

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON JUNE 21, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Comm. Marks.

Pledge of Allegiance led by Comm. Suard.

**ROLL CALL**

Present: Comms. Dettelbach, Marks, Suard  
Absent: Comm. Di Monda, Chmn. Merl  
Also Present: Michael Schubach, Planning Director  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

Mr. Schubach commented that Resolution P.C. 94-17 had been revised, noting Item 1.A. had been changed to state the waiting area must be maintained, with no serving unless the design is changed to include interior access without use of the public sidewalk.

**MOTION** by Comm. Dettelbach, Seconded by Comm. Suard, to **APPROVE** the Consent Calendar items with no change:

**3. June 7, 1994 Minutes**

- 4.a. Resolution P.C. 94-17** approving a Conditional Use Permit and Parking Plan, as amended, to allow an outside waiting area in conjunction with a restaurant with on-sale alcohol at 705 Pier Avenue.

**AYES:** Comms. Dettelbach, Marks, Suard  
**NOES:** None  
**ABSENT:** Comm. Di Monda, Chmn. Merl  
**ABSTAIN:** None

**ORAL/WRITTEN COMMUNICATIONS:**

- 6.a)** Letter from Lawrence O. Fordiani dated May 31, 1994 regarding Martha's Restaurant and Martha's Corner (continued from June 7, 1994 meeting).

Comm. Marks invited public testimony.

Larry Fordiani, 2207 and 2211 Hermosa Ave, referenced his letter to the Commission. He stated he had been addressing the problems for the past 18 months, detailing those problems as: (1) inadequate

trash bins to contain the overflow of trash, (2) the area is not kept clean, (3) the trash containers are not enclosed, (4) the north side of the building was being used as a staging area for food delivery and storage, (5) the doors on the west and north sides of the building are kept open and employees toss trash out the doors, (6) a water heater had been placed on the roof seven feet from a bedroom window, (7) the venting system is located immediately next to his building, (8) Martha's Restaurant opened at 7:00 a.m. Mr. Fordiani stated the area contained a single-family neighborhood with three commercial lots. He said he considered the venting system and water heater "eye sores" and as being detrimental to his building and requested they be relocated. He noted tampering with the documented opening hours from 8:00 a.m. to 7:00 a.m. and questioned how someone could write on and change the Planning Department's official documents. He noted the allowed sale of beer and wine, questioning the times of sales at other than authorized times. Mr. Fordiani complained that the City "had no teeth" due to lack of adequate personnel and requested the City obtain "teeth" in order to address CUP violations. He reiterated he had been addressing the problems for 18 months, with no results, and thanked the Commission for its efforts in resolving his problems.

Comms. Suard and Dettelbach discussed the mitigation measures already taken with Mr. Fordiani, who stated new trash receptacles had not been obtained, the set back area was being used some times to store supplies. Mr. Fordiani stated that clean up was sometimes done and then the situation reverted back. Mr. Schubach commented the venting system was required to be 10 feet back, the water heater was permitted, was a replacement of an old one and the owner had been requested to apply for a building permit.

Comm. Marks requested Staff report whether the replacement water heater was the same size as the previous one. Comm. Dettelbach stated the Commission was addressing CUP violations, which did not include the water heater or the venting system. He noted the water heater remained in the same location as it was when the CUP was issued. Mr. Schubach stated the authorized opening hour was 8:00 a.m., not 7:00 a.m. A CUP change would be necessary to open at 7:00 a.m. The owner had indicated to Staff that professionally-drawn plans would be submitted and include all the requested changes. Comm. Marks requested Staff to confirm that screen doors were in place, as required, at Martha's restaurant.

Comm. Dettelbach said that Mr. Fordiani had overstated the issue when he said the conditions were being changed by a stroke of the pen when, in fact, nothing was being changed. The hours of operation remained as previously approved. The actual hours of operation had been addressed; the answer will be provided to Mr. Fordiani. Comm. Dettelbach stated Staff had addressed the CUP violations, noting that Mr. Fordiani would probably not be satisfied by Staff's and the Commission's actions. Mr. Schubach explained the compliance requirement process, the steps taken to date and the scheduling of further actions to be taken, including notification to the City Attorney.

The Commission requested that Staff contact the Health Dept., requesting a representative review the situation as discussed and place this item on the agenda, providing a status report at the July 19, 1994 Commission meeting.

## **PUBLIC HEARINGS**

### **7. SS 94-3 -- SPECIAL STUDY AND TEXT AMENDMENT TO THE ZONING ORDINANCE IN REGARDS TO THE SEVENTEEN FOOT GARAGE SETBACK, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION.**

**Staff Recommended Action:** To continue to July 5, 1994 meeting.

Comm. Suard, in the interest of expediency, suggested the Commission move forward with a decision. Comm. Dettelbach suggested, based upon previous discussions among the Commissioners, a continuation to allow input from the absent Commissioners.

Comm. Marks opened the Public Hearing at 7:40 p.m. No one wished to speak, and Comm. Marks closed the Public Hearing at 7:40 p.m.

**MOTION** by Comm. Marks, Seconded by Comm. Dettelbach, to **CONTINUE** SS 94-3, special study and text amendment to the zoning ordinance in regards to the seventeen foot garage setback, and adoption of an Environmental Negative Declaration, to the Planning Commission's July 5, 1994 meeting.

**AYES:** Comms. Dettelbach, Marks, Suard  
**NOES:** None  
**ABSENT:** Comm. Di Monda, Chmn. Merl  
**ABSTAIN:** None

### **8. SS 94-4 -- SPECIAL STUDY AND TEXT AMENDMENT REGARDING COMMERCIAL DEVELOPMENT STANDARDS, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION**

**Staff Recommended Action:** To continue to July 5, 1994 meeting.

Comm. Marks opened the Public Hearing at 7:43 p.m. No one wished to speak, and Comm. Marks closed the Public Hearing at 7:43 p.m.

**MOTION** by Comm. Suard, Seconded by Comm. Dettelbach, to **CONTINUE**, SS 94-4, special study and text amendment regarding commercial development standards, and adoption of an Environmental Negative Declaration, to the Planning Commission's July 5, 1994 meeting.

**AYES:** Comms. Dettelbach, Marks, Suard  
**NOES:** None  
**ABSENT:** Comm. Di Monda, Chmn. Merl  
**ABSTAIN:** None

## HEARINGS

9. CUP 92-35 -- REVIEW OF THE CONDITIONAL USE PERMIT AUTHORIZING AN EXISTING ADULT THEATER AND BOOKSTORE AT 544 PACIFIC COAST HIGHWAY (PREVIOUSLY KNOWN AS FANTASY ARCADE).

**Staff Recommended Action:** To direct Staff to proceed with gaining compliance.

Mr. Schubach presented the Staff Report, noting supplemental information from the Police Dept. discussing complaints about criminal activity. The Police Dept. and Planning Dept. Staff were concerned about the fact that the business remodeling did not comply with the granted CUP. Mr. Schubach stated the Commission was given a information relating to all the CUP and Fire Code Conditions of non-compliance by this business. The Commission had previously asked for a status report of compliance by this business. Mr. Schubach explained the schedule necessary, noting this item was currently on its way to some type of court action unless the property owner acted quickly to reach compliance.

Comm. Marks invited public testimony at 7:48 p.m.. No one wished to speak on this subject.

Comm. Marks noted that out of about 30 Conditions, 22 had not been met. He questioned the property owner's intentions, due to the seriousness of the situation suggested immediately action be taken and questioned the necessity of the City Attorney's involvement. Comm. Dettelbach and Mr. Schubach stated the legal due process procedure must be followed.

**MOTION** by Comm. Suard, Seconded by Comm. Dettelbach, to **APPROVE** Staff's recommendation and **DIRECT** Staff to proceed with gaining compliance. **No objections, so ordered.**

## STAFF ITEMS:

- 10.a. Tentative future Planning Commission agenda.

RECEIVE AND FILE

- 10.b. City Council minutes of May 19 and 24, 1994.

RECEIVE AND FILE

## COMMISSIONER ITEMS

Comm. Suard stated he would be unavailable during the July 5, 1994 meeting. He supported Staff's recommendation that only one meeting be held in August, 1994.

## ADJOURNMENT

MOTION by the Commission to adjourn at 7:54 p.m. No objections; so ordered.

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of June 21, 1994.

Robert B. Marks 7/9/94  
Robert Marks, Commissioner

Michael Schubach  
Michael Schubach, Secretary

\_\_\_\_\_  
Date

Approved 7/18/94

by: Steven A. Suard

Steven A. Suard

SUPPLEMENTAL  
INFORMATION

3 (1)

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON JULY 5, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Comm. Marks.

Pledge of Allegiance led by Comm. Marks.

**ROLL CALL**

Present: Comms. Dettelbach, Di Monda, Marks, Chmn. Merl  
Absent: Comm. Suard  
Also Present: Michael Schubach, Planning Director  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

3. June 21, 1994 Minutes
4. Resolutions for adoption
5. Item(s) for consideration

Comms. Dettelbach, Marks and Suard were the only Commission attendees at the June 21, 1994 meeting. Comm. Suard's absence from this and future meetings resulted in Consent Calendar Items 3, 4, and 5 being deferred by the Commission and referred to the City to obtain correct procedural action to be taken.

**ORAL/WRITTEN COMMUNICATIONS:**

- 6.a) Letter from Parker R. Herriott dated June 23, 1994 regarding BBC at 1332 Hermosa Avenue.

Chmn. Merl invited public testimony.

**Parker Herriott** read his June 23, 1994 letter, for the record, to the Commission and detailed the distribution of copies to City Staff, OSHA and Alcoholic Beverage Control. He requested investigation of compliance with the CUP, Resolution PC 88-41 and the alcoholic beverage control license by BBC (apparently associated with Besties), located at 1334 Hermosa Avenue. He asked about the food and alcohol ratio, noting it was supposed to be 50% - 50%, if the CUP was being reviewed every six months and if BBC was actually a part of Besties. He requested this matter be put on the agenda for a Public Hearing for a fine or revocation.

The Commission **DIRECTED** Staff to investigate if a violation was in evidence and issue a Staff Report to the Commission reporting current status.

## **PUBLIC HEARINGS**

7. **CUP 94-9/PARK 94-4 -- CONDITIONAL USE PERMIT AND PARKING PLAN TO ALLOW A KARATE STUDIO IN PLAZA HERMOSA SHOPPING CENTER AT 1559 PACIFIC COAST HIGHWAY.**

**Staff Recommended Action:** To approve said Conditional Use Permit and Parking Plan.

Mr. Schubach stated it was determined by Staff that parking would not be impacted due to the availability of current parking. Staff recommended approval. Mr. Schubach noted a duplication of words, correcting Draft Resolution Page 4, Section I.2. to read, "...classes in the evenings and/weekends. Class sizes..."

Chmn. Merl opened the Public Hearing at 7:17 p.m.

John Sposato, 941 3rd Street, stated he was available for questions.

No one else wished to speak, and Chmn. Merl closed the Public Hearing at 7:20 p.m.

**MOTION** by Comm. Marks, Seconded by Comm. Dettelbach, to **APPROVE** CUP 94-9/PARK 94-4, Conditional Use Permit and Parking Plan to allow a karate studio in Plaza Hermosa shopping center at 1559 Pacific Coast Highway, correction Page 4, Section I.2. to read, "...classes in the evenings and/weekends. Class sizes..."

**AYES:** Comms. Dettelbach, Di Monda, Marks, Chmn. Merl  
**NOES:** None  
**ABSENT:** Comm. Suard  
**ABSTAIN:** None

Chmn. Merl stated this action was subject to appeal to the City Council within 10 days through the City Clerk's office.

8. **CUP 94-4/PDP 94-1 -- CONDITIONAL USE PERMIT AND PRECISE DEVELOPMENT PLAN TO ALLOW A 1500 SQUARE FOOT DRIVE-THROUGH FAST FOOD RESTAURANT, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 1107 PACIFIC COAST HIGHWAY, MC DONALD'S.**

**Staff Recommended Action:** To approve said Conditional Use Permit and Precise Development Plan, and adopt the Environmental Negative Declaration.

Mr. Schubach stated Staff's concerns related to signs, landscaping (particularly on the north side),

retaining wall blocking access to an easement to the adjacent property to the north and oil separators in the parking lot. Staff recommended a monument-type sign, but stated the current sign may be retained if a variance was requested, noting the sign was too tall and not set back far enough. The applicant requested removal of the large on-site trees, to be replaced by palm trees. Staff recommended replacement with 36-inch box trees if the current ones are removed. The applicant wished to shift the alley and establish a mutual easement agreement with the adjacent property to the north. Mr. Schubach noted the new permit requirements to be implemented in the future pertaining to the oil separators and stated Staff recommended an oil separator be located on site. He commented the current usage was as a fast food operation.

Chmn. Merl opened the Public Hearing at 7:27 p.m.

**Roger Bacon**, 1100 Pacific Coast Highway, stated the project represented five years of negotiations. McDonald's is expecting a high dollar volume at this location, with 1% sales taxes being paid to the City and an increase in local employment. He stated McDonald's does not put solids down the sewer lines and maintains a clean site. He explained the lease and CALTRANS requirements with which he was working. Additionally, he detailed all the local fast food businesses currently having two driveways. He stated there was no problem with removing the retaining wall, noted the trees had fungus and constantly plugged up the drains and requested a change in type of tree on site. He felt the neon lights were not obtrusive, would enhance the building and requested they be allowed to remain. He stated only one area of sidewalk on Pacific Coast Hwy. had to be patched, the 11th Street driveways would be handled by McDonald's making only one driveway at the back of the property. He stated he was pleased that McDonald's wished to come to Hermosa Beach. He stated the Police Dept. report regarding accidents occurring on Pacific Coast Hwy. during a one-year period was far less than 1%. The trees would be replaced one-for-one, but if more were required, they would be added. These trees would be in 36-inch boxes and 10 feet tall when planted. McDonald and/or Mr. Bacon would be responsible for tree trimming.

**Celso C. Martinez**, 21300 Victory Blvd., Ste. 800, Woodland Hills, agreed with the proposed Conditions and requested consideration be given to approving the neon lighting and retention of the current sign, changing the copy only, stressing visibility resulted in increased business. He requested the trees be replaced one for one. He stated a change in the sign would be accepted if necessary in order to get approval of this application during this meeting. He explained the importance that McDonald's get started on the right foot.

No one else wished to speak, and Chmn. Merl closed the Public Hearing at 7:45 p.m.

Comm. Di Monda discussed current sign requirements and limitations with Mr. Schubach. The Commission agreed the current sign would require a variance. Comm. Di Monda stated he had no problem with the neon lighting, felt McDonald's would be a good neighbor, but strenuously objected the 27-foot tall sign remaining, noting this was contrary to the sign ordinance, noting the sign did not have adequate set back and encroached on the public right-of-way.



**MOTION** by Comm. Di Monda, Seconded by Comm. Marks, to **APPROVE**, CUP 94-4/PDP 94-1, Conditional Use Permit and Precise Development Plan to allow a 1500 square foot drive-through fast food restaurant, and adoption of an Environmental Negative Declaration at 1107 Pacific Coast Hwy, McDonald's, changing the Resolution to permitting neon lighting, as requested by the applicant.

