

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: La Costanera Use Permit Amendment, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2006-00494

OWNER: A&G, LLC

APPLICANT: Farhad Mortazavi, Mortazavi Consulting

HISTORICAL PARKING LOT SITE: State of California Department of Parks and Recreation

ASSESSOR'S PARCEL NOS.: A&G, LLC: 036-046-050, -310, -380, -390, and -400 (0.73 acre total); and State of California: 036-046-410 (0.41 acre)

LOCATION: 8150 Cabrillo Highway, Montara, unincorporated Montara area of San Mateo County

PROJECT DESCRIPTION

The La Costanera Restaurant site consists of an 11,332 sq. ft. restaurant and two on-site parking lots, Lots A and C, containing a total of 52 parking spaces. The applicant, Farhad Mortazavi, requests a Design Review Permit and to amend its existing Use Permit for the continued operation of the La Costanera Restaurant:

- Expanded Hours of Operation: The existing Use Permit (UP 20-77), originally issued for the Charthouse Restaurant in the same location, restricts the hours of operation to "5:00 p.m. to closing time." The applicant proposes to expand the hours of operation to 10:00 a.m. to 2:00 a.m. (brunch, lunch and dinner service), where lunch seating will be limited to Fridays and weekends only and a total of 93 seats. The applicant also proposes to re-stripe Lots A and C to accommodate 33 parking spaces in Lot A and 25 spaces in Lot C, for a total of 58 parking spaces. For lunch, the applicant proposes to provide all parking in Lot C with valet-only parking available, whereby parking for 31 cars could be accommodated.
- Legalization of Minor Modifications to the Restaurant Structure: Legalize improvements to the property that were not authorized by the previous Use Permit, including lighting added to the building (nine rooftop lights) and the construction of two outdoor patios (e.g., tiles and railings).
- Formalization of Historical Parking Uses by Beach Users at an Adjoining 0.41-Acre (17,859 sq. ft.) Parcel Owned by the State of California Department of Parks and Recreation (State Parks): The applicant proposes to perform access and landscaping

improvements, involving 250 cubic yards (c.y.) of fill placement, to facilitate its use as a 21-space, gravel surface parking lot (Lot B) for beach user access anytime. State Parks has authorized the use under a signed Letter of Intent.

State Permit Required: The applicant has applied for a Coastal Development Permit (CDP) Amendment from the California Coastal Commission (CCC) for the project described above, as well as for the repair of existing drainage systems and riprap at the restaurant and State properties. The CDP Amendment for the project will be processed by the CCC separately from the Use Permit requested from the County. Until the CDP Amendment is granted, the Use Permit Amendment would be considered inactive. *While the repair of drainage systems and riprap is not a part of the project being reviewed by the County, this work is included in this Mitigated Negative Declaration.*

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
 - c. Create impacts for a project which are individually limited, but cumulatively considerable.
 - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: Prior to the County Geotechnical Section's approval of the building permit for the project, the applicant shall demonstrate project conformance with the recommendations of the project soils reports (Geotechnical Engineering Consultation, Poor Drainage and Riprap Erosion, La Costanera Restaurant, 8150 Cabrillo Highway, Montara,

California, BAGG Engineers, February 9, 2010 and Geotechnical Engineering Consultation, Unpaved Parking Lot, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, October 27, 2011), to the satisfaction of the County Planning and Building Department's Geotechnical Section.

Mitigation Measure 2: Should the parking lot result in 5,000 sq. ft. or more of impervious surface (e.g., if the dirt lot is compacted to 95% compaction, then the lot would be considered impervious), the project shall comply with Provision C.3 of the NPDES Municipal Regional Permit stormwater treatment requirements and stormwater treatment plans shall be submitted to the County prior to project approval. Stormwater treatment facilities, if required, shall be reviewed by the project geotechnical consultant.

Mitigation Measure 3: Prior to any ground disturbance, the applicant shall apply for a building permit. Monthly inspections (at minimum) by the building inspector during the wet season are required to confirm adequate erosion and sediment control. At the time of building permit application, the applicant shall provide the estimated date when grading operations will begin, anticipated end date of grading operations, including dates of re-vegetation and estimated date of establishment of newly planted vegetation.

Mitigation Measure 4: Prior to any ground disturbance, the erosion and sediment control plan shall be reviewed by the County Planning and Building Department's Geotechnical Section to ensure that erosion control measures are appropriate for the site's bluff top location and would not contribute to further bluff erosion. Once approved, erosion and sediment control measures of the erosion control plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit until newly planted vegetation is fully established. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for County staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and reviewed by the County Planning and Building Department's Geotechnical Section, County Department of Public Works and the Community Development Director.

Mitigation Measure 5: No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion.

Mitigation Measure 6: The applicant shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.

- d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
- f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

Mitigation Measure 7: It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

Mitigation Measure 8: Upon the start of grading activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid

excessive dust. A dust control plan may be required at any time during the course of the project.

- b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Engineer, and the Regional Water Quality Control Board.

Mitigation Measure 9: In order to prevent further reduction of beach user parking at the restaurant site and at the State Parks property, the applicant shall post signs at the properties with language comparable to the language provided below, with the wording, number, color and size of signs subject to the approval of the Community Development Director:

- Signage at the entrance of the State Parks property shall state that parking by restaurant visitors is prohibited at all times.
- Signage in Lot A of the restaurant property shall state that parking is only available to restaurant visitors after 5:00 p.m.
- Signage in Lot C of the restaurant property shall state that parking is only available to restaurant visitors after 5:00 p.m. and before 5:00 p.m. on Fridays and weekends only.

Compliance with this mitigation measure shall be demonstrated prior to the Current Planning Section's approval of the associated building permit.

Mitigation Measure 10: Prior to the Current Planning Section's approval of the building permit, the applicant shall remove 2 of the 150-watt light fixtures which illuminate Parking Lot A, such that there is no more than 3 lighting fixtures on the north side of the restaurant building.

Mitigation Measure 11: Prior to the Current Planning Section's approval of the building permit, the applicant shall replace or reposition existing light fixtures in Parking Lot C such that light is directed downward at the parking lot only, each lighting fixture does not exceed 150-watts, and the total number of lighting fixtures does not exceed 3.

Mitigation Measure 12: The applicant shall modify the lighting plan for the rear/west elevation such that lighting fixtures are positioned no higher than the ceiling height of the lower floor, each lighting fixture does not exceed 150 watts, and the number of lighting fixtures shall not exceed five. Prior to the Current Planning Section's final approval of the building permit, staff shall review the wattage of the west elevation and wattage shall be adjusted as required by staff to achieve adequate lighting for patio dining and minimization of light impacts on beach areas. Also, no temporary lighting is permitted on the property without the approval of the Community Development Director.

Mitigation Measure 13: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately

and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

RESPONSIBLE AGENCY CONSULTATION

California Coastal Commission
State of California Department of Parks and Recreation

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: December 21, 2012 to January 20, 2013.

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., January 20, 2013.**

CONTACT PERSON

Camille Leung, Project Planner
650/363-1826
cleung@smcgov.org



Camille Leung, Project Planner

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INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Current Planning Section)

I. BACKGROUND

Project Title: La Costanera Use Permit Amendment

File No.: PLN 2006-00494

Project Location: 8150 Cabrillo Highway, Montara, unincorporated Montara area of San Mateo County

Assessor's Parcel Nos.: A&G, LLC: 036-046-050, -310, -380, -390, and -400 (0.73 acre total)
State of California: 036-046-410 (0.41 acre)

Applicant: Farhad Mortazavi, Mortazavi Consulting

Owner: A&G, LLC

Date Environmental Information Form Submitted: March 4, 2010

PROJECT DESCRIPTION

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II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 18 and 19.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
1. <u>LAND SUITABILITY AND GEOLOGY</u>						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay? Project site adjoins Montara State Beach. See Questions and Answers Section for discussion.		X				B,F,O
b. Involve construction on slope of 15% or greater? The subject sites are relatively flat.	X					E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion)? The project site is located near an ocean bluff and is, therefore, in an area of soil instability. See Questions and Answers Section for discussion.			X			D.4
d. Be located on, or adjacent to a known earthquake fault? While the project area is located within the western portion of the seismically active San Francisco Bay region, the project would not result in the introduction of a new land use or the construction of any new structures.		X				Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts? None present.	X					M

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
f.	Cause erosion or siltation? See Questions and Answers Section for discussion.			X			M,I
g.	Result in damage to soil capability or loss of agricultural land? No on-site agricultural soils or agricultural production.	X					A,M
h.	Be located within a flood hazard area? Project sites are located within Zone X (Area of Minimal Flood Hazard) with the exception of bluff areas in Zone D (Undetermined Risk Areas) and the northeast corner of the State Parks lot in Zone A (Areas with a 1% Annual Chance of Flooding); Community Panel 06081CO117E, effective date October 16, 2012.	X					G
i.	Be located in an area where a high water table may adversely affect land use? No new land use or construction is proposed.	X					D
j.	Affect a natural drainage channel or streambed, or watercourse? There are no natural drainage channels, streambeds, or watercourses in the vicinity of the project.	X					E
2.	VEGETATION AND WILDLIFE Will (or could) this project:						
a.	Affect federal or state listed rare or endangered species of plant life in the project area? Areas of proposed land disturbance will occur in disturbed areas (in areas of existing drainage systems and riprap). Development in undisturbed areas involves minor grading and graveling of the State-owned parcel. According to the "Vegetation Map" prepared by TRA Environmental Sciences, Inc., no habitat for special status species was found during	X					F

		IMPACT				SOURCE
		NO	YES			
			Not Significant	Significant Unless Mitigated	Significant	
TRA's August 2012 site visit. Vegetation at the State site consists mainly of ice plants.						
b.	Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance? No trees proposed for removal.	X				I, A
c.	Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species? Areas of proposed land disturbance will occur in disturbed areas (in areas of existing drainage systems and riprap). Development in undisturbed areas involves minor grading and graveling of the State-owned parcel. According to the "Vegetation Map" prepared by TRA Environmental Sciences, Inc., no habitat for special status species was found during TRA's August 2012 site visit.	X				F
d.	Significantly affect fish, wildlife, reptiles, or plant life? Areas of proposed land disturbance will occur in disturbed areas (in areas of existing drainage systems and riprap). Development in undisturbed areas involves minor grading and graveling of the State-owned parcel. According to the "Vegetation Map" prepared by TRA Environmental Sciences, Inc., no habitat for special status species was found during TRA's August 2012 site visit.	X				I
e.	Be located inside or within 200 feet of a marine or wildlife reserve? No. Project site (area of land disturbance) is not located in such an area nor is it located within 200 feet of such an area. However, it should be noted that the site is north of and within proximity of the Fitzgerald Marine Reserve, Area of Special Biological Significance.	X				E, F, O

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
f.	Infringe on any sensitive habitats? Areas of proposed land disturbance will occur in disturbed areas (in areas of existing drainage systems and riprap). Development in undisturbed areas involves minor grading and graveling of the State-owned parcel. According to the "Vegetation Map" prepared by TRA Environmental Sciences, Inc., no habitat for special status species was found during TRA's August 2012 site visit.		X				F
g.	Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone? See Questions and Answers Section for discussion.		X				I, F, Bb
3.	PHYSICAL RESOURCES Will (or could) this project:						
a.	Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or topsoil)? None proposed.	X					I
b.	Involve grading in excess of 150 cubic yards? See Questions and Answers Section for discussion.			X			I
c.	Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement? Subject property is not protected under the Williamson Act (agricultural preserve) or an Open Space Easement.	X					I

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
d.	Affect any existing or potential agricultural uses? There is no on-site agricultural soils or agricultural production.	X					A,K,M
4.	<u>AIR QUALITY, WATER QUALITY, SONIC</u> Will (or could) this project:						
a.	Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area? See Questions and Answers Section for discussion.			X			I,N,R
b.	Involve the burning of any material, including brush, trees and construction materials? Project does not involve the burning of any material.	X					I
c.	Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction? Project would not generate noise levels in excess of those currently existing in the area, after construction.	X					Ba,I
d.	Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material? Project does not involve the application, use or disposal of potentially hazardous materials.	X					I
e.	Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard? No. Project will not introduce any new uses or sensitive receptors.	X					A,Ba,Bc

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
f.	Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard? See Questions and Answers Section for discussion.		X				I
g.	Generate polluted or increased surface water runoff or affect groundwater resources? See Questions and Answers Section for discussion.			X			I
h.	Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity? The project does not involve installation of a septic tank/leachfield sewage disposal system nor does it require hookup to an existing collection system which is at or over capacity.	X					S
5.	<u>TRANSPORTATION</u> Will (or could) this project:						
a.	Affect access to commercial establishments, schools, parks, etc.? See Questions and Answers Section for discussion.			X			A,I
b.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns? See Questions and Answers Section for discussion.		X				A,I
c.	Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)? See Questions and Answers Section for discussion.		X				I

		IMPACT				SOURCE
		NO	YES			
			Not Significant	Significant Unless Mitigated	Significant Cumulative	
d.	Involve the use of off-road vehicles of any kind (such as trail bikes)? Project does not involve the use of off-road vehicles of any kind.	X				I
e.	Result in or increase traffic hazards? See Questions and Answers Section for discussion.		X			S
f.	Provide for alternative transportation amenities such as bike racks? Alternative transportation amenities, such as bike racks, are not included in the proposal.	X				I
g.	Generate traffic which will adversely affect the traffic carrying capacity of any roadway? See Questions and Answers Section for discussion.		X			S
6.	LAND USE AND GENERAL PLANS Will (or could) this project:					
a.	Result in the congregating of more than 50 people on a regular basis? See Questions and Answers Section for discussion.		X			I
b.	Result in the introduction of activities not currently found within the community? The project will result in the introduction of lunch services at the existing restaurant.		X			I

	IMPACT				
	NO	YES			SOURCE
		Not Significant	Significant Unless Mitigated	Significant	
c. Employ equipment which could interfere with existing communication and/or defense systems? Project does not involve the use, installation or construction of any equipment.	X				I
d. Result in any changes in land use, either on or off the project site? The project will formalize historical beach user parking uses at the State property. See Questions and Answers Section for discussion.		X			I
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? See Questions and Answers Section for discussion.		X			I,Q,S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site? See Questions and Answers Section for discussion.		X			I,S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity? See Questions and Answers Section for discussion.		X			I,S

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
h. Be adjacent to or within 500 feet of an existing or planned public facility? There is no change to existing location of the restaurant, which is located adjacent to State park facilities, Highway 1, and the Montara Water and Sanitary District pump station.		X				A
i. Create significant amounts of solid waste or litter? The Montara Water and Sanitary District currently serves the existing restaurant and will continue to serve the restaurant during expanded hours of operation.		X				I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)? The proposed expanded hours of operation for the restaurant will result in a minimal increase in the use of fossil fuels, as provided by existing utility connections.		X				I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals? No. Project does not require an amendment to or exception from adopted general plans, specific plans, or community policies or goals.	X					B
l. Involve a change of zoning? The project does not involve a change in parcel zoning.	X					C
m. Require the relocation of people or businesses? The project will not involve the relocation of people or businesses.	X					I

		IMPACT					SOURCE
		NO	YES			Cumulative	
			Not Significant	Significant Unless Mitigated	Significant		
n.	Reduce the supply of low-income housing? The project will not reduce the supply of low-income housing.	X					I
o.	Result in possible interference with an emergency response plan or emergency evacuation plan? See Questions and Answers Section for discussion.		X				S
p.	Result in creation of or exposure to a potential health hazard? Project will not involve the creation of or exposure to any potential health hazard.	X					S
7.	<u>AESTHETIC, CULTURAL AND HISTORIC</u>						
	Will (or could) this project:						
a.	Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor? See Questions and Answers Section for discussion.			X			A, Bb
b.	Obstruct scenic views from existing residential areas, public lands, public water body, or roads? See Questions and Answers Section for discussion.			X			A, I
c.	Involve the construction of buildings or structures in excess of three stories or 36 feet in height? No. The project involves legalization of minor modifications (two exterior patios and nine lighting fixtures) to the existing restaurant structure. Patios and lighting fixtures do not add to the height of the structure.	X					I

		IMPACT				SOURCE
		NO	YES			
			Not Significant	Significant Unless Mitigated	Significant	
d.	Directly or indirectly affect historical or archaeological resources on or near the site? See Questions and Answers Section for discussion.			X		H
e.	Visually intrude into an area having natural scenic qualities? See Questions and Answers Section for discussion.		X			A,I

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission	X		
City: N/A		X	
Sewer/Water District: N/A		X	
Other: N/A		X	

IV. MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>
No mitigation measures are needed.	_____	X _____
Mitigation measures have been proposed in project application.	_____	X _____
Other mitigation measures are needed.	X _____	_____

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: Prior to the County Geotechnical Section's approval of the building permit for the project, the applicant shall demonstrate project conformance with the recommendations of the project soils reports (Geotechnical Engineering Consultation, Poor Drainage and Riprap Erosion, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, February 9, 2010 and Geotechnical Engineering Consultation, Unpaved Parking Lot, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, October 27, 2011), to the satisfaction of the County Planning and Building Department's Geotechnical Section.

Mitigation Measure 2: Should the parking lot result in 5,000 sq. ft. or more of impervious surface (e.g., if the dirt lot is compacted to 95% compaction, then the lot would be considered impervious), the project shall comply with Provision C.3 of the NPDES Municipal Regional Permit stormwater treatment requirements and stormwater treatment plans shall be submitted to the County prior to project approval. Stormwater treatment facilities, if required, shall be reviewed by the project geotechnical consultant.

Mitigation Measure 3: Prior to any ground disturbance, the applicant shall apply for a building permit. Monthly inspections (at minimum) by the building inspector during the wet season are required to confirm adequate erosion and sediment control. At the time of building permit application, the applicant shall provide the estimated date when grading operations will begin, anticipated end date of grading operations, including dates of re-vegetation and estimated date of establishment of newly planted vegetation.

Mitigation Measure 4: Prior to any ground disturbance, the erosion and sediment control plan shall be reviewed by the County Planning and Building Department's Geotechnical Section to ensure that erosion control measures are appropriate for the site's bluff top location and would not contribute to further bluff erosion. Once approved, erosion and sediment control measures of the erosion control plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit until newly planted vegetation is fully established. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for County staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and reviewed by the County Planning and Building Department's Geotechnical Section, County Department of Public Works and the Community Development Director.

Mitigation Measure 5: No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion.

Mitigation Measure 6: The applicant shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.

- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.
- d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
- f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

Mitigation Measure 7: It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

Mitigation Measure 8: Upon the start of grading activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust. A dust control plan may be required at any time during the course of the project.

- b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Engineer, and the Regional Water Quality Control Board.

Mitigation Measure 9: In order to prevent further reduction of beach user parking at the restaurant site and at the State Parks property, the applicant shall post signs at the properties with language comparable to the language provided below, with the wording, number, color and size of signs subject to the approval of the Community Development Director.

- Signage at the entrance of the State Parks property shall state that parking by restaurant visitors is prohibited at all times.
- Signage in Lot A of the restaurant property shall state that parking is only available to restaurant visitors after 5:00 p.m.
- Signage in Lot C of the restaurant property shall state that parking is only available to restaurant visitors after 5:00 p.m. and before 5:00 p.m. on Fridays and weekends only.

Compliance with this mitigation measure shall be demonstrated prior to the Current Planning Section's approval of the associated building permit.

