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P.C. RESOLUTION 02-18

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HERMOSA BEACH, CALIFORNIA DENYING A
CONDITIONAL USE PERMIT AMENDMENT FOR ON-SALE
GENERAL ALCOHOL, LIVE ENTERTAINMENT AND
ALTERATIONS TO AN EXISTING RESTAURANT TO
INCLUDE A DANCE FLOOR FOR 1100 THE STRAND,
LEGALLY DESCRIBED AS LOTS 1-4, BLOCK 12, HERMOSA
BEACH TRACT**

Section 1. An application was filed by Peter Mangurian, seeking amendment to an existing conditional use permit to allow on-sale alcohol; live entertainment; a take-out food service window; 24-hour operation and alterations to the floor plan to include a dance floor in conjunction with an existing restaurant.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application to amend the Conditional Use Permit on April 16, 2002, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The business is currently operating under the terms of a Conditional Use Permit, as amended, approved in 1989, for on-sale beer and wine in conjunction with a restaurant.
2. The property is zoned C-2, with commercially zoned property to the north and immediately to the south, and public parking lot located to the east. The predominant uses to the south are residential.
3. In 1993, the City Council approved, on appeal, a Conditional Use Permit for live entertainment, On-sale General Alcohol, and a dance floor. This permit was not executed and has now expired.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application to amend the Conditional Use Permit:

1. The site is zoned C-2, and its location south of the downtown core area within close proximity to residential uses to the south is not suitable for the proposed use with the proposed amendment for live entertainment, on-sale general alcohol and a dance floor, and extended hours. These changes will increase noise levels to where they cannot be satisfactorily mitigated given that entertainment would be located with a glass patio enclosure. Further the change will extend the hours of the business to later hours in the evening and night when noise is a greater concern to surrounding residents.

2. The proposed take-out window is not suitable because of the potential conflict with pedestrian and bicycle traffic along the Strand, and is not necessary as take-out orders can easily be accommodated inside the restaurant.

Section 5. Based on the foregoing, the Planning Commission hereby denies the requested amendments to the Conditional Use Permit.

Section 6. Pursuant to the Code of Civil Procedure Section 1094.6 any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council.

VOTE:	AYES:	Hoffman, Kersenboom, Perrotti, Pizer, Tucker
	NOES:	None
	ABSENT:	None
	ABSTAIN:	None

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 02-18 is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of April 16, 2002.

Sam Perrotti, Chairman

Sol Blumenfeld, Secretary

Date_____

Cupr1100denial