

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 FAX (805) 641-1732

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W24

SOUTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

February 2017 Meeting of the California Coastal Commission

February 06, 2017

To: Commissioners and Interested Parties
From: Steve Hudson, South Central Coast District Deputy Director

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Central Coast District Office for the February 2017 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 South Central Coast District.

DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

Applicant	Project Description	Project Location
<p>4-16-0974-W City of Goleta</p>	<p>Restripe approximately 2,140 ft. of Ward Drive to provide a Class II bike lane on either side of the street as well as to accommodate vehicle street parking, and construct a pedestrian sidewalk on the west side of Ward Drive adjacent to Rancho Goleta Lakeside Mobile Home Park.</p>	<p>Ward Drive right-of-way between the coastal zone boundary and the southern terminus of Ward Drive, Goleta</p>
<p>4-16-1106-W City of Goleta</p>	<p>Construct a new curb on the south side of Hollister Avenue approximately 2 to 3 feet north of the existing curb to accommodate a new Class I Bike/Multi-Purpose path from the Ellwood School Crossing to Pebble Beach Drive, Restriping of Hollister Avenue is also proposed to delineate the bike and traffic lanes.</p>	<p>The south side of Hollister Avenue from the Ellwood School crossing to the Coastal Zone boundary approximately 210 feet west of Pebble Beach Drive, Goleta</p>
<p>4-17-0045-W City of Santa Barbara</p>	<p>Removal and replacement of 3,190 linear feet of existing guardrail, and installation of 755 linear feet of new guardrail on the existing wharf. The guardrail will be visually permeable and constructed of wood and cable. The proposed project also includes implementation of best management practices to ensure water quality is not degraded during construction.</p>	<p>Stearns Wharf, Santa Barbara</p>

IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

Applicant	Project Description	Project Location
<p>4-03-094-A1 Shuba & Linda Maitra</p>	<p>Reduce the size of the single family residence by 6,250 sq. ft. in order to construct a 5,800 sq. ft., 30 ft. high residence, eliminate a 5,594 sq. ft. basement/garage and construct a 1,000 sq. ft. detached garage/storage area with swimming pool and septic system, eliminate one of the two access driveways, reduce the height of the 820 lineal feet of retaining walls from 1 - 15 feet high to 1 - 11 feet high, revise the grading plan to eliminate 6,439 cu. yds. of excavation and allow for a total of 4,600 cu. yds. of grading (2,300 cu. yds. cut, 2,300 cu. yds. fill).</p>	<p>24500 Piuma Road, Santa Monica Mtns</p>

EXTENSIONS - IMMATERIAL

Applicant	Project Description	Project Location
4-08-040-E4 Paul & Sara Grisanti	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a new 1,200 sq. ft. single-family residence, 647 sq. ft. attached garage, decks, retaining walls, swimming pool, septic system, and 200 cu. yds. of grading.	2828 Mc Alpine Drive, Topanga
5-90-314-E25 Terry & Howard Rubinroit	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP to adjust lot line and construct 4,665 sq. ft. 27-ft.-high single-family home with 1,0125 sq. ft. garage, water well, water tank, septic system, swimming pool, pool house and 1,355 cu. yds. of grading.	25195 Piuma Road, Malibu
4-11-051-E3 Tom & Alexis Schneider	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a 1,444 sq. ft., 30 ft. high, one-story single family residence with attached garage; patio; hammerhead turnaround; water well; septic system; retaining walls; 454 cu. yds. of grading (139 cu. yds. of cut and 314 cu. yds. of fill). In addition, the project includes roadway improvements to Kerry Lane, including construction of 760 linear ft. of pavement and 120 linear feet of permeable concrete up to 20 ft. wide, 590 ft. long retaining wall ranging from 2-ft. to 6-ft. high, and 726 cu. yds. of grading (472 cu. yds. of cut and 254 cu. yds. of fill).	1840 Kerry Lane, Topanga
A-4-MAL-13-0257-E1 Iraj Safapour	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a new 7,416 sq. ft. one-story, residence with attached garage, swimming pool, associated hardscape, 645 cu. yds. grading, swimming pool, onsite wastewater treatment system, landscaping, habitat restoration and erosion control and an offer to dedicate a trail easement.	29600 Harvester, Topanga

Memorandum for objection letter received for extension **4-011-051-E1**

Memorandum for objection letters received for extension **A-4-MAL-13-257-E1**

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER-DE-MINIMIS

Date: January 27, 2017

To: All Interested Parties

Subject: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-16-0974-W

Based on project plans and information submitted by the applicant 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 13238 of the California Code of Regulations.

