

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
WWW.COASTAL.CA.GOV



F12

Prepared July 02, 2020 (for the July 12, 2020 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Central Coast District Deputy Director
Subject: South Central Coast District Deputy Director's Report for July 2020

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Central Coast District Office are being reported to the Commission on July 12, 2020. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Central Coast District Office in Ventura. Staff is asking for the Commission's concurrence on the items in the South Central Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on July 12th.

With respect to the July 12th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on July 12, 2020 (see attached)

Immaterial Extensions

- 4-11-051-E7, Jantzen (Topanga)

Miscellaneous Item

- 4-17-0264-E1, City of Goleta (Goleta) – addressing objection letter received

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July 1, 2020

**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that Tom & Alexis Schneider has applied for a one year extension of 4-11-051 granted by the California Coastal Commission on June 14, 2012

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). **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. yds. of fill). There will be no change in the length or width of the access road.

at: 1840 Kerry Ln, Topanga (Los Angeles County) (APN(s): 4448014030)

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
Executive Director

Julie Reveles, Staff Services Analyst

cc: Commissioners/File

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**District Director's Report**

DATE: June 26, 2020
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Time Extension for Coastal Development Permit 4-17-0264-E1

The applicant requests a one-year Time Extension to previously approved Coastal Development Permit No. 4-17-0264. This Permit is for:

Construction of a new 600 ft. segment of Ekwil St., including two travel lane roadway with 5 ft. wide Class II bike lanes and 5-6 ft. wide sidewalks; a roundabout at Pine Ave.; 250 ft. long, 21 ft. wide bottomless concrete arch culvert across Old San Jose Creek; 504 linear ft. of 4-6 ft. tall retaining walls; and 3,048 cu. yds. of grading. In addition, the project includes improvements to an existing 500 ft. segment and construction of a new 300 ft. segment of Fowler Rd., including two travel lane roadway with 4-12 ft. wide Class II bike lanes and 5-7 ft. wide sidewalks; a "knuckle" cul de sac at Technology Dr.; 655 cu. yds. of grading; and restoration of an existing drainage. The project also includes 5.1 acres of habitat enhancement, restoration, and creation.

The Executive Director determined on May 6, 2020, that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act. This determination was reported to the Commission at the May 14, 2020 Commission meeting. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the Commission's Regulations, 14 Cal. Admin. Code 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 may be 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.

A letter of objection to the time extension was received within 10 working days of the mailed notice (**Exhibit 1**). The letter is from Ms. Phebe Mansur, an adjacent occupant at 520 Pine Avenue #59 in the City of Goleta. The letter, dated May 15, 2020, states that Ms. Mansur objects to the extension of the subject permit because the approved project will negatively impact the Old San Jose Creek and the species living within and around it. Ms. Mansur further asserts that the number of cyclists and pedestrians is low, that the construction of Class II bike lanes will negatively impact the mobility of seniors living in an adjacent mobile home park, and that she did not receive the proper noticing for the time extension.

In this case, the letter of objection does not assert that there are any changed circumstances on site that affect the development's consistency with the Coastal Act. Although the letter details Ms. Mansur's objection to the Commission's original approval of the subject coastal development permit based on the project's impacts to the Old San Jose Creek and neighboring communities, these issues were fully evaluated by the Commission in its approval of CDP 4-17-0264. All of the circumstances cited in the letter of objection existed at the time the permit was approved in March of 2018.

Finally, although not a changed circumstance, Ms. Mansur states in her letter that she was not provided proper notice of the subject CDP extension request. As noted above, noticing was mailed to neighboring property owners and occupants within 100 feet of the project boundaries, pursuant to the Commission's Regulations. In a later phone call with Commission staff, Ms. Mansur stated that she did ultimately receive the extension notice although there was a typographical error in the address.

Therefore, for the reasons stated above, the Executive Director has determined that there are no changed circumstances on site that affect the development's conformity with the Coastal Act. The Executive Director is reporting the time extension and the objection to the Commission pursuant to the above referenced regulation. If three Commissioners object to the Executive Director's determination on the time extension, it will be scheduled for hearing as a material permit extension at a subsequent meeting.

Phebe Mansur

520 Pine Avenue #59 | Goleta CA 93117
phebe@phebemansur.com | 805-617-5253

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Received

MAY 19 2020

California Coastal Commission
South Central Coast District

May 15, 2020

RE: Objection to extension request for project 4-17-0264

Dear Executive Director and Directors:

I object to the extension of 4-17-0264. This objection is being sent via fax and USPS first class mail.

I am a Goleta Old Town resident, business owner, and patron of other businesses in the district. I have lived and worked in the district since 2007 and patronized businesses since 1984. I enjoy the small town feel, walking to work, recreational bike rides, visiting neighbors, and patronizing local shops.

It is my opinion that the Coastal Commission should not grant an extension of 4-17-0264.

- 1) It is unacceptable to destroy the habitat at Old San Jose Creek at Pine Avenue which may likely result in permanently damaging the habitat and wildlife which supports it. This habitat should not be less important because it is in a lower residential income/industrial area. The value of this habitat is just as important as the upper income areas and should not be sacrificed. If the goal is to restore the Ellwood Mesa Open Space Preserve and Devereux which are both many miles away, make that a separate capital improvement project.
- 2) Each species of the Old San Jose Creek at Pine wildlife habitat is integral to the life cycle that has existed in this area for generations and includes: skunks, opossums, raccoons, field mice, and a variety of fowl and insects.
- 3) We believe that the construction of Class II bike lanes will negatively impact the mobility of seniors living in the adjacent mobile home park. Seniors tend to be timid (hearing and sight impairment make their reflexes slower. But they enjoy walking in the neighborhood. Many use the side walk on the south side of Pine Avenue to take daily walks. The volume of vehicles at this time is low enough that they feel comfortable crossing the street. But if traffic from the neighboring residences and increase cyclists would negatively impact their willingness to
- 4) According to the bicycle/pedestrian count we conducted in 2014 (from 7:00 am – 6:00 pm for 5 consecutive days), the aggregate number of cyclists was 8 for the week and pedestrians 12. Since that time the number of cyclists and pedestrians has declined by about 42%.
- 5) The Ekwill extension, Class II bike lanes, and roundabout *only benefit the residents of the new development*. The low income seniors at the University Mobile Home Park would be negatively

Phebe Mansur

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impacted and have negative effects on amenity (neighbors and business community) particularly due to:

- a. Noise
 - b. Disturbance overlooking and loss of privacy
 - c. Nuisance
 - d. Shading and loss of windscreen
- 6) Communication with surrounding residents has been the minimum allowed by law. I believe that the last time this project was agendized at City of Goleta was around 2010 when it was referred to as a 'traffic calming device'. This is less than a straight forward and makes it difficult for residents and surrounding businesses to properly evaluate the project.
- a. There are new residents in the mobile home park who are unaware of this project.
 - b. I did not receive the Coastal Commission notice. I only found out about it from a friend who shared their copy with me. Which raises the question: how many other residents have not received proper notification?

For the reasons stated above, I urge the Coastal Commission to reject the extension of 4-17-0264.

Sincerely


Phebe Mansur