



CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Seimone Jurjis, Community Development Director

SUBJECT: Report of actions taken by the Zoning Administrator and/or Planning Division staff for the week ending March 23, 2018.

COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS (Non-Hearing Items)

Item 1: Lancer Landing Substantial Conformance – Staff Approval No. SA2017-013 (PA2017-231)
Site Address: 3101 West Coast Highway

Action: Approved

Council District 3

Item 2: Grade Determination – Staff Approval No. SA2018-003 (PA2018-032)
Site Address: 401 Avocado Avenue

Action: Approved

Council District 5

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.



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. SA2017-013 (PA2017-231)

APPLICANT: Shubin Donaldson

LOCATION: 3101 West Coast Highway
Lancer Landing Substantial Conformance

LEGAL DESCRIPTION: Parcel 1 of Parcel Map 81-713

On March 23, 2017, the Community Development Director approved Staff Approval No. SA2017-013 to allow exterior design changes to an existing office building and finding said changes to be minor and in substantial conformance with Use Permit No. UP2066. This approval is based on the findings and subject to the following conditions.

ZONING DISTRICT/GENERAL PLAN

- **Zone:** MU-W1 (Mixed-Use Water Related)
- **General Plan:** MU-W1 (Mixed Use Water Related)
- **Coastal Zone:** MU-W1 (Mixed-Use Water Related)
- **Coastal Land Use Plan:** MU-W (Mixed Use Water Related)

I. BACKGROUND

On May 6, 1982, the Planning Commission conditionally approved Use Permit No. UP2066 authorizing construction of a marine office and retail commercial center that exceeds the base 26-foot-height limitation and contains a gross floor area greater than 0.5 times the buildable area of the site. Condition No. 2 of UP2066 restricted the maximum height of the structure (not including flag pole or weathervanes) to 35 feet from natural grade. The Planning Commission found that the increased building height would result in increased public visual open space and views of the bay than would result from compliance with the basic height limit because the building would have a 95-foot setback from the easterly property line. The architectural design was not a determining factor in the approval. UP2066 also included a request for modified parking to allow the use of compact car spaces for a portion of the required off-street parking spaces, and the acceptance of an environmental document (Attachment Nos. CD 2 and CD 3). The existing building is legal nonconforming to the Local Coastal Program in terms of gross floor area. The site is flat and fully developed with a commercial building, parking and appurtenant improvements. The site also does not contain any sensitive coastal resources such as wetlands, submerged lands, terrestrial habitat or coastal bluffs. The site is not nonconforming with regards to coastal resource protection regulations of

Newport Beach Municipal Code (NBMC) Title 21; specifically, NBMC Section 21.28.040 (Bluff (B) Overlay District), NBMC Section 21.28.050 (Canyon (C) Overlay District), NBMC Section 21.30.030 (Natural Landform and Shoreline Protection), NBMC Chapter 21.30A (Public Access and Recreation), or and NBMC Chapter 21.30B (Habitat Protection).

II. PROPOSED CHANGES

The applicant requests to renovate and remodel the existing structure and surrounding site improvements. The proposed remodel of the structure will result in a net reduction of approximately 4,497 square feet. The maximum height of the structure will remain the same. No construction is proposed bayward of the existing bulkhead, nor does this approval authorize any construction or maintenance related to the existing bulkhead or docks on the site. Modifications include the following:

Architectural Design - The proposed renovations include extensive changes to the design of the building. A Design Narrative describing the changes in more detail is provided as Attachment No. CD 4. The existing design provides a more traditional nautical theme, whereas the proposed design would utilize a modern nautical aesthetic. The proposed design is geometric and reminiscent of a marine shipyard theme. Some design modifications include:

- Removal of dormers on the roof and create inset terraces.
- Removal of the protruding glass entryway and replacement with a small façade and canopy at the entrance.
- Removal of balconies and associated columns that surround the perimeter of the third floor.
- Removal of building overhangs.
- Installation of grey metal standing seam siding.
- Installation of large glass panels/clear glazing throughout the elevations.
- Proposed color palette of primarily neutral tones with darker aluminum accents.

Access and Parking - Vehicular circulation and access will remain the same. Pedestrian access will be revised to create a more direct and obvious access path to the bayfront. Currently, public bayfront access requires walking through the parking garage. By repurposing deck space into an outdoor plaza, public access to the bayfront is achieved directly from the street, through the plaza, to the bayfront. A new ADA compliant ramp and lift will be installed to provide an alternative and more direct ADA access path from the street to the lower Level 1 bayfront walkway as well.

In order to accommodate proposed site improvements such as the installation of an ADA ramp and associated path of travel, restriping of the parking is necessary and results in the loss of 10 spaces (172 spaces remaining). As detailed in the below findings, the proposed project would comply with current parking requirements contained in the Zoning Code.

Local Coastal Program- The proposed project includes the remodeling and renovation of an existing commercial building and no change in allowed uses of the building. The existing buildings are not being demolished or relocated on site. Uses of the building and property remain restricted by the Local Coastal Program (Newport Beach Municipal Code [NBMC] Title 21 and the Coastal Land Use Plan) and Use Permit 2066 with regards to marine uses. The project site is located between the first public road and the sea (Newport Bay). Based upon the proposed plans, the project would not result in an increase in floor area, height, or include development seaward of the existing bulkhead. Additionally, the project does not include the construction of a new story or loft or increase in existing structure's height by more than ten (10) percent. Lastly, the proposed improvement do not include the construction, placement or establishment of any significant nonattached structure such as a garage, fence, shoreline protective works or docks. The project would result in a 4,497 square foot reduction of floor area and a reduction in building mass at the upper portion of the existing building with the removal of upper level dormers. The reduction of office floor area results in a de minimis decrease in traffic generation, parking demand, and energy consumption. Therefore, the proposed improvements are exempt from coastal development permit requirement pursuant to NBMC Section 21.52.035(C)(2) because the 10.8 percent decrease in floor area does not constitute a "change in intensity" of use as the term is defined by NBMC Section 21.70.020 because the decreased floor area and building mass does not impact coastal resources, public views or public access.

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. In this case, the proposed changes are minor because the renovation would primarily serve to update the existing architecture and modernize the building; no land use changes are proposed that would result in a major change to the site. The overall footprint of the development will not increase as part of the proposed project. The renovation would also result in a net reduction in floor area and an increase in accessibility to the bay. This determination 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. The project is located within MU-W1 (Mixed-Use Water Related) zone, which allows retail, commercial, and associated uses.
2. Remodeling of the existing structure would not introduce any non-conformities to the site that were not specifically waived through the granting of UP2066. The resulting structure would not exceed height limits specified in the active use permit (35 feet

maximum), nor would the proposed use require additional parking. Lastly, the proposed renovation project would result in a reduction of floor area.

3. UP2066 authorized the building to be constructed at a maximum height of 35 feet, using the bulkhead elevation as the basis for measurement (10.5 feet). The proposed remodel would conform with the maximum height limit specified in UP2066 and no increase in height is proposed.
4. The proposed project would reduce bulk by removing existing dormers on the third level and converting them to terraces to serve tenant spaces, thereby reducing the wall mass of the building.
5. The project would include the removal of approximately 4,497 net square feet of floor area from the existing structure, resulting in a lower parking requirement. The original project required 180 parking spaces, where 182 are currently provided. As a result of the restriping, the project would provide 172 parking spaces, exceeding the current minimum Zoning Code requirement of 165 spaces for the resulting commercial/retail space and boat slips. The proposed project would not include any Entertainment and Excursion Services or Sport Fishing Charters, which are uses that require a greater number of parking spaces (1 space per 3 passengers and crew members). Should the applicant propose one of these land uses in the future, parking adequacy will be reviewed in conjunction with the required Marine Activities Permit pursuant to NBMC Chapter 17.10.
6. UP2066 required that any square footage above the maximum allowable (0.5 FAR) be restricted to marine oriented uses. The existing structure was constructed with an FAR of 0.81, and the proposed remodel would result in a structure with an FAR of 0.65. Therefore, the excess 0.15 FAR would be restricted to marine oriented uses as dictated in the original UP2066 Conditions 34-37.
7. The Mariner's Mile Strategic Vision & Design Framework or MMSVDF (October 2000), provides policies to guide development within Mariner's Mile. As detailed in Attachment CD4 and summarized below, the project would further the vision of the framework through compliance with the applicable guidelines and goals.
 - a. The project is designed to encourage pedestrian connections to (and along) the waterfront (1.22) by enhancing public access both vertically and laterally. For example, the project includes the addition of a new lift that would provide more direct ADA access to the bay.
 - b. The MMSVDF also promotes a strong pedestrian orientation (1.32). The proposed project would convert an existing boat display platform into an outdoor/waterfront plaza dedicated to building tenants and the public.
 - c. The site would employ five-sided architecture, in consideration of views from all vantage points (1.54). The design would shift from the existing traditional nautical style, to a more contemporary nautical shipyard style that is in keeping with the nautical oriented design goals/policies of the MMSVDF, while avoiding an overt theme (5.23).

- d. The landscaping design will comply with the Zoning Code and provide continuity recommended by the MMSVDF (1.40).
- e. The proposed color palette consists of neutral tones with darker “rustic” aluminum accents with the intent to provide tonal shifts and special depth in order to avoid a monotonous façade. This is in keeping with the material palette and color vision laid out in the MMSVDF that recommends providing 90% of the building as neutral tones with 10% of contrasting darker shades.

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. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the original construction of the project and accepted as part of UP2066 approval (May 6, 1982). The proposed improvements do not involve features that were the basis for findings or exemptions in the IS/MND in that the intensity of the project has not increased. Although changes in architectural design and site plan are proposed, these features were not the basis for the environmental determination. Additionally, the changes are considered minor and when taken into account, the conclusions of the environmental analysis in the adopted MND do not change.
2. The proposed remodel would result in a decrease in floor area and related traffic. The remodeling project would be categorically exempt under CEQA pursuant to Section 15301 Existing Facilities.

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. Use Permit UP2066 authorized the marine office and retail commercial center to exceed the height and floor area limits, while also permitting the project to utilize compact parking spaces to meet the code required parking. The proposed remodeling project would not increase the height beyond the existing maximum elevation. Remodeling the existing structure would include the removal of all of the existing dormers, which would result in a decrease in bulk (particularly within the highest portions of the structure).
2. The proposed remodeling project does not include any additional or alter any compact parking spaces approved by the UP2066.

3. The project results in a lower FAR than the original approval, due a reduction of approximately 4,497 square feet. An increase beyond the maximum FAR allowed (0.5) was granted in 1982 based on specific conditions requiring the “excess FAR” to be dedicated to only marine related uses. The total proposed FAR has been reduced from the original 0.81 to 0.65 FAR. Therefore, the excess of approximately 0.15 FAR would be restricted in an identical manner as provided in the original Use Permit No. UP2066 (Conditions 34-37).
4. The Planning Commission found in 1982 that the increased building height would result in increased public visual open space and views of the bay than would result from compliance with the basic height limit because the building would be significantly setback from the easterly property. This condition is maintained under proposed conditions and the existing boat display area would be converted into a functional open area with pavilion that the public may access to view the bay.
5. UP2066 regulates the structure and associated development standards, but did not condition the project to maintain a specific architectural design style. The proposed contemporary design remains consistent with Mariner’s Mile Strategic Vision & Design Framework (October 2000).

Finding:

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

Facts in Support of Finding:

1. The project results in a lower FAR than the original approval, due a reduction of approximately 4,497 square feet.
2. The maximum height of the structure would remain the same.
3. The zoning and associated uses will not be affected.
4. Circulation on the site will be similar to existing conditions with enhanced public access, especially for ADA purposes.

IV. DETERMINATION

This staff approval has been reviewed and a determination has been made that the proposed changes to the existing marine office and retail commercial center are minor and in substantial conformance with Use Permit No. UP2066.

V. CONDITIONS OF APPROVAL

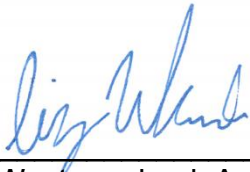
All previous findings and conditions of approval of Use Permit No. UP2066 shall remain in full force and effect as stated in Attachment No. CD 3, with the addition of the following conditions:

1. All applicable conditions of approval for use Permit No. UP2066 shall remain in effect.
2. The development shall be in substantial conformance with the conceptual site plan, floor plans, and building elevations attached to this Determination (CD 5).
3. Only retail and commercial office uses are included within this approval. Should the future tenants deviate from this designation additional review and approval may be required. If any Entertainment and Excursion Services or Sport Fishing Charter uses be proposed in the future, Planning Division approval is required to ensure adequate parking is available on site to accommodate the land uses pursuant to Zoning Code Section 20.40.040 Off-Street Parking Spaces Required.
4. After demolition and prior to framing, the architect of record shall certify that less than 50% of exterior walls have been removed and will require replacement. The architect of record shall provide the applicable documentation to the Community Development Director for review. If it is determined that 50% or more of exterior walls have been removed during construction, all project work shall cease and the project shall be subject to applicable requirements of the Zoning Code and Local Coastal Program Implementation Plan which may include, but are not limited to, a Coastal Development Permit and Major Site Development Review. The applicant understands that this may result in project delays or denial, and possible economic hardship.
5. This approval does not relieve the applicant of compliance with other City requirements. A building permit shall be required for any improvements.
6. This approval does not permit any improvements bayward of the existing development. Separate review is required for any work on the bulkhead, docks, or slips including repair and maintenance.
7. *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 3101 West Coast Highway Staff Approval including, but not limited to, Staff Approval No. SA2017-013 (PA2017-231). 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.

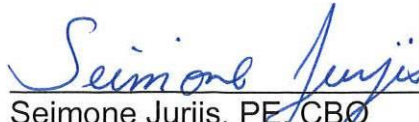
APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

Prepared by:



Liz Westmoreland, Assistant Planner

Approved by:



Seimone Jurjis, PE, CBO
Community Development Director

JM/law

Attachments: CD 1 Vicinity Map
CD 2 UP2066
CD 3 Approved Minutes for UP2066
CD 4 Applicant's Project Description
CD 5 Conceptual Project Plans

Attachment No. CD 1

Vicinity Map

VICINITY MAP



Staff Approval No. SA2017-013
PA2017-231

3101 West Coast Highway

Attachment No. CD 2

UP2066

PARKING NOTES

- There shall be a minimum of 7'-0" vertical clearance in all parking and ramp areas.
- Handicap parking shall be adjacent to elevator.
- The striping and signing of the parking areas shall be subject to review and approval by the Traffic Engineer.
- Parallel parking spaces adjacent to walls shall be a minimum of 10'-0" wide.
- Design of driveway shall be subject to further review and approval of the Traffic Engineer.
- Project must comply with Sections 17, 18, 19 of the Harbor Permit Policies and specifically, 22 slips require 16.5 parking spaces.
- Minimum of one parking space for each 250 sq. ft. of gross floor area within the exterior walls of the structure shall be provided on the subject property.
- Weekly vacuum sweeping of all paved parking areas and drives shall be provided.

LANDSCAPING NOTES

- Landscaping shall be installed in conformance with Section 20.62.030 (D) of the Newport Beach Municipal Code.
 - Minimum of 10% of the paved parking area = 1,333 sq. ft.
 - Minimum of 50% of the required setback from Coast Highway = 907 sq. ft.

Total Required 2,240 sq. ft.
- Design of sign, landscaping and any walls shall be subject to approval by the Traffic Engineer.
- Landscape and irrigation plan for the project shall be prepared by a licensed Landscape Architect.
- Landscape plan shall be subject to the review of the Parks, Beaches, and Recreation Department. Furthermore, said landscape plans adjacent to the drive entrance shall be reviewed and approved by the Public Works Department for sight distance.
- Landscape plan shall include a maintenance program which controls the use of fertilizers and pesticides.
- Landscape plan shall include heavy emphasis on the use of drought-resistant native vegetation and be irrigated via a system designed to avoid surface runoff and over-watering.
- The landscape plan be designed to provide sight distance for both vehicles on the street and bicycles on the sidewalk at the main entrance and at the Rosan's driveway. The plan shall be approved by the City Traffic Engineer.

RESUBDIVISION NO. 688

- That a Parcel Map be filed.
- All improvements be constructed as required by ordinances and the Public Works Department.
- The unused drive depressions on West Coast Highway be removed and replaced with curb, gutter and sidewalk; the existing non-standard sidewalk and curb along the West Coast Highway frontage be reconstructed; the existing telephone lines along the West Coast Highway frontage be underground; and that all of these improvements be completed under an encroachment permit issued by the California Department of Transportation.
- An engineering report on the existing bulkhead along the bay side of the property be made by a civil or structural engineer. The bulkhead shall be revised and/or upgraded as necessary in conformance with the recommendations of the report and to the satisfaction of the Building Department and the Marine Department, to allow the construction of an underground parking structure adjacent to the bulkhead. The top of the bulkhead is to be at elevation 9.00 above M.L.L.W.
- That a standard subdivision agreement and accompanying surety be provided to guarantee satisfactory completion of the public improvements if it is desired to record the parcel map or obtain a building permit prior to completion of the public improvements.
- The internal vehicular and pedestrian circulation be subject to further review and approval by the Public Works Department.
- That a 10-foot-wide easements be granted to the City for unobstructed public access along the bay with a 10-foot-wide easement along the easterly property line to gain access to the bay.
- A walkway (sidewalk) be constructed along the easterly property line and the bay front, with the design to be approved by the Public Works Department and Planning Department.

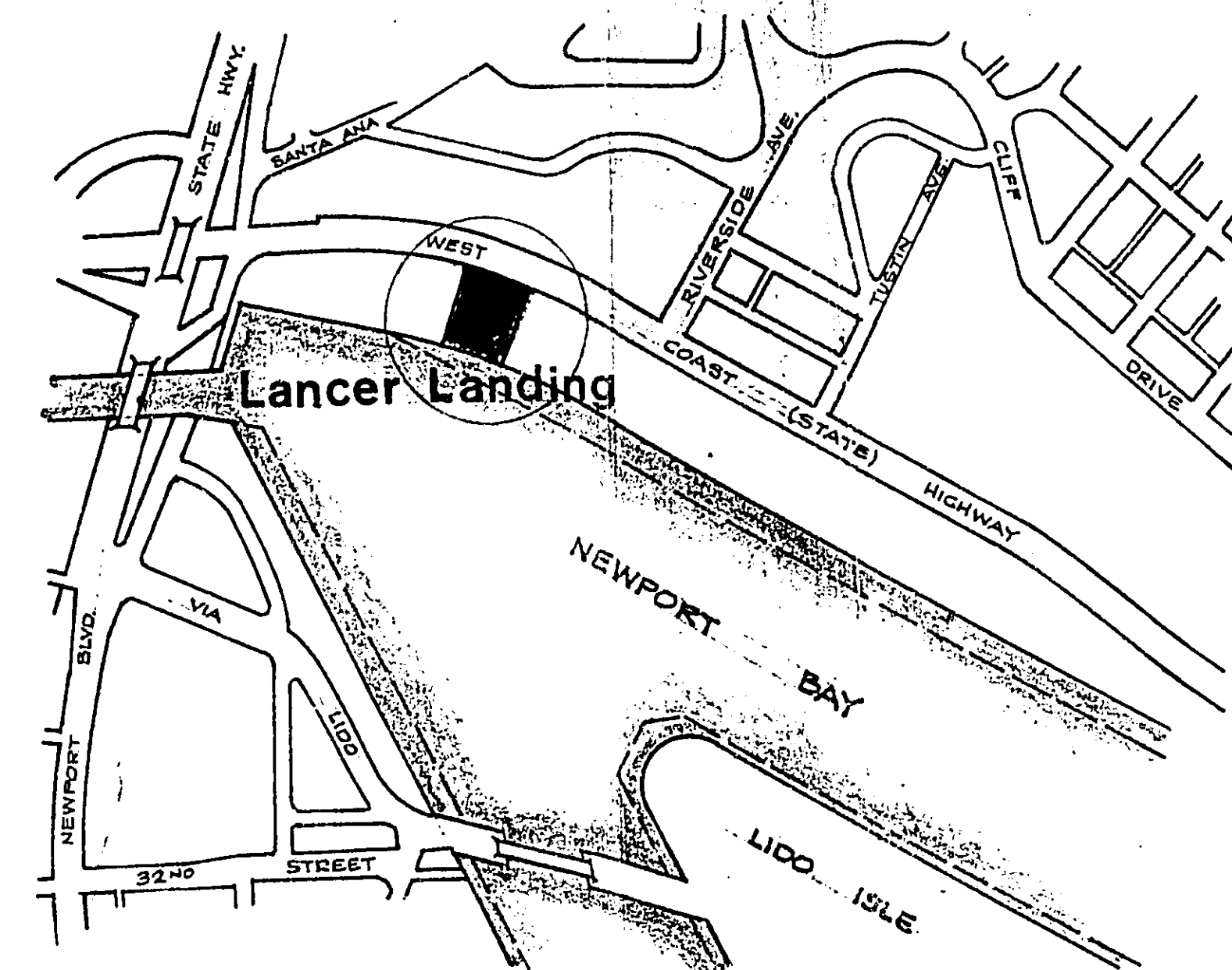
GENERAL NOTES

- Development shall be in substantial conformance with the approved plot plan, floor plan, and elevations and specifications.
- The structure basic height limit shall conform with the established height limit of an average of 35 feet, as measured from natural grade.
 - Permitted Building Height: 35 feet + 5' ± (42'-0" MAX)
 - Max. Fireplace Height: U.B.C. or 45 feet max.
 - Flagpole Max. Height: 50 feet
- The total gross floor area shall not exceed 1,000,000 sq. ft. of the site.
- No gates or obstructions be installed within 60 feet of the Coast Highway curb that would require entering cars to stop. Provide stacking space for three vehicles.
- All mechanical equipment and trash areas shall be screened from adjoining property and from West Coast Highway.
- Project be designed to conform to Title 24 Paragraph G, Division T-20, Chapter 2, Sub-chapter 4.
- Any resources be uncovered during construction, a qualified archaeologist or paleontologist evaluate the site prior to completion of construction activities, and in accordance with City Policies K-6 & K-7.
- Final design of the project shall provide for the sorting of recyclable material from other solid waste.
- Final design of the project shall provide for the incorporation of water-saving devices for project lavatories and other water-using facilities.
- Development of the site shall be subject to a grading permit to be approved by the Building and Planning Departments.
- A grading plan, if required, shall include a complete plan for temporary and permanent drainage facilities, to minimize any potential impacts from silt, debris, and other water pollutants.
- Grading permit shall include, if required, a description of haul routes, access points to the site and a watering and sweeping program designed to minimize impacts of hard operations.
- An erosion and dust control plan, if required shall be submitted and be subject to the approval of the Building Department.
- An erosion and siltation control plan, if required, shall be approved by the California Regional Water Quality Control Board - Santa Ana Region, and the plan be submitted to said Board ten days prior to any construction activities.
- Project shall be so designed to eliminate light and glare spillage on adjacent uses.
- Provisions for weekly debris clean-up around the slip area shall be made by the applicant.
- During construction, debris clean-up around and near the slip area shall occur daily.
- The wall at the northeasterly corner of the project be designed so as to provide sight distance for vehicles leaving the Rosan's driveway. The design shall be approved by the City Traffic Engineer.
- All conditions of Resubdivision No. 688 shall be fulfilled.

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	THIRD LEVEL SIMILAR
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10	EXTERIOR ELECTRICAL
11	EXISTING PLOT PLAN

JOB ADDRESS: (FIRE ZONE No. 2)
3101 WEST COAST HIGHWAY
NEWPORT BEACH, CA.



"LANCER LANDING"

proposed marine office & retail
commercial center located in the
mariner's mile, newport beach...

VICINITY MAP

REVISIONS	BY
1	12/12/81
2	12/12/81
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DESIGNER: *Dorothy D. Palmer*
STRUCTURAL: *CHARLES P. DUNHAM*
CE 11065

OWNERS: *RICHARD V. VALDES and M.V. THREINEN*
1939 DEERE AVENUE / IRVINE / CALIF. 92714

VICINITY MAP, INDEX and NOTES
DATE: 12-8-82
SCALE: 1" = 100'
DRAWN: *dc*
JOB: *2066*
SHEET: *1 OF 12*
C

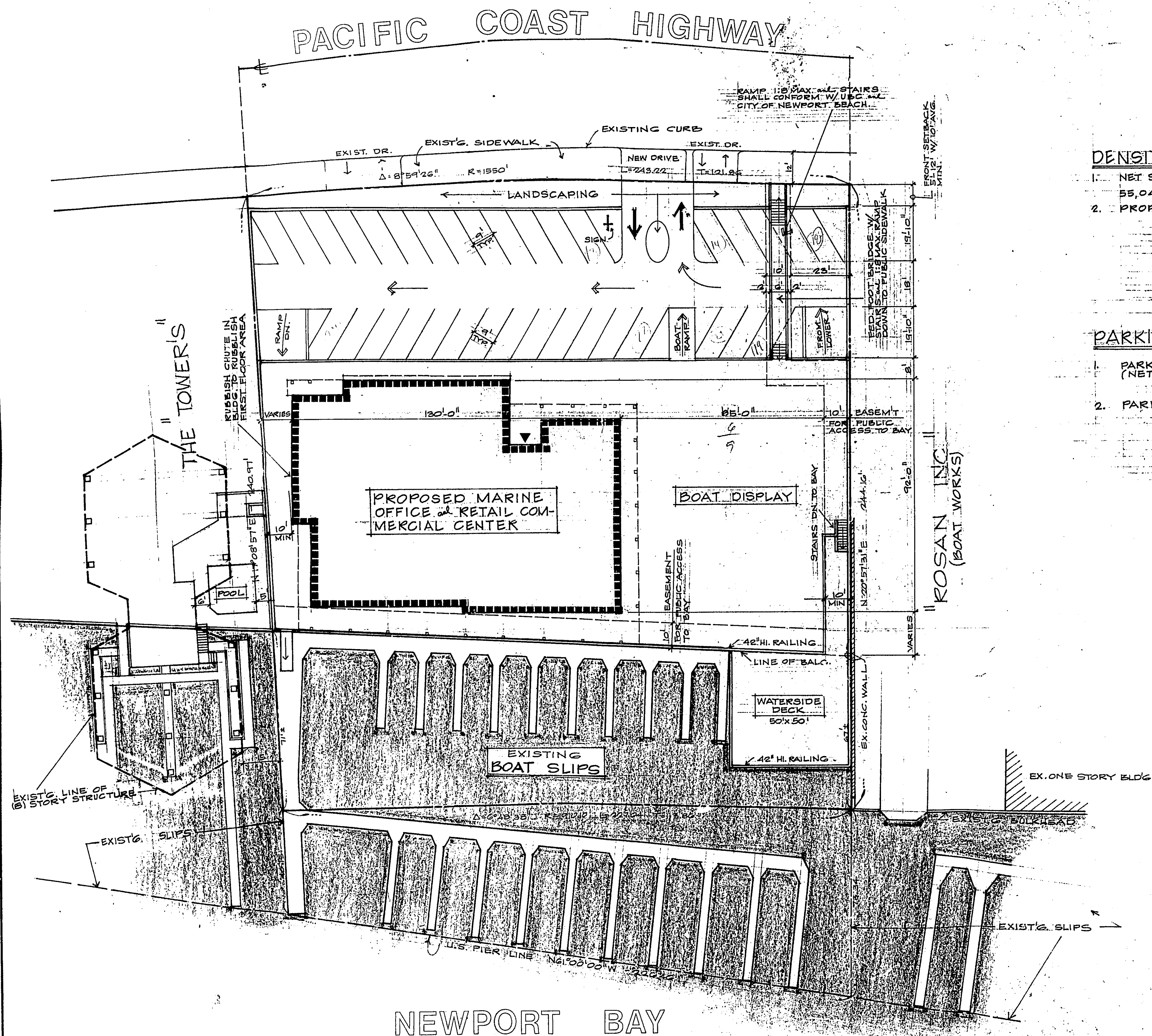
Architectural elevation drawing of a two-story building. The building features a stone foundation, a balcony on the second floor, and numerous windows, including a large arched window on the left side of the second floor. To the left of the building, there is a sailboat and two flagpoles with flags. The drawing is signed "GRACE © FIDELITY" near the left end. At the bottom, there are orientation markers: "EAST N" on the left, "WEST E" on the right, and "DRIVE TO GARAGE" near the right end.