Applicant: City of Goleta

Location: Ward Drive right-of-way between the coastal zone boundary and the southern terminus of Ward Drive, City of Goleta

Description: Restripe approximately 2,140 ft. of Ward Drive, reconstruct portions of the west side of Ward Drive to provide a Class II bike lane on either side of the street as well as to accommodate vehicle street parking, and construct a pedestrian sidewalk on the west side of Ward Drive adjacent to Rancho Goleta Lakeside Mobile Home Park.

Rationale: The proposed project will provide a Class II bike lane that will connect Hollister Avenue to the Pacific Coast Bike Route and a pedestrian path along a portion of Ward Drive. Construction of the sidewalk and bike lane will result in a reduction of 13 on-street parking spaces on the west side of Ward Drive. Even though a reduction of parking can have impacts by displacing parking that is closer to the coast, the proposed project, which is approximately one-half mile from the coast, will have no significant or direct impacts to parking for public access and recreation and 35 on-street parking spaces will be retained. Staff worked with the applicant to reduce the number of parking spaces lost from 27 to 13, which is the minimum number of removed parking spaces that will allow for a pedestrian path and bike lane along this route. Additionally, the Class II bike lane will connect to the Pacific Coast Bike Route that extends from Coal Oil Point to the City of Santa Barbara. No native vegetation will be removed as part of the proposed project. In addition, the applicant has proposed Best Management Practices for water quality protection. As proposed, this project will not result in any adverse impacts to sensitive habitat, water quality, visual resources, or public access. Therefore, the proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act.

Important: This waiver is not valid unless the project 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 February 8, 2017. If four 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 development permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

John Ainsworth
Acting Executive Director

By: Michelle Wagner
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER-DE-MINIMIS

Date: January 27, 2017
To: All Interested Parties
Subject: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-16-1106-W

Based on project plans and information submitted by the applicant 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 13238 of the California Code of Regulations.

Applicant: City of Goleta

Location: The south side of Hollister Avenue from the Ellwood School crossing to the Coastal Zone boundary approximately 210 feet west of Pebble Beach Drive, City of Goleta.

Description: Construct a new curb on the south side of Hollister Avenue approximately 2 to 3 feet north of the existing curb to accommodate a new Class I Bike/Multi-Purpose path from the Ellwood School Crossing to Pebble Beach Drive. Restriping of Hollister Avenue is also proposed to delineate the bike and traffic lanes.

Rationale: The proposed project will create an improved bike path and sidewalk for access to Ellwood School and the Ellwood Mesa along a portion of Hollister Avenue. No vegetation will be removed as part of the proposed project. In addition, the applicant has proposed Best Management Practices for water quality protection. As proposed, this project will not result in any adverse impacts to sensitive habitat, water quality, visual resources, or public access. Therefore, the proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act.

Important: This waiver is not valid unless the project 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 February 8, 2017. If four 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 development permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

John Ainsworth
Acting Executive Director

By: Michelle Wagner
Coastal Program Analyst

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER-DE-MINIMUS

DATE: January 27, 2017
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-17-0045-W

Based on project plans and information submitted by the applicant 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 13238 of the California Code of Regulations.

Applicant: City of Santa Barbara

Location: Stearns Wharf, Santa Barbara, Santa Barbara County

Description: Removal and replacement of 3,190 linear feet of existing guardrail, and installation of 755 linear feet of new guardrail on the existing wharf. The guardrail will be visually permeable and constructed of wood and cable. The proposed project also includes implementation of best management practices to ensure water quality is not degraded during construction.

Rationale: The proposed project is minor in nature and will not involve work in the water or changes to the pilings or decking of the existing wharf. The applicant has also included implementation of construction best management practices as part of the proposed project to ensure water quality is not degraded during construction. Furthermore, the wharf will remain open to the public during construction. The proposed project will not adversely impact coastal resources, public access, or water quality and is consistent with all applicable Chapter Three policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the project 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 on February 8, 2017 in Newport Beach. If three or more Commissioners object to this waiver, a coastal permit will be required. Persons having questions or wishing to object to 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,

JOHN AINSWORTH
Acting Executive Director

A handwritten signature in black ink, appearing to read 'Jacqueline Phelps'.

