CITY OF DANA POINT PLANNING COMMISSION AGENDA REPORT

DATE:

JANUARY 8, 2018

TO:

DANA POINT PLANNING COMMISSION

FROM:

COMMUNITY DEVELOPMENT DEPARTMENT

URSULA LUNA-REYNOSA, DIRECTOR JOHN CIAMPA. SENIOR PLANNER

SUBJECT:

COASTAL DEVELOPMENT PERMIT CDP17-0010 TO DEMOLISH A 2,459 SQUARE FOOT SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW 3,761 SQUARE-FOOT SINGLE-FAMILY RESIDENCE IN THE RESIDENTIAL SINGLE FAMILY 4 (RSF-4) ZONE LOCATED AT 410

MONARCH BAY DRIVE.

RECOMMENDATION:

That the Planning Commission adopt the attached resolution

approving Coastal Development Permit CDP17-0010 (Action

Document 1).

APPLICANT:

Gary and Linda Mason, Property Owners

REPRESENTATIVE:

Stan Andrade, Architect

REQUEST:

A request to demolish a 2,459 square foot single-family dwelling (SFD) and construct a new 3,761 square foot SFD.

LOCATION:

410 Monarch Bay Drive (APN 670-151-11)

NOTICE:

Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius on December 28, 2017, published within a newspaper of general circulation on December 28, 2017, and posted on December 28, 2017 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) in that the project involves the construction of one SFD in a residential zone.

ISSUES:

 Project consistency with the Dana Point General Plan, Dana Point Zoning Code (DPZC) and Local Coastal Program (LCP).

- Project satisfaction of all findings required pursuant to the LCP and DPZC for approval of a Coastal Development Permit (CDP).
- Project compatibility with and enhancement of the site and surrounding neighborhood.

BACKGROUND: The subject site is a 7,714 square foot lot located in the Monarch Bay Mall Community, a sub-community of the Monarch Bay private neighborhood. The community was designed and constructed as part of a master plan while under the County or Orange Jurisdiction in 1965. A Variance (V-5298) was issued to the entire Mall Community (Tract 4472) to establish specific setbacks for each lot to allow a unique layout of the neighborhood which allowed each property to take advantage of the ocean views (Supporting Document 4). The Variance established a nine foot front yard setback (20-ft required) and a 20 foot rear yard setback (25-ft required) as part of the site planning for the community. Pursuant to Section 9.67.080, Continuing Validity, of the DPZC, the Variance is still valid for the proposed project and runs with the land.

In 1965, the single story, 2,459 square foot house was constructed on the property with an attached two car garage. The project is proposing the demolition of the house and the construction of a new 3,761 square foot house. The project site is located in the Residential Single Family 4 DU/AC (RSF-4) in the City's Coastal Overlay District (the California Coastal Zone) and the Appeals Jurisdiction of the California Coastal Commission.

In 2016, the City contracted with historic preservation firm, Architecture Resources Group (ARG), to complete an update to the City's Histoirc Inventory. The survey identified the landscape area and community walkway that bisects the central area of the Monarch Bay Mall Community, known as the Landscape Mall, as a potential historic resource. The landscape area was identified because it was designed by famous Landscape Architect, Morgan Evans, and for its design that is representative of the Post WWII era. A portion of the Landscape Mall bisects the rear of the property and is improved with landscaping and a walkway. The Landscape Mall is an amenity to the community and is protected by the Home Owner's Association. While the Historic Inventory update has not been approved by the City Council the proposed modifications to the Landscape Mall area at the back of the property were reviewed and analized to ensure the proposed improvements would not have a negative impact on the potential historic resource. The analysis of the project's improvements near the Landscape Mall are included in the Discussion section of the report.

<u>DISCUSSION</u>: The project includes the demolition of the existing 2,459 square foot, one story SFD, and the construction of a new 3,761 square foot, two story SFD and attached two car garage. The project requires a Coastal Development Permit (CDP) due to its location in the Coastal Zone. The project complies with all applicable development standards, including setbacks, parking, lot coverage, landscape area, and height limit. Table 1 summarizes the applicable RSF-4 development standards and the project's conformance with those requirements:

Table 1: Compliance with RSF-4 Development Standards

| Development Standard | Requirement | Proposed | Compliant with Standard |
|---|---|-------------------------------|-------------------------------|
| Front Setback (Monarch Bay Drive) | 9 ft minimum* | 9 ft | Yes |
| Side Setbacks | 5 ft minimum | 5 ft (north); 8 ft (south) | Yes |
| Rear Setback | 20 ft minimum* | 20 ft | Yes |
| Height | 24 ft maximum (less than 3:12 roof pitch) | 21 ft (½":12" roof pitch) | Yes |
| Lot Coverage | 45% maximum | 39% | Yes |
| Landscape Coverage | 25% minimum | 28% | Yes |
| Parking Required | 2 parking spaces | 2 parking spaces | Yes |

^{*}The RSF4 front yard setback is 20 feet and rear yard setback is 25 feet; however, V-5298 approved a 9 foot front yard setback and 20 foot rear yard setback for the property.

The structure's proposed architectural style is contemporary, which is a similar design and scale to many other new houses in the neighborhood. The exterior finishes include wood siding, brick veneer, smooth stucco and a metal flat roof. The house would maintain the same general footprint and height above finished grade. The project was reviewed by the Monarch Bay Home Owners Association and approved prior to the submittal of the application for a CDP (Supporting Document 2).

The footprint and the height of the structure (above the existing grade) would remain the same as the existing structure. The proposed new lower level would be excavated below the existing grade of the lot and would only be exposed at the back of the property. From the front of the property the lower floor would not be visible and the structure would appear as a single story. The structure's lower level consists of two bedrooms and bathrooms and a storage area. Since the lower level would be exposed at the back of the property it is included in the overall height of the structure (21 feet). The main level would be 12 feet above the existing grade of the site and consists of the living room, master bedroom, kitchen, office, and an attached two-car garage.

As previously discussed, a portion of the Monarch Bay Landscape Mall bisects the rear of the property and is identified in the City's 2016 draft Historic Inventory update as a potential historic resource. The project design was carefully reviewed to ensure there were no negative impacts to the Landscape Mall area. The historic significance of the Landscape Mall is primarily associated with the sense of place that it creates and the famous designer, Landscape Architect, Morgan Evans. The specific plant species that were originally planted in the transition area between the Mall and the houses are not considered a historic element because this area was modified over the years with the

introduction of new landscaping. In reviewing this project for historic preservation purposes staff's primary goal was to preserve the Landscape Mall's sense of place and the general design. The new drought tolerant plantings blend in with the overall landscape design for the area and do not encroach into the Landscape Mall area to avoid impacting the integrity of the potentially historic resource. To accommodate the new lower level a retaining wall is proposed up to eight feet tall at the back of the house along the north property line. A second, 30-inch retaining wall, is proposed for the patio off the lower floor bedrooms. Both walls are located out of the Landscape Mall area and are designed to follow the slope to maintain the original topography and sense of place for the area. Staff's position is that the new landscaping and retaining walls are subtle and blend in with the design of the area without creating a negative impact to the potential historic resource.

The proposed landscape plan is subject to compliance with DPZC Chapter 9.55, Water Efficient Landscape Standards and Requirements, based on the total rehabilitated landscape area for the site. Condition of Approval #23 is included in the draft Resolution to ensure the landscape design complies with the State and City landscape and water use regulations.

COASTAL DEVELOPMENT PERMIT CDP17-0010

Pursuant to Section 9.69.040 of the Dana Point Zoning Code, demolition of a SFD and construction of a new SFD in the City's Coastal Overlay District and the Appeals Jurisdiction of the California Coastal Commission requires the approval of a Coastal Development Permit (CDP). The project complies with all of the applicable provisions of the Dana Point Zoning Code for the issuance of a Coastal Development Permit as the construction of the new house does not impact public access, and the site does not impact any Environmentally Sensitive Habitat Areas (ESHA) as the parcel is already developed.

Section 9.69.070 of the DPZC stipulates a minimum of seven (7) findings to approve a Coastal Development Permit, requiring that the project:

- Be in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 CA Code of Regulations/13096).
- 2. If located between the nearest public roadway and the sea or shoreline of any body of water, be in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act. (Coastal Act/30333, 30604(c); 14 CA Code of Regulations/13096).
- 3. Conform with Public Resources Code Section 21000 and following, and there are no feasible mitigation measures or feasible alternatives available which would substantially lessen any significant adverse impact that the activity may have on the environment. (Coastal Act/30333; 14 CA Code of Regulations/13096).

- 4. Be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.
- 5. Minimize the alterations of natural landforms and not result in undue risks from geologic and erosional forces and/or flood and fire hazards.
- 6. Be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas.
- 7. Conform to the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs.

The required findings are articulated in the attached draft Resolution identified as Action Document 1.

<u>CORRESPONDENCE</u>: The only correspondence received as of the publication date of this staff report is a letter of project approval from the Monarch Bay Homeowners Association (Supporting Document 2).

<u>CONCLUSION</u>: Staff finds that the proposed project is consistent with the policies and provisions of the City of Dana Point General Plan, Dana Point Zoning Code, and Local Coastal Program. As the project is found to comply with all standards of development, staff recommends the Planning Commission adopt the attached draft Resolution, approving Coastal Development Permit 17-0010 subject to the findings and conditions of approval contained therein.

John Ciampa, Senior Planner

Ursula Luna-Reynosa, Director Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 18-1-08-xx

Supporting Documents

2. Approval Letter from Monarch Bay Association

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- 3. Vicinity Map
- 4. Tract Map Identifying Specific Variance Setbacks
- 5. Site Photos
- 6. Architectural Plans

RESOLUTION NO. 18-01-08-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP17-0010 TO DEMOLISH AN EXISTING DWELLING AND CONSTRUCT A NEW DWELLING IN THE RESIDENTIAL SINGLE FAMILY 4 (RSF-4) ZONING DISTRICT LOCATED AT 410 MONARCH BAY DRIVE.

