

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 200 Ocean Gate, Suite 1000  
 Long Beach, CA 90802-4302  
 (562) 590-5071

**Item Tu14b**

Filed: 7/16/2002  
 49th Day: 9/3/2002  
 180th Day: N/A  
 Staff: CP-LB  
 Staff Report: 7/18/2002  
 Hearing Date: August 6, 2002  
 Commission Action:



**STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE**

**LOCAL GOVERNMENT:** City of Los Angeles

**LOCAL DECISION:** Approval without Conditions

**APPEAL NUMBER:** A-5-VEN-02-236 RECORD PACKET COPY

**APPLICANT:** Villa Lido, LLC

**AGENT:** Elaine McElmury

**PROJECT LOCATION:** 2205 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County.

**PROJECT DESCRIPTION:** Appeal of City of Los Angeles local coastal development permit (Case No. 2001-4837) for after-the-fact approval of the demolition of a two-story single family residence and construction of a three-story, 28.5-foot high (with 37-foot high roof access structure), 3,513 square foot single family residence with an attached two-car garage on a beachfront lot. The local permit did not approve the proposed adjustment of the lot line between the lots at 2201 and 2205 Ocean Front Walk.

**APPELLANT:** Coastal Commission Executive Director Peter Douglas

**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. An appeal of the above-described decision was filed on July 16, 2002. The 49<sup>th</sup> day after July 16, 2002 falls on September 3, 2002.

In accordance with Section 13112 of the California Code of Regulations, staff requested on July 16, 2002 that the City of Los Angeles forward all relevant documents and materials regarding the subject permit to the Commission's South Coast District office in Long Beach.

The documents and materials relating to the City's approval of the project are necessary to analyze the project's consistency with the Coastal Act in relation to the grounds of the appeal.

In order to be ready for the Commission's August 6-9, 2002 meeting, the staff report and recommendation for the appeal would have to be completed by July 19, 2002. As of July 18, 2002, the City's documents and materials relating to the local approval have not been received in the Commission's Long Beach office. Therefore, it is not possible to thoroughly analyze the appealed project and City approval in time to prepare a staff recommendation in time for the Commission's August 6-9, 2002 meeting.

Pursuant to Section 13112 of the California Code of Regulations, the staff recommends that the Commission open and continue the Substantial Issue Hearing at its August 6, 2002 meeting.

Section 13112 of the California Code of Regulations (Effect of Appeal) states:

*(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 30623. 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 staff fully analyzes the local approval of the appealed project.

End/cp