

C.C. RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SUSTAINING THE PLANNING COMMISSION'S APPROVAL OF A CONDITIONAL USE PERMIT, TO ALLOW ON-SALE OF GENERAL ALCOHOL IN CONJUNCTION WITH LIVE ENTERTAINMENT AT 142 PACIFIC COAST HIGHWAY LEGALLY DESCRIBED AS LOT 44, AND NORTHERLY 50.69 FT. OF LOTS 45 & 46 HOME BUILDERS PLACE TRACT.

The City Council does hereby resolve and order as follows:

Section 1. An application was filed by Gary Cullen, business owner of the Pitcher House located at 142 Pacific Coast Highway, seeking approval of an amended Conditional Use Permit to allow on-sale general alcohol.

Section 2. The Planning Commission conducted a duly noticed de novo public hearing to consider the subject application on April 16, 2002, at which time testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. The City Council conducted a duly noticed de novo public hearing to reconsider the Planning Commission's approval of the CUP Amendment on May 28, 2002, at which testimony and evidence, both written and oral, was presented to and considered by the City Council.

Section 4. Based on the evidence received at the public hearing, the City Council makes the following factual findings:

1. The applicant is proposing to change from beer and wine to an on-sale general alcohol establishment.
2. General alcohol and entertainment with a Conditional Use Permit and the dance floor are permitted uses in the zone the property is located, commercial Specific Plan Area number 7.
3. The proposed relocation of the dance floor and stage complies with all requirements of the Zoning Ordinance.
4. The project is Categorically Exempt from the requirement for an environmental assessment, pursuant to the California Environmental Quality Act Guidelines, Sections

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15303c, Class 1 project with the finding that the project involves negligible or no expansion of use beyond that previously existing.

Section 5. Based on the foregoing, the City Council hereby sustains the decision of the Planning Commission and approves the Conditional Use Permit subject to the Conditions stated in Planning Commission Resolution P.C. 02-20.

PASSED AND APPROVED, and ADOPTED this day of 2002

PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY

CUP02-3r