

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
 200 OCEANGATE, 10TH FLOOR
 LONG BEACH, CA 90802-4416
 VOICE AND TDD (562) 590-5071
 FAX (562) 590-5084

DEC 16 2011



CALIFORNIA
 COASTAL COMMISSION

PERMIT APPLICATION INSTRUCTIONS

A completed application includes the APPLICATION FOR COASTAL DEVELOPMENT PERMIT, the appendices to the application, and **Required Attachments**.

- Please answer all questions. If a question is not applicable to your project, indicate "N.A."
- Refer to pages 7–8 of the APPLICATION for a list of **Required Attachments**.
- Incomplete applications will not be accepted for filing.
- All exhibits must be legible.

The following checklist is provided for the convenience of applicants in gathering necessary application materials; it is not a complete statement of filing requirements.

	Page	Item
x Proof of applicant's interest in the property.	7	1
x Assessor's parcel map(s) showing the proposed development site and all adjacent properties within 100 feet of the property boundary.	7	2
x Stamped envelopes (<i>no postage meter please</i>) addressed to neighboring property owners and occupants and other interested parties and a list of the same.	7	4, 5
x Vicinity map.	7	6
x Two sets of project plan(s), site plan(s), and applicable other plans. (All plans must be stamped and signed "Approved in Concept" by the applicable local government. Please note the size which plans are required to be submitted.)	7, 8	7, 11
x Copy of any environmental documents (DRAFT AND FINAL EIRs, EISs, NEGATIVE DECLARATION) if prepared for the project and any comments and responses.	8	9
<input type="checkbox"/> Verification of all other permits, permissions or approvals applied for or granted by public agencies.	8	10
x Copy of geology or soils report (if necessary).	8	11
x Local approval of the project.	Appendix B	
<input type="checkbox"/> Has the Notice of Pending Permit been posted in a conspicuous place?	Appendix D	
<input type="checkbox"/> Filing fee. NOT APPLICABLE (PUBLIC AGENCY APPLICANT).....	Appendix E	

Have you and the agent (if appropriate) signed the application at the appropriate lines on pages 9, 10, and 13?
 X

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

RECEIVED
South Coast Region

DEC 16 2011

SECTION I. APPLICANT

1. Name, mailing address, and telephone number of all applicants.

City of Newport Beach – Attn: Andy Tran

3300 Newport Blvd.

Newport Beach, CA 92663

CALIFORNIA
COASTAL COMMISSION

(949)644-3315

(Area code/daytime phone number)

Note: All applicants for the development must complete Appendix A, the declaration of campaign contributions.

2. Name, mailing address and telephone number of applicant's representatives, if any. Please include all representatives who will communicate on behalf of the applicant or the applicant's business partners, for compensation, with the Commission or the staff. (It is the applicant's responsibility to update this list, as appropriate, including after the application is accepted for filing. Failure to provide this information prior to communication with the Commission or staff may result in denial of the permit or criminal penalties.)

(1) Dave Webb and Andy Tran, City of Newport Beach (same as above in #1); and

(2) Don Schmitz & Donna Tripp, Schmitz & Associates, Inc. – 5234 Chesebro Rd, Suite 200,
Agoura Hills, CA 91301 – (818)338-3636

(Area code/daytime phone number)

SECTION II. PROPOSED DEVELOPMENT

Please answer all questions. Where questions do not apply to your project (for instance, project height for a land division), indicate **Not Applicable** or **N.A.**

1. **Project Location.** Include street address, city, and/or county. If there is no street address, include other description such as nearest cross streets.

4850

West Coast Highway

number

street

Newport Beach

Orange

city

county

Assessor's Parcel Number(s) (obtainable from tax bill or County Assessor):

424-041-08, -10, -11, -13 and 424-042-03

FOR OFFICE USE ONLY

5-14302

APPLICATION NUMBER

RECEIVED

12/16/11

FILED

FEE

EXEMPT

DATE PAID

A public park including: (1) active recreational amenities in the form of a playground and picnic area, a youth baseball field, and two youth soccer fields ; (2) passive recreational amenities in the form of a memorial garden, pedestrian paths, and an overlook area with a shade structure and seating; (3) a 1,300 s.f. one-story restroom and storage facility, with maximum height of 20 ft.; (4) landscaping/ planting plan.

