

# 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 February 10, 2017

# COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS

(Non-Hearing Items)

Item 1: 2711 Ocean Boulevard – Staff Approval No. SA2016-017 (PA2019-195)

Site Address: 2711 Ocean Boulevard

Action: Approved Council District 6

Item 2: American Junkie Docks – Staff Approval No. SA2016-023(PA2016-203)

Site Address: 2406 Newport Boulevard, American Junkie

Action: Approved Council District 1

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.



#### COMMUNITY DEVELOPMENT DEPARTMENT

#### PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915 (949) 644-3200 Fax: (949) 644-3229 www.newportbeachca.gov

### **COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

Application No. 2711 Ocean Boulevard Staff Approval No. SA2016-017

(PA2016-195)

Applicant C.J. Light Associates

Site Address 2711 Ocean Boulevard

2711 Ocean Boulevard Staff Approval

Legal Description Parcel No. 2, Page 43, Book 81

On <u>February 9, 2017</u>, the Community Development Director approved Staff Approval No. SA2016-017 authorizing alterations to an existing single-family dwelling and finding said alterations to be minor and in substantial conformance with Variance No. VA1055 and Variance No. VA1126. This approval is based on the following findings and subject to the following conditions.

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

Zone: R-1 (Single-Unit Residential)

• **General Plan:** RS-D (Single-Unit Residential Detached)

#### I. BACKGROUND

On February 12, 1976, Planning Commission approved Variance No. VA1055 authorizing the construction of a single-family dwelling that exceeds the height limit, encroaches into the required 10-foot front setback on Ocean Boulevard, and the acceptance of a Negative Declaration for CEQA compliance. The Negative Declaration stemmed from potential soil issues identified on the existing slope. On December 5, 1985, the Planning Commission approved Variance No. VA1126 to allow alterations and additional floor area that exceeded the maximum allowed floor area. VA1126 included a condition limiting the gross floor area of the structure to the proposed area, which was calculated at the time as 5,923 sq. ft. However, in review of the 1986 building permit plans (B13363) implementing VA1126, staff found that the gross square footage calculation did not include all areas that would count under current floor area calculation methodology. Based on current methodology, the actual gross floor area of the existing plan is 6,775 square feet.

#### II. PROPOSED CHANGES

The applicant proposes the following alterations to the existing single-family dwelling that result in an overall reduction in gross floor area of 40 square feet, no change to the existing height, and a reduction in mass of the existing structure:

- Entry Level reduce gross floor area by 330 square feet; combine two
  existing decks to make one larger deck; removal of the existing sitting room;
  relocation of the stairs and elevator; remodeling of the kitchen, media room,
  and living area.
- Master Level reduce gross floor area by 65 square feet; enlarge the
  existing deck area, expand existing floor area into existing mechanical area
  for a new office; relocation of the stairs and elevator; create storage areas
  within existing floor area and the mechanical area; and remodeling of the
  existing layout.
- Deck level increase of gross floor area by 365 square feet to expand existing areas into existing mechanical and storage areas; increase existing deck area; relocate stairs and elevator; and remodeling of existing layout.
- Bedroom Level increase of gross floor area by 7 square feet, replacement
  of existing decks; remodel interior to create two bedrooms, two baths and a
  sitting area; and relocate stairs and elevator.
- Garage Level relocate stairs and elevator resulting in a smaller vestibule and reduction in gross floor area by 40 square feet.
- Height There is no increase in height of the existing structure. The existing vestibule which is the highest portion of the roof (165.35 feet) will be removed and a new sloped-roof skylight will be added at a lower elevation of 163 feet. The portion of roof that extends a mass above the majority of the flat roof will be removed and a new clerestory will be added over a significantly smaller area at the same elevation of 163 feet. The majority of the flat roof will be replaced at the existing elevations of 160.83 feet and 161.5 feet for the parapet. The new roof will include minor extensions of eaves.

#### III. FINDINGS

Pursuant to Section 20.54.070 (Changes to an Approved Project), 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 variance application. In this case, the Community Development Director has determined that the proposed expansion is in substantial conformance with the existing variance approvals.

#### Finding:

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

#### Facts in Support of Finding:

- 1. The single-family dwelling is a permitted use in the R-1 Zoning District. The existing structure is allowed to exceed the height limit, encroach into the required front setback, and exceed the maximum square footage with approved Variance Nos. VA1055 and VA1126. The proposed changes are consistent with these approvals.
- 2. Adequate off-street parking is provided in conjunction with the proposed remodel with the existing 6-car garage being maintained.
- 3. The proposed floor plan changes remain consistent with the intent of the Variance approvals for the existing single-family dwelling.

#### 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:

The proposed changes to the existing dwelling will not compromise the original Negative Declaration accepted with Variance No. VA1055 due to the bluff area below Ocean Boulevard identified as an area with potential for an unstable geologic condition. The geotechnical investigation results indicated the site could be safely developed. The proposed remodel and reduction of square footage will not compromise this finding as there is no significant exterior addition or bluff altering changes proposed.

#### 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:

 Condition No. 2 of VA1126 states that the maximum gross floor area shall not exceed 5,923 square feet, which was the area proposed at the time. However, in review of the 1986 building permit plans (B13363) implementing VA1126, the gross square footage calculation did not include all areas that would count under current floor area calculation methodology. Based on current methodology, the actual gross floor area of the existing plan is 6,775 square feet.

- 2. The proposed alterations include re-arranging the existing floor plans and result in an overall reduction in gross floor area and a reduction in the mass of the existing structure. Since it has been found through research that the existing square footage was not calculated accurately, it is fair to re-calculate the existing square footage and find the existing structure compliant with the conditions of approval for VA1126, which reference the existing square footage inaccurately. The overall reduction in existing square footage and mass remains in compliance with all of the Findings and Conditions of VA1055 and VA1126.
- 3. The remodel and replacement of the roof does not increase the height but reduces the bulk of the highest portions of the roof. The reduction in bulk improves views from the surrounding neighborhood and also maintains the existing structure below the top of curb of Ocean Boulevard.

#### Finding:

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

#### Facts in Support of Finding:

1. The reduction in square footage and remodel of the existing structure does not change the use of the single-family dwelling. It will still be utilized as a single-family dwelling and will have an overall reduction in floor area and mass.

### IV. <u>DETERMINATION</u>

This staff approval has been reviewed and the determination has been made that the proposed changes to the existing single-family dwelling are in substantial conformance with the original approval actions.

#### CONDITIONS

- All applicable conditions of approval for Variance No. VA1105 and No. VA1126 shall remain in effect.
- 2. No increase in height or increase in square footage is permitted and the proposed plans shall be identical to the plans found in CD 2. Any changes may require a new Variance.
- The applicant is required to obtain all applicable permits from the City Building
  Division and Fire Department. Prior to the issuance of any building, mechanical,
  and/or electrical permits, architectural drawings and structural design plans shall

be submitted to the City of Newport Beach for review and approval by the applicable departments. A copy of these conditions of approval shall be incorporated into the drawings approved for the issuance of permits. Also a reference to Variance No. VA1055 and VA1126 shall be indicated on the plans.

- 4. The Community Development Director may add to or modify conditions to this staff approval, or revoke this staff approval upon determination that the operations, which is the subject of this staff approval, causes injury, or is detrimental to the public health, safety, peace, or general welfare of the community or if the property is operated or maintained so as to constitute a public nuisance.
- 5. This staff approval shall expire unless exercised within twenty-four (24) months from the end of the appeal period, in accordance with Section 20.54.060 of the Newport Beach Municipal Code.
- 6. To the fullest extent permitted by law, the 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 staff approval of the 2711 Ocean Boulevard Remodel including, but not limited to, Staff Approval No. SA2016-017 (PA2016-195). 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 or call for review 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.

On behalf of Kimberly Brandt, AICP, Community Development Director

By:

**Assistant Planner** 

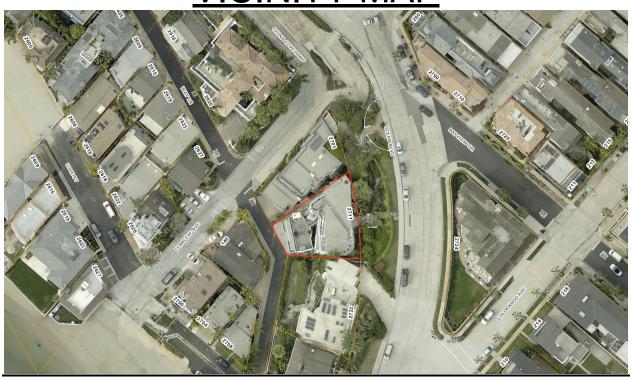
JM/msw

CD 1 Vicinity Map CD 2 Plans Attachments:

# **Attachment No. CD**

Vicinity Map

# **VICINITY MAP**



Staff Approval No. SA2016-017 PA2016-195 **2711 Ocean Boulevard** 

# **Attachment No. CD 2**

Plans

# Kline Residence

# 2711 Ocean Blvd Corona Del Mar • California • 92625



Christian R. Light • Architect

1401 Quail Street, Suite 120 Newport Beach, CA 92660 (949) 851-8345 Fax (949) 851-1116

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# Codes

This Project Shall Comply With The Following codes:

2013 CBC 2013 CRC

2013 CEC 2013 Cal Green

2013 CMC 2013 Cal. Energy Code

2013 CPC CH.15 NBMC

# Symbols

Section Line

Revision

Section Designation Sheet Number Detail Key

Detail Designation
Sheet Number

# Abbreviations

AB	Anchor Bolt	DIM	Dimension	MECH	Mechanical
AC	Air Conditioning	DR	Drawing	MAX	Maximum
ACOU	Acoustical	D.F.	Drinking Fountain	MET	Metal
AD	Area Drain	EA	Each	MIN	Minimum
ADJ	Adjustable	ELEC	Electrical	(N)	New
ADJT	Adjacent	ELEV	Elevation	NIC	Not In Contract
AL	Aluminum	EQUIP	Equipment	N.T.S.	Not To Scale
ALT	Alternate	EX	Existing	NAT	Natural
APPRX	Approximate	EXP. JT.	Expansion Joint	OC	On Center
ARCH	Architect	EXT	Exterior	OPG	Opening
ASB	Asbestos	EQ	Equal	OD	Outside Dim
ASP	Asphalt	FOF	Face Of Finish	OH	Overhrad
ASBO	As Selected By Owner	FOC	Face Of Concrete	PLAS	Plaster
BD	Board	FS	Face Of Stud	PLPG	Plate
BUILD	Building	FIN	Finish	PG	Paint Grade
BL	Block	FP	Fire Proof	PR	Pair
BLK	Blocking	FIN. SRF.	Finish Sur <u>f</u> ace	RAD	Radius
BM	Beam	FT	Foot	REQ	Required
BOT	Bottom	FTG	Footing	RD	Roof Drain
BED	Bedroom	F.D.C.	Fire Department Connection	RM	Room
BRK	Bracket	GI	Galvanized	REV	Revised
CAB	Cabinet	G.I.	Galvanived Iron	RWD	Redwood
CB	Catch Basin	GA	Gauge	RO	Rough
CM	Cement	GL	Glass	R.O.	Rough Opening
CER	Ceramic	GYP	Gypsum	REG	Register
C. I.	Cast Iron	GC	General Contractor	SCH	Schedule
CLG	Ceiling	HDWR	Hardware	SECT	Section
CA	Calking	HWD	Hardwood	SIM	Similar
CL	Center Line	HT	Height	STD	Standard
CLOS	Closet	HC	Holow Core	STL	Steel
CLR	Clear	HM HODIZ	Hollow Metal	STR	Structural
CEM CTR	Concrete Masonry Unit	HORIZ HB	Horizontal Hose Bibb	SUSP TEL	Suspended
COL	Counter	ПВ HVAC			Telephone
CONC	Column	IN	Heating Venting Ac	TEMP T&G	Temporary
COND	Concrete Condition	ID	Inch Inside Dim.	TC	Tongue And Groove
COND	Connection	INSUL	Insulation	TS	Top Of Curb/Concrete Top Of Slab
CONST	Construction	INT	Interior	TYP	
CONT	Continuous	INV	Invert	TW	Typical Top Of Wall
CONTR	Contractor	JT	Joint	VTR	Vent Thru Roof
COR	Corridor	KIT	Kitchen	VERT	Verical
CT	Center	LAV	Lavatory	VT	Vinyl Tile
CTSK	Countersunk	LIN. FT.	Linear Foot	wc	Water Closet
CL	Center Line	LINOL	Linoleum	WH	Water Heater
C.T.	Ceramic Tile	LG	Long	WT	Water Healer Weight
CLR	Clear	LAM	Laminated	WD	Wood
DET	Detail	LT	Light	WWM	Welded Wire Mesh
DIA	Diameter	MB	Machine Bolt	WI	Wrought Iron
	Didilioioi	7712	77146711110 2011	WS	Weather Strip
				* * * •	,, 545. 51119

Vicinity Map

# Owner / Client

Mr. Jon and Heather Kline 2711 Ocean Blvd. Corona Del Mar, CA 92625

# Project Description

Remodel to an existing single family residence. NO additional SQ. Footage proposed. New Elevator, Stair, Deck Area & Skylights.