Mitigation Measure 10: Prior to the Current Planning Section's approval of the building permit, the applicant shall remove 2 of the 150-watt light fixtures which illuminate Parking Lot A, such that there is no more than 3 lighting fixtures on the north side of the restaurant building.

Mitigation Measure 11: Prior to the Current Planning Section's approval of the building permit, the applicant shall replace or reposition existing light fixtures in Parking Lot C such that light is directed downward at the parking lot only, each lighting fixture does not exceed 150-watts, and the total number of lighting fixtures does not exceed 3.

Mitigation Measure 12: The applicant shall modify the lighting plan for the rear/west elevation such that lighting fixtures are positioned no higher than the ceiling height of the lower floor, each lighting fixture does not exceed 150 watts, and the number of lighting fixtures shall not exceed five. Prior to the Current Planning Section's final approval of the building permit, staff shall review the wattage of the west elevation and wattage shall be adjusted as required by staff to achieve adequate lighting for patio dining and minimization of light impacts on beach areas. Also, no temporary lighting is permitted on the property without the approval of the Community Development Director.

Mitigation Measure 13: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project, as mitigated, have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project, as mitigated, have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project, as mitigated, have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project, as mitigated, cause substantial adverse effects on human beings, either directly or indirectly?		X

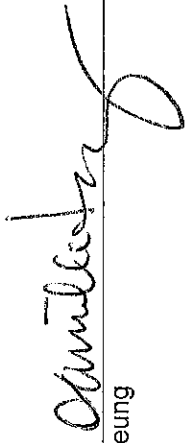
On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared by the Current Planning Section.

I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A **NEGATIVE DECLARATION** will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

December 21, 2012
Date


Camille Leung
Project Planner
(Title)

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-EI Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:

Federal	- Review Procedures for CDBG Programs - NEPA 24 CFR 1500-1508 - Protection of Historic and Cultural Properties - National Register of Historic Places - Floodplain Management - Protection of Wetlands - Endangered and Threatened Species - Noise Abatement and Control - Explosive and Flammable Operations - Toxic Chemicals/Radioactive Materials - Airport Clear Zones and APZ	24 CFR Part 58 36 CFR Part 800 - Executive Order 11988 - Executive Order 11990 24 CFR Part 51B 24 CFR 51C - HUD 79-33 24 CFR 51D
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- State

- Ambient Air Quality Standards - Noise Insulation Standards	Article 4, Section 1092
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- S. Consultation with Departments and Agencies:

a. County Health Department b. City Fire Department c. California Department of Forestry d. Department of Public Works e. Disaster Preparedness Office f. Other
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COUNTY OF SAN MATEO
Planning and Building Department

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 2006-00494
La Costanera Use Permit Amendment

PROJECT DESCRIPTION

The La Costanera Restaurant site consists of an 11,332 sq. ft. restaurant and two on-site parking lots, Lots A and C, containing a total of 52 parking spaces. The applicant, Farhad Mortazavi, requests a Design Review Permit and to amend its existing Use Permit for the continued operation of the La Costanera Restaurant:

- **Expanded Hours of Operation:** The existing Use Permit (UP 20-77), originally issued for the Charthouse restaurant in the same location, restricts the hours of operation to "5:00 p.m. to closing time." The applicant proposes to expand the hours of operation to 10:00 a.m. to 2:00 a.m. (brunch, lunch and dinner service), where lunch seating will be limited to Fridays and weekends only and a total of 93 seats. The applicant also proposes to re-stripe Lots A and C to accommodate 33 parking spaces in Lot A and 25 spaces in Lot C, for a total of 58 parking spaces. For lunch, the applicant proposes to provide all parking in Lot C with valet-only parking available, whereby parking for 31 cars could be accommodated.
- **Legalization of Minor Modifications to the Restaurant Structure:** Legalize improvements to the property that were not authorized by the previous Use Permit, including lighting added to the building (nine rooftop lights) and the construction of two outdoor patios (e.g., tiles and railings).
- **Formalization of Historical Parking Uses by Beach Users at an Adjoining 0.41-Acre (17,859 sq. ft.) Parcel Owned by the State of California Department of Parks and Recreation (State Parks):** The applicant proposes to perform access and landscaping improvements, involving 250 cubic yards (c.y.) of fill placement, to facilitate its use as a 21-space, gravel surface parking lot (Lot B) for beach user access anytime. State Parks has authorized the use under a signed Letter of Intent.

State Permit Required: The applicant has applied for a Coastal Development Permit (CDP) Amendment from the California Coastal Commission (CCC) for the project described above, as well as for the repair of existing drainage systems and riprap at the restaurant and State properties. The CDP amendment for the project will be processed by the CCC separately from the Use Permit requested from the County. Until the CDP Amendment is granted, the Use Permit amendment would be considered inactive. While the repair of drainage systems and riprap is not a part of the project being reviewed by the County, this work is included in this Mitigated Negative Declaration.

ANSWERS TO QUESTIONS

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SITE DESCRIPTION

The La Costanera Restaurant is located on a 0.73-acre (31,721 sq. ft.) site on the west side of Cabrillo Highway. The site consists of an 11,332 sq. ft. restaurant and 2 on-site parking lots, Lots A and C, containing a total of 52 parking spaces. The project also involves access and landscaping improvements on an adjoining, undeveloped 0.41-acre (17,859 sq. ft.) parcel, located to the north of the restaurant property, owned by the State of California Department of Parks and Recreation. A roughly 20-foot high cliff on the west side of the property separates the restaurant building and the parking areas from the sandy beach and Pacific Ocean. Both properties are located along the Cabrillo Highway County-Designated Scenic Route.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

- a. **Will (or could) this project involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?**

Yes, Not Significant. A roughly 20-foot high cliff bluff on the west side of the property separates the restaurant building and the parking areas from the sandy beach and the Pacific Ocean. The applicant has applied for a Coastal Development Permit from the California Coastal Commission for repair of existing drainage systems along the bluff of both properties, including repair or riprap and existing pipe lines. Proposed repair, as recommended by project geotechnical reports (included as Attachment B) and as described in Grading and Drainage Plans (Attachment C) will help to protect the bluff from drainage-related erosion. No mitigation measures are necessary.

- c. **Will (or could) this project be located in an area of soil instability (subsidence, landslide or severe erosion)?**

Yes, Significant Unless Mitigated. Due to the location of the properties along an ocean bluff, the bluff portion of the properties are subject to erosion from both wave action and from bluff-top surface drainage flows. The applicant has applied for a Coastal Development Permit from the California Coastal Commission for repair of existing drainage systems along the bluff of both properties, including repair or riprap and existing pipe lines. Proposed repair, as recommended by project geotechnical reports (included as Attachment B) and as described in Grading and Drainage Plans (Attachment C) will help to protect the bluff from drainage-related erosion. Mitigation Measure 1 has been added to ensure that the recommendations of the project geotechnical reports are implemented.

The applicant also proposes to perform access and landscaping improvements on the State property, involving 250 cubic yards (c.y.) of fill placement, to facilitate its use as a 21-space, gravel surface parking lot (Lot B) for beach user

ANSWERS TO QUESTIONS

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access anytime. Currently, the State property is drained naturally, with riprap at the foot of the bluff. Should the parking lot result in 5,000 sq. ft. or more of impervious surface (e.g., if the dirt lot is compacted to 95% compaction, then the lot would be considered impervious), then Provision C.3 of the NPDES Municipal Regional Permit would require treatment of all project-related stormwater. Mitigation Measure 2 has been added to ensure compliance with Provision C3 and to ensure that stormwater treatment, if required, has been reviewed by the project geotechnical consultant.

Mitigation Measure 1: Prior to the County Geotechnical Section's approval of the building permit for the project, the applicant shall demonstrate project conformance with the recommendations of the project soils reports (Geotechnical Engineering Consultation, Poor Drainage and Riprap Erosion, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, February 9, 2010 and Geotechnical Engineering Consultation, Unpaved Parking Lot, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, October 27, 2011), to the satisfaction of the County Planning and Building Department's Geotechnical Section.

Mitigation Measure 2: Should the parking lot result in 5,000 sq. ft. or more of impervious surface (e.g., if the dirt lot is compacted to 95% compaction, then the lot would be considered impervious), the project shall comply with Provision C.3 of the NPDES Municipal Regional Permit stormwater treatment requirements and stormwater treatment plans shall be submitted to the County prior to project approval. Stormwater treatment facilities, if required, shall be reviewed by the project geotechnical consultant.

f. Will (or could) this project cause erosion or siltation?

Yes, Significant Unless Mitigated. The applicant proposes to perform access and landscaping improvements, involving 250 cubic yards (c.y.) of fill placement, to an adjoining 0.41-acre (17,859 sq. ft.) parcel owned by the State of California Department of Parks and Recreation (State Parks) to facilitate its use as a 21-space, gravel surface parking lot (Lot B) for beach user access anytime. Proposed repair activities of existing drainage systems along the bluff of both properties may also result in a minor amount of erosion and siltation.

If there should be any precipitation during grading activities, there is the potential for sedimentation to on and off-site areas downslope from the project area. While the potential is low, siltation from the project site could impact areas of Highway 1, Montara State Beach, and the Pacific Ocean. The applicant proposes an erosion control plan, included as Attachment D, which includes measures that would contain and slow grading-related run-off flows and direct flows to stabilized areas of the site. Mitigation Measure 3 has been included to require monthly inspections (at minimum) by the building inspector during the wet season are required to confirm adequate erosion and sediment control.

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Mitigation Measure 4 has been included to require geotechnical review of proposed erosion and sediment control plan. Mitigation Measure 5 has been included to restrict project grading to the dry season. Mitigation Measure 6 requires the implementation of standard best management practices to prevent construction-related stormwater pollution. Mitigation Measure 7 requires monitoring of erosion control measures by the project civil engineer. Mitigation Measure 8 requires compliance with dust control guidelines.

Mitigation Measure 3: Prior to any ground disturbance, the applicant shall apply for a building permit. Monthly inspections (at minimum) by the building inspector during the wet season are required to confirm adequate erosion and sediment control. At the time of building permit application, the applicant shall provide the estimated date when grading operations will begin, anticipated end date of grading operations, including dates of re-vegetation and estimated date of establishment of newly planted vegetation.

Mitigation Measure 4: Prior to any ground disturbance, the erosion and sediment control plan shall be reviewed by the County Planning and Building Department's Geotechnical Section to ensure that erosion control measures are appropriate for the site's bluff top location and would not contribute to further bluff erosion. Once approved, erosion and sediment control measures of the erosion control plan shall be installed prior to beginning any site work and maintained throughout the term of the grading permit until newly planted vegetation is fully established. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for County staff enforcement time. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer and reviewed by the County Planning and Building Department's Geotechnical Section, County Department of Public Works and the Community Development Director.

Mitigation Measure 5: No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion.

Mitigation Measure 6: The applicant shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.

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- d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
- f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

Mitigation Measure 7: It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

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Mitigation Measure 8: Upon the start of grading activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust. A dust control plan may be required at any time during the course of the project.
- b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Engineer, and the Regional Water Quality Control Board.

2. VEGETATION AND WILDLIFE

- g. **Will (or could) this project involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?**

Yes, Not Significant. Project sites are located along the Cabrillo Highway County-Designated Scenic Route. The properties are relatively flat, with the exception of the 20-foot high cliff bluff on the west side of the property which separates properties from the sandy beach and the Pacific Ocean.

Areas of proposed land disturbance will occur in disturbed areas (in areas of existing drainage systems and riprap). Minor grading and gravelling of the State-owned parcel will occur in disturbed, undeveloped areas. The applicant proposes to perform access and landscaping improvements, involving 250 cubic yards (c.y.) of fill placement, to the 0.41-acre State parcel to formalize its historical use as a parking lot (Lot B). According to the "Vegetation Map" prepared by TRA Environmental Sciences, Inc., no habitat for special status species was found during TRA's August 2012 site visit. Vegetation at the State site consists mainly of ice plants. No mitigation measures are necessary.

3. PHYSICAL RESOURCES

- b. **Will (or could) this project involve grading in excess of 150 cubic yards?**

Yes, Significant Unless Mitigated. The project will involve placement of approximately 250 c.y. of fill on the State property to facilitate its use as a 21-space, gravel surface parking lot (Lot B). Potential impact resulting from

ANSWERS TO QUESTIONS

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proposed grading is discussed in Section 1.f. above. No additional mitigation measures are needed.

4. AIR QUALITY, WATER QUALITY, SONIC

- a. **Will (or could) this project generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?**

Yes, Significant Unless Mitigated. The project will involve placement of approximately 250 c.y. of fill on the State property to facilitate its use as a 21-space, gravel surface parking lot (Lot B). Grading activities may generate dust. While the potential is low, erosion from the project site could impact areas of Highway 1, Montara State Beach, and the Pacific Ocean. Potential impacts related to dust and sedimentation from project grading and construction is discussed in Section 1.f., above. No additional mitigation measures are needed.

- f. **Will (or could) this project generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?**

Yes, Not Significant. The project will result in the addition of lunch time service on Fridays and weekends for up to 93 persons for an existing restaurant which currently provides dinnertime only service for up to 189 persons. The project will introduce minor restaurant-associated noise during the daytime when the site has been quiet in the past. However, there are no sensitive noise receptors in the immediate area. Beach users will be buffered from the minor amounts of noise by the 20-foot high cliff bluff on the west side of the property, which separates the restaurant building from the beach and ocean.

In addition, the proposed grading activities may temporarily generate noise levels that are greater than the ambient noise levels in the project area. However, the County of San Mateo Ordinance Code restricts project noise levels to the 80-dBA level at any one moment. The Code also limits grading activities which generate noise levels that are greater than the ambient noise levels in the project area to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Noise-generating grading activities shall not occur at any time on Sundays, Thanksgiving and Christmas. Assuming compliance with existing regulations, the project is not expected to generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard. No mitigation measures are needed.

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- g. **Will (or could) this project generate polluted or increased surface water runoff or affect groundwater resources?**

Yes, Significant Unless Mitigated. Project grading may result in erosion and sedimentation in downslope areas. Please see discussion and mitigation measures in Section 1.f. of this report for a discussion of the potential for project-related erosion and sedimentation. No additional mitigation measures are needed.

5. TRANSPORTATION

- a. **Will (or could) this project affect access to commercial establishments, schools, parks, etc.?**

Yes, Significant Unless Mitigated. As described in the answer to Question 5.c, below, potential project impact to vehicular traffic patterns or volumes is considered less than significant. Therefore, the project would not result in traffic-related access impacts to establishments in the area.

As described in the answer to Question 6.f, below, the project will not result in the hiring of a significant number of additional full-time employees and, therefore, will not adversely affect the capacity of any public facilities, including schools and parks.

The project will result in minor changes to the restaurant parking lots (Lots A and C) that will improve access through re-striping, introduction of 3 accessible (handicapped) parking spaces, and parking lot lighting. Project implementation will increase on-site restaurant parking from 52 spaces to 58 parking spaces through re-striping to create more parking spaces, including compact and accessible (handicapped) parking. During lunchtime on Fridays and weekends, a total of 64 parking spaces would be available under a valet scenario.

The project involves the formalization of historical parking uses by beach users at the State Property, which involves access and landscaping improvements at the property. Proposed leveling and gravelling of the State lot will improve user access to the beach by making parking at the property easier. Also, the project will result in the creation of 1 accessible (handicapped) parking space on the State Parks property. The project would improve access to and within the parking lot, but result in a minor reduction in the amount of parking available to beach users in the daytime.

Calculation of Parking Available for Beach Users

The adjoining State property has been used historically for parking by users of Montara State Beach and can accommodate up to 20 vehicles, albeit informally

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with capacity varying based on random parking patterns.¹ Parking at the site is not an approved use, nor has the bluff property been improved to accommodate such a use. Therefore, based on the reasons provided, staff credits the State lot with 10 existing parking spaces. Combined with the parking at the restaurant site, total existing beach user parking before 5:00 p.m. is 63 parking spaces. After 5:00 p.m., total existing beach user parking is 10 parking spaces, as no beach user parking is available at the restaurant site and, therefore, all parking is limited to the State Parks site.

<i>Table 1</i> <i>Existing and Proposed Parking for Restaurant and Beach Users</i>		
	Parking Available for Beach Users	
	Daytime: Before 5:00 p.m.	After 5:00 p.m.
Existing		
Parking at Restaurant in Lot A	33	0
Parking at Restaurant in Lot C	20	0
Parking in State Parks Lot B	10*	10
(E) TOTAL	63	10
Proposed		
Parking at Restaurant in Lot A	33	0
Parking at Restaurant in Lot C (Fridays and Weekends only)	0	0
Parking at Restaurant in Lot C (Mondays through Thursdays)	25	0
Parking in State Parks Lot B	21	21
(P) TOTAL (Fridays and Weekends only)	54	21
(P) TOTAL (Mondays through Thursdays)	79	21
DIFFERENCE (Fridays and Weekends only)	-9	+11
DIFFERENCE (Mondays through Thursdays)	+16	+11
*The State lot is credited 10 of a total possible 20 parking spaces, as the use is current parking use is informal and unpermitted and the lot is has not been improved to accommodate the use.		

As shown in Table 1, above, formalization of parking at the State Parks property will increase parking available to beach users at the site from 10 spaces, to 21 parking spaces. However, with the introduction of lunch service on Fridays and weekends, total parking available for beach users at both properties will decrease by 9 spaces with the loss of parking spaces in Lot C. However, on Mondays through Thursdays, parking available to beach users will increase from 63 to 79 parking spaces. In order to prevent further reduction of beach user parking, Mitigation Measure 9 has been added to ensure beach user access to restaurant parking lots on Mondays through Thursdays and to prohibit use of the State Parks property for restaurant parking.

¹ Historical capacity of informal parking at the State property obtained through aerial views provided by Google Maps.

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After 5:00 p.m., there will be an increase of 11 parking spaces available for beach users at both properties. While project implementation will result in a decrease of 9 spaces of beach user parking available at both properties before 5:00 p.m. on Fridays and weekends, the project will result in increased daytime parking on Mondays through Thursdays and nighttime beach user parking, as well as other benefits, such as access and landscaping improvements on the State property that will improve beach user safety and environmental stewardship of the property. Specifically, proposed landscaping will act as a buffer strip to prohibit parking along the ocean bluff, thereby helping to prevent further erosion of the bluff.

Parking Available to Beach Users in the Project Area

It should be noted that the County has completed a report titled "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach,"² dated October 2012, which studies and provides recommendations for improving motor vehicle, pedestrian, and bicycle safety for Highway 1 and its surroundings between Half Moon Bay Airport and the Devils Slide area, including areas surrounding Montara State beach. The study recommends the following motor vehicle, pedestrian, and bicycle safety improvements within the project area:

- Separate parking facilities on either side of the highway.
- Optional formalized parallel beach parking on west side of highway with one-way access lane.
- Parking lot and Rancho Corral de Tierra access approximately 800 feet or 15/mile east of the highway.
- Highway crossing at proposed Coastal Trail alignment.
- Rancho Corral de Tierra parking could operate as an overflow facility for beach parking.