By: Jacqueline Phelps
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties

FROM: Jack Ainsworth, Acting Executive Director

DATE: January 27, 2017

SUBJECT: Coastal Development Permit No. 4-03-094 granted to Shuba and Linda Maitra for the development described below at 24500 Pioma Road, Santa Monica Mountains, Los Angeles County (APN: 4453-002-003) consisting of:

Construction of a 12,050 sq. ft., 30 ft. high single family residence, with 5,594 sq. ft. basement/garage, swimming pool, septic system, two access driveways, two semi-subterranean 5,000 gallon water tanks, 820 lineal feet of 1 - 15 foot high retaining walls along the driveways, 2,419 cubic yards grading (2,126 cu. yds. cut, 293 cu. yds. fill) and 6,439 cubic yards of excavation is required for the basement. The applicant also proposes to face the residence and retaining walls with a sandstone rock veneer.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment (CDP Amendment 4-03-094-A1) to the above referenced permit, which would result in the following change:

Reduce the size of the single family residence by 6,250 sq. ft. in order to construct a 5,800 sq. ft., 30 ft. high residence, eliminate a 5,594 sq. ft. basement/garage and construct a 1,000 sq. ft. detached garage/storage area with swimming pool and septic system, eliminate one of the two access driveways, reduce the height of the 820 lineal feet of retaining walls from 1 - 15 feet high to 1 - 11 feet high, revise the grading plan to eliminate 6,439 cu. yds. of excavation and allow for a total of 4,600 cu. yds. of grading (2,300 cu. yds. cut, 2,300 cu. yds. fill).

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) this amendment is considered to be **IMMATERIAL** and the permit will be modified accordingly if no written objections are received within ten working days of the date of this notice. This amendment has been considered "immaterial" for the following reason(s):

The proposed amendment consists of a re-design that will modify the architectural style, floor plan, and layout of the approved single family residence within the same development envelope as the approved structure. The project will result in a reduction of the square footage of the residence from 12,050 sq. ft. to 5,800 sq. ft. and a reduction of the development area from 12,200 sq. ft. to 10,000 sq. ft. The maximum height of the retaining walls and the amount of grading will also be reduced. Although the amendment includes a detached garage/storage area, the detached structure will be constructed within the approved development footprint. The amended project will not increase the amount of required fuel modification or removal of ESHA. The proposed amendment will not result in any different or additional adverse impacts to coastal resources including scenic resources, public access, and sensitive habitat resources that were not considered, minimized, and mitigated in the original conditional approval of the project. As such, the proposed amendment is consistent with all applicable policies of the Santa Monica Mountains Local Coastal Program.

If you have any questions about the proposal or wish to register an objection, please contact Michelle Wagner at the Commission's Ventura office (805) 585-1800.

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

February 1, 2017

Notice is hereby given that Paul & Sara Grisanti has applied for a one year extension of 4-08-040 granted by the California Coastal Commission on December 8, 2011

for: Construction of a new 1,200 sq. ft. single-family residence, 647 sq. ft. attached garage, decks, retaining walls, swimming pool, septic system, and 200 cu. yds. of grading.

at: 2828 Mc Alpine Drive, (Los Angeles County) (APN(s): 4457020018)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Acting Executive Director

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

February 1, 2017

Notice is hereby given that Terry & Howard Rubinroit has applied for a one year extension of 5-90-314 granted by the California Coastal Commission on March 14, 1991

for: Adjust lot line and construct 4,665 sq.ft. 27-ft-high single-family home with 1,012 sq. ft. garage, water well, water tank, septic system, swimming pool, pool house and 1,355 cu. yds. of grading

at: 25195 Piuma Rd, Malibu (Los Angeles County) (APN(s): 4456037004)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Acting Executive Director

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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(805) 585 - 1800

**DISTRICT DIRECTOR'S REPORT**

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

DATE: February 3, 2017

SUBJECT: Letter of Objection to Coastal Development Permit (CDP) Time Extension Request No. 4-11-051-E3 (Schneider)

APPLICANT: Thomas & Alexis Schneider

PROJECT ADDRESS: 1840 Kerry Lane, Topanga (Los Angeles County)

APPROVED PROJECT DESCRIPTION: Construction of a 1,444 sq. ft., 30 ft. high, one-story single family residence with attached garage; patio; hammerhead turnaround; water well; septic system; retaining walls; 454 cu. yds. of grading (139 cu. yds. of cut and 314 cu. yds. of fill). In addition, the project includes roadway improvements to Kerry Lane, including construction of 760 linear ft. of pavement and 120 linear feet of permeable concrete up to 20 ft. wide, 590 ft. long retaining wall ranging from 2-ft. to 6-ft. high, and 726 cu. yds. of grading (472 cu. yds. of cut and 254 cu. yds. of fill). Amended to: Relocation of a 152 linear ft. portion of the access road by 0-2.5 ft. to the north and an adjoining 58 linear ft. portion of the access road to the southwest by 0 to 5 feet, addition of a 29 ft. long, 2 ft. high retaining wall, and 80 cu. yds. of associated grading (80 cu. yds. of cut and 0 cu. yards of fill).