# Deferred Submittals

Fire Sprinkler Plans
Deck Rail/Shoe Connections
Skylight Engineering
By Others
By Others

Deferred submittals to be reviewed by project architect or engineer of record and certified prior to submittal for plan check or approval by the City.

# Consultants

ARCHITECT:	STRUCTURAL ENGINEER:
C.J. Light Associates	Vector Engineering
1401 Quail Street, Suite 120	3171 Warner Ave, Suite A
Newport Beach, CA 92660	Tustin, CA 92780
(949) 851-8345	(714) 576-6524
Fax 851-1116	(801) 990-1776
Architect: Christian R. Light	Contact: Kalen A Wilson, PE
Contact: Ali Samsami	C83753

ENERGY:	GEOTECHNICAL:
Heritage Energy Group	Coast Geo.
470 Wald	1200 West Commonwealt
Irvine, CA 92618	Fullerton, CA 92833
(949) 789-7221	(714) 870-1211
Contact: Rudy Sains	Contact: Ming or Todd

# General Note

Staff Approval No. SA2016-017 for substantial conformance with variance no. 1055 and 1126

# Project Data

Garage

Open Volume

Required (0.15 x 7,902)

Deck

			I G C A
		Architectural	
Legal Description		C1	Cover Sheet
Block:	D :: [ D]   0.00	SP1	Site Plan
BIOCK .	Portion of Block 0-33	A1	Roof Plan
APN:	052-046-06	A2	Entry Level Floor Plan
	332 343 33	A3	Master Level Floor Plan
Lot:		A4	Deck Level Floor Plan
		A5	Bedroom Level Floor Plan
Occupancy	R3 / U1	A6	Garage Level Floor Plan
Zoning	R1	A12	Front (East) Elevation
•		A13	Right (North) Elevation
Sprinklered	Yes	A14	Rear (West) Elevation
		A15	Left (South) Elevation
Site General		A16	Section 'A'
Approximate Site Area:	± 5,268 s.f.	A17	Section 'B'
Max Habitable Area (1.5 x 5,268)	7,902 s.f.		
	,	Civil	
		SRVY1	Site Survey
Existing Residence			
Entry - Level 5	2,545 s.f		
Master - Level 4	1,630 s.f		
Deck - Level 3	870 s.f		
Bedroom - Level 2	940 s.f	Structural	
Garage - Level 1	105 s.f	\$1	General Notes
-	6,090 s.f	\$1.1	Standard Details & Schedules
		\$1.2	Standard Details & Schedules
Garage	685 s.f	\$2	Garage Level Foundation
Deck	1,310 s.f	<b>S3</b>	Bedroom Level Floor Framing
		\$4	Deck Level Floor Framing
Proposed Residence		\$5	Master Level Floor Framing
Entry - Level 5	2,215 s.f.	\$6	Entry Level Floor Framing
		\$7	Roof Framing
Master - Level 4	1,565 s.f.	\$8	Garage Level Shear Walls
Deck - Level 3	1,235 s.f.	\$9	Bedroom Level Shear Walls
Bedroom - Level 2	947 s.f.	\$10	Deck Level Shear Walls
Garage - Level 1	65 s.f.	\$11	Master Level Shear Walls
	<b>00</b> 3.1.	\$12	Entry Level Shear Walls

6,027 s.f.

685 s.f

1,843 s.f

1,185.3 s.f.

SD-1

SD-3

SD-4

SWSB1

SWSB1

SWSB1

Sheet Index

# Cover Sheet

Job Number: 1615

Scale:

Date:
City Staff Review Subm. November 10, 2016

Foundation Details

Structural Details

Structural Details

Retaining Wall Details

Simpson Strongwall SB Shearwall Anchorage

Simpson Strongwall SB Shearwall Framing

Simpson Strongwall SB Shearwall Portal

City Staff Review Sub. II December 14, 2016
Plan Check Submittal I December 23, 2016
City Staff Review Resubmittal Jan. 25, 2017





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# Kline Residence

Site Plan

Job Number:

S c a l e : 1/8" = 1'-0"

Date:

City Staff Review Subm. November 10, 2016 City Staff Review Sub. II December 14, 2016 Plan Check Submittal I December 23, 2016 City Staff Review Resubmittal Jan. 25, 2017



# C. J. LIGHT **ASSOCIATES**

Christian R. Light • Architect

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**Roof Plan** 

Job Number:

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

Date:

City Staff Review Subm. November 10, 2016

City Staff Review Sub. II December 14, 2016 Plan Check Submittal I December 23, 2016 City Staff Review Resubmittal Jan. 25, 2017 City Staff Review Resubmittal II Feb. 7, 2017



- 1. 42" HIGH GUARDRAIL (CLOSED RAILING) . (CBC 1013.2)
- 42" HIGH GUARDRAIL (OPEN RAILING). (CBC 1013.2) SEE GEN. NOTE #9,10 &11. METAL HANDRAIL, 34" TO 38" HIGH ABOVE NOSE OF TREAD. (CBC 1012.2)
- SEE GENERAL NOTE #11 WATER CLOSET PROVIDE 30" MIN. CLEAR WIDTH AND 24" MIN. CLEARANCE
- MEASURED FROM FRONT EDGE OF BOWL TO ANY OBSTRUCTION. (CPC 407.6) 5. 5/8" TYPE "X" GYP. BRD. AT ALL WALLS & CEILINGS OF ENCLOSED USABLE
- SPACE UNDER STAIRS. (CBC 1009.5.3) 6. GAS APPLIANCE "GAS LOG" FIREPLACE, BOX BY: ORTAL HEATING SOLUTIONS MODEL: CLEAR 130 OR 150 FRONT FACING. INSTALL PER MANUFACTURERS
- SPECS. CSE CERTIFICATE#2358468 ANSI Z21.88/CSA 2.33-2014 SHOWER W/ SHATTERPROOF ENCLOSURE WALLS, STONE MUDSET OVER FIBER CEMENT OR GLASS MAT GYPSUM BACKERS TO
- 70" MIN. ABOVE DRAIN INLET AT TUB W/SHOWER. (CBC 1210.3)
- 8. GARAGE SIDE OF WALLS & CEILING SHALL BE PROTECTED WITH (1) LAYER OF 5/8" TYPE "X" GYPSUM BOARD. (CBC 406.1.4#1)
- 9. TANKLESS WATER HEATER LOCATION. 10. F.A.U. ON RETURN PLENUM BELOW - PROVIDE FUEL GAS. PER C.M.C..
- 11. FLUSH NON-COMBUSTIBLE HEARTH, 2" THICK MIN. OR 3/8" THICK IF FIREBOX OPENING IS 8" MINIMUM ABOVE HEARTH SURFACE. HEARTH SHALL EXTEND 20" MIN. FROM FIREBOX AND 12" MIN. BEYOND SIDES. (CBC 2111.10)
- 12. RAISED NON-COMBUSTIBLE HEARTH, 2" THICK MIN. OR 3/8" THICK IF FIREBOX OPENING IS 8" MINIMUM ABOVE HEARTH SURFACE. HEARTH SHALL EXTEND 20" MIN. FROM FIREBOX AND 12" MIN. BEYOND SIDES. (CBC 2111.10)
- 13. WASHER SPACE PROVIDE RECESSED VALVE
- 14. DRYER SPACE PROVIDE VENT TO OUTSIDE AIR. SEE GEN. NOTE #4 & 6 15. F.A.U. ON MIN. 18" HIGH PLATFORM IN GARAGE - PROVIDE FUEL GAS. PER C.M.C.
- 16. STONE OVER DECKING BY: PLI-DECK SYSTEMS, INC, ESR-2097 OR APPROVED EQUAL. INSTALLATION SHALL BE IN ACCORDANCE W/ MANUFACTURER'S SPECIFICATIONS. (ASTM #C-957-87) - SLOPE 1/4" PER FOOT. TO DRAIN OVER 3/4" PLYWOOD OVER 2X SLEEPERS AT 16" O.C. OVER STRUCTURAL SHEATHING AND JOISTS, PER STRUCT. PLANS.
- SEE PLAN FOR INDICATION OF SLOPE DIRECTION. 18. CHASE W/ DRAFT STOP @ 10'-0" VERT. MAX.- TYP.
- 19. INDICATES DECK DRAIN 3" MIN. DIA.
- 20. INDICATES OVERFLOW DRAIN 3" MIN. DIA. MIN. 2" ABOVE DECK DRAIN INLET. PIPE SEPARATELY FROM MAIN DECK DRAIN.
- 21. GRATE DRAIN, PROVIDE 2" DIA. OUTLET. OVERFLOW PROVIDED BY SPILL-OFF 22. 4" DIAMETER X 36" HIGH CONRETE FILLED STEEL PIPE.
- 23. SELF-CLOSING, TIGHT-FITTING, SOLID WOOD 1-3/8" THICK DOOR OR A 20-MIN. RATED DOOR AT OPENING TO DWELLING. (CBC 406.1.4 #1)
- 24. A/C CONDENSOR LOCATIONS.
- 25. ETCHED TEMPERED GLASS INSERTS SET IN STAINLESS FRAME
- 26. ELEVATOR PER MANUFACTURER SPECIFICATIONS MANUFACTURER TBD
- 27. VOID SPACE

# C. J. LIGHT **ASSOCIATES**

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# FLOOR PLAN GENERAL NOTES

- ALL DIMENSIONS ARE TO FACE OF STUD OR RETAINING WALL, U.N.O.
- 1/4" PER FOOT. (C.B.C. 1008.1.4)
- THAN 1/4" RISE PER FOOT OF RUN AWAY FROM HOUSE.
- MANUFACTURER'S INSTALLATION REQUIREMENTS. PROVIDE PROTECTION AND CLEARANCE FOR COMBUSTIBLE MATERIALS.
- TERMINATED AT THE SIDE OF THE HOUSE A MINIMUM OF 6" ABOVE GROUND. (C.M.C. 504.3.2)
- 7. GUTTERS AND DOWNSPOUTS TO CONNECT TO AREA DRAIN SYSTEM.
- WHERE OPEN RAILINGS OCCUR, OPENINGS BETWEEN BALUSTERS / RAILS /
- AT OPEN SIDE OF STAIRS. (CBC 1013.3)
- SHALL PROVIDE AN EQUIVALENT GRIPPING SURFACE. (CBC 1012.4 EX 3)

- 13. SEE DOOR AND WINDOW SCHEDULE, SHEET DWS FOR MORE INFORMATION
- 14. PROVIDE 26 GAUGE STEEL DUCT IN GARAGE, IF IT PENETRATES 1-HR. SEPERATION 15. AT DOORS PROVIDE A MINIMUM LANDING THE WIDTH OF THE DOOR AND 36" MINIMUM EXTENDING FROM THE FACE OF DOOR. (CBC 1008.15)
- 16. A DOOR MAY OPEN ON THE TOP STEP OF A FLIGHT OF STAIRS OR AN EXTERIOR LANDING, PROVIDED THE DOOR DOES NOT SWING OVER THE TOP STEP OR EXTERIOR LANDING AND THE LANDING IS NOT MORE THAN 7.75 INCHES BELOW THE TOP OF THE THRESHOLD. (CBC 1008.1.4 EX 2, EX3)
- 18. UNVENTED GAS LOG HEATERS SHALL NOT BE USED IN A FACTORY BUILT FIREPLACE UNLESS THE FIREPLACE SYSTEM HAS BEEN SPECIFICALLY TESTED, LISTED AND LABELED FOR SUCH USE.