The study identifies the need for more formalized parking areas for beach users to address safety concerns related to unsafe and informal pedestrian crossings

² The "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach" may be accessed at http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Midcoast%20Mobility/SMM_Ph_2_Study_Final_LR.pdf

ANSWERS TO QUESTIONS

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of Highway 1, illegal parking by beach users, and anticipated increased visitation to Rancho Corral de Tierra.³

The project traffic report conducted on a Friday and Saturday in November 2012 notes that, based on field observations, there was plenty of parking available within the two restaurant parking lots and the State property, as well as another public lot located just south of Lot C (which provides additional beach parking for about 10 cars), during the lunchtime period.

Based on the small number and limited timeframe for which parking is reduced to beach users at the restaurant site, proposed access improvements at the State Parks site, the findings of the project traffic report, and ongoing planning and coordination efforts between the County and State agencies to fund implementation of study recommendations, potential project impacts to access of the on-site restaurant, Montara State Beach, and public facilities in the area are considered less than significant, with the implementation of the following mitigation measure:

Mitigation Measure 9: In order to prevent further reduction of beach user parking at the restaurant site and at the State Parks property, the applicant shall post signs at the properties with language comparable to the language provided below, with the wording, number, color and size of signs subject to the approval of the Community Development Director:

- Signage at the entrance of the State Parks property shall state that parking by restaurant visitors is prohibited at all times.
- Signage in Lot A of the restaurant property shall state that parking is only available to restaurant visitors after 5:00 p.m.
- Signage in Lot C of the restaurant property shall state that parking is only available to restaurant visitors after 5:00 p.m. and before 5:00 p.m. on Fridays and weekends only.

Compliance with this mitigation measure shall be demonstrated prior to the Current Planning Section's approval of the associated building permit.

- b. Will (or could) this project cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?**

Yes, Not Significant. As described in the answer to Question 5.c, below, potential project impact to vehicular traffic patterns or volumes is considered less

³ The National Park Service recently assumed management of the approximately 4,000 acre Rancho Corral de Tierra parcel as part of the Golden Gate National Recreation Area (GGNRA) and may improve facilities.

ANSWERS TO QUESTIONS

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than significant. Therefore, additional project-related, lunch-time traffic is not likely to significantly impact existing pedestrian patterns. Additionally, existing pedestrian traffic to the restaurant is not anticipated to increase as the project traffic report has found that the project includes an adequate amount of on-site parking to serve lunchtime customers, reducing the need for restaurant visitors to park in off-site locations and walk to the restaurant.

Regarding changes to pedestrian traffic to Montara State Beach, the decrease of 9 spaces of beach user parking available at both properties before 5:00 p.m. on Fridays and weekends may result in a minimal increase in pedestrian traffic, as some beach users may decide to park on the east side of Highway 1 and walk across Highway 1 to access the beach. As noted previously, pedestrian safety across Highway 1 was studied in "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach,"⁴ dated October 2012. It should be noted that on Mondays through Thursdays, parking available to beach users will increase from 63 to 79 parking spaces. Based on the small number and limited timeframe for which parking is reduced to beach users at the restaurant site and corresponding potential minimal increase in pedestrian traffic, the impact to pedestrian traffic does not require mitigation.

c. Will (or could) this project result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?

Yes, Not Significant. A report titled "Traffic and Parking Study for La Costanera Restaurant" (project traffic report), dated December 10, 2012, has been prepared by Hexagon Transportation Consultants, Inc., for the project. The report estimates that the addition of lunch service at the La Costanera restaurant, with 93 seats, would generate 19 trips during the peak one-hour lunchtime period of the day on a typical Friday or Saturday. Based on tube counts, northbound and southbound traffic on Highway 1 is split relatively evenly during lunchtime. Thus, it is reasonable to assume a 50/50 north/south trip distribution pattern for the project-generated trips.

Hexagon compared the restaurant trip generation to the amount of traffic already on Highway 1 at lunchtime. Based on the projected trip distribution pattern, it is estimated that 9 project trips (5 inbound and 4 outbound trips) would be added to Highway 1 north of the restaurant, and 10 project trips (6 inbound and 4 outbound trips) would be added to Highway 1 south of the restaurant. The traffic volumes on Highway 1 during the typical peak one hour lunchtime period (between 12:00 - 1:00 PM) are approximately 350 vehicles in the northbound direction and about 250 vehicles in the southbound direction. The capacity of

⁴ The "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach" may be accessed at http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Midcoast%20Mobility/SMM_Ph_2_Study_Final_LR.pdf

ANSWERS TO QUESTIONS

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Highway 1 can be assumed to be about 900 vehicles per hour per lane. Thus, it can be concluded that Highway 1 has adequate capacity to accommodate additional trips generated by the restaurant at lunchtime.

Also, potential project-generated impacts to State Route 92 (SR 92) were evaluated. Of the trips that would be added to Highway 1 south of the restaurant, only a fraction of them would be expected to travel to and from SR 92. Therefore, based on the small number of trips generated by La Costanera restaurant at lunchtime and the distance (almost 8 miles) between the restaurant and SR 92, the number of trips added to SR 92 would be negligible.

The project may result in a minimal increase in bicycle traffic in the project area, which is not anticipated to significantly affect existing bicycle traffic patterns. As noted previously, bicycle safety in the area was studied in "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach,"⁵ dated October 2012, and planning efforts to encourage the implementation of study recommendations are on-going. No mitigation measures are necessary.

e. Will (or could) this project result in or increase traffic hazards?

Yes, Not Significant. The project traffic report includes the results of gap analysis and analysis of Sight Distance at the Project Driveways, also provided below.

Gap Analysis

Traffic gaps at a driveway occur when there is a break in traffic sufficient for drivers to exit or enter the driveway. Larger gaps in traffic are necessary for a left turn out of a driveway, since this movement usually requires gaps in traffic in both directions of travel. If there are insufficient gaps or traffic to turn into or out of a driveway, vehicle delays will occur.

Hexagon observed traffic operations at the driveways on either side of the restaurant at lunchtime on a Friday and Saturday. Gap counts also were conducted on Highway 1 to determine whether there are sufficient gaps in Highway 1 traffic for restaurant trips to get into and out of the site without undue delay or queuing. While most drivers require less than a 10 second gap in traffic to turn left into a driveway on Highway 1, most drivers require a gap of 10 seconds or more to turn left out of a driveway on Highway 1. Based on the count data, there were 31 gaps in traffic on Highway 1 of 10 seconds or more between

⁵ The "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach" may be accessed at http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Midcoast%20Mobility/SMM_Ph_2_Study_Final_LR.pdf

ANSWERS TO QUESTIONS

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12:00 to 1:00 p.m. on Friday, and 53 gaps in traffic on Highway 1 of 10 seconds or more between 12:00-1:00 p.m. Saturday. Many of the gaps were long enough to allow multiple cars to turn left. The wait time to turn left into or out of the site would not be excessive. Based on the project trip generation estimates, it is estimated that only six trips would turn left into the project driveway and four trips would turn left out of the project driveway.

Thus, it can be concluded that sufficient gaps in traffic exist on Highway 1 to accommodate the restaurant generated inbound and outbound trips that would occur during the lunchtime period of the day.

Sight Distance at the Project Driveways

Providing the appropriate sight distance reduces the likelihood of a collision at an intersection or driveway. Sight distance generally should be provided in accordance with Caltrans standards. The minimum acceptable sight distance is often considered the Caltrans stopping sight distance. Sight distance requirements vary depending on the roadway speeds. For a driveway serving La Costanera restaurant on Highway 1, which has a posted speed limit of 45 mph, the Caltrans stopping sight distance is 430 feet (based on a design speed of 50 mph). Thus, a driver must be able to see 430 feet down Highway 1 in order to stop and avoid a collision. The parking lot driveways near the restaurant currently meet the standards.

No mitigation measures are necessary.

- g. Will (or could) this project generate traffic which will adversely affect the traffic carrying capacity of any roadway?**

Yes, Not Significant. As described in the answer to Question 5.c, above, potential project impact to vehicular traffic volumes is considered less than significant. The project traffic report has found that Highway 1 has adequate capacity to accommodate additional trips generated by the restaurant at lunchtime. Additionally, it finds that, based on the small number of trips generated by La Costanera restaurant at lunchtime and the distance (almost 8 miles) between the restaurant and SR 92, the number of trips added to SR 92 would be negligible. No mitigation measures are necessary.

6. LAND USE AND GENERAL PLANS

- a. Will (or could) this project result in the congregating of more than 50 people on a regular basis?**

Yes, Not Significant. The project will result in the addition of lunch time service for up to 93 persons on Fridays and weekends for an existing restaurant which currently provides dinnertime only service for up to 189 persons. As the existing

ANSWERS TO QUESTIONS

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restaurant already accommodates more than 50 people during the dinnertime, the addition of lunchtime service at the same site would not result in significant impacts related to the congregating of more than 50 persons at the restaurant site.

The project also involves the formalization of historical parking uses for up to 21 cars at the State Parks property. It is possible, although unlikely, that 50 persons could occupy the site at one time. However, the site has been used historically for beach user parking and is not likely to result in new significant impacts related to the congregating of more than 50 persons at the project sites. Instead, as discussed in Section 5.a of this report, above, access and landscaping improvements at the property will improve user safety and environmental stewardship of the property.

The potential environmental impacts of the proposed intensification of the existing restaurant use and formalization of the parking use at the State Parks property is discussed in other sections of this report. No mitigation measures are necessary.

- d. **Will (or could) this project result in any changes in land use, either on or off the project site?**

Yes, Not Significant. As discussed in Section 6.a, above, the project will result in the addition of lunch time service for up to 93 persons on Fridays and weekends to an existing restaurant which currently provides dinnertime only service for up to 189 persons. As the existing restaurant already accommodates a higher level of use during the dinnertime, the addition of lunchtime service would not result in a significant change to land use. The potential environmental impacts of the proposed intensification of the existing restaurant use is discussed in other sections of this report. No mitigation measures necessary.

The project also involves the formalization of historical parking uses for up to 21 cars at the State property. With project implementation, the State property will continue to be used for parking purposes. However, as discussed in Section 5.a of this report, above, access and landscaping improvements at the property will improve user safety and environmental stewardship of the property. No mitigation measures necessary.

- e. **Will (or could) this project serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?**

Yes, Not Significant. As discussed in Section 5.a of this report, while project implementation will decrease available daytime beach user parking at both properties by 9 spaces on Fridays and weekends, the project will result in

ANSWERS TO QUESTIONS

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increased daytime beach user parking on Mondays through Thursdays and nighttime beach user parking.

The project traffic report also notes that, based on field observations, there was plenty of parking available within the two restaurant parking lots and the State property, as well as another public lot located just south of Lot C (which provides additional beach parking for about 10 cars), during the lunchtime period. While it is acknowledged that there is a need for formalized parking areas to serve beach users in the project area, the project itself would not directly encourage or cause the development of new parking facilities in the area. No mitigation measures necessary.

- f. **Will (or could) this project adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?**

Yes, Not Significant. As discussed in Section 5 of this report, this project would not adversely affect the capacity of any public streets, highways, or freeways. The project involves lunch service on Fridays and weekends only and is not anticipated to impact public transit systems or result in the hiring of a significant number of additional full-time employees so as to result in a significant impact to schools, parks, police, fire, or hospitals. The existing restaurant is served by existing public utility lines and services and, therefore, the project is not likely to significantly and adversely affect the capacity of electrical, water and gas supply lines, sewage lines, or sanitary landfills.

Regarding storm drainage, the project involves the repair of existing storm drain discharge systems. As discussed in Section 1.c of this report, the project may also result in 5,000 sq. ft. or more of new impervious surface (e.g., if the dirt lot is compacted to 95% compaction, then the lot would be considered impervious). Mitigation Measure 2 ensures compliance with Provision C3 and to ensure that stormwater treatment, if required, has been reviewed by the project geotechnical consultant.

No additional mitigation measures are necessary.

- g. **Will (or could) this project generate any demands that will cause a public facility or utility to reach or exceed its capacity?**

Yes, Not Significant. As discussed in Section 6.f., above, the project would not generate any demands that will cause a public facility or utility to reach or exceed its capacity. No additional mitigation measures are needed.

ANSWERS TO QUESTIONS

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- o. Will (or could) this project result in possible interference with an emergency response plan or emergency evacuation plan?**

Yes, Not Significant. As described in the answer to Question 5.c, above, potential project impact to vehicular traffic patterns or volumes is considered less than significant. Therefore, the project would not result in traffic-related interference with an emergency response plan or emergency evacuation plan for the area. No mitigation measures are needed.

7. AESTHETIC, CULTURAL AND HISTORIC

- a. Will (or could) this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?**

Yes, Significant Unless Mitigated. Both properties are located along the Cabrillo Highway (Highway 1) County-Designated Scenic Route. The project involves legalization of minor modifications to the existing restaurant structure, including 2 exterior patios and 9 outdoor lighting fixtures. Patios will not be visible from Highway 1. While outdoor lighting is not proposed along Highway 1, lighting proposed within the restaurant parking lots will be visible from Highway 1.

Proposed Legalization of Lighting Visible from Highway 1

The lighting plan (Attachment E) includes the legalization of 5 150-watt lights which illuminate Parking Lot A. Staff conducted a nighttime field investigation and found only 3 of the 5 to be operational at the time. The 3 lights provided adequate illumination of the parking lot. In order to minimize light impacts to the Highway 1 County-Designated Scenic Route, Mitigation Measure 10 requires the removal of 2 of the 150-watt light fixtures which illuminate Parking Lot A.

While the applicant does not propose any new lighting in Parking Lot C, staff's field investigation revealed that existing lighting was not effective in illuminating the parking lot and created unnecessary ambient lighting visible from Highway 1. Mitigation Measure 11 requires the applicant to replace or reposition existing light fixtures such that light is directed downward at the parking lot only, each lighting fixture does not exceed 150-watts, and total lighting fixtures does not exceed 3.

The project also involves formalization of historical beach user parking uses at the State property. Improvements on the State property include minor grading, landscaping and the placement of gravel on the land. The new gravel surface of the parking lot will be minimally visible from Highway 1, but will largely blend with existing views along Highway 1. Landscaping and a walking path, as shown on the landscape plan (Attachment F), proposed along the bluff of the State Parks property will be minimally visible from Highway 1 and will result in a beneficial visual impact.

ANSWERS TO QUESTIONS

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With the implementation of the following mitigation measures, potential project impacts to views along the County-Designated Scenic Route would be considered less than significant:

Mitigation Measure 10: Prior to the Current Planning Section's approval of the building permit, the applicant shall remove 2 of the 150-watt light fixtures which illuminate Parking Lot A, such that there is no more than 3 lighting fixtures on the north side of the restaurant building.

Mitigation Measure 11: Prior to the Current Planning Section's approval of the building permit, the applicant shall replace or reposition existing light fixtures in Parking Lot C such that light is directed downward at the parking lot only, each lighting fixture does not exceed 150-watts, and the total number of lighting fixtures does not exceed 3.

- b. **Will (or could) this project obstruct scenic views from existing residential areas, public lands, public water body, or roads?**

Yes, Significant Unless Mitigated. The project involves formalization of historical beach user parking uses at the State property. Improvements on the State property include minor grading, landscaping and the placement of gravel on the land. Such improvements will not obstruct scenic views. The project also involves legalization of minor modifications (2 exterior patios and 9 outdoor lighting fixtures) to the existing restaurant structure. Proposed modifications to the restaurant structure and the formalization of parking at the State Parks property will be minimally visible from residential areas across Highway 1. View impacts to the Highway 1 County-Designated Scenic Route are discussed in Section 7.a, above.

Proposed lighting and patios will be visible from public lands (Montara State Beach) and a public water body (Pacific Ocean). Patios do not obstruct scenic views, as they blend in with the existing restaurant building. However, during a nighttime field investigation, staff observed several temporary lantern lighting (not shown in the lighting plan) along the perimeter of the lower floor patio. The lighting plan (Attachment E) includes the legalization 4 400-watt lights that illuminate the rear building elevation and beach. At the time of staff's nighttime field investigation, only 3 of the 4 lights on the west building elevation (beach side) were operational. However, the 3 400-watt lights, along with several lantern lights, cast excessive light on the patio and on the beach, which obstruct views of Montara State beach from the restaurant and views from the beach to the restaurant. Mitigation Measure 12 requires the applicant to modify the lighting plan for the rear/west elevation such that lighting fixtures are positioned no higher than the ceiling height of the lower floor, each lighting fixture does not exceed 150 watts, and the number of lighting fixtures shall not exceed 5. Prior to the Current Planning Section's final approval of the building permit, staff shall review the wattage of the west elevation and wattage shall be adjusted as

ANSWERS TO QUESTIONS

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required by staff to achieve adequate lighting for patio dining and minimization of light impacts on beach areas. Also, no temporary lighting is permitted on the property without the approval of the Community Development Director.

With the implementation of the following mitigation measures, potential for project-related development to obstruct scenic views from existing residential areas, public lands, public water body, or roads would be considered less than significant:

Mitigation Measure 12: The applicant shall modify the lighting plan for the rear/west elevation such that lighting fixtures are positioned no higher than the ceiling height of the lower floor, each lighting fixture does not exceed 150 watts, and the number of lighting fixtures shall not exceed 5. Prior to the Current Planning Section's final approval of the building permit, staff shall review the wattage of the west elevation and wattage shall be adjusted as required by staff to achieve adequate lighting for patio dining and minimization of light impacts on beach areas. Also, no temporary lighting is permitted on the property without the approval of the Community Development Director.

- d. **Will (or could) this project directly or indirectly affect historical or archaeological resources on or near the site?**

Yes, Significant Unless Mitigated. The project involves the formalization of historical parking uses in an undeveloped portion of the State Parks property. All other areas affected by the project are disturbed or developed. Planning staff has added the following mitigation measure, in order to mitigate potential impact to unrecorded archaeological site(s) at the State Parks property:

Mitigation Measure 13: The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

- e. **Will (or could) this project visually intrude into an area having natural scenic qualities?**

Yes, Not Significant. Please see Sections 7.a and b, above. No additional mitigation measures are needed.

