

Attachment No. PC 7

Variance No. VA1137

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November 6, 1986

EICHENHOEFER
 KOPPELMAN
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 MERRILL
 PERSON
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 WINBURN

CITY OF NEWPORT BEACH

ROLL CALL

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Variance No. 1137 (Public Hearing)Item No.6

Request to permit alterations and additions to an existing single family dwelling on the bluff side of Ocean Boulevard which currently exceeds the 24 foot basic height limit in the 24/28 Foot Height Limitation District. The proposed variance includes a request to further exceed the basic height limit without extending above top of curb on Ocean Boulevard and to allow the gross structural area of the dwelling to exceed 1.5 times the buildable area of the site. The proposal also includes a modification to the Zoning Code so as to allow a portion of the proposed addition to encroach 9 feet 6 inches into the required 10 foot front yard setback, adjacent to Ocean Boulevard; and the acceptance of an environmental document.

Variance No. 1137Approved

LOCATION: A portion of Block 033, Corona del Mar, located at 2741 Ocean Boulevard, on the southwesterly side of Ocean Boulevard, at the southerly terminus of Goldenrod Avenue, in Corona del Mar.

ZONE: R-1

APPLICANT: Rod Emery, Corona del Mar

OWNER: Doris E. Russell, Corona del Mar

James Hewicker, Planning Director, referred to letters received from Elaine Y. Zweber, 2804 Ocean Boulevard, dated October 28, 1986, and the Corona del Mar Community Association dated November 6, 1986, stating their concerns regarding the proposed project.

The public hearing was opened in connection with this item, and Mr. Jerry King, 3187 Airway, Costa Mesa, appeared before the Planning Commission on behalf of the applicant, and he referred to a letter from Mr. and Mrs. Franklin I. Remer, dated October 27, 1986. Mr. King presented an overview of the subject application and he stated that the applicant concurs with the findings and conditions in Exhibit "A".

Mr. Rod Emery, applicant, appeared before the Planning Commission, and stated that every effort has been made to meet the concerns of the neighbors. He pointed out that the requested increase to 1.9 times the buildable area is a result of attempting to add off-street parking with the addition of a 4 car garage. Mr. Emery

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commented that if the lot were of a more regular shape, he could build within the 1.5 times the buildable area without requiring a Variance. Mr. Emery read a petition signed by 42 neighbors in support of the Variance, and he pointed out that the aforementioned Mr. and Mrs. Remer and Mr. and Mrs. Zweber also signed the petition.

Mr. Bryon Jeannette, architect, appeared before the Planning Commission. Mr. Jeannette described from an exhibit, how the roof will conform to the highest point of the curb.

The public hearing was closed at this time.

Mr. Hewicker referred to Exhibit "A", Condition No. 5, and requested the condition be modified to state: "That all trees and shrubs located within the slope area of Ocean Boulevard and within the subject property, shall be trimmed or cut prior to the issuance of a Building Permit, and maintained on a continuous basis.." In response to staff's recommendation, Mr. Emery replied that he has not yet closed escrow on the property, and there could be a problem trimming the trees before escrow closed. Discussion followed regarding trimming and cutting trees vs. removal of the trees. William Ward, Senior Planner, pointed out that the staff report suggested the removal of trees; however, the aforementioned Condition No. 5 states that all trees and shrubs be trimmed or cut.

In reference to the overgrown landscaping on City property adjacent to the subject site, Mr. Hewicker commented that the City has property in key locations where there are public views that need to be maintained; however, he said that these views in many cases, have been reduced or eliminated because the City has not maintained the landscaping.

Motion

x

Motion was made to approve Variance No. 1137, subject to the findings and conditions in Exhibit "A", including modified Condition No. 5 adding "prior to the issuance of a Building Permit".

Commissioner Person stated that he would support the motion. He reasoned that this is a proper site for a Variance, and the residents in the neighborhood support the project.

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All Ayes

Motion voted on to approve Variance No. 1137 and Environmental Document, MOTION CARRIED.

A. ENVIRONMENTAL DOCUMENTFINDINGS:

1. That the environmental document has been prepared in compliance with the California Environmental Quality Act (CEQA), the State EIR Guidelines and City Policy.
2. That the contents of this environmental document have been considered in the various decisions on the project.
3. That in order to reduce adverse impacts of the proposed project, all feasible mitigation measures discussed in the environmental document have been incorporated into the proposed project.

B. VARIANCE NO. 1137FINDINGS:

1. That there are exceptional or extraordinary circumstances applying to the land, building, and use proposed in this application, which circumstances and conditions do not generally apply to land, building and/or uses in the same district inasmuch as the subject property maintains a very steep slope which is significantly different than other lots on the upland side of Ocean Boulevard and the buildable area percentage of the subject property is lower than the typical Corona del Mar lot.
2. That the granting of a variance to exceed the permitted building height and area is necessary for the preservation and enjoyment of substantial property rights of the applicant, inasmuch as the proposed building is of comparable height to other buildings on the bluff side of Ocean Boulevard and will contain a similar amount of gross floor area as other developments on the bluff side of Ocean Boulevard.
3. That the establishment, maintenance, and operation of the use, property, and building at the proposed height and area will not be detrimental to the

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health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

4. That the proposed development is consistent with the Land Use Element of the General Plan and the adopted Local Coastal Program, Land Use Plan, and is compatible with surrounding land uses.
5. That the proposed construction within the required front yard setback 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 approval of said encroachment is consistent with the legislative intent of Title 20 of the Zoning Code.

CONDITIONS:

1. That the development shall be in substantial conformance with the approved revised plot plan, floor plans, and elevations except as noted below.
2. Except for the chimney, permitted in Condition No. 6 below, all new construction shall not extend above the top of curb on Ocean Boulevard.
3. That the gross floor area of the structure shall not exceed 5,264± sq.ft. (1.93 x buildable area).
4. That as long as the property is developed with a structure which exceeds 1.5 times the buildable area, the applicant shall 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, so as to limit the use of the existing and proposed garages for the storage of vehicles only.
5. That all trees and shrubs located within the slope area of Ocean Boulevard and within the subject property, shall be trimmed or cut prior to the issuance of a Building Permit, and maintained on a continuous basis so as not to project above a

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sight line established between a point equal to the height of the existing wrought iron fence located in front of the property and the back edge of the finished roof line of the structure. Said requirement shall apply to the full width of the site.

6. That the new chimney shall not exceed the minimum height required by the Uniform Building Code.
7. That the displaced sections of curb on Ocean Boulevard shall be replaced.
8. That the abandoned 12 inch storm drain that crosses the subject property be removed or the remaining section between the Ocean Boulevard curb inlet and the property be filled with sand slurry.
9. Development of the site shall be subject to a grading permit to be approved by the Building and Planning Departments.
10. That a grading plan shall include a complete plan for temporary and permanent drainage facilities, to minimize any potential impacts from silt, debris, and other water pollutants.
11. An erosion, siltation and dust control plan, if required, shall be submitted and be subject to the approval of the Building Department and a copy shall be forwarded to the California Regional Water Quality Control Board, Santa Ana Region.
12. The velocity of concentrated run-off from the project shall be evaluated and erosive velocities controlled as part of the project design.
13. That grading shall be conducted in accordance with plans prepared by a Civil Engineer and based on recommendations of a soils engineer and an engineering geologist subsequent to the completion of a comprehensive soil and geologic investigation of the site, said report shall be subject to the approval of the City Grading Engineer prior to the issuance of a grading permit and shall include a detailed slope stability analysis. Permanent reproducible copies of the "Approved as Built" grading plans on standard size sheets shall be furnished to the Building Department.

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14. That erosion control measures shall be done on any exposed slopes within thirty days after grading or as approved by the City Grading Engineer.
15. That this variance shall expire unless exercised within 24 months of the date of approval as specified in Section 20.82.090A of the Newport Beach Municipal Code.

* * *

Request to Establish Grade (Discussion)

Request to establish grade for the purpose of measuring building height on property located in the 24/28 Foot Height Limitation District.

LOCATION: A portion of Lot 5, all of Lot 6, and a portion of Lot 7, Block 139, Corona del Mar, located at 3308 Ocean Boulevard, on the northeasterly side of Ocean Boulevard, between Marguerite Avenue and Marigold Avenue, in Corona del Mar.

ZONE: R-1

APPLICANT: William F. Cohen, Newport Beach

OWNER: Same as applicant

Commissioner Koppelman stepped down from the dais because of a possible conflict of interest.

James Hewicker, Planning Director, referred to a letter received from the Corona del Mar Community Association dated November 6, 1986.

Mr. Jerry King, 3187 Airway, Costa Mesa, appeared before the Planning Commission on behalf of the applicant. Mr. King stated that several residents on Ocean Boulevard have modified their property over a period of years so that now their property is not built at the original grade. He explained the inconsistency of the grade of the subject property from the front of the property to the rear property line at the alley. He pointed out that the two properties adjacent to the subject site, and the subject property, were constructed on their lots prior to the grading requirements of 1972, and that the existing structure has an average height of 26.9 feet above the height of

Item No. 7

Request to
Establish
Grade

No Action
Taken

CITY OF NEWPORT BEACH

TO: Planning Commission
FROM: Planning Department
SUBJECT: Variance No. 1137 (Public Hearing)

Request to permit alterations and additions to an existing single family dwelling on the bluff side of Ocean Boulevard which currently exceeds the 24 foot basic height limit in the 24/28 Foot Height Limitation District. The proposed variance includes a request to further exceed the basic height limit without extending above top of curb on Ocean Boulevard and to allow the gross structural area of the dwelling to exceed 1.5 times the buildable area of the site. The proposal also includes a modification to the Zoning Code so as to allow a portion of the proposed addition to encroach 9 feet 6 inches into the required 10 foot front yard setback, adjacent to Ocean Boulevard; and the acceptance of an environmental document.

LOCATION: A portion of Block 033, Corona del Mar, located at 2741 Ocean Boulevard, on the southwesterly side of Ocean Boulevard, at the southerly terminus of Goldenrod Avenue, in Corona del Mar.

