

June 9, 2003

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

**Regular Meeting of
June 17, 2003**

**SUBJECT: STATUS REPORT ON CONDITIONAL USE PERMIT COMPLIANCE FOR
THE UNDERGROUND PUB AND GRILL**

LOCATION: 1334 HERMOSA AVENUE

Recommendation

Receive and file report.

Background

The subject business operates under a Conditional Use Permit approved by the Planning Commission in 1988, as amended to add a second bar serving area and dance floor to the northwest of the main restaurant/bar and seating area. Resolution P.C. 88-41 includes a condition requiring a 6-month review. The ownership of the restaurant and bar recently changed and the name has changed from "Bestie's" to the "Underground Pub and Grill." The new ownership has made cosmetic changes to the building including new windows and doors, signage, painting, and other interior improvements and upgrades. Their building permit for window and door changes was finalized in December of 2002. Staff is providing this review as 6 months has elapsed since final approval of building alterations.

Analysis

Staff has obtained an address inquiry from the Police Department and inspected the premises to review compliance with the conditions of the CUP, and found the following:

- The police address inquiry, which is a computer print-out of all calls and reports related to 1334 Hermosa Avenue, shows that 25 incidents since the beginning of the year required police response, primarily involving fighting or disturbance of the peace, with at least four instances requiring the Police to make arrests. These 25 calls involved incidents both inside and outside the establishment, and the calls involving disturbances outside the business may or may not be directly associated with the activities of the Underground. While the Police Chief feels the number of incidents was significant, he finds it to be fairly typical of other restaurant/bars in the downtown area that provide the same amenities.
- The interior floor layout is essentially the same as it was with Bestie's, as approved in 1988. The main dining and bar area includes a large gaming area with dart boards and pool tables, and the separate bar and dance floor is open on weekend nights. Pursuant to the CUP the dance area is for recorded music only, and staff found no evidence nor has received complaints that live entertainment has been conducted in the dancing area. A maximum occupancy sign is posted in the main restaurant area based on City requirements, but the maximum occupancy sign for the separate bar/dancing area is missing, and the business owner has been notified to post it.
- The conditions of the CUP relating to interior layout and consistency with approved plans are satisfied.

- The interior and exterior of the business, including the nearby parking lot are maintained in an orderly manner.

Staff has spoken with the business owner, who states he provides extra personnel for security purposes every night of the week, and his duties include roaming the parking lot and alley to prevent loitering or unruly behavior.

Whether or not the business is fully complying with the operational conditions of the CUP would require further investigation on a Friday or Saturday night when the second bar and dance area portion of the business is open. If the Commission directs, staff will conduct an inspection regarding noise and other issues.

Ken Robertson,
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Resolution No. 88-41, approved floor plans
2. 2002 Building Permit
3. Police Address Inquiry