

PC RESOLUTION NO. 15-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN TO ALLOW A 30,250± SQUARE FOOT HOTEL WITH 30 GUEST ROOMS AND COMMON AREAS ON AN UNDEVELOPED 11,516± SQUARE FOOT LOT; CONDITIONAL USE PERMIT TO ALLOW ON-SALE GENERAL ALCOHOL FOR HOTEL GUESTS IN GUEST ROOMS RESTRICTED TO MINI-BARS; AND A PARKING PLAN TO ALLOW A VALET PROGRAM AND PARKING IN TANDEM; AND ADOPTION OF MITIGATED ENVIRONMENTAL NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN, AT 1429 HERMOSA AVENUE, LEGALLY DESCRIBED AS LOTS 15 THRU 18 BLOCK 15, CITY OF HERMOSA BEACH.

Section 1. An application was filed by Hermosa Beach Parking Company, LLC seeking approval for a Precise Development Plan, Parking Plan, and Conditional Use Permit to allow a 30,250± square foot 30-room hotel with parking in tandem, and on-sale general alcohol in guest rooms and in designated common areas of the hotel at 1429 Hermosa Avenue.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Precise Development Plan 15-11, Parking Plan 15-7, and Conditional Use Permit 15-10 on October 20, 2015, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on the Staff Report, testimony and evidence received, both oral and written, the Planning Commission makes the following findings:

1. A Precise Development Plan is proposed to construct a three-story 30,250± square foot hotel with 30 guest rooms, and other common areas on a vacant lot at 1429 Hermosa Avenue. The ground level consists of a parking garage with 37 parking spaces, the front desk and lobby, a commercial kitchen, and a food service area for use by hotel guests only. The second level consists of 15 hotel rooms, restroom, and a multi-function room of approximately 336 square feet that can be used for activities for hotel guests only. The third level consists of 15 hotel rooms, fitness room, and an open air patio/spa/sitting room of approximately 600 square feet at the northeast corner of the building that can be used by hotel guests only. The restricted use of all facilities to hotel guests only is to reduce impacts to the surrounding area such as noise, disturbances and overconcentration of alcoholic beverages, and parking availability and these restrictions are appropriate and will reduce impacts to the surrounding area and parking supply.
2. A Conditional Use Permit is proposed to allow on-sale general alcohol in the guest rooms (mini-bars).
3. A Parking Plan is proposed to allow a valet parking program, tandem parking, and exclusion of common areas from parking requirements. The proposed project contains 37 onsite spaces on the ground level, 24 of which are tandem, nine (9) of which are standard orientation and four (4) of which are located in the drive aisle.
4. The project site is a vacant C-2 zoned property located on Hermosa Avenue between 15th Street and 15th Court on the northerly edge of the downtown area. Hotel operations are permitted by right in the C-2 zone. The property is designated Commercial Recreation (CR) in the General

Plan and Coastal Land Use Plan. A payment of one in-lieu parking fee to offset loss of one on-street parking meter on 15th Street is appropriate.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings for a Precise Development Plan pursuant to H.B.M.C. Section 17.58.030:

- A. ***Distance from existing residential uses in relation to negative effects:*** Surrounding the project site are commercial and multi-family uses north of 15th Street and south of 15th Court (C-2), an apartment building to the immediate west (R-3), and multi-family north of 15th Street (R-3) and east of Hermosa Avenue (R-3). Some residential uses on the south side of 15th Court, zoned C-2, are legal nonconforming. Compatibility with surrounding residential properties is discussed below.

Lighting:

The project is located within a developed urban area currently subject to the effect of night-lighting. Recessed linear LED lights proposed on the south side of the building and a backlit sign are located directly across from commercial and residential uses. While the site is located on a well-lighted commercial street, wall mounted luminaires may create a glow that is obtrusive to residences to the south, north and west.

To reduce fugitive light and glow and their effects on nearby uses, exterior lighting is conditioned so that architectural lighting on the building façade and elevations shall not utilize tube-type lighting, however, low intensity lighting projected onto the building may be used. In addition, conditions restrict lighting on the south, north, and west sides of the building across from residential. To reduce the effect of headlamps in the parking area, a condition is included directing the valet service to turn off headlamps when vehicles are parked in the queuing lane. On this basis impacts relating to lighting are not significant.