Number of units			Number of bedrooms per unit (both existing and proposed)	Type of ownership proposed
Existing units	Proposed new units	Net number of units on completion of project		<input type="checkbox"/> rental <input type="checkbox"/> condominium <input type="checkbox"/> stock cooperative <input type="checkbox"/> time share <input type="checkbox"/> other _____

Number of lots			Size of lots to be created (indicate net or gross acreage)	
Existing Lots	Proposed new lots	Net number of lots on completion of project	Existing	Proposed

2

5. Total number of floors in structure, including One-story restrooms/storage structure
subterranean floors, lofts, and mezzanines

6. Gross floor area excluding parking (sq.ft.)..... 1,300 s.f.

Gross floor area including covered parking and
accessory buildings (sq.ft.)

7. Lot area (within property lines) (sq.ft. or acre)..... 13.7 acres for Park parcels; 1.5 acres for
existing parking lot parcels

<i>Lot coverage</i>	<i>Existing (sq.ft. or acre)</i>	<i>New proposed (sq.ft. or acre)</i>	<i>Total (sq.ft. or acre)</i>
Building	0	0.03	0.03
Paved area	1.16	2.0	2.0
Landscaped area	0.8	12.17	12.17
Unimproved area	13.24	1.0	1.0
<i>Grand Total (should equal lot area as shown in #7 above)</i>			15.2

8. Is any grading proposed? ☒ Yes ☐ No

<i>If yes, complete the following.</i>			
a) Amount of cut	57,223 cu. yds.	d) Maximum height of cut slope	30 ft.
b) Amount of fill	36,559 cu. yds.	e) Maximum height of fill slope	27 ft.
c) Amount of export	20,664 cu. yds.	f) Location of borrow or disposal site	1942 Valencia Ave, Brea, CA 92823

Grading, drainage, and erosion control plans must be included with this application, if applicable. In certain areas, an engineering geology report must also be included. See page 7, items # 7 and 11.

Please list any geologic or other technical reports of which you are aware that apply to this property:
See Project EIR

9. Parking:

<i>Number of parking spaces (indicate whether standard or compact)</i>
--

Existing Spaces	Proposed new spaces	Net number of spaces on completion of project
64	0	64

Is any existing parking being removed? ☐ Yes ☒ No

If yes, how many spaces? _____ size _____

Is tandem parking existing and/or proposed? ☐ Yes ☒ No

If yes, how many tandem sets? _____ size _____

10 Are utility extensions for the following needed to serve the project? (Please check **yes** or **no**)

a) water b) gas c) sewer d) electric e) telephone

☒ Yes ☐ Yes ☒ Yes ☒ Yes ☒ Yes

☐ No ☒ No ☐ No ☐ No ☐ No

Will electric or telephone extensions be above-ground? ☐ Yes ☒ No

11. Does project include removal of trees or other vegetation? ☒ Yes ☐ No

If yes, indicate **number**, **type** and **size** of trees _____ No Trees to be removed

or **type** and **area** of other vegetation _____ 0.263 acres of disturbed Encelia Scrub/Ornamental and Encelia Scrub

SECTION III. ADDITIONAL INFORMATION

The relationship of the development to the applicable items below must be explained fully. Attach additional sheets if necessary.