ANSWERS TO QUESTIONS

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ATTACHMENTS

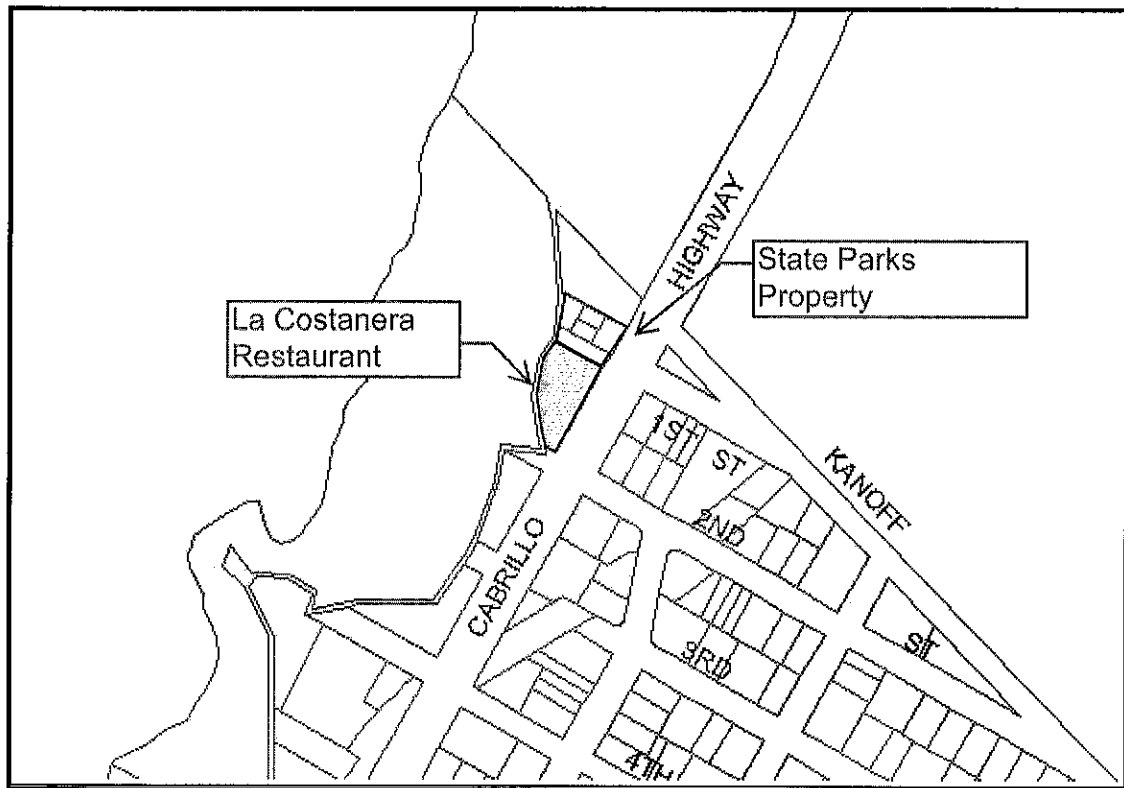
- A. Vicinity Map
- B. Project Geotechnical Reports:
 - 1. Geotechnical Engineering Consultation, Poor Drainage and Riprap Erosion, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, February 9, 2010.
 - 2. Geotechnical Engineering Consultation, Unpaved Parking Lot, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California, BAGG Engineers, October 27, 2011.
- C. Grading and Drainage Plans
- D. Erosion and Sediment Control Plan
- E. Lighting Plan
- F. Landscaping Plan
- G. Parking Plan
- H. Seating Plan
- I. Vegetation Map, TRA Environmental Services, Inc.
- J. Letter of Intent
- K. 1984 Use Permit
- L. "Traffic and Parking Study for La Costanera Restaurant," dated December 10, 2012, prepared by Hexagon Transportation Consultants, Inc.

Note: The "Highway 1 Safety and Mobility Improvement Study: Phase 2, San Mateo County Midcoast, Montara, Moss Beach" is available at the following link:
http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Midcoast%20Mobility/SMM_Ph_2_Study_Final_LR.pdf

CML:jlh – CMLW0894_WJH.DOC

Attachment A**SELECTED
PROPERTY**

Situs: 8150 Cabrillo Hwy , Montara
Owner: A & G Llc, 370 Convention Way, Redwood City, CA, 94063-
APN: 036046050



Date Created: Thursday, December 20, 2012

Print



Attachment B1

► Geotechnical ► Geoenviromental ► Special Inspection

February 9, 2010
BAGG Job No. AGLLC-01-00

A & G, LLC
c/o La Costanera Restaurant
8150 Cabrillo Hwy
Montara, CA 94037

Attention: Mr. Hamid Rafiei

**GEOTECHNICAL ENGINEERING
CONSULTATION**

Poor Drainage and Rip Rap Erosion
La Costanera Restaurant
8150 Cabrillo Highway
Montara, California

Dear Mr. Rafiei:

This report describes the site conditions observed during our recent visit in February 2010 to the captioned site in Montara, California, and presents recommendations for engineering measures which should be installed to minimize undermining of the rip rap placed to protect the subject property against wave erosion. Plate 1, Site Vicinity Map, shows the approximate location of the site, and Plate 2, Site Plan, shows the site features including the location of the restaurant building, the rip rap wall, the parking lots, and the general location of the site relative to the shoreline. Our services were provided in general accordance with the scope of work outlined in our proposal (10-116), dated January 25, 2010.

► www.baggengineers.com
► phone: 650.852.9133 ► fax: 650.852.9138 ► info@baggengineers.com
847 West Maude Avenue, Sunnyvale, California 94085-2911

SITE AND PROJECT DESCRIPTION

The subject 8150 Cabrillo Highway property is located adjacent to and on the west side of Cabrillo Highway across from 2nd Street in Montara, California. The subject property is situated above the Pacific Ocean bluffs and contains a restaurant building (La Costanera Restaurant) in the middle, a paved parking lot to the north of the building, and another parking lot to the south of the building. A roughly 20-foot high cliff on the west side of the property separates the restaurant building and the parking areas from the sandy beach and Pacific Ocean. The cliff is lined with rip rap possibly to protect the developed areas against wave erosion. It appears that the rip rap has not been keyed into the firm ground underlying the sand, and the bottom 6-feet of the rip rap has been grouted with cement.

The ground surface within each parking lot slopes down towards drop inlets located on the western side of the lots. The outlet pipes from both drop inlets discharge their content behind (east of) the rip rap seawall, thus causing some undermining of the rip rap. This condition is exacerbated by the wave action.

APPROACH, PURPOSE AND SCOPE OF SERVICES:

Based on the conditions observed during the site visit, it was our opinion that the undermining of the existing rip rap was primarily caused by the improper discharge of the surface runoff from the two paved parking lots. Therefore, we did not perform any subsurface exploration, and concentrated our efforts on developing recommendation related to the discharge of surface water runoff from the paved parking lots. Please note that our recommendations are based on engineering judgment and the current condition of the site; however, the California Coastal Commission might impose restrictions on the specific type of the mitigation measures that may be employed on this site.

RECOMMENDATIONS

The intent of the engineering measures recommended in this report is to collect the surface runoff from the site and drain it toward the lower beach area in such a way that it does not cause any erosion. The recommended engineering measures should include the following:

- Remove rip rap from the area above the two drainage outlet pipes.
- Expose the discharge end of the drainage pipes, and check the integrity of the drainage lines for any leaks or ruptures. Repair or replace the drainage lines, if found to be damaged.
- Extend the drainage pipes to the top of the grouted portion of the rip rap.
- Install a T-joint at the end of the drainage line and connect a 10-foot long portion of a slotted PVC pipe on either side of the T-joint. The T-joint and the connected pipelines should be kept level and placed parallel to the slope within the replaced section of the riprap. Details of the recommended repair scheme are shown on Plate 3.
- Place cement grout in the cavities where the rip rap has been undermined.
- Prior to performing any remediation work, necessary construction permits should be obtained from the local government agencies and the California Coastal Commission.
- All aspects of the site work should be observed by the Project Geotechnical Engineer or his authorized representatives.

Please do not hesitate to contact us if you have questions or comments regarding the contents of this letter.

Very truly yours,
BAGG Engineers


FOR

Ajay Singh
Senior Engineer


The seal is circular with the text "REGISTERED PROFESSIONAL ENGINEER" around the top, "BRUCE GAVIGLIO" in the center, "No. 3334" below the name, "EXP 12/31/11" below the number, "GEOTECHNICAL" below the expiration date, and "STATE OF CALIFORNIA" around the bottom.

Bruce Gaviglio
Senior Geotechnical Engineer

AS/BG/sd

The following plate is attached and completes this report:

Plate 1 – Vicinity Map

Plate 2 – Site Plan

Plate 3 – Details of the Repair Scheme

Distribution: 6 copies to addressee

WGS84 122.51667° W

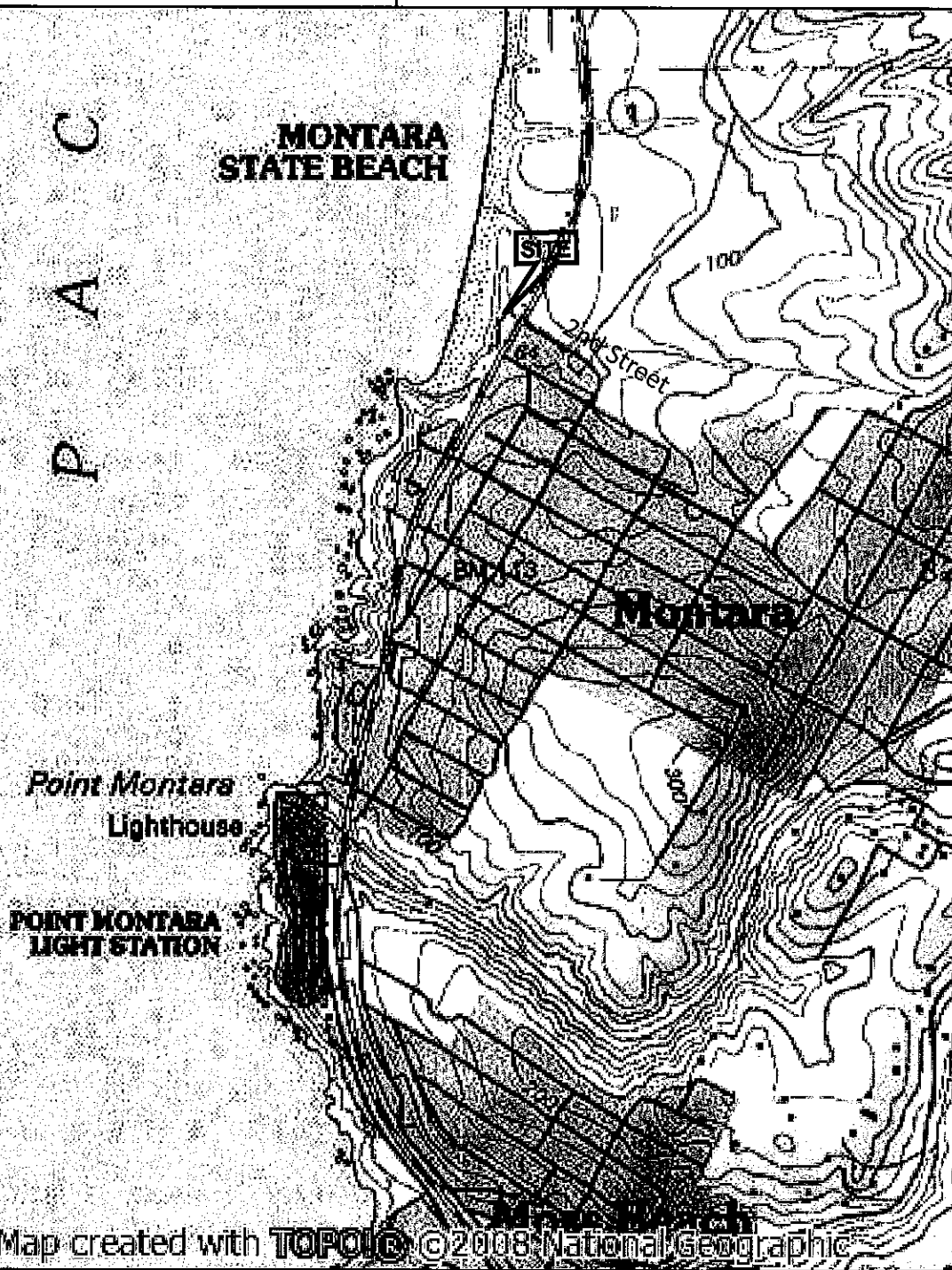
37.55000° N

P A C

**MONTARA
STATE BEACH**

37.55000° N

37.53333° N



37.53333° N

WGS84 122.51667° W



La Costanera Restaurant
8150 Cabrillo Highway
Montara, California

VICINITY MAP

DATE:
Feb. 2010

JOB NUMBER:
AGLLC-01-00

PLATE
1

Undermined portion of
rip rap



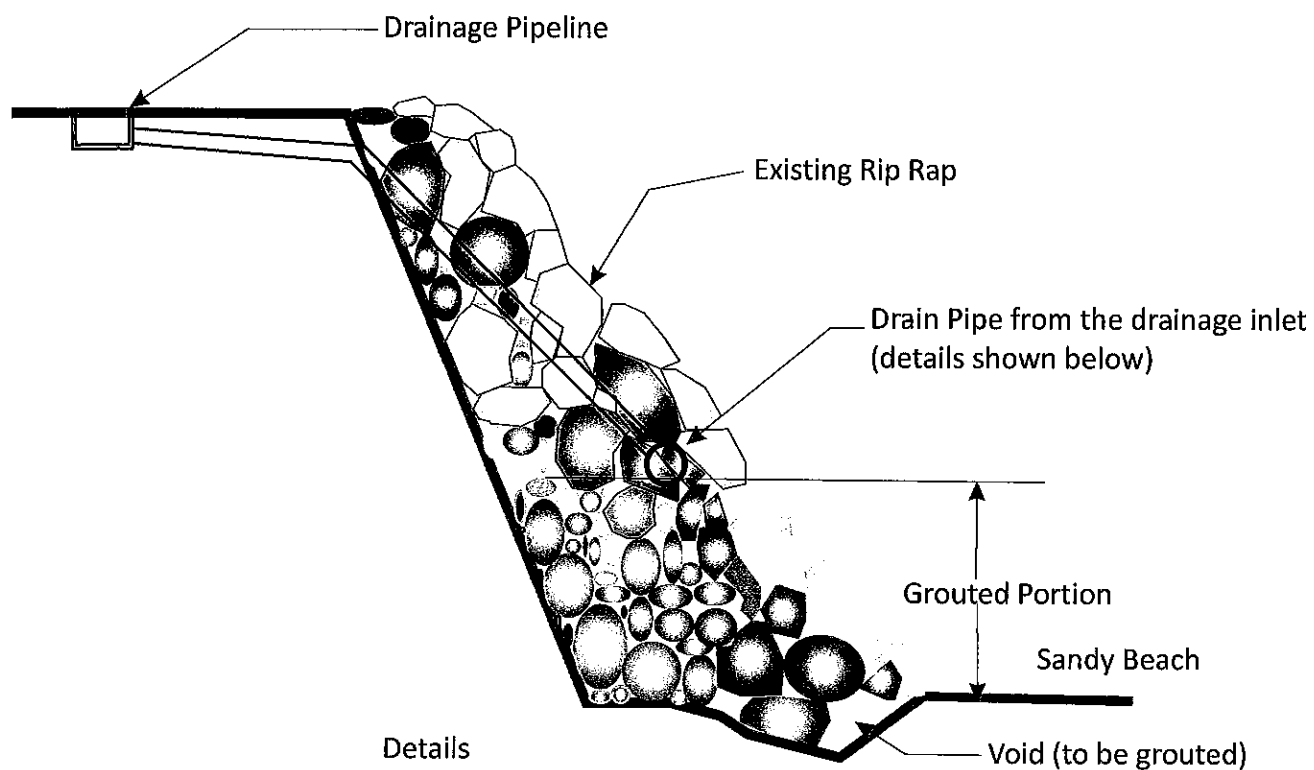
La Costanera Restaurant
8150 Cabrillo Highway
Montara, California

SITE PLAN

DATE:
Feb. 2010

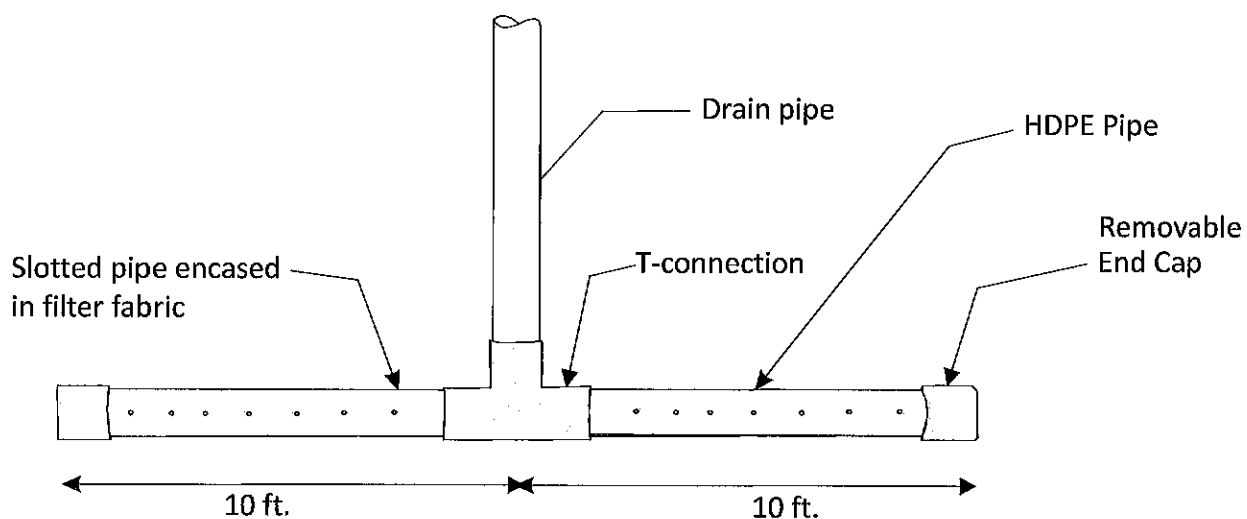
JOB NUMBER:
AGLLC-01-00

PLATE
2



Details

Not to Scale



**LA CASTANERA RESTAURANT
8150 CABRILLO HIGHWAY
MONTARA, CALIFORNIA**

DETAILS OF THE REPAIR SCHEME

DATE:
Feb. 2010

JOB NUMBER:
AGLLC-01-00

PLATE
3



October 27, 2011
BAGG Job No. AGLLC-01-00

A & G, LLC
c/o La Costanera Restaurant
8150 Cabrillo Hwy
Montara, CA 94037

Attention: Mr. Hamid Rafiei

**GEOTECHNICAL ENGINEERING
CONSULTATION**
Unpaved Parking Lot
La Costanera Restaurant
8150 Cabrillo Highway
Montara, California

Dear Mr. Rafiei:

This report describes the site conditions observed during our recent visit in August 2011 to the captioned site in Montara, California, and presents recommendations for slope setbacks in an effort to minimize the impact of erosion on the parking lot. Plate 1, Site Vicinity Map, shows the general location of the site, and Plate 2, Site Plan, depicts the site features, including the location of the restaurant building, the rip-rap wall, limits of the paved and unpaved parking lots, and the general location of the site relative to the shoreline.

SITE AND PROJECT DESCRIPTION

The subject restaurant property is located adjacent to and on the west side of Cabrillo Highway across from 2nd Street in Montara, California. The property lies above the Pacific Ocean bluffs and contains a restaurant building (La Costanera Restaurant) in the middle, a paved parking lot to the north of the building, and another paved parking lot south of the building. A soil-covered

parking lot is located north of the paved parking lot on the north; we understand the unpaved parking lot land is owned by the park district. A roughly 20-foot-high cliff on the west side of the property separates the restaurant building and the parking areas from the sandy beach of the Pacific Ocean. The cliff is lined with rip-rap with an approximate gradient of 2:1 (horizontal to vertical) to protect the developed areas (the restaurant building and parking lots) from wave erosion. It appears that the rip-rap has not been properly keyed into the firm ground underlying the beach sand, although the bottom 6 feet of the rip-rap has been grouted with cement.

The ground surface in the paved parking lot areas slopes down towards drop inlets located on the western side of the lots. The outlet pipes from both drop inlets discharge their content behind (east of) the rip-rap seawall, thus causing some undermining of the rip-rap. This condition is exacerbated by the wave action.

The northern unpaved parking lot does not have any drainage control measures. The ground surface steps down approximately 3-feet to a flat area located adjacent to the top of the rip-rap. At this location, the rip-rap has a gradient of approximately 1:1 (horizontal to vertical).

