CITY OF DANA POINT PLANNING COMMISSION AGENDA REPORT

DATE:

AUGUST 24, 2015

TO:

DANA POINT PLANNING COMMISSION

FROM:

COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: COASTAL DEVELOPMENT PERMIT CDP15-0011 TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING ON A VACANT LOT CONTAINING A COASTAL BLUFF AT 24682 EL CAMINO

CAPISTRANO

RECOMMENDATION:

That the Planning Commission adopt the attached Draft

Resolution approving Coastal Development Permit CDP15-

0011.

APPLICANT/OWNER:

DP Harbor Properties, LLC.

OWNER'S AGENT:

Brandon Architects (Tyler Wilson)

REQUEST:

Approval of a Coastal Development Permit (CDP) to allow construction of a new, 7,503 square foot single-family dwelling with an attached, 834 square foot garage on a vacant coastal bluff lot located within the City's Coastal Overlay District (the California Coastal Zone) and the appeals jurisdiction of the

California Coastal Commission.

LOCATION:

24682 El Camino Capistrano

Assessor Parcel Number (APN): 682-203-05

NOTICE:

Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius on August 12, 2015, published within a newspaper of general circulation on August 13, 2015, and posted on August 14, 2015 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana

Point Library.

ENVIRONMENTAL:

Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303 (a) (Class 3 - New Construction or Conversion of Small Structures) in that the application proposes the

construction of one, new single-family dwelling.

ISSUES:

- Project consistency with the development standards of the Dana Point Specific Plan (DPSP).
- Project satisfaction of all findings required pursuant to the DPSP for approval of a Coastal Development Permit (CDP).
- Project compatibility with and enhancement of the site, surrounding neighborhood.

BACKGROUND: The subject property measures approximately 10,500 square feet (.24 acre) and is located on land containing a coastal bluff as defined by the Dana Point Specific Plan (DPSP). The lot is presently vacant, varies in elevation as it descends southward toward Dana Point Harbor and the Pacific Ocean and is devoid of major vegetation. The property is the only undeveloped parcel along El Camino Capistrano, with those surrounding properties containing single-family residential structures of varying age. Pursuant to the DPSP, zoning for the property is "Coastal Medium Density Residential" (C-RMD) and the lot is located within the City's Coastal Overlay District (the California Coastal Zone) and the appeals jurisdiction of the California Coastal Commission.

Previous Approvals

- ▶ In 2007 the Planning Commission reviewed a proposal to develop the subject property with a new single-family dwelling which included a request for a variance to measure the height of the structure from the top of more than 30 inches of fill. The application was ultimately withdrawn.
- ▶ In 2008, another project, again proposing construction of a new single-family dwelling, was submitted for review by the Planning Commission which omitted the variance request. The project (Coastal Development Permit CDP08-0011) was approved but never acted upon.
- ▶ In 2014, the Planning Commission approved Coastal Development Permit CDP13-0012 and Minor Site Development Permit SDP13-0021(M) for another new single-family dwelling. Pursuant to requirements of the Dana Point Specific Plan, a condition of approval was included that required an irrevocable offer to dedicate a 10-foot wide lateral easement for purposes of eventually creating a continuous trail to traverse multiple bluff-top properties (Supporting Document 4; PC Resolution No. 14-05-12-20; Special Condition no. 19).

Subsequent to that approval, Staff received a letter from the applicant's attorney (Supporting Document 3) requesting, on behalf of the property owner, that a new application for the same previously approved project be approved with identical conditions of approval with the exception of Special Condition No. 19 for the lateral

access easement. The City Attorney and Staff agree with the attorney's analysis that the City cannot impose the condition. The legal basis for this is described in the attorney's letter (Supporting Document 3).

As CDP13-0012 won't expire until May 2016, a condition of approval has been included in the current project's draft Planning Commission Resolution that, should approval be granted, previously approved CDP13-0012 and SDP13-0021(M) will become null and void.

DISCUSSION:

Similarly to the previously approved project, the subject project proposes the construction of a new, two-story single-family dwelling on presently vacant land to comprise 7,503 square feet of habitable floor area, with an attached, 834 square foot, four-vehicle garage. The dwelling would contain five bedrooms as well as several accessory rooms, including a gym, theater and office spaces. Overall height for the structure would be 24 feet tall with predominantly flat roof elements.

The architectural style of the new dwelling would be "Modern," with a façade containing a variety of stone, metal and stucco surfaces. Additional improvements are proposed within all yards, including new landscaping throughout, property-line walls standing a maximum of six feet in height and, in the rear specifically, a new "infinity" swimming pool. A preliminary landscaping plan has been submitted and, in compliance with standards, proposes a mixture of California native and drought tolerant plantings within the rear of the property as well as the absence of any new irrigation. The project has been found to meet all standards of development - including height, lot and landscaping coverage - and no variances from standards are requested.

As stated, the property contains a coastal bluff as defined in the Dana Point Specific Plan. Submitted geotechnical analysis for the subject project recommends a minimum structure setback from the edge of the bluff of 30 feet and the proposed dwelling complies with that recommendation.

Coastal Development Permit CDP15-0011

The subject application proposes the construction of a new single-family dwelling and accessory development on vacant land located within the City's Coastal Overlay District thereby necessitating a Coastal Development Permit pursuant to the Implementing Actions Program of the DPSP. Supportive findings can be made for the CDP request, and are enumerated in the attached resolution.

Planning Commission Agenda Report CDP15-0011 August 24, 2015 Page 4

CORRESPONDENCE: To date, no other correspondence has been received regarding this project.

The property is not located within a homeowner's association (HOA).

<u>CONCLUSION</u>: Staff finds that the subject project is consistent with the policies and provisions of the Dana Point Specific Plan and Zoning Code. As the project has been found to comply with all standards of development and findings can be made for approval of the request, staff recommends the Planning Commission adopt the attached resolution, approving Coastal Development Permit CDP15-0011.

Evan Langan, AICP Associate Planner Ursula Luna-Reynosa, Director Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 15-08-24-xx

Supporting Documents

- 2. Vicinity Map
- 3. Attorney Letter request
- 4. PC Resolution No. 14-05-12-20
- 5. Site Photos
- 6. Project Plans (architectural only)

RESOLUTION NO. 15-08-24-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA APPROVING COASTAL DEVELOPMENT PERMIT CDP15-0011 TO ALLOW THE CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING ON A VACANT LOT CONTAINING A COASTAL BLUFF AT 24682 EL CAMINO CAPISTRANO

The Planning Commission of the City of Dana Point does hereby resolve as follows:

WHEREAS, DP Harbor Properties, LLC, a California Limited Liability Company (the "Applicant") is the owner of real property commonly referred to as 24682 El Camino Capistrano (APN 682-203-05) (the "Property"); and

WHEREAS, the Applicant filed a verified application for a Coastal Development Permit to allow the construction of a new single-family dwelling on vacant land at the Property; and

WHEREAS, said verified application constitutes a request as provided by the Implementing Actions Program of the Dana Point Specific Plan; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), the project is Categorically Exempt per Section 15303 (a) (Class 3 - New Construction or Conversion of Small Structures) in that the application proposes the construction of one, new single-family dwelling, and;

WHEREAS, the Planning Commission did, on the 24th day of August, 2015 hold a duly noticed public hearing as prescribed by law to consider said requests; and

WHEREAS, at said public hearing, upon considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP15-0011.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows;

- A. The above recitations are true and correct.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP15-0011 subject to conditions:

ACTION DOCUMENT #1

Findings:

Coastal Development Permit CDP15-0011

- That the development project proposed by the application conforms to the Certified Local Coastal Program in that all development proposed is permissible under the standards of the Dana Point Specific Plan and, that the project has been reviewed by the City and found to conform to those standards.
- 2. That the application is consistent with the purpose and intent as well as the other provisions of the Orange County Zoning Code or district regulations of the specific plan applicable to the property in that the Dana Point Specific Plan envisions single-family residential development of the lot. The structures proposed under this application conform to the stated use requirements as well as to regulations concerning location, form and massing and accordingly, the proposal is consistent with both the intent and purpose of the referenced documents.
- 3. That the project conforms to the public access and public recreation policies of the California Coastal Act in that adequate public access to vicinity coastal bluffs and to the coastline exist in close proximity at Lantern Bay Park, as well as at overlooks at the terminus of Amber, Violet and Old Golden Lantern Streets. No public access to the bluff or to the coastline would be impacted with implementation of the proposed project.

Conditions:

A. General:

1. Approval of this application permits the construction of a new, two-story, 7,503 square foot single-family dwelling with an attached, 834 square foot garage on a vacant coastal bluff lot at 24682 El Camino Capistrano. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point Specific Plan and Zoning Code.

- 2. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be null and void.
- 3. Prior Authorizations Are Voided:

By approval of this permit, all rights and/or entitlements that may exist relative to the City's approval of Coastal Development Permit CDP13-0012 and Site Development Permit SDP13-0021(M) and Resolution No. 14-05-12-20 are hereby extinguished and are null and void, effective immediately.

- 4. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plot plan, he may approve the amendment without requiring a new public hearing.
- Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
- 6. The Applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

- 7. The Applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its offers, employees, or agents arising out of or resulting from the negligence of the Applicant or the Applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding. The Applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.
- 8. The Applicant and their successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
- The Applicant and Applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
- 10. A grading permit shall be obtained prior to any work including demolition activities.
- 11. An Encroachment Permit shall be obtained prior to any work within the City Right-of-Way.
- 12. The Applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The Applicant shall provide erosion control measures of a type, size and location as approved by the Director of Public Works. The erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the Director of Public Works. The Applicant shall maintain the erosion control devices until the Director of Public Works approves of the removal of said facilities.
- 13. The project shall meet all water quality requirements including Low

Impact Development (LID) implementation.

- 14. The Applicant shall be responsible for coordination with water district, sewer district, SDG&E, AT&T California and Cox Communication Services for the provision of all utilities.
- 15. The Applicant or successor in interest shall prepare a Waste Management Plan to the City's C&D official per the Dana Point Municipal Code. A deposit will be required upon approval of the Waste Management Plan to ensure compliance. The Waste Management Plan shall indicate the estimated quantities of material to be recycled and the locations where the material is to be taken for recycling. Said plan shall be reviewed and approved by the City's C&D Compliance Official prior to issuance of any permits.
- 16. No new structure foundations shall be permitted closer than 30 feet from the property's delineated edge of coastal bluff.
- 17. The Applicant shall submit payment for any and all applicable development impact fees prior to issuance of a building permit.

B. Prior to Issuance of a Grading Permit

- 18. The Applicant shall submit a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The Applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
- 19. The Applicant shall submit an application for a grading permit. The grading permit application, in compliance with City standards, submitted for review and approval by the Director of Public Works. The Applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
- 20. The Applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.

C. Prior to Building Plan Check Submittal and/or prior to Issuance of a Building Permit or release on certain related inspections:

- 21. The Applicant shall submit payment of a fee of \$275 for each residential unit into the Coastal Access fund in compliance with the Dana Point Specific Plan/Local Coastal Program.
- 22. Prior to commencement of framing, the Applicant shall submit a foundation certification, by survey that the structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including finish floor elevations and setbacks to property lines included as part of CDP15-0011. The City's standard "Line & Grade Certification" form shall be obtained from the Project Planner at time of permit issuance, prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval.
- 23. Prior to release of the roof sheathing inspection, the Applicant shall certify by a survey or other appropriate method that the height of the structure is in compliance with plans approved by the Planning Commission and the structure heights included as part of CDP15-0011. The City's standard "Height Certification" form shall be obtained from the Project Planner at time of permit issuance, prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.
- 24. The Applicant shall complete rough grading (establishment of building pads) in accordance with approved grading plans and reports.
- 25. The Applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.

- 26. An as-graded geotechnical report shall be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.
- 27. All documents prepared by a professional shall be wet-stamped and signed.
- 28. Prior to issuance of a building permit for the project, the Applicant shall submit for review and approval by the Planning and (if applicable) Building/Safety Divisions, a Final Landscaping Plan that complies with the standards of the Dana Point Zoning Code, preliminary plans approved by the Planning Commission, as well as the following:

All landscaping proposed within the rear half of the property shall comply with the following:

- All plantings proposed within the 30 foot setback from edge of bluff shall be of a variety that is both CA native and drought tolerant.
- No more than 50 percent of the area of the setback from the property's edge of bluff shall be comprised of hardscape.
- No irrigation is permitted within the area of the setback from edge of bluff.

Any proposed changes to landscaping located within the property's setback from edge of bluff, either under this or a future discretionary request shall be subject to review/approval by the Planning Division.

- 29. Building plan check submittal shall include three sets of the following construction documents:
 - Building Plans

- Energy calculations
- Structural Calculations
- Soils/Geology Report
- Drainage Plan

D. Prior to issuance of a Certificate of Occupancy

- 30. The Applicant shall execute the City's standard deed restriction or, if prepared by the owner(s), shall be submitted for review and approval by both the Planning Division and the City Attorney. The deed restriction shall stipulate the following:
 - That the Applicant understands that the subject site is subject to bluff retreat and that the owner(s) assumes the liability from these hazards;
 - That the owner(s) unconditionally waive any claim of liability on the part of the City or any other public agency from any damage from such hazards;
 - That the owner(s) assume all liability for damages incurred as a result of any required off-site grading.
- 31. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
- 32. A written approval by the Geotechnical Engineer of Record approving the grading as being in conformance with the approved grading plan from a geotechnical standpoint.
- 33. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved grading plan and which specifically approves construction of line and grade for all engineered drainage devices and retaining walls.
- 34. All work in the right-of-way shall be completed in conformance with the Encroachment Permit conditions to the satisfaction of the City Engineer.
- 35. An As-Built Grading Plan shall be prepared by the Civil Engineer of

Record.

