

P.C. RESOLUTION 16-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN TO ALLOW LIMITED FOOD SERVICE FOR HOTEL GUESTS ONLY ON THE FIRST FLOOR AT AN EXISTING 81-ROOM HOTEL AT 2515 PACIFIC COAST HIGHWAY; AND DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Section 1. An application was filed by Pacifica Food and Beverage, Inc. seeking approval for a Parking Plan to allow limited food service for hotel guests only at an existing 81-room hotel at 2515 Pacific Coast Highway.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for Parking Plan 16-3 on June 21, 2016, at which time testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on the testimony and evidence received, the Planning Commission makes the following factual findings:

1. The applicant proposes a new limited food service area on the first floor of an existing 81-room hotel at 2515 Pacific Coast Highway and seeks to exclude the food service area from parking calculations. The two lowest levels of the hotel consist of 71 parking spaces, and the ground level of the hotel consists of a lobby, outdoor garden, and hotel rooms, while the remaining two stories are dedicated to hotel rooms.
2. A Parking Plan is proposed to exclude from parking requirements the proposal to allow limited food service from 5:00 a.m. to 10:00 p.m. daily on the first floor of an existing 81-room hotel. The existing common area on the first floor of the building will be converted to a food preparation and food service area for use by hotel guests only.
3. The project site is currently zoned C-3 and is located on the southwest corner of Artesia Boulevard and Pacific Coast Highway. Hotel operations are a permitted use in the C-3 zone. The property is designated GC General Commercial in the General Plan.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings for a Parking Plan pursuant to H.B.M.C. Section 17.44.210:

1. Pursuant Section 17.44.210, a parking plan may be approved by the Planning Commission to allow for a reduction in the number of spaces required based on factors such as use of van pools, bicycle and foot traffic, common parking facilities, varied work shifts, valet parking, unique features of the proposed uses, offset peak hours, or other methods of reducing parking demand.

2. Pursuant to Municipal Code 17.44.030(H), hotels with retail, conference rooms, restaurants, and other similar activities are required to calculate parking requirements separately from the hotel use.
3. The project includes conversion of common area space into a food service area for hotel guests only. Current parking on-site is equal to 71 spaces and is compliant with current parking requirements for an 81-room hotel.
4. The food service area will include a sandwich/salad prep station, panini grill, turbo chef oven (fast food oven), traditional microwave, coffee machines, refrigerator and a counter top workspace. No commercial grade kitchen equipment is proposed.
5. Food service will be offered to guests of the hotel only and will not be open to the public. A condition of approval requiring service of food and beverages to be provided to direct guests of the hotel as well as prohibiting signage and/or advertisement of any food/beverage products sold in the building. As such the project is not anticipated to increase parking demand at the site.

Section 5. The project is Categorically Exempt from the California Environmental Quality Act per Guidelines, Section 15301 (Existing Facilities), as it does not involve any hazardous substances, is compliant with the General Plan and zoning regulations, would not have any significant effects relating to traffic, noise air quality or water quality, and all necessary public service, access and facilities are available.

Section 6. Based on the foregoing, the Planning Commission hereby **approves** Parking Plan 16-3 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 June 21, 2016, except as required to comply with these conditions and codes. Minor modifications to the plan may be reviewed and may be approved by the Community Development Director. 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.**
2. **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 Planning Commission and the conditions of this resolution, and approved by the Community Development Director prior to the issuance of any Building Permit.**
3. **The project shall comply with the requirements of the Building, Fire and Public Works Departments, and the Los Angeles County Health Dept. Operation of the business shall comply with all applicable requirements of the Municipal Code.**
4. **The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance 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.