Traffic, Circulation and Parking:

The route of travel will maintain previous patterns prior to termination of prior commercial use. Onsite parking for the project will be accessed via a two-way driveway with 25 foot wide encroachments on 15th Street and 15th Court. Residential uses are located north and south of the driveway encroachment and the apartment building to the west is adjacent to the parking area. The proposed use is a low traffic generator. Minimal service/delivery vehicles will be required as the business is not involved in high turnover commodities. Vehicles will enter primarily via 15th Street and exit primarily via 15th Court. Adequate parking for the use is provided, to mitigate the loss of one metered on street park space an in-lieu shall be required,, measures to ensure smooth local circulation patterns are made conditions of the project, and a valet management program will be used. Deliveries will occur in the early morning generally before 9:00 a.m. where on street parking on Hermosa Avenue should be available. The project is conditioned to reduce impacts associated with glare from headlamps. Appropriate conditions are applied to reduce impacts as discussed below.

Noise and disturbances:

The primary use is a hotel with onsite facilities for use by hotel guests only. While use of general alcohol may be offered in guest rooms (mini-bar) without adverse impacts, the provision of alcohol in common areas, and three spaces that may be used by hotel guests and their guests, may result in adverse impacts such as noise and disturbances to the surrounding area, which exhibits an overconcentration of alcoholic beverage establishments. Therefore provision of alcohol is limited to min-bars in guest rooms. Use of spaces/facilities by hotel guests will cease by 10:00 p.m., and the project is conditioned to reduce any noise or disturbance impacts as further discussed under Conditional Use Permit. Construction noise will not cause significant impacts with compliance with the Noise Ordinance and as indicated under Item G.

- B. *The relationship of the estimated generated traffic volume and the capacity and safety of streets serving the area:*** The project fronts Hermosa Avenue, which provides the primary north-south circulation through downtown. Driveway encroachments on 15th Street and 15th Court are proposed to provide 2-way access to the site. 15th Court terminates at Noble Park and 15th Street terminates at the Strand.

The Traffic Impact Study prepared by Linscott, Law, & Greenspan Engineers was reviewed by the City's Traffic Engineer and found to be appropriate. Based on Traffic Impact Study findings levels of service at most of the eight (8) study intersections throughout the City would not change or incremental change would not be significant and all intersections would remain at LOS C or better. While impacts are not significant, recommendations of the Study are incorporated as project conditions to facilitate access, with the exception of a recommendation to direct vendors to utilize the designated on street meter parking space(s) along the Hermosa Avenue property frontage to limit potential conflicts between service/delivery vehicles with pedestrians and bicyclists. While the Study suggests modifying two on-street meter spaces on Hermosa Avenue to be used by service/delivery vehicles with signage stating, "No Parking Except Trucks" for identified service and delivery times, the project is alternatively conditioned to direct service and deliveries to off-peak hours before 9:00 a.m. when metered spaces are generally available. Pedestrian/bicycle accommodations maintain the existing vibrant pedestrian environment around the site including a pedestrian oriented façade with entrance from the sidewalk and bicycle rack at the corner of 15th Court and Hermosa Avenue to encourage bicycling and the project is conditioned to supply bike parking for a minimum of 10 bikes in an accessible location, excluding the five foot rear setback.

- C. *The amount of existing or proposed off-street parking in relation to actual need:*** The Traffic Impact Study prepared by Linscott, Law & Greenspan finds that 30 proposed onsite parking spaces will be adequate for all parking demands of the hotel. The applicant amended plans to provide 33 spaces plus 4 spaces in the drive aisle.

- D. *The combination of uses proposed, as they relate to compatibility:*** The primary use is a hotel with onsite facilities for use by hotel guests. The provision of hotel facilities for the convenience and enjoyment of hotel guests is typical and compatible. General alcohol may be offered in guest rooms (mini-bars) and on that basis alcohol will be incidental to hotel operations, and the hotel will not operate a bar, restaurant or nightclub. Limiting use of common facilities and multi-purpose rooms to a low occupancy (20 persons per area or less if restricted by code) and to a 10:00 p.m. cutoff ensures guests will not be disturbed in the late evening and the activities will not morph into a more intensive use. As conditioned, the proposed combination of uses including potential for limited alcohol service, do not pose compatibility concerns with the primary hotel use.

