

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863

**Th10a****RECORD PACKET COPY****Previous Coastal Commission Actions & Dates**

Project approved with conditions: 05/07/01  
Project amendment denied: 06/13/02

**Revised Findings**

Revised findings staff report prepared: 07/24/02  
Revised findings hearing date: 08/08/02  
Staff: SAM-SC

## **REVISED STAFF REPORT: REVISED FINDINGS FOR COASTAL DEVELOPMENT PERMIT AMENDMENT**

**Local government:** .....City of Pacific Grove

**Local Decision:** .....Architectural Review Board approval on 1/8/02 (AA#2600-99), Pacific Grove City Council approval 2/6/02.

**Amendment Number** .....3-01-013-A1

**Applicant**.....Paul & Betty Baldacci

**Project location**.....1698 Sunset Drive in the Asilomar Dunes neighborhood of Pacific Grove (APN007-041-028).

**Project description** .....Raise the floor elevation and thus the roof elevation of the garage portion of an approved single family dwelling by 2.8 feet.

**File documents**.....CCC Coastal Development Permit Application files 3-01-013 and 3-01-013-A1; and City of Pacific Grove certified Land Use Plan.

**Commission Action** .....Denied.

**Date of Action** .....June 13, 2002

**Commissioners on prevailing side:** Hart, Kruer, Potter, Reilly, Woolly, Luna, Wan.

**Staff recommendation** ...Adopt Revised Findings

**Staff Note:** The Coastal Commission denied this proposed amendment after public hearing at their June 2002 meeting in Long Beach by a vote of 0-7. In the course of that denial, the Commission modified findings, and the final vote was predicated on the understanding that the project would be brought back before the Commission for the adoption of revised findings that reflected the changes made by the Commission. Staff made substantive changes to Finding 1 concerning Visual Resources (p. 4), and the CEQA findings (p. 7).



**California Coastal Commission**  
**September 2002 Meeting in Los Angeles**

Staff: SAM Approved by: *C.L. 8/24/02*

**Synopsis of the Coastal Commission June 13, 2002 action:** The Applicant's proposed amendment raised concerns regarding adverse impacts to sensitive visual resources along a designated scenic drive in the Asilomar dunes area of the City of Pacific Grove, and consistency of the project with the policies of Chapter 3 of the Coastal Act. After public hearing, the Coastal Commission denied the proposed amendment to raise the roof level of the garage portion of the approved house by 2.8 feet.

**Summary of Staff Recommendation:** The staff recommends that the Commission adopt the following revised findings in support of the Commission's action on June 13, 2002 denying the permit for an amendment to raise the roof of the garage, which is the subject of 3- 01-013-A1.

## Staff Recommendation on Revised Findings

The staff recommends that the Commission adopt the following revised findings in support of its denial of an amendment to a coastal development permit for the proposed development on June 13, 2002.

**Motion:** "I move that the Commission adopt the revised findings in support of the Commission's action on June 13, 2002 denying the development proposed under amendment number 3- 01-013-A1 pursuant to the staff recommendation.

**Staff Recommendation of Adoption:** Staff recommends a YES vote. Passage of this motion will result in adoption of the following resolution, revised findings and conditions as set forth in this report. The motion requires majority vote of the members from the prevailing side present at the June 13, 2002 hearing, with at least three of the prevailing members voting. **Commissioners eligible to vote on the revised findings are Commissioners Hart, Kruer, Potter Reilly, Woolley, Luna and Wan.** If the motion fails, the revised findings are postponed to a later meeting.

**Resolution:** The Commission hereby adopts the findings and conditions set forth below for denial of an amendment to a coastal development permit for the proposed development on the grounds that the findings support the Commission's decision made on June 13, 2002 and accurately reflect reasons for it.

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## **I. Project Procedural History**

The Coastal Commission approved the original permit for construction of the house and garage on May 7, 2001. The proposed amendment that is the subject of this report was approved by the City of Pacific Grove's Architectural Board on January 8, 2002 and by the City Council on February 6, 2002. This local approval was submitted to the Coastal Commission, and an application for a coastal development permit amendment was filed on April 26, 2002. On June 13, 2002 in Long Beach, the Commission opened a public hearing on the proposed amendment to the previously approved permit and found the amendment inconsistent with the policies of Chapter 3 of the Coastal Act. This staff report provides the findings in support of the Commission's action.

The Standard of Review for the analysis of this amendment request is the resource protection policies of Chapter 3 of the Coastal Act.

## **II. Findings and Declarations**

The Commission finds and declares as follows:

### **A. Project Location and Description**

The site of the approved house design proposed for amendment by this application is a rectangular, ± 46,440 square foot vacant lot at 1687 Sunset Drive (between Jewell Avenue and Arena Avenue) in the Asilomar Dunes neighborhood of the City of Pacific Grove. The Asilomar Dunes neighborhood is mapped as the area bounded by Lighthouse Avenue, Asilomar Avenue, and the northern boundary of Asilomar State Park to the south. West of the site, across Sunset Drive, is a narrow, low, coastal bluff that is part of the Asilomar State Beach (see Exhibits B and G).

The roughly 144-foot wide by 322-foot long lot extends east from Sunset Drive and consists of a gently sloping sand dune that rises a total of 35-feet in elevation from Sunset Drive to the eastern property boundary. According to the 1999 biological report prepared for the site by Tom Moss, the site has a generally even topographic character and lack of dune landforms due to grading activities performed by a previous owner in the 1950's. No granitic rock outcroppings have been described as occurring on the parcel.



The Commission approved coastal development permit 3-01-013 on May 7, 2001 to allow construction of the proposed single-family home, the grading plans for which are the subject of this amendment application. The Standard and Special Conditions of the original project are attached as Exhibit F for reference.

The Baldaccis are now applying for an amendment because it was discovered that base elevations being used for grading purposes were incorrect, and that grading according to the approved plans threatened the neighbor's existing retaining wall. The proposed change would raise the elevation of the garage by 2.8 feet, but the elevations of the remaining portions of the house would remain as approved.

The Commission approved a Coastal Development Permit for a 5,855 square foot single-family dwelling with a 4,519 square foot footprint, and a basement garage with a 1,127 square foot footprint (Exhibit E). As designed, the project includes the residence site, paved driveway and backup area, retaining walls, planter space, a rear deck, and side and entry boardwalks. The building site has been located approximately 111 feet from Sunset Drive, 113.5 feet from the rear property boundary, 10 feet from the southern property boundary and 30 feet from the northern property boundary. The placement of the residence and driveway has therefore been sited to avoid known populations of sensitive plant species on site.

As described in the adopted Initial Study/Mitigated Negative Declaration prepared for the project by the City of Pacific Grove, the subject parcel is located in an area zoned R-1-B-4, Low Density Residential, 1-2 dwelling units per acre. According to the Initial Study/Mitigated Negative Declaration prepared for this project, development within the surrounding neighborhood is characterized by single-family dwellings on lots that are larger than those typically found in Pacific Grove. This low-density zoning on relatively large lots gives this area an open-space character consistent with the zoning and low-density residential Land Use Plan designation.

## **B. Coastal Development Permit Determination**

### **1. Visual Resources**

This project will result in a 2.8-foot elevation increase in the garage portion of the approved house. An increase of this nature in a visually sensitive area such as the parcels fronting Sunset Drive has the potential to impact public views. Visual resources are specifically protected by Section 30251 of the Coastal Act, which states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance." The Asilomar Dunes area of Pacific Grove is well known for its visual beauty and is a popular destination for both visitors and residents of the area.

Although not the Standard of Review, the City's certified Land Use Plan contains policies that may be used for guidance and require the following:



**LUP Policy 2.5.2** ...Coastal area scenic and visual qualities are to be protected as resources of public importance. Development is required to be sited to protect public views, to minimize natural landform alteration, and to be visually compatible with the character of surrounding areas.

**LUP Policy 2.5.4.1** It is the policy of the City of Pacific Grove to consider and protect the visual quality of scenic areas as a resource of public importance. The portion of Pacific Grove's coastal zone designated scenic includes: all areas seaward of Ocean View Boulevard and Sunset Drive, Lighthouse Reservation Lands, Asilomar Conference Ground dune lands visible from Sunset Drive, lands fronting on the east side of Sunset Drive; and the forest front zone between Asilomar Avenue and the crest of the high dune (from the north side of the Pico Avenue intersection to Sinex Avenue).

**LUP Policy 2.5.5.4.** New development on parcels fronting on Sunset Drive shall compliment the open space character of the area. Design review of all new development shall be required. The following standards shall apply:

- a) Minimum building setbacks of 75 feet from Sunset Drive shall be maintained. Larger setbacks are encouraged if consistent with habitat protection.
- b) Residential structures shall be single story in height and shall maintain a low profile complimenting natural dune topography. In no case shall the maximum height exceed 18 feet above natural grade within the foundation perimeter prior to grading.
- c) Structures shall be sited to minimize alteration of natural dune topography. Restoration of disturbed dunes is mandatory as an element in the siting, design and construction of a proposed structure.
- d) Earthtone color schemes shall be utilized and other design features incorporated that assist in subordinating the structure to the natural setting.

Coastal Act Section 30251 provides for protection of views to and along the coast. In this area of Asilomar Dunes, the primary view of the ocean and along the coast, as described in LUP Policy 2.5.4.1, is the unobstructed view along and to the west of Sunset Drive. Views from Asilomar Avenue and Arena Drive, designated on the LUP's Shoreline Access Map (Exhibit D), provide secondary scenic views to the shoreline. The coastal views from Asilomar Avenue are filtered by vegetation and existing development, and the approved house will not be the only house located on the eastern side of Sunset Drive that will be visible from Asilomar Ave.

Public comments regarding the height amendment have been received, and they are attached as Exhibit I. The majority of the comments suggest that the author was not opposed to the original project, but is opposed only to the amendment because it raises the height of the approved structure, thus causing more of an obstruction to views, including from Asilomar Drive. The amendment, to raise the roof of the garage portion of the approved house by 2.8 feet, will add to the visual impact of the approved house



(See Exhibit H) because of both the size of the portion being raised and its location along this popular scenic drive. Therefore, the amendment to raise the roof elevation of the garage by 2.8 feet will be a significant change over the original approval that was found to be consistent with Coastal Act, and so will not be in conformance with Section 30251 of the Coastal Act.

The approved house was designed and sited to comply with LUP policy 2.5.5.4, but as mentioned, the amendment will alter the profile of the approved house as viewed from Sunset Dr. and Asilomar Avenue, resulting in an increase in development massing in the dunes that run along Sunset Drive. Because the increase in height will have an adverse impact on visual resources along Sunset Drive and incrementally impact views from Asilomar Avenue, it is inconsistent with Coastal Act Section 30251, which protects visual resources and community character in the Coastal Zone.

In terms of alternatives to the project, the possibility of increasing the floor elevation of the garage while retaining the approved elevation of the garage roof was discussed with the applicant. The effect of this alternative would be to reduce the height of the lower story of the garage and to retain the approved elevation of the garage roof. Achieving a reduction of 2.8 feet in the height of the garage section of the house would require the reduction to be taken from the first story of the garage, as it is not living space. However, a reduction in the ceiling height of the first story of the garage would result in a garage that is roughly 5 feet high, which would not meet zoning and safety requirements, and would be impractical. Splitting the difference between the two floors would still not result in enough of a reduction in height to remain at the elevation of the approved house, and the amendment is consistent with the 18-foot maximum height requirement of LUP Policy 2.5.5.4.b. Another alternative considered included moving the bottom story of the garage south away from the property line and further underneath the approved house, which would also increase the amount of alteration to natural dune topography.

A final alternative is to increase the height of the applicant's existing approved retaining wall to compensate for the change in elevation, rather than increasing the height of a portion of the house and creating visual resource impacts. Placing the base of the Baldacci's retaining wall at a level 2.8 feet lower than what was originally proposed and keeping the top of it at the currently approved elevation should compensate for having to place the garage at a level 2.8 feet below the proposed garage floor. In this way the applicant could avoid the visual impacts of increasing his garage by 2.8 feet, prevent the undermining of the neighbor's retaining wall and preserve the visual integrity of the area to remain consistent with Coastal Act Section 30251. This alternative is a feasible alternative to raising the roof of the garage, can be achieved through minor adjustment to the approved site plans, and does not require a substantial redesign of the project. Thus the applicant has an option available to him to solve his grading problem with an engineering solution rather than a solution that will negatively impact the viewshed for both residents and visitors to the area for years to come. Because the problem of elevation of the garage can be solved with a relatively simple solution that prevents increased visual impacts at the same time, the project as proposed does not adequately conform to Coastal Act Section 30251 and should be denied.

