

10/28/1998

To: Planning Commission

Fr: MCCC

Re: Harbor Village Vesting Tentative Map Extension Request
File Number SMJ 96-0002 (Bay-Colony Gateway, Inc.)

The MCCC opposes the staff recommendation of the Harbor Village Vesting Tentative Map Extension request for the following reasons:

- 1) Original project was approved by the County Supervisors nearly 10 years ago on December 12, 1989. At that time, project approval did not include condominium ownership of the hotel units. It's time to put a cap on the period of time the County will allow their approvals to be valid. Changing conditions warrant reconsideration of the need for this project including its cumulative impacts on coastal resources and infrastructure capacity;
- 2) When the original project was approved on appeal by the Coastal Commission, the basis for their approval (1 vote margin) was the project's consistency with the Coastal Act policy placing a priority on commercial visitor-serving development. Allowing owner-occupied uses of the hotel units diminishes the project's compliance with the Coastal Act and, as revised by the County, would likely not be approved by the current Commission;

In fact, the proposed condominium ownership of the hotel units is not consistent with the existing coastal development permit (CDP) issued by the Commission for the project. Thus, the Vesting Tentative Map approving ownership of the hotel units is not consistent with the CDP for the project. Recordation of the Map cannot occur until it complies with the CDP which will require an amendment that will have to be approved by the Commission. The MCCC opposes recordation of the Vesting Tentative Map approving ownership of the hotel units;

- 3) The proposed condominium ownership will reduce potential TOT revenue for the County and for the Midcoast should incorporation of the Midcoast occur in the future;
- 4) Any reconfiguration of the project to satisfy the fire suppression requirements will require amendment to the Commission-issued CDP.