

September 10, 2003

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

**Regular Meeting of
September 16, 2003**

SUBJECT: INTERPRETATION OF BUSINESS OPERATION AS A SNACK SHOP --
VANILLA BEAN – 509 PIER AVENUE

Recommendation:

That the Planning Commission direct staff by minute order as deemed appropriate.

Background:

At the August 19, 2003 meeting, the Planning Commission reviewed correspondence from a business owner requesting the addition of outdoor grill equipment in the operation of an existing snack shop. The owner has reassessed her business operations and is now requesting consideration of whether adding increased retail sales area and eliminating more table seating brings the business into conformity with the original snack shop designation.

Analysis:

As discussed at the previous meeting, the issue of what constitutes a snack shop is significant as it determines the parking requirement for the business. A snack shop is considered a retail business with a parking requirement of 1 space per 250 square feet of floor area and a restaurant is required to be parked at 1 space per 100 square feet of floor area.

The owner's correspondence asserts that an outdoor grill recently added to an existing snack shop does not violate the provisions of Section 17.04 .050 Commercial Land Use Definitions in the Zone Code. The owner is offering a menu that includes salads, sandwiches, baked items and barbecued ribs and chicken. (Please see attached menu.) The property was originally approved for a combination Laundromat and coffee house. The coffee house use was recognized as a snack shop in the attached P.C. Resolution No 98-21. A Parking Plan for reduced parking was also approved when the snack shop interpretation was made by the Commission.

The owner notes that the grill is lit once a day and that the use of it is consistent with other snack shops that do light cooking. The new proposed plan and business operation is intended to create more of a retail orientation with the removal of five tables and the addition of display counters and display cases for the sale of packaged goods. The owner proposes to maintain the grilling equipment and remove all of the interior seating and leave the patio seating. She indicates that with seating limited to three tables on the outdoor patio and three tables on the interior and increased retail space, the use is more like a snack shop with food prepared on-site for limited on-site consumption and packaged foods and condiments prepared for consumption off the premises. Obviously there will be few employees and no table waiting service.

In the recently revised zoning provisions for snack shop, the Commission determined that the following distinguishes snack shops from restaurants in addition to limitation on types of food available:

- ❑ Limited or no table (waiter/waitress) service.
- ❑ Limited amount of seating.
- ❑ Limited public service area relative to gross floor area.

The Commission decided not to include a restriction on the types of kitchen hoods and did not include additional items other than baked goods, ice cream, yogurt, cookies, coffee, tea and juices as snacks in the definition.

The definition of snack shop is as follows:

“***Snack shop or snack bar*** means a retail establishment that is distinguished from a restaurant as it does not include waiter/waitress table service and does not serve full meals or have a kitchen capable of serving meals but instead serves snacks or non-alcoholic beverages for consumption on the premises or for take-out; specifically, items such as donuts and other baked goods, ice cream, yogurt, cookies, coffee, tea, and juices are considered snacks.

The Commission previously determined that the introduction of a grill makes the use more like a restaurant, however the latest proposal eliminates five tables resulting in three interior and three exterior tables and a new retail area.

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Correspondence
2. Menu

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