- 36. All permanent BMP's shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
- 37. The Applicant shall record a standard deed restriction for the reliance on a sump pump for site drainage. The standard Deed Restriction shall be provided by the Public Works Department for signature and recordation by the property owner or lease holder.
- 38. The Applicant shall submit to the Project Planner, a wet-stamped and signed certification from a licensed landscape architect stipulating that all landscaping was installed in conformance with the project's final landscaping plan. This certification shall be submitted and approved prior to final inspection of the project by the Project Planner (Planning Division).
- 39. All structural best management practices (BMPs) shall be constructed and installed in conformance with approved plans and specifications.
- 40. The Applicant shall schedule a final inspection with the Community Development Department at the site that shall include a review of, among other things, landscaping, finish architecture/materials, approved through discretionary action, and compliance with any outstanding project conditions of approval.

PASSED Commission of by the following	ED, APPROVED, AND ADOPTED at a regular meeting of to the City of Dana Point, California, held on this 24 th day of A g vote, to wit:	he Planning ugust, 2015,
А	AYES:	
N	NOES:	
А	ABSENT:	
А	ABSTAIN:	
	April O'Connor, Planning	Chairwoman Commission
ATTEST:		
	Reynosa, Director evelopment Department	



City of Dana Point

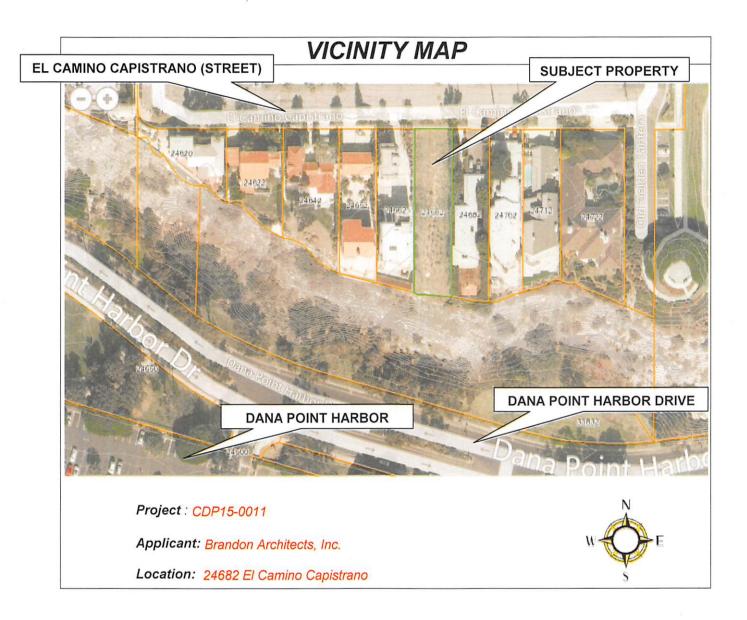
CDP15-0011

Evan Langan, AICP, Associate Planner

Community Development Department

33282 Golden Lantern, Suite 209

Dana Point, CA 92629-1805



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July 1, 2015

Ursula Luna-Reynosa Director of Community Development City of Dana Point 33282 Golden Lantern Dana Point, California 92629

Re: 24682 El Camino Capistrano

CDP and Minor Site Permit Application

Dear Ms. Luna-Reynosa:

I am enclosing an application for a Coastal Development Permit and Minor Site Permit Application related to the construction of a single family residence located at 24682 El Camino Capistrano. On May 12, 2014, the City approved CDP No. 13-00012 and Minor Site Permit No. SDP 13-0021(M) for the development of this single family residence. However, the decision of the Planning Commission imposed a Special Condition No. 19 which reads as follows:

A lateral access easement shall be irrevocably offered for dedication to ensure implementation of the bluff top trail system shown in the Dana Point Specific Plan. Said easement shall be ten feet wide and set back a sufficient distance from the bluff edge to assure safety from the threat of crosion for 50 years. Said dedication shall be in the form of a recorded, irrevocable offer to dedicate until the City acquires the same rights from continuous bluff top property owners. This offer to dedicate shall be valid for 21 years or until the City accepts the easement, or until an amendment of the Local Coastal Program deleting the requirement of the dedication of a lateral easement access for trail purposes, whichever occurs first. The irrevocable offer to dedicate shall be in the standard City format, or if prepared by the property owner(s), submitted for approval by the Director of Community Development and the City Attorney prior to being executed and recorded.

I had written to you previously on May 4, 2015 setting forth my reasons that the access condition was improper and requesting that the City initiate proceedings to remove the condition.

Ursula Luna-Reynosa Director of Community Development City of Dana Point July 1, 2015 Page 2

The City appears unwilling or unable to do so. After discussions with City Attorney Munoz, I concluded that an appropriate manner in which to remove this improper condition was to make a new application for the project at which time objections to the condition could be raised. Since the Applicant has not commenced any construction under the prior permits, action on a new application is not constrained by the prior decision. (See, *Bowman v. California Coastal Commission* (2014) 230 Cal.App.4th 1136.) Amending the prior permits appeared to be unnecessarily complicated by Municipal Code §9.69.130.

The Applicant requests that this new application be approved on the identical conditions with the exception of Condition No. 19. It appears that the requirement for the dedication of an easement may have become a part of the City's Local Coastal Program and Dana Point Specific Plan as of April 23, 1987. Decisions of the United States Supreme Court since 1987 prohibit the exaction of an easement as a condition of a permit to develop property unless (1) a nexus exists between the construction of the house and the public access easement required as a condition of the house. (Nollan v. California Coastal Commission (1987) 483 U.S 847), and (2) the burden of the public access easement on the LLC's property is roughly proportional to the impacts on the public of the construction of the house. (Dolan v. City of Tigard (1991) 512 U.S.387.)

There are no facts which demonstrate a nexus between the public trail access easement and the Applicant's house. Figure 8 and Page 64 of the Local Coastal Program portion of the Dana Point Specific Plan are the provisions which were referenced in the Planning Commission findings. The four paragraphs of text and the map on Figure 8 showing a "blufftop trail" extending from Laguna Niguel to Doheny State Beach do not set forth any nexus or rough proportionality to taking easements from private property owners. All that the Dana Point Specific Plan states on Page 64 is that "[t]he dedication of a easement from a property owner for the trail system is exacted at the time of development or redevelopment of his property."

The City has reflected the *Nollan* and *Dolan* standards in its Municipal Code. Municipal Code 9.27.030(a)(3)(A) requires that the findings required by Municipal Code 9.27.030(a)(5)(A) through 9.27.030(a)(5)(C) be made in order to impose a condition of approval to dedicate an easement. There are 23 separate factors on which findings are required. The factors which are to be considered and the findings which are required to be made take several pages of the Municipal Code and are too long to be reproduced here. However, the requirements of Municipal Code 9.27.030(a)(5)(A) describe several of the required findings which cannot be made.

1. "A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to Section 9.27.030(a)(5)(B). The type of affected public access and recreation opportunities shall be clearly described." There is no burden imposed on public access by the Applicant constructing the house.

Ursula Luna-Reynosa
Director of Community Development
City of Dana Point
July 1, 2015
Page 3

The facts are indistiguishable from Nollan v. California Coastal Commission, supra. In Nollan, the Coastal Commission required an easement along the beach in front of the house. The Supreme Court struck the requirement. Here, the City required an easement along the bluff in front of the house. The house has nothing to do with whether or not there is a need for an easement, it is no more than an opportunity to use the permitting power to exact an interest in the Applicant's property. No access condition can be imposed.

- 2. "An analysis based on applicable factors identified in Section 9.27.030(a)(5)(B) and 9.27.030(a)(5)(C) of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act." Based on the applicable factors, no necessity for requiring public access on the Applicant's property can be shown.
- 3. "An explanation of how imposition of a public access dedication requirement alleviates the access burdens identified and is reasonably related to those burdens in both nature and extent." Since the house imposes no burdens on public access, the extent of the burden which the access easement would impose upon the Applicant would have no relationship, roughly proportional or not, to the impacts of the house.

Further, the City's permit authority is limited by the provisions of Public Resources Code §30010 which provides:

"The Legislature hereby finds and declares that this division is not intended, and shall not be construed as authorizing the commission, port governing body, or local government acting pursuant to this division to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefor. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States." [emphasis added]

Without findings, or even evidence which would support findings, that a nexus exists between the Applicant's house and the easement across the Applicant's property, the City of Dana Point, a local government acting pursuant to the Coastal Act, cannot impose an access condition because it would take private property for public use without payment of just compensation therefor.

Ursula Luna-Reynosa Director of Community Development City of Dana Point July 1, 2015 Page 4

Please schedule these applications before the Planning Commission at the earliest possible date. CEQA compliance was completed in connection with the prior permits and the nature of the development has not changed. A single family house is categorically exempt under CEQA Guideline §15303. Findings should be proposed which will explain the facts that lead to the conclusion that no easement can be required as a condition of the permit.

I recognize that the final action by the City will be the subject of a Notice of Final Action to the Coastal Commission and that the project lies within the appeal jurisdiction of the Coastal Commission. I believe that the Coastal Commission will recognize that a condition for access, although included in the LCP, cannot be imposed, particularly if the City's findings explain it. I do not think that the Coastal Commission will appeal the decision.

If you or any member of your staff should have any questions, please do not hesitate to contact me.

Sincerely,

SUPPMANI STACEV

cc: City Attorney A. Patrick Munoz, Esq.

Mr. Frank Ultimo

RESOLUTION NO. 14-05-12-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA APPROVING COASTAL DEVELOPMENT PERMIT CDP13-0012 TO ALLOW THE CONSTRUCTION OF A NEW, TWO-STORY, 7,504 SQUARE FOOT SINGLE-FAMILY DWELLING WITH AN ATTACHED, 834 SQUARE FOOT GARAGE ON A VACANT COASTAL BLUFF LOT AND; MINOR SITE DEVELOPMENT PERMIT SDP13-0021(M) TO ALLOW MEASUREMENT OF BUILDING HEIGHT FROM ATOP A MAXIMUM OF 30 INCHES OF FILL AT 24682 EL CAMINO CAPISTRANO

Applicant: Brandon Architects, Inc. **Owner:** DP Harbor Properties, LLC

The Planning Commission of the City of Dana Point does hereby resolve as follows:

WHEREAS, the applicant filed a verified application for a Coastal Development Permit and Minor Site Development Permit to allow the construction of a new single-family dwelling on vacant land, as well to measure structure height from the top of a maximum of 30 inches of fill at 24682 El Camino Capistrano (APN 682-203-05); and

WHEREAS, said verified application constitutes a request as provided by the Implementing Actions Program of the Dana Point Specific Plan, as well as Title 9 of the Dana Point Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15303 (a) (Class 3 - New Construction or Conversion of Small Structures) in that the application proposes the construction of one, new single-family dwelling, and;

WHEREAS, the Planning Commission did, on the 12th day of May, 2014 hold a duly noticed public hearing as prescribed by law to consider said requests; and

WHEREAS, at said public hearing, upon considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP13-0012 and SDP13-0021(M);

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows;

- A. The above recitations are true and correct.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP13-0012 and SDP13-0021(M) subject to conditions:

Findings:

Coastal Development Permit CDP13-0012

- 1. That the development project proposed by the application conforms with the Certified Local Coastal Program in that all development proposed is permissible under the standards of the Dana Point Specific Plan and, that the project has been reviewed by the City and found to conform to those standards.
- 2. That the application is consistent with the purpose and intent as well as the other provisions of the Orange County Zoning Code or district regulations of this specific plan applicable to the property in that the specific plan envisions and requires single-family residential development of the lot subject to particular development standards. Development proposed under this application conforms to use requirements as well as development regulations concerning location, form and massing and accordingly, the proposal is consistent with both the intent and purpose of the referenced documents.
- 3. That the project conforms with the public access and public recreation policies of the California Coastal Act in that the project has been conditioned to provide an Irrevocable Offer to Dedicate (IOD) an easement for connection to the area's existing bluff-top trail, in compliance with the requirements of the certified Dana Point Specific Plan and so conforming to the public access and public recreation policies of the California Coastal Act.

Minor Site Development Permit SDP13-0021(M)

- 1. That the site design is in compliance with the development standards of the Dana Point Zoning Code in that the existing lot slopes downward from front to back, disallowing water flow via gravity to the street in compliance with development standards. The application proposes the minimum amount of fill required to correct the drainage pattern, resulting in a project that complies with all development standards, while simultaneously minimizing alteration of the topographical form of the lot.
- 2. That the site is suitable for the proposed use and development in that the proposed use of fill will facilitate drainage away from the coastal bluff toward El Camino.

- 3. That the project is in compliance with all elements of the General Plan and all applicable provision of the Urban Design Guidelines in that the proposed fill has been found to comply with all standards of development and, would not be in conflict with any recommendations of the City's Urban Design Guidelines.
- 4. That the site and structural design is appropriate for the site and function of the proposed use, without requiring a particular style in that the application proposes to measure building height from the top of a maximum of 30 inches of fill. Approval of the request will allow development of the site in a manner that complies with code, while simultaneously improving safety and stability of the property.

Conditions:

A. General:

- 1. Approval of this application permits the construction of a new, two-story, 7,504 square foot single-family dwelling with an attached, 834 square foot garage on a vacant coastal bluff lot and, for building height to be measured from the top of 30 inches of fill, at 24682 El Camino Capistrano. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point Specific Plan and Zoning Code.
- 2. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be null and void.
- 3. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and

the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plot plan, he may approve the amendment without requiring a new public hearing.