- EXTERIOR STOOPS SHALL NOT HAVE A SLOPE GREATER THAN
- ALL EXTERIOR SHELVES SHALL HAVE A SLOPE OF NOT LESS
- 4. PROVIDE BACK-DRAFT DAMPERS AT DRYER VENT, HOOD VENT AND
- INSTALL DECORATIVE FIREPLACE SURROUND PER C.B.C. AND MAX. 14 FT. LENGTH FOR DRYER VENT. DRYER VENT SHALL BE
- 8. MAXIMUM FLOW RATE STANDARDS SET BY THE CALIFORNIA ENERGY COMMISSION: A. WATER CLOSETS - 1.28 GALLONS PER FLUSH C. KITCHEN FAUCETS - 1.8 GPM @ 60 psi B. SHOWERHEADS - 2.0 GPM @ 80 psi D. LAVATORY SINK FAUCETS - 1.5 GPM @ 60 psi
- INTERMEDIATES SHALL BE LESS THAN 4 INCHES OR 4 3/8 INCHES
- 10. ALL HANDRAILS SHALL BE CONTINUOUS THE FULL LENGTH OF THE STAIRS HANDGRIP PORTION OF ALL HANDRAILS SHALL BE NOT LESS THAN 1.25" NOR MORE THAN 2" IN CROSS SECTIONAL DIMENSION, OR THE SHAPE
- GUARDRAILS / HANDRAILS AT STAIRS, DECKS & LANDINGS SHALL BE ADEQUATE TO SUPPORT A CONCENTRATED LOAD OF 200 POUNDS APPLIED AT A RIGHT ANGLE TO THE TOP RAIL. (CBC 2407)
- 12. A DOOR MAY SWING OVER A LANDING THAT IS NOT MORE THAN 0.5 INCHES IN HEIGHT BELOW THE THRESHOLD. (CBC 1008.1.6)

- 17. DOORS THAT PROVIDE DIRECT ACCESS TO THE SWIMMING POOL SHALL BE PROVIDED WITH AN APPROVED POOL ALARM OR APPROVED BARRIER PER CITY POOL ORDINANCE.

Entry Level Floor Plan

1615

# FLOOR PLAN WALL LEGEND

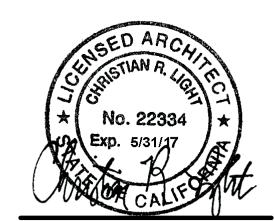
EXISTING TO BE REMOVED EXISTING BLDG. FOOTPRINT AREA TO BE REMOVED EXISTING WALLS TO BE REMAIN **NEW WOOD STUD WALL** 

NEW RETAINING WALL PER STRUCTURAL PLANS

Scale: 1/4" = 1'-0" Date:

Job Number:

City Staff Review Subm. November 10, 2016 City Staff Review Sub. II December 14, 2016 Plan Check Submittal I December 23, 2016 City Staff Review Resubmittal Jan. 25, 2017 City Staff Review Resubmittal II Feb. 7, 2017



- 1. 42" HIGH GUARDRAIL (CLOSED RAILING) . (CBC 1013.2)
- 42" HIGH GUARDRAIL (OPEN RAILING). (CBC 1013.2) SEE GEN. NOTE #9,10 &11.
   METAL HANDRAIL, 34" TO 38" HIGH ABOVE NOSE OF TREAD. (CBC 1012.2)
   SEE GENERAL NOTE #11
- 4. WATER CLOSET PROVIDE 30" MIN. CLEAR WIDTH AND 24" MIN. CLEARANCE
- MEASURED FROM FRONT EDGE OF BOWL TO ANY OBSTRUCTION. (CPC 407.6)

  5. 5/8" TYPE "X" GYP. BRD. AT ALL WALLS & CEILINGS OF ENCLOSED USABLE
- 6. GAS APPLIANCE "GAS LOG" FIREPLACE, BOX BY: ORTAL HEATING SOLUTIONS MODEL: CLEAR 130 OR 150 FRONT FACING. INSTALL PER MANUFACTURERS SPECS. CSE CERTIFICATE#2358468 ANSI Z21.88/CSA 2.33-2014
- SHOWER W/ SHATTERPROOF ENCLOSURE- WALLS, STONE MUDSET OVER FIBER CEMENT OR GLASS MAT GYPSUM BACKERS TO 70" MIN. ABOVE DRAIN INLET AT TUB W/SHOWER. (CBC 1210.3)
- 8. GARAGE SIDE OF WALLS & CEILING SHALL BE PROTECTED WITH
  (1) LAYER OF 5/8" TYPE "X" GYPSUM BOARD. (CBC 406.1.4#1)
- 9. TANKLESS WATER HEATER LOCATION.

SPACE UNDER STAIRS. (CBC 1009.5.3)

- F.A.U. ON RETURN PLENUM BELOW PROVIDE FUEL GAS. PER C.M.C..
   FLUSH NON-COMBUSTIBLE HEARTH, 2" THICK MIN. OR 3/8" THICK IF FIREBOX OPENING IS 8" MINIMUM ABOVE HEARTH SURFACE. HEARTH SHALL EXTEND
- 20" MIN. FROM FIREBOX AND 12" MIN. BEYOND SIDES. (CBC 2111.10)

  12. RAISED NON-COMBUSTIBLE HEARTH, 2" THICK MIN. OR 3/8" THICK IF FIREBOX OPENING IS 8" MINIMUM ABOVE HEARTH SURFACE. HEARTH SHALL EXTEND 20" MIN. FROM FIREBOX AND 12" MIN. BEYOND SIDES. (CBC 2111.10)
- 13. WASHER SPACE PROVIDE RECESSED VALVE
- DRYER SPACE PROVIDE VENT TO OUTSIDE AIR. SEE GEN. NOTE #4 & 6
  F.A.U. ON MIN. 18" HIGH PLATFORM IN GARAGE -- PROVIDE FUEL GAS. PER C.M.C.
- 16. STONE OVER DECKING BY: PLI-DECK SYSTEMS, INC, ESR-2097 OR APPROVED EQUAL. INSTALLATION SHALL BE IN ACCORDANCE W/ MANUFACTURER'S SPECIFICATIONS. (ASTM #C-957-87) SLOPE 1/4" PER FOOT. TO DRAIN. OVER 3/4" PLYWOOD OVER 2X SLEEPERS AT 16" O.C. OVER STRUCTURAL SHEATHING AND JOISTS, PER STRUCT. PLANS. SEE PLAN FOR INDICATION OF SLOPE DIRECTION.
- 18. CHASE W/ DRAFT STOP @ 10'-0" VERT. MAX.- TYP.
- 19. INDICATES DECK DRAIN 3" MIN. DIA.
- 20. INDICATES OVERFLOW DRAIN 3" MIN. DIA. MIN. 2" ABOVE DECK DRAIN INLET. PIPE SEPARATELY FROM MAIN DECK DRAIN.
- 21. GRATE DRAIN, PROVIDE 2" DIA. OUTLET. OVERFLOW PROVIDED BY SPILL-OFF
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- 24. A/C CONDENSOR LOCATIONS.25. ETCHED TEMPERED GLASS INSERTS SET IN STAINLESS FRAME
- 26. ELEVATOR PER MANUFACTURER SPECIFICATIONS MANUFACTURER TBD
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- PROVIDE BACK-DRAFT DAMPERS AT DRYER VENT, HOOD VENT AND EXHAUST FANS.
- 5. INSTALL DECORATIVE FIREPLACE SURROUND PER C.B.C. AND MANUFACTURER'S INSTALLATION REQUIREMENTS. PROVIDE PROTECTION AND CLEARANCE FOR COMBUSTIBLE MATERIALS.
- 6. MAX. 14 FT. LENGTH FOR DRYER VENT. DRYER VENT SHALL BE TERMINATED AT THE SIDE OF THE HOUSE A MINIMUM OF 6" ABOVE GROUND. (C.M.C. 504.3.2)
- 7. GUTTERS AND DOWNSPOUTS TO CONNECT TO AREA DRAIN SYSTEM.
- MAXIMUM FLOW RATE STANDARDS SET BY THE CALIFORNIA ENERGY COMMISSION:

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- 13. SEE DOOR AND WINDOW SCHEDULE, SHEET DWS FOR MORE INFORMATION.
  14. PROVIDE 26 GAUGE STEEL DUCT IN GARAGE, IF IT PENETRATES 1-HR. SEPERATION.
- 15. AT DOORS PROVIDE A MINIMUM LANDING THE WIDTH OF THE DOOR AND 36" MINIMUM EXTENDING FROM THE FACE OF DOOR. (CBC 1008.15)
- 16. A DOOR MAY OPEN ON THE TOP STEP OF A FLIGHT OF STAIRS OR AN EXTERIOR LANDING, PROVIDED THE DOOR DOES NOT SWING OVER THE TOP STEP OR EXTERIOR LANDING AND THE LANDING IS NOT MORE THAN 7.75 INCHES BELOW THE TOP OF THE THRESHOLD. (CBC 1008.1.4 EX 2, EX3)
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EXISTING TO BE REMOVED

EXISTING BLDG. FOOTPRINT AREA TO BE REMOVED

EXISTING WALLS TO BE REMAIN

NEW WOOD STUD WALL

NEW RETAINING WALL PER STRUCTURAL PLANS

C. J. LIGHT ASSOCIATES

Christian R. Light • Architect

1401 Quail Street, Suite 120 Newport Beach, CA 92660 (949) 851-8345 Fax (949) 851-1116

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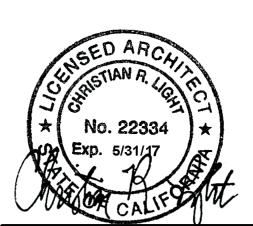
Master Level Floor Plan

Job Number:

S c a l e : 1/4" = 1'-0"

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Date:
City Staff Review Subm. November 10, 2016
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Plan Check Submittal I December 23, 2016
City Staff Review Resubmittal Jan. 25, 2016



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Deck Level Floor Plan

1615

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Christian R. Light • Architect

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2711 Ocean Blvd. Corona Del Mar • California • 926

Bedroom Level Floor Plan

Job Number:

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

Date

Date:
City Staff Review Subm. November 10, 2016
City Staff Review Sub. II December 14, 2016
Plan Check Submittal I December 23, 2016
City Staff Review Resubmittal Jan. 25, 2017
City Staff Review Resubmittal Feb. 9, 2017



