public roadway to the shoreline and along the coast.
- K-3. Recreation policies pertaining to water-oriented recreational activities and uses contained within Chapter Three of the Coastal Act are not applicable to the subject property.

SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby approves Parcel Map No. NP2013-002, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective ten days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in accordance with the provisions of Title 19 Subdivisions, of the Newport Beach Municipal Code.

**PASSED, APPROVED AND ADOPTED THIS 28<sup>th</sup> DAY OF MARCH, 2013.**

  
Brenda Wisneski, AICP, Deputy Director



**EXHIBIT "A"**

## CONDITIONS OF APPROVAL

1. A parcel map shall be recorded. The map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the map, the surveyor/engineer preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. As per California Fire Code Section 903.2.8, an automatic sprinkler system shall be installed throughout all new buildings in a Group R occupancy. Each unit will require separate utilities for the fire sprinklers.
4. Smoke alarms shall be installed outside of each separate dwelling unit sleeping area in the immediate vicinity of bedrooms, and on every level of a dwelling unit including basements.
5. Prior to the recordation of the parcel map, in-lieu housing fees for one additional dwelling unit shall be paid consistent with the fee amount in effect at the time of payment as established by the City of Newport Beach Municipal Code.
6. Prior to the recordation of the parcel map, park dedication fees for one additional dwelling unit shall be paid consistent with the fee amount in effect at the time of payment as established by the City of Newport Beach Municipal Code.
7. All improvements shall be constructed as required by Ordinance and the Public Works Department.
8. The applicant shall reconstruct the existing broken and/or otherwise damaged concrete curb, gutter, sidewalk and alley panels along the Goldenrod Avenue frontage. Limits of reconstruction are at the discretion of the Public Works inspector.
9. Additional public works improvements, including street and alley reconstruction work may be required at the discretion of the Public Works Inspector.
10. All existing overhead utility connections shall be placed underground.

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11. The applicant shall install new sod or low groundcovers of the type approved by the City throughout the Goldenrod Avenue parkway fronting the development site.
  12. All private, non-standard improvements within the Goldenrod Avenue or alley public right-of-way shall be removed.
  13. All above ground improvements shall stay clear of the alley setback.
  14. Each dwelling unit shall be served by its individual water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover. Water meters and sewer cleanouts shall be located within the public right-of-way.
  15. Each unit shall be served with individual gas and electrical service connections and shall maintain separate utility meters.
  16. Two-car parking, including one in a garage and one covered or in a garage, shall be provided on site for each dwelling unit per requirements of the Zoning Code.
  17. In compliance with the requirements of Chapter 9.04, Section 901.4.4, of the Newport Beach Municipal Code, approved street numbers or addresses shall be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background, and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke.
  18. An approved encroachment permit is required for all work activities within the public right-of-way.
  19. A Public Works Department encroachment permit inspection is required before the Building Division permit final can be issued. At the time of Public Works Department inspection, if any of the existing public improvements surrounding the site are damaged, new concrete sidewalk, curb and gutter, and alley/street pavement will be required and 100 percent paid by the owner. Said determination and the extent of the repair work shall be made at the discretion of the Public Works Inspector.
  20. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
  21. 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 Public Works Inspector.
  22. All on-site drainage shall comply with the latest City Water Quality requirements.

- 
23. The applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
  24. Prior to the recordation of the parcel map, the applicant shall apply for a building permit for description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is finalized.** The building permit for the new construction shall not be finalized until after recordation of the parcel map.
  25. 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 the 309 Goldenrod Avenue Parcel Map including, but not limited to, Parcel Map No. NP2013-002 (PA2013-009). 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.
  26. This parcel map shall expire if the map has not been recorded within 24 months of the date of approval, unless an extension is granted by the Director of Community Development in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.

## RESOLUTION NO. ZA2013-017

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, APPROVING TENTATIVE PARCEL MAP NO. NP2013-007 FOR A PARCEL MAP FOR TWO-UNIT CONDOMINIUM PURPOSES (PA2013-036)**

THE ZONING ADMINSTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Michael Terry of Rimcrest Development, Inc., representing the property owner, Newport Beach Partnership, LLC, with respect to property located at 429 Orchid Avenue, and legally described as Lot 21 in Block 441 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 Orange County, requesting approval of a Tentative Parcel Map.
2. The applicant requests a tentative parcel map for two-unit condominium purposes. No exceptions to the Title 19 (Subdivision Code) development standards are proposed with this application. The code required two-car parking per unit will be provided. The property was previously developed with a single-unit dwelling that has been demolished and a new duplex is currently under construction.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential (RT).
4. The subject property is not located within the Coastal Zone.
5. A public hearing was held on March 28, 2013, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

#### SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed, and it qualifies for a categorical exemption pursuant to Section 15315 of the California Environmental Quality Act under Class Class 15 (Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act.
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the

parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

### SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

#### Finding

- A. *That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.*

#### Facts in Support of Finding

1. The proposed Parcel Map is for two-unit condominium purposes. A single-unit dwelling was demolished and is being replaced with a new duplex currently under construction. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential".

#### Finding

- B. *That the site is physically suitable for the type and density of development.*

#### Facts in Support of Finding

1. The lot is regular in shape, has a slope of less than 20 percent, and is suitable for two-unit development.

#### Finding

- C. *That the design of the subdivision or the proposed improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

Facts in Support of Finding

1. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 15 (Minor Land Divisions) which allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The proposed parcel map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

Finding

- D. *That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

Facts in Support of Finding

1. The proposed Parcel Map is for residential condominium purposes. All construction for the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding

- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to easements previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.*

Facts in Support of Finding

1. The design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development as there are no public easements that are located on the property.

Finding

- F. *That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.*

Facts in Support of Finding

1. The property is not subject to the Williamson Act since the subject property is not designated as an agricultural preserve and is less than 100 acres.

Finding

- G. *That, in the case of a “land project” as defined in Section 11000.5 of the California Business and Professions Code: (a) there is an adopted specific plan for the area to be included within the land project; and (b) the decision-making body finds that the proposed land project is consistent with the specific plan for the area.*

Facts in Support of Finding

1. The property is not a “land project” as defined in Section 11000.5 of the California Business and Professions Code.
2. The project is not located within a specific plan area.

Finding

- H. *That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.*

Facts in Support of Finding

1. The proposed Parcel Map and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Department enforces Title 24 compliance through the plan check and inspection process.

Finding

- I. *That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City’s share of the*

*regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Facts in Support of Finding

1. The residential density allowed for the site will remain the same, which allows two units in the R-2 Zoning District. Therefore, the parcel map for condominium purposes will not affect the City in meeting its regional housing need.

Finding

- J. *That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Facts in Support of Finding

1. Wastewater discharge into the existing sewer system has been designed to comply with the Regional Water Quality Control Board (RWQCB) requirements.

Finding

- K. *For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Facts in Support of Finding

1. The subject property is not located within the Coastal Zone.

Finding

- L. *That public improvements will be required of the Applicant per the Municipal Code and the Subdivision Map Act.*

Facts in Support of Finding

1. The project has been conditioned to require public improvements including the following: reconstruction of the existing broken or otherwise damaged sidewalks, curbs, and gutters along the Orchid Avenue and Second Avenue frontages, reconstruction of the damaged alley approach along Second Avenue, construction of a new driveway approach and 4-foot-wide sidewalk along Second Avenue, and construction of a new ADA compliant curb access ramp at the Orchid Avenue/Second Avenue curb return.



SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby approves Parcel Map No. NP2013-007, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. Tentative Parcel Map applications do not become effective until 10 days following the date of action. Prior to the effective date, the applicant or any interested party may appeal the decision of the Zoning Administrator to the Planning Commission by submitting a written appeal application to the Community Development Director. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

**PASSED, APPROVED, AND ADOPTED THIS 28TH DAY OF MARCH, 2013.**

By:



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Brenda Wisneski, AICP, Zoning Administrator

**EXHIBIT "A"**

## CONDITIONS OF APPROVAL

1. A parcel map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set On Each Lot Corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. Prior to recordation of the parcel map, an in-lieu, park dedication fee shall be paid for the additional residential dwelling-unit constructed on the property.
4. Prior to recordation of the parcel map, an affordable housing fee shall be paid for the additional residential dwelling-unit constructed on the property.
5. All improvements shall be constructed as required by Ordinance and the Public Works Department.
6. Prior to recordation of the parcel map, the existing broken and/or otherwise damaged concrete sidewalk panels along the Orchid Avenue frontage shall be reconstructed.
7. Prior to recordation of the parcel map, the existing broken and/or otherwise damaged concrete curb and gutter along the Orchid Avenue and Second Avenue frontages shall be reconstructed.
8. Prior to recordation of the parcel map, the damaged alley approach along Second Avenue shall be reconstructed.
9. Prior to recordation of the parcel map, the existing driveway approach along Second Avenue shall be replaced with a new driveway plug per City Standards.
10. Prior to recordation of the parcel map, a new, minimum 4-foot-wide concrete sidewalk shall be constructed along the entire Second Avenue frontage per City Standard STD-180-L. Upon construction of the new, concrete sidewalk, a new ADA compliant curb access ramp shall be constructed at the Orchid Avenue/Second Avenue curb return and the adjacent, damaged concrete gutter shall be reconstructed.