- 4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
- 5. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.
- 6. The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its offers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding. The applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.
- 7. The applicant and owner, and their successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
- 8. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
- 9. A grading permit shall be obtained prior to any work including demolition activities.

- 10. An Encroachment Permit shall be obtained prior to any work within the City Right-of-Way.
- 11. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion control measures of a type, size and location as approved by the Director of Public Works. The erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the Director of Public Works. The applicant shall maintain the erosion control devices until the Director of Public Works approves of the removal of said facilities.
- 12. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
- 13. The applicant shall be responsible for coordination with water district, sewer district, SDG&E, AT&T California and Cox Communication Services for the provision of water, sewer, electric, telephone and cable television services.
- 14. The applicant, property owner or successor in interest shall prepare a Waste Management Plan to the City's C&D official per the Dana Point Municipal Code. A deposit will be required upon approval of the Waste Management Plan to ensure compliance. The Waste Management Plan shall indicate the estimated quantities of material to be recycled and the locations where the material is to be taken for recycling. Said plan shall be reviewed and approved by the City's C&D Compliance Official prior to issuance of any permits.
- 15. Per Zoning Code Section 9.27.030, no new structure foundations will be allowed closer than 30 feet bluff from the property's delineated edge of coastal bluff.
- 16. The applicant shall submit payment for any and all applicable development impact fees prior to issuance of a building permit.

B. Prior to Issuance of a Grading Permit

- 17. The applicant shall execute the City's standard deed restriction or, if prepared by the owner(s), shall be submitted for review and approval by both the Planning Division and the City Attorney. The deed restriction shall stipulate the following:
 - That the applicant understands that the subject site is subject to bluff retreat and that the owner(s) assumes the liability from these hazards;
 - That the owner(s) unconditionally waive any claim of liability on the part of the City or any other public agency from any damage from such hazards;
 - That the owner(s) assume all liability for damages incurred as a result of any required off-site grading.

The deed restriction shall be recorded, free of prior liens, to bind the owner(s) and any successors in interest or otherwise recorded to the satisfaction of the City Attorney.

- 18. The applicant shall submit a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
- 19. A lateral access easement shall be irrevocably offered for dedication to ensure implementation of the bluff top trail system shown in the Dana Point Specific Plan. Said easement shall be ten feet wide and set back a sufficient distance from the bluff edge to assure safety from the threat of erosion for 50 years. Said dedication shall be in the form of a recorded, irrevocable offer to dedicate until the City acquires the same rights from continuous bluff top property owners. This offer to dedicate shall be valid for 21 years or until the City accepts the easement, or until an amendment of the Local Coastal Program deleting the requirement of dedication of a lateral access easement for trail purposes, whichever occurs first. The irrevocable offer to dedicate shall be in the standard City format or, if prepared by the property owner(s), submitted for approval by the Director of Community Development and the City Attorney prior to being executed and recorded.

- 20. The applicant shall submit an application for a grading permit. The grading permit application, in compliance with City standards, submitted for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
- 21. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.
- C. Prior to Building Plan Check Submittal and/or prior to Issuance of a Building Permit or release on certain related inspections:
 - 22. Prior to commencement of framing, the applicant shall submit a foundation certification, by survey that the structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including finish floor elevations and setbacks to property lines included as part of CDP13-0012 and SDP13-0021(M). The City's standard "Line & Grade Certification" form shall be obtained from the Project Planner at time of permit issuance, prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval.
 - 23. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structure is in compliance with plans approved by the Planning Commission and the structure heights included as part of CDP13-0012 and SDP13-0021(M). The City's standard "Height Certification" form shall be obtained from the Project Planner at time of permit issuance, prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.
 - 24. The applicant shall complete rough grading (establishment of building pads) in accordance with approved grading plans and reports.
 - 25. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the

approved grading plan and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.

- 26. An as-graded geotechnical report shall be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.
- 27. All documents prepared by a professional shall be wet-stamped and signed.
- 28. Prior to issuance of a building permit for the project, the applicant shall submit for review and approval by the Planning and (if applicable) Building/Safety Divisions, a Final Landscaping Plan that complies with the standards of the Dana Point Zoning Code, preliminary plans approved by the Planning Commission, as well as the following:
 - All landscaping proposed within the rear half of the property shall comply with the following:
 - All plantings proposed within the 30 foot setback from edge of bluff shall be of a variety that is both CA native and drought tolerant.
 - No more than 50 percent of the area of the setback from the property's edge of bluff shall be comprised of hardscape.
 - No irrigation is permitted within the area of the setback from edge of bluff.

Any proposed changes to landscaping located within the property's setback from edge of bluff, either under this or a future discretionary request shall be subject to review/approval by the Planning Division.

- 29. Building plan check submittal shall include three sets of the following construction documents:
 - · Building Plans
 - Energy calculations
 - Structural Calculations
 - Soils/Geology Report
 - Drainage Plan

D. Prior to issuance of a Certificate of Occupancy

- 30. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
- 31. A written approval by the Geotechnical Engineer of Record approving the grading as being in conformance with the approved grading plan from a geotechnical standpoint.
- 32. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved grading plan and which specifically approves construction of line and grade for all engineered drainage devices and retaining walls.
- 33. All work in the right-of-way shall be completed in conformance with the Encroachment Permit conditions to the satisfaction of the City Engineer.
- 34. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.
- 35. The applicant shall schedule a final inspection with the Community Development Department at the site that shall include a review of, among other things, landscaping, finish architecture/materials, approved through discretionary action, and compliance with any outstanding project conditions of approval.

- 36. All landscaping within the front-yard of the subject project (as illustrated on the submitted Final Landscaping Plan) shall be installed prior to issuance of a certificate of occupancy as well as final sign-off of the project by the Planning Division.
- 37. All permanent BMP's shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
- 38. The property owner shall record a standard deed restriction for the reliance on a sump pump for site drainage. The standard Deed Restriction shall be provided by the Public Works Department for signature and recordation by the property owner or lease holder.
- 39. All structural best management practices (BMPs) shall be constructed and installed in conformance with approved plans and specifications.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 12th day of May, 2014, by the following vote, to wit:

AYES:

Claus, Denton, Newkirk, O'Connor, Whittaker

NOES:

None

ABSENT:

None

ABSTAIN:

None

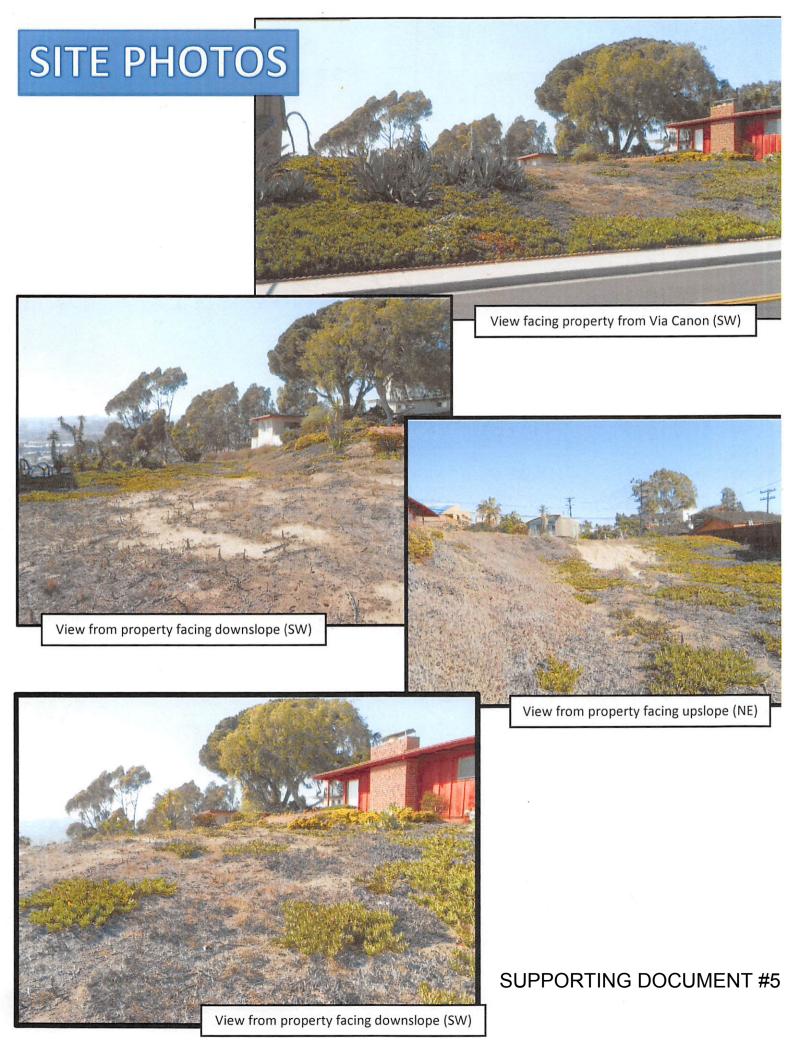
Liz Claus, Chairwoman Planning Commission

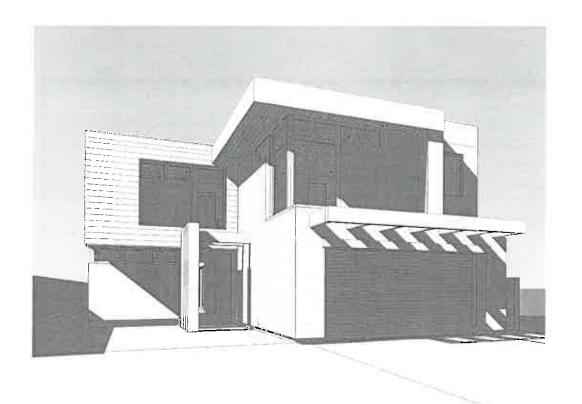
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ATTEST:

Ursula Luna-Reynosa, Director

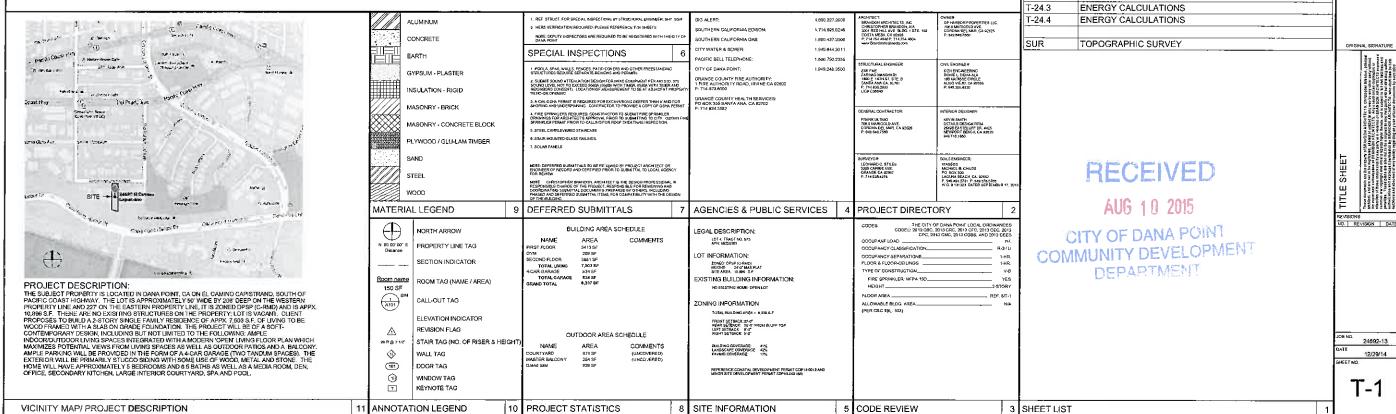
Community Development Department





DANA POINT RESIDENCE

24682 EL CAMINO CAPISTRANO, DANA POINT CA. 92629



SHEET#

A-10

A-12 AD-1

SGN

FD-1

SD-1

SD-2

HFX-1

E-2

T-24.2

FITLE SHEET

GENERAL ARCHITECTURAL NOTES
RESOLUTION NOTES-CITY OF DANA POINT

ARCHITECTURAL SITE PLAN

REAR & RIGHT ELEVATIONS
BUILDING SECTIONS
BUILDING SECTIONS
BUILDING SECTIONS

ARCHITECTUAL DETAILS

3D FRAMING VIEWS

FOUNDATION PLAN FLOOR FRAMING PLAN ROOF FRAMING PLAN

FOUNDATION DETAILS

STRUCTURAL DETAILS

STRUCTURAL DETAILS

STRUCTURAL GENERAL NOTES

FIRST LEVEL REFLECTED CEILING PLAN SECOND LEVEL REFLECTED CEILING PLAN DOOR & WINDOW SCHEDULES & DETAILS

HFX SERIES PANELS- FOUNDATION DETAILS

HFX SERIES PANELS-FRAMING DETAILS
FIRST LEVEL SCHEMATIC ELEC. PLAN
SECOND LEVEL SCHEMATIC ELEC. PLAN

FIRST FLOOR MECHANICAL PLAN

FIRST FLOOR PLUMBING PLAN SECOND FLOOR PLUMBING PLAN

ENERGY CALCULATIONS

ENERGY CALCULATIONS

SECOND FLOOR MECHANICAL PLAN

LANDSCAPE CONCEPT

3-DIMENSIONAL VIEWS
FIRST LEVEL FLOOR PLAN
SECOND LEVEL FLOOR PLAN
ROOF PLAN & DETAILS

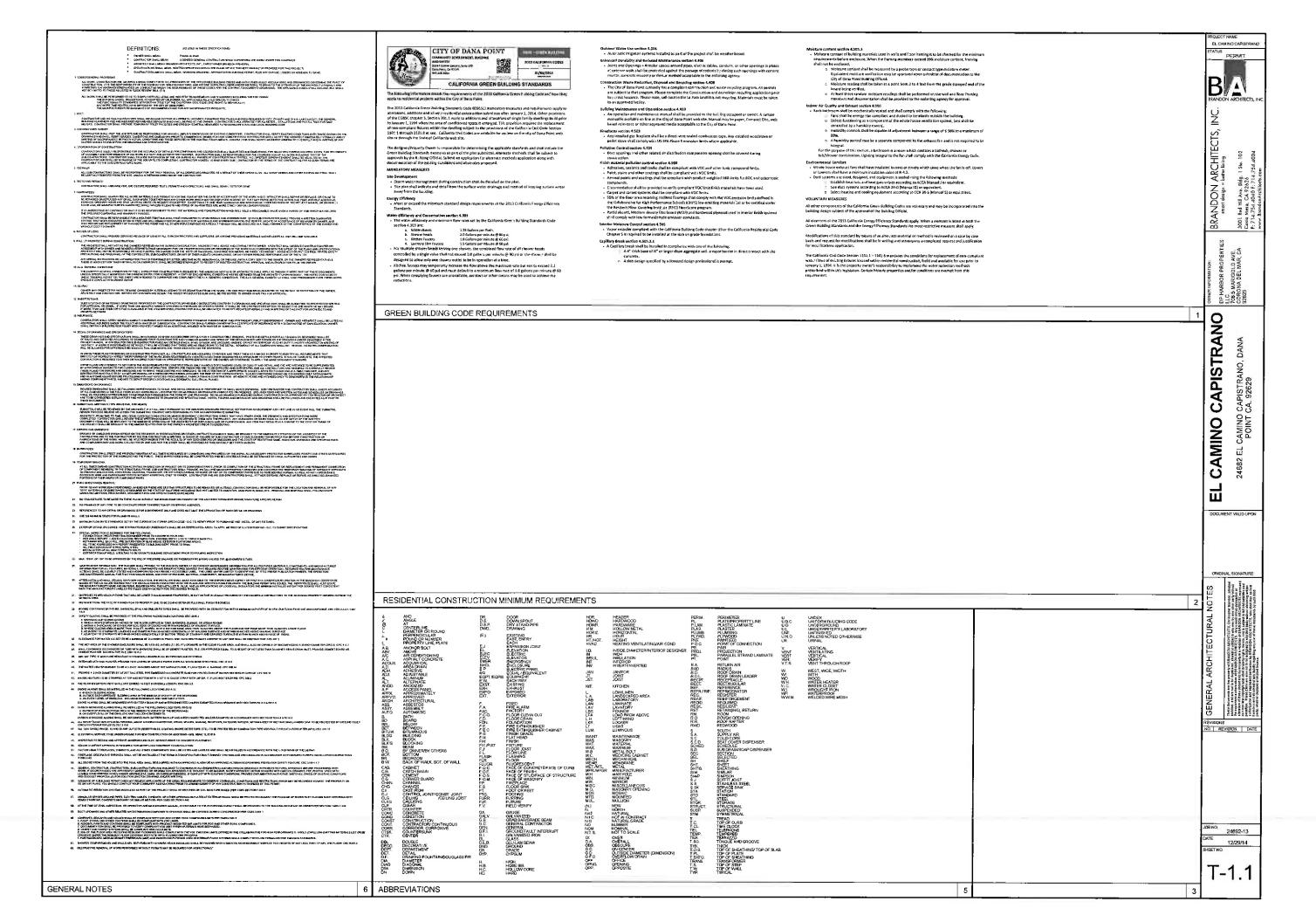
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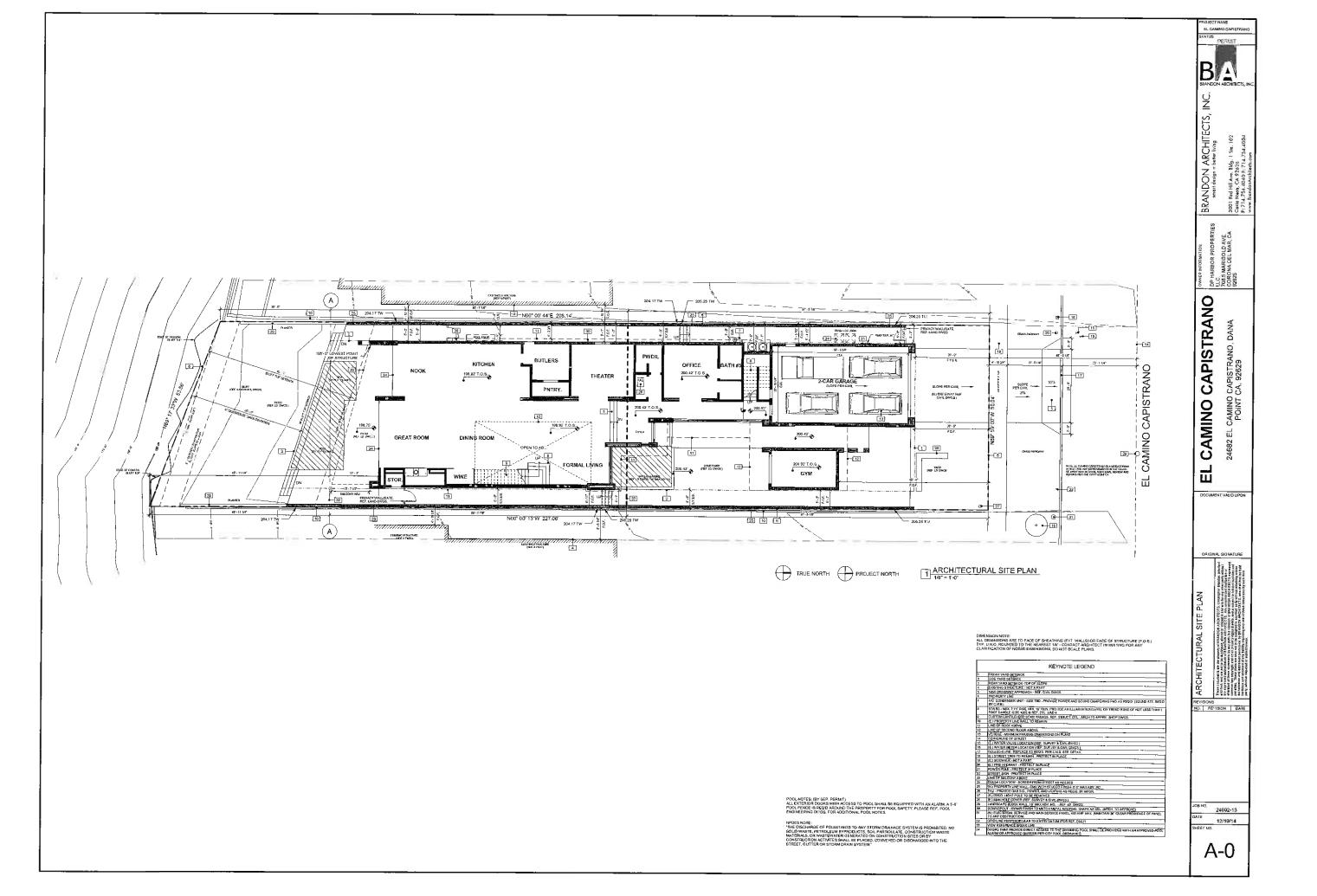
FRONT & LEFT ELEVATIONS & MATERIAL SCHEDULE