ZONE: R-1

APPLICANT: Rod Emery, Corona del Mar

OWNER: Doris E. Russell, Corona del Mar

Application

This variance application involves a request to permit alterations and additions to an existing single family dwelling on the bluff side of Ocean Boulevard which currently exceeds the 24 foot basic height limit in the 24/28 Foot Height Limitation District. The proposed variance includes a request to further exceed the basic height limit without extending above the top of curb on Ocean Boulevard and to allow the gross structural area of the dwelling to exceed 1.5 times the buildable area of the site. In accordance with Section 20.02.050 F. of the Newport Beach Municipal Code, structures on the bluff side of Ocean Boulevard are subject to the provisions of the 24/28 Foot Height Limitation District except that no structure may extend above the top of curb on Ocean Boulevard. Section 20.11.020 of the Municipal Code provides that the gross structural area of structures built in the R-1

TO: Planning Commission -2.

District of Corona Del Mar, shall not exceed 1.5 times the buildable area of the site. Variance procedures are set forth in Chapter 20.82 of the Municipal Code.

The proposal also includes a modification to the Zoning Code so as to allow a portion of the proposed construction to encroach 9 feet 6 inches into the required 10 foot front yard setback, adjacent to Ocean Boulevard. Modification procedures are set forth in Chapter 20.81 of the Municipal Code.

Environmental Significance

After an Initial Study, it has been determined that this project will not have any significant environmental impact. A Negative Declaration has been prepared, and is attached for the Commission's review.

Conformance with the General Plan and the Local Coastal Program

The Land Use Elements of the General Plan and the Local Coastal Program designate the site for "Low Density Residential" uses. The existing single family dwelling is a permitted use within this designation.

Subject Property and Surrounding Land Uses

The subject property is currently developed with a single family dwelling and there are single family dwellings on all the adjacent lots surrounding the site.

Background

The existing single family dwelling and detached garage were constructed on the site in 1962. With the exception of some minor alterations the existing structure remains as it was originally constructed.

Analysis

The applicant is now proposing to make additions to the existing structure which includes 900± sq.ft. of new living area and a new four car garage containing 983± sq.ft. The proposal also includes: the installation of an elevator which provides easy access from the garage to the three levels of living area; and the construction of 2,157± sq.ft. of new deck area. Staff has prepared the following outline which sets forth the major characteristics of the proposed project.

ed Land Area: 4,971± sq.ft.

Buildable Area: 2,725± sq.ft.

1.5 times buildable (permitted by Zoning Code) 4,087.5± sq.ft.

TO: Planning Commission -3.

Gross Structural Area		<u>Existing</u> 3,381± sq.ft.	<u>Proposed</u> 5,264± sq.ft. (1)
Floor Area Ratio		1.49xBuild.Area	1.93xBuild.Area
<u>Building Setbacks</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Front (Ocean Blvd.)	10 ft.	Varies 1 ft.-4 in.± to 5 ft.-3 in.±	Varies 6 inches to 2 ft.-6 in.±
Northerly Side	4 ft.	Varies 4 ft.-9 in.± to 6 ft.-7 in.±	Same as existing
Rear (Way Lane)	2.5 ft.	Varies 2 ft.-6 in.± to 17 ft.-6 in.±	Varies 2 ft.-6 in. to 17 ft.-6 in.±
Height Permitted by Code:		24/28 Foot Height Limitation District	
Roof Height in Relation to Ocean Boulevard		Varies from .79± ft. to 1.30± ft. above top of curb	New Construction Varies from 1.04 ft. to 1.66 ft. (2) above top of curb
Height above natural grade			
Maximum height of flat roof		43.85 ft.	53.85 ft. (3)
Average height of flat roof		38.85± ft.	48.85± ft. (3)

(1) The gross structural area figure shown on Sheet No. 7 of the attached plans is incorrect inasmuch as the applicant did not include the equipment room shown on Sheet No. 8 in the gross floor area calculations.

(2) Applicant's architect has indicated that the new roof area will be lowered so as to not exceed the top of curb height of Ocean Boulevard.

(3) Proposed building heights will be slightly lower than the figures shown on Sheet No. 2 of attached plans inasmuch as the new roof construction will be lowered so as to not extend above top of curb on Ocean Boulevard.

Existing Building Height

As indicated in the above outline, the existing structure maintains a roof height which is approximately 1.30± ft. above top of curb on the southerly end of the structure and .79± feet above top of curb on the northerly end. Said roof height was established in 1962, prior to the existing height limitation which prohibits construction above the top of curb on Ocean Boulevard. The height of the existing roof, measured from the midpoint of the natural slope within the limits of the existing roof, is approximately 38.85 feet. Again, said roof height was established at the time of the original construction.

TO:

Planning Commission -4.

Roof Height of Proposed Additions

As indicated in the previous outline, the attached plans show that the roof height over the proposed additions will vary between 1.04 feet and 1.66 feet above top of curb. Said roof height is the same as the existing roof line, however, because Ocean Boulevard slopes down to the south, the new roof area on the southerly side of the structure results in an increased roof height in relation to Ocean Boulevard.

At the time of submittal, the project architect was unaware that the new roof areas were above top of curb and staff did not uncover the fact until its review of the project was well under way.

In discussing this situation with the project architect he has indicated that he will redesign the roof height of the proposed additions so that no portions of any new roof area would project above the top of curb on Ocean Boulevard. Although the attached plans do not reflect this change the applicant's architect has indicated that he will have revised floor plans and elevations available at the Planning Commission meeting.

Based upon the applicant's lowering of the new roof area, as discussed above, the maximum height of the flat roof measured from natural grade will be approximately 52.19 feet. The height of the new roof area, measured from the average slope will be approximately 50.19 feet.

Gross Structural Area

In accordance with Section 20.11.020 of the Newport Beach Municipal Code, building sites located in the R-1 District of Corona del Mar are limited to a gross floor area of 1.5 times the buildable area of the site. As indicated on the attached plans, the applicant is proposing to add approximately 1,863± sq.ft. of new floor area to the existing 3,381± sq.ft. structure (including garages). The new floor area includes various additions to the existing bedrooms on the middle floor; an 86± sq.ft. addition to the existing living room and a 372± sq.ft. addition to the existing family room on the upper floor; a 139± sq.ft. addition to the lower floor office which includes a new bathroom and will now be used as a studio and laundry area; and a new 983± sq.ft., four car garage on the bottom level, adjacent to Way Lane. The proposed additions will increase the total gross structural area on site to 5,264± sq.ft. or 1.93 times the buildable area of the site. The following table outlines the existing and proposed floor area for each level of the structure:

	Existing	Proposed	Total
Upper Level	1,336± sq.ft.	458± sq.ft.	1,796± sq.ft.
Middle Level	1,266± sq.ft.	303± sq.ft.	1,569± sq.ft.
Lower Level	359± sq.ft.	139± sq.ft.	498± sq.ft.
Garage Level	418± sq.ft.	983± sq.ft.	1,401± sq.ft.
	3,381± sq.ft.	1,883± sq.ft.	5,264± sq.ft.

TO: Planning Commission -5.

Comparison to Previously Approved Variances of a Similar Nature

The Planning Commission has previously approved two variances which were very similar to the subject application and are located on the bluff side of Ocean Boulevard, within the same block as the subject project. The first of these applications was Variance No. 1126, located at 2711 Ocean Boulevard. Said variance permitted additions to an existing single family dwelling which exceeded the maximum permitted building height in the 24/28 Foot Height Limitation District and permitted the structure to exceed 1.5 times the buildable area of the site. The second application was Variance No. 1127, located at 2723 Ocean Boulevard. Said variance permitted a major remodel of an existing single family dwelling which exceeded the maximum permitted building height in the 24/28 Foot Height Limitation District. No variance was required for the gross structural area inasmuch as it did not exceed 1.5 times the buildable area. The following table has been prepared which provides a comparison of the two previous projects and the subject project.

	Variance No. 1126 2711 Ocean Blvd.	Variance No. 1127 2723 Ocean Blvd.	Subject Variance
Lot Area	4,985± sq.ft.	6,334± sq.ft.	4,971± sq.ft.
Buildable Area	3,806± sq.ft.	4,674± sq.ft.	2,725± sq.ft.
1.5 x Build.Area	5,709± sq.ft.	7,011± sq.ft.	4,087.5±sq.ft
Gross Structural Area	5,923± sq.ft.	4,924± sq.ft.	5,264± sq.ft.
Floor Area Ratio	1.56xBuild.Area	1.05xBuild.Area.	1.93xBuild.Area
Max. Approved Height	48±ft.	38± ft.	52.19± ft.

Staff has also compared the percentage of buildable area of the subject property to that of a typical Corona del Mar lot containing 3,540 sq.ft. with a 20 foot front setback, 3 foot side yard setbacks and a 5 foot rear setback. Said comparison showed that the typical Corona del Mar lot contained 63 percent buildable area while the subject project contains only 54 percent buildable area.

Required Findings for Variance Approval

Section 20.82.020 of the Municipal Code provides that in order to grant any variance, the Planning Commission must find that the applicant has established the following grounds for a variance:

TO:

Planning Commission -6.

1. That there are exceptional or extraordinary circumstances applying to land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings and/or uses in the same district.
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.
3. That the granting of such application will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of the property of the applicant and will not under the circumstances of the particular case be materially detrimental to the public welfare or injurious to property improvements in the neighborhood.

Applicant's Statements of Support

The applicant has submitted the following statements in support of this application.

What exceptional circumstances apply to the property, building, or use? "The irregular shape of the lot and steepness of the ground."

Why is a variance necessary to preserve property rights: "To enjoy same rights as our neighbors. The unusually irregular shape of this lot creates overly excessive setback areas and penalizes this land owner's buildable area far in excess of all surrounding sites."

Why will proposal not be detrimental to the neighborhood? "New height of roof will not exceed the height of the top of curb on Ocean Boulevard so as to protect existing views from above Ocean Boulevard. Additional off-street parking will be provided and most of new square footage is within the existing building footprint."