WRITTEN OBJECTION RECEIVED: July 12, 2016

The Executive Director determined that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act and that determination was reported to the Commission. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the California Code of Regulations, Title 14, Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there are changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

In this case, a letter of objection to the coastal development permit time extension was received within 10 working days of the mailed notice and has been included as an attachment (Attachment 1).

STAFF ANALYSIS OF WRITTEN OBJECTION

The letter from Sinisa Spajic and Catherine Johann, received on July 12, 2016, states that they object to the extension of the subject permit, which includes the construction of a single family residence, associated grading, and roadway improvements to Kerry Lane. Specifically, the letter of objection states that the proposed road improvements to Kerry Lane would infringe upon their property and includes a land survey for comparison to the approved project. Furthermore, the letter states that no easement was ever signed by them in which they waived their rights to the land in question and that the approved 590 ft. long retaining wall, 2 to 6 feet tall, would cut off access to Kerry Lane from any portion of their property which currently borders it, thus negatively impacting their property value and usability.

In response, staff notes that a portion of the access road, as originally approved under the subject CDP, encroached outside the applicant's road easement onto adjacent private property owned by Sinisa Spajic and Catherine Johann. However, on January 11, 2017, the Commission approved an amendment (CDP Amendment No. 4-11-051-A1) to the original permit which consisted of relocating a portion of the access road footprint a distance that ranges between 0 to 5 feet in order to avoid encroaching onto the adjacent private property. Therefore, the road improvements allowed by the subject permit, as amended pursuant to CDP No. 4-11-051-A1, are located completely within the applicant's road easement area and do not infringe upon the property of Sinisa Spajic and Catherine Johann. As such, the written objection letter does not identify changed circumstances that would affect the project's consistency with the Coastal Act.

CONCLUSION

Staff investigations have identified no other possible changed circumstances. There have been no changes to the proposed project or the project site that would cause the Commission to find the project inconsistent with the Coastal Act. The proposed project, as amended pursuant to CDP No. 4-11-051-A1, is consistent with the Coastal Act. Accordingly, the Commission finds that there are not changes circumstances present, which have occurred since the approval of the subject coastal development permit, as amended, that affects the project's consistency with the Coastal Act. Therefore, the Executive Director is reporting the time extension to the Commission in conformity with California Code of Regulations, Title 14, Section 13169(c). If three commissioners object to the Executive Director's determination, the time extension request will be scheduled for hearing at a subsequent meeting. Otherwise, the immaterial extension will become effective.

Siniša Spajić & Catherine Johann

20132 Observation Dr. • Topanga, Ca 90290 • Phone: 310-455-2325 •
E-Mail: sinisaspajic@mac.com, catherinejohann@verizon.net

Received 

JUL 12 2016

Date: July 11, 2016

California Coastal Commission
South Central Coast District

To Whom It May Concern at California Coastal Commission

This letter is in regards to permit number 4-11-051 granted by the California Coastal Commission on June 14, 2012. We, Siniša Spajić and Catherine Johann, of 20132 Observation Dr. Topanga Ca 90290, object to the original permit having been granted and to its extension for the following reasons:

1. The proposed road improvements to Kerry Lane for said project would infringe upon our property (please compare attached land survey to road proposal). It is our belief that in one particular location, where there is an existing culvert on the road bordering APN 4447-030-019, this infringement would be at least six feet into our property by the time one factors in the required road widening, the space needed for the culvert and the retaining wall.
2. No easement was ever signed by us in which we waived our rights to this land for said project.
3. The 590 ft long retaining wall, 2 to 6 ft tall, would essentially cut off our access to Kerry Lane from any portion of our property which currently borders it, thus negatively impacting our property value and usability.
4. Tom and Alexis have repeatedly stated to the both of us, that our concerns regarding lack of access to Kerry Lane from our property would be addressed after the permits were signed off, by adding steps and breaks in the wall during construction. From our understanding of the permit process, if there are no proposed access areas or breaks in the retaining wall, and if the construction type is specified, then these things can not be subsequently introduced unless a new set of plans containing the changed items is resubmitted and approved.

We kindly ask the California Coastal Commission to look into this matter, and to not reissue a permit for this construction project. Thank your for time and consideration.