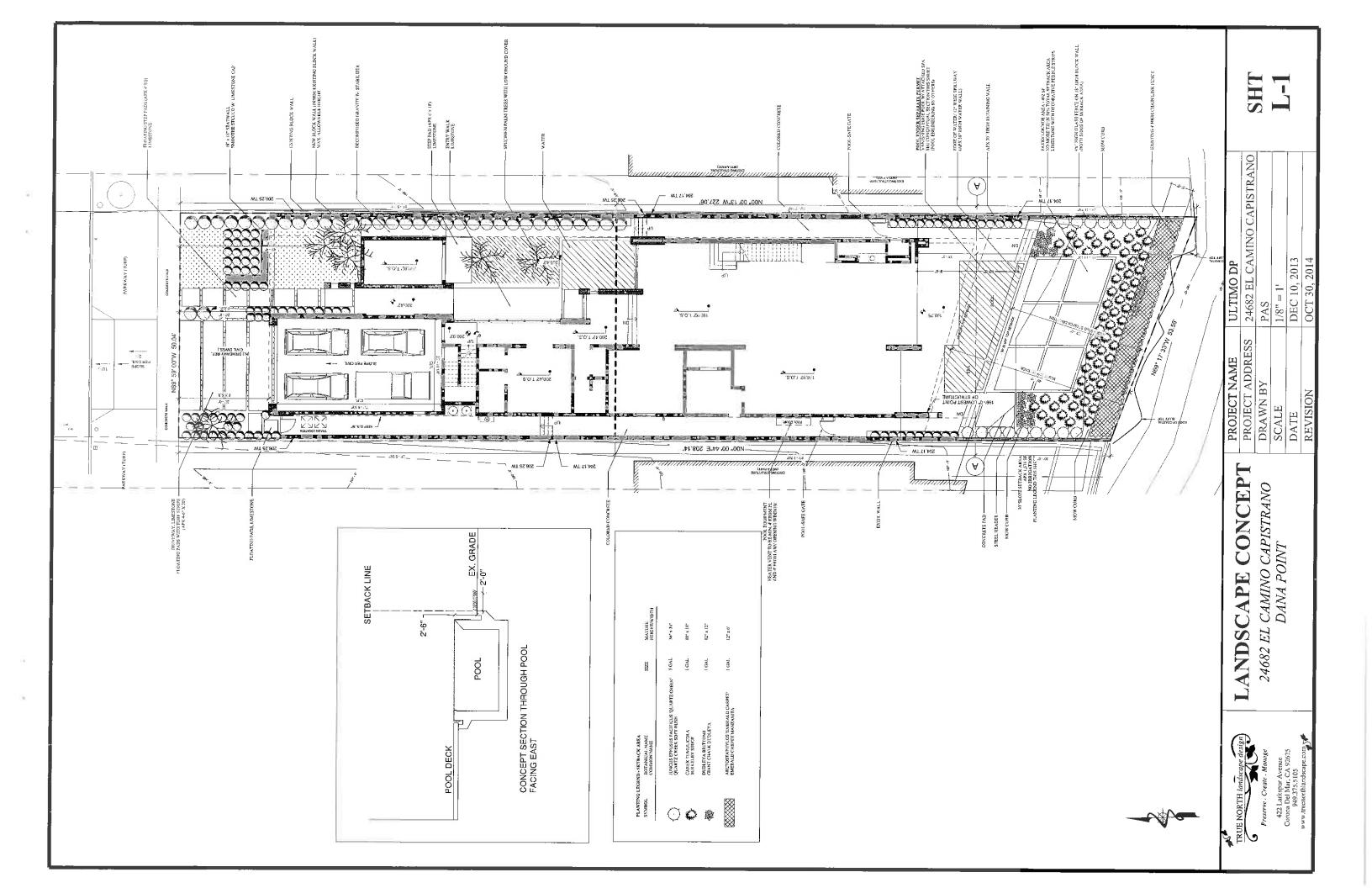
CAPISTRANO

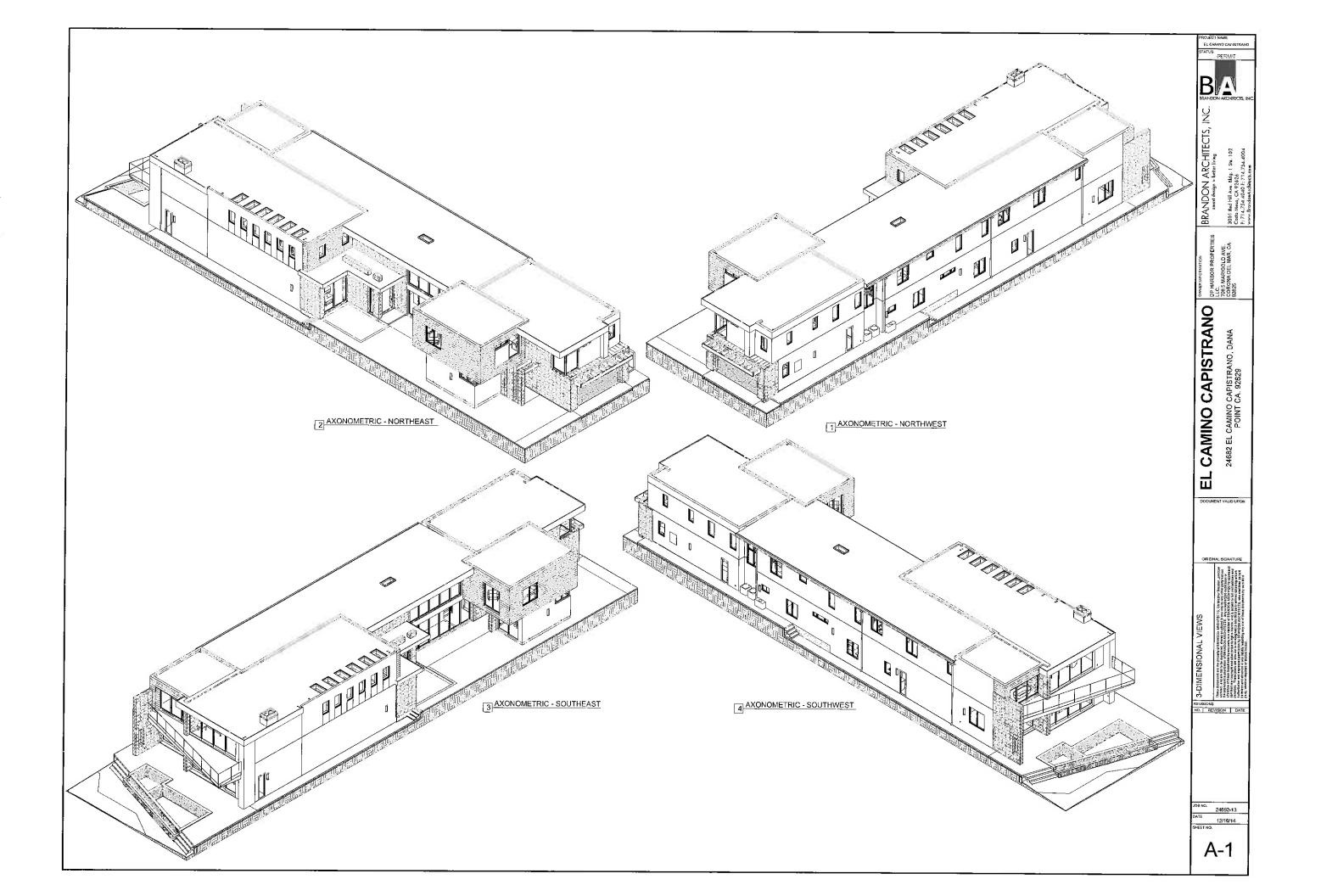
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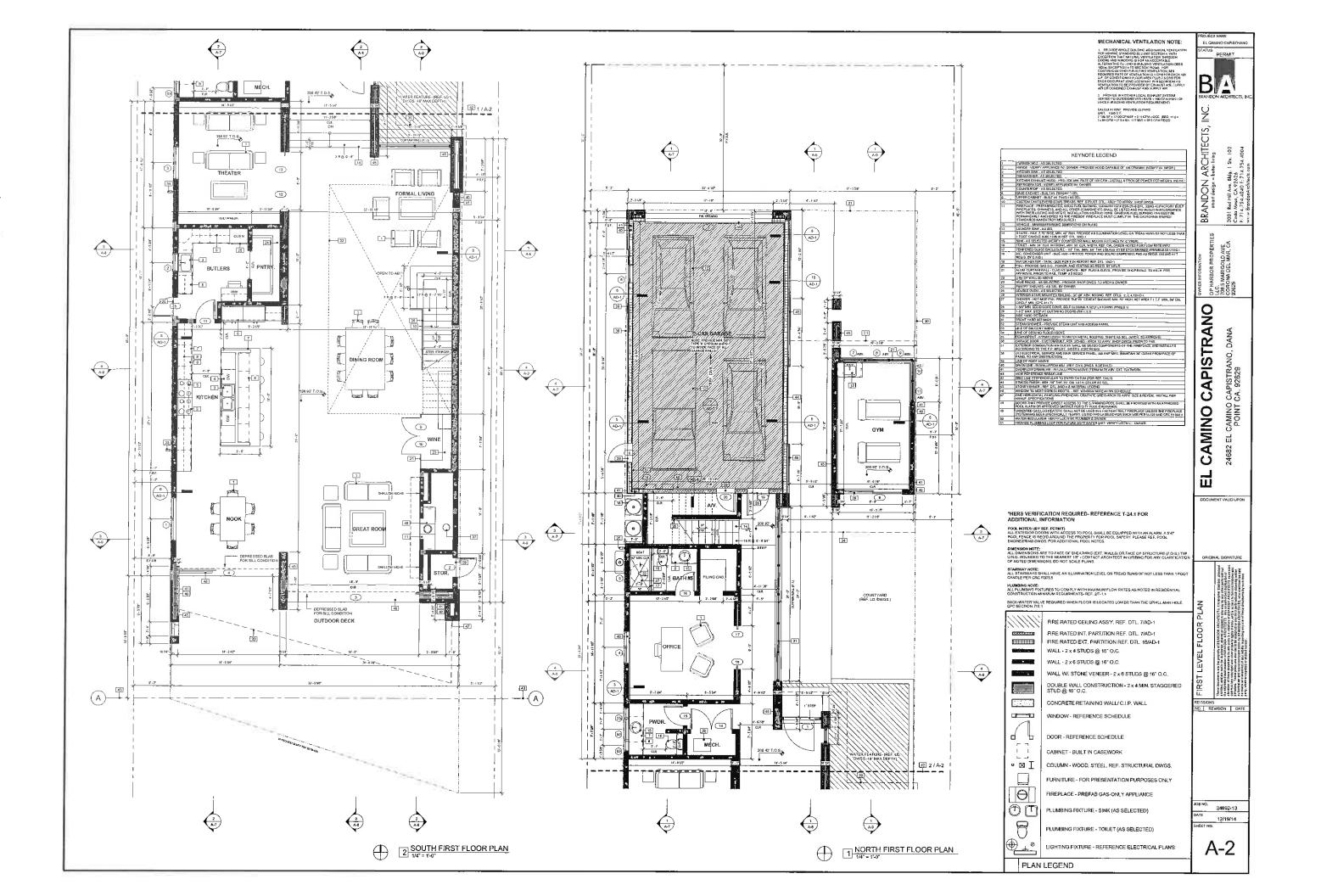
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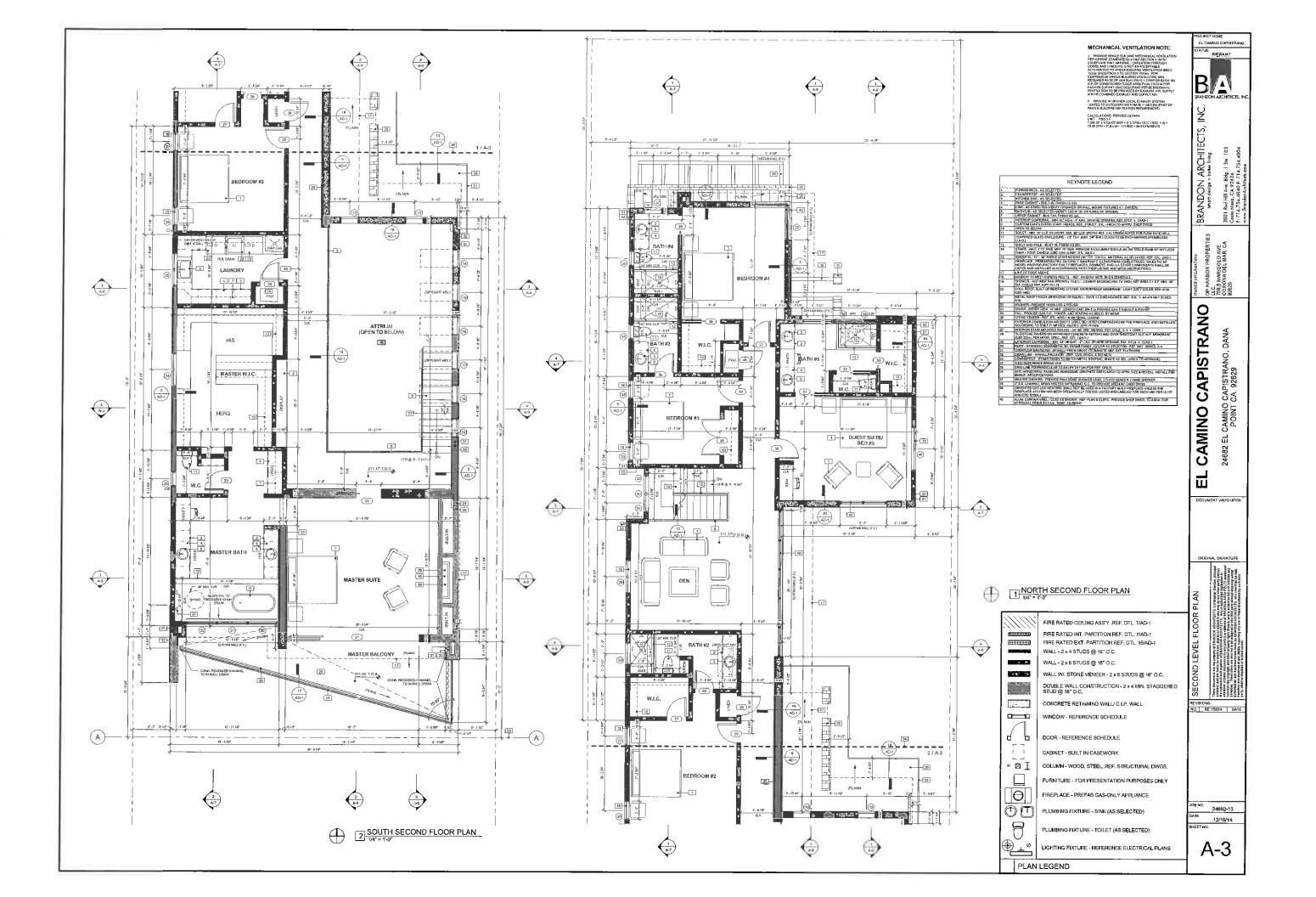