Staff concurs with the applicant's position concerning the height of the structure inasmuch as there are unusual circumstances which apply to the site's topography which do not generally apply to other building sites on the upland side of Ocean Boulevard. It should be further noted that the applicant's architect has indicated that the roof areas over the proposed additions will not project above top of curb on Ocean Boulevard, and said building height is comparable to other buildings along the same side of Ocean Boulevard.

Staff also concurs with the applicant's position concerning the proposed floor area in excess of 1.5 times the buildable area, inasmuch as the unusual shape and width of the subject property, in conjunction with the required 10 foot front yard setback, results in a buildable area which is only 54 percent of the total lot area. It should also be noted that approximately 1,490 sq.ft. of the total structural area is comprised of garage area. Said feature has been

TO:

Planning Commission -7.

included by the applicant inasmuch as he has several expensive cars which he wishes to store on the site. In light of this consideration, if the gross structural area for the subject project were calculated using only a typical 400 sq.ft. garage, the resulting Floor Area Ratio would be 1.53 times the buildable area of the site rather than 1.93.

Proposed Modification

As shown on the attached site plan, the existing structure encroaches to within 1 foot 4 inches of the front property line where a 10 foot front yard setback is required. Inasmuch as the applicant proposes to maintain the same building line along the front of the building, a portion of the proposed addition will encroach 9 feet 6 inches into the 10 foot front yard setback. Staff has no objections to the proposed encroachment inasmuch as the proposed structure maintains a setback from the existing sidewalk on Ocean Boulevard which varies between 36 feet and 59 feet.

Existing Landscaping Along Ocean Boulevard

Although it is not shown on the attached topographic survey, the subject property as well as a slope area within the Ocean Boulevard right-of-way, is heavily landscaped with shrubs and trees which partially block the public view from the sidewalk on Ocean Boulevard. Said landscaping was planted by the applicant and has been allowed to grow higher than the top of curb on Ocean Boulevard. It is staff's opinion that said landscaping should be cut back so as not to project above a sight line between the top of the existing wrought iron fence and the back of the proposed structure. Such a requirement will require the removal of two large pine trees, some low growing palm trees, and the trimming of most of the shrubs on the upper portion of the slope area.

Proposed Chimney

As shown on the attached elevations the applicant is proposing to construct a new fireplace and chimney which is approximately 6 feet wide and projects approximately 4 feet 6 inches above the top of the existing roof and approximately 5.29 feet above top of curb: in accordance with Section 20.02.060 of the Newport Beach Municipal Code, chimneys may project beyond the established height limit, provided that the height of the chimney is no higher than the minimum height required by the Uniform Building Code. In this case the minimum height required is 2 feet. Therefore, the applicant will have to lower the proposed chimney approximately 2 feet 6 inches.

Specific Findings and Recommendations

Staff is of the opinion that the variance for both the height limitation and the gross structural area limitation are sufficiently justified in this case inasmuch as the height of the existing and proposed structure are comparable to the height of other structures along the bluff side of Ocean Boulevard and the steep topography of the site (a slope of 39:1 feet, measured from the front property line

TO:

Planning Commission -8.

adjacent to the Ocean Boulevard to Way Lane) presents an unusual circumstance that does not apply to other lots on the upland side of Ocean Boulevard; and the unusual width of the site, in combination with the required 10 foot front yard setback, results in a reduced buildable area percentage which is less than that of a typical Corona del Mar lot.

Should the Planning Commission concur with staff's recommendations, the findings and conditions set forth in Exhibit "A" are suggested. Should the Planning Commission wish to deny this application, the findings set forth in the attached Exhibit "B" are suggested.

PLANNING DEPARTMENT
JAMES D. HEWICKER, Director

By *W. William Ward*
W. William Ward
Senior Planner

WWW/11

Attachments: Exhibit "A"
Exhibit "B"
Vicinity Map
Letters of Opposition and Concern (2)
Negative Declaration
Photographs
Topographic Survey Plan, Plot Plan,
Elevations, Proposed Floor Plans
and Existing Floor Plans

TO:

Planning Commission -9.

EXHIBIT "A"
FINDINGS AND CONDITIONS OF APPROVAL FOR
VARIANCE NO. 1137 AND
ENVIRONMENTAL DOCUMENT

A. ENVIRONMENTAL DOCUMENT

FINDINGS:

1. That the environmental document has been prepared in compliance with the California Environmental Quality Act (CEQA), the State EIR Guidelines and City Policy.
2. That the contents of this environmental document have been considered in the various decisions on the project.
3. That in order to reduce adverse impacts of the proposed project, all feasible mitigation measures discussed in the environmental document have been incorporated into the proposed project.

B. VARIANCE NO. 1137

FINDINGS:

1. That there are exceptional or extraordinary circumstances applying to the land, building, and use proposed in this application, which circumstances and conditions do not generally apply to land, building and/or uses in the same district inasmuch as the subject property maintains a very steep slope which is significantly different than other lots on the upland side of Ocean Boulevard and the buildable area percentage of the subject property is lower than the typical Corona del Mar lot.
2. That the granting of a variance to exceed the permitted building height and area is necessary for the preservation and enjoyment of substantial property rights of the applicant, inasmuch as the proposed building is of comparable height to other buildings on the bluff side of Ocean Boulevard and will contain a similar amount of gross floor area as other developments on the bluff side of Ocean Boulevard.
3. That the establishment, maintenance, and operation of the use, property, and building at the proposed height and area will not be detrimental to the health, safety, peace, comfort, and general

TO:

Planning Commission -10.

welfare of persons residing or working in the neighborhood of such proposed use or detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

4. That the proposed development is consistent with the Land Use Element of the General Plan and the adopted Local Coastal Program, Land Use Plan, and is compatible with surrounding land uses.
5. That the proposed construction within the required front yard setback 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 approval of said encroachment is consistent with the legislative intent of Title 20 of the Zoning Code.

CONDITIONS:

1. That the development shall be in substantial conformance with the approved revised plot plan, floor plans, and elevations except as noted below.
2. Except for the chimney, permitted in Condition No. 6 below, all new construction shall not extend above the top of curb on Ocean Boulevard.
3. That the gross floor area of the structure shall not exceed 5,264 sq. ft. (1.93 x buildable area).
4. That as long as the property is developed with a structure which exceeds 1.5 times the buildable area, the applicant shall 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, so as to limit the use of the existing and proposed garages for the storage of vehicles only.
5. That all trees and shrubs located within the slope area of Ocean Boulevard and within the subject property, shall be trimmed or cut, and maintained on a continuous basis so as not to project above a sight line established between a point equal to the height of the existing wrought iron fence located in front of the property and the back edge of the finished roof line of the structure. Said requirement shall apply to the full width of the site.

TO:

Planning Commission -11.

6. That the new chimney shall not exceed the minimum height required by the Uniform Building Code.
7. That the displaced sections of curb on Ocean Boulevard shall be replaced.
8. That the abandoned 12 inch storm drain that crosses the subject property be removed or the remaining section between the Ocean Boulevard curb inlet and the property be filled with sand slurry.
9. Development of the site shall be subject to a grading permit to be approved by the Building and Planning Departments.
10. That a grading plan shall include a complete plan for temporary and permanent drainage facilities, to minimize any potential impacts from silt, debris, and other water pollutants.
11. An erosion, siltation and dust control plan, if required, shall be submitted and be subject to the approval of the Building Department and a copy shall be forwarded to the California Regional Water Quality Control Board, Santa Ana Region.
12. The velocity of concentrated run-off from the project shall be evaluated and erosive velocities controlled as part of the project design.
13. That grading shall be conducted in accordance with plans prepared by a Civil Engineer and based on recommendations of a soils engineer and an engineering geologist subsequent to the completion of a comprehensive soil and geologic investigation of the site, said report shall be subject to the approval of the City Grading Engineer prior to the issuance of a grading permit and shall include a detailed slope stability analysis. Permanent reproducible copies of the "Approved as Built" grading plans on standard size sheets shall be furnished to the Building Department.
14. That erosion control measures shall be done on any exposed slopes within thirty days after grading or as approved by the City Grading Engineer.
15. That this variance shall expire unless exercised within 24 months of the date of approval as specified in Section 20.02.090A of the Newport Beach Municipal Code.

TO:

Planning Commission -12.

EXHIBIT "B"
FINDINGS FOR DENIAL OF
VARIANCE NO. 1137

1. That there are no exceptional or extraordinary circumstances applying to the land, building, and use proposed in this application, which circumstances and conditions do not generally apply to land, building, and/or uses on the other lots in the area which justify the approval of a structure which exceeds 1.5 times the buildable area of the site or the approval of a further increase in the height of the building structure.
2. That the subject property maintains sufficient buildable area so as to permit the construction of a sufficiently large home within the required floor area limit of 1.5 times the buildable area of the site and within the basic height limit in the 24/28 Foot Height Limitation District.
3. That the establishment, maintenance, and operation of the use, property, and building will, under the circumstances of the 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 detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