- E. *The proposed exterior signs and décor, and the compatibility thereof with existing establishments in the area:*** Pursuant to Section 17.26.050 regulating development in C-2 zones, the building will conform to the 30 foot height limit, a five foot setback is provided along the rear yard since the project site abuts a residentially zoned property with an apartment complex, and this setback will be landscaped and provided with an automatic watering system. Elevator housing and ventilation fans are proposed to exceed the 30 height limit by as much as six (6) feet. Pursuant to Section 17.46.010, these elements are permitted to exceed the height limit in commercial zones by no more than eight (8) feet as long as they occupy no more than five (5) percent of the roof area. The project is conditioned to ensure the building does not exceed 30 feet in height and the elevator housing and ventilation fans are compliant with height exceptions outlined in Section 17.46.010. Additionally, a 6-foot high painted block wall is proposed along the property line adjacent to the apartment complex to the west, with a gate to limit unauthorized use of the required landscaped area between the property line and the hotel building.

Architecture in the surrounding is varied and there is no theme or historic buildings (the closest is the Bijou Building) located in the immediate area. Hotel lighting is conditioned to be compatible and nonintrusive. The project proposes to install canopies over the sidewalk on the south and east sides of the building and landscape within the public right-of-way, requiring an encroachment permit from the Public Works Department.

A vertical sign with backlit letters facing Hermosa Avenue is proposed. Section 17.50.130 limits total sign area to two square feet for each foot of lineal building frontage (95 feet x 2= 190 square feet). Signs specifications for have not been submitted. The project is conditioned to require a sign permit in substantial compliance with the conceptual sign proposal per Chapter 17.50 'Signs.'

F. *Building and driveway orientation in relation to sensitive uses:* Impacts relating to residential uses are addressed above and in other sections. There are no other sensitive uses in the surrounding area.

G. *Noise, Odor, dust and/or vibration that may be generated by the proposed use:* During the construction phase of the project, noise standards set by the City's General Plan are not anticipated to be exceeded. The applicant has stated that project construction will take approximately one year. Per compliance with 8.24.050 and 8.24.040(I) **noise is not anticipated to be significant.** The project is also conditioned to require that construction equipment shall be well maintained and a no idling requirement will be implemented. HVAC systems are conditioned to not create decibel levels higher than 45 decibels at any property line.

The main entrance of the hotel faces Hermosa Avenue, a four lane, 100 foot-wide, well-traveled urban collector that will provide a noise buffer between residential properties to the east of the project site. Guest room balconies on the north, south, and west side of the hotel will be monitored by hotel staff to ensure noise is not an issue.

H. *Impact of the proposed use to the city's infrastructure, and/or services:* The applicant proposes solar panels on the roof to reduce electrical demand. A screened solid waste facility is provided along 15th Court as shown on the submitted plans. Public Works Department recommendations are incorporated as project conditions: Impacts on police services relating to project design are not anticipated.

I. *Adequacy of mitigation measures to minimize environmental impacts in quantitative terms:* No additional impacts are identified.

Section 5. Based on the foregoing factual findings, the Planning Commission makes the following findings for a Conditional Use Permit pursuant to H.B.M.C. Section 17.40.020:

A. *Distance from existing residential uses:* The hotel will not operate a bar, restaurant or nightclub. In-room mini-bars may be provided and this limitation will reduce potential adverse impacts.

Potential noise impacts to nearby residences generated by hotel guests who may be returning to the hotel, especially walking from the downtown area are reduced to insignificant levels by standard conditions in Section 17.40.080(A) and requiring hotel staff to regularly monitor the project site in an effort to deter loitering, unruly behavior, or activities that may disturb neighboring residential uses. Closure of the business center/multi-purpose rooms and spa/open air patio/sitting room by 10:00 p.m. will reduce other impacts.

Noise and headlamps from vehicles accessing and leaving the hotel in the late evening affecting adjacent residential uses will be minimal as is anticipated that vehicle movements in the late evening would be

minimal and the valet service will be required to turn off headlamps when vehicles are parked in the queuing lane.