DESIGNER:	Dorothy L. Palmer	714-772-9281
STRUCTURAL:	CHARLES P. DUNHAM	CE 11065
REVISIONS		BY

OWNERS: RICHARD V. VALDES and
M.V. THREINEN
1939 DEERE AVENUE/ROVINE/CALIFORNIA/92714-
714/781-7020

ELEVATIONS

DATE 2-8-82
SCALE 1/8"=1'-0"
DRAWN *de*
JOB
SHEET 1
OF 12 SHEETS



DENSITY

- NET SITE AREA = 56,870 SQ. FT. @ 1:306 AC.
55,047 X 1.0 = 55,047 SQ. FT. ALLOWED
- PROPOSED BUILDING NET AREA =

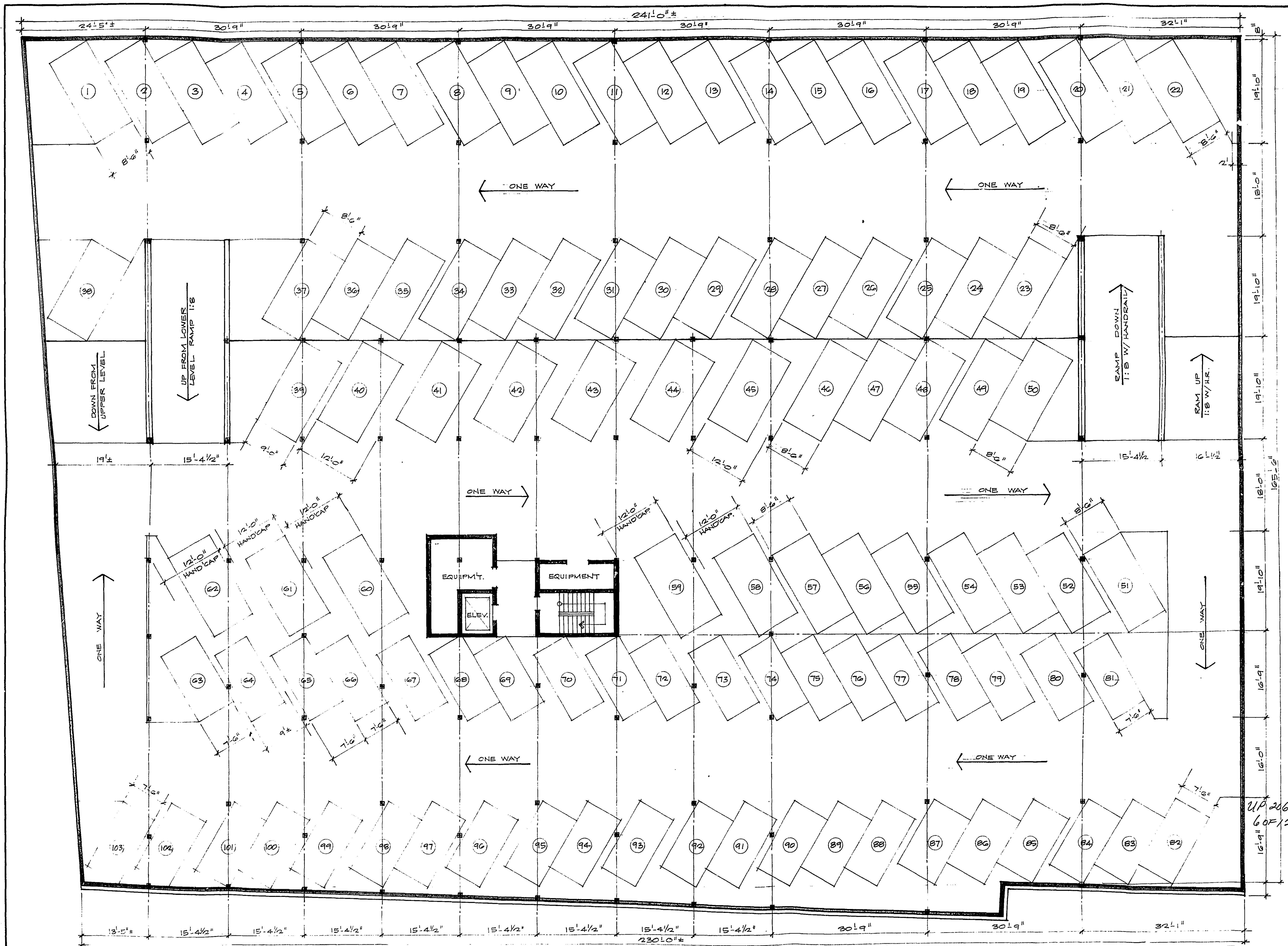
a. FIRST LEVEL	11,180 S.F.
b. SECOND LEVEL	10,657 S.F.
c. THIRD LEVEL	10,657 S.F.
d. LOFT LEVEL	9,000 S.F.
TOTAL AREA	41,494 S.F.

PARKING

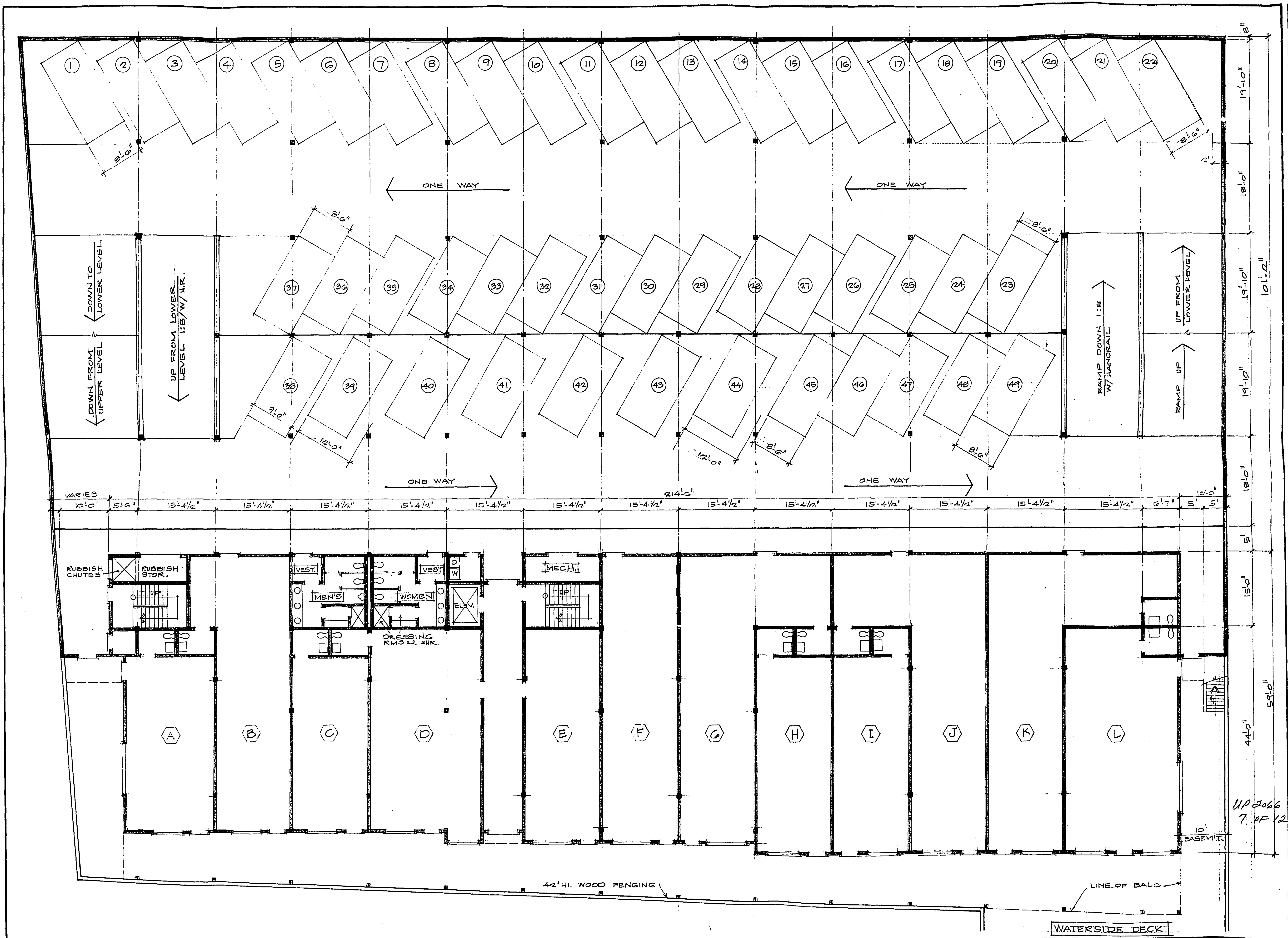
- PARKING REQ'D. 41,494 ÷ 250 (NET FLOOR AREA) = 166 SLIPS
TOTAL REQ'D. 183
- PARKING PROVIDED

	STANDARD	COMPACT	H/CAP
a. BASEMENT LEVEL	57	41	5
b. FIRST LEVEL	49		
c. SECOND LEVEL	34		
TOTAL SPACES	140	41	5
TOTAL PROVIDED	186	SPACES	

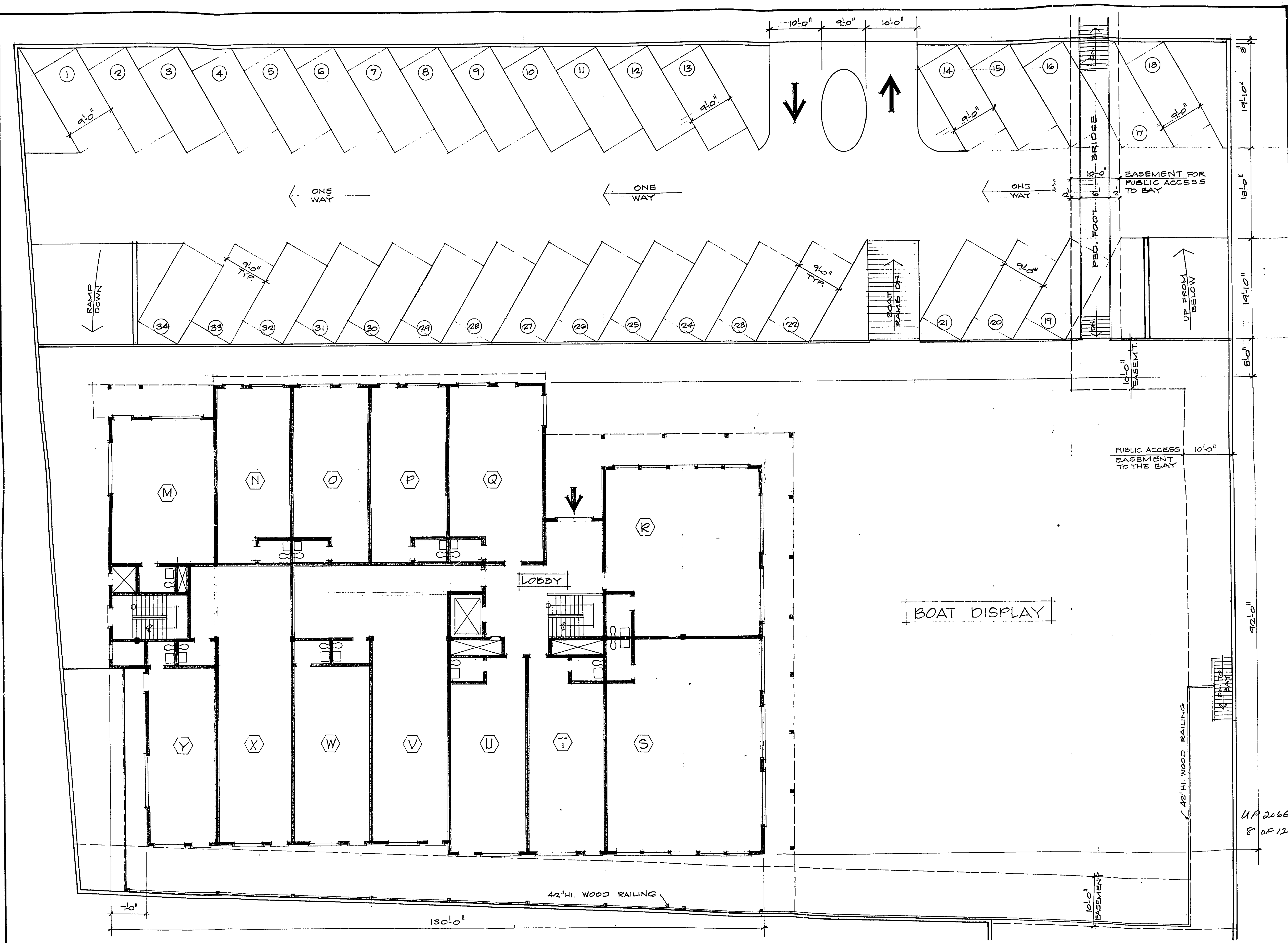
REVISIONS	BY
1. 1-18-82	12
2. 1-18-82	12
DESIGNER: <i>Dorothy L. Fulmer</i>	
STRUCTURAL: <i>CHARLES P. DUNHAM</i>	
OWNER: <i>RICHARD V. VALDES & M.V. THREINEN</i>	DATE: <i>2-8-82</i>
ADDRESS: <i>1934 DEERE AVENUE / TRUINE / CALIFORNIA 92661</i>	SCALE: <i>1" = 20'</i>
PROJECT: <i>SECOND LEVEL</i>	DRAWN: <i>W</i>
LOCATION: <i>PACIFIC COAST HIGHWAY</i>	CHECKED: <i>W</i>
ADDITIONAL: <i>NEWPORT BEACH, CALIF.</i>	DATE: <i>2-8-82</i>
SHEET: 4	
OF: <i>13</i> SHEETS	



REVISIONS		BY
1	PARKING	dl
2	4/18/82	
DESIGNER: Dorothy L. Palmer		714/712-7291
STRUCTURAL: CHARLES P. DUNHAM		CE 11065
OWNERS: RICHARD V. VALDES and M.V. THREINEN		714/781-1220
1939 DEERE AVENUE/IRVINE/CALIFORNIA/92714		
FLOOR PLAN BASEMENT LEVEL		
DATE	2-8-82	
SCALE	1/8" = 1'-0"	
DRAWN	dl	
JOB		
SHEET	5	
OF 12 SHEETS		



REVISIONS		BY
PARKG.	4/18/82	W
DESIGNER: Dorothy L. Palmer		7/14/78-12/20
STRUCTURAL: CHARLES P. DUNHAM		CE11065
OWNERS: RICHARD V. VALDES & M.V. THREINEN		1/13/78 DEERE AVENUE/IRVINE/CALIFORNIA/92714
FLOOR PLAN FIRST LEVEL		
DATE	2-8-82	
SCALE	1/8" = 1'-0"	
DRAWN	W	
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SHEET	6	
OF	12 SHEETS	



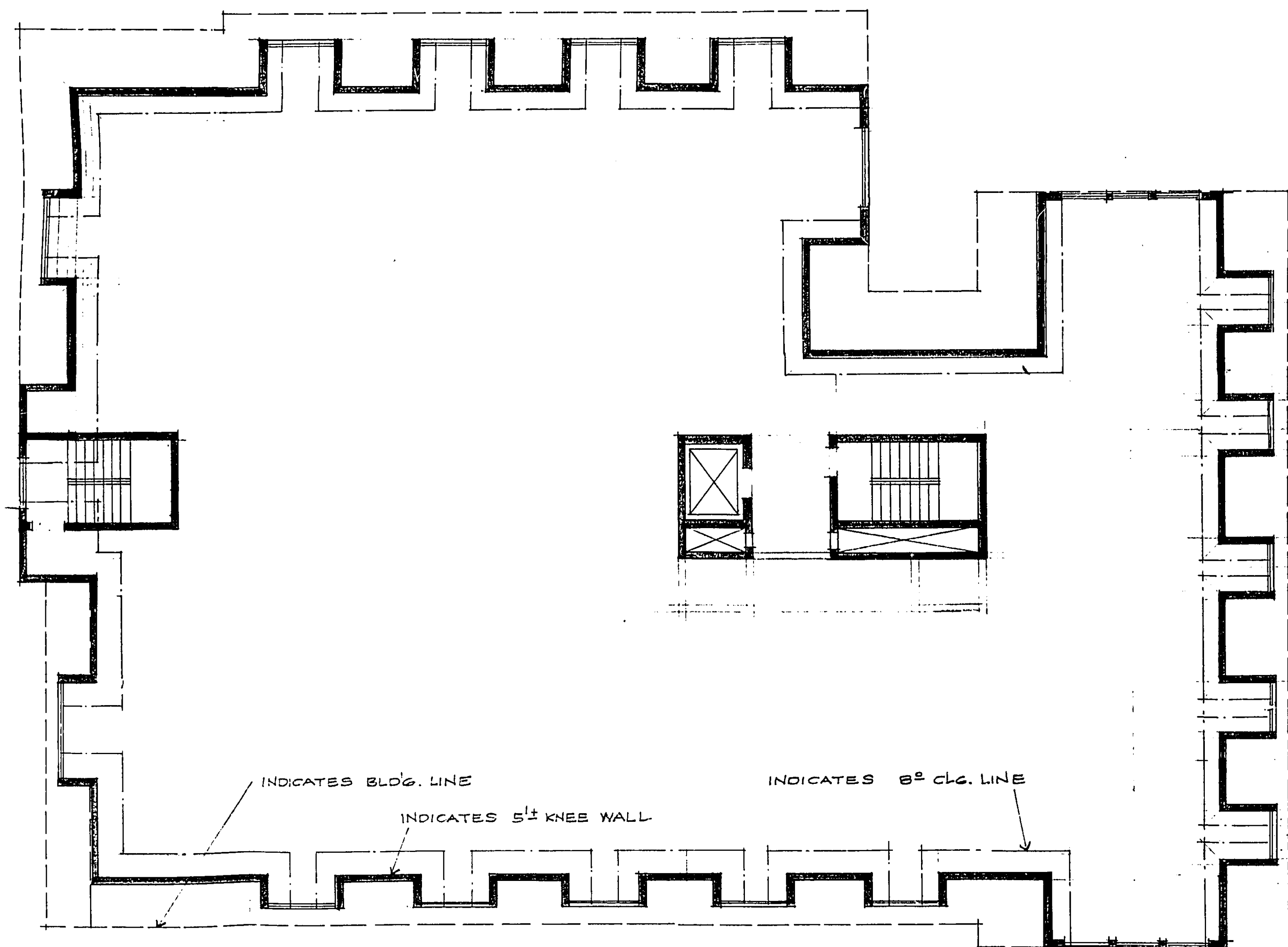
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DESIGNER:	7/14/77-2-9291
STRUCTURAL:	Donathy, L. Palmer
OWNER:	CHARLES P. DUNHAM CE1065

OWNERS:	7/14/78-1-1200
RICHARD V. VALDES	
M.V. THREINEN	
1939 DEERE AVENUE/IRVINE/CALIFORNIA 92714	

FLOOR PLAN
SECOND LEVEL
(THIRD LEVEL SIMILAR)

DATE	2-8-82
SCALE	1/8" = 1'-0"
DRAWN	W
JOB	
SHEET	7
OF 12 SHEETS	

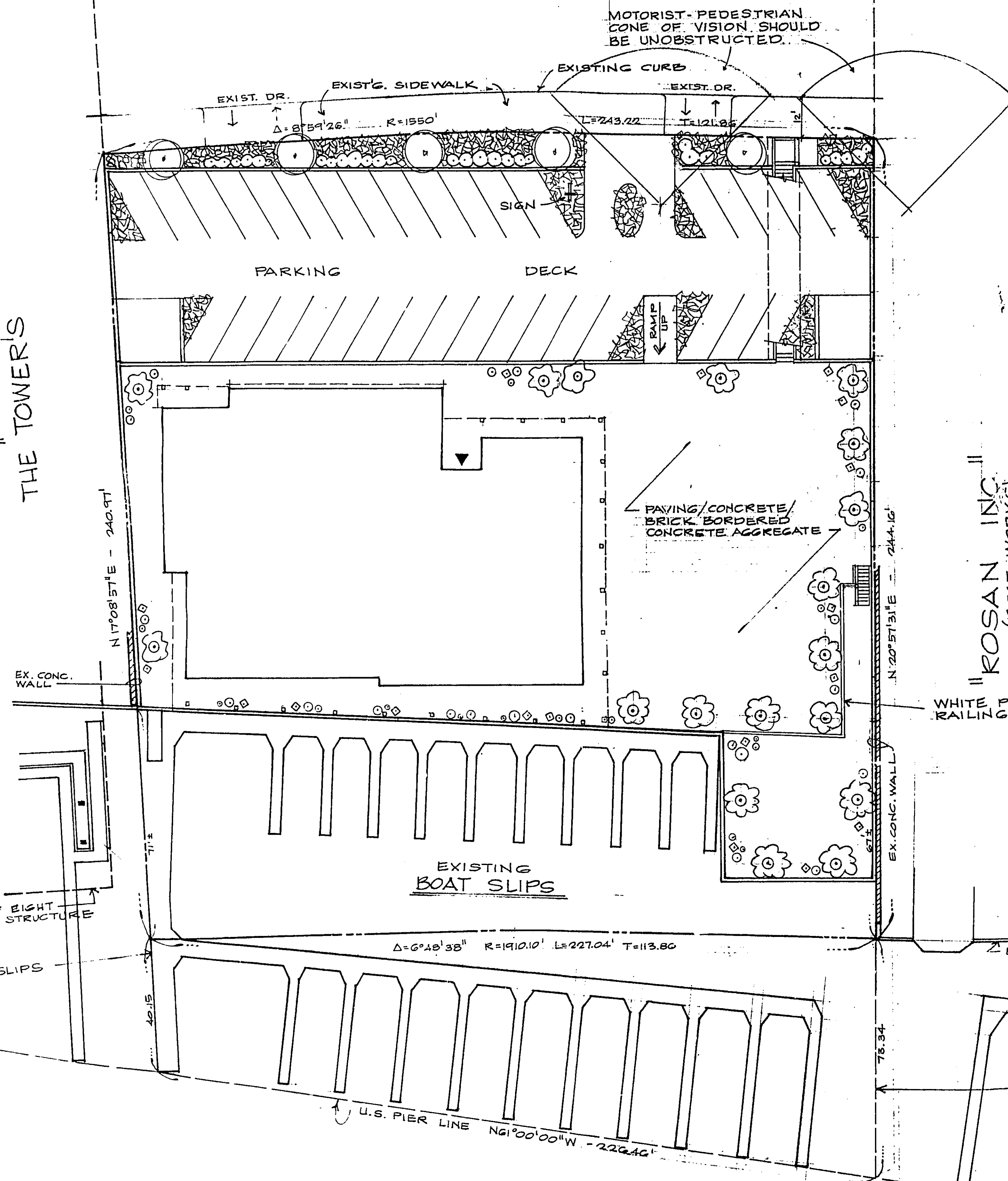


UP2066
9 OF 12

DATE	2-8-82	OWNER:	RICHARD V. VALDES and M.V. THREINEN	DESIGNER:	714/ 712-9291 Dorothy L. Fulmer	REVISIONS	
SCALE	1/8" = 1'-0"			STRUCTURAL:			
DRAWN	di						
JOB							
SHEET	8						
OF 12 SHEETS							

PACIFIC COAST HIGHWAY

"THE TOWER'S"



LANDSCAPE SYMBOLS

- CUPANIA ANACARDIOIDES - 24" BOX (CARROT WOOD)
- CONTAINER PLANTING: FIGUS-BENJAMINA (WEEPING FIG) - 15 GAL.
- ILEX CORNUTA ("BURFORDII" CHINESE HOLLY) - 5 GAL.
- PACHYSANDRA TERMINALIS - 6" 12" APART (JAPANESE SPURGE)
- POTTED or BOXED ANNUALS, PERENNIALS, or BULBS FOR ACCENT OF COLOR

LANDSCAPING REQUIRED:

- MIN. OF 10% OF THE PAVED PARKING AREA = 1,333 S.F.
- MIN. OF 50% OF THE REQUIRED SETBACK FROM COAST HIGHWAY = 907 S.F.

TOTAL = 2,240 S.F.

NEWPORT BAY

REVISIONS	
1	DATE: 2-8-82
2	SCALE: 1" = 20'
3	DRAWN: [Signature]
4	JOB: [Blank]
5	SHEET: 9
6	OF 12 SHEETS

DESIGNER: [Signature] CHARLES P. DUNHAM, C.E., 1005

OWNER: RICHARD V. VALDES and M. V. THREINEN 1334 DEERE AVENUE, ST. JOSE, CALIF. 95128

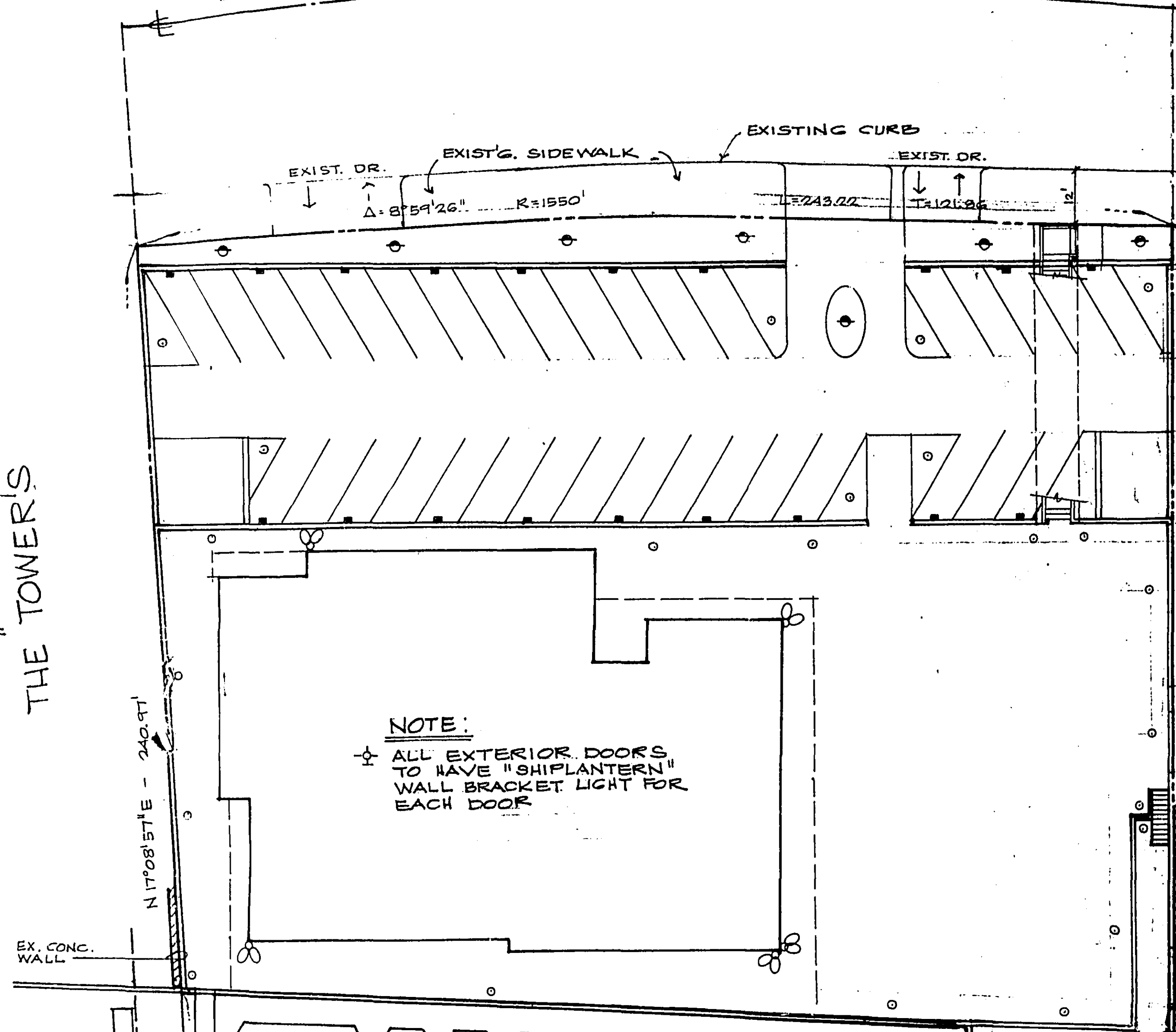
LANDSCAPE PLAN

3101 W. PACIFIC COAST HWY. NEWPORT BEACH, CALIF.

UP-2066
10 OF 12

PACIFIC COAST HIGHWAY

"THE TOWER'S"



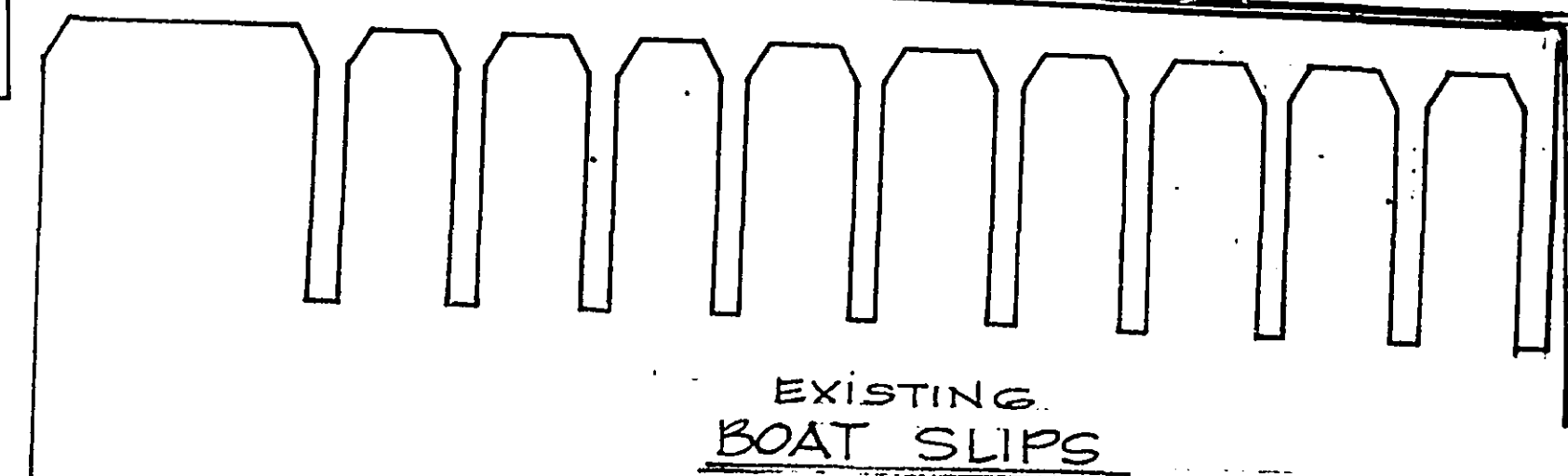
NOTE:

ALL EXTERIOR DOORS TO HAVE "SHIPLANTERN" WALL BRACKET LIGHT FOR EACH DOOR

"ROSAN INC."
(BOAT WORKS)

SMB. LAMB DESCRIPTION

- 1-100W "SHIPLANTERN" WALL BRACKET LIGHT FOR EACH DOOR
- 1-100W POST MOUNTED TRADITIONAL LANTERN WALK LIGHT
- 2-150W EXTERIOR FLOOD LIGHT OUTLET
- 1-15W FOOTLITER (LIGHTING GROUND COVER, TREES & ETC.)
- 1-30W NICHE-LITER (WALL RECESS LIGHT)



NEWPORT BAY

UP 2066
11 OF 12

REVISIONS	DATE	BY	DESCRIPTION
1	2-8-82	UP	11 OF 12
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OWNER:	RICHARD V. VALDES	DESIGNER:	CHARLES P. DUNHAM
CLIENT:	M. V. THREIN	DATE:	2-8-82
PROJECT:	1939 DEERE AVENUE / IRVINE / CALIFORNIA / 92714	SCALE:	1" = 20'
EXTERIOR ELECTRICAL		DRAWN:	UP
8101 N. PACIFIC COAST HWY.		JOB:	
NEWPORT BEACH, CALIF.		SHEET:	10
		OF 12 SHEETS	

Attachment No. CD 3

Approved Minutes for UP2066

Allen
Balais
Beek
King
Kurlander
McLaughlin
Winburn

City of Newport Beach

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Request to consider a Traffic Study in conjunction with the development of a 41,494 sq. ft. ± marine office and retail commercial center.

