February 13, 2020 Agenda Item No. 3

SUBJECT: South Bayfront Waterpointe, LLC. Residence (PA2019-265)

Coastal Development Permit No. CD2019-075

SITE

LOCATION: 400 South Bay Front

APPLICANT: Brandon Architects

OWNER: South Bayfront Waterpointe, LLC.

PLANNER: Liane Schuller, Planning Consultant

949-644-3200, Ischuller@newportbeachca.gov

LAND USE AND ZONING

• **General Plan:** RT (Two-Unit Residential)

• **Zoning District:** R-BI (Balboa Island)

• Coastal Land Use Category: RT-E (Two Unit Residential) (30.0 - 39.9 DU/AC)

• Coastal Zoning District: R-BI (Balboa Island)

PROJECT SUMMARY

A request for a coastal development permit to allow the construction of a new 5,689square-foot, single-family residence with an attached 715square-foot, three-car garage on a vacant lot. The project includes accessory appurtenances such as walls, fences, patios, drainage devices, and landscaping. The project complies with all applicable development standards including height, setbacks, and floor area limits, and no deviations are requested. All proposed improvements are located within the confines of the private property.

RECOMMENDATION

- Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-075 (Attachment No. ZA 1).

DISCUSSION

Land Use and Development Standards

- The subject property is located in the R-BI (Balboa Island) Coastal Zoning District, which provides for a maximum two-unit residential development and is consistent with the City's Coastal Land Use Plan, General Plan, and Zoning Code. A coastal development permit is required and the property is not eligible for a waiver for de minimis development because the property is located in the Coastal Commission Appeal Area.
- Coastal Development Permit CD2018-073 was reviewed and approved for the project site on February 28, 2019, allowing demolition of two existing multi-unit structures containing a total of five units. Additionally, the demolition was found to be compliant with Newport Beach Municipal Code (NBMC) Chapters 20.34 and 21.34 (Conversion or Demolition of Affordable Housing) and the Mello Act by the Community Development Director on February 8, 2019. A building permit was issued for the approved demolition on April 4, 2019, and the structures have been removed. The property is therefore not subject to the provisions of Senate Bill 330, which became effective on January 1, 2020.
- The neighborhood is developed with a mix of one-, two- and three-story, residential structures. The design, bulk, and scale of the proposed new development is consistent with the existing neighborhood pattern of development and expected future development consistent with applicable development standards.
- The proposed structures will conform to all applicable development standards, including floor area limits, setbacks, and height, as evidenced by the project plans and illustrated in Tables 1 and 2 below:

Table 1 – Development Standards		
Development Standard	Standard	Proposed
Setbacks (min.)		
Front	0 feet	2 feet, 10 inches
Side	4 feet each	4 feet each
Rear	5 feet	5 feet, 7 inches
Allowable Floor Area	6,544 square feet	6,404 square feet
Allowable 3 rd Floor Area	634 square feet	395 square feet
Open Volume Area	634 square feet	1,140 square feet
Parking	3 enclosed	3 enclosed
Height	24 feet flat roof	24 feet flat roof
	29 feet sloped roof	29 feet sloped roof

Hazards

- The property is an oceanfront parcel that is separated from the ocean by a public boardwalk and City-owned concrete seawall/bulkhead. The bulkhead which protects the subject property is part of a larger bulkhead system which surrounds Balboa Island. No modification to the existing bulkhead is proposed with this project.
- A Coastal Hazards and Sea Level Rise report, dated December 5, 2019, was
 prepared for the project by GeoSoils, Inc. The report concludes that with the
 implementation of sea level rise (SLR) adaptation strategies (waterproofing of the
 structure and future raising of the City's bulkhead), the proposed development will
 not be adversely impacted by potential coastal hazards over the next 75 years. No
 additional protective devices will be necessary to protect the proposed development.
- The finished floor elevation of the first habitable floor of the proposed structure is 9 feet North American Vertical Datum of 1988 (NAVD 88), which complies with the minimum 9 feet NAVD 88 elevation standard for new structures. The development will be required to be waterproofed to 10.6 feet NAVD 88 to accommodate future anticipated potential sea level rise.
- Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
- The property is located in an area known for the potential for seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of a building permit. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.

Water Quality

 The development, as proposed and conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, one or more of the following: the appropriate management of equipment and construction materials, reducing runoff with permeable surfaces, and the use of post-construction best management practices to minimize the project's adverse impact on coastal water.

 The project design addresses water quality during construction with a construction erosion control plan. All new construction resulting from the project will tie into an existing post-construction drainage system that includes features designed to retain dry weather and minor rain event runoff onsite. Any water not retained onsite is directed to the City's storm drain system.

Public Access

- The project site is located between the nearest public road and the sea or shoreline; however, the project will not affect the public's ability to gain access to use and/or view the coast and nearby recreational facilities. The existing residential development neither provides nor inhibits public coastal access. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project includes a new single-family residence. Therefore, the project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities.
- The project is designed and sited so as not to block or impede existing public access opportunities and occurs within the confines of private property. Existing coastal access conditions will not be affected by the project. Coastal access is currently provided and will continue to be provided by street ends throughout the neighborhood with access to the public boardwalk along the waterfront.
- The project site is not located adjacent to a coastal view road or coastal viewpoint identified by Local Coastal Program maps. The project site abuts Pearl Avenue, which provides a view corridor to the Bay; however, development will not block or impede public views. The project site may be located within the viewshed of distant public viewing areas; however, the project comprises a new single-family residence that complies with all applicable Local Coastal Program (LCP) development standards. The project will also maintain a building envelope consistent with the existing and anticipated neighborhood pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to public views.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment.

Class 3 exempts the construction of up to three single-family residences in an urbanized area. The proposed project includes the construction of a new 5,689square-foot, single-family residence and attached 715square-foot, three-car garage on a vacant lot.

PUBLIC NOTICE

Notice of this public hearing was published in the Daily Pilot, mailed to all owners and residential occupants of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), including the applicant, and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD:

This action shall become final and effective 14 days following the date the Resolution is adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:

Liane Schuller

Planning Consultant

GR/ls

Attachments: ZA 1 Draft Resolution

ZA 2 Vicinity Map ZA 3 Project Plans

Takuller_

Attachment No. ZA 1

Draft Resolution

RESOLUTION NO. ZA2020-###

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2019-075 TO CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE AT 400 SOUTH BAY FRONT (PA2019-265)

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

SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Brandon Architects ("Applicant"), on behalf of South Bayfront Waterpointe, LLC. ("Owner"), with respect to property located at 400 South Bay Front, and legally described as Lots 1 and 2 in Block 7 of Section 1, Balboa Island, requesting approval of a coastal development permit. The lots were previously combined into a single parcel for development purposes in 1983 (PM 83-710).
- 2. The Applicant proposes to construct a new 5,689square-foot, single-family residence with an attached 715square-foot, three-car garage.
- 3. The subject property is located within the R-BI (Balboa Island) Zoning District and the General Plan Land Use Element category is RT (Two-Unit Residential).
- 4. The subject property is located within the coastal zone and has a Coastal Land Use Designation of Two-Unit Residential (RT-E) (30.0 39.9 DU/AC) and a Coastal Zoning District of Balboa Island (R-BI).
- 5. A public hearing was held on February 13, 2020, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.
- 2. Class 3 includes the construction of a single-family residence in a residential zone. The proposed project includes the construction of a new 5,689square-foot, single-family residence with an attached 715square-foot, three-car garage.
- 3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the

environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

- 1. The proposed structure conforms to all applicable development standards including, but not limited to, floor area limitation, setbacks, height, and parking:
 - a. The maximum floor area limitation is 6,544 square feet and the proposed gross floor area is 6,404 square feet.
 - b. The proposed development will provide the required setbacks, which are zero feet along the front property line abutting the boardwalk, four feet along the side property lines, and five feet along the rear property line abutting the alley.
 - c. The highest flat roof or guardrail is no more than 24 feet, measured from the finished floor level of 9 feet North American Vertical Datum of 1988 (NAVD 88) and the highest roof ridge is no more than 29 feet, measured from the finished floor level, which complies with the maximum height limitation.
 - d. The project includes enclosed garage parking for three vehicles, which complies with the minimum three-space parking requirement for single-family residences with more than 4,000 square feet of livable floor area.
- 2. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development and expected future development consistent with applicable development standards as the neighborhood is developed with a mix of one, two- and three-story, single-family residences.
- 3. Coastal Development Permit CD2018-073 was reviewed and approved for the project site on February 28, 2019, allowing demolition of two existing multi-unit structures containing a total of five units. Additionally, the demolition was found to be compliant with NBMC Chapters 20.34 and 21.34 (Conversion or Demolition of Affordable Housing) and the Mello Act by the Community Development Director on February 8, 2019. A building permit was issued for the approved demolition on April 4, 2019, and the structures have been removed. The property is therefore not subject to the provisions of Senate Bill 330, which became effective on January 1, 2020.

