



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

PLANNING AND BUILDING DEPARTMENT

DATE: June 8, 2007
BOARD MEETING DATE: June 19, 2007
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: Lisa Grote, Director of Community Development
SUBJECT: Pillar Point Harbor Village Status Report

RECOMMENDATION

Accept status report and attachments and extend the time limit within which the Pillar Point Harbor Village project must be completed from June 22, 2007 to November 22, 2007, to allow time for the last building of the project to be constructed and the associated conditions of approval met.

VISION ALIGNMENT

Commitment: Responsive, effective and collaborative government.

Goal 20: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

This extension ensures that the original intent of project approval is maintained through ongoing monitoring and reporting during the construction of the Pillar Point Harbor Village project. The project underwent full environmental review and all required Planning approvals were obtained. The project is designed to address the need for visitor-serving facilities on the Coast and to enhance the economic vitality of the Midcoast area.

BACKGROUND

On May 24, 2005, the Board of Supervisors extended the time limit within which the Pillar Point Harbor Village project must be completed to June 22, 2007.

Since that meeting, as requested by the Board, Planning staff has reported back several times to report on both the overall status of the project as well as specific issues needing clarification along the way, particularly around the timing and status of the

public improvements required on Cabrillo Highway and Capistrano Road.

This report represents the project's latest status update. However, what is critical about this update is that the building permit for the project's last structure – the restaurant – was finally issued on May 23, 2007 and is expected to take approximately four months to complete. In the event the request to extend the project's completion deadline to November 22, 2007, is approved, the next status report will be presented to your Board in October 2007.

DISCUSSION

The following discussion addresses the Board's request for a project status report, with emphasis on the following:

Summary of Project Conditions and Status:

Of the 45 conditions of the project's original 1989 approval, 27 have been met, with 17 still pending as the project progresses towards completion (a 16th condition requires review a year after the project's opening to determine the need for on-site day care). All public improvements on Cabrillo Highway and Capistrano Road have been completed except for lane striping. Attachment A includes a chart summarizing the most recent status of all 45 conditions. All of the 17 remaining conditions include final approvals relating to the overall project's fire compliance, landscaping, parking lot striping, signage and legal agreements that are hinged to the completion of the final building – the restaurant – for which the building permit was finally issued on May 23, 2007. The construction associated with the other four building permits have been completed. Additionally, all project lighting improvements have been installed and all landscaping will have been completed by the time the final building is done.

The delay and late issuance of the final building permit for the restaurant was cited in the October 2006 status report which involved an ongoing dispute between the Granada Sanitary District (GSD) and the developer over the amount and cost of sewer capacity to serve the overall project. A mutual agreement between the GSD and the developer allowed for the project to continue, with a definitive decision to have been reached before the restaurant building permit would be issued. With that issue recently resolved, the sewer permits were finally issued for the facility, which allowed the building permit for the restaurant to also be issued. As expected and cited in the last status report, this delay will prevent the developer from completing the project by the June 22, 2007, deadline established by the Development Agreement as modified by the Board in May 2005.

Given the late issuance of this last permit, the June deadline cannot be met, necessitating the return to the Board with a reassessment of the timeline.

Conditions Regarding Public Improvements:

The original conditions of project approval require the developer to construct roadway improvements along portions of Capistrano Road and Highway 1 (Conditions 1-7 of Attachment A – Summary Chart of Project Conditions). The improvements have been a high priority for the applicant. As of the writing of this report, staff has confirmed that all such improvements have been completed.

FISCAL IMPACT

The total revenues associated with the building, electrical, plumbing and mechanical permits applied for to date is over \$1,070,000. Additionally, the assessed tax revenue when the project is completed will increase significantly.

