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P.C. RESOLUTION 02-

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 within a glass patio enclosure which is one half block from residential land uses. Further the change will extend the hours of the business to later hours in the evening when noise is a greater concern to surrounding residents.

