



SANTA CRUZ COUNTY GROUP

Of The Ventana Chapter

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April 8, 2013

Lezanne Jeffs
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Subject: Application No. 131041; APN 027-082-11
Comment Close Date (extended): April 9, 2013

Dear Ms. Jeffs,

We are writing to express our strong opposition to the requested extension to the expiration dates of the permits for the above referenced application and parcel from February 9, 2013, to February 9, 2014. It is our view that the revised plans dated June 30, 2010 are not compliant to the discretionary approvals including the Coastal Development Permit and the Riparian Exception received from the December 15, 2006, Zoning Administrator hearing. Specifically, the excavation, grading, and compaction of the road access, as now seen in the plans, are not part of the discretionary approvals. Additionally, the removal of large oak trees along the steep lagoon side, which the Applicant now desires, is not part of the discretionary approvals. The plans as submitted June 30, 2010, in support of the Building Permit do not comply to the discretionary approvals and cannot be allowed to be implemented.

The Riparian Exception Staff Report for this project is dated April 8, 2005. The analysis section of this Report clearly states that the "road improvements to Schwann Lake Drive consist of scraping and recontouring". No excavation, no grading, and no tree removals are part of the project granted the Riparian Exception. The public record of the discretionary permit hearings shows that the public was concerned about the impact of the proposed access road on the slope, and on the oak trees there. The approved project had no tree removals, and no excavation and grading.


However, in the revised plans of June 30, 2010, submitted in support of the Building Permit, the road design into the lagoon side of the parcel has changed significantly. Three large oak trees, adjacent to the lagoon, and along the slope to the lagoon, are identified for removal. Also, excavation down two feet, and subsequent compaction, is listed. This is the first record of these changes in the permit history. As many more large oak trees have their trunks right against this excavation area, this excavation goes right into their root area. The discretionary approvals limit grading (at the building pad area, as no grading was proposed for the road at that time) to no closer than five feet to large oak trees.

Review of the entire planning package for this proposed development shows that no new Riparian Exception was analyzed or granted with regard to these changes. It is our assertion that such a significant proposed change not only requires an update to the Coastal Development Permit and the Riparian Exception, but that it also merits re-hearing of this proposed development. In fact, this change is so significant that it is possible that had it been raised during the discretionary review cycle that no approval for a road here would have been granted, and that the easement access from Dolores Street would have been used as the primary access point. Although this was viewed as too narrow for fire truck access in the initial assessment, further discussions on this access point were not held.

In summary, we repeat our assertion that an extension of the expiration date of these permits cannot be granted.

Thank you for your consideration.

Yours Sincerely,


Patricia Matejcek,
Coastal Committee Chair
Sierra Club, Santa Cruz Group

cc:

John Leopold, Santa Cruz County Supervisor, 1st District
Susan Craig, California Coastal Commission