



Legislation Details (With Text)

File #: REPORT 20-0026 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 1/8/2020 **In control:** Planning Commission
On agenda: **Final action:** 1/21/2020
Title: CUP 19-9 & PARK 19-8- Conditional Use Permit and Parking Plan amendment request to provide on-site sale, service and consumption of beer and wine indoors only, Friday and Saturday 6:00 a.m. to 11:00 p.m. and Sunday through Thursday, 6:00 a.m. to 10:00 p.m. at an existing hotel (Hotel Hermosa) located at 2515 Pacific Coast Highway, and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Proposed CUP Approval Resolution, 2. 2. Proposed Parking Plan Approval Resolution, 3. 3. Link to December 9, 2019 Planning Commission Agenda (Item 6.a. Page 3), 4. 4. December 9, 2019 PC Action Sheet .pdf, 5. 5. Link to November 19, 2019 Planning Commission Agenda (Item 11 Pages 4-5), 6. 6. November 19, 2019 PC Action Minutes .pdf, 7. 7. P.C. Resolution 16-16 (Existing Parking Plan Resolution).pdf, 8. 8. Radius Map.pdf, 9. 9. Poster Verification.pdf, 10. 10. All Public Comment Letters and Photos, 11. 11. Supplemental - Email from Janice Brittain, added 1-21-20, 5:00pm

Date	Ver.	Action By	Action	Result
1/21/2020	1	Planning Commission	approved as amended	Pass

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Regular Meeting of January 21, 2020

CUP 19-9 & PARK 19-8- Conditional Use Permit and Parking Plan amendment request to provide on-site sale, service and consumption of beer and wine indoors only, Friday and Saturday 6:00 a.m. to 11:00 p.m. and Sunday through Thursday, 6:00 a.m. to 10:00 p.m. at an existing hotel (Hotel Hermosa) located at 2515 Pacific Coast Highway, and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Applicant: (Hotel Hermosa) Pacifica Food and Beverage, Inc.
2515 Pacific Coast Highway
Hermosa Beach, CA 90254
Property Owner: IWF Hotel Hermosa, L.P., a California Limited Partnership
39 Argonaut
Aliso Viejo, CA 94656

Recommended Action:

Adopt the attached amended resolutions, incorporating conditions of approval as requested from the City's Police Department, approving the Conditional Use Permit (CUP) request 19-9, in part, and Parking Plan Amendment 19-8 to allow on-site sale, service and consumption of beer and wine indoors only Sunday through Thursday 6:00 AM to 10:00 PM and Friday and Saturday 6:00 AM to

11:00 PM at an existing hotel (Hotel Hermosa), in conjunction with expanded food service for hotel guests, and denying the request for outdoor beer and wine sale, service and consumption; and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Background:

The Planning Commission conducted a duly noticed public hearing to consider the application on November 19, 2019, at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission. The applicants as well as residents and local employees both in support and opposed to the request spoke during the public hearing and letters were also received and included as attachments and supplemental items to the November 19th staff report (link below).

Concerns were raised due to the hotel's close proximity to adjacent residential uses, incompatibility of uses and the potential for alcohol related noise and nuisances.

Following the November 19th public hearing, the Planning Commission directed staff to bring back revised resolutions for beer and wine sale, service, and consumption, indoors only, Friday and Saturday 6:00 a.m. to 11:00 p.m., Sunday through Thursday, 6:00 a.m. to 10:00 p.m. at an existing hotel and to deny any outdoor beer and wine service for approval at the December 9, 2019 Planning Commission meeting. The motion carried with a 4 to 0 vote noting the recusal of Commissioner Saemann.

Notwithstanding that the public hearing had concluded, both the City's Police Department and two members of the Planning Commission had outstanding reservations about the number of calls for service when compared to other hotels along Pacific Coast Highway and how the addition of sale, service and consumption of beer and wine indoors only at the hotel might affect City enforcement services and the nearby residential uses (Seaview Villas). The two Commissioners disclosed that they met with the Police Department a week prior to the December 9th Planning Commission meeting to gain more information from the City's public safety officials.

The Planning Commission conducted a duly noticed public meeting on December 9, 2019 to consider, on consent calendar, the previously directed resolutions of approval. The City's Police Department stated that although the City cannot predict whether calls for service will improve, become worse or remain the same, as a result of the hotel's request, the addition of their recommended conditions of approval (contained within the CUP approval resolution) will mitigate their concerns. In addition, two residents spoke on the matter and new photographs were provided which have been included as part of the public comments for this item (attached). The applicant was present at this meeting.

Since new information and evidence was presented following the close of the public hearing, the appropriate process is to re-notice a new public hearing such that the applicant, all members of the public and the Planning Commission can all review and consider all of the old and new information prior to making a final decision on this application. The Planning Commission directed staff to continue this item and schedule a new public hearing (with new noticing) for the January 21, 2020 Planning Commission meeting. Since November, staff has met with the Police Department and the applicant to discuss potential conditions of approval that could be added to the resolutions of approval to address the outstanding concerns. Those amended conditions are included here for consideration.