Item #1

AND

TRAFFIC
STUDY

Request to permit the construction of a marine office and retail commercial center in the Recreational Marine Commercial Area of the Mariner's Mile Specific Plan Area which exceeds the basic height limit of 26 feet in the 26/35 Foot Height Limitation District and contains a greater gross floor area than .5 times the buildable area of the site. The proposal also includes a modification to the Zoning Code so as to allow the use of compact car spaces for a portion of the required off-street parking spaces, and the acceptance of an environmental document.

AND

Item #2

USE PERMIT
NO. 2066

LOCATION: A portion of Lot G, and Lot M, Tract No. 919, located at 3101 West Coast Highway, on the southerly side of West Coast Highway between Newport Boulevard and Riverside Avenue, in the Mariner's Mile Specific Plan Area.

BOTH
APPROVED
CONDI-
TIONALLY

ZONE: SP-5

APPLICANTS: Richard V. Valdes and M. V. Threinen, Irvine

OWNERS: Same as applicants

Agenda Items No. 1 and 2 were heard concurrently due to their relationship.

The public hearing opened in connection with these items and Mr. Bill Gearhardt, representing the applicants, appeared before the Commission and requested approval of these applications.

In response to questions posed by Commissioner Allen, Mr. Gearhardt explained that the building envelope has substantially remained the same size as was originally proposed.

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However, Mr. Gearhardt stated that the project has been revised to meet the concerns of the Coastal Commission. He stated that the Coastal Commission would not approve this project if it were to be moved back 20 feet because the view corridor would be affected. Further, he stated that the proposed project will not obstruct any views from the Towers building which is located 75 feet in front on the proposed project.

In response to a question posed by Commissioner King, Mr. Donald Webb, City Engineer, stated that the proposed project will not produce more than one percent of the traffic at the intersection of West Coast Highway and Balboa Boulevard/Superior Avenue.

Commissioner Kurlander asked if the public access to the bay is at surface level. Mr. Gearhardt stated that they would prefer the public access at surface level, but they are willing to construct the bridge, if required.

Commissioner Beek stated that he had voted against this project originally, because .81 times the buildable area is too great a density for the Mariner's Mile area. However, he stated that since this particular project is an improvement over the prior proposal, he will be supporting the project.

Motion was made for approval of the Traffic Study, subject to the following findings and condition, which
MOTION CARRIED:

TRAFFIC STUDYFINDINGS:

1. That a Traffic Study has been prepared which analyzes the impact of the proposed project on the peak hour traffic and circulation system in accordance with Chapter 15.40 of the Newport Beach Municipal Code and City Policy S-1.
2. That the Traffic Study indicates that the project-generated traffic will neither cause nor make worse an unsatisfactory level of traffic on any 'major', 'primary-modified', or 'primary' street.

Motion
Ayes
Abstain

X X
X X
X X X X
X

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Motion
Ayes
Abstain

X
X
X
X
X
X
X
X

CONDITION:

1. That prior to the occupancy of the proposed project the "Circulation System Improvement described in the Initial Study - "Martha's Vineyard" - Restaurant/Office Complex dated December 1981, on page 8 and figure 4 of Appendix E shall have been completed (unless subsequent project approvals require modification thereto). The improvements shall be subject to the approval of the City Traffic Engineer.

Motion was made for approval of Use Permit No. 2066, subject to the following findings and conditions, which
MOTION CARRIED:

USE PERMIT 2066FINDINGS:

1. That the proposed development is consistent with the General Plan and the Draft Local Coastal Plan and is compatible with surrounding land uses.
2. The proposed development will not have any significant environmental impact, providing that parking demands are met.
3. The Police Department has indicated that they do not contemplate any problems.
4. The increased building height will result in increased public visual open space and views of the bay than would result from compliance with the basic height limit, inasmuch as the building will have a 95' setback from the easterly property line.
5. The increased building height will result in a more desirable architectural treatment of the building and a stronger and more appealing visual character of the area within the general theme of a marine environment.

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6. The increased building height will not result in undesirable or abrupt scale relationships being created between the structure and existing development or public spaces.
7. The increase in height in no case results in a floor area exceeding the floor area permitted by Section 20.62.030.
8. The proposed number of compact car spaces constitutes 23+ percent of the parking which is within limits generally accepted by the Planning Commission relative to previous similar applications.
9. The proposed use of compact car spaces will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City and further that the proposed modification is consistent with the legislative intent of Title 20 of this Code.
10. The approval of Use Permit No. 2066 will not, under the circumstances of this case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.
11. That an Initial Study and Negative Declaration have been prepared in compliance with the California Environmental Quality Act, and that their contents have been considered in the decisions of this project.
12. That based on the information contained in the Negative Declaration, the project incorporates sufficient mitigation measures and that those mitigation measures reduce potentially significant impacts to a level of insignificance.

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13. That approval of the floor area in excess of .5 times the buildable area is warranted because of the permanent restrictions on building size and the agreement of the applicant to ensure that marine-oriented uses occupy the excess floor area, or will remain vacant if not so occupied.

CONDITIONS

1. That development shall be in substantial conformance with the approved plot plan and floor plan, and elevations, except as noted below.
2. The height of the proposed structure shall be lowered to conform with the established average height limit of 35' as measured from natural grade.
3. That all conditions of Resubdivision No. 688 shall be fulfilled.
4. That all proposed signs shall be in conformance with the provision of Chapter 20.06 of the Newport Beach Municipal Code and shall be approved by the City Traffic Engineer if located adjacent to the vehicular ingress and egress.
5. That all improvements be constructed as required by Ordinance and the Public Works Department.
6. That the on-site vehicular and pedestrian circulation systems be subject to further review by the Public Works Department.
7. Parallel parking spaces adjacent to walls shall be a minimum of 10 feet wide.
8. That a 10 foot wide easement be dedicated to the City for unobstructed public access across the bayside of the parcel and that the walkway be improved with the design to be approved by the Public Works Department.

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9. That a 10 foot wide easement be dedicated to the City for access to the bayside public walkway from West Coast Highway and that the location of the easement be approved by the Public Works Department.
10. That a condition survey of any existing concrete bulkhead that is to remain along the bayside of the property be made by a civil or structural engineer, and that the bulkhead be repaired in conformance with the recommendation of the condition survey and to the satisfaction of the Building Department and the Marine Department.
11. There shall be a minimum of 7'-0" vertical clearance in all parking and ramp areas.
12. A dust control plan shall be prepared for the project, and be submitted and subject to the approval of the Building Department. Such a plan may be prepared and submitted in conjunction with any required erosion control plan.
13. The demolition, grading and building permits to be issued for the proposed project shall include provisions for limiting such activities to hours considered acceptable for the project area.
14. The following disclosure statement of the City of Newport Beach's policy regarding the John Wayne Airport should be included in any Covenants, Conditions, and Restrictions which may be recorded against the property.

Disclosure Statement

The Lessee, his heirs, successors and assigns, herein, acknowledge that:

- (a) The John Wayne Airport may not be able to provide adequate air service for business establishments which rely on such services;
- (b) When an alternate air facility is available, a complete phase out of jet service may occur at the John Wayne Airport.

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- (c) The City of Newport Beach will continue to oppose additional commercial air service expansions at the John Wayne Airport;
- (d) Lessee, his heirs, successors and assigns will not actively oppose any action taken by the City of Newport Beach to phase out or limit jet air service at the John Wayne Airport.
15. The existing gates which control the vehicular entrance/exit to the parking lot on the project site shall be removed to better facilitate access to and from the proposed parking lot.
 16. Prior to demolition of existing facilities and construction of the new facilities, a complete plan for litter and debris control shall be approved by the Planning and Marine Departments to ensure that no debris is permitted to enter Newport Harbor.
 17. The grading permit shall include a description of haul routes, access points to the site, and a watering and sweeping program designed to minimize impacts of haul operations.
 18. The grading plan, if required, shall include a complete plan for temporary and permanent drainage facilities to minimize the potential water quality impacts from silt, debris and other water pollutants.
 19. All on-site drainage shall be approved by the City Public Works Department.
 20. An erosion and siltation control plan shall be prepared and submitted to the Building Department, and shall be approved by the City Grading Engineer.
 21. The erosion and siltation control plan shall be forwarded to the California Regional Water Quality Control Board - Santa Ana Region ten days prior to any construction activities.

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22. A landscape and irrigation plan for the project shall be prepared. The landscape plan shall integrate and phase the installation of landscaping with the proposed construction schedule. Prior to occupancy, the applicant shall certify to the Planning Department that the landscaping has been installed in accordance with the approved plan.
23. That the landscape plans for plantings adjacent to the public right-of-way be reviewed and approved by the Public Works Department.
24. The landscape plan shall be subject to the review of the Parks, Beaches and Recreation Department, and the approval of the Planning Department.
25. The landscape plan shall include a maintenance program which controls the use of fertilizers and pesticides.
26. The landscape plan shall place heavy emphasis on the use of drought-resistant native vegetation, and be irrigated with a system designed to avoid surface runoff and overwatering.
27. Prior to issuance of the building permit, the applicant shall consider and discuss with appropriate representatives of the City of Newport Beach possible participation in a compensation program for the loss of intertidal area, provided that the City and the various agencies involved in regulation of Newport Bay have established such a program.
28. Upon completion of construction, the project applicant shall provide for weekly vacuum sweeping of all paved parking areas and drives. A weekly cleanup program around the docks and public walks shall be conducted on a regular basis.
29. The project shall be designed to comply with Title 24, Paragraph G, Division T-20, Chapter 2, Subchapter 4 of the California Administrative Code (Insulation Standards).
30. Final design of the project shall provide for the incorporation of water-saving devices for project lavatories and other water-using facilities.

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31. Final design of the project shall provide for adequate security lighting in public areas of the project site.
32. The project shall be so designed to eliminate light and glare spillage on adjacent uses. Any parking lot lighting shall be subject to the approval of the Planning Department.
33. That all commercial area in excess of .5 times the buildable area of the site (i.e., 16,811± sq.ft.) shall be limited to marine-oriented uses as required by the Mariner's Mile Specific Area Plan in Section 20.62.070, D, of the Municipal Code.
34. That if the particular percentage of marine-oriented uses are not maintained, due to a change in occupancy from marine-oriented to some other proposed uses, that the property not used by the marine-oriented uses is to remain vacant and unused until a suitable tenant which fits the marine-oriented criteria is found. That the applicant or permittee consents to maintain that space as unoccupied and understands that the vacancy may result in economic hardship.
35. That the applicant or permittee by accepting the use permit approval, consents to the specific enforcement of all conditions imposed by the Commission and specifically the conditions relating to the required occupancy of a percentage of the structure by marine-oriented uses and that the applicant or permittee waives any rights to defend any legal action brought by the City to specifically enforce those conditions of occupancy.
36. That the owner of the property is required to notify the Planning Department of the City of Newport Beach upon any change in tenancy which would affect the marine-oriented uses and shall provide copies of all documents requested by the Planning Department or the City in conjunction with that change in tenancy.
37. That the applicant record a Covenant, the form and content of which is acceptable to the City Attorney, binding the applicant and its successors in interest in perpetuity, to a limitation of .81

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times the buildable area on the subject property, in consideration of granting the use permit to exceed the height.

38. That no commercial, marina operated, boat docking facilities shall be permitted bayward of the site unless the applicant shall obtain the required Harbor permits and provides the necessary upland support facilities, i.e., restroom facilities for the boat slip users and .75 parking spaces for each marina boat slip and .75 parking spaces for each 25 feet of available mooring space not classified as a slip.
39. The applicant must provide the Marine Department with proof of ownership of uplands adjacent to the Marina.
40. The applicant must comply with Sections 17, 18, and 19 of the Harbor Permit Policies and specifically, 22 slips will require 17 parking spaces.
41. The applicant must be on notice that the new bulkhead was approved based on the preexisting property use, and changes in this use may make the bulkhead as designed, inadequate.
42. That a minimum of one parking space for each 250 sq.ft. of floor area within the walls of the structure, and the required loading spaces for the retail uses, shall be provided on the property.
43. That all mechanical equipment and trash areas shall be screened from adjoining property and from West Coast Highway.
44. That chimneys shall be permitted to exceed the height limit only to the extent required by the Uniform Building Code.
45. That the weathervanes shall be permitted to exceed the height limit and shall be in substantial conformance with the plans as submitted.
46. That the flagpole shall be restricted to a height not to exceed 50 feet above grade.

* * *

Attachment No. CD 4

Applicant's Project Description

ShubinDonaldson

MARINER'S MILE NEWPORT BEACH - 3101 WEST COAST HIGHWAY | Design Narrative

Narrative Overview

This report is divided into the following sections:

1. Introduction
2. Existing Building Design
3. 1982 Planning Approval Conditions (UP 2066)
4. Proposed Design
5. Site Improvements
6. Conclusion

1. Introduction

3101 West Coast Highway is located on Mariner's Mile, which is a fundamental component of Orange County's affluent Newport Beach. Mariner's Mile consists of a large stretch of waterfront which houses an admirable collection of private boats. Per the Design Framework, "this gives Mariner's Mile the physical and visual presence of a vibrant waterfront, and creates unique opportunities for marine-oriented business, public and private access, views and enjoyment of this unique asset" (11).

2. Existing Building Design - See page 06 of Exhibit

The existing 4 story structure was built in 1983 as a mixed-use occupancy. Parking and commercial uses can be found on Level 1. The basement serves parking only; 2nd to 4th (loft) floor are commercial use. Approved construction types are 5A (1-hr) for 2nd – 4th floors and 1A for the 1st level and basement. Level 2 – 4 are located on a concrete "podium"; part of that podium currently serves as boat display.

The lot area is approximately 1.312 acres. The existing building consists of 73,440 square feet, of which 31,946 square feet is underground parking and the building itself consists of 41,494 square feet. Level 1, facing the bay, accommodates approximately 11,100 square feet of commercial use space. Levels 2 to 4 accommodate approximately 30,314 square feet of commercial use. The 1983 approved plans indicate 186 approved parking spaces (vs 180 required); this includes 14 parking spaces dedicated to boat 18 slips. The podium deck is approved as boat display. The existing building is fully sprinklered.

According to the Conditional Use Permit 2066, the FAR is 0.81.

Building & ADA access currently are provided in 2 ways. ADA access is only available via level 1 (parking). The building's visible main entrance is off the elevated deck and can be reached via stairs; this entrance currently is not ADA accessible. An elevator provides ADA accessibility from basement parking to 4th floor.

3. 1982 Planning Approval Conditions (UP 2066)

The project is located along Mariner's Mile within the city of Newport Beach, California overlooking Newport Bay. It is currently zoned MU-W1. The City of Newport Beach approved the current building with Use Permit 2066 in 1982 which granted a number of variances to address non-conformance to the then existing zoning & planning codes. The variances are:

- Request to permit the construction of a marine office and retail commercial center in the Recreational Marine Commercial Area of the Mariner's Mile Specific Plan Area which exceeds the basic height limit of 26 feet in the 26/ 35 Foot Height Limitation District and contains greater gross floor area than .5 times the buildable area of the site. The proposal also includes a modification to the Zoning Code so as to allow the use of compact car spaces for a portion of the required - off- street parking spaces, and the acceptance of an Environmental document.

Per Makana Nova: At the time the building was originally permitted, the height limit was higher and the structure was constructed up to 40 feet above natural grade.

ShubinDonaldson

PERMIT 2066 FINDINGS:

1. That the proposed development is consistent with the General Plan and the Draft Local Coastal Plan and is compatible with surrounding land uses.
2. The proposed development will not have any significant environmental impact, providing that parking demands are met.
3. The Police Department has indicated that they do not contemplate any problems.
4. The increased building height will result in increased public visual open space and views of the bay than would result from compliance with the basic height limit, inasmuch as the building will have a 95' setback from the easterly property line.
5. The increased building height will result in a more desirable architectural treatment of the building and a stronger and more appealing visual character of the area within the general theme of a marine environment.
6. The increased building height will not result in undesirable or abrupt scale relationships being created between the structure and existing development or public spaces.
7. The increase in height in no case results in a floor area exceeding the floor area permitted by Section 20.62.030.
8. The proposed number of compact car spaces constitutes 23± percent of the parking which is within limits generally accepted by the Planning Commission relative to previous similar applications.

CONDITIONS:

1. The height of the proposed structure shall be lowered to conform with the established average height limit of 35' as measured from natural grade.
2. That a 10 foot wide easement be dedicated to the City for unobstructed public access across the bayside of the parcel and that the walkway be improved with the design to be approved by the Public Works Department.
3. That a 10 foot wide easement be dedicated to the City for access to the bayside public walkway from West Coast Highway and that the location of the easement be approved by the Public Works Department.
33. That all commercial area in excess of 0.5 times the buildable area of the site (ie: 16, 811± sq. ft.) shall be limited to marine- oriented uses as required by the Mariner' s Mile Specific Area Planning Section 20.62.070 D, of the Municipal Code.
34. That if the particular percentage of marine- oriented uses are not maintained, due to a change in occupancy from marine - oriented to some other proposed uses, that the property not used by the marine- oriented uses is to remain vacant and unused until a suitable tenant which fits the marine - oriented criteria is found. That the applicant or permittee consents to maintain that space as unoccupied and understands that the vacancy may result in economic hardship.
35. That the applicant or permittee by accepting the use permit approval, consents to the specific enforcement of all conditions imposed by the Commission and specifically the conditions relating to the required occupancy of a percentage of the structure by marine - oriented uses and that the applicant or permittee waives any rights to defend any legal action brought by the City to specifically enforce those conditions of occupancy.
36. That the owner of the property is required to notify the Planning Department of the City of Newport Beach upon any change in tenancy which would affect the marine- oriented uses and shall provide copies of all documents requested by the Planning Department or the City in conjunction with that change in tenancy.

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37. That the applicant record a Covenant, the form and content of which is acceptable to the City Attorney, binding the applicant and its successors interest in perpetuity, to a limitation of 0.81 times the buildable area on the subject property, in consideration of granting the use permit to exceed the height.

38. That no commercial, marina operated, boat docking facilities shall be permitted bay ward of the site unless the applicant shall obtain the required Harbor permits and provides the necessary upland support facilities, i. e., restroom facilities for the boat slip users and 0.75 parking spaces for each marina boat slip and 0.75 parking spaces for each 25 feet of available mooring space not classified as a slip.

4. Proposed Design

Exterior Design Concept - See page 09 of Exhibit.

Shubin Donaldson responds to concerns that arise from the Mariner's Mile Strategic Vision & Design Framework's descriptions of the negative changes that have occurred on the Mariner's Mile such as "buildings [that] vie for the attention of passing motorists, using increasingly garish colors, outlandish designs, and overblown sign programs" (pg. 8). The proposed modifications to the building exterior intend to enhance the geometry of the existing building by emphasizing the clean and timeless underlaying geometry in the existing design which includes:

- removing the protruding glass entryway and replacing it with a minimal façade and canopy at the entrance.
- remove the balconies and associated columns that are surrounding the perimeter of the third floor. This contributes to reducing massing and enhancing views to the bay for the public.
- removal of the overhangs of the building so the façade of the second and third floors will meet with the façade of the existing dormers. In doing this, we are creating a clean geometry that is timeless.
- remove the dormers on the roof and create inset terraces that align with their existing footprints. This move positively affects both tenants and the public. The existing dormers are inefficient in terms of spatial usage, and the sloping ceilings make the space feel claustrophobic and unusable. By removing the dormers and creating the inset terraces in their footprint, we are bringing lighter into the building while giving the tenants a balcony space to retreat to.

All of above reduces massing. In this sense, Shubin Donaldson is responding to the Design Framework's call for "five-sided architecture" (section 5.11C, pg.56) in which the design is taking into consideration every façade of the building as well as the roof. This approach also enhances to 1982 UP 2066 finding of: The increased building height will result in increased public visual open space and views of the bay.

The proposed modifications to the massing affect the overall square footage in following ways:

- On the second floor, we have a total square foot reduction of 160 square feet.
- On the third floor, we have a total square foot reduction of 406 square feet. In addition to this, we are removing a portion of the floor slab to create a double height space which is an additional reduction of 2850 square feet.
- On the fourth floor, we have a total square foot reduction of 1171 square feet.

In total, we are reducing the square footage by 4,497 square feet. See **pages 23-25** of Exhibit for graphic diagrams. The reduction in square feet means that the FAR is reduced from 0.81 to 0.65 (37,342 SF / 57,150 SF).

Signage

Shubin Donaldson and Jack Jakosky Inc. respect the general signage criteria that is laid out by the Design Framework (pg.48). The signage for the building will be very minimal and will be cohesive with the design of the building. The existing monument sign on PCH does not conform with the Design Framework. Signage will be addressed separately at a later point in time and will conform with the guidelines in the Design Framework.

Façade/Materials

The Mariner's Mile Strategic Vision & Design Framework's lays out a broad aesthetic vision that stresses the importance of quality design and architecture. We understand the intent to emphasize the marine history and coastal location of the site in order to revitalize the neighborhood buildings in a way that creates cohesion with the existing fabric of Mariner Mile.

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3101 West Coast Highway's proposed exterior finish palette is to emphasize the geometry of the gabled roofs which relates to the traditional and vernacular architecture as noted in the Design Framework, hence supporting the City's goal. We are proposing a grey metal clad standing seam system as the new façade cladding of the building. New high performance clear glazing will intersperse with the darker cladding. The prominent street & bay side gables are opened up with glazing for transparency from street to bay side.

Visible interior finishes such as existing steel columns, beams, and wood joists complement the metal clad exterior of the building. The color palette will be neutral tones with darker / "rustic"/ aluminum accents with the intent to provide tonal shifts and spatial depth in order to avoid a monotonous façade. This is in line with the material palette and color vision laid out in the Design Framework which recommends to provide 90% of the building as neutral tones with contrasting darker shades (which comprise less than 10% of the building). Furthermore, in accordance with the Design Framework, there will be accent elements in bright colors that will constitute as less than 5% of the building (pg. 58). The Shubin Donaldson design proposes accent colors that occur at the entryway canopy and trellises.

The trellis and pavilion are inspired by masts and booms of sailboats, introducing wood and canvas materials. The draped canvases will evoke images of sails on a boat. This refers to the Design Framework's suggestion of "avoiding an overt theme" and instead using nautical materials that strengthen the quality and style of the Mariner's Mile (pg. 59).

Interior Design Concept - See page 12 of Exhibit.

The goal is to create an updated modern visually transparent interior. Main entry points and vertical circulation (stair & elevators) will remain at the current location. As the building has very low floor to floor height we are proposing to pull back the edge of existing 3rd floor along bayside in order to create a large open ceiling along the bayside, thus also reducing the existing square footage.

By introducing roof terraces on the 4th floor (loft) the floor is opened up to sweeping views over the bay and onto the hills of Newport Heights while improving daylight in the space.

Outdoor patios will enhance 2nd floor tenant suites with a seamless indoor / outdoor experience.

The 1st floor building entrance which is within the parking garage is intended to be opened up. A screen with signage opportunity can separate pedestrian circulation from vehicular traffic. Tenant suites on level 1 are accessed either via building lobby or from the bulkhead / bayside of the property.

According to Condition 35 in UP 2066, any excess of 0.5 FAR is required to be dedicated to marine related businesses. The current FAR is 0.65, so 0.15 of the FAR will be dedicated to marine related businesses.

5. Bay Side/Building Access & Site Improvements

The Design Framework calls to "encourage pedestrian connections to (and along) the waterfront wherever possible" (pg. 15). 3101 West Coast Highway is one of the properties along Mariner's Mile that has a dedicated 10' public boardwalk on the bulkhead side and east side of the property; see also UP 2066. Access to bayside occurs via level 1 and over the deck. Level 1 access requires pedestrians to walk through the parking garage. Public access to the bayside is provided, albeit challenging, from 3101 West Coast Highway to the Rusty Pelican restaurant. This existing access / opportunity though is neither very visible nor inviting from the PCH public right of way.

The proposed site design intends to enhance public access and supports the City's goals of "promot[ing] a strong pedestrian orientation" (Design Framework, pg. 18). We are proposing to repurpose the deck space that currently serves boat display as an outdoor plaza dedicated to building tenants and the public by creating a carefully hard and landscaped waterfront plaza. A new monument stair & ADA ramp with integrated landscape planters provides inviting access from street level to the building's main entrance and the deck. Public bayside visibility is shifted from walking through the garage to utilizing the plaza which will encourage more pedestrian traffic along the waterfront. A new lift at the S/E end of the deck allows ADA access to level 1 bayside bulkhead.

Russell Shubin AIA
Robin Donaldson AIA
Mark Hershman

ShubinDonaldson

The plaza also incorporates private tenant outdoor spaces which are along the perimeter of the building. These patios are distinguished by trellises. A proposed pavilion / open structure along the bayside either allows to set up catering for a private event or provides opportunity for lounge seating.

A continuous planter, 2' high, with a visually minimal guardrail is replacing the existing picket fence rail and wraps the entire perimeter of the podium deck. The site & deck landscape design will be a cohesive softscape and hardscape plan complementing the building and its surroundings. The landscape design will cohere with CoNB zoning guidelines 20.17 & 20.36 and will maintain the continuity that the Design Framework has recommended. A more detailed landscape & planting plan will be provided separately.