11. All above ground improvements shall stay a minimum 5-foot clear of the alley setback.
12. Orchid Avenue and Second Avenue are part of the City's Moratorium List. As such, additional surfacing requirements are applicable to work on said roadways per City Standard STD 105-L-F.
13. Prior to recordation of the parcel map, all private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
14. An encroachment permit is required for all work activities within the public right-of-way.
15. Prior to recordation of the parcel map, a Public Works Department encroachment permit inspection is required. At the time of Public Works Department inspection, if any of the existing public improvements surrounding the site is damaged, new concrete sidewalk, curb and gutter, and alley/street pavement will be required and 100 percent paid by the owner. Said determination and the extent of the repair work shall be made at the discretion of the Public Works Inspector.
16. Prior to recordation of the parcel map, new sod or low groundcovers of the type approved by the City throughout the Second Avenue parkway fronting the development site shall be installed.
17. Prior to recordation of the parcel map, the "Brazilian Pepper" tree at 429 Orchid Avenue and Second Avenue shall be removed and not replaced. There shall be no street fee assessed for this location because the Municipal Operations Department has determined that it is not viable for planting trees.
18. Prior to recordation of the parcel map, the two "Eucalyptus" trees along the Second Avenue frontage shall be removed. The payment of a street tree planting/inspection fee to the City shall be made or two 36 inch box "Magnolia Grandiflora Cultivars", which shall be planted in place of the two "Eucalyptus" trees.
19. Prior to recordation of the parcel map, a 10-foot radius corner cutoff at the corner of Orchid Avenue and Second Avenue curb return shall be dedicated to the City for street purposes. A Grant of Easement for Utilities and Street Purposes shall be submitted for City review and County of Orange recording. All drawings and exhibits submitted for said dedication purposes shall conform to the City's CADD Standards. Scanned images will not be accepted. The Public Works Department plan check approval will not be issued until said document has been submitted. The Certificate of Occupancy will not be issued until said Map has been recorded by the County of Orange.
20. All improvements shall comply with the City's sight distance requirement. See City Standard STD-110-L and Municipal Code 20.30.130.
21. All on-site drainage shall comply with the latest City Water Quality requirements.

22. An approved encroachment permit is required for all work activities within the public right-of-way.
23. Each unit shall be served by its individual water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover. Water meter and the sewer cleanout shall be located within the Public right-of-way.
24. Each dwelling unit shall be served with individual gas and electrical service connection and shall maintain separate meters for the utilities.
25. Two-car parking, including one enclosed garage space, shall be provided on site for each dwelling unit per requirements of the Zoning Code.
26. In compliance with the requirements of Chapter 9.04, Section 505.1 (Premises Identification), of the Newport Beach Municipal Code, approved street numbers or addresses shall be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background, and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke. The Planning Division Plan Check designee shall verify the installation of the approved street number or addresses during the plan check process for the new or remodeled structure.
27. Subsequent to recordation of the Parcel Map, the applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is finalized.** The building permit for the new construction shall not be finalized until after recordation of the Parcel Map.
28. 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 the 429 Orchid Avenue Parcel Map including, but not limited to, Parcel Map No. NP2013-007 (PA2013-036). 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.

29. This Parcel Map shall expire if the map has not been recorded within three years of the date of approval, unless an extension is granted by the Community Development Director in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.



## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663

(949) 644-3200 Fax: (949) 644-3229

[www.newportbeachca.gov](http://www.newportbeachca.gov)

## **COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

**APPLICATION:** Staff Approval No. SA2013-003 (PA2013-059)

**APPLICANT:** John Vengoechea

**LOCATION:** 2727 Shell Street  
Mugel Residence - Staff Approval

**LEGAL DESCRIPTION** Parcel 1 of PM-65/6

On **March 29, 2013**, the Community Development Director approved Staff Approval No. SA2013-003. This approval is based on the findings and subject to the following conditions.

### **PROJECT SUMMARY**

A staff approval for a determination of substantial conformance with previous approvals granted by Variance No. 1042 and Resubdivision No. 452, to allow addition and alteration to an existing single family dwelling. The project includes the enclosure of a second floor balcony (130 square foot addition) that encroaches one foot into the required 4 foot side yard setback.

### **ZONING DISTRICT/GENERAL PLAN**

- **Zone:** R-1 (Single-Unit Residential)
- **General Plan:** RS-D (Single-Unit Residential)

### **BACKGROUND**

The Planning Commission approved Resubdivision No. 452, on May 2, 1974, to establish the subject property as one building site (combining four lots), and to convert the two existing single family dwellings on the site into a single residential dwelling unit. A condition of approval provides that "the side yards conform to the drawing as shown on the site plan submitted with this application" (i.e. a 3 foot side yard on the southeasterly side of the parcel and a 4 foot side yard on the northwesterly side, Attachment CD 2).

The Planning Commission approved Variance No. 1042, on June 6, 1974, a request to allow a portion of a remodeled single family dwelling to exceed the 24 foot height limit. The proposed floor plan for that project included a three foot side yard consistent with the plans presented with Resubdivision No. 452 mentioned above (Attachment CD 3).

The City Council, on appeal, upheld the decision of the Planning Commission and approved Variance No. 1042, on July 22, 1974, a request to allow a portion to exceed the height limit of 24 feet on the water side of the property. The approval included retention of the three foot side yard setback on the southeasterly side of the property (Attachment CD 4).

### **PROPOSED CHANGE**

The applicant requests a staff approval for a determination of substantial conformance to allow the renovation of the existing single family dwelling, to include the enclosure of the second floor balcony. The southeasterly portion of the balcony encroaches one (1) foot into the four (4) foot side yard setback. The proposed remodel and addition would increase the area of the building by 130 square feet, but approximately 7 square feet is located within the side yard setback. The remainder of the building will be remodeled.

Condition No. 2 of Resubdivision No. 452 requires that the building maintain the side setbacks as approved for the original project. The southeasterly side of the balcony has a full-height wall and will be altered slightly to accommodate a window for a new bathroom addition (Project Plans, Attachment CD 5).

### **FINDINGS**

Pursuant to Section 20.54.070, the Community Development Director may authorize minor changes to an approved site plan, architecture, or the nature of the approved use, without a public hearing, and waive the requirement for a new use permit application. This staff approval is based on the following findings and facts in support of the findings. In this case, the Director determined the proposed changes:

#### **Finding:**

*A. Are consistent with all applicable provisions of this Zoning Code.*

#### **Facts in Support of Finding:**

1. The subject building was granted the existing setback approval by Resubdivision No. 452, on May 2, 1974 by the Planning Commission; and Variance No. 1042, on July 22, 1974, by the City Council. The proposed changes are consistent with the conditions of approval of those approvals.

2. The proposed changes include a 130-square-foot addition, approximately 7 square feet encroach into the 4 foot side yard setback. The remainder of the building conforms to the required setbacks.

Finding:

- B. Do not involve a feature of the project that was a basis for or subject of findings or exemptions in a negative declaration or Environmental Impact Report for the project.*

Facts in Support of Finding:

1. The previously approved project was determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, Existing Facilities, and were not subject to a negative declaration or Environment Impact Report.
2. The proposed project involves the renovation of the existing single family dwelling and qualifies for a categorical exemption from CEQA under Class 1, Existing Facilities. The Class 1 exemption includes additions to existing single family dwellings that do not exceed 50 percent of the existing structure or 2,500 square feet, whichever is less.

Finding:

- C. Do not involve a feature of the project that was specifically addressed or was the subject of a condition(s) of approval for the project or that was a specific consideration by the applicable review authority in the project approval.*

Facts in Support of Finding:

1. The proposed changes do not involve a feature that was specifically addressed in staff reports or minutes prepared for Variance No. 1042 or Resubdivision No. 452. Condition of approval of the Variance and the Resubdivision require consistency of the side yards with the approved site plan. These conditions were intended to limit the southeasterly side yard to a minimum of three (3) feet. The remodel of the structure does not result in a substantial change to the existing setbacks of the building.

Finding:

- D. Do not result in an expansion or change in operational characteristics of the use.*

Facts in Support of Finding:

- The project remains a single family dwelling and remodel included a 130 square foot addition which is minor in nature and does not represent a substantial change in the overall project as originally approved by the Planning Commission and the City Council in 1974.



## **DETERMINATION**

This staff approval has been reviewed and the determination has been made that the proposed changes to the building and setbacks are in substantial conformance with the original approval actions.

## **CONDITIONS OF APPROVAL**

All previous findings and conditions of approval of Variance No. 1042 and Resubdivision No. 452 shall remain in full force and effect as stated in Attachment Nos. CD 2 and CD 3, with the addition of the following conditions:

1. The development authorized by this staff approval shall be in substantial conformance with the approved project plans.
2. All previous conditions of approval of Variance No. 1042 and Resubdivision No. 452 shall remain in force.
3. A building permit shall be obtained prior to commencement of the construction. A copy of this approval letter shall be incorporated into both the Building Division and field sets of plans prior to issuance of the building permits.
4. Encroachments into any setback other than that included in this approval is prohibited.
5. 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 the 2727 Shell Street Remodel including, but not limited to, the **Staff Approval No. SA2013-003 (PA2013-059)**. 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.