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

WHEREAS, Stan Andrade (the "Representative") has filed an application on behalf of Gary and Linda Mason (collectively, the "Applicant"), the owners of real property commonly referred to as 410 Monarch Bay Drive (APN 670-151-11) (the "Property"); and

WHEREAS, the Representative filed a verified application for a Coastal Development Permit to allow the demolition of an existing single-family dwelling and the construction of a new single-family dwelling at the Property; and

WHEREAS, said verified application constitutes a request as provided by 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 (Class 3 - New Construction or Conversion of Small Structures) in that the project involves the construction of one SFD in a residential zone; and

WHEREAS, the Planning Commission did, on the 8th day of January, 2018, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP17-0010.

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

- A. That the above recitations are true and correct and incorporated herein by this reference.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP17-0010 subject to the following conditions of approval:

Findings:

Coastal Development Permit CDP17-0010

- A) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves a Coastal Development Permit CDP17-0010, subject to conditions:
 - 1. That the project is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 Cal. Code of Regulations/13096) in that, the site and architectural design of the proposed improvements are found to strictly comply with all development standards of the Dana Point General Plan and Zoning Code (the latter acting as the Local Coastal Program Implementation Plan for the property). The project will further General Plan Urban Design Element Goal No. 2, which states that development should "preserve the individual positive character and identity of the City's communities" by effecting new, aesthetically pleasing development of the subject property that is compatible and complimentary to surrounding structures in that the project maintains the existing house's established setbacks and the structure is limited to one level above the existing finished grade of the lot to be consistent with the surrounding development.
 - 2. If located between the nearest public roadway and the sea or shoreline of any body of water, that the project is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act. (Coastal Act/30333, 30604(c); 14 Cal. Code of Regulations/13096) in that, while the project is located between the nearest public roadway and the sea or shoreline, the property is an already developed lot, zoned for residential use, located within a private, gated community that does not contain public access ways or areas of recreation. Moreover, adequate public access to public tidelands or areas of recreation exist nearby at City, County, and State beaches; therefore, the project conforms to the public access and recreation policies of Chapter Three of the California Coastal Act.
 - 3. That the project conforms to Public Resources Code Section 21000 (the California Environmental Quality Act CEQA) and following, that there are no feasible mitigation measures or feasible alternatives available which would substantially lessen any potentially significant adverse impact that the activity may have on the environment. (Coastal Act/30333; 14 Cal. Code of Regulations/13096) in that, the project is qualified as Categorically Exempt from review under CEQA pursuant to Section 15303 (Class 3 New Construction or Conversion of Small Structures) in that it proposes the construction of one new single-family dwelling.
 - 4. That the project has been located and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources in that the subject property is an

already developed parcel containing no environmentally sensitive habitat area (ESHA) and the proposed improvements would not result in adverse impacts.

- 5. That the project minimizes the alteration of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards in that the subject site is an already developed property located in an established area of residential uses with no natural landforms present. The proposed development will be constructed in conformance with applicable regulations for flood and fire, minimizing undue risks from these or other hazards.
- 6. That the project is visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas in that the proposed project would construct a new single-family dwelling utilizing materials and methods that conform to the development and design standards of the Dana Point Zoning Code and result in development of the property in a manner that is complementary to surrounding development in terms of mass and size.
- 7. That the project conforms with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs in that the subject project was reviewed by Planning and Building/Safety Division staff as well as the Public Works/Engineering Department and found to conform with applicable requirements of the Dana Point Zoning Code (which serves as the implementing document for the General Plan and Local Coastal Program Implementation Plan for the subject property). There are no adopted specific plans that apply to the subject property.

Conditions:

General:

- 1. Approval of this application permits demolition of all existing site improvements and the construction of a new two-story 3,761 square-foot single-family dwelling, at 410 Monarch Bay Drive in accordance with the plans on file with the Community Development Department. 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 General Plan, Local Coastal Program Implementation Plan and Zoning Code.
- 2. This resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any plans submitted to the City of Dana Point

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Building/Safety Division for plan check.

- 3. 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.
- 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 of, 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 determines that the proposed change complies with the provisions, spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved site plan, he/she may approve the amendment without requiring a new public hearing.
- 5. 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 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 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.

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- 9. The project shall meet all water quality requirements.
- 10. A grading permit shall be obtained prior to any work including demolition activities.
- 11. The Applicant, or Applicant's agent(s), 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, cable television and telephone and services. The Applicant, or Applicant's agent(s), shall be responsible for coordinating any potential conflicts or existing easements.
- 12. The Applicant shall exercise special care during the construction phase of this project. The applicant shall provide erosion and sediment control. The erosion control measures shall be constructed prior to the start of any other grading operations. The applicant shall maintain the erosion and sediment control devices until the final approval for all permits.
- 13. The Applicant, Applicant's agent(s), 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.
- 14. A separate permit for all retaining walls shall be required by the Building Department. A separate submittal shall be required in accordance with Building Department standards.
- 15. This Resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any plans submitted to the City of Dana Point Building/Safety Division for plan check.

Prior to Issuance of a Grading Permit:

- 16. The applicant shall submit an application for a grading permit. The application shall include 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.
- 17. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.
- 18. The applicant shall submit an application for separate structures, including retaining walls. Retaining walls and other structures no supported by the building foundation require a separate submittal for review and approval to the Building Department. A separate permit submittal shall be made to the Building Department in accordance with the current submittal requirements.

- 19. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
- 20. A performance bond shall be required for all grading activities up to 100% of the proposed improvements. A separate performance bond may be required for shoring activities to ensure completion of grading activities and protection of adjoining improvements.
- 21. A Boundary/Record of Survey shall be completed for the project site and recorded at the County of Orange prior to issuance of a Grading Permit.
- 22. Separate review, approval, and permits are required for:
 - Separate Structures
 - Retaining Walls
 - Site Walls over 3 ft.
 - Fire Sprinklers
 - Demolition of Structures
 - Swimming Pool/Spa

Prior to Issuance of a Building Permit:

- 23. The applicant shall submit a Landscape Plan, in compliance with City standards, for review and approval by the Director of Public Works. The landscape plan shall be in accordance with the approved grading plan, 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. Landscaping shall be incorporated into the final plans that screens the wall at the back of the property to comply with the design requirements of Section 9.05.110.c.2 of the DPZC.
- 24. Building plan check submittal shall include the following construction documents:
 - Building Plans (4 sets)
 - Electrical/Plumbing/Mechanical plans by a Registered Design Professional
 - Energy Calculations (2 sets)
 - Structural Calculations (2 sets)
 - Soils/Geology Report (3 sets)
 - Drainage Plan

All documents prepared by a registered-design-professional shall be wet-stamped & signed.

25. The Applicant, or Applicant's agent(s), shall cause the preparation and submittal of three (3) separate sets of building plans directly to the Orange County Fire Authority for review and approval. A fire sprinkler system or waiver is required from the Fire Chief.

- 26. Undergrounding of all onsite utilities is required. An Approved SDG&E Work Order and Undergrounding Plan is required prior to permit issuance.
- 27. Minimum roofing classification is Class "A".
- 28. Fire sprinkler system is required.
- 29. Soils Report (1803): Submit a foundation and soils investigation report by a Registered Design Professional and conducted in conformance with CBC Section 1803.3 through 1803.5. The report shall comply with CBC Section 1803.6.
- 30. Foundation system to provide for expansive soils and soils containing sulfates unless a soils report can justify otherwise. Use Type V cement, w/c ratio of 0.45, f'c of 4500 psi.
- 31. Green Building: Plans shall show compliance & indicate method of verification of compliance with all CALGreen requirements. Third party or other methods shall demonstrate satisfactory conformance with mandatory measures.
- 32. The applicant shall obtain a grading permit and complete rough grading (establishment of building pads) in accordance with the approved grading plans and reports.
- 33. All applicable supplemental/development impact fees shall be paid prior to building permit issuance.
- 34. The Applicant, or Applicant's agent(s), shall cause the preparation and submittal of a grading and drainage plan (and soils report if required) in compliance with all City of Dana Point standards for review and approval. The drainage plan shall show all drainage from proposed improvements being directed to an approved outlet.
- 35. The Applicant, or Applicant's agent(s), 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 (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.
- 36. The Applicant, or Applicant's agent(s), shall submit a rough grade certification from the Geotechnical Engineer of Record for review and approval by the City Engineer by separate submittal. The rough grade certification by the geotechnical engineer (the City's standard Geotechnical Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially

- completed in conformance with the recommendation of the project geotechnical report approved grading plan from a geotechnical standpoint.
- 37. 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 recompaction, 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.
- 38. The applicant shall submit a certification from the Geotechnical Engineer of Record approving the completion of all shoring, as needed, for review and approval by the City Engineer by separate submittal. The certification by the geotechnical engineer shall reference all observations and approve the shoring as being substantially competed in conformance with the recommendation of the project geotechnical report and approved from a geotechnical standpoint.

Prior to issuance of a Certificate of Occupancy

- 39. 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 CDP17-0010. The City's standard "Line & Grade Certification" form shall be obtained from the Project Planner at time of building permit issuance, completed by a licensed civil engineer/surveyor and be delivered to the Building/Safety and Planning Divisions for review and approval.
- 40. 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 CDP17-0010. 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.
- 41. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
- 42. 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.