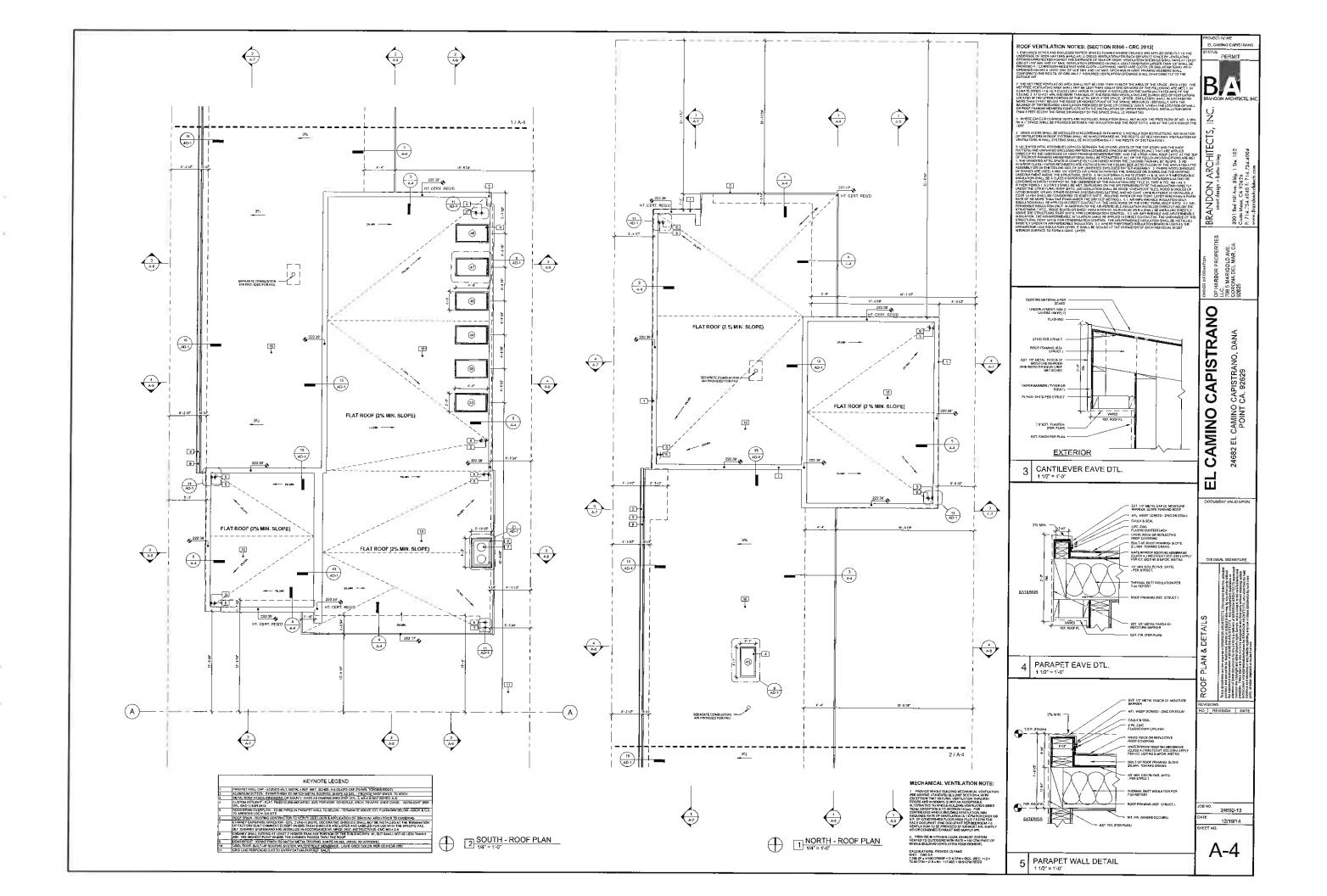


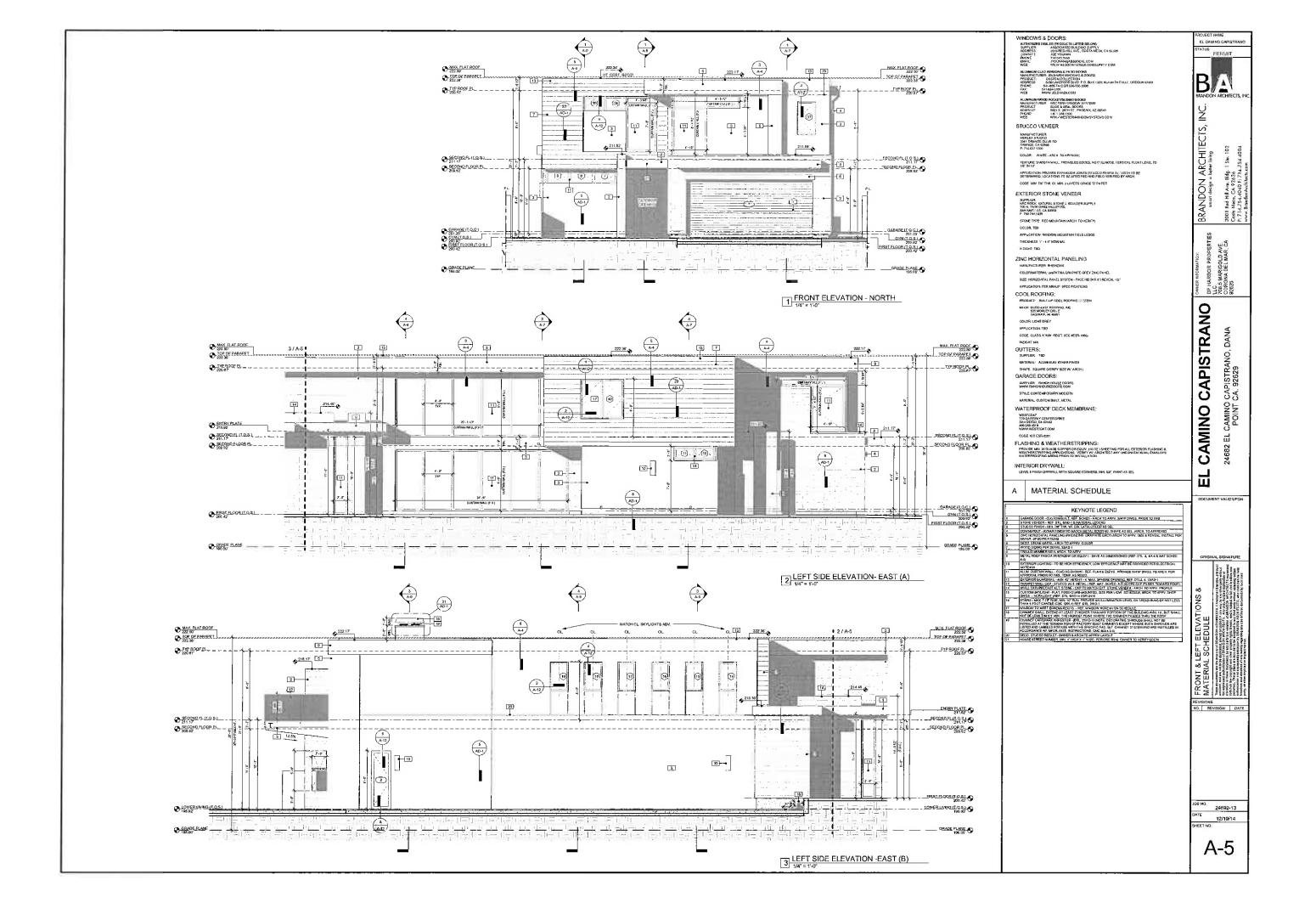


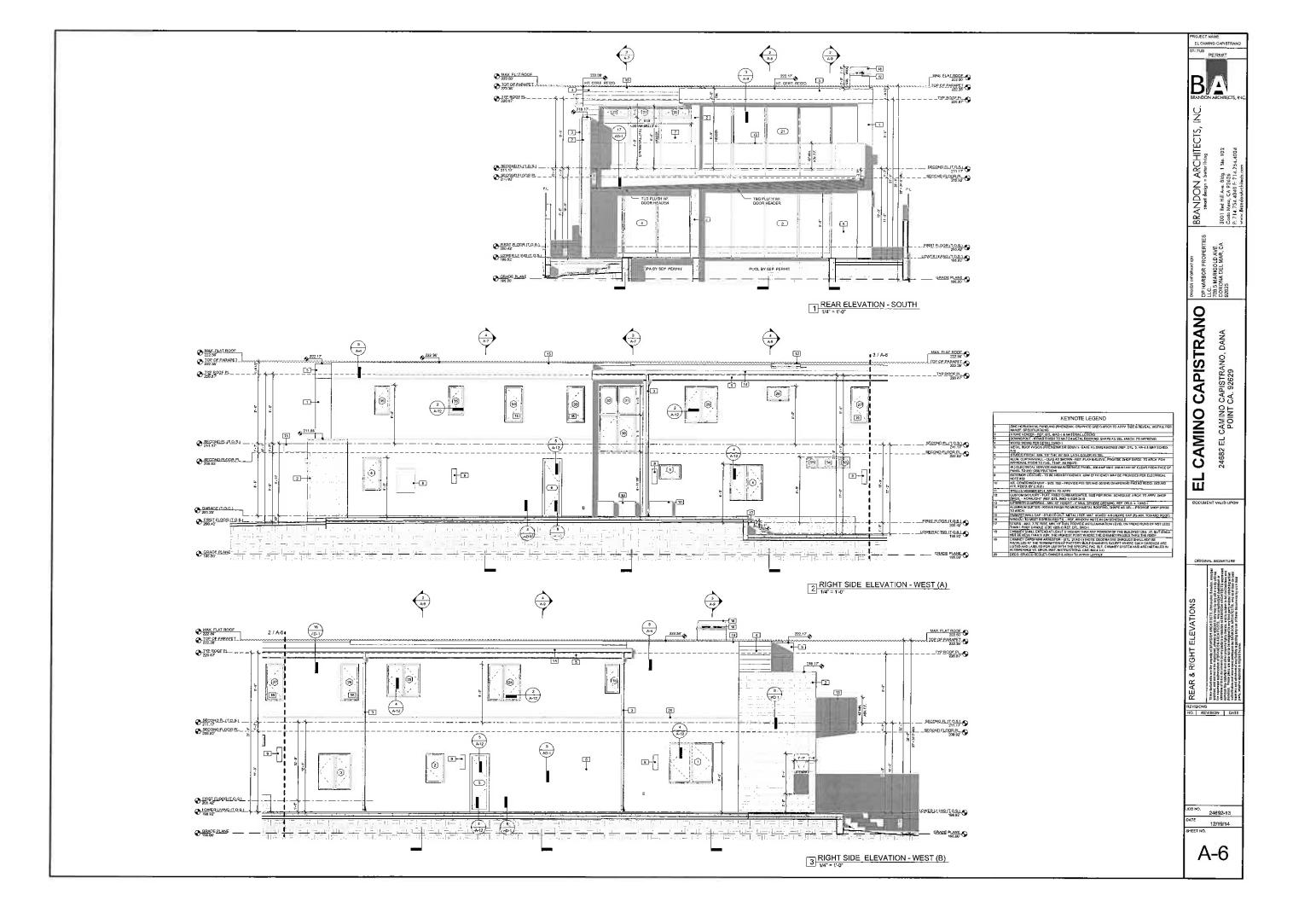


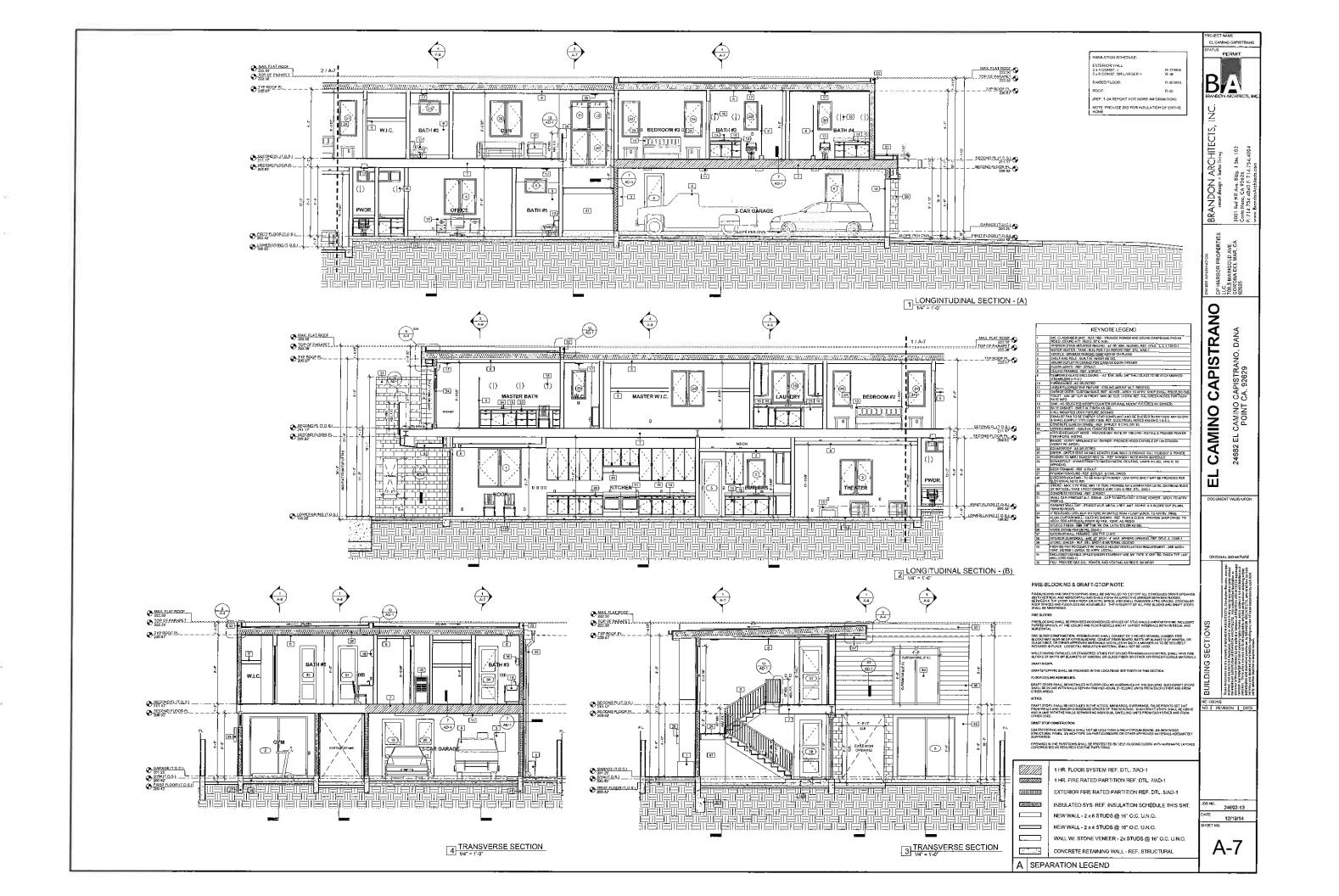


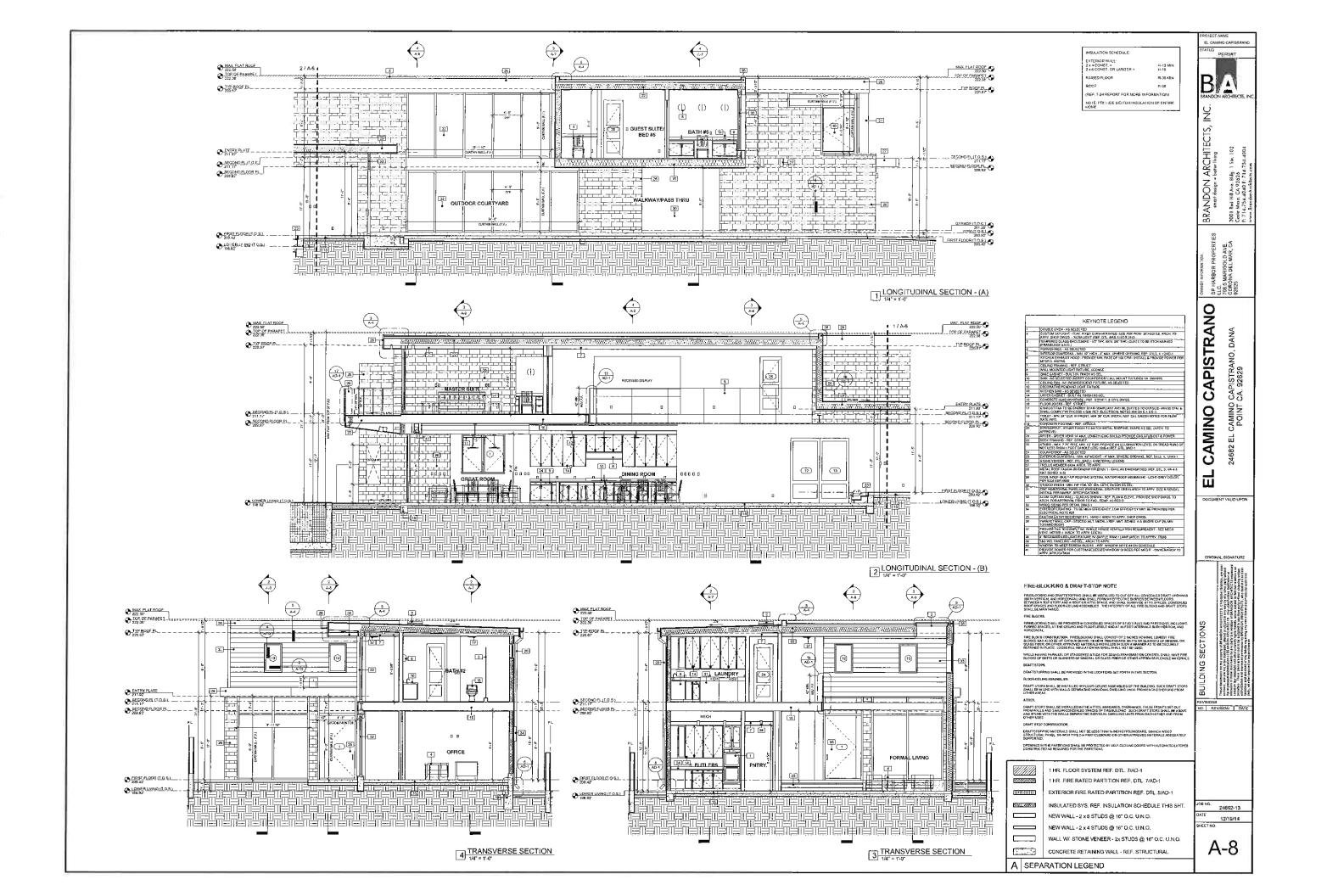


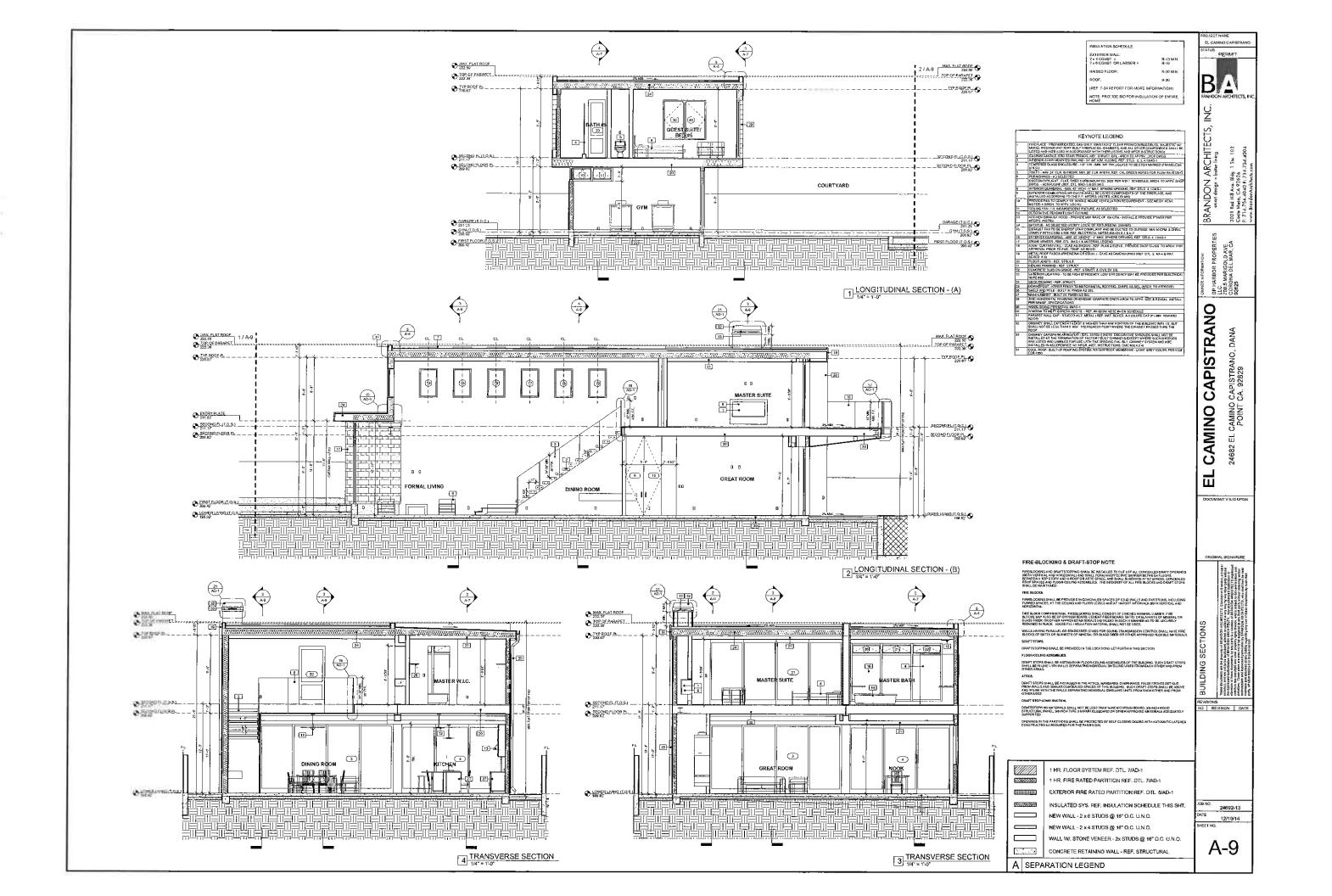


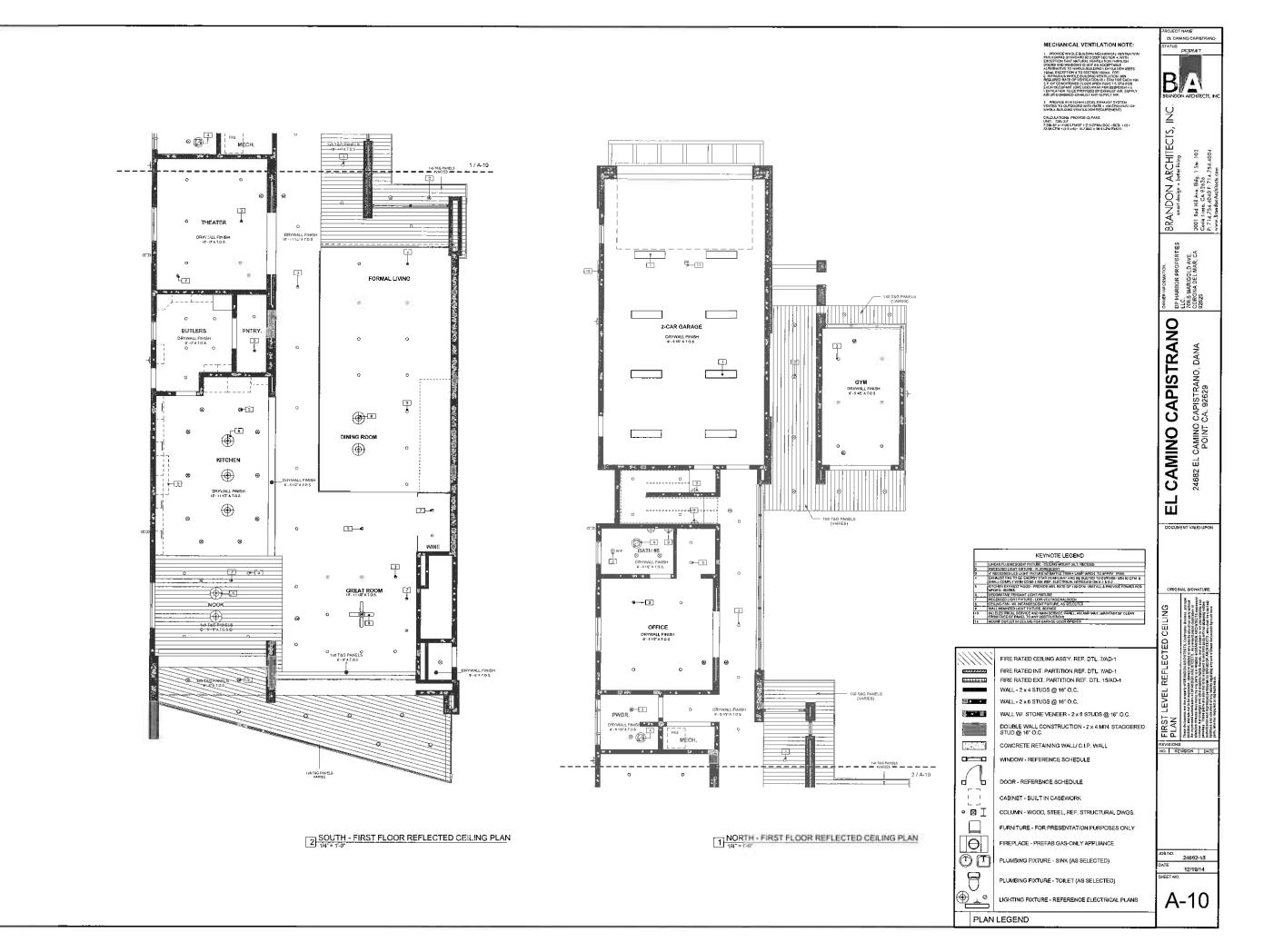


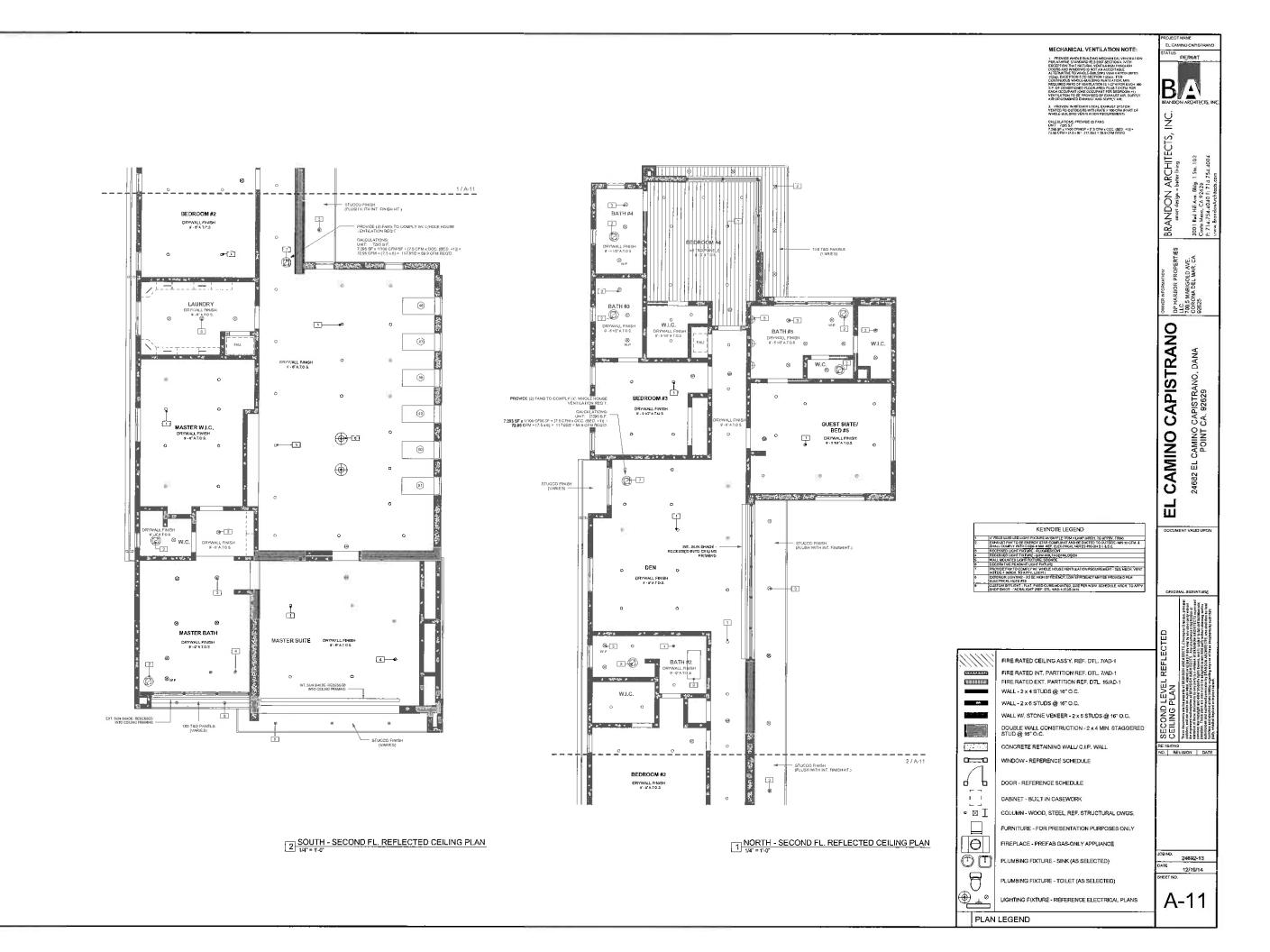






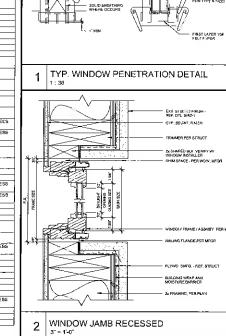






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3	LOWER LIVING (T.O.S.)	4-PANEL MULTI SLIDE POCKET DOOR	219"	114"	WESTERN WINDOW!	SERIES 600		TEMP.				ALUM.	N/A		1 3		LOV:
4	LOWER LIVING (F.O.S.)	3-PANEL SUIDING DOOR	108 1/2"	114"	MESTERN MINDOW SYCTEMS	SERIES 600		TEMP.				ALUM.	N'A	11 11	11-4	4	FIRS
5	LO ER LITING (TOS.)	EXTERIOR SINGLE FRENCH	32	34.	JELDWEN (/INDOWS &	CUSTOM		YEMP.				STAIN	STAIN				FIRS
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7	GARAGE (T.O.C.)	GARAGE DOOR	210	86.	CUSTOM	CUSTOM	SPECIAL.	TEMP				ALUM.	N/A	CUSTOM DOOR - PROVIDE S.D.S.	1-	- !	FIRST
e	GYM (TO.S.)	2-PANEL SLIDING DOOR	BC.	102	JELDWEN WINDOWS &	CUSTOM		TEMP				ALUM	N/A	IOMER	۱۲.	- 1	FIRS
9	LOWER LIVING	INTERVOR	30*	132*	DOORS CUSTOM	COLLECTION		TEMP.				GLADS	N/A		1		FIRS
10	(T.O.S.) LOT/ER LIVING	SINGLE-CUSTOM INTERIOR	30"	132	CUSTOM	CUSTOM		TEMP.		1		GLAS 3	N/A		H.	- 1	FIRS
11	(T.D.S.) LOTFER LIVING	SINGLE-CUSTOM INTERIOR SINGLE	- 327	98*	TBD	SINGLE						STAIN	STAIN		4 L		
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	SECOND FL.(T.O.S.)	4-PANEL MULTI SLIDE POCKET DOOR	219*	10.8"	VESTERN WINDOW SYSTEMS	SERIES 600		TEMP.				ALUM.	N/A		27	7 8	SECC
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6	SECOND FL.(T.O.S.)	INTERIOR SINGLE	32	96"	TBD	SINGLE SHACKER						STAIN	STAIN		33		SECO
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١. ا	FL.(T.O.S.) SECOND	INTERIOR SINGLE	36.	96"	TBD	SHACKER SINGLE						STAIN	STAIN		47	7	TYP F
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	FL.(f.O.S.) SECOND	INTERIOR SINGLE	38	96	180	SHAÇKER SHAÇKER SINGLE									11		SECC
	SECONO FL.(T.O.S.) SECONO					SHACKER						STAIN	STAIN				IRSI
	Ft (T.O.S.)	INTERIOR POCKET	32"	er.	PERFECT POCKET	SINGLE SHACKER						STAIN	STAIN		55	F	IRST
_	SECOND FL.{T.O S.}	INTERIOR POCKET	32"		PERFECT POCKET	SINGLE SHACKER						STAIN	STAIN				
	SECOND FL.(T.O.S.)	INTERIOR SINGLE	32"	061	TBD	SINGLE SHACKER		\neg				STAIN	STAIN				

ľL							WIND	OW SCHEDULE									
ı					ROUGH OPENING							DETAIL		GLAZING THICK		HEAD	
N	Ο.	LEVEL (SILL)	DESCRIPTION	OPERATION	WIDTH	HEIGHT	MANUFACTURER	MODEL	MATERIAL	FINISH	HEAD	JAMB	SILL		TYPE	HT.	COMMENTS
Γ	1	LOWER LIVING (T.O.S.)	ALUM CLAD WD.	DOUBLE CASEMENT	6 0	5 · K"	JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD						9.5	
		LOWER LIVING (T.O.S.)		CASEMENT	2 - 6"	5.0	JELD-WEN WINDOX: 3 & DOORS			GLAD.						8' - 9"	
Ľ		LOV:ER LIVING (T.O.S.)		CASEMENT	12.	5'-0"	JELD-YEN WINDOWS & OCORS		WOOD	CLAD			3 - 0.			80.	WND. TO MEET EGRE REQ.
Ľ		• '	ALUM. CLAD WD	CASEMENT	4 - 6	50-	JELD-WEN: "INDOWS & DOORS			CLAD			3 '- 0'	į		8 · n*	WND, TO MEET EGRE REQ.