## **C. California Environmental Quality Act (CEQA)**



Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures which would substantially lessen any significant adverse effect which the project may have on the environment.

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. All public comments received have been addressed in the staff report. This staff report, incorporated by reference into this finding, has discussed the relevant coastal resource issue inherent in the proposal, and has determined that the proposed amendment will create significant impacts to visual resources along scenic Sunset Drive and the Asilomar dunes area. As such, the Commission finds that this amendment will have significant adverse effects on the environment within the meaning of CEQA; that there are feasible alternatives that would significantly reduce any potential adverse effects; and, accordingly, the proposal, as conditioned, is not in conformance with CEQA requirements.



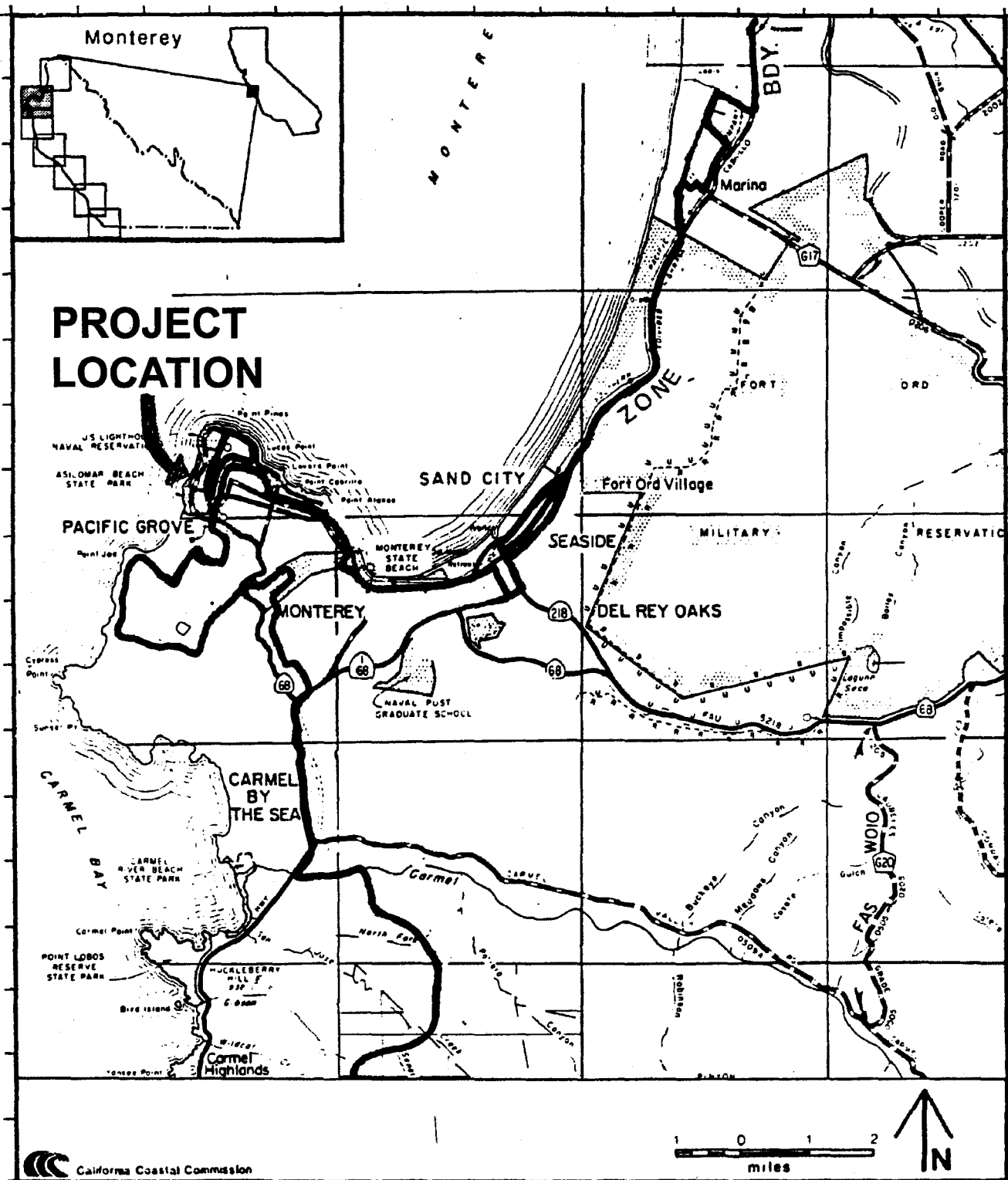
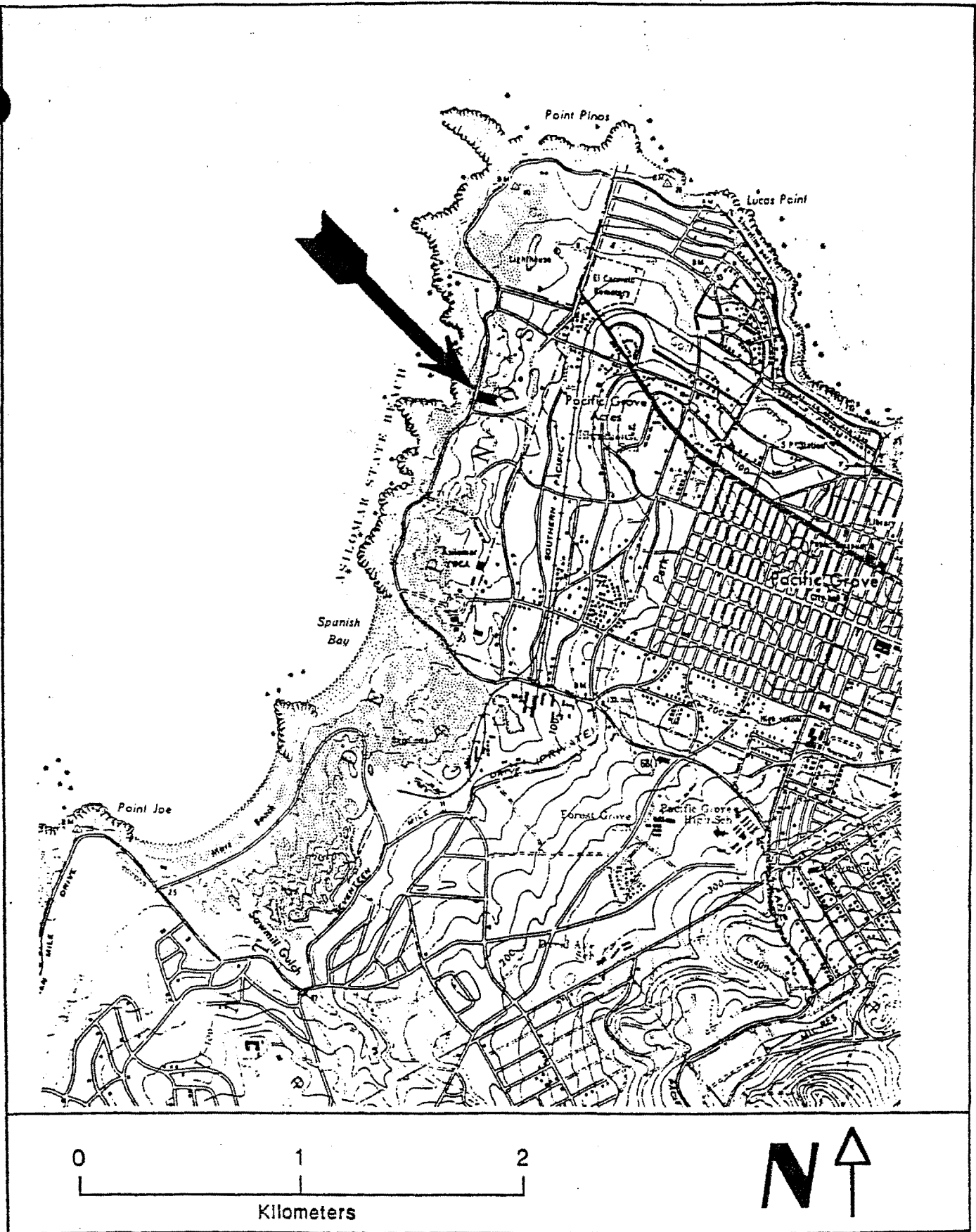
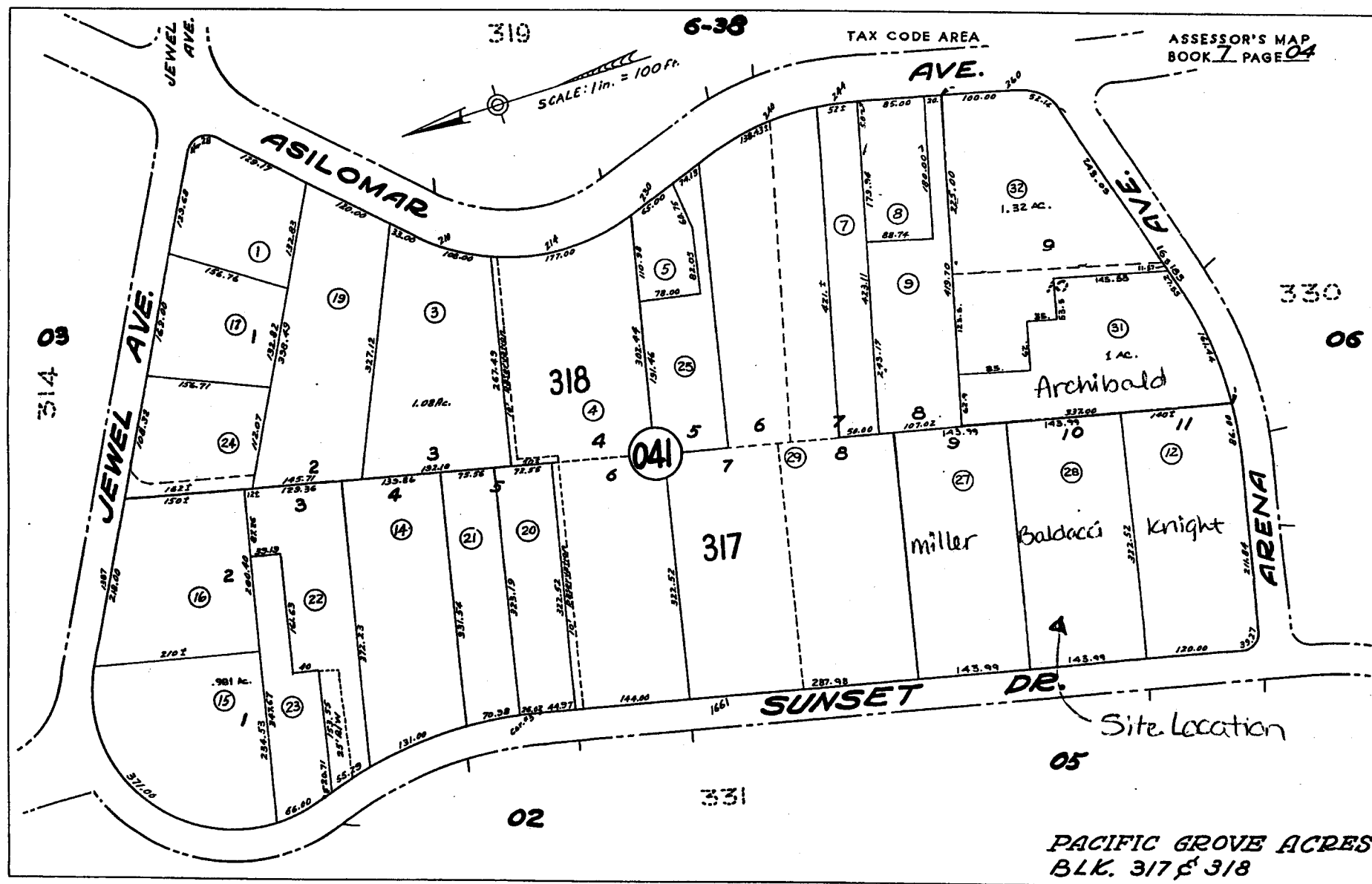