- 43. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved plans and which specifically approves construction for all engineered drainage devices and retaining walls.
- 44. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.
- 45. All permanent best management practices, including landscaping, shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
- 46. Public Works final approval will be required for all permits.
- 47. All structural best management practices (BMPs) shall be constructed and installed in conformance with approved plans and specifications.
- 48. The Applicant, or Applicant's agent(s), shall cause the scheduling of a final onsite inspection with the Community Development Department that shall include a review of landscaping, finish architecture/materials and compliance with any outstanding project conditions of approval.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 8th day of January, 2018 by the following vote, to wit:

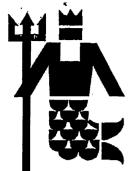
| AYES: | |
|----------|---|
| NOES: | |
| ABSENT: | |
| ABSTAIN: | |
| | |
| | Scott McKhann, Chairperson Planning Commission |
| | |

ATTEST:

PLANNING COMMISSION RESOLUTION NO. 18-1-08-XX CDP17-0010 PAGE 10

Ursula Luna-Reynosa, Director Community Development Department





Monarch Bay Association

March 27, 2017

Gary and Linda Mason 410 Monarch Bay Drive Monarch Beach, CA 92629 via e-mail

RE:

410 MONARCH BAY DRIVE

APPROVAL OF NEW HOME PLANS DATED 3/9/17 BY ANDRADE ARCHITECTS

Dear Mr. and Mrs. Mason,

Thank you for submitting detailed, revised plans to the Monarch Bay Association Architectural Control Committee for the new home construction as well as the variance required to complete these plans including:

-Footprint change of the home in Tract #4472;

-The lot coverage for this home will reach 42.98%, which exceeds the maximum lot coverage provided in our Guidelines of 40%, but is less than the current coverage of 50.2%.

The Committee has reviewed and approved the plans as submitted. Two sets of stamped approved plans were provided to Stan Andrade at today's meeting.

Please note that we have received both your construction deposit of \$25,000 and review fees of \$5,000, so no additional fees are required at this time.

We thank you for your on-going cooperation. We wish you luck with your project.

Respectfully,

THE MONARCH BAY ASSOCIATION ARCHITECTURAL CONTROL COMMITTEE

CC: Board

Stan Andrade via email
MB/410/arch/variance and new home approval/03.2717

c/o Progressive Community Management • 27405 Puerta Real • Suite 300 • Mission Viejo, CA 92691 (949) 582-7770 • Fax (949) 582-7796



Vicinity Map 410 Monarch Bay Dr, CDP17-0010





AGUNA NIGUEL CORPORATION

SEEGE FASIFIC COAST HIGHWAY SOUTH LAGUNA, GALIFORNIA 616-870

August 25, 1965

Area Variance Committee 400 West Bighth Street Santa Ana, California

RE: LOTS 1 THROUGH 44, TRACT 4472

The following setback variances and roof and porch encreachments are hereby respectfully requested on lots I through 44 in tract 4472 at Laguna Niguel as enumerated on the attached list.

This development of 44 houses was originally designed within the C-1 zone which existed on the property in 1963. Early in 1964 construction was started on seven model houses (Lots 1, 2, 3, 4, 20, 21 and 22). These were completed in the summer of 1964. Early in 1964 the C-1 ordinance was revised to exclude single family residential construction.

On February 19, 1964, the planning commission granted UV-5298 to allow construction of the remaining thirty-seven houses in the C-1 zone in accordance with the plot plan presented with the application. At the same reing the Planning Commission authorized the resenting of tract 4472 to R-1.

UV-5298 was granted based on a map showing precise locations and sotbacks for the remaining thirty-seven houses. It was the intention of Lagma Niguel Corporation to start construction on these houses under the use variance and before the change of zone went into effect. Due to circumstances beyond our control, the final subdivision public report was not granted by the State of California, Division of Real Estate until July 28, 1965. At this point in time, we find that UV-5298 has expired and that our house locations do not conform to the setback requirements of an R-1 district. In as much as the improvements in tract 4472 have been completed with lots graded for houses to be located as shown on the map attached to UV-5298, it would represent considerable hardship to relocate the houses in accordance with the R-1 ordinance and it would most certainly destroy the design concept of the community.

TRACT 4472

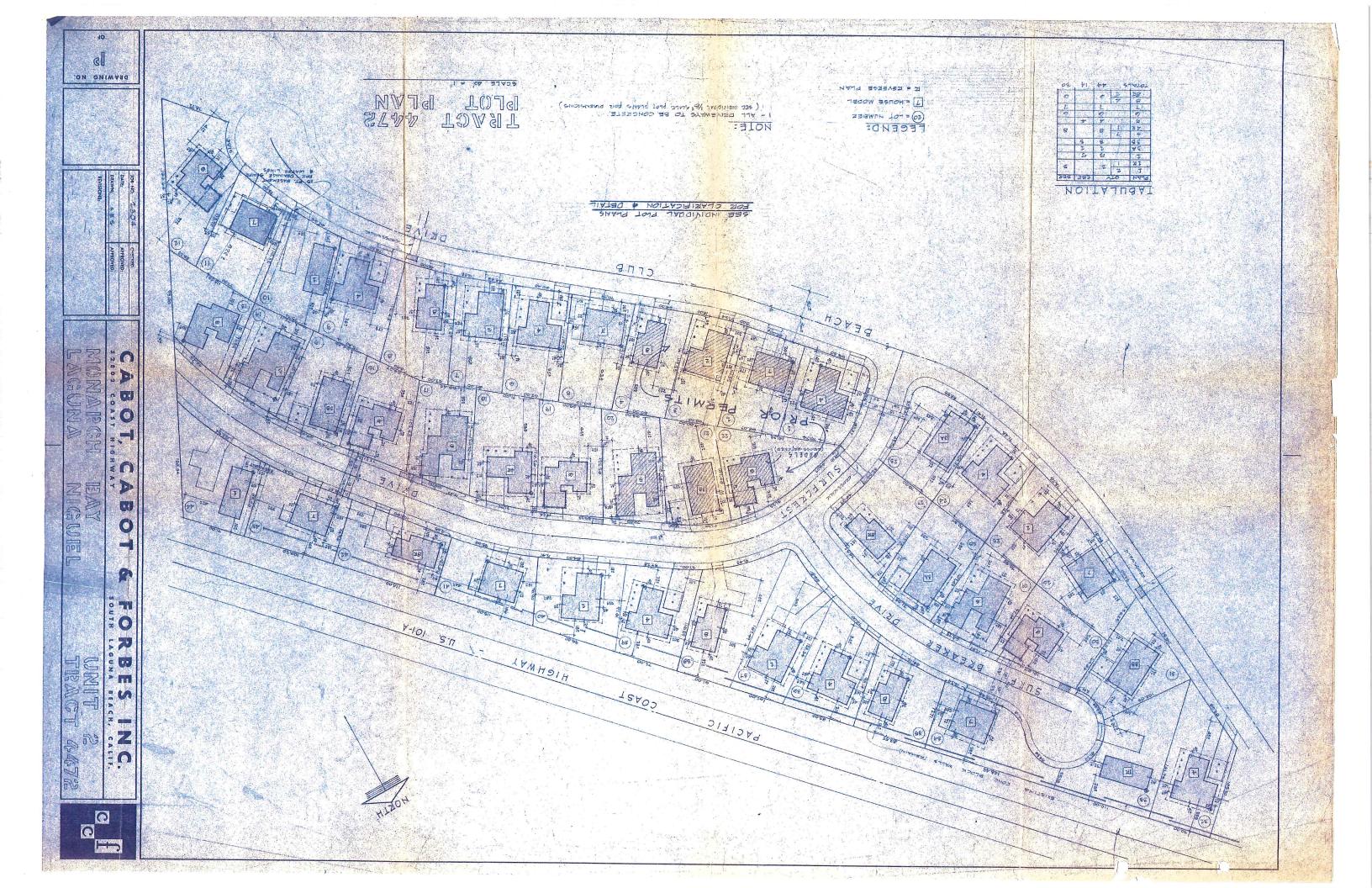
Lot 6. A 13' O" front nedback to lieu of the required 20' 0" with a perch projecting 3' 0" thereis

人,如此这种情况是了。

- Lot 7. An 11' Of front nethers in lies of the required 30' 0" with a porch projecting 4' 0" therein.
- Lot 8. A 14' 0" from selback to lies of the projected 20' 0" with a possib projecting 4' 0" thereis.
- Lot 9. A 15' 0" Front method in lies of the required 20' 0" with a porch projecting 5' 0" Secreta.
- Lot 10. An 18' 6" front setback in lies of the required 20' 0" with a porch projecting 12' 0" therein, end a left cide yard of 4' 0".
- Lot 11. A 14' 0" front setheck in lies of the required 20' 0" with a porch projecting 3' 0" thereis.
- Lot 12. A 13' 0" frost setback in lieu of the required 20' 0" with a perch projecting 4' 0" thereis and an 8' 0" rees yard setback in lieu of the required 16' 10".
- Lot 18. A 4' 0" front ootback in lieu of the required 20' 0" and a 16' 0" recruited to the required 18' 10" with a porch projecting 4' 0" therein.
- Lot 14. A 7' 0" front setback in lieu of the required 20' 0" and a porch that projects 2' 11" into the rear yard.
- Lot 15. A 6' 0" front setback to lies of the required 20' 0".
- Lot. 16. A 7' 0" front setback in lies of the required 20' 0".
- Lot 17. A 9' 0" frost setheck in lies of the required 20' 0".
- Lot 18. A 11' 0" front setback in lieu of the required 20' 9" with a porch projecting 3' 0" therein.
- Lot 19. A 5' 0" front setback in lieu of the required fit 6".
- Lot 23. A 14' 0" front estback in lieu of the required 20' 0".
- Lot 24. A 12' 0" front setback in lieu of the required 20' 0" with a porch projecting 3' 0" therein.