- B. *The amount of existing or proposed off-street parking facilities, and its distance from the proposed use:*** As discussed under the Parking Plan, parking should be adequate.
- C. *Location of and distance to churches, schools, hospitals and public playgrounds:*** Such uses are generally daytime uses while hotel activity typically peaks during the evening hours. No impact to churches, schools, and public playgrounds is anticipated.
- D. *The combination of uses proposed:*** The combination of uses is evaluated under the Precise Development Plan. No concern with the combination of uses was identified.
- E. *The number of similar establishments or uses within close proximity to the proposed establishment:*** The downtown area is home to two other hotels (Grandview Inn, Beach House Inn), a motel (Sea Sprite Motel), and a hostel (Surf City Hostel). The provision of common areas and allowance for alcohol inside rooms via mini-bars makes the proposed hotel unique from the other hotels in the downtown area except for the Beach House Inn which was granted on-sale general alcohol sales in 2001 limited to in-room mini-bars and within private banquet rooms limited to use by hotel guests (including their guests).
- F. *Will the establishment create a concentration of similar outlets in the area:*** The downtown area houses four lodging establishments. With the variety of existing uses in the downtown area and the geographically distribution of hotels, there is not currently and the hotel will not create a concentration of hotels.
- G. *Precautions taken by the owner or operator of the proposed establishment to assure compatibility of the use with surrounding uses:*** The applicant proposes to limit hours for use of common facilities to 10:00 p.m. daily. However this resolution further limits alcohol to in-room mini bars only in order to reduce potential late evening activity and its potential disturbances.
- H. *The relationship of proposed business-generated traffic volume and size of streets serving the area:*** This issue was evaluated under the Precise Development Plan application. The request for a CUP to be allowed to provide general alcohol has no bearing on this factor.
- I. *The proposed exterior signs and décor, and compatibility with existing establishments in the area:*** No issues relating to the CUP are identified.
- J. *Noise, odor, dust and/or vibration that may be generated by the proposed use:*** Guest room balconies to the north, south, and west side of the hotel and the spa/open-air patio/sitting room on the third floor face neighboring residential uses and could potentially impact neighboring residential uses. The guest room balconies will be regularly monitored by hotel staff to ensure compliance with City noise standards and compatibility with the surrounding uses. Alcohol provision is limited to in-room minibars thereby ensuring the primary use of the property as a hotel and not as an alcohol serving establishment .
- K. *Impact of the proposed use to the City's infrastructure, and/or services:*** Limiting alcohol to in-room mini bars is not anticipated to impact City infrastructure. Impacts to police services have been an issue relating to late night alcohol serving facilities. However, the proposed use is a hotel, without a restaurant, bar or nightclub, and with accessory facilities whose use will cease by 10:00 p.m. Therefore impacts to police services are not anticipated. The project is further conditioned to require monitoring by hotel personnel and remedies should unanticipated activity occur.

L. Other considerations that, in the judgment of the city council, are necessary to assure compatibility with the surrounding uses, and the city as a whole: No other considerations are identified.

Section 6. Based on the foregoing factual findings, the Planning Commission finds that parking supply and management is adequate to meet demand as follows pursuant to H.B.M.C. Section 17.44.210. The project proposes to supply 37 spaces, with 24 spaces in-tandem, nine (9) standard orientation spaces and four (4) spaces located in the drive aisle of the parking garage and 24/7 valet managed parking. Per Section 17.44.030(H) "Off-street Parking-Commercial or Business Uses" hotels require 1 space for each unit for the first 50 units, and hotels with facilities including restaurants, banquet rooms, conference rooms, commercial retail uses and similar activities shall compute parking for the various uses separately. Per the Traffic Impact Study the small scale of the proposed hotel facilities, limited to use by hotel guests only, do not constitute separate use types with additional parking demand, therefore the required parking demand is 30 spaces.

The project site lies on the edge of the parking impacted downtown. Three hour parking from 10:00 a.m. to 10:00 p.m. is generally allowed along both sides of 15th Street, no parking is allowed along 15th Court; 24 hour parking is allowed along 15th Street near the project site with resident parking passes, and 3-hour metered parking from 10:00 a.m. to 10:00 p.m. is located along Hermosa Avenue.