Exhibit A  
Regional Location Map  
3-01-013-A1  
Baldacci Amendment





Project Vicinity Map



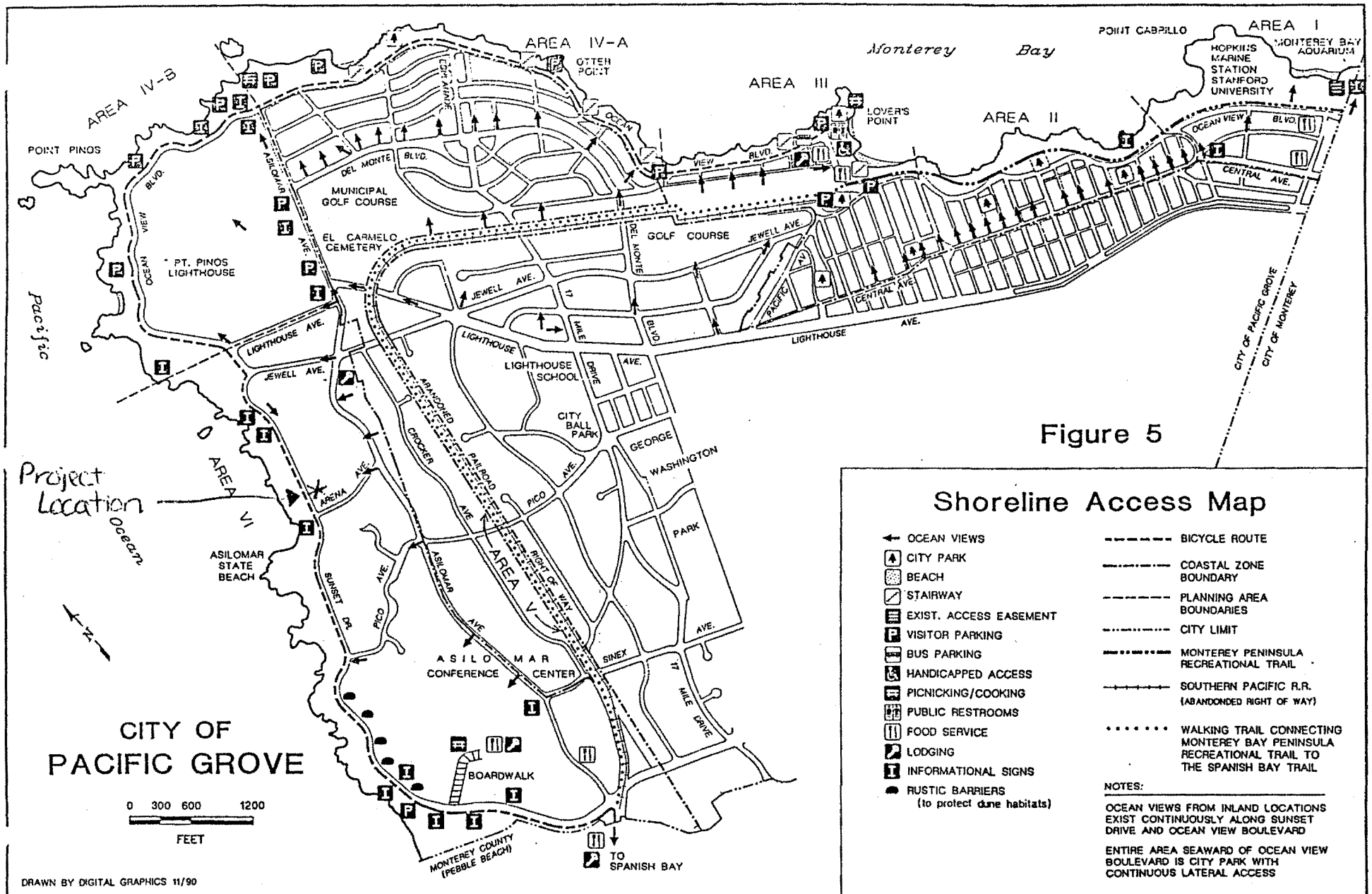
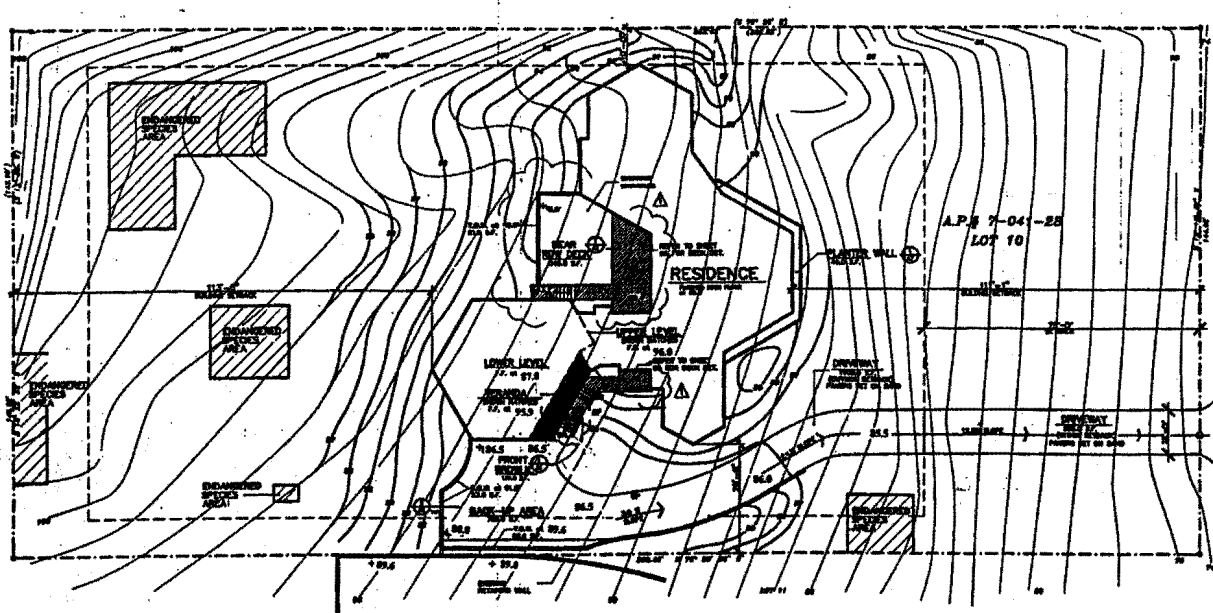


Figure 5



**NOTE:**  
PROTECTIVE FENCE ALL  
ENDANGERED SPECIES AREAS  
DURING ALL PHASES OF  
CONSTRUCTIONS.

#### SITE PLAN NOTES

1. Provide a non permeable barrier protection down at all boundaries.
2. Ensure that all surface water drainage off is directed away from the building for a distance of 5 feet with a minimum grade of 2%.
3. Finish floor shall be a minimum of 4" above the existing of the street, or provide alternate method of drainage.
4. The contractor shall locate and remove all property corners and along the site prior to the final grading and building inspection.
5. The contractor shall place the 10' topographic wall in a location clearly visible from the street. It is understood that if no job is started, no inspection will take place. A set of building plans stamped approval for construction shall be kept on the job site at all times.
6. Existing trees shall be protected from construction. Existing trees shall be protected from the final grading of any structure over trees, refer to City, County, or Federal Department regulations.

#### PROJECT INFORMATION

A.P.N.: 007-041-028  
SITE AREA: (1.066 AC) 46,439.7 S.F. S.F.  
ZONING: LDR 1.0  
ADDRESS: A PORTION OF BLK. 317,  
PACIFIC GROVE ACRES.

#### GRADING INFORMATION

CUT: 1,243.6 C.Y.  
FILL: 16.4 C.Y.  
EXPORT: 1,224.9 C.Y.

#### SITE COVERAGE

COVERAGE ALLOWED	15.0%	6,968.0 S.F.
BUILDING FOOTPRINT		4,519.0 S.F.
BACK-UP AREA		759.0 S.F.
DRIVEWAY		1,008.0 S.F.
FRONT BOARDWALK		136.0 S.F.
REAR DECK		348.0 S.F.
RETAINING WALLS		113.0 S.F.
PLANTER		40.0 S.F.
TOTAL	14.91%	6,923.0 S.F.

AREAS NOT INCLUDED IN THE SITE COVERAGE.

#### SHEET INDEX

- A1. SITE PLAN
- A2. LOWER DIMENSION PLAN
- A2.1 LOWER FLOOR PLAN
- A3. MAIN LEVEL DIMENSION PLAN
- A3.1 PARTIAL MAIN LEVEL FLOOR PLAN
- A3.2 PARTIAL MAIN LEVEL FLOOR PLAN
- A4. EXTERIOR ELEVATIONS
- A5. EXTERIOR ELEVATIONS
- A6. ROOF PLAN
- A7. SECTIONS
- A8. SECTIONS

- S1. STRUCTURAL NOTES
- S2. TYPICAL DETAILS
- S3. FLOOR FRAMING AND FOUNDATION PLANS
- S4. ROOF FRAMING PLAN
- S5. DETAILS
- S6. DETAILS

- E1. LOWER LEVEL ELECTRICAL
- E2. PARTIAL MAIN LEVEL ELECTRICAL
- E3. PARTIAL MAIN LEVEL ELECTRICAL

- M1. LOWER LEVEL AND PARTIAL  
MAIN LEVEL HEATING PLAN
- M2. PARTIAL MAIN LEVEL HEATING PLAN
- M3. NOTES AND DETAILS
- M4. ENERGY COMPLIANCE

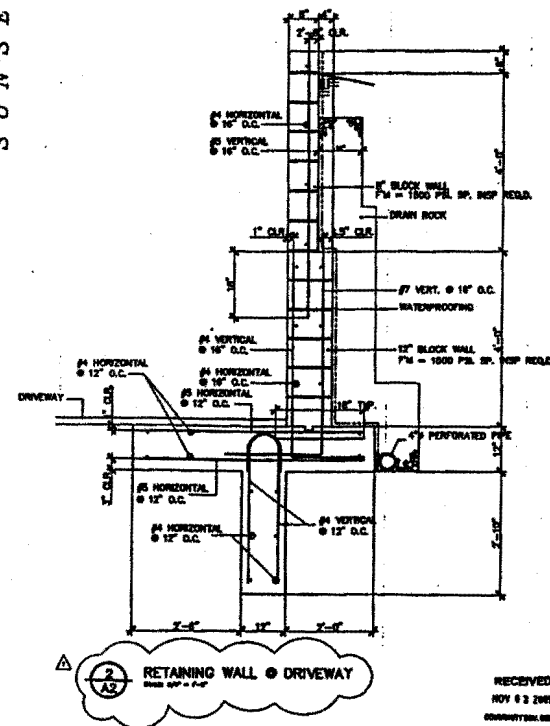
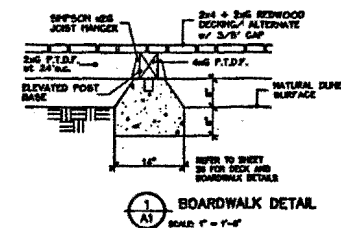
#### SITE PLAN

SCALE: 1/16" = 1'-0"

## BALDACCİ RESİDENCE

1687 SUNSET DRIVE PACIFIC GROVE CALIF.

SUNSET DRIVE



PACIFIC GROVE  
BUILDING DIVISION  
PERMIT NO. 08-02-01  
RECEIVED  
NOV 13 2001  
CONSTRUCTION DEPT.

REV. 7-12-01  
BALDACCİ RESİDENCE  
1687 SUNSET DRIVE  
PACIFIC GROVE, CALIFORNIA 93950

RECEIVED  
NOV 13 2001  
CONSTRUCTION DEPT.