BRION JEANNETTE & ASSOCIATES/ INC.
ARCHITECTS/PLANNERS
470 OLD NEWPORT BLVD.
NEWPORT BEACH, CA 92660
(714) 455-3551

EMERY REMODEL

2741 OCEAN BLVD.
CORONA DEL MAR, CA.

LEGAL OWNER
PAUL MRS DON EMERY
610 COVE ST
CORONA DEL MAR, CA 92625
HM 275-1346

REVISIONS	BY

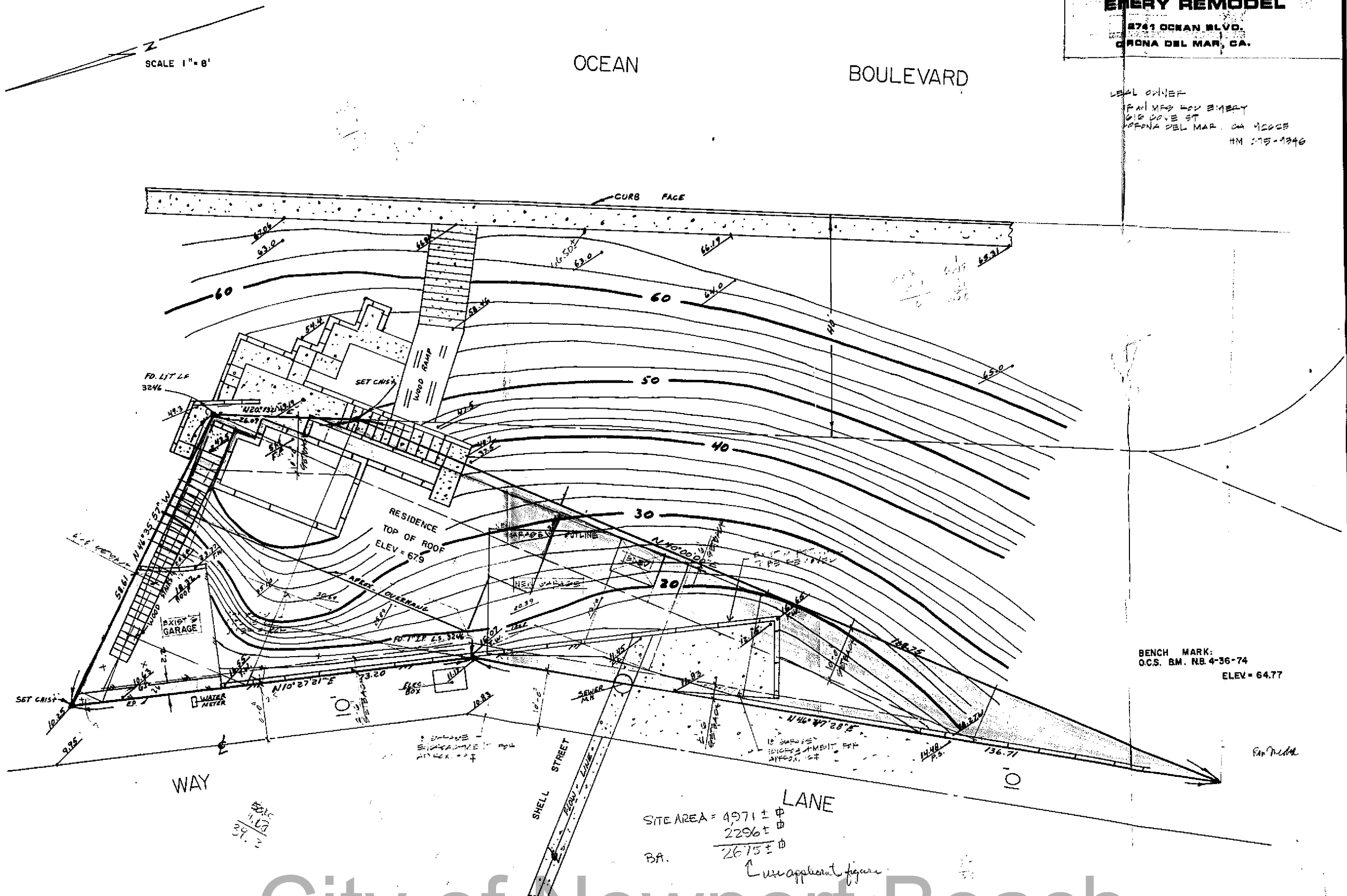
SURVEYOR:
RON MEDEMA
447 E 17TH ST.
COSTA MESA