Sincerely,



Siniša Spajić & Catherine Johann

Received

TS

From: Tom Schneider tgs@riptiderealtime.com
Subject: PDF files of road
Date: May 24, 2016 at 12:48 PM
To: catherinejohannt@gmail.com

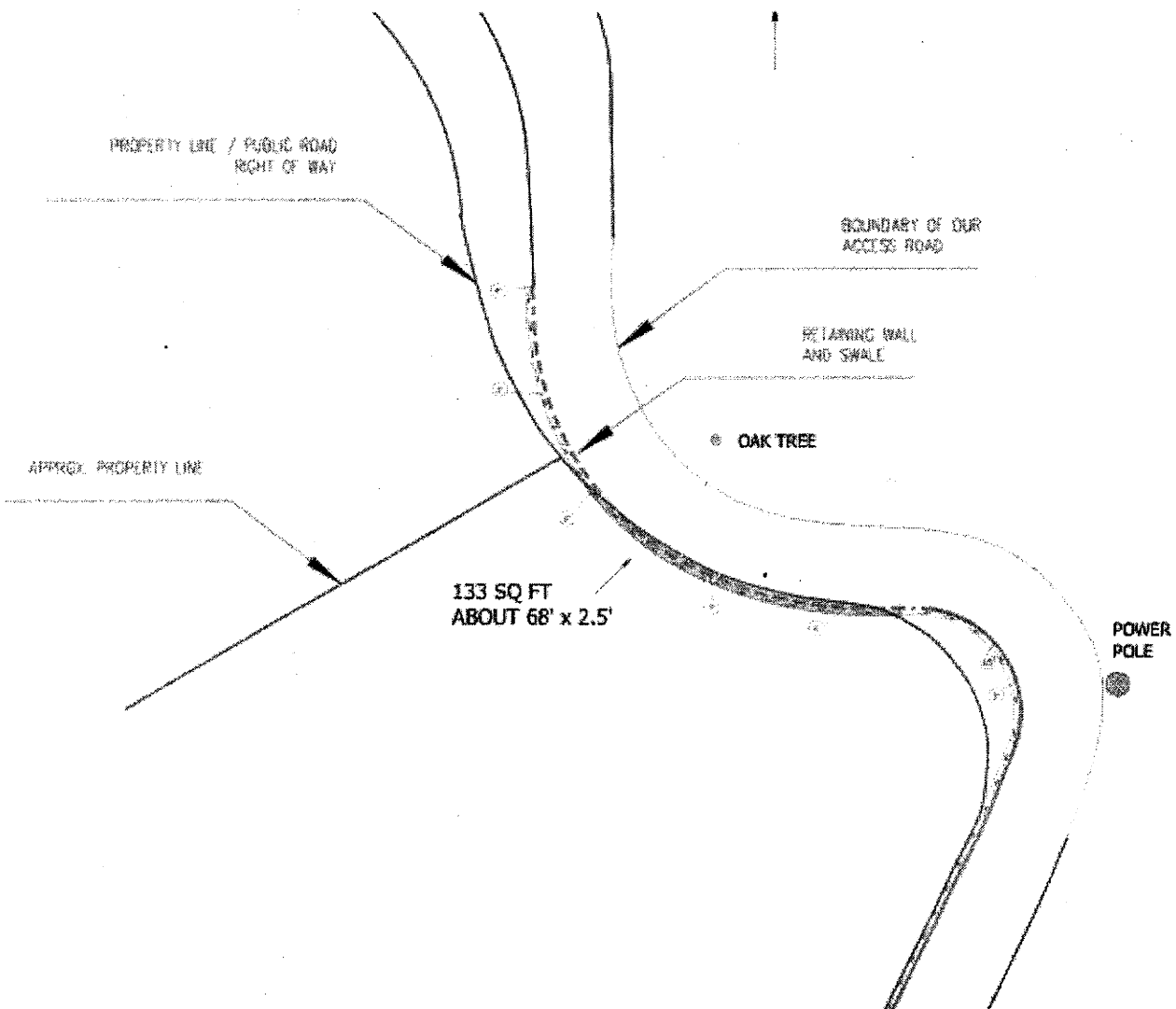
JUL 12 2016

Hi Katrin,

California Coastal Commission
South Central Coast District

Two pdf files are attached. The boundaries are derived directly from the engineer's drawing. Let us know if you have any questions, and if sometime today will still work to look at the actual physical area. We did a little mini-survey and marked the easement area on the ground. We can also bring the civil engineer's paper drawing.

