

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
521-8036



Staff: LRO-SD
Staff Report: 1/8/98
Hearing Date: 2/3-7/98

AMENDMENT REQUESTSTAFF REPORT AND PRELIMINARY RECOMMENDATION

wed 13a

Application No.: A-6-LJS-96-162-A-1

Applicant: Thomas and Cinda Hicks

Agent: Matthew A. Peterson

Original

Description: Demolition of an existing two-level (1-story from east elevation and 2-story from west elevation), 12-foot high (east elevation), 2,300 sq.ft. single-family residence and construction of a three-level (2-story from east elevation and 3-story from west elevation), approx. 24-foot high (east elevation), 10,920 sq.ft. single-family residence on a 13,551 sq.ft. oceanfront lot.

Proposed

Amendment: Reduction in size and redesign of proposed three-level single-family residence from 10,920 sq.ft. to 8,893 sq.ft., reduction in height from 22.5 (max.) above the curb to 19 ft. (max.) above the curb, increase in sideyard setback at northeast corner of the residence at street level from four feet to seven feet, and change design of second story to reduce encroachment into public view corridor.

Site: 8504 El Paseo Grande, La Jolla, San Diego, San Diego County.
APN 346-090-17

PRELIMINARY STAFF RECOMMENDATION:

Staff is recommending approval of the subject amendment request as the proposed residence has been redesigned to incorporate a recessed second-level at the north elevation and increased setbacks along the entire north elevation to reduce its encroachment into the public view corridor. In addition, the proposed residence has also been reduced in size to address its compatibility with the character of the surrounding neighborhood.

Substantive File Documents: Certified La Jolla-La Jolla Shores LCP Addendum; La Jolla Shores Precise Plan; La Jolla Shores PDO and Design Manual; La Jolla

Shores PDO; La Jolla (Draft) LUP - Approved 1/95; Staff Report and Recommendation on Appeal dated 4/24/97 and Staff Report for Request for Reconsideration dated 7/16/97.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed permit amendment, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Special Conditions of Original Coastal Development Permit. Approval of the subject amendment request only deletes Special Condition No. 1(a) of CCC CDP #A-6-LJS-96-162-R. Special Condition Nos. 1(b), 1(c) and 2 of the subject permit shall remain in full force and effect.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project History/Amendment and Site Description. The original permit for the subject site was approved by the Coastal Commission on 5/14/97. Special Condition No. 1 required the following:

The proposed residence shall not, at any point, exceed an elevation derived from a stringline drawn between the maximum roof elevations of the residential structures adjacent to the north and south of the subject site, as shown in concept on the attached Exhibit No. 11.

The Commission's approval essentially limited the height of the proposed residence to approx. 12 feet or one-story, the same height as the existing residence which is one-story from its east elevation. The Coastal Commission found that the proposed residence, at three-stories and 10,920 sq.ft., would be greater than the surrounding residences and out of scale with the community character and that its size and height would impact a designated public view corridor (La Jolla Shores Drive at Camino de Collado looking west), inconsistent with the certified LCP and applicable Chapter 3 policies of the Coastal Act. As such, the purpose of the condition and the Commission's restriction on the size of the home was to protect public views to the ocean to the same degree that they presently exist and to allow for new development that is more consistent with the character of the newer surrounding development.

On 6/16/97, the applicant requested a reconsideration of the Commission's decision on the subject permit. The matter was scheduled for Commission review at its 8/13/97 meeting. At the meeting, the Commission denied the applicant's request for reconsideration, as the applicant had not raised valid grounds for reconsideration. The applicant's representative briefly addressed the Commission and distributed a proposed revised project design, in concept, to address the proposed residence's impact on the designated public view corridor as well as community character. The Executive Director indicated an amendment application must be rejected if it modifies the intent of a special condition, pursuant to Section 13166 of the Code of Regulations. The applicant's representative indicated to the Commission that through the proposed project redesign, the Commission's intent of the attached special condition could still be met, therefore, the application for amendment should be accepted. The Coastal Commission then directed Commission staff to accept a permit amendment application from the applicants for a redesign indicating there may be more than one way to meet the intent of the special condition.

The project site is located on the west side of El Paseo Grande, one block west of La Jolla Shores Drive. The site is surrounded by other single family residential development. Half a block to the north is a public accessway and a parking lot associated with the Scripps Institute of Oceanography. Half a block to the south is Kellogg Park, a dedicated City park which abuts the La Jolla Shores beach recreational area. The project site is located approx. mid-block in this strip off El Paseo Grande which contains other large oceanfront single family residences that are bordered to the west by a contiguous seawall.

2. Public View Corridor/Visual Compatibility of Development. In an effort to address the Commission's concerns, the applicant has revised the project design by reducing the size of the proposed home from 10,920 sq.ft. to 8,893 sq.ft. which results in a reduction of 2,027 sq.ft. The proposed changes to the square footages of the home are as follows: the lower level of the proposed residence has been reduced from 5,216 sq.ft. to 4,340 sq.ft., the main level has been reduced from 2,736 sq.ft. to 2,205 sq.ft., the garage has been increased from 952 sq.ft. to 1,046 sq. (for a total reduction at this level of 437 sq.ft.) and the upper level has been reduced from 2,892 sq.ft. to 2,426 sq.ft. The

proposed residence will still contain three levels and will appear as a one and two-level residence from the east (street) elevation and a three-level residence from the west (beach) elevation, whereas previously, the proposed residence appeared as a complete two-level residence from its east elevation.

The applicant has submitted plans which show the comparative roof line elevations of the proposed residence and how it compares with the existing residence. All elevations have been established from sea level and heights are measured above the adjacent curb elevation, which is +35.0 feet. In the previous review of the proposed project, there was a great deal of ambiguity involved in the calculation of the height of the proposed home as several different criteria were being used as a basis for measurement. By utilizing the curb elevation as a frame of reference, all figures are consistent and easy to check for accuracy. The one-level element of the proposed residence is 12 feet above the curb elevation which is 6-inches higher than the existing residence.

