

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

**Regular Meeting of
September 18, 2007**

Continued from August 21, 2007

SUBJECT: CONDITIONAL USE PERMIT 07-8
 PARKING PLAN 07-4

LOCATION: 900 PACIFIC COAST HIGHWAY

APPLICANT: PINKBERRY
 C/O DAVIS AHN
 1402 PACIFIC COAST HIGHWAY
 HERMOSA BEACH, CA 90254

REQUEST: TO ALLOW FOR A FROZEN YOGURT BUSINESS "PINKBERRY" WITH A DRIVE-
 THROUGH WINDOW AND OUTDOOR DINING IN AN EXISTING COMMERCIAL
 BUILDING OF 1,690 SQUARE FEET; AND TO BE CLASSIFIED AS A SNACK
 SHOP IN ORDER TO BASE PARKING REQUIREMENTS ON RETAIL
 COMMERCIAL USE

Recommendations:

To direct staff as deemed appropriate.

Background:

- GENERAL PLAN: General Commercial (GC)
- ZONING: General Commercial (C-3)
- LOT SIZE: 18,014 Square Feet
- BUILDING SIZE: 1,690 Square Feet
- EXISTING USE: Vacant
- PARKING REQUIRED: 34 Parking Spaces as Drive-Through
 Restaurant
- PARKING PROVIDED: 19 Parking Spaces
- ENVIRONMENTAL DETERMINATION: Exempt

The subject site is an 18,014-square foot parcel located on the east side of Pacific Coast Highway between 9th and 10th Streets. The site is developed with a 1,690-square foot commercial building that is currently vacant. Prior uses included a used car dealership and a donut shop.

The applicant is proposing to convert the existing structure into a frozen yogurt business with drive-through service and outdoor dining. Therefore, the applicant is requesting the following discretionary approvals:

1. Conditional Use Permit for drive-through service;
2. Conditional Use Permit for outdoor dining; and,
3. A Parking Plan to be classified as a snack shop in order to base parking requirements on retail commercial use.

Analysis:

The applicant is proposing numerous modifications to the site area and structure. The following is a brief review of the proposed modifications:

Floor Plan/Snack Shop Determination

The applicant is proposing a 138-square foot drive-through serving area, 68-square foot unisex handicap accessible restroom, a 318-square foot food preparation and storage area, and a 864-square foot dining area of which 360 square feet is proposed as outdoor dining. Municipal Code Section 17.04.050 (Commercial Land Use Definitions) defines "snack bar or snack shop" as an establishment with twenty-five (25) or less seats 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 (H.B.M.C. 17.04.050). The project, as proposed show thirty-five (35) seats (sixteen (16) seats within the indoor dining area and nineteen (19) outdoor patio seats); nine more than what is defined under the snack shop classification. The applicant is proposing to serve frozen yogurt only. Since the floor plan clearly shows no commercial cooking equipment and that no waiter/waitress table service will be offered; staff believes that the use does meet the intent of the snack shop classification despite the additional customer seating outside.

Parking Plan

Pursuant to Section 17.44.030(O) "the parking requirements for a snack bar/snack shop shall be the same as for a "restaurant" unless it can be shown to the Planning Commission that the characteristics of the building: its location and other mitigating factors result in less parking being necessary for the business." If the more intensive drive-through restaurant parking requirement is applied at a 1 space per 50 square feet ratio, the required parking would be an additional seventeen (17) spaces (thirty-four (34) total parking spaces), pursuant to Section 17.44.040 pertaining to parking requirements for the drive-through restaurants. The 1 parking space per 50 square feet requirement only applies for drive-through restaurants with inadequate dining areas (H.B.M.C. Section 17.44.030(a)). The applicant is proposing seventeen (17) parking stalls of which two will be ADA compliant. The applicant contends that the drive-through will serve as a secondary means to serve customers as the primary draw will be to enjoy the product in the contemporary "family-oriented" environment of the dining area. Since the majority of the customers will be eating "on-site" as opposed to utilizing the drive-through, staff believes the seventeen (17) parking spaces proposed will adequately meet the parking demand because the Parking Plan exceeds the number of spaces required for sit-down restaurants without drive-through service (one space for every 100 square feet of gross floor area) yet exceeds the minimum ten (10) parking spaces required for drive-through restaurants.