1. Present use of property.

a. Are there existing structures on the property? ☒ Yes ☐ No

If yes, describe

Within the boundaries of the subject City Park property, there is an existing sound wall along Superior Ave and storm drain v-ditches. Parking is proposed through utilizing an existing City parking lot with 64 parking spaces.

b. Will any existing structures be demolished? ☒ Yes ☐ No

Will any existing structures be removed? ☒ Yes ☐ No

If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

b. Will any existing structures be demolished? ☒ Yes ☐ No

Will any existing structures be removed? ☒ Yes ☐ No

If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

storm drain v-ditches and sound wall

2. Is the proposed development to be governed by any Development Agreement?..... ☐ Yes ☒ No

3. Has any application for development on this site including any subdivision been submitted previously to the California Coastal Zone Conservation Commission or the Coastal Commission? ☒ Yes ☐ No

If yes, state previous application number(s) 5-10-168 (withdrawn)

4. a. Is the development between the first public road and the sea (including lagoons, bays, and other bodies of water connected to the sea) ☐ Yes ☒ No

b. If yes, is public access to the shoreline and along the coast currently available on the site or near the site? ☐ Yes ☐ No

If yes, indicate the location and nature of the access, including the distance from the project site, if applicable.

c. Will the project have an effect on public access to and along the shoreline, either directly or indirectly (e.g., removing parking used for access to the beach)? ☐ Yes ☒ No

If yes, describe the effect

5. Does the development involve diking, filling, draining, dredging or placing structures in open coastal waters, wetlands, estuaries, or lakes? (Please check **yes** or **no**)

a) diking

☐ Yes

☒ No

b) filling

☐ Yes

☒ No

c) dredging

☐ Yes

☒ No

d) placement of structures

☐ Yes

☒ No

Amount of material to be **dredged** or **filled** (indicate which) N/A cu. yds

Location of dredged material disposal site N/A

Has a U.S. Army Corps of Engineers' permit been applied for? ☐ Yes ☒ No

6. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands? ☐ Yes ☒ No

For projects on State-owned lands, additional information may be required as set forth in Section IV, paragraph 10.

7. Will the development protect existing lower-cost visitor and recreational facilities? ☒ Yes ☐ No

Will the development provide public or private recreational opportunities? .. ☒ Yes ☐ No

If yes, explain.

As outlined in the project description, this public park will provide both active (youth and soccer fields) and passive (pedestrian paths, viewing areas, memorial garden) recreational opportunities to the public.

8. Will the proposed development convert land currently or previously used for agriculture to another use? ☐ Yes ☒ No

If yes, how many acres will be converted? _____

9. Is the proposed development in or near:

a. Sensitive habitat areas (Biological survey may be required) ☐ Yes ☒ No

b. Areas of state or federally listed rare, threatened, or endangered species ☒ Yes ☐ No

c. 100-year floodplain (Hydrologic mapping may be required) ☐ Yes ☒ No

d. Park or recreation area ☐ Yes ☒ No

10. Is the proposed development visible from:

a. State Highway 1 or other scenic route ☒ Yes ☐ No

b. Park, beach, or recreation area ☐ Yes ☒ No

c. Harbor area ☐ Yes ☒ No

11. Does the site contain any: (If yes to any of the following, please explain on an attached sheet.)

a. Historic resources ☐ Yes ☒ No

- b. Archaeological resources ☐ Yes ☒ No
- c. Paleontological resources ☐ Yes ☒ No

12. Where a stream or spring is to be diverted, provide the following information:

Estimated streamflow or spring yield (gpm) N/A

If well is to be used, existing yield (gpm) N/A

If water source is on adjacent property, attach Division of Water Rights approval and property owner's approval.

SECTION IV. REQUIRED ATTACHMENTS

The following items must be submitted with this form as part of the application.

1. **Proof of the applicant's legal interest in the property.** A copy of any of the following will be acceptable: current tax bill, recorded deed, lease, easement, or current policy of title insurance. Preliminary title reports will not be accepted for this purpose. Documentation reflecting intent to purchase such as a signed Offer to Purchase along with a receipt of deposit or signed final escrow document is also acceptable, but in such a case, issuance of the permit may be contingent on submission of evidence satisfactory to the Executive Director that the sale has been completed.