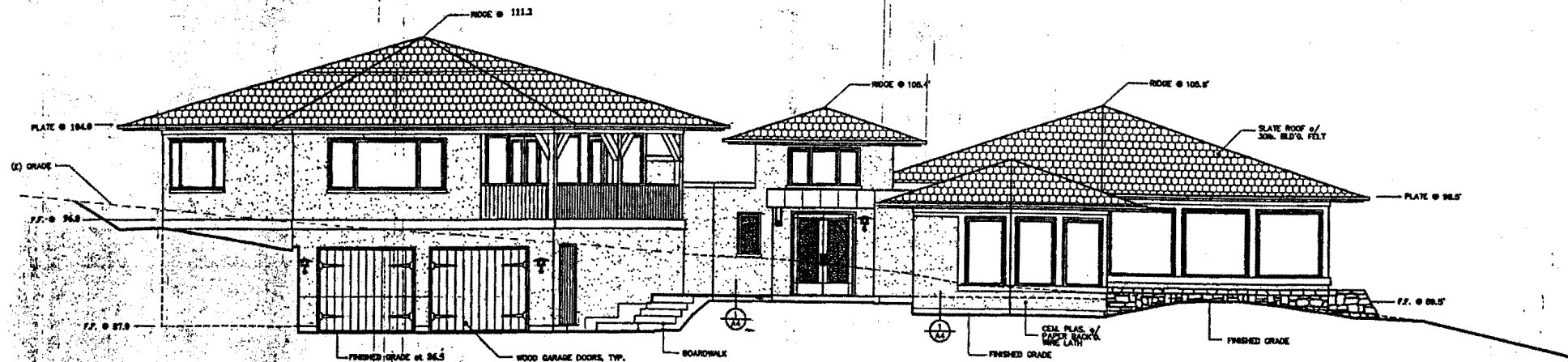
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10-17-01

9805

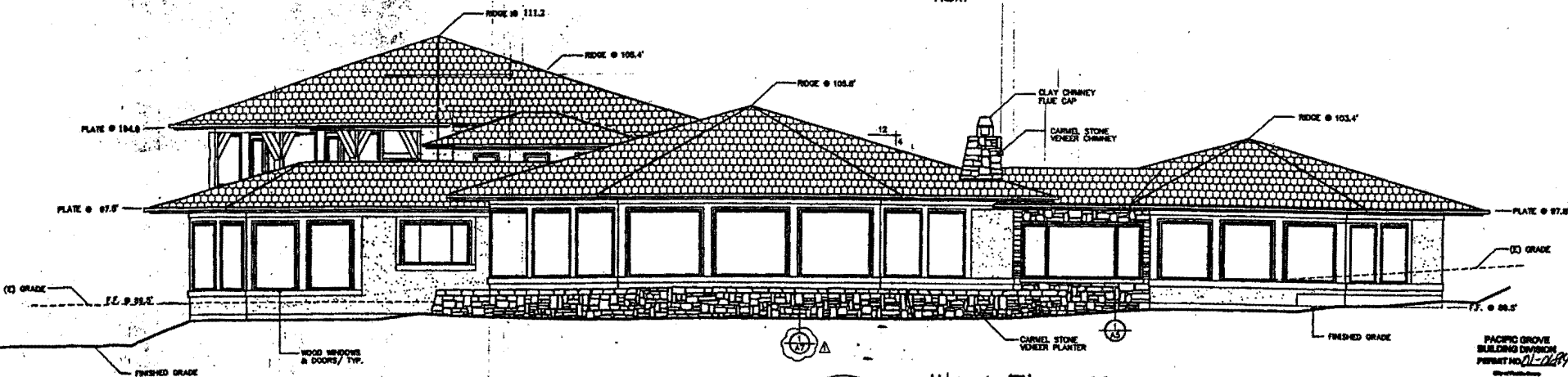
A1

MANDURRAGO  
MANDURRAGO &  
SULLIVAN

Exhibit E  
pg. 1 of 3



North Elevation  
FRONT



West Elevation  
FACING SUNSET BLY.

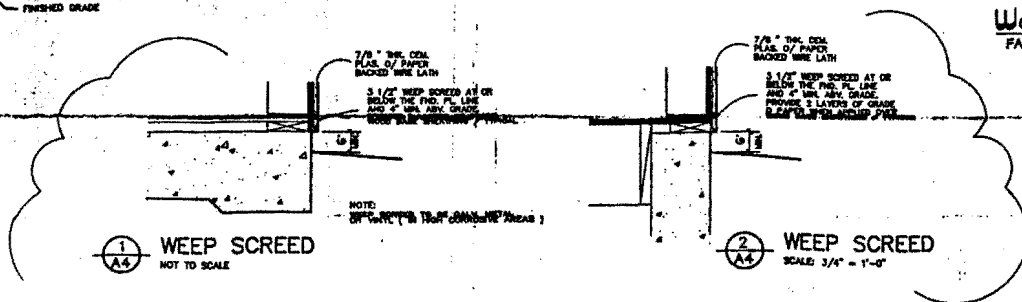


EXHIBIT-C  
ELEVATIONS

PACIFIC GROVE  
BUILDING DIVISION  
PERMIT NO. 01-1204  
APPROVED  
NOT A 2 2001  
CANDOR CORP.

REV. 7-15-01  
BACCARI RESIDENCE  
887 SUNSET DRIVE  
PACIFIC GROVE, CALIFORNIA 93550

8-27-01  
10-17-01

9805

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MANDURRAGO  
MANDURRAGO &  
SULLIVAN

ARCHITECTS

3-01-013-A1  
Baldacci Amendment

Exhibit E  
pg. 2 of 3

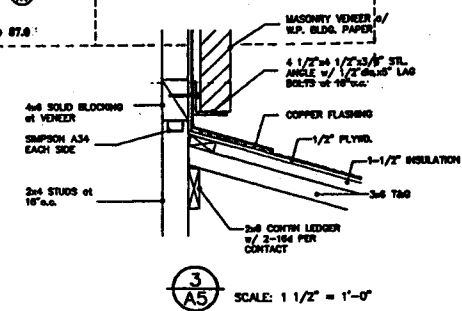
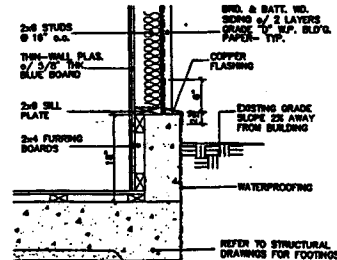
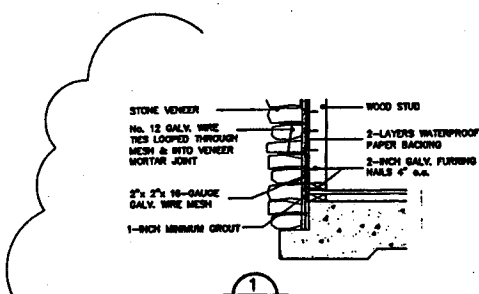
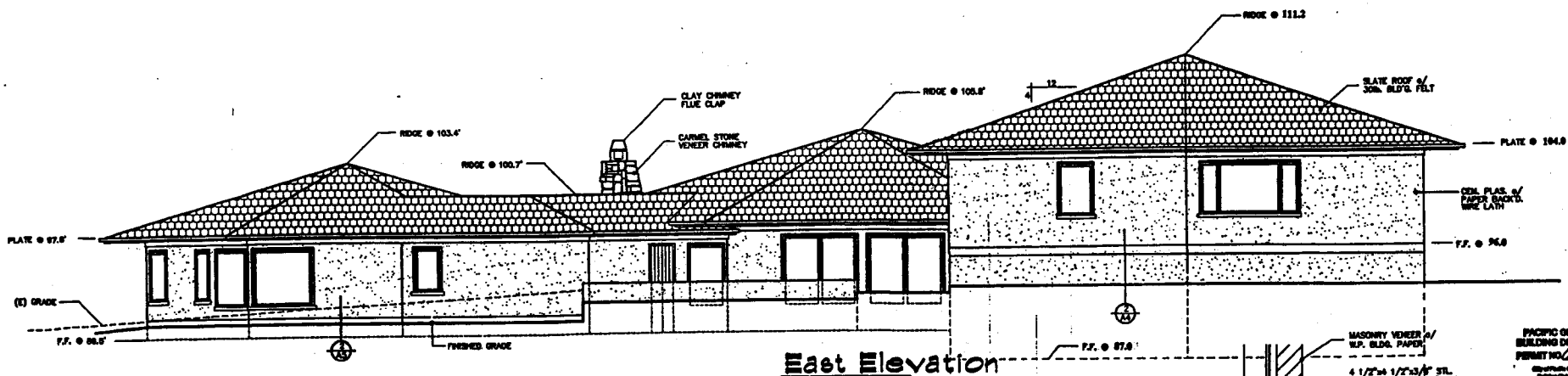
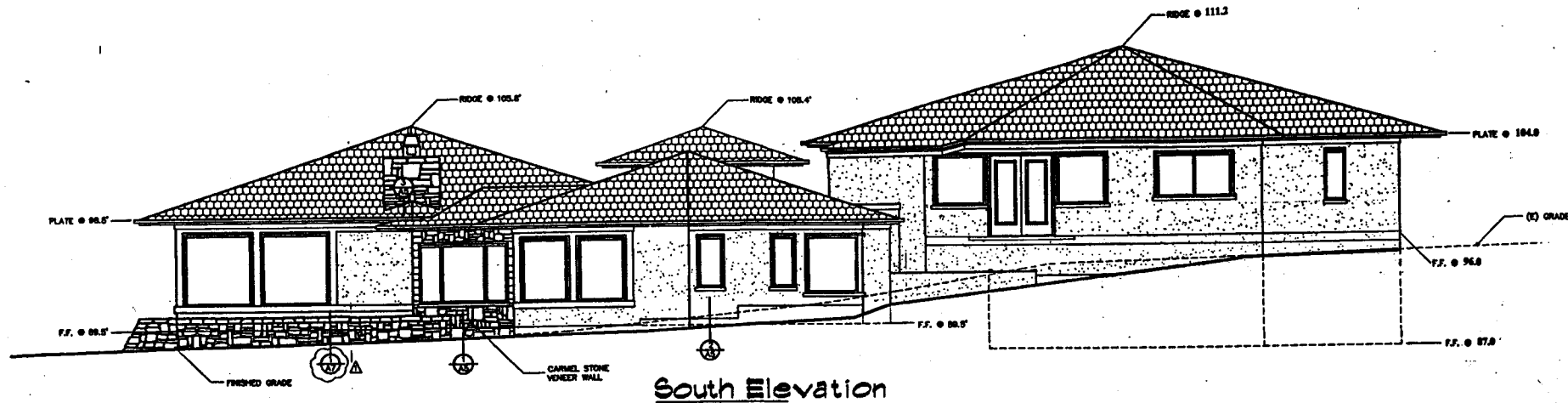


EXHIBIT-C  
ELEVATIONS

PACIFIC GROVE  
BUILDING DIVISION  
PERMIT NO. 12241  
RECEIVED  
NOV 9 2 2001  
COMMUNITY DEPT.

REV. 7-12-01  
BALDACC RESIDENCE  
1687 SUNSET I  
PACIFIC GROVE, CALIF. 93950

MANDURRAGO  
MANDURRAGO & ASSOCIATES

## **Exhibit F: Conditions of Approval of Coastal Development Permit 3-01-013.**

### **A. 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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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.

### **B. Special Conditions**

1. **Incorporation of City's Mitigation Requirements.** The Mitigations and Mitigation Monitoring Program adopted by the City of Pacific Grove for its final Negative Declaration for this project are attached as Exhibit L to this permit; these mitigations are hereby incorporated as conditions of this permit.

Any revision or amendment of these adopted conditions and mitigation measures or the project plans as approved pursuant to the City's architectural review procedures shall not be effective until reviewed by the Executive Director for determination of materiality, and if found material, approved by the Commission as an amendment to this coastal development permit.

2. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide:
  - A. For the protection of the scenic and natural habitat values on all portions of the environmentally sensitive native dune habitat areas on the site, except for a building envelope area not to exceed 15 percent of the area of the lot; and a semi-permeable residential driveway as shown on approved final plans, and an immediate outdoor

living area to be left in natural condition or landscaped so as to avoid impervious surfaces (i.e., surfaces which do not allow water or light to penetrate into the soil) not to exceed 5 percent of the area of the lot.

Such restriction shall include provisions to prohibit development outside of the approved building envelope except for fencing and that part of the driveway that is not counted in the percent of coverage; to prohibit any future additions to the structures allowed by this permit, to prevent disturbance of native groundcover and wildlife (including the permanent fencing identified in Special Condition 4 and 5); to provide for maintenance and restoration needs in accordance with approved native plant maintenance and restoration plans; to provide for approved drainage improvements; and to specify conditions under which non-native species may be planted or removed, trespass prevented, entry for monitoring of restored area secured, and homeowner access accommodated within the restored area. Provisions for necessary utility corridors may be included in accord with Condition No. 9.

- B. For measures to implement the approved final native plant maintenance and landscape restoration plan prepared for the subject property.
- C. For fencing restrictions to protect public views and allow free passage of native wildlife, as provided by Local Coastal Program Land Use Plan Policy 2.3.5.1(e).
- D. For a monitoring program as set forth in the approved mitigated negative declaration; and provide that, following construction, annual monitoring reports shall be submitted to the Executive Director and the City of Pacific Grove for review and approval for a period of five years.

The recorded document shall include legal descriptions of both the applicant's entire parcel and the deed restricted area. The recorded document shall also reflect that development in the deed restricted area is restricted as set forth in this permit condition.

The deed restriction shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The deed restriction shall run with the land in favor of the People of the State of California, binding all successors and assignees.

**3. Final Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit the following for the Executive Director's review and approval:

- A. Final project plans including site plan, floor plans, elevations and grading plans. The site plan shall designate a building envelope area not to exceed 15 percent (6,966 square feet) of the 46,440 square foot lot area. The building envelope shall include the approved house coverage, garage, driveway, any decks or walkways that do not allow for the passage of water and light to the dune surface, and any other features that eliminate native plant habitat. The plans shall indicate that part of the driveway that is excluded from the 15 percent coverage requirement (900 square foot area, i.e., an area 12 feet wide by 75 feet, the length of the front setback). The plans shall also show any additional "immediate outdoor living area", not to exceed a total of 2,322 square feet



(5% of lot coverage). The immediate outdoor living area is that portion of the yard closest to the residence, which shall be left in a natural condition or landscaped without impervious surface. The submittal shall include evidence of review and approval by the City of Pacific Grove.

