

# Midcoast Community Council

*An elected Municipal Advisory Council to the San Mateo County Board of Supervisors  
representing Montara, Moss Beach, El Granada, Princeton, and Miramar  
P.O. Box 248, Moss Beach, CA 94038-0248*

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Date:              December 12, 2012  
To:                Camille Leung, Project Planner  
Subject:         **PLN2006-00494 La Costanera Restaurant, Montara**

- Use Permit amendment to expand restaurant hours of operation, and legalize improvements (exterior lighting, outdoor patios and railings)
- Offsite parking agreement

Thank you for the opportunity to comment belatedly on the revised permit application referral dated 9/17/12 which we did not receive until 11/27/12. We appreciate that the MCC is normally included in the planning application referral process for Midcoast projects. This project in particular is one in which we have demonstrated a keen interest (letters 6/23/10, 4/8/11).

## **Unpermitted development & continuing violations**

When this planning application was first submitted in 2006, proposed renovations included construction of a 275 sq/ft outdoor dining deck. While this permit has yet to be approved over six years later, two outdoor dining decks are complete and have been in use for several years. The upper deck includes a 3-1/2 foot high retaining wall and fill to create the level area from the former slope. Rear exterior buttresses on the building were removed, and exterior doors, patios, enclosing glass walls, fire pits, bar shack, gas heaters, and considerable exterior lighting have been added and are in use today.

The 189-seat maximum capacity of the restaurant was established when it was designed and permitted in 1977. Presumably that number of seats fits comfortably in the restaurant. With the added space on the decks, it seems likely it will be tempting to add unpermitted seats and this will be difficult to monitor and enforce.

The Scenic Corridor's coastal viewshed, from mountain ridge to ocean, from Devil's Slide to Montara Gateway, has been preserved as natural open-space parkland. The restaurant site is highly visible from highway and beach and is the only commercial use in the entire viewshed. The original 1977 CDP acknowledged the benefit of landscape screening of parking areas and the natural wood materials of the building in order to minimize the visual impact of commercial use of the property both from the beach and the highway. Where is the landscape screening? The emphasis now is on calling attention to the commercial use rather than minimizing the visual impact. There are now 3 flagpoles in front with an advertising banner on the tallest pole and national flags on subsidiary poles which are left out to tatter in the wind, rain and darkness. This doesn't seem patriotic but rather an effort to call attention to the restaurant. In addition to the La Costanera banner and 4 permanent signs, there is a signboard set out in the Caltrans right-of-way brightly advertising "Outdoor Dining", which use has not been approved, and although the applicant has assured the County that it is not occurring, there are reports that people are being served outdoors. Flood lighting of the parking lots and beach continues in spite of warning from CCC staff to remove or leave lights turned off until their permit is approved. Photos were submitted by the applicant to show that unpermitted patio gas heaters had

been removed, but they are still present and being used. On the south side, the utility area gate and upper deck end panels are bright white instead of the subdued natural grey of the building.

**Parking** -- For the 1977 restaurant Use Permit, the County accommodated the project by abandoning the 1<sup>st</sup> St right-of-way, and trading, consolidating and re-zoning other parcels on the north side to allow for more parking. A parking exception was made to allow 53 parking spaces where 63 were required (1 space for 3 restaurant seats). The restaurant was permitted as a dinner house with adequate parking provided via shared beach parking.

No workable new parking spaces are proposed to be created with this project. The proposed improvements to state-owned dirt parking lot (grading, gravel, drainage) would benefit both the public and the restaurant. However, it is important to note that these improvements do not provide new beach parking, and actually would reduce the number of existing spaces. This parcel has been used for beach parking for many decades. 1972 aerial photo shows the lot was paved parking next to the former motel/restaurant that was built in 1950. 1979 photo shows the lot still paved adjoining Charthouse restaurant parking. 1986 photo shows a dirt surface but the lot still being used for parking. (CA Coastal Records Project aerial photographs)

Parking Agreement with State Parks requires signage and assignment of restaurant staff to ensure exclusive use of the state lot for beach parking. Realistically this exclusive use requirement would be impossible to enforce, and will likely fail, particularly during busy weekend days.