APPROACH, PURPOSE AND SCOPE OF SERVICES

We previously prepared a Geotechnical Engineering Consultation letter titled "Poor Drainage and Rip-Rap Erosion, La Costanera Restaurant, 8150 Cabrillo Highway, Montara, California" which was issued on February 22, 2010. That letter addressed the drainage emanating from the develop areas onto the slope below the two paved parking lots.

It is our understanding that the northern unpaved parking lot will be improved. The main geotechnical constraint in the unpaved parking area is the stability of the steep 1:1 gradient rip-rap placed against the bluffs. Should the rip-rap and/or the bluffs fall, it would most likely damage a portion of the unpaved parking lot. To protect the parked cars in this lot, we suggested to the project civil engineer that the western edge of the parking lot should be

setback from the top of the rip rap slope. While we have not performed a site-specific investigation to address the stability of the over-steepened rip-rap against the unpaved parking lot bluff; it is likely that the slope will fail due to continued erosion. Please note that our opinions and recommendations are based on engineering judgment and the current condition of the site; the California Coastal Commission might impose restrictions on the specific type of the mitigation measures that may be employed on this site.

RECOMMENDATIONS

It is our opinion that the simplest and the most cost effective method for improving the unpaved parking lot and protecting the customer automobiles is to establish a setback for automobile parking from the edge of the bluff. The suggested setback line is shown on the attached Plate 2, Site Plan, which has been established, based on an imaginary 2:1 slope gradient extending from the setback line to the toe of the existing rip-rap, should slope failure occur. This approach would also have a higher probability of approval from the California Coastal Commission.

The surface of the unpaved parking lot may be improved using one, or a combination of, or all of the improvement measures recommended below. Please note however, that the cheaper the improvement option chosen will likely lead to higher long-term maintenance expenses.

- Scarify and re-compact the surface 6-inches of the parking lot soil to at least 95 percent relative compaction;
- Place a 6- inch-thick layer of CalTrans Class 2 Aggregate Base on the existing or re-compacted parking lot surface; the aggregate base must be compacted to a minimum of 95 percent of the maximum dry density;
- Place a layer of Tensar TriAx geogrid (such as TX140 or equivalent) between the subgrade and the aggregate base material; the intent is to improve the load carrying capacity of the parking lot surface under the moving loads.

The type of surfacing to be selected will likely depend on the ascetics and the projected future maintenance costs.

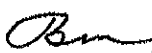
Thank you for the opportunity to provide geotechnical consultation on this project. Please do not hesitate to contact us if you have questions or comments regarding the contents of this letter. The following plate is attached and completes this report:

Plate 1 – Vicinity Map

Plate 2 – Site Plan

Very truly yours,

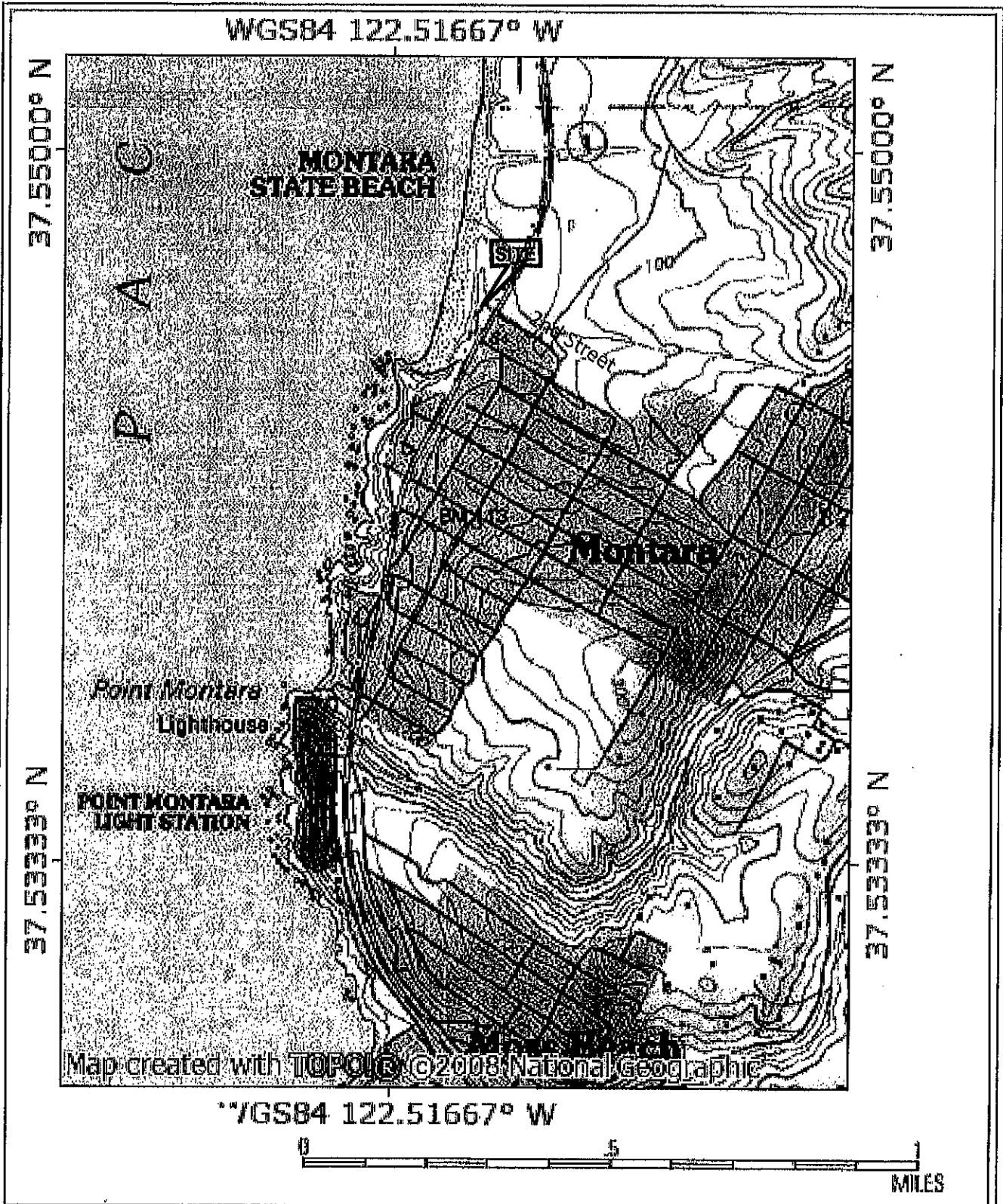
BAGG Engineers



Bruce Gaviglio
Senior Geotechnical Engineer

BG/sd

Distribution: 3 copies addressee



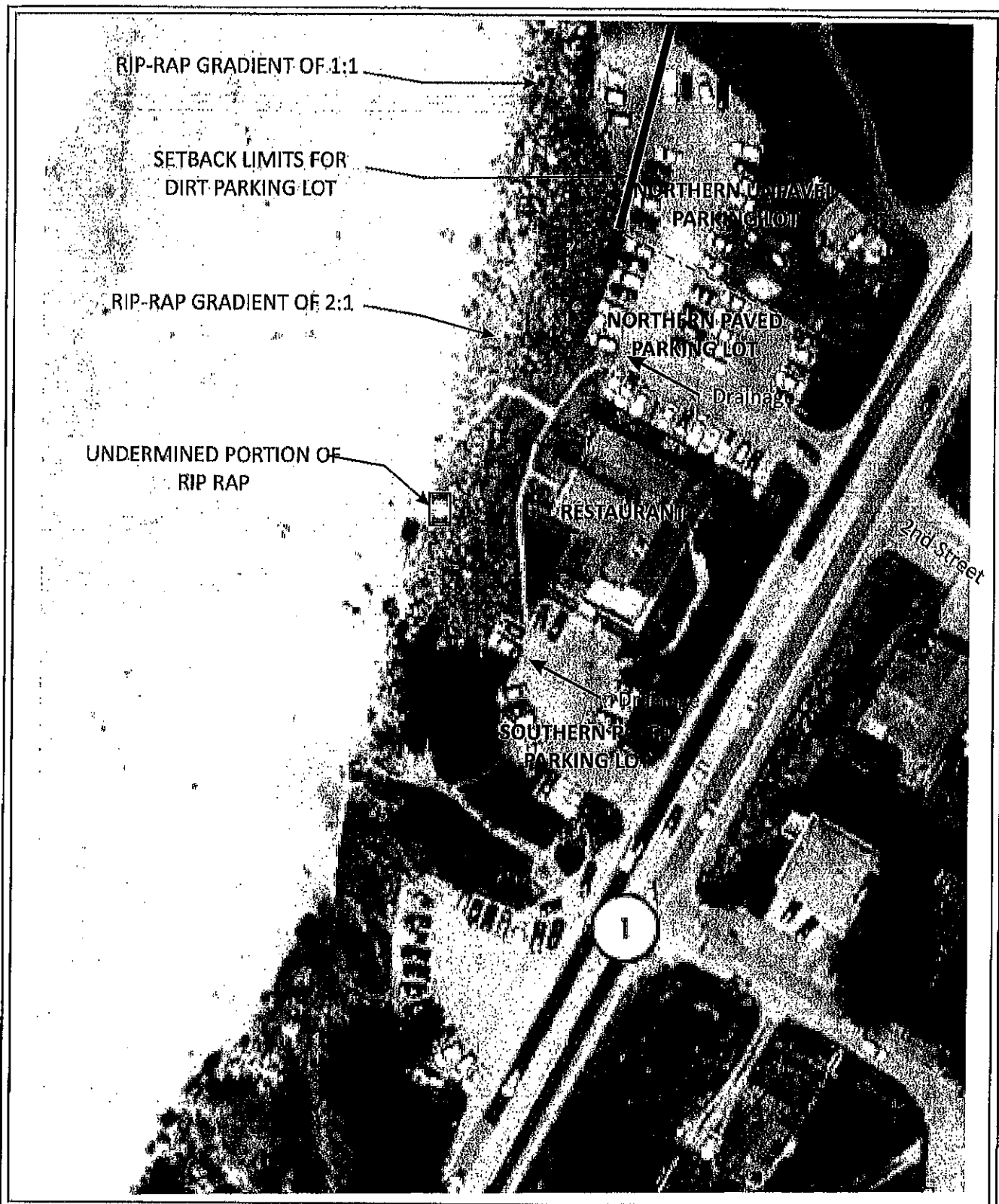
**GEOTECHNICAL CONSULTATION UNPAVED
PARKING LOT
LA COSTANERA RESTAURANT
8150 CABRILLO HIGHWAY**

VICINITY MAP

DATE:
October 2011

JOB NUMBER:
AGLLC-01-00

PLATE:
1



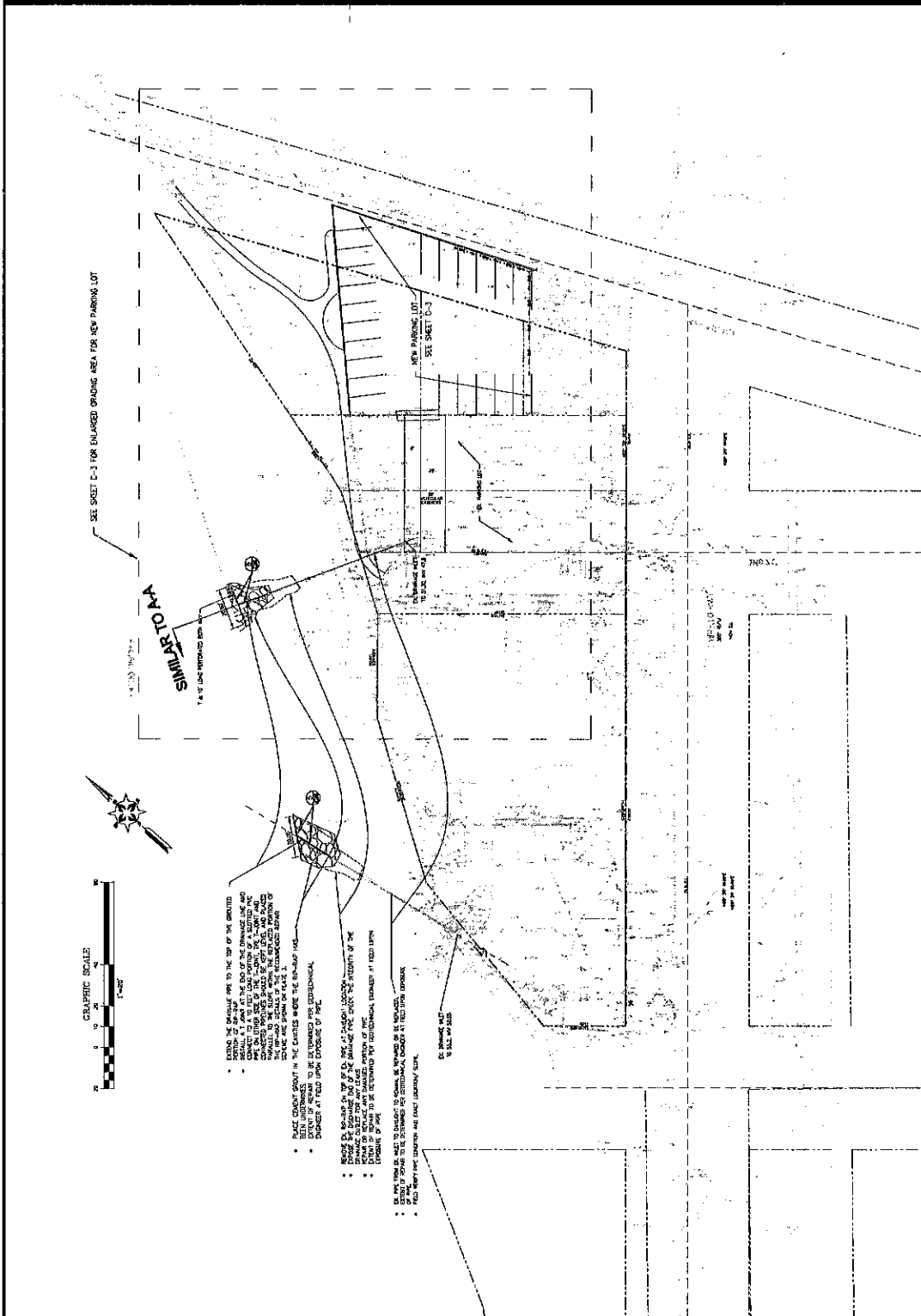
**GEOTECHNICAL CONSULTATION UNPAVED
PARKING LOT
LA COSTANERA RESTAURANT
8150 CABRILLO HIGHWAY**

SITE PLAN

DATE:
October 2011

JOB NUMBER:
AGLIC-01-00

PLATE
2

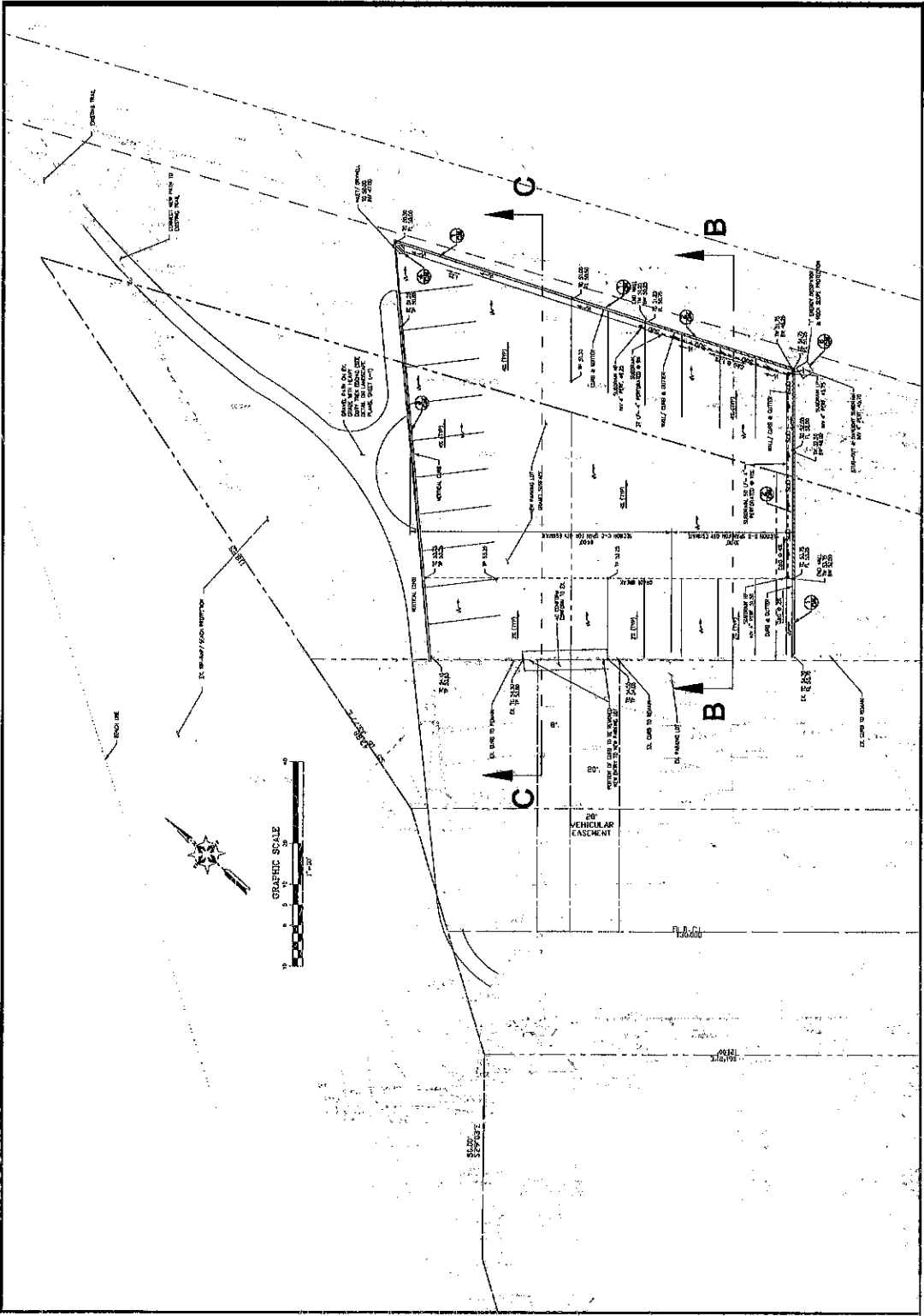




SVP ENGINEERS
CIVIL ENGINEERS
1000 LAKESIDE DRIVE
SUITE 100
SAN JOSE, CA 95128
TEL: (408) 261-1000
FAX: (408) 261-1001
E-MAIL: SVP@SVPENGINEERS.COM
WWW.SVPENGINEERS.COM

GRADING AND DRAINAGE PLANS
NEW PARKING LOT
8150 CAERILLO HWY MONTARA CA 94037
GRADING AND DRAINAGE PLAN

Date: 12/16/2012
Scale: 1"=10'
Project: 8150 CAERILLO HWY
Drawn by: JVC
Checked by: JVC
Date: 12/16/2012
Sheet: 3 OF 5
C-3





CIVIL ENGINEERS
1534 CAROL LANE
LOS ALTOS, CA 94024
TEL: (650) 941-0226
FAX: (650) 941-2765
E-MAIL: SUPPLEMENT@CSDEB.COM

Address:

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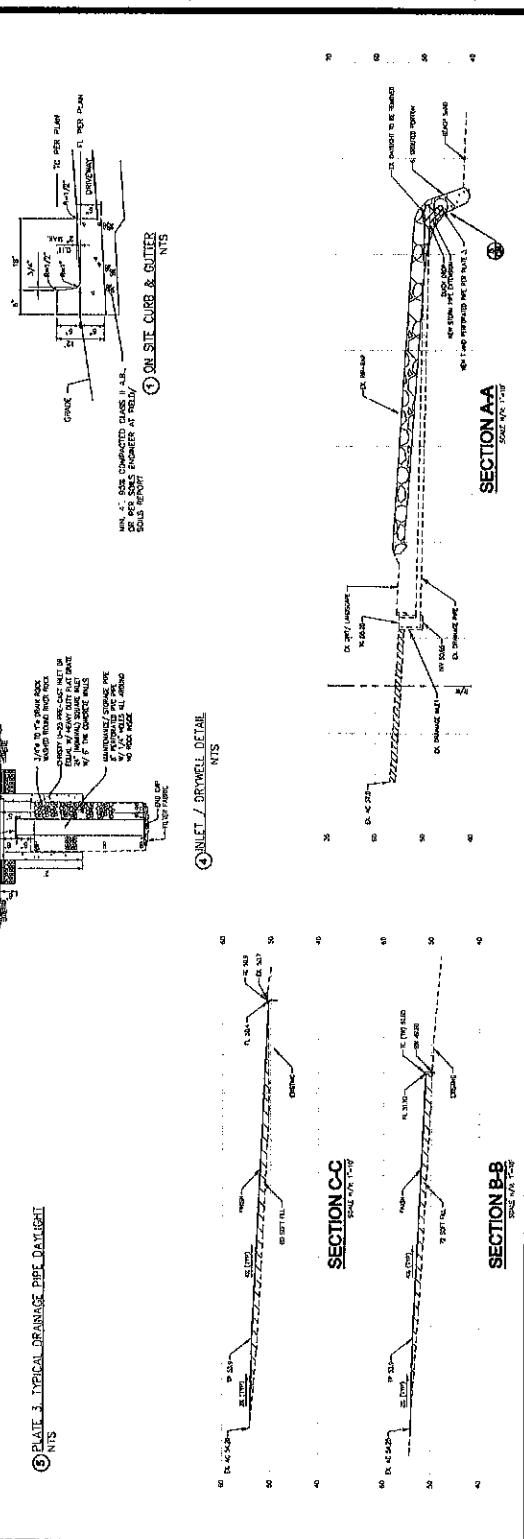
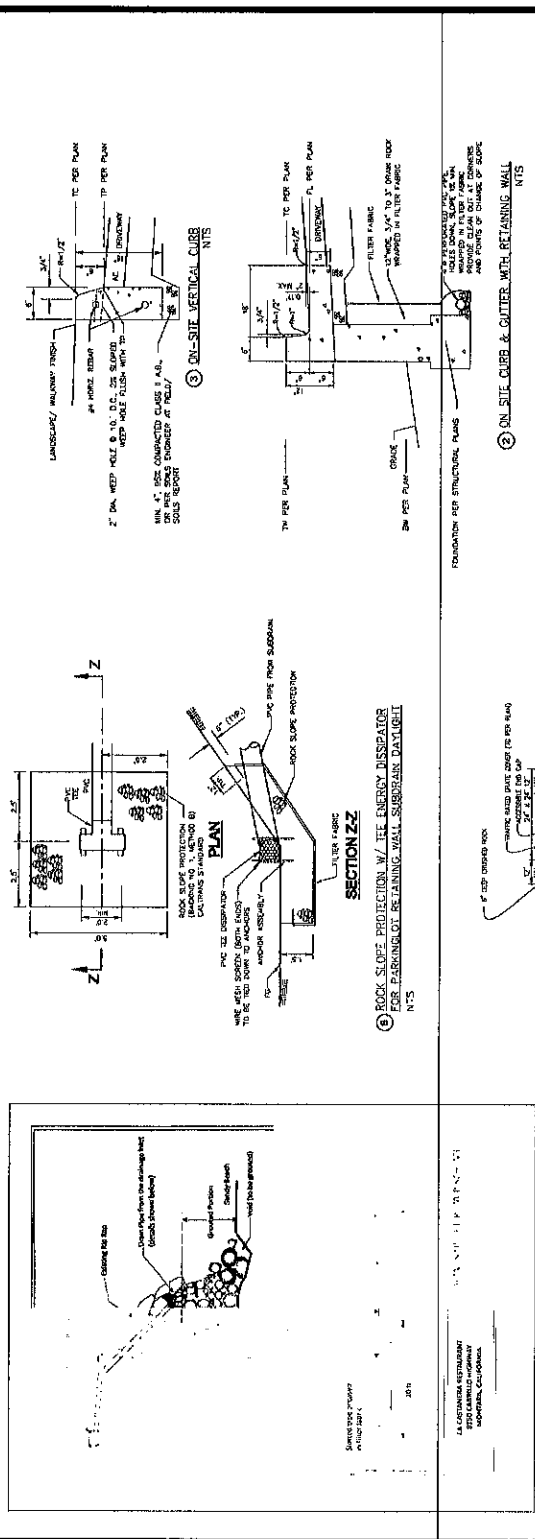
GRADING AND DRAINAGE PLANS
NEW PARKING LOT
8150 CABRILLO HWY MONTARA CA 94037

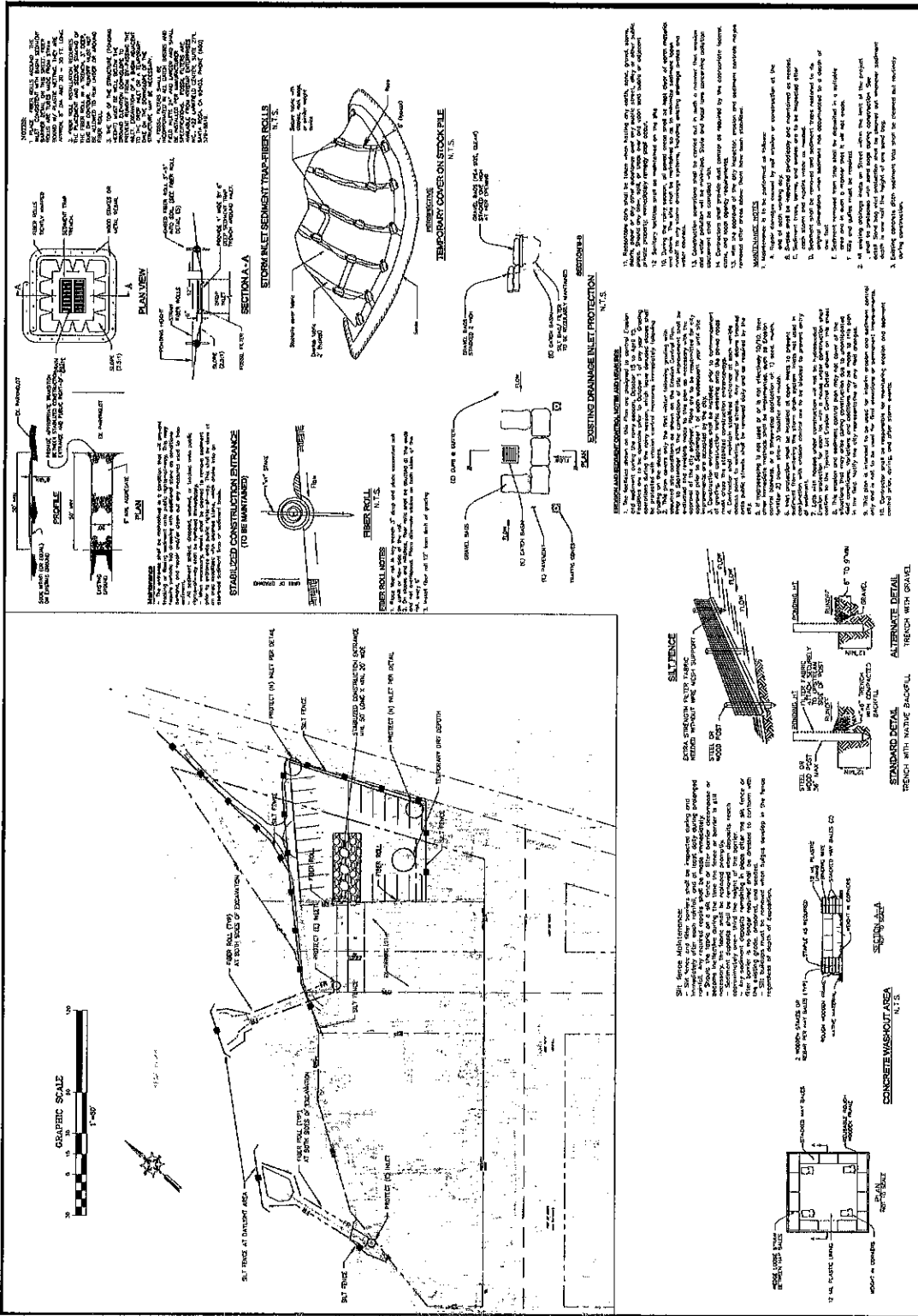
References

12/18/2012

AS NOTED
received by
V.C.
received by
S.R.
27/2/2018

40F5
C-4





REV	DESCRIPTION

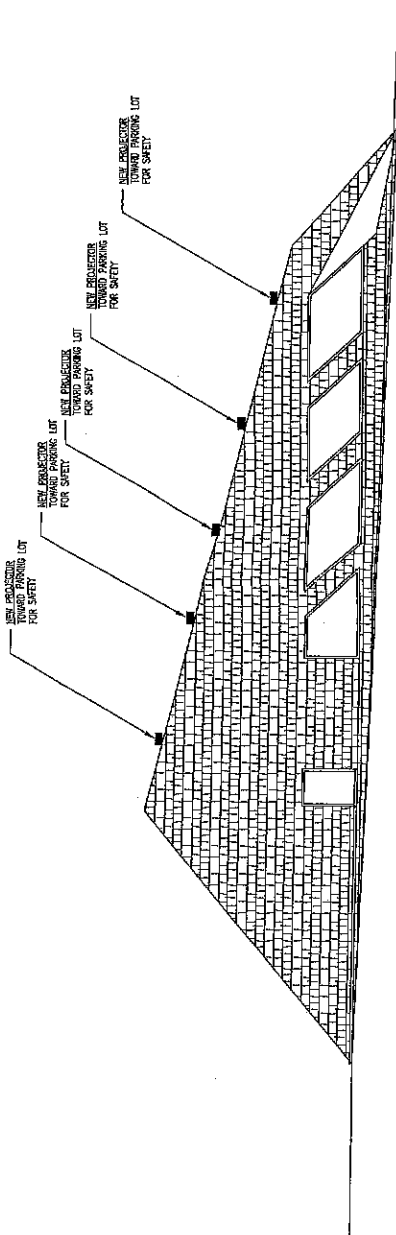
OWNER:
A&G LLC
8510 CABRILLO HWY
MONTARA, CA 94038
DATE: 07/11/11

8510 CABRILLO HWY
MONTARA, CALIFORNIA 94038

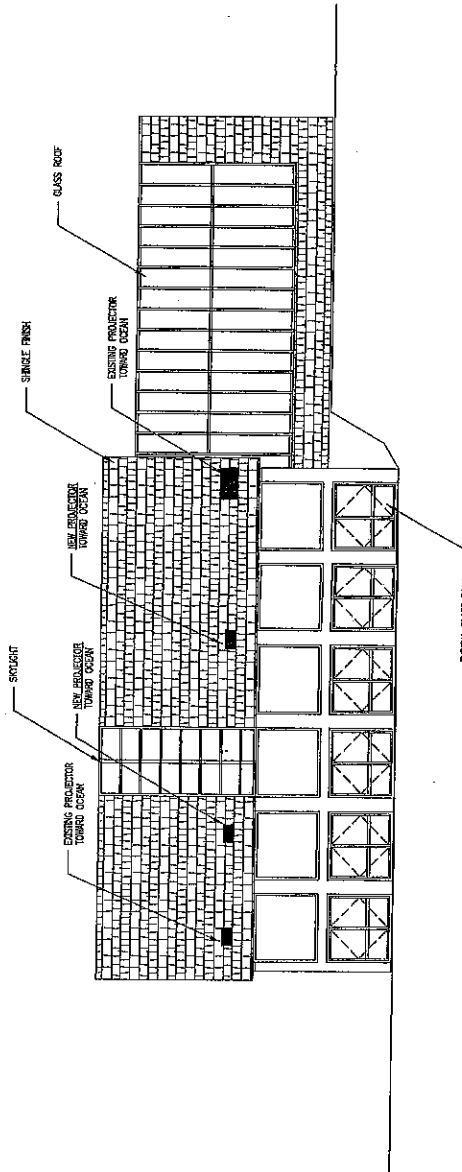
A&G LLC

SHEET TITLE:
LIGHTING
ELEVATION

DATE	07/11/11
SCALE	1/8" = 1'-0"
SHEET	A-2.4



NORTH ELEVATION



WEST ELEVATION

ATTACHMENT 3 SPOT HID LIGHTS

**MULTI
TAP**

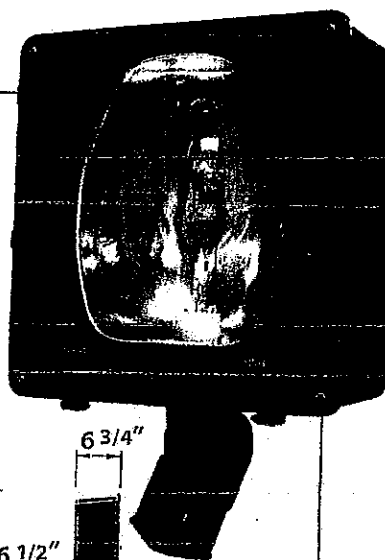
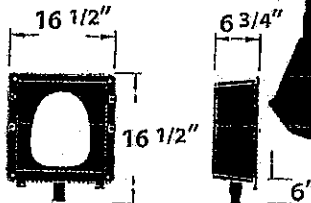
DF7125

LARGE SPOT, WALL AND POST FIXTURE
MATERIAL: POWDER COATED CAST ALUMINUM
LENS: HEAT RESISTANT, TEMPERED GLASS
SOCKET: MOGUL BASE
ADJUSTABLE BRACKET
ETL APPROVED FOR WET LOCATION

AVAILABLE FINISH: BRONZE

SLIPFIT SLIP FITTER SOLD SEPARATELY

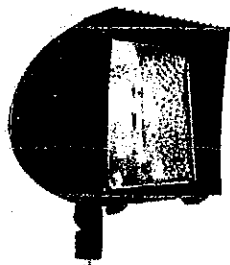
DF7125-MT	250 HPS	MULTI-TAP	250W	LAMP INCLUDED
DF7130-MT	400 HPS	MULTI-TAP	400W	LAMP INCLUDED
DF7135-MT	250 MH	MULTI-TAP	250W	LAMP INCLUDED
DF7140-MT	400 MH	MULTI-TAP	400W	LAMP INCLUDED



FlexFlood Swivel

Medium base HPS, MH or CFL specification grade flood with Integra Hood glare shield and 1/2" heavy duty swivel arm. Lamp supplied.

Finish: ☒ Bronze
☐ White



FlexFlood Wall Mount

Medium base HPS, MH or CFL specification grade flood with Integra Hood glare shield and fixed wall mounting bracket. Bracket provides 2 different Full Cutoff Mounting angles. Can be mounted as uplight. Lamp supplied.

Finish: ☒ Bronze
☐ White



Wall Mount only

Bronze	White
FXX	FXXW

Catalog Numbers

Bronze	White
FX70	FX70W
FX70QT	FX70QTW
FX100	FX100W
FX100QT	FX100QTW
FX150	FX150W
FX150QT	FX150QTW
FXH50QT	FXH50QTW
FXH70QT	FXH70QTW
FXH100QT	FXH100QTW
FXH125PSQ	FXH125PSQW
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FXH150QT	FXH150QTW
FXH175QT	FXH175QTW
FXF42QT	FXF42QTW

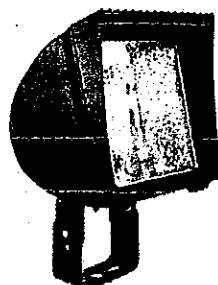
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FX70XQT	FX70XQTW
FX100X	FX100XW
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FX150X	FX150XW
FX150XQT	FX150XQTW
FXH50XQT	FXH50XQTW
FXH70XQT	FXH70XQTW
FXH100XQT	FXH100XQTW
FXH125XPSQ	FXH125XPSQW
FXH150XPSQ	FXH150XPSQW
FXH150XQT	FXH150XQTW
FXH175XQT	FXH175XQTW
FXF42XQT	FXF42XQTW

ATTACHMENT 2

FlexFlood Trunnion

Medium base HPS, MH or CFL specification grade flood with Integra Hood glare shield and Trunnion mounting bracket. Lamp supplied.

Finish: ☒ Bronze
☐ White



Trunnion only

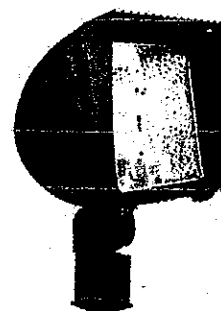
Bronze	White
FXT	FXTW

Bronze	White
FX70T	FX70TW
FX70TQT	FX70QTW
FX100T	FX100TW
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FX150TQT	FX150QTW
FXH50TQT	FXH50QTW
FXH70TQT	FXH70QTW
FXH100TQT	FXH100QTW
FXH125TPSQ	FXH125TPSQW
FXH150TPSQ	FXH150TPSQW
FXH150TQT	FXH150QTW
FXH175TQT	FXH175QTW
FXF42TQT	FXF42QTW

FlexFlood Slipfitter

Medium base HPS, MH or CFL specification grade flood with Integra Hood glare shield and slipfitter mount for 2 3/8" diameter tenons. Lamp supplied.

