

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 6/18/97
49th Day: 8/6/97
180th Day: 12/15/97
Staff: CP-LB
Staff Report: 6/19/97
Hearing Date: July 8-11, 1997
Commission Action:



STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Los Angeles
LOCAL DECISION: Approval with Conditions
APPEAL NUMBER: A-5-VEN-97-184
APPLICANT: Dean Hull
AGENT: Don Wilkins, Architect
PROJECT LOCATION: 658 Venice Boulevard, Venice, City of Los Angeles, Los Angeles County.
PROJECT DESCRIPTION: Local Coastal Development Permit No. 96-003 approves with conditions the construction and use of a two-story, 85,000 square foot self-storage building.
APPELLANT: Ronald Swebston

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission open and continue the public hearing to determine whether a substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, a hearing on a Coastal Development Permit appeal shall be set no later than 49 days after the date on which the appeal is filed with the Commission. An appeal of the above described decision was officially filed on June 18, 1997. The 49th day falls on August 6, 1997. The only Coastal Commission meeting scheduled between the date the appeal was filed and the 49 day limit is the July 8-11, 1997 meeting.

In accordance with Section 13112 of the California Code of Regulations, staff requested on June 19, 1997 that the City of Los Angeles forward all relevant documents and materials regarding the subject permit to the Commission's South Coast District Office in Long Beach. The documents and materials relating to

the City's approval of the project are necessary to analyze the project's consistency with the Coastal Act in relation to the grounds of the appeal.

In order to be ready for the Commission's July meeting, the staff report and recommendation for the appeal would have to be completed by June 19, 1997. It is not possible for the City to receive the request for relevant materials and to submit them to the South Coast District office in time for the staff report to be completed by June 19, 1997. Because the City's documents and materials will not be received in time to thoroughly analyze the appealed project and City approval, the preparation of a staff recommendation on substantial issue for the Commission's July meeting is not possible.

Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open and continue the Substantial Issue Hearing at the July 8-11, 1997 meeting. Section 13112 states:

Section 13112. Effect of Appeal.

- (a) Upon receipt in the Commission office of a timely appeal by a qualified appellant, the Executive Director of the Commission shall notify the permit applicant and the affected local government that the operation and effect of the development permit has been stayed pending Commission action on the appeal by the Commission as required by Public Resources Code Section 30623. Upon receipt of a Notice of Appeal the local government shall refrain from issuing a development permit for the proposed development and shall, within five (5) working days, deliver to the Executive Director all relevant documents and materials used by the local government in its consideration of the Coastal Development Permit application. If the Commission fails to receive the documents and materials, the Commission shall set the matter for hearing and the hearing shall be left open until all relevant materials are received.

As required by the above stated regulation, the Substantial Issue Hearing will be reopened at a subsequent Commission hearing after a full analysis of the appealed project and the City's materials by Commission staff.