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

Pillar Point Village Project

COMPLIANCE STATUS WITH ALL 1989 CONDITIONS OF APPROVAL

County File Numbers: CDP 88-46, UP 88-6, and SMN 89-9

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
<p><u>For Minor Subdivision (County File No. SMN 89-9)</u></p> <p><u>Department of Public Works</u></p>				
<p>1. The applicant shall design and construct roadway improvements on the northerly half of Capistrano Road, including necessary right-of-way dedications, to provide a left turn pocket into the Harbor; one through lane on Capistrano; and a free right turn lane into the proposed subdivision's entrance. The design shall include a sidewalk, a four-way stop at the Capistrano/Harbor access-intersection, and appropriate drainage and drainage facilities, if required by the Department of Public Works.</p>			X	<p>Design approved; engineering complete; encroachment permit issued. Driveway entry completed at northwest side of property. Sidewalk partially installed on hotel entry side. (8/2/05)</p> <p>Main and rear driveway entrances and connecting sidewalks have been completed. Entire roadway improvements scheduled for completion in April/May 2006 (weather permitting). (1/11/06)</p> <p>Contractor hired; curbs/gutters have been surveyed and graded. Given delays from past winter rains, remaining roadway improvement work is scheduled to start by end of August. (8/7/06)</p> <p>All work completed except for striping. (6/4/07)</p>
<p>2. The applicant shall design and construct an acceleration (merge) lane on the northerly half of Capistrano Road from the subdivision's easterly entrance to westbound Capistrano Road.</p>			X	<p>Same comment as #1. (8/7/06)</p> <p>Same comment as #1. (6/4/07)</p>
<p>3. Construction plans for Conditions #1 and #2 shall be submitted to the Department of Public Works for review and approval.</p>	X			

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
4. The applicant shall design and construct improvements to northbound Highway 1 at the Capistrano Road intersection to provide two (2) left turn lanes onto Capistrano; one through northbound lane; and one free right turn lane. The plan shall be submitted to the Department of Public Works and CalTrans for review and approval.	X			Encroachment permit issued by CalTrans. Bids for project construction have being accepted and construction details prepared. PG&E given approval to start work in area. (8/2/05) All plans and permits completed. Scheduled for completion in Fall 2006. (1/11/06) Same comment as #1. (8/7/06) Same comment as #1. (5/24/07)
5. The applicant shall design and construct improvements to southbound Highway 1 at Capistrano Road intersection to provide a separate eastbound left turn on Capistrano Road; a separate southbound right-of-way lane on Highway 1; separate westbound through and right-turn lanes on Capistrano Road. The plans shall be submitted to the Department of Public Works and CalTrans for review and approval.	X			Encroachment permit issued and plans approved. SBC requires an easement and to move fiber optic line. PG&E has provided approval to work in area. (8/2/05) All plans and permits completed. The portion of Capistrano Road to be widened at Highway 1 has been cleared of vegetation and rough grading has been completed. Scheduled for completion in Fall 2006. (1/11/06) Same comment as #1. (8/7/06) Same comment as #1. (5/24/07)
6. The applicant shall provide documentation to the Department of Public Works that the applicant has acquired an encroachment permit and complied with all requirements of the State Division of Highways for any proposed work within the State Highway right-of-way at Highway 1.	X			Issued. (8/2/05)
7. The applicant shall obtain an encroachment permit from the County Public Works Department prior to commencing any work within the County right-of-way on Capistrano Road.	X			
8. The applicant shall comply with all the provisions of the San Mateo County Grading Ordinance.	X			

	CONDITIONS	COMPLIANCE			COMMENTS
		Yes	No	Pending	
9.	No grading or excavation shall commence until the applicant has met all requirements of the Department of Public Works and the County Building Inspection Section.	X			
10.	The applicant shall prepare a drainage analysis of this proposed subdivision and submit it to the Department of Public Works for review. The drainage analysis shall be signed by a registered civil engineer, and shall consist of a narrative analysis and a plan. The flow of stormwater onto, over, and off the property being subdivided shall be detailed on the plan, and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The drainage analysis shall either certify that the proposed lots are adequately drained or recommend engineering measures necessary for adequate drainage, including, but not limited to, assuring that post-developed runoff from the subdivision does not exceed that which existed in its pre-development stage. Recommended engineering measures shall be designed by the subdivider's engineer, reviewed by the County, and constructed prior to the recordation of the parcel map.	X			
11.	The applicant shall prepare a plan which demonstrates the feasibility of sewerage the proposed parcels of this subdivision by gravity and submit this plan to the Department of Public Works for review.	X			
12.	The applicant shall submit written certification from the Coastside County Water District to the Public Works Department and the Planning Division verifying proof of 24 water connection permits and stating that District's requirements to provide water service connections to the proposed project have been met prior to the issuance of a building permit.	X			Submitted. (8/2/05)
13.	Any potable water system work required by Coastside County Water District within County right-of-way shall not be commenced until County requirements for issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Public Works Department.	X			