- 1. 42" HIGH GUARDRAIL (CLOSED RAILING) . (CBC 1013.2) 2. 42" HIGH GUARDRAIL (OPEN RAILING). (CBC 1013.2) SEE GEN. NOTE #9,10 &11.
- 3. METAL HANDRAIL, 34" TO 38" HIGH ABOVE NOSE OF TREAD. (CBC 1012.2) SEE GENERAL NOTE #11
- 4. WATER CLOSET PROVIDE 30" MIN. CLEAR WIDTH AND 24" MIN. CLEARANCE MEASURED FROM FRONT EDGE OF BOWL TO ANY OBSTRUCTION. (CPC 407.6)
- 5. 5/8" TYPE "X" GYP. BRD. AT ALL WALLS & CEILINGS OF ENCLOSED USABLE SPACE UNDER STAIRS. (CBC 1009.5.3)
- 6. GAS APPLIANCE "GAS LOG" FIREPLACE, BOX BY: ORTAL HEATING SOLUTIONS MODEL: CLEAR 130 OR 150 FRONT FACING. INSTALL PER MANUFACTURERS

SPECS. CSE CERTIFICATE#2358468 ANSI Z21.88/CSA 2.33-2014

- SHOWER W/ SHATTERPROOF ENCLOSURE WALLS, STONE MUDSET OVER FIBER CEMENT OR GLASS MAT GYPSUM BACKERS TO 70" MIN. ABOVE DRAIN INLET AT TUB W/SHOWER. (CBC 1210.3)
- 8. GARAGE SIDE OF WALLS & CEILING SHALL BE PROTECTED WITH (1) LAYER OF 5/8" TYPE "X" GYPSUM BOARD. (CBC 406.1.4#1)
- 9. TANKLESS WATER HEATER LOCATION.
- 10. F.A.U. ON RETURN PLENUM BELOW PROVIDE FUEL GAS. PER C.M.C.. 11. FLUSH NON-COMBUSTIBLE HEARTH, 2" THICK MIN. OR 3/8" THICK IF FIREBOX
- OPENING IS 8" MINIMUM ABOVE HEARTH SURFACE. HEARTH SHALL EXTEND 20" MIN. FROM FIREBOX AND 12" MIN. BEYOND SIDES. (CBC 2111.10) 12. RAISED NON-COMBUSTIBLE HEARTH, 2" THICK MIN. OR 3/8" THICK IF FIREBOX
- OPENING IS 8" MINIMUM ABOVE HEARTH SURFACE. HEARTH SHALL EXTEND 20" MIN. FROM FIREBOX AND 12" MIN. BEYOND SIDES. (CBC 2111.10) 13. WASHER SPACE - PROVIDE RECESSED VALVE
- 14. DRYER SPACE PROVIDE VENT TO OUTSIDE AIR. SEE GEN. NOTE #4 & 6 15. F.A.U. ON MIN. 18" HIGH PLATFORM IN GARAGE -- PROVIDE FUEL GAS. PER C.M.C.
- 16. STONE OVER DECKING BY: PLI-DECK SYSTEMS, INC, ESR-2097 OR APPROVED EQUAL. INSTALLATION SHALL BE IN ACCORDANCE W/ MANUFACTURER'S SPECIFICATIONS. (ASTM #C-957-87) - SLOPE 1/4" PER FOOT. TO DRAIN. OVER 3/4" PLYWOOD OVER 2X SLEEPERS AT 16" O.C. OVER STRUCTURAL SHEATHING AND JOISTS, PER STRUCT. PLANS. SEE PLAN FOR INDICATION OF SLOPE DIRECTION.
- 18. CHASE W/ DRAFT STOP @ 10'-0" VERT. MAX.- TYP.
- 19. INDICATES DECK DRAIN 3" MIN. DIA.
- 20. INDICATES OVERFLOW DRAIN 3" MIN. DIA. MIN. 2" ABOVE DECK DRAIN INLET. PIPE SEPARATELY FROM MAIN DECK DRAIN.
- 21. GRATE DRAIN, PROVIDE 2" DIA. OUTLET. OVERFLOW PROVIDED BY SPILL-OFF
- 22. 4" DIAMETER X 36" HIGH CONRETE FILLED STEEL PIPE. 23. SELF-CLOSING, TIGHT-FITTING, SOLID WOOD 1-3/8" THICK DOOR OR A 20-MIN. RATED DOOR AT OPENING TO DWELLING. (CBC 406.1.4 #1)
- 24. A/C CONDENSOR LOCATIONS.
- 25. ETCHED TEMPERED GLASS INSERTS SET IN STAINLESS FRAME
- 26. ELEVATOR PER MANUFACTURER SPECIFICATIONS MANUFACTURER TBD 27. VOID SPACE

# FLOOR PLAN GENERAL NOTES

- 1. ALL DIMENSIONS ARE TO FACE OF STUD OR RETAINING WALL, U.N.O.
- 2. EXTERIOR STOOPS SHALL NOT HAVE A SLOPE GREATER THAN 1/4" PER FOOT. (C.B.C. 1008.1.4)
- 3. ALL EXTERIOR SHELVES SHALL HAVE A SLOPE OF NOT LESS THAN 1/4" RISE PER FOOT OF RUN AWAY FROM HOUSE.
- PROVIDE BACK-DRAFT DAMPERS AT DRYER VENT, HOOD VENT AND
- 5. INSTALL DECORATIVE FIREPLACE SURROUND PER C.B.C. AND MANUFACTURER'S INSTALLATION REQUIREMENTS. PROVIDE PROTECTION AND CLEARANCE FOR COMBUSTIBLE MATERIALS.
- MAX. 14 FT. LENGTH FOR DRYER VENT. DRYER VENT SHALL BE TERMINATED AT THE SIDE OF THE HOUSE A MINIMUM OF 6" ABOVE
- GROUND. (C.M.C. 504.3.2) 7. GUTTERS AND DOWNSPOUTS TO CONNECT TO AREA DRAIN SYSTEM.
- 8. MAXIMUM FLOW RATE STANDARDS SET BY THE CALIFORNIA ENERGY COMMISSION: A. WATER CLOSETS - 1.28 GALLONS PER FLUSH C. KITCHEN FAUCETS - 1.8 GPM @ 60 psi
- B. SHOWERHEADS 2.0 GPM @ 80 psi D. LAYATORY SINK FAUCETS 1.5 GPM @ 60 psi 9. WHERE OPEN RAILINGS OCCUR, OPENINGS BETWEEN BALUSTERS / RAILS /
- INTERMEDIATES SHALL BE LESS THAN 4 INCHES OR 4 3/8 INCHES AT OPEN SIDE OF STAIRS. (CBC 1013.3) 10. ALL HANDRAILS SHALL BE CONTINUOUS THE FULL LENGTH OF THE STAIRS
- HANDGRIP PORTION OF ALL HANDRAILS SHALL BE NOT LESS THAN 1.25" NOR MORE THAN 2" IN CROSS SECTIONAL DIMENSION, OR THE SHAPE SHALL PROVIDE AN EQUIVALENT GRIPPING SURFACE. (CBC 1012.4 EX 3)
- 11. GUARDRAILS / HANDRAILS AT STAIRS, DECKS & LANDINGS SHALL BE ADEQUATE TO SUPPORT A CONCENTRATED LOAD OF 200 POUNDS APPLIED AT A RIGHT ANGLE TO THE TOP RAIL. (CBC 2407)
- 12. A DOOR MAY SWING OVER A LANDING THAT IS NOT MORE THAN 0.5 INCHES IN HEIGHT BELOW THE THRESHOLD. (CBC 1008.1.6)
- 13. SEE DOOR AND WINDOW SCHEDULE, SHEET DWS FOR MORE INFORMATION. 14. PROVIDE 26 GAUGE STEEL DUCT IN GARAGE, IF IT PENETRATES 1-HR. SEPERATION.
- 15. AT DOORS PROVIDE A MINIMUM LANDING THE WIDTH OF THE DOOR AND 36" MINIMUM EXTENDING FROM THE FACE OF DOOR. (CBC 1008.15)
- 16. A DOOR MAY OPEN ON THE TOP STEP OF A FLIGHT OF STAIRS OR AN EXTERIOR LANDING, PROVIDED THE DOOR DOES NOT SWING OVER THE TOP STEP OR EXTERIOR LANDING AND THE LANDING IS NOT MORE THAN 7.75 INCHES BELOW THE TOP OF THE THRESHOLD. (CBC 1008.1.4 EX 2, EX3)
- 17. DOORS THAT PROVIDE DIRECT ACCESS TO THE SWIMMING POOL SHALL BE PROVIDED WITH AN APPROVED POOL ALARM OR APPROVED BARRIER PER CITY POOL ORDINANCE.
- 18. UNVENTED GAS LOG HEATERS SHALL NOT BE USED IN A FACTORY BUILT FIREPLACE UNLESS THE FIREPLACE SYSTEM HAS BEEN SPECIFICALLY TESTED, LISTED AND LABELED FOR SUCH USE.

# FLOOR PLAN WALL LEGEND

EXISTING TO BE REMOVED

EXISTING BLDG. FOOTPRINT AREA TO BE REMOVED

NEW WOOD STUD WALL

EXISTING WALLS TO BE REMAIN

NEW RETAINING WALL PER STRUCTURAL PLANS



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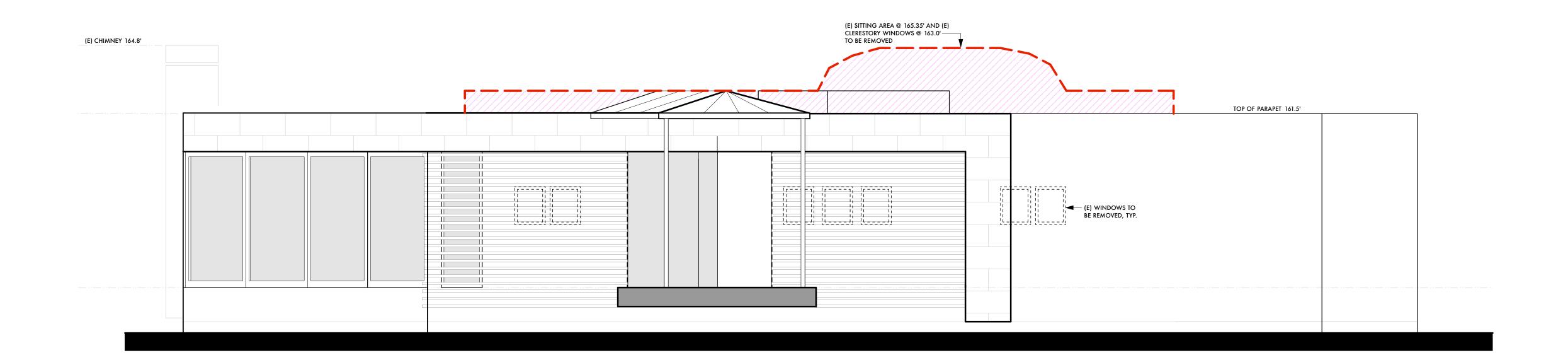
Garage Level Floor Plan

Job Number: 1615

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

Date: City Staff Review Subm. November 10, 2016 City Staff Review Sub. II December 14, 2016 Plan Check Submittal I December 23, 2016 City Staff Review Resubmittal Jan. 25, 2017