**APPEAL PERIOD:** An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Kimberly Brandt, AICP, Community Development Director

By:



Javier S. Garcia, AICP,  
Senior Planner

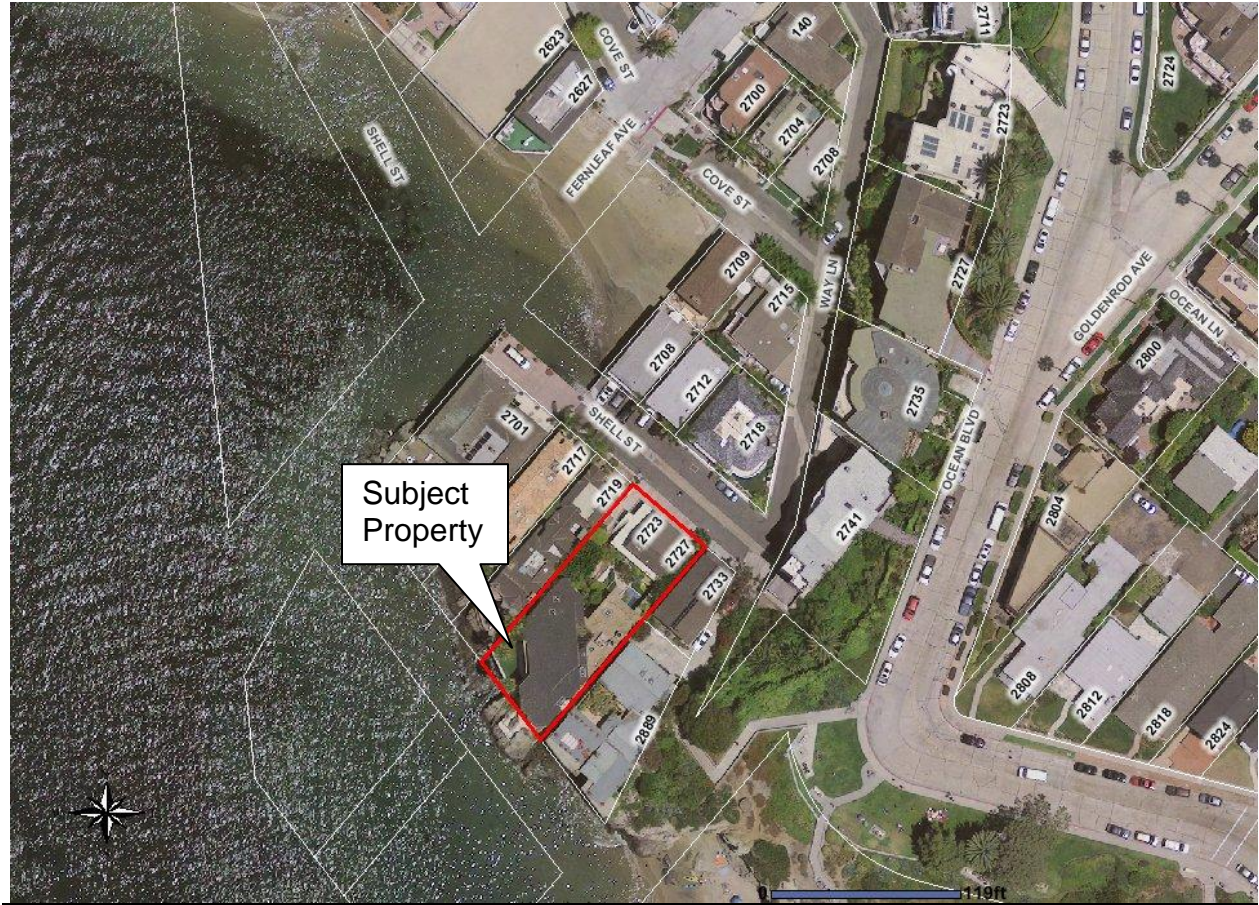
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Attachments: CD 1 Vicinity Map  
CD 2 Excerpt of Planning Commission Minutes , dated May 2, 1974  
Findings and Conditions, Planning Director's Use Permit 69  
CD 3 Excerpt of Planning Commission Minutes , dated June 6, 1974  
Findings and Conditions, Accessory Outdoor Dining Permit 76  
CD 4 Excerpt of City Council Minutes , dated July 22, 1974  
CD 5 Project Plans

# **Attachment No. CD 1**

Vicinity Map

# VICINITY MAP



Staff Approval No. SA2013-003  
PA2013-059

**2727 Shell Street**

## **Attachment No. CD 2**

Excerpt of Planning Commission Minutes,  
dated May 2, 1974,  
Resubdivision No. 452

COMMISSIONERS

CITY OF NEWPORT BEACH

MINUTES

ROLL CALL

May 2, 1974

INDEX

SEELEY  
ROSENER  
PARKER  
HEATHER  
HAZENVINKEL  
BECKLEY  
AGEE

Zone: R-1  
Applicant: Fred S. Thomson, c/o Inland Lumber Co., Colton  
Owner: Fred S. Thomson, Corona del Mar  
Engineer: Donald E. Stevens, Inc., Costa Mesa

Assistant Community Development Director Hewicker pointed out that the combination of parcels would create a building site in excess of 40 feet thereby requiring 4 foot side yards. Since the southeasterly side maintains only a 3 foot side yard which would become legal non-conforming, and in order to preclude additional hearings by the Modifications Committee which would be necessary in order to redevelop the property, staff recommended that a condition be added whereby all new construction would conform to the required 4 foot side yard setback which in effect would grant the modification for the nonconforming 3 foot side yard. Mr. Hewicker also presented a letter received from Barbara Renard in favor of the proposed resubdivision.

Public hearing was opened in connection with this matter.

Gordon Glass, Architect for the project, appeared before the Planning Commission to correct the staff report in that the applicant had received South Coast Regional Commission Permit P-1422 which must be modified to cover the new construction and also advised that new construction on the southeasterly side would be on top of existing walls and come within 3 feet of the property line.

There being no others desiring to appear and be heard, the public hearing was closed.

Motion  
Ayes  
Absent

X  
X  
X  
X  
X  
X  
X

Following discussion relative to side yards, motion was made to approve Resubdivision No. 452, subject to the following conditions:

1. That a Parcel Map be filed.
2. That the side yards conform to the drawing as shown on the site plan submitted with this resubdivision.

COMMISSIONERS

CITY OF NEWPORT BEACH

MINUTES

ROLL CALL

May 2, 1974

INDEX

SEELY  
COSENER  
PARKER  
HEATHER  
HAZEMINEL  
BECKLEY  
AGEE

Motion  
Ayes  
Absent

X  
X  
X  
X  
X  
X  
X

street improvements or that the matter be continued until an agreement is reached between the Scholz Company and the applicant.

Edgar Pye, Mariners Savings and Loan, appeared before the Planning Commission to concur with the conditions recommended by the staff but did not feel they should be required to pay for street improvements made by another developer prior to the applicant's acquisition of the property being subdivided.

There being no others desiring to appear and be heard, the public hearing was closed.

Acknowledging the element of fairness but at the same time realizing that all development does not go hand in hand, that initial developers may make certain improvements on their own volition without guarantee of reimbursement and to the benefit of subsequent developers who would have no knowledge of said improvements unless by bond issue, etc.; motion was made to approve Resubdivision No. 451 subject to the following conditions:

1. That a parcel map be filed.
2. That all applicable conditions of approval for Resubdivision No. 408 and Use Permit No. 1718 be fulfilled.

\* \* \* \* \*

Planning Commission recessed at 9:30 P.M. and reconvened at 9:40 P.M.

\* \* \* \* \*

Item #6

Request to establish one building site and eliminate interior lot lines where four lots now exist so as to convert two existing single family dwellings into one residential dwelling unit.

RESUB-DIVISION NO. 452

Location: Lots 3, 4, 10, and 11, Block C33 of Corona del Mar, located at 2727 Shell Street, on the southwesterly side of Shell Street between Fernleaf Avenue and Goldenrod Avenue in Corona del Mar.

APPROVED  
CONDITIONALLY

## **Attachment No. CD 3**

Excerpt of Planning Commission Minutes,  
dated June 6, 1974,  
Variance No. 1042



ROLL CALL

June 6, 1974

INDEX

SEELY	
ROSENER	
PARKER	
HEATHER	
MAEWINKEL	
BECKLEY	
AGEE	X

Motion  
All Ayes

between 50th Street and 51st Street in West Newport.  
Zone: R-2  
Applicant: Mr. & Mrs. John Geary, Los Angeles  
Owner: Same as Applicant  
Appellant: Same as Applicant

At the request of the applicant, Planning Commission continued this matter to the meeting of June 20, 1974.

Item #4  
VARIANCE  
NO. 1042  
APPROVED  
CONDI-  
TIONALLY

Request to permit a portion of a remodeled single family dwelling to exceed the basic height limit within the 24/28 Foot Height Limitation District.

Location: Lots 3, 4, 10, and 11, Block C-33 of Corona del Mar, located at 2727 Shell Street, on the southwesterly side of Shell Street between Fernleaf Avenue and Goldenrod Avenue in Corona del Mar.

Zone: R-1  
Applicant: Gordon Harvin Glass AIA, Newport Beach  
Owner: Fred S. Thomson and Ina J. Thomson, Corona del Mar

Public hearing was opened in connection with this matter.

Gordon Glass, Architect, appeared before the Planning Commission to answer questions regarding the request and stated that the staff report covered the matter thoroughly with one correction and that was that the height of the structure would be 31½ feet rather than 33 feet.

Community Development Director Hogan read a letter dated June 6, 1974, received from Edker and Blanche Pope, requesting that the height be limited so as not to exceed the present overall height of the existing structure.

ROLL CALL

June 6, 1974

INDEX

SEELY  
ROSENER  
PARKER  
HEATHER  
HAZEWINKEL  
BECKLEY  
AGE

Gary Thomson, Son of the owners, appeared before the Planning Commission to review the plot plan and comment on the alterations being requested.

Dede Masters, resident of China Cove, appeared before the Planning Commission in favor of the request.

Gordon Glass, Architect, appeared before the Planning Commission and presented photographs for review indicating the height of the Thomson house, the Pope house and the Chinese house. He commented on the Pope's letter, clarified the reason for the variance, advised that the roof line of the Thomson house would be 5 feet lower than that of the houses on either side and that the only loss of view by the Pope's would be the bottom 3 feet from the rear high wing across the Thomson property.

There being no others desiring to appear and be heard, the public hearing was closed.

It was the finding of the Planning Commission that special circumstances applied to the property as stated on Page 2 of the staff report and therefore Variance No. 1042 was approved subject to the following conditions:

1. That development shall be in substantial conformance with the approved plot plan and sections.
2. That all conditions of Resubdivision No. 452 be fulfilled.

Motion  
All Ayes

X

Request to create one parcel of land for development.

Location: Parcel 1 of Parcel Map 34-30 (Resubdivision No. 25j) and a portion of Block 93 of Irvine's Subdivision, located at 400 Newport Center Drive East, on the north-easterly corner of Newport Center Drive East and San Miguel Drive in Newport Center.

Zone: C-0-H

Applicant: Simpson-Steppat, Newport Beach

Page 6.

Item #5  
RESUB-  
DIVISION  
NO. 226  
(AMENDED)  
APPROVED  
CONDI-  
TIONALLY

## **Attachment No. CD 4**

Excerpt of City Council Minutes,  
dated July 22, 1974,  
Variance No. 1042

# CITY OF NEWPORT BEACH

MINUTES

REGULAR COUNCIL MEETING

Place: Council Chambers

Time: 7:30 P.M.