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
14. The applicant shall submit written certification from the appropriate energy and communications utilities to the San Mateo County Department of Public Works and the Planning Division stating that they will provide energy and communications service to the proposed parcels of this subdivision.	X			SBC easement is involved in delay. Letters requested from both SBC and PG&E. (8/2/05) Discussions ongoing with utility providers without obstacle, except for completion of fiber optic cable easement. (1/11/06) Easement agreement completed. Work to occur in conjunction with road work, per Comment #1. (8/7/06) All work completed. (5/24/07)
15. "As-Built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "As-Built" plans shall be accompanied by a written certification by the subdivider's engineer that all private facilities have been completed in conformance with the approved plans.			X	Will be done upon completion of all work and prior to "as-built" depiction of infrastructure; no obstacles anticipated. (8/7/06) Same as above. (5/24/07)
16. The applicant shall submit a parcel map to the Department of Public Works for review and recording.	X			
17. The applicant shall submit for review, to the Department of Public Works, improvement plans, profiles, typical sections, etc., for driveway access (both easterly and westerly entrances), parking lot area, and drainage installations.	X			
18. The applicant shall record documents which address the future maintenance responsibilities of the private roadways, private drainage facilities, and the private parking lot, including ingress-egress easements to the proposed parcels, if applicable. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.			X	Need copies of recorded documents. Require "as built" status of infrastructure. (8/2/05) Same comment as #15. (8/7/06) Same comment as #15. (5/24/07)

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
<p>For Use Permit (County File No. UP 88-6) and Coastal Development Permit (County File No. CDP 88-46)</p> <p>Department of Public Works</p>				
1. A geotechnical investigation report shall be submitted to the County Geologist for review and approval prior to the issuance of a building permit.	X			
2. All grading and excavation activities, foundation supports and pavement design shall adhere to the recommendations in the geotechnical report prepared by Harding Lawson Associates, 1988. All grading and foundation plans shall be reviewed and approved by Harding Lawson Associates prior to submittal to the County Geologist for final review and approval. If any modifications or changes are made by the County Geologist, the geotechnical consultants shall inspect the final grading and foundations to determine whether their recommendations are still valid before final building and grading permits are issued.	X			
3. During grading and construction for foundations and pavement, the geotechnical consultant shall provide weekly on-site observations as necessary, together with field and laboratory testing, to ensure compliance of conditions of approval for all plans, specifications and soil compaction. The geotechnical consultant shall be required to be on site to observe all footing excavations for proper fill materials, depth and clean out. All observations will be combined into a final compliance report which will be reviewed by the County Geologist.			X	<p>Work not completed; therefore, no final report yet. Geotechnical engineer is providing review as needed throughout project. (8/2/05)</p> <p>Ongoing observations must continue until completion of all work; otherwise, status is unchanged. (8/7/06)</p> <p>Work remains only for restaurant construction. (5/24/07)</p>
4. The applicant's engineering geologist shall conduct on-site observations each week and after each heavy rain, and during excavation and grading. The engineer shall be responsible for ensuring compliance with all drainage plans. A summary report of inspections and verification of compliance shall be submitted to the Department of Public Works and the Building Inspection Section prior to final grading and building approval. If drainage plans are not complied with, the engineering geologist will contact the County for appropriate action.			X	<p>Upon completion of work. Geotechnical engineer is providing review as needed throughout project. (8/2/05)</p> <p>Same comment as #3. (8/7/06)</p> <p>Same comment as #3. (5/24/07)</p>