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# 8

Front Elevation

Job Number: 1615

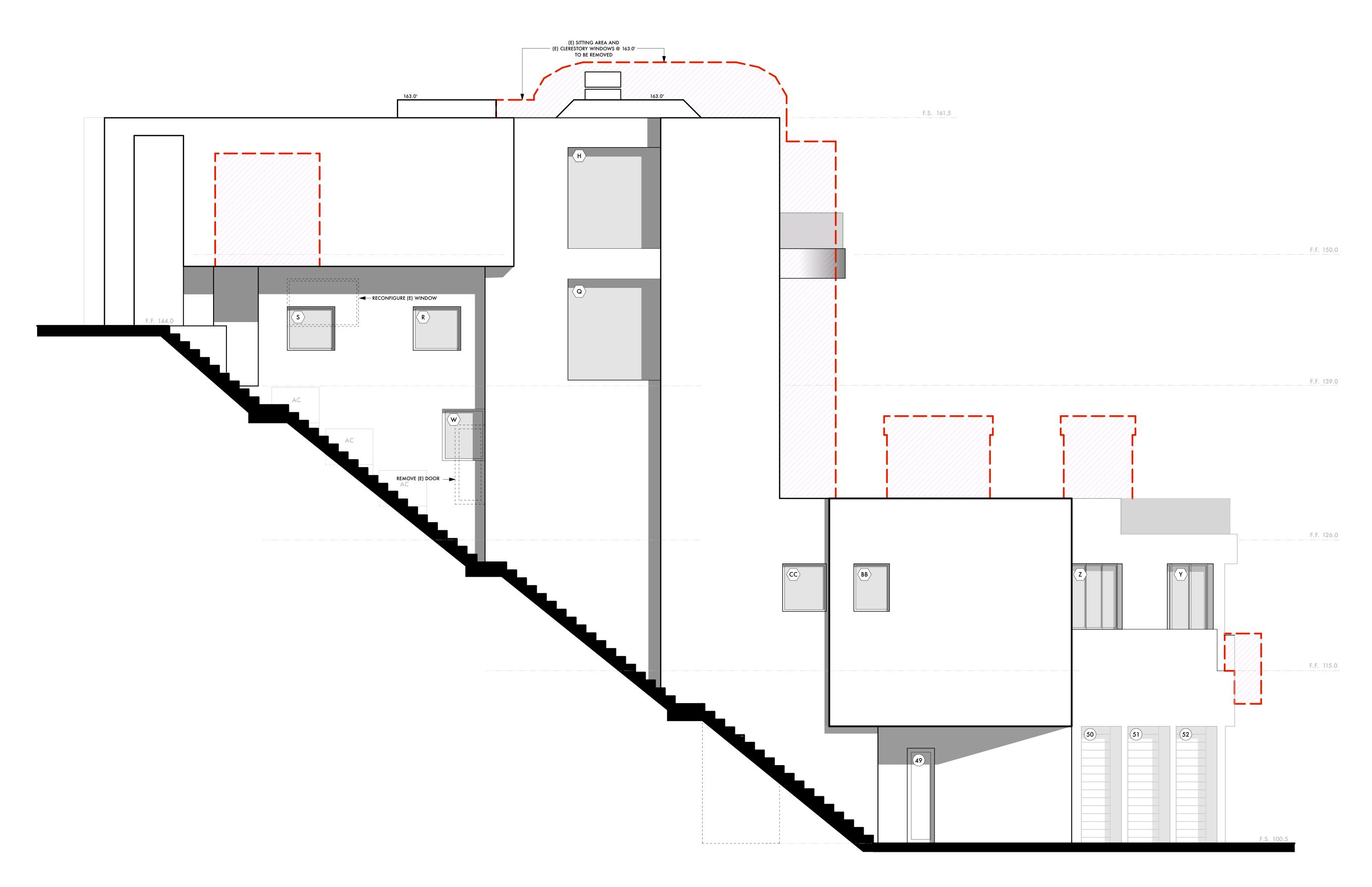
Scale:

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City Staff Review Resubmittal II Feb. 7, 2017

1/4" = 1'-0"





# RIGHT SIDE ELEVATION

SCALE: 1/4=1'-0"





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# **Right Elevation**

Job Number: 1615

Scale:

Date:

City Staff Review Subm. November 10, 2016 City Staff Review Sub. II December 14, 2016

1/4" = 1'-0"

Plan Check Submittal I December 23, 2016 City Staff Review Resubmittal Jan. 25, 2017



MASS AREA TO BE REMOVED



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# O

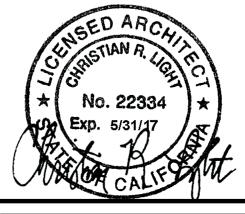
# Rear Elevation

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REAR ELEVATION



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# Left Elevation

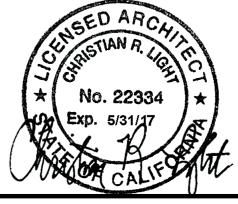
Job Number: 1615

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

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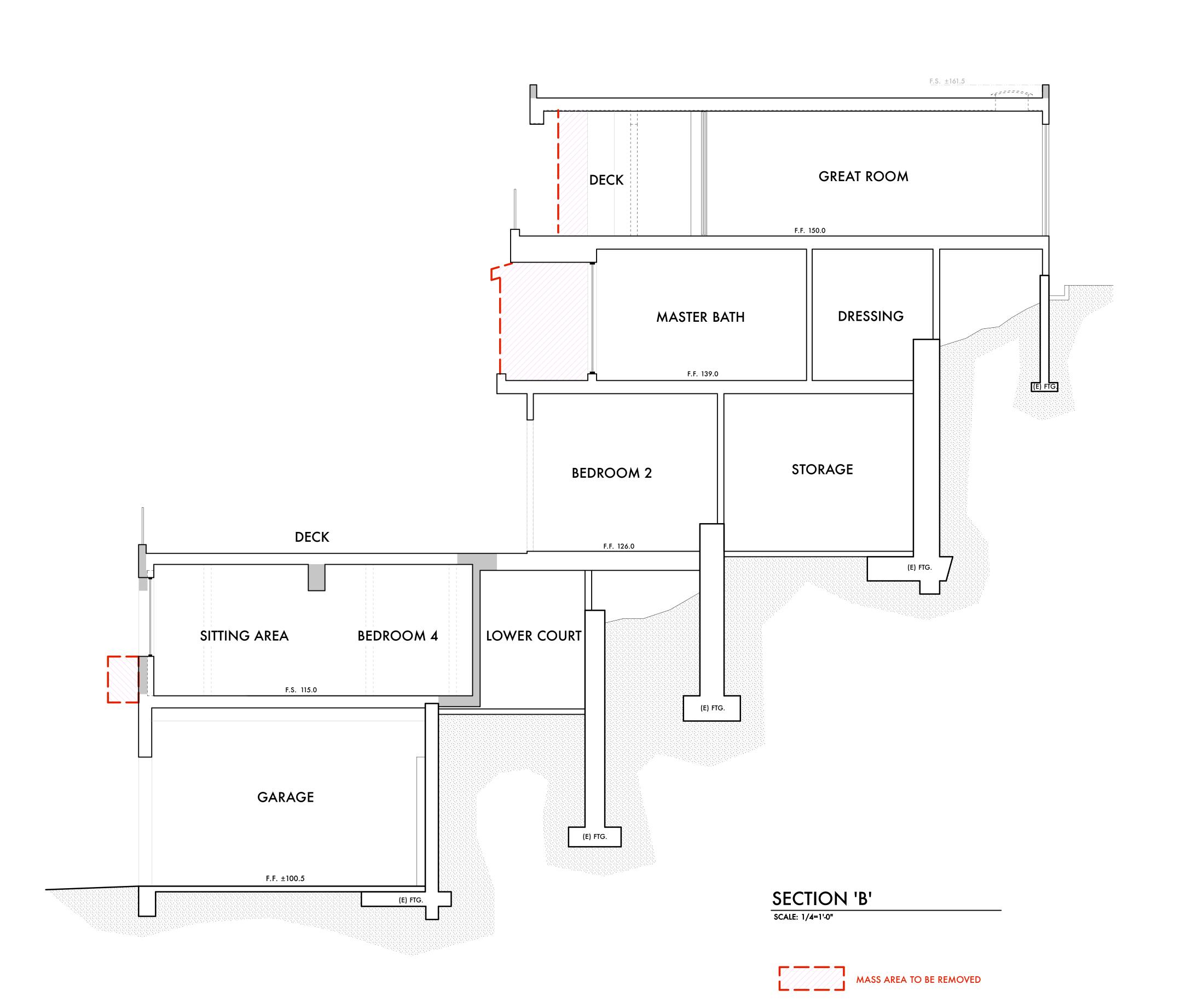
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Section 'A'

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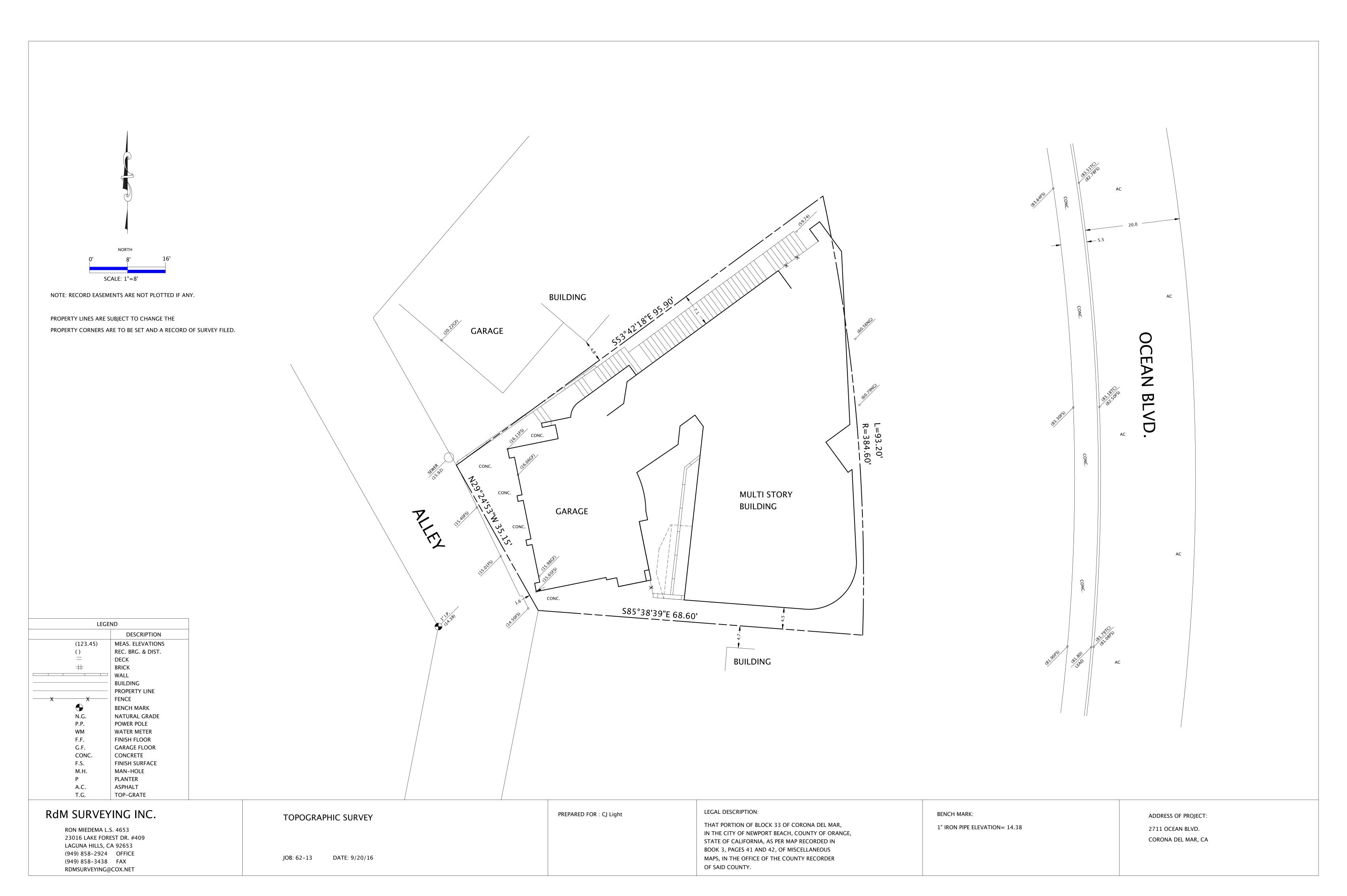
Section 'B'

Job Number: 1615

S c a l e : 1/4" = 1'-0"

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#### COMMUNITY DEVELOPMENT DEPARTMENT

#### PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915 (949) 644-3200 Fax: (949) 644-3229 www.newportbeachca.gov

### **COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

APPLICATION: Staff Approval No. SA2016-023

(PA2016-203)

APPLICANT: Arlyne Newport LLC, Josh Royal

LOCATION: 2406 Newport Boulevard

**American Junkie** 

**LEGAL DESCRIPTION** Parcel No 1 of Resubdivision No. 375

On <u>February 10, 2017</u>, the Community Development Director approved Staff Approval No SA2016-023. This approval is based on the following findings and conditions of approval.