- Lot 25. A 10' 0" front setback in lieu of the required 20' 0" with a porch projecting 4' 0" therein.
- Lot 26. A 10' 0" front setback in lieu of the required 20' 0" with a porch projecting 3' 0" therein.
- Lot 27. A 14' 0" front setback in lieu of the required 20' 0" with stairs an porch projecting 8' 0" therein.
- Lot 28. A 8' 0" front setback in lieu of the required 20' 0".
- Lot 29. A 9' 0" front setback in lieu of the required 20' 0".
- Lot 30. > 5' 0" front setback in lieu of the required 20' 0".
- Lot 33. A 13' 0" front setback in lieu of the required 20' 0" with a porch projecting 12' 0" therein.

 An 8' 0" rear yard setback in lieu of the required 9' 7".
- Lot 34. A 10' 0" front setback in lieu of the required 20' 0" with a porch projecting 3' 0" therein.
- Lot 35. A 17' 0" front setback in lieu of the required 20' 0" with a porch projecting 4' 0" therein.
- Lot 36. A 21' 0" rear yard setback in lieu of the required 22' 7".
- Lot 37. A 23' O" rear yard setback in lieu of the required 25' 0".
- Lot 40. A 13' 0" front setback in lieu of the required 20' 0" with a porch projecting 4' 0" therein.
- Lot 41. A 13' 0" front setback in lieu of the required 20' 0" with a porch projecting 4' 0" therein.
- Lot 42. An 11' 0" front setback in lieu of the required 20' 0" with a porceprojecting 4' 0" therein.
- Lot 43. A 14' 0" front setback in lieu of the required 20' 0" with a porch projecting 3' 0" therein.
- Lot 44. A 16' 0" front setback in lieu of the required 20' 0" and a 15' 0 rear yard setback in lieu of the required 21' 6".









MASON RESIDENCE

410 MONARCH BAY DR. DANA POINT CALIFORNIA

CODE COMPLIANCE

THIS PROJECT SHALL COMPLY WITH 2016 CALIFORNIA RESIDENTIAL CODE (CRC): 2016 CALIFORNIA BUILDING CODE (CBC): 2016 CALIFORNIA PLUMBING CODE (CPC): 2016 CALIFORNIA ELECTRICAL CODE (CEC); 2016 CALIFORNIA MECHANICAL CODE (CMC); 2016 BUILDING ENERGY EFFICIENCY STANDARDS (BEES); 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBSC), AS AMENDED BY CITY ORDINANCE

SQUARE FOOTAGES

| | EXISTING | PROPOSEI |
|---------------------------------|------------------------------------|-----------|
| LOWER LEVEL LIVING: | 0 S.F. | 1,252 S.F |
| UPPER LEVEL LIVING: | 2,644 S.F. | 2,509 S.F |
| TOTAL LIVING: | 2,644 S.F. | 3,761 S.F |
| GARAGE: | 480 S.F. | 516 S.F |
| MECHANICAL/ STORAGE: | 0 S.F. | 429 S.F |
| TERRACE: DECK: PATIO: | 1,214 S.F. 754 S.F. 460 S.F. | 291 S.F |
| LOT AREA: | 7,714 S.F. | 7,714 S.F |
| BUILDING AREA: (INCLUDING DECK) | 3,878 S.F. | 3,316 S.F |
| LOT COVERAGE: (INCLUDING DECK) | 50.27% | 42.98% |
| BUILDING AREA: (EXCLUDING DECK) | 3,124 S.F. | 3,025 S.F |
| LOT COVERAGE: (EXCLUDING DECK) | 40.5% | 39.21% |
| LANDSCAPE AREA | - | 2,151 S.F |
| LANDSCAPE COVERAGE | - | 28% |
| | | |

GENERAL NOTES

- 1. SUBMIT SEPARATE PLANS, CALCULATIONS AND PERMITS FOR ALL FENCES POOLS AND RETAINING WALLS
- 2. THE DISCHARGE OF POLLUTANTS TO ANY STORM DRAINAGE SYSTEM IS PROHIBITED. NO SOLID WASTE, PETROLEUM BYPRODUCTS, SOIL PARTICULATE, CONSTRUCTION WASTE MATERIALS, OR WASTEWATER GENERATED ON CONSTRUCTION SITES OR BY CONSTRUCTION ACTIVITIES SHALL BE PLACED, CONVEYED OR DISCHARGED INTO THE STREET, **GUTTER OR STORM DRAIN SYSTEM**
- 3. CONTRACTOR TO VERIFY EXISTING FIELD CONDITIONS BEFORE COMMENCING ANY WORK
- 4. HOUSE NUMBER WILL BE VISIBLE AND LEGIBLE FROM THE STREET
- 5. FINISH GRADE WITHIN 10' OF THE NEW STRUCTURE/ ADDITION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BUILDING FOR IMPERVIOUS SURFACES AND 5% FOR NATURAL GRADE.
- 6. ITEMS IN THIS LIST REQUIRE FIELD TESTING AND/ OR VERIFICATION BY A CERTIFIED HERS RATER. THE INSPECTOR MUST RECEIVE A COMPLETED CF-4R FORM FOR EACH OF THE MEASURES LISTED BELOW FOR FINAL TO BE GIVEN:

THE HVAC SYSTEM HVAC INCORPORATES HERS VERIFIED DUCT LEAKAGE. HERS FIELD VERIFICATION AND DIAGNOSTIC TESTING IS REQUIRED TO VERIFY THAT DUCT LEAKAGE MEETS THE SPECIFIED CRITERIA.

PROJECT DIRECTORY

ANDRADE ARCHITECTS, INC.

2880 SOUTH COAST HIGHWAY

LAGUNA BEACH, CA 92651

PHONE: 949-715-7474

FAX: 949-715-7475

PROPERTY OWNER: GARY AND LINDA MASON 410 MONARCH BAY DR. DANA POINT CA 92629

CIVIL ENGINEER: JULIE REYNA GRANDKNIGHT ENGINEERING INC. PHONE: (949) 228-1570 FAX: (949) 208-2843

LANDSCAPE ARCHITECT: 8841 RESEARCH DRIVE SUITE 200 IRVINE, CA 92618 PHONE: (949) 387-1323

PROJECT DESCRIPTION

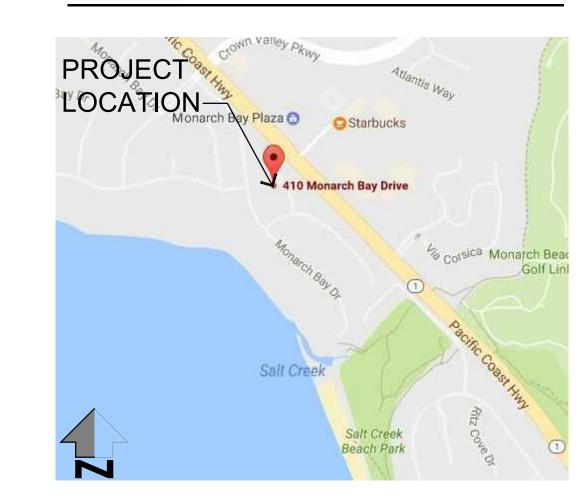
A NEW 2-STORY SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE AND

EXISTING RESIDENCE TO BE COMPLETELY DEMOLISHED AND REMOVED.

PROJECT DATA

| APN: | | 670-151- | -1 |
|--|-------------------------------|-------------------|----|
| TRACT: | | 44 | ŀ7 |
| LOT: | | | 2 |
| ZONE: | | RSI | F |
| OCCUPANCY: | | R | 3/ |
| CONSTRUCTION TYPE: | | VB FULLY SPRINKLE | Ε |
| PAD ELEVATION: | | 113. | 1 |
| MAXIMUM HEIGHT: | (RESTRICTED TO EXISTING HEIG | HT) 134. | 4 |
| BUILDING TO BE EQUIPE WITH NFPA13D. | PED WITH FIRE SPRINKLER SYSTE | M IN ACCORDANCE | |

VICINITY MAP



SHEET INDEX

ARCHITECTURAL:

G.001 PROJECT DATA A.001 SITE PLAN A.101 LOWER LEVEL PLAN

A.102 UPPER LEVEL PLAN **ROOF PLAN** A.103 A.201 EXTERIOR ELEVATIONS A.202 EXTERIOR ELEVATIONS

A.301 BUILDING SECTIONS

LANDSCAPE:

OVERALL LANDSCAPE PLAN PLANTING PLAN L1.2

PRELIMINARY GRADING PLAN C.001 1 OF 1 TOPOGRAPHIC SURVEY

REVISIONS





DRAWN BY: CHECKED BY: 10/26/17 JOB #: SHEET:



- 1. PROPOSED RETAINING WALL
- 2. CONCRETE DRIVEWAY
- TERRACE PATIO
- 4. TERRACE DECK
- PATIO
- 6. 6'-0" HIGH STUCCO WALL W/ WOOD GATE
- 7. A/C CONDENSER LOCATION: MANUFACTURER BRYANT MODEL: 124ANS048- 4 TON. ULTRA QUIET, 2 STAGE, 70 dBA. UNIT TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
- 8. 42" HIGH GLASS GUARDRAIL AT UPPER LEVEL TERRACE
- 9. TRASH CAN LOCATION
- 10. BRICK ENTRY RETAINING WALL
- 11. ENTRY COURTYARD PATIO
- 12. STEPPING PADS
- 13. VARIED HEIGHT RETAINING WALL W/ RAILING
- 14. 6'-0" HIGH STUCCO WALL
- 15. 42" HIGH STUCCO PONY WALL
- 16. 8'-0" HIGH STUCCO WALL W/ WOOD GATE
- 17. 42" HIGH WOOD FENCE AT UPPER LEVEL TERRACE