**AYES:** Comms. Dettelbach, Di Monda, Marks, Chmn. Merl  
**NOES:** None  
**ABSENT:** Comm. Suard  
**ABSTAIN:** None

Chmn. Merl stated this action was subject to appeal to the City Council within 10 days through the City Clerk's office.

**9. SS 94-3 -- SPECIAL STUDY AND TEXT AMENDMENT TO THE ZONING ORDINANCE IN REGARDS TO THE 17-FOOT GARAGE SET BACK, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION (continued from June 21, 1994 meeting).**

**Staff Recommended Action:** To recommend approval of said text amendment and adoption of the Environmental Negative Declaration.

Mr. Schubach stated the draft Resolution essentially allowed, on those streets with large public right-of-ways which probably will not be used in the future or, if used, the consequences would be negligible, the 17-foot set back to start at the nearest improvement instead of the property line. He noted a change in the draft Resolution, which should include a clarifying statement noting measurement is taken at the exterior of the right-of-way (exterior sidewalk edge); measurement would be taken from the sidewalk edge nearest to the property line. Comm. Di Monda questioned instances where no sidewalks existed. Mr. Schubach noted this was a possibility, stating that some properties would have a short area between the garage and sidewalk, but this would be an acceptable situation. He discussed specific situations of missing sidewalks with Comm. Di Monda, who felt the City would be better served to include a clause stating that where no sidewalk existed, measurement would take place a specific number of feet from the curb (whatever the normal City sidewalk width is determined to be). Comm. Dettelbach felt only a small number of properties would be affected and need not be addressed at this time.

Chmn. Merl opened the Public Hearing at 8:00 p.m. No one wished to speak, and Chmn. Merl closed the Public Hearing at 8:00 p.m.

Comm. Marks discussed extra-wide right-of-ways that have not and probably would not be used by the City.

**MOTION** by Comm. Dettelbach, Seconded by Comm. Di Monda, to **APPROVE**, SS 94-3, Special study and text amendment to the zoning ordinance in regards to the 17-foot garage set back, and adoption of an Environmental Negative Declaration, including the change to Item B to read, "...from the exterior edge of the sidewalk..."

**AYES:** Comms. Dettelbach, Di Monda, Marks, Chmn. Merl  
**NOES:** None  
**ABSENT:** Comm. Suard  
**ABSTAIN:** None

**10. SS 94-4 -- SPECIAL STUDY AND TEXT AMENDMENT REGARDING COMMERCIAL DEVELOPMENT STANDARDS, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION (continued from June 21, 1994 meeting).**

**Staff Recommended Action:** To recommend approval of said text amendment and adoption of the Environmental Negative Declaration.

Mr. Schubach stated Staff proposed a lesser set back in the C1 and C2 zones would be acceptable because when the ordinance was passed, buildings were allowed to be 35 feet rather than 30 feet tall. Also an exemption was being proposed for non-conforming buildings regarding this set back; those buildings not having the new set back requirement would not be considered non-conforming buildings in regards to the set back. Alcoholic sales would be passed over to another study being conducted. He discussed possible impacts to buildings with Comm. Di Monda.

Chmn. Merl opened the Public Hearing at 8:07 p.m.

**Chuck Sheldon**, 1800 The Strand, property owner of 101 Hermosa Avenue, stated he planned to remodel and expand this property, which has a five-foot setback at the rear with a 35-foot tall apartment building adjacent to the rear of the property. This text amendment would allow the proposed remodel. He supported this text amendment.

No one else wished to speak, and Chmn. Merl closed the Public Hearing at 8:09 p.m.

Comm. Di Monda referenced the draft Resolution, paragraphs E, noting relettering of the paragraphs was necessary. The second paragraph E, line 27 should be changed to read, "... at least...". Comm. Dettelbach commented paragraph F, line 3 should read, "...prepared by..."

**MOTION** by Comm. Dettelbach, Seconded by Comm. Di Monda, to **APPROVE**, SS 94-4, Special study and text amendment regarding commercial development standards, and adoption of an Environmental Negative Declaration, to include changes in relettering in text as discussed.

**AYES:** Comms. Dettelbach, Di Monda, Marks, Chmn. Merl  
**NOES:** None  
**ABSENT:** Comm. Suard  
**ABSTAIN:** None

**11. SS 94-5 -- SPECIAL STUDY AND TEXT AMENDMENT TO THE CONDITIONAL USE PERMIT REQUIREMENT, AND STANDARDS FOR OFF-SALE ALCOHOL BEVERAGE ESTABLISHMENTS, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION.**

**Staff Recommended Action:** To recommend approval of said text amendment and adoption of the Environmental Negative Declaration.

Mr. Schubach stated Staff recommended the CUP be used for only establishments open after 10:30 p.m. with off-site sales of alcohol and the 100-foot setback distance be maintained for those establishments open after 10:30 p.m. He explained Manhattan Beach's policies relating to this issue. Mr. Schubach detailed the suggested alternatives and enforcement problems.

Chmn. Merl opened the Public Hearing at 8:15 p.m. No one wished to speak, and Chmn. Merl closed the Public Hearing at 8:15 p.m.

Comm. Marks suggested a study of effects upon liquor stores be conducted. Chmn. Merl asked for a Staff analysis as to the impacts of this proposal upon future liquor stores. Mr. Schubach stated the areas within the City were very limited for future business development for off-site sale of alcoholic beverages and discussed previous problems experienced with the method of measurement of the 100-foot setback. Mr. Schubach noted "enforcement" was of concern. Comm. Dettelbach felt small neighborhood markets, selling a small sales ratio of alcohol, should not be penalized. Under this recommendation, they would have to complete the same requirements as liquor stores would, suggesting a sales ratio or shelf-space ration threshold be considered, to which Comm. Di Monda agreed. Chmn. Merl summarized, stating the Commission's concerns regarded late-evening sales of alcohol and volume excess of a certain percentage of sales.

**MOTION** by Comm. Dettelbach, Seconded by Comm. Di Monda, to **CONTINUE**, SS 94-5, Special study and text amendment to the conditional use permit requirements, and standards for off-sale alcohol beverage establishments, and adoption of an Environmental Negative Declaration and to **DIRECT** Staff to recommend a range of viable enforcement policies, where off-site alcoholic beverage sales are truly a secondary function and establish a criteria of enforcement, and submit a Staff Report of results, renoting this item prior to the Public Hearing.

**AYES:** Comms. Dettelbach, Di Monda, Marks, Chmn. Merl  
**NOES:** None  
**ABSENT:** Comm. Suard  
**ABSTAIN:** None

**HEARINGS**

**12. SS 93-7 -- A REFERRAL BACK FROM THE MAY 10, 1994 CITY COUNCIL OF A SPECIAL STUDY AND TEXT AMENDMENT TO ADD A DEFINITION AND METHOD OF DETERMINATION FOR GRADE FOR THE PURPOSE OF MEASURING BUILDING HEIGHT (continued from June 7, 1994 meeting).**

**Staff Recommended Action:** To review and comment.

Mr. Schubach stated Staff recommended this matter be CONTINUED since a five-member Commission was not in attendance. The new Commissioner will be able to attend the next scheduled meeting.

Comm. Marks invited public testimony at 8:27 p.m.. No one wished to speak on this subject.

**MOTION** by Comm. Di Monda, Seconded by Comm. Dettelbach, to CONTINUE this item until a full Commission is in attendance, with appropriate noticing completed prior to that meeting. No objection, so ordered.

**STAFF ITEMS:**

**13.a. Memorandum regarding Planning Commission meeting in August.**

The Commission agreed to request that only one meeting be held in August, 1994, scheduled August 2, 1994. If an applicant requests a second meeting due to urgent business, then one would be held.

**13.b. Planning Department activity report of May 1994.**

RECEIVE AND FILE

**13.c. Tentative future Planning Commission agenda.**

RECEIVE AND FILE

**13.d. City Council minutes of May 31, June 2, 6, and 14, 1994.**

RECEIVE AND FILE

**COMMISSIONER ITEMS**

Comm. Di Monda stated the Pier Subcommittee was meeting July 6, 1994 and invited Comm. Marks to attend that meeting. Comm. Marks preferred the packet be given to him for informational purposes. Mr. Schubach stated he would remind Ms. Rooney of this request.

Comm. Di Monda discussed with Mr. Schubach parking of "big rigs". Comm. Di Monda felt the City should not allow "big rigs" to park in City parking lots, noting they were "sneaking" in the City Hall parking lot. The Commission REQUESTED a Staff Report from Staff be presented at the July 19, 1994 meeting.

The Commission discussed with Mr. Schubach Mr. Fordiani's letter and concern relating to a Resolution file copy that had handwritten hour notation which appeared to allow a 7:00 a.m. opening time. Mr. Schubach explained the original Resolution stated "8:00 a.m.", Staff had notified the business owner that the CUP needed to be amended or the 8:00 a.m. opening hour was to be complied with. The Commission accepted Mr. Schubach's explanation, requiring no further action to be taken except for normal Staff procedures.

### ADJOURNMENT

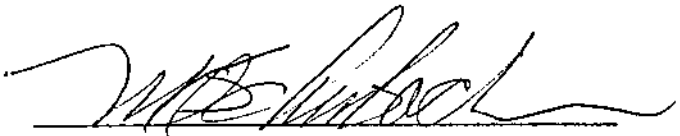
**MOTION** by the Commission to adjourn at 8:39 p.m. No objections; so ordered.

### CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of July 5, 1994.

  
Rod Merl, Chairman

Joseph Di Monda,  
Vice Chairman

  
Michael Schubach, Secretary

7-19-94  
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON JULY 19, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Vice-Chairman Di Monda

Pledge of Allegiance led by Comm. Dettelbach.

Vice-Chmn. Di Monda introduced and welcomed Comm. Tucker and Community Development Director Blumenfeld.

**ROLL CALL**

Present: Comms. Dettelbach, Marks, Tucker, Vice-Chmn. Di Monda  
Absent: Chmn. Merl  
Also Present: Sol Blumenfeld, Community Development Director  
Michael Schubach, Planning Director  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

**MOTION** by Comm. Dettelbach, Seconded by Comm. Marks, to **APPROVE** the Consent Calendar items with no change:

3. **June 21 and July 5, 1994 Minutes**
- 4.a. **Resolution P.C. 94-18** approving a Conditional Use Permit to allow a health and fitness center (karate studio) and a Parking Plan, pursuant to Section 1170 of the zoning ordinance pertaining to allowing required parking to be reduced in number within a shopping center at 1559 Pacific Coast Highway.
- b. **Resolution P.C. 94-19** approving a Conditional Use Permit and Precise Development Plan to allow a 1500 square foot drive-through fast food restaurant, "McDonald's", and to adopt an Environmental Negative Declaration at 1107 Pacific Coast Highway.
- c. **Resolution P.C. 94-20** to recommend amending Section 1157(c) in regards to setback requirements for parking garages and parking stalls to measure said setback from the edge of the nearest public sidewalk or street improvement rather than the property line and adoption of a Negative Declaration.
- d. **Resolution P.C. 94-21** to recommend amending portions of Section 8-5, commercial development standards to reduce setback requirements for commercial projects adjacent to residential zones and adoption of a Negative Declaration.

AYES: Comms. Dettelbach, Marks, Vice-Chmn. Di Monda  
NOES: None  
ABSENT: Chmn. Merl  
ABSTAIN: Comm. Tucker

ORAL/WRITTEN COMMUNICATIONS: None

**PUBLIC HEARINGS**

7. VAR 94-1 -- VARIANCE TO ALLOW A GREATER THAN 250 SQUARE FOOT ADDITION TO AN EXISTING SINGLE FAMILY DWELLING NONCONFORMING TO PARKING (DUE TO AN EXISTING SUBSTANDARD GARAGE WIDTH OF 15.9' RATHER THAN 17') AT 1512 PROSPECT AVENUE.

Staff Recommended Action: To approve said variance.

Planning Director Schubach presented the Staff Report, noting the uniqueness of terrain permitted variance approval.

Vice-Chmn. Di Monda opened the Public Hearing at 7:10 p.m.

Nanci Grube, applicant, 1512 Prospect Avenue, provided an estimated expense breakdown for the project if a variance were not granted. She explained one car could be parked in the garage and one on the driveway with no overhang. She stated the structures were built in 1947. The garage had a roll-up door.

No one else wished to speak, and Vice-Chmn. Di Monda closed the Public Hearing at 7:15 p.m.

Comm. Dettelbach stated his only concern was the amount of time previously spent discussing the 17' setback issues, noting the house was constructed in 1947 and that he did not believe the addition of 1.3' would cause a car to protrude on the sidewalk. Responding to Vice-Chmn. Di Monda, Mr. Schubach stated the property provided two parking spaces, necessary to any expansion. Vice-Chmn. Di Monda, although not feeling this application should be denied, felt the Findings were not adequate, being broad and loosely worded. Comm. Marks determined the property backed up to another property, not an alley.

**MOTION** by Comm. Dettelbach, Seconded by Comm. Tucker, to **APPROVE** VAR 94-1.

AYES: Comms. Dettelbach, Marks, Tucker, Vice-Chmn. Di Monda  
NOES: None  
ABSENT: Chmn. Merl  
ABSTAIN: None

Vice-Chmn. Di Monda stated this decision was appealable to the City Council within 10 days.

## **HEARINGS**

### **8. SS 93-8 PART II -- SPECIAL STUDY REGARDING THE STANDARD AND TYPICAL CONDITIONS IMPOSED ON CONDITIONAL USE PERMITS.**

**Staff Recommended Action:** To direct Staff as deemed appropriate.

Planning Director Schubach discussed two examples of conditions imposed upon automobile and on-sale alcohol uses. He stated some conditions had been removed based upon a policy that they were not necessary, being located in other areas of the Municipal Code. This Study would be forwarded to Council, asking a policy direction as to when and when not to impose conditions. The word "shall" had been removed from the zoning ordinance and replaced with the word "may". He noted two options for proceeding.

Vice-Chmn. Di Monda invited public comment relating to this item at 7:30 p.m. No one wished to speak on this subject.

Comm. Marks stated he felt the present method was just fine, noting a person can go to one article and find everything he/she needed. Comm. Tucker noted the duplication within the Health Dept. and ABC Codes, noting deletion of these duplicate issues/items in the Planning documents would save Staff time and offer streamlined documentation to property owners. Comm. Dettelbach noted the Commission had been trying to streamline documentation, including elimination of duplicate information covered in other documents. Vice-Chmn. Di Monda stated his agreement with Comms. Tucker and Dettelbach's comments. Comm. Marks reiterated his feeling that all compliance requirements should be contained within one easily-obtained document which detailed all the responsibilities of an applicant. Vice-Chmn. Di Monda did not feel the CUP was the proper place for the City to reference sections of State, County and other governmental regulations. Comm. Dettelbach stated it was the responsibility of the applicant to determine his/her complete areas of responsibility.