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
5. The applicant shall close the median strip on Capistrano Road across from the proposed hotel and install a right-turn only sign to restrict turning movements from the driveway prior to the issuance of a Certificate of Occupancy.	X			Plan being prepared by engineer. (8/2/05) Scheduled for completion in April/May 2006 (weather permitting). (1/11/06) Same comment as #1. (8/7/06) All work completed. (5/24/07)
<u>Environmental Health Division</u>				
6. The applicant shall submit a letter from the Coastside County Water District stating that the necessary water connection is available for the project. The need for a water main extension and/or an increase in water pressure shall be completed to the satisfaction of the Coastside County Water District and the Department of Public Works.	X			
7. The applicant shall receive a sewer permit from the Granada Sanitary District prior to the issuance of a building permit.	X			GSD has tentatively approved their service capacity to this project in its entirety and have issued the required permits for the retail portion, but not for the hotel rooms of the pending hotel building permit, but not yet for the pending and separate building permit for the restaurant. Project has received all sewer permits except for those for the restaurant. Recently issued "pick-up notice" entitles project to purchase all remaining permits. Negotiations are continuing with GSD for issuance of these permits. All such permits should be in place before the 2/28/06 BOS meeting. (1/11/06) Permits not yet issued; GSD and applicant have reached agreement that would allow a building permit to be issued for the restaurant foundation only, whereby the permit for the primary structure is withheld pending resolution of the fees between the two parties. (9/28/06) Sewer permits issued; last building permit for restaurant issued on 5/23/07. (5/24/07)

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
8. The applicant shall extend the sanitary sewer main to serve the project to the satisfaction of the Granada Sanitary District.				<p>The sewer main has been installed, as authorized by GSD. The sewer lateral to the project will be completed by 8/12/05. (8/2/05)</p> <p>The sewer manholes and sewer laterals have been completed. (1/11/06)</p>
9. The applicant shall submit construction plans for the restaurant and retail food establishments to the Environmental Health Division for review and approval prior to the issuance of a building permit.	X			<p>Environmental Health has received and approved the construction plans for the separate restaurant building. They have not yet received the plans for any food establishment within the main hotel building. Plans for specific restaurant(s) are in preparation. Potential leasing arrangements are a factor. (8/2/05)</p> <p>These plans have been submitted and approved, with "pick-up notice" issued. (8/7/06)</p> <p>Restaurant building permit issued. (5/24/07)</p>
<u>Building Inspection Section</u>				
10. The applicant shall apply for a building permit prior to any construction or excavation and all requirements of the County Building Inspection Section shall be met.			X	<p>The project is comprised of the following building permits, each followed by their issuance status (as of 5/24/07):</p> <p>BLD 1999-01211 (Separate Office Building) – Completed but not yet finalized.</p> <p>BLD 2000-01630 (Underground Parking Structure) – Completed and finalized.</p> <p>BLD 2004-00911 (Hotel and Mail Portion) – Issued, ongoing.</p> <p>BLD 2004-01322 (Restaurant, Shell Only) – Issued on 5/13/07; steel framing of structure in progress; anticipated construction time to completion is four (4) months.</p>

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
				BLD 2004-01433 (Hotel Slab Foundation) – Completed but not yet finalized.
11. Low-pressure valves and water conservation devices shall be installed on all water fixtures prior to the issuance of a Certificate of Occupancy.			X	Will be confirmed prior to final project approval. Ongoing as construction proceeds. (8/7/06) Works remains only in restaurant building; that permit issued 5/23/07. (5/24/07)
<u>Half Moon Bay Fire Protection District</u>				
12. The applicant shall comply with all the requirements of the Half Moon Bay Fire Protection District for providing fire safety features, i.e., automatic sprinkler system, alarm monitoring system, fire hydrant installation, and an emergency access adjacent to the hotel and retail structure. The applicant shall contract with the District for a fire protection consultant to perform plan checks, construction review and sprinkler checks to ensure the development complies with code and other conditions required by the District. The consultant shall be hired and the contract finalized prior to the issuance of a building permit.	X			Contract for third party plan review signed with Hughes Associates. All outstanding fees shall be paid prior to a final project approval by the Fire District.
13. The applicant shall submit written verification from the Coastside County Water District that there is adequate water pressure to service the automatic sprinkler systems prior to the issuance of a Certificate of Occupancy.			X	Will be submitted prior to final project approval by Fire District.
14. The lighthouse tower shall not be used for public entry or access without Fire Department approval. The plans will be modified to provide fire access to all sides of the lighthouse tower. The maximum height shall be 75 feet to the peak, and a document shall be recorded that will prohibit occupied use of the structure (i.e., no public entry or access for any purpose) until such time as the Half Moon Bay Fire Protection District shall allow removal of the condition. (This condition has been made inoperative by reason of the deletion of the lighthouse from the approved project.)	--			N/A; lighthouse deleted from plans.

