

Daily Pilot

SATURDAY, JANUARY 9, 2021 /// Now including Coastline Pilot and Huntington Beach Independent /// dailypilot.com



Photos by Don Leach | Staff Photographer

SOME OF the estimated 4,000 messages on the Sherman Library & Gardens Wishing Tree during the recent holiday season in Corona del Mar.

Sherman Library & Gardens tree holds about 4,000 wishes for 2021

BY VERA CASTANEDA

Some of Orange County's hopes and desires are hanging inside of a 2-acre beachside patch of greenery in Corona del Mar for all to see.

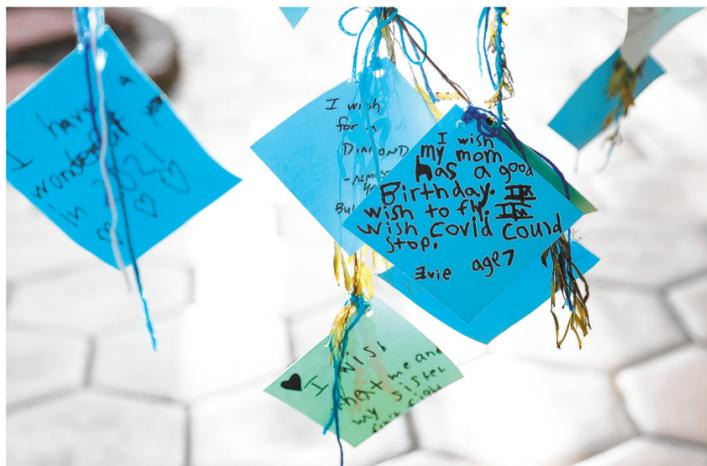
Sherman Library & Gardens set up its annual Wishing Tree, and members of the public — about 4,000 of them — have responded, providing a unique snapshot of the times.

What are people wishing for in 2021?

There are an overwhelming amount of wishes for the coronavirus pandemic to end, a vaccine to become available and for the nation to come together.

The Wishing Tree in Sherman Gardens started seven years ago along with its Nights of 1,000 Lights holiday event. At first, staff used a small Japanese maple tree, but as the

See **Tree**, page A2



ONE OF the messages on the Sherman Library & Gardens Wishing Tree.

Internal memo criticizes O.C. district attorney's review of Newport Beach surgeon's rape case

BY HANNAH FRY

Orange County Dist. Atty. Todd Spitzer sought to dismiss rape charges against a Newport Beach surgeon and his girlfriend last year based on a flawed review of evidence in the case, according to a group of senior investigators in his office.

The investigators' findings were outlined in a memo sent in July from Cmdr. Clint McCall to Chief Paul M. Walters, who leads the investigative bureau at the district attorney's office.

The Times reviewed a redacted copy of the memo, which was

filed in court Thursday.

The top-to-bottom review of the case against Grant Robicheaux, 40, and Cerissa Riley, 33, ordered by Spitzer was "incomplete and contained inaccurate and misleading information," according to the memo.

Those shortcomings led prosecutors for Spitzer to make arguments in court for why the charges against the couple should be tossed out that "contained numerous unsupported allegations, misstatements, untruths, and factually wrong conclusions," McCall wrote in the memo.

The memo and the internal divisions it highlights mark another twist in a case that's been embroiled in controversy for the past two years.

Kimberly Edds, a spokeswoman for the district attorney's office, said Thursday evening that the memo was taken out of context.

"This internal memo was not a legal review of the evidence against Grant Robicheaux and Cerissa Riley or their innocence or guilt," she said.

"This document was the final determination of a personnel investigation into whether an in-

vestigator included all pertinent exculpatory information in her police reports, and the commanders unanimously agreed with the finding by an independent third party that she failed to do so as required by office policy."

Robicheaux and Riley, a former schoolteacher, were initially charged in 2018 by Spitzer's predecessor, Tony Rackauckas. At the time, prosecutors painted the couple as sexual predators who used their good looks to prey on vulnerable women, drug them

See **Memo**, page A3

Orange County launches vaccine strategy

The goal of "Operation Independence" is to set up regional points for dispensing the COVID-19 shots countywide.

BY LILLY NGUYEN

Orange County announced Thursday that it would be launching "Operation Independence," in which county officials collaborate with the Orange County Fire Authority to help administer COVID-19 vaccinations to residents countywide.

