

## CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE  
45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
(415) 904-5260 FAX (415) 904-5400  
[www.coastal.ca.gov](http://www.coastal.ca.gov)

**W9**

# NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the*

*October Meeting of the California Coastal Commission*

MEMORANDUM

Date: October 15, 2008

TO: Commissioners and Interested Parties  
FROM: Charles Lester, North Central Coast District Deputy Director  
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Central Coast District Office for the October 15, 2008 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Central Coast District.

**REGULAR WAIVERS**

1. 2-08-015-W Recreation & Park Department, City & County Of San Francisco, Attn: Project Manager Dan Mauer  
(San Francisco, San Francisco County)

**TOTAL OF 1 ITEM**

## DETAIL OF ATTACHED MATERIALS

### REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c), Section 13252(e), and/or Section 13253(c) of the California Code of Regulations.

| <i>Applicant</i>   | <i>Project Description</i>  | <i>Project Location</i>   |
|--|---|---|
| <p><b>2-08-015-W</b><br/>                     Recreation &amp; Park<br/>                     Department, City &amp; County<br/>                     Of San Francisco, Attn:<br/>                     Project Manager Dan Mauer</p> | <p>Repair to a storm drain outfall at Sharp Park Golf Course, as detailed in the project description on file with the North Central Coast District Office. The work includes removal and replacement of two storm drain pipes and associated valves, partial excavation of the berm to replace the pipes, and repair and revegetation of the berm. All construction equipment and vehicles will remain on the existing designated roadway on the top of the seawall and embankment. All work will comply with the U.S.F.W.S. October 7, 2008 consultation (Corps File No. 08-00229S). The consultation requires avoidance and minimization measures including: 1) erosion control to protect adjacent wetlands from sedimentation and erosion; 2) daily biological surveys to ensure no listed species are present; and 3) a training session for all construction personnel that includes a description of red-legged frogs and garter snakes and their habitats as well as proper procedures for staff if any individuals are detected within the project area.</p> | <p>Highway 1 &amp; Sharp Park Road (Sharp Park Golf Course), San Francisco (San Francisco County)</p> |

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 8, 2008  
TO: Recreation & Park Department, City & County Of San Francisco, Attn:  
Project Manager Dan Mauer  
FROM: Peter M. Douglas, Executive Director  
SUBJECT: Waiver of Coastal Development Permit Requirement:  
**Waiver Number 2-08-015-W**

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13252 of the California Code of Regulations.

APPLICANT: Recreation & Park Department, City & County Of San Francisco, Attn: Project Manager Dan Mauer

LOCATION: Highway 1 & Sharp Park Road (Sharp Park Golf Course), San Francisco (San Francisco County) (APN(s) 016-430-20)

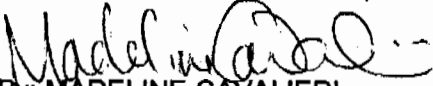
DESCRIPTION: Repair to a storm drain outfall at Sharp Park Golf Course, as detailed in the project description on file with the North Central Coast District Office. The work includes removal and replacement of two storm drain pipes and associated valves, partial excavation of the berm to replace the pipes, and repair and revegetation of the berm. All construction equipment and vehicles will remain on the existing designated roadway on the top of the seawall and embankment. All work will comply with the U.S.F.W.S. October 7, 2008 consultation (Corps File No. 08-00229S). The consultation requires avoidance and minimization measures including: 1) erosion control to protect adjacent wetlands from sedimentation and erosion; 2) daily biological surveys to ensure no listed species are present; and 3) a training session for all construction personnel that includes a description of red-legged frogs and garter snakes and their habitats as well as proper procedures for staff if any individuals are detected within the project area.

RATIONALE: As proposed, with measures to minimize and avoid impacts to sensitive species, the development involves no significant impacts on coastal resources or public access to the shoreline.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, October 15, 2008, in Ventura. If three Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,  
PETER M. DOUGLAS  
Executive Director

  
By: MADELINE CAVALIERI  
Coastal Program Analyst

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**Memorandum****October 9, 2008****To:** Commissioners and Interested Parties**FROM:** Charles Lester, Deputy Director  
North Central Coast District**Re:** *Additional Information for Commission Meeting Wednesday,  
October 15, 2008*

| <u>Agenda Item</u> | <u>Applicant</u>                       | <u>Description</u>                   | <u>Page</u> |
|--------------------|--|--------------------------------------|-------------|
| W11a               | A-1-HMB-99-022 (AILANTO) Half Moon Bay | Ex Parte Communications, Steve Blank | 1           |
| W11a               | A-1-HMB-99-022 (AILANTO) Half Moon Bay | Correspondence, Mark Eibert          | 2           |
| W11a               | A-1-HMB-99-022 (AILANTO) Half Moon Bay | Correspondence, Sofia Freer          | 10          |
| W11a               | A-1-HMB-99-022 (AILANTO) Half Moon Bay | Correspondence, Stephan Freer        | 11          |