In addition, a telephone pole at the northeast corner of the property has been used as a stable monument for purposes of measuring the first and second levels of the proposed residence along the north elevation of the proposed home. The second level of the proposed residence is set back 15'4" from the northern property line, thus, it is terraced back to create an opening and to preserve the public views to the ocean which exist from La Jolla Shores Drive looking west down Camino del Collado. The applicant has also submitted a computer-generated photograph which demonstrates that no portion of the upper level of the residence will extend to the north (or right side) of the telephone pole as viewed from the center of La Jolla Shores Drive at Camino del Collado looking west while standing at this location (Exhibit No. 8). According to the applicant's representative, the upper level of the residence is situated approx. two feet south of the telephone pole.

In the photograph, there are two vertical lines which reflect the extension of the right-of-way of Camino del Collado. However, staff considers the area beyond these lines to be part of the view corridor. The proposed redesign preserves a greater view corridor because it will be a one-level structure in this area that does not exceed the height of the existing residence. While there still remains some differences in opinion as to what actually represents the view corridor, the proposed redesign is a significant improvement over the previous proposal. The Commission does not believe that a view corridor can be defined by straight or parallel lines. As was stated in the staff report for recommendation on appeal dated 4/24/97, "...the symbol of an arrow shown in a westerly direction on the visual access maps of the certified LCP means more than a "linear" view to the ocean. Wherever a view corridor exists, there is typically a "viewshed" associated with such a view corridor..." The Commission regards the "viewshed" in this particular case, to consist of that area also shown to the left of the telephone pole. However, as noted above, the area between the telephone pole and the north property line will remain the same as the existing site conditions which will preserve existing views to the ocean as viewed from La Jolla Shores Drive at Camino del Collado looking west.

The applicant installed story poles on the site on 1/12/98 which were checked in the field by Commission staff along with staff from Island Architects West. A licensed surveyor also submitted certification of the story poles to confirm their accuracy, a copy of which is contained in the project file. The location of the story poles, as seen in the project photographs and slides taken on 1/12/98, are shown on a plan as shown on Exhibit No. 9.

The story poles were placed to represent the northerly extent and height of the first level and second levels of the residence and their relationship to the designated public view corridor. No story poles were installed on the one-story element of the residence at the northwest corner of the property because the elevation of the structure would have been out of view behind the roofline of the existing residence since it is at a lower elevation. An orange marker was also placed at the base of the existing cupola on the roof of the garage of the existing residence which represents the top and middle of the ridge line of the one-story element of the proposed residence at the northeast corner of the property. Slides and pictures were taken looking west from the center of Camino del Collado at La Jolla Shores Drive and from both the north and south sides of the street at this location. All of the second level of the proposed residence is located south of the telephone pole from these two vantage points. When standing at the north side of the street, a portion of the second level partially extends slightly to the north of the telephone pole. The same is true while standing halfway down Camino del Collado (between La Jolla Shore Drive and El Paseo Grande) and at El Paseo Grande. However, at El Paseo Grande, the only ocean horizon views visible are those between the setback area of the existing residence and the residence immediately to the north as the existing roofline of the residence already blocks views to the west when viewed from this location.

Therefore, for the most part, existing views above the roof line of the existing residence between the telephone pole and to the north will be preserved in their present condition. It is clear that all portions of the second level will block ocean horizon views that exist above the roof line of the existing residence. However, these views are located at the most southern portion of the lot which may lie well outside of the designated view corridor. It should also be mentioned that when the proposed project was first reviewed by the Commission last April, there was a large tree/shrub on the southeast corner of El Paseo Grande and Camino del Collado immediately across the street from the subject site which blocked views to the ocean which existed above the roof line of the existing residence (reference Exhibit No. 8). Since that time, however, the tree has been removed, so in current slides and photographs, the extent of ocean horizon and blue water views above the roof line of the existing residence south of the telephone pole as viewed from La Jolla Shores Drive at Camino del Collado, are greater in scope, and extend further south, than what existed last April. Nonetheless, the Commission does not regard the most southern views across the roof of the existing residence to be located within the designated public view corridor. The applicant has demonstrated that through the proposed project redesign, the Commission's intent to preserve ocean horizon views in the designated public view corridor can be met through terracing the residence such that it is

only one level at its most northern elevation and then two-levels commencing 15 feet south of the north property line.

In addition, through the project redesign, the building footprint has been reversed/flipped. As originally proposed, there was an open courtyard on the south side of the residence. The new design incorporates an open courtyard on the north elevation in an effort to reduce/eliminate the proposed residence's intrusion into the designated public view corridor and to "open up" the public view corridor. Similarly, the building setbacks have been increased along the north side of the residence as follows, and as shown in Exhibit No. 7 and No. 3/Site Plan:

	<u>Previously Proposed</u>	<u>Proposed</u>	<u>Difference</u>
Main level NW end	6' - 3 1/4"	6'6"	+2 3/4"
Main level NE end	4'	7'	+3'
Upper level NW end	6'9"	20'2"	+13'5"
Upper level NE end	6'	15'4"	+9'4"

It should also be noted that Special Condition No. 2 of the original permit will remain in full force and effect. That condition required that the applicant submit final landscape plans and record a deed restriction such that any proposed landscaping/vegetation be maintained on the property such that during growing stages or upon maturity that it not encroach into the designated public view corridor. This requirement will also help to assure that existing public views to the ocean will be preserved in perpetuity.

With regard to the second issue concerning compatibility of the structure with the surrounding character of the neighborhood, as noted previously, the proposed residence has been reduced in size from 10,920 sq.ft. to 8,893 sq.ft. As a result, the floor area ratio (F.A.R.) has also decreased from that originally proposed at 0.52 to the current proposal of 0.44. While the residence will still be larger than most of the residences on the west side of the block, its original bulk and scale had a significant impact on the designated public view corridor. The applicant, through the proposed amendment request, has designed the home in a manner to comply with the Commission's intent in a different way which will allow for a partial two-story element from the east elevation while still preserving the views associated with the designated public view corridor adjacent to the north.

The proposed residence is not out of scale with many of the residences on the east side of the street. It should also be noted that an additional condition of approval of the original permit approved by the Commission required that the western facade of the proposed residence not extend further seaward than the stringline drawn between the residences to the north and south. The proposed residence, as redesigned, is consistent with this condition.

Therefore, in summary, since the proposed project will maintain the existing public views along the northern portion of the property, adjacent to the public view corridor, the proposed amendment can be found consistent with the certified La Jolla-La Jolla Shores LCP Addendum. The Commission finds that approval of the subject amendment should not prejudice the ability of the City of San Diego to implement its certified LCP for the La Jolla area.

3. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the visual resource policies of the Coastal Act. Mitigation measures, including a condition which specifies that the special conditions of the original permit addressing stringline of development and maintenance of landscaping adjacent to the public view corridor shall remain in full force and effect, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

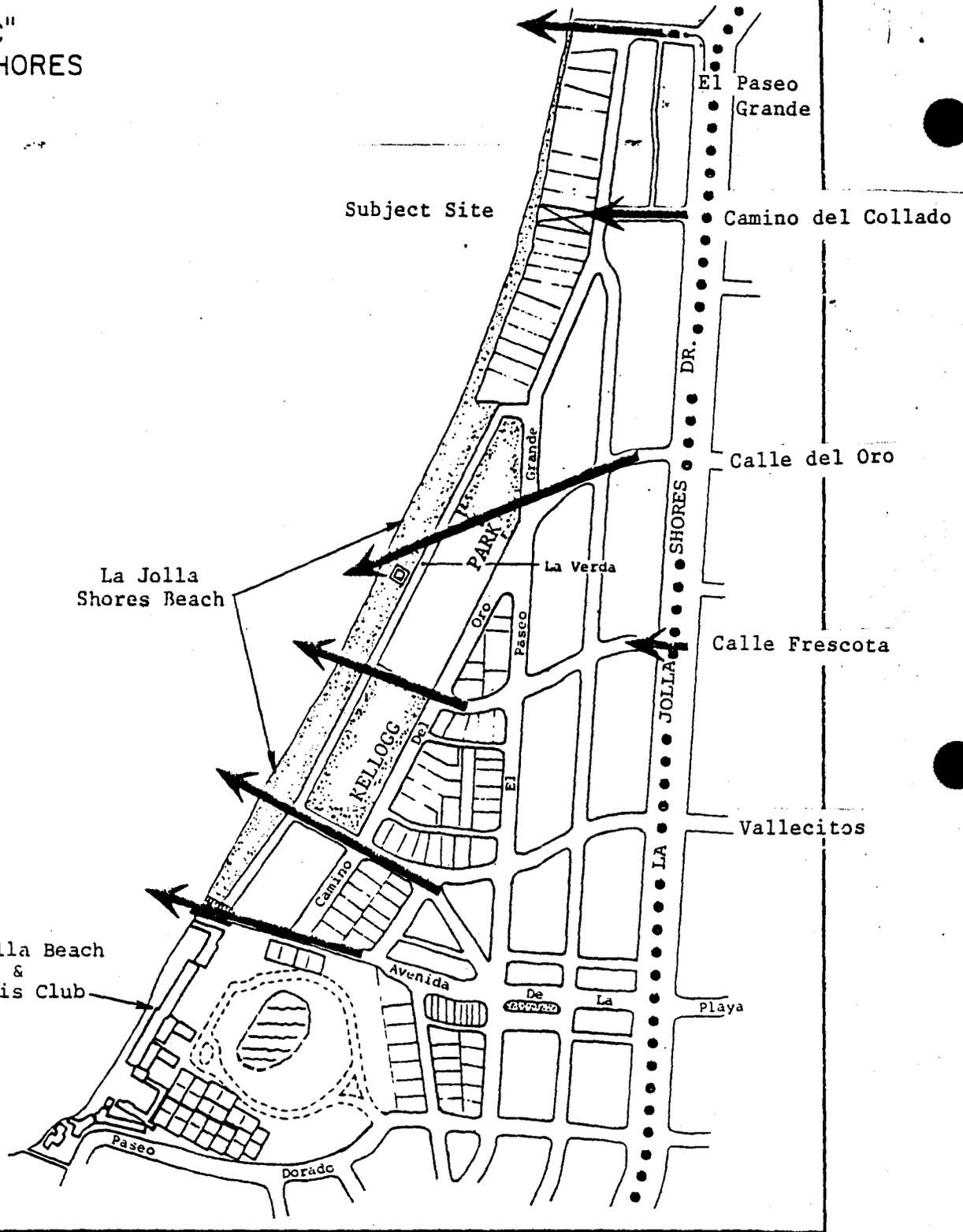
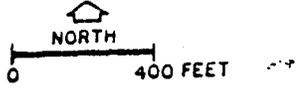
STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall

be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SUB AREA "C"
LA JOLLA SHORES



