

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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**RECORD PACKET COPY****Item M 15d**

Filed: Aug. 13, 2002  
 49th Day: Oct. 1, 2002  
 180th Day: Feb 9, 2003  
 Staff: AM-LB **AM**  
 Staff Report: Aug. 22, 2002  
 Hearing Date: September 9, 2002  
 Commission Action:

**STAFF REPORT AND RECOMMENDATION ON APPEAL**  
**SUBSTANTIAL ISSUE**

**APPEAL NUMBER:** A-5-PPL-02-276

**LOCAL GOVERNMENT:** City of Los Angeles

**DECISION:** Approval with Conditions

**APPLICANT:** Benjamin A. Leeds

**PROJECT LOCATION:** 17633 Castellammare Drive, Pacific Palisades, City/County of Los Angeles

**PROJECT DESCRIPTION:** Construction of a two-story, 3,100 square foot single family home with five parking spaces and a two-story accessory building on a 4,287 square foot vacant lot.

**APPELLANTS:** Pacific Palisades Residents Association  
 Pacific Palisades Community Council  
 Palisades Preservation Association  
 William J. Clearihue III  
 Mary Ann Perls  
 Jack Allen

**SUMMARY OF STAFF RECOMMENDATION:**

The staff recommends that the Commission **open and continue** the public hearing to determine whether a substantial issue exists as to conformity with the Chapter 3 policies of the Coastal Act 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 August 13, 2002. The 49<sup>th</sup> day falls on October 1, 2002. The only Coastal Commission meeting scheduled between the date the appeal was filed and the 49 day limit is the September 9-13, 2002 meeting.

In accordance with Section 13112 of Title 14 of the California Code of Regulations, staff requested on August 14, 2002 that the City of Los Angeles forward all relevant documents

and materials used by the local government in its consideration of 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 order to be ready for the Commission's September meeting, the staff report and recommendation for the appeal would have to be completed by August 22, 2002. As of August 22, 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 September meeting.

Therefore, pursuant to Section 13112 of Title 14 of the California Code of Regulations, staff recommends that the Commission open and continue the Substantial Issue Hearing. Section 13112 of Title 14 of the California Code of Regulations 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 has received the local government record and fully analyzed the local approval of the appealed project.

**Motion:** "I move that the Commission open and continue the public hearing for A-5-PPL-02-276 pursuant to the staff recommendation"

**Resolution to Approve:** Staff recommends a YES vote. Passage of this motion will result in the hearing for A-5-PPL-02-276 be opened and continued to a subsequent Commission hearing. This motion passes only by affirmative vote of the majority of the Commissioners present.

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