



# City of Hermosa Beach

City Hall  
1315 Valley Drive  
Hermosa Beach, CA  
90254

## Action Minutes - Draft

### Planning Commission

*Chairperson*  
**David Pedersen**

*Vice Chair*  
**Peter Hoffman**

*Commissioners*  
**Michael Flaherty**  
**Rob Saemann**  
**Marie Rice**

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**Tuesday, May 21, 2019**

**7:00 PM**

**Council Chambers**

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Note: No Smoking Is Allowed in The City Hall Council Chambers

### **THE PUBLIC COMMENT IS LIMITED TO THREE MINUTES PER SPEAKER**

Planning Commission agendas and staff reports are available for review on the City's web site at [www.hermosabch.org](http://www.hermosabch.org). Wireless access is available in the City Council Chambers for mobile devices:  
Network ID: CHB-Guest, Password: chbguest

Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Community Development Department during normal business hours from Monday through Thursday, 7:00 a.m. - 6:00 p.m. and on the City's website.

Final determinations of the Planning Commission may be appealed to the City Council within 10 days of the next regular City Council meeting date. If the 10th day falls on a Friday or City holiday, the appeal deadline is extended to the next City business day. Appeals shall be in written form and filed with the City Clerk's office, accompanied by an appeal fee. The City Clerk will set the appeal for public hearing before the City of Hermosa Beach City Council at the earliest date possible.

If you challenge any City of Hermosa Beach decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda, or in a written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

To comply with the Americans with Disabilities Act (ADA) of 1990, Assistive Listening Devices will be available for check out at the meeting. If you need special assistance to participate in this meeting, please call or submit your request in writing to the Community Development Department at (310) 318-0242 at least 48 hours (two working days) prior to the meeting time to inform us of your needs and to determine if/how accommodation is feasible.

**Submit your comments via eComment in three easy steps:**

Note: Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information (i.e. phone numbers, addresses, etc) that you do not want to be published.

1. Go to the Agendas/Minutes/Video webpage and find the meeting you'd like to submit comments on. Click on the eComment button for your selected meeting.
2. Find the agenda item for which you would like to provide a comment. You can select a specific agenda item/project or provide general comments under the Oral/Written Communications item.
3. Sign in to your SpeakUp Hermosa Account or as a guest, enter your comment in the field provided, provide your name, and if applicable, attach files before submitting your comment.

eComments can be submitted as soon as the meeting materials are published, but will only be accepted until 12:00 pm on the date of the meeting to ensure Planning Commission and staff have the ability to review comments prior to the meeting.

## 1. Call to Order

## 2. Pledge of Allegiance

## 3. Roll Call

**Present** 4 - Commissioner Michael Flaherty, Vice Chair Peter Hoffman, Commissioner Rob Saemann, and Chairperson David Pedersen

**Absent** 1 - Commissioner Marie Rice

Also Present: Ken Robertson, Community Development Director  
Lauren Langer, Assistant City Attorney  
Nicole Ellis, Associate Planner

## 4. [REPORT 19-0348](#) Public Comment

Attachments: [1. Supplemental received 5-21-19](#)

Coming forward to speak: Dean Francois and Anthony Higgins

## Section I

## CONSENT CALENDAR

## 5. [REPORT 19-0313](#) Approval of the April 16, 2019 Planning Commission Action Minutes

Attachments: [Action Minutes 4-16-19](#)

**ACTION:** Motion by Commissioner Hoffman and seconded by Commissioner Flaherty to approve the April 16, 2019 action minutes as presented. The motion carried, noting the absence of Commissioner Rice.

## 6. Resolution(s) for Consideration - None

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THE RECOMMENDATIONS NOTED BELOW ARE FROM THE PLANNING STAFF AND ARE RECOMMENDATIONS ONLY. THE FINAL DECISION ON EACH ITEM RESTS WITH THE PLANNING COMMISSION. PLEASE DO NOT ASSUME THAT THE STAFF RECOMMENDATION WILL BE THE ACTION OF THE PLANNING COMMISSION.

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[REPORT](#)  
[19-0314](#)

Information Only: Public Hearing Notices and Projects Zoning Map

Attachments: [1. Public Notice](#)  
[2. Project Zoning Map](#)

## **Section II**

### **PUBLIC HEARING**

7. [REPORT](#)  
[19-0312](#)
- CONDITIONAL USE PERMIT AMENDMENT 18-3 AND PARKING PLAN AMENDMENT 18-2 - A REQUEST TO EXPAND AN OUTDOOR DINING AREA BY 774 SQUARE FEET, CLOSING AT 11:00 PM DAILY, AND DEACTIVATING AN EQUIVALENT AREA OF INDOOR RESTAURANT SPACE AND TO PROVIDE TANDEM PARKING WITH VALET SERVICES IN CONJUNCTION WITH AN EXISTING LATE-NIGHT ON-SALE GENERAL ALCOHOL ESTABLISHMENT (SLATER'S 50/50 RESTAURANT) AT 3-11 PIER AVENUE, AND DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).
- (Community Development Director Ken Robertson)
- Applicant: Michael Nakhleh  
Slater's Restaurant Group, Inc.  
466 Foothill Boulevard, #356  
La Canada, CA 91011
- Owner: S&P Parent LLC  
c/o Bolour Associates  
8383 Wilshire Boulevard #920  
Beverly Hills, CA 90211