**MOTION** by Comm. Dettelbach, Seconded by Comm. Tucker, to **APPROVE** Alternative A, directing Staff to come back with a full report on all deletions and/or changes to the conditions that Staff felt should be made, eliminating unnecessary conditions that are duplicated in other documents, including conditions that relate to clearly foreseeable problems.

**AYES:** Comms. Dettelbach, Marks, Tucker, Vice-Chmn. Di Monda  
**NOES:** None  
**ABSENT:** Chmn. Merl  
**ABSTAIN:** None

## **STAFF ITEMS:**

### **9.a. Status report regarding violations of the Conditional Use Permit at 23-25 22nd Street, Martha's**

Director Blumenfeld had provided graphics relating to the trash enclosure problem. He stated



he had taken detailed measurements at the site, noting the stated problems and suggested, with the Commission's direction, Staff could review the issues, solving those that could be and dismissing those that are beyond the Community Development's scope. He explained the building-related issues were in compliance. Operational issues included the hours of operation, which required a CUP amendment. He noted it was not possible for this location to meet the City's new trash screening requirements and offered suggestions for adequately screening the two on-site dumpsters.

Vice-Chmn. Di Monda confirmed that Staff would address all elements of the complaint letter for which it had responsibility and provide the results to the Commission.

**9.b. Status report regarding violations of the Conditional Use Permit at 1334 Hermosa Avenue, Bestie's**

Planning Director Schubach stated on-site inspection showed that most items were in compliance. A sign was needed, which the business owner had assured would be obtained. If problems or nuisances are chronic, Staff will revisit the issue. At this point, no chronic problems are evident.

Vice-Chmn. Di Monda invited public comment.

**Parker Harriott** asked if the CUP was reviewed after six months and if the food/alcohol ratio was at 50/50% of sales. He felt the use had been intensified when the storage room was changed into a bar area and the sale of alcoholic beverages was much higher than that of food. He commented that \$2.00 was charged to go directly to the dance floor, stating the dance floor was a primary use, with customers not buying anything to eat. Vice-Chmn. Di Monda stated the current issues were contained in the previously-addressed eight points contained in Mr. Harriott's letter. He noted Mr. Harriott's disagreement with point #8, which Mr. Harriott confirmed, stating Staff had adequately addressed the first seven items. Mr. Harriott suggested fire inspectors be used to inspect establishments for overcrowding and that the Commissioners visit the site.

**9.c. Tentative future Planning Commission agenda.**

Receive and File

**9.d. City Council minutes of June 16 and 28, 1994.**

Receive and File


**COMMISSIONER ITEMS** None


## ADJOURNMENT

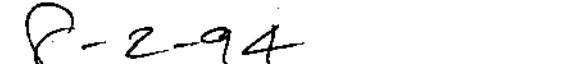
MOTION by the Commission to adjourn at 7:55 p.m. No objections; so ordered.

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of July 19, 1994.

  
\_\_\_\_\_  
Joseph Di Monda, Vice Chairperson

  
\_\_\_\_\_  
Sol Blumenfeld, Secretary

  
\_\_\_\_\_  
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON AUGUST 2, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Chairman Merl.

Pledge of Allegiance led by Comm. Tucker.

**ROLL CALL**

Present: Comms. Di Monda, Marks, Tucker, Chmn. Merl  
Absent: Comm. Dettelbach  
Also Present: Sol Blumenfeld, Community Development Director  
Michael Schubach, Planning Director  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

**MOTION** by Comm. Di Monda, Seconded by Comm. Tucker, to **APPROVE** the Consent Calendar items with no change:

3. **July 19, 1994 Minutes**

- 4.a. **Resolution P.C. 94-22** approving a variance from Section 1162 of the zoning code to allow a greater than 250 square foot addition to an existing dwelling nonconforming to parking due to a substandard garage width of 15.9 feet rather than 17 at 1512 Prospect Avenue

**AYES:** Comms. Di Monda, Marks, Tucker  
**NOES:** None  
**ABSENT:** Comm. Dettelbach  
**ABSTAIN:** Chmn. Merl

5. **Items for consideration** None

**ORAL/WRITTEN COMMUNICATIONS:**

- 6.a. **Letter from Lawrence O. Fordiani** dated July 28, 1994 regarding Martha's Restaurant and Corner.

Larry Fordiani, 2207 and 2211 Hermosa Avenue, stated that for the past 20 months he has tried to get Martha's Restaurant Management to comply with its C.U.P. Now, the employees are using the area bordering his property as a trash dump. Director Blumenfeld explained he and Mr. Schubach had met the owner of Martha's, discussed a proposal and arrangement for compliance acceptable to the owner. Staff was still pursuing the original plan presented to the Commission.

Comms. Marks and Di Monda suggested a deadline for compliance be established. Planning Director Schubach stated Pam Billings, the restaurant owner, had contacted a contractor to assure plan feasibility and cost and will also request a CUP amendment.

The Commission **DIRECTED** Staff, to assure compliance in a timely manner, to prepare and issue an implementation schedule, showing milestones to Ms. Billings, with copies to Mr. Fordiani and Commissioners.

## **PUBLIC HEARINGS**

### **7. SS 94-5 -- SPECIAL STUDY AND TEXT AMENDMENT TO THE CONDITIONAL USE PERMIT REQUIREMENT, AND STANDARDS FOR OFF-SALE ALCOHOL BEVERAGE ESTABLISHMENTS, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION (continued from July 5, 1994 meeting).**

**Staff Recommended Action:** To recommend approval of said text amendment and adoption of the Environmental Negative Declaration.

Planning Director Schubach presented the Staff Report, noting Staff's recommendations for definitions of differences pertaining to markets with alcohol as a secondary use and "liquor stores". He discussed the methods and difficulties of enforcement, including Staff's concerns and current practice. He reminded the Commission that the Council felt definition was an enforcement issue and did not wish the Commission to take any action at this time. Messrs. Blumenfeld and Schubach discussed the impacts of Staff's recommendations and enforcement problems with the Commission.

Chmn. Merl opened the Public Hearing at 7:25 p.m. No one wished to speak, and Chmn. Merl closed the Public Hearing at 7:25 p.m.

Comm. Tucker commented that only two or three establishments would be effected and enforcement of alcohol sales could be a definite problem. He suggested a one-year trial period for "beer and wine only" be considered, noting a slow process should be considered. Referencing the suggested 10:30 p.m. limitation, he commented one store was open until 12:00. Comm. Di Monda concluded the simplest procedure at this time was one of no action, noting Council had not directed the Commission to address this issue and the solutions offered created other problems and enforcement difficulties. Comm. Marks stated his agreement with Comms. Tucker and Di Monda. Chmn. Merl also concurred, noting these solutions did not appear to be beneficial for residents.

**MOTION** by Comm. Di Monda, Seconded by Comm. Marks, to **RECEIVE AND FILE** SS 94-5.

**AYES:** Comms. Di Monda, Marks, Chmn. Merl  
**NOES:** Comm. Tucker  
**ABSENT:** Comm. Dettelbach  
**ABSTAIN:** None

## HEARINGS

8. SS 93-7 -- A REFERRAL BACK FROM THE MAY 10, 1994 CITY COUNCIL OF A SPECIAL STUDY AND TEXT AMENDMENT TO ADD A DEFINITION AND METHOD OF DETERMINATION FOR GRADE FOR THE PURPOSE OF MEASURING BUILDING HEIGHT (continued from June 7 and July 5, 1994 meetings).

**Staff Recommended Action:** To recommend a modified definition.

Planning Director Schubach stated this item was being brought back with the changes recommended by the Commission. He stated the effort was to allow the property owner to use the natural grade, as best as possible. He recommended adoption of the proposed ordinance.

Chmn. Merl invited public comment relating to this item at 7:40 p.m. No one wished to speak on this subject.

Comm. Marks described a lot with a 10-foot mound in the middle, noting if a house were built on the mound, it would be higher than its adjacent neighbors. Mr. Schubach noted the uniqueness of this example and commented the property owner is supposed to be able to build at the grade that was purchased. Comm. Marks suggested an amendment be made to the building code which addresses natural phenomena. He felt uniformity was necessary to prevent owners from illegally increasing the ground level height. Mr. Schubach referenced the diagrams on Page 4, discussing interpretations with Comm. Marks. Comm. Di Monda stated the function of the Commission was not to try to reduce everything to the least common denominator. He stated the sky exposure plane would follow the unusual grade variations. Comms. Marks and Di Monda discussed their opposing viewpoints relating to this issue. Comm. Di Monda noted the simplicity of following the ground contour, leading the property owners to reasonably expect to be able to build height distances according to ground contour and allowing for ground contour variations and design flexibility. Comm. Di Monda noted the graphics provided were incorrect and asked they be corrected. Comm. Tucker commented that measurements were being taken from lot corner points, creating a difficulty in manipulation of grade and stated he did not oppose Staff's recommendation. Comm. Di Monda stated the measurements were based upon a continuous plane, starting at the lot corners. Chmn. Merl also supported Staff's recommendation, noting it was a good proposal.

**MOTION** by Comm. Di Monda, Seconded by Comm. Tucker, to **APPROVE** Staff's Recommendation, Alternative No. 3, with Grade being defined as "the existing surface of the ground, taking into consideration significant variations in the slope along the property lines", Building Height being defined as "the vertical distance measured from grade, as determined in the graphics" which are to be codified, adding a **CONDITION** that the graphics be corrected and brought back to the Commission for final approval.

**AYES:** Comms. Di Monda, Marks, Tucker, Chmn. Merl  
**NOES:** None  
**ABSENT:** Comm. Dettelbach  
**ABSTAIN:** None

Comm. Di Monda commented for the record that the Building Dept. feels it is entitled, in some instances, a "grade" definition that does not agree with the Planning Dept. definition. He requested that since the Building Dept. felt the UBC preempted the City's zoning ordinance, explanation of the relationship between the State building code and the City zoning ordinance with respect to definitions should be made to Building Dept. Staff. Director Blumenfeld responded, noting efforts were in progress to better integrate Planning and Building Department procedures.

## **9. THIRD QUARTER GENERAL PLAN AMENDMENTS.**

**Staff Recommended Action:** To direct Staff as deemed appropriate.

Planning Director Schubach stated he received a call from the Public Works Director requesting the circulation element amendment allowing relocation of the bike path along the northern portion of The Strand be added. He discussed the general parking plan requirements with the Commission, stating the downtown parking plan will be presented to the Coastal Commission on August 18, 1994.

Chmn. Merl invited public comment relating to this item at 7:57 p.m. No one wished to speak on this subject.

Comm. Di Monda commented the original discussion had included the north end of the bike path, requiring changing of the staircase to a ramp. After a Public Hearing, the Council had decided to take no action. Comm. Di Monda felt, at this point, it should be the Council's decision to reverse that decision and suggested the Public Works Director's request be given to the Council for consideration.

The consensus of the Commission was that it would be willing to look at this issue if the Council requested the Commission initiate this item, since the last action was by the Council to not proceed with the bike path along the north end of The Strand.

### **STAFF ITEMS:**

#### **10.a. Election of the new Chairman and Vice Chairman**

The consensus of the Commission was to **CONTINUE** the election to the next scheduled meeting of September 6, 1994 to allow all Commissioners to be in attendance.

#### **10.b. Community Development Department activity report of June, 1994.**

Director Blumenfeld said the Community Development activity reports, encompassing Planning, are included for review. Chmn. Merl stated this would be helpful to the Commission.

Receive and File

**10.c. Memorandum regarding Planning Commission liaison to August 9, 1994 City Council meeting.**

Receive and File

**10.d. City Council minutes of July 7 and 12, 1994.**

Receive and File

**COMMISSIONER ITEMS**

Comm. Marks stated he had attended the last Pier Design meeting and felt the subcommittee was totally out of control. He questioned:

- (1) The \$4,500,000 estimate submitted by the architects, referencing the \$1,500,000 original budget,
- (2) The disappearance of the shading device in the plans (understanding that Mary Rooney had deleted this item as unnecessary), and
- (3) The life guard stations now had less space than originally, based upon the uncertainty as to whether a contribution would be made by the life guards. The architects should know the parameters and requirements they are to work with.

Comm. Di Monda responded, stating:

- (1) The budget was approximately \$4,000,000, including \$1,500,000 from Prop. A, with anticipating of matching funds from the Coastal Commission and the County Life Guards contributing between \$750,000 and \$1,500,000.
- (2) He did not recall Mary Rooney specifically directing the architects to delete any item. The request to delete the shading device was made during the Joint Meeting. due to visual concerns expressed by the Police and Life Guards. Schematic drawings were necessary to present to the Coastal Commission and the County in order to apply for money. These drawings are only the first step in a long process.
- (3) The architects should have been provided with a program. The County Life Guard Service Management has not continued to be cooperative in supplying information. The interest is picking up, so more information will be supplied. The architects did the best they could with the available information. The life guard stations are less because the management had asked for less.

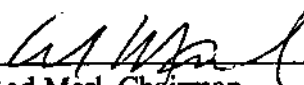
Comm. Marks suggested a memorandum should be sent to the City Council. Comm. Di Monda felt the project, given the information supplied, was moving along and suggested Comm. Marks send an individual memorandum expressing his concerns. Comm. Marks stated his total disagreement with Comm. Di Monda's statements.

## ADJOURNMENT

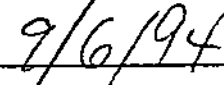
MOTION by the Commission to adjourn at 8:10 p.m. No objections; so ordered.

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of August 2, 1994.

  
\_\_\_\_\_  
Rod Merl, Chairman

  
\_\_\_\_\_  
Sol Blumenfeld, Secretary

  
\_\_\_\_\_  
Date



**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON SEPTEMBER 6, 1994  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Chairman Merl.

Pledge of Allegiance led by Comm. Dettelbach.

**ROLL CALL**

Present: Comms. Dettelbach, Di Monda, Marks, Tucker, Chmn. Merl  
Absent: None  
Also Present: Sol Blumenfeld, Community Development Director  
Michael Schubach, Planning Director  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

**MOTION** by Comm. Di Monda, Seconded by Comm. Tucker, to **APPROVE** the Consent Calendar items with no change:

**3. August 2, 1994 Minutes**

**AYES:** Comms. Di Monda, Marks, Tucker, Chmn. Merl  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** Comm. Dettelbach

**4. Resolutions for adoption None**

**5. Items for consideration None**

**ORAL/WRITTEN COMMUNICATIONS:**

Howard Barnett, 10th Street, expressed concern that the Police Dept. had only 2-3 officers on duty during the late evening hours on Saturdays nights. Chmn. Merl suggested Mr. Barnett refer this matter to the City Council.

## **PUBLIC HEARINGS**

7. **PDP 94-2/PARK 94-5 -- PRECISE DEVELOPMENT PLAN AND PARKING PLAN FOR A 4000 SQUARE FOOT EXPANSION/SECOND STORY ADDITION TO AN EXISTING OFFICE BUILDING (INCREASING THE SQUARE FOOTAGE FROM 2997 TO 6998), AND ENVIRONMENTAL NEGATIVE DECLARATION AT 1001 HERMOSA AVENUE.**

**Staff Recommended Action:** To approve said Precise Development Plan and Parking Plan, and adopt the Environmental Negative Declaration.