- 5. The Planning Commission may review this 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.**
- 6. The property shall maintain a minimum of 71 parking spaces available to all guests of the hotel at all times.**
- 7. The use and physical layout consisting of a food service area shall be substantially consistent with submitted plans reviewed by the Planning Commission on June 21, 2016, and as required by project conditions. Minor modifications to the floor plan shall be reviewed and may be approved by the Community Development Director. Any substantial deviation shall require review and approval by the Planning Commission.**
- 8. Food and beverage service operations shall be from 6:00 A.M. to 8:00 P.M. daily.**
- 9. Signage or any other form of advertising referencing any food and/or beverage products sold is prohibited.**
- 10. Food and beverage service shall be available only for guests staying at the hotel and shall not be open to the public.**
- 11. Food and beverage service requires proof of stay at the hotel via a hotel room key. Patrons must provide evidence of lodging at the hotel prior to receiving food and beverage service.**
- 12. Cooking equipment shall be substantially consistent with the cooking equipment identified on the plans reviewed by the Planning Commission at its June 21, 2016 hearing. Commercial grade cooking equipment such as a range, oven, fryer, griddle, or any other cooking device capable of preparing restaurant quality meals is prohibited. Minor modifications to the cooking equipment shall be reviewed and approved by the Community Development Director. Any substantial deviation in cooking equipment shall require review and approval by the Planning Commission.**
- 13. The establishment shall not adversely affect the welfare of the residents, and/or establishments nearby.**
- 14. No entertainment, speakers, or televisions are allowed on the exterior of the building, or in the open-air areas. No live entertainment is permitted on-site.**
- 15. The business shall prevent loitering, unruliness and boisterous activities of the patrons on the outdoor patio, outside the business, or in the immediate area.**

16. If the operation of the establishment poses a risk of harm to persons or property, the Police Chief may direct the presence of a police approved doorman and/or security personnel to eliminate the problem, at the owner/operators expense. If the problem persists the Chief then shall submit a report to the Planning Commission, which will automatically initiate a review of this Parking Plan by the Planning Commission.
17. The exterior of the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.
18. The business shall comply in all other aspects with Municipal Code Chapter 8.24 (Noise Control) and noise from the premises shall not constitute a public nuisance.
19. The practice of washing and rinsing restaurant floor mats, tables, equipment, etc., or discharge of any liquids, other than stormwater, onto the public right-of-way, into the parking lot drain or storm drains, is strictly prohibited. Discharge of liquids or wash water shall be limited to the sanitary sewer. Designation of a mop sink and provision of a grease trap shall be provided as required by the Public Works and Building Division.
20. The establishment shall not use polystyrene take-out containers, which may or may not be identified with a "No. 6" or "PS" recycle code.
21. Exterior and interior water use shall comply with H.B.M.C. Section 8.56. Proof of compliance with water conserving devices shall be provided.
22. The project shall comply with all requirements of the City Building, Fire, and Public Works Departments and maintain conformance with all other applicable City of Hermosa Beach and regulatory agency requirements and standards, including but not limited to: California Coastal Commission, Los Angeles County Health Department, California Disabled Access Standards (Government Code title 24), and Los Angeles County National Pollutant Discharge Elimination System Permit (NPDES). City requirements may include but not be limited to designation of a mop sink and installation of a grease interceptor.
23. Approval of this permit 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.
24. A sound and light wall barrier shall be constructed and maintained at the end of the driveway at the southwest corner of the property to the satisfaction of the Community Development Director.

Section 7. 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 Parking Plan.

The Parking Plan shall be recorded and proof of recordation shall be submitted to the Community Development Department prior to commencement of operation or issuance of Building Permit Certificate of Occupancy.

Each of the above conditions is separately enforceable and, if one of the conditions is found unenforceable by a court of law, all other conditions shall remain valid and enforceable.

The Permittee shall defend, indemnify and hold harmless the City of Hermosa Beach and 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 Parking Plan. The City shall promptly notify the Permittee of any claim, action or proceeding and the City shall fully cooperate in the defense. If the City fails to promptly notify the Permittee of any claim, action or proceeding, or the City fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify or hold harmless the City.

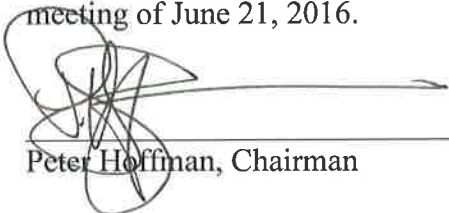
The Permittee shall reimburse the City for any court and attorney's fees that the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the Permittee is the real party in interest in an action, the City may, at its sole discretion, participate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

Section 8. 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.

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| VOTE: | AYES: | Comms.Allen,Flaherty,Rice,Saemann,Chmn.Hoffman |
| | NOES: | None |
| | ABSTAIN: | None |
| | ABSENT: | None |

CERTIFICATION

I hereby certify the foregoing Resolution P.C. No. 16-16 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 June 21, 2016.



Peter Hoffman, Chairman



Ken Robertson, Secretary

June 21, 2016

Date