- B. Final landscape restoration plan for the all areas outside of building envelope and immediate outdoor living areas, as provided for in Condition 2 above, and as required by the City's Mitigation Measures (See Special Condition 1 and Exhibit L). The submittal shall include evidence of review and approval by the City of Pacific Grove Architectural Review Board.
- C. Final landscaping plan covering the building envelope area and immediate outdoor living areas. The plan shall include native plantings to the greatest extent feasible. Invasive non-native plants shall not be used. All plant materials shall be installed prior to occupancy and shall be prepared in coordination with the recommendations of the botanical report prepared by Tom Moss (June 19, 1999). Evidence of review and approval by the project biologist and City of Pacific Grove Architectural Review Board shall accompany the submittal.

Within 30 days of completion of the landscaping installation, the permittee shall submit a letter from the project biologist indicating that plant installation has taken place in accord with the approved landscaping plans and describing long-term maintenance requirements for the landscaping.

**4. Fencing. PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall satisfy the following requirements:**

- A. Plans for temporary exclusionary fences to protect sensitive areas from disturbance during construction. Vehicle parking, storage or disposal of materials, shall not be allowed within the exclusionary fences. Fences shall be installed prior to the start of construction and shall remain in place and in good condition until construction is completed.

The exact placement of the temporary exclusionary fencing shall be identified on site by the project biologist. Evidence of inspection of the installed construction fence location by the project biologist shall be submitted to the Executive Director prior to commencement of construction. Fences shall be 4 feet high and secured by metal T-posts, spaced 8 to 10 feet apart. Either field fence or snow-drift fence, or comparable barrier, shall be used.

- B. Plans for any permanent split rail fencing or similar landscaping fence, that may be necessary to discourage trampling of the area to be restored and/or rehabilitated outside of the building envelope and the immediate outdoor living area. Fencing design shall be consistent with Condition 2C and submittal shall include evidence of review and approval by the City of Pacific Grove. If such fencing is used, it shall be installed prior to occupancy (or, prior to commencement of construction if used in lieu of temporary fencing required for habitat protection for that portion of the project site).

5. **Grading and Spoils Disposal.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit to the Executive Director for review and approval two sets of grading plans that shall identify the disposal site for excess excavated spoils. Disposal site and methods employed shall be subject to review and approval by the City of Pacific Grove, the project biologist and the Executive Director. Any excess excavated sand may be utilized for restoration purposes on-site or at Asilomar State Beach, as directed by the Department of Parks and Recreation. While off-site beneficial re-use of excess sand is strongly encouraged, Asilomar sand may not be exported outside the Asilomar Dunes – Spanish Bay area.
6. **Archaeological Mitigation.** Should archaeological resources be discovered at the project site during any phase of construction, the permittee shall stop work until a mitigation plan, prepared by a qualified professional archaeologist and using accepted scientific techniques, is completed and implemented. Prior to implementation, the mitigation plan shall be submitted for review and approval by the State Historical Preservation Office and for review and approval by the Executive Director of the Commission. The plan shall provide for reasonable mitigation of the archaeological impacts resulting from the development of the site, and shall be fully implemented. A report verifying compliance with this condition shall be submitted to the Executive Director for review and approval, upon completion of the approved mitigation.
7. **Environmental Monitoring During Construction.** Permittee shall employ an environmental monitor to ensure compliance with all mitigation requirements during the construction phase. The project's environmental monitor (Thomas Moss, Consulting Coastal Biologist, or other consultant approved by the Executive Director and the City of Pacific Grove Community Development Director) or the City's Community Development Department shall monitor construction activities on a weekly basis until project completion to assure compliance with the mitigation measures adopted by the City (Exhibit L). Evidence of compliance with this condition by the project monitor shall be submitted to the Executive Director each month while construction is proceeding and upon completion of construction. In the event of non-compliance with the adopted mitigation measures, the Executive Director shall be notified immediately. The environmental consultant or the City shall make recommendations, if necessary, for compliance with the adopted mitigation measures. These recommendations shall be carried out immediately to protect the natural habitat areas of the site.
8. **Exterior Finish.** All exterior finishes and window frames shall be of wood or earthen-tone colors as proposed by the applicant on the elevations sheet A-4 and A-5 dated 3/6/2000 and date stamped received in the Coastal Commission office February 8, 2001 (Exhibit I). Any changes shall require prior review and approval by the Executive Director.
9. **Utility Connections.** All utility connections shall be installed underground as proposed. When installing the necessary utility connections, care shall be taken to minimize surface disturbance of the deed-restricted revegetation in accordance with Special Conditions 2 and 3.
10. **Evidence of Water Availability.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, permittee shall submit written evidence to the Executive

Director for review and approval that adequate water, *which shall be provided only by and through the municipal water distribution system regulated by the California American Water Company in the City of Pacific Grove according to the allocation procedures of the City and the Monterey Peninsula Water Management District*, is available for the project. All relevant agency approvals, including approval from the Monterey County Public Health Department if required shall be provided.



Exhibit G  
Aerial Photo  
03-01-013-A1  
Baldacci Amendment

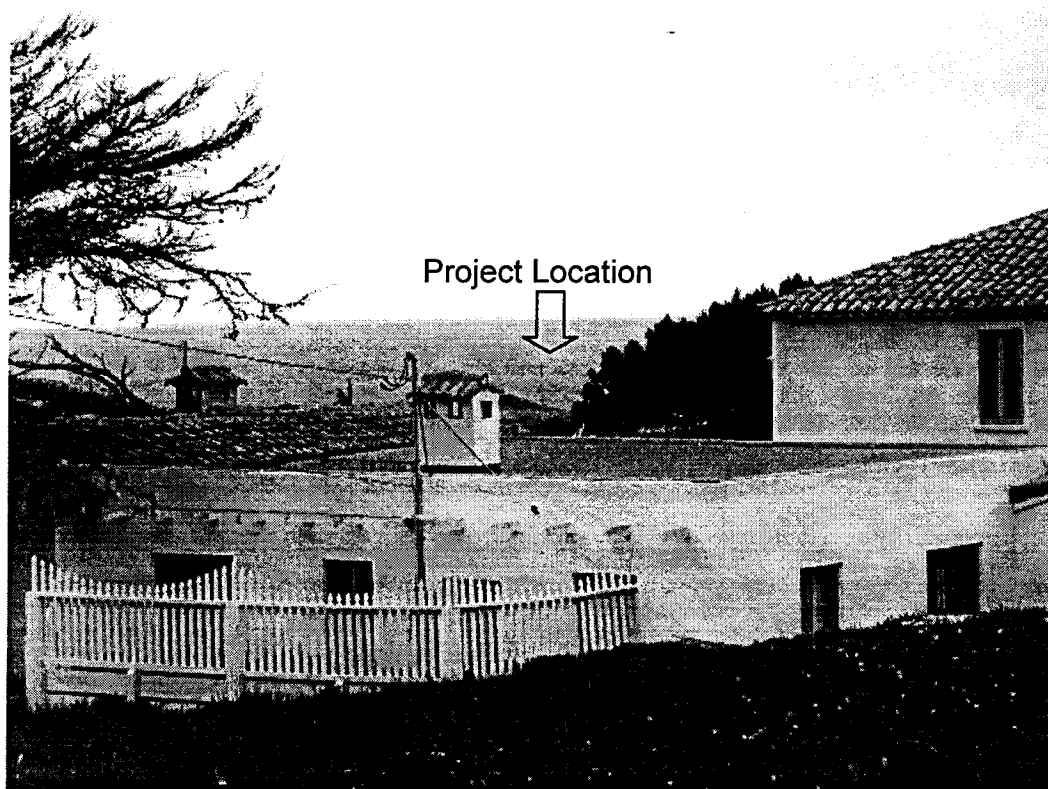


Photo 1: View From Asilomar Ave.



Photo 2: View from Asilomar Ave.



Photo 3: View from Asilomar Ave.



Photo 4: View from Asilomar Ave.



Photo 5: View from Asilomar Ave.



Photo 6: View from Sunset Drive

RECEIVED

JUN 05 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Paul & Betty Baldacci  
1379 Pico  
Pacific Grove, CA

Ph: 925-328-1000 Fax: 925-242-8100

ITEM #Th 11a  
June 13, 2002  
IN FAVOR

June 4, 2002

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95080

RE: Application No: #3-01-013-A1  
1687 Sunset, Monterey County, Pacific Grove, CA  
APN 007-041-028  
Staff Report of May 23, 2002

Attn: Ms. Stephanie Matraw, Coastal Planner

Dear Coastal Commission Staff:

Thank you for supplying us a copy of above referenced report. We have reviewed it in detail and wish to make the following observations to be included in the report.

A) In reporting the amended project is consistent with Coastal Act 3025, which provides for protection of visual resources, the Commission Staff was correct in observing on bottom of page five – second to last sentence, bottom of page 8 “The Amendment to raise the roof of the garage portion of the house 2.8 feet, will not by itself add significantly to the visual impact of the approved house (i.e. Exhibit H of Staff Report, page 3 of 3, photo 6). Therefore, the Amendment to raise the roof elevation of the garage 2.8 feet will not significantly change what has already been approved, and so will be in conformance with Section 30251 of the Coastal Act.”

B) The previous observations that the modification will not significantly change what has already been approved, is further substantiated because the roof elevation of the garage, will not exceed the eighteen foot maximum height limit above the natural grade within foundation perimeter prior to grading, which remains an unaltered condition of original permit #3-01-013. Reference Illustration I and IA attached.



C) The objections of surrounding residents, speak for themselves. However, referring to **Illustration II attached**, you will note the block area between Asilomar Avenue, Jewell Avenue, Sunset Avenue and Arena Avenue consists of an area exceeding 25 acres more or less.

Referring to the many topographical relationships engineering drawings provided to Commission Staff, to and including a topographical model of sites involved; but specifically to ORTHOPHOTO MAP OF CITY OF PACIFIC GROVE – SHEET THREE – OF FOURTEEN – DATED OCTOBER 21, 1996; in concert with Figure five of Exhibit D in current Staff Report (i.e. Shoreline Access Map) you will note that Asilomar Avenue is at an Easterly/North Easterly distance from center of 1687 Sunset ranging from 600 feet to 1,800 plus, feet distance.

In this area Asilomar Avenue is an average of 33 feet above the 1687 Sunset site. The result being that the collective distance, sharp topographical differential and existing structures and vegetation make any part of the site extremely difficult to see, or impossible to see, from the majority of Asilomar Avenue, Jewell Avenue and Arena Avenue.

We have lived in Pacific Grove, Asilomar Dunes area for more than twenty years. During that time, we have been active in a concerted effort to enhance the resources and preservation of Asilomar State Beach Park, and remove the unsightly overhead utility lines that remain in the Dunes area. Therefore, for people to characterize us as "environmentally irresponsible" is as false an allegation, as it is to additionally accuse us of attempted "massing." It really hurt both of us badly.

Again, thank you for your time and attention to this matter.