TOPOGRAPHIC SURVEY
OF A PORTION OF BLOCK 033, CORONA DEL MAR TRACT, RECORDED IN
BOOK 3, PAGES 41-42
DATE: JUNE 17, 1986

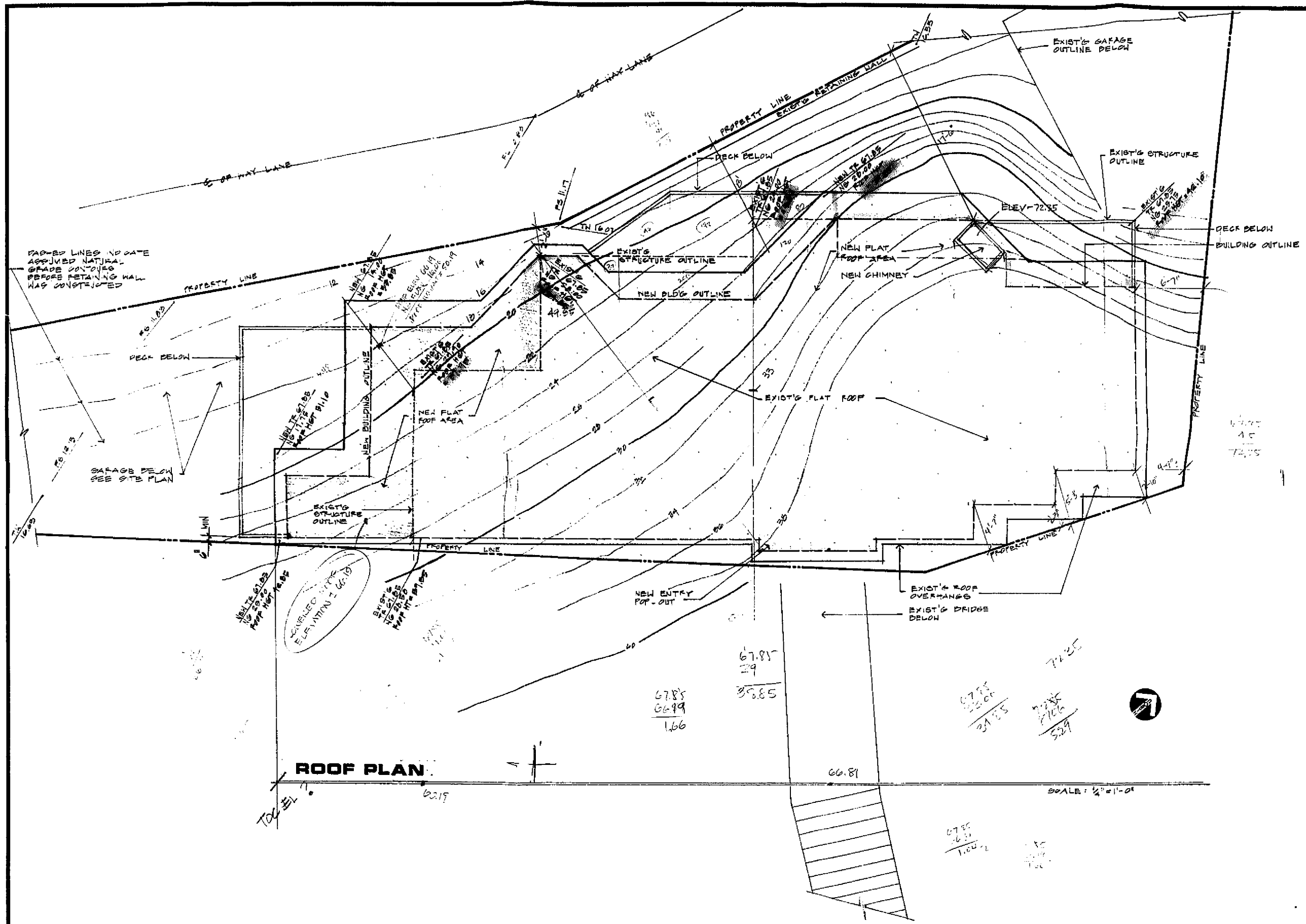
OWNER:
ROD & PAM EMERY
2626 COVE
CORONA DEL MAR

OCT 10 1986

DRAWN
CHECKED
DATE 6-17-86
SCALE 1"=8'
JOB NO.
SHEET 1
OF 1 SHEETS



LANE
SITE AREA = 4971 ± ±
2296 ± ±
2675 ± ±
BA.
Cur apparent figure



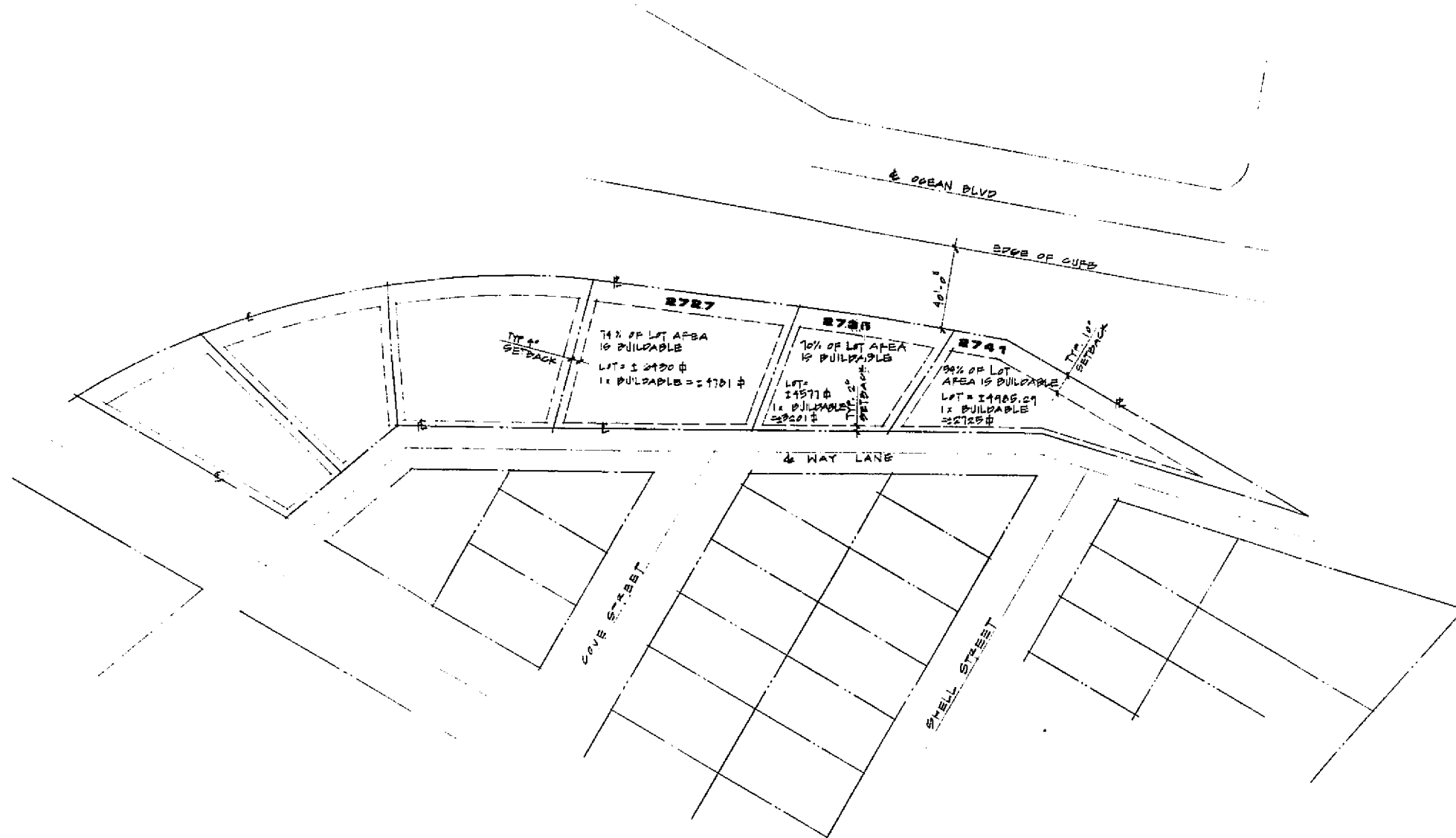
EMERY RESIDENCE

BRION & JEANNETTE & ASSOCIATES INC.
PLANNERS
 NEWPORT BEACH, CALIF.
ARCHITECTS
 NEWPORT BEACH, CALIF.

ROOF PLAN

Date: OCT 10 1986
 Revision:
 Drawn By: AX.
 Job No: 86-087

N



THE EMERY RESIDENCE

BRION J. JEANNETTE & ASSOCIATES INC.
PLANNERS
NEWPORT BEACH, CA 92660
ARCHITECTS
NEWPORT BEACH, CA 92660

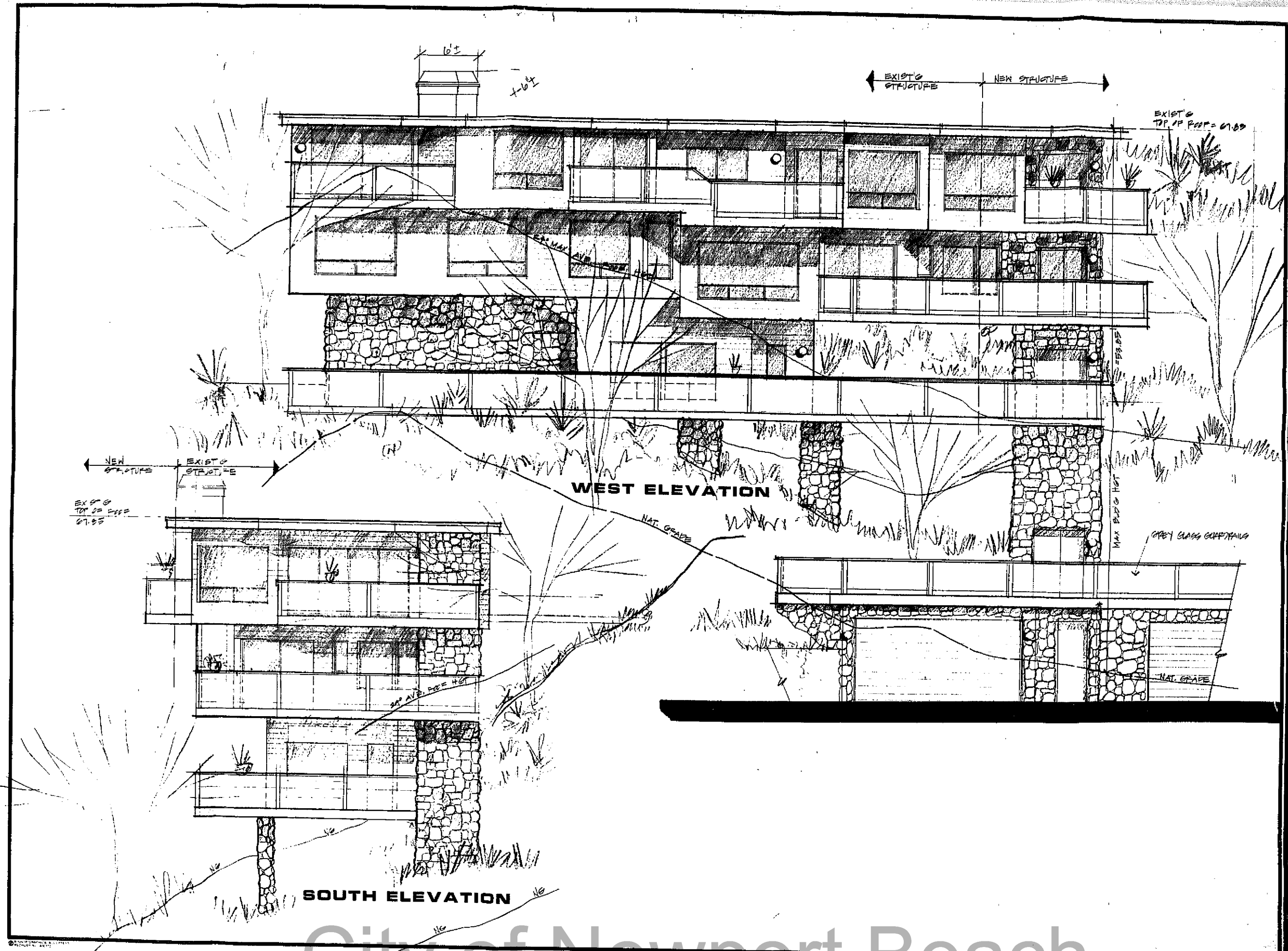
LOT STUDY

Date: OCT 10 1985
Revision:
Revision:
Drawn By:
Job No. 86-037

6

City of Newport Beach

VII/37 3 08/70



EMERY REMODEL

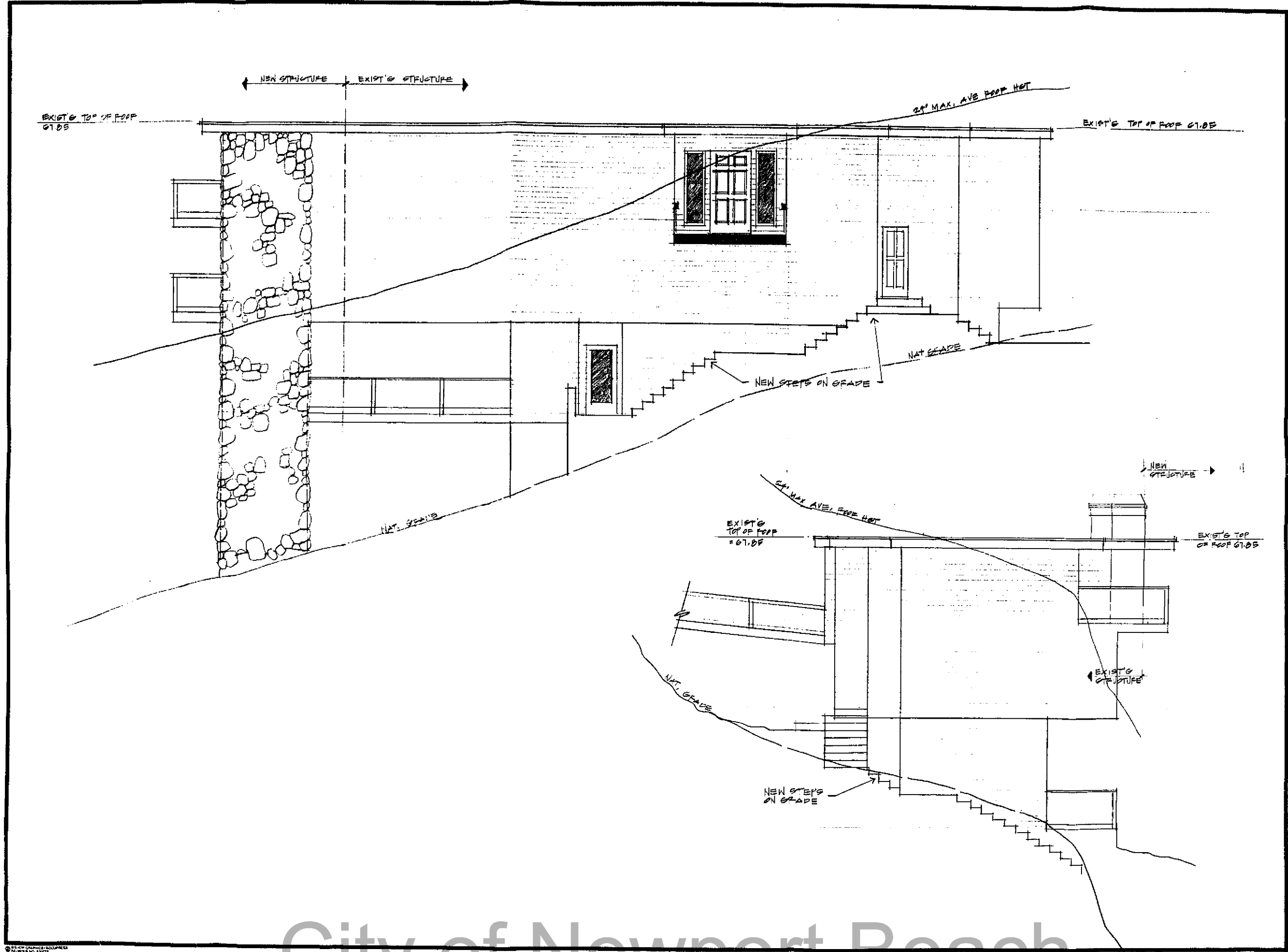
BRION & JEANNETTE & ASSOCIATES/INC.
PLANNERS
ARCHITECTS
NEWPORT BEACH, CA 92660
(714) 861-3344