County officials said the goal of Operation Independence is to set up regional vaccine points of dispensing. Officials said the county expects the need for at least five such sites.

They will be brought online as they are approved, staffed and vaccines are made available. The sites are not yet determined, but are expected to dispense thousands of vaccinations daily once they are operational.

To do so, interim chairman of the Orange County Board of Supervisors Andrew Do said the county established an incident management team at the end of last year to secure locations and set up large, regional supersites that the county calls "super PODs."

Once locations are finalized, officials said Thursday that the sites will be opened in phases and be located regionally countywide.

The announcement comes as the Orange County Health Care Agency reported 3,544 cases and 26 new deaths on Friday. This brings the total number of cases since March last year to 181,277 regionwide. Additionally, Orange County is now only two deaths away from reaching 2,000 cumulative deaths since data collection began.

The first doses of the Pfizer-BioNTech vaccine arrived in Orange County in December, initially allocated to frontline healthcare workers. Vaccines have also been dispensed to residents of skilled or assisted nursing facilities and other healthcare workers. This phase also includes first responders, who began to receive the Moderna vaccine in late December, and law enforcement in virus hotspots.

That has been expanded to include home healthcare and in-home supportive services, community health workers, public health field staff, primary care clinics, specialty clinics, laboratory workers, dental and other oral health clinics and pharmacy staff.

The next phase is expected to begin in February. It is expected to

See **Vaccine**, page A2

O.C. healthcare workers on the frontline adopt a battle mindset

BY SARA CARDINE

Whenever ICU nurse Tiffany Hughes is having a tough day at work, surrounded by patients sicker and more immobilized by COVID-19 than at any point in the pandemic so far, all she has to do is look at her forearm.

There is a single tattoo — the tip of a spear pointing down to her left wrist with a heart rate monitor line in place of a shaft. In military circles, a spear tip is the combat force that first penetrates the enemy's defense.

Hughes isn't the only one with this marking. A team of a dozen or so intensive care nurses at Mission Hospital in Mission Viejo, where area patients are admitted and transported from the facility's affiliate hospital in Laguna Beach, got inked together this summer as a sign of solidarity.

Working in the trenches of the hospital's COVID-19 ICU unit, they started calling themselves "the tip of the spear" after a respi-

ratory therapist posted a sticker with the phrase above an entryway.

If the coronavirus is the enemy, they are the ones at the head of the frontline.

"It really does feel like a MASH unit," the 38-year-old Rancho Santa Margarita resident said conjuring the image of a mobile army surgical hospital. "It's not like we have missiles flying over our heads, but there is a certain amount of trauma you see."

In the past 10 months, nurses like Hughes have watched the perils of the coronavirus unfold in Orange County hospitals. They've seen facilities scramble to prepare for a pandemic whose depth and reach even science didn't understand.

After a summertime lull, the pace of patients requiring intubation and other intensive care services gained speed.

Now, area hospitals seeing record numbers of COVID-19 patients are implementing surge

plans to deal with an overflow of patients.

The Orange County Health Care Agency on Friday reported a record 2,259 individuals were hospitalized with COVID-19, a 3.2% increase in the county's three-day average. Of those patients, 514 occupied intensive care units.

With 638 adults currently admitted into ICUs countywide, only 34 adult beds remained in all of Orange County as of Thursday, according to data collected by the California Department of Public Health and updated by OCHA.

Dr. Philip Robinson, director of infection prevention at Newport Beach's Hoag Hospital, said the site has canceled elective surgeries and is redeploying nurses from other service lines to COVID-19 units while medical-surgical nurses are trained to care for critical patients.

"We are experiencing a surge that is expected to continue for several weeks, like the rest of the region," Robinson said in a state-



Raul Roa | Staff Photographer

MEMORIALCARE Orange Coast Medical Center in Fountain Valley is creating additional isolation areas near its emergency department.

ment. "We have many physicians and medical staff stepping forward and working long hours to meet the needs of the community."

Representatives from hospitals throughout the county — includ-

ing Hoag, Mission and MemorialCare Orange County Hospital in Fountain Valley — would not provide specific information on the number of COVID-19 patients be-

See **Workers**, page A2

OBITUARY

Longtime Bahia Corinthian YC racer Joe Degenhardt, 91, dies

BY MATT SZABO

Joe Degenhardt, a long-time dedicated member of Bahia Corinthian Yacht Club who competed in about 50 races a year, has died. He was 91.