A careful lighting design will enhance and underline the design goals laid out in this narrative's overall vision. A lighting design firm will assist the design team in improving existing site lighting conditions and creating a site lighting plan that will be respectful to the surrounding buildings and inhabitants. The consultant will create photometric studies that will assist in creating a comprehensive plan that will work with the spaces, forms, and surfaces of the site. The first level bay side lighting will enhance the public accessway and create a safer, more inviting space. Lighting which is sensitive to adjacent residential neighborhoods in its intensity, color and careful deployment would minimize conflicts between commercial and residential land uses.

Currently, there are 182 parking spaces. 10 of these spaces will be removed in order to make room for the ADA ramp to the podium as well as the ramp and striping from the sidewalk to the site, so we will have 172 parking spaces. The code dictates that 164 parking spaces are required on site $(37,342 \text{ SF} / 250 + (19 \text{ (boat slips)} \times 0.75))$.

6. Conclusion

In conclusion, Jack Jakosky Inc. and Shubin Donaldson hope that the renovation of 3101 West Coast Highway will be an impetus that inspires neighboring buildings to provide quality spaces for both its tenants and the public. 3101 West Coast Highway is a larger project that is taking the initiative in improving its aesthetics and usability and aspires to provide momentum for other Mariner's Mile properties.

Attachment No. CD 5

Conceptual Project Plans

3101 WEST COAST HIGHWAY

31 OCTOBER 2017

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The existing circulation in this building is convoluted and not easily accessible if you are not in a vehicle. A car can arrive from the West Coast Highway and park on the site level or enter the parking level below. A pedestrian can enter the site and walk up the stairs to the podium level in order to enter the building, but this is not an accessible route. A pedestrian who is going to walk along the bayside can walk down the vehicular ramp to reach the bayside, but this is not inviting nor is it an obvious connection.

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BAYSIDE VIEW



BAYSIDE VIEW



BAYSIDE VIEW
PUBLIC RIGHT OF WAY



BAYSIDE VIEW
DECK



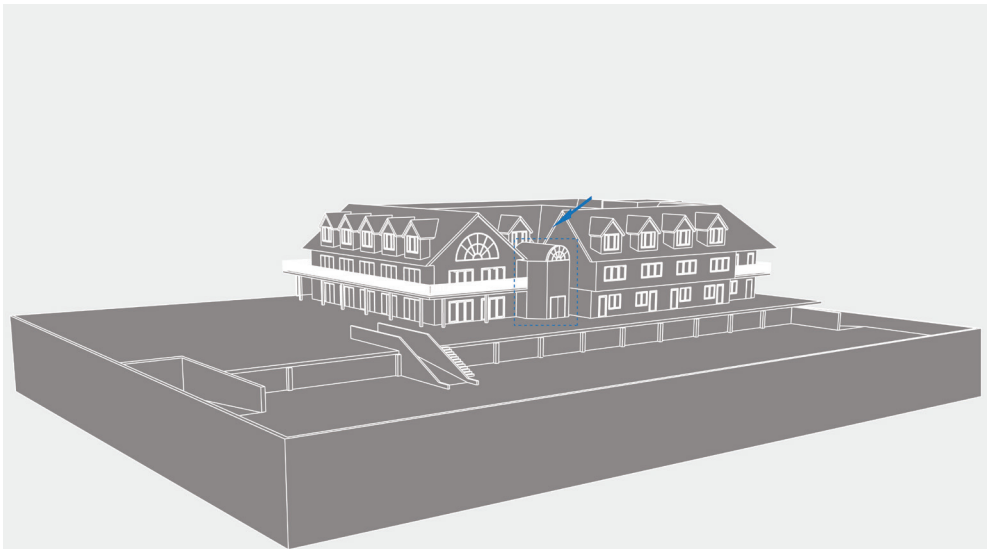
PCH SIDE VIEW



PCH SIDE VIEW
CAR RAMP/
PUBLIC ACCESS



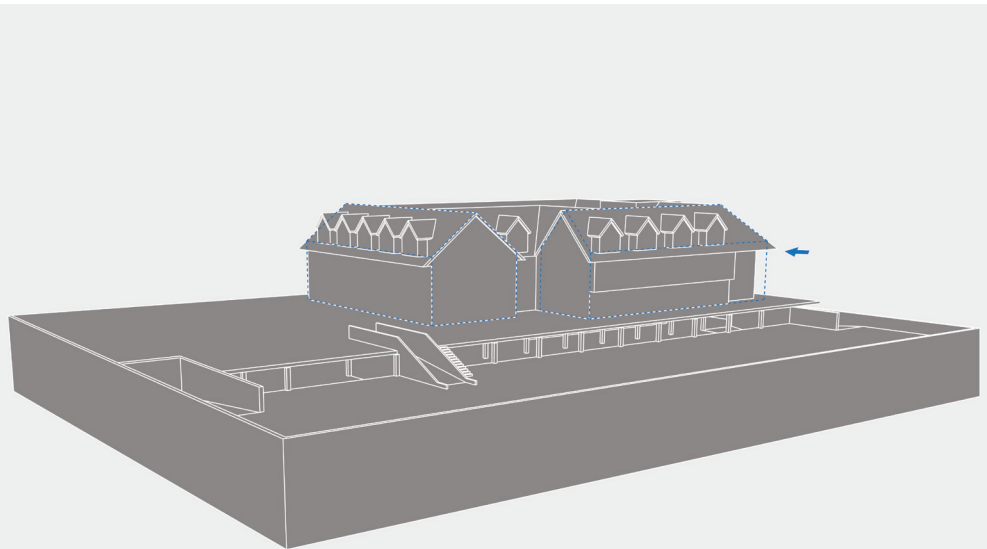
WEST FACADE



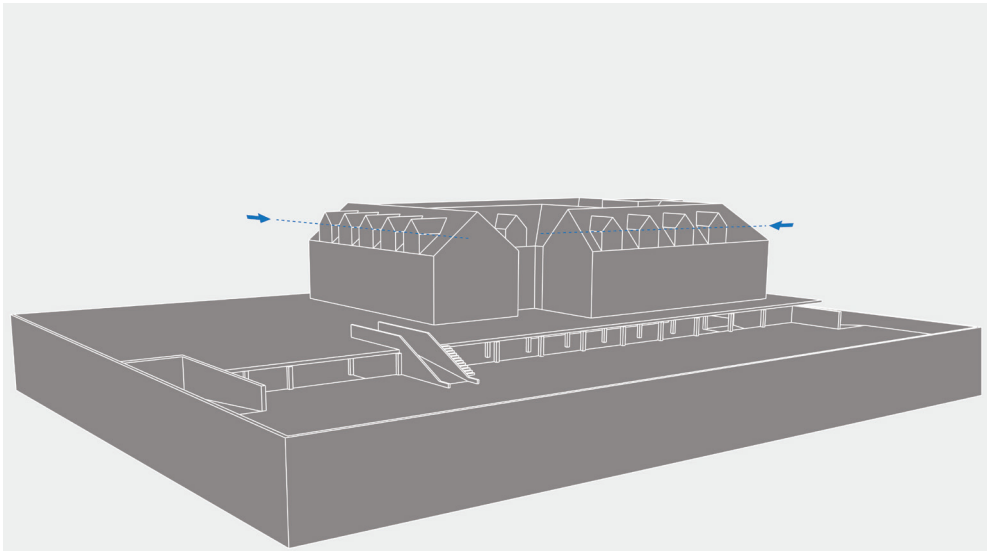
REMOVE GLASS FRONTAGE



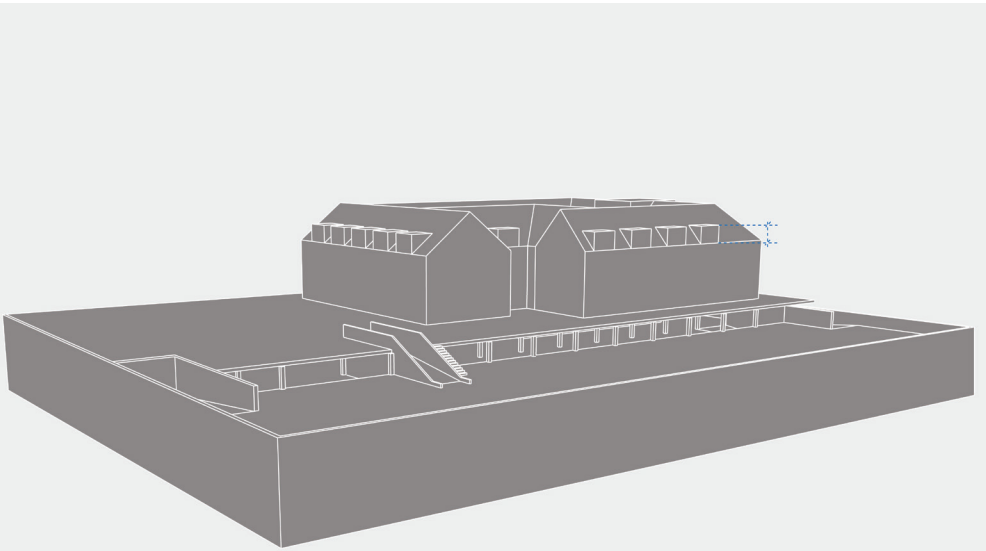
REMOVE BALCONY / RAILINGS



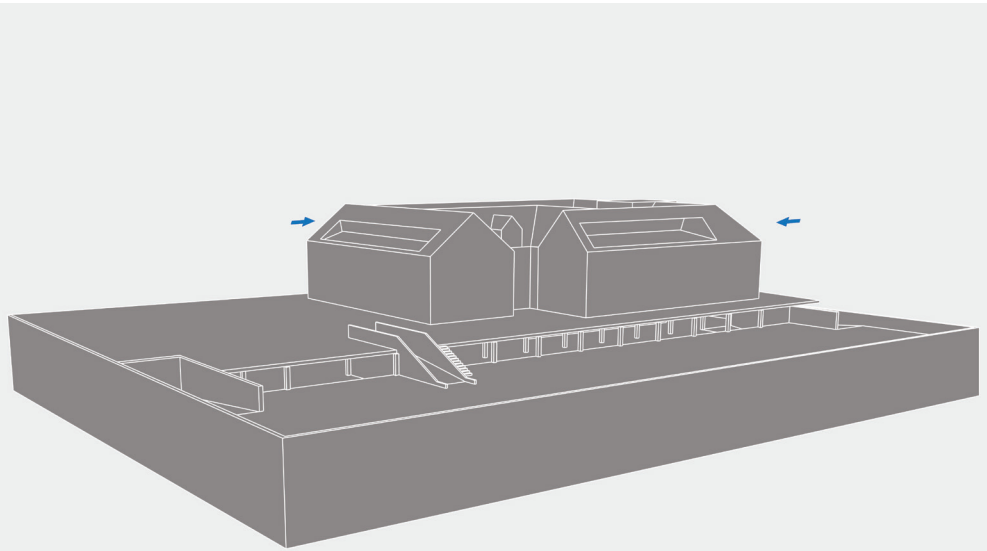
REMOVE OVERHANGS



REMOVE PITCHED ROOF AT DORMER

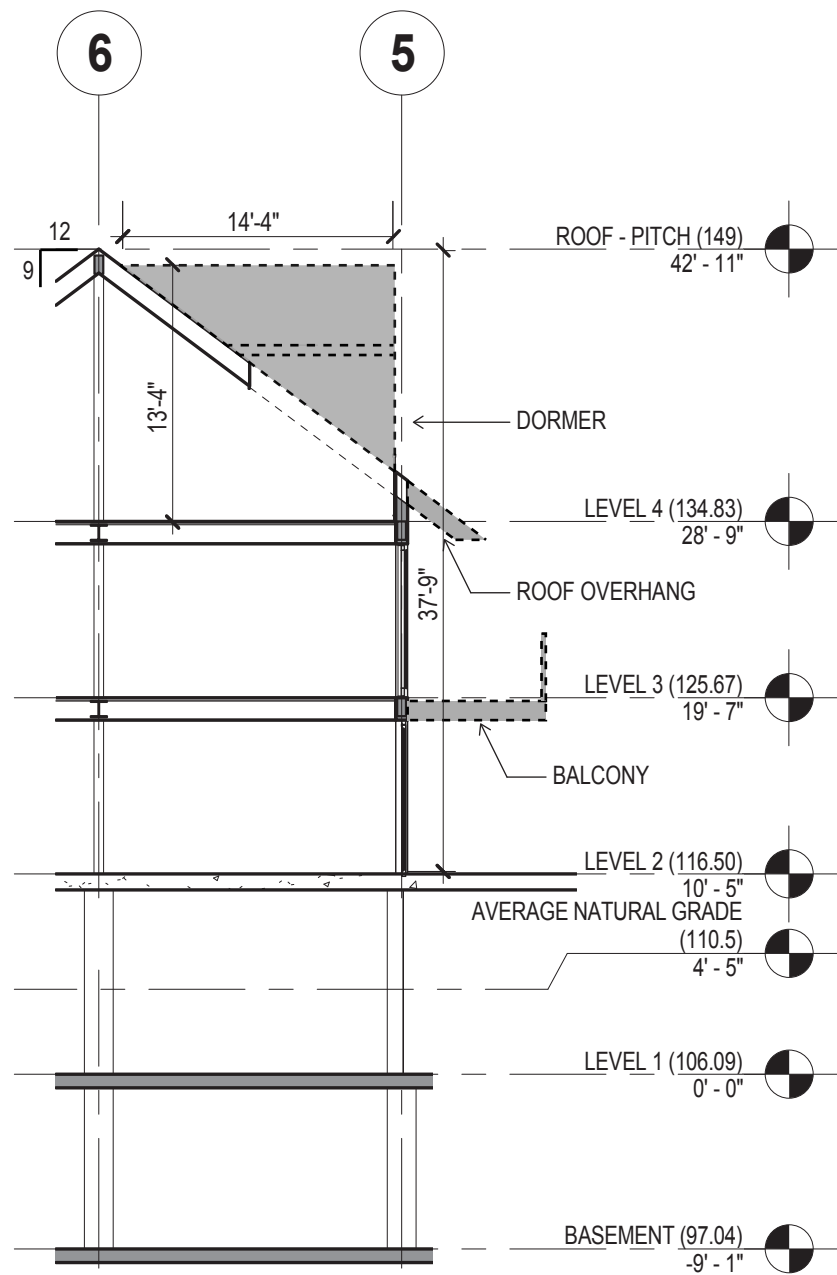


6' - 0" HEAD HEIGHT : NO

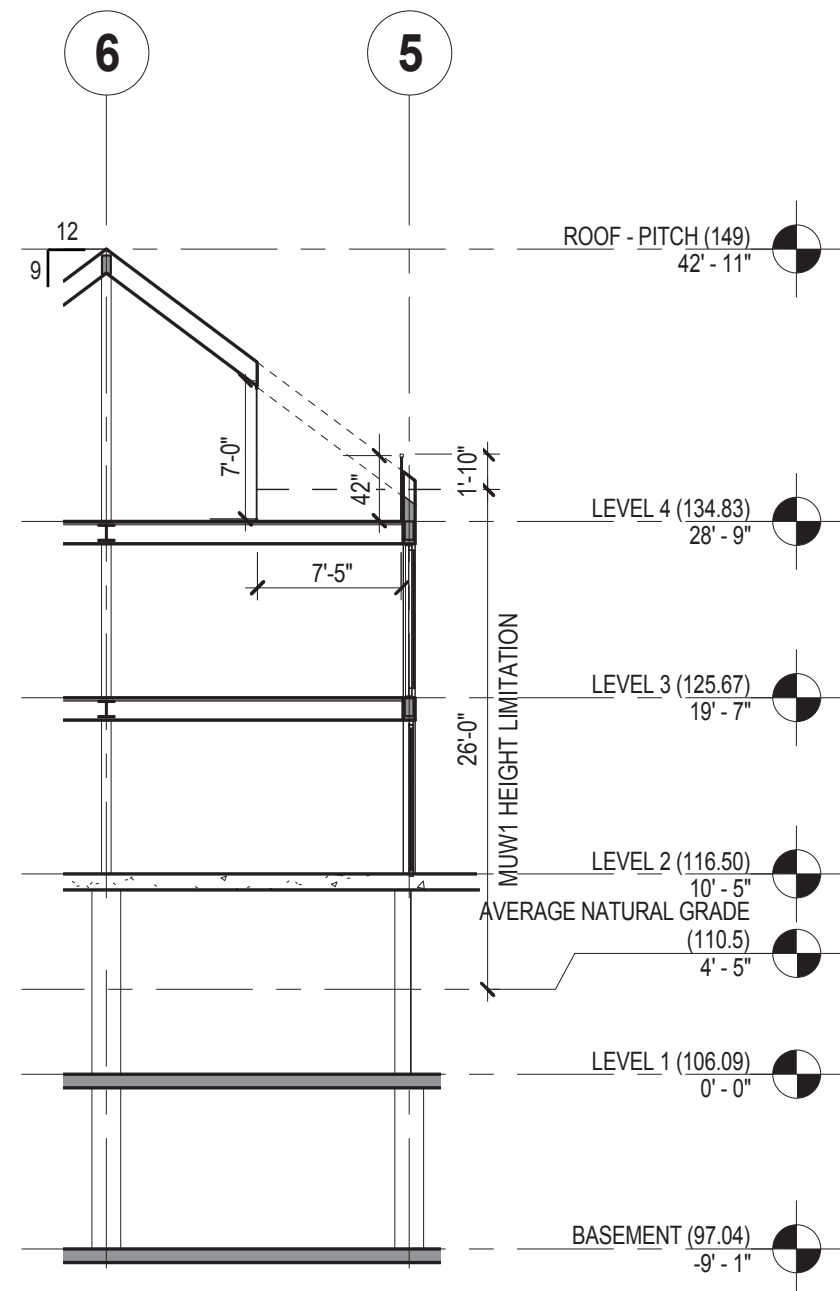


**COMBINE DORMERS TO CREATE
INSET ROOF TERRACE**

MASSING APPROACH



EAST SECTION-DEMO 1
SCALE: 1" = 10'-0"



EAST SECTION-PROPOSED 2
SCALE: 1" = 10'-0"

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PERSPECTIVE | VIEW FROM THE BAY

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PERSPECTIVE | VIEW FROM STAIRS

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PERSPECTIVE | VIEW FROM TENANT PATIOS



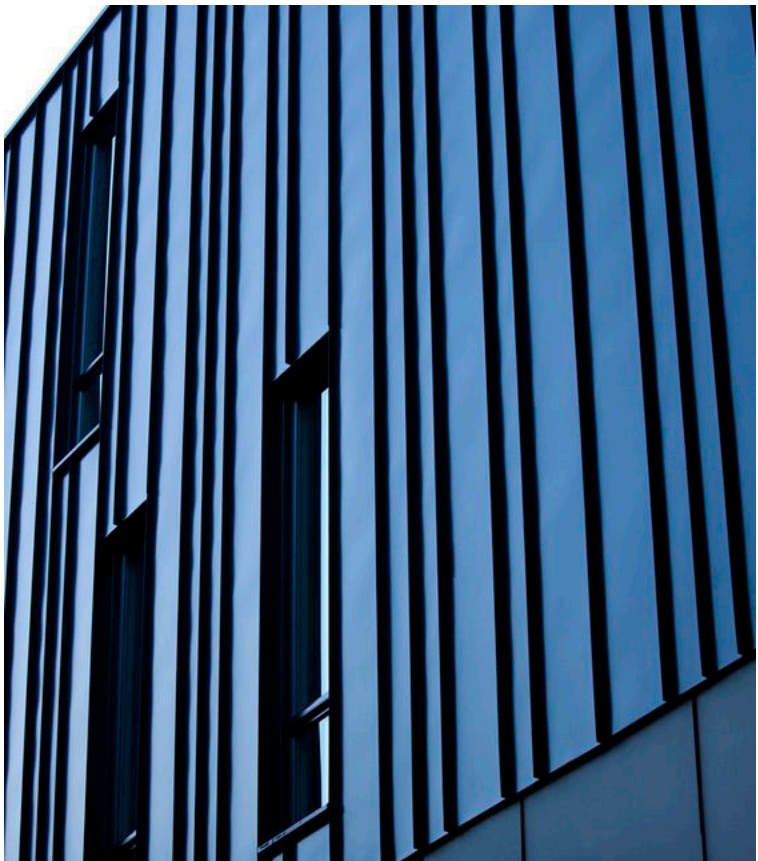
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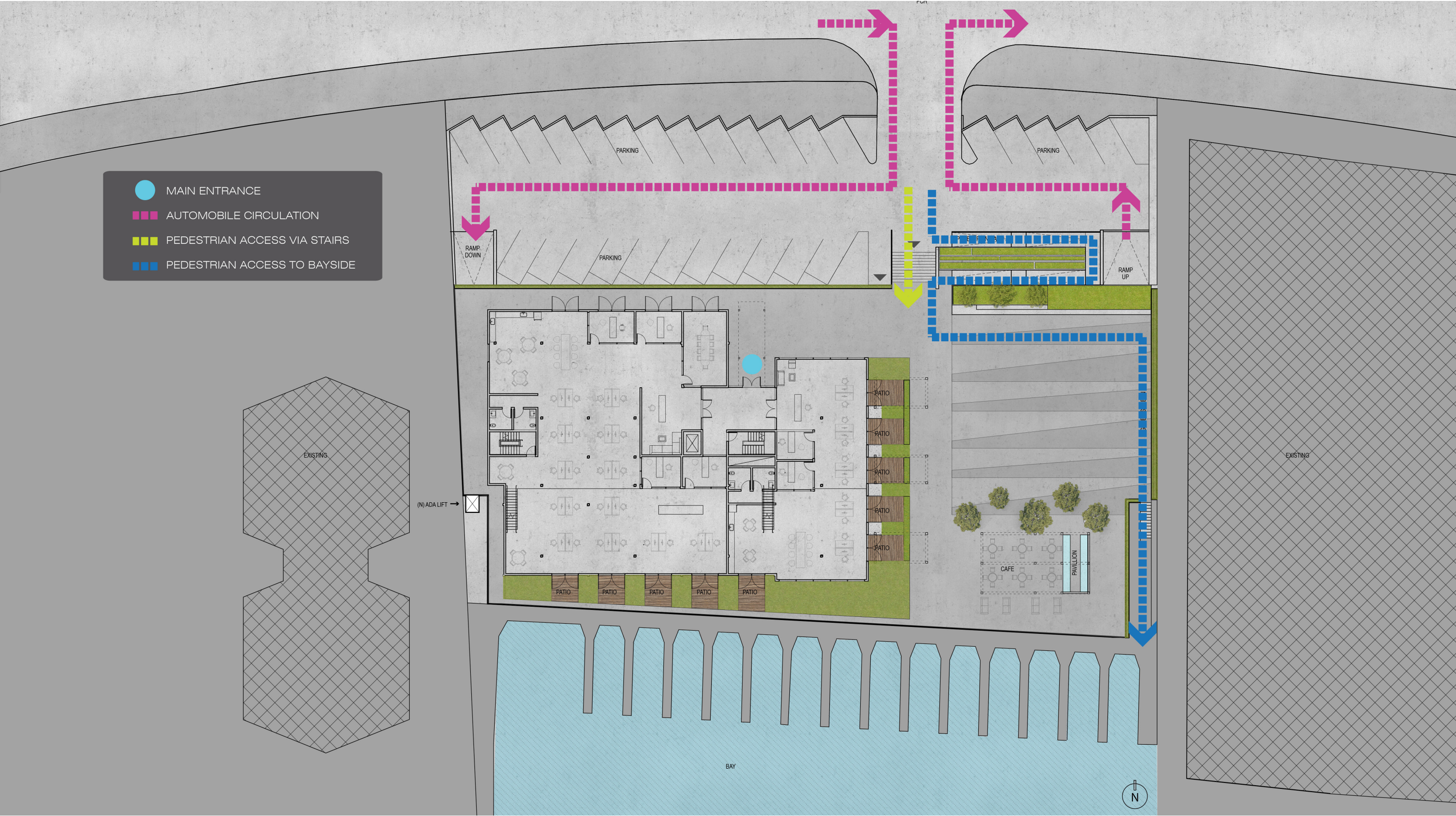
PERSPECTIVE | VIEW FROM PCH ENTRY

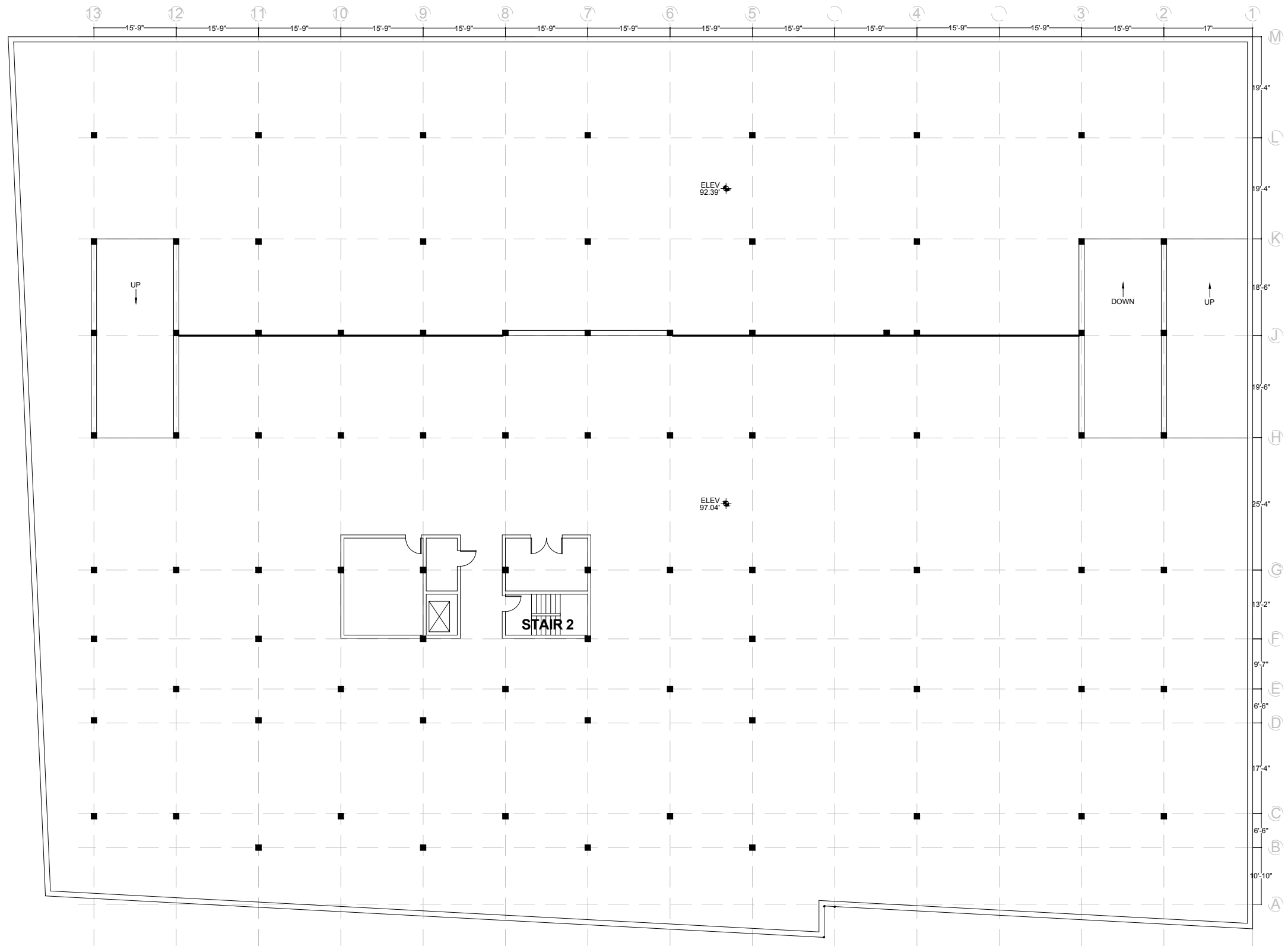


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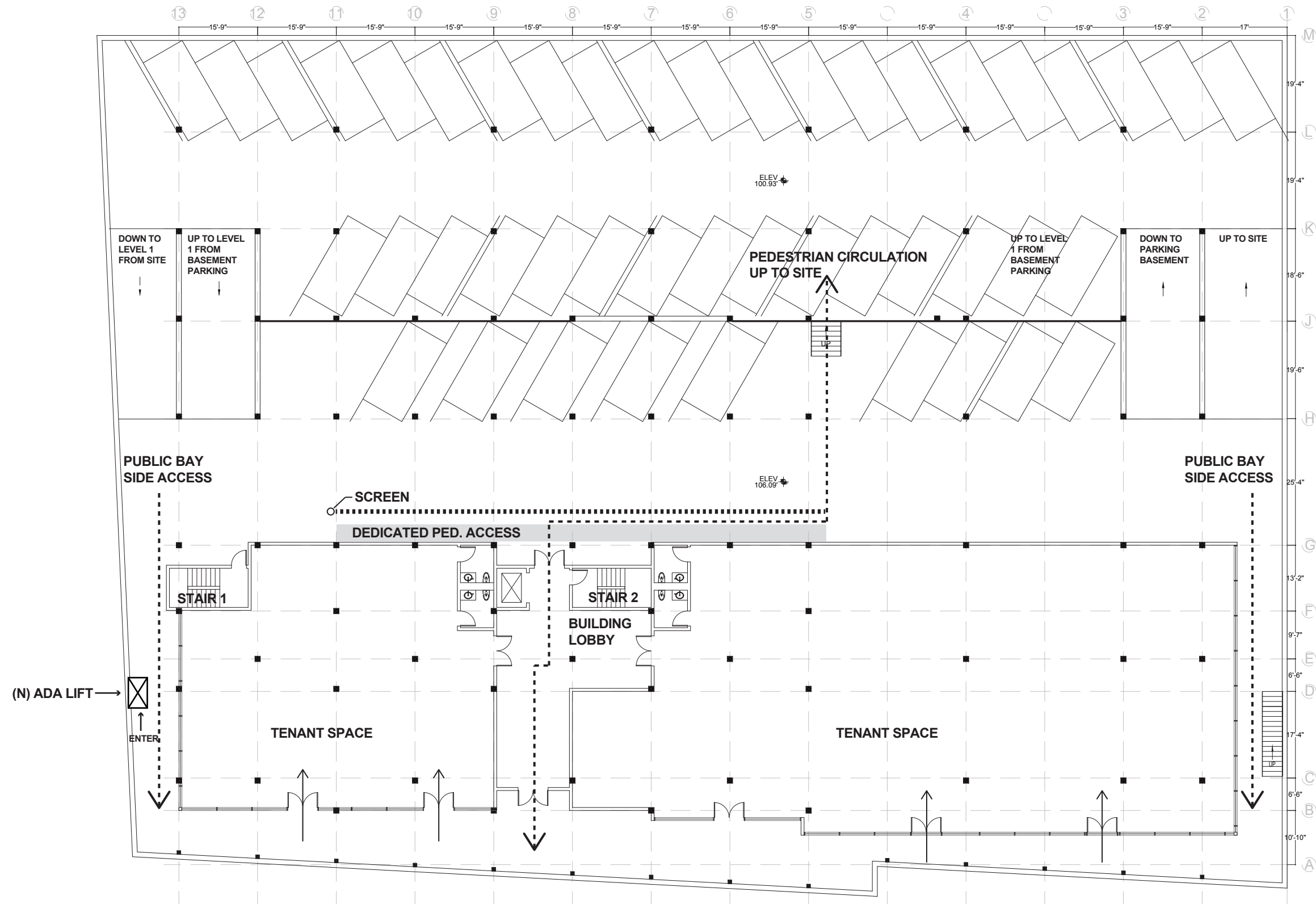
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BASEMENT LEVEL 
SCALE: 3/64" = 1'

