

## CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA

45 W. BROADWAY, STE. 380

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LONG BEACH, CA 90802-4416

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Filed: 5/26/98  
49th Day: 7/14/98  
180th Day: N/A  
Staff: AJP-LB  
Staff Report: 6/23/98  
Hearing Date: 7/7-10/98  
Commission Action:

*TU 13d*

STAFF REPORT: APPEAL  
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Los Angeles

DECISION: Approved with Conditions

APPEAL NUMBER: A-5-VEN-98-222

APPLICANT: Emc/Snyder Partnership

AGENT: Don Getman

PROJECT LOCATION: 4750-4761 Lincoln Boulevard, Palms-Mar Vista del Rey,  
City of Los Angeles.

PROJECT DESCRIPTION: Appeal from decision of City of Los Angeles granting  
permit with conditions for construction of two  
buildings consisting of a four-story apartment  
building containing 334 units over two levels of  
parking together with a four-story 166 unit apartment  
building over two levels of parking with a total of  
812 parking spaces.

APPELLANT: County of Los Angeles' Department of Beaches &  
Harbors.

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SUMMARY OF STAFF RECOMMENDATION:

The 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, unless the applicant waives the 49 day requirement. an appeal of the above described decision was filed in the Commission's Long Beach office on May 26, 1998. The 49th day falls on July 14, 1998. The only coastal Commission meeting which this appeal could be scheduled within the 49 day limit is the July 7-10, 1998 meeting.

In accordance with Section 13112 of the California Code of Regulations, staff requested on May 26, 1998 that the City of Los Angeles forward all relevant documents and materials regarding the subject permit to the commission's Long

Beach Office. In order to be presented at the Commission's July meeting, the staff's report and recommendation for the subject appeal had to be completed by June 18, 1998. However, as of June 18, 1998, all of the City's materials have not been received. The City still needs to provide project plans, traffic studies and all other relevant material. Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open and continue the substantial issue hearing at the July 7-10, 1998, 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 30626. 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 the Commission staff.

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