Very truly yours,

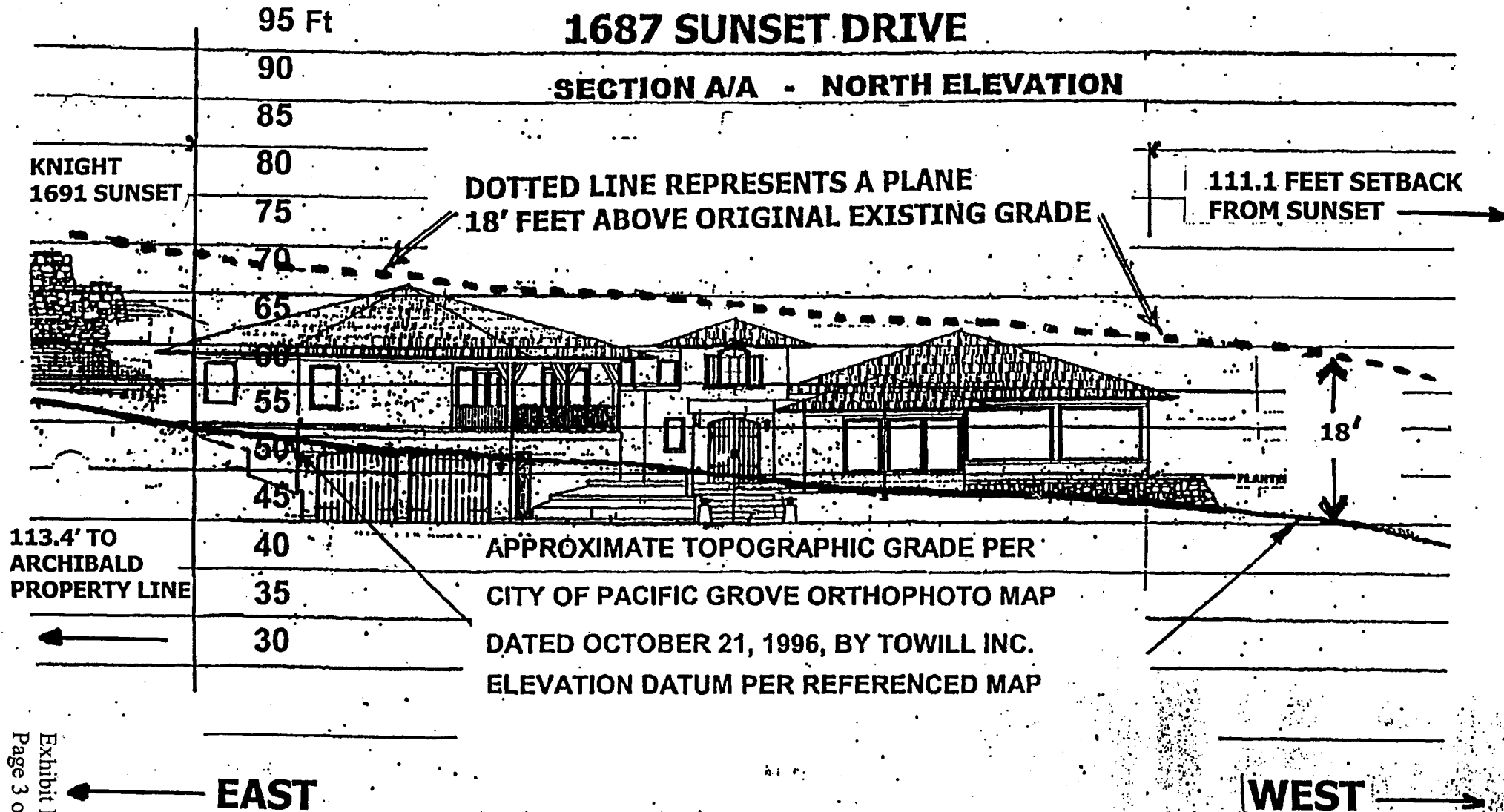
*Paul and Betty Baldacci*

Paul & Betty Baldacci  
1379 Pico  
Pacific Grove, CA

H:\Paul\Correspondence\213Mattraw.sw.doc

CITY OF PACIFIC GROVE BUILDING PERMIT #01-0694  
CALIFORNIA COASTAL PERMIT #3-01-013 -A1

ILLUSTRATION I



**CITY OF PACIFIC GROVE BUILDING PERMIT #01-0694**

**CALIFORNIA COASTAL PERMIT #3-01-013 -A1**

**ITEM #Th 11a**

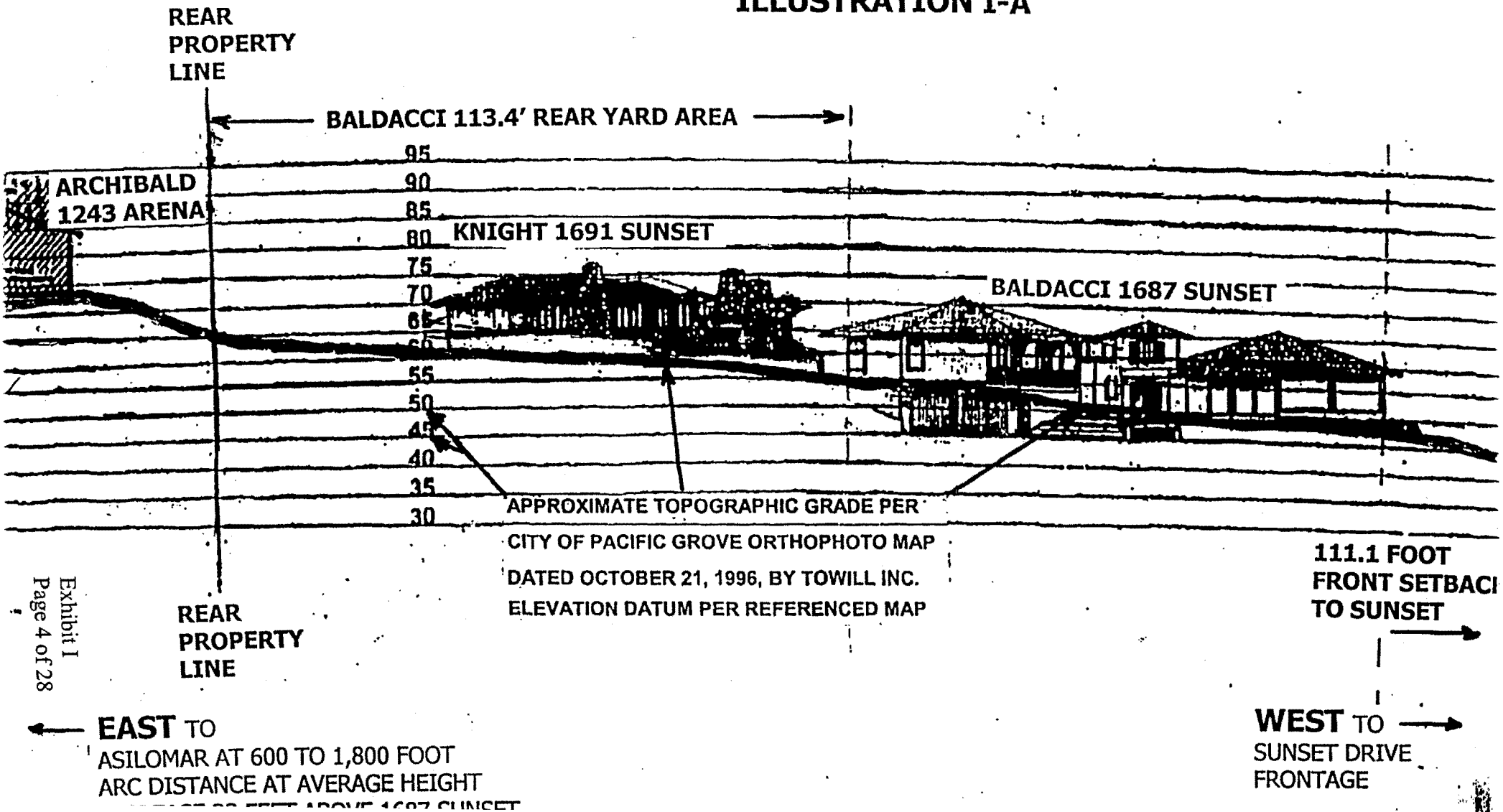
**June 13, 2002**

**IN FAVOR**

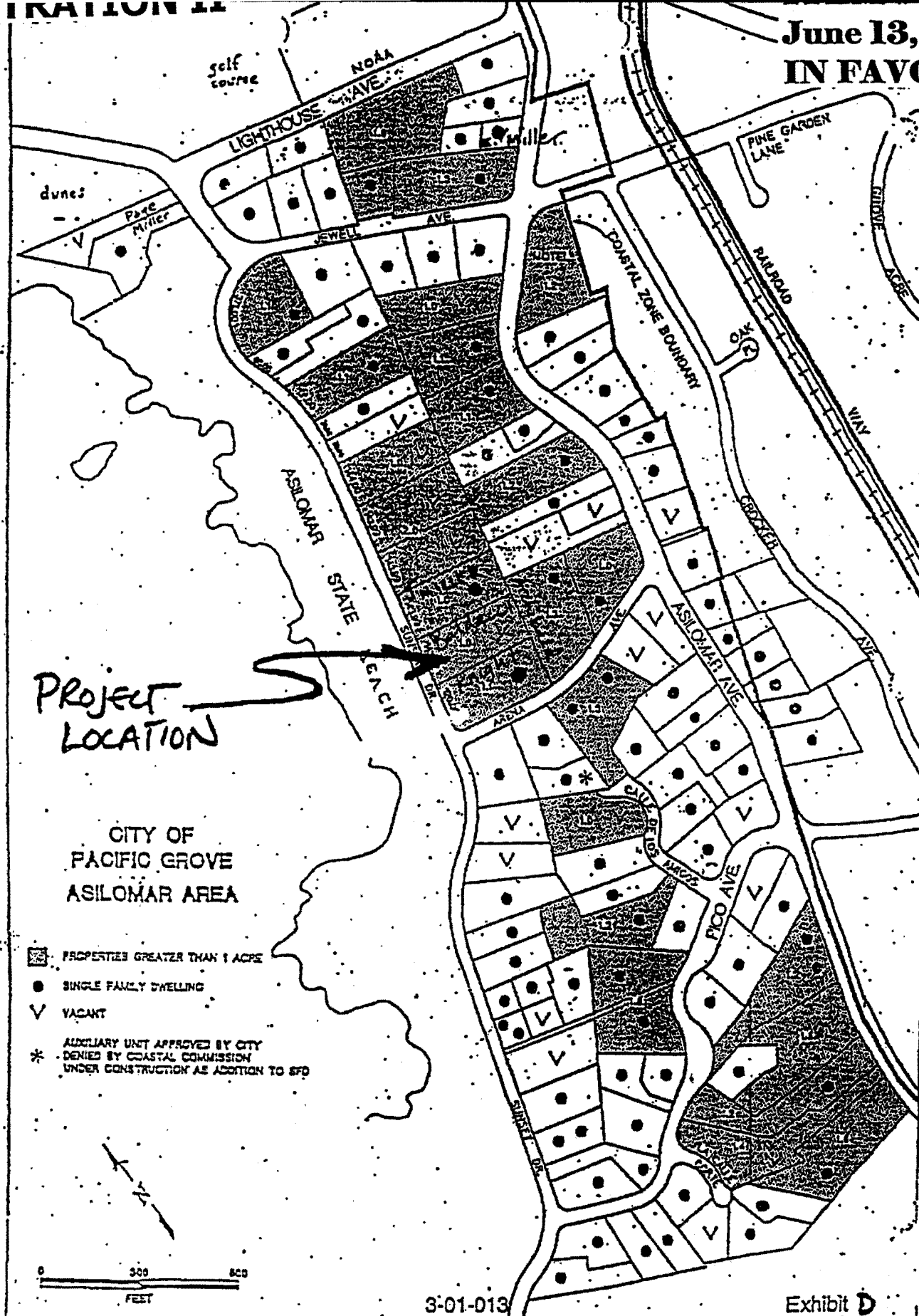
**1687 SUNSET DRIVE**

**SECTION A/A - NORTH ELEVATION**

**ILLUSTRATION I-A**



June 13, 2002  
IN FAVOR



Project Location

CITY OF  
PACIFIC GROVE  
ASILOMAR AREA

- PROPERTIES GREATER THAN 1 ACRE
- SINGLE FAMILY DWELLING
- VACANT
- AUXILIARY UNIT APPROVED BY CITY  
DENIED BY COASTAL COMMISSION  
UNDER CONSTRUCTION AS ADDITION TO SFD

0 300 600  
FEET

3-01-013  
(Baldacci)

Exhibit D  
1 of 1

Exhibit I  
Page 5 of 28

CITY OF PACIFIC GROVE BUILDING PERMIT #01-0694  
CALIFORNIA COASTAL PERMIT #3-01-013-A1

ILLUSTRATION II

RECEIVED

MAY 01 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF Monterey

On April 30, 2002 before me, \_\_\_\_\_

Christy Hughes, Notary Public,

personally appeared \_\_\_\_\_

Morris G. Fisher

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Christy Hughes



(Seal)

April 26, 2002

RECEIVED

MAY 01 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Ms. Kelly Cuffe  
California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95080

RE: 1687 Sunset Drive, Pacific Grove, California / Application #3-01-013

Dear Ms. Cuffe:

In addition to my letter of April 26, 2002, (i.e. misidentified as March 26, 2002) describing the circumstance of the unfortunate misinformation provided in the third paragraph of my letter to you of March 29, 2002, I also determined my call to you on the above referenced subject was inappropriate.

This conclusion a result, commensurate with my review of the prior referenced subject. With the emotion of a public hearing, behind me, I was able to review in depth the entire matter.

The following is my position on the matter of 1687 Sunset, Pacific Grove, California.

At their regular meeting dated February 6, 2002, the City Council of the City of Pacific Grove passed Resolution No. 2-005. I have included a copy of the resolution. You will note, I voted for and supported the resolution.

The Council findings and those of the Architectural Review Board approval of January 8, 2002 meeting are included in Resolution No. 2-005.