			ALUM CLAD V D	AWNING	3 0.	2 - 0	SHOOD & SWOONIW MEW-DIEL	CUSTOM COLLECTION		CLAD					TEMP	9. · U.	
1			ALUM, CLAD WD. ALUM	CASEMENT	2 · 6' Z · 11 1/1	4' - 8'	JELD-WEN \ 'INDOWS & DOORS	CUSTOM COLLECTION		CLAD						B D.	1
	!		STOREFRONT	AWNING					ALUM.	CLAD							
L	L		ALUM. STOREFRONT	AWNING	3 - 0 3/4"	1'-6"	WESTERN	CUSTOM	ALUM.	CLAD							
-	- 1	FIRST FLOOR (T.O 5)	ALUM. STOREFRONT	FANING	2' - 11 1/4'	1'-6'	V.ECTERN	сиятом	ALUM.	CLAD							
1	0	FIRST FLOOR (T.O.S.)	ALUM. STOREFRONT	AJ/NING	2 - 6 1/4"	1'- 6'	WESTERN	CUSTOM	ALUM.	CLAU							
1	1	FIRST FLOOR (T.O.C.)	ALUM STOREFRONT	AWNING	2 - 6 1/4"	1'-6"	1/ESTERN	сизтом	ALUM.	CLAD				- 6-60			
1	2	SECOND FL.(T.O.S.)	ALUM, CLAD VVD.	FIXED	2.5	4.0	JELD-WEN WINDO: . S & DOORS	CUSTOM COLLECTION	14000	CLAD						5'-0"	<u> </u>
1	3	SECOND FL.(T.O.S.)	ALUM, CLAD '- 'D.	FIXED	2 - 5"	4 - 0"	JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	waan	CLAD						8 - 0	1
1	4	SECOND FL.(T.O.S.)	ALUM, OLAD V.D.	FIXEO	2 - 6"	4 - 0	JELD-L'EN WINDOWS & OOORS	CUSTOM COLLECTION	ALCOD.	CLAD						8'-0"	
			ALUM, CLAD WD.	FIXED	Z - 6"	4 0	JELD-WEN WINDOWS & OOORS	CUSTOM COLLECTION	WOOD	CLAD						8'-0"	
			ALUM, CLAD WD.	FIXED	2.5	4 - 0	JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CUAD				1		8' - 0"	
1	7	SECOND FL.(T.O.S.)	ALUM, CLAD V/D	FIXED	2 - 6	4 0	JELD-WEN" 'INDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD						8. • 0.	
			ALUM, CLAD WD.	FIXED	2 - 6"		JELD-WEN WINDOWS & DOORS		WOOD	CLAD						g . 0	
			ACUM, CLAD WD	FIXED	2 - 6"		JELD-WEN! INDOWS & DOORS		WOOD	CLAD						8 0	
2			ALUM. STOREFRONT	AWNING	3 - 10 1/2		WESTERN	CUSTOM	ALUM.	CLAD				f	TEMP.		-5_01
2	1 1		ALUM. STOREFRONT	AWNING	4 0.	17-3 1/21	WESTERN	CUSTOM	ALUM.	CLAD					TEMP.		
2	2	SECOND FL (7 O.S.)	ALUM STOREFRONT	AWNING	3' - 10 1/2"	1 - 1 1/2	WESTERN	CUSTOM	ALUM	CLAD					TEMP		
2:	3	SECOND FL (T.O.S.)	ALUM GLAD WID.	CASEMENT	2 · 0 ·	4'-0'	JELD-WEN JINDO: 15 & DOORS	CUSTOM COLLECTION	wood	CLAD						8. • 0.	
2-	4	SECOND FL(T.O.S.)	ALUM, CLAD WO.	DOUBLE CASEMENT	4'-6"	5'-0"	JELD-WEN VINDOUS & OOORS	CUSTOM COLLECTION	WOOD	CLAD						B' - D*	
2	s :	SECOND FL(T.O S.)	ALUM, CLAD WD.	DOUBLE CASEMENT	4'-5"	4-6*	JELD-WEN WANDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD						B' - D'	
21	6	SECOND FL.(T.O.S.)	ALUM, CLAD WD	CASEMENT	2' - 6"	60	JELD-1/EN WINDOLS & DOORS	CUSTOM COLLECTION	WCOD	CLAD			3 - 0"			8 0.	WND TO MEET EGRES
2	7 3	SECOND FL.(T.O.S.)	ALUM, CLAO WD	CASEMENT	2' - 6"	5.0	JELD-I EN WINDOWS & OCORS	CUSTOM COLLECTION	WOOD	CLAD			3 0,			8. • 0.	WND TO MEET EGRE
21		SECOND FL.(T.Ö.S.)	ALUM. CLAD WD	AWNING	3 0.	2 - 0"	JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD					TEMP.	8.0	REQ.
2		SECOND FL(1.0.S.)	ALUM. CLAD WD.	DOUBLE	4 - 6"		JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD			3 - 0"		Tigrane.	80.	
30	0 1	FIRST FLOOR (1.0.5.)	ALUM, CLAD WD.	CASEMENT DOUBLE	5' - 0'	5' - 0'	JČÍ, D-WEN WINDOWS & DOORS	CUSTOM COLLECTION	1700D	CLAO					TEMP.	14" - 9 1/4"	-