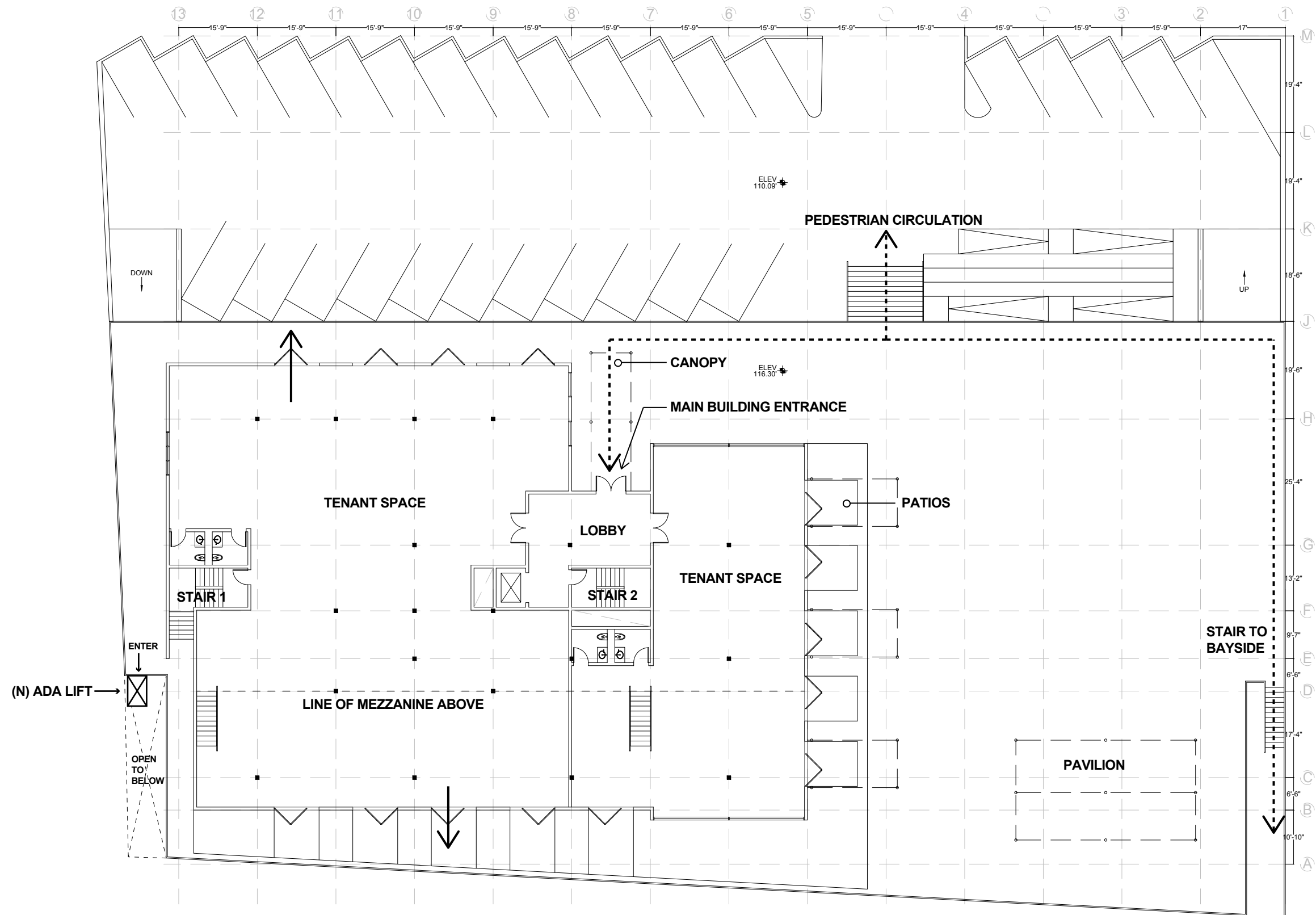


LEVEL 01
SCALE: 3/64" = 1'



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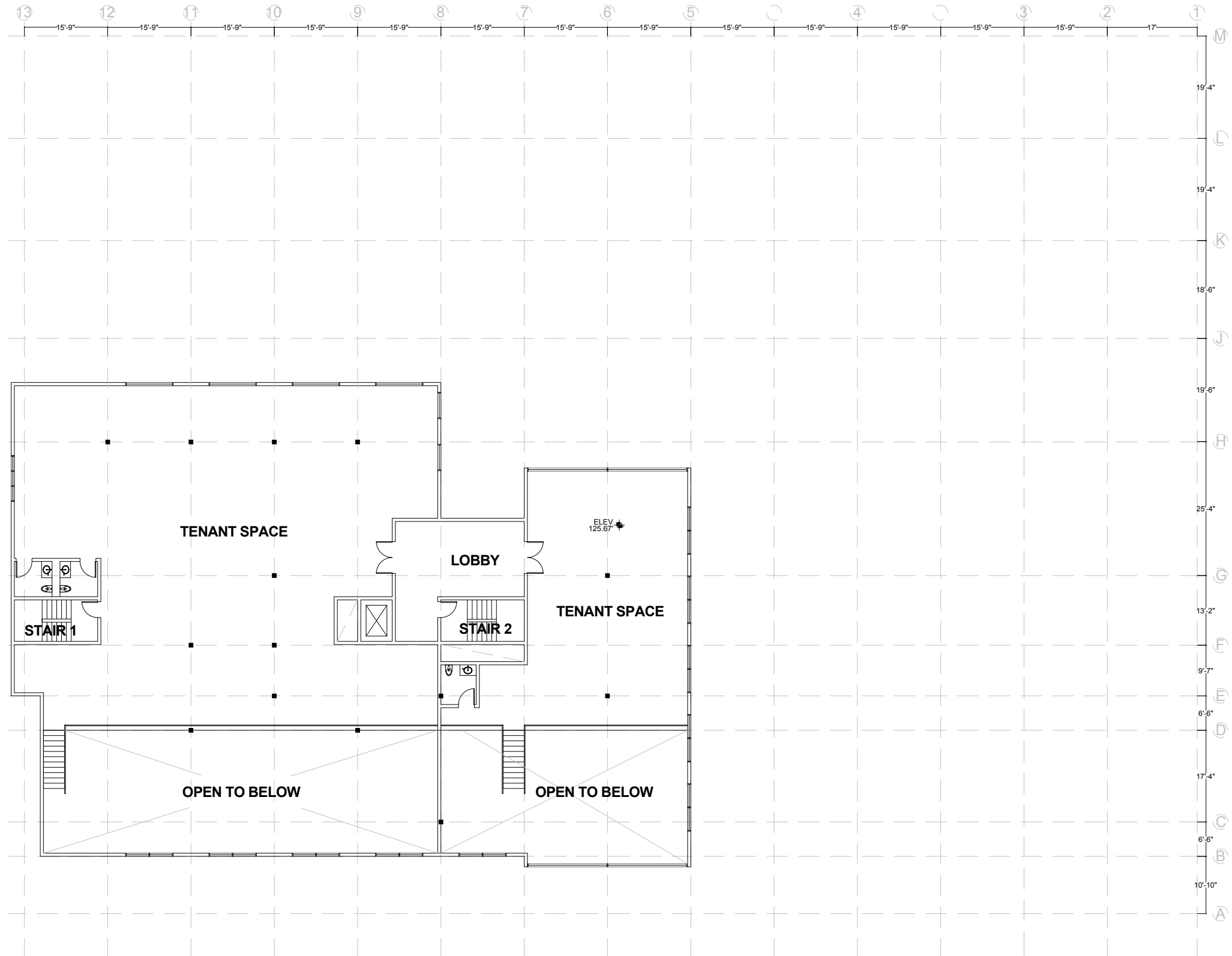
LEVEL 02

SCALE: 3/64" = 1'



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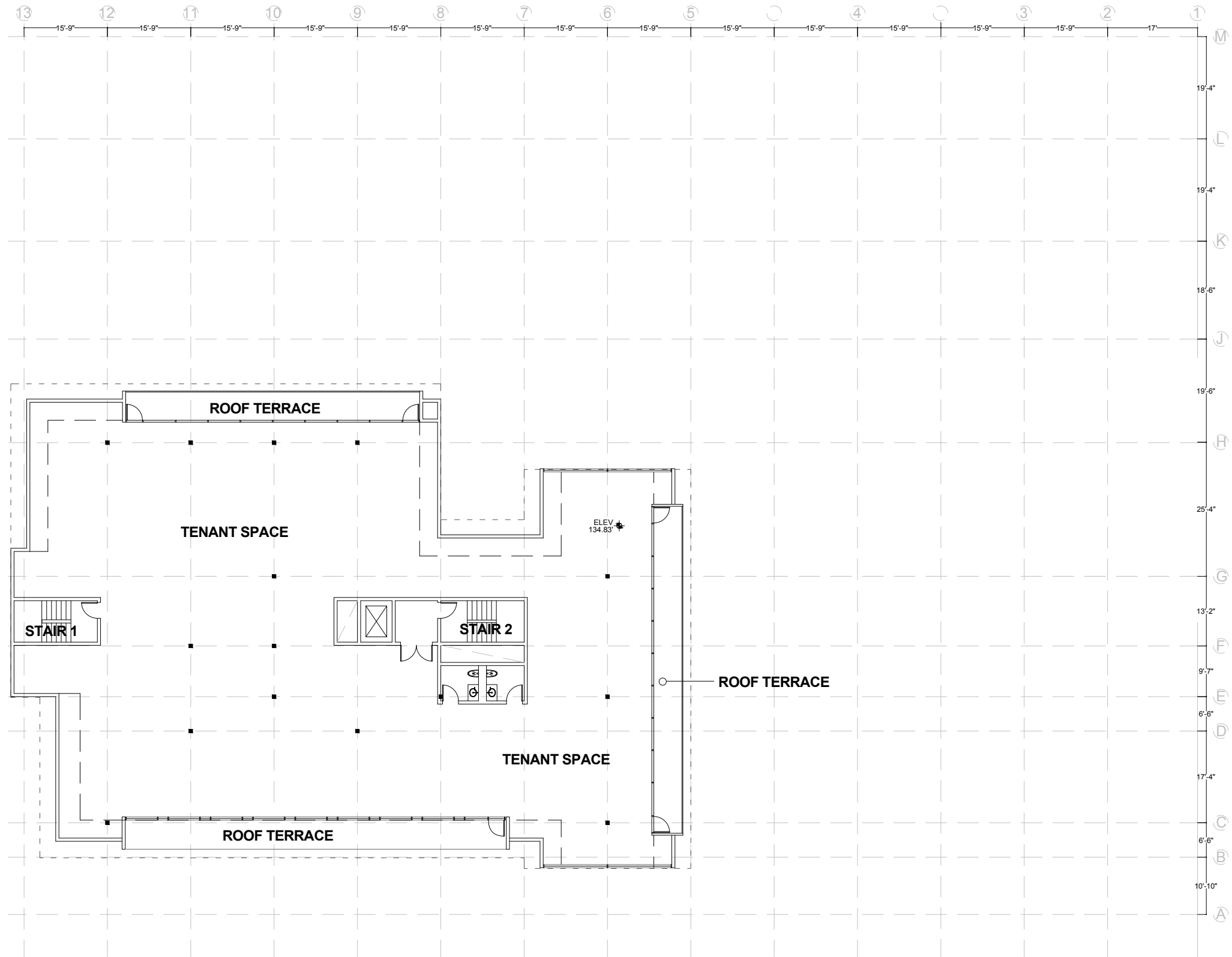


LEVEL 03
SCALE: 3/64" = 1'



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LEVEL 04
SCALE: 1/8" = 1'



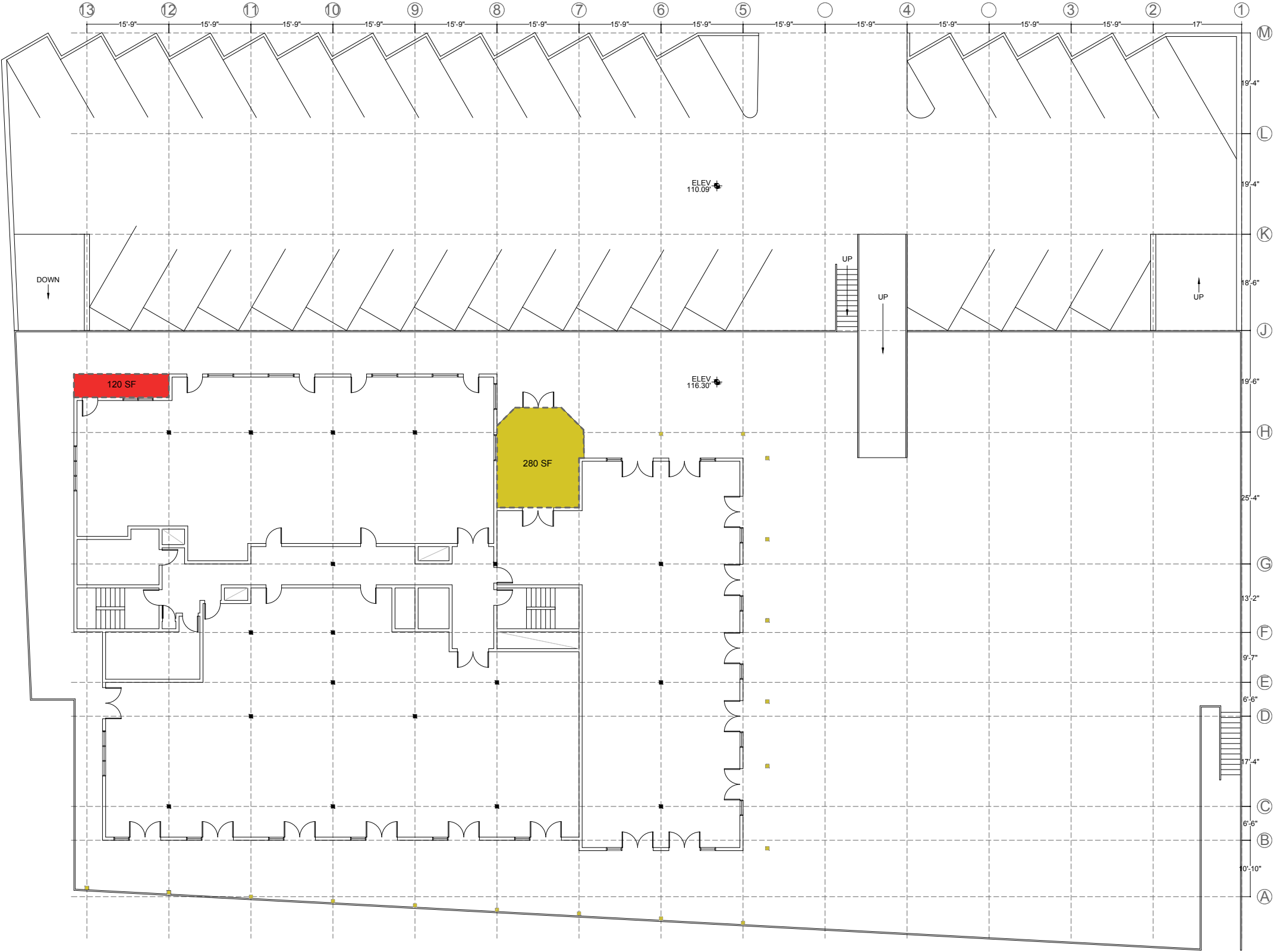
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SF ADDITION = 120 SF

SF REDUCTION = 280 SF

= - 160 SF



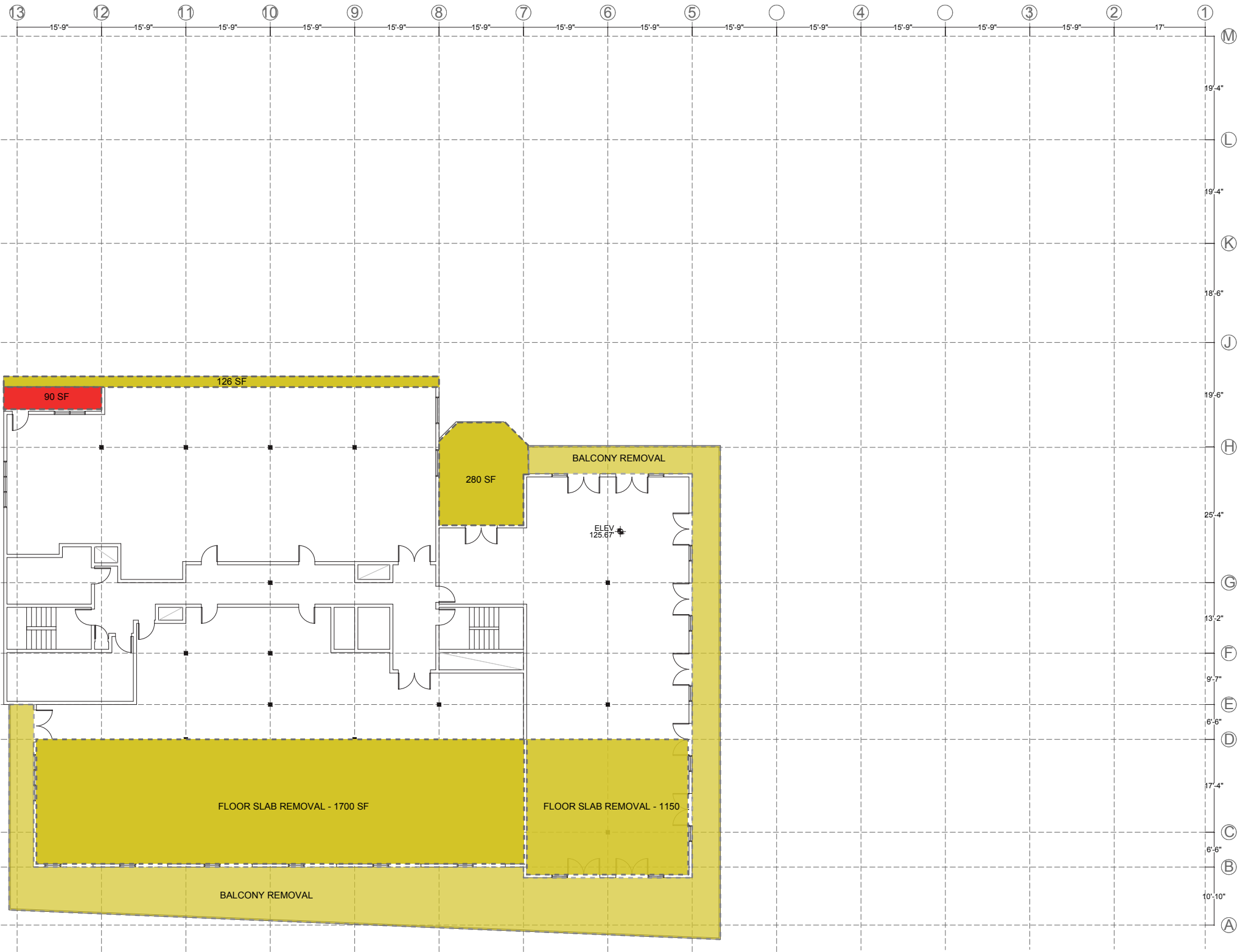
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SF ADDITION = 90 SF

SF REDUCTION = 3256 SF

== 3166 SF



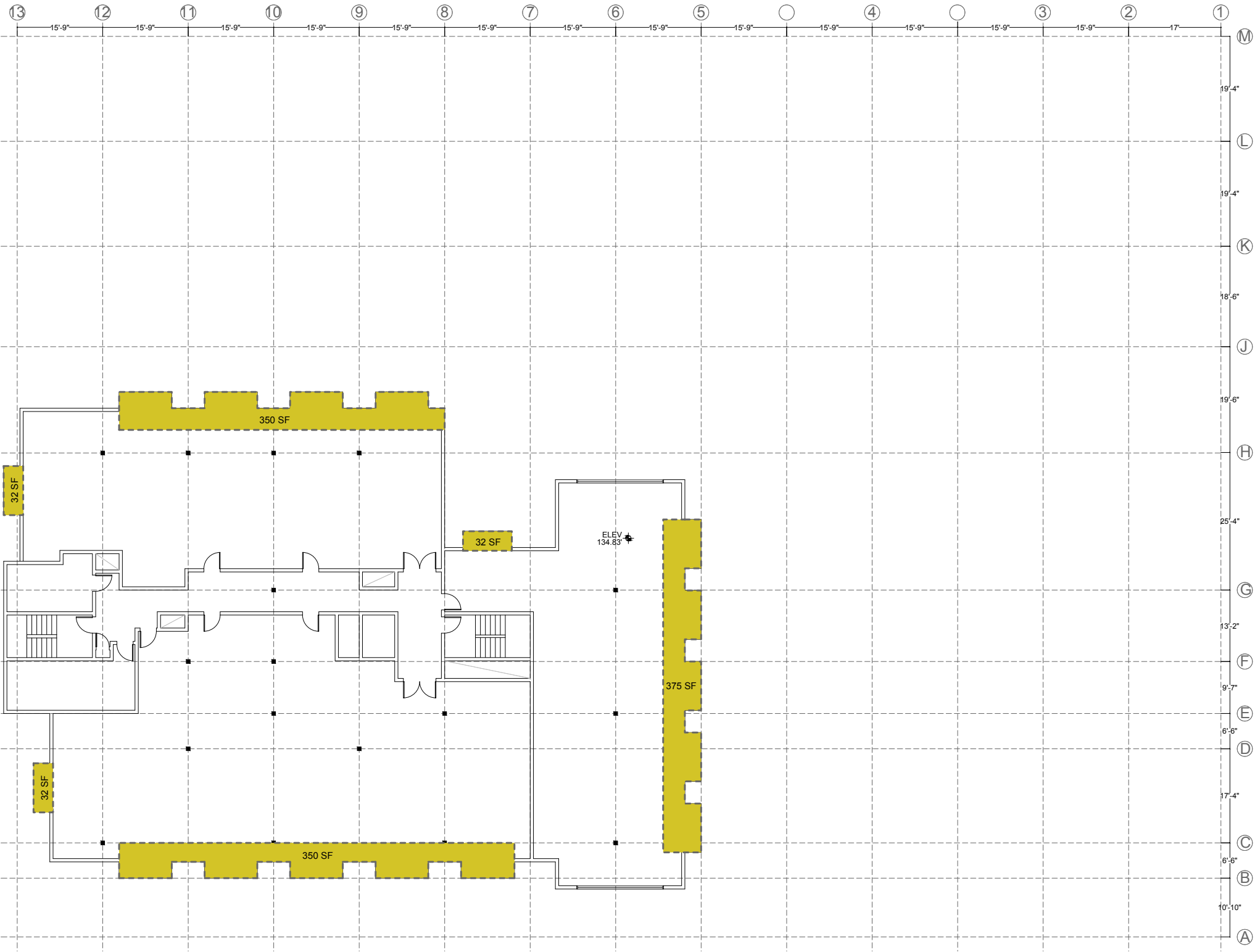
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SF ADDITION = 0 SF

SF REDUCTION = 1171 SF

= - 1171 SF



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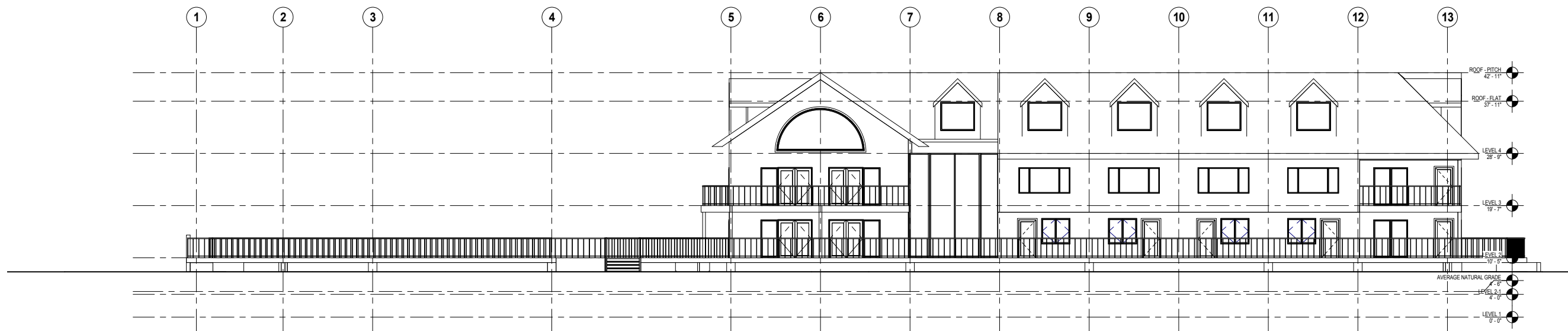
EXISTING PERIMETER

LEVEL 01	NORTH	214.1	
	SOUTH	211.25	
	EAST	58.6	
	WEST	53.6	
		537.55	
LEVEL 02	NORTH	128.75	LEVEL
	SOUTH	128.75	
	EAST	100.8	
	WEST	91.9	
		450.2	
LEVEL 03	NORTH	128.75	LEVEL
	SOUTH	128.75	
	EAST	100.8	
	WEST	89.9	
		448.2	
LEVEL 04	NORTH	128.75	LEVEL
	SOUTH	123.4	
	EAST	100.8	
	WEST	89.9	
		442.85	
TOTAL PERIMETER		1878.8	