Date: July 22, 1974

COUNCILMEN

SOBERS  
SOCILOFF  
COBBAL  
MCINNIS  
KLEIN  
BARRETT  
STONE

ROLL CALL

INDEX

Mayor McInnis presented Certificates of Appreciation to out-going Board and Committee members in recognition of their dedicated service to the City: Civil Service Board Member William Klinger and City Arts Committee Member Mary Chabre. The Mayor also expressed the Council's appreciation for the dedicated service of the out-going members who were unable to be present: Board of Library Trustee Member James Gage and Parks, Beaches and Recreation Commissioners Claudia Owen and William Patrick.

Present x x x x x x x

Roll Call.

Motion Ayes x x x x x x x

The reading of the Minutes of the Regular Meeting of July 8, 1974 was waived, and said Minutes were approved as written and ordered filed.

Motion Ayes x x x x x x x

The reading in full of all ordinances and resolutions under consideration was waived, and the City Clerk was directed to read by titles only.

HEARINGS:

1. Mayor McInnis opened the public hearing in connection with the Spring, 1973-74 Weed Abatement Program.

Weed Abatement

A report was presented from the Fire Chief dated July 2, 1974 with the Assessment List on abatement of weeds and other nuisances within the City.

Fire Inspector Al Haskell gave a brief staff report.

Motion Ayes x x x x x x x

The hearing was closed after it was determined that no one desired to be heard.

Resolution No. 8313, confirming the report of the Fire Chief concerning the cost of the abatement of weeds and other nuisances and requesting the Auditor-Controller of Orange County to enter the amount of each assessment referred to in said report on the County tax roll, was adopted.

R-8313

Motion Ayes x x x x x x x

2. Mayor McInnis opened the public hearing regarding the appeal of Richard H. Dodd & Associates from the decision of the Planning Commission granting Variance No. 1042 to Gordon Harvin Glass, AIA, for Fred S. and Ina J. Thomson, for remodeling of a single family dwelling with a portion of the dwelling to exceed the basic height limit within the 24/28 foot height limit, Lots 3, 4, 10 and 11, Block C-33, Corona del Mar, located at 2727 Shell Street on the southwesterly side of Shell Street between Fernleaf and Goldenrod Avenues.

Dodd Appeal

CITY OF NEWPORT BEACH

MINUTES

COUNCILMEMEN

ROBERTS  
ANCHOR  
DOUSTAL  
MCINNIS  
KLEVEN  
BARRETT  
STORE

ROLL CALL

July 22, 1974

INDEX

Motion Ayes	x	x	x	x					
Motion Ayes	x	x	x	x	x	x	x		
Motion Ayes		x							

A report was presented from the Community Development Department.

Letters from Ruth K. Johnson and McKee Thompson in favor of subject Variance were presented.

Letters were received after the agenda was printed from Mr. and Mrs. John Drabeck, Charles W. and Dee Dee Masters, B. H. Renard, Wilhelmina E. van Os, Mr. and Mrs. Ted Russell and Gerald and Kathleen Thompson approving Variance No. 1042, and a letter from Harwood & Adkinson to the Community Development Director enclosing a letter to them from Richard H. Dodd requesting Council to allow the variance with the exception of permitting the violation of the height ordinance.

Don Adkinson, attorney for Richard Dodd, addressed the Council.

Gordon Glass, architect, presented a petition signed by nineteen China Cove residents approving the requested variance.

Mr. Glass was granted two additional minutes for his presentation.

Milo V. Olson, attorney representing Mr. and Mrs. Thomson, and John Gay addressed the Council in favor of the proposed variance.

The hearing was closed.

The decision of the Planning Commission was upheld, and Variance No. 1042 was granted.

- Mayor McInnis opened the public hearing regarding proposed General Plan Amendment No. 4, being an amendment to the Circulation Element to change the classification of Irvine Avenue between 16th Street and Cliff Drive from a primary road to a local street, and to delete the intersection at Irvine and Pacific Coast Highway.

Gen Plan  
Amendmt  
No. 4

A report was presented from the Community Development Department in connection with proposed Amendment Nos. 4, 5, 6 and 8.

Donna Gallant, President of the Cliff Haven Community Association, addressed the Council in support of the proposed amendment.

# **Attachment No. CD 5**

Project Plans

REVISIONS:

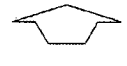
DESIGN & PLANS:  
**JOHN VENGOECHEA, G.C.**  
 766 NEWPORT AVENUE  
 LONG BEACH, CA. 90804  
 TEL: 909-556-4997

REMODEL & ADDITION FOR:  
**MICHAEL & COLEEN MUGEL**  
 2727 SHELL STREET  
 CORONA DEL MAR, CA. 92625

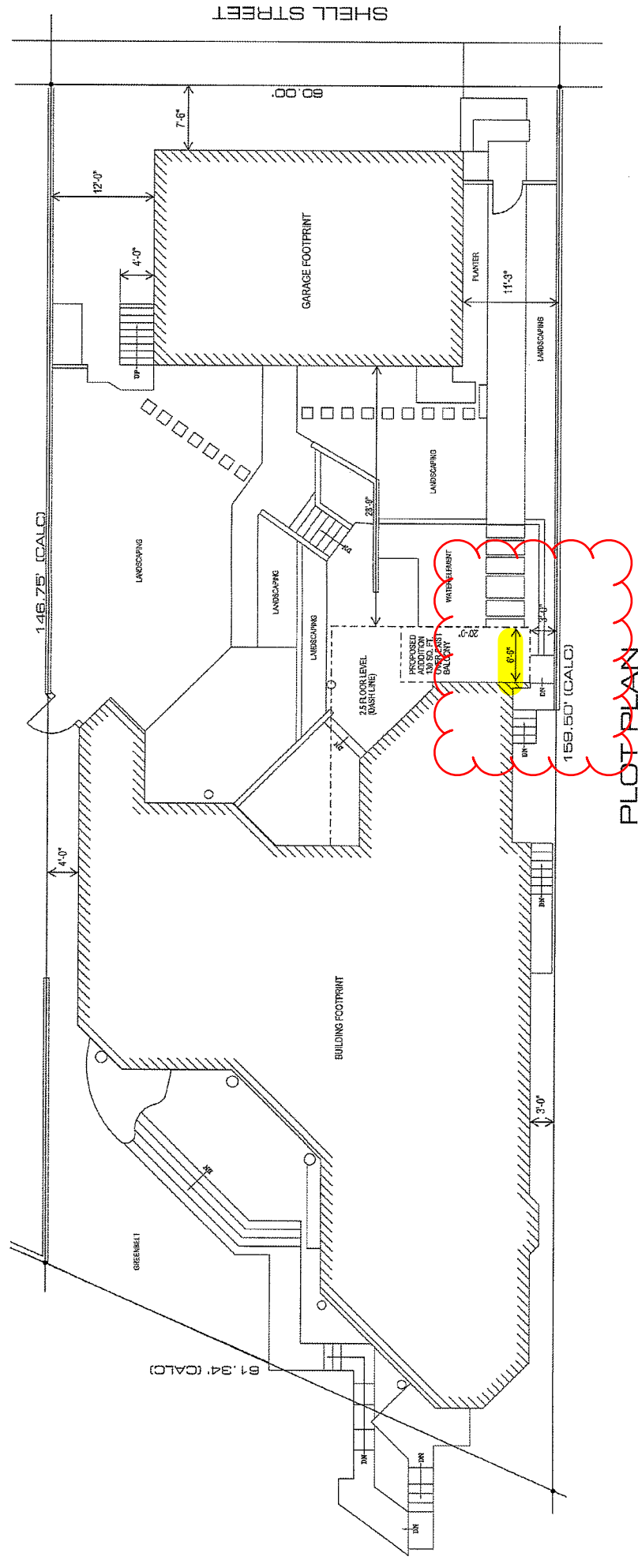
DRAWN: JCV  
 SHEET TITLE:  
**PROJECT DATA  
 PLOT PLAN**  
 SCALE: 1/8"=1'-0"