#### **PROJECT SUMMARY**

Determination that the guest docks located on the subject property may be used for acitivities not associated to the restaurant, with the approval of a Marine Activities Permit if required.

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

Zone: Mixed-Use Water Related (MU-W2)

• General Plan: Mixed Use Water Related (MU-W2)

#### I. BACKGROUND

The establishment operates pursuant to Use Permit No. UP1581 which was originally approved in 1972 and was last amended in June of 1989. An Operator License was approved in 2014 when the restaurant requested an increase in its occupancy.

An amendment approved in 1979 allowed a parking credit on the basis that patrons would use the dock rather than drive. Specifically, condition of approval #4 of 1979 Use Permit Amendment reads as follows:

That should the guest docks be used for any use other than guest docks for the restaurant, the owner shall be required to provide four (4) parking spaces in a location meeting the approval of the Planning Commission, or reduce the net public area of the restaurant accordingly.

Tmplt: 10/02/15

A credit of five parking spaces was given for use of the dock for patrons only. Based on information contained within an amendment approved in 1984, the net public area in 1979 was 2,463 square feet. Today, the net public area of the restaurant is 2,040 square feet which is 423 square feet less than assumed in 1979.

#### II. PROPOSED CHANGES

The applicant requests the ability to use the boat docks for uses other than for patrons of the restaurant, as referenced in Condition #4 of the 1979 Use Permit Amendment. Based on a parking demand of 40 spaces per 100 square feet of net public area, the reduction of 423 square feet equates to a parking reduction of eleven (11) parking spaces. Therefore, the net public area of the restaurant has been reduced in accordance with Condition #4. Therefore, the guest docks may be used for purposes other than restaurant patrons.

Use of the docks for uses other than for patrons, will be subject to a Marine Activities Permit.

#### III. 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.

#### Finding:

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

#### Facts in Support of Finding:

1. Use Permit No. UP1581 was amended in 1979 requiring the docks to be used by patrons of the restaurant unless the net public area of the restaurant is reduced. Per an amendment to Use Permit No. UP1581 approved in 1984, the net public area of the facility was permitted to be 2,463 square feet. Plans submitted by the applicant today, indicate the net public area is 2,040 square feet. In accordance with Condition #4 of UP1581 amended in 1979, the reduction in square footage is adequate and the docks are not required to satisfy the parking requirements of the restaurant. This staff approval has been conditioned requiring an amendment to the use permit for any increase to the net public area beyond 2,040 square feet.

#### 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.

Tmplt: 10/02/15

#### Facts in Support of Finding:

1. Use Permit No. UP1581 did not require a negative declaration or Environmental Impact Report.

#### 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:

 Use Permit No. UP1581 was amended in 1979 requiring the docks to be used by patrons of the restaurant unless the net public area of the restaurant is reduced. Condition #4 provides flexibility for the use of the docks provided the net public area is reduced accordingly. Therefore, the square footage has been reduced, therefore, the modification is consistent with the original condition.

#### Finding:

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

### Facts in Support of Finding:

 The determination is to only allow the docks to be used for uses other than patrons, subject to approval of a Marine Activities Permit. The potential change in use of the docks was contemplated in Condition #4 of Use Permit UP 1581, as amended in 1979.

#### IV. DETERMINATION

It has been determined on the basis that the net public area of the restaurant has been reduced accordingly, that the docks may be used for uses other than patrons, with approval of a Marine Activities Permit, and that the modification is substantially consistent with Use Permit No. 1581.

#### V. CONDITIONS OF APPROVAL

- 1. The net public area of the facility shall be limited to 2,040 square feet unless an amendment to the Use Permit is approved.
- 2. Any commercial use of the docks shall require approval of a Marine Activities Permit which is subject to review of the Community Development Department to verify that all applicable Zoning Code regulations have been addressed.

Tmplt: 10/02/15

3. 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 American Junkie Docks including, but not limited to, the Staff Approval SA2016-023. 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 or call for review 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:

Brenda Wisneski, AICP, Deputy Directo

Attachments: CD 1 Vicinity Map

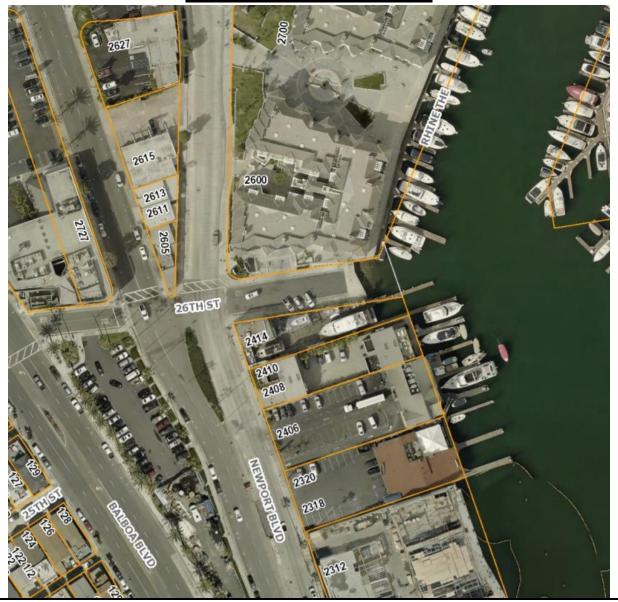
CD 2 Use Permit 1581, Conditions of Approval

CD 3 Existing Floor Plans depicting net public area

# **Attachment No. CD 1**

Vicinity Map

# **VICINITY MAP**



Staff Approval SA2016-023 PA2016-203

# 2406 Newport Boulevard

# **Attachment No. CD 2**

Use Permit 1581, Conditions of Approval

## Hooter's Restaurant - Use permit 1581 (Formally Red Onion)

- 12-7-72 PC Approved: Construct restaurant w/ live entertainment
- 9-6-73 PC Approved: Increase occupancy load and permit valet parking
- 5-5-77 PC <u>Approved</u>: Remodel and expand 2<sup>nd</sup> floor, accept off-site parking agreement
- 1-18-79 PC <u>Approved</u>: Allow dock spaces or in-lieu parking fees to be used as an alternative to providing the required off-site parking agreement (43 on-site spaces; dock spaces give a max credit of 5 parking spaces)
- 6-14-82 CC <u>Denied</u>: Expand net public area of 2<sup>nd</sup> lounge area and accept an of-site parking agreement for the additional req'd spaces.
- 6-21-84 PC <u>Approved</u>: Expand 2<sup>nd</sup> floor dining/bar area by 84 sq.ft., and allow the payment of an annual in-lieu parking fee for 3 parking spaces. (Per Staff Report, 2,463 sq. ft. existing, plus 84 sq. ft. expansion = 2,547 sq. ft. net public area allowed)
- 6-22-89 PC <u>Approved</u>: Add dancing in conjunction with live entertainment located in upstairs lounge area. Said dancing will be limited to the hours of between 10pm and 1:30 am nightly, after the kitchen and dining areas closed.
- 5-22-95 CC <u>Approved</u>, <u>but expired and no longer possible</u>: Increase net public area by adding an outdoor dining area on street side of building. Additionally, permit the expansion of parking lot onto adjoining property and the approval of an off-site parking agreement for expanded parking; and approval to transfer of development rights from the off-site parking area to the restaurant.

## **Use Permit 1581 (Hooter's) Applicable Conditions**

#### June 22, 1989 Conditions

- 1. That development shall be in substantial conformance with the approved plot plan and floor plans, except as noted below.
- 2. That the sound from the live entertainment and dancing shall be confined to the interior of the structure; and further that all windows and doors within the restaurant shall be closed when live entertainment and dancing are conducted on the site.
- 3. That all previous applicable conditions of approval for Use Permit No. 1581 (Amended) shall be fulfilled.
- 4. That a minimum of one parking space for each 35 square feet of "net public area" (i.e. 45 spaces) shall be provided for the proposed use of the lounge and lobby area for the restaurant and that any proposed increase in the size of the area devoted to dancing or the bar area shall require the approval of an amendment to the use permit.
- 5. That the hours of operation for the proposed dancing shall be limited from 10:00 p.m. to 1:30 a.m. nightly.
- 6. That the dining area on the first floor shall be closed to the public after 10:00 p.m. daily if dancing is provided on the second floor.
- 7. That the entire site shall be maintained in a clean and orderly manner.
- 8. That no outdoor loudspeaker or paging system shall be permitted in conjunction with the proposed operation.
- 9. That the applicant shall obtain Coastal Commission approval of this application prior to initiating the proposed dancing.
- All applicable conditions of approval shall be implemented prior to the initiation of the proposed dancing.

- 11. That a Cafe Dance Permit for the proposed dancing shall be approved by the City. The dance floor shall be increased to a minimum size of 400 sq.ft. unless said permit is approved for a smaller floor.
- 12. That the required handicapped parking space shall be relocated to its original site adjacent to the building. Said parking space shall be used solely for handicapped self-parking and shall be identified by one handicapped sign on a post and one handicapped sign on the pavement.
- 13. That the shrubbery in the planters adjacent to Newport Boulevard be replanted or trimmed to provide sight distance in conformance with City Std. 110-L and as approved by the Public Works Department.
- 14. That the Planning Commission may add to or modify conditions of approval to this Use Permit or recommend to the City Council the revocation of this Use Permit, upon a determination that the operation which is the subject of this Use Permit, causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.
- 15. That this Use Permit shall expire unless exercised within 24 months from the date of approval as specified in Section 20.80.090A of the Newport Beach Municipal Code.

#### June 21, 1984 Applicable Conditions

- 4. That employees of the restaurant facility shall park in the Municipal parking lot at all times.
- 6. That three (3) in-lieu parking spaces shall be purchased from the City on an annual basis for the duration of the restaurant use and that the annual fee for said parking shall be in accordance with Section 12.44.125 of the Newport Beach Municipal Code. The Applicant is put on notice that the fees for in-lieu parking permits may be subject to change, and that change may increase substantially in the future.
- 7. That all previous applicable conditions of approval for Use Permit No. 1581 (Amended) shall be fulfilled.
- 9. That the handicapped parking space indicated on the plot plan shall be accessible at all times to vehicles of handicapped persons during regular hours of operation of the restaurant facility.

#### **January 18, 1979 Applicable Conditions**

- 2. That a maximum credit of 5 parking spaces be given for the proposed guest dock facilities.
- 3. That the entire dock facility bayward of the restaurant shall be maintained only for patrons of the Red Onion Restaurant and shall be so posted. No overnite mooring shall be permitted.
- 4. That should the guest docks be used for any use other than guest docks for the restaurant, the owner shall be required to provide 4 parking spaces in a location meeting the approval of the Planning Commission, or reduce the net public area of the restaurant accordingly.
- 5. All other applicable conditions of Use Permit No. 1581 shall remain in effect.

#### May 5, 1977 Applicable Conditions

5. A parking attendant (or attendants) shall be provided during all hours of operation of the Red Onion Restaurant facility.

