

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

**Regular Meeting of
July 18, 2006**

SUBJECT: CONDITIONAL USE PERMIT 06-6 TO ALLOW OUTDOOR DINING/SEATING IN
 CONJUNCTION WITH AN EXISTING RESTAURANT AT 1025 PACIFIC COAST
 HIGHWAY, ROCKY COLA CAFÉ.

LOCATION: 1025 PACIFIC COAST HIGHWAY

APPLICANT: WALLY CURRY

Recommendation:

To approve the request subject to the conditions of approval contained in the attached staff report and resolution.

Background:

PROJECT INFORMATION:

ZONING:	C-3
GENERAL PLAN:	General Commercial
EXISTING RESTAURANT AREA:	3,552.50 Sq. Ft.
PROPOSED Outside Dining AREA:	271.25 Sq. Ft.
PARKING PROVIDED	39 spaces *
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

* The building and parking areas are situated on two properties with the building and 19 parking spaces located on the southerly property and 20 parking spaces provided on the northerly portion. There is currently no legal tie between the two properties.

Project History

The Rocky Cola Café has been in operation since 1994 after obtaining a City Business License (No.40600) on October 4, 1994, for the operation of a restaurant without liquor. A portion of the restaurant parking has always been provided “off-site” on the adjacent lot to the north located at 1045 P.C.H. dating back to when the restaurant was originally constructed in 1971 (“Bob’s Big Boy”). The 20 spaces at 1045 P.C.H. was surplus parking as the code requirement at the time of 1 space per 300 square feet was satisfied on site.

Analysis:

The proposed CUP to allow outdoor dining in conjunction with the existing Rocky Cola Café would legitimize an existing outdoor seating area of approximately 271 square feet. The existing outdoor seating area currently has four portable tables that seat four persons each. The outdoor seating area has space for two additional tables with potential seating of 24 persons for outdoor dining.

The existing interior restaurant area consists of 3,552.50 square feet of floor area. With the 271 square feet of outdoor dining area the total of 3,823.75 square feet of restaurant floor area would require a total of 38 parking spaces at one parking space per 100 square feet of restaurant floor area (Zoning Ordinance Section 17.44.030). The existing parking lot area provides 39 parking spaces exceeding the required parking space requirements by one parking stall.

Authorization of the outdoor dining is not expected to cause any significant adverse conditions to any existing residential areas, churches, schools, hospitals or public playgrounds. There is no beer or wine served in this restaurant. To alleviate any possible noise concerns staff is recommending the outdoor dining be closed at 10:00 P.M. Furthermore, due to the small size of

the proposed area no adverse effects are expected as a result of: increased traffic volumes; deficient street capacity; noise; odor; dust and/or vibration that may be generated by the proposed use or impacts by the proposed use to the city's infrastructure and/or services.

During a recent inspection staff noted that 4 banners are illegally displayed on the property, which are illegal conditions that must be abated before this C.U.P. can become effective. Only one temporary banner is allowed for up to 90 days a year. Staff is including this as a condition of approval.

Conditions of Approval:

Based on the above analysis staff recommends the following conditions of approval:

1. To minimize any potential noise problems to nearby residential areas the outdoor dining/seating area shall be opened no later than 10:00 p.m.
2. No patrons shall be seated in the outdoor dining/seating area after 9:00 p.m.
3. The C.U.P. is not effective until all illegal temporary signs are removed, the business may then apply for a 90-day permit for one banner at the beginning of the next calendar year.
4. Any interior and exterior building alterations and the continued use and operation of the restaurant shall be substantially consistent with the plans submitted and reviewed by the Planning Commission on July 18, 2006.
5. The establishment shall not adversely effect the welfare of the residents and /or commercial establishments nearby.
6. The exterior of all the premises shall be maintained in a neat and clean manner and maintained free of graffiti.
7. No live entertainment shall be permitted in the outdoor dining/seating area.
8. Noise emanating from the property shall be within the limitations prescribed by the city's noise ordinance and shall not create nuisance to surrounding residential neighborhoods and/or commercial establishments. Noise emanating from the property shall be monitored by the owner to verify compliance with the noise ordinance in response to any complaints.
9. Any changes to the interior or exterior layout which alter the primary function of the business as a restaurant shall be subject to review and approval by the Planning Commission.
10. The business shall provide adequate staffing, management and supervisory techniques to prevent loitering, unruliness and boisterous activities of the patrons outside the business and in nearby public areas.

CONCUR:

Zak Gonzalez II,
City Planner

Sol Blumenfeld, Director
Community Development

Attachments:

1. Proposed Resolution
 2. Location Map
 3. Photos
- Project Plans (separate attachment)

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