PRELIMINARY GRADING QUANTITIES

CUT = 800 CUBIC YARDS

FILL = 1200 CUBIC YARDS

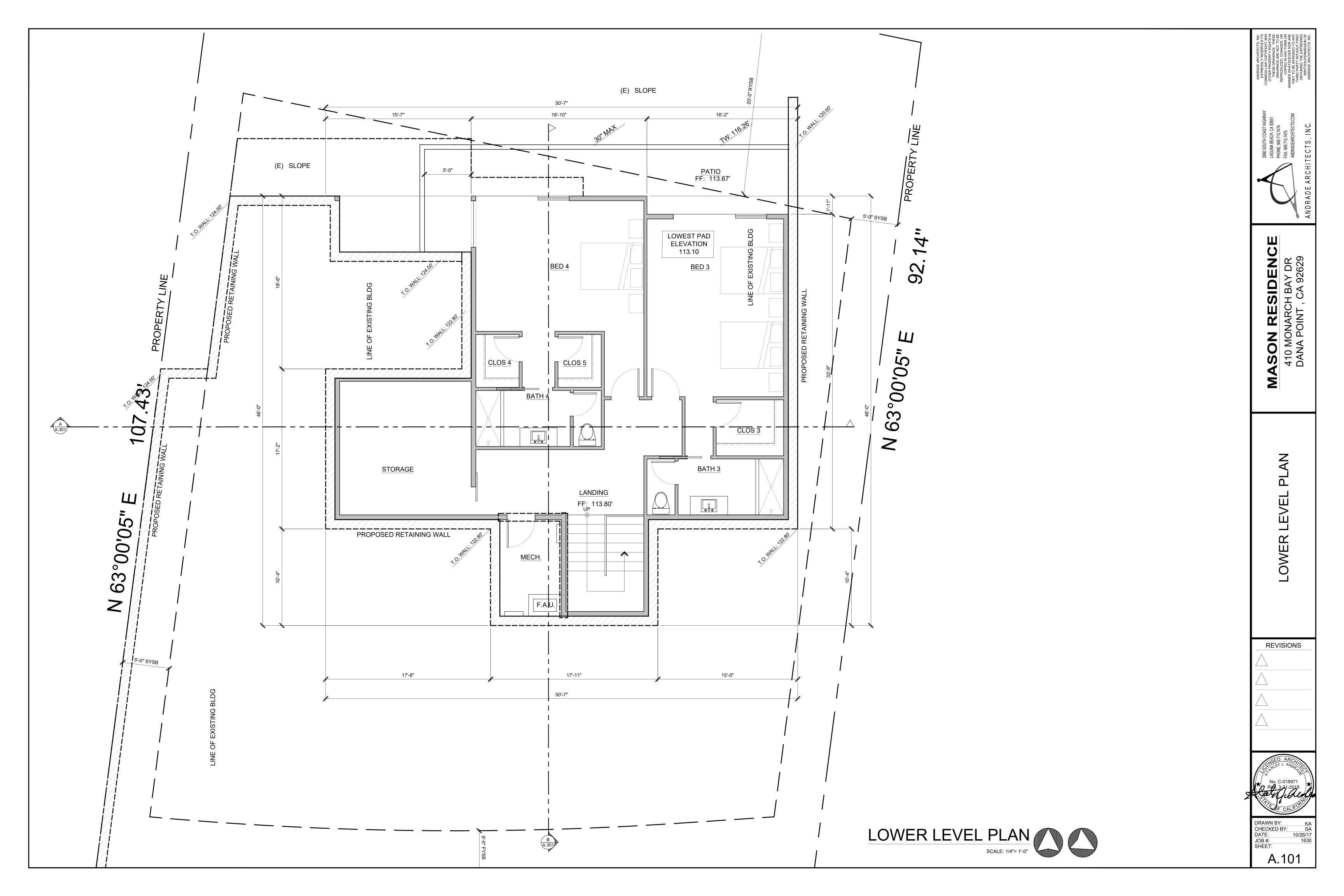
EXPORT = 680 CUBIC YARDS

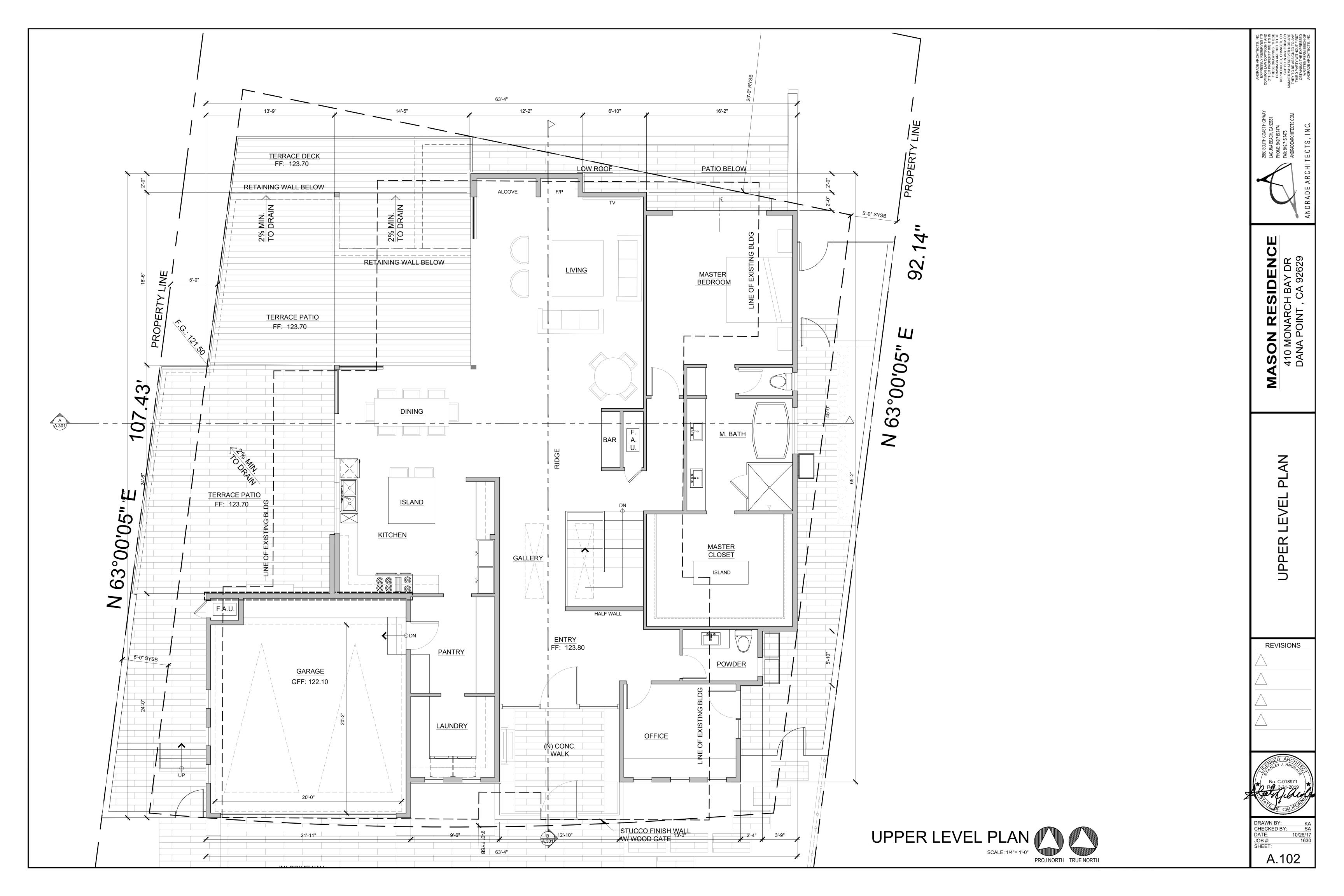
REVISIONS

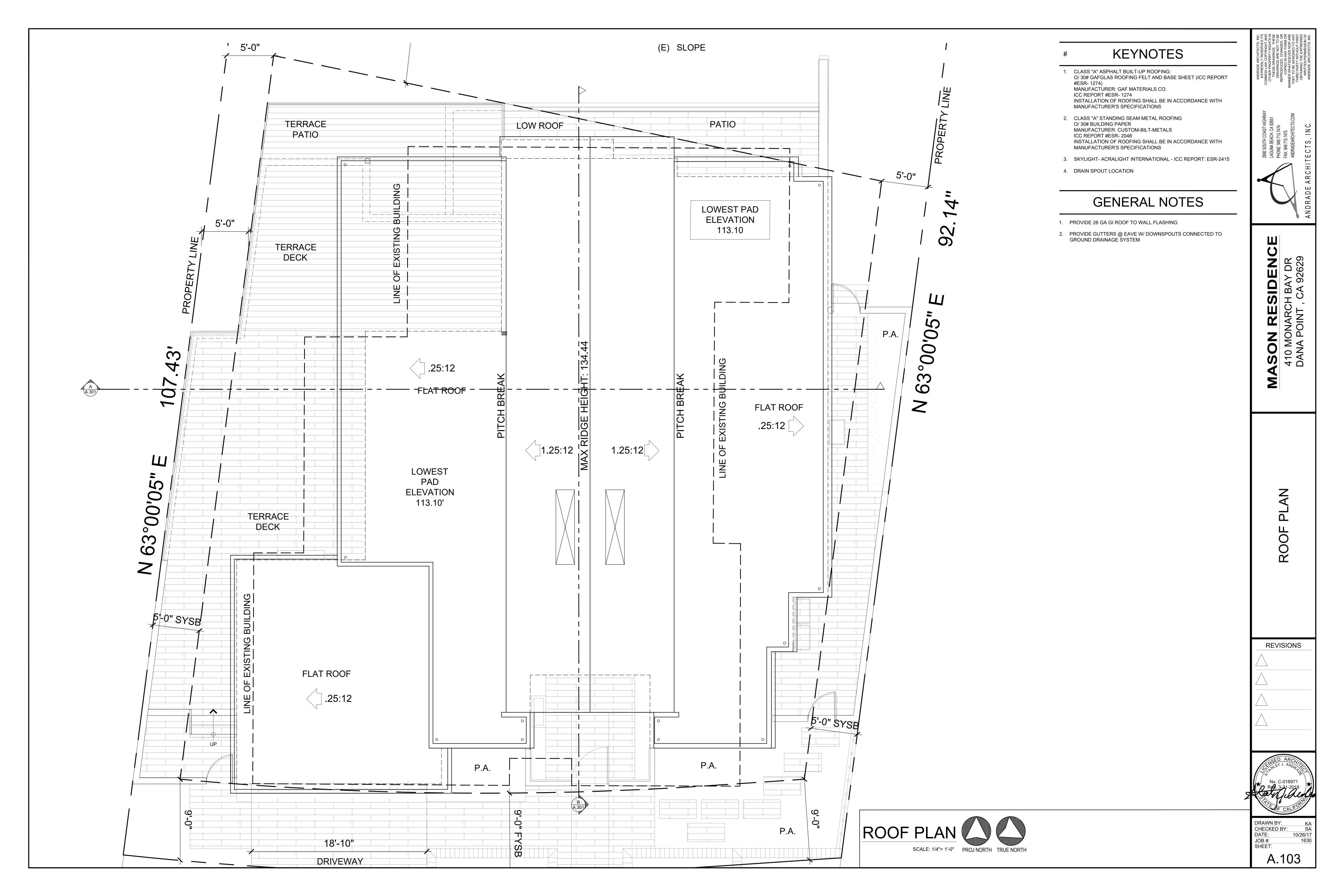




DRAWN BY: CHECKED BY: DATE: JOB #: SHEET: SA 11/21/17 1630 A.001

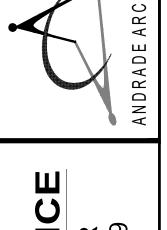




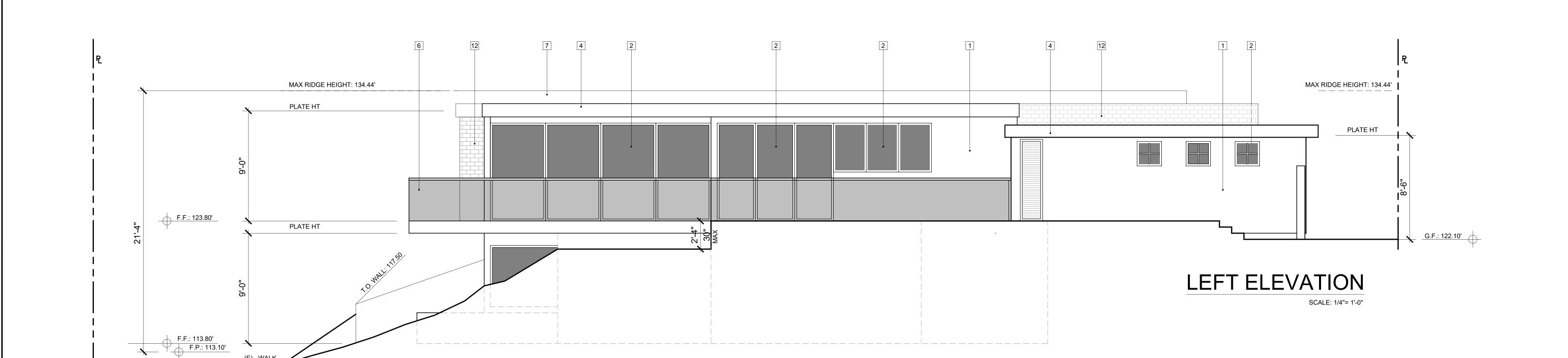


KEYNOTES

- 1. SMOOTH STUCCO FINISH
- 2. METAL CLAD DOORS AND WINDOWS
- 3. WOOD SECTIONAL GARAGE DOOR
- 4. METAL FASCIA
- 5. EXPOSED WOOD BEAM
- 6. 42" HIGH GLASS GUARDRAIL
- 7. STANDING SEAM BRONZE ROOF
- 8. RETAINING WALL WITH STUCCO FINISH TO MATCH RESIDENCE
- 9. 30" HIGH SMOOTH STUCCO WALL TO MATCH RESIDENCE
- 10. EYEBROW ROOF
- 11. 6'-0" HIGH STUCCO FINISH WALL W/ WOOD GATE
- 12. BRICK VENEER
- 13. WOOD VENEER



REVISIONS



KEYNOTES

- 1. SMOOTH STUCCO FINISH
- 2. METAL CLAD DOORS AND WINDOWS
- 3. WOOD SECTIONAL GARAGE DOOR
- o. Wood deditional danage bo
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- 11. 6'-0" HIGH STUCCO FINISH WALL W/ WOOD GATE
- 12. BRICK VENEER
- 13. WOOD VENEER