- Attachments:**
- [1. Proposed CUP Approval Resolution](#)
  - [2. Proposed Parking Plan Approval Resolution](#)
  - [3. P.C. Resolution 14-3 \(Existing CUP and Parking Plan Resolution\)](#)
  - [4. Legal Postings](#)
  - [5. Radius Map](#)
  - [6. Site Photos](#)
  - [7. Applicant Submittal- Plans and Valet Operation](#)
  - [8. Applicant Letter.pdf](#)
  - [9. Supplemental received 5-21-19](#)
  - [10. Supplemental \(3\) received 5-21-19](#)
  - [11. Supplemental \(4\) received 5-21-19](#)

Coming forward to speak: Zachary Andrews, Michael Nakhleh, Greg Gibson and David Grathen.

**ACTION:** Motion by Commissioner Hoffman and seconded by Commissioner Saemann to adopt the resolutions approving the Conditional Use Permit Amendment with modifications listed below and Parking Plan Amendment, as presented, to allow floor plan modifications to expand an outdoor dining area by 774 square feet, with the outdoor dining area closing at 11:00 PM daily, and deactivating an equivalent area of indoor restaurant space and to provide tandem parking with valet services in conjunction with an existing late-night on-sale general alcohol establishment (Slater's 50/50 Restaurant) at 3-11 Pier Avenue, and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

**1. Conditional Use Permit Amendment:**

- a) Modify Condition No. 2 to read "...on May 21, 2019, as modified per subsection 2a. The Community..."
- b) Add subsection 2a as follows:
  - a. The site plan shall be modified to remove the gate to The Strand (unless required for emergency exit only), add one (1) additional foot to widen the planter(s) adjacent to The Strand with a total three (3) foot patio setback, and to provide a vertical solid landscape buffer (no higher than 42" in height) to the satisfaction of the Community Development Director. Tables and chairs may be modified to account for the one (1) foot patio reduction to the satisfaction of the Community Development Director.
- c) Delete subsection 9c.

This final action is subject to potential review by the City Council pursuant to Chapter 2.52 of the Municipal Code\*, or may be appealed to the City Council by any party if filed by June 10, 2019.

**2. Parking Plan Amendment:**

Approved as presented.

This final action is subject to potential review by the City Council pursuant to Chapter 2.52 of the Municipal Code\*.

The motion carried by the following vote:

**Aye:** 3 - Commissioner Flaherty, Vice Chair Hoffman, and Commissioner Saemann

**No:** 1 - Chairperson Pedersen

**Absent:** 1 - Commissioner Rice

### **Section III**

#### **HEARING**

8. [REPORT](#) C-25 -- Review of Fiscal Year 2019- 2020 Capital Improvement Program  
[19-0316](#) (CIP) for Conformance with the City's General Plan

**Attachments:** [1. Fiscal Year 19-20 CIP Program summary \(power point presented at study session\)](#)  
[2. CIP Project Status Sheets](#)  
[3. 2019-20 Proposed CIP Project Description Sheets](#)

**Coming forward to speak:** David Grethen

**ACTION:** Motion by Commissioner Hoffman and seconded by Commissioner Saemann to approve by minute order that the City of Hermosa Beach Fiscal Year 2019-2020 Capital Improvement Program (CIP) is in conformity with the goals and policies of the City's General Plan (PLAN Hermosa). The motion carried by the following vote:

**Aye:** 4 - Commissioner Flaherty, Vice Chair Hoffman, Commissioner Saemann, and Chairperson Pedersen

**Absent:** 1 - Commissioner Rice

### **Section IV**

#### **9 Staff Items**

- a. [REPORT](#) Verbal Report on City Council Actions  
[19-0310](#)

- b. [REPORT](#) Verbal Status Report on Major Planning Projects  
[19-0311](#)

- c. [REPORT](#) June 18, 2019 Planning Commission Tentative Future Agenda Items  
[19-0308](#)

**Attachments:** [Planning Commission Tentative Agenda for June 18, 2019](#)

The Planning Commission consensus was to receive and file the June 18, 2019 Tentative Future Agenda.

- d. [REPORT](#) Community Development Department Activity Report of  
[19-0309](#) January (revised), February and March, 2019.

**Attachments:** [1. January, 2019 \(Revised\)](#)  
[2. February, 2019](#)  
[3. March, 2019](#)

**ACTION:** Motion by Commissioner Flaherty and seconded by Commissioner Saemann to receive and file the January (revised), February and March 2019 activity reports . The motion carried by the following vote:

**10. Commissioner Items**

**11. Adjournment**

The meeting was adjourned at 8:53pm by Chairperson Pedersen. The next scheduled meeting of the Planning Commission is Tuesday, June 18, 2019.

\*Chapter 2.52, Section 2.52.040 of the Municipal Code provides for Council review and reconsideration of any decision of the Planning Commission by two affirmative votes at the next regularly scheduled City Council meeting. In the event the Council initiates a review, the review will be placed on a future agenda of City Council within a reasonable time period, and the Commission's decision is stayed pending Council's review and final decision.