#### September 6, 1973 Applicable Conditions

- 1. That parking attendants be provided during all hours of operation of the restaurant. All parking spaces arranged perpendicular to the side property lines shall be set back one foot and shall be provided with wheel stops. All spaces shall be marked with approved traffic markers or painted white lines not less than four inches wide.
- 2. That all of the conditions of the Harbor Permit, as well as additional recommendations of the U.S. Army Corps of Engineers and the California Regional Water Quality Control Board, be fulfilled.
- 4. That all public improvements, including sidewalks and curb cuts, be provided in a manner satisfactory to the Public Works Director.
- 5. That a landscape plan be approved by the Director of Community Development.
- 6. That all signs be approved by the Director of Community Development.
- 8. That the applicant shall be responsible for all necessary precautions to protect the waters of the bay during demolition of existing structures and construction of all new structures.
- 9. That all storage or trash shall be shielded from view within a building or within an area enclosed by a wall not less than six feet in height.

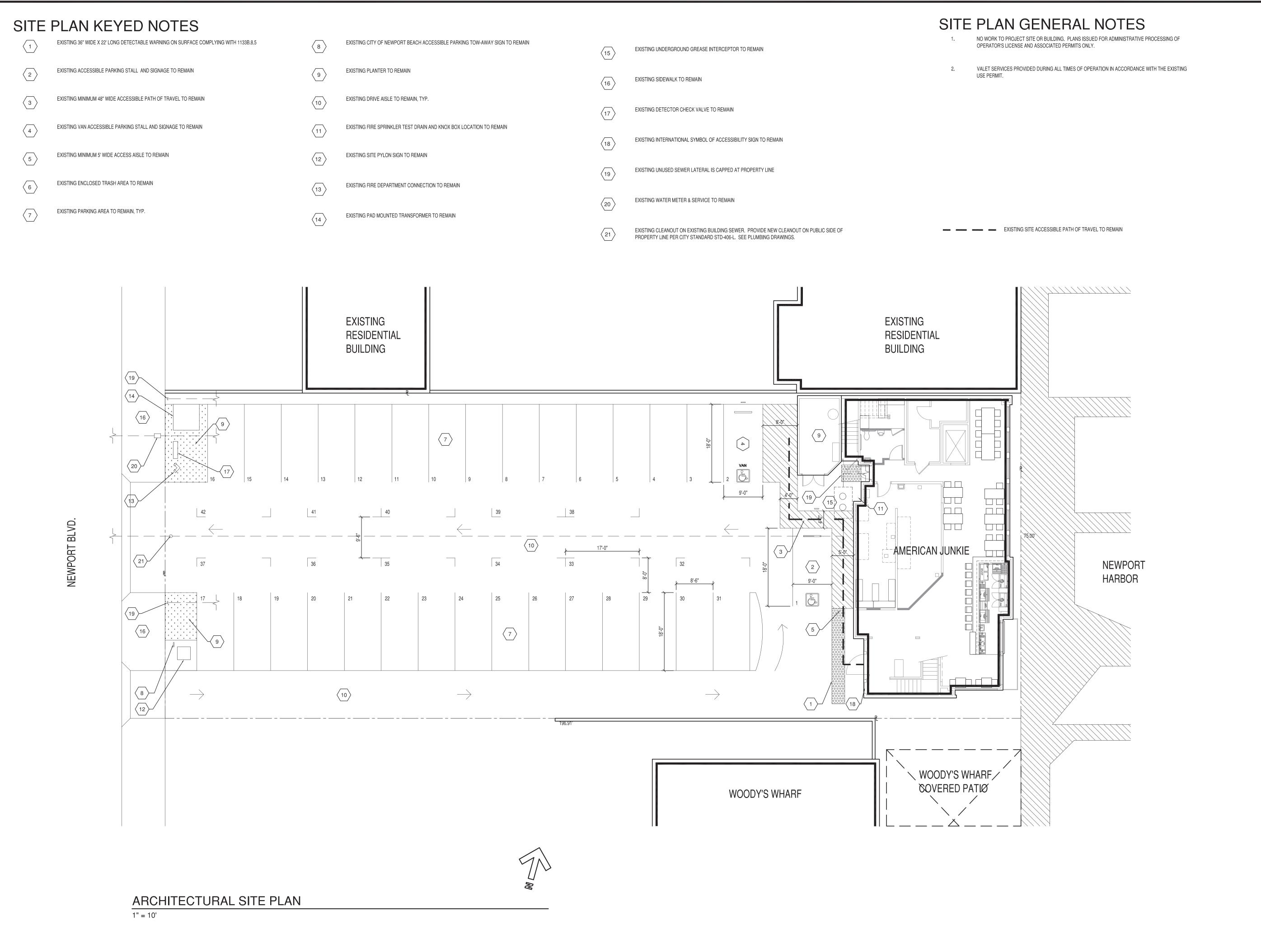
## **December 21, 1972 Applicable Conditions**

7. That the alteration or construction of docks, slips and piers bayward of the bulkhead be subject to a separate Harbor Permit and the approval of the Marine Safety Department.

# **Attachment No. CD 3**

Existing Floor Plans depicting net public area

Tmplt: 10/02/15



ARCHITECTURE

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Revisions

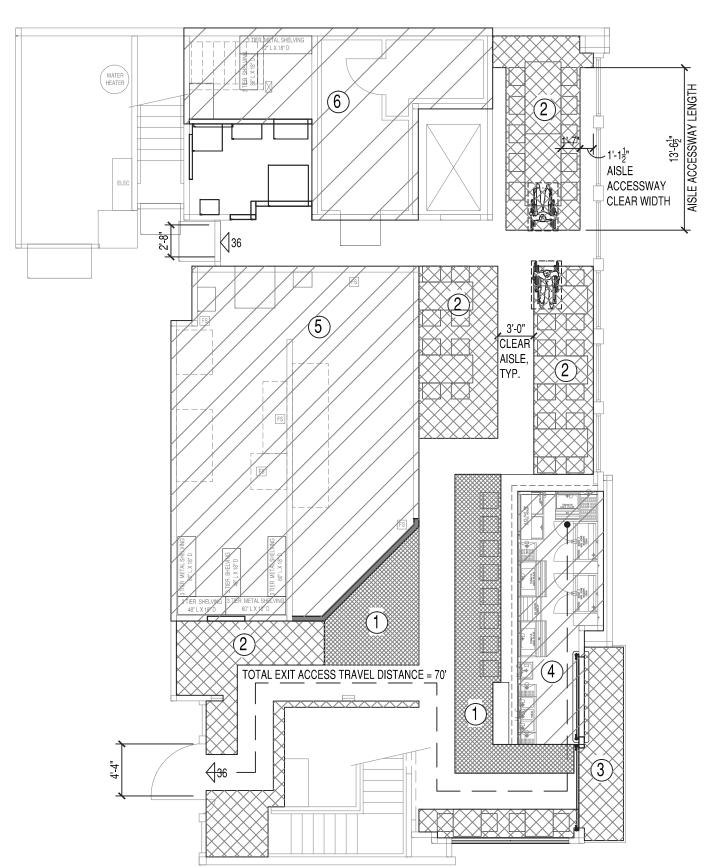
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American Junkie Operator License

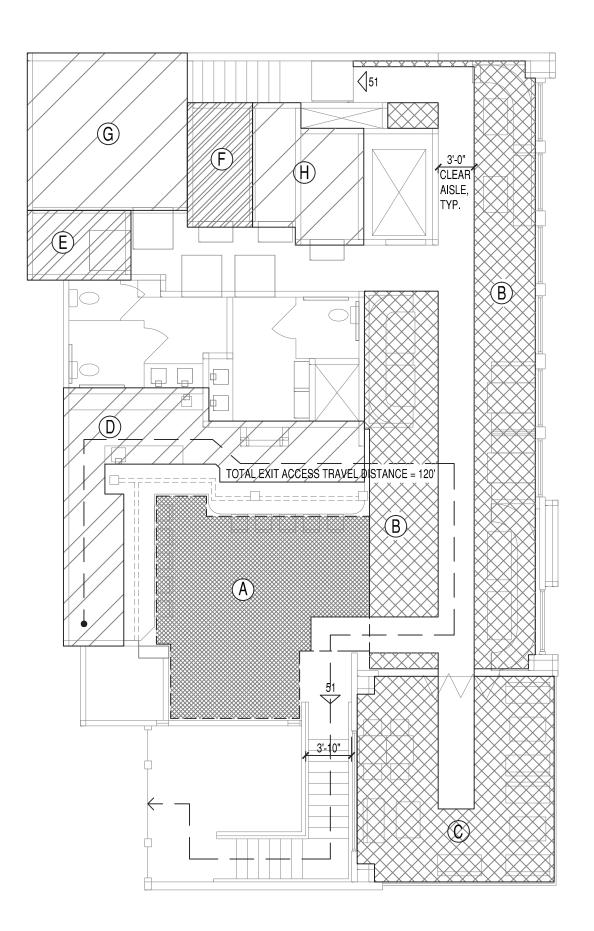
Newport Beach, CA
REVISED 07.14.14
CA-244

Existing Site Plan

AS-101



HATCH SPACE FUNCTION (TABLE 1004.1.1) PATTERN			FLOOR AREA IN SF PER OCCUPANT	
	ASSEMBLY WITHOUT FIXED SEATS STANDING SPACE  ASSEMBLY WITHOUT FIXED SEATS UNCONCENTRATED (TABLES & CHAIRS		5 NET	
			15 NET	
	LOCKER ROOMS		50 GROSS	
	BUSINESS AREAS		100 GROSS	
	COMMERCIAL KITCHEN		200 GROSS	
	ACCESSORY STORAGE/ MECHANICAL EQUIPMENT	Г	300 GROSS	
AREA DESIGNATOR	CALCULATION	CALCULATION		
1	167 SF NET @ 1 OCC/5 SF	167 SF NET @ 1 OCC/5 SF NET		
2	429 SF NET @ 1 OCC/15 S	F NET =	29 OCCUPANTS	
3	56 SF @ 1 0CC/15 SF NET	=	4 OCCUPANTS	
4	136 SF GROSS @ 1 OCC/	200 SF GROSS =	NOT INCLUDED	
5	573 SF GROSS @ 1 OCC/	200 SF GROSS =	3 OCCUPANTS	
6	270 SF GROSS @ 1 OCC/	300 SF GROSS =	NOT INCLUDED	
	FLOOF	RTOTAL	70 OCCUPANTS	
# EXITS REQUIRED 2		EGRESS WIDTH I	REQUIRED 14.0	
# EXITS PROVIDED 2		EGRESS WIDTH I	PROVIDED 80"	



HATCH PATTERN	SPACE FUNCTION (TABLE	E 1004.1.1)	FLOOR AREA IN SF PER OCCUPANT
ASSEMBLY WITHOUT FIXED S STANDING SPACE		ED SEATS	5 NET
	ASSEMBLY WITHOUT FIX UNCONCENTRATED (TAB		15 NET
	LOCKER ROOMS		50 GROSS
	BUSINESS AREAS		100 GROSS
	COMMERCIAL KITCHEN		200 GROSS
	ACCESSORY STORAGE/ MECHANICAL EQUIPMENT		300 GROSS
AREA CALCULATION DESIGNATOR			DESIGN OCCUPANT LOAD
A			50 OCCUPANTS
$\bigcirc$			30 OCCUPANTS
(C)	245 SF NET @ 1 OCC/ 15	SF NET =	17 OCCUPANTS
(D)	214 SF GROSS @ 1 OCC/ 200 SF GROSS =  51 SF GROSS @ 1 OCC/ 100 SF GROSS =  57 SF GROSS @ 1 OCC/ 50 SF GROSS =		NOT INCLUDED
E			1 OCCUPANT
F			NOT INCLUDED
<b>(G)</b>	175 SF GROSS		ACCESSORY AREAS
$\bigoplus$	94 SF GROSS		(NO OCCUPANTS)
	FLOOF	R TOTAL	98 OCCUPANTS
# EXITS REQUI	RED 2	EGRESS WIDTH F	REQUIRED 29.4"
# EXITS PROVI	DED 2	EGRESS WIDTH F	PROVIDED 88"