Planning Director Schubach presented the Staff Report, discussing parking provisions and requirements, building appearance and compliance to requirements and concluding that Staff believed the project was consistent with the City's efforts to encourage revitalization and building improvement within the downtown area.

Chmn. Merl opened the Public Hearing at 7:10 p.m.

Chuck Sheldon, applicant, 1800 The Strand, agreed with the Staff Report. He stated two areas were available for an enclosed trash container: (1) under the stairway, and (2) continuing to share the trash container with the adjacent neighbor.

Joseph Vogal, 1011 Manhattan Avenue, requested the roof slope be changed since he would be losing the view from his balcony of The Strand, the sand and the white water. He also noted a one-foot discrepancy in building distance from the curb area.

Karen McDermott, 1011 Manhattan Avenue, stated the view from her house was very important and asked the applicant to consider changing the roof angle, move the building back and/or have a balcony above the first floor. These actions would save her view.

Howard Barnett, 10th Street, stated his concerns regarding aesthetic forms, suggesting a flat roof and that wood be added to the building exterior. He felt the building was of mediocre quality.

Robert Treman, project architect, rebutted resident suggestions, stating that a lot of time and thought had been put into the design prior to submittal. The intent was to provide an upscale, "classy" building. The roof design and material were an integral part of that design and look. Mr. Treman commented that the roof interior would house the air conditioning system.

No one else wished to speak, and Chmn. Merl closed the Public Hearing at 7:20 p.m.

Comm. Di Monda addressed the issues as follows: (1) The building complied with zoning requirements and was approximately one foot below the height limit, (2) The Commission did not involve itself in

building design, allowing property owners to exercise their property rights, (3) neighbor complaints and concerns should be brought directly to the property owner, (4) this project is the first one to go into the downtown area in a long time, (5) the Council and this Commission has encouraged downtown growth during the daytime, and (6) the overall benefit to the community is great, although certain individuals may be adversely affected to some degree. Comm. Di Monda stated that the City did not have a view ordinance, and it would be inappropriate for the Commission to restrict the building design based on view.

Comm. Tucker agreed with Comm. Di Monda's statements. He responded to Mr. Barnett by stating exterior wood does decay and many property owners are not currently caring for wood on buildings. He felt the stucco finish will require less maintenance and had a clean appearance. Comm. Marks noted the project met City requirements and stated his support.

Comm. Dettelbach stated the Commission would not enhance the downtown area to the detriment of residents or for political reasons. This project could not be blocked, as the project plans are in compliance with all requirements. He encouraged communication between residents and the applicant to address the expressed concerns. Chmn. Merl stated he "echoed" Comm. Dettelbach's comments, commenting he hoped an opportunity for resident/applicant discussion would present itself. He felt this project was in the direction in which the City wished to proceed in the downtown area.

**MOTION** by Comm. Di Monda, Seconded by Comm. Dettelbach, to **APPROVE** this project and Staff's recommendation to review the trash container location.

**AYES:** Comms. Dettelbach, Di Monda, Marks, Tucker, Chmn. Merl  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

Chmn. Merl stated this decision may be appealed to the City Clerk within 10 days from this date.

## **HEARINGS**

8. **NR 94-1 -- NONCONFORMING REMODEL TO ALLOW A 250 SQUARE FOOT ADDITION TO AN EXISTING NONCONFORMING DUPLEX WITH TWO PARKING SPACES AT 727 LONGFELLOW AVENUE.**

**Staff Recommended Action:** To approve said request.

Planning Director Schubach stated the applicant had requested, in writing, a **CONTINUANCE** to allow plan changes to be made. Comm. Marks requested that a longitudinal study be included with the revised plans are submitted.

Chmn. Merl invited public comment relating to this item at 7:35 p.m.

Alana Lagerhausen, applicant, 727 Longfellow Ave., requested a continuance in order to modify her plans, explaining she wished to change the upper unit to a more comfortable owner's unit.

No one else wished to speak on this subject.

**MOTION** by Comm. Tucker, Seconded by Comm. Dettelbach, to **CONTINUE** this item to the meeting of September 20, 1994, at which time revised plans and a longitudinal study were to be presented.

**AYES:** Comms. Dettelbach, Di Monda, Marks, Tucker, Chmn. Merl  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**9. SS 93-6 -- SPECIAL STUDY AND TEXT AMENDMENT TO ARTICLE 13 OF THE ZONING ORDINANCE REGARDING NONCONFORMING BUILDINGS AND USES (referred back from August 9, 1994 City Council).**

**Staff Recommended Action:** To review and comment.

Planning Director Schubach stated the proposal regarded nonconforming ordinances, based upon Council's input, is to simplify the text and provide equal treatment for commercial and residential structures. The termite inspection and method of calculating cost have been removed. He requested the Commission's comments. Cost calculation will be based upon the ICBO.

Chmn. Merl invited public comment relating to this item at 7:48 p.m.

Betty Ryan, Monterey Ave., referencing historical buildings, requested the Commission "think long and hard" prior to telling property owners what they can and cannot do with their properties.

No one wished to speak on this subject. Chmn. Merl closed the Hearing at 7:52 p.m.

Comm. Di Monda commented that previously a list was attempted to be made, resulting in one historical building. He felt, for political reasons, a lot of time had been spent on this subject, which was a waste of taxpayers' money. He felt no reference to historical buildings should be made unless those buildings were identified, with a criteria established, in order to stop any abuse to take place through the political process. Mr. Schubach responded that during the Land Use Element, such buildings were identified. Comm. Di Monda requested a list of historical building to be discussed in open forum. He suggested the goal line item, page 3, be excluded until such a list is presented and approved. He felt the goal was worthwhile, but identification was necessary to eliminate the abuse potential. Responding to Ms. Ryan, he said the Commission was suggesting that all property rights would be retained. In addition, if the building has historical value, the property owner would be allowed to maintain the building in such a state even though nonconformities did exist.

By unanimous consent, the Commission **REFERRED** this item back to Staff.

**STAFF ITEMS:**

**10.a. Election of the new Chairman and Vice Chairman**

Motion was made by Comm. Di Monda, seconded by Chmn. Merl, to nominate Comm. Dettelbach as Chairman. Motion was unanimously **APPROVED**.

Motion was made by Comm. Dettelbach, seconded by Comm. Di Monda, to nominate Comm. Tucker as Vice Chairman. Motion was unanimously **APPROVED**.

**10.b. Memorandum regarding proposal to initiate monthly Planning Commission meetings.**

After discussion, the consensus of the Commission was, on a trial basis, to conduct one meeting during the months of October, November and December 1994. However, if the calendar is such that the meetings become extended or any applications cannot be heard in a timely manner, two meetings per month will immediately be reactivated. **No objections, so ordered.**

Director Blumenfeld stated Staff would return to the Commission with a Condition Action.

**10.c. Memorandum regarding the Planning Commission attendance at the Downtown Implementation Plan - stakeholders meeting.**

Receive and File

**10.d. Tentative future Planning Commission agenda.**

Comm. Di Monda discussed with Mr. Schubach the application for a Variance at McDonalds. Comm. Di Monda noted this was the type of "deals" the community made with Roger Bacon: "cut down the trees and come back asking for a 25-foot sign". He suggested the Commission review Mr. Bacon's use of City parking.

Receive and File

**10.e. City Council minutes of July 26, 1994.**

Receive and File

## COMMISSIONER ITEMS

Director Blumenfeld distributed a document and asked if the Commission wished to revisit the issue of mixed use parking. He stated the item presented had been discussed with the project architect. The issue relative to the use (Zoning Ordinance 1170), consideration of parking requirements to consider the mixed uses at a less restrictive parking ratio of 1 per 250, as opposed to 1 per 100. He felt this issue had become a generic issue, as well as applying to this particular application.

Responding to Staff, Comm. Di Monda pointed out that sufficient legislation and enforcement was currently available to stop garage parking into storage areas and other similar problems. He suggested Staff react to the problems being experienced by utilizing the tools currently available, to which the Commission agreed.

Comms. Marks and Di Monda discussed the status of the Pier Project. Comm. Di Monda stated the committee had been dissolved since its function had been performed. He explained how the funding would be distributed. Comm. Marks objected to plans being developed when total funds necessary had not been obtained. Comm. Di Monda explained the design must be completed prior to "going to the State". Design development will be based upon available monies.

### **11.a. Request from Commissioner Di Monda to discuss commercial parking over six hours in the City Hall parking lot.**

Comm. Di Monda stated trucks were now parking next to the Police Dept. for extended periods of time and were not being cited. After discussion, the Commission REQUESTED Staff notify the City Manager of the lapse in City parking enforcement.

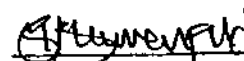
## ADJOURNMENT

**MOTION** by the Commission to adjourn at 8:25 p.m. No objections; so ordered.

## **CERTIFICATION**

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of September 6, 1994.

  
\_\_\_\_\_  
Rod Merl, Chairman

  
\_\_\_\_\_  
Sol Blumenfeld, Secretary

9/20/94  
\_\_\_\_\_  
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON SEPTEMBER 20, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Vice-Chmn. Tucker.

Pledge of Allegiance led by Commissioner Di Monda.

**ROLL CALL**

Present: Comms. Di Monda, Marks, Merl, Vice-Chmn. Tucker  
Absent: Chmn. Dettelbach  
Also Present: Sol Blumenfeld, Community Development Director  
Michael Schubach, Planning Director  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

**MOTION** by Comm. Merl, Seconded by Comm. Di Monda, to **APPROVE** the Consent Calendar items with no change:

**3. September 6, 1994 Minutes**

- 4.c. Resolution P.C. 94-23** approving a Precise Development Plan and Parking Plan to allow a 4000 square foot expansion, second story addition to an existing office building and to adopt a Negative Declaration at 1001 Hermosa Avenue.

**AYES:** Comms. Di Monda, Marks, Merl, Vice-Chmn. Tucker  
**NOES:** None  
**ABSENT:** Chmn. Dettelbach  
**ABSTAIN:** None

**ORAL/WRITTEN COMMUNICATIONS:** None

**PUBLIC HEARINGS**

- 7. CUP 94-12 -- CONDITIONAL USE PERMIT AMENDMENT TO CHANGE THE HOURS OF OPERATION FROM 8:00 A.M.--9:00 P.M. TO 7:00 A.M.--9:00 P.M. AT 25 22ND STREET, MARTHA'S.**

**Staff Recommended Action:** To approve said Conditional Use Permit amendment.

Mr. Schubach said the restaurant across the street from Martha's had recently been granted extended hours of operation. Recent policy has been to allow the same for similar situations. Staff would have no difficulty in accepting only the requested hours of operation. Staff's recommendation was modified accordingly. Comm. Marks felt Martha's Restaurant and the Bottle Inn were not comparable and confinements should be included in this CUP that were not included in the Bottle Inn restaurant.

Vice-Chmn. Tucker opened the Public Hearing at 7:10 p.m.

Pamela Billings, applicant, 25 22nd Street, stated the restaurant opened at 7:00 a.m. when she purchased it. She noted the differences between the Bottle Inn and Martha's and stated she was not attempting to have similar hours, but was requesting the 7:00 a.m. opening in order to best serve breakfast to people on their way to work. She stated many regular customers came in during week days. She stated employees started preparation at 6:00 a.m., hoods were not turned on until 7:00 a.m., a \$15,000 trash compactor had been installed which accommodated all trash, radio music could not be heard outside the building and while her staff did sing, they were not belligerent nor loud. The door on the north side of the building closed automatically. She requested maintenance of the same hours of operation that she has always had. Ms. Billings said that she would not remain open evenings, although the CUP allowed this. She felt her establishment was not conducive to late evening clientele due to poor weather and parking conditions.

Carol Bridenbach, 2140 Strand, lives across the street from Martha's. She said she has no noise problems and supported a 7:00 a.m. opening. She expressed concern that Martha's could potentially serve late-evening dinner, commenting the Bottle Inn had served dinner as late as 9:00 p.m., and requested Martha's CUP state hours of operation as 7:00 a.m. to 4:00 p.m.

Larry Fordiani, 500 block of 19th Street, owns the property adjacent to the north side of Martha's. He stated a citation had been issued to Martha's 4 1/2 years ago, so Ms. Billings was aware of the CUP requirements. He objected to the noise generated by trash lids, music and the venting system. He requested an 8:00 a.m. opening time or a 7:00 a.m. opening in summer and 8:00 a.m. in winter, and that outside dining be restricted. Responding to Comm. Di Monda, he said he had planned to demolish the current structure and rebuild a single dwelling on the 22nd Street site for him and his family, but would not because it was too noisy.

Allen Cohen, 2222 Strand, stated the noise level is very low, he is not disturbed by Martha's or its patrons and has found Ms. Billings was very responsive to any complaints. All noise came from Mr. Fordiani's property at 2207 Hermosa Avenue, since a commercial carpentry shop located in the garage produces very high noise levels. Additionally, Mr. Fordiani's tenant has a truck attached to a cement mixer and leaves it running during the early morning hours three times per week. Mr. Cohen stated his complaint was with Mr. Fordiani, not Ms. Billings.

No one else wished to speak, and Vice-Chmn. Tucker closed the Public Hearing at 7:40 p.m.



Comm. Di Monda commented upon the problems when businesses are directly adjacent to commercial properties and stated that Martha's was one of the better businesses within Hermosa Beach. He said this restaurant had been opening at 7:00 a.m. for at least the past 10 years and changing the 9:00 p.m. time would be a restriction of hours. Comm. Merl concurred, noting this business has been an asset to the community. Vice-Chmn. Tucker stated that during his visits to the site, he had observed no noise or trash problems. He suggested the venting system be looked at and repaired, if necessary.

Comm. Marks felt this business should be watched, noting that if a problem continues to exist, the music should be removed and the rear door remain closed. He urged caution.

**MOTION** by Comm. Di Monda, Seconded by Comm. Merl, to **APPROVE** CUP 94-12, Conditional Use Permit amendment to change the hours of operation from 8:00 a.m. -- 9:00 a.m. to 7:00 a.m. -- 9:00 p.m. at 25 22nd Street, Martha's.

**AYES:** Comms. Di Monda, Marks, Merl, Vice-Chmn. Tucker

**NOES:** None

**ABSENT:** Chmn. Dettelbach

**ABSTAIN:** None

8. **VAR 94-2 -- VARIANCE TO ALLOW A TWENTY-FIVE (25) FOOT HIGH POLE SIGN RATHER THAN THE REQUIRED TWENTY (20) FEET AT 1107 PACIFIC COAST HIGHWAY, MC DONALD'S.**

**Staff Recommended Action:** To deny the Variance.

Mr. Schubach stated Staff did not locate Findings to justify approval of the Variance. He stated three flagpole signs were on the site plans, while the applicant only planned on having one.

Vice-Chmn. Tucker opened the Public Hearing at 7:50 p.m.