Analysis:

Consistent with the original Commission direction, the proposed resolutions have been revised to approve the CUP 19-9, in part, and Parking Plan Amendment 19-6 to allow on-site sale, service and consumption of beer and wine indoors only Sunday through Thursday 6:00 AM to 10:00 PM and Friday and Saturday 6:00 AM to 11:00 PM at an existing hotel, in conjunction with expanded food service for hotel guests, and denying outdoor beer and wine sale, service and consumption. The CUP resolution now also contains new conditions of approval as recommended from the City's Police Department and to help remedy concerns from surrounding residents. The applicant has agreed to all new conditions and the draft approval resolutions as proposed.

Parking Plan Resolution Modifications

Parking Plan amendment 19-8 includes (1) removal of conditions 8 and 16 which are more appropriate in the CUP resolution; (2) removal of condition 11 which has been incorporated into condition 10; and (3) modifications to conditions 9 and 10 shown below, to reduce impacts to neighboring properties as well as other motel guests. All other parts of Planning Commission Resolution 16-16 remain unchanged and all parts of the proposed CUP 19-9 approval resolution shall additionally apply.

Parking Plan Resolution- Page 2, Section 7, Modified Conditions 9 and 10

9. Exterior signage or any other form of outside promoting or advertising referencing any food and/or beverage products sold is prohibited.

10. Food and beverage service (including the internal sale, service, and consumption of beer and wine) shall be available only for verified and registered hotel guests and shall not be open to the public.

CUP Resolution Modified/Added Conditions

The CUP resolution now includes conditions of approval as recommended from the City's Police Department which include modification to condition 11 while adding new conditions 12 and 13 (and renumbering remaining conditions accordingly), to reduce impacts to neighboring properties as well as other motel guests. Planning Commission Resolution 16-16 shall additionally apply (as modified through the proposed Parking Plan 19-8).

CUP Resolution- Pages 9 and 10, Section 10, Conditions 11, 12 and 13

11. The establishment shall have security personnel on-duty during the hours of alcohol sales, service and consumption at the owner/operator's expense. In addition to other security duties at the hotel property, the security personnel shall be responsible for monitoring the dining and alcohol service area to address any loud, boisterous or unruly behavior. If the security personnel are not able to reduce or eliminate incidents and problems at the hotel property, the Chief of Police may direct the establishment to hire additional security personnel, at the owner/operators expense, who will have the sole responsibility of monitoring the dining and alcohol service area within the hotel property. If the problem persists, the Chief of Police shall submit a report to the Planning Commission, which will automatically initiate a review of this Conditional Use Permit and Parking Plan by the Planning Commission. If the establishment can demonstrate that security personnel is no longer necessary, to the satisfaction of the Police Chief and/or a reduced impact to the City's services, such as, but not limited to a reduction in the number and severity of Calls for Service (CFS) directly attributed to the hotel property, over a twelve month period, the Police Chief may modify the requirement for security personnel. If there is no longer a necessity for security personnel, then the requirement to have security personnel shall be annulled upon notification from the Police Chief to the Community Development Director and the applicant. Any other change to the requirement to have security personnel shall require an amendment to this CUP following a public hearing before the Planning Commission.

12. The establishment shall install and maintain a video surveillance system in the dining and alcohol service area, and all other common areas of the hotel where alcohol may be consumed. The video surveillance system shall have a retention period of at least thirty (30) days. The establishment agrees to cooperate with the City's Code Enforcement and Police Department to provide copies of video surveillance for criminal or administrative investigations.

13. The establishment will arrange a meeting with the Police Chief on an annual basis to review the impact of the CUP. During the annual meeting, the Police Department will review the number and severity of the Calls for Service (CFS) directly attributable to the hotel property for the previous twelve months. If there are any increases in the number and severity of CFS directly attributable to the hotel property, the establishment will provide the Police Chief with a plan to reduce the impacts within thirty (30) days of the meeting.

Attached are the draft amended approval resolutions for consideration.

Summary:

The project, as conditioned, is consistent with the Hermosa Beach Municipal Code and PLAN Hermosa and the new conditions of approval, as recommended from the City's Police Department, are anticipated to help reduce concerns from surrounding residents. Staff recommends the Planning Commission adopt the attached amended resolutions approving, in part, the Conditional Use Permit (CUP) 19-9 request and Parking Plan Amendment 19-8 to allow on-site sale, service and consumption of beer and wine indoors only Sunday through Thursday 6:00 AM to 10:00 PM and Friday and Saturday 6:00 AM to 11:00 PM at an existing hotel (Hotel Hermosa), in conjunction with expanded food service for hotel guests located at 2515 Pacific Coast Highway, and denying outdoor beer and wine sale, service and consumption; and

determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Attachments:

1. Proposed CUP Approval Resolution
2. Proposed Parking Plan Approval Resolution
3. Link to December 9, 2019 Planning Commission Agenda (Item 6.a. Page 3)
4. December 9, 2019 PC Action Sheet
5. Link to November 19, 2019 Planning Commission Agenda (Item 11 Pages 4-5)
6. November 19, 2019 PC Action Minutes
7. P.C. Resolution 16-16 (Existing Parking Plan Resolution)
8. Radius Map
9. Poster Verification
10. All Public Comment Letters and Photos

Respectfully Submitted by: Nicole Ellis, Associate Planner

Legal Review: Lauren Langer, City Attorney

Approved: Ken Robertson, Community Development Director