Courtesy of Bruce Berglund
Joe Degenhardt

Degenhardt died of natural causes on Jan. 1 at his home in Corona del Mar, said his daughter, Grace Dassoff.

Degenhardt was born in Chicago in 1929 and moved to Southern California in his 20s, Dassoff said. He joined Bahia Corinthian Yacht Club in 1980 and had been racing his Catalina 38 sailboat, "Lickity Split," for the last 20 years.

Bahia Corinthian club spokesman Bill Long said that Degenhardt was very prolific and dedicated to the craft, but maintained a sense of humor out of the water.

"He was just a riot," Long said. "When he would go to Ensenada every year, he wanted to test his crew to see if they had all the equipment ready. One year, he had a crew of maybe five or six, but he took two of the life jackets out of the bottom of the boat and took the fire extinguishers out. Then he would ask them if everything was ready to go, safety-wise ... He kidded around but they loved him, they really loved him."

Long said Degenhardt's racing accomplishments included four Congressional Cups, including one first-place finish. He also competed in 30 Newport to Ensenada races, and a Trans-

oceanic race with Dassoff.

Degenhardt won four Catalina 38 national titles, Long said, and enjoyed sailing around the world with his family, including his late wife of 60 years, Verna. She died in 2015 after a battle with pancreatic cancer.

"He was respected by all of the sailors that knew and raced against him," Long said. "We also have an annual show every year that goes for a week, called Showboat. Joe was one of the pioneers, and he tap-danced in the show every year up until about four years ago."

Dassoff said she enjoyed sailing with her father over the years. She said he suffered a stroke four years ago

that left him unable to speak, but he would hold up signs in the boat to let his crew know what to do in a given situation.

"He could communicate with his little twinkle in his eye," Dassoff said. "He was very demonstrative, even though he couldn't speak. He was always able to convey his thoughts ... Even was he was convalescing, the crew would come and pick him up in his wheelchair and take him down there [to the water]. He really had so much grit that he even refused to use a wheelchair. He wanted to walk."

Dassoff said last year the Bahia Corinthian Yacht Club created a perpetual trophy

in his name called the Joseph Degenhardt Corinthian Spirit Award.

"I think that kind of sums it up," she said. "He just had this really incredible grit. He was always such an adventurous person."

Joe Degenhardt is survived by his son, Bill, his daughter, Grace, and her husband, Glenn Dassoff.

Grace Dassoff said no memorial services are currently planned due to the coronavirus pandemic, but she is hoping to plan a Celebration of Life ceremony this summer on July 10, her late father's birthday.

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WORKERS

Continued from page A1

ing treated facility-wide or in intensive care units.

They similarly declined to share ICU bed capacities, claiming such numbers are too fluid to report, even though each hospital is obligated to provide daily counts to the healthcare agency.

At Fountain Valley Regional Hospital & Medical Center, a union representative recently said staff were

cares for 189 COVID-19 patients.

Jennifer Bayer, a spokeswoman for the Tenet Healthcare-owned facility, did not confirm that number but said by email Tenet is readying mobile field hospitals at Fountain Valley Regional and its Los Alamitos Medical Center.

"We have reached our licensed adult ICU bed capacity but have enacted our surge plans and are currently able to provide ICU care for patients requiring it in other units within each

of [our] hospitals," Bayer wrote.

At Mission Hospital, the COVID-19 intensive care unit holds just 14 beds, but the Mission Viejo site has reoutfitted its cardiac ICU to admit 20 to 30 more infected patients, Hughes said.

As healthcare experts urge those with nonserious viral symptoms to self-quarantine in lieu of visiting packed emergency rooms, the patients who make it to the ICU are sicker than ever.



HOAG HOSPITAL

in Newport Beach triages potential COVID-19 patients Friday before admitting them into the emergency room. On Friday, Orange County hospitalizations hit a record high of 2,259.