ELEVATIONS

Date:	OCT 10-1985
Revision:	
Revision:	
Drawn By:	
Job No.	86-037

4

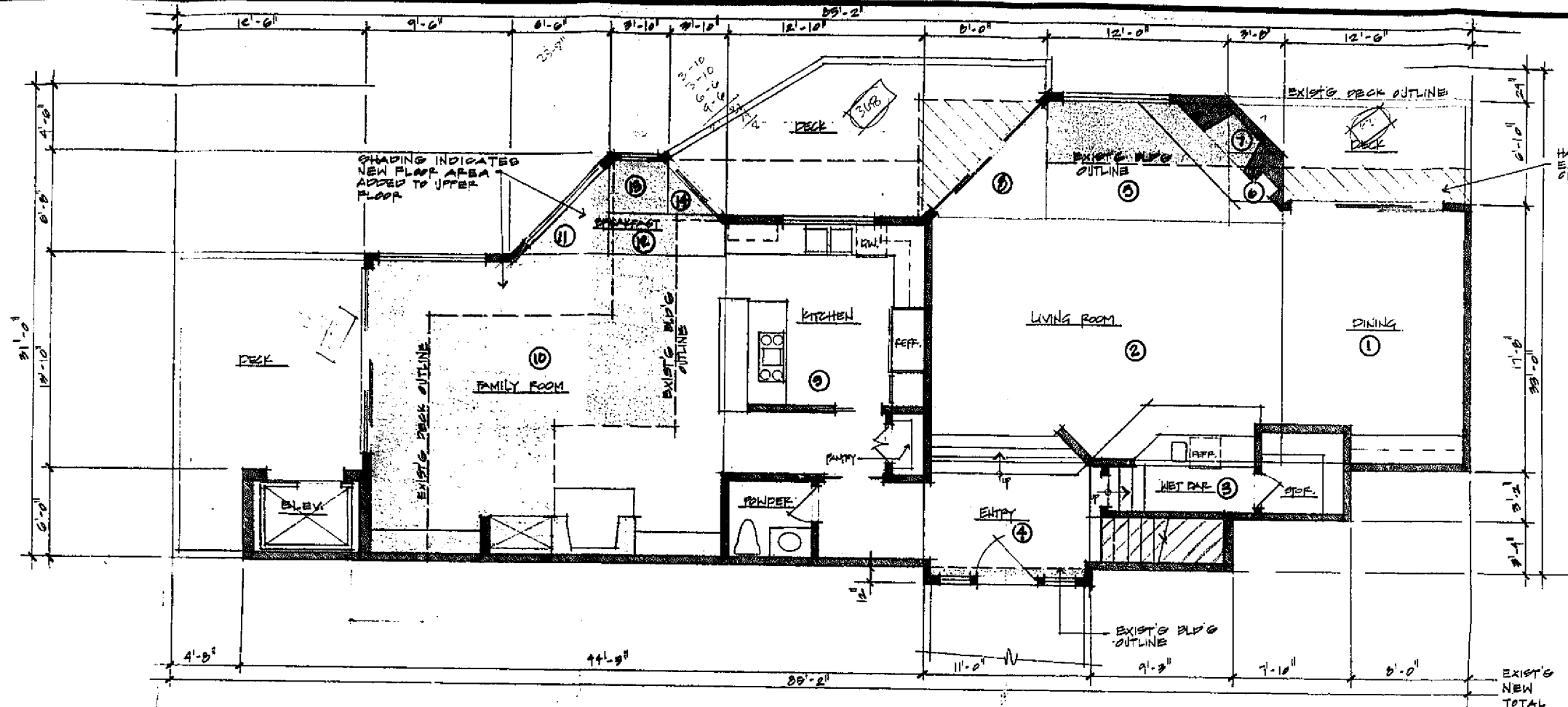
City of Newport Beach



BRION J. JEANNETTE & ASSOCIATES, INC.
 ARCHITECTS
 4700 OLD NEWPORT BLVD.
 NEWPORT BEACH, CA 92660
 (714) 440-0000

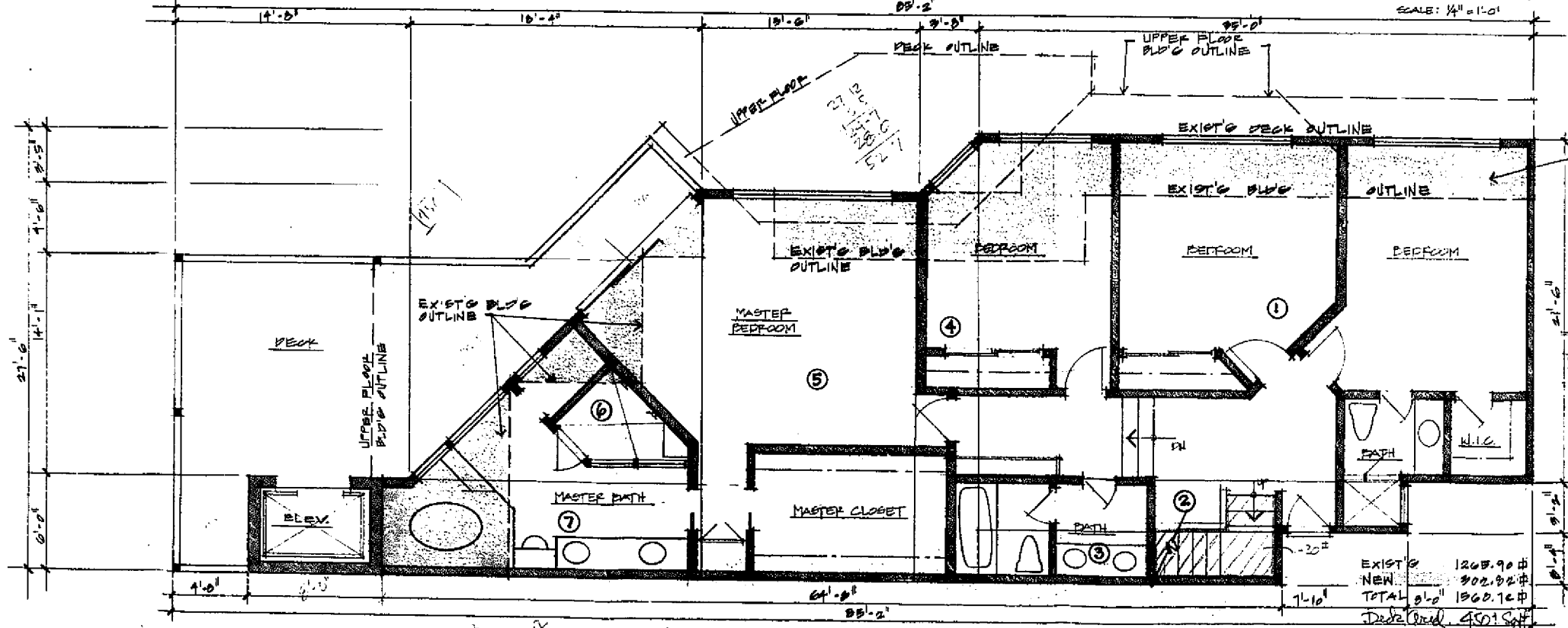
Date: OCT 10 2005
 Revision:
 Revision:
 Drawn By:
 Job No. 86-037

5



UPPER FLOOR PLAN

Date: Aug - 68!



MIDDLE FLOOR PLAN

NEW LIVABLE AREA #

UPPER	488.20 #
MIDDLE	302.82 #
LOWER	138.88 #
LIVABLE ADDED	899.88 #
1 x B/L LIVABLE	2725.00 #

EXISTING GROSS FLOOR AREA

SQUARE FOOTAGE:

UPPER LEVEL	1798.34 #
MIDDLE LEVEL	1568.72 #
LOWER LEVEL	251.36 #
TOTAL LIVABLE	3716.42 #
OLD GARAGE	507 #
NEW GARAGE	955.17 #
TOTAL STRUCTURAL	5206.59 #
OR 1311 x BUILDABLE	

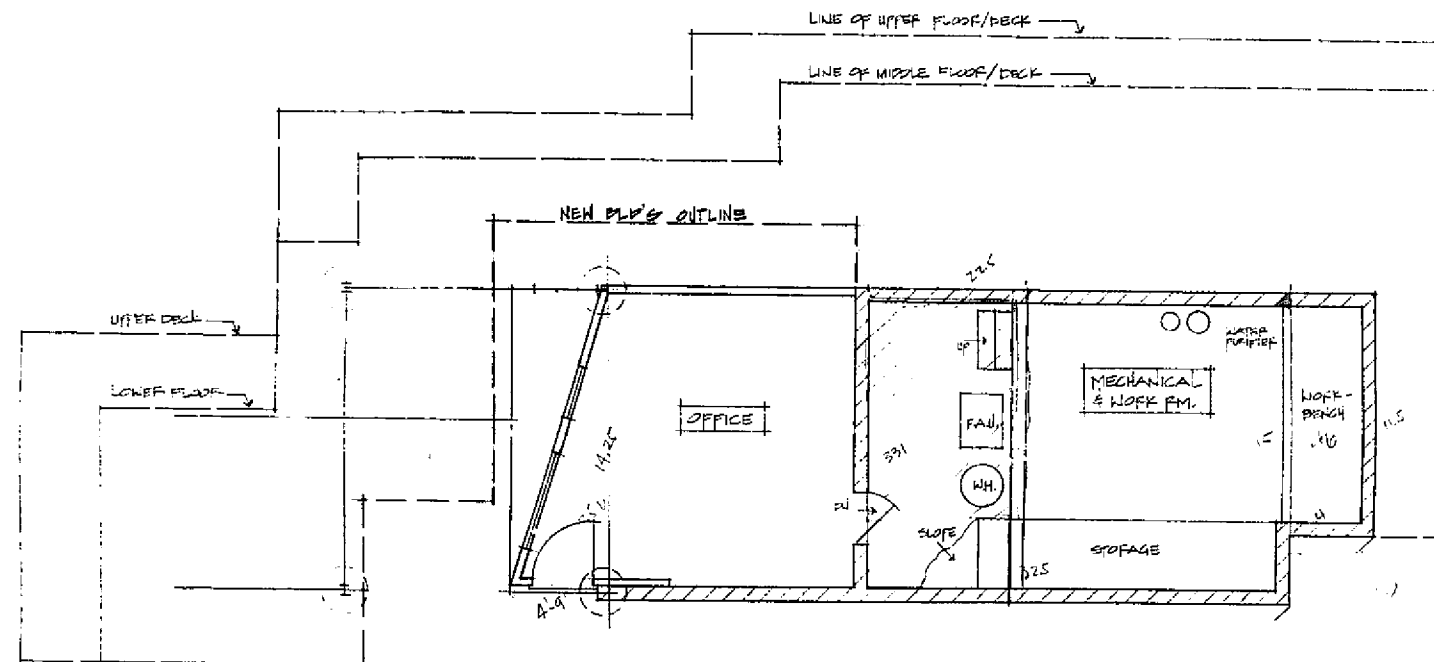
EMERY RESIDENCE

BRION & JEANNETTE & ASSOCIATES, INC.
PLANNERS
NEWPORT BEACH, CALIF.
ARCHITECTS
47 OLD NEWPORT BLVD.
NEWPORT BEACH, CALIF. 92656