The identity of all persons or entities which have an ownership interest in the property superior to that of the applicant must be provided.

2. **Assessor's parcel map(s)** showing the page number, the applicant's property, and all other properties within 100 feet (excluding roads) of the property lines of the project site. (Available from the County Assessor.)
3. Copies of required **local approvals** for the proposed project, including zoning variances, use permits, etc., as noted on Local Agency Review Form, Appendix B. Appendix B must be completed and signed by the local government in whose jurisdiction the project site is located.
4. **Stamped envelopes addressed to each property owner and occupant of property situated within 100 feet of the property lines of the project site (excluding roads), along with a list containing the names, addresses and assessor's parcel numbers of same.** The envelopes must be plain (i.e., no return address), and regular business size (9 1/2" x 4 1/8"). Include first class postage on each one. **Metered postage is not acceptable.** Use Appendix C, attached, for the listing of names and addresses. (Alternate notice provisions may be employed at the discretion of the District Director under extraordinary circumstances.)
5. **Stamped, addressed envelopes (no metered postage, please) and a list of names and addresses of all other parties known to the applicant to be interested in the proposed development** (such as persons expressing interest at a local government hearing, etc.).
6. **A vicinity or location map** (copy of Thomas Bros. or other road map or USGS quad map) with the project site clearly marked.
7. Copy(s) of plans drawn to scale, including (as applicable):
 - site plans
 - floor plans
 - building elevations
 - grading, drainage, and erosion control plans

- landscape plans
- septic system plans

Trees to be removed must be marked on the site plan. In addition, a reduced site plan, 8 1/2" x 11" in size, must be submitted. Reduced copies of complete project plans will be required for large projects. NOTE: See Instruction page for number of sets of plans required.

8. Where septic systems are proposed, evidence of County approval or Regional Water Quality Control Board approval. Where water wells are proposed, evidence of County review and approval.
9. A copy of any **Draft or Final Negative Declaration, Environmental Impact Report (EIR) or Environmental Impact Statement (EIS)** prepared for the project. If available, comments of all reviewing agencies and responses to comments must be included.
10. **Verification of all other permits, permissions or approvals** applied for or granted by public agencies such as:
 - Department of Fish and Game
 - State Lands Commission
 - Army Corps of Engineers
 - U.S. Coast Guard

For projects such as seawalls located on or near state tidelands or public trust lands, the Coastal Commission must have a written determination from the State Lands Commission whether the project would encroach onto such lands and, if so, whether the State Lands Commission has approved such encroachment.

11. For development on a bluff face, bluff top, or in any area of high geologic risk, a comprehensive, site-specific **geology and soils report** (including maps) prepared in accordance with the Coastal Commission's Interpretive Guidelines. Copies of the guidelines are available from the District Office.

SECTION V. NOTICE TO APPLICANTS

Under certain circumstances, additional material may be required prior to issuance of a coastal development permit. For example, where offers of access or open space dedication are required,

preliminary title reports, land surveys, legal descriptions, subordination agreements, and other outside agreements will be required prior to issuance of the permit.

In addition, the Commission may adopt or amend regulations affecting the issuance of coastal development permits. If you would like notice of such proposals during the pendency of this application, if such proposals are reasonably related to this application, indicate that desire.

☒ Yes ☐ No

SECTION VI. COMMUNICATION WITH COMMISSIONERS

Decisions of the Coastal Commission must be made on the basis of information in the public record available to all commissioners and the public. Permit applicants and interested parties and their representatives may contact individual commissioners to discuss permit matters outside the public hearing (an "ex parte" communication). However, the commissioner must provide a complete description of the communication either in writing prior to the hearing or at the public hearing, to assure that such communication does not jeopardize the fairness of the hearing or potentially result in invalidation of the Commission's decision by a court. Any written material sent to a commissioner should also be sent to the commission's office in San Francisco and the appropriate district office for inclusion in the public record and distribution to other commissioners.