## DISCLOSURE OF EX PARTE COMMUNICATIONS

**Name or description of project:** Appeal No. A-1-HMB-99-022  
(Ailanto Properties, Half Moon Bay), Wednesday 11a

**Date/time of receipt of communication:** October 8, 2008 @ 5:00pm

**Location of communication:** Menlo Park

**Type of communication:** Telephone

**Person(s) initiating communication:** Lennie Roberts, Mike Ferreria  
ORCA San Mateo

**Detailed substantive description of content of communication:**

ORCA supports the staff recommendation for this proposal. They believe that the 65 lot/63 single-family homes on this property is fair and balanced.

They believe that current staff recommendations on water and traffic are correct and sufficient.

They ask that I vote for its approval.



\_\_\_\_\_  
Commissioner

Wednesday, October 8, 2008

\_\_\_\_\_  
Date

**MARK D. EIBERT**

**Attorney at Law**

October 2, 2008

**514 Silver Avenue  
Half Moon Bay, California 94019-1564**

Chairperson Patrick Kruer  
Ms. Madeline Cavaliere  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105

Via Facsimile and U.S. Mail

**RECEIVED**

OCT 06 2008

CALIFORNIA  
COASTAL COMMISSION

**Re: Appeal No. A-1-HMB-99-022 (Ailanto Properties, Half Moon Bay)**  
Scheduled for hearing on October 15, 2008 in Ventura

Dear Mr. Kruer and Ms. Cavaliere:

We live on Silver Avenue in the neighborhood of Highland Park<sup>1</sup> in Half Moon Bay, California. We are writing to comment on the Pacific Ridge development project ("the Project"), which is presently before the Coastal Commission.

As you know, a 2004 settlement agreement designates Terrace Avenue as the construction and access road for the sixty-three homes in the Project. Some residents of Terrace Avenue are unhappy with this designation. They claim you must study numerous alternative access routes, including Silver Avenue, before granting a modified CDP for the Project pursuant to the settlement agreement.

Silver Avenue is not a feasible alternative, for the following reasons.

**1. Cal Trans Will Not Allow Silver To Be Opened.**

The City of Half Moon Bay cannot open a street to Highway 1 unless it first obtains an encroachment permit from Cal Trans. Neither the City nor the developer of Highland Park ever obtained an encroachment permit for Silver Avenue.

Cal Trans realized there was no encroachment permit and ordered the City to close the intersection. Cal Trans raised two concerns about the intersection: (1) there was a high accident rate there; and (2) the subterranean drainage system for Highland Park that converged underneath the intersection did not meet Cal Trans' flood control standards. The intersection has now been closed for more than 20 years.

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<sup>1</sup> Highland Park is a subdivision with about 100 homes built along two main roads, Silver and Highland, and two connectors, Quartz and Golden Gate. Terrace Avenue has less than 50 homes; that development is contiguous to ours and known as Newport Terrace. We (and all the other homes on our side of Silver) share a back fence with Terrace residents. Silver and Highland now each consist of two cul-de-sacs with no access to Highway 1 except through Terrace.

Before Silver could be opened, the drainage system would first have to be brought up to standard—if that is even possible. The necessary subterranean work underneath Silver and Highway 1 would disrupt traffic on Highway 1 and impact the flow of water in the neighborhood, perhaps in unforeseeable ways. In addition, work on Highway 1 itself would be required to address the safety problems at the intersection—again, if that is even possible.

Thus, before the City could even think about opening Silver Avenue, it would have to prepare an EIR studying all the impacts of that decision. The study, repair work, and inevitable litigation could take years and cost an enormous amount of money, with no certainty that Cal Trans would ever change its mind and allow Silver to be opened in the end.

## **2. The City of Half Moon Bay Will Not Allow Silver To Be Opened.**

Since the settlement agreement was signed in 2004, some Terrace residents have demanded that Silver be substituted for Terrace as the access road for Pacific Ridge, in whole or in part. Two successive City Councils (one slow-growth and the other pro-development) have turned them away and stuck with the settlement agreement.

The City of Half Moon Bay has kept Silver closed and barricaded for more than two decades. The City must be the one to decide which of its roads are open or closed (assuming that Cal Trans agrees), particularly given the extreme cost involved at a time of severe budgetary constraints. The Coastal Commission cannot make the initial decision to open Silver to Highway 1.