	CONDITIONS	COMPLIANCE			COMMENTS
		Yes	No	Pending	
15.	No building permit shall be issued until the Half Moon Bay Fire Protection District notifies the County that satisfactory arrangements have been made for the purchase of a 75-foot aerial truck. (This condition has been made inoperative by reason of the deletion of the lighthouse from the approved project.)	--			N/A; lighthouse deleted from project.
16.	The applicant shall agree to participate in the formation of a special fire service zone to assist in funding the additional manpower required to service the project. The goal of this zone shall be to fund three (3) firefighters. The applicant shall include all of its property in the harbor area in such zone, consisting of approximately 35 acres. Initially, the Pillar Point Harbor Village project will fund the salaries of one and one-half (1 1/2) firefighters through assessment. As additional areas within the special fire services zone are developed, the assessment may be adjusted as necessary to reflect the proportionate contribution of each area for fire protection services. Prior to the issuance of the building permit, the applicant shall execute an agreement with the Fire District which shall provide for fully funding the first year's assessment at a date set forth in the agreement.	X			Applicant has not yet formed the required Melo Roos Community Facilities District. However, agreement between developer and HMB Fire has been reached and signed, allowing details to be finalized to meet more current needs. (8/2/05) Negotiations with HMB Fire are completed to the satisfaction of HMB Fire and project owner. (1/11/06)
17.	The applicant shall provide radio controlled traffic signal devices for the Highway 1 and Capistrano Road intersection and for firefighting equipment, as permitted by the California Department of Transportation.	X			The installation of an optical, not radio-controlled, traffic per-emption system at the intersection of Capistrano and Highway 1; CalTrans has already approved. (8/2/05) Highway 1 improvements (including traffic signal upgrades) are scheduled for completion in Fall 2006; no obstacles anticipated. (1/11/06) Highway 1 improvements now scheduled for completion in December 2006. (8/7/06) All work completed. (6/4/07)
18.	No building permit shall be issued until the applicant has provided written verification from the Coastsides County Water District that there is sufficient fire flow for the project, in accordance with Insurance Services Office standards.	X			Fire flow tests were performed on the on-site hydrant system. (8/2/05)

CONDITIONS		COMPLIANCE			COMMENTS
		Yes	No	Pending	
19.	Upon submission of plans for Fire District review, the applicant shall pay all necessary fees and expenses of the Fire District to perform plan checks, construction review and sprinkler checks to ensure compliance with requirements and safety features specified by the Fire District.	X			All outstanding fees shall be paid prior to Fire District's final approval on this project. Fees paid. (1/11/06)
20.	Unless earlier dates are specified, all of the foregoing conditions shall be fully implemented prior to the issuance of the Certificate of Occupancy for the project.	X			Included in agreement referred to in #16 above.
<u>Planning Division</u>					
21.	The proposed development shall be constructed according to the plans approved by the Board of Supervisors. Minor architectural and site changes that are consistent with the intent of the plans may be approved by the Planning Director.	X			So far, the building plans either are the same as the originally approved plans, or the modifications have been deemed minor by the Planning Director. (1/11/06)
	The height of the building in the development shall be measured in conformance with Section 6102.44 (Definition of Height) and Section 6102.41 (Definition of Grade) of the County Ordinance Code.	X			The BLD plans were reviewed and the approved height confirmed. The approved height will be confirmed during construction. (Ongoing, 1/11/06) All final heights have been constructed and confirmed. (8/7/06)
22.	Exterior colors for the development shall be natural and nautical shades (i.e., blues, grays, whites, etc.) and shall be to the approval of the Planning Director.	X			These colors have been reviewed and approved; they will be confirmed prior to final project approval. (8/7/06) Final colors approved and applied. (5/24/07)
23.	The design and colors of the identification sign for the project shall be in a maritime theme to the approval of the Planning Director.			X	Project sign design has not yet been submitted or approved, but will be prior to final project approval. (8/7/06) Project signage design has been approved and may be fully installed by 6/22/07. The restaurant building, upon completion, may generate additional signage. (5/24/07)