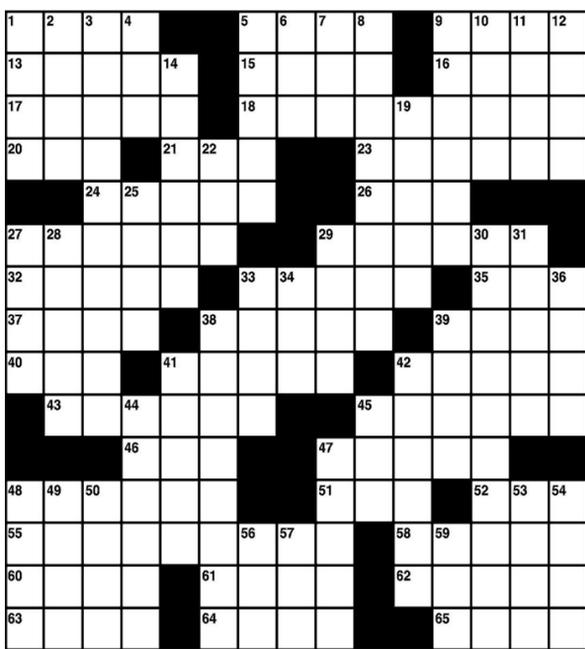
Raul Roa
Staff
Photographer

THE DAILY COMMUTER PUZZLE

By Jacqueline E. Mathews

ACROSS

- 1 Surrounded by 5 Sharp tools
- 9 As _ as molasses
- 13 "A Streetcar _ Desire"
- 15 Entreaty
- 16 Part of a window
- 17 Mac maker
- 18 Guarantee; promise
- 20 Poet Eliot's monogram
- 21 Prohibit
- 23 Assented silently
- 24 Day or Roberts
- 26 Gout site
- 27 Of the backbone
- 29 Arranges a blind date for
- 32 Makes gentle
- 33 TV's "Dancing with the _"
- 35 Capture
- 37 Middle _;
- historical period
- 38 Buckets
- 39 Heed the alarm clock
- 40 Actor Affleck
- 41 Slippery, as an icy road
- 42 White water rapids transports
- 43 Drunk
- 45 Bronze Star Medal recipients
- 46 Deadly squeezer
- 47 Many a harness racing horse
- 48 Well-known
- 51 Storm center



For answers to the crossword, see page A3.

- 52 Speedometer letters
- 55 Fair; just
- 58 VP Agnew
- 60 Pulls hard
- 61 Breakfast _;
- kitchen alcove
- 62 Locations
- 63 Compass direction
- 64 Apparel
- 65 Sort; variety
- DOWN**
- 1 Med. school course
- 2 Atlas pages
- 3 Obstacle
- 4 Dover's state; abbr.
- 5 Stretches across
- 6 Gore & his dad
- 7 Jazz guitarist
- Montgomery
- 8 Strolls along
- 9 Black suit
- 10 Terra firma
- 11 _over; quick examination
- 12 Garden intruder
- 14 Winger & Messing
- 19 _ for; cheers on
- 22 Feel rotten
- 25 Cash register drawer stack
- 27 Puncture
- 28 Book leaves
- 29 Polio vaccine developer
- 30 Sameness; consistency
- 31 Craft class adhesive
- 33 "After all is _ and done"
- 34 _-tac-toe
- 36 Mrs. Truman
- 38 Agreeable
- 39 Seldom seen
- 41 Pig's nose
- 42 Courtroom break
- 44 Woodwind player
- 45 Dobbin's dinner
- 47 Takes a quick look
- 48 Celebration
- 49 Pool water color
- 50 Big coffee cups
- 53 Get ready, for short
- 54 Nylons
- 56 Sound of audience disapproval
- 57 Piece of wood
- 59 _ bull; muscular dog

Tribune Media Services

Hughes described holding iPads up to comatose and intubated patients so families could say virtual goodbyes. Sometimes employees break down for just a minute, then get back to work.

As a single mom, it's hard for her to leave her 6-year-

old daughter with her parents, knowing she is exposing herself to the virus. But duty calls.

For Hughes and her "brothers and sisters at the bedside," the COVID-19 pandemic will eventually end. But, in ink, they will carry the memory of their

time together on the front-line.

"I would mark my body forever to remember I'm part of a crew and we helped the world in this way," she said.

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TREE

Continued from page A1

wishes piled up they expanded to hang on nearly every branch visitors could find. Two years ago, the set-up was moved to one of the oldest trees in the garden — a California pepper tree.

"In the beginning, we really wanted it to be a family tradition for people in Orange County," said Scott LaFleur, executive director of Sherman Library & Gardens.

"The Wishing Tree is something that's been around for generations and a part of many cultures. It's a neat way for people to put their thoughts, hopes and desires on a piece of paper to get it off their chest or out of their hearts for the whole world to see."

The Wishing Tree will be

available to visitors through Lunar New Year celebrations or until Feb. 26.

