

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

**RECORD PACKET COPY**

Filed: December 10, 1998  
49th Day: January 28, 1999  
180th Day: June 8, 1999  
Staff: GDC-SD  
Staff Report: December 17, 1998  
Hearing Date: January 13-15, 1999

STAFF REPORT: APPEAL*Wed 20c*

LOCAL GOVERNMENT: City of Encinitas

DECISION: Approved with Conditions

APPEAL NO.: A-6-ENC-98-158

APPLICANT: Encinitas Country Day School/Kathleen Porterfield

PROJECT LOCATION: 3616 Manchester Avenue, Encinitas, San Diego County  
APN 262-073-24

PROJECT DESCRIPTION: Construction of an approximately 42,144 sq. ft. private elementary school including classroom and administrative buildings, a caretaker's residence, landscaping, playgrounds, recreational uses, parking facilities, off-site improvements and mitigation for impacts to riparian habitat on a vacant 20 acre lot.

APPELLANTS: Commissioners Sara Wan and Penny Allen; San Elijo Lagoon  
Conservancy; Tinker MillsSUBSTANTIVE FILE DOCUMENTS: Appeal applications received on October 10,  
1998

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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, a development permit is filed with the Commission. The appeals on the above-described decision were received in the Commission office on December 10, 1998. In accordance with hearing on an appeal must be set within 49 days from the date an appeal of the locally-issued coastal the California Code of Regulations, staff requested all relevant documents and materials regarding the subject permit from the City on December 14, 1998. As of the date of this writing, this information has not been received. The 49<sup>th</sup> day (January 28, 1999) from the initial filing would be after the January 13-15, 1999 meeting, but before the February 2-5, 1999 meeting. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission must open and continue the hearing until receipt of the local government's file.