**Roger Bacon**, property owner of 1107 Pacific Coast Hwy., stated the applicant understood there was to be only one flag pole. Alley-way access had finally been settled, an agreement signed and construction scheduled to begin September 23, 1994. He stated he had advertising experience and a 25 foot sign was necessary to pull people to the site. He took exception to the Findings perpetuated by the Planning Dept., specifically Findings B and C, stating some signs were higher than 20 feet and "blocked out" other signs. He said one reason McDonald's had selected the site was the amount of traffic which passed it and that the sign should be high to attract customers. He commented the City should act in order to invite businesses into this town, noting the importance of advertising and sign identification.

**Stan Janoka**, Superior Electrical Advertising, 1700 W. Anaheim, Long Beach, said that originally more signage was to have been located on the site and building. At this point, all that was being asked was

an additional five feet on the pole. He explained that tests showed adequate visibility at 25 feet, which would allow safe lane changes by vehicles in time to turn into McDonald's. Comm. Di Monda questioned Mr. Janoka, determining that no specific distance standard for safe lane changes had been established. Comm. Di Monda felt a tall pole sign would be blocked by the existing trees. Mr. Janoka noted many signs on this street were higher and this sign would be consistent with the vicinity. Comm. Marks suggested a 30' flag be used instead of a 20' sign. Mr. Janoka felt it would not have sufficient impact. Roger Bacon came forward and asked Mr. Janoka if some tree foliage blockage had been abated by placing the pole sign in the middle of the lot, which Mr. Janoka confirmed. Comm. Marks asked why the sign was not being placed in the most northerly corner of the lot. Mr. Janoka stated that placement would not be in compliance with City Code and such placement would assure view blockage by other signs.

Celso Martinez, project manager, 21300 Victory Blvd., Ste. 800, Woodland Hills, stated Los Angeles Code allows a 42' sign, but sometimes a sign that tall cannot be seen. He said it was found that a 25' sign at this location was necessary due to the topography, foliage and existing signage within the area. He stated McDonald's was not asking for anything that was not on this site before and this sign would be moved back from the corner into current compliance. He stated visibility was very poor on the street and requested approval to allow McDonald's an equal competitive position. Vice-Chmn. Tucker said that drivers will look straight ahead, not necessarily up, questioned the need for a 25' sign and stated his disappointment that the on-site trees had been removed. Roger Bacon came forward and responded that the trees were messy and had fungus on them. Comm. Di Monda, commenting that Mr. Bacon kept interrupting the current speaker, responded to his statements by stating that during previous public hearings, no mention of fungus had been made and the trees probably could have been treated. He stated he was not surprised that the trees came down but the sign stayed up; this being a loss-loss situation for the City. He said studies had been completed which disputed the high sign theory. Roger Bacon took exception to Comm. Di Monda's statements, responding the trees were removed because they were a site hazard and diseased. He stated they were only talking about a 5 feet sign extension. Celso Martinez stated McDonald's was a good neighbor and was trying to bring to the City a good facility and good landscaping; the replacement trees would be an enhancement.

John Hales, 624 8th Place, stated a line had been drawn and standards should be held. Referencing the sign code, he felt no special circumstances or hardship existed. He acknowledged that tall signs did exist, but they all were based on a grandfather clause and would have to meet Code when they are replaced. Noting that Southern California Edison Company is in the process of undergrounding utilities, he supported less visible "clutter" and urged denial of this request.

No one else wished to speak relating to this item, and Vice-Chmn. Tucker closed the Public Hearing at 8:20 p.m.

**MOTION** by Comm. Di Monda, Seconded by Comm. Marks, to **APPROVE** Staff's recommendation to **DENY** VAR 94-2, Variance to allow a twenty-five (25) foot high pole sign rather than the required twenty (20) feet at 1107 Pacific Coast Highway, McDonald's.

**AYES:** Comms. Di Monda, Marks, Merl, Vice-Chmn. Tucker  
**NOES:** None  
**ABSENT:** Chmn. Dettelbach  
**ABSTAIN:** None

## **HEARINGS**

9. **NR 94-1 -- NONCONFORMING REMODEL TO ALLOW A 250 SQUARE FOOT ADDITION TO AN EXISTING NONCONFORMING DUPLEX WITH TWO PARKING SPACES AT 727 LONGFELLOW AVENUE (continued from September 6, 1994 meeting).**

**Staff Recommended Action:** To approve said request.

Mr. Schubach described the proposed remodel and addition, including a new 396 square foot roof deck and increasing the second story unit to a maximum of 1092 square feet. He noted the lot, use, open space and parking are nonconforming. The revised plans appear to meet the height requirement and comply with parking provisions. Staff recommended approval of the proposed plans.

Comm. Marks felt that a 650, rather than a 250, square foot addition was being proposed. He discussed the proposed expansion and remodel with Messrs. Blumenfeld and Schubach. The Commission discussed methods for determining deck space with Mr. Schubach. Vice-Chmn. Tucker felt clarification was needed for future projects.

Vice-Chmn. Tucker opened the Hearing at 8:40 p.m. No one wished to speak, and Vice-Chmn. Tucker closed the Hearing at 8:40 p.m.

**MOTION** by Vice-Chmn. Tucker, Seconded by Comm. Merl, to **APPROVE** NR 94-1, Nonconforming Remodel to allow a 250 square foot addition to an existing nonconforming duplex with two parking spaces at 727 Longfellow Avenue.

**AYES:** Comms. Di Monda, Merl, Vice-Chmn. Tucker  
**NOES:** Comm. Marks  
**ABSENT:** Chmn. Dettelbach  
**ABSTAIN:** None

10. **SS 93-8 PART II -- SPECIAL STUDY REGARDING THE STANDARD AND TYPICAL CONDITIONS IMPOSED ON CONDITIONAL USE PERMITS (continued from July 19, 1994 meeting).**

**Staff Recommended Action:** To forward to City Council for review and approval

The Commission agreed to waive the Staff Report.

Vice-Chmn. Tucker opened the Hearing at 8:40 p.m. No one wished to speak, and Vice-Chmn. Tucker closed the Hearing at 8:40 p.m.

**MOTION** by Comm. Di Monda, Seconded by Comm. Merl, to **CONTINUE** SS 93-8 Part II to the October 18, 1994 meeting to allow a full Commission to be present. **No objections, so ordered.**

11. **POLICY STATEMENT REGARDING LOCATION OF FRONT YARD ON THROUGH LOTS.**

**Staff Recommended Action:** To modify the existing policy statement.

Mr. Schubach presented the Staff Report, noting the problems associated with through lots and recommending the policy statement be revised to no longer require two front yards on Hermosa Avenue and the Strand for existing developed properties.

Vice-Chmn. Tucker opened the Hearing at 8:55 p.m.

Janet Heart, 2428 the Strand, felt Staff's recommendation was a step in the right direction, suggested the front yard should be adjacent to the front house facing. She noted this policy statement arbitrarily picked out one group of lots, stating they must have dual front yard setbacks, which is unfair and discriminates against the property owner. She felt land use was being taken away or restricted and requested the normal setback requirement be established for the second yard area to allow property owners to have an additional 10' of useful space. Comm. Di Monda discussed driveway and backyard setback requirements with Ms. Heart.

Chuck O'Connell, 303 N. Dianthus, Manhattan Beach, stated his agreement and support of Staff's recommendation.

No one else wished to speak, and Vice-Chmn. Tucker closed the Hearing at 9:10 p.m.

Comm. Di Monda determined that open space would be required in the middle of the lot if taken away from the back, noting it made sense to have the open space in private court yards and allow owners to create more interesting space of their use.

**MOTION** by Comm. Di Monda, Seconded by Vice-Chmn. Tucker, to **APPROVE** Staff's recommendation and to **REQUEST** Staff review the request made to change dual front yard and perhaps replacing it with interior space.

**AYES:** Comms. Di Monda, Marks, Merl, Vice-Chmn. Tucker

**NOES:** None

**ABSENT:** Chmn. Dettelbach

**ABSTAIN:** None

**STAFF ITEMS:**

- 12.a. **Submittal of historical designation list for Planning Commission review and comment in relation to nonconforming buildings and use study.**

Comm. Di Monda commented requested goals be established, not just a list of what might be significant buildings. Staff was **DIRECTED** to present a listing of goals, including benchmarks, to the Commission. Based upon such goals, the Commission would then review the list to determine the sites that actually qualified. Director Blumenfeld suggested Staff contact historic societies and pull together some basic requirements for presentation to the Commission at its next meeting, to which the Commission agreed.

- 12.b. **Community Development Department activity report of July, 1994.**

RECEIVE AND FILE

- 12.c. **Memorandum regarding Planning Commission liaison to September 27, 1994 City Council meeting.**

RECEIVE AND FILE

- 12.d. **Tentative future Planning Commission agenda.**

Comm. Marks requested status of the Strand Park. Messrs. Blumenfeld and Schubach confirmed the plan had been adopted and the design approved by Council.

RECEIVE AND FILE

- 12.e. **City Council minutes of August 9, 1994.**

RECEIVE AND FILE

### COMMISSIONER ITEMS

Comm. Di Monda noted that testimony had stated there was a carpentry shop operating in a residence next to Martha's. Mr. Blumenfeld stated Staff would investigate this claim and follow up appropriately.


Comm. Di Monda stated his complaint that he did not like putting conditions on CUP's that some business owners abided by and others did not, ie: the Lighthouse. He stated their doors are always open while other establishments keep theirs closed, as per CUP requirements. He asked that Staff consider this problem and take appropriate action.

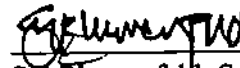
### ADJOURNMENT

**MOTION** by the Commission to adjourn at 9:27 p.m. No objections; so ordered.

### CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of September 20, 1994.

  
\_\_\_\_\_  
Peter Tucker, Vice Chairperson

  
\_\_\_\_\_  
Sol Blumenfeld, Secretary

10-18-94  
\_\_\_\_\_  
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON OCTOBER 18, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:07 p.m. by Chmn. Dettelbach

Pledge of Allegiance led by Comm. Marks.

**ROLL CALL**

Present: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
Absent: Comm. Di Monda  
Also Present: Sol Blumenfeld, Director, Community Development  
Michael Schubach, Director, Planning  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

**MOTION** by Comm. Tucker, Seconded by Comm. Merl, to **APPROVE**, with no change, (1) the September 20, 1994 Minutes, (2) Resolution P.C. 94-24 approving a Conditional Use Permit, as amended, to allow extended hours in conjunction with an existing restaurant with on-sale beer and wine at 25 22nd Street, (3) Resolution P.C. 94-25 to deny a request for a sign variance to allow a twenty-five foot high pole sign at 1107 Pacific Coast Highway, (4) Resolution P.C. 94-26 approving a 250 square foot expansion to an existing nonconforming duplex in an R-1 Zone with only one parking space per unit pursuant to Section 1162(B) of the zoning ordinance at 727 Longfellow Avenue, and (5) Policy statement on through lots amendment.

AYES: Comms. Marks, Merl, Tucker  
NOES: Comm. Di Monda  
ABSENT: None  
ABSTAIN: Chmn. Dettelbach

**ORAL/WRITTEN COMMUNICATIONS**

6.a. Letter from Ruth Paul dated October 3, 1994 regarding 727 Longfellow Avenue.

Mr. Schubach stated Staff had found nothing wrong with the project and was now requesting submittal of plans for plan check.

Receive and File

**PUBLIC HEARINGS**

7. CUP 94-11/PARK 94-7 -- CONDITIONAL USE PERMIT AND PARKING PLAN TO ALLOW ON-SALE BEER AND WINE, AND EXPANSION OF AN EXISTING RESTAURANT, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 422 PIER AVENUE, RAGIN CAJUN CAFE.

**Staff Recommended Action:** To approve said Conditional Use Permit and Parking Plan, and adopt the Environmental Negative Declaration.

Mr. Schubach stated the request was for expansion and intensified use within an existing restaurant. Parking is adequate within the area. He discussed specific recommended Conditions relating to landscaping, fencing and parking lot resurfacing. Director Blumenfeld added the Department was reviewing a series of incentives to promote downtown area revitalization. He stated Staff recommended the Commission consider deferring the improvements to accommodate the business expansion, due to the cost. He stated a schedule could be established for completion of these recommended Conditions. He stated a trash enclosure did exist, but some trash was being improperly stored.

Chmn. Dettelbach opened the Public Hearing at 7:20 p.m.

Bill Lasher, project architect, 3631 227th St., Torrance, stated the structure would basically stay the same, stating the plans and supplemental plans had completed processing through the Building Dept.

Rob Seaman, project contractor, 1120 Loma Dr., commented upon the popularity of the current restaurant and the benefit to the community. He detailed the changes requested by the Building Dept., which had been made. Mr. Seaman stated the other businesses used the parking lot during the day, noting he was not aware of any sign being posted limiting parking to Ragin Cajun customers. He confirmed that the property owner, Mr. Rauls, had agreed to merge the two lots. Mr. Blumenfeld said that common area parking would be simplified with merging of the lots, if the property owner did agree to do so. Mr. Seaman asked that the lot merger and landscaping requirements not be a part of the CUP.

No one else wished to discuss this item, and Chmn. Dettelbach closed the Public Hearing at 7:29 p.m.

Comm. Tucker noted the parking lot was a common one and felt this applicant should not be burdened with its maintenance. He suggested landscaping at the Cypress entrance rather than that suggested, noting it would not be of benefit to adjacent residents. He did not feel landscaping provision should be the responsibility of this applicant, noting the multiple use of the building. He suggested BFI remove the cans in the trash area, forcing use of the dumpsters. He requested Staff investigate pay phones located in the public right-of-way. Chmn. Dettelbach agreed with Comm. Tucker relating to the requirement for landscaping and parking lot maintenance for an area shared by many tenants of the same building.

Comm. Merl felt landscaping was a good idea, the trash problem was managerial and landscaping and striping of the parking lot could be accomplished within a reasonable time frame, noting a 12-month period was reasonable.

Comm. Marks stated he supported Staff's recommendations.

**MOTION** by Comm. Tucker, Seconded by Comm. Merl, to **APPROVE CUP 94-11/PARK 94-7**, with the stipulation that a time line agreeable to Staff, the property owner and applicant be established.

AYES: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: Comm. Di Monda  
ABSTAIN: None



Chmn. Dettelbach stated the Commission's decision could be appealed within 10 days to the City Council.

8. **CUP 94-13 -- CONDITIONAL USE PERMIT AMENDMENT TO ELIMINATE CONDITIONS REQUIRING A SIX FOOT HIGH PROPERTY LINE WALL AND LANDSCAPING ALONG THE EAST PROPERTY LINE AT 828 PACIFIC COAST HIGHWAY, SOUTH BAY CYCLES.**

**Staff Recommended Action:** To deny said request.

Mr. Schubach stated the CUP had required landscaping and fencing. The applicant requested deletion of landscaping and fencing due to the location of a gas meter. The business is operating without a Certificate of Occupancy because these two Conditions had not been met. Also, a trailer needed to be removed from the property.