- 4. The property is an oceanfront lot that is separated from the ocean by a public boardwalk and City-owned concrete seawall/bulkhead. The bulkhead which protects the subject property is part of a larger bulkhead system which surrounds Balboa Island. No modification to the existing bulkhead is proposed with this project. A Coastal Hazards and Sea Level Rise report, dated December 5, 2019, was prepared for the project by GeoSoils, Inc. The report concludes that, with the implementation of sea level rise (SLR) adaptation strategies (waterproofing of the structure and future raising of the City's bulkhead), the proposed development will not be adversely impacted by potential coastal hazards over the next 75 years. No additional protective devices will be necessary to protect the proposed development.
- 5. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
- 6. The finished floor elevation of the first habitable floor of the proposed structure is 9 feet North American Vertical Datum of 1988 (NAVD 88), which complies with the minimum 9foot (NAVD 88) elevation standard for new structures. The development will be required to be waterproofed to 10.6 feet NAVD 88 to accommodate future anticipated potential sea level rise.
- 7. The property is located in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and the CBC prior to building permit issuance.
- 8. A post-construction drainage system will be installed that includes drainage and percolation features designed to retain dry weather and minor rain runoff onsite to ensure the project does not impact water quality. Any water not retained onsite is directed to the City's storm drain system.
- 9. The project design addresses water quality with a construction erosion control plan that outlines temporary Best Management Practices (BMPs) to be implemented during construction to minimize erosion and sedimentation, and to minimize pollution of runoff derived by construction chemicals and materials. No water quality impacts to coastal waters are anticipated based upon the location and elevation of the property.

- 10. New landscaping will be verified for compliance with NBMC Section 21.30.075 (Landscaping). A condition of approval is included that requires drought-tolerant, and prohibits invasive species. Prior to issuance of the building permits, the final landscape plans will be reviewed to verify invasive species are not planted.
- 11. The property is not located adjacent to a coastal view road or coastal viewpoint identified by Local Coastal Program maps. The project site may be located within the viewshed of distant public viewing areas; however, the project will replace an existing single-family residence with a new single-family residence that complies with all applicable Local Coastal Program (LCP) development standards. It will also maintain a building envelope consistent with the existing and anticipated neighborhood pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to public views

Finding:

B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

Facts in Support of Finding:

- The project site is located between the nearest public road and the sea or shoreline; however, the project will not affect the public's ability to gain access to use and/or view the coast and nearby recreational facilities. The proposed residential development neither provides nor inhibits public coastal access. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project includes the construction of a new single-family residence. The project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities.
- 2. The project is designed and sited so as not to block or impede existing public access opportunities and occurs within the confines of private property. Existing coastal access conditions will not be affected by the proposed development. Coastal access is currently provided and will continue to be provided by street ends throughout the neighborhood with access to the public boardwalk along the waterfront.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.

- 2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2019-075, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
- 3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF FEBRUARY, 2020.

Jaime Murillo, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

- 1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
- 2. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
- Coastal Development Permit No. CD2020-075 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
- 4. Prior to issuance of building permits, the project plans shall be updated to reflect that a waterproofing curb will be constructed around the proposed residence as an adaptive flood protection device up to 10.6 feet North American Vertical Datum of 1988 (NAVD 88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect prevent flooding to the structure.
- 5. Prior to the issuance of a building permit, the property owner shall sign a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify 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, judgements, 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 development. The letter shall be scanned into the plan set prior to building permit issuance.
- 6. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
- 7. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.
- 8. This Coastal Development Permit does not authorize any development seaward of the private property.

- 9. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of native birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
- 10. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
- 11. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
- 12. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
- 13. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
- 14. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
- 15. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.

- 16. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.
- 17. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- 18. <u>Prior to the issuance of building permits</u>, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
- 19. <u>Prior to the issuance of building permits</u>, the applicant shall submit a final drainage and grading plan. The plan shall be subject to the review and approval by the Building Division.
- 20. <u>Prior to issuance of a building permit</u>, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
- 21. Prior to issuance of a building permit, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
- 22. Prior to issuance of building permits, the final WQHP/WQMP shall be reviewed and approved by the Building Division. Implementation shall be in compliance with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.
- 23. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
- 24. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.

- 25. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
- 26. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
- 27. This Coastal Development Permit No. CD2019-075 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
- To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless 28. 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 South Bayfront Waterpointe, LLC. Residences including, but not limited to, Coastal Development Permit No. CD2019-075 (PA2019-265). 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.