288 LAC PHG FAY AMI

ON RESIDENC

O MONARCH BAY DR

ERIOR ELEVATIONS

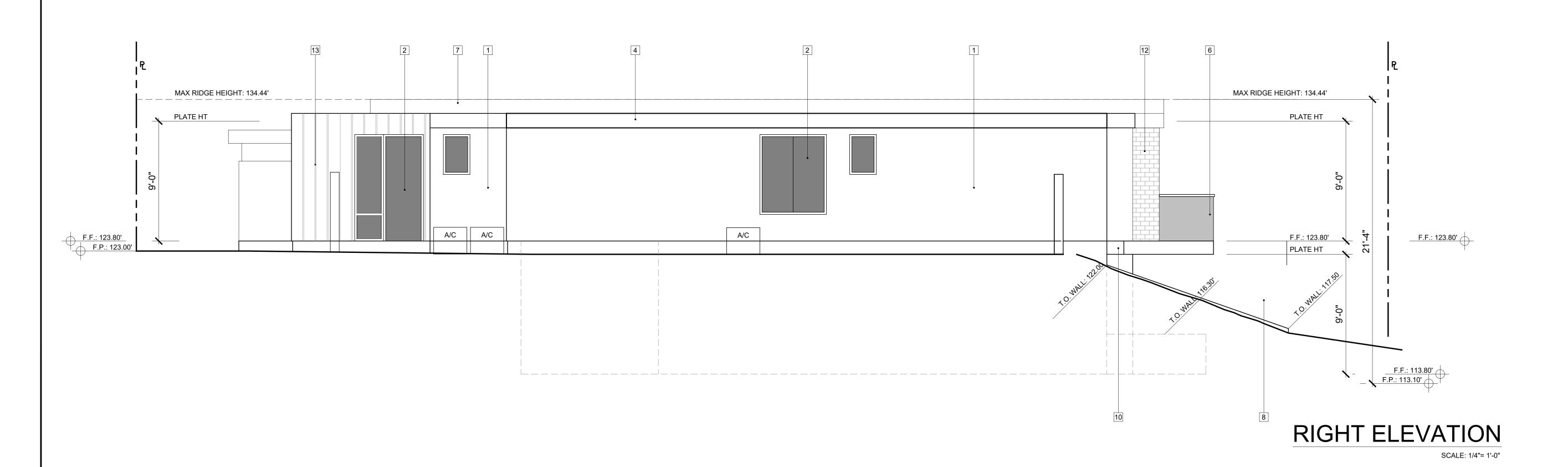
REVISIONS

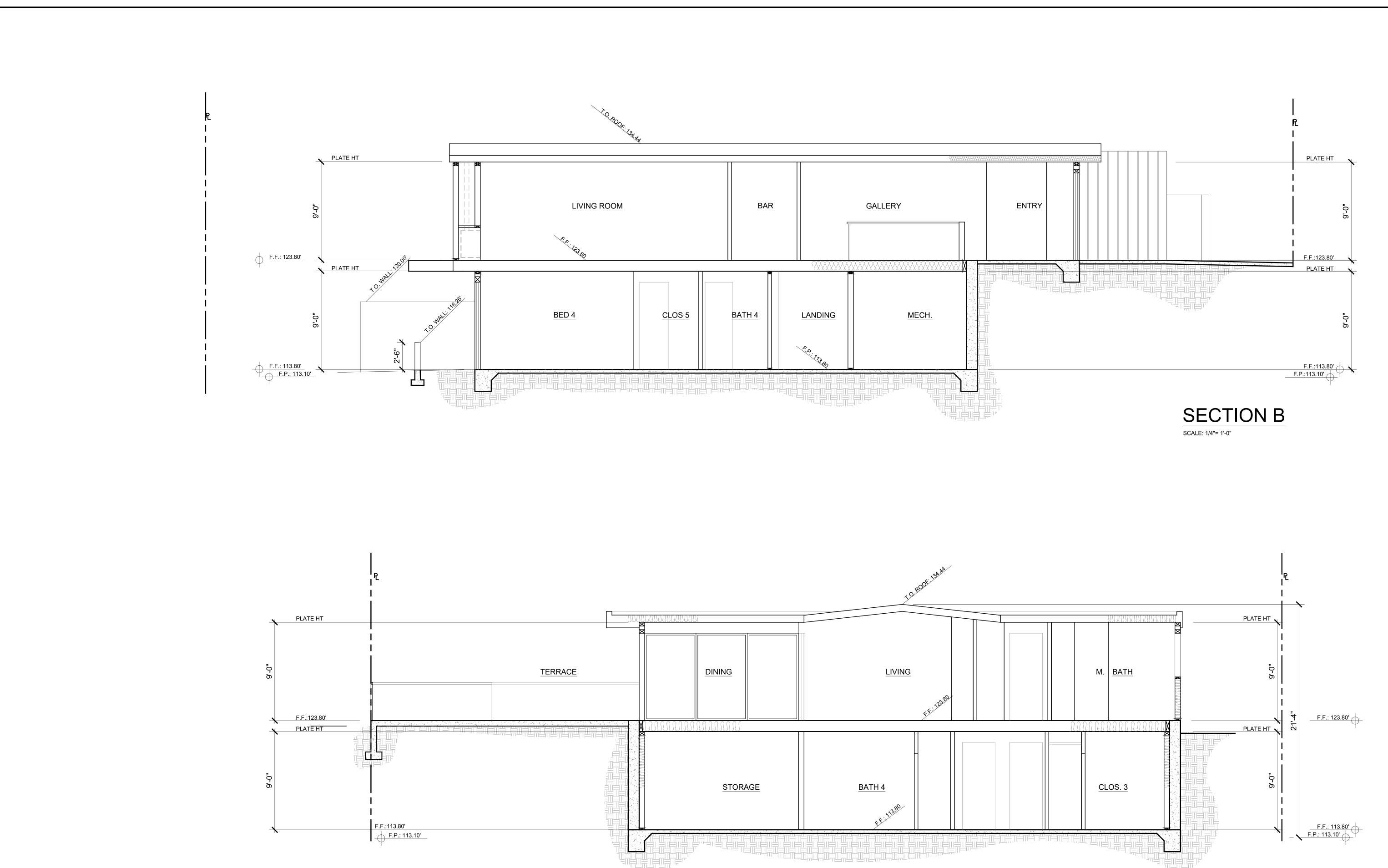


DRAWN BY: KA
CHECKED BY: SA
DATE: 11/21/17
JOB #: 1630
SHEET:

REAR ELEVATION

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





No. C-018971
Ref. 3-21-2019

The California of California

SECTION A

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

ASON RESIDENCE 410 MONARCH BAY DR DANA POINT, CA 92629

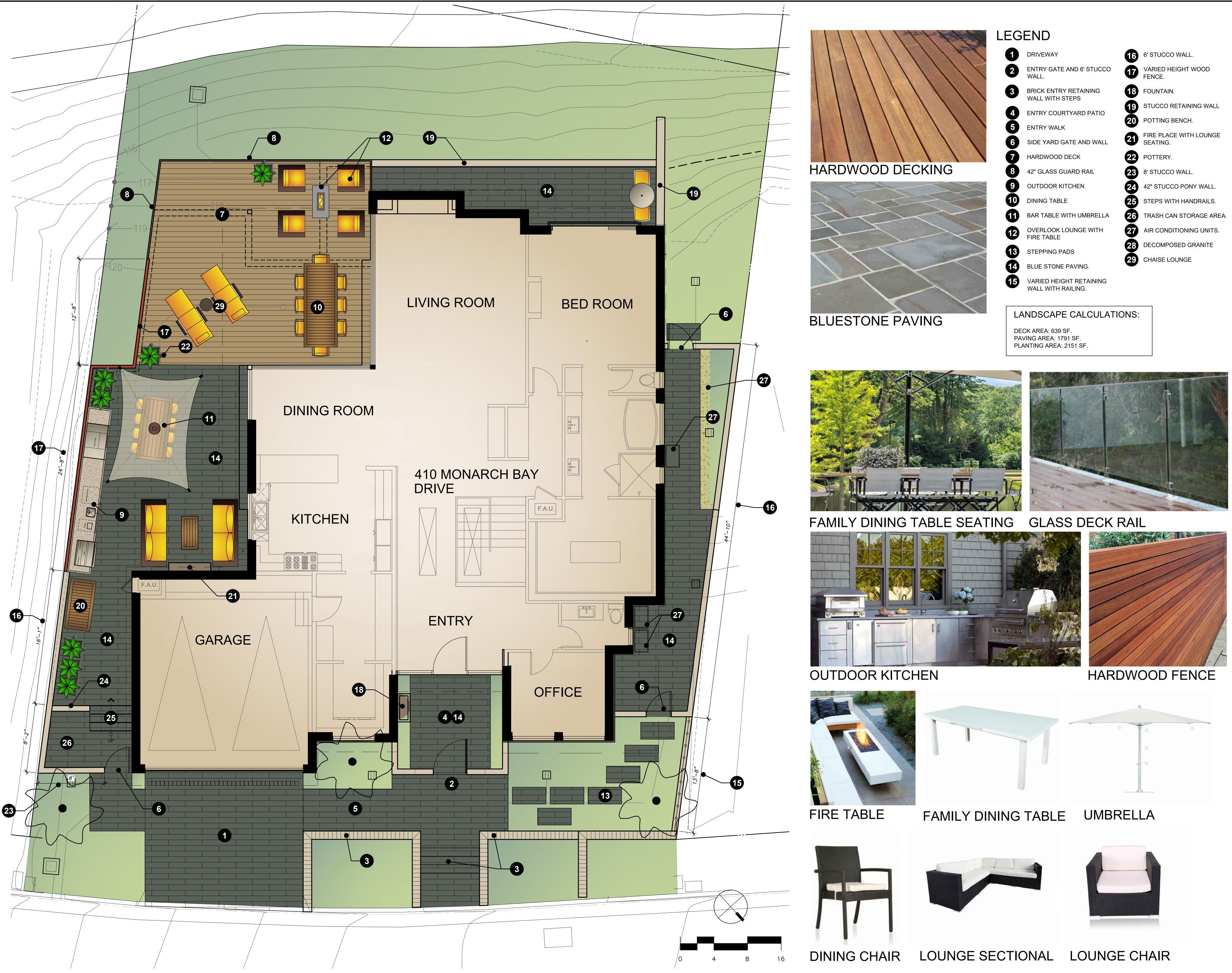
SECTIONS

BUILDING

REVISIONS

DRAWN BY: KA
CHECKED BY: SA
DATE: 10/26/17
JOB #: 1630
SHEET:

A.301

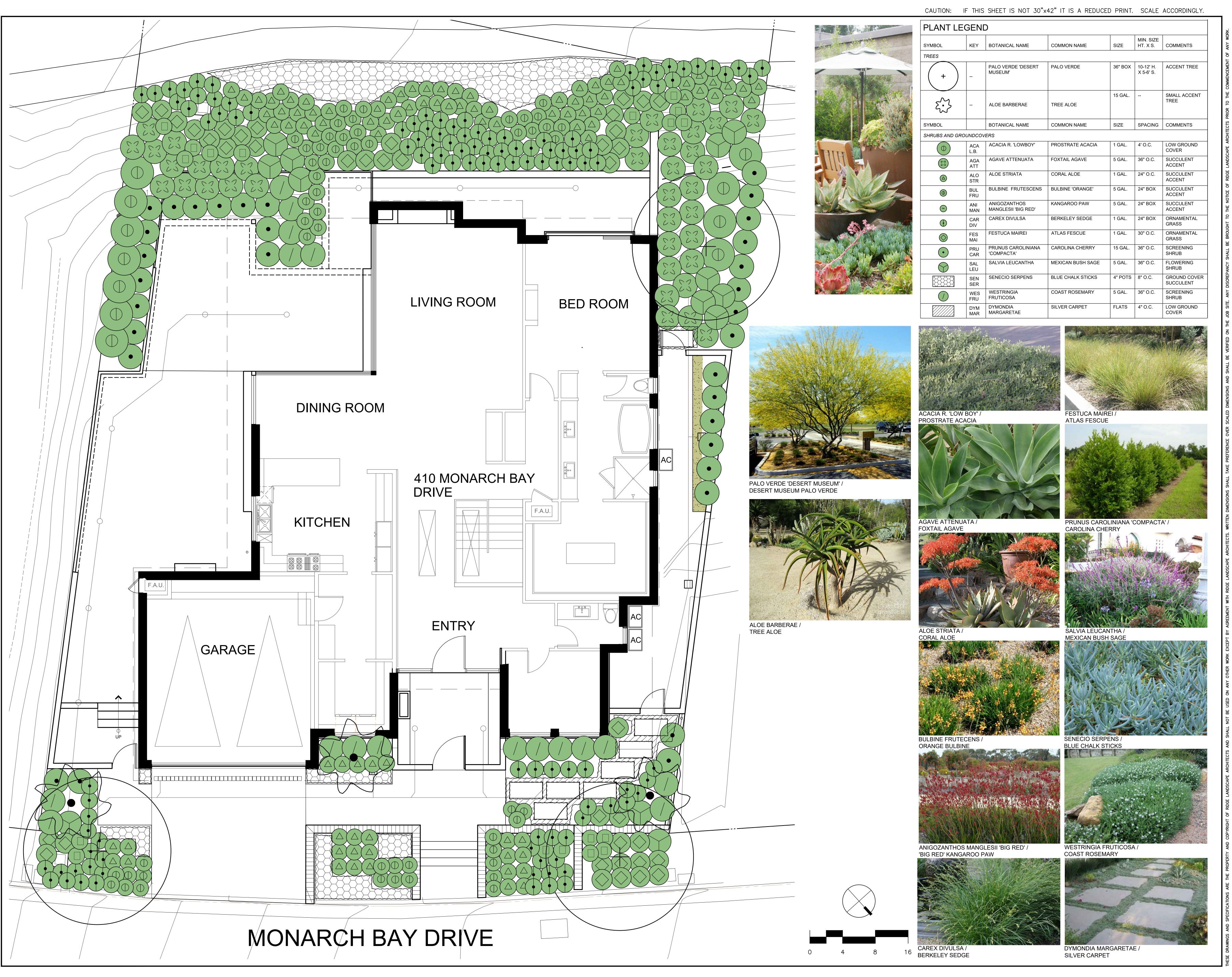


8841 RESEARCH DR

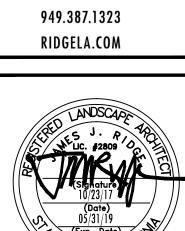
SUITE 200 IRVINE - CA 92618 949.387.1323 RIDGELA.COM