LaFleur said although less people attended their Nights of 1,000 Lights event than previous years, the tree is still full of wishes.

He added the Sherman Library & Gardens felt the burden and cuts of most nonprofits during the pandemic, especially since most of its income came from wedding events, rentals and the on-site restaurant (which has opened and closed multiple times throughout last year.) But LaFleur also maintains that the garden has a sustainable future.

The most recent hire includes the gardens' first education director, Catherine Dickinson, and they are looking to bring on a program educator to start offering additional classes

open to children as well as anyone who would like to learn about Pacific Southwest history, horticulture and arts. Classes, in-person and limited in size, are currently available focusing on floral design and gardening.

The facility has remained open for admission following strict COVID-19 protocols such as wearing face masks, maintaining social distance and requiring hand sanitizing upon entry.

"If people need a place to get some mental well being or take a break from the news and everything else that's going on, we welcome them to come and feel safe," LaFleur said. "We look forward to supporting them throughout the year until we get everything back to normal."

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VACCINE

Continued from page A1

include members of the public ages 75 or older, ages 65 to 74 with underlying health conditions and those working in the food and agriculture and education and childcare sectors.

It also includes those working in emergency services; transportation and logistics; industrial, residential and commercial sectors; and critical manufacturing. Those currently incarcerated and homeless will be

included. For details on who qualifies for a vaccination in the current and coming phases, visit coronavirus.egovoc.com/covid-19-vaccination-distribution.

Vaccines will only be distributed to Orange County residents and those who work in the county that qualify at the supersites. Individuals will be asked to provide identification and documentation of their vaccine eligibility at the site.

Hospitalizations in the county are now at 2,259. Of those cases, 514 are currently in intensive care units

in area hospitals.

Here are the latest cumulative coronavirus case counts and COVID-19 deaths for select cities in Orange County:

- Santa Ana: 33,525 cases; 388 deaths
- Anaheim: 30,631 cases; 421 deaths
- Huntington Beach: 7,283 cases; 110 deaths
- Costa Mesa: 5,967 cases; 55 deaths
- Irvine: 6,781 cases; 28 deaths
- Newport Beach: 2,574 cases; 31 deaths
- Fountain Valley: 2,359 cases; 30 deaths
- Laguna Beach: 559 cases; fewer than five deaths

Here are the case counts by age group, followed by deaths:

- 0 to 17: 17,388 cases; one death
- 18 to 24: 25,214 cases; five deaths
- 25 to 34: 37,259 cases; 27 deaths
- 35 to 44: 28,659 cases; 46 deaths
- 45 to 54: 29,356 cases; 146 deaths
- 55 to 64: 22,554 cases; 275 deaths
- 65 to 74: 11,231 cases; 382 deaths
- 75 to 84: 5,625 cases; 452 deaths
- 85 and older: 3,870 cases; 664 deaths

Updated figures are posted daily at ocohhealthinfo.com/coronavirus-in-oc. For information on getting tested, visit ocohhealthinfo.com/covid-19-testing.

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MEMO

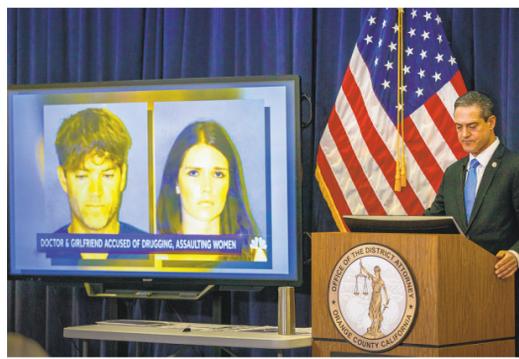
Continued from page A1

and take them back to their posh Newport Beach home to assault them.

Robicheaux was charged with sexually assaulting seven women, while Riley was charged with five. The couple have pleaded not guilty and have denied any nonconsensual sex. Defense attorney Philip Cohen, who is representing Robicheaux, declined to comment on the memo.

In 2019, shortly after Spitzer took over as the county's top prosecutor, he assigned two deputy district attorneys to conduct a review of all the evidence collected in the case. The unusual move came after a prosecutor pointed out "serious proof problems" with the case, Spitzer said at the time.