## **3. The Intersection of Silver Avenue and Highway 1 Is Unsafe.**

Two recent engineering studies indicate that the intersection of Silver Avenue and Highway 1 is unsafe and should not be used for Project access.

a) Ailanto Properties (the Project owner) hired Mark Thomas & Company, Inc. to study the intersection where Silver meets Highway 1. Mark Thomas issued a report in March 2005 (copy attached). Though the report addressed signalizing the intersection, the problems it identifies would apply even if the intersection were opened without a signal.

As the report explains, Highway 1 is ten feet above the surrounding natural ground. Silver Avenue rises up sharply at its western end to meet Highway 1. To create safe stopping sight distance, Silver would have to be raised in grade, rendering one or more homes on our street inaccessible.

Also, the first two driveways on Silver are within 20 meters of the proposed intersection, which would create safety issues. Residents would have to wait on Highway 1 for westbound traffic on Silver to clear so they could turn into their driveways. This would back up Highway 1 traffic.



Another concern has to do with Highway 1, which curves away from Silver right at the point where vehicles would be turning into the neighborhood.

Finally, the report concluded that the steep approach grade on Silver reduces the effective sight distance along Highway 1. It also creates a risk that trucks will overturn when turning from Highway 1 onto Silver.

b) The City of Half Moon Bay hired T.Y. Lin International to prepare a separate "Traffic Analysis for Terrace Avenue Signal Installation" (November 22, 2004). After discussions with City staff and roadway design consultants, T.Y. Lin concluded that physical constraints such as Silver's steep grade and proximity to adjacent intersections on Highway 1 eliminated this alternative from consideration (copy of relevant page attached).

c) In addition, we note that Quartz Avenue intersects Silver within about 100 feet of Highway 1. The proximity of a cross-street, taken together with the line of sight problems noted above, create a strong risk that cars entering the neighborhood via Silver would hit cars on Quartz. Collisions would block roads within the neighborhood and back up traffic on Highway 1.

#### **4. Opening Silver Is Not Feasible For Legal Reasons.**

a) As noted in the Mark Thomas report, driveways on Silver are located just a few feet from Highway 1, increasing the odds of traffic accidents. To cure this problem, the City would have to use eminent domain to take and demolish at least the first two houses at the Highway 1 end of Silver. This costly solution would violate voter-approved Measure O, which limits the City's use of eminent domain.

b) When Silver was closed by Cal Trans over 20 years ago, there were few homes here. Since then, hundreds of people have moved into about 100 houses on Silver, Highland, and the cross streets, Golden Gate and Quartz. Over the decades, the barricade at the western end of Silver and the "Road Closed" sign has continuously represented to Highland Park residents that Silver was closed to Highway 1 and would stay closed.

Before we and others bought our homes, we asked City personnel whether the barricade at the intersection of Silver and Highway 1 was permanent. We were assured that Silver was closed to Highway 1 and would stay closed. We reasonably relied on those statements and the barricade itself (with its "Road Closed" sign) in buying our homes, making our investments, and selecting a safe environment for our children. We had no reason to expect that Silver would be opened, and we relied on Terrace as the access road to Highway 1 for Highland Park.

Thus, when Terrace residents demand that Silver be opened and made the access road for Pacific Ridge, they are pushing a hidden agenda: they want Silver to be the access road for Highland Park and Terrace as well as Pacific Ridge. Starting from our baseline of no traffic at all from Highway 1, Silver residents would suddenly face traffic

from about 210 houses. That would be a radical change to the status quo, with major environmental impacts that have never been studied.

We are both attorneys. We believe that after decades of closure and reliance, the City does not have the legal right to open Silver without the consent of Highland Park residents. Any move to open Silver is likely to trigger a chain reaction of litigation against the City and many other responsible parties.

**5. Terrace residents do not speak for Highland Park.**

Back in 2004, when the settlement agreement was first announced, disgruntled Terrace residents began to cast about for an alternative to the use of their street. One of their many suggestions was that Silver be opened and made the access for Pacific Ridge, in whole or in part. Highland Park residents immediately organized in opposition. We collected 124 signatures from our neighbors on a petition to the Half Moon Bay City Council opposing the opening of Silver Avenue to Highway 1.

Subsequently, Terrace Avenue residents sought to enlist Highland Park residents in political and legal opposition to the use of any neighborhood streets for the Project. This informal alliance incorporated only a few Highland Park residents. It collapsed altogether in 2005, after a new City Council was elected and Terrace residents renewed their call for the opening of Silver.