Attachment No. ZA 2

Vicinity Map

VICINITY MAP



Coastal Development Permit No. CD2019-075 PA2019-265

400 South Bay Front

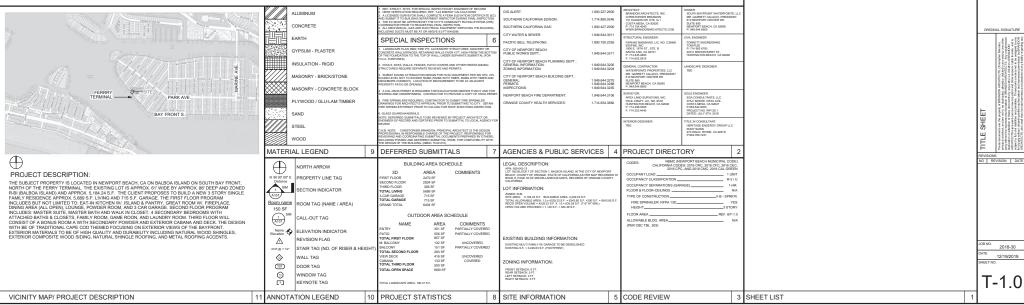
Attachment No. ZA 3

Project Plans



BAY FRONT TRADITIONAL

400 S. BAY FRONT. NEWPORT BEACH. CA 92662



SHEET#

TITLE SHEET

GENERAL ARCHITECTURAL NOTES

TOPOGRAPHIC SURVEY

BUILDING AREA PLANS
PRECISE GRADING PLAN
EROSION CONTROL PLAN

3-DIMENSIONAL VIEWS

SECOND FLOOR PLAN

EXTERIOR ELEVATIONS

FIRST FLOOR PLAN

THIRD FLOOR PLAN

BUILDING SECTIONS
FOUNDATION PLAN

FOUNDATION DETAILS

ROOF PLAN

ARCHITECTURAL SITE PLAN

SUPPLEMENTAL NOTES & DOCUMENTS

EXTERIOR ELEVATIONS & MATERIAL SCHEDULE

T-1 0

T-1.2 SUR

A-0.0

A-0.1

A-1.0

A-2.0

A-2.1

A-2.2

A-3.0

A-4.0

A-4.1 A-5.0

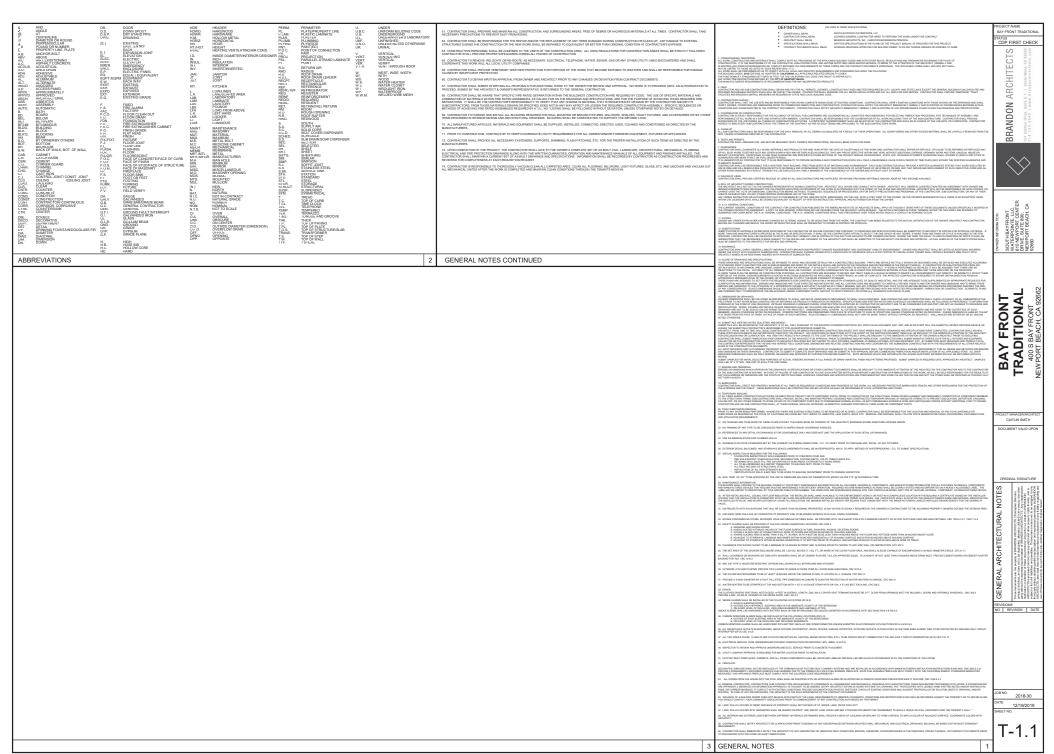
S1 FD1 DRAWING TITLE

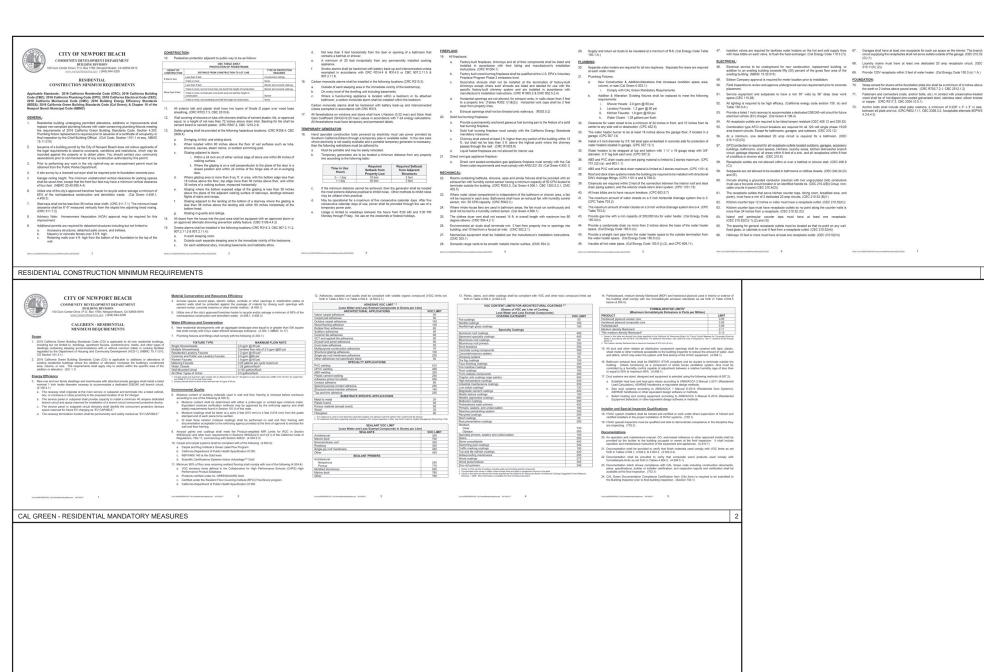
ATUS CDP FIRST CHECK

BRANDON ARCHITECTS

BAY FRONT TRADITIONAL

CAITLIN SMITH





PARCEL MAP

DOE NO. 2018-30
DATE 12/192019
SHEET NO.

T-1.2

NO. | REVISION | DATE

ATUS CDP FIRST CHECK

ARCHITE

BRANDON

SOUTH BAYFRONT
WATERPOINTE, LLC.
610 NEWPORT CENTEI
DRIVE, SUITE 890,
NEWPORT BEACH, CA
92690

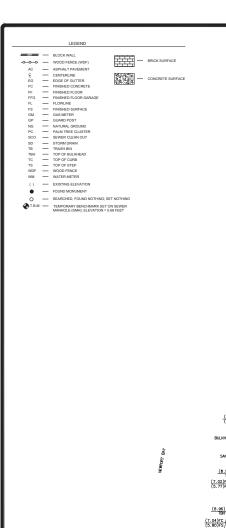
BAY FRONT TRADITIONAL

CAITLIN SMITH

NOTES &

ALT. MATERIAL OR METHOD OF CONSTRUCTION





TITLE REPORT/EASEMENT NOTES BENCHMARK INFORMATION 400 SOUTH BAY FRONT #5 NEWPORT BEACH, CA 92662 (APN: 050-043-13)

REAL PROPERTY SITUATED IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

LOTS 1 & 2 IN BLOCK 7 OF SECTION 1, BALBOA ISLAND, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 30 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

NO TITLE REPORT PROVIDED

LEGAL DESCRIPTION

(9.00) TBH/1/

SLPB TB

(5.83) FS

(Ŝ.98) FS

(6.87) NG

(7.25) (7.25)TS

PLANTE PLANTER

(6.92) :

(7.86) (7.86)

(6.95) FS

(5.85) (5.77)

PLANTER 1

(7.06)FS (7.08)

(7.06)FS (7.08)

PROPERTY N35 26 45 E 56.31 (6

(7.02)FC (5.92)FS

SAND

(8.97) TBH)

(7.02)FC (5.90)FS

BULKHEAD-

SAND

(8.96) TBH

(7.02)FC (5.77)FS

(8.96) TBH

SAND (7.07)FC (5.76)FS

(8.94) TBH

(8.95) (7.04) FC

(5.93)

FOUND

BASIS OF BEARINGS

PEARL

P PARKING SIGN

PROPERTY LINE

(6.41)

(6.34)/

(6.54) (7.43)(S) (6.94) (7.41)(S) (6.94) (6.48) (6.31)AC

EXISTING (28.29)

-(5.63)/FS - (5.64)/FS - (5.67)/FS

(6.09)FS (6.12)FS

(6.15) WDF (6.15)FS FS

LOTS 1 & 2

SECTION 1

BALBOA ISLAND

BLOCK 7

M.M. 3/42

(6,92)FS (6,92)FS (7,00)FS (7,00)FS (8,92)FS (9,92)FS (9,

LOT 3

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF SOUTH BAY FRONT, BEING M3*5000W PER P.M.B. 183, PAGES 17/18, RECORDS ON FILE IN THE OFFICE OF THE ORANGE COUNTY SURVEYOR.

⊕(5.68) - ———,

(5.53) FL (5.60) /FL

(6.06) (5.68)

(6.07)TC (5.84)FS

Sour

(6,50)

FOUND (6.29)

BAY

16:35)FS (6:23)