Additionally, with the passage of Resolution No. 2-005, the Council in effect confirmed the contents of MEMORANDUM of Pacific Grove Associate Planner Sally Rideout, to you; dated February 13, 2002, a copy of which I include.

The City of Pacific Grove approval was also consistent with the policies of City's certified Land Use Plan. Specifically LUP Policy 2.5.2, LUP Policy 2.5.4.1, LUP Policy 2.5.5.1, LUP Policy 2.5.5.4, LUP Policy 3.4.4.1.

Most importantly, the proposed development is not only consistent with LUP Policies mentioned previously, but it maintains a low profile complimenting the natural dune topography and does not exceed the 18-foot height restriction. The residence has also been sited to avoid adverse impacts to known populations of botanical species and to minimize adverse impacts to potential habitat areas present on site.

Again, I apologize for any prior incorrect impressions I might have imparted to the Commission on this matter, by misinformation, which was not subject to the detailed review I have supplied here.

In summary, please approve the Baldacci's current modification application, as we of the City of Pacific Grove Design Review Board, and City Council have so done. Again, thank you for your time and attention to this matter.

Very truly yours,



Morris G. Fisher  
Member of City Council  
City of Pacific Grove  
910 Short Street  
Pacific Grove, CA 93950  
Ph: 831-373-0880  
Baldacci Amendment

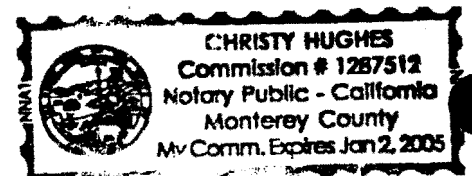
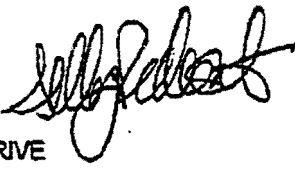


Exhibit I  
Page 7 of 28

**City Of Pacific Grove  
Community Development Department**

# Memorandum

**To:** C. KELLY CUFFE, COASTAL ANALYST  
CENTRAL COAST DISTRICT OFFICE  
CALIFORNIA COASTAL COMMISSION  
**From:** SALLY RIDEOUT, ASSOCIATE PLANNER  
**Re:** BALDACCI RESIDENCE, 1687 SUNSET DRIVE  
**Date:** 2/13/2002



Enclosed for your review is information from the City's Architectural Review Board and City Council public hearings regarding the approved design change to the new single-family residence at the above-referenced property.

Shortly after the onset of excavation on the site, field conditions were encountered that differed from the approved plans for the project (Please refer to the attached staff report dated February 6, 2002). In reviewing the initial study and mitigated negative declaration adopted for the project, staff determined that a solution requiring additional grading on the site would likely be subject to further environmental review to assess the additional alteration of dune landforms and potential impacts to sensitive plant species and high quality habitat that are present on the site. Since the adopted negative declaration was based upon a project design that included roof lines over the entire residence that were taller than the originally approved project, staff recommended that the applicant pursue an amendment to allow the taller height over the rear portion of the building.

As noted in the City Council staff report, the proposed 2.8' height increase on a portion of the dwelling requires no additional alteration to the topography of the site and is consistent with LUP policies that regulate residence height on sites that front Sunset Drive. After considerable discussion, the request was approved by the Architectural Review Board (ARB) at its January 8, 2002 meeting. At a duly noticed public hearing, February 6, 2002, the City Council considered the proposed height change during a call-up of the ARB's decision.

Both the ARB and City Council discussed and assessed alternatives to the proposed height change including longer, taller retaining walls across the site, relocation of the building on the site, relocation of some elements of the building, and potential modifications to plate heights and roof forms that might avoid or minimize the requested change in height. In the end, each body independently concluded that the proposed height change was the least disruptive to the site, and therefore the best alternative to resolve the issues related to the field conditions.

If you have any questions please contact me at 648-3190.

**RESOLUTION NO. 2-005**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE  
APPROVING ARCHITECTURAL APPROVAL NO. 2600-99 FOR A  
PROPOSED HEIGHT CHANGE OF A PORTION OF A PREVIOUSLY-  
APPROVED NEW RESIDENCE LOCATED AT 1687 SUNSET DRIVE**

**WHEREAS**, Paul and Betty Baldacci have made an application for a proposed height change over a portion of a previously-approved new single-family residence located at 1687 Sunset Drive; and

**WHEREAS**, The Architectural Review Board, at a duly noticed public hearing on January 8, 2002, granted Amendment to Architectural Approval Application No. 2600-99; and

**WHEREAS**, this council has called up for review the decision of the Architectural Review Board concerning this project; and

**WHEREAS**, this council has considered all materials submitted and all comments made by all parties, including staff, regarding this application,

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE  
DOES RESOLVE AS FOLLOWS:**

This council finds that the changes to the residence are in keeping with the approved project and would not be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood.

This council hereby grants Amendment to Architectural Approval No. 2600-99 and approves the change requested therein, based on the standard finding for approval of a design change application, and subject to all general and special conditions of the original approval.

**PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC  
GROVE this 6th day of February, 2002, by the following vote:**

**AYES:** Costello, Fisher, Gasperson, Huitt, Koffman

**NOES:** Davis

**ABSENT:** Honegger



APPROVED:

  
SANDRA L. KOFFMAN, Mayor

ATTEST:

  
PETER WOODRUFF, City Clerk

APPROVED AS TO FORM:

THE MUNICIPAL ADVOCATES GROUP, LLP

By

  
DAVID M. FLEISHMAN, City Attorney

BY MICHAEL R. JENCKS, ASST. CITY ATTORNEY

March 26, 2002

**RECEIVED**

APR 29 2002

Kelly Cuffe  
California Coastal Commission  
725 Front, Suite 302  
Santa Cruz, CA 95060

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Dear Miss Cuffe:

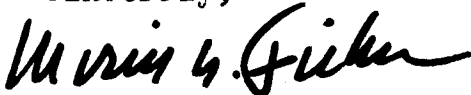
I recently sent you a letter regarding the Paul R. Baldacci, Jr. property at 1687 Sunset, Pacific Grove. In that letter I expressed my understanding that Mr. Baldacci said his roof height would be no higher than the Miller property.

After further review by me, listening to the audio tapes of our city council meeting, I can find no statement by Mr. Baldacci saying his roof height would be no higher than the Miller property. There was much discussion regarding height, setbacks and driveway and at the end of a very long evening I went away thinking Mr. Baldacci made those comments I've stated in my letter to you.

Therefore, it was a misunderstanding on my part and I hereby request that my letter be deleted from the coastal files regarding Mr. Baldacci's hearing before the coastal commission.

Please accept my sincere apologies if I've caused any difficulties to Mr. Baldacci and you and the coastal commission.

Sincerely,



MORRIS G. FISHER

910 Short  
Pacific Grove, CA 93950  
831-375-7889

Copy to: Paul R. Baldacci, Jr.

April 3, 2002

Coastal Commission  
725 Front St.  
Santa Cruz, CA 95060

ATTN: Kelly Cuffe

RE: 1687 Sunset, Pacific Grove

To Whom It May Concern:

**RECEIVED**

APR 05 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

I am a Council Member in the City of Pacific Grove and was present at the Council Meeting on February 6, 2002, when the ARB approval for an amendment to increase the height of the project at 1687 Sunset was considered. I formerly spent eight years on the Pacific Grove Planning Commission, including serving as Chairman from 1999-2000.

During the staff report I noted that the following wording appeared in the staff report: "At the recommendation of staff, the applicant requested an amendment to the project Final Architectural approval to modify the building height of the eastern portion of the residence to allow construction at the current excavated grade".

I also noted that no alternatives to the staff recommendation were discussed, even though the staff described this request as the "alternative preferred by staff".

I then expressed my concern that it is not, in my opinion, appropriate for the staff to become an advocate for an applicant, but instead to present to the deliberative body charged with the responsibility of making such discretionary decisions a complete description of the issues, options, and alternatives necessary to make an informed decision. It is not that I feel that the staff should not make a recommendation. A recommendation is fine. I was concerned by the apparent staff bias for the request and the lack of any information on any alternatives. Also it appeared (and later facts proved) that the amendment was the *idea of a staff person*, which in my opinion presents a conflict of interest on the part of staff.

After the staff report and public hearing and a brief discussion by the Council I made a motion to deny the request to raise the height and thus overturn the ARB approval. During the discussion of this motion it became evident from the statements made by Council members that the Council favored my motion and if the vote had proceeded it would have been approved and the applicant's request denied.

However during the deliberation the staff interjected that if my motion were approved this would mean that an entirely new environmental review would be required leading to extensive delays and added cost to the applicant. At this point Council Member Fisher withdrew his second to my motion. Subsequently a motion was made for approval and passed. I voted against this motion. (I believe you now have a letter from Council Member Fisher in which he now opposes the request.)

The claims made about elevation errors that *required* the applicant to raise the project height fly in the face of common sense for anyone who visits the site and sees the extent

of the excavations already made. Initially the natural grade on this site was far above the grade on the adjacent Miller property. In fact that was the reason for the retaining wall built by Miller since he had already excavated *below* the natural grade. The site location of Mr. Baldacci's project and the fact that he insisted on placing his driveway next to the property line and his garage underground are the sole reason why he is requesting this amendment and has the problems that he has. There are a number of solutions to his problems that would not have any further detrimental impact on the viewshed in this very sensitive area.

Therefore I strongly recommend that the Coastal Commission hold a public hearing on this application and carefully review this project. I do not feel that the public interest has been well served by the process that led to its current approval by Pacific Grove.

*Daniel Davis*

Daniel Davis,  
Council Member,  
City of Pacific Grove

March 29, 2002

**RECEIVED**

APR 02 2002

California Coastal Commission  
Attn: Kelly Cuffee  
725 Front Street  
Suite 300  
Santa Cruz, CA 95060

**CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA**

Dear Kelly:

Thank you for spending time with me on the phone the other day, and thank you for having height poles put up on the Baldacci property at 1687 Sunset, Pacific Grove, CA.

I had the opportunity to look at the property in question today and study the height poles, and it looks to me that the height of the roof will be a few feet higher than the Miller property next door. Both of my views were taken from Sunset, the front of the property and from Asilomar Blvd., the rear of the property.

During our council deliberations of the property, the question was asked if the roof height would be higher than the Miller property. Mr. Baldacci said no, but that the height was exactly the same.

Therefore, I do urge the Coastal Commission to take a very serious look at the whole project and make the necessary changes to reduce the overall height if they believe it would reduce the visual impacts of this wonderful area.

Remember too, that this roof height is not just a small tip, but the entire roof.

Sincerely,



MORRIS G. FISHER  
Councilperson  
City of Pacific Grove,  
910 Short St.  
Pacific Grove, CA 93950  
831-375-7889

RECEIVED

MAR 25 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

March 22, 2002

To: California State Coastal Commission

Re: 1687 Sunset Ave.  
Pacific Grove, CA 93950

Dear Coastal Commission Staff:

Your staff soon will be reviewing an application to amend a previously approved coastal permit for a residence to be built at 1687 Sunset Ave. We agree with many of our neighbors that the proposed change is **not an insignificant modification** and thus deserves the full attention of both the Coastal Staff and the Coastal Commission. This property lies directly in one of the very few public viewsheds along Asilomar Blvd. In the petition that is being circulated three things are recommended. We think that these are only common sense suggestions and probably should have been mandated by the city of Pacific Grove prior to any hearings on the subject property.

The Asilomar Dunes area has been a protected area for as long as we can remember. In the almost 30 years that we have lived in this area, the Coastal Commission has done a pretty good job. Not every house is perfect or what you or we might like, but the viewshed and character of the area has been fairly well maintained. We say this in the past tense. We think that the newly built residence at 1342 Arena (Archibald) is a perfect example. This, of all proposed projects, should have required a very careful Coastal Commission review with a full public hearing. The fact that this home, instead, received a waiver is what we believe to be a very bad precedent. We don't think that we, as residents, or you, as guardians of this area, want to see this perpetuated. This area is still special and deserves every possible study and consideration. The land at Sunset Ave. and Arena has become not only severely impacted, but also appears crowded by the size of the homes recently constructed. Open vistas need to be maintained. Set backs need to be adhered to and all possible alternatives to massing should be carefully addressed and mitigated whenever possible. This is what was asked of those who developed in this area in the past. So, why shouldn't it be demanded of those of the present and the future?