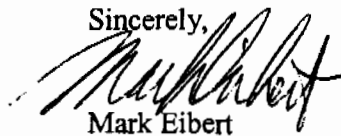
Thus, it is important to note that Terrace residents do not speak for Highland Park when they call for Silver to be studied as an alternative route. Instead, the letter they have submitted to the Coastal Commission runs directly contrary to the opinions, feelings, and fundamental interests of their neighbors.

**6. Conclusion**

More than four years have passed since the settlement agreement was announced in early 2004. This process has dragged on long enough. Further delay to consider "alternatives" that are infeasible for the above reasons is unjustified.

We ask that the Coastal Commission approve the modified CDP for the Project.

Sincerely,



Mark Eibert

Sincerely,



Kerry Macintosh

Enclosures



## **Route 1/Silver Avenue Signalized Intersection Evaluation** **March 2005**

### ***Existing Setting***

Route 1 runs in a general north/south direction in this area and makes a large sweeping turn northwesterly as it leaves central Half Moon Bay heading north. At the south end of this large curve is the Route 1/Route 92 signalized intersection. Midway along this curve is the Route 1/Main Street signalized intersection. And at the north end of this curve is the Silver/Grand intersection. Grand Boulevard approaches Route 1 from the west on a slight northward skew and meets the highway at a "T" intersection with stop sign. Silver Avenue approaches Route 1 from the east on a slight southward skew and then curves slightly north to meet the highway opposite of Grand Boulevard.

Silver Avenue is currently closed to direct access onto Route 1 by a wooden rail barrier constructed across Silver Avenue at the shoulder line of Route 1. This closure was erected by Caltrans many years ago in response to safety concerns and a high accident rate at this intersection. Silver Avenue traffic now uses Terrace Avenue to connect to Route 1.

### ***Evaluation of the Proposal to Signalized Route 1/Silver Avenue Intersection***

Route 1 at the Silver/Grand intersection is approximately 3 meters (10 feet) above the surrounding natural ground. Silver Avenue and Grand Boulevard both rise up to meet Route 1. A 40 km/hr (25 mph) design speed criteria was selected to be a reasonable standard to address safety concerns and the adaptability of the proposed signal system at Route 1/Silver Avenue intersection. Based on this criteria, the design cross street would have a 6% grade up on the Grand Boulevard approach and a 5% grade up on the Silver Avenue approach with a 70 meter (230 foot) vertical curve crossing and conforming to Route 1. The 70 meter vertical curve, which is required to meet the crossroad stopping sight distance, would raise the Silver Avenue approach approximately 0.5 meters (18 inches) at the highest point and the Grand Boulevard approach approximately 0.2 meters (8 inches) at the highest point.

This new higher profile of Grand Boulevard and Silver Avenue would have following results:

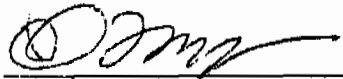
- (1) Creating safe stopping sight distance on the Silver/Grand cross street would significantly impact adjacent driveway access on Silver Avenue. The first residential driveway on Silver Avenue is only 2.4 meters (8 feet) from the Caltrans right of way. The required raising of Silver Avenue would increase this driveway slope in excess of 25%, making it inaccessible.

- (2) The first two driveways on Silver Avenue are within 20 meters (65 feet) of the intersection, creating potential safety problems when residents are trying to turn from Route 1 onto Silver Avenue through the signal and then make a left turn into their driveways. While they are waiting for the westbound traffic on Silver Avenue to clear they would be backing traffic up into the intersection.
- (3) This new signal would be on the north end of the large Route 1 curve which has a super elevation in excess of 5%. This intersection on superelevation runoff of the curve is less desirable than a signal on a tangent crown section of Route 1. Some of the same safety problems that caused the original closing of the Silver Avenue intersection could surface again.
- (4) The relatively steep approach grades on Grand Boulevard and Silver Avenue reduce the effective sight distance along Route 1 and create a less safe condition than a signal at a location where the approaches would be flatter.
- (5) The steep approaches create a higher possibility for truck overturning when large trucks are turning from Route 1 onto Grand Boulevard or Silver Avenue.

**Conclusion**

Based on above findings, it was concluded that this location is not acceptable for application of a signalized intersection due to right of way constraints and safety concerns.

Prepared by:



Richard K. Tanaka, PE  
Mark Thomas & Company, Inc.