Chmn. Dettelbach opened the Public Hearing at 7:41 p.m. No one wished to speak relating to this item, and Chmn. Merl closed the Public Hearing at 7:41 p.m.

By consensus of the Commission, this item was **CONTINUED** to a later time within this agenda to allow the applicant's possible appearance.

9. **CUP 94-10/PARK 94-6 -- CONDITIONAL USE PERMIT AND PARKING PLAN TO ALLOW ON-SALE BEER AND WINE IN CONJUNCTION WITH A PROPOSED RESTAURANT, HERMOSA BEACH BREWING COMPANY, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 73 PIER AVENUE.**

**Staff Recommended Action:** To approve said Conditional Use Permit and Parking Plan, and adopt the Environmental Negative Declaration.

Mr. Schubach stated no unique conditions existed and no parking plan was needed due to the type of use. Staff recommended approval with addition of a Condition requiring a bicycle rack.

Chmn. Dettelbach opened the Public Hearing at 7:45 p.m.

Michael Zislis, 23883 Madison St., Torrance, explained the operation of his Manhattan Beach and Redondo Beach business locations, stating this one would be similar. He stated the restaurant business was primary, with beer service being secondary. He explained the brewing process, spent malt disposal and trash pick up schedule.

Steve Jones, project architect, said that now was the perfect time for such an establishment to come to this City. He said the rear exit will have a panic bar and a buzzer.

Patricia Spiritus, Chairman of the Downtown Enhancement Commission, supported this application, noting this establishment would help attract people back to Hermosa Beach.

No one else wished to speak relating to this item, and Chmn. Dettelbach closed the Public Hearing at 8:03 p.m.

**MOTION** by Comm. Merl, Seconded by Comm. Marks, to **APPROVE CUP 94-10**, with Staff recommendations, plus addition of a Condition for containment of odors on the business site.

**AYES:** Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
**NOES:** None  
**ABSENT:** Comm. Di Monda  
**ABSTAIN:** None

Chmn. Dettelbach stated the Commission's decision could be appealed within 10 days to the City Council.

**10. CUP 94-15 -- CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FULL ALCOHOL, EXTENDED OPERATING HOURS TO 2:00 A.M., DANCING AND LIVE ENTERTAINMENT IN CONJUNCTION WITH A RESTAURANT AT 68 PIER AVENUE.**

**Staff Recommended Action:** To approve said Conditional Use Permit amendment.

Chmn. Dettelbach excused himself from participation due to a potential conflict of interest.

Mr. Schubach explained the application requests, stating standard conditions had been added. He noted an alternative proposal which included conditions addressing phasing of the dancing and live entertainment. Director Blumenfeld said Staff recommended removal of the veneer from the structure exterior and stated a sign permit was required. Exterior doors would be required to be closed when entertainment started.

Vice-Chmn. Tucker opened the Public Hearing at 8:10 p.m.

**Chris Pike**, applicant, 3509 Vista Dr., Manhattan Beach, requested clarification of Condition #3, and requested deletion of this requirement. He felt the business could be best evaluated and create less financial hardship on the owners and staff if the business were allowed to function fully. He felt Condition #5 was redundant since the business was required to adhere to all noise regulation requirements. He stated the operation of the restaurant was "primary", with all other activities as "ancillary". He detailed the professional experience of he and his partners. He expressed concern with the operating hours being limited to 11:00 p.m., requesting Thursday, Friday and Saturday nights be extended. The building is being retrofitted during remodel at the applicants' expense.

**Matt McDaniel**, 221 Manhattan Place, stated the property owner and employees had been promised the establishment would stay open. He felt a probationary period would severely impact the ability to "keep the doors open" during that six month period. He stated the dance area was small, and would decrease further when live entertainment was offered. The entire building front would be retained as a restaurant.

**Patricia Spiritus**, 1610 Strand, felt this application a positive step forward and recommended approval of the application. She said there seemed to be a monopoly in the downtown area, which is why the town are stayed the way it is for the past 20 years. She suggested establishment of incentives to encourage people and businesses to come to the City. She felt such encouragement would be beneficial to the City.

No one else wished to speak relating to this subject, and Vice-Chmn. Tucker closed the Public Hearing at 8:38 p.m.

Vice-Chmn. Tucker, referencing the problems being experienced by Manhattan Beach, expressed concern that similar problems might be experienced by Hermosa Beach if preventative measures were not implemented. He stated his support of a probationary time period. He did not feel double glass would be cost prohibitive, supporting Staff's recommendations. Comm. Merl felt the 11:00 p.m. closing time was unfair and supported a probation period allowing later-hour closure three nights per week, with Staff submitting a full report after the six month period. Comm. Marks supported this suggestion, commenting he felt the business should have full leeway to determine the best hours of operation based upon incoming business. Director Blumenfeld explained the two options recommended by Staff and detailing the suggested provisions, including establishment of a benchmark and a six-month monitoring period.

**MOTION** by Comm. Marks, Seconded by Comm. Merl, to **APPROVE CUP 94-15**, per Staff's recommendation, with **DELETION** of all italicized text within the proposed Resolution.

AYES: Comms. Marks, Merl, Vice-Chmn. Tucker  
NOES: None  
ABSENT: Comm. Di Monda  
ABSTAIN: Chmn. Dettelbach

Vice-Chmn. Tucker stated the Commission's decision was appealable within 10 days to the City Council.

Chmn. Dettelbach returned to meeting participation.

A break was taken from 8:47 to 8:52 p.m. All Commissioners except Comm. Di Monda were present.

**11. CUP 94-14 -- CONDITIONAL USE PERMIT TO ALLOW PSYCHIC READING AT 843 PACIFIC COAST HIGHWAY.**

**Staff Recommended Action:** To approve said Conditional Use Permit.

Mr. Schubach said the primary problem appeared to be the property having unpermitted structures covering the parking lot area, with no building permits on file. Staff recommended approval of the application, but to pursue the zoning, business and building violations. Auto repair was being conducted on site with no appropriate permit. He suggested a continuance as an alternative decision.

Chmn. Dettelbach opened the Public Hearing at 9:00 p.m.

Al West, attorney representing the applicant, stated the applicant had not been doing business at this location. He acknowledged window signage, but said all clients were forwarded to another business location. He stated preapproval had been obtained for the signs. Mr. West did not know if the applicant currently had a business license, but said the applicant had previously operated two other businesses within Hermosa Beach and had had a license at that time. He stated the property has two

businesses on site. He said the equipment at the rear of the property was Humbug's, who were in violation of their business license or CUP. This application should stand alone and not include actions of other occupants of the same site. He suggested review of Humbug's licensing and business practices as a separate item. Mr. Schubach stated there was required parking and no CUP was required for Humbug.

No one else wished to speak, and Chmn. Dettelbach closed the Public Hearing at 9:10 p.m.

Comms. Tucker and Marks felt the unauthorized buildings were the responsibility of the property owner, not the applicant. Director Blumenfeld confirmed this was an enforcement issue, noting the issues and application could be dealt with separately, to which Comm. Merl agreed. Chmn. Dettelbach summarized the discussion by stating the applicant should not be penalized for existing violations.

**MOTION** by Comm. Tucker, Seconded by Comm. Merl, to **APPROVE CUP 94-14.**

AYES: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: Comm. Di Monda  
ABSTAIN: None

8. **CUP 94-13 -- CONDITIONAL USE PERMIT AMENDMENT TO ELIMINATE CONDITIONS REQUIRING A SIX FOOT HIGH PROPERTY LINE WALL AND LANDSCAPING ALONG THE EAST PROPERTY LINE AT 828 PACIFIC COAST HIGHWAY, SOUTH BAY CYCLES.** (Continued from earlier during this meeting)

Chmn. Dettelbach opened the Public Hearing at 9:20 p.m. No one wished to speak regarding this item, and Chmn. Dettelbach closed the Public Hearing at 9:20 p.m. The applicant was not in attendance.

The consensus of the Commission was to **CONTINUE CUP 94-13** to November 15, 1994 and **REQUEST** the applicant's attendance during the November 15, 1994 meeting.

### **HEARINGS**

13. **S4 -- REQUEST FOR APPROVAL OF AN OFF PREMISE MURAL SIGN AT 1238 HERMOSA AVENUE.**

**Staff Recommended Action:** To approve said request.

Ms. Fehskens stated the proposed mural would depict a nonprofit organization's event. The mural would be on display for about five months. The size will be 9' x 19', totaling 171 square feet.

Chmn. Dettelbach opened the Hearing at 9:25 p.m.

Nancy Calwell, 1430 Bayview, Arts Hermosa Board Director, stated this organization focused on

bringing culture and art back to the City. She discussed the proposed event which the mural would advertise, stating that if the mural was approved, local artists would begin painting it on October 29, 1994.

*No one else wished to speak, and Chmn. Dettelbach closed the Hearing at 9:28 p.m.*

**MOTION** by Comm. Merl, Seconded by Comm. Marks, to **APPROVE** this request for an off premise mural at 1238 Hermosa Avenue.

AYES: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: Comm. Di Monda  
ABSTAIN: None

12. **SS 93-8 PART II -- SPECIAL STUDY REGARDING THE STANDARD AND TYPICAL CONDITIONS IMPOSED ON CONDITIONAL USE PERMITS** (continued from July 19 and September 20, 1994 meetings).

**Staff Recommended Action:** To forward to City Council for review and approval.

Mr. Schubach stated this was phase two of the special study of CUP and permitted uses within the zoning ordinance. Staff requested input as to the study information provided.

**MOTION** by Comm. Merl, Seconded by Comm. Tucker, to **FORWARD** to City Council this Special Study, with return of this document to the Commission as an initiated ordinance.

AYES: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: Comm. Di Monda  
ABSTAIN: None

#### **STAFF ITEMS**

- 14.a **Submittal of historical designation list in relation to nonconforming buildings and uses study for Planning Commission review and comment.**

Director Blumenfeld said there had been a question about the historic designation section. After review, Staff recommended striking the section referencing historic structures and move forward with the proposed amendment text previously approved by the Commission.

By Straw Vote, Staff's recommendation was **APPROVED** (4/0), with instructions the document be corrected and brought back to the Commission for final approval.

- 14.b **Memorandum to review Downtown Implementation Plan in joint Planning Commission and Downtown Enhancement Commission meeting.**

Director Blumenfeld stated the Downtown Enhancement Commission had invited the Planning Commission to attend a presentation scheduled on November 2, 1994.

**MOTION** by Comm. Tucker, Seconded by Comm. Merl, to place on the agenda consideration of participation in the joint meeting with the Downtown Enhancement Commission. Motion was **unanimously APPROVED**.

**MOTION** by Comm. Tucker, Seconded by Comm. Merl, to participate in a special joint meeting with the Downtown Enhancement Commission at its November 2, 1994 meeting. Motion was **unanimously APPROVED**.

**14.c Community Development Department activity report of August, 1994.**

Receive and File

**14.d Memorandum regarding Planning Commission liaison to October 25, 1994 City Council meeting.**

Receive and File

**14.e Tentative future Planning Commission agenda.**

Comm. Tucker requested Staff obtain information from other cities pertaining to the presence or absence of tattoo parlors and the associated procedures and regulations, and present this information to the Commission.

**14.f City Council minutes of September 8, 13, 22, 27, 1994.**

Receive and File

**14.g Request by Commissioner Marks to review the Biltmore Park plan.**

Comm. Marks felt the Planning Commission should be included in all planning stages of the Biltmore Park.

**COMMISSIONER ITEMS**

Comm. Tucker asked Staff to investigate the presence of public telephones with no permits located on public right-of-ways. Staff was requested to contact BFI regarding replacement of old trash containers with clean ones.

Chmn. Dettelbach cautioned the Commission and Staff to assure conditions were not punitive in nature when addressing applications for new or current businesses. He reiterated that business within the City is to be encouraged, not discouraged. Comm. Merl commented a change is taking place, to the benefit of the City and its residents.


**ADJOURNMENT**

**MOTION** by the Commission to adjourn at 10:05 p.m. No objections; so ordered.

***CERTIFICATION***

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of October 18, 1994.

  
\_\_\_\_\_  
Alan M. Dettelbach, Chairman

  
\_\_\_\_\_  
Sol Blumenfeld, Secretary

12/6/94  
\_\_\_\_\_  
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON NOVEMBER 15, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:06 p.m. by Chmn. Dettelbach

Pledge of Allegiance led by Comm. Tucker.

**ROLL CALL**

Present: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
Absent: None  
Also Present: Sol Blumenfeld, Director, Community Development  
Michael Schubach, Director, Planning  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

**MOTION** by Comm. Tucker, Seconded by Comm. Merl, to **APPROVE**, with no change, (3) the October 18, 1994 Minutes, (4.a) Resolution P.C. 94-27 approving a Conditional Use Permit to allow on-sale beer and wine and outside dining in conjunction with a restaurant, and adoption of an Environmental Negative Declaration at 73 Pier Avenue, (4.b) Resolution P.C. 94-28 approving a Parking Plan and Conditional Use Permit to allow an expansion of an existing restaurant, on-sale beer and wine, and an Environmental Negative Declaration at 422 Pier Avenue, Ragin Cajun, (4.c) Resolution P.C. 94-29 approving a Conditional Use Permit to allow a psychic reading business at 843 Pacific Coast Highway, (4.d) Resolution P.C. 94-30 approving a Conditional Use Permit, as amended, to allow on-sale general alcohol, extended hours, live entertainment and dancing in conjunction with a restaurant at 68 Pier Avenue, and (4.e) Resolution P.C. 94-31 approving an off premise mural sign depicting a non-profit event at 1238 Hermosa Avenue.

AYES: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: Comm. Di Monda

5. Items for consideration None
6. Oral/Written Communications None

**PUBLIC HEARINGS**

7. CUP 94-13 -- CONDITIONAL USE PERMIT AMENDMENT TO ELIMINATE CONDITIONS REQUIRING A SIX (6) FOOT HIGH PROPERTY LINE WALL AND LANDSCAPING ALONG THE EAST PROPERTY LINE AT 828 PACIFIC COAST HIGHWAY, SOUTH BAY CYCLES (Continued from October 18, 1994 meeting)



**Staff Recommended Action:** To deny said request.

Mr. Schubach presented the Staff Report, stating an opening was proposed in the fencing to allow the meter to be read and that the applicant requested elimination of the requirement for the wall. He commented the proposed fence and landscaping would have an overall benefit to the community, the trash enclosure requirement was per Municipal Code, the striping of the parking lot was a zoning requirement. He stated the current trash enclosure did not have a door. Staff recommended denial of this request.

Chmn. Dettelbach opened the Public Hearing at 7:16 p.m.

Maiko Saravia, applicant, 828 Pacific Coast Highway, objected to the landscaping requirement, stating he would lose two parking spaces if he were to comply. Referencing a letter from his adjacent neighbor, he stated both he and his neighbor requested the requirement that trees be planted as a buffer be deleted, noting such trees would block his neighbor's view. Mr. Schubach stated the letter had not yet been received by Staff. Mr. Saravia addressed the three issues he felt pertinent: (1) He stated the trash enclosure now was in compliance, (2) striping the parking lot had not been completed, but could be completed "right away", and (3) provision for motorcycle parking was complete. He stated that he would prefer to plant trees on the "street side" and not lose parking area. He discussed with Comm. Di Monda why he thought he would lose parking area. The Commission discussed with him the parking requirement, current and future parking resulting by planting of vegetation.

