

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

Filed: July 15, 1997
49th Day: September 2, 1997
180th Day: January 11, 1998
Staff: LRO-SD
Staff Report: July 24, 1997
Hearing Date: August 12-15, 1997

STAFF REPORT: APPEAL

Wed 9b

LOCAL GOVERNMENT: City of San Diego

DECISION: Approved with Conditions

APPEAL NO.: A-6-LJS-97-86

APPLICANT: La Jolla Museum of Contemporary Art

PROJECT LOCATION: 700 Prospect Street, La Jolla, San Diego, San Diego County.

PROJECT DESCRIPTION: Amend previously approved City of San Diego Permit #CDP/LJS/SUP 90-0747 for renovation of existintg art museum including an addition of 7,555 sq.ft. of accessory space and construction of a six-foot high fence (surrounding an existing sculpture garden). The proposed amendment seeks to change a condition that required that the fence be located 15-feet back from Coast Boulevard such that it observes a 3'6" setback and a condition that required that the gate to the fence remain unlocked during business hours such that it remain closed/locked during normal business hours.

APPELLANTS: La Jolla Town Council; Melinda Merryweather

SUBSTANTIVE FILE DOCUMENTS: Appeal applications dated 7/15/97

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends 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, an appeal must be heard within 49 days from the date an appeal of a locally-issued coastal development permit is received. The appeal on the above-described decision was received in the Commission office on July 15, 1997. In accordance with the California Code of Regulations, staff requested all relevant documents and materials regarding the subject permit from the City on July 17, 1997. As of the date of this writing, this information has not been received. The 49th day (September 12, 1997) from the initial filing would fall shortly before the September 9-12, 1997 meeting. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission should open and continue the substantial issue hearing at the August 12-15, 1997 meeting, awaiting receipt of the local government's file. It is therefore anticipated that the subject appeal will be heard at the September 9-12, 1997 meeting in Eureka, reviewing the matter to determine whether or not a substantial issue exists.