Valet parking in the south restaurant lot is proposed in order to create 11 “new” restaurant parking spaces by fitting these cars into the access areas of the existing lot. To fill the entire access area of the lot with 11 extra cars is not practical. There is no place to move them in order to remove blocked cars without going onto the highway which is unacceptable. Perhaps a few extra cars could be moved around the lot’s access area by valet parking, but it seems unlikely it would be cost effective given the extra staff required. It seems likely that patrons would prefer to self park in the other lots or residential neighborhoods, so as not to have to wait for their cars to be unpacked from the valet lot. It is unlikely the restaurant would refuse entry to lunch patrons who have not turned their car over to valet parking. Filling the south restaurant lot access areas with cars will hinder the public who park in the south State Parks lot from passing through to access the path to beach stairs.

**Drainage** – Proposed improvements to the state-owned dirt parking lot include drainage to the beach under the riprap. The existing grade slopes toward the north and east side of the lot where it ponds. It would be easier and preferable to just smooth the lot and remove the berm that blocks drainage from continuing downslope onto adjacent lower State Park bluff area, where it can percolate into the soil. We need to change the mindset that runoff must be directed expeditiously to rivers and ocean, carrying urban pollutants.

**Landscaping** -- Rather than the non-native (with some potentially invasive) species in the plan we urge use of locally-adapted native species throughout the project. Monterey cypress is not native to our coastal bluffs and will block ocean views from the scenic highway. Shrubs such as coffeeberry, with a height no more than 4-5 ft, would be appropriate to conceal the parking.

**Exterior lighting** -- Much of the exterior lighting does not comply with LCP Policy 8.18(a) which requires exterior lighting to be limited to the minimum necessary for safety, and

placed such that direct rays are confined to that same parcel. The MCC reported lighting violations to County and CCC in April 2011, but the flood lights continue to be used to this date.

The lighting plan shows:

- North-side roof-mounted projector lights toward parking lot: 5 lights (3 on)
- West-side roof-mounted projector lights toward ocean – 4 lights (3 on)

Additional exterior lights not shown on the plans:

- South-side flood lights: 2 toward parking lot, 1 toward utility area.
- Existing up-lights: 2 in front raised planter, 2 at flag pole, 3 north-side roof wash, 4 south-side roof wash, 10 east-side roof wash
- West-side upper & lower patio lighting: 5 on exterior building wall, 11 on glass patio perimeter wall.

The new patio lighting is extensive, is not dark-sky compliant, and impacts the otherwise natural beach. The west-side roof-mounted flood lights illuminate a large swath of state beach and the surf beyond. Anyone wishing to enjoy the sunset or moonlight and stars from the beach will be disappointed here. Those returning up the staircase from the beach will be practically blinded by the flood lights shining directly at them. Lighting of the beach and ocean can be a hazard for avian species, particularly migrating birds.

The north-side flood lights shining on the parking lot create glare for southbound highway drivers and anyone walking in the area. Lighting District power-pole-mounted standard street lights are located at the parking lots: two at 1<sup>st</sup> St and two at 2<sup>nd</sup> St, and in addition one on the east side of the highway at 1<sup>st</sup> St. Four out of these five lights were observed to be not working on 12/4/12 and reported by MCC to DPW on that date. Once these lights are repaired, it is likely the parking lot and highway crossing night safety issue will be much improved. At that time, the need for additional restaurant parking safety lighting could be re-evaluated, and be designed so as not to shine off the property, or glare in the eyes of those walking in the parking lot, on the beach, or driving on the highway.

**Public notification** radius for the project includes only 3 parcels on the east side of Highway 1. Overflow beach/restaurant parking extends up Montara streets and those property owners should also be notified.

### **Pedestrian Access**

County-approved conceptual plan for Hwy 1 Mobility Study Phase 2, page 25, shows the CA Coastal Trail along the west side of Hwy 1 in front of the restaurant, and connecting to the bluff north of the parking lot. Provision for the trail, with separation from the highway, should be included in the parking and circulation plans for the project.

The restaurant parcel western boundary should be surveyed and property lines marked to determine if the Marine Walk has eroded away, or been covered by development, or if it is available for public trail use.

The existing unsightly chain-link fence in the County's Kanoff St. right-of-way along the north side of the dirt parking lot, blocks pedestrian access to bluff trails on state parkland. The public is forced to skirt the ends of the fence either dangerously close to the bluff edge or by walking on the shoulder of the highway.

A pedestrian path is needed through the restaurant planting bed at the 2<sup>nd</sup> St. corner of their south parking lot to provide easier and safer public beach access through the restaurant lot.