No one else wished to discuss this item, and Chmn. Dettelbach closed the Public Hearing at 7:25 p.m.

Comm. Marks commented the requirements were a part of the condition of acceptance. He felt the applicant was now trying to back off and should be held to the original conditions, noting that landscape screening was very important.

Comm. Tucker noted the existence of a retaining wall, with a wooden fence on top, on the easterly north-south property line and stated he did not support requiring another cinder-block wall. He suggested reducing the planter size from 5' to 2', along with planting a trellis-type screening vegetation, which must be trimmed and maintained. He also suggested the front entrance where steel poles are currently be landscaped. When asked, Mr. Saravia agreed to these suggestions. Comm. Tucker felt the other conditions mentioned by Staff and the applicant were minor, expressing surprise that they had not already been brought into compliance.

Chmn. Dettelbach stated the original conditions had been imposed and accepted. Commenting the Commission should accommodate both business owners and residents when imposing conditions in order to maintain "separateness". He observed the Commission and Staff had received no complaints from neighbors and that this location had always been a commercial property. He stated his agreements to Comm. Tuckers comments relating to fencing and landscaping.

Comm. Tucker proposed a motion to require compliance with the original conditions, modifying the east property line wall, deleting the requirement for a 6' cinder-block wall, replacing this deletion with the requirement to stucco the existing wall, reduction of the planters from 5' to 18", require a "trellis-

type" network of vegetation, deletion of planters in the south portion of the parking lot including the planter in the north section, next to the street, and require a planted area by the building entrance.

Comm. Di Monda stated he supported most of this motion, but expressed concern in not adhering to the requirement to plant trees, noting he was not sure what would best serve as both a buffer and afford visibility. He opposed reduction of planter size, noting this would eliminate the ability to plant trees. Comm. Tucker, after discussion with Comm. Di Monda, withdrew his motion.

Director Blumenfeld stated this item could be continued to allow the applicant to submit a revised plan. He noted the 5' planter depth was a key element and the existing wall was not on the applicant's property. He offered Staff's services in denoting trellis-type plants which would give a solid wall of vegetation. Commenting the applicant was required to provide 10 parking spaces, he stated this requirement was being met.

Comm. Merl agreed with Comm. Marks' statements, stating it was the applicant's obligation to provide plans to the Commission.

**MOTION** by Chmn. Dettelbach, Seconded by Comm. Tucker, to **CONTINUE CUP 94-13** to the Planning Commission's December 6, 1994 meeting, and **REQUEST** the applicant submit a revised plan.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

Director Blumenfeld confirmed the revised plan must be submitted by November 29, 1994. The Commission suggested Mr. Saravia also obtain a letter of agreement to the revised plans from the adjacent neighbor and provide that letter to Staff by the same date.

**8. CUP 94-16 -- CONDITIONAL USE PERMIT TO ALLOW A COMBINATION RETAINING WALL AND FENCE TO EXCEED THE MAXIMUM HEIGHT IN THE REAR YARD OF A SINGLE-FAMILY DWELLING ADJACENT TO COMMERCIAL PROPERTY, AT 2844 EL OESTE.**

**Staff Recommended Action:** To approve the request for the rear (east) property line, but not for the side (south) property line.

Mr. Schubach presented the Staff Report. He stated a letter from an adjacent neighbor indicating no objection to the tall fence had been received. He suggested a survey be conducted, including an elevation, prior to a building permit being obtained. Staff supported approval of the fence, as proposed, at least along the east property line.

Chmn. Dettelbach opened the Public Hearing at 7:53 p.m.

Geoffrey Perry, applicant, 2844 El Oeste, stated the information had been clearly conveyed and noted that mitigating factors needed to be corrected. He explained in detail his proposed plans and stated the proposed fence would improve both his and his neighbor's privacy and property value. He offered to provide to the Commission a copy of his neighbor's survey which did include elevations of both lots. The Commission declined. Mr. Perry stated the wall would be 9' at one end and 3' at the other, due to the slope of the lot.

John Hackett, Pacific Coast Construction, discussed with Comm. Marks the treatment of the four risers up the grade. Comm. Marks requested that an "elevation" be provided, noting he wished to see the impact of an 11' wall.

No one else wished to speak relating to this item, and Chmn. Dettelbach closed the Public Hearing at 7:58 p.m.

Comm. Tucker felt that such a wall would be too high and create a "canyon". He felt a topographical chart would be helpful. Comms. Merl and Di Monda felt no problem would be created by the proposed easterly wall. Comm. Marks commented that even if the wall were pulled in, it could still be a problem. He stated he wished to see an elevation of the east and south walls which showed the houses to the north and south. After discussion, Chmn. Dettelbach summarized that the consensus of opinion was that the east wall presented no problem. Comm. Di Monda discussed with Mr. Schubach allowable fence heights. Comm. Di Monda stated his belief that solutions were available for the possible problems created by the proposed south wall. He stated that, actually, the Commission was debating the property corner, suggesting the Commission consider the upper grade as the natural grade. He felt the 6' fence should start at the top of the retaining wall, asking if the Commission should consider allowing filling to make a more flat lot. Mr. Schubach acknowledged the property's back corner was creating the problem being discussed.

**MOTION** by Comm. Di Monda, Seconded by Comm. Merl, to **APPROVE CUP 94-16**, as requested by the applicant, allowing a retaining wall not to exceed 5' and a 6' wood fence erected on top of the retaining wall on the south and east property lines, and allow fill at the southeast corner of the property.

AYES: Comms. Di Monda, Merl, Chmn. Dettelbach  
NOES: Comms. Marks, Tucker  
ABSENT: None  
ABSTAIN: None

Chmn. Dettelbach stated this item could be appealed within a 10 day period from this date to the City Council.

9. **CUP 94-17 -- CONDITIONAL USE PERMIT AMENDMENT TO ALLOW ON-SALE GENERAL ALCOHOL IN CONJUNCTION WITH A BILLIARD HALL AT 1220 HERMOSA AVENUE, SHARKS COVE.**

**Staff Recommended Action:** To approve said Conditional Use Permit Amendment.

Mr. Schubach presented the Staff Report and stated Staff was concerned regarding provisions of the existing CUP which had not been met. He detailed those conditions and suggested the addition of two new conditions. He said, according to the applicant, the trash enclosure was in compliance as of today.

Chmn. Dettelbach opened the Public Hearing at 8:20 p.m.

Shane McColgan, applicant, 912 9th Street, stated the bike rack had been located in the area which was now outdoor seating. The rack had been relocated to the north side of the building and commented that people also locked their bikes to the front railing. Since people did not use the outdoor seating except during the Fair, he had returned the bike rack to the building front. Referencing an inconsistent floor plan and parking layout, he stated he had seven pool tables which were placed to best advantage within the building. No tables had been added or deleted from the plan. He objected to a maximum occupancy load of 50 people. Mr. Schubach responded the occupancy load had been established by the Building and Fire Departments. Mr. McColgan stated he had received numerous complaints because no seating was along the wall area, patrons were continually pulling chairs to that area and that he had installed the extra seats for customer convenience. He stated his was an upscale billiards establishment, not a restaurant and could not meet the 65% revenue requirement, as stated in the CUP. He detailed the income derived from billiards, food and drink. He opposed Staff's analysis and stated if he were required to comply to this Condition, he would "go out of business". He stated he had a sprinkler system installed, which was very adequate, although not automated. Mr. Schubach confirmed an automatic system was required, although this was not a zoning violation. Mr. McColgan agreed to install an automatic system and stated he also had a landscaping plan, which Mr. Schubach stated needed to be filed. Mr. McColgan said he could install signs warning customers of alcohol consumption in public areas, that he did have a maximum occupancy sign posted, the trash enclosure had been completed, illuminated exit signs and fire extinguishers were in place. He stated the lack of an acceptance of conditions affidavit could be corrected and that he had not received a C.U.P. which he could record with the deed. Mr. Schubach said he could get this form and return it to Staff.

Mr. McColgan stated he wished a full liquor license approved with the deletion of the 65% revenue ratio. He discussed the status of his application to ABC. Reiterating that he was not in the "restaurant business", he felt he should not have to comply to standards and requirements pertaining to strictly restaurants. He commented that his business was oriented to families and that no problems had been experienced as a result of the eight-month operation of his facility.

No one else wished to speak, and Chmn. Dettelbach closed the Public Hearing at 8:48 p.m.

The Commission instructed Mr. McColgan to submit his landscaping plan to Staff. Comm. Merl requested Staff provide the maximum occupant capacity according to the Fire Department. Comm. Marks stated he would support the application if all requirements were met by the applicant.

Comm. Di Monda noting the Commission's involvement in order to keep a standard within the community, stated the Commission was entitled to add or delete conditions. He questioned limiting the seating as long as it was not a violation of the Fire Code, noted the landscaping looked well watered and maintained and stated he did not believe the 65% revenue ratio was realistic and, therefore, he disagreed with this Condition as "unworkable" and unfair to the applicant.

Comm. Tucker agreed with Comm. Di Monda's comments, noting the business was an asset to the community. Referencing the 65% revenue ratio, he suggested a new formula be developed and requested the Fire Dept. verify if any Fire Code violations existed.

Comm. Marks felt the revenue ratio should be deleted, noting a kitchen was not on premises. He supported approval of this application.

Chmn. Dettelbach stated Staff's items 1 through 13 were of a minor nature and could be easily satisfied. He noted that in the draft Resolution, Section I.1, the term "minor modifications" was too subjective, suggesting a change to state, "any modifications to the primary use of the premises shall be reviewed and approved by the Director of Community Development." He stated his opposition to a 65% total gross sales requirement.

**MOTION** by Chmn. Dettelbach, Seconded by Comm. Merl, to **APPROVE CUP 94-17**, with revision to Section I.1 to state, any modifications to the primary use of the premises shall be reviewed and approved by the Director of Community Development and deletion of the percentage amount in Section I.4.

**AYES:** Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

Chmn. Dettelbach stated the Commission's decision could be appealed within 10 days to the City Council.

A break was taken from 9:05 to 9:12 p.m. Chmn. Dettelbach reconvened the meeting with all Commissioners present. For the audience participants' convenience, Item 11 was moved forward.

**11. TEXT 94-7 -- TEXT AMENDMENT TO THE ZONING ORDINANCE TO ADD TATTOO PARLOR TO THE COMMERCIAL PERMITTED USE LIST, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION.**

**Staff Recommended Action:** To recommend approval of said text amendment and adoption of the Environmental Negative Declaration.

Mr. Schubach presented the Staff Report, expressed Staff's concerns relating to health issues and hours of operation. He stated legislature had been approved which would require a health permit effective January 1, 1995, but no standards would be established until after June or July 1995.

Chmn. Dettelbach opened the Public Hearing at 9:18 p.m.

Paul Casioppo, Redondo Beach resident, stated tattoo and Cosmetic tattooing were two different businesses. He stated he did not plan to offer permanent cosmetic tattooing or body piercing. He stated that within this City, three people were performing tattooing in their homes. He stated

professional tattoo artists were concerned about the spread of disease through needles. His operation would use disposable needles. He stated the professionals within the industry were trying to "get away from" the type of ordinance that Long Beach had, noting Dana Point's ordinance was a better one. He opposed the prohibition that tattoo parlors could not be located near fortune tellers, stating one location he was currently negotiating was near a fortune teller. He considered ideal hours of operation to be 11:00 a.m. to 12:a.m. seven days per week.

No one else wished to speak relating to this subject, and Chmn. Dettelbach closed the Public Hearing at 9:18 p.m.

Comm. Tucker felt the addition of the requirements that a new needle be used for each client and required disposal of all needles, swabs, etc. must be handled by a medical disposal company should be made, based upon the current AIDS problem. He supported a closing hour of 10:00 p.m., noting residential zones were adjacent to commercial zones, and recommended imposing a 500' Buffer zone between this type business and residential areas and a 1000' separation between this type business and any tavern. He felt these limitations would restrict the impact upon residents.

Comm. Di Monda expressed concern regarding the direction the City was taking, noting other nearby cities did not list tattooing as a permitted use. He felt that if distance was an issue, it should be addressed in the ordinance. Although he did not oppose tattooing, per se, he was concerned about encouraging late-night operations which would encourage people to come into the City during the late evening. He stated the City already had problems with its current late-night activities.

Comm. Merl stated his agreement with Comm. Di Monda's concerns, noting this issue should be dealt with as an issue of safety.

Comm. Marks stated he did not have a problem with allowing tattoo parlors, commenting the Commission must lean on Staff's recommendation very heavily if an approval was given.

Chmn. Dettelbach noted that he was not sure the Commission was empowered to prohibit such a business, but he felt the concerns expressed were well taken. The Commission discussed the concerns, in general, and the issue of distance, specifically.

**MOTION** by Comm. Marks, Seconded by Comm. Tucker, to **APPROVE** the addition of "tattoo studio" to the commercial permitted use list, patterning the ordinance after Dana Point's, with the addition that tattoo parlors must be 1,000 linear feet from establishments serving alcoholic beverages and a requirement that disposable needles must be used, with all residual supplies being disposed of by a licensed hazardous waste company.

AYES: Comms. Marks, Merl, Chmn. Dettelbach  
NOES: Comms. Di Monda, Tucker  
ABSENT: None  
ABSTAIN: None

10. TEXT 94-8 -- TEXT AMENDMENT TO THE ZONING ORDINANCE TO ELIMINATE THE REQUIREMENT OF ADOPTION OF A RESOLUTION OF INTENT FOR PLANNING COMMISSION OR CITY COUNCIL INITIATED AMENDMENT TO THE ZONING ORDINANCE.

Staff Recommended Action: To recommend approval of said text amendment.

Mr. Schubach said Staff believed the process for amending the zoning ordinance would be expedited, with adequate preliminary notice to amend the ordinance still being provided.

Chmn. Dettelbach opened the Public Hearing at 9:56 p.m. No one wished to speak, and Chmn. Dettelbach closed the Public Hearing at 9:56 p.m.

MOTION by Comm. Di Monda, Seconded by Comm. Merl, to APPROVE Staff's recommendation.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### HEARINGS

12. GP 94-2 -- FOURTH QUARTER GENERAL PLAN AMENDMENT; TO AMEND THE CIRCULATION ELEMENT TO RE-ROUTE THE COASTAL BIKE PATH FROM 24TH STREET TO NORTH CITY BOUNDARY.

Staff Recommended Action: To set for public hearing.

Mr. Schubach stated this item was at the direction of the City Council. Staff had no recommended amendments, but would take direction from the Planning Commission.

MOTION by Chmn. Dettelbach, Seconded by Comm. Merl, to DIRECT Staff to set this item for a Public Hearing.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### STAFF ITEMS

- 13.a Memorandum regarding clarification of mixes uses.