La Jolla • La Jolla Shores
LOCAL COASTAL PROGRAM • VISUAL ACCESS

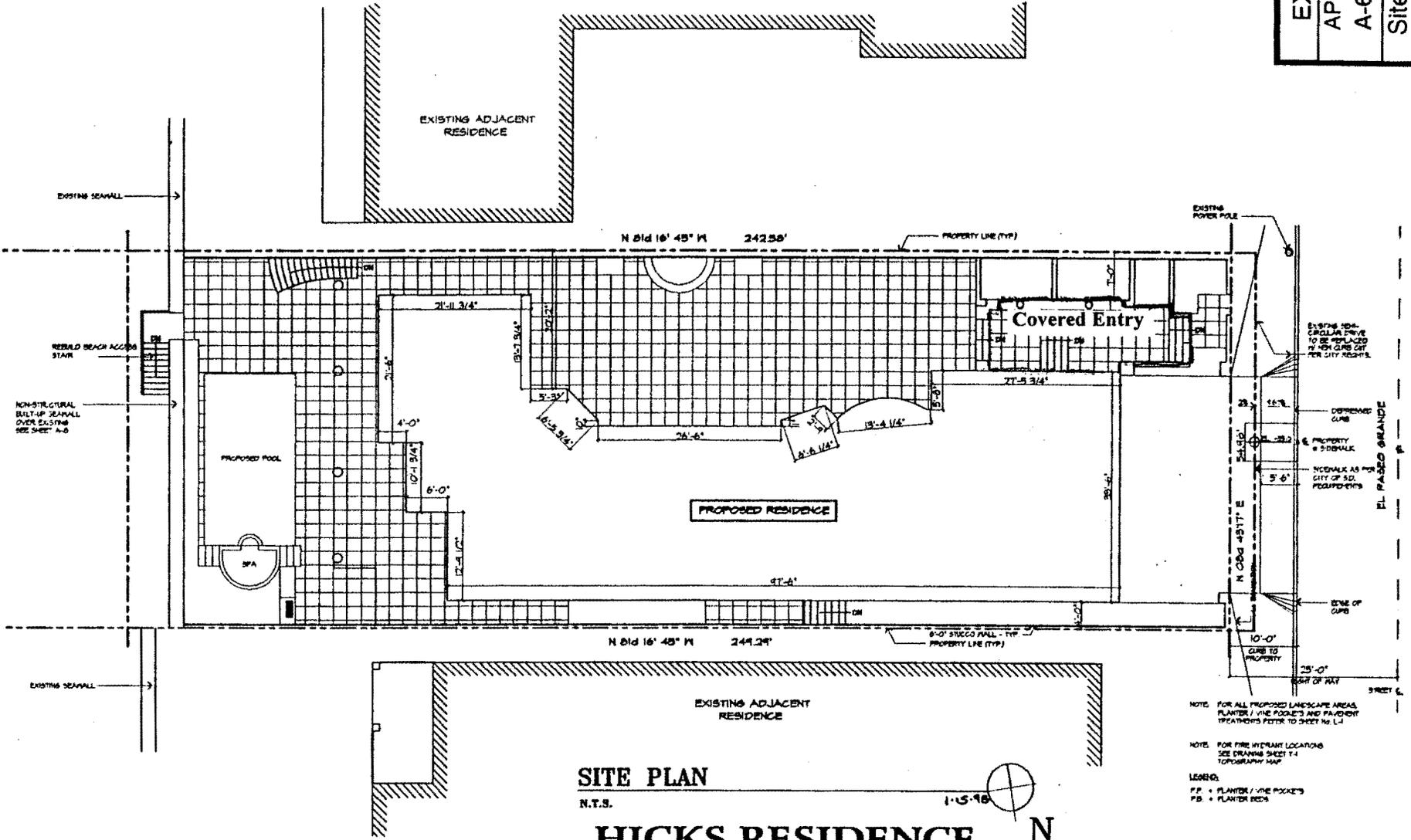


CITY OF SAN DIEGO
PLANNING DEPARTMENT

- SCENIC ROADWAY
- ← VISUAL ACCESS CORRIDOR (existing)

EXHIBIT NO. 2
APPLICATION NO.
A-6-LJS-96-162-R-A
Existing View Corridor/Certified LCP
California Coastal Commission

EXHIBIT NO. 3
APPLICATION NO.
A-6-LJS-96-162-A1
Site Plan (Current)
 California Coastal Commission