VICINITY MAP

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

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



PAUL D. CRAFT, P.L.S. 8516 LICENSE RENEWAL DATE 12/31/20

LICENSE RENEWAL DIE 12/20/20

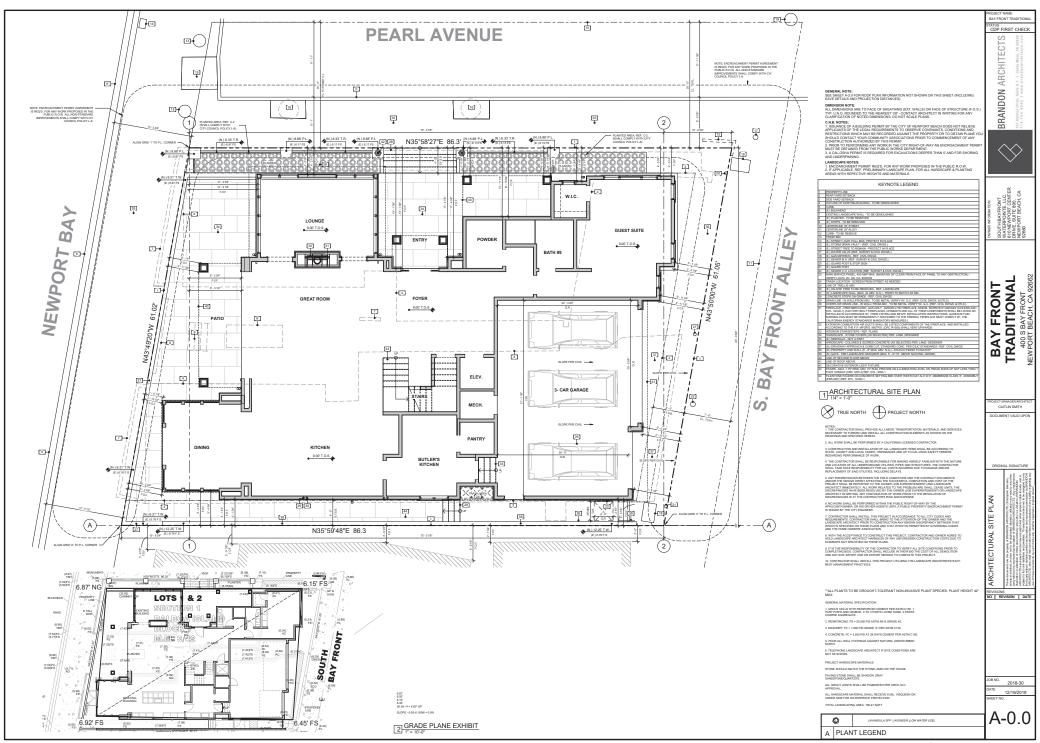
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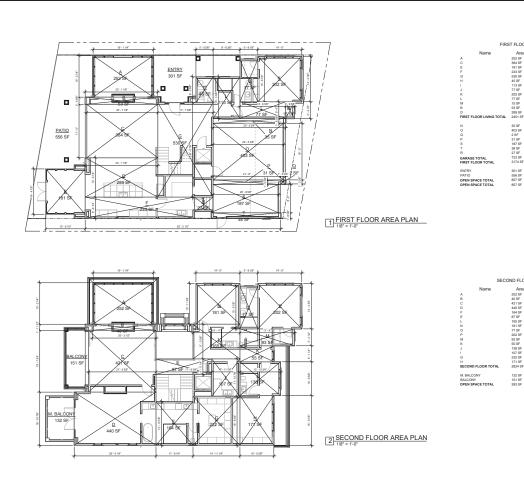
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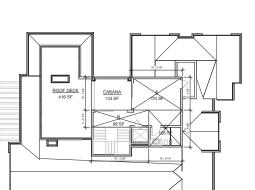
LAND SURVEYING

400 S BAY FRONT #5 NEWPORT BEACH, CA 92662 (APN: 050-043-13) TOPOGRAPHIC SURVEY

1 of 1







3	THIRD FLOOR AREA PLAN

FIRS	T FLOOR	AREA
Name	Area	Comments
A	252 SF	
0	384 SF	
C E F	181 SF	
	233 SF	
3	530 SF	
4	45 SF	
	113 SF	
J	77 SF	
<	202 SF	
_	77 SF	
M	15 SF	
3	53 SF	
0	289 SF	
FIRST FLOOR LIVING TOTAL	2451 SF	
v .	35.8F	
	403 SF	
	2.8F	
	31.8F	
	187 SF	
B T	38 SF	
₹	27 SF	
SARAGE TOTAL	723 SF	
IRST FLOOR TOTAL	3174 SF	
ENTRY	301 SF	PARTIALLY COVERED
PATIO	556 SF	PARTIALLY COVERED
OPEN SPACE TOTAL	857 SF	

SECOND FLOOR AREA Area
252 SF
40 SF
40 SF
421 SF
440 SF
164 SF
165 SF
165 SF
181 SF
77 SF
202 SF
93 SF
55 SF
138 SF
107 SF
222 SF
171 SF
2824 SF 132 SF UNCOVERED 151 SF PARTIALLY COVERED 283 SF

THIRD FLOOR AREA ROOF DECK CABANA OPEN SPACE TOTAL 416 SF UNCOVERED 133 SF COVERED 550 SF LOT INFORMATION:

ZONED: R-BI SITE AREA: 5,164,24 S.F. BULLDABLE AREA: 4,229,23 S.F. TOTAL ALLOWARLE AREA: 1.5 x 4229,23 S.F. = 6343,85 S.F. = 6043,85 S.F. RECGI OPEN YOLUMB: 4,229,23 S.F. X.15 = 634,35 S.F. (7*6*HT MIN.) OPEN YOLUMB: PROVINCE - 1,446 S.F. s 634,35 S.F. (7*6*HT MIN.)

BUILDING AREA SCHEDULE

3D	AREA	COMME
FIRST FLOOR	2470 SF	
SECOND FLOOR	2824 SF	
THIRD FLOOR	395 SF	
TOTAL LIVING	5689 SF	
3-CAR GARAGE	715 SF	
TOTAL GARAGE	715 SF	
GRAND TOTAL	6404 SF	

OUTDOOR AREA SCHEDULE

NAME	AREA	COMMENTS
ITRY	301 SF	PARTIALLY COVE
ATIO	556 SF	PARTIALLY COVE
TAL FIRST FLOOR	857 SF	
BALCONY	132 SF	UNCOVERED
LCONY	151 SF	PARTIALLY COVE
TAL SECOND FLOOR	283 SF	
EW DECK	416 SF	UNCOVERED
ABANA	133 SF	COVERED
LCONY OTAL SECOND FLOOR EW DECK ABANA	151 SF 283 SF 416 SF	PARTIALLY CON UNCOVERE

ROJECT NAME BAY FRONT TRADITIONAL TATUS CDP FIRST CHECK

BRANDON ARCHITECTS

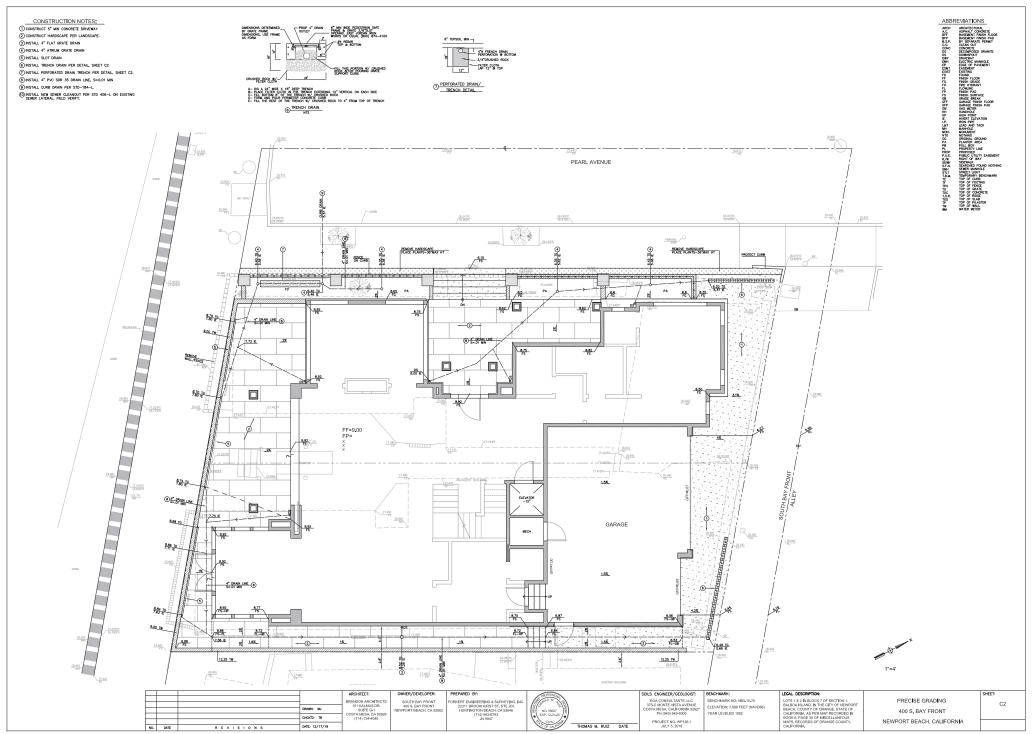
BAY FRONT
TRADITIONAL
400 S BAY FRONT
NEWPORT BEACH, CA 92662

CAITLIN SMITH

REVISIONS NO. REVISION DATE

JOB NO. 2018-30
DATE 12/19/2019
SHEET NO.