Director Blumenfeld presented the report and stated Staff had received three proposals. He requested Commission direction.

Comm. Di Monda stated he had never supported mixing of residential and commercial uses. He felt mixed use housing was traditionally of low quality, which would enhance current problems. He supported a senior housing development with a medical office on the empty property along Pacific Coast Highway, noting the old hospital site should be considered. He felt the downtown area should be excluded from consideration. In the downtown area, he felt concentration should be given to developing office space, suggesting retail space below and office space above. Noting the City had not yet seen the impacts of recent decisions, he felt the City and Commission should slow down. Comm. Di Monda stated that pushing mixed usage would create more problems.

Comm. Tucker supported commercial use on the ground level and office space in the upper level for buildings within the downtown area. He also supported senior housing on the empty lot on Pacific Coast Highway.

The consensus of the Commission was to **REQUEST** Staff to investigate this issue and potential areas limited to within the C-3 Zone and provide the Commission an overview of the C-3 zone, with specific sites outside of the downtown area.

- 13.b Memorandum regarding placing Planning Commission written communication items in the packets for information only, rather than as an agenda item.

After discussion, the consensus of the Commission was to **APPROVE** Staff's recommendation.

- 13.c Community Development Department activity report of September, 1994.

After discussion, Staff was **REQUESTED** to bring back to the Commission Los Angeles' seismic retrofit ordinance for review.

- 13.d Memorandum regarding Planning Commission liaison to November 22, 1994 City Council meeting.

Responding to Commission questions, Mr. Schubach explained any Commissioner could attend the Council meeting as an individual, but not as an official representative of the Commission. Chmn. Dettelbach again asked for the City Attorney's opinion and response to this issue.

- 13.e Tentative future Planning Commission agenda.

Receive and File

- 13.f City Council minutes of October 4, 11 and 25, 1994.

Receive and File




COMMISSIONER ITEMS None


ADJOURNMENT

MOTION by the Commission to adjourn at 10:25 p.m. No objections; so ordered.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of November 15, 1994.

  
Alan M. Dettelbach, Chairman

  
Sol Blumenfeld, Secretary

12/6/94  
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE  
CITY OF HERMOSA BEACH HELD ON DECEMBER 6, 1994,  
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:07 p.m. by Chmn. Dettelbach

Pledge of Allegiance led by Comm. Di Monda.

**ROLL CALL**

Present: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
Absent: None  
Also Present: Sol Blumenfeld, Director, Community Development  
Michael Schubach, Director, Planning  
Sylvia Root, Recording Secretary

**CONSENT CALENDAR**

Comm. Tucker pulled items 4.a and 4.d.

**MOTION** by Comm. Di Monda, Seconded by Comm. Merl, to **APPROVE**, with no change, (3) the November 15, 1994 Minutes, (4.b) **Resolution P.C. 94-33** approving a Conditional Use Permit amendment to allow full alcohol in conjunction with a billiard hall with on-sale beer and wine, and outdoor seating in 1220 Hermosa Avenue and (4.c) **Resolution P.C. 94-34** to recommend amending Section 1501(2) and (3), initiation of amendment, to eliminate the requirement of adoption of a resolution of intent to amend the zoning ordinance, and/or map.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

- 4.a **Resolution P.C. 94-32** to approve a request for a Conditional Use Permit for a fence height exception, pursuant to Section 1215(6), where a residential property abuts a commercially used public alley at 2844 El Oeste Drive.

After discussion, Staff agreed with the Commission that a requirement for a survey to include elevations should have been included. The consensus of the Commission was to **CONTINUE** P.C. 94-32 to the January 17, 1995 meeting to allow corrections to be made.

- 4.d **Resolution P.C. 94-35** to recommend adding tatoo establishment to the C-3, General Commercial, permitted use list subject to Conditional Use Permit, and amending the municipal code to add health and safety standards regarding the operation of said establishments.

After discussion, the Commission determined that the requirements that tattoo parlors must be 1,000

linear feet from establishments serving alcoholic beverages and that disposable needles must be used, with all residual supplies being disposed of by a licensed hazardous waste company were missing from the draft Resolution.

**MOTION** by Chmn. Dettelbach, Seconded by Comm. Di Monda, to **CONTINUE** P.C. 94-35 to the January 17, 1995 meeting to Staff to make the requested corrections and to **REQUEST** review and response by the City Attorney regarding the procedure being followed by the Commission and the issue of exclusion of certain businesses which wish to establish themselves within Hermosa Beach and are willing to follow certain specified guidelines.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

5. Items for consideration None

6. Oral/Written Communications None

#### **PUBLIC HEARINGS**

7. **CUP 94-13 -- CONDITIONAL USE PERMIT AMENDMENT TO ELIMINATE CONDITIONS REQUIRING A SIX (6) FOOT HIGH PROPERTY LINE WALL AND LANDSCAPING ALONG THE EAST PROPERTY LINE AT 828 PACIFIC COAST HIGHWAY, SOUTH BAY CYCLES (Continued from October 18, 1994 and November 15, 1994 meetings)**

**Staff Recommended Action:** To continue to the next regular meeting in January 1995.

Mr. Schubach presented the Staff Report. Staff reinspected the property and found that essentially, it is the same as it was at the last meeting. Staff had not received the requested revised plans. The applicant wished this matter continued.

Chmn. Dettelbach opened the Public Hearing at 7:33 p.m.

Maiko Saravia, applicant, 828 Pacific Coast Highway, said the signs were on site, noting the sign asking consideration for the neighbors was located at the side of the property. Mr. Schubach stated he would visit the site again. Mr. Saravia asked why he didn't have the right to store his trailer on site for three months out of each year. Comm. Merl responded the trailer encumbered the required parking spaces, parking was not to be used for long-time storage. Chmn. Dettelbach suggested Staff visit the site to identify and discuss with the applicant all issues and actions that must be taken and are appropriate to eliminate the applicant's confusion. Mr. Saravia agreed to meet with Mr. Schubach on December 7, 1994.

No one else wished to discuss this item, and Chmn. Dettelbach closed the Public Hearing at 7:44 p.m.

**MOTION** by Comm. Merl, Seconded by Comm. Marks, to **CONTINUE CUP 94-13** to the Planning Commission's January 17, 1995 meeting, with the understanding this was the third continuance and no more would be granted. That other than the parking lot striping and landscaping, the requirements are to be completed, including submittal of a landscaping plan including treatment of the easterly wall for presentation at the January 17, 1995 meeting, all issues are to be discussed and resolved with the Planning Division Staff prior to the January 17, 1995 meeting.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

8. **TEXT 94-6 -- TEXT AMENDMENT TO THE ZONING ORDINANCE REGARDING PARKING STANDARDS FOR GYMNASIUMS/PHYSICAL FITNESS CENTERS AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION.**

**Staff Recommended Action:** To recommend approval of said text amendment and adoption of the Environmental Negative Declaration.

Mr. Schubach presented the Staff Report, stating Staff recommended reduction of parking requirements for gymnasiums and physical fitness centers and noting no significant problems had been experienced when lesser parking was allowed. He discussed the cut-off point being suggested by Staff.

Comm. Tucker questioned the basis for establishment of the cut-off point recommended by Staff. He noted such centers usually greatly impact the residential areas. Comm. Merl felt the only real measure was the square footage, noting the difficulty in regulation. Director Blumenfeld commented the intent was to make the parking slightly less restrictive.

Chmn. Dettelbach opened the Public Hearing at 7:50 p.m. No one wished to speak relating to this item, and Chmn. Dettelbach closed the Public Hearing at 7:50 p.m.

**MOTION** by Comm. Di Monda, Seconded by Comm. Marks, to **APPROVE TEXT 94-6** Staff's recommendation as written for the change in parking standards for gymnasiums and physical fitness centers and adoption of an environmental negative declaration.

AYES: Comms. Di Monda, Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: None  
ABSENT: None  
ABSTAIN: None

9. **TEXT 94-10 -- TEXT AMENDMENT TO THE ZONING ORDINANCE REGARDING THE PLACEMENT OF R AND X-RATED MAGAZINES.**

**Staff Recommended Action:** To recommend approval of said text amendment.

Mr. Schubach presented the Staff Report, noting this issue came forth during discussions regarding CUP requirements for off-sale liquor. He discussed the CUP requirements relating to R-rated materials. Staff proposed this zoning regulation restricting where R-rated materials may be located and access to same be adopted and added to the permitted use list. He stated X-rated materials must be covered and separated visibly and physically, but that R-rated materials were only physically separated. Comm. Di Monda confirmed R-rated materials would still be seen, but not reached. Comm. Tucker noted certain liquor stores currently renting adult videos which were not kept behind the counter. Mr. Schubach stated those stores are in violation of current law, in that a CUP is required, as well as physical and visual separation.

Chmn. Dettelbach opened the Public Hearing at 7:58 p.m. No one wished to speak, and Chmn. Dettelbach closed the Public Hearing at 7:58 p.m.

Comm. Merl felt this was simply a "housekeeping" action. Comm. Di Monda felt this action would result in "creeping censorship and erosion of everybody's First Amendment Rights". He stated magazines with incredible circulations were being discussed. Just because a few business owners cannot control what they sell, everyone who buys magazines of this type should not be turned into some kind of criminal. He stated he felt the Text Amendment absurd and would not support it.

**MOTION** by Comm. Di Monda to **RECEIVE AND FILE**. Motion failed due to lack of a second.

**MOTION** by Comm. Tucker, Seconded by Comm. Marks, to **APPROVE** Staff's recommendation.

AYES: Comms. Marks, Merl, Tucker, Chmn. Dettelbach  
NOES: Comm. Di Monda  
ABSENT: None  
ABSTAIN: None

**STAFF ITEMS**

**10.a. Memorandum on Planning Commission work program.**

Director Blumenfeld stated Staff requested the Commission consider formal adoption of the priority list contained in the Commission packet as the Commission's work program. He stated, if approved, Staff would present programmed activities and implementation dates. He stated this listing would serve as a Commission management tool. Mr. Blumenfeld stated other items could be added to this list.

The Commission discussed status of the items on the list, including those just completed. Referencing the "oil" issue, Comm. Di Monda expressed the hope that the City would be wise enough to hire the EIR consultants themselves and let the oil company pay the bill, as opposed to the manner it was previously handled. Director Blumenfeld stated the process would involve an independent consultant contracted by the City to conduct the environmental investigation.

Comm. Di Monda commented that Item #5 was very important.

Mr. Schubach explained the actions taken by Staff during past years to implement all Coastal Commission requirements, prior to its release back to the City of the authority. He stated it had taken 14 zone changes to bring the General Plan and zoning within the Coastal District into consistency.

Comm. Di Monda discussed with Director Blumenfeld status of the review of all City right-of-ways. Comm. Di Monda stated certain policy implementation ran counter to established policy of the Council, or, at the very least, the wishes of the community. Director Blumenfeld said this item would be brought back to the Commission for its reconsideration.

The **CONSENSUS** of the Commission was to **CONTINUE** this item to allow Commissioners to study this listing, make amendments and reconsider these lists at the January 17, 1995 meeting.

**10.b Memorandum regarding schedule adjustment for one Planning Commission meeting per month.**

Director Blumenfeld requested the Commission formally consider establishment of monthly meetings, noting if additional meetings were required, they could be scheduled. Additionally, recommendation can be made to the City Council to revert back to bi-monthly meetings.

**MOTION** by Comm. Merl, Seconded by Comm. Marks, to **APPROVE** Staff's recommendation to **ADOPT** a Resolution to provide for monthly meetings, and to present this recommendation to City Council for its consideration. **No objections, so ordered.**

**10.c Community Development Department activity report of October, 1994.**

Director Blumenfeld stated this update was provided to keep the Commission aware of all Department divisions' activities. He stated the Sierra Computer was now data base available. It would eventually be made available at the public counter. A commercial revitalization program was being implemented. A draft work program was being presented to the Downtown Enhancement Commission at its December 7, 1994 meeting.

**10.d Memorandum regarding Planning Commission liaison to December 13, 1994 City Council meeting.**

Receive and File

**10.e Tentative future Planning Commission agenda.**

Receive and File

**10.f City Council minutes of November 8, 1994.**

Receive and File

**COMMISSIONER ITEMS**

Comm. Marks asked that the Commission be given a status report regarding refurbishing of the Pier. Director Blumenfeld said the pier design had been approved, a copy would be presented at the next Commission meeting. He stated the construction portion of this item is up before Council at its next meeting. Chmn. Dettelbach requested this item be put on the agenda.

**11.a Valley area public improvements - Request by Comm. Di Monda**

Comm. Di Monda requested status of the Public Works Dept. forcing people to put in curbs, gutters and sidewalks. Director Blumenfeld said this item would be before Council, which will consider the Commission's recommendation relating to the 17' setback issue. This will impact City areas where there are no sidewalks, curbs or sidewalks. Comm. Di Monda felt the 17' setback issue did not relate and that this very specific issue needed to be addressed, noting he understood there was no desire to put these items through the Valley. Yet, Public Works seemed to be forcing these items on residents without the agreement of the Planning Commission or residents.

Mr. Schubach acknowledged many residents did not want curbs installed, but Staff had not been directed to cease this requirement.

The consensus of the Commission was to **DIRECT** Staff to issue a memorandum to the Commission for its review and further action. **No objections, so ordered.**

Referencing the Capital Improvement Program, Comm. Di Monda requested that CIP items that have a significant impact on what the City looks like be presented to the Commission, as was done in the past. He stated the Public Works Dept. was no longer doing this.

The consensus of the Commission was to **DIRECT** Staff to assemble the information and present it to the Commission for its review and further action at the January 17, 1994 meeting. **No objections, so ordered.**

Comm. Tucker discussed with Staff the status of investigation and actions pertaining to unauthorized telephones located on public right-of-way. Chmn. Dettelbach stated this was an issue of enforcement.

Chmn. Dettelbach discussed scheduling of joint meetings with Staff.

## CITIZEN COMMENTS

J.R. Reviczky, 600 Ardmore, announced that the Beach Cities' Toy Drive is underway and urged residents to donate undamaged, new toys to be given to less fortunate children during this holiday season. Donations are to be taken to local fire stations, the City of Hermosa Beach or the City of Manhattan Beach. A community "toy wrap" will be conducted on December 17, 1994 at the Clark Bldg. at 11:00 a.m. Participants should bring scissors. Everything else will be provided.


He stated Comm. Di Monda's concerns had been addressed by the Council, which also had concerns regarding existing and non-existing sidewalks. Staff has direction to return to the Council with a street-by-street report containing the areas in which sidewalks were deemed appropriate and those that were not.

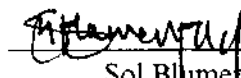
## ADJOURNMENT

**MOTION** by the Commission to adjourn at 8:35 p.m. **No objections; so ordered.**

## *CERTIFICATION*

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of December 6, 1994.

  
\_\_\_\_\_  
Alan M. Dettelbach, Chairman

  
\_\_\_\_\_  
Sol Blumenfeld, Secretary

2/21/95  
\_\_\_\_\_  
Date