NOTE: FOR ALL PROPOSED LANDSCAPE AREAS, PLANTER / VINE POCKETS AND PAVEMENT TREATMENTS REFER TO SHEET NO. L-1

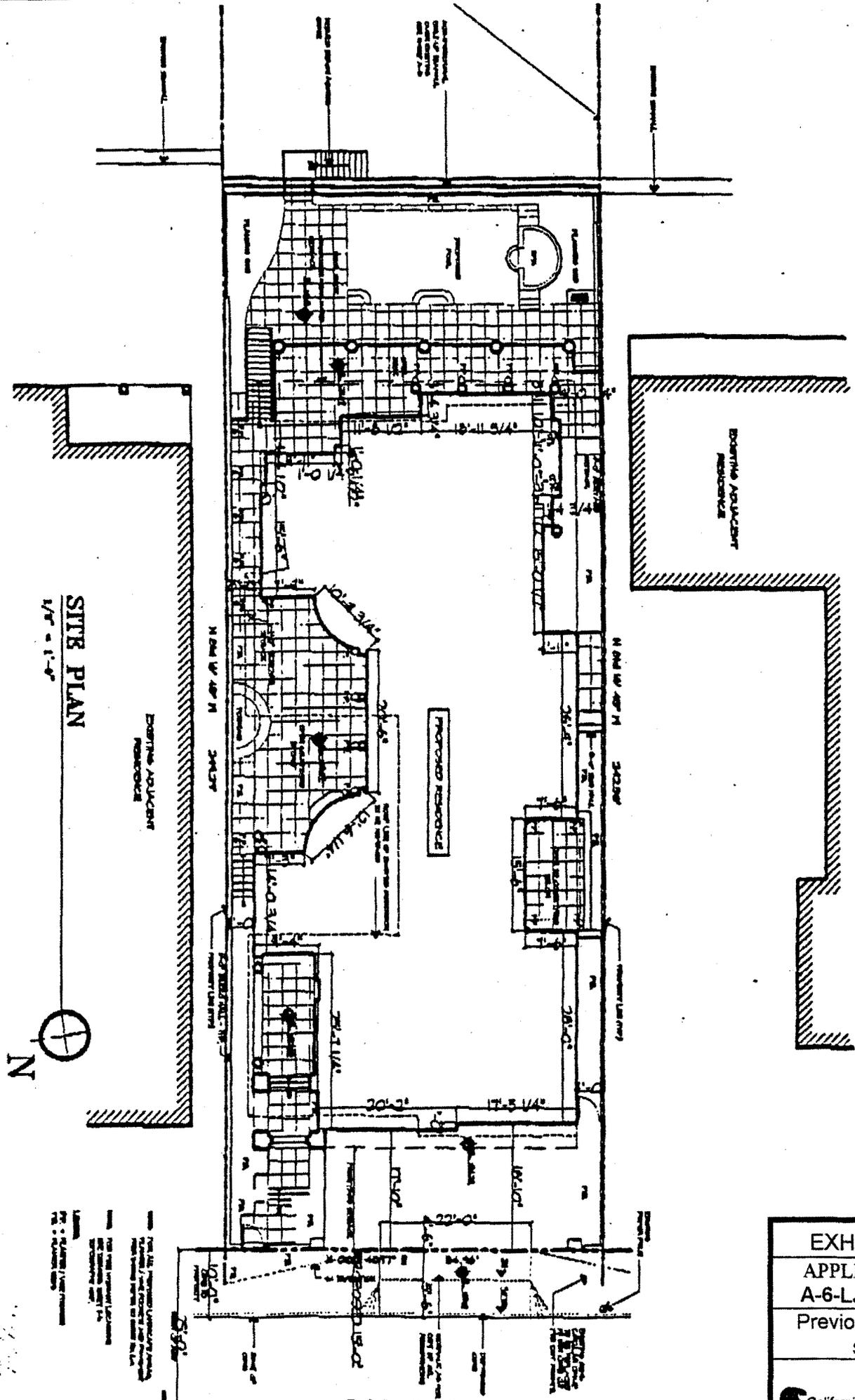
NOTE: FOR FIRE WEIRANT LOCATIONS SEE DRAWING SHEET T-1 TOPOGRAPHY MAP

LEGEND:
 P.P. • PLANTER / VINE POCKETS
 P.B. • PLANTER BEDS

SITE PLAN
 N.T.S. 1-15-96

HICKS RESIDENCE N

1304 EL PASO GRANDE LA JOLLA, CALIFORNIA

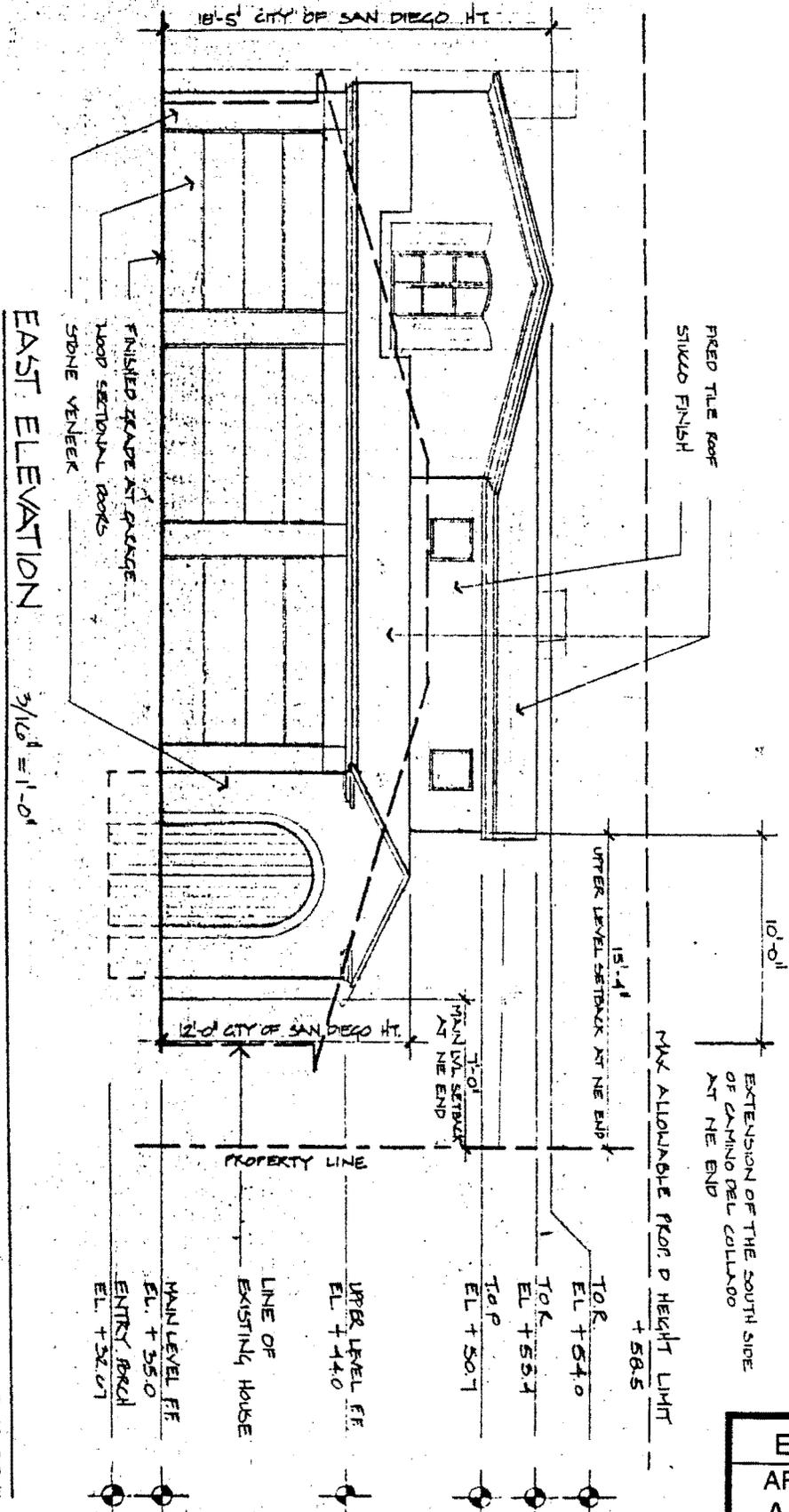


SITE PLAN
1/8" = 1'-0"



1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL ROOMS SHALL BE FINISHED TO THE FINISH LINE.
 3. ALL WALLS SHALL BE 12" THICK UNLESS OTHERWISE NOTED.
 4. ALL FLOORS SHALL BE FINISHED TO THE FINISH LINE.
 5. ALL CEILING SHALL BE FINISHED TO THE FINISH LINE.
 6. ALL ROOF SHALL BE FINISHED TO THE FINISH LINE.
 7. ALL EXTERIOR WALLS SHALL BE FINISHED TO THE FINISH LINE.
 8. ALL EXTERIOR FLOORS SHALL BE FINISHED TO THE FINISH LINE.
 9. ALL EXTERIOR CEILING SHALL BE FINISHED TO THE FINISH LINE.
 10. ALL EXTERIOR ROOF SHALL BE FINISHED TO THE FINISH LINE.

EXHIBIT NO. 4
APPLICATION NO. A-6-LJS-96-162-A1
Previously proposed site plan
California Coastal Commission



curb elev = + 35.0 ft.