Over three months, the prosecutors looked at thousands of photographs and videos that had been taken from the couple's computers, hundreds of hours of audio recordings, thousands of pages of documents and tens of thousands of text messages between Robicheaux and Riley spanning a four-year



Allen J. Schaben Los Angeles Times

ORANGE COUNTY Dist. Atty. Todd Spitzer announces in February that he plans to drop all charges against Newport Beach doctor Grant Robicheaux and his girlfriend, Cerissa Riley.

period.

Ultimately, they determined there was insufficient evidence to prove the case beyond a reasonable doubt. Spitzer accused his predecessor of overreaching on the case to bolster his reelection campaign and moved to have the charges dropped. The request, however, was denied by Orange County Superior Court Judge Gregory Jones.

Instead, Jones removed the district attorney's office from the case and ordered it be turned over to the California attorney general's office.

During a pretrial hearing Thursday, Deputy Atty. Gen. Yvette Martinez said her office is still reviewing documents to ensure they've received all evidence in the case.

"We are conducting a very thorough and independent review of the case," Martinez said.

Spitzer's review of the case came under scrutiny during a personnel investigation into an investigator at the district attorney's office, Jennifer Kearns.

In court filings, prosecutors have alleged Kearns omitted pertinent informa-

tion from reports she wrote about the case and claimed she led a "whisper campaign" to exaggerate evidence in favor of prosecution.

The agency launched a probe into Kearns' actions and, as part of that inquiry, investigators concluded the review Spitzer ordered had been lacking. Officials also determined that Kearns should receive additional training on report writing.

Matt Murphy, a former prosecutor in the district attorney's office who is representing four women who have accused Robicheaux and Riley of assaulting them, said Thursday that no one from the attorney general's office has reached out to the women.

"We're trying to be cooperative, but I've got to tell you nobody from the AG's office has talked to my clients," he said during the hearing. "It's completely unfair to the victims in this case."

Murphy and others also criticized the decision by district attorney officials to bar Kearns from speaking to anyone from the attorney general's office about the case without a supervisor present.

Adam E. Chaikin, an at-

torney for the Assn. of Orange County Deputy Sheriffs, wrote in an email to Walters in October that the directive probably intimidates Kearns from sharing necessary details about the case with prosecutors without fear of reprimand.

Edds said in a statement Thursday that the office has been cooperative with the state attorney general and has turned over all discovery in their possession.

Spitzer "has ensured the attorney general has unrestricted access to all district attorney personnel to aid in its review of the case and to answer any questions or provide clarification," she said. "The attorney general, not this office, determines who state prosecutors talk to and when."

HANNAH FRY is a staff writer with the Los Angeles Times.

CROSSWORD ANSWERS

A	M	I	D	S	A	W	S	S	L	O	W			
N	A	M	E	P	L	E	A	P	A	N	E			
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Legal Notices

AMENDED SUMMONS IN THE FIFTH JUDICIAL DISTRICT COURT OF THE COUNTY OF NYE, STATE OF NEVADA
 CASE No.: CV20-0406
 DEPT NO.: 2

NOTICE TO DEFENDANT:
 THOMAS MARK SPURLOCK

YOU ARE BEING SUED BY PLAINTIFF:
 ANTIONETTE NAOMI BELL

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN WRITING WITHIN 21 DAYS. READ THE INFORMATION BELOW VERY CAREFULLY.

To the Defendant named above:
 The Plaintiff has filed a civil complaint or petition against you. Read that document (or get a copy at the court listed below) to find out the specific relief requested. The subject of this case is a Complaint for Divorce.

If you want to defend this lawsuit, you must do all of the following within 21 days after this summons is served on you (not counting the day of service):

1. File a formal written answer to the complaint or petition with the Clerk of Court (whose address is listed below).
2. Pay the required filing fee to the court, or request a fee waiver by filing an Application to Proceed *In Forma Pauperis*.
3. Serve a copy of your answer on the attorney whose name and address is shown below. If you do not respond, Plaintiff can request a default against you. The court can then enter a judgment against you for the relief demanded in the complaint or petition.