3	1 :		ALUM. CLAD WD,	CASEMENT FIXED	2 - 6"	4'-0"	JELD-WEN L'INDOWS & DOORS	GUSTOM GOLLECTION	N.000	CLAD					TEMP.	B" - D 1/4"	
34				FIXED	2 - 6*		JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	TOOD	CLAD					TEMP.	6'-01,4"	
33	3 :	SECONO FL.(T O.S.)	ALUM. CLAD WD,	CASEMENT	26.	5' - 0"	JELD-WEN WINDOWS & DOORS	GUSTOM COLLECTION	WOOD	CLAD			30.	!		8 0.	WND. TO MEET EGRE
34	4 3	BECOND FL (T O.S.)	ALUM, CLAD WD.	CASEMENT	2' - 6'	5' - 0'	JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD			5 '- 0"			8 . 0*	INNO. TO MEET EGRE REQ.
		BECOND FL(T.O.S.)	ALUM CLAD WD.	CASEMENT	2 - 0*	4'-0"	JELD-WEN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD						8. • 0.	
36			ALUM CLADAVD.	CASEMENT	2 - D.	4'-0"	JELD-WEN T/INDOT/S & DOORS		MOOD	CLAD					T i	B D.	
37	7 3	SECOND FL (T.O.S.)	ALUM, CLAD WD.	CASEMENT	2'-6"		JELD-WEN WINDOWS & DOORS		MOOD	CLAD					-	8 0.	
38	- 1	,	ALUM. STOREFRONT	AWNING	2-91T	1' - 6"	WESTERN	CUSTOM	ALUM.	CLAD							
39	9 \$		ALUM. STOREFRONT	AVNING	2'-834	1'-6 1/2'	WESTERN	сиятом	ALUM.	CLAD					TEMP.		
44	5 2			DOUBLE CASEMENT	6.0	5' - 6"	JELD-1 'EN WINDOWS & DOORS	CUSTOM COLLECTION	WOOD	CLAD			2 - 6			B D.	UND. TO MEET EGRE
45			\$KYLIGHT	FIXED	2' - 0'	4'-0"	:ELUX	AS SEL.									NEW.
44				FIXED	2.6		VELUX	AS SEL.									
				FIXED	2'-6"	41.6	VELUX	AS SEL.									
				FIXED	2' - 6'		ELUX	AS SEL									
	9 1	YP ROOF PL.		FIXED	2.6		VELUX	AS SEL									
50	1			PIXED	5 . 6.		VELUX	AS SEL.									
51			SKYLIGHT	FIXED	2'-6"		VELUX	AS SEL			[\Box			
52		, ,	ALUM. STOREFRONT	CASEMENT	4' - 4 1/4"		WESTERN	CUSTOM	ALUM.	CLAD							WND, TO MEET EGRE REQ.
				FIXED	1' - 6"		JELO-WEN WINDOWS & DOORS		OOD	CLA						80.	ļ
		FIRST FLOOR (T.O.S.)		FIXED	3'-0"		JELD-WEN WINDOWS & DOORS JELD-WEN WINDOWS & DOORS		WOOD	CLAD						80.	ļ
				FIXED													



STEP 1:

BRANDON ARCHITECTS, smort design = better living

DP HARBOR PROPERTIE LLC. 708.5 MARIGOLD AVE. CORONA DEL MAR, CA. 92625

CAPISTRANO

ALL WINDOWS AND DOORS TO HAVE A MIN. U-FACTOR OF 0.34 AND A MIN. SHGC OF 0.33 ALL SKYLIGHTS TO HAVE A MIN. U-FACTOR OF 0.55 AND A MIN. SHGC OF 0.67

DOOR & WINDOW NOTES:

1. ALL WINDOWS ARE DUAL GLAZED U.N.O.

2. FENESTRATIONS MIST HAVE PERMANENT AND TEMPORARY LABELS.

3. ALL TEMPERED GLASS TO BE ETCH MARKED.

4. ONE WINDOW IN EACH BEDROOM MUST HAVE AT LEAST 5.7 S.F. OPENABLE AREA WITH FINISHED SILL NO MORE THAN 44" ABOVE FLOOR LEVEL, MIN, OFENISK FEIGHT OF 2" & MIN, OFENISK HEIGHT OF 2" & MIN OFENISK HEIGHT OF 2" & MIN OFENISK MIST HAVE AT LEAST 5.7 S.F. OPENABLE AREA WITH FINISHED SILL NO MORE THAN 44" ABOVE FLOOR LEVEL, MIN, OFENISK HEIGHT OF 2" & MIN, OFENISK HEIGHT OF 2" & MIN OFENISK HEIGHT OF 2" & MIN OFENISK HEIGHT OF 3" & MIN OFENISK HEIGHT OF 3

ALL WINDOW AND DOOR SIZES ARE NOMINAL SIZES, THEY ARE SUBJECT TO CHANGE UPON FINAL MANUFACTURER SELECTION. CONTRACTOR TO PROVIDE CUT SHEETS AND SHOP DRAWINGS TO ARCHITECT FOR APPROVAL PRIOR TO ORDERING.

