

August 10, 2004

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

**Regular Meeting of
August 17, 2004**

CONTINUED FROM THE JULY 20, 2004 MEETING

SUBJECT: CONDITIONAL USE PERMIT AMENDMENT 04-3

LOCATION: 2205 PACIFIC COAST HIGHWAY

APPLICANT: MAMA'S ORIGINAL PIZZA AND PASTA

REQUEST: CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FLOOR PLAN
ALTERATIONS; EXTENDED HOURS OF OPERATION; AND OUTDOOR
DINING IN CONJUNCTION WITH AN EXISTING RESTAURANT WITH
ON-SALE BEER AND WINE AND TO ALLOW ON-SALE GENERAL
ALCOHOL

Recommendations

To approve the floor plan alterations, extended hours, and outdoor dining.

To direct staff as deemed appropriate in regards to the request for on-sale general alcohol.

Background

At the last meeting the Commission held the public hearing, and considered testimony from the applicant and some residential neighbors, but could not reach a consensus. The Commission, therefore, continued the matter to allow consideration by the full Commission.

Analysis

Please refer to the July 20 staff report for the analysis of this project. Since the last meeting staff has discussed the parking issue with the City Attorney in greater detail, and has received an additional letter from a residential neighbor (attached) opposing the outdoor dining and on-sale alcohol.

PARKING

The existing C.U.P. condition of approval from 1985 requires that an agreement be maintained with neighboring property owners to provide 15 *additional* parking spaces off-site. This condition was imposed at the time based on concerns that the 1:300 ratio was not sufficient for a restaurant with beer and wine, but was not based on any parking requirements in effect at that time. No additional parking is currently required since the parking requirement is related to gross floor area only, and the grandfathered and underlying use for a restaurant is not being intensified.

The City initially accepted a letter from the owner of neighboring office building making available 15 parking spaces after 6:30 P.M. as a method to meet this Condition of Approval. No enforcement of this condition has occurred since that time. The City Attorney indicates that the Commission cannot ignore this condition, but should consider its current applicability, recognizing that added parking may still be needed. If the Commission desires to keep this condition in force, it may also be appropriate to clarify that the additional parking be provided only in the evening and strengthen the language so that this "additional" parking condition can be effectively enforced. Alternatively, however, the Commission could determine that since the off-site parking agreement for additional parking is not necessary to meet parking codes and has limited effect it may eliminate it from the C.U.P. as part of this amendment.

Also, attached is a letter from an adjacent property owner, who appeared at the prior hearing, who has additional concerns regarding the outdoor dining, and the on-sale alcohol not previously expressed. The property owner suggests a floor to ceiling glass enclosure at the westerly side of the restaurant that will enable the business to maintain ocean views while better attenuating noise impacts to the adjacent residential neighborhood.

CONCUR:

Ken Robertson,
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Correspondence