DATE: FEBRUARY 2013

**A-1**



REFERENCE NORTH

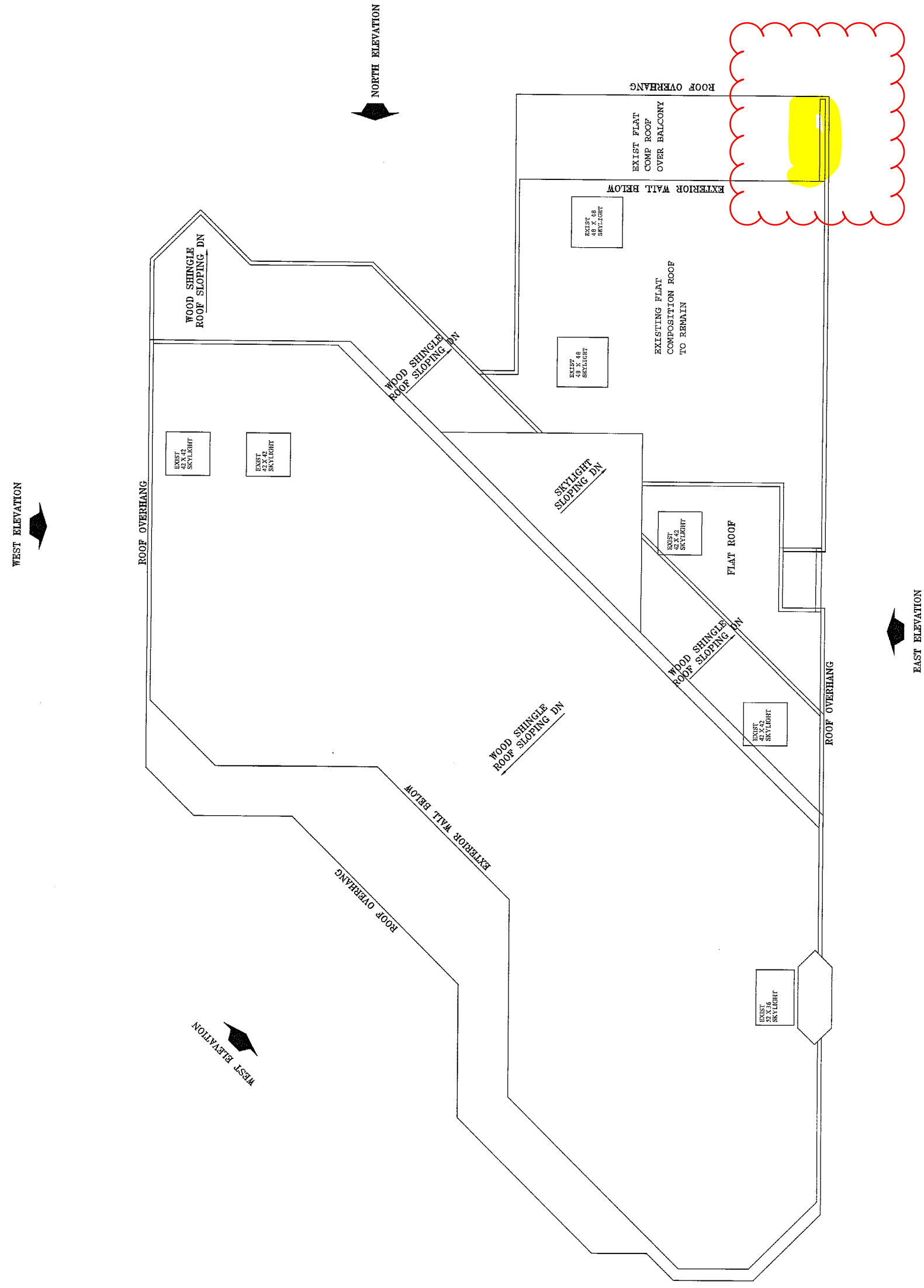
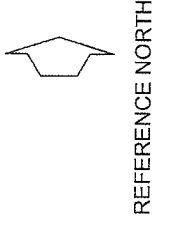


<p><b>VICINITY MAP</b></p>	<p><b>SHEET INDEX</b></p> <p>SHEET NO.: SHEET TITLE:          A-1 PLOT PLAN &amp; PROJECT DATA          A-2 EXISTING ROOF PLAN          A-3 EXISTING 1 FLOOR PLAN          A-4 EXISTING/DEMO 2 FLOOR PLAN          A-5 PROPOSED 2 FLOOR PLAN          A-6 FRAMING PLAN &amp; SECTION          A-7 NORTH &amp; EAST ELEVATIONS          A-8 S.WEST &amp; WEST ELEVATIONS          A-9 GENERAL NOTES          CF-1 TITLE 24: CERTIFICATE OF COMPLIANCE          CF-1 TITLE 24: CERTIFICATE OF COMPLIANCE</p>	<p><b>PROJECT SUMMARY</b></p> <p>DESCRIPTION: REMODEL AND ADDITION TO EXISTING 3 STORY S.F.D. WITH EXIST GARAGE AND GUEST HOUSE (DETACHED)</p> <p><b>BUILDING ANALYSIS</b></p> <p>ZONING TYPE: V-N          LOT SIZE: [blank]          LOT COVERAGE: [blank]</p> <p><b>HOUSE (3 STORY)</b></p> <p>EXISTING FLOOR AREA: 5,714 SQ. FT.          ADDITION FLOOR AREA: 130 SQ. FT.          TOTAL LIVABLE AREA: 5,844 SQ. FT.          EXISTING 4 CAR GARAGE: 800 SQ. FT.          EXISTING GRANNY UNIT: 806 SQ. FT.          PERMIT USE: UF3331 (DETACHED)</p> <p><b>LEGAL DESCRIPTION</b></p> <p>PARCEL: 1          BLOCK: C-33          CORONA DEL MAR, CALIFORNIA</p> <p>THE CONSTRUCTION SHALL COMPLY WITH THE 2010 CALIFORNIA RESIDENTIAL CODE (CRC); 2010 CALIFORNIA BUILDING CODE (CBC); 2010 CALIFORNIA PLUMBING CODE (CPC); 2010 CALIFORNIA ELECTRICAL CODE (CEC); 2010 CALIFORNIA MECHANICAL CODE (CMC); 2008 BUILDING ENERGY EFFICIENCY STANDARDS (BEEES); 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE (CG); &amp; CHAPTER 15 OF THE NEWPORT BEACH MUNICIPAL CODE (NBMC)</p>
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PA2013-059 for SA2013-003

2727 Shell Street  
 John Vengoechea

REVISIONS:



ROOF PLAN



REVISIONS:

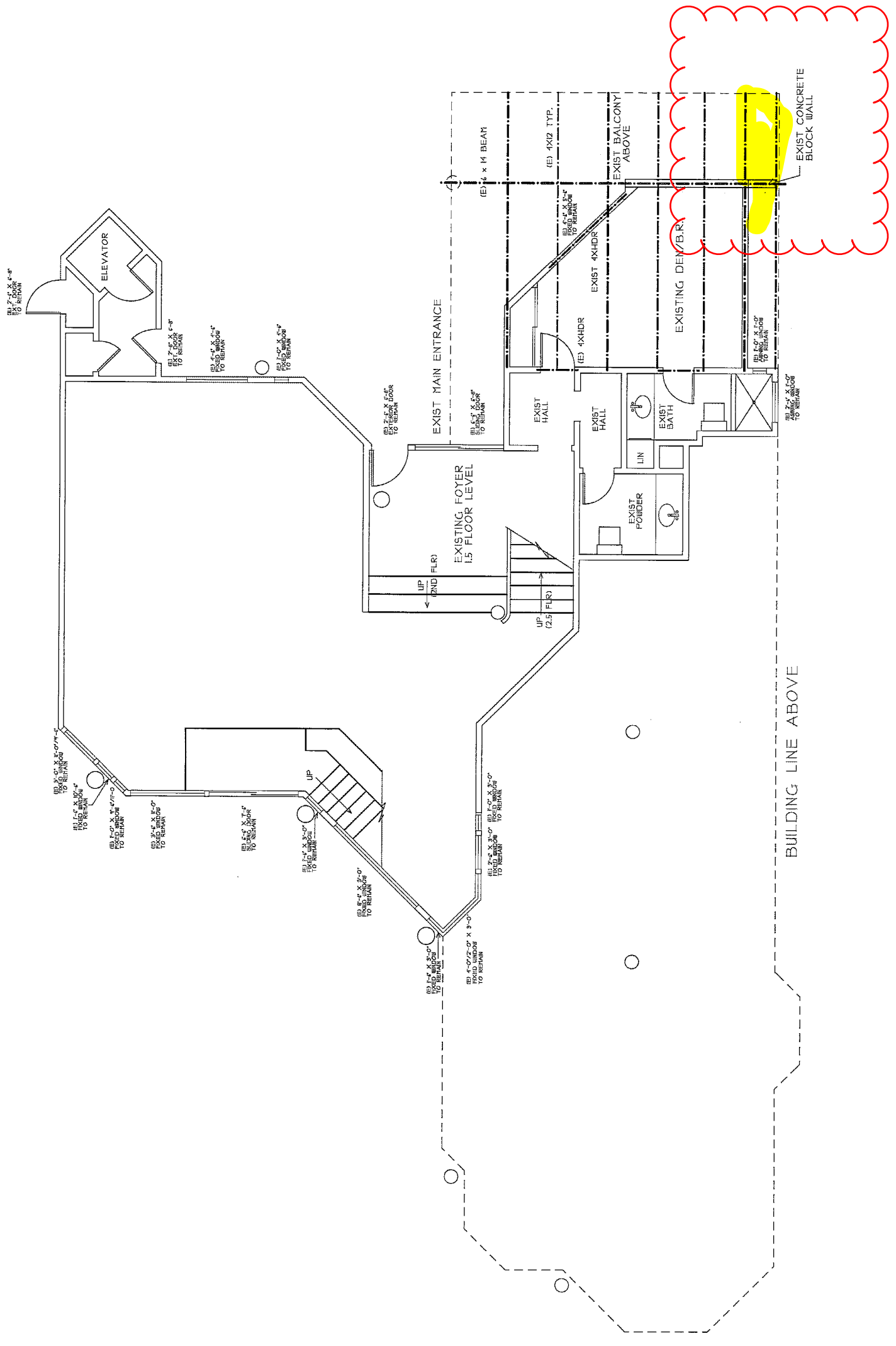
DESIGN & PLANS:  
**JOHN VENGOECHEA, G.C.**  
 766 NEWPORT AVENUE  
 LONG BEACH, CA. 90804  
 TEL: 909-556-4997

REMODEL & ADDITION FOR:  
**MICHAEL & COLEEN MUGEL**  
 2727 SHELL STREET  
 CORONA DEL MAR, CA. 92625

DRAWN: JCV  
 SHEET TITLE:  
**EXISTING  
 1 FLOOR PLAN**

SCALE: 1/4"=1'-0"  
 DATE: FEBRUARY 2013

**A-3**



EXISTING 1 FLOOR PLAN

REVISIONS:

