

P.C. RESOLUTION 92-68

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING AN AMORTIZED CONDITIONAL USE PERMIT AUTHORIZING THE CONTINUED REPAIR AND/OR REPLACEMENT OF VEHICLE UPHOLSTERY AND CONVERTIBLE/VINYL TOPS AT 619 PACIFIC COAST HIGHWAY, LEGALLY DESCRIBED AS PORTION OF LOT 3 AND THE NORTHERLY 6 FEET OF A PORTION OF LOT 2, TRACT NO. 8525.

WHEREAS, the Planning Commission held a public hearing on December 1, 1992 to receive oral and written testimony regarding an application for a Conditional Use Permit, at 619 Pacific Coast Highway, and made the following findings:

- A. The applicant is requesting a conditional use permit, to authorize the existing use, as required by Section 13.5;
- B. The site is adequate in size, and provides sufficient parking areas to support all existing business activity;
- C. The development, as conditioned, poses no threat to the public health, safety, and welfare;
- D. The proposed use is compatible with surrounding commercial activities along Pacific Coast Highway and the imposition of conditions as required by this resolution will mitigate any environmental or negative impacts on nearby commercial and residential properties;
- E. The site is zoned SPA-7, and the development is consistent with the Commercial Corridor General Plan designation;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Hermosa Beach, California does hereby approve a conditional use permit to allow repair and/or replacement of vehicle upholstery and convertible/vinyl tops, subject to the following:

SECTION I Conditions of Approval

1. The location of structures and features on the property shall be in substantial conformance with submitted plans as revised in accordance with the conditions below; any modification shall be submitted to the Planning Director for approval.

- 1 2. The parking area shall be resurfaced and striped, in
2 accordance with approved plans, with four (4) standard spaces
3 and four (4) tandem spaces. Said improvements shall be
4 completed within six (6) months from the date of approval of
5 this resolution, and shall be permanently maintained.
- 6 3. A total of two (2) parking spaces must be reserved for the
7 office lease space located on the second floor.
- 8 4. The exterior appearance of the building shall be permanently
9 maintained. All exterior wood surfaces and trim shall be
10 refinished within six (6) months from the date of approval of
11 this resolution.
- 12 5. The exterior of the premises including the parking areas
13 shall be maintained in a neat and clean manner at all times.
- 14 6. A six (6) foot high decorative gate shall be provided on the
15 north side of the building to close off public access to said
16 sideyard from the east adjacent to P.C.H. (said sideyard
17 shall not be used for storage and must be kept free of
18 debris)
- 19 7. An agreement may be made with either adjacent property owner
20 (Learned Lumber or the office building at 601 P.C.H.) for the
21 shared use of either property's trash receptacle with all
22 businesses at 619 Pacific Coast Highway. A signed copy of
23 said agreement must be submitted to the Planning Director for
24 approval within 30 days from the date of approval of this
25 resolution. If the agreement is not made, or in the event
26 the agreement is terminated, the property owner of 619 P.C.H.
27 shall be obligated to provide an enclosed trash bin on-site,
28 per building department requirements, or the trash may be
 stored within in the building if such storage complies with
 Building and Fire codes.
 - (a) If an agreement is made with an adjoining property, the
trash receptacle on that property must be enclosed to
meet with building department requirements within one
(1) year from the approval of this resolution.
8. All outdoor parking and driveway areas shall be maintained
free of unregistered and derelict vehicles, wrecked vehicles
and/or parts and debris. (including temporarily dismantled
and/or gutted vehicles)
9. Storage of vehicles, including trucks, tractors, trailers,
recreational vehicles, and automobiles in the outdoor parking
areas shall be prohibited. (except vehicles waiting for
service or pick-up may be stored for a maximum of 24 hours)
10. All work shall be conducted inside the building. All outdoor
work activities shall be prohibited (minor examination of
operable vehicles for the purpose of estimates or final
detail touch-ups not lasting more than 15 minutes is
allowable).

11. The public right-of-way shall not be used for the parking or storing of vehicles that are intended for service. Usage of residential streets and/or Pacific Coast Highway for parking employee or customer vehicles is prohibited.
12. There shall be no bells, buzzers or similar apparatus audible outdoors. Outside speakers for any purpose shall be prohibited.
13. Noise emanating from the property shall be within the limitations prescribed by the City's noise ordinance, Article 19.5 of Hermosa Beach Municipal Code, and shall not create a nuisance to the surrounding residences and commercial establishments.
14. All exterior lights shall be located and oriented in a manner to insure that neighboring residential property and the public right-of-way shall not be adversely affected.
15. All signs must comply with the City sign ordinance. Proper sign permits must be obtained from the Department of Building and Safety.
16. Disposal of any form of hazardous waste material shall be in accordance with local, state, and federal laws, and in no event shall such waste material be allowed to drain into the City storm drain system.

SECTION II

This grant shall not be effective for any purposes until the permittee and the owner of the property involved have filed at the office of the Department of Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.

The Conditional Use Permit shall be recorded with Los Angeles County, and proof of recordation shall be submitted to the Planning Department.

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

Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65907. The City shall promptly notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall not

thereafter be responsible to defend, indemnify, or hold harmless the City.

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 III


Any violation of the conditions of approval and/or violation of the Hermosa Beach Municipal Code may be grounds for a public hearing for the revocation of the Conditional Use Permit.

The Planning Commission may review this Conditional Use Permit 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.


VOTE: AYES: Comms.Di Monda,Marks,Oakes,Suard,Chmn.Merl
NOES: None
ABSTAIN: None
ABSENT: None

CERTIFICATION

I hereby certify the foregoing P.C. Resolution 92-68 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 December 1, 1992.



Rod Merl, Chairman



Michael Schubach, Secretary

1-5-93 Date

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