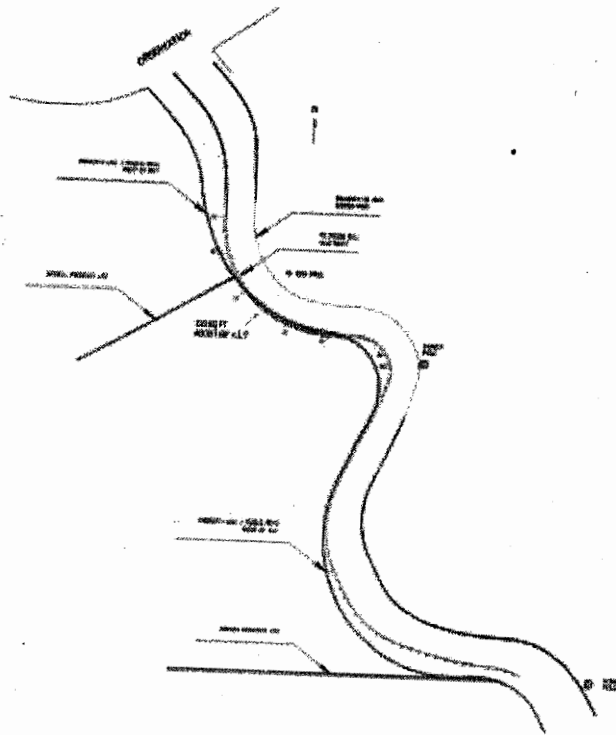
Cheers,
Tom



Received

JUL 12 2016

California Coastal Commission
South Central Coast District



From: Alexis Schneider alexis@onewingstudio.com
Subject: Tom and Alexis's fire access road...
Date: May 15, 2016 at 2:24 PM
To: Catherinem Johann catherinemjohann@gmail.com



Hi Catherine and Sinisa-

Tom and I have been working on the plans for the fire department access to our house. We would like to meet with you to discuss our plans. Would you be up for a chat and a bottle of wine or two?

Your concerns matter to us and should be taken into consideration in this process. We would bring the wine. Let us know!

Alexis (310 455 1546)

Received

JUL 12 2016

California Coastal Commission
South Central Coast District

From: Tom Schneider tgs@riptiderealttime.com
Subject: Miscellaneous
Date: May 30, 2016 at 11:06 PM
To: Catherine catherinejohannt@gmail.com