UPPER AND MIDDLE FLOOR PLANS

PROJECT NO. 85-085
Revision:
Revision:
Drawn By:
Job No. 85-085

7



EXISTING FLOOR AREA
PROPOSED FLOOR AREA ADDITION

EXISTING LOWER FLOOR PLAN

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

191
192
241

212.50

EMERY RESIDENCE

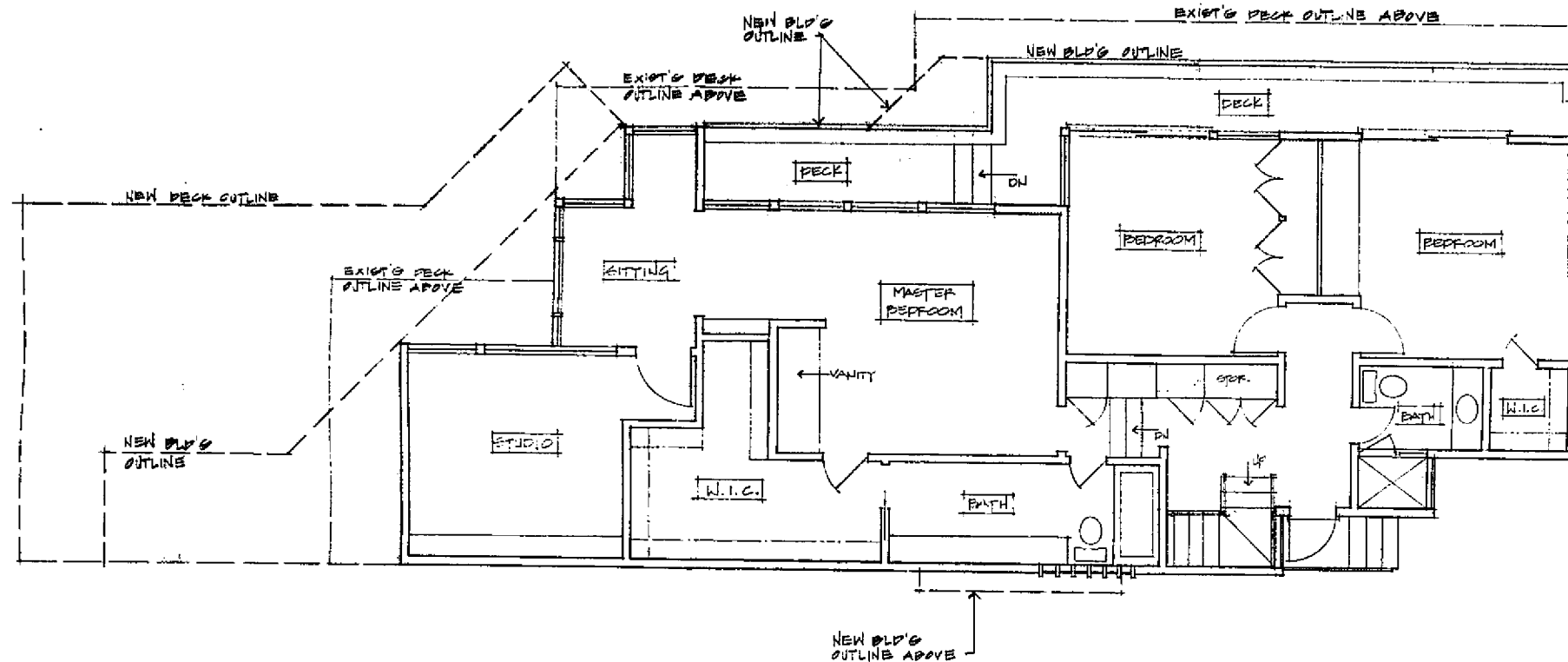
BRION & JEANNETTE & ASSOCIATES/INC
ARCHITECTS
PLANNERS
NEWPORT BEACH, CALIF.
(714) 842-5554

EXISTING
LOWER FLOOR
PLAN

Date: 10/1/78
Revision:
Revision:
Drawn By: VSP
Job No. 86-057

8

V1137 8 of 10



EXISTING FLOOR AREA
 EXISTING DECK AREA
 PROPOSED FLOOR AREA ADDITION
 PROPOSED DECK ADDITION

EXISTING MIDDLE FLOOR PLAN

SCALE 1/4"=1'-0"

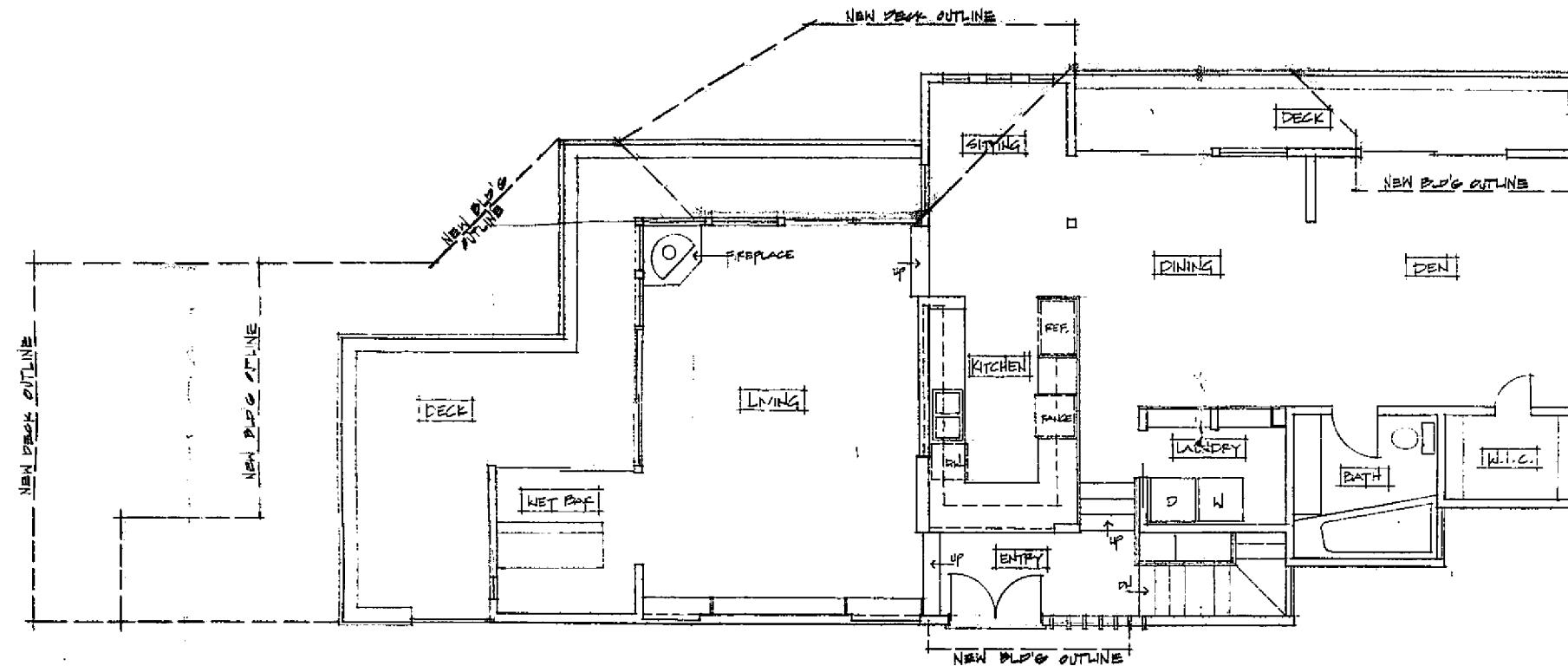
EMERY RESIDENCE

BRION & JEANNETTE & ASSOCIATES/INC
 PLANNERS
 NEWPORT BEACH, CA 92660
 (714) 445-3884

**EXISTING
 MIDDLE FLOOR
 PLAN**

Date: OCT 10 1995
 Revision:
 Revision:
 Drawn By:
 Job No. 86-157

5



EXISTING FLOOR AREA
 EXISTING DECK AREA
 PROPOSED FLOOR AREA ADDITION
 PROPOSED DECK ADDITION

EXISTING UPPER FLOOR PLAN

SCALE 1/4" = 1'-0"

EXIST'G LWF. FLR. 212.50 #
 MPL. FLR. 1205.90 #
 JFF. FLR. 1330.14 #
 LIVABLE EXIST'G = 2016.54 #
 EXIST'G GARAGE 507.00 #
 EXIST'G STRUCTURAL = 3323.54 #

EMERY RESIDENCE

BRION, JEANNETTE & ASSOCIATES, INC.
 PLANNERS/ARCHITECTS
 NEWPORT BEACH, CALIF.
 (714) 455-5555

EXISTING
 UPPER FLOOR
 PLAN

Date: 07/10/17
 Revision:
 Revision:
 Drawn By:
 Job No. 86-031

10



CITY OF NEWPORT BEACH

P.O. BOX 1768, NEWPORT BEACH, CA 92658-8915

NEGATIVE DECLARATION

TO: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ County Clerk of the County
of Orange
P.O. Box 838
Santa Ana, CA 92702

FROM: Planning Department
City of Newport Beach
P.O. Box 1768
Newport Beach, CA 92658-8915

NAME OF PROJECT: Emery Remodel - Variance 1137

PROJECT LOCATION: 2741 Ocean Boulevard, Corona del Mar, CA 92625

PROJECT DESCRIPTION:
Additional square footage to the existing single-family residence
(frontal, to all 3 stories) and to the garage.