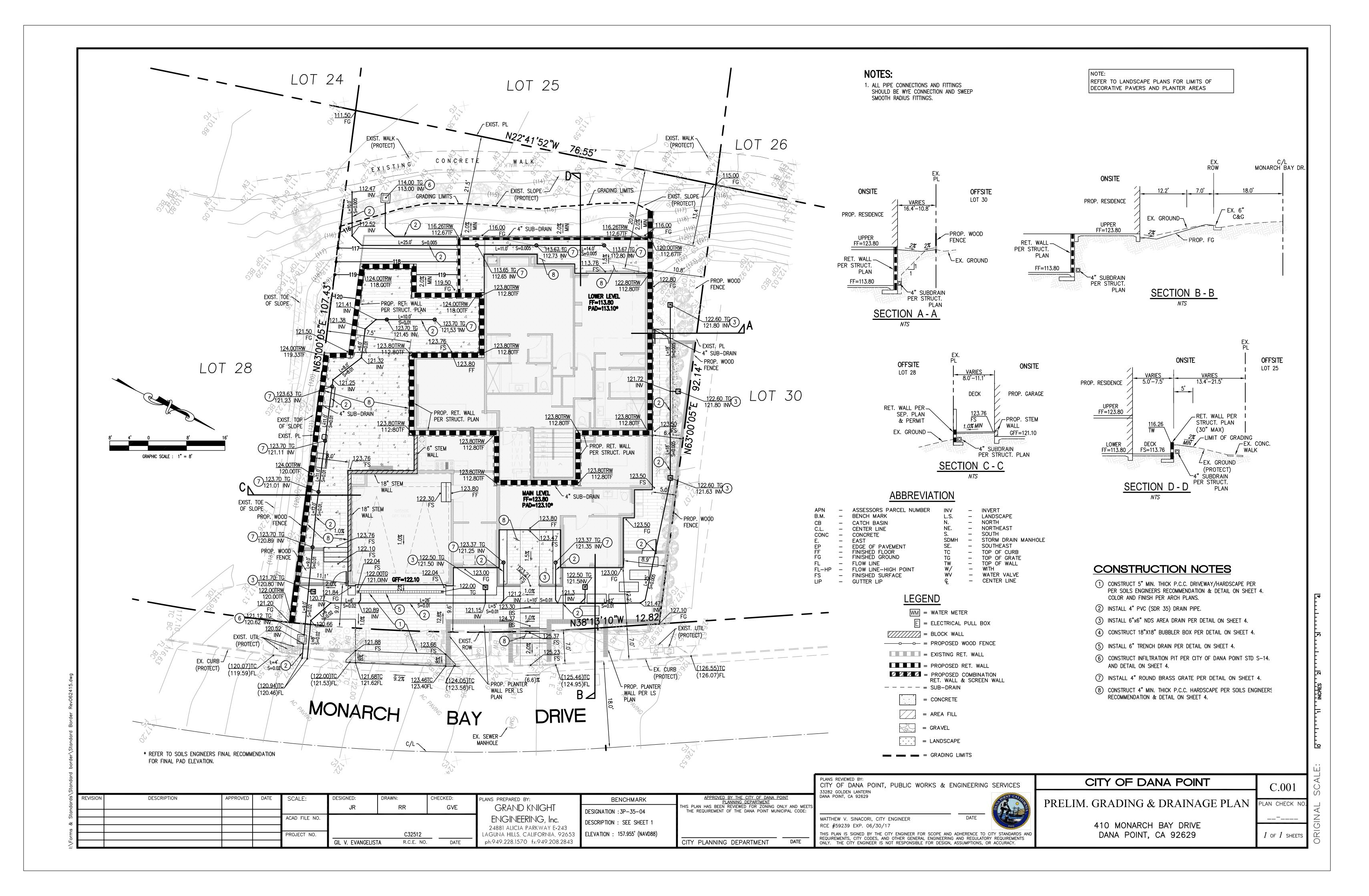


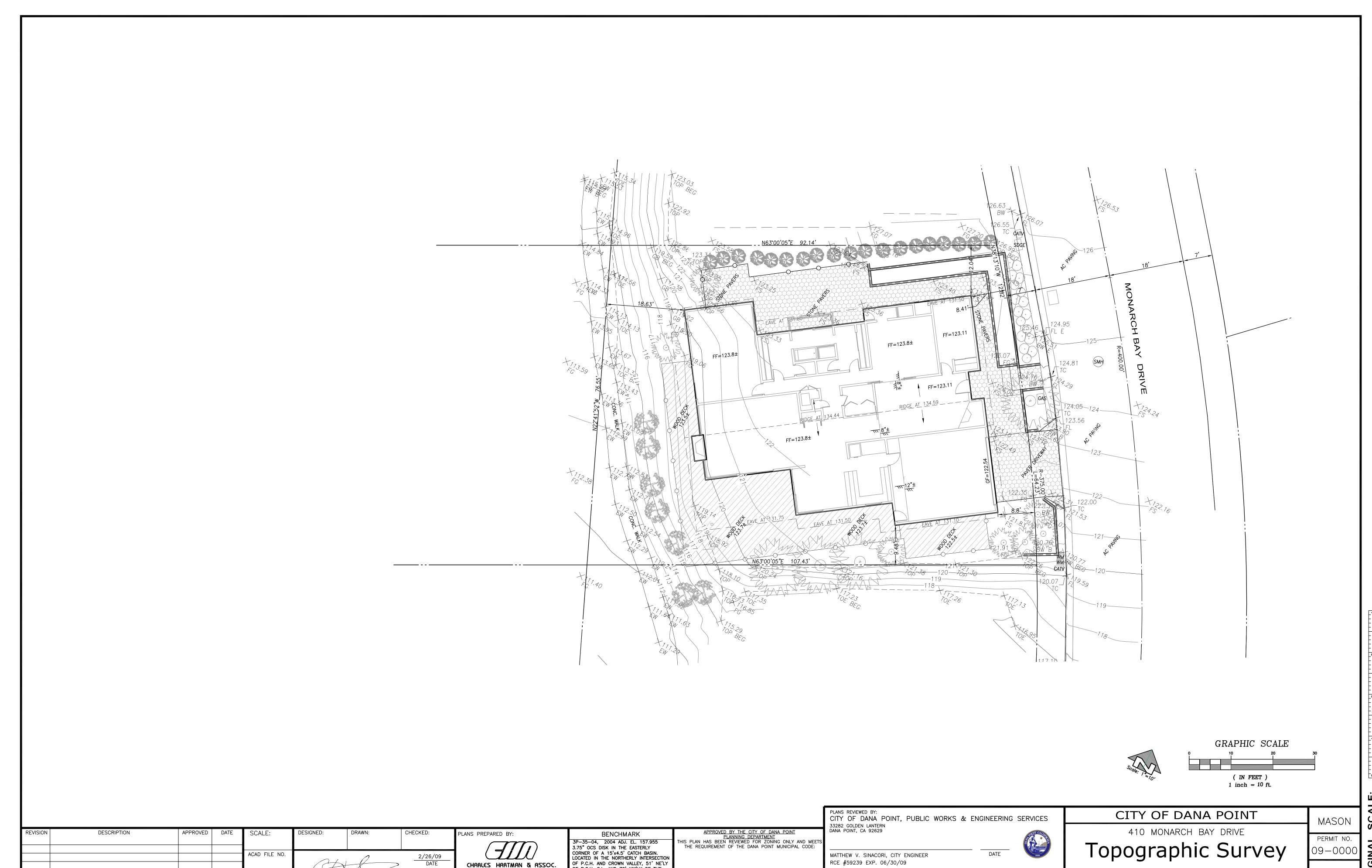
RESIDENCE CH BAY DRIVE, 7, CA, 92629



IRVINE - CA 92618







FIRST SUBMITTAL

ENGINEER OF WORK

PROJECT NO.

CHARLES HARTMAN & ASSOC.
PLANNING - ENGINEERING - SURVEYING
27127 CALLE ARROYO - SUITE 1904
SAN JUAN CAPISTRANO, CA 92675 (949) 661-6695 - (949) 661-6674 FAX

BENCHMARK

3P-35-04, 2004 ADJ. EL. 157.955
3.75" OCS DISK IN THE EASTERLY
CORNER OF A 15'x4.5' CATCH BASIN.
LOCATED IN THE NORTHERLY INTERSECTION
OF P.C.H. AND CROWN VALLEY, 51' NE'LY
OF P.C.H. C.L. AND 70' NW'LY OF THE
CROWN VALLEY C.L., SET LEVEL WITH
SIDEWALK.

DATE

CITY PLANNING DEPARTMENT

THIS PLAN IS SIGNED BY THE CITY ENGINEER FOR SCOPE AND ADHERENCE TO CITY STANDARDS AND REQUIREMENTS, CITY CODES, AND OTHER GENERAL ENGINEERING AND REGULATORY REQUIREMENTS ONLY. THE CITY ENGINEER IS NOT RESPONSIBLE FOR DESIGN, ASSUMPTIONS, OR ACCURACY.

1 OF 1 SHEETS

LOT 29 OF TRACT 4472





REAR ELEVATION - WITH LANDSCAPE