The name and address of the court is:
 FIFTH JUDICIAL DISTRICT COURT OF THE COUNTY OF NYE, STATE OF NEVADA
 1520 E. Basin Rd.
 Pahrump, NV 89060

The name, address, and telephone number of the plaintiff's attorney, or plaintiff without an attorney, is:
 THOMAS J. GIBSON, ESQ.
 Nevada Bar No. 3995
 Nye Legal, PLLC
 1601 East Basin Ave., #302
 Pahrump, Nevada 89060
 Telephone: 775-209-1035
 Facsimile: 775-624-9778
 thomas@nyellegal.com

Date: 12/18/2020
B. Smith Deputy Clerk
 1520 E. Basin Rd
 Pahrump, NV 89060

Published in the DAILY PILOT
 1/9, 1/16, 1/23, 1/30/2021

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LEGAL NOTICE

NOTICE OF A PUBLIC HEARING

LAGUNA BEACH PLANNING COMMISSION

THE LAGUNA BEACH PLANNING COMMISSION will hold a virtual Public Meeting in the City Council Chambers, located in City Hall at 505 Forest Avenue, to consider: **General Plan Amendment 21-8119 to amend the City of Laguna Beach General Plan Landscape and Scenic Highways Element – Topic 6 regarding fuel modification. The Planning Commission will review the modifications and make a recommendation to the City Council. SAID PUBLIC HEARING to be held: Wednesday, January 20, 2021 at 6:00 P.M.** For additional information, contact **Scott Drapkin, Planning Manager, at (949) 497-0362 or via email at sdrapkin@lagunabeachcity.net.** Planning Commissioners may also be contacted to discuss issues and questions about the proposed project. A listing of the Planning Commissioners and their contact information is available in City Hall and on the City's website at www.lagunabeachcity.net. The application may be examined on the City's website at the following link (available the Saturday before the public hearing): <http://www.lagunabeachcity.net/cityhall/citygov/cityclerk/mam.htm>. Click on the Planning Commission Agenda (located to the right of the Planning Commission hearing date/time) under the Upcoming Events section and then click on the specific agenda item. The Council Chambers will not be open to the public. However, comments may be made via teleconferencing during the Public Hearing, or in writing/email. It is recommended that written correspondence be delivered/emailed to City Hall preferably at least 2 days before the hearing. Comments may be made via teleconferencing during the Public Hearing from a computer, iPad or smart phone via Zoom URL: <https://lagunabeachcity.zoom.us/j/99405314155> or join by phone by calling (669) 900-9128 and enter Webinar ID: 99405314155. The proposed General Plan Amendment has been determined to be an exempted project pursuant to State CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3) in that the proposed amendments are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment, nor will the proposed changes have the potential for causing a significant effect on the environment. Marc Wiener, AICP, Director of Community Development

Legal Notices

CITY OF NEWPORT BEACH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Thursday, January 21, 2021, at 6:30 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted online via Zoom. The Planning Commission of the City of Newport Beach will consider the following application:

Westcliff Plaza Parking Waiver - A conditional use permit for the reduction of 139 on-site parking spaces to accommodate the future construction of 9,641 square feet of new commercial pad for future eating and drinking establishments within Westcliff Plaza, as well as 2,312 square feet of new outdoor dining area.

The project is categorically exempt under Section 15303 – Class 3 (New Construction or Conversion of Small Structures) of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

SPECIAL NOTICE REGARDING COVID-19
 Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at PlanningCommissioners@newportbeachca.gov. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, January 20, 2021, at 5:00 p.m.** Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/planningcommission, by end of business day on **Friday, January 15, 2021**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at 949-644-3200 or CDD@newportbeachca.gov and our staff will attempt to accommodate you. For questions regarding this public hearing item please contact David S. Lee, Associate Planner, at 949-644-3225 or dlee@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2019-266	Activity No.: UP2019-059
Zone: Commercial Neighborhood (CN)	General Plan: Neighborhood Commercial (CN)
Location: 1000 – 1150 Irvine Avenue	Applicant: The Irvine Company

Lauren Kleiman, Secretary, Planning Commission, City of Newport Beach

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Legal Notices

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2510 West Coast Highway Mixed Use Project - The proposed project will replace an existing marine sales facility with a mixed-use development consisting of 35 residential dwelling units, and an 11,266 square-foot boutique auto showroom. The residential component will consist of 10 studio units, 16 one-bedroom units and 9 two-bedroom units. Three of the units will be set aside for workforce housing and made affordable to low income households. The commercial component of the project will consist of an 8,741 square-foot auto showroom, with a 1,484 square-foot mezzanine and a 750 square-foot office space.