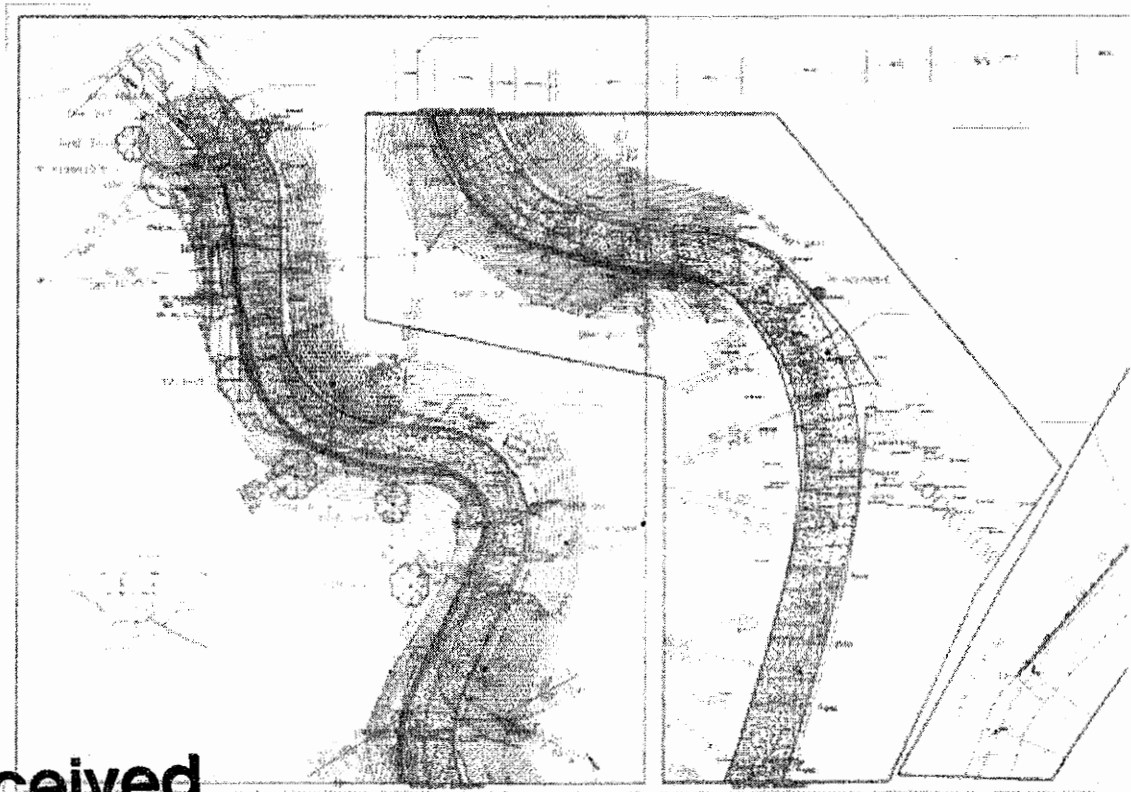
Hi Catherine,

In case you ever need it, I've attached the applicable part of the electronic version of the road survey done by our civil engineer. It looks crowded but you can zoom in on it.

You will probably get a letter soon from us (sent by Coastal) about our permit extension. It is no different from the one sent last year and does not include any wall/road changes yet.

My friend Klaus knows a lot about European history and really enjoyed his conversation about the Balkans with Sinisa.

Cheers,
Tom and Alexis



Received

JUL 1 2 2016

California Coastal Commission
South Central Coast District

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VENTURA, CA 93001
(805) 585 - 1800

**DISTRICT DIRECTOR'S REPORT**

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

DATE: **January 31, 2017**

SUBJECT: Letter of Objection to Coastal Development Permit (CDP) Time Extension Request No. A-4-MAL-13-0257-E1 (Safapour)

APPLICANT: **Iraj Safapour**

PROJECT ADDRESS: **29600 Harvester Road, Malibu, (Los Angeles County)**

APPROVED PROJECT DESCRIPTION: Construction of a new 7,416 sq. one-story, residence with attached garage, swimming pool, associated hardscape, 645 cu. yds. grading, swimming pool, onsite wastewater treatment system, landscaping, habitat restoration and erosion control and an offer to dedicate a trail easement.

CDP TIME EXTENTION DETERMINATION REPORTED TO COMMISSION: December 11, 2016

WRITTEN OBJECTION RECEIVED: December 12, 2016 & December 13, 2016.

The Executive Director determined that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act and that determination was reported to the Commission. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the California Code of Regulations, Title 14, Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there are changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

In this case, two letters of objection to the coastal development permit time extension were received within 10 working days of the mailed notice and have been included as an attachment (Attachment 1).

STAFF ANALYSIS OF WRITTEN OBJECTION

The first letter from Brian Pietro, Jennifer Pietro, Carol Bretonne, Michael Plen and Catherina Plen, received on December 12, 2016, states that they object to the extension of the subject permit, which includes the construction of a single family residence, associated grading, habitat restoration and an offer to dedicate a trail easement. Specifically, the letter of objection states that: "the approval for the project was fraudulently obtained via the City of the Malibu Planning Commission and the Malibu City Council, and requires further review," and "project is located on ESHA, and is subject to an EIR to determine its environmental impacts". Furthermore, the letter states that "the property owner rushed the job through Malibu City agencies, thereby avoiding a thorough evaluation of these environmental impacts" and "the project violates the provisions of the Malibu General Plan".

The subject approved coastal development permit was approved de novo (after substantial issue was found regarding appeals of the City of Malibu CDP decision) by the Coastal Commission, therefore the objections of the permit being fraudulently obtained by the City Council or Planning Commission are not relevant. Additionally, the standard of review for the subject permit is conformity with the certified Malibu Coastal Local Program, and not the Malibu General Plan. In this case, the Commission found the subject project, as conditioned, to be consistent with the policies and provisions of the Malibu Local Coastal Program. Furthermore, the Coastal Commission as the time of approval found no feasible alternatives or feasible mitigation measures available which would have substantially lessen any significant adverse impact that the project may have on the environment. Moreover, the Commission found the project, as conditioned, to be consistent with the applicable requirements of the California Environmental Quality Act.

The second letter from Tom Molloy, received on December 13, 2016, states that he objects to the extension of the subject permit. Specifically, the letter of objection states that: "the City of Malibu has granted an exemption to the required setbacks to ESHA" and "this set back should not be granted for several reasons". Furthermore, the letter states that "there is no reason why a set back to ESHA is necessary" and "the ESHA designation requires a 100 foot setback from any developed area". In response, staff notes that the subject project, as approved de novo by the Coastal Commission on December 11, 2014, did not grant an exemption to the required setbacks from ESHA. The approved residence would be constructed outside the minimum required 100 foot ESHA buffer of both streams located on the subject property.

Finally, staff notes that neither letter of objection makes any assertion that there are changed circumstances that would affect the project's consistency with the Coastal Act. Staff has identified no such changed circumstances.