A-0.1



EROSION CONTROL

- . IN CASE OF EMERGENCY, CALL GARRETT CALACCI AT 949-844-8900
- A STANDBY CREW FOR EMERGENCY WORK SHALL BE AVAILABLE AT ALL TIMES DURING THE RARY SEASON (OCTOBER 1 TO APRL 15), NECESSARY MATERIALS SHALL BE AVAILABLE ON-SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY DEVICES WHEN RAN IS INMINIENT.
- . EROSION CONTROL DEVICES SHOWN ON THIS PLAN MAY BE REMOVED WHEN APPROVED BY THE BUILDING OFFICIAL IF THE GRADING OPERATION HAS PROGRESSED TO THE POINT WHERE THEY ARE NO LONGER REQUIRED.
- 4. GRADED AREAS ADJACENT TO FILL SLOPES LOCATED AT THE SITE PERIMETER MUST DRAIN AWAY FROM THE TOP OF SLOPE A THE CONCLUSION OF EACH WORKING DAY. ALL LOOSE SOLS AND DESRIS THAT MAY CREATE POTENTIAL HAZARD TO OFF-SITE PROPERTY SHALL BE STABILIZED OR REMOVED FROM THE SITE ON D AULY EASY.
- ALL SILT AND DEBRIS SHALL BE REMOVED FROM ALL DEVICES WITHIN 24 HOURS AFTER EACH RAINSTORM AND BE DISPOSED OPENING.

- DESILTING BASINS MAY NOT BE REMOVED OR MADE INOPERABLE BETWEEN NOVEMBER 1 AND APRIL 15 OF THE FOLLOWING YEAR WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL.
- 10. EVERY EFFORT SHALL BE MADE TO ELIMINATE THE DISCHARGE OF NON-STORM WATER FROM THE PROJECT SITE AT ALL TIMES
- ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA SHEET FLOW, SWALES, AREA DRAINS, NATURAL DRAINAGE COURSES, OR WIND.
- 13. FUELS, OLS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT CONTINUANTE THE SALLS AND SURFACE WATERS, ALL APPROVED STORAGE CONTINUEND AND THE BE PROTECTED FROM THE WIGHTER, SPILLS MUST BE CLEANED UP INMEDIATELY AND DISPOSED OF ITA PROPER MANNER, SPILLS MAY NOT BE WASHED MITO THE DIVINANCE SYSTEM.
- S. DEVILOPERSCONTRACTORS ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND IMPS ARE INSTALLED AND FUNCTION PROPERTY. IT THERE IS A 40% CHANCE OF CULARIES INCH OR NOTE OF PREDICTED PROSEPRING AND A PATE ACTUAL PRESCRIPTION. A CONSTRUCTION SITE INSEPECTION CHANCED AT MODIFICATION OF SHALL DEM MATHEMATICAT THE PROJECT STEEL AT THIS AND ANALABLE FOR REIGNEY OF THE BILLIONS OFFICIAL (COPIES OF THE SELF-ASPICTION CORCELLS THAN ALLIGIBLE CONTROLLED.)
- TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.
- 17. SECIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTERANCE ROADWAYS MUST BE STABLIZED SO AS TO INHIBIT SECIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEPT UP INMEDIATELY AND MAY NOT BE WASHED DOWN BY AND RO OTHER MEANS.
- 18. ANY SLOPES WITH DISTURBED SOIL OR DENUDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.
- 20. ADDITIONAL BMP'S WILL BE IMPLEMENTED AS DEEMED NECESSARY BY CITY INSPECTORS.

BMP FACTS SHEET

- PROVIDE A MATERIAL STANCE AREA WITH SECONDARY CONTAINMENT AND/OR WEATHER PROTECTION. NOTE THE MANTENANCE PRACTICES AND SCHEDULE PROPOSED FOR THIS AREA.
- IDENTIFY SPILL PREVENTION AND CONTROL MEASURES THAT WILL BE TAKEN FOR ALL PROPOSED MATERIALS. IDENTIFY THE METHODS, BY WHICH ACCIDENTAL SPILLS WILL BE CLEANED AND PROPERLY DISPOSED OF.
- PROVIDE DESIGNATED WASTE COLLECTION AREAS AND CONTAINERS. ARRANGE FOR REGULAR DISPOSAL, PROVIDE COVERED STORAGE WITH SECONDARY CONTAINMENT, CONTAINERS ARE REQUIRED TO PROTECT WASTE FROM RAIN TO PREVENT WATER POLLUTION AND PREVENT WIND DISPERSAL.
- PREVENT OR REDUCE THE DISCHARGE OR POLLUTANTS TO STORM WATER FROM CONTAMINATED SOIL AND HIGHLY ACIDIC OR ALKALINE SOILS BY CONDUCTING PRE-CONSTRUCTION SURVEYS, INSPECTING EXCAVATIONS REGULARLY, AND REDUCATION CONTAMINATED SOIL PROMISE.
- VIOLO SALTAMPERITE (MATERIANACIONE)

 VIOLO SALTAMPERITE (MATERIANACIONE)

 REPREZATO RAW WASTEMATER IS NOT TO BE DISCHARGED OR BURED. SANTARY SEME FACULIES ON-SIE ARE
 REQUEBED TO BE IN COMPUNIONE WITH LOCAL HEALTH ACRECY REQUIREDITS. SANTARY OR SEPTIC WASTES

 MUST BE TREATED OR DISPOSED OF IN ACCORDANCE WITH STATE AND LOCAL REQUIREMENTS.
- SE-1 SET FENCE SE-3 SEDIMENT TRAP

CRAVEL BADS

ERODED SEDILENTS MUST BE RETAINED ON—SITE AND NOT PERMITTED TO ENTER THE DRAINAGE SYSTEM.

REQUIREMENT MAY BE WAIVED AT THE SOLE DISCRETION OF THE CITY INSPECTOR IF OTHER EROSION CONTROL

BURY'S ABO FOREMS S

BMP FACTS SHEET

- ALL BMP'S SHALL BE IN ACCORDANCE WITH MODEL BMP'S FROM THE CALIFORNIA STORM WATER BMP HANDBOOK FOR CONSTRUCTION AT WWW.CABMPHANDBOOKS.COM
- CONSTRUCT SANITARY WASTE MANAGEMENT AREA IN ACCORDANCE WITH BMP FACTS SHEET #WW-0
- SHOULD BE 24" WIDE AND 10" HIGH, MINIMUM PER

 EG2 CONSTRUCT SANITARY WASTE MANAGEMENT ARI

 EG3 CONSTRUCT MATERIALS STORAGE ARE IN ACCOR

 EG4 EXISTING WALL TO REMAIN, PROTECT IN PLACE. ONSTRUCT MATERIALS STORAGE ARE IN ACCORDANCE WITH BMP FACTS SHEET AVM-1.

ARCHITECT:

CHCK'D: TR

DATE: 12/17/19

TO BE REMOVED

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PLACE GRAVEL BAGS AND FENCE WITH WIND SCREEN





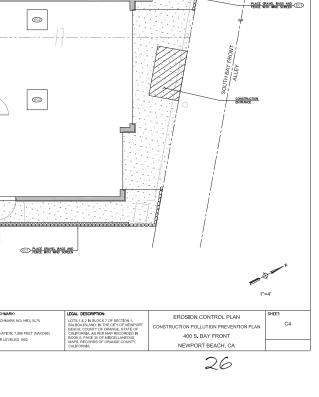
SOILS ENGINEER/GEOLOGIST: PROJECT NO. WP126.1 JULY 5, 2018

ELEVATION: 7.986 FEET (NAVD88)

PLACE GRAVEL BAGS AND FENCE WITH WIND SCREEN

LEGAL DESCRIPTION LEGAL DESCRIPTION:

DALBOA ISLAND, IN THE CITY OF NEWPO
BEACH, COUNTY OF ORANGE, STATE OF
CALIFORNIA, AS PER MAP RECORDED IN
BOOK 6, PAGE 30 OF MISCELLANEOUS
MAPS, RECORDS OF ORANGE COUNTY,
CALIFORNIA.



