

RESOLUTION P.C. 88-94

1 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA  
2 BEACH, CALIFORNIA, APPROVING AN AMENDMENT OF AN EXISTING  
3 CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE, TO ALSO  
4 ALLOW OUTDOOR DINING AND APPROVE A NEGATIVE DECLARATION IN  
CONJUNCTION WITH THE OPERATION OF A RESTAURANT AT 190 HERMOSA  
AVENUE KNOWN AS LA PETITE CAFE.

5 WHEREAS, the Planning Commission held a public hearing on  
6 this matter on November 1, 1988 and made the following findings:

- 7 1. The proposed project is compatible with applicable General  
8 and specific plans;
- 9 2. The proposed project with the imposition of Conditions of  
10 Approval is not expected to negatively impact neighboring  
11 residents and properties.

12 NOW, THEREFORE BE IT RESOLVED that the Planning Commission of  
13 the City of Hermosa Beach, California, does hereby approve an  
14 Amendment to the Conditional Use Permit for the sale of beer and  
15 wine to allow outdoor dining and a Negative Declaration for a  
16 restaurant at 190 Hermosa Avenue subject to the following  
17 conditions:  
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- 19 1. This conditional use permit is exclusively for and so long as  
20 the premises remain a restaurant. A maximum of 35% of the  
21 total gross sales, computed monthly, shall result from the  
22 sale of alcohol. The City shall have the right during  
23 business hours upon 15 days notice to inspect the books and  
24 records of the applicant to determine gross sales of food and  
25 alcohol. The applicant, upon request, shall also submit to  
the City copies of all records provided to the State Board of  
Equalization for purposes of determining sales tax. Applicant  
gives the right to the City to review the records of the  
State Board of Equalization for the purposes of verifying the  
applicant's books and records, with the understanding that  
these reviews are confidential.
- 26 2. All alcoholic beverages shall be served in non-throw-away  
27 glass containers .  
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- 1 3. The Chief of Police may determine that a continuing police  
2 problem exists and may require the presence of a approved  
3 police doorman and/or security personnel.
- 4 4. The establishment shall not adversely affect the welfare of  
5 residents, and/or commercial establishments nearby.
- 6 5. The business shall provide adequate management and  
7 supervisory techniques to prevent loitering, unruliness, and  
8 boisterous activities of patrons outside the business or in  
9 the immediate area.
- 10 6. Noise emanating from the property shall be within the  
11 limitations prescribed by the City's noise ordinance and  
12 shall not create a nuisance to the surrounding residential  
13 neighborhoods, and/or commercial establishments.
- 14 7. Screens shall be installed on all openable exterior windows  
15 at ground level to prevent pass-through of alcoholic  
16 beverages and control flies.
- 17 8. Signs shall be posted in a conspicuous location warning  
18 patrons of the illegality of open alcohol containers in any  
19 public areas such as public sidewalks and beach.
- 20 9. The outdoor dining area shall be limited to 16 seats, and as  
21 indicated on the submitted plans, 8 seats must be removed  
22 from indoors.
- 23 10. Alcohol beverages may be served during the operation hours of  
24 8 a.m. and 10 p.m. weekdays, and 8:00 a.m. until 11:00 p.m.  
25 on weekends.
- 26 11. A manager or clerk who is aware of conditions of the  
27 conditional use permit shall be on the premises during  
28 business hours.
  - a. Each manager shall be given a copy of the conditional  
use permit and shall acknowledge by signature that the  
conditional use permit has been read and understood.
12. Any violation of the Hermosa Beach Municipal Code may be  
grounds for a public hearing for the revocation of the  
conditional use permit. Any violation of this CUP is  
considered an infraction and may warrant the issuance of a  
citation.
13. The exterior of the premises shall be maintained in a neat  
and clean manner at all times.
14. Any changes to the interior layout shall be subject to review  
and approval of the Planning Commission; floor plan shall be  
as shown on submitted plans.

- 1 15. Prior to a conditional use permit being in effect, the applicant shall submit to the Planning Department, a signed and notarized "Acceptance of Conditions" form. *11/29/88*
- 2 16. The conditional use permit shall be recorded with the deed, and proof of recordation shall be submitted to the Planning Department. *DONE RECORD No. 91 1570705*
- 3
- 4 17. The Planning Commission may review the 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.
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- 7 18. There shall be a six month review and annual reviews thereafter.
- 8 19. This Resolution supercedes P.C. Resolution 154-1127.

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 10 VOTE: AYES: Comms. Ingell, Ketz, Rue, Chmn. Peirce  
 11 NOES: None  
 12 ABSTAIN: None  
 13 ABSENT: Comm. Edwards

14 CERTIFICATION

15 I hereby certify that the foregoing Resolution P.C. 88-94 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 november 1, 1988.

16 *James Peirce*  
 17 James Peirce, Chairman

*Michael Schubach*  
 Michael Schubach, Secretary

18 15 NOV 88  
 19 Date

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