

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

427-4863

TELEPHONE IMPAIRED: (415) 904-5200

**Tu14f**

Filed: 11/12/98  
49th day: 12/31/98  
180th day: 5/11/99  
Staff: RH  
Staff Report: 11/16/98  
Hearing Date: 12/8-11/98

**STAFF REPORT: APPEAL  
OPEN AND CONTINUE**

LOCAL GOVERNMENT: SANTA CRUZ COUNTY  
LOCAL DECISION: Approved with conditions, 10/20/98  
APPEAL NUMBER: **A-3-SCO-98-101**  
APPLICANT: **FRED BAILEY & GREG STELTENPOHL**  
APPELLANT: David S. Kossack; Citizen's For Responsible North Coast Planning,  
Attn: Susan Young; Sierra Club, Attn: George Jammal  
PROJECT LOCATION: Construction of a three-phased commercial mixed use building with  
two residential dwelling units; and grading necessary to construct  
new parking area.  
PROJECT DESCRIPTION: 3500 Highway 1 (opposite the highway's intersections with  
Davenport Avenue and Center Street), Davenport (Santa Cruz  
County) (APN(s) 058-121-04)  
FILE DOCUMENTS: Santa Cruz County Planning Department File #95-0685

**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 reason:

In accordance with section 13112 of the Commission's Administrative Regulations, staff has requested that the local government forward all relevant documents and materials regarding the subject permit within five working days of receipt of that notice. The final day for completion of staff reports for the December meeting is November 18, 1998. Staff must receive the material necessary for a complete analysis at least one week prior to the final day for completion of staff reports; as of November 16, 1998, the material necessary for a complete analysis had not yet been received. Without the relevant material from the County it is not possible to analyze the issues and prepare a staff report with a recommendation for Commission action on this appeal.

Pursuant to section 30621 of the Coastal Act, an appeal must be heard within 49 days from the date an appeal of a coastal development permit issued pursuant to a certified Local Coastal Program was received. The appeal of this County permit was filed on November 12; the 49th day therefore falls on December 31, 1998, after the Commission's December meeting (December 8-11) but before the Commission's January meeting (January 12-16, 1999). Therefore, staff recommends that the Commission open and continue the public hearing. The appeal will be tentatively scheduled for a substantial issue hearing at the Commission's January meeting, in Los Angeles or February meeting, in Coronado.