EROSION CONTROL LEGEND

CONSTRUCTION ENTRANCE

OCCOOCO PLACE GRAVEL BAGS AND FENCE WITH WIND SCREEN

PLACE GRAVEL BAGS AND COLOR

produce a la compressión de l

1" MIN HEIGHT 2 BAGS MIN.

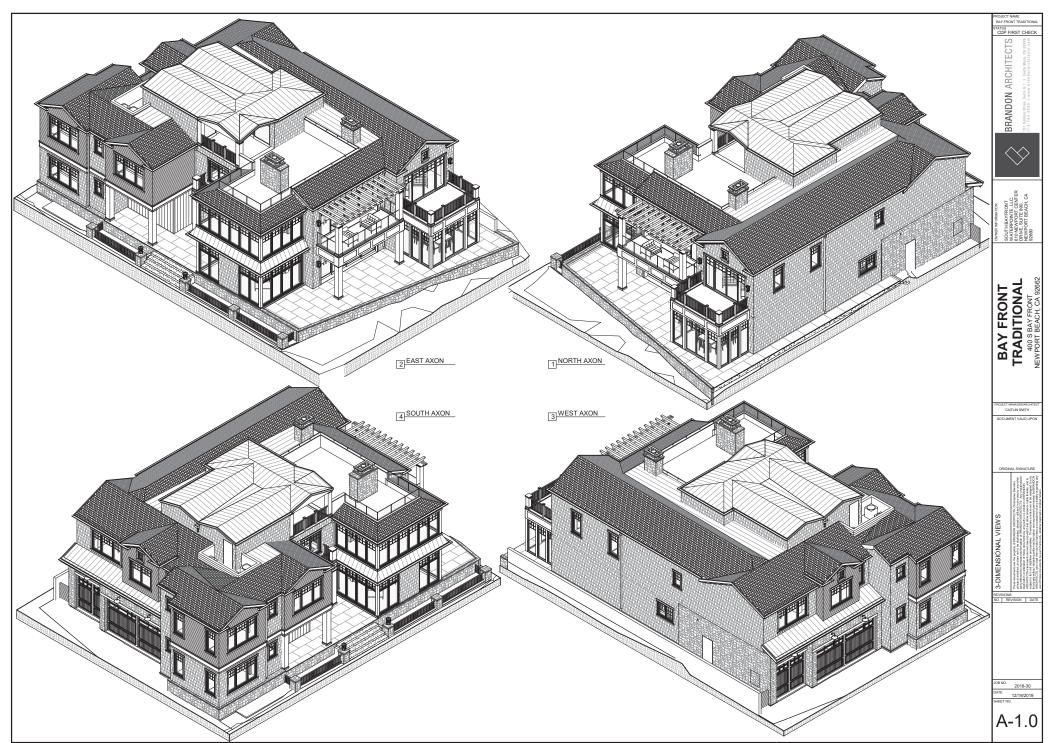
EC2