REFRAMING SUBTRACTIONS

LEVEL 01	NORTH	10.6	
	SOUTH		
	EAST		
	WEST		
		10.6	
LEVEL 02	NORTH	86.75	LEVEL
	SOUTH	86.2	
	EAST	45	
	WEST	22.5	
		240.45	
LEVEL 03	NORTH	113.6	LEVEL
	SOUTH	86.2	
	EAST	45	
	WEST	22.5	
		267.3	
LEVEL 04	NORTH	95.6	LEVEL
	SOUTH	104.2	
	EAST	60.25	
	WEST	16	
		276.05	
TOTAL REFRAMED		794.4	

0.422823
42% REFRAMING



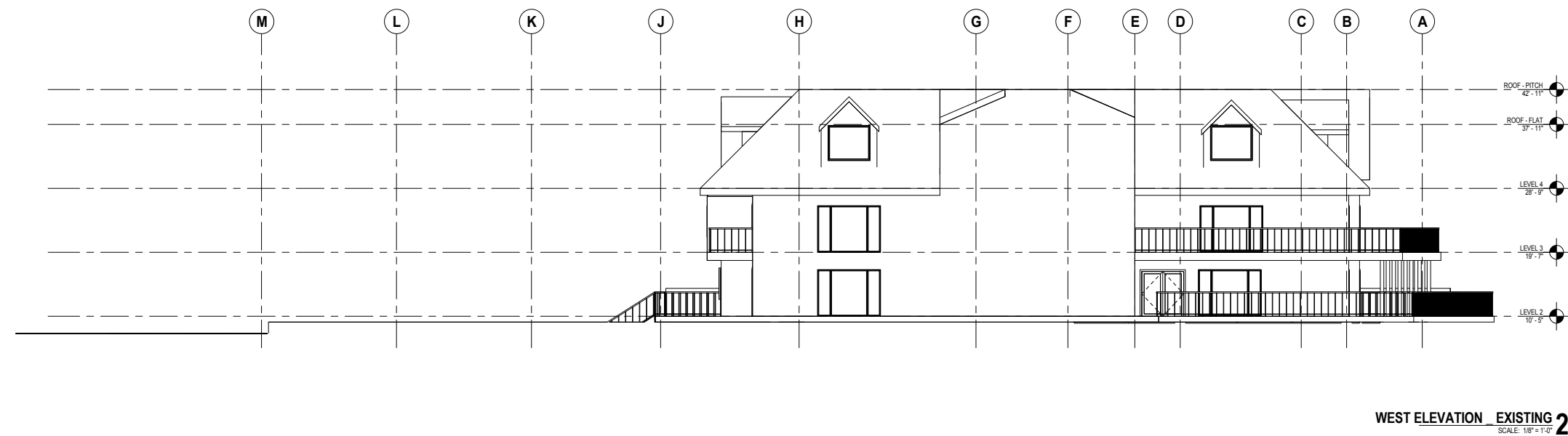
NORTH ELEVATION EXISTING 1
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION EXISTING 2
SCALE: 1/8" = 1'-0"

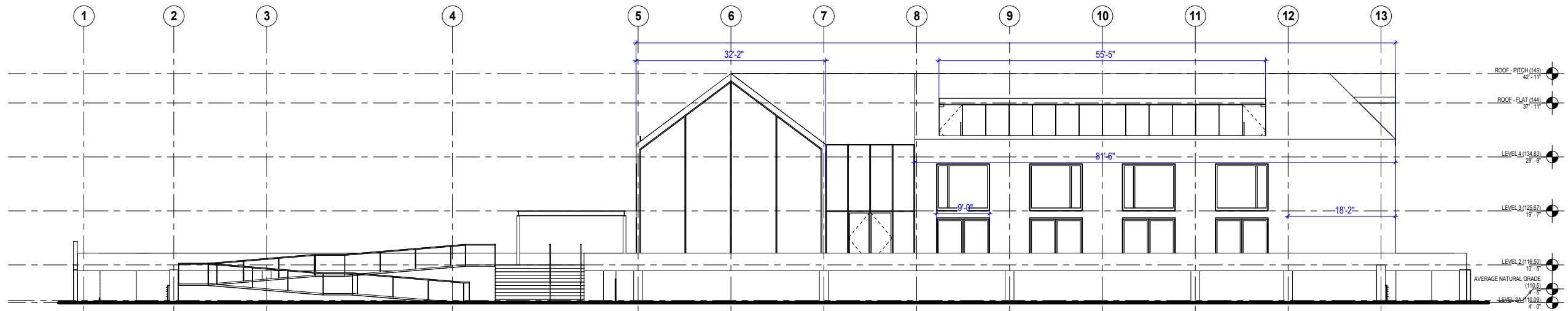
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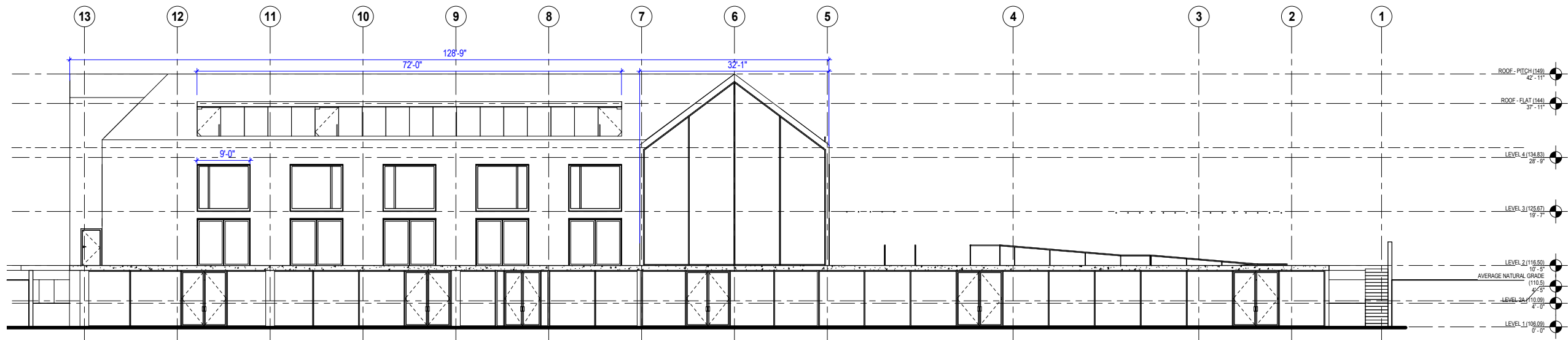


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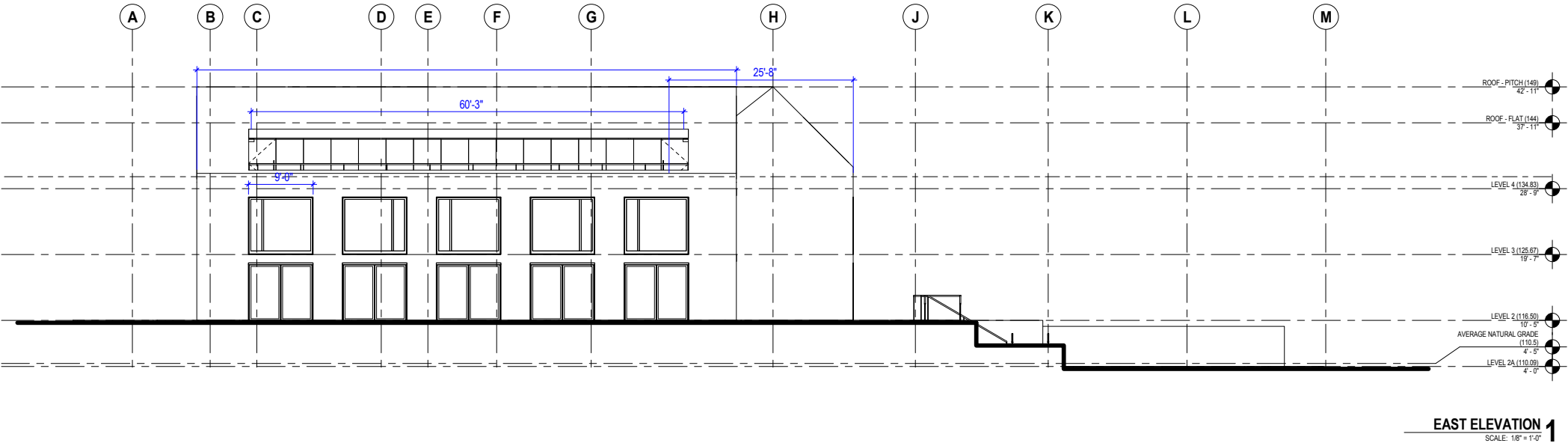
NORTH ELEVATION 1
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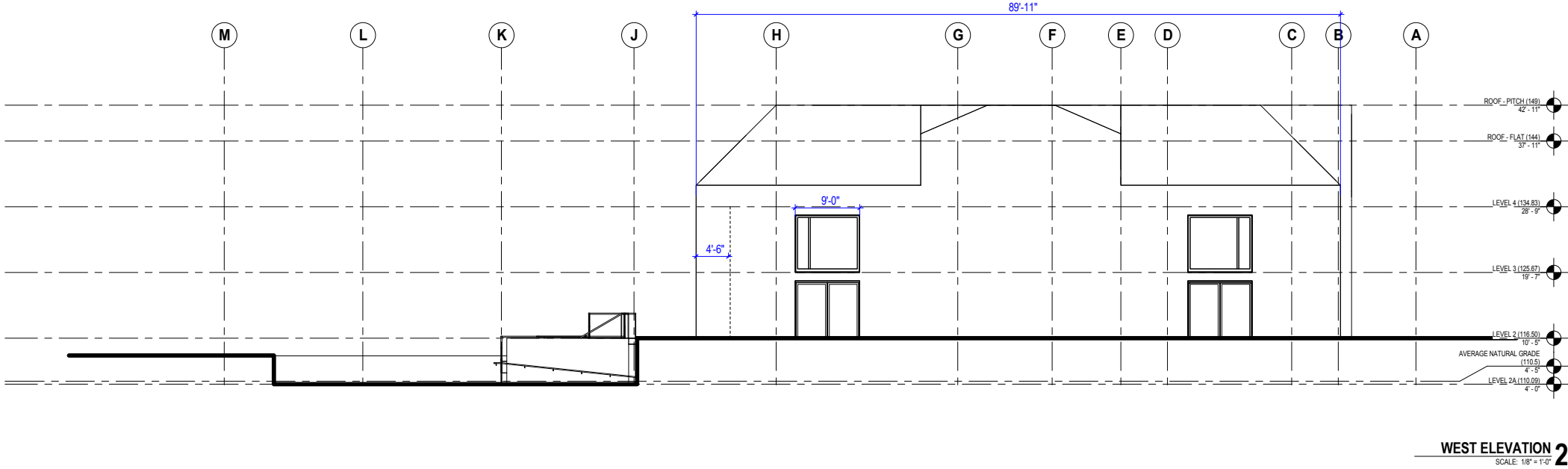
SOUTH ELEVATION 2
SCALE: 1/8" = 1'-0"

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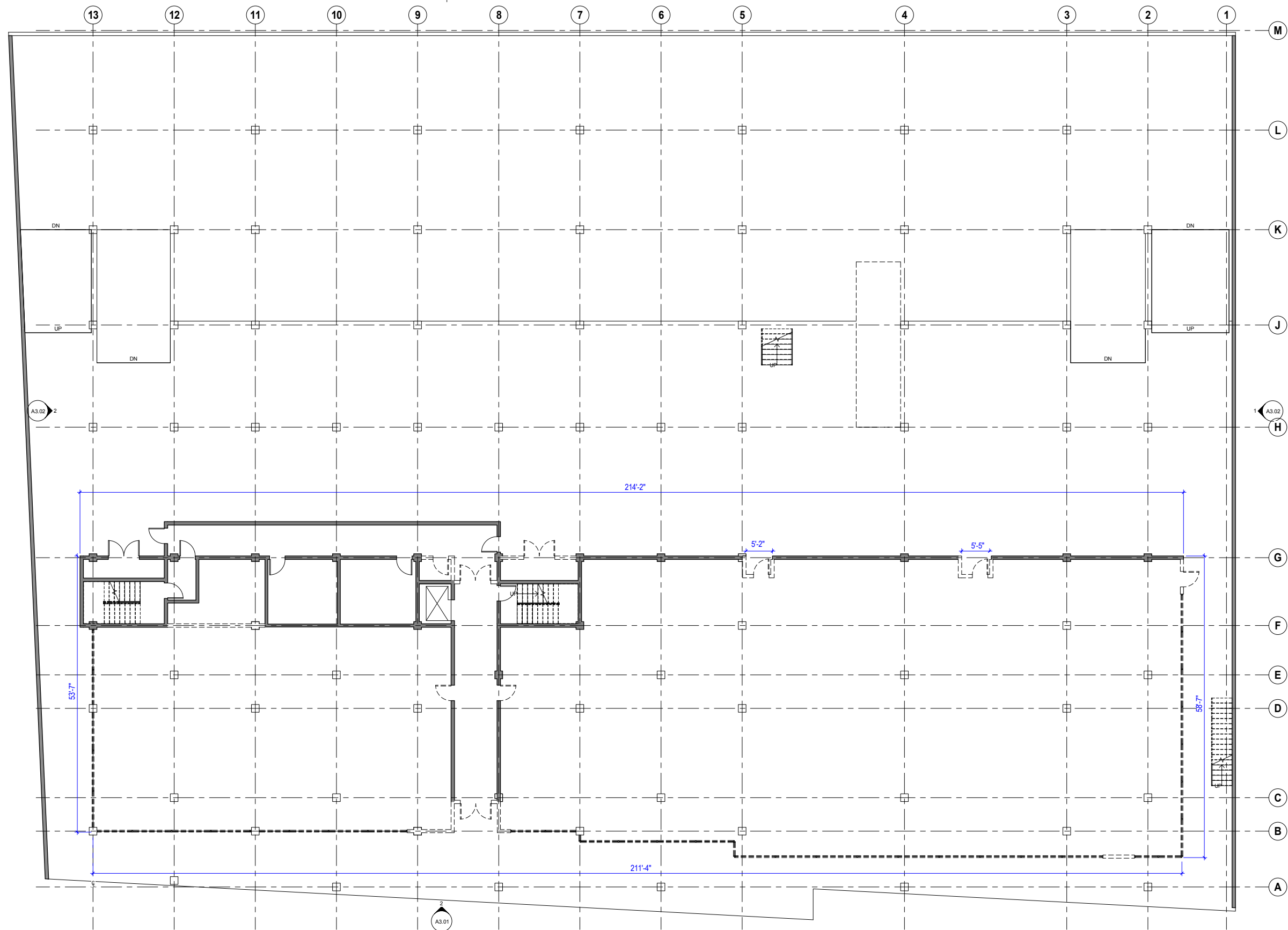
EAST ELEVATION 1
SCALE: 1/8" = 1'-0"



WEST ELEVATION 2
SCALE: 1/8" = 1'-0"

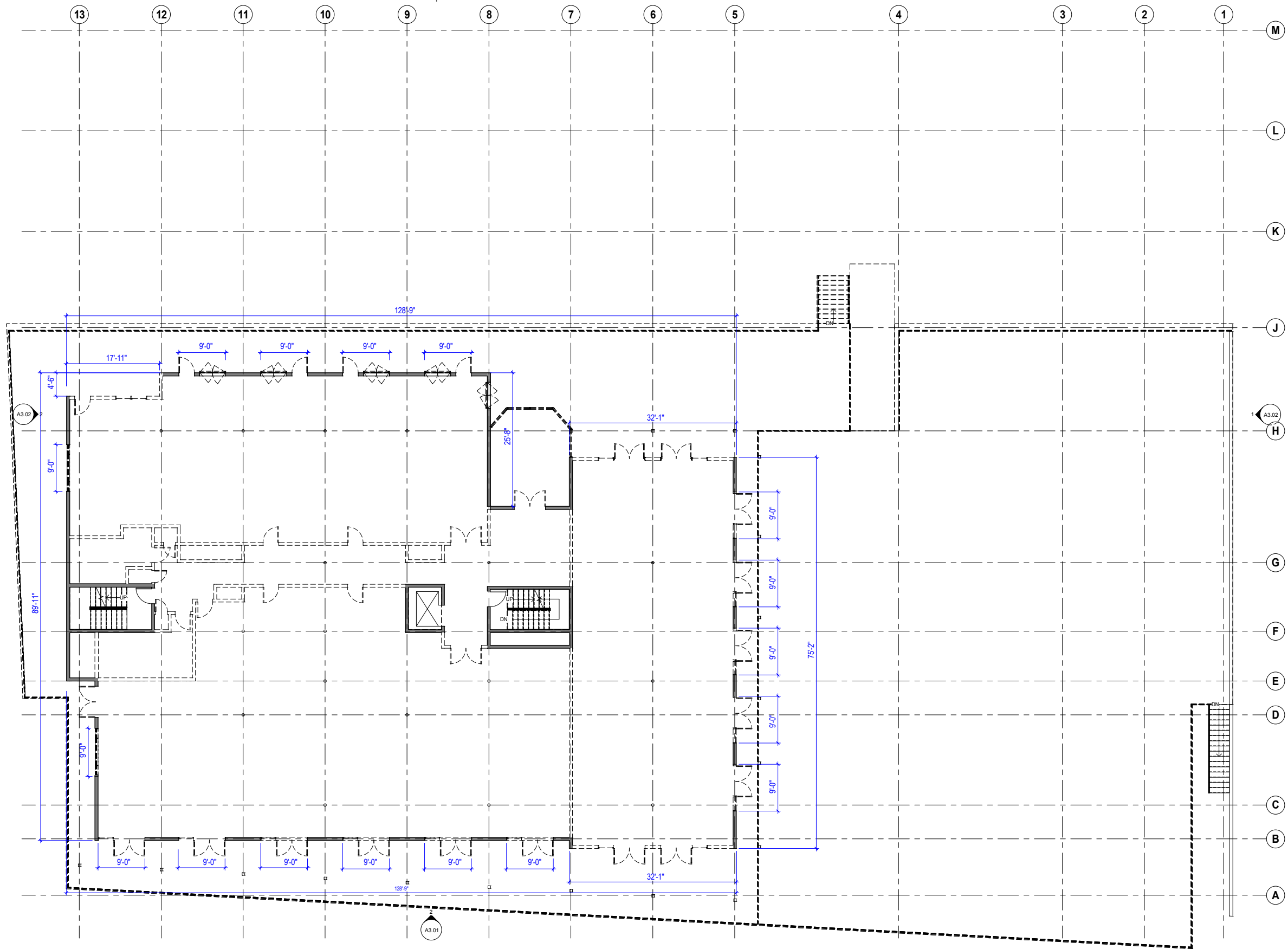
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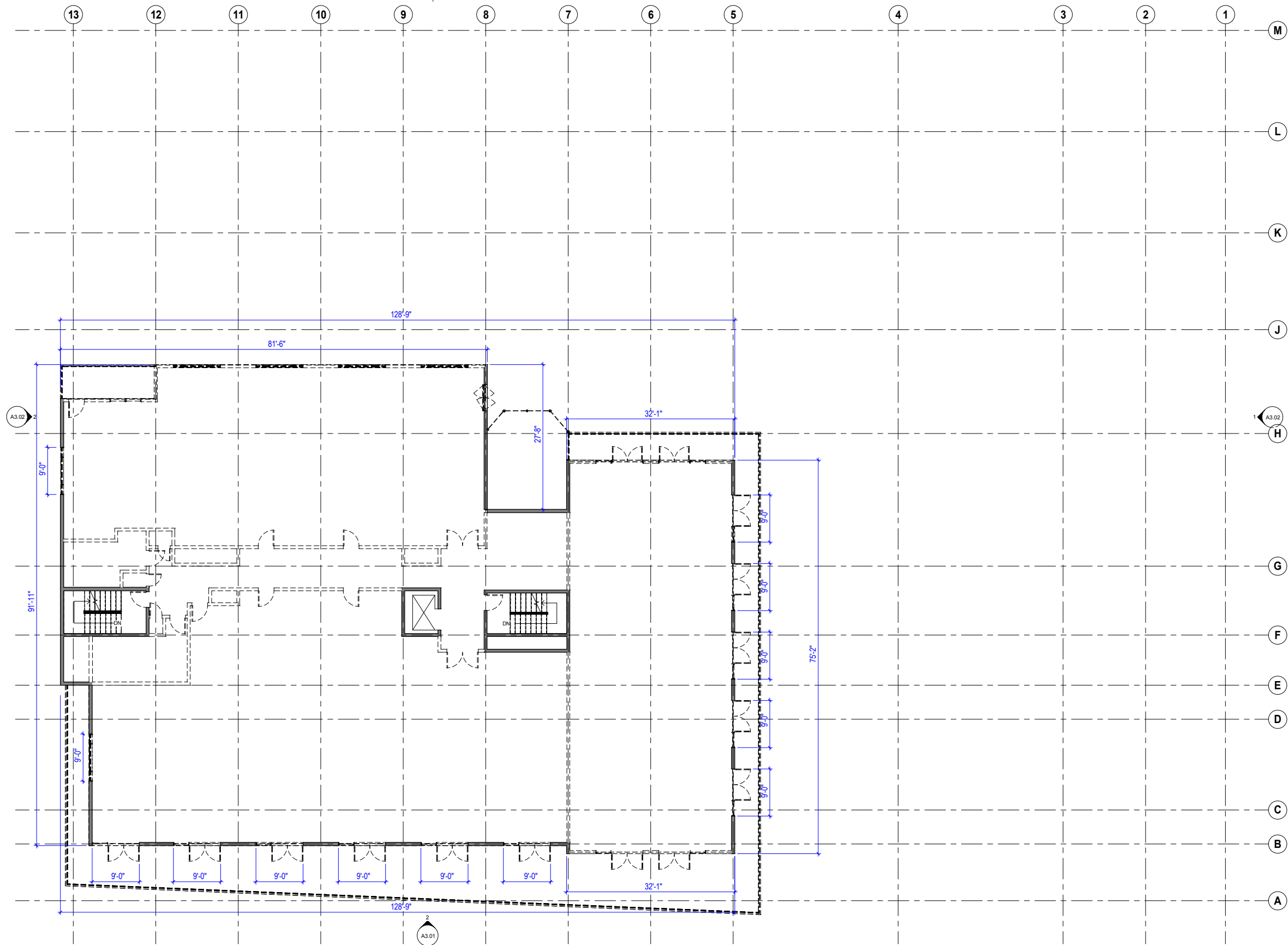
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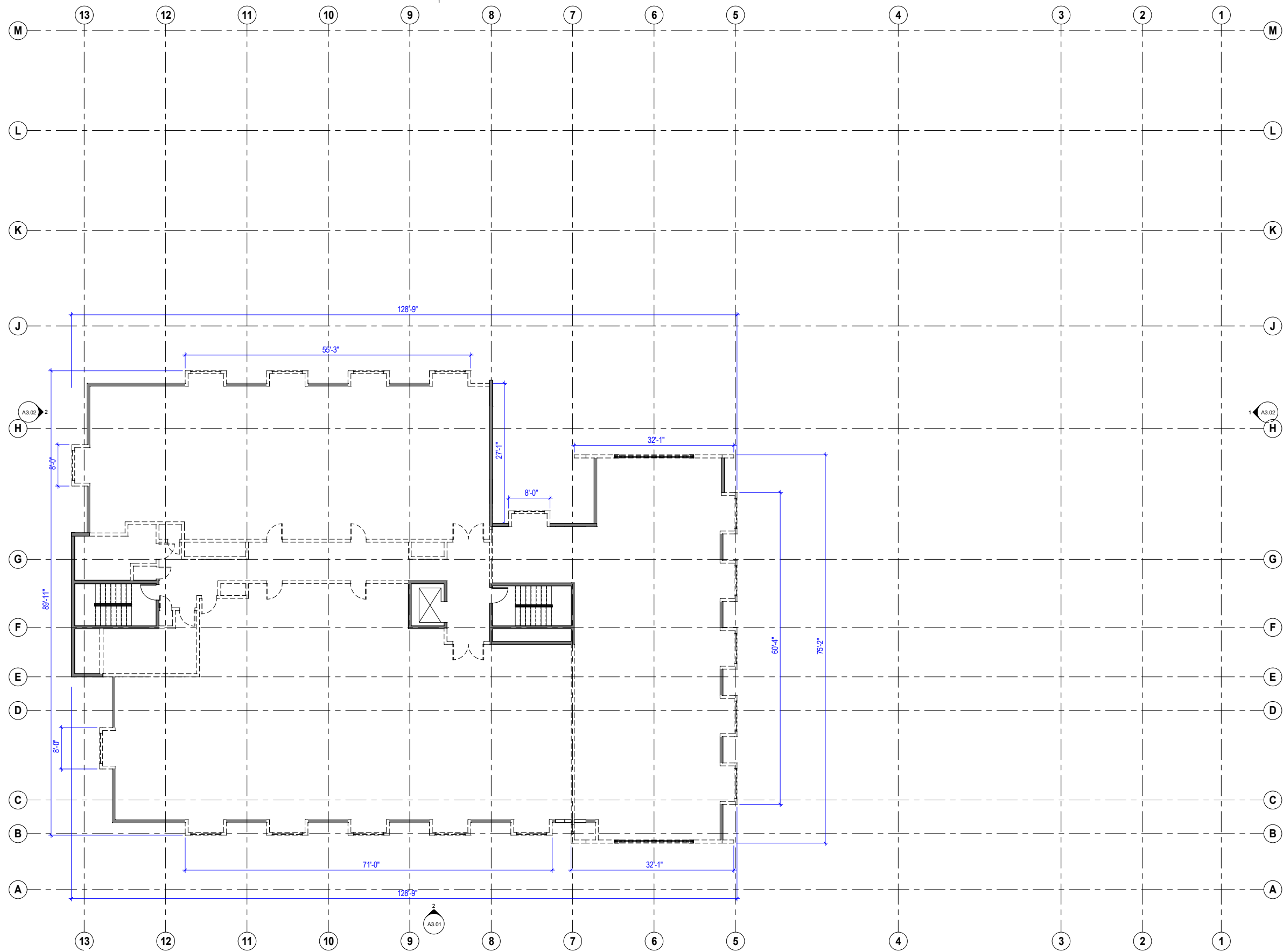
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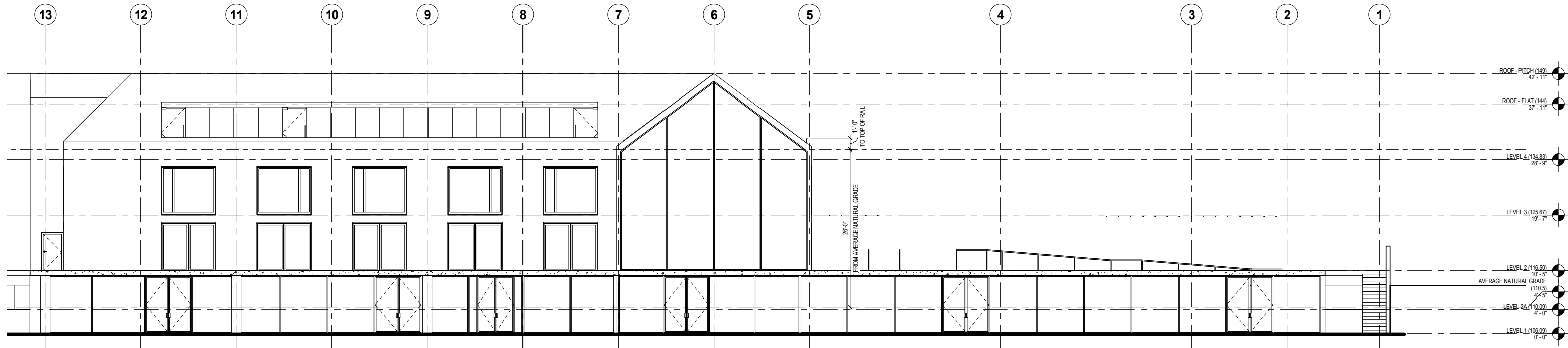
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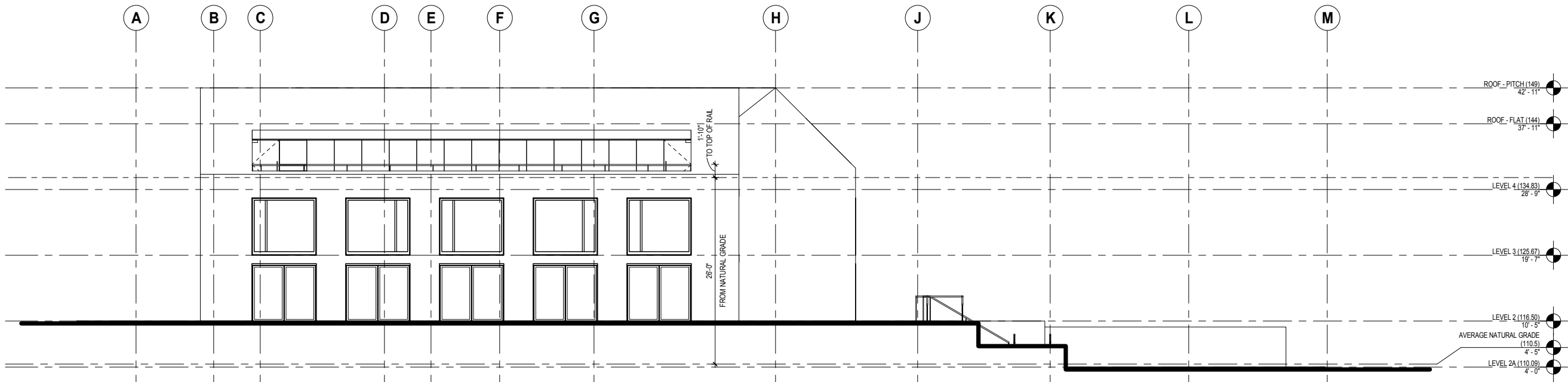


ShubinDonaldson

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SOUTH ELEVATION



EAST ELEVATION



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915

(949) 644-3200

www.newportbeachca.gov

COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER

APPLICATION: Staff Approval No. SA2018-003 (PA2018-032)

APPLICANT: Welch Design Studio

LOCATION: 401 Avocado Avenue
Grade Determination

LEGAL DESCRIPTION Lot 185 of Tract 2813

On **March 22, 2018**, the Community Development Director approved Staff Approval No. SA2018-003 to establish grade for the purpose of measuring heights using the original grade profile of the site that existed prior to the 1953 development of the existing residence and allow structure heights to be measured from the grade directly below. This approval is based on the following findings and subject to the following conditions.

