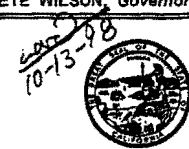


CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
 725 FRONT STREET, SUITE 300
 SANTA CRUZ, CA 95060
 (831) 427-4863
 HEARING IMPAIRED: (415) 904-5200



Th 12a

Filed: 9/28/98
 49th day: 11/16/98
 180th day: 03/27/99
 Staff: JC
 Staff Report: 10/09/98
 A-3-STC-98-086
 Hearing Date: 11/3-6/98
 Commission Action:

STAFF REPORT: APPEALSUBSTANTIAL ISSUE: OPEN AND CONTINUE

LOCAL GOVERNMENT: City of Santa Cruz

DECISION: Approval with conditions

APPEAL NO.: A-3-STC-98-086

APPLICANT: DAVID ZULIM/WAVECREST DEVELOPMENT

APPELLANTS; Sara Wan, Vice Chairman, California Coastal Commission
 Andrea Tuttle, Commissioner, California Coastal Commission

PROJECT LOCATION: 2155 Delaware Avenue, Santa Cruz, Santa Cruz County
 APN 003-161-37

PROJECT DESCRIPTION: Construct a 44,300 sq.ft. office/manufacturing building with
 variance to conservation regulations for the 100-foot setback to
 intermittent streams.

SUBSTANTIVE FILE DOCUMENTS: City of Santa Cruz Certified Local Coastal Program;
 Zoning Permit 97-089 –including Coastal and Design Permit, and
 Variance, approved August 20, 1998.

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 received in the Commission office on September 28, 1998 and filed on September 28, 1998. The 49th day falls on November 16, 1998.

In accordance with Section 13112 of the California Code of Regulations, on September 28, 1998 staff notified the City of Santa Cruz of the appeal and requested that all relevant documents and materials regarding the subject permit be forwarded to the Commission's Central Coast Area Office. The deadline for the submission of staff reports for the Commission's November 3-6 hearing is October 16, 1998. The Commission staff has not received a copy of the complete administrative record for this project, and is therefore unable to prepare a staff report and recommendation for the next available Commission meeting. The proposed project raises questions regarding, but not limited to the protection of environmentally sensitive habitat and the full record is needed in order to perform the required analysis of the proposed project. Due to the lack of sufficient time between the filing of the appeal and the deadline for the submission of staff reports for the November hearing, a full analysis of the appealed project and a recommendation is not possible at this time.

Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open and continue the Substantial Issue hearing at its April meeting. As required by Section 13112, the Substantial Issue hearing will be reopened at the next available Commission meeting after all relevant materials are received from the City of Santa Cruz.