For the record, we want it noted that we did not oppose the Baldacci project as originally proposed. It was low lying with no roof ridge above 16 feet (similar to the Miller property to the north). In our opinion, below 16 feet seems to be the magic number for maximum height if these ocean front residences are truly going to be "subordinate to the dunes." We suggest that your staff visit the area, once again, to view the Miller property in comparison to the Archibald property or even the Knight property. Imagine both the Archibald and the Knight property reduced 2 feet 8 inches in various sections and the resulting improvement to massing effect and visual impact. This is the exact amount of increase in height (2 feet 8 inches) that the amended Baldacci application proposes for the north end section of the residence. The square footage and low roof pitch of this proposed section makes for a significant increase in massing effect and compromises the public view which is mandated for this area.

Finally, this isn't about a single person or a single property. All that does is pit neighbor against neighbor. If we ask whether the Baldacci property is in compliance with city zoning ordinances, the answer is affirmative, but likewise was the Archibald property and we have witnessed that result. In our opinion and obviously many others, it appears that these ordinances may be too

lenient. Until they are changed or until Pacific Grove's adoption of their final coastal plan is completed, it remains for the Coastal Commission to monitor and protect this treasure of our coastline. Hopefully you will recommend another solution, besides that proposed, to remedy the present situation (i.e. side yard setback, creative retaining wall, etc.).

Respectively submitted,

*Jeffrey R. Cohen*  
*Janet Cohen*

Jeffrey R. Cohen  
Janet Cohen  
243 Asilomar Blvd  
Pacific Grove, CA 93950

The Baldacci raise in  
roofheight will affect three  
of the 4 viewsheds from  
Asilomar Ave, as noted in the  
white arrows on these  
photographs.

Artists are often seen  
along Asilomar painting these  
viewsheds as they are picturesque  
as well as beautiful.

**RECEIVED**

MAR 25 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

3-01-013-A1  
Baldacci Amendment

Exhibit I  
Page 16 of 28









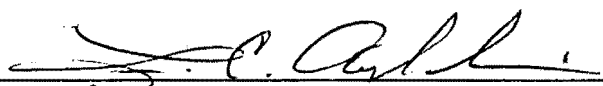
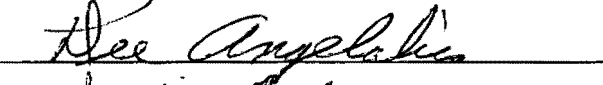
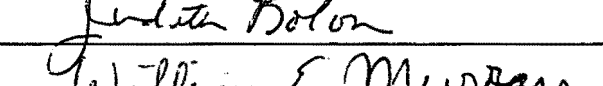
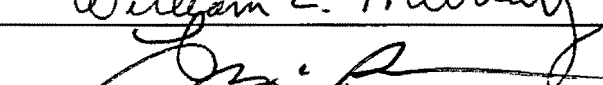

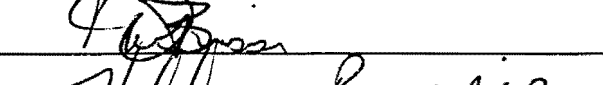
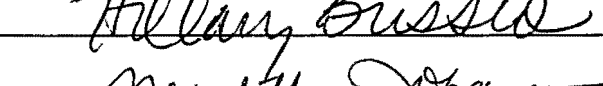
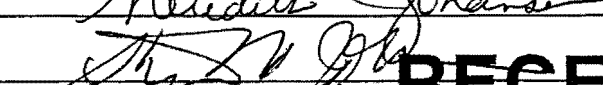

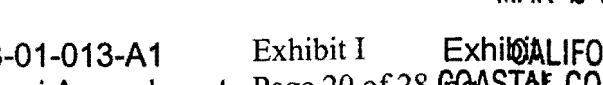
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We, the undersigned residents of the Asilomar Dunes area, ask you to not make this mistake again. The cumulative effect at the intersection of Sunset Ave. and Arena Ave. is obvious. Careful consideration should be exercised for the recently approved project at 1687 Sunset Ave (Baldacci). **It should be noted that we did not oppose the project as originally submitted. We do, however, oppose raising the north end of this project 2 feet 8 inches as this proposed addition lies in one of only two scenic viewsheds along Asilomar Blvd.** We recommend the following:

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3. Alternatives other than increasing the height of the project should be further explored (i.e. use of retaining walls, requiring some setback from the adjoining Miller property as the currently approved plan allows for "0" setback, etc.)

ADDRESS

SIGNATURE

239 Asilomar Blvd.	
239 Asilomar Blvd	
231 ASILOMAR BLVD	
231 ASILOMAR BLVD	
1601 Sunset Pt. P.G.	
1387 Jewell Ave., PG.	
1342 Jewell Ave PG.	
1342 Jewell Ave PG	
150 Asilomar Blvd.	
150 Asilomar Blvd.	

**RECEIVED**

MAR 25 2002

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ADDRESS

SIGNATURE

1342 Jewell Ave	Nada Koralik
140 Asilomar Blvd	Judith Espinosa
140 Asilomar Blvd P.O.	Judith Espinosa
100 Asilomar Ave.	Judith Espinosa
100 Asilomar Ave.	Robert H. Haggerty
145 Asilomar Blvd	Jon Hill
145 Asilomar Blvd	Wendy W. M.
243 Asilomar Blvd	Joe
227 Asilomar Blvd	Angelo Correa
230 Asilomar Ave	Alan

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ADDRESS	SIGNATURE
260 Asilomar Ave P.G.	<i>[Signature]</i>
260 Asilomar Ave P.G.	<i>[Signature]</i>
389 Asilomar Ave	<i>[Signature]</i>
404 Asilomar Ave.	<i>[Signature]</i>
433 ASILOMAR AVE	<i>[Signature]</i>
523 Asilomar ave	<i>[Signature]</i>
523 ASILOMAR AVE	<i>[Signature]</i>
1240 Pico	<i>[Signature]</i>
307 Asilomar Blvd.	<i>[Signature]</i>
243 Asilomar Blvd.	<i>[Signature]</i>

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ADDRESS	SIGNATURE
227 Asilomar PG	William R. Green
229 Asilomar Blvd PG	Thomas A Barber
229 Asilomar Blvd P.G.	Ida Barber
210 Asilomar Blvd P.G.	Kelly Harper
301 Asilomar Blvd P.G.	Matthew C. Taylor
321 Asilomar Blvd PG	Mark C. Pugh
321 Asilomar Blvd PG	Andrew M. Lynn
332 Asilomar PG	Gregory L. Christensen
343 ASILOMAR BLVD. PG	Tom Hunt
356 ASILOMAR BLVD PG	Eileen Sato

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2. A full Coastal Commission public hearing should be scheduled with proper notification to neighbors (The amended project was approved without public notification).
3. Alternatives other than increasing the height of the project should be further explored (i.e. use of retaining walls, requiring some setback from the adjoining Miller property as the currently approved plan allows for "0" setback, etc.)

ADDRESS

SIGNATURE

404 ASILOMAR AVE

Maryann Spadling

517 Asilomar Ave.

Judy Griffith

419 ASILOMAR AVE.

J. Thomsen

419 ASILOMAR BLVD.

Mary McFadden

411 ASILOMAR

Eva Hansen

1301 Pico Ave

Betty Sue Naegle

1301 Pico Ave

Robert M. G. G.

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MAR 25 2002

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ADDRESS

SIGNATURE

1357 Jewell Ave. P.G.

*[Signature]*

200 Asilomar Blvd. P.G.

*[Signature]*

290 Asilomar

*[Signature]*

375 Asilomar Blvd P.G.

*[Signature]*

245 Asilomar Blvd, P.G.

*[Signature]*

245 Asilomar Blvd, P.G.

*[Signature]*

343 Asilomar Ave

*[Signature]*

**RECEIVED**

MAR 25 2002



Eleanor C. Rogge  
1037 Short Street  
Pacific Grove, CA 93950

**RECEIVED**

MAR 25 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

To: California Coastal Commission  
Re: The Baldacci project at 1687 Sunset Drove

March 21, 2002

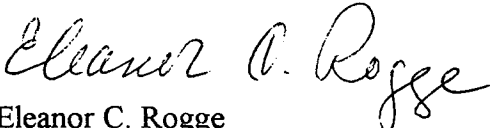
Dear Coastal Commission Members and Staff,

This letter concerns the Baldacci project located at 1687 Sunset Drive in Pacific Grove. I am very concerned about the size and resulting appearance of a house that will block the view shed from Asilomar Boulevard, to say nothing of the massive appearance from the coastline road and path. My request is that the project be removed from the consent agenda and be placed on the regular so that concerned residents will be able to make public comments.

While the Pacific Grove City Council approved the changes that Mr. Baldacci requested, they expressed grave concern over the extremely large homes adjacent and above it, namely the Miller and Archibald projects. I do not feel that they fully realized the implications of adding one more massive structure to the Arena Street—Sunset Drive corner or that seeking a solution for Mr. Baldacci's construction problem was his to solve and not theirs.

In any case, my request to you is simply that the project be placed on the regular agenda for public input.

Sincerely yours,

  
Eleanor C. Rogge

March 25, 2002

California Coastal Commission  
Central Coast Area Office  
725 Front Street, Ste. 300  
Santa Cruz, CA 95060

**RECEIVED**

MAR 25 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Re: Baldacci Residence, Sunset Drive, Pacific Grove

Attn: Coastal Commission Staff

This property is at its 15% coverage maximum, with 7191 square feet ( 5,855 above ground and 1,336 subterranean). This is already going to be a large edifice. Please do not make it higher. There are viable options.

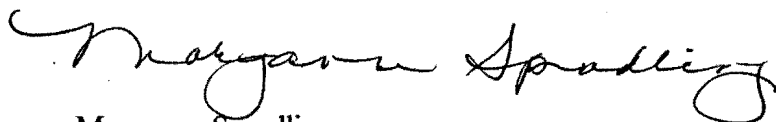
By squeezing the driveway so close to the property line, and by excavating thousands of cubic feet of sand for a subterranean garage, the applicant was inviting problems. The adjacent property's retaining wall was never meant to serve the Baldacci property.

Rather than raise the height of the residence, I would suggest that the applicants build their own retaining wall. If additional space is required for a car to back up, recess the garage under the first story a couple feet, thereby gaining extra linear feet. This is a problem that can be corrected without adding height to the residence.

Please follow the spirit of our land use plan and the Coastal Act. Do not grant this increase in height. There are viable options to the home-owner that will not further impact this "scenically protected area."

As a footnote to this letter, I would like to invite members of the staff to come to the corner of Arena and Sunset in Pacific Grove, and re-evaluate your interpretation of the Coastal Act. I read the staff report on the Baldacci residence and noted a lack of the protective language that I had read in similar reports only five years ago. Those of us who have gone through the coastal process and have respected the Coastal Act and the goals therein, expect those goals to remain consistent from year to year, from property to property. Otherwise, we will continue to have residences that inappropriately max out their properties. We depend upon, and need, the coastal staff to act as a conscience for coastal development.

Sincerely,



Maryanne Spradling  
404 Asilomar Ave.  
Pacific Grove, CA 93950

Annette Corcoran

227 Asilomar Blvd. Pacific Grove CA 93950 (831)

649-1302 Fax (831) 649-0483 wcor@redshift.com

March 17, 2002

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Coastal Commission  
725 Front St.  
Santa Cruz

MAR 20 2002

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Dear Kelly & staff

I am writing this letter to voice my concerns about the continued massive residential construction along the coast (Sunset Blvd) in Pacific Grove. I am a local artist who has worked in P.G. for 17 years.

Until about 5 years ago we had responsible compatible construction along our coast. The last 5 years have taken a turn that appals many of us.

We were promised the control of our coastal area 4 years ago & this has not happened, why? Proper ordinances have not been put in place, so we are stuck with ordinances that give us the massing now seen at Sunset & Arena in P.G. We wish to save as much as possible from further massing along this coastline.

Unfortunately our Community Development Dept, commissions, and council have lacked the will to follow our Local Coastal Plan, our General Plan, or our Architectural Guidelines.

I write this letter to urge you (the coastal staff) to require the Baldacchi residence on Sunset in P.G. be given a full review by the coastal Commission. You neglected giving The Archibald property (a remodel) a full review as promised at 1432 Arena. What a mess that is!

The Baldacchi residence is in the same area of massing.

1. it is too close to Sunset Blvd to be almost 18' high.  
(We did not oppose this house when it was <sup>15'</sup> passed by coastal because it was 15' high and reasonable)
2. this house now blocks viewshed on Asilomar Blvd (which it didn't at 15')
3. there should be story poles at 18' to really visualize how this would look, from Asilomar & Sunset
4. The changes in roof height were never posted.
5. The raise in roof height was a problem that Baldacchi <sup>3-04-013-A1</sup> created and is now <sup>Exhibit I</sup> exhibiting that we <sup>Baldacchi Amendment</sup> are addressing. pg. 5 of 11

Please review this property

- Sincerely Annette Corcoran