Along with the proposed 30 room hotel the proposed building will have a first floor "breakfast area" and second floor business center to be used by hotel guests only. The guest breakfast area is located on the east side of the first floor facing Hermosa Avenue. A kitchen layout plan provided by the applicant shows a full range, oven, prep area, and a hood adjacent to the buffet area and lounge area on the first floor. The applicant states that the "breakfast area" will be used by hotel guests only and not open to the public. The project is conditioned to require all transactions for food and beverage to be charged to a hotel room so as to reduce the likelihood outside patrons would use the facilities. Additional parking demand because of the food service area designated for hotel guests only is not anticipated.

Approval of the Parking Plan allows tandem spaces together with a valet program for a visitor serving use, as well as payment of an in-lieu fee to mitigate the loss of one on-street parking space, is consistent with the following guidance:

Coastal Land Use Plan:

- To recognize the unique parking needs of the pedestrian oriented downtown business area-which are less than a typical commercial area ... (Parking Access Summary, Goals and Objectives #6, page 3.)
- The City should not allow the elimination of existing on-street parking or off-street parking spaces within the coastal zone... In the pedestrian oriented downtown commercial district alternatives to providing parking to meet increased demands for use should be allowed, to encourage alternative to using motorized vehicles and to encourage improvement and enhancement of visitor serving business activities. (Existing Policies and Programs, 1st policy listed, pages 3 and 4).

Section 7. Pursuant the California Environmental Quality Act and CEQA Guidelines and the City's CEQA Guidelines, the following findings are made:

1. The Staff Environmental Review Committee prepared an Initial Study of the potential environmental effects of the proposed project. Based upon the Initial Study, the Committee determined that there was no substantial evidence, in light of the whole record before the City, that the project would have a significant effect on the environment and no mitigation measures were incorporated.

2. A Notice of Completion of a Draft Negative Declaration was circulated to the State Clearinghouse (No. 2013031049) to responsible and trustee agencies and by legal notice for the required 30 day period. The Negative Declaration was revised to a Mitigated Negative Declaration in response to comment by the Gabrieleno Band Of Mission Indians/Kizh Tribe Of the Los Angeles Basin, Orange County and the Channel islands, and the Gabrielino-Tongva Tribe that the proposed project is within a highly culturally sensitive area and within prehistoric village sites, to require onsite certified Native American monitors on the Certified, Sanctioned Most Likely Descendants (MLDs) and Insured Monitors list during all ground disturbances.

3. Pursuant to CEQA Guidelines Section 15073.5, the Mitigated Negative Declaration may be adopted without recirculation because the document has not been substantially revised and additional mitigation measures in response to public comments have been made conditions of project approval.

4. Pursuant to CEQA Guidelines Section 15074, the Planning Commission has reviewed the Mitigated Negative Declaration and all comments received regarding the Mitigated Negative Declaration. Based on the whole record, the Planning Commission finds that: (i) the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) there is no substantial evidence that the proposed project will have a significant effect on the environment with the mitigation measures incorporated. Based on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration prepared for the proposed project, filed at the City of Hermosa Beach Community Development Department, 1315 Valley Drive, Hermosa Beach, CA 90254, incorporating Condition of Approval #22.

Section 8. Based on the foregoing, the Planning Commission hereby **approves** Precise Development Plan 15-11, Parking Plan 15-7, and Conditional Use Permit 15-10 subject to the following **Conditions of Approval:**

1. **The development and continued use of the property shall be in conformance with submitted plans reviewed by the Planning Commission on October 20, 2015, except as may be required to comply with these conditions and codes. Minor modifications that do not affect scale, type, location or intensity of uses may be approved by the Community Development Director when not in conflict with the findings or conditions of this permit.**
 - a) **All hotel guestrooms shall comply with Section 15.04.060 regulating room size.**
 - b) **Mechanical equipment associated with heating, ventilating, and air conditioning (HVAC) systems shall be designed, located and operated so as to not exceed 45 decibels at any property line.**
 - c) **All roof equipment shall be located and designed to be screened from public view and any portion that exceeds the height limit shall not cover more than 5% of the roof area.**
 - d) **Plans shall reflect that use of all spaces within the hotel are for use of hotel guests and not for use by the general public.**
 - f) **The installation of a conduit from the service panel to the roof shall be required to assist and encourage the installation of roof mounted energy collection/generation devices. Said electric service panel shall be of adequate size to provide capacity for the future addition of photovoltaic and solar thermal, or other equivalent alternative energy**

producing device(s). Solar panel installations and other roof attachments shall conform to the provisions of Section 15.04.084.