Vehicle Circulation

Currently, there is a right-turn only lane onto Aviation Boulevard for north bound Pacific Coast Highway traffic. A triangular-shaped median separates this right-turn only lane from Pacific Coast Highway and Aviation Boulevard at the intercept of 10th Street. This right-turn only lane has raised numerous traffic/pedestrian safety concerns in conjunction with the ingress/egress to the site in relation to vehicle speeds along this busy corridor. Working with staff, including the Public Works Director and the City's Traffic Engineer, the applicant developed a number of different vehicle circulation configurations. The final preferred design is an ingress only apron located approximately 18 feet north of the southwest property corner (9th Street) with vehicle access from Pacific Coast Highway. Vehicles will enter from Pacific Coast Highway only and exit the site via a egress only right-turn only lane onto 9th Street (approximately 32 feet west of the southeast property line). A "pork-chop" curb configuration has been proposed to force exiting vehicles into a right turn onto 9th Street at the same time restricted west bound traffic on 9th Street from the subject site. The City's Traffic Engineer concludes that this proposed plan is preferred as "exiting vehicles would not be required to cross an exclusive of free right-turn lane in order to enter northbound Pacific Coast Highway. In addition, the recommended egress driveway is located further away from the intersection of Pacific Coast Highway at Aviation Boulevard/10th Street¹." However, the Traffic Engineer recommends adding a Condition of Approval

that a queue analysis shall be conducted to determine the queue length measured from the intersection of 9th Street at Pacific Coast Highway to assess the operational impacts to the 9th/Pacific Coast Highway intersection during the AM and PM peak hours. In addition, the drive approach fronting 9th Street shall be constructed in a manner to physically force vehicles to turn right onto 9th Street.

As currently proposed, the site plan includes a parking space (labeled 17 of 17 on the site and landscape plan) located parallel to Pacific Coast Highway directly north of the ingress/egress. The Traffic Engineer and the Public Works Director recommend that this space be eliminated to provide vision clearance for the pedestrian crossing at Aviation Boulevard and Pacific Coast Highway. Therefore, the site plan would have to be reconfigured to provide the seventeen (17) parking spaces, at the same time not obstruct vision clearance at this very busy intersection.

Hours of Operation and Noise

There are three (3) Pinkberry locations within a 10-mile radius of Hermosa Beach including Rolling Hills, Marina Del Rey, and Venice Beach. All 3 locations operate between the hours of 11am through 11pm except for Marina Del Rey which is open until 11:30pm. Of these three existing locations, none have drive-through service. One of the concerns often associated with drive-through restaurants is the noise caused by the remote speaker-phones used in conjunction with menu boards. Other noise problems are related to loitering, idling engines, and noisy conversation from people waiting in the drive through line and the outdoor dining area. These concerns will be mitigated by the fact that this is a frozen yogurt business rather than a fast-food/full service restaurant in that customer turn over (on and off-site dining) will be more expeditious. Since the subject site is abutted by residential property to the east, staff recommends a Condition of Approval to restrict the drive-through and outdoor dining hours of operation to 11am through 11pm daily. This restriction is consistent with the hours of operation of other Pinkberry businesses in the vicinity.

Building Elevations

The proposed elevations are consistent with the Pinkberry corporate theme including a projected decorative brushed stainless steel cornice, painted aluminum tube metal trellis (pastels), accentuated with milky-white translucent plexi-glass. Staff recommends adding a Condition of Approval requiring the applicant to submit a detailed roof and roof section plan showing that all roof mounted equipment will be screened from view.

Landscaping

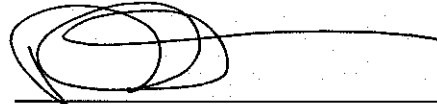
The applicant has proposed a generous landscape plan including seven (7) twenty-four box trees, including California Buckeye and Western Redbud varieties. Approximately 3,254 (18%) of the 18014-square foot site area is landscaped. The site and landscape plan as currently proposed, includes a parking space (labeled 17 of 17 on the site and landscape plan) located parallel to Pacific Coast Highway directly north of the ingress/egress. As discussed previously, staff has recommended a Condition of Approval that this parking space be eliminated both to provide vision clearance for the pedestrian crossing at Aviation Boulevard and Pacific Coast Highway and provide additional landscaping along the building frontage.

Summary:

The proposed project will provide a much needed improvement to the currently vacant and dilapidated site. However, because the proposed use will potentially create a lot of local traffic adjacent to the busy intersection of Pacific Coast Highway and Aviation Boulevard, staff is seeking Planning Commission direction as to whether the drive-through is appropriate in conjunction with this use.

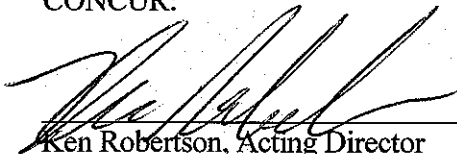
Should the Planning Commission approve the project, staff recommends the following Special Conditions of Approval in addition to the Standard Conditions:

1. The applicant shall revise the site plan to provide seventeen (17) parking spaces of which 30% can be compact spaces.
2. The applicant shall provide a queue analysis to determine the queue length measured from the intersection of 9th Street at Pacific Coast Highway to assess the operational impacts to the 9th/Pacific Coast Highway intersection during the AM and PM peak hours.
3. The applicant shall ensure that the drive approach fronting 9th Street shall be constructed in a manner to physically force vehicles to turn right onto 9th Street.
4. The applicant shall work with the Director of Public Works mitigate any potential "on-street" parking spaces that will be lost from the new egress only driveway and apron. The applicant shall incur all costs to the City for any changes along 9th Street that may be required as part of this egress exiting plan.
5. The drive-through and outdoor dining hours of operation shall be restricted to 11am through 11pm daily.
6. The applicant to submit a detailed roof and roof section plan showing that all roof mounted equipment will be screened from view.