CONCLUSION

For the reasons stated above, the Executive Director has determined that the objections do not identify changed circumstances that may affect the consistency of the development with the Coastal Act. Therefore, the Executive Director is reporting the time extension to the Commission in conformity with California Code of Regulations, Title 14, Section 13169(c). If three commissioners object to the Executive Director's determination, the time extension request will be scheduled for hearing at a subsequent meeting. Otherwise, the immaterial extension will become effective.

California Coastal Commission
South Central Coast District Office
Ventura Ca 93001-2801

Dec 7, 2016

DEC 18 2016

Re: A-4-MAL-13-0257

Proposed development at Busch and Harvester rds Malibu by Mr. Iraj Sarapour

To Whom It May Concern,

I do object to an extension of the said coastal development permit. Here's why:

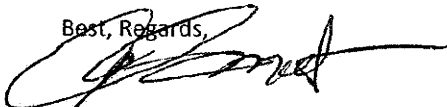
The city of Malibu has granted an exemption to the required setback to ESHA. This set back should not be granted for several reasons. First, setbacks to ESHA should only be granted to properties not already in violation of having destroyed said ESHA. As the city and coastal commission well knows, there are photographs of the original riparian habitat that was bulldozed away and then illegally graded with illegal fill. Generations of wildlife as well as water quality have been negatively impacted for decades due to this environmental devastation. Such environmental destruction should not be rewarded with a set back to ESHA. (If it should, can you please explain to me why?) In 1997, the coastal commission demanded restoration of the habitat which has never happened. (I have all the 1997 documents from the Coastal commission if you need copies). It is shameful that the commission since allowed the restoration of the habitat decades later, at some future time when a development is installed on the land.

There is no reason why a set back to ESHA is necessary. The property is 3.35 acres in size giving it plenty of opportunity to site the house where it won't disturb the two blue line streams, riparian habitats on either side of the proposed house. The further the house is located away from Harvester rd., the closer to ESHA it will be as the ESHA cuts on a diagonal through the property. The closer to Harvester rd. the house is, the less it will impact ESHA, and it would not require a setback. Past versions of the proposed house had it sitting near Harvester road not requiring the setbacks to ESHA. That plan should be re-engaged.

The ESHA designation requires a 100 foot set back from any developed area. I met with the city of Malibu Biologist David Crawford on Feb 23, 2006, who confirmed this to me after we reviewed the old photos of the original riparian habitats together. I also met with the California Coastal commission at around the same time who confirmed the 100 foot setback requirement. I reminded city planners of same in February 2009 when the story poles went up again.

This property and its destroyed habitats are a critical link for wildlife travelling between puma canyon, the equestrian center and the canyons to the west. Please stay true to your mission of protecting flora and fauna within the coastal commission's jurisdiction and do not allow the extension until the setback issue is contended with.

Best, Regards,



Tom Molloy (next door neighbor)

29549 Harvester rd. Malibu ca 90265

December 7, 2016

To: John Ainsworth
Acting Executive Director
California Coastal Commission
c/o South Central Coast District Office
Ventura, CA

DEC 12 2016

California Coastal Commission
1000 California Street
San Francisco, CA 94109

re: 29600 Harvester Road, Malibu (APN(S): 4469012017

Dear Mr. Ainsworth:

We wish to strenuously object to the extension of Coastal Development Permit A-4-MAL-13-0257. The approval for the project was fraudulently obtained via the City of the Malibu Planning Commission and the Malibu City Council, and requires further review.

This project is located on ESHA, and is subject to an EIR to determine its environmental impacts. We have experts who will testify that egregious damage to the environment will occur if the project moves forward as planned. The property owner rushed the job through Malibu City agencies, thereby avoiding a thorough evaluation of these environmental impacts. The project also clearly violates the provisions of the Malibu General Plan as well.

Please require this owner to resubmit his plans for a thorough review before allowing him permission to commence construction of the home as described in the letter to us dated December 1, 2016 from Mr. Ainsworth. Commencement of construction of this project will result in great damage to our environment, to our community, and to the neighboring properties and we respectfully request that you consider all aspects of the project before proceeding further.

Yours Truly,

Brian Pietro 5763 Busch Drive, Malibu CA 90265
Jennifer Pietro 5763 Busch Drive, Malibu CA 90265
Carol Bretonne 5763 Busch Drive, Malibu CA 90265
Michael Plen 29623 Harvester Road, Malibu, CA 90265
Catherina Plen

Cc: Skylar Peak
Rick Mullen
Jefferson Wagner
Laura Rosenthal
Lou Lamont