- 9.13.97
- 9.24.97
- 10.6.97
- 10.14.97
- 10.20.97

EXHIBIT NO. 5
APPLICATION NO. A-6-LJS-96-162-A1
Presently proposed east elevation
California Coastal Commission

EAST ELEVATION
 3/16" = 1'-0"

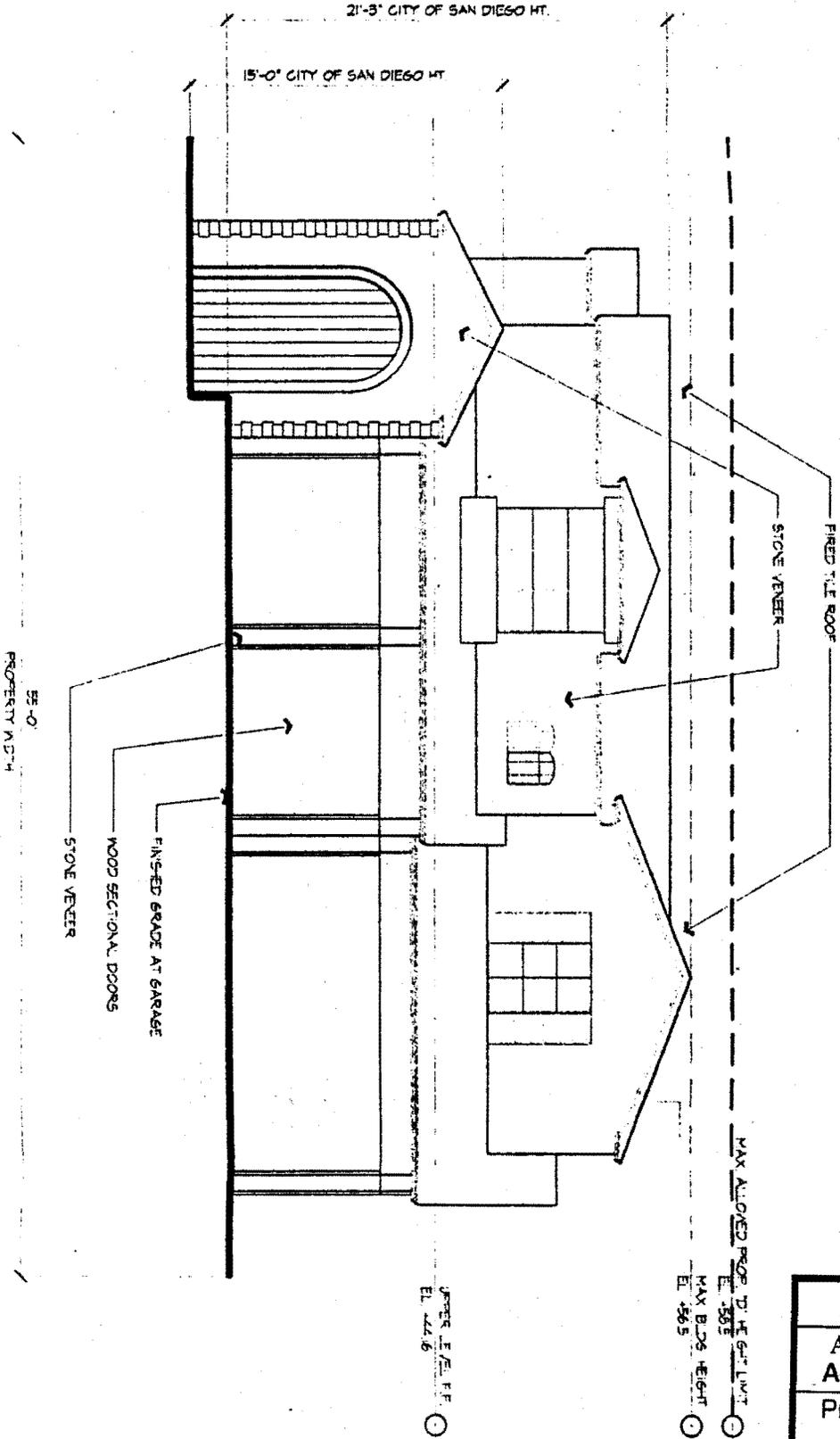


EXHIBIT NO. 6
APPLICATION NO. A-6-LJS-96-162-A1
Previously proposed east elevation
California Coastal Commission

DESCRIPTION OF PROPOSED AMENDMENT

TO

COASTAL PERMIT A-6-96-162-R

In accordance with the direction of the Coastal Commission at the reconsideration hearing, we have made the following changes to the proposed residence at 8504 El Paseo Grande, La Jolla, California in order to reduce bulk and scale as perceived from public view and enhance view corridor beyond what exists today.

SIGNIFICANT REDUCTIONS/MODIFICATIONS

Description	Previous Proposed	Proposed	Difference
• Floor	10,920 s.f.	8,893 s.f.	-2,027 s.f.
• Upper Level Roofs	21'-6" to 22'-6" above curb	18'-6" to 19'-0" above curb	-3'-0"

Northside Setbacks (View Corridor)

• Main Level NW End	6'-3¼"	6'-6"	+2-¾"
• Main Level NE End	4'-0"	7'-0"	+3'-0"
• Upper Level NW End	6'-9"	20'-2"	+13'-5"
• Upper Level NE End	6'-0"	15'-4"	+9'-4"