2. Architectural treatments and accessory facilities shall be as shown on building elevations, site and floor plans. Precise building height compliance shall be reviewed at the time of Plan Check and prior to Certificate of Occupancy, to the satisfaction of the Community Development Director.
3. Final building plans/construction drawings including site, elevation, floor plan, sections, details, signage, landscaping and irrigation submitted for building permit issuance shall be reviewed for consistency with the plans approved by the City Council and the conditions of this resolution, and approved by the Community Development Director prior to the issuance of any Building Permit.
4. Plans shall comply with all requirements of the Public Works, Building and Fire Departments and additionally the project shall:
 - a) Construct new curb and gutter on Hermosa Avenue and 15th St.
 - b) Construct new sidewalk on Hermosa Avenue and 15th St.
 - c) Construct handicapped ramp at 15th St/Hermosa Avenue and 15th Ct./Hermosa Avenue.
 - d) Construct an onsite infiltration system in compliance with Chapter 15.48.020.
 - e) Grind 2" AC and overlay pavement on 15th Street, property line to property line to the center of 15th Street. Reconstruct or grind 2" and overlay AC entire length of property on 15th Ct. Reconstruct cross gutters at 15th Ct. and 15th Street and Hermosa Ave. to match new grade.
 - f) On civil plans, show all site drainage lines and termination points via curb drains, show sewer lines (minimum of 2 sewer laterals required), and show underground utility lines.
 - g) An encroachment permit shall be required to allow canopies, bicycle racks and landscaping encroaching into the public right-of-way prior to issuance of building permit.
5. Encroachments permits shall be obtained from the Public Works Department for all improvements and work within the public right-of-way prior to commencement of work.
6. Two copies of a Final Landscaping Plan, consistent with landscape plans approved by the Planning Commission, indicating size, type, quantity and characteristics of landscape materials shall be submitted to the Community Development Department, Planning Division for review and approval prior to the issuance of Building Permits. The Final Plan shall also include the following:
 - a) The plan shall comply with Municipal Code Sections 17.22.060(H)(3) and 8.60.070 to the satisfaction of the Community Development Director.

- b) An automatic landscape sprinkler system consistent with Municipal Code Section 17.22.060(H) (3) shall be provided, and shall be shown on plans (Building Permits are required). Only drip irrigation shall be used.
7. Plans and operations shall comply with Municipal Code Chapter 8.56 Water Conservation and Drought Management Plan.
 8. All exterior lights shall be designed, located and oriented in a manner to insure that neighboring residential property and public right-of-way shall not be adversely affected. Exterior architectural lighting on the building façade and elevations shall not utilize tube-type lighting; however, low intensity lighting projected onto the building may be used. All other exterior lighting shall be down cast, fully shielded and illumination shall be contained within the property boundaries. Lamp bulbs and images shall not be visible from within any offsite residential unit. Light intensity shall be the minimum necessary for the intended purpose. Exterior lighting shall not be deemed finally approved until thirty days after installation, during which period the building official may order the dimming or modification of any illumination found to be excessively brilliant or impacting to nearby properties. The plans shall be prepared and signed by a licensed Electrical Engineer, with a letter from the engineer stating that, in the opinion of the engineer, this requirement has been met.
 9. A Standard Urban Storm Water Mitigation Plan shall be submitted in full compliance with Municipal Code Chapter 8.44 'Stormwater and Urban Runoff Pollution Control Regulations' and 15.48 'Green Building Standards'. Said approved plan for urban and stormwater runoff controls approved by Public Works Department shall be set forth on the construction plans in accordance with Chapter 8.44 and Section 8.44.090, and the applicant shall at all times comply with the required best management practices.
 10. A Sign Permit shall be obtained prior to issuance of certificate of final occupancy. Signage shall comply with Municipal Code Chapter 17.50 (Signs) and be substantially consistent with conceptual signage on project plans approved on October 20, 2015.
 11. Project design and the driveway encroachment onto 15th Street shall be configured to minimize loss of on street parking. One in-lieu fee in the amount of \$28,900 to mitigate the loss of one on street parking space shall be paid to the City prior to issuance of the Certificate of Final Occupancy. All costs associated with relocation of on-street parking spaces, meters and signage shall be borne by the applicant.
 12. A parking management plan shall be submitted for review and approval of the Community Development Director prior to issuance of any building permit consistent with this permit and the Coastal Development Permit.
 - a) Employees shall not be prohibited from parking onsite. Employee parking permits shall be paid for by the hotel management for employees that desire them, and this information shall be provided to all employees as a benefit of employment.
 - b) The parking management plan shall provide details on the 24-hour valet parking operations.
 - c) A 24-hour per day onsite valet service shall manage all onsite circulation and parking.