The project is categorically exempt under Section 15332 – Class 32 of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64 and Section 19.12.060 (Subdivision Code). The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

Planning Commission - SPECIAL NOTICE REGARDING COVID-19
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Project File No.: PA2019-249	Activity No.: Coastal Development Permit No. CD2019-062, Conditional Use Permit No. UP2019-054, Site Development Review No. SD2019-003, and Tentative Parcel Map No. NP2020-013
Zone: Mixed Use Mariners' Mile (MU-MM)	General Plan: Mixed Use Horizontal 1 (MU-H1)
Coastal Land Use Plan: Mixed Use-Horizontal (MU-H)	FILING DATE: December 2, 2019
Location: 2510 & 2530 West Coast Highway	Applicant: 2510 W. Coast Hwy LLC & 2510 W. Coast Hwy Eat LLC

Lauren Kleiman, Secretary, Planning Commission, City of Newport Beach

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DeCaro Residence - A variance and coastal development permit to allow a 1,732-square-foot addition to an existing 1,989-square-foot duplex and a reduction of the required rear yard setback and third floor stepback.

The variance request would allow two deviations: (1) encroachment of 5 feet into the required 10-foot rear setback along River Avenue; and, (2) encroachment of 5 feet into the required 15-foot third floor stepback along River Avenue. Implementation of the project would result in a 29-foot-tall, three-story, 3,153-square-foot duplex with an attached 584-square-foot three-car garage and one tandem carport. With the exception of the requested rear setback and stepback deviations, the project would comply with all other development standards such as floor area, height limits, and setbacks.

The project is categorically exempt under Section 15303, of the State CEQA (California Environmental Quality Act) Guidelines - Class 3 (New Construction or Conversion of Small Structures).

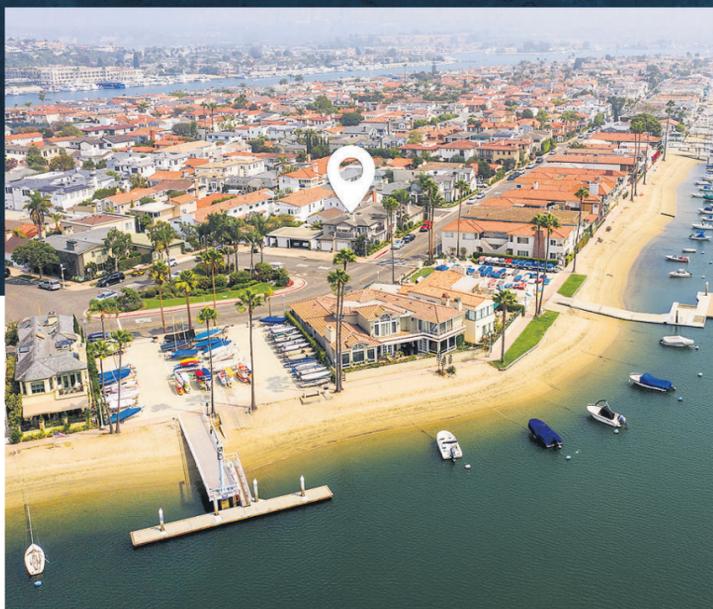
All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapters 20.64 and 21.64 (Appeals and Appeals and Calls for Review). A fee is required to appeal any final action on a coastal development permit to the City Council. The project site is located within the appeal area of the coastal zone; therefore, final action by the City to approve a Coastal Development Permit may be appealed to the California Coastal Commission.

Planning Commission - SPECIAL NOTICE REGARDING COVID-19
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Project File No.: PA2020-072	Activity No.: VA2020-002 and CD2020-021
Zone: R-2 (Two-Family Residential)	General Plan: RT (Two-Unit Residential)
Coastal Land Use Plan: RT-D Two Unit Residential (RT-D-29.9 DU/AC)	Filing Date: May 15, 2020
Location: 5406 and 5408 Neptune Avenue	Applicant: Mr. and Mrs. Robert DeCaro

Lauren Kleiman, Secretary, Planning Commission, City of Newport Beach

The McCormick Group Market Update



Reduced Price | 412 Via Lido Soud, Lido Isle | \$4,895,000 | 5 BR, 5.5 BA | Approx. 4,569sf | Web# NP20192855



New Construction Listing | 309 Anade, Newport Beach | \$3,495,000 | 4 BR, 5 BA | Approx. 2,352sf | Web# NP20171812



Sold | Represented Buyer & Seller | 901 Zurich Circle, Lido Isle | Sold \$5,300,000 | 3 BR, 3 BA | Approx. 3,190sf

Visit McCormickGroupOC.com for more information.



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