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
<p>24. A landscape plan for the commercial facilities and parking area prepared by a landscape architect shall be submitted for review and approval by the Planning Director. The plan shall utilize drought-tolerant plants and a drip irrigation system and shall include both the common and scientific name of all plants proposed, a planting plan keyed to a legend showing container size and number of plants, as well as proposed methodology of staking. The landscaping plan shall include, and applicant shall construct, benches for use by the public along the area of Capistrano Road facing the harbor. The landscaping plan shall show proposed walkways, benches, walls, fencing, irrigation system and any additional landscape features. The benches shall be sited so as to provide views of the harbor.</p>			X	<p>Landscape plan has been reviewed and approved. Implementation of the approved plan will be confirmed prior to final project approval. (8/7/06)</p> <p>Landscaping is in progress and shall be fully complete when the restaurant building is finished. (5/24/07)</p>
<p>Also, included in the landscaping plan shall be a 10-foot wide planting strip between the hotel and the adjacent Pillar Point Inn. This strip shall be heavily planted with tall trees and dense vegetation to screen the Inn from the hotel.</p>			X	<p>As indicated above, except that prior to the final project approval, that section of the landscape plan pertaining to this element of Condition 24 shall be revised to include a more dense planting of tall trees and vegetation. (8/7/06)</p> <p>Same as above note. (5/24/07)</p>
<p>25. A Letter of Assignment in an amount of \$15,000 shall be posted to guarantee installation and maintenance of the approved landscape plan for a two-year growing season. The landscape architect shall inspect the landscaping twice a year for the two growing seasons to ensure correct installation and maintenance of plant materials. The landscape architect shall submit a report to the Planning Director verifying all landscaping has been successfully established prior to releasing the Letter of Assignment.</p>			X	<p>This shall be submitted upon confirmation that all approved landscaping has been installed and prior to the final project approval. (8/7/06)</p> <p>This will be submitted upon final completion of restaurant building. (5/24/07)</p>
<p>26. An outdoor lighting plan for the parking area and commercial facilities shall be submitted for review and approved by the Planning Director prior to the issuance of a building permit. The plan shall include the lighting layout and fixture design, and shall provide for low intensity shield lighting in the parking lots to minimize nighttime illumination and glare. The plan shall be designed with consideration of nighttime security.</p>	X			<p>The proposed lighting plan has been approved and its implementation will be confirmed prior to final project approval. (8/7/06)</p> <p>All work completed. (5/24/07)</p>

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
27. Ninety of the new required parking spaces shall be made available for shoreline access parking between 10:00 a.m. and 4:00 p.m. in a location to be approved by the Planning Director. Signs shall be posted designating the spaces available for shoreline access parking in accordance with Section 6269(d) of the County Zoning Ordinance.			X	A plan showing the location and associated signage for these spaces shall be submitted for approval and implemented prior to final project approval. (8/7/06) No change. (5/24/07)
28. The applicant shall submit a dust control plan that provides measures for minimizing dust levels during construction, i.e., periodic watering of graded surfaces, prompt replanting of disturbed areas, limiting grading on excessively windy days, etc., prior to the issuance of a building permit.	X			Included on the BLD plans.
29. The applicant shall offer an avigation easement in a document provided by the Department of General Services to the County prior to the issuance of a Certificate of Occupancy.			X	Will be submitted and reviewed prior to final project approval. (8/7/06) No change. (5/24/07)
30. The applicant shall install a red obstruction light on top of the lighthouse prior to the issuance of a Certificate of Occupancy. (This condition has been made inoperative by reason of the deletion of the lighthouse from the approved project.)	--			N/A -- Lighthouse deleted from project.
31. No structure shall exceed a height which cannot be served by an aerial tanker fire truck. The applicant shall agree to participate in the purchase of an aerial tanker fire truck to protect such structure prior to the issuance of a Certificate of Occupancy.	--			N/A -- Lighthouse deleted from project.
32. Final building plans shall be reviewed to ensure that solid waste storage areas, loading docks and other less attractive features are located away from the street and screened with fencing and landscaping.	X			Will also be confirmed prior to project final approval. (1/11/06)
33. Recycling bins for glass shall be provided in the trash disposal areas for the hotel and restaurant, and for glass and cardboard in the disposal areas for the commercial retail uses, and shall be indicated on the final site plan.	X			BLD plans need to be revised to show this prior to final project approval. (8/7/06) BLD plans have been revised to show this. (5/24/07)
34. The applicant shall arrange with Coastside Scavenger for the collection of recyclable solid waste products prior to the issuance of a Certificate of Occupancy.			X	Confirmation of this agreement shall be confirmed prior to final project approval. (8/7/06) No change. (5/24/07)