LAND USE AND ZONING

- **Zone:** R-1 (Single-Unit Residential)
- **General Plan:** RS-D (Single-Unit Residential Detached)
- **Coastal Zone:** R-1 (Single-Unit Residential)
- **Coastal Land Use Plan:** RSD-A (Single Unit Residential Detached)

DISCUSSION

The subject parcel is a large, 101,748-square-foot lot located between Avocado Avenue and Bayside Drive in Corona del Mar. The slope characteristics of the lot are unique in that the lot slopes in multiple directions and includes two relatively flat pads separated by a steep slope. The property is currently developed with a single-unit dwelling constructed in 1953 along the upper pad and a tennis court constructed on the lower pad. (Attachment CD 1).

Due to the site's 1953 improvements, portions of the original grade have been substantially altered with retaining walls resulting in extensive excavation and fill areas (Attachment CD 2). The current existing grade elevations for those portions of the site no longer represent the natural topography of the lot and therefore not appropriate for determining the grade from which heights should be measured. The applicant has prepared a topographic grade exhibit to be used as the grade for height measurement purposes (Attachment CD 3). This exhibit is based on the actual topographic survey of the site conditions and interpolates the natural contours for those portions of the site that were altered in 1953.

In addition, the applicant is requesting heights be measured from the grades directly below the structure's roof features rather than the grade plane method currently specified in the Zoning Code.

Pursuant to Newport Beach Municipal Code (NBMC) Subsections 20.30.050.B and 21.30.050.B (Establishment of Grade), on lots with slopes greater than five percent, the established grade from which structure height is measured is determined by placing five evenly spaced points along both side property lines and connecting each point with the corresponding point on the opposite side property line to establish an equidistant elevation grade along the width of the property. The intent of this code is to simplify the measurements of height and save time for staff, property owners, and builders. However, this method of grade establishment does not work in this case because of the unique grade profile of the site, multiple flat spots, and slopes in multiple directions. Utilizing this methodology would result in interpolated elevations excessively below (approximately 11 feet) the actual grade elevations of the property along the upper pad portion of the site. Conversely, the interpolated grade elevations would result in interpolated grades excessively above (approximately 17 feet) the actual grade elevations of the property along the lower pad portion of the site and the slope separating the two pads. Therefore, utilizing this methodology would result in a grade plane that is not representative of the prevailing grades in the area or of the original topography (Attachment CD 3).

The purpose of this grade determination is to ensure development on-site is not artificially lowered or raised by providing a more precise measurement using the vertical distance between the highest points of the structure and the grades directly below using the natural grade contours of the site.

FINDINGS

In accordance with NBMC Subsections 20.30.050(C) and 21.30.050(C) (Grade Establishment by Director), if the Community Development Director finds that the existing grade on the subject lot has been previously altered (e.g., contains retaining structures, property line walls, planters, or excavation/fill), or other conditions are present to the degree that the existing grade is not representative of the prevailing grades on adjoining lots and/or the general area and, therefore, is not appropriate for the purpose of establishing the grade of the subject lot, the Community Development Director may establish the grade that is reasonable and comparable with the grades of adjoining lots and that will not be detrimental or injurious to property and improvements on adjoining lots.

Finding:

- A. *The existing grade on the subject lot has been previously altered or other conditions are present to the degree that the existing grade is not representative of the prevailing grades on adjoining lots and/or the general area and, therefore, is not appropriate for the purpose of establishing the grade of the subject lot.*

Facts in Support of Finding:

1. The existing grades on the subject property have been altered with structures, significant excavation/fill, and retaining walls artificially lowering and raising the current elevations from the original topography. Utilizing the original topography of the site that existed prior to the 1953 improvements and interpolating the portions of that the site that have been altered to its natural slope is appropriate in this case and is representative of the prevailing grades that naturally existed on the lot.
2. The current methodology to establish the grade plane from which structure height is measured is determined by measuring five evenly spaced points along each of the two side property lines and connecting each of the points along a side property line with the corresponding point on the opposite side property line. Although the northwesterly side of the lot is significantly lower than the southeasterly side of the lot, the grade differential is not a linear slope, but rather occurs as a steep slope between two flatter pads. Utilizing the methodology specified in the Code results in interpolated elevations excessively below the actual grade elevations along the upper pad of the property, elevations excessively higher than the actual grade elevations along the lower pad and slope, and overall not representative of the prevailing grades in the area or of the original topography.

Finding:

- B. The grade is reasonable and comparable with the grades of adjoining lots and will not be detrimental or injurious to property and improvements on adjoining lots.*

Facts in Support of Finding:

1. The proposal will provide a grade plane that is representative of the original topography of the lot that existed prior to the 1953 improvements of the existing home and the neighboring residences at the time of development.
2. The proposed grade establishes elevations consistent with natural topography of the site and requires building heights to be measured from the grade directly below each feature to ensure building height conforms to the original topography of the site as accurately as possible.
3. The property will be required to comply with all applicable development standards of the Zoning Code, which are in place to prevent detriment or injury to the existing property and neighboring properties and improvements on adjoining lots.

Finding:

- C. *The project is exempt from environmental review under the requirements of the California Environmental Quality Act Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures).*

Fact in Support of Finding:

Class 3 exempts the demolition and construction of limited numbers of new, small facilities or structures including one single-family residence in a residential zone. The proposed project would ultimately consist of the demolition of one single-family residence and the construction of a new single-family residence within the R-1 District. The subject grade determination is consistent with this exemption, as it relates to the future construction of a residence.

CONDITIONS

1. A copy of this action letter including the findings and conditions shall be copied onto the building plans.
2. Grades for the purpose of measuring heights for the principal and accessory structures shall be measured from the topographic map stamped with the date of this approval and identified as Attachment CD 3 - Grade Establishment (GP-04).
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, attorneys' 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 Welch Grade Determination including, but not limited to, the SA2018-003 (PA2018-032). 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.

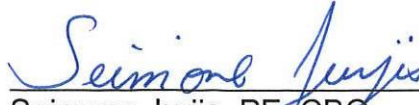
APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:

Approved by:



Jaime Murillo
Senior Planner



Seimone Jurjis, PE, CBO
Community Development Director

Attachments: CD 1 Vicinity Map
 CD 2 Current Topographic Survey
 CD 3 Natural Grade Plane Analysis (GP-01 –GP-03)
 CD 4 Established Grade (GP-04)

Attachment No. CD 1

Vicinity Map

VICINITY MAP



Staff Approval No. SA2018-003
PA2018-032

401 Avocado Avenue

Attachment No. CD 2

Current Topographic Survey

- LEGEND
- BLOCK WALL
 - CHAIN LINK FENCE (CLF)
 - WROUGHT IRON FENCE (WIF)
 - WOODEN FENCE (WDF)
 - ASPHALT PAVEMENT
 - AREA DRAIN
 - BACK FLOW PREVENTOR
 - CENTERLINE
 - CABLE TV BOX
 - CHAIN LINK FENCE
 - DRAIN INLET
 - EDGE OF GUTTER
 - ELECTRICAL PANEL
 - ELECTRICAL MANHOLE
 - EDGE OF PAVEMENT
 - ELECTRICAL PULL BOX
 - ELECTRICAL VAULT
 - FINISH FLOOR
 - FLOWLINE
 - FINISHED SURFACE
 - FLAG POLE
 - GAS METER
 - IRRIGATION CONTROL VALVE
 - MANHOLE
 - NATURAL GROUND
 - PARKING LIGHT
 - STORM DRAIN MANHOLE
 - STREET LIGHT PULL BOX
 - SEWER MANHOLE
 - TOP OF CURB
 - WROUGHT IRON FENCE
 - WATER METER
 - WATER VALVE
 - EXISTING ELEVATION
 - SEARCHED, FOUND NOTHING; SET NOTHING
 - TEMPORARY BENCHMARK
SET ON A SEWER MANHOLE (SMH)
ELEVATION = 12.15 FEET
- CONCRETE SURFACE
- GRASS

TITLE REPORT/EASEMENT NOTES

401 AVOCADO AVENUE
CORONA DEL MAR, CA 92626
APN: 050-336-28 & 050-336-29

TITLE REPORT PROVIDED BY
FIRST AMERICAN TITLE COMPANY,
ORDER NUMBER O-SA-5497710.

- (A) ITEM 4: AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 3935, PAGE 43 OF OFFICIAL RECORDS. (PLOTTED HEREON)
- ITEM 5: AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED AS BOOK 4124, PAGE 183 OF OFFICIAL RECORDS. THE EFFECT OF A DOCUMENT ENTITLED "PARTIAL QUITCLAIM EASEMENT", RECORDED OCTOBER 28, 2015 AS INSTRUMENT NO. 2015-559566 OF OFFICIAL RECORDS, (QUITCLAIMED, NOT PLOTTED)
- (B) ITEM 6: AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF PACIFIC TELEPHONE AND TELEGRAPH COMPANY, RECORDED AS BOOK 4189, PAGE 164 OF OFFICIAL RECORDS. (PLOTTED HEREON)
- ITEM 7: THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT TO PROVIDE A MAJOR TELEPHONE CONDUIT SYSTEM AND TELEPHONE SERVICE TO SAID LAND RECORDED AS BOOK 4342, PAGE 144 OF OFFICIAL RECORDS. (NOT PLOTTED)
- ITEM 8: AN EASEMENT FOR AVIGATION AND INCIDENTAL PURPOSES, IN FAVOR OF THE COUNTY OF ORANGE BY THE IRVINE COMPANY, RECORDED MARCH 17, 1954 AS BOOK 6965, PAGE 721 OF OFFICIAL RECORDS. (BLANKET EASEMENT)
- (C) ITEM 9: THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT" EXECUTED BY AND BETWEEN KATHRYN LILLARD WHEELER AND CHARLES STETSON WHEELER, III AS TRUSTEES UNDER THAT CERTAIN DECLARATION OF TRUST ESTABLISHED BY KATHRYN LILLARD WHEELER, AS TRUSTOR UNDER DATE OF JUNE 11, 1984 AND THE CITY OF NEWPORT BEACH RECORDED JULY 08, 1971 AS BOOK 9711, PAGE 654 OF OFFICIAL RECORDS. (PLOTTED HEREON)
- (D) ITEM 10: AN EASEMENT FOR INGRESS, EGRESS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JULY 07, 1987 AS INSTRUMENT NO. 87-385806 OF OFFICIAL RECORDS. (PLOTTED HEREON)
- ITEM 11: AN EASEMENT FOR EITHER OR BOTH UNDERGROUND LINES, CONDUITS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED OCTOBER 22, 1991 AS INSTRUMENT NO. 91-575101 OF OFFICIAL RECORDS. (NOT PLOTTABLE, INCOMPLETE LEGAL)
- ITEM 15: THE TERMS, PROVISIONS AND EASEMENT(S) CONTAINED IN THE DOCUMENT ENTITLED "GRANT EASEMENT" RECORDED APRIL 21, 2015 AS INSTRUMENT NO. 2015-203610 OF OFFICIAL RECORDS. (DOCUMENT NOT PROVIDED)

BENCHMARK INFORMATION

BENCHMARK NO: NB4-36-74

DESCRIBED BY OCS 2002 - FOUND 3 3/4" OCS ALUMINUM BENCHMARK DISK
STAMPED "NB4-36-74", SET IN THE NORTHWEST CORNER OF 4.4 FT. BY 22 FT.
CONCRETE CATCH BASIN. MONUMENT IS LOCATED IN THE T-INTERSECTION OF
HELIOTROPE AVENUE AND OCEAN BOULEVARD, 21 FT. SOUTHWEST OF THE
CENTERLINE OF OCEAN BOULEVARD AND 122 FT. NORTHWESTERLY OF THE
CENTERLINE

ELEVATION: 67.054 FEET (NAVD88), YEAR LEVELED 1994

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF CORONA DEL MAR, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 185 OF TRACT NUMBER 2813 IRVINE TERRACE UNIT 3, AS PER MAP RECORDED IN BOOK 94, PAGE 45 TO 47 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE PARCEL OF LAND HEREIN-ABOVE DESCRIBED, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR, AND STORING IN AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHISTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHISTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL MINE, STORE EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 500 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AS RESERVED IN THE DEED RECORDED OCTOBER 14, 1977 IN BOOK 12415, PAGE 997 OF OFFICIAL RECORDS.

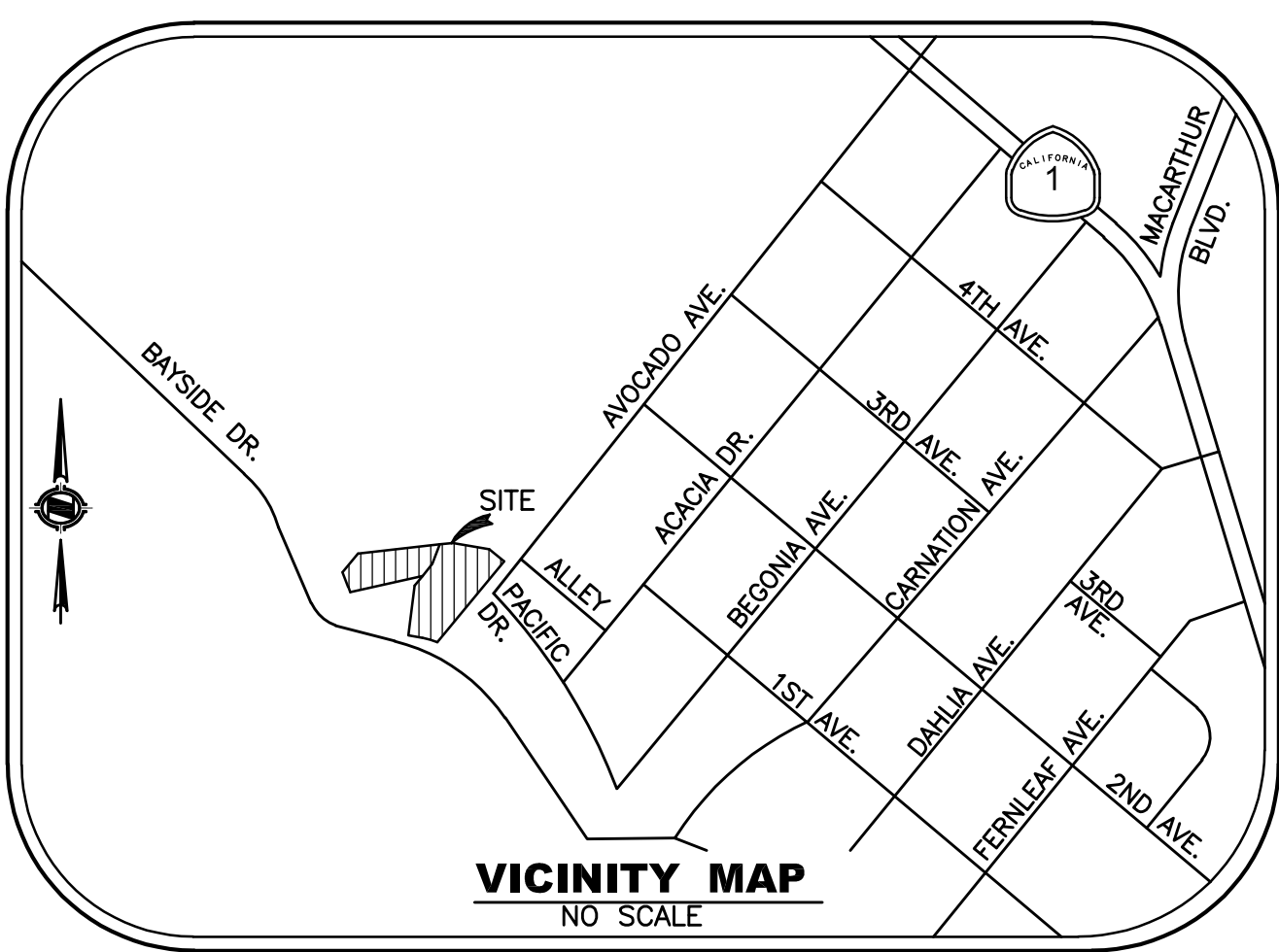
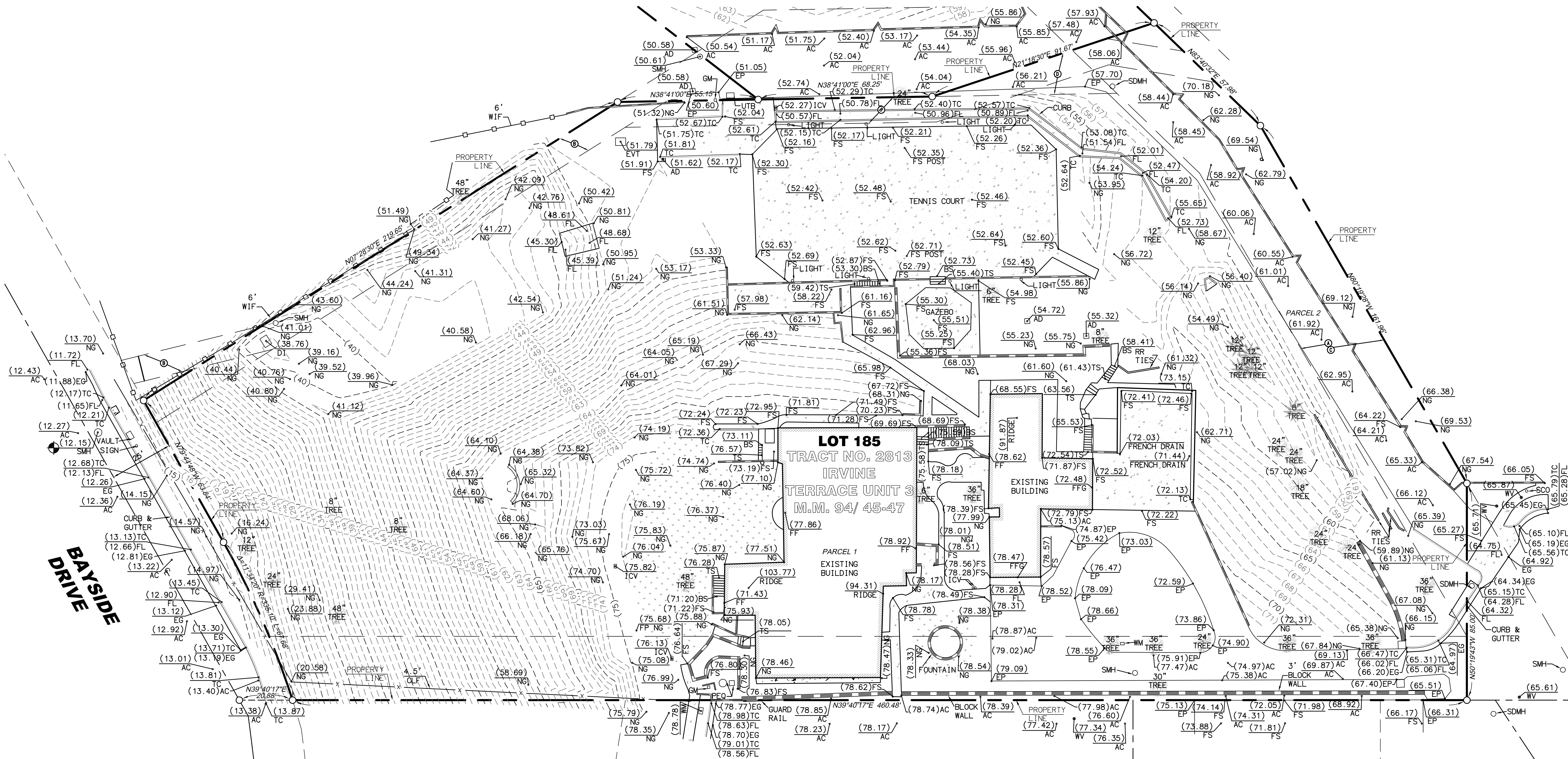
ALSO EXCEPTING THEREFROM ANY AND ALL WATER RIGHTS OR INTEREST IN WATER RIGHTS AND ANY, AND ALL GEOTHERMAL RIGHTS OR INTEREST IN GEOTHERMAL RIGHTS NO MATTER HOW ACQUIRED BY THE GRANTOR OR THE IRVINE COMPANY, AND OWNED OR USED BY THE GRANTOR OR THE IRVINE COMPANY IN CONNECTION WITH OR WITH RESPECT TO THE PROPERTY CONVEYED HEREBY, WHETHER SUCH WATER RIGHTS SHALL BE REPARIAN, OVERLYING, APPROPRIATIVE, PERCOLATING, PRESCRIPTIVE OR CONTRACTUAL, TOGETHER WITH FULL RIGHT AND POWER, AMONG OTHERS, TO TRANSFER OR ASSIGN TO OTHERS OR TO USE OR UTILIZE ON ANY OTHER PROPERTY OWNED OR LEASED BY THE GRANTOR, PROVIDED, HOWEVER, THAT THE EXCEPTION AND RESERVATION MADE HEREIN SHALL NOT RESERVE TO OR FOR THE BENEFIT OF GRANTOR OR THE IRVINE COMPANY ANY RIGHT TO ENTER UPON THE SURFACE OF THE PROPERTY DESCRIBED HEREIN IN THE EXERCISE UPON THE SURFACE OF THE PROPERTY DESCRIBED HEREIN IN THE EXERCISE OF SUCH RIGHTS, AS RESERVED IN THE DEED RECORDED JUNE 15, 1979 IN BOOK 13187, PAGE 1853 OF OFFICIAL RECORDS.

PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN GRANT OF EASEMENT, AGREEMENT RECORDED AS APRIL 21, 2015 AS INSTRUMENT NO. 2015-203610 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT FOR INGRESS AND EGRESS OVER THAT PORTION OF PARCEL 1, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILE IN BOOK 37, PAGE 48 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY CALIFORNIA, INCLUDED WITHIN THE FOLLOWING DESCRIBED LAND:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 47 OF SAID TRACT AND RUNNING THENCE NORTH 80°19'28" WEST ALONG THE NORTH LINE OF SAID LOT 185, 161 FEET TO AN ANGLE POINT THEREIN; THENCE SOUTH 83°40'32" WEST ALONG SAID NORTH LINE AND THE NORTH LINE OF LOT 183 OF TRACT NO. 2813, 82.98 FEET; THENCE SOUTH 51°19'00" EAST TO AN INTERSECTION WITH A LINE PARALLEL WITH AND DISTANT NORTHWESTERLY 30 FEET, MEASURED AT RIGHT ANGLES FROM THAT PORTION OF THE NORTHWESTERLY LINE OF SAID LOT 185 SHOWN ON SAID MAP AS BEING NORTH 38°41'00" EAST; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH THE NORTHERLY EXTENSION OF THAT PORTION OF THE EASTERLY LINE OF LOT 184 OF TRACT NO. 2813 SHOWN ON SAID MAP AS BEING NORTH 7°28'30" EAST; THENCE SOUTH 7°28'30" WEST ALONG SAID EXTENSION TO THE NORTHERLY END OF SAID PORTION OF THE EASTERLY LINE; THENCE NORTH 38°41'00" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 185 AND THE EXTENSION THEREOF TO AN INTERSECTION WITH A LINE PARALLEL WITH AND DISTANT SOUTHEASTERLY 30 FEET, MEASURED AT RIGHT ANGLES FROM THAT CERTAIN COURSE IN THE NORTHERLY LINE OF SAID LOT 183 AND 185 SHOWN ON SAID MAP AS NORTH 83°40'32" EAST; THENCE NORTH 83°40'32" EAST ALONG LAS DESCRIBED PARALLEL LINE TO AN INTERSECTION FROM THAT CERTAIN COURSE IN THE NORTHEASTERLY LINE OF SAID LOT 185 SHOWN ON SAID MAPS AS NORTH 80°19'28" WEST; THENCE SOUTH 80°19'28" EAST ALONG LAST DESCRIBED PARALLEL LINE TO AN INTERSECTION WITH THE SOUTHWESTERLY LINE OF AVOCADO AVENUE AS SHOWN ON SAID MAP; THENCE NORTH 50°19'43" WEST ALONG SAID SOUTHWEST LINE TO THE POINT OF BEGINNING.



BASIS OF BEARINGS

THE BASIS OF BEARINGS USED ON THE SURVEY IS N39°40'17"E, BEING THE CENTERLINE BEARING OF AVOCADO AVENUE PER M.M. 94/45-47, RECORDS OF ORANGE COUNTY.

SURVEYOR'S NOTES

SURVEYOR OR ENGINEER SHALL PERMANENTLY MONUMENT PROPERTY CORNERS OR OFFSETS BEFORE STARTING GRADING.

PLEASE CALL PAUL CRAFT AT 714-488-5006 TO SCHEDULE.

NO.	DESCRIPTION	REVISIONS	
		DATE	APP'D

APEX LAND SURVEYING, INC.
HUNTINGTON BEACH, CALIFORNIA 92646
PHONE: (714) 488-5006 FAX: (714) 333-4440
APEXLSIND@GMAIL.COM

DATE	SCALE	DRAWN	CHECKED	P.
2/1/2018	1" = 20'	A. R. H.	P. D. C.	

