

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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**W11f**

Filed: 3/19/99
 49th day: 5/7/99
 180th day: 9/15/99
 Staff: D.Carl
 Staff report: 3/24/99
 Hearing date: 4/14/99

RECORD PACKET COPY

STAFF REPORT APPEAL (OPEN & CONTINUE)

Appeal number.....A-3-CAP-99-023, Swenson SFD
Applicants.....Barry Swenson Builder (Agent: Tom Nelson)
Appellants.....Commissioners Sara Wan & Dave Potter
Local government.....City of Capitola
Local decision.....Approved with conditions, 1/7/99
Project location.....4840 Cliff Drive, Capitola, Santa Cruz County (APN: 034-081-02).
Project description.....Construct new single family dwelling.
File documents.....City of Capitola certified LCP & City of Capitola permit file 98-54.
Staff recommendation...Open & Continue Substantial Issue Hearing

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 Coastal Development Permit appeal must be set for hearing 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 filed in the Commission's Central Coast District Office on March 19, 1999; the 49th day falls on May 7, 1999 (after the Commission's April meeting but before the Commission's May meeting).

Pursuant to Section 13112 of the California Code of Regulations Regulations, on March 19, 1999 staff notified the City of Capitola of the appeal and requested all relevant materials regarding the subject decision be forwarded to the Commission's Central Coast District Office. As of March 24, 1999, these materials have not yet been received. As such, Commission staff is unable to prepare a staff report with a full analysis and recommendation for the Commission's April meeting.

Therefore, pursuant to Section 13112 of the California Code of Regulations, the Commission should open the substantial issue hearing at its February 1999 meeting and continue the hearing until the next available Commission meeting when a full staff report analysis of the project will be possible.