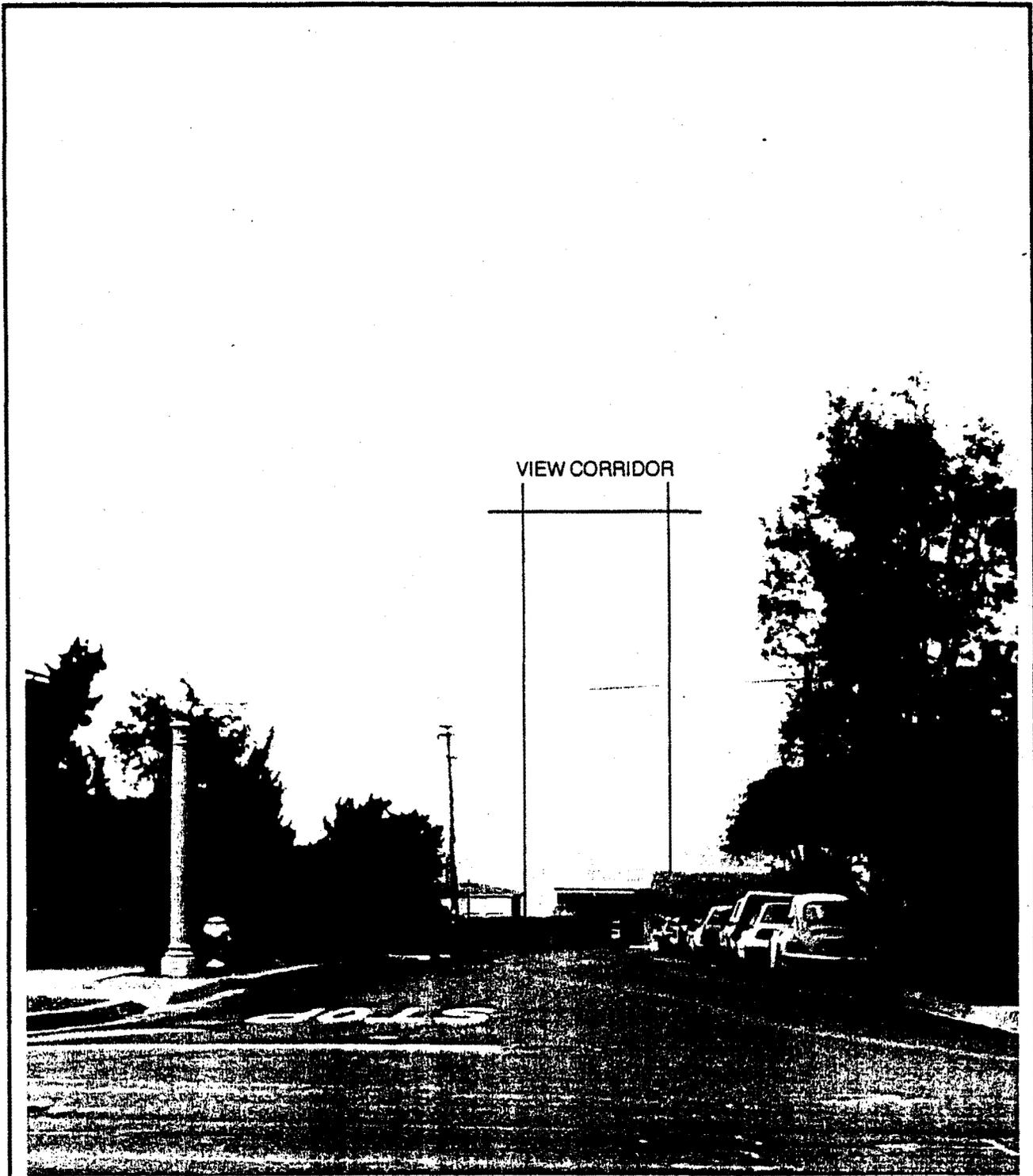
EXHIBIT NO. 7

APPLICATION NO.
A-6-LJS-96-162-A1

Description of
Proposed Amendment

 California Coastal Commission

Current Design



PHOTOGRAPH "A"
H I C K S R E S I D E N
VIEW CORRIDOR STUDY

Current Design

EXHIBIT NO. 8
APPLICATION NO. A-6-LJS-96-162-A1
Computer-generated photograph from LJ Shores Drive @ Camino del Collado looking west
 California Coastal Commission

EXTENSION OF NORTH SIDE OF
CAMINO DEL COLLADO R.O.W.

EXTENSION OF THE NORTH SIDE OF
CAMINO DEL COLLADO CURB

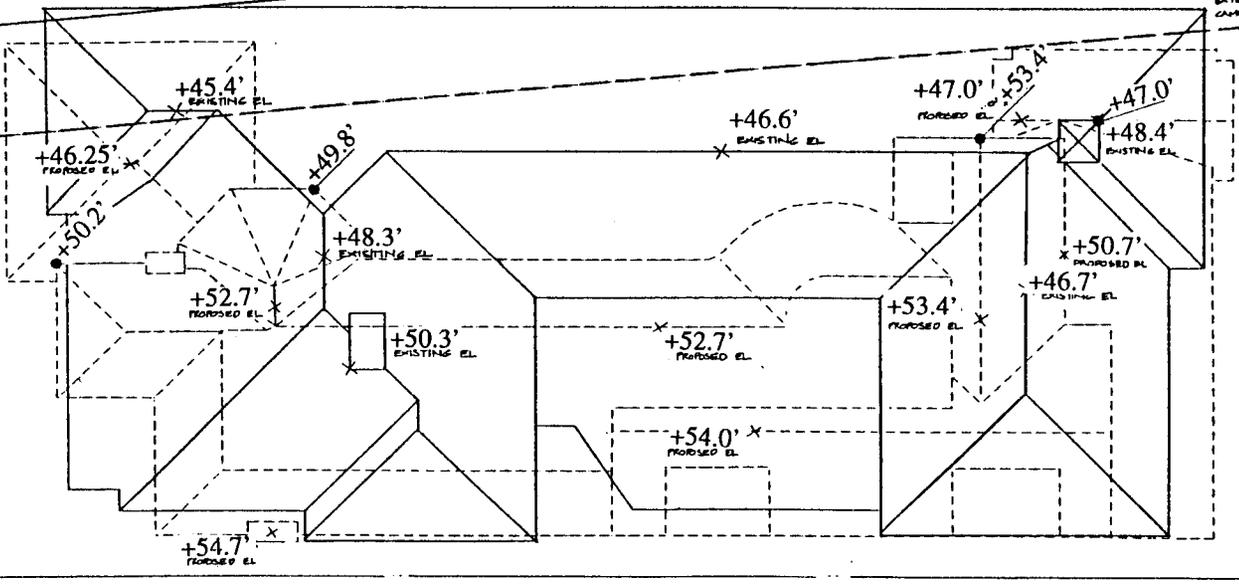
EXHIBIT NO. 9
APPLICATION NO. A-6-LJS-96-162-A1
Comparative Roof Plan of Exg. SFR & Proposed SFR/ Location of Story Poles
 California Coastal Commission

EXTENSION OF THE SOUTH SIDE OF
CAMINO DEL COLLADO CURB

EXTENSION OF THE SOUTH SIDE OF
CAMINO DEL COLLADO R.O.W.

EXTENSION OF THE SOUTH SIDE OF
CAMINO DEL COLLADO CURB

EXTENSION OF THE SOUTH SIDE OF
CAMINO DEL COLLADO R.O.W.