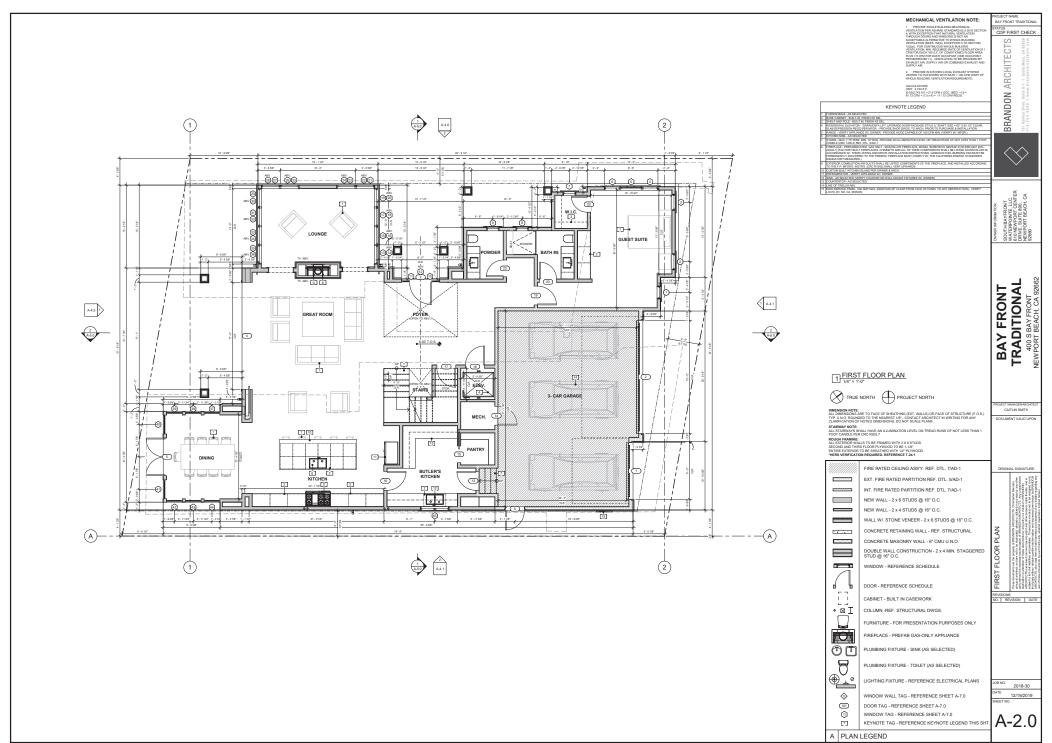
EC3

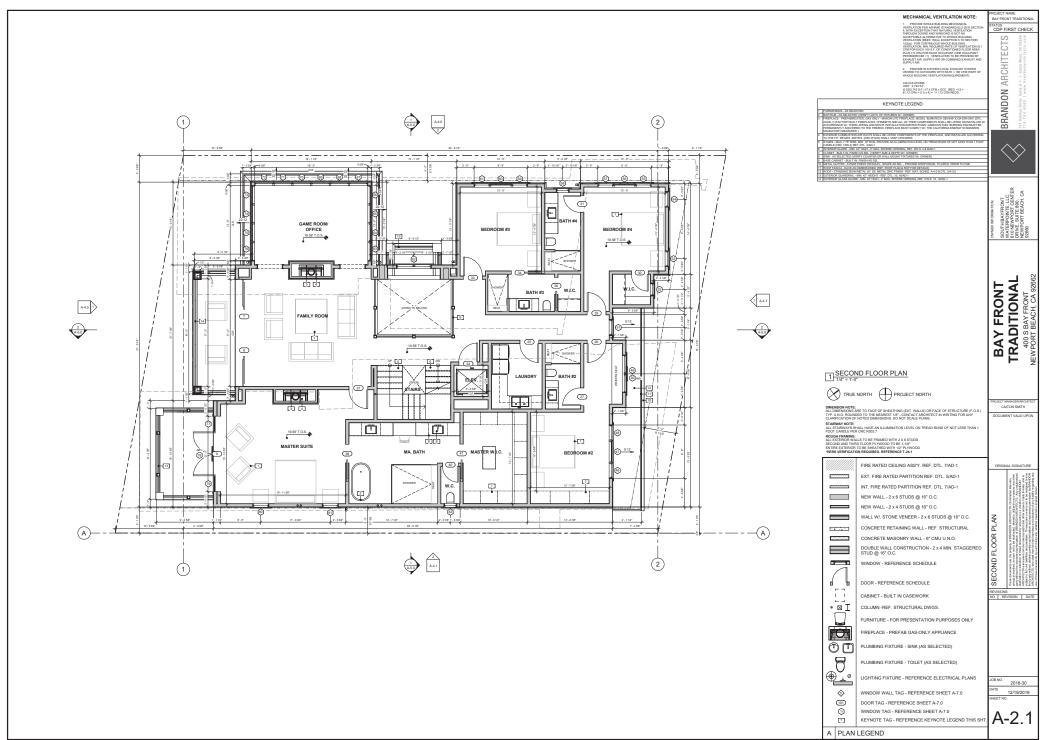
PEARL AVENUE

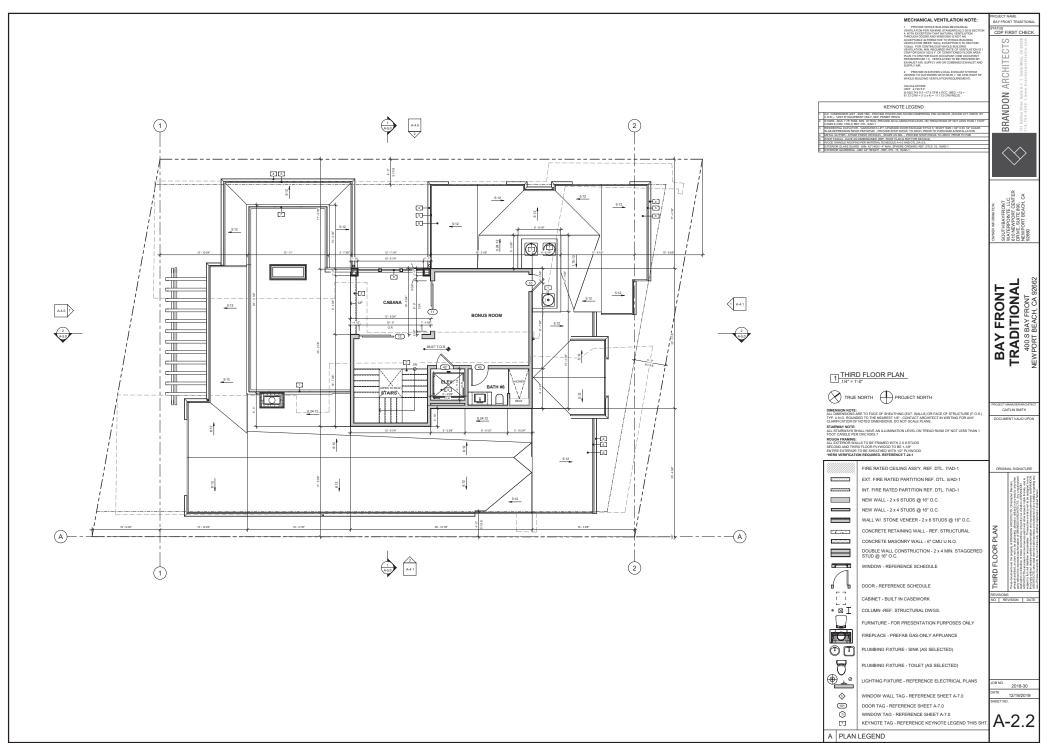
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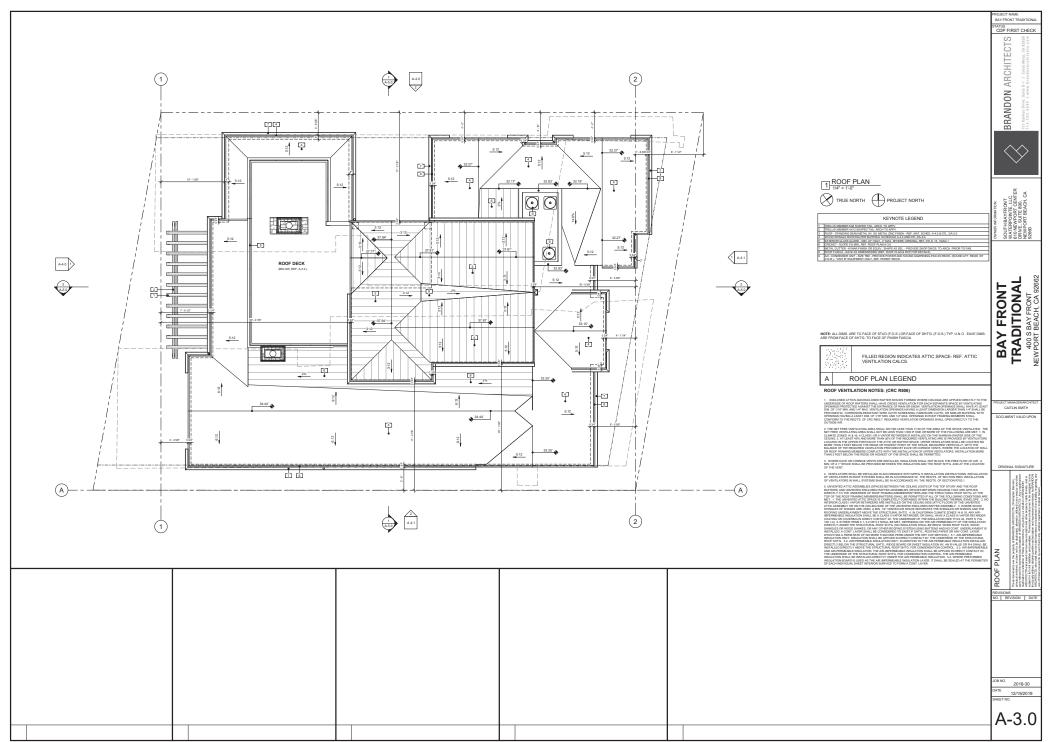
GRAVEL BAG DETAIL NTS