Finish: ☒ Bronze
☐ White

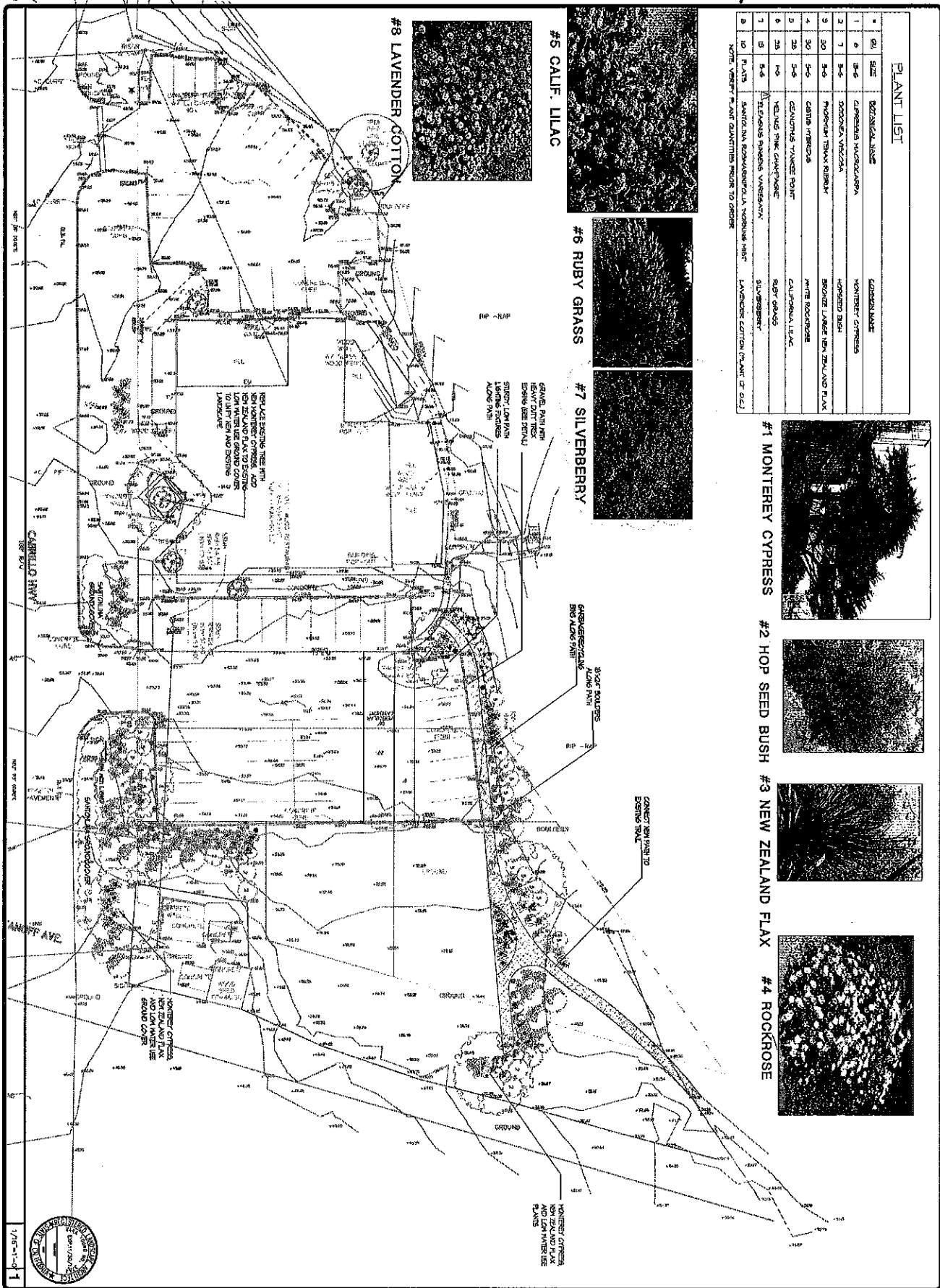


Slipfitter only

Bronze	White
FXSF	FXSFW

Bronze	White
FX70SF	FX70SFW
FX70SFQT	FX70SFQTW
FX100SF	FX100SFW
FX100SFQT	FX100SFQTW
FX150SF	FX150SFW
FX150SFQT	FX150SFQTW
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FXH100SFQT	FXH100SFQTW
FXH125SFPSQ	FXH125SFPSQW
FXH150SFPSQ	FXH150SFPSQW
FXH150SFQT	FXH150SFQTW
FXH175SFQT	FXH175SFQTW
FXF42SFQT	FXF42SFQTW

HID FLOODS



SHEET TITLE :
**PROPOSED
LOWER FLOOR
SEATING
CONFIGURATION**

DRAWN HAMID RAFIEI

DATE JULY . 2010

SCALE
1/8" = 1'-0"

A-2.0
SHEET 1

OWNER:
A&G LLC

LA COSTANERA RESTAURANT
8150 CABRILLO HWY
MONTARA, CALIFORNIA 94037

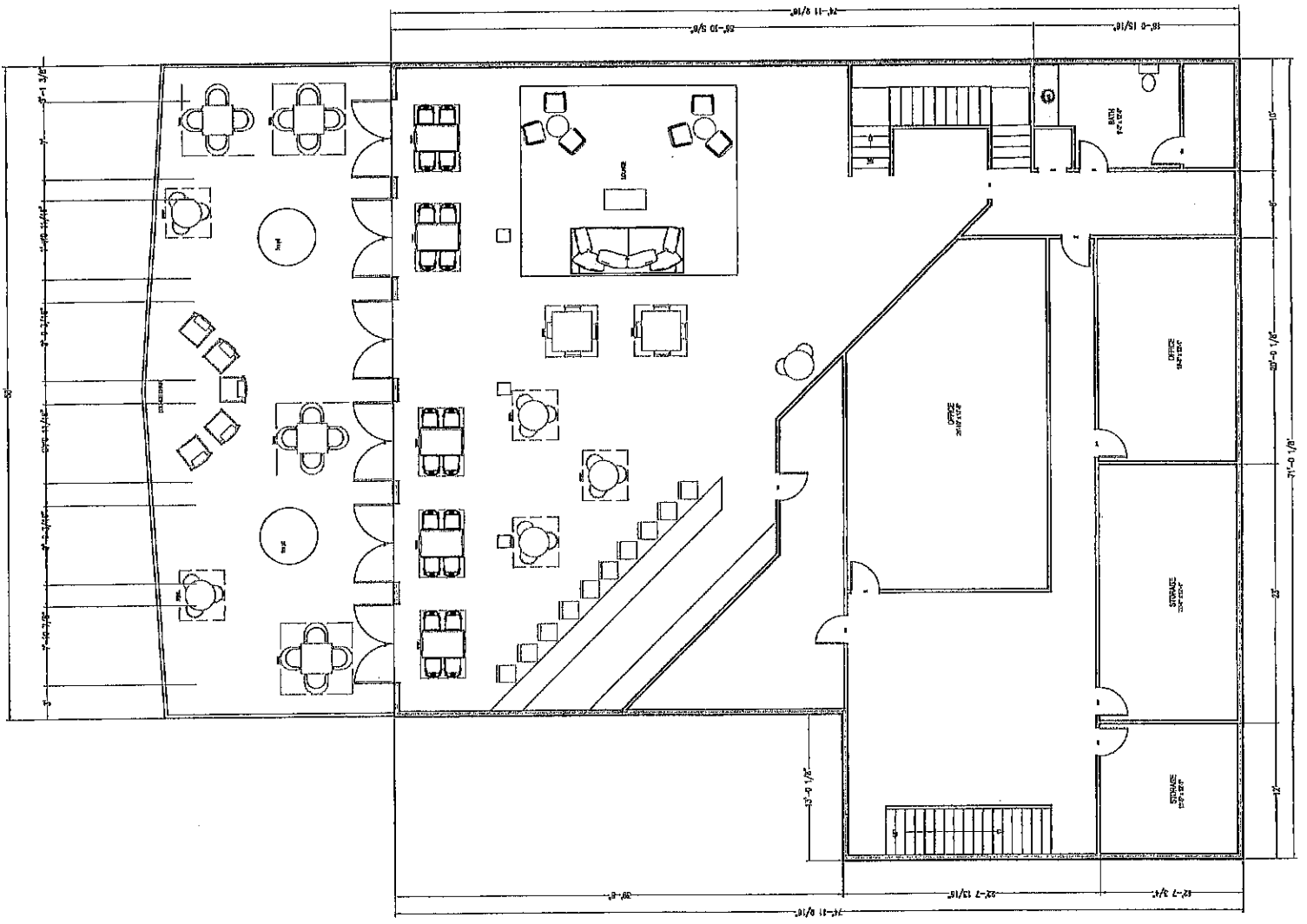
SHEET TITLE :

PROPOSED
LOWER FLOOR
SEATING
CONFIGURATION

DRAWN HAMID RAFIEI

DATE JULY . 2010

SCALE
1/8" = 1'-0"

A-2.0
SHEET 1

INDOOR SEATING : 49
OUTDOOR SEATING : 27
TOTAL SEATING : 76
TOTAL NUMBER OF SEATING 189

REVISIONS	BY

OWNER:
A&G LLC

LA COSTANERA RESTAURANT
8150 CARRILLO HWY
MONTARA, CALIFORNIA 94037

SHEET TITLE :
PROPOSED
MAIN FLOOR
SEATING
CONFIGURATION
FOR LUNCH
HOURS

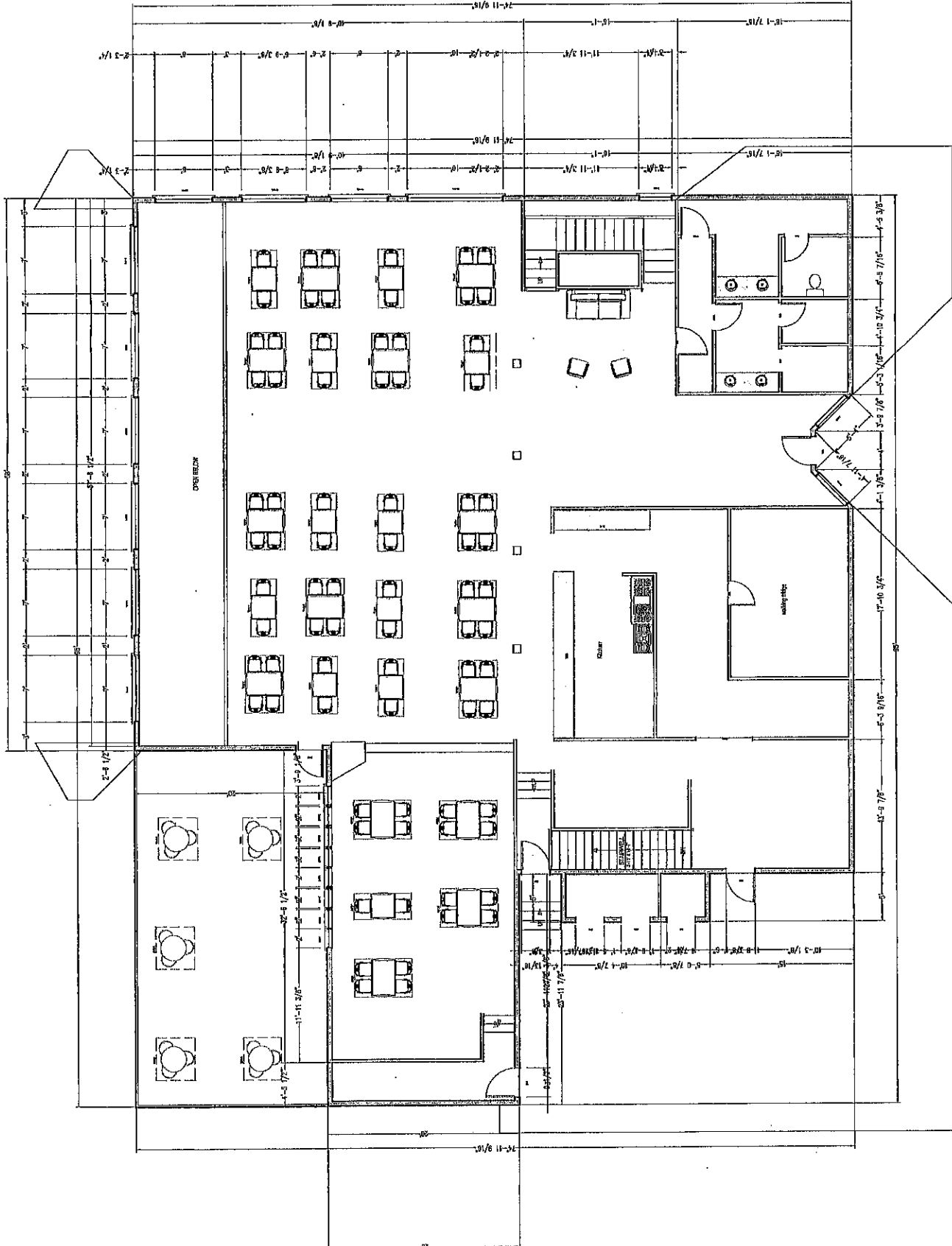
DRAWN: HAJID RAFFI
DATE: JULY, 2010

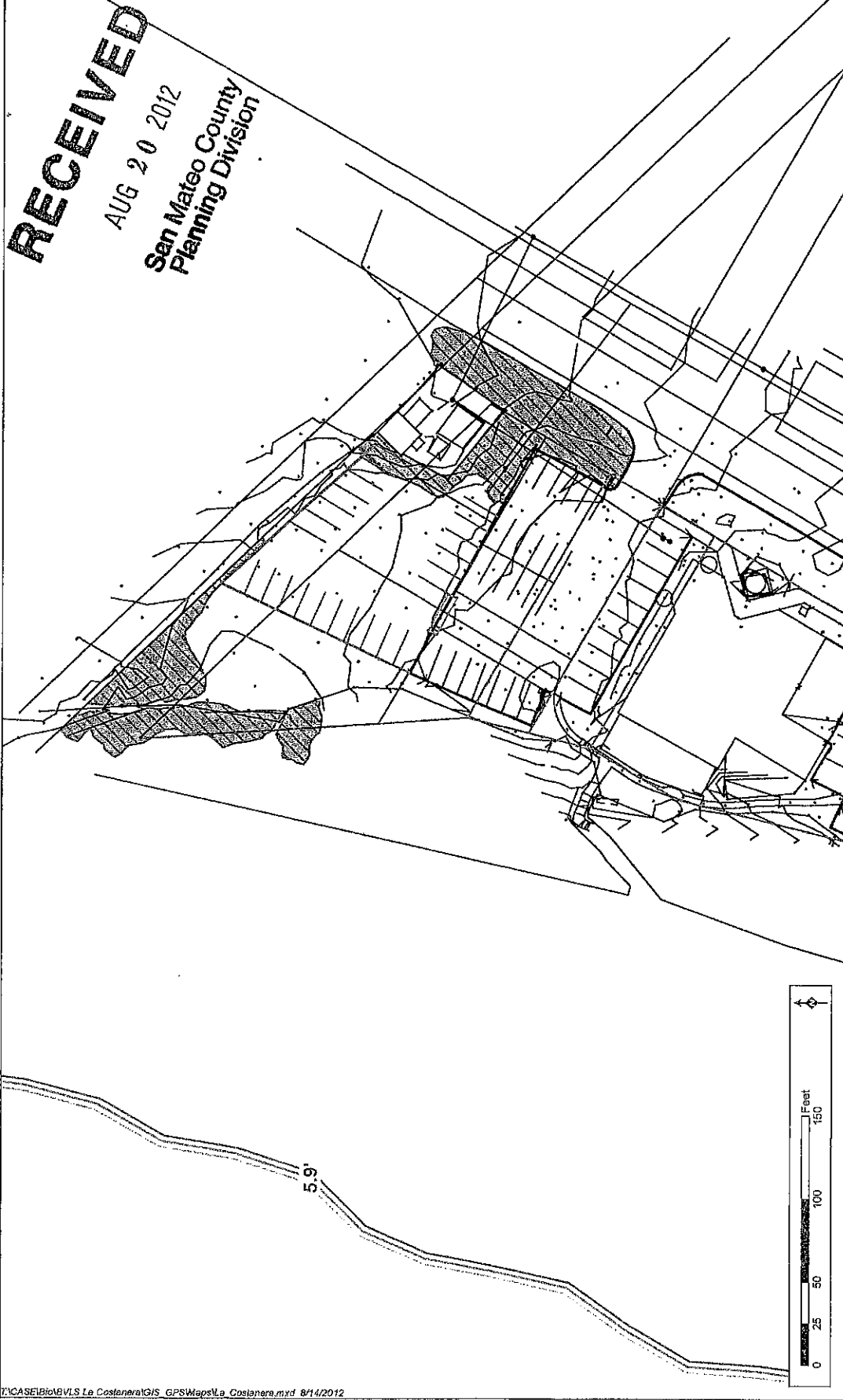
SCALE:
1/8" = 1'-0"

JOB NO.

SHEET

A-2.1





Mean High Tide

Carpobrotus edulis, "Other Ice Plants Semi-Natural Herbaceous Stands, Ice Plant Mats" (Manual of California Vegetation)

Notes: Habitat for special status species was not found during TRA's August 2012 site visit. The mean high tide level was identified using field indicators and measured as 5.9 feet above mean sea level. The bluff was measured at 14.9 feet above mean sea level.

Attachment J
RECEIVED

MAR 02 2012

San Mateo County
Planning and Building Department

**LETTER OF INTENT
("LOT")**

This Letter of Intent, entered into this 3rd day of November, 2011, by and between the State of California Department of Parks and Recreation ("State") and A&G, LLC ("A&G"), sets forth the preliminary terms and conditions under which A&G will improve certain real property owned by State within the land use jurisdiction of the County of San Mateo ("County").

RECITALS

A. A&G owns and through its subsidiary La Costanera, LLC operates a Restaurant on the County Coastside in Montara, California, known as "La Costanera" ("Restaurant" or "Restaurant Property"). The Restaurant, originally approved by the California Coastal Commission in 1977 pursuant to Coastal Development Permit ("CDP") No. P-77-579, under a then different name (the "Charthouse"), is one of a very few coastal restaurants located on the ocean serving also as an enclosed ocean viewing venue, thus serving a broader public purpose than mere dining.

B. A&G serves a local, county wide, and regional wide need for high quality, multi-seating, visitor-serving coastal eating establishments. In providing this amenity, A&G also provides much needed seasonal and permanent employment (especially important in the current down economy cycle).

C. A&G is currently in the process of seeking approval from the County and the California Coastal Commission ("Commission") to amend its existing Coastal Development Permit ("CDP") No. PLN2006-00494 to allow expanded hours of operation for lunchtime use of the Restaurant.

D. State owns unimproved real property adjacent to and immediately to the north of the Restaurant Property parking lot, a portion of which (the portion abutting the Restaurant Property parking lot) has been used by the public historically, but without express State permission, for beach parking and beach access purposes. This portion has never been designed and/or improved for public parking lot purposes, and is, therefore, presumably not compliant with County and State fire, safety, health and land use and parking codes. ("the State Undesignated Parking Area").

E. It is in the Parties' best interests, and the Parties so desire, that the State Undesignated Parking Area be improved for legal and safe parking for the exclusive use of coastal and beach visitors, and to do so in such a manner that it complies with all governing fire, safety, health, planning and parking codes.

F. Because State is not currently financially able to fund such parking improvements now or in the foreseeable future, A&G is prepared to do so, subject to the terms and conditions outlined below in paragraph 3.

NOW, THEREFORE, the Parties agree:

PLN2006-00494

AGREEMENT

1. THE PROPERTY.

The Restaurant Property which is the subject of this LOI is located in the unincorporated area of County known generally as Montara, California.

2. THE PARTIES.

a. The State of California Department of Parks and Recreation; the owner of the State Undesignated Parking Area.

b. A&G, LLC, a California Limited Liability Company; the owner and, through its subsidiary La Costanera, LLC, the operator of a restaurant, known as "La Costanera" ("the Restaurant"), located immediately to the south of the State Undesignated Public Parking Area.