EXIT ACCESS TRAVEL DISTANCE ALLOWABLE = 250'

SEE PLAN FOR MEASURED EXIT ACCESS TRAVEL DISTANCE

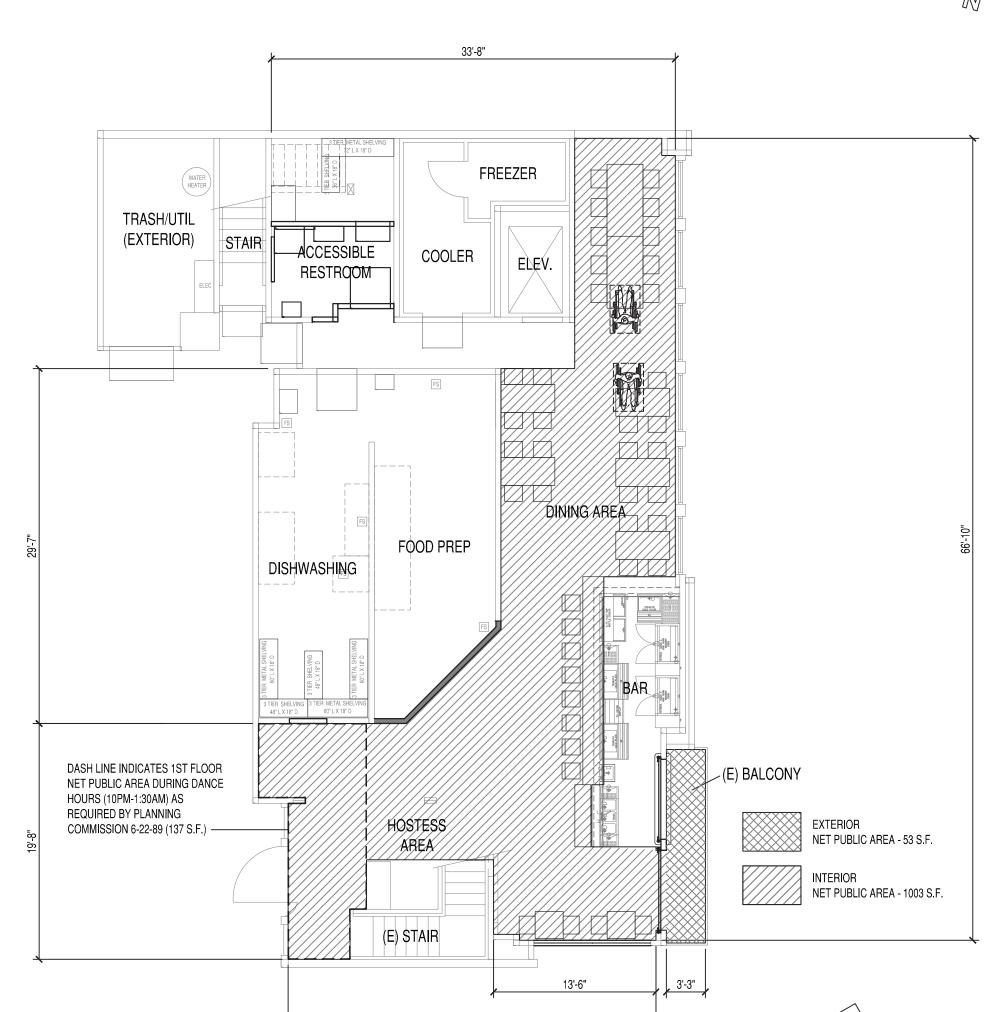
OCCUPANT LOAD CALCULATIONS - SECOND FLOOR

TOTAL OCCUPANT LOAD CALCULATIONS	
FIRST FLOOR	70 OCCUPANTS
SECOND FLOOR	
BAR AREA/DINING	80 OCCUPANTS
EXTERIOR PATIO	17 OCCUPANTS
BACK OF HOUSE AREAS	1 OCCUPANT
TOTAL OCCUPANT LOAD	168 OCCUPANTS

ALLOWABLE OCCUPANT LOADS PER CHIEF OF POLICE OPERATOR LICENSE NO. OL2014-005 (PA2014-090)	
FIRST FLOOR	70 OCCUPANTS
SECOND FLOOR	73 OCCUPANTS
TOTAL OCCUPANT LOAD	143 OCCUPANTS

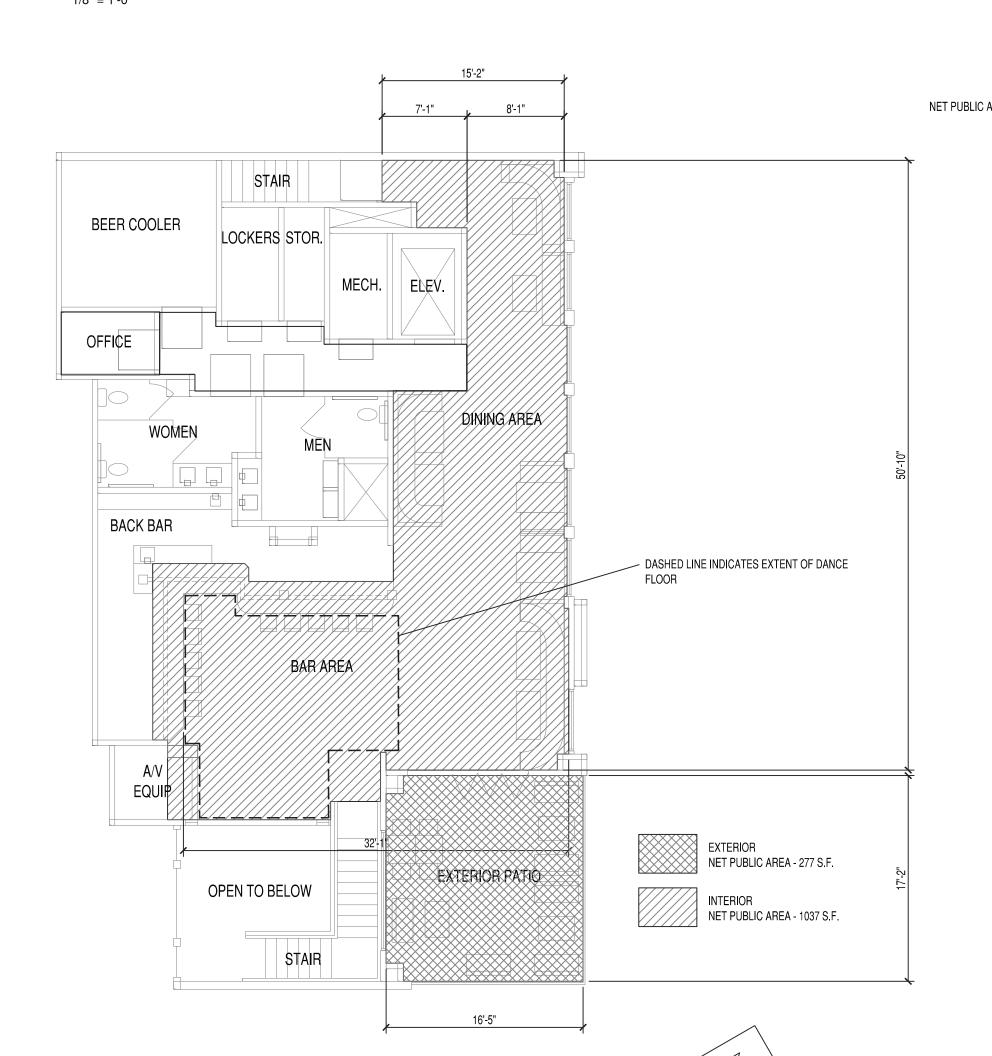
# OCCUPANT LOAD & EGRESS - FIRST FLOOR





NET PUBLIC AREA - FIRST FLOOR

# OCCUPANT LOAD & EGRESS - SECOND FLOOR



NET PUBLIC AREA - SECOND FLOOR

1/8" = 1'-0"

# PLUMBING FIXTURE COUNT

(FROM ORIGINAL PLAN CHECK - NO CHANGE TO PLUMBING AREAS/OCCUPANT LOADS PROPOSED)

NET USABLE SQUARE FOOTAGE MINUS RESTROOMS, STAIRS/HALLWAYS AND STORAGE/UTIL ROOMS = 2,160 NSF / 30 OCC. PER NSF = 72 OCCUPANTS USED FOR FIXTURE COUNT.

REQUIRED	36 MEN	36 WOMEN	PERSONS
WATER CLOSETS	1 FOR 1-50	1 FOR 1-50	-
LAVS	1 FOR 1-150	1 FOR 1-150	-
URINALS	1 FOR 1-150	-	-
DRINKING FOUNTAIN	-	-	-
	1	1	ı

PROVIDED	MEN	WOMEN	PERSONS
VATER CLOSETS	1	4	1
AVS	2	2	1
JRINALS	2	-	1
RINKING FOUNTAIN	-	-	-
			l

**ZONING INFORMATION** 

NET PUBLIC AREA - 1037 SF

A. ZONING DISTRICT: MU-W2 MIXED-USE WATER RELATED B. NET PUBLIC AREA (EXTERIOR PATIOS NOT INCLUDED):

(INTERIOR) FIRST FLOOR = 1003 S.F. + SECOND FLOOR = 1037 = 2040 S.F. (EXTERIOR) FIRST FLOOR = 53 S.F. + SECOND FLOOR = 277 = 330 S.F.

ALLOWABLE NET PUBLIC AREA PER CONDITIONS OF APPROVAL (6-21-84 PC) 2,547 SF

C. PARKING REQUIREMENTS: (8% OF NET PUBLIC AREA EXCLUDED FOR PARKING PURPOSES DUE TO EXTERIOR PATIOS) PARKING RATE REQUIRED (NON-DANCING HOURS): 1 STALL/50 SF NET PUBLIC AREA (PER 6-22-89 PC)

= 2040 S.F. / 50 S.F. = 41 STALLS PARKING PROVIDED (NON-DANCING HOURS): 45 STALLS (42 STALLS + 3 IN LIEU FEES)

PARKING RATE REQUIRED (DANCING HOURS): 1 STALL/35 SF NET PUBLIC AREA (PER 6-22-89 PC)

= 1174 S.F. / 35 S.F. = 34 STALLS PARKING PROVIDED (DANCING HOURS): 45 STALLS (42 STALLS + 3 IN LIEU FEES)

D. DISCRETIONARY APPROVALS: USE PERMIT #1581 (1972) & AMENDMENTS (SEE CONDITIONS OF APPROVAL SHEETS GI-003 - GI-006)

# BUILDING CODE ANALYSIS

A. NUMBER OF STORIES: 2

B. CONSTRUCTION TYPE: V-A, FULLY SPRINKLERED (SPRINKLER SUBSTITUTED FOR ONE HOUR CONSTRUCTION)

C. OCCUPANCY TYPE: A-2 (RESTAURANT/NIGHT CLUB)

D. EXISTING BUILDING AREAS: 1ST FLOOR: 2,182 GROSS SF

2ND FLOOR: 2,182 GROSS SF PATIO 53

TOTAL EXISTING GROSS BUILDING AREA: 4,364 SF - PATIO 330 PATIO AS A PERCENTAGE OF BUILDING

PLUMBING COUNT:

PROVIDED	MEN	WOMEN	PERSONS
WATER CLOSETS	1	4	1
LAVS	2	2	1
URINALS	2	-	1
DRINKING FOLINTAIN	_	_	_

ARCHITECTURE

**ONE**architecture.us phone: 1.888.666.0931

Principal Architect **Dustin Curtis** 

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Project Architect

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Revisions

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Floor Plans & Calculations

AD-101