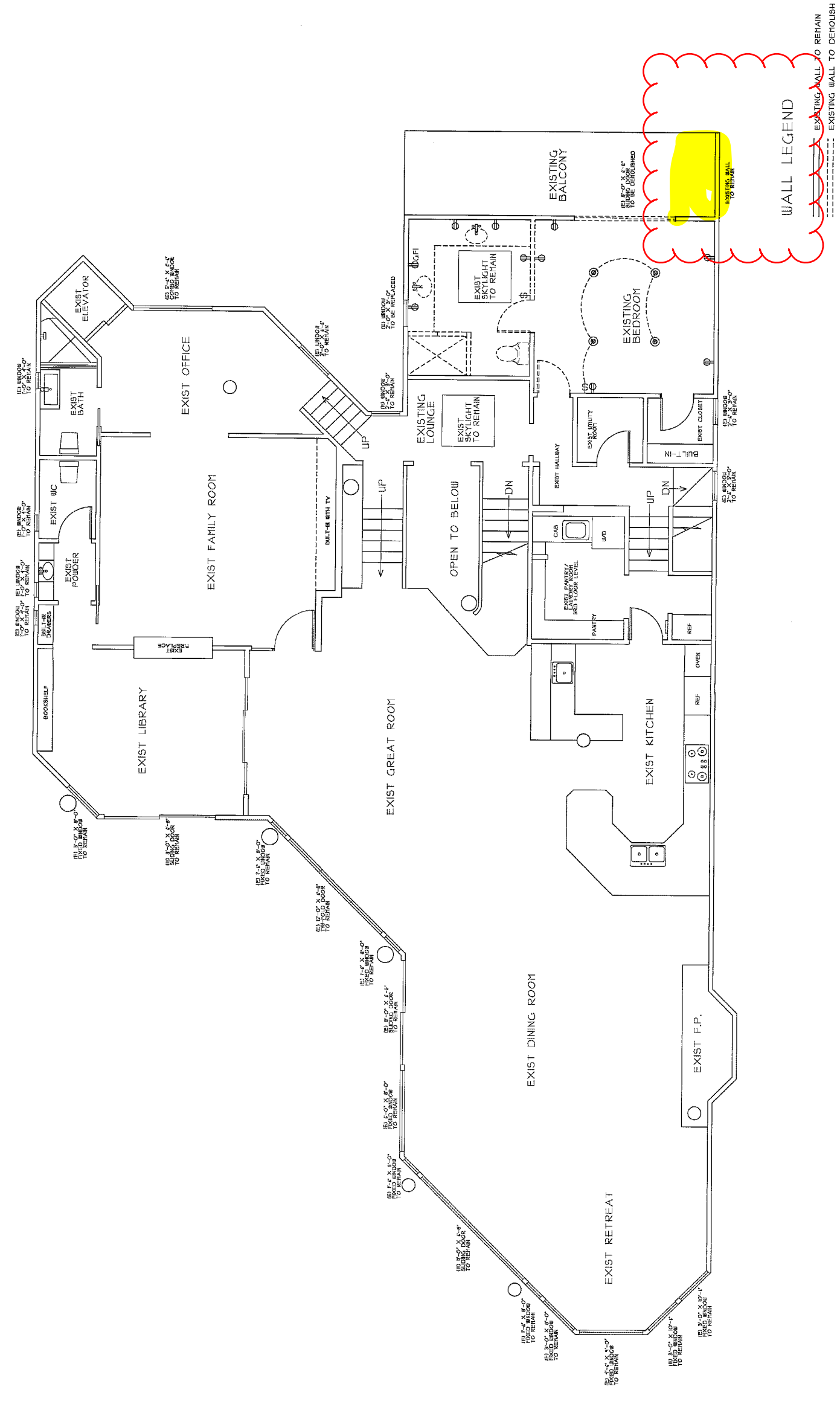
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REMODEL & ADDITION FOR:  
**MICHAEL & COLEEN MUGEL**  
 2727 SHELL STREET  
 CORONA DEL MAR, CA. 92625

DRAWING: JCV  
 SHEET TITLE:  
**EXISTING/DEMO  
 2 FLOOR PLAN**

SCALE: 1/4"=1'-0"  
 DATE: FEBRUARY 2013

**A-4**



**WALL LEGEND**

EXISTING WALL TO RETAIN  
 EXISTING WALL TO DEMOLISH  
 NEW WALL

**ELECTRICAL LEGEND**

⊕ OUTLET  
 \$ LIGHT SWITCH

**EXISTING/DEMO 2 FLOOR PLAN**

REVISIONS:


DESIGN & PLANS:  
**JOHN VENGOECHA, G.C.**  
 766 NEWPORT AVENUE  
 LONG BEACH, CA. 90804  
 TEL: 909-556-4997

REMODEL & ADDITION FOR:  
**MICHAEL & COLEEN MUGEL**  
 2727 SHELL STREET  
 CORONA DEL MAR, CA. 92625

DRAWN: JCV  
 SHEET TITLE:  
**PROPOSED  
 2 FLOOR PLAN**

SCALE: 1/4"=1'-0"  
 DATE: FEBRUARY 2013

**A-5**

**WALL LEGEND**

---	EXISTING WALL TO REMAIN
- - - -	EXISTING WALL TO DEMOLISH
---	NEW WALL
---	NEW FLOOR AREA SHOWN SHADED

**ELECTRICAL LEGEND**

⊕	OUTLET
⊕	LIGHT SWITCH
⊕	RECESSED INCANDESCENT LIGHTING
⊕	CENTER LIGHT
⊕	SMOKE DETECTOR

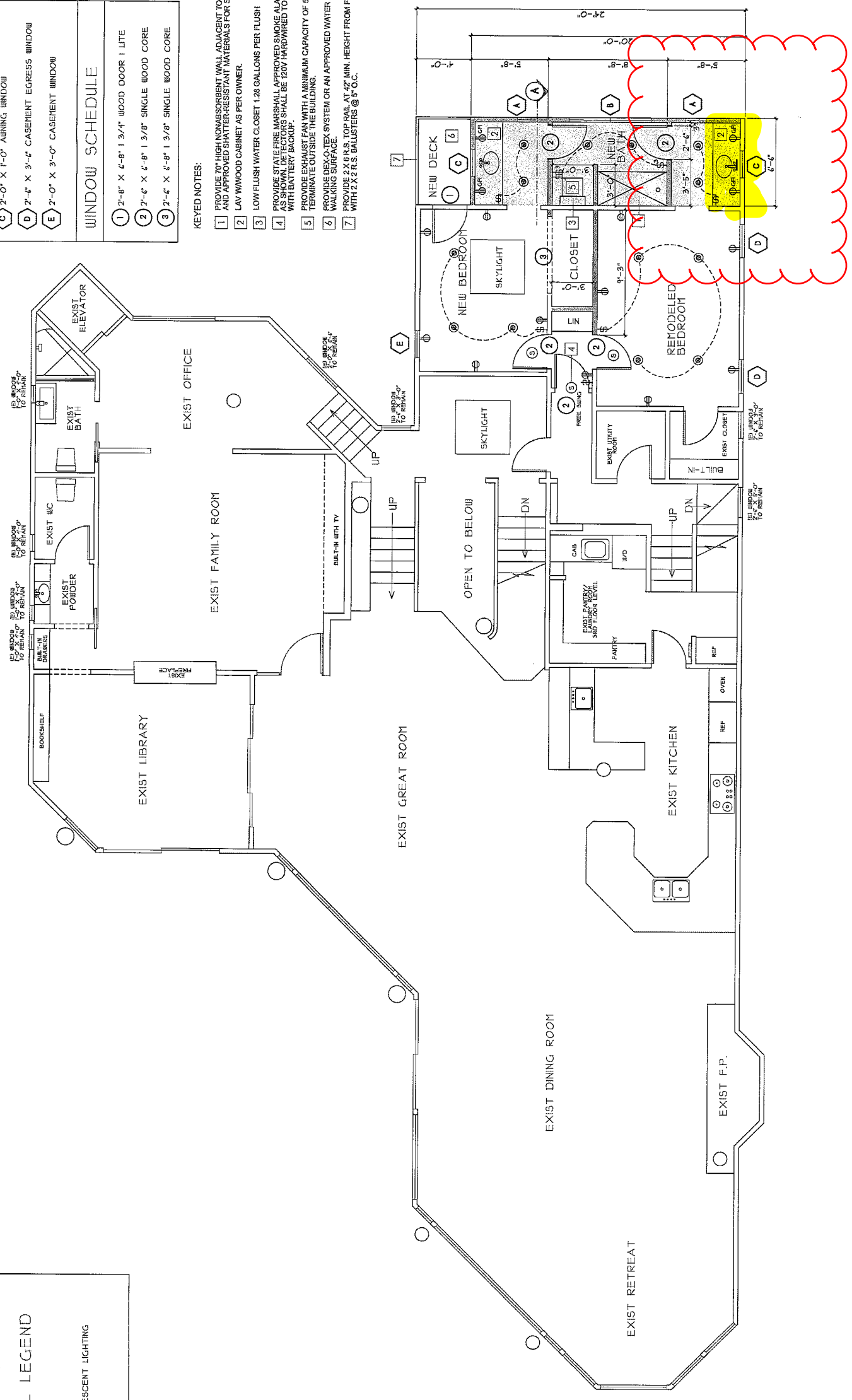
**WINDOW SCHEDULE**

A	1'-0" X 6'-6" FIXED WINDOW
B	3'-0" X 1'-0" AWNING WINDOW (PAIR)
C	2'-0" X 1'-0" AWNING WINDOW
D	2'-6" X 3'-6" CASEMENT EGRESS WINDOW
E	2'-0" X 3'-0" CASEMENT WINDOW

**WINDOW SCHEDULE**

1	2'-8" X 6'-8"   3/4" WOOD DOOR   LITE
2	2'-6" X 6'-8"   3/8" SINGLE WOOD CORE
3	2'-6" X 6'-8"   3/8" SINGLE WOOD CORE

- KEYED NOTES:**
- 1 PROVIDE 70" HIGH NONABSORBENT WALL ADJACENT TO SHOWER AND APPROVED SHATTER-RESISTANT MATERIALS FOR SHOWER ENCLOSURE.
  - 2 LAV W/ WOOD CABINET AS PER OWNER.
  - 3 LOW FLUSH WATER CLOSET 1.28 GALLONS PER FLUSH
  - 4 PROVIDE STEEL FIRE MARSHAL APPROVED SMOKE ALARMS (DETECTORS) AS SHOWN. DETECTORS SHALL BE LOW BATTERY W/RE TO SEPARATE CIRCUITS WITH BATTERY BACKUP.
  - 5 PROVIDE EXHAUST FAN WITH A MINIMUM CAPACITY OF 50 CFM DUCTED TO TERMINATE OUTSIDE THE BUILDING.
  - 6 PROVIDE DEXA-TEX SYSTEM OR AN APPROVED WATER RESISTANT WALKING SURFACE.
  - 7 PROVIDE 2 X 8 R.S. TOP RAIL AT 42" MIN. HEIGHT FROM FINISH FLOOR WITH 2 X 2 R.S. BALLUSTERS @ 5'-0".