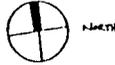
LEGEND:

- EXISTING ROOF PLAN _____
- PROPOSED ROOF PLAN - - - - -
- STORY POLE LOCATION •

COMPARATIVE ROOF PLAN 3/4" = 1'-0"

EXISTING ROOF PLAN _____
 PROPOSED ROOF PLAN - - - - -
 STORY POLE LOCATION •

11.7.91
 8:10 AM
 1.9.90



HICKS RESIDENCE
 8504 EL PASEO GRANDE
 LA JOLLA, CA.

ISLAND ARCHITECTS WEST
 TONY CRISAFI, AIA
 LA JOLLA, CA 92037
 1400 W. CALICO AVENUE
 TEL: 619-488-9281 FAX: 619-486-0281
 ST. JOHN, ILL. OFFICES: 618-488-9281

A-41

LA JOLLA SHORES ASSOCIATION

P. O. Box 64
La Jolla, CA 92038

January 14, 1998

California Coastal Commission, San Diego Coast Area
3111 Camino del Rio North, Suite 200
San Diego, CA 92108-1725

RECEIVED

JAN 14 1998

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Subject: Decision on A-6-LJS-95-162 (Hicks, San Diego)

Attachments: I - Point Paper
II - Photograph of View

Dear Members of the California Coastal Commission and Staff,

In May of 1997 you validated our appeal concerning the Hicks project. We were pleased that the Commission voted to adopt the staff report, which permitted the project with conditions. One of which was that it be essentially limited to one-story from the street. One of the key elements of the approval was that sidewalk and broad ocean views are included in the public view corridor definition: It is not limited to tunnel vision down a narrow street. The results of this action benefit the entire coastline. Had the Hicks project been approved without conditions, the concept of public view corridors would have been trivialized.

However, as shown by the attached point paper (Attachment I), the Hicks filed for a reconsideration, which was denied at the August 1997 Commission meeting. Instead the Commission directed Staff to consider a modified plan. A comparison of this plan's bulk and scale with those of the existing house and the plan proposed at Santa Barbara is given in Attachment I. The newly modified plan shows a 20% reduction in floor area to 8,800 sq. ft. and a change in height. The modified plan still is a huge three-story house, rising about 19 ft. from the curb. This height is shown by the line drawn on Attachment II. The developers have retained the second story element from the street side (violating the May 1997 decision), seriously impacting the horizon views and the view corridor. The average above-curb height of the four homes to the north of this site is 12.0 ft. and 12.2 ft for the four homes to the south. This proposed house will be the largest and tallest house on the ocean side of the street on the highest lot.

Our concerns with the originally proposed project, and now the modified plan, have been and remain, its blockage of a public view corridor and the sheer bulk of the structure. The project violates the Local Coastal Program and the La Jolla Shores Planned District Ordinance, which the Commission upheld by its May 1997 decision on this project. Redevelopment along the pattern proposed by Hicks will create Malibu-South. We hope that you will continue to support us and the people we represent on this important, public view corridor definition which protects against flagrant overbuilding of the coastline. If the Board can be of further assistance, please phone me at (619) 551-0770.

Sincerely,



Sherri S. Lightner
Chairman

cc: LJSA Correspondence Files

LJSA Board

EXHIBIT NO. 10

APPLICATION NO.
A-6-LJS-96-162-A1

Letter of Concern

California Coastal Commission

ATTACHMENT I

POINT PAPER PROPOSED HICKS RESIDENCE AT 8504 EL PASEO GRANDE

PERMIT HISTORY:

- 1) May 30, 1996: The Planning Commission voted (4 to 3) to deny a permit for two major reasons:
 - a) A view corridor was partially blocked.
 - b) The height and bulk did not meet the requirements of the Planned District Ordinance.
- 2) June 26, 1996: Hicks applied for a reconsideration.
- 3) September 11, 1996: Planning Commission voted (4 to 3) to grant a permit. Hicks had made trivial changes to the height and bulk and had widened the view corridor by about 2 ft.
- 4) November 12, 1996: City Council voted to grant the permit.
- 5) February 6, 1997: California Coastal Commission (CCC) opened and continued a hearing on appeal.
- 6) March 7, 1997: CCC staff issued their staff report.
- 7) April 9, 1997: CCC continued the hearing to May at the request of Hicks.
- 8) May 14, 1997: CCC voted (7 to 5) to limit the height and preserve the view corridor.
- 9) June 13, 1997: Hicks requested a reconsideration by the CC.
- 10) July 16, 1997: CCC staff recommended against a reconsideration.
- 11) August 1997: CCC essentially grants a reconsideration.

OBSERVATION: Hicks strong-armed the San Diego City Planning Commission in September 1996, and is now trying to do the same with the CCC.

PROJECT DEFINITION:

	EXISTING HOUSE	REJECTED SANTA BARBARA PLAN	MODIFIED PLAN
Lot area	13,551 sq. ft.		
Non beach area:	8,500 (approx.)		
Total floor area:	2,300 sq. ft.	10,920 sq. ft.	8,893 sq. ft.
FAR (total lot):	.17	.81	.66
FAR (non-beach):	.27	1.2	.99
Height above beach:	47 ft.	56.5 ft.	54.0 ft.
Height above street:	12 ft.	21.5 ft.	19.0 ft.

EXISTING AREA ENVIRONMENT:

- 1) With one exception (1/8 mile to the south of Hicks), all houses along the beach are one story from the street.
- 2) The view corridor down Camino Del Collado is significant. The ocean can be seen over the roofs of the houses along the beach.
- 3) Houses along the beach are not intimidating from either the beach or El Paseo Grande.

THE COMMUNITY AND CCC STAFF WERE IN AGREEMENT AT SANTA BARBARA:

- 1) An important public view corridor is being adversely affected.
- 2) The bulk and scale of the residence are not consistent with zoning regulations.
- 3) A cumulative adverse impact would result from additional large houses being built along the beach.

THE COMMUNITY BELIEVES THAT THESE THREE POINTS ARE STILL VALID FOR THE CURRENT HICKS DESIGN.

HUNDREDS OF PEOPLE HAVE SIGNED PETITIONS OPPOSING THE HICKS PROJECT.

Exhibit 10 (cont.)

ATTACHMENT II

Height of Proposed Development



January 13, 1998 2:00 PM P

Exhibit 10(cont.)