

## CALIFORNIA COASTAL COMMISSION

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Filed:	July 16, 1999
49 <sup>th</sup> Day:	September 3, 1999
Staff:	Bill Van Beckum
Staff Report:	July 23, 1999
Hearing Date:	August 13, 1999
Commission Action:	

STAFF REPORT: APPEALSUBSTANTIAL ISSUE

LOCAL GOVERNMENT:	City of Half Moon Bay
DECISION:	Approval with Conditions
APPEAL NO.:	A-1-HMB-99-51
APPLICANTS:	WAVECREST VILLAGE, L.L.C.
PROJECT LOCATION:	207.5-acre site, approximately one mile south of downtown Half Moon Bay, west of Highway One, bounded by Seymour St. right-of-way to the north, the Pacific Ocean to the west, and Marinero Avenue to the south, Half Moon Bay (San Mateo County).
PROJECT DESCRIPTION:	Wavecrest Village mixed-use project consisting of the development of 225 market rate and 46 affordable residential units on approximately 75.8 acres; mixed-use commercial uses on approximately 16.8 acres; additional community serving public uses, including ball fields, community gardens, and open space and trails on approximately 105 acres; 9.89 acres of roadways and landscape buffers; and associated Middle School and Boys and Girls Club projects.
APPELLANT:	Leonard Beuth, et al.; Helen J. Carey; The Callan Firm, APLC; and Commissioners Sara Wan and Shirley Dettloff.

STAFF REPORT: APPEAL - SUBSTANTIAL ISSUE

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**WAVECREST VILLAGE, L.L.C.**

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**SUBSTANTIVE FILE DOCUMENTS:**

All coastal development permits associated with or approved by City Council Resolutions C-56-99 and C-57-99; Half Moon Bay Local Coastal Program.

**STAFF RECOMMENDATION:**

The staff recommends that the Commission OPEN AND CONTINUE the public hearing to determine whether 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, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. The first of the four appeals on the above-described decision was filed on July 16, 1999. The 49<sup>th</sup> day falls on September 3, 1999. The only meeting entirely within the 49-day period is August 10-13, 1999. In accordance with the California Code of Regulations, on July 16, 1999, staff requested all relevant documents and materials regarding the subject permit from the City, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. The City permit file information had not been received as of the day of the mailing of staff reports to the Commission and interested parties on items on the Commission's August meeting agenda. Thus, the requested information was not received in time for the staff to review the information for completeness or prepare a recommendation on the substantial issue question. Consistent with Section 12112 of the California Code of Regulations, since the Commission did not timely receive the requested documents and materials, the Commission must open and continue the hearing open until all relevant materials are received from the local government.