FINDING: Pursuant to the provisions of City Council Policy K-3 pertaining to
procedures and guidelines to implement the California Environmental Quality
Act, the Environmental Affairs Committee has evaluated the proposed project
and determined that the proposed project will not have a significant effect
on the environment.

MITIGATION MEASURES:
See attachment

INITIAL STUDY PREPARED BY: The City of Newport Beach

INITIAL STUDY AVAILABLE FOR REVIEW AT: 3300 Newport Boulevard, Newport Beach, CA

DATE RECEIVED FOR FILING:

Patricia Temple
Environmental Coordinator
DATE: October 31, 1986

3300 Newport Boulevard, Newport Beach

APPENDIX I

ENVIRONMENTAL CHECKLIST FORM

Environmental Checklist Form
(To Be Completed By Lead Agency)

I. Background

1. Name of Proponent Brion S. Jeanette
2. Address and Phone Number of Proponent 470 Old Newport Boulevard
Newport Beach, CA 92663
(714) 645-5854
3. Date of Checklist Submission October 1986
4. Agency Requiring Checklist City of Newport Beach
5. Name of Proposal, if applicable Emery Remodel - Variance 1137

II. Environmental Impacts

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	YES	MAYBE	NO
1. <u>Earth</u> . Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	<u> </u>	<u> ✓ </u>	<u> </u>
b. Disruptions, displacements, compaction or overcovering of the soil?	<u> ✓ </u>	<u> </u>	<u> </u>
c. Change in topography or ground surface relief features?	<u> ✓ </u>	<u> </u>	<u> </u>
d. The destruction, covering or modification of any unique geologic or physical features?	<u> </u>	<u> </u>	<u> ✓ </u>
e. Any increase in wind or water erosion of soils, either on or off the site?	<u> </u>	<u> ✓ </u>	<u> </u>
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	<u> </u>	<u> </u>	<u> ✓ </u>

	YES	MAYBE	NO
g. Exposure of people or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	_____	_____	<input checked="" type="checkbox"/>
2. <u>Air</u> . Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	_____	_____	<input checked="" type="checkbox"/>
b. The creation of objectionable odors?	_____	<input checked="" type="checkbox"/>	_____
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	_____	_____	<input checked="" type="checkbox"/>
3. <u>Water</u> . Will the proposal result in:			
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?	_____	_____	<input checked="" type="checkbox"/>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input checked="" type="checkbox"/>	_____	_____
c. Alterations to the course of flow of flood waters?	_____	_____	<input checked="" type="checkbox"/>
d. Change in the amount of surface water in any water body?	_____	_____	<input checked="" type="checkbox"/>
e. Discharge into surface waters or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	<input checked="" type="checkbox"/>
f. Alteration of the direction or rate of flow of ground waters?	_____	_____	<input checked="" type="checkbox"/>
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	_____	_____	<input checked="" type="checkbox"/>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<input checked="" type="checkbox"/>
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<input checked="" type="checkbox"/>

	YES	MAYBE	NO
4. Plant Life. Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	_____	_____	<u>✓</u>
b. Reduction of the numbers of any unique, rare or endangered species of plants?	_____	_____	<u>✓</u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	_____	_____	<u>✓</u>
d. Reduction in acreage of any agricultural crop?	_____	_____	<u>✓</u>
5. Animal Life. Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, or insects)?	_____	_____	<u>✓</u>
b. Reduction of the numbers of any unique, rare or endangered species of animals?	_____	_____	<u>✓</u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	_____	_____	<u>✓</u>
d. Deterioration to existing fish or wildlife habitat?	_____	_____	<u>✓</u>
6. Noise. Will the proposal result in:			
a. Increases in existing noise levels?	<u>✓</u>	_____	_____
b. Exposure of people to severe noise levels?	_____	_____	<u>✓</u>
7. Light and Glare. Will the proposal produce new light or glare?			
	_____	_____	<u>✓</u>
8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?			
	_____	_____	<u>✓</u>

	YES	MAYBE	NO
9. <u>Natural Resources.</u> Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	_____	_____	<input checked="" type="checkbox"/>
b. Substantial depletion of any non-renewable natural resource?	_____	_____	<input checked="" type="checkbox"/>
10. <u>Risk of Upset.</u> Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	_____	_____	<input checked="" type="checkbox"/>
11. <u>Population.</u> Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	_____	_____	<input checked="" type="checkbox"/>
12. <u>Housing.</u> Will the proposal affect existing housing, or create a demand for additional housing?	_____	_____	<input checked="" type="checkbox"/>
13. <u>Transportation/Circulation.</u> Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	_____	_____	<input checked="" type="checkbox"/>
b. Effects on existing parking facilities, or demand for new parking?	_____	_____	<input checked="" type="checkbox"/>
c. Substantial impact upon existing transportation systems?	_____	_____	<input checked="" type="checkbox"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	_____	_____	<input checked="" type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	_____	_____	<input checked="" type="checkbox"/>
f. Increase in traffic hazardous to motor vehicles, bicyclists or pedestrians?	_____	_____	<input checked="" type="checkbox"/>
14. <u>Public Services.</u> Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:	_____	_____	<input checked="" type="checkbox"/>

	YES	MAYBE	NO
a. Fire protection?	_____	_____	✓
b. Police protection?	_____	_____	✓
c. Schools?	_____	_____	✓
d. Parks or other recreational facilities?	_____	_____	✓
e. Maintenance of public facilities, including roads?	_____	_____	✓
f. Other governmental services?	_____	_____	✓
15. <u>Energy.</u> Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	_____	_____	✓
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	_____	_____	✓
16. <u>Utilities.</u> Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	_____	_____	✓
b. Communications systems?	_____	_____	✓
c. Water?	_____	_____	✓
d. Sewer or septic tanks?	_____	_____	✓
e. Storm water drainage?	_____	_____	✓
f. Solid waste and disposal?	_____	_____	✓
17. <u>Human Health.</u> Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	_____	✓
b. Exposure of people to potential health hazards?	_____	_____	✓
18. <u>Aesthetics.</u> Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?			
	_____	_____	✓

- | | YES | MAYBE | NO |
|--|-------|-------|----|
| 19. <u>Recreation.</u> Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? | _____ | _____ | ✓ |
| 20. <u>Archeological/Historical.</u> Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building? | _____ | _____ | ✓ |
| 21. <u>Mandatory Findings of Significance.</u> | | | |
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | _____ | _____ | ✓ |
| b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief definitive period of time while long-term impacts will endure well into the future.) | _____ | _____ | ✓ |
| c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) | _____ | _____ | ✓ |
| d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | _____ | _____ | ✓ |

III. Discussion of Environmental Evaluation

IV. Determination (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

30 October 1996
Date

Patricia Temple
Signature

For The City of Newport Beach

|| (Note: This is only a suggested form.
their own format for initial studies.)

Public agencies are free to devise

EMERY REMODEL - VARIANCE 1137

- 1a The project area is steep slope between Ocean Boulevard and China Cove. In order to implement the proposal, grading of this slope area must occur, which has the potential to reduce stability of the slope. A mitigation measure requiring a slope stability analysis as well as standard requirements for grading permits and comprehensive soils reports will reduce the potential impact to a level of insignificance by assuring appropriate design and engineering in the slope area.
- 1b The proposal shall result in disruption, displacement, and compaction of the soil due to the excavation of soil for grading and the proposed expansion of the garage facilities. No significant effects are anticipated upon compliance with mitigation measures.
- 1c The proposed project will result in changes in the topography of the site. However, these effects shall be insignificant upon compliance with the mitigation measures.
- 1e There might be an increase in the water erosion of soils on-site resulting from the proposal which will change on-site drainage patterns. Upon compliance with the mitigation measures, these potential effects will become insignificant.
- 2b The proposed project may result in the creation of objectional odors during the course of construction due to the possible release of marine soil gases and/or construction materials and methods. Such effects are short term in nature and will be alleviated upon completion of the project and are, therefore, insignificant.
- 3b Erosion on-site may increase due to runoff from the proposed additional square footage. With special consideration to the bluff, mitigation measures shall be incorporated that shall reduce the runoff to insignificant levels.
- 6a Implementation of the proposal shall result in temporary increases in existing noise levels during the course of construction. They shall be alleviated upon completion and no significant effects are anticipated.

EIR

MITIGATION MEASURES

1. Development of the site shall be subject to a grading permit to be approved by the Building and Planning Departments.
2. That a grading plan shall include a complete plan for temporary and permanent drainage facilities, to minimize any potential impacts from silt, debris, and other water pollutants.
3. An erosion, siltation and dust control plan, if required, shall be submitted and be subject to the approval of the Building Department and a copy shall be forwarded to the California Regional Water Quality Control Board, Santa Ana Region.
4. The velocity of concentrated run-off from the project shall be evaluated and erosive velocities controlled as part of the project design.
5. That grading shall be conducted in accordance with plans prepared by a Civil Engineer and based on recommendations of a soil engineer and an engineering geologist subsequent to the completion of a comprehensive soil and geologic investigation of the site. The soils investigation shall include a detailed slope stability analysis. Permanent reproducible copies of the "Approved as Built" grading plans on standard size sheets shall be furnished to the Building Department.
6. That erosion control measures shall be done on any exposed slopes within thirty days after grading or as approved by the Grading Engineer.

EIR

25