SECTION VII. CERTIFICATION

1. I hereby certify that I, or my authorized representative, have completed and posted or will post the **Notice of Pending Permit** stock card in a conspicuous place on the property within three days of submitting the application to the Commission office.
2. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attached appendices and exhibits is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the Commission.
3. I hereby authorize representatives of the California Coastal Commission to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 A.M. and 5:00 P.M.



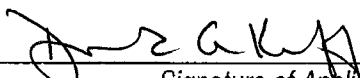
Signature of Authorized Agent(s) or if no agent, signature of Applicant

NOTE: IF SIGNED ABOVE BY AGENT, APPLICANT MUST SIGN BELOW.

SECTION VIII. AUTHORIZATION OF AGENT

I hereby authorize Dave Webb & Andy Tran of the City of Newport to act as my representative
 Beach, and Don Schmitz & Donna Tripp of Schmitz
 & Associates, Inc.

and to bind me in all matters concerning this application.



Signature of Applicant(s)
(Only the applicant(s) may sign here to authorize an agent)

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

APPENDIX A

DECLARATION OF CAMPAIGN CONTRIBUTIONS

Government Code Section 84308 prohibits any Commissioner from voting on a project if he or she has received campaign contributions in excess of \$250 within the past year from project proponents or opponents, their agents, employees or family, or any person with a financial interest in the project.

In the event of such contributions, a Commissioner must disqualify himself or herself from voting on the project.

Each applicant must declare below whether any such contributions have been made to any of the listed **Commissioners** or **Alternates** (see last page).

CHECK ONE

☒ x The applicants, their agents, employees, family and/or any person with a financial interest in the project **have not contributed** over \$250 to any Commissioner(s) or Alternate(s) within the past year.

☐ The applicants, their agents, employees, family, and/or any person with a financial interest in the project **have contributed** over \$250 to the Commissioner(s) or Alternate(s) listed below within the past year.

Commissioner or Alternate _____

Commissioner or Alternate _____

Commissioner or Alternate _____



Signature of Applicant or Authorized Agent

12-7-11

Date

Please type or print your name Andy Tran

APPENDIX B

LOCAL AGENCY REVIEW FORM

SECTION A (TO BE COMPLETED BY APPLICANT)

Applicant City of Newport Beach

Project Description Sunset Ridge Public Park

Location 4850 West Pacific Coast Highway, Newport Beach, CA 92663

Assessor's Parcel Number 424-041-08, 10, 11, and 13, 424-042-03

SECTION B (TO BE COMPLETED BY LOCAL PLANNING OR BUILDING INSPECTION DEPARTMENT)

Zoning Designation Parks and Recreation (PR) NA du/ac

General or Community Plan Designation Parks and Recreation (PR) NA du/ac

Local Discretionary Approvals

☒ Proposed development meets all zoning requirements and needs no local permits other than building permits.

☐ Proposed development needs local discretionary approvals noted below.

Needed *Received*

<input type="checkbox"/>	<input type="checkbox"/>	Design/Architectural review
<input type="checkbox"/>	<input type="checkbox"/>	Variance for _____
<input type="checkbox"/>	<input type="checkbox"/>	Rezone from _____
<input type="checkbox"/>	<input type="checkbox"/>	Tentative Subdivision/Parcel Map No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Grading/Land Development Permit No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Planned Residential/Commercial Development Approval
<input type="checkbox"/>	<input type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	<input type="checkbox"/>	Condominium Conversion Permit
<input type="checkbox"/>	<input type="checkbox"/>	Conditional, Special, or Major Use Permit No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Other _____

CEQA Status

☐ Categorically Exempt Class _____ Item _____

☐ Negative Declaration Granted (Date) _____

☒ Environmental Impact Report Required, Final Report Certified (Date) 03/23/2010

☐ Other _____

Prepared for the City of Newport Beach by Fern Nueno 

Date 12/07/2011 Title Assistant Planner