	CONDITIONS	COMPLIANCE			COMMENTS
		Yes	No	Pending	
35.	The layout of the surface parking lot shall be designed to provide: (1) safe parking spaces that will not disrupt vehicular traffic by eliminating all on-site parking spaces that will produce unsafe parking, (2) pedestrian cross walks constructed of brick or material other than asphalt and raised slightly above the parking surface, and (3) speed bumps. The design of the parking lot shall be to the approval of the Planning Director and the Department of Public Works prior to the issuance of a building permit.	X			Current BLD plans indicate compliance. Installation of speed bumps will be confirmed prior to final project approval.
36.	The applicant shall retain an acoustical consultant to prepare a detailed acoustical analysis for the project. The report shall address: (1) construction specifications necessary to control interior noise levels to a CNEL of 45 dB, (2) measures for reducing mechanical noise levels, (3) methods for controlling noise in areas exposed to traffic, and (4) design of temporary construction noise barrier between project site and Pillar Point Inn. The recommendations in the acoustical analysis shall be reflected in the building plans.	X			
37.	The applicant shall construct a temporary noise wall adjacent to the Pillar Point Inn during the duration of the construction period prior to approval of a building permit.	X			
38.	All construction-related vehicles and equipment shall be properly muffled and restricted to weekday daytime hours between 8:00 a.m. and 6:00 p.m.	X			Will be monitored and enforced throughout construction phase.
39.	The applicant shall place a building directory at the main entry to the shopping complex prior to the issuance of a Certificate of Occupancy.			X	Will be confirmed prior to final project approval. (8/7/06) No change. (5/24/07)
40.	The applicant shall contact the U.S. Army Corps of Engineers for verification that there is no evidence of wetlands or stream channels on the project site and shall submit a letter to the Planning Director providing details of all communications with the Corps prior to the issuance of a building permit.	X			

CONDITIONS	COMPLIANCE			COMMENTS
	Yes	No	Pending	
41. A check for \$21,000 shall be deposited by Fishing Village Associates to assure compliance with the mitigation measures adopted as conditions of this permit. Amendments to the amount of deposit may be made by the Planning Director to assure that compliance with AB 3180 is achieved. The condition is adopted pursuant to AB 3180 (PRC Section 21081.6).	X			Ralph Osterling Associates is on contract to monitor all mitigation measures.
42. In recognition of the need for future traffic and circulation improvements in the area of the project, the owner shall participate in an assessment district or similar fair and appropriate mechanism to provide funds for future traffic improvements made necessary because of the cumulative impacts of this and future development in the area.			X	Their participation will be confirmed prior to final project approval. Options for district formation are under review by Counsel. (8/7/06) No change. (5/24/07)
43. The applicant shall prepare a Transportation System Management Plan which provides for three (3) vanpool parking spaces, provisions for employee carpooling, use of public transportation facilities (including buses), etc. This plan shall be to the satisfaction of the Planning Director.			X	Submission of the plan and confirmation and signage for the vanpool spaces will be confirmed prior to final project approval. (8/7/06) No change. (5/24/07)
44. One year after opening of the Fishing Village complex, the applicant shall conduct a study of its employees to determine the need and feasibility of establishing a child day care center in the complex for the employees. This report shall be presented to the Planning Commission for review and action after completion of the study. The Planning Commission may require installation of a child day center if the study determines there is a need for such a service.			X	This will be arranged at the time of the final project approval. (8/7/06) No change. (5/24/07)
45. During the construction phase of the project and to the extent allowed by law, the applicant shall pay prevailing wages at a level which would be required if the proposed project was a Public Works project.	X			Ongoing coordination with applicant and union to confirm. (1/11/06) Documentation has been submitted confirming that all project contractors and subcontractors are or will be paid prevailing wages. (8/7/06)