TOPOGRAPHIC MAP
401 AVOCADO AVENUE
CORONA DEL MAR, CA 92625
(APN: 050-336-28 & 050-336-29)



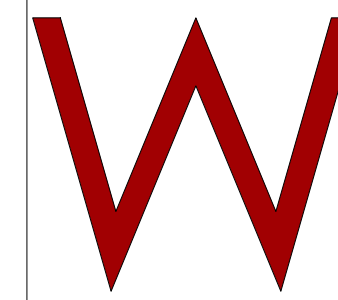
2/6/2018
DATE

NOTE: SECTION 8770.6 OF THE CALIFORNIA BUSINESS AND PROFESSIONS CODE STATES THAT THE USE OF THE WORD CERTIFY OR CERTIFICATION BY A LICENSED LAND SURVEYOR IN THE PRACTICE OF LAND SURVEYING OR THE PREPARATION OF MAPS, PLATS, REPORTS, DESCRIPTIONS OR OTHER SURVEYING DOCUMENTS ONLY CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

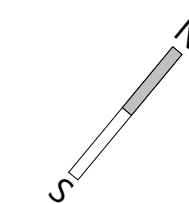
SHEET TITLE	PROJECT	SHEET NO.
		1 OF 1

Attachment No. CD 3

Natural Grade Plane Analysis
(GP-01 –GP-03)



PRIVATE RESIDENCE
401 AVOCADO AVE.
CORONA DEL MAR, CA

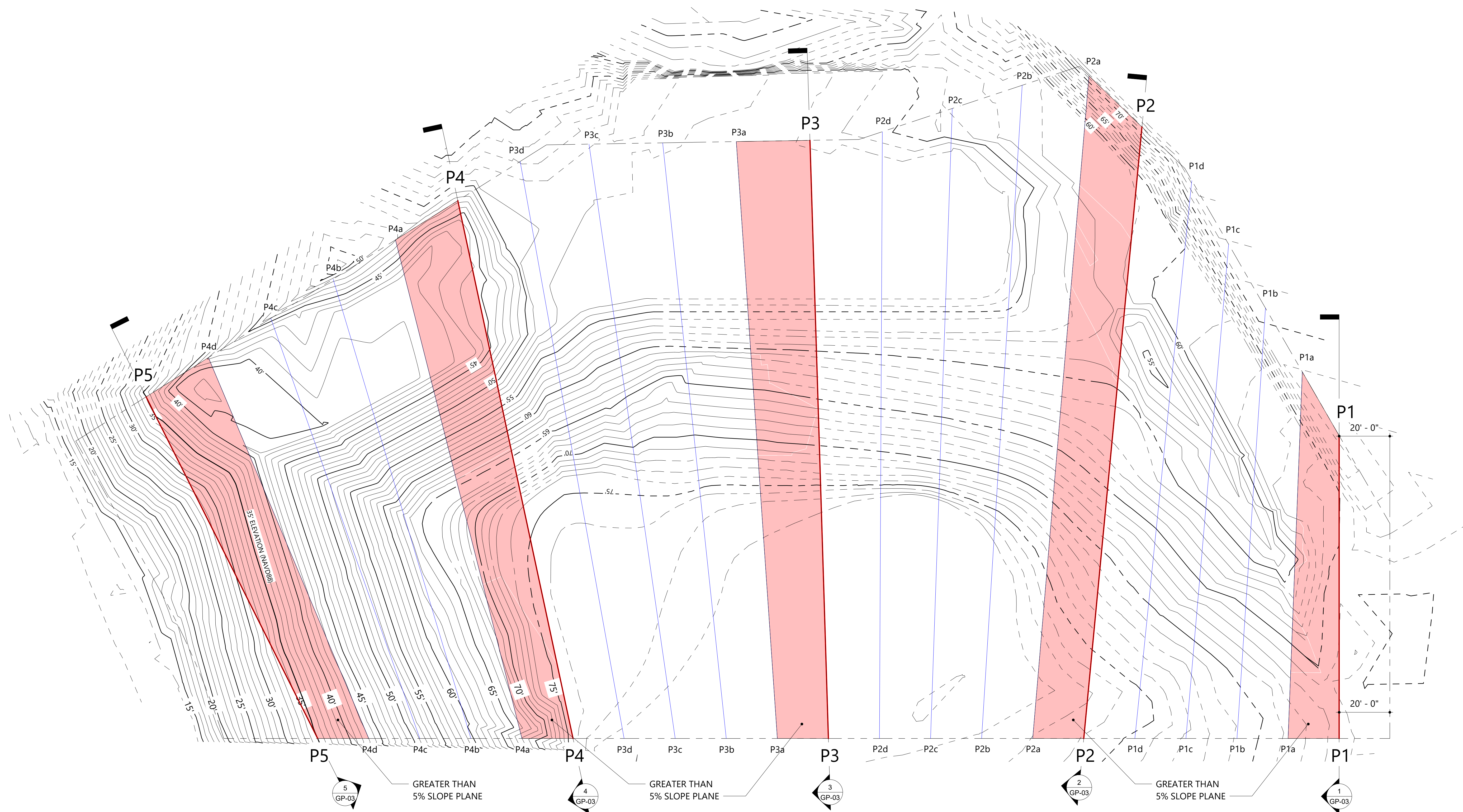


NATURAL GRADE PLANE
ANALYSIS - SITE PLAN

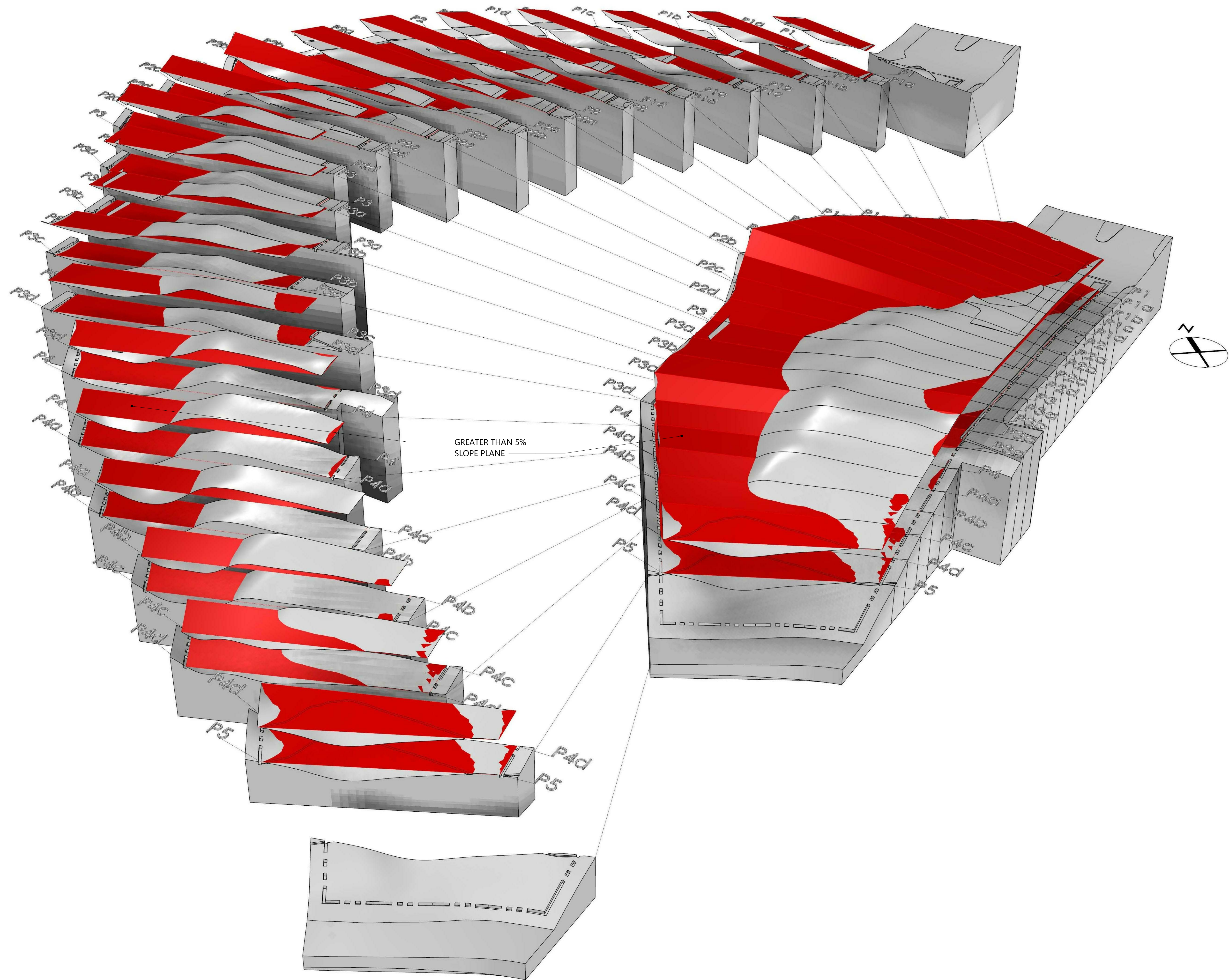
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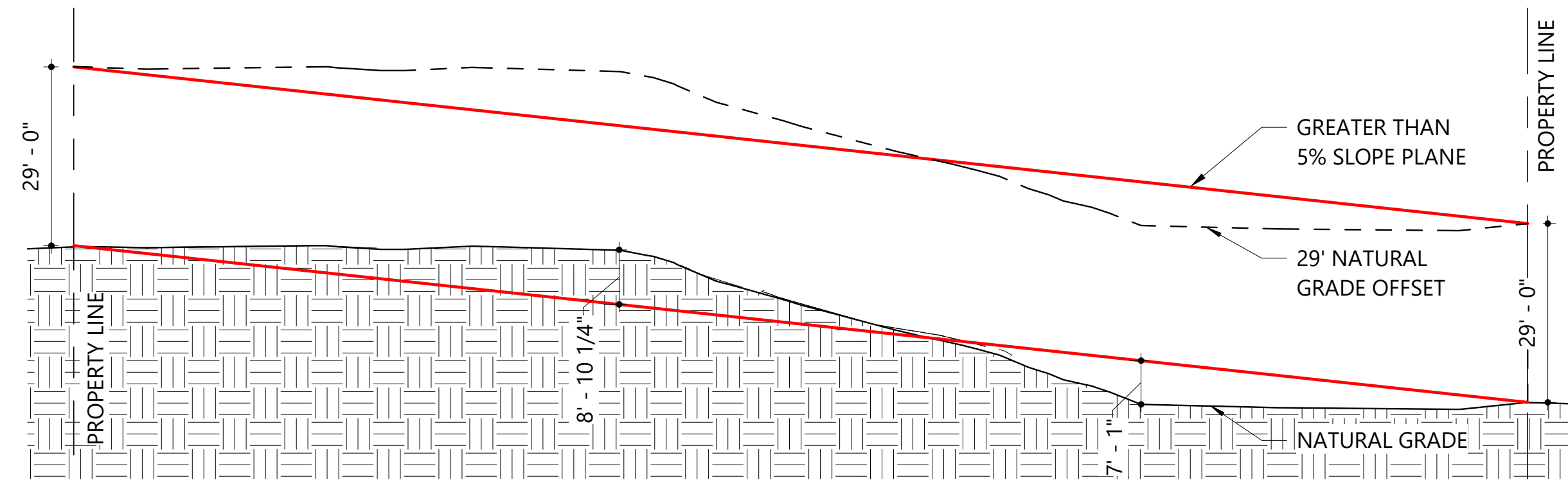
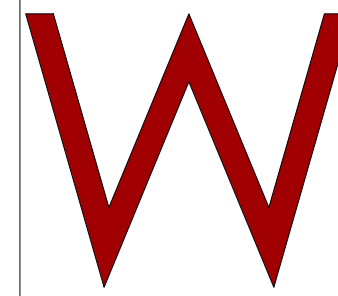
03/16/2018

GP-01



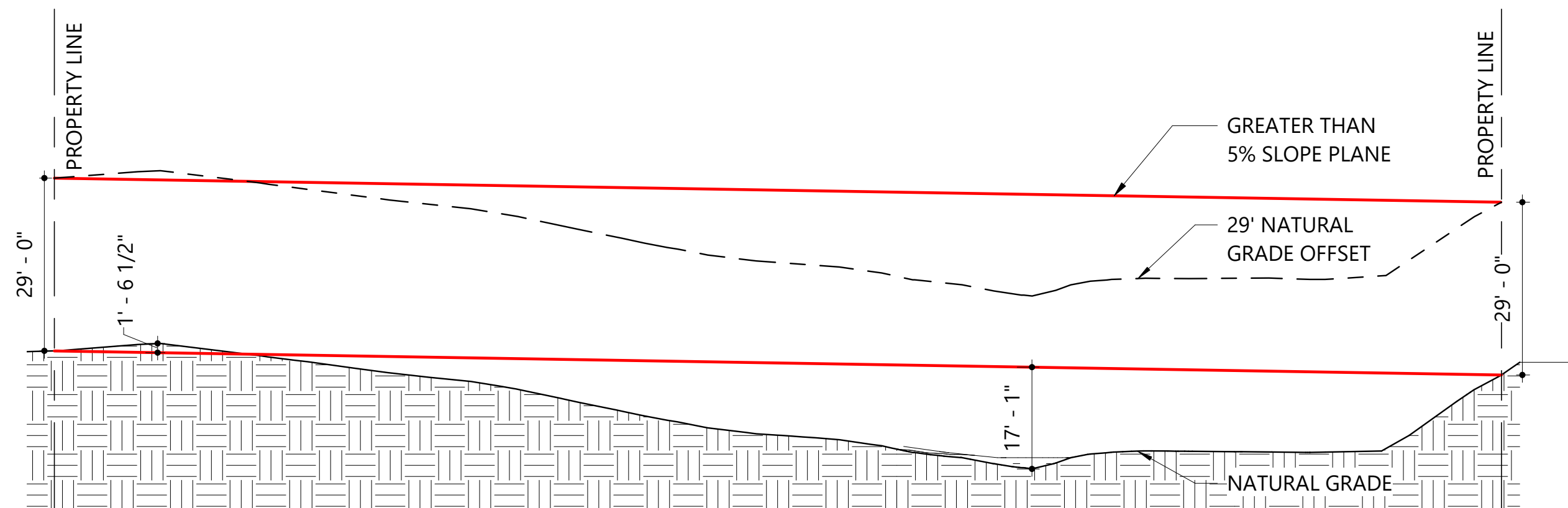
- INTERPOLATED NATURAL TOPOGRAPHY
- NATURAL TOPOGRAPHY
- EVENLY SPACED LINE - PRIMARY
- EVENLY SPACED LINE - SECONDARY





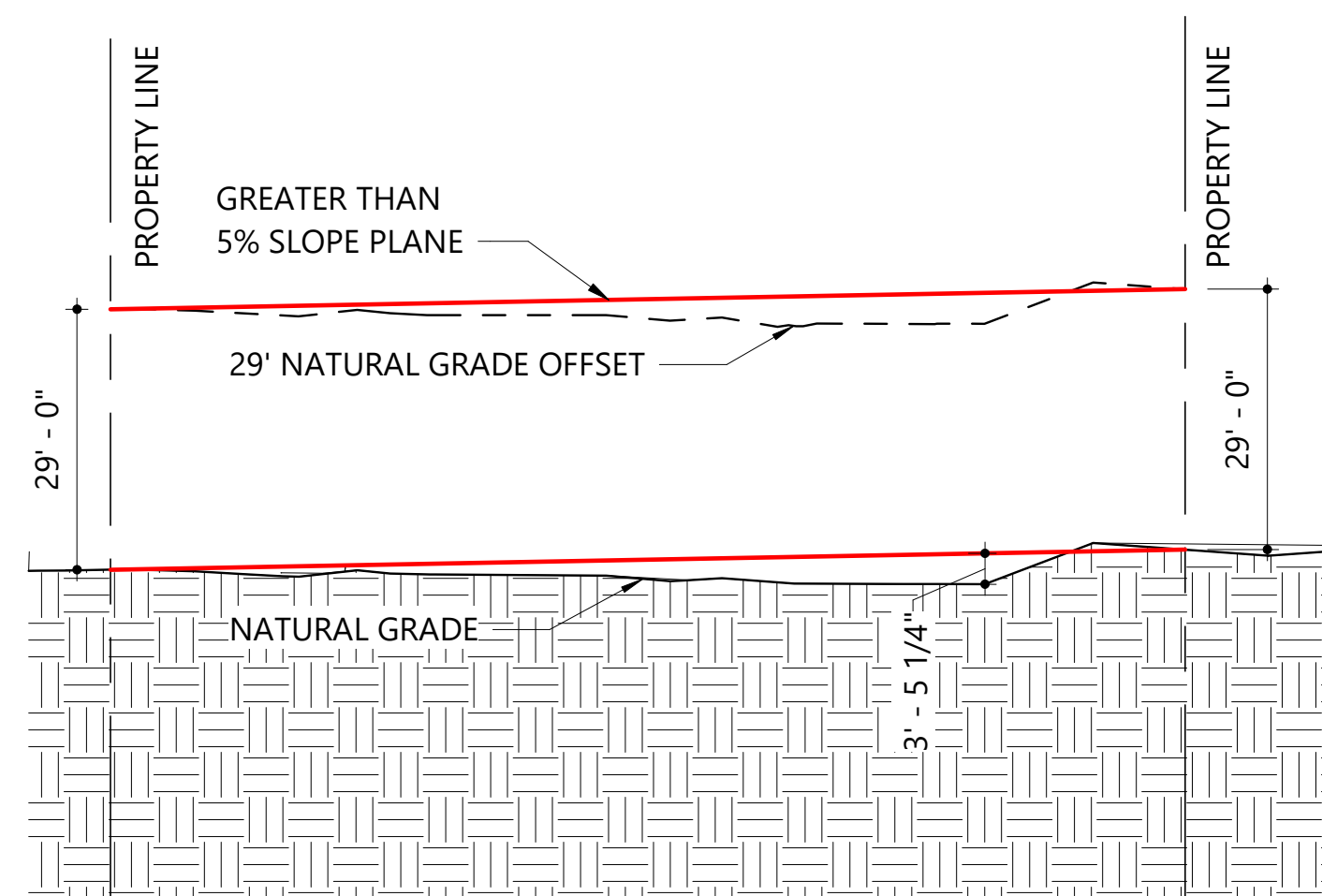
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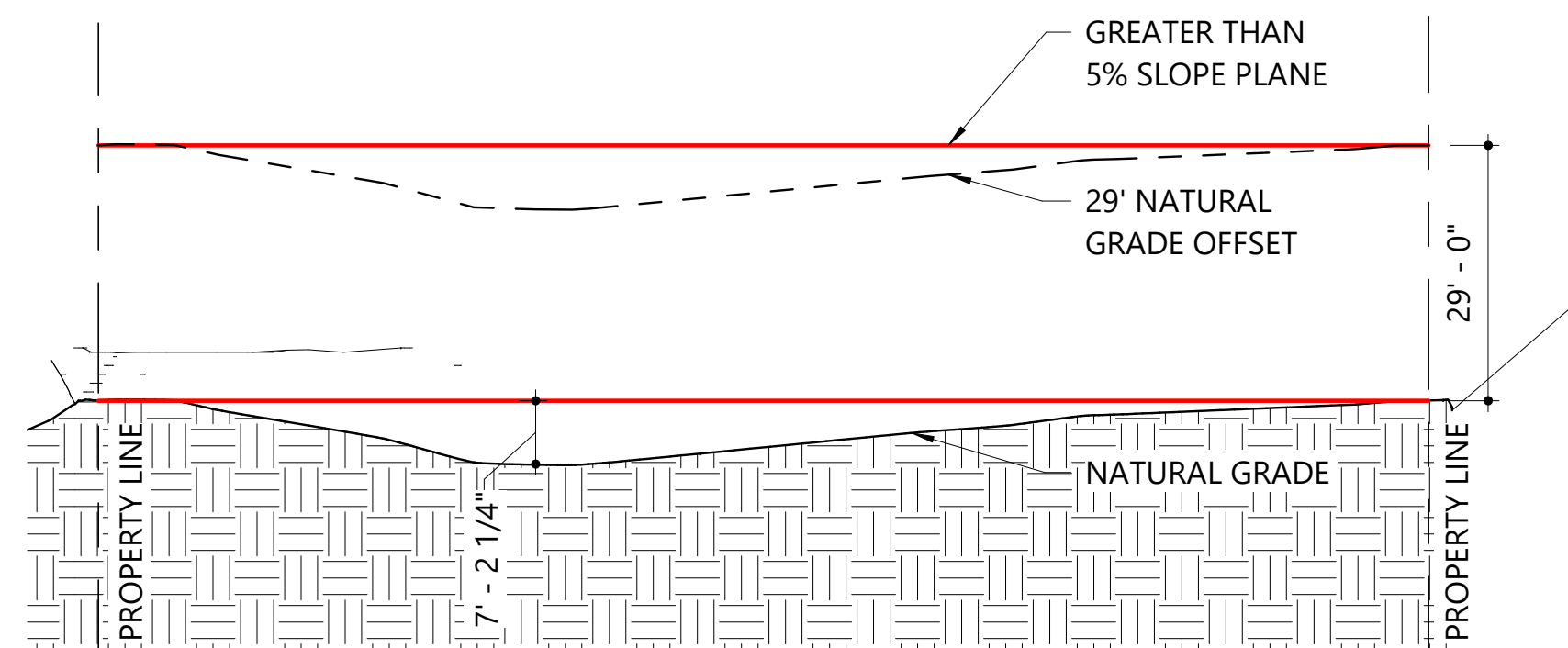
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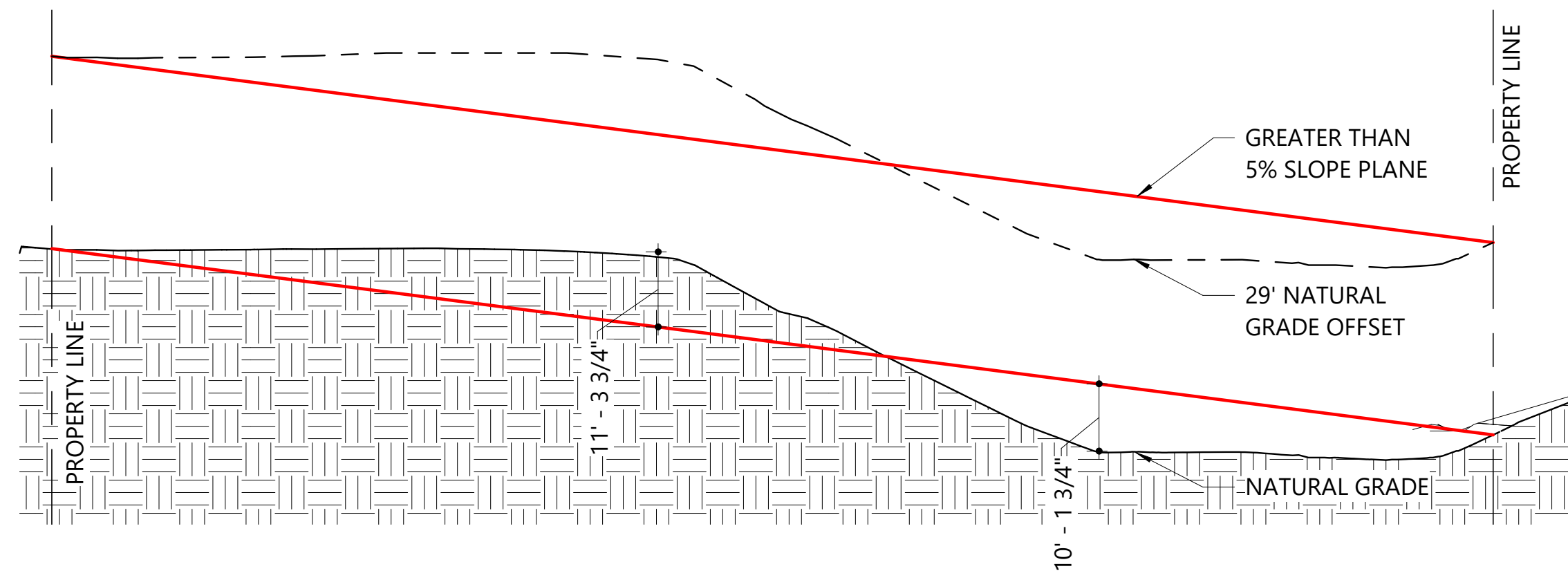
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SCALE: 1" = 20'-0"

1



P5 - SECTION
SCALE: 1" = 20'-0"

5



P4 - SECTION
SCALE: 1" = 20'-0"

4

Attachment No. CD 4

Established Grade (GP-04)

**APEX LAND SURVEYING
INC.**

8512 OXLEY CIRCLE
HUNTINGTON BEACH, CALIFORNIA 92646
(714) 488-5006 Phone
(714) 333-4440 Fax

Paul D. Craft, P.L.S., 8516,
License Renewal Date: 12/31/18

February 1, 2018

To: The City of Newport Beach
Subject: 401 Avocado Avenue, Newport Beach, CA

I, Paul D. Craft (Licensed Land Surveyor), certify that I have reviewed the "Natural Grade Plane Analysis" plan, prepared by Welch Design Studio, and that the contours shown thereon are representative of the natural grade and can be used for an alternative grade determination.

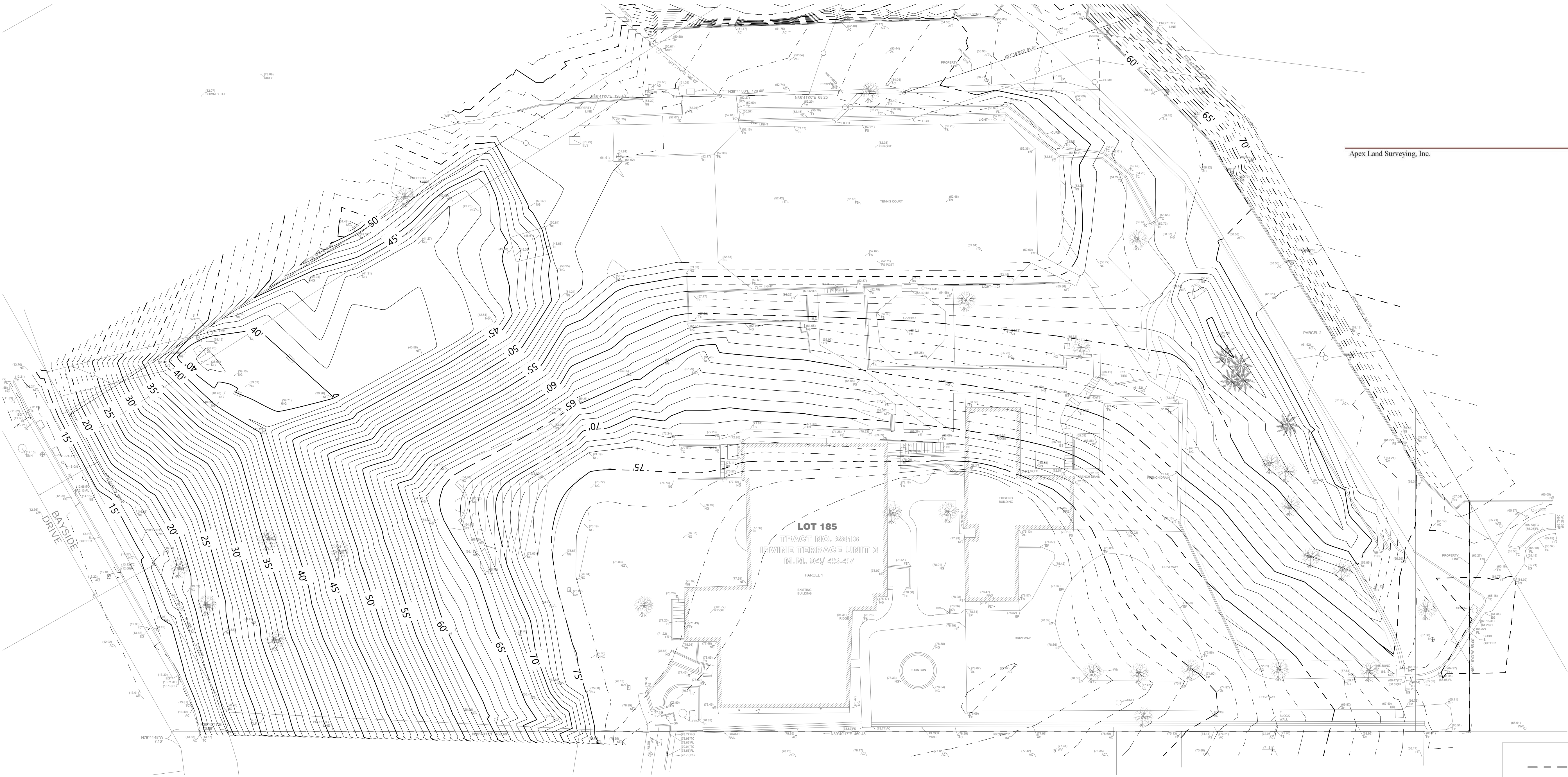
Regards,



Paul D. Craft, PLS

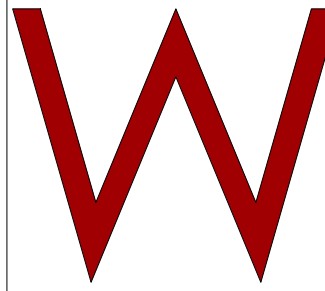
Apex Land Surveying, Inc.

Sheet 1 of 1



--- INTERPOLATED NATURAL TOPOGRAPHY
— SURVEY LINES

ARCHITECT



WELCH | DESIGN | STUDIO
EL SEGUNDO, CALIFORNIA
310 905 8855
WWW.WELCHDESIGNSTUDIO.COM

PROJECT

PRIVATE RESIDENCE
401 AVOCADO AVE.
CORONA DEL MAR, CA

SCHEMATIC

ESTABLISHED GRADE

SCALE: 1" = 20'-0"

DATE

03/16/2018
GP-04