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P.C. RESOLUTION 07-3

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT TO ALLOW A MASSAGE THERAPY BUSINESS AT 1093 1/2 AVIATION BOULEVARD, CONSISTING OF 520 SQUARE FEET OF FLOOR AREA, LEGALLY DESCRIBED AS LOTS 53 & 54, HERMOSA HEIGHTS TRACT BEING LOT 14 BLOCK 84 AND PART OF LOT 7 BLOCK 88 OF SECOND ADDITION TO HERMOSA BEACH.

Section 1. An application was filed by Erik J. Gray to allow a massage therapy business pursuant to Sections 17.26.030, and 17.40.160, and Chapter 5.74 of the Municipal Code.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on January 16, 2007, 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 site is zoned C-3 allowing the proposed massage therapy business with a Conditional Use Permit.

2. Standard conditions of a Conditional Use Permit for conducting a massage therapy business are contained in Section 17.40.160 of the Zoning Ordinance,

3. Licensing, application, training and education, facilities requirements, conduct of business and conditions for issuance of a business license are all contained in Chapter 5.74 to regulate the operations of the massage therapy business.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Conditional Use Permit:

1. The site is zoned C-3, and the location within a commercial building along the Aviation Boulevard Commercial Corridor is not suitable for the proposed business due to the lack of parking at the proposed property and in the vicinity.

Section 5. Based on the foregoing, the Planning Commission hereby denies the Conditional Use Permit.

Section 6. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council.

VOTE:	AYES:	Allen, Hoffman, Kersenboom, Perrotti, Pizer
	NOES:	None
	ABSENT:	None
	ABSTAIN:	None

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 07-3 is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of January 16, 2007.

Kent Allen, Chairman

Sol Blumenfeld, Secretary

Date February 20, 2007

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