3. TERMS AND CONDITIONS.

a. A&G shall bear all costs for designing and improving the State Undesignated Parking Area to meet all governing land use, fire, safety, health and parking codes. (Hereinafter, the subject parking improvements shall be referred to as the "New State Parking Area".) State shall take such steps necessary to authorize A&G authority to enter upon and construct the parking improvements on the State Undesignated Parking Area.

b. The New State Parking Area shall be devoted exclusively to public use, and shall not serve as overflow private parking for the Restaurant.

c. The number, location and alignment of parking spaces to be added in the New State Parking Area by A&G, and the ingress and egress, are as shown on the accompanying plat map prepared by A&G, and reviewed by County and State (Exhibit "A" hereto). When the new public parking spaces are added to the existing Restaurant parking spaces dedicated to the public, the total shall either equal or may exceed the number of public parking spaces authorized by the Commission in 1977 under Permit No. P-77-579.

d. A&G shall take all steps reasonably necessary, including the posting of signage and assigning a restaurant employee to monitor usage by restaurant patrons, to assure that the New State Parking Area shall be used exclusively for public parking purposes, and not by patrons or employees of the Restaurant.

e. The New State Parking Area shall be designed not to impede public access, via State and County approved beach access trails, to the public beaches adjoining the Restaurant.

f. As part of its New State Parking Area improvement duties hereunder, A&G shall design

and erect signage as reasonably required by County, State and Commission, meeting all County, State, and Commission requirements.

g. In consideration of A&G's financial and parking improvement commitments as outlined above, State shall take all necessary steps, including the timely issuance of permits, to enable A&G to operate the Restaurant during lunch hours. (In so agreeing, the Parties acknowledge that the ultimate approval authority rests with the Commission. State hereby commits to use its best efforts to assist A&G in securing such approval(s).)

4. NON BINDING EFFECT.

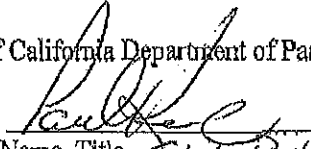
The Parties understand and agree that this LOI is tentative only, and shall in no manner bind the Parties or any one of them to formally or officially authorize or approve anything, while negotiations are taking place between and among the Parties, and formal approvals are being sought from the governmental entities involved with and/or affected by this LOI.

The performance by any Party of any aspect of this Agreement shall in no manner bind that Party to do or approve anything subsequent.

5. COVENANT OF GOOD FAITH AND FAIR DEALING. Notwithstanding their acknowledgment in paragraph 4 above that this LOI is non-binding, the Parties, and in particular A&G, are proceeding forward, and expending considerable time, money and resources, upon the reasonable belief and expectation that the governmental entities whose approvals are required for A&G's expanded hours of operation will in fact timely issue such approvals. A&G further reasonably expects that State will fully support its efforts at the County and Commission levels to secure the requisite approvals.

Dated: 12/9/11

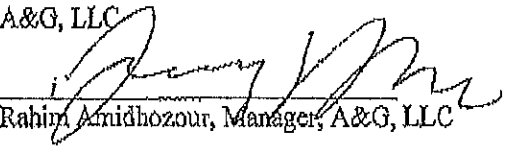
State of California Department of Parks and Recreation

By: 

Name, Title State Park Superintendent

Dated: 11/3/2011

A&G, LLC

By: 

Rahim Amidhoozour, Manager, A&G, LLC

Attachment K

Department of Environmental Management
Planning and Development Division

BOARD OF SUPERVISORS
ANNA G. ESHOO
ARLEN GREGORIO
WILLIAM J. SCHUMACHER
K. JACQUELINE SPEIER
JOHN M. WARD



COUNTY OF SAN MATEO

DAVID C. HALE
PLANNING DIRECTOR

COUNTY GOVERNMENT CENTER • REDWOOD CITY • CALIFORNIA 94063 (415) 363-4161

February 27, 1984

RECEIVED

APR 30 1987

John Shaw, Jr.
James Carroll & Associates
1407 East Third Avenue
San Mateo, CA 94401

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

Dear Mr. Shaw:

SUBJECT: CDP 83-67 and UP 20-77 CHART HOUSE

On February 17, 1984, the Zoning Hearing Officer considered your application for a Coastal Development Permit and an Amendment to a Use Permit to place riprap on 460 lineal feet of ocean bluff, reconstruct parking lots and install storm drainage in the parking lot of the existing restaurant; pursuant to Sections 6267 and 6328.4 of the San Mateo County Zoning Ordinance. Location: 8150 Cabrillo Highway; APN 036-046-050. ~~Project Planner: Mr. Siders.~~ This project is appealable to the California Coastal Commission. 14 property owners were notified.

Based on the information provided by staff and evidence presented at this hearing, the Zoning Hearing Officer:

- A. Found that the Negative Declaration for this project is complete and adequate, prepared in accordance with the California Environmental Quality Act and all applicable State and local guidelines.
- B. Regarding Coastal Development Permit:
 1. Found, on the basis of information contained in the staff report, that the project conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.
 2. Found that the project, as conditioned, conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code.

C. Regarding Use Permit:

1. Found, on the basis of information contained in the staff report, that:
 - a. The establishment and maintenance of this use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

The Zoning Hearing Officer:

A. Approved the Coastal Development Permit subject to the following conditions:

1. Any additional work on shoreline protection shall be approved in accordance with Geotechnical Consultant Approval form (County Geologist).
2. Construct an access ramp from the top of the bluff to the beach - plans for ramp to be approved by the California Department of Parks and Recreation and San Mateo County Planning Director.
3. Maintain public access to walkway on west side of restaurant connecting north and south parking lots. The entire walkway, with the exception of the ramp, shall be located a safe distance from the cliff so that handrails will not be necessary. This design shall be to the satisfaction of the Planning Director.
4. Submit performance bond to guarantee installation of landscaping and maintenance for two growing seasons.

B. Approved the amendment of this Use Permit with the following conditions:

1. Submit revised parking plan that provides the required minimum dimensions and accurately delineates the property line.
2. Submit written approval of California Department of Parks and Recreation for all riprap and drainage facilities located on State land.
3. Construct all improvements in accordance with approved plans.
4. Maintain 53 parking spaces.
5. Maintain free public access through the parcel to the beach.
6. Hours of operation of restaurant/bar shall be limited to that period between 5:00 P.M. and normal closing time.

*MLV
requires
use permit
amendment
to change hrs.
per Kim Paulson*

Any interested party aggrieved by the determination of the Zoning Hearing Officer may appeal this decision to the Planning Commission within ten (10) days from such date of determination.

Very truly yours,



S. G. Dalton
Zoning Hearing Officer

SGD:pb - P1003276

cc: Chart House Restaurant
7432 LaJolla Boulevard
LaJolla, CA 92037

Coastal Commission
701 Ocean St., Room 310
Santa Cruz, CA 95060

Department of Public Works
Building Inspection



HEXAGON TRANSPORTATION CONSULTANTS, INC.

Attachment L

December 10, 2012

Mr. Hamid Rafiei
Amidi Group
8150 Cabrillo Highway
Montara, CA

Subject: Traffic and Parking Study for La Costanera Restaurant

Dear Mr. Rafiei:

This letter report presents the results of the traffic study prepared for the La Costanera restaurant, located on Highway 1 in Montara, California. Currently, the two-story restaurant is open for dinner only. The application is for approval to have the lower level of the restaurant, totaling 93 seats, open for lunch. The application is being processed through San Mateo County, who has received a letter from Caltrans requesting a traffic study. The purpose of this traffic study is to satisfy Caltrans' request. A parking analysis also is included to address the concerns of the County.

Existing Traffic Data

Hexagon conducted tube counts on Highway 1 (Cabrillo Highway) at the La Costanera restaurant location on Friday, November 16 and Saturday, November 17, 2012. It is our understanding that the restaurant is proposing to be open for lunch on Fridays and weekends only. Accordingly, the traffic counts captured the directional volumes on Highway 1 at the restaurant location during the lunchtime hours of the day on a typical Friday and Saturday. Additional traffic data were collected and used to calculate the gaps in traffic on both northbound and southbound Highway 1. Gaps in traffic allow vehicles to enter and exit the driveways that provide access to the parking lots serving La Costanera restaurant and Montara State Beach.

Trip Generation Estimates

Through empirical research, data have been collected that quantify the amount of traffic produced by common land uses. Thus, for the most common land uses there are standard trip generation rates that can be applied to help predict the future traffic increases that would result from a new development. The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rates by the size of the development. The trip generation rates published in the Institute of Transportation Engineers' (ITE) manual entitled *Trip Generation, 9th Edition* (2012) for Quality Restaurant (Land Use Code 931) were used for this study. The Saturday peak hour trip rates were used to represent both Friday and Saturday lunchtime periods.

The project trip estimates are presented in Table 1. Based on the ITE rates, it is estimated that La Costanera restaurant (93 seats) would generate 19 trips during the peak one-hour lunchtime period of the day on a typical Friday or Saturday. Based on tube counts, northbound and southbound traffic on Highway 1 is split relatively evenly during lunchtime. Thus, it is reasonable to assume a 50/50 north/south trip distribution pattern for the project-generated trips.

Table 1
Project Trip Generation Estimates

Land Use	Size	Daily Rate	Daily Trips	Saturday			
				PK-Hr Rate	In	Out	Total
Quality Restaurant ¹	93 seats	2.81	261	0.20	11	8	19
Notes: Rates based on ITE <i>Trip Generation, 9th Edition</i> , Quality Restaurant (Land Use 931). Fitted curve equation was applied to calculate the Saturday peak hour rate.							



Roadway Capacity Analysis

Hexagon compared the restaurant trip generation to the amount of traffic already on Highway 1 at lunchtime. Based on the projected trip distribution pattern, it is estimated that 9 project trips (5 inbound and 4 outbound trips) would be added to Highway 1 north of the restaurant, and 10 project trips (6 inbound and 4 outbound trips) would be added to Highway 1 south of the restaurant. The traffic volumes on Highway 1 during the typical peak one hour lunchtime period (between 12:00 - 1:00 PM) are approximately 350 vehicles in the northbound direction and about 250 vehicles in the southbound direction. The capacity of Highway 1 can be assumed to be about 900 vehicles per hour per lane. Thus, it can be concluded that Highway 1 has adequate capacity to accommodate additional trips generated by the restaurant at lunchtime.

Potential project-generated impacts to State Route 92 also were evaluated. Of the trips that would be added to Highway 1 south of the restaurant, only a fraction of them would be expected to travel to and from SR 92. Therefore, based on the small number of trips generated by La Costanera restaurant at lunchtime and the distance (almost 8 miles) between the restaurant and SR 92, the number of trips added to SR 92 would be negligible.

Gap Analysis

Traffic gaps at a driveway occur when there is a break in traffic sufficient for drivers to exit or enter the driveway. Larger gaps in traffic are necessary for a left turn out of a driveway, since this movement usually requires gaps in traffic in both directions of travel. If there are insufficient gaps for traffic to turn into or out of a driveway, vehicle delays will occur.

Hexagon observed traffic operations at the driveways on either side of the restaurant at lunchtime on a Friday and Saturday. Gap counts also were conducted on Highway 1 to determine whether there are sufficient gaps in Highway 1 traffic for restaurant trips to get into and out of the site without undue delay or queuing. While most drivers require less than a 10 second gap in traffic to turn left into a driveway on Highway 1, most drivers require a gap of 10 seconds or more to turn left out of a driveway on Highway 1. Based on the count data, there were 31 gaps in traffic on Highway 1 of 10 seconds or more between 12:00-1:00 PM on Friday, and 53 gaps in traffic on Highway 1 of 10 seconds or more between 12:00-1:00 PM on Saturday. Many of the gaps were long enough to allow multiple cars to turn left. The wait time to turn left into or out of the site would not be excessive. Based on the project trip generation estimates, it is estimated that only six trips would turn left into the project driveway and four trips would turn left out of the project driveway. Thus, it can be concluded that sufficient gaps in traffic exist on Highway 1 to accommodate the restaurant-generated inbound and outbound trips that would occur during the lunchtime period of the day.

Sight Distance at the Project Driveways

Providing the appropriate sight distance reduces the likelihood of a collision at an intersection or driveway. Sight distance generally should be provided in accordance with Caltrans standards. The minimum acceptable sight distance is often considered the Caltrans stopping sight distance. Sight distance requirements vary depending on the roadway speeds. For a driveway serving La Costanera restaurant on Highway 1, which has a posted speed limit of 45 mph, the Caltrans stopping sight distance is 430 feet (based on a design speed of 50 mph). Thus, a driver must be able to see 430 feet down Highway 1 in order to stop and avoid a collision. The parking lot driveways near the restaurant currently meet the standards.

Parking Analysis

According to the San Mateo County Zoning Regulations (July 1999), restaurants require 1 parking space for every three seats. Based on a proposed size of 93 seats, La Costanera would require 31 parking spaces for the purpose of operating during lunchtime. According to the most recent Parking Plan dated October 2011 (see Figure 1), 31 spaces are being proposed in the southern parking lot (Lot C) located adjacent to La Costanera restaurant, including 6 valet spaces. Therefore, the project would meet the San Mateo County minimum parking requirements. The proposed valet parking plan is described below.

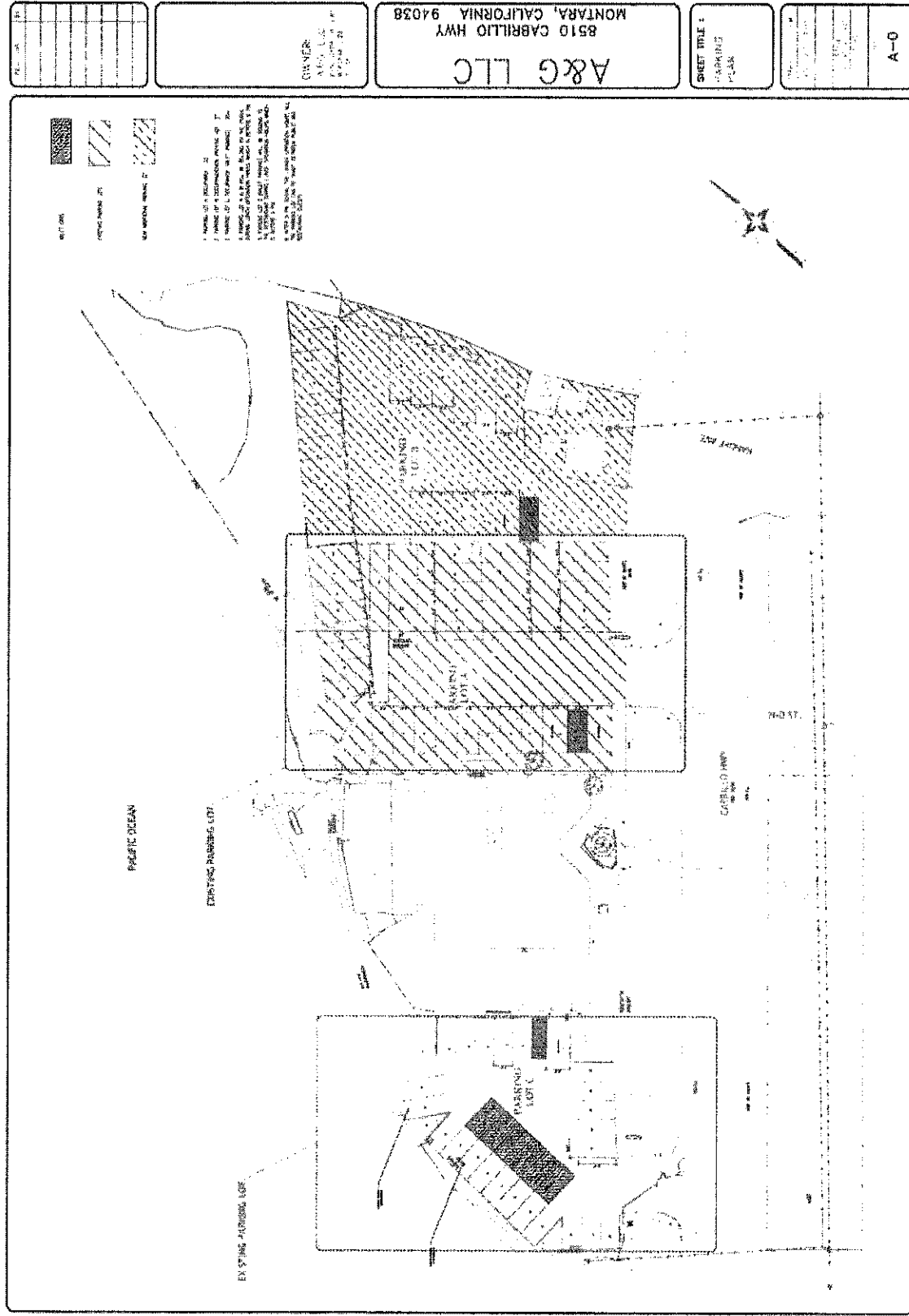


Figure 1
Parking Plan



Valet Parking Plan

La Costanera restaurant is proposing a parking valet system within the southern parking lot (Lot C) located adjacent to the restaurant. Lot C currently provides 20 parking spaces. The restaurant proposes to add 11 parking spaces, 6 of which would be valet spaces. The remaining 5 spaces would be created by restriping the existing lot. Figure 1 shows an example layout for the tandem valet parking spaces. The ultimate orientation of the 6 valet spaces within Lot C could differ slightly. Based on the proposed valet parking layout, few vehicles would be blocked and much of the parking lot would remain open. This would provide for minimal shifting of vehicles within the lot, as well as circumvent the need for valet drivers to exit Lot C while maneuvering vehicles. The driveway throat would remain open to provide an area for vehicle drop-off and pick-up.

Valet Parking Plan Recommendations

In order for the valet parking plan to operate properly, the entire existing parking lot would need to be converted into valet parking only, or at least when the lot was being used for valet parking. During non-valet use, the lot could operate as it currently does. Signage should be implemented to alert drivers as to how the lot is operating on any given day.

Other Nearby Parking Lots

The northern Lots A (adjacent to the restaurant) and B (currently a dirt lot) together would provide 54 parking spaces. Lots A and B are public lots that provide parking for Montara State Beach during the day. Based on field observations, albeit conducted in November 2012, there was plenty of parking available within these two lots during the lunchtime period. Another public lot, located just south of Lot C, provides additional beach parking for about 10 cars. Figure 2 shows an aerial view of La Costanera restaurant and all the nearby parking lots.

For informational purposes, the number of vehicles that were parked in each of the four parking lots was counted on a typical Friday and Saturday during lunchtime. Table 2 contains the parking count data.

Table 2
Parking Counts

Parking Lot	Number of Vehicles Parked During Lunchtime		Number of Available Parking Spaces	
	Friday	Saturday	Friday	Saturday
	16-Nov-12	17-Nov-12	16-Nov-12	17-Nov-12
Lot C - La Costanera lot	9	10	11	10
Lot A - north lot adjacent to restaurant	1	3	32	30
Lot B - north dirt lot	1	0	20 /a/	21 /a/
Montara State Beach south lot	1	3	9	7
Notes: /a/ Based on 21 total parking spaces.				



Figure 2
Aerial View





Conclusions

- Highway 1 has adequate capacity to accommodate additional trips generated by the restaurant at lunchtime.
- Based on the small number of trips generated by La Costanera restaurant at lunchtime and the distance (almost 8 miles) between the restaurant and SR 92, the number of trips added to SR 92 would be negligible.
- There are sufficient gaps in traffic on Highway 1 to accommodate the restaurant-generated inbound and outbound trips that would occur during the lunchtime period of the day.
- The driveways on Highway 1 currently meet Caltrans' sight distance standards.
- The project is proposing an adequate amount of parking to serve lunchtime customers.

Please feel free to contact us if you have any questions or would like to discuss the results of the traffic study. Thank you.

Sincerely,

HEXAGON TRANSPORTATION CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Gary K. Black".

Gary K. Black
President

A handwritten signature in black ink, appearing to read "Brian Jackson".

Brian Jackson
Senior Associate