*Final Report*

**Traffic Analysis for  
Terrace Avenue Signal Installation**

prepared for

**City of Half Moon Bay**

prepared by

**T.Y. Lin International/CCS**  
2290 North First Street, Suite 102  
San Jose, CA 95131  
(408) 282-2477

November 22, 2004

The recommended traffic signal phasing is shown in Figure 7. Terrace Avenue and the frontage road as assumed to operate as "split" phasing, and the frontage road was analyzed with an additional subdivision between directions. To approximate this phasing, the level of service evaluation was conducted with a typical "split" phase for the side street, plus an additional 3 seconds of lost time was included to represent the subdivision of the frontage road.

The intersection of SR-1 & Main Street would continue to operate at LOS F during the AM peak hour under Cumulative Plus Project Conditions. The addition of the Pacific Ridge Residential Development project would increase the V/C ratio of the intersection from 1.217 to 1.221 in the AM peak hour, which represents an increase of 0.004. Since the increase in V/C ratio would be less than 0.02, this intersection impact would not be considered significant and require direct mitigation according to the significance criteria identified above.

The other study intersections would continue to operate at acceptable levels of service.

## EVALUATION OF PROJECT ALTERNATIVES

Three alternatives to provide access to the Pacific Ridge development site were initially considered as part of this project. The following provides a brief summary of the alternatives and the reason a full detailed traffic analysis of the alternative was omitted.

**Silver Avenue.** This alternative would open Silver Avenue at SR-1 to provide right-turn in and right-turn out access at the intersection. Based on discussions with the City of Half Moon Bay staff and the roadway design consultants, physical constraints such as the proximity of Silver Avenue to the adjacent intersections on SR-1 and the grades have eliminated this alternative from consideration.

**Foothill Road.** Oriented roughly parallel to SR-1, this alternative would include construction of a new roadway, referred to as Foothill Road, between the Pacific Ridge development site and State Route 92 (SR-92). Potential right-of-way and operational issues at the intersection of SR-92 & Foothill Road, which would be created as a result of this alternative, have deemed this alternative infeasible.

**Bayview Boulevard.** This alternative would include construction of a new roadway north of Terrace Avenue between SR-1 and the Pacific Ridge site. The new roadway, referred to as Bayview Boulevard, would run parallel to Terrace Avenue and provide the only access to the Pacific Ridge development. Under this alternative, the intersection of SR-1 & Bayview Boulevard would be signalized and the intersection of SR-1 & Terrace Avenue would remain unsignalized. This alternative was eliminated from consideration because the new roadway cannot be constructed without avoiding wetlands.

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OCT 09 2008  
CALIFORNIA  
COASTAL COMMISSION

984 Pilarcitos Ave  
Half Moon Bay, CA 94019  
October 8, 2008

California Coastal Commission  
Attention: Chairman Patrick Kruer  
Cc: Ms. Madeline Cavaliere  
45 Fremont St., Ste #2000  
San Francisco, Ca 94105

Re: Agenda Item # 11.a, Appeal A-1-HMB-99-022 (Ailanto Properties, Half Moon Bay)

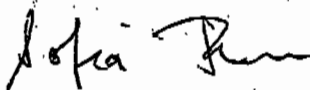
Dear Commissioners,

I sincerely hope that you agree with your Staff's Recommendation and allow the Ailanto project to move forward according to the modified conditions of approval detailed in the excellent Staff Report.

Assisted by Commission Staff, the Applicant has agreed to implement mitigations and conditions that made the project fully compliant with Half Moon Bay's Local Coastal Program. I believe that the current CDP deserves to be approved.

I look forward to watching your public hearing on October 15, 2008.

Sincerely,



Sofia Freer  
Former Half Moon Bay Planning Commissioner

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OCT 09 2008

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Half Moon Bay, CA 94019  
October 8, 2008

California Coastal Commission  
Attention: Chairman Patrick Kruer  
Cc: Ms. Madeline Cavalieri  
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San Francisco, Ca 94105

Re: Agenda Item # 11.a, Appeal A-1-HMB-99-022 (Ailanto Properties, Half Moon Bay)

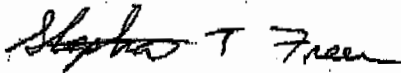
Dear Commissioners,

I write in support of the Staff Recommendation for approval of modifications to the Ailanto Pacific Ridge project in Half Moon Bay.

As reflected in the Staff Report, this Applicant and the Commission have crafted many improvements to the originally appealed project in order to make it more consistent with Half Moon Bay's Local Coastal Program. Having done so, it is now time to accept the Coastal Development Permit subject to the conditions proposed by the Applicant and thereby allow this much improved project to progress toward completion.

I believe the Commission can justly take pride in this outcome and I look forward to watching your public hearing on October 15, 2008.

Sincerely,



Stephan T. Freer, Ph.D.