

November 28, 2000

**Honorable Chairman and Members of the  
Hermosa Beach Planning Commission**

**Regular Meeting of  
December 5, 2001**

SUBJECT: FINAL READING OF RESOLUTION NO. 01-32 FOR CONDITIONAL USE PERMIT FOR  
OUTDOOR SEATING FOR COFFEE BEAN & TEA LEAF - 1221 HERMOSA AVENUE

**Recommendation:**

To approve Resolution No. 01-32.

**Background:**

On October 16, 2001, the Planning Commission considered and approved a Conditional Use Permit (Resolution No. 01-32) for outdoor seating in conjunction with the snack shop use. At the final reading of the resolution on November 20, 2001, a Commissioner requested clarification on whether awnings for the Coffee Bean were included in the plan submittal and the Commission withheld final approval of resolution pending receipt of the information.

On October 19, 1999 the Planning Commission considered a Precise Development Plan for the subject property which included architectural treatment to the building exterior in conformance with the City's Historic Preservation Ordinance. The Commission's approval involved architectural treatment including sign locations on the 13<sup>th</sup> Street elevation, which is the extent of the Commission's review of the project signage. Awning signs like most signs are permitted by right under the Sign Code. Thus, the Commission is not typically involved in reviewing signs which conform to the Sign Code, and because the building is a designated historic landmark, the signs for the building were reviewed and approved by the City's historic preservation consultant PCR, which was involved in the historic renovation of the entire property.

**Analysis:**

Staff reviewed the project plans, which do not include awnings. It is arguable however, that they did not need to be included on the plans as they are not part of the CUP application and can be installed without Planning Commission approval. The CUP approval included restricting the location of umbrellas on Hermosa Avenue due to pedestrian egress, so that only three umbrellas are permitted on 13<sup>th</sup> Street. (See approved plans.)

It is important to note that the City has not regulated umbrella signage on other businesses utilizing encroachment areas for outdoor seating. (Please see attached photos). Furthermore, plans submitted for Starbucks located across from the Coffee Bean, did not include any other signing location as the matter was handled under a separate sign permit application which is the procedure for all similar projects unless the signage does not conform to the requirements of the Sign Code. Also the Commission is currently considering allowing sidewalk signs on the public right of way. Based upon the above it is arguable that the Commission's policy for relaxing signage regulations is not being uniformly applied if it withholds approval of the project on the basis of umbrella signage.

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Sol Blumenfeld, Director  
Community Development Department

**Attachments:**

1. Resolution No. 01-32
2. Photos
3. Project Plans

coffeebean