Richard Denniston
Planning Associate

CONCUR:



Ken Robertson, Acting Director
Community Development Department

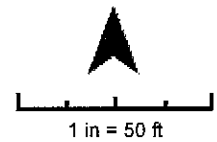
Attachments

1. Location Map
2. Radius Map and Poster Verification

¹ It is standard design practice, as well as stated in the American Association of State Highway Transportation Officials (AASHTO) publication, "A Policy on Geometric Design of Highways and Streets" that driveways shall be located as far from intersections as possible to ensure optimal sight distance.

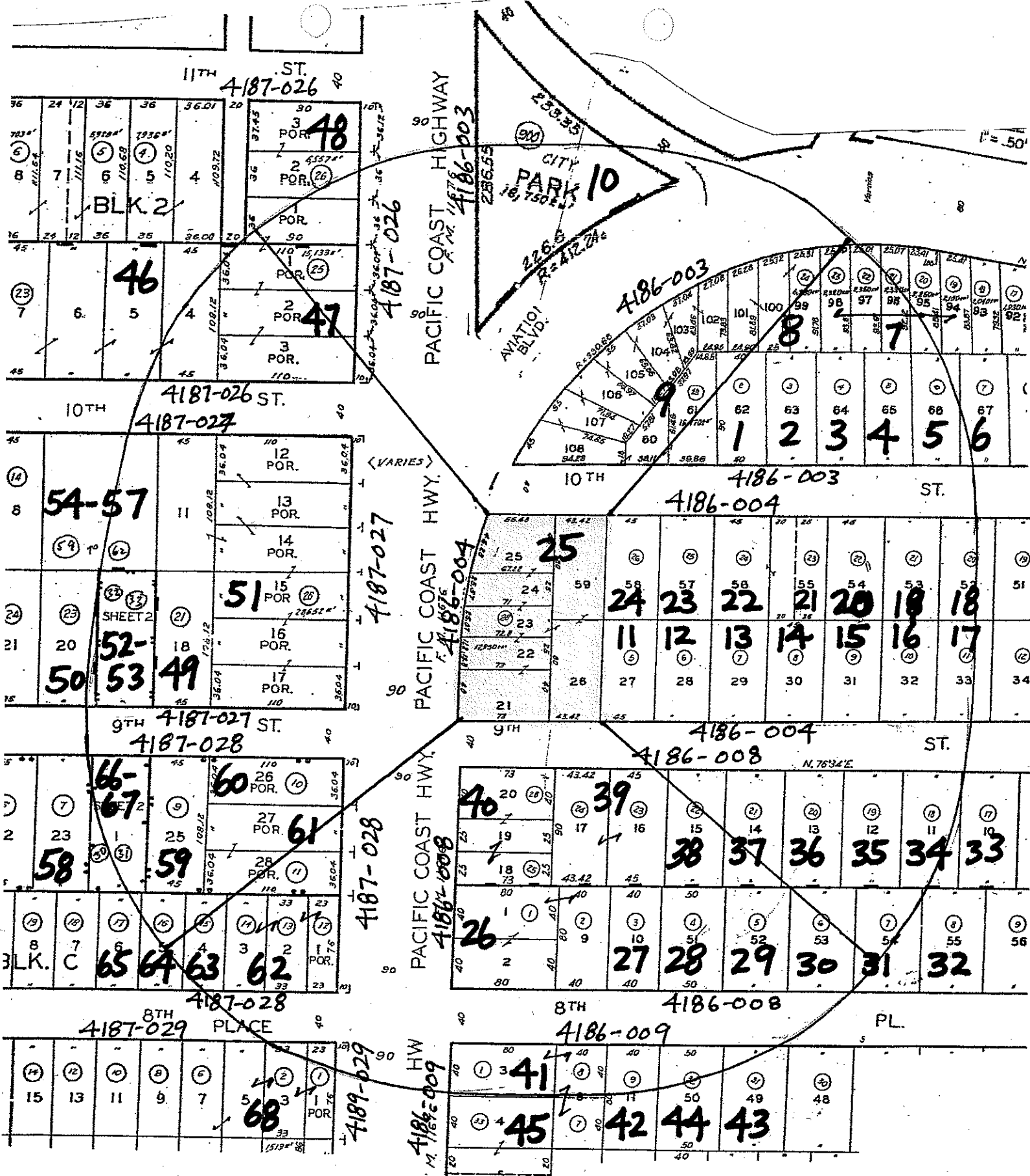


900 Pacific Coast Highway
 City of Hermosa Beach



Date Printed: 9/13/2007

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ADDRESS: 900 PACIFIC COAST HWY.

SCALE 1" = 100'

**POSTER VERIFICATION
900 PACIFIC COAST HIGHWAY**