- d) **No charge shall be made for onsite parking at any time.**
 - e) **The valet service shall minimize fugitive light from headlamps and emissions by turning off vehicles and their headlamps and when vehicles are in the queuing lane.**
 - f) **Hotel guests, visitors, employees and service providers shall be directed to utilize the 15th Street project driveway to access the site and directional signage shall be provided to this effect. Valet service shall not be provided to assist guest arrival and loading/unloading from the public right-of-way. Signage shall direct guests to pull into the garage for arrival and loading/unloading.**
 - g) **Vendors shall be directed to access the site during off-peak hours when they may park onsite or when metered spaces are not likely to be occupied.**
 - h) **The site shall be operated so as to avoid stopping over the sidewalk and queuing onto public right-of-way.**
 - i) **Install appropriate pavement markings (i.e., stop bar with STOP legend) on the project drive aisle just south of the public sidewalk to ensure that motorists stop prior to the sidewalk along 15th Street and at the 15th Court project drive aisle before exiting the site.**
 - j) **Install a pavement left turn arrow prior to the stop bar/STOP legend on the 15th Court project drive aisle to reinforce the left turn only movement for motorists exiting the site.**
 - k) **Provide bicycle parking on the ground level of the project site in a readily accessible location(s). A durable secure facility accommodating a minimum of 10 bicycles shall be provided in the approximate location shown on the plans. Should it be relocated, the location shall provide an equivalent level of security and accessibility, provided that bicycle facilities shall not be located within the five foot rear yard setback.**
 - l) **The business shall prominently display on the hotel website and in the lobby information on local biking, transit, electric vehicle charging stations, and other alternative transportation modes. One electric vehicle charging station shall be provided as shown on the plan submitted October 20, 2015.**
 - m) **A plan to stage and manage of parking for construction vehicles and workers to minimize impacts on parking supply and adjoining uses shall be provided.**
13. **The primary use is a hotel. The provision of alcoholic beverages is restricted to mini-bars in guest rooms.**
14. **Accommodations shall not be rented by guests for more than 30 consecutive days.**
15. **No entertainment, speakers, or televisions are allowed on the exterior of the building, in the open-air areas, or on guest room balconies. No live entertainment is permitted in the building. The applicant will work with staff to designate an on-premises smoking area which provides on premises smoking in lieu of use and impacts to the public-right-of-way to the satisfaction of the Community Development Director.**
16. **Use of the food service area on the first floor, and the multi-function room on the second levels, and the spa/patio/sitting room on the third level shall cease no later than 10:00 p.m. daily.**

Each of these spaces may be occupied by not more than 20 people at any one time, unless further restricted by code. These three spaces may be used for activities limited to hotel guests (including their guests).