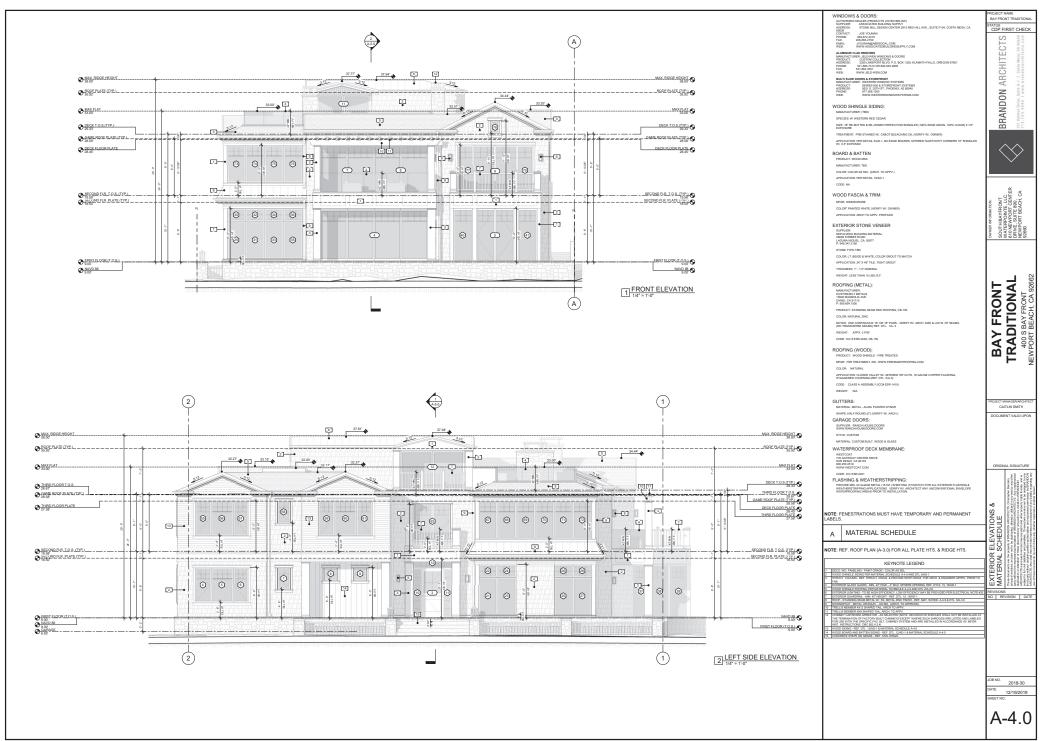


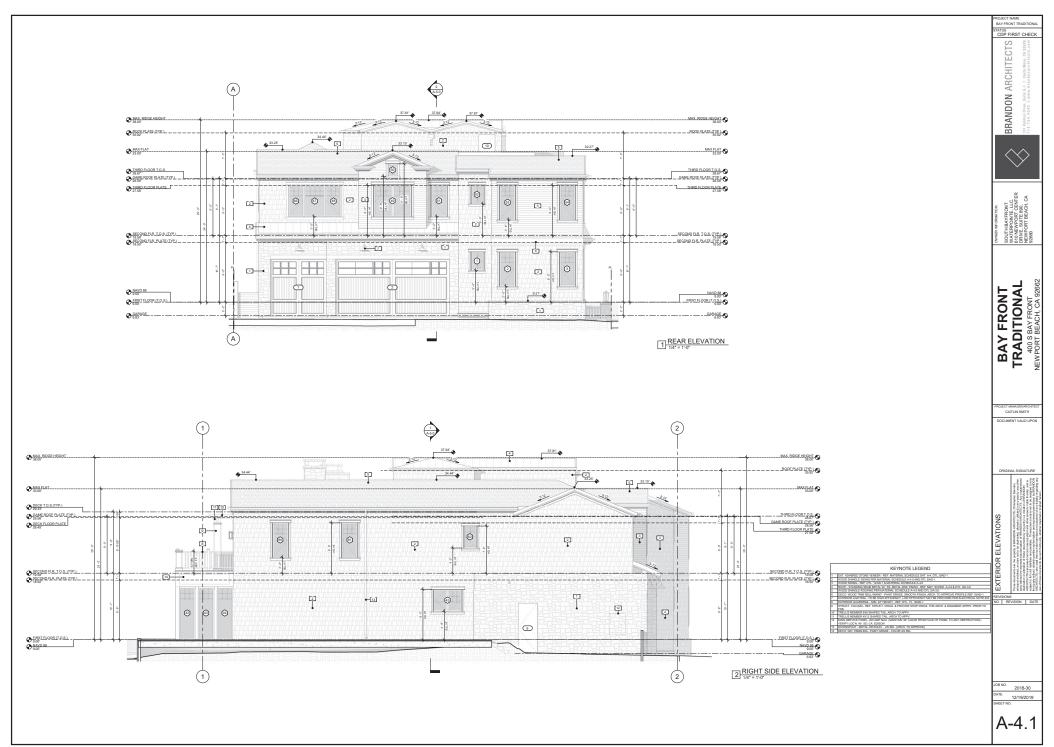


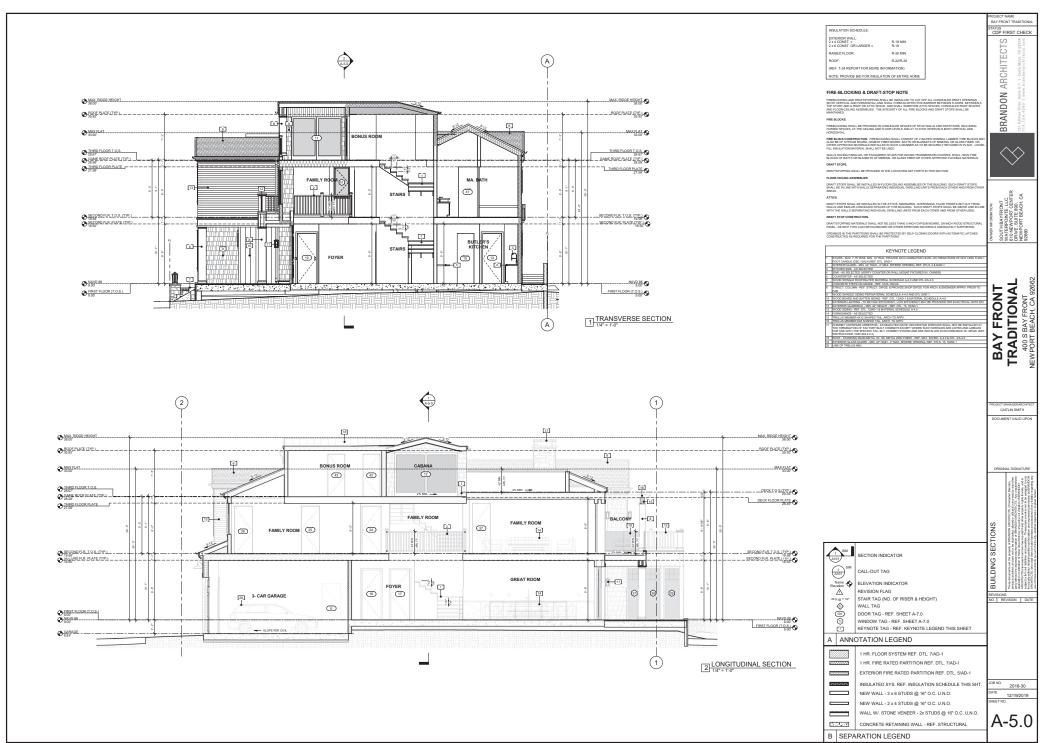


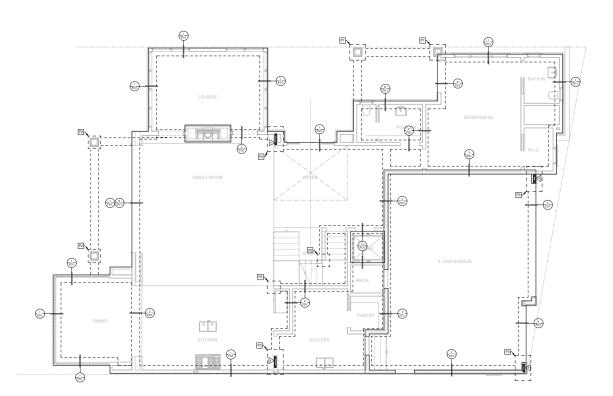












FOUNDATION PLAN SCALE: 1/4" = 1'-0"

FOUNDATION NOTES:

ALL DIMENSIONS SHALL BE VERFIED WITH THE MONITEDTS GRAWNOSS OF THE MONITEDTS GRAWNOSS OF THE MONITED SHAPPING OF THE MONITED S

VINLLOCATIONS

VINLLOCATION

CONTROL

VINLOCATION

VINLOC

NOTE:
WHEN REQUIRED BY LOCAL BUILDING DEPARTMENT ALL ANCHOR BOLTS AND HOLDOWN BOLTS TO BE SET IN PLACE PRIOR TO CITY

SOIL INFORMATION:

- SUIL INFORMATION:

 I FORMATION SEC EPPIE AND REPRODUCEMENT ARE AS RECOMMENDED WHITEH THE OWNER CONTACT PROPERTY AND ASSOCIATION OF THE ASSOCIATION

UPDATED REPORTS.

15° WIDE x 24° DEEP FTG.

W 2-#5 TOP & BOTTOM CONT.

GRADE BEAM PER PLAN WIDEN AT HARDY FRAME AS REQUIRED SEE SHEET 'HEX!' FOR SHEAR TIE SPACING

SEE SEE THOST FOR SHEAR THE SPACE
SEE SEE THOST FOR SHEAR THE SPACE
ST THK WAS BARR BY BY COME BY BINDLESS HERE
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SHEAR BY BINDL

ANCHOR BOLT LEGEND:

AB 1.5FO M. X17 AND/ORD ROLTS AF F O.C.

20. (1) SEE DAX. YE AND/ORD ROLTS

30. (1) SEE DAX. YE AND/ORD ROLTS

40. (1) SEE DAX. YE AND ORD ROLTS

40. (1) SE

MAT SLAB:

15" THICK MAT SLAB WIFS BARS @ 12" O.C., E.W

© TOP & BOTTOM, OVER 3" WASTE SLAB, OVER WATER
PROCEING MEMBRANE, OVER 3" WASTE SLAB,
OVER 34" GRAVEL.

	HARDY FRAME SO	CHEDULE	
- ALL HI	VERIFY ALL HFX HEIGHTS, S RED. YS ON SLAB MUST BE INST. IOOD SEL PLATE)		
HFX#	HFX SIZE	CUSTOM	NOTES
Δ	HFX 21x9 1-1/8 H.S.		

	PAD FOOTING SCHEDULE
- BOTT	L ER PADS ON POSTS, U.N.O. OM OF PAD TO MATCH BOTTOM OF FOOTING. FOOTING REINFORCING CONTINUOUS THROUGH PA
PAD#	PAD SIZE AND REINFORCING
P1	30" SQ. x 18" DEEP CONCRETE PAD W/ (3) #5 EACH WAY, @ BOTTOM
	24" SQ. x 18" DEEP CONCRETE PAD
P2	W/ (3) #5 EACH WAY, @ BOTTOM 24" v 48" RECT v 24" DEEP CONCRETE PAD

PROJECT NAME BAY FRONT TRADITIONAL STATUS FIRST SUBMITTAL

ESI/FME, INC.
STRUCTURAL ENGINE
1800E. 19TH ST. STE
PHORE THESS 2000
FAX THESS 2000
FAX THESS 2000





BAY FRONT TRADITIONAL 400 S BAY FRONT NEWPORT BEACH, CA 92662

FOUNDATION PLAN

NO DESCRIPTION DATE

K453 12/5/2019

S1