PROPOSED 2 FLOOR PLAN

REVISIONS:

DESIGN & PLANS:  
JOHN VENGOECHEA, G.C.  
766 NEWPORT AVENUE  
LONG BEACH, CA. 90804  
TEL: 909-556-4997

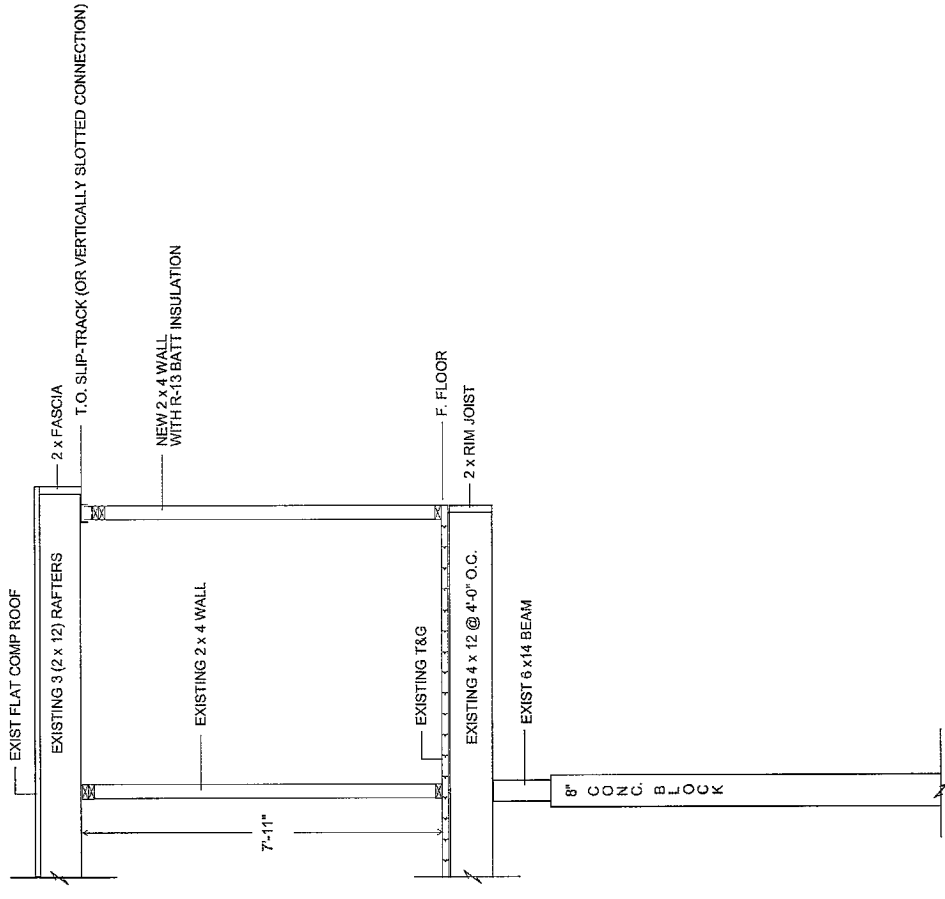
REMODEL & ADDITION FOR:  
**MICHAEL & COLEEN MUGEL**  
2727 SHELL STREET  
CORONA DEL MAR, CA. 92625

DRAWN: JCV  
SHEET TITLE:  
**FRAMING PLAN  
& SECTION**

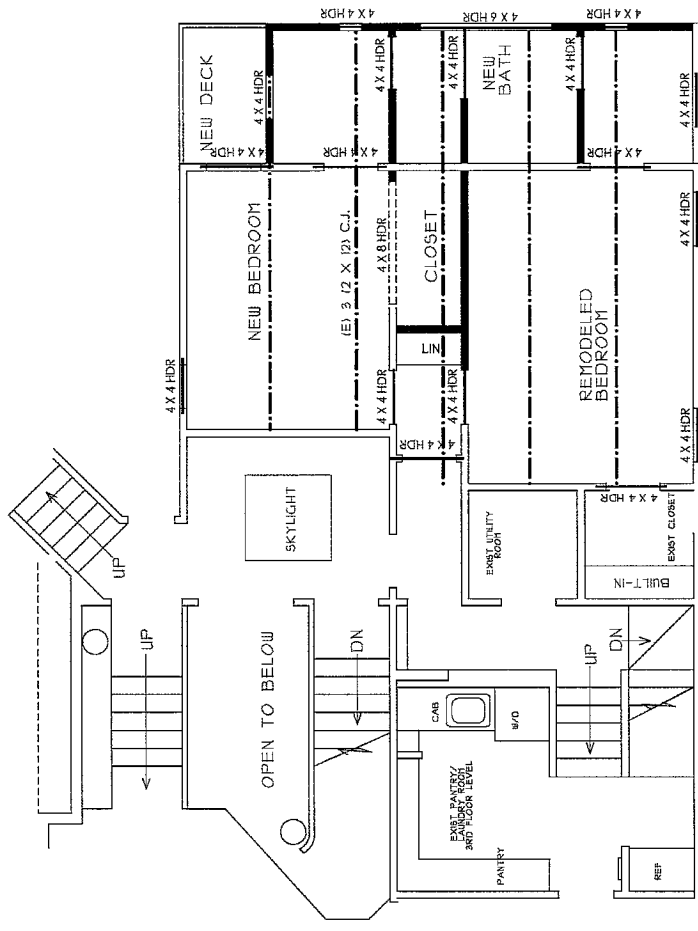
SCALE: 1/4"=1'-0"

DATE: FEBRUARY 2013

**A-6**



SECTION A (N.T.S.)



FRAMING PLAN

REVISIONS:

DESIGN & PLANS:  
 JOHN VENGOECHEA, G.C.  
 766 NEWPORT AVENUE  
 LONG BEACH, CA. 90804  
 TEL: 909-556-4997

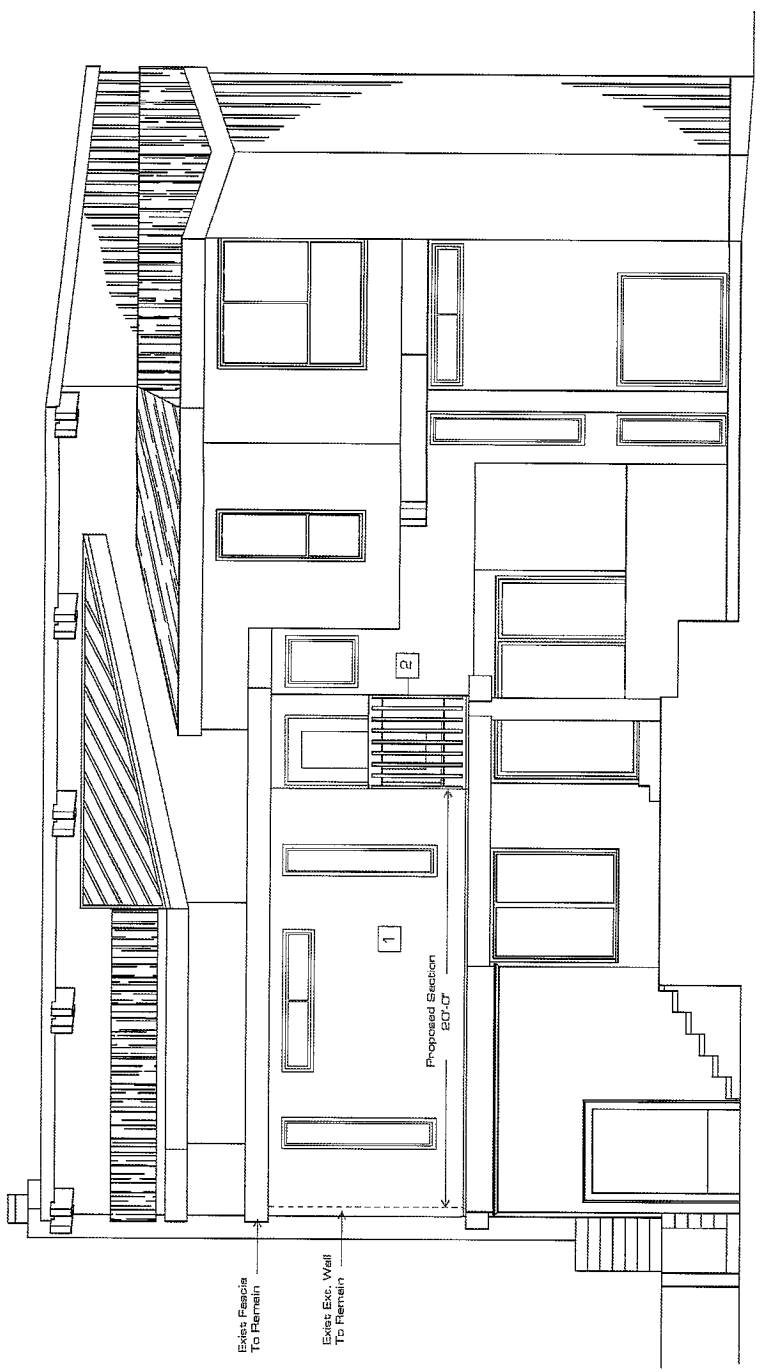
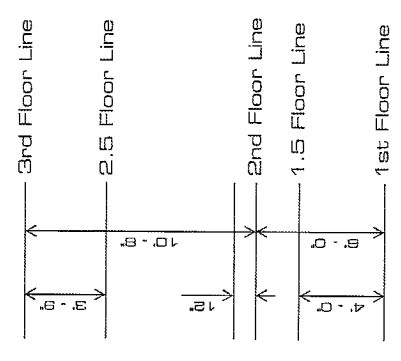
REMODEL & ADDITION FOR:  
**MICHAEL & COLEEN MUGEL**  
 2727 SHELL STREET  
 CORONA DEL MAR, CA. 92625