17. The business shall provide adequate staffing, management and supervisory techniques to prevent loitering, unruliness, and boisterous activities of the patrons outside the business and on balconies outside guest rooms.
18. The business and its uses shall not adversely affect the welfare of the residents, and/or commercial establishments nearby.
19. Should the Police Chief determine that a continuing police problem exists, he/she may, subject to appeal to the Planning Commission, direct the presence of a police approved security personnel to eliminate the problem. An appeal to the Planning Commission shall be heard within sixty (60) days of filing the appeal. The Police Chief's determination will not be stayed during the pendency of the appeal. If the problem persists, the Police Chief then shall submit a report to the Planning Commission, which will automatically initiate a review of the conditional use permit.
20. The exterior of the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.
21. An approved Coastal Development Permit issued by the California Coastal Commission shall be filed with the City prior to commencement of any work whatsoever. The project and its operation shall comply with all Coastal Commission requirements, including but not limited to submittal of the Coastal Development Permit issued by the California Coastal Commission for development at 1429 Hermosa Avenue prior to issuance of grading shoring and construction permits, and provision or payment of any fee required in lieu of provision of low to moderate cost overnight visitor accommodations.
22. The project shall comply with the 65% demolition debris recycling requirement set for the in Section 15.48.020.
23. A certified Native American monitor(s) shall be onsite at all times during ground disturbances. All contractors shall be advised of this condition and it shall be prominently displayed on project plans. The applicant/contractor shall contact the Chairman of Gabrieleno Band of Mission Indians/Kizh Tribe of the Los Angeles Basin, Orange County and the Channel Islands and Gabrielino-Tongva Tribe at the time that a grading, shoring or any other building or construction permit is applied for, and in no case less than least 90 days prior to commencement of any work to arrange for monitors. Should human remains be recognized or discovered during any phase of the project, all work shall cease and the procedures set forth in Health and Safety Code Section 7050.5 shall be followed in addition to any other requirements of state or federal law. The Community Development Director shall also be notified. The reasonable costs of such monitors as determined by the City and any resulting mitigation required by the City or by law shall be borne by the applicant.

Prior to issuance of any construction permit, the project applicant shall provide documentation to the Community Development Director that the procedures above have been followed. Prior to issuance of Certificate of Final Occupancy, applicant shall submit a report of final compliance to the Community Development Director.

24. **Prior to issuance of a Building Permit, abutting property owners and residents within 100 feet of the project site shall be notified of the anticipated date for commencement of construction.**
 - a) **The form of the notification shall be provided by the Planning Division of the Community Development Department.**
 - b) **Building permits will not be issued until the applicant provides an affidavit certifying mailing of the notice.**
25. **Project construction shall conform to the Noise Control Ordinance requirements in Section 8.24.050. Allowed hours of construction shall be printed on the building plans and posted at construction site.**
26. **Construction equipment shall be well maintained and a no idling requirement will be implemented.**
27. **The project and operation of the business shall comply with all applicable requirements of the Municipal Code.**
28. **The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.**
29. **Approval of these permits shall expire twenty-four (24) months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby has commenced. One or more extensions of time may be requested. No extension shall be considered unless requested, in writing to the Community Development Director including the reason therefore, at least 60 days prior to the expiration date. No additional notice of expiration will be provided.**
30. **The Planning Commission may review this Conditional Use Permit or Precise Development Plan or Parking Plan and may amend the subject conditions or impose any new conditions if deemed necessary to mitigate detrimental effects on the neighborhood resulting from the subject use.**

Section 9. This grant shall not be effective for any purposes until the permittee and the owners of the property involved have filed at the office of the Planning Division of the Community Development Department their affidavits stating that they are aware of, and agree to accept, all of the conditions of this grant. The Precise Development Plan, Parking Plan, and Conditional Use Permit shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.

Each of the above conditions is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Hermosa Beach, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including

(without limitation) reimbursing the City its actual attorney's fees and costs in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these Conditions.

Section 10. 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.

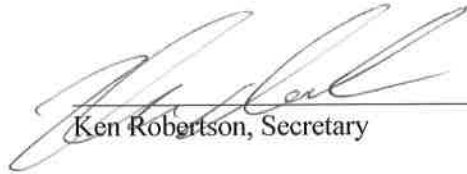
VOTE:	AYES:	Comms.Flaherty,Hoffman,Saemann,Chmn.Pizer
	NOES:	Comm.Allen
	ABSTAIN:	None
	ABSENT:	None

CERTIFICATION

I hereby certify the foregoing Resolution P.C. No. 15-25 is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California at its regular meeting of October 20, 2015.



Ron Pizer, Chairman



Ken Robertson, Secretary

October 20, 2015

Date