DRAWN: JCV  
 SHEET TITLE:  
**PROPOSED ELEVATIONS**

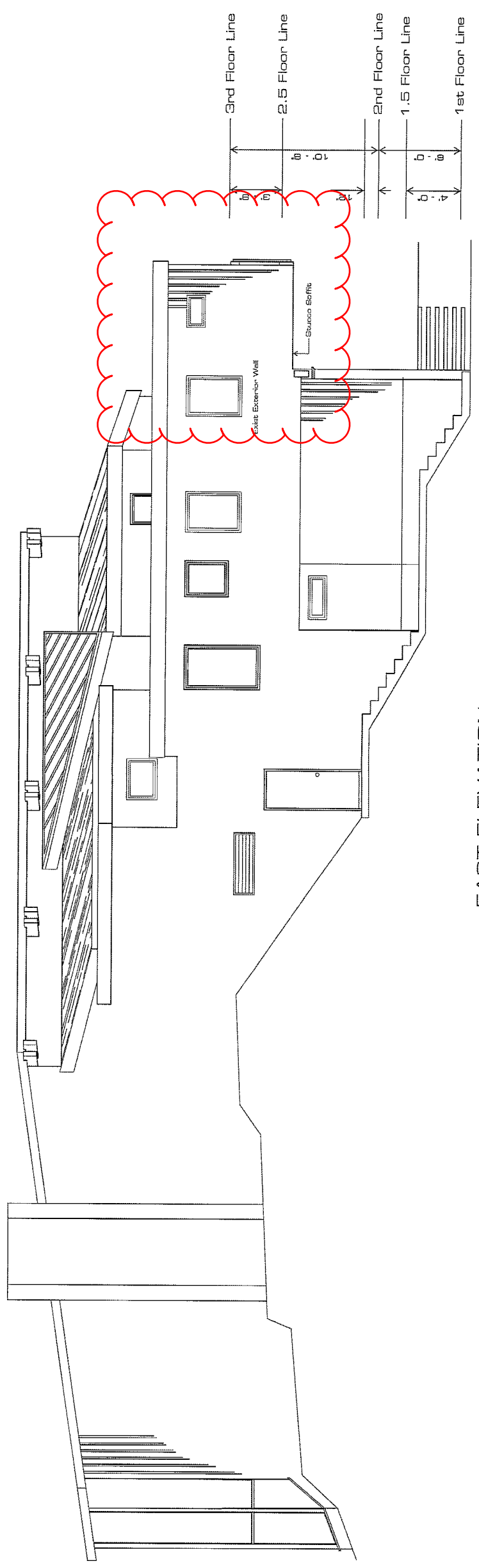
SCALE: 1/4"=1'-0"  
 DATE: FEBRUARY 2013

**A-7**

- KEYED NOTES:
- 1 2 X 2 R.S. ROWD OVER 3/8" T-11 WITH 15LB FELT OVER NEW STUD WALL.
  - 2 2 X 6 R.S. TOP RAIL AT 42" MIN. HEIGHT FROM FINISH FLOOR WITH 2 X 2 R.S. BALUSTERS @ 5" O.C.



NORTH ELEVATION



EAST ELEVATION

**A-8**

DATE: FEBRUARY 2013

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

**PROPOSED ELEVATIONS**

DRAWN: JCY  
SHEET TITLE:

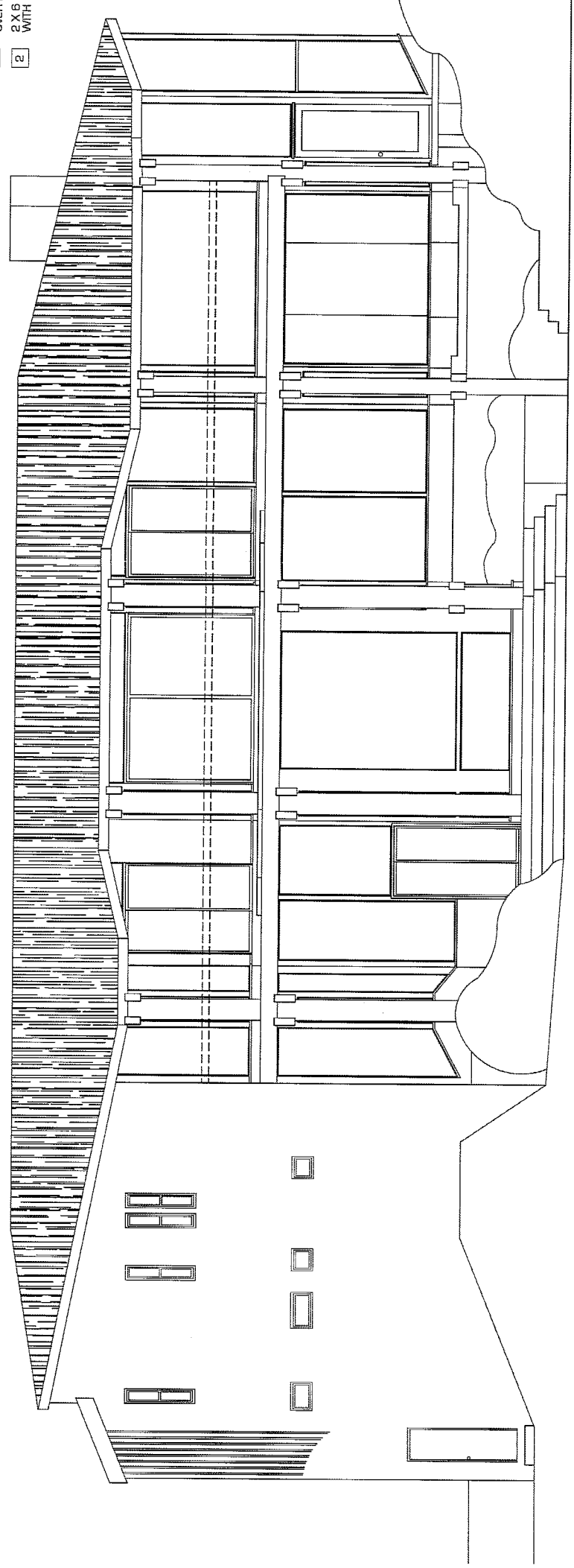
**REMODEL & ADDITION FOR:  
MICHAEL & COLEEN MUGEL  
2727 SHELL STREET  
CORONA DEL MAR, CA. 92625**

**DESIGN & PLANS:  
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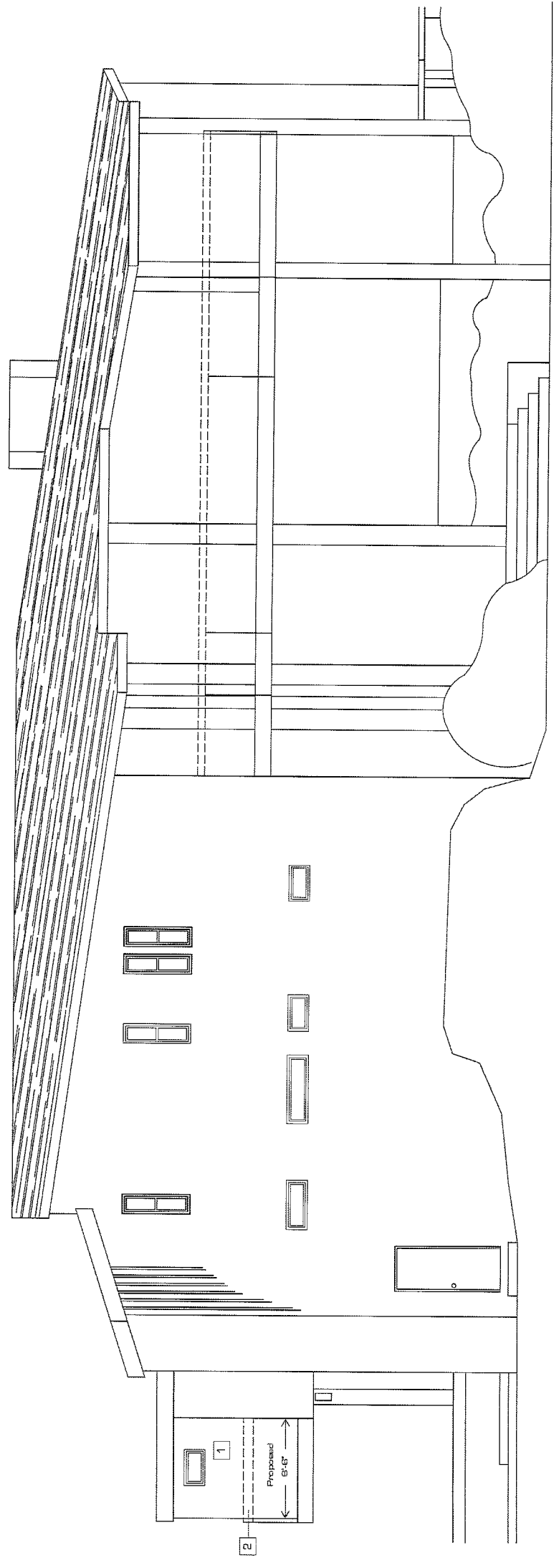
REVISIONS:

KEYED NOTES:

- 1 2 X 2 R.S. ROWND OVER 3/8" T-11 WITH 15LB FELT OVER NEW STUD WALL.
- 2 2 X 6 S.S. TOP RAIL AT 42" MIN. HEIGHT FROM FINISH FLOOR WITH 2 X 2 R.S. BALUSTERS @ 5' O.C.



SOUTHWEST ELEVATION



WEST ELEVATION