



**Honorable Chair and Members of the Hermosa Beach Planning Commission**

**ADOPT A RESOLUTION APPROVING A TWO-YEAR TIME EXTENSION (CUP26-01)  
FOR A CONDITIONAL USE PERMIT (CUP21-09) AND PARKING PLAN (PARK21-01)  
AT 1018 HERMOSA AVE. IN THE C-1 ZONE**

**CEQA:** Determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301(a) of the CEQA Guidelines.  
(Assistant Planner DeDe Tran)

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**Recommended Action:**

Staff recommends Planning Commission:

1. Determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1 categorical exemption, as defined in section 15301(a) of the CEQA guidelines for existing facilities; and
2. Adopt a Resolution approving Conditional Use Permit (CUP26-01) extending an existing Conditional Use Permit (CUP21-09) and Parking Plan (PARK21-01) to allow a stage relocation and addition in floor area at 1018 Hermosa Ave (**Attachment 1**).

**Executive Summary:**

The Planning Commission adopted Resolutions 21-01 (**Attachment 2**) and 21-02 (**Attachment 3**) at its February 15, 2022 meeting, to allow a stage relocation and addition in floor area at 1018 Hermosa Avenue. The Planning Commission (PC) approved PC Resolution No. 24-03 (**Attachment 4**), a two-year extension to CUP21-09 and PARK21-01 in accordance with Hermosa Beach Municipal Code (HBMC) 17.70.020 on March 19, 2024. The applicant has filed a request for a second indefinite time extension to CUP21-09 and PARK21-01. HBMC 17.70.020 does not limit the number of time requests but does limit the extension to two years. Staff recommends approval of a two-year time extension.

**Background:**

The Comedy and Magic Club opened in 1978. At its August 6, 1979 meeting, the Board of Zoning Adjustment (BZA) approved Resolution 154-337, modifying an existing conditional use permit (CUP) allowing alcohol service in conjunction with a comedy and magic entertainment club. At its June 29, 1982 meeting, the BZA approved Resolution 154-467, approving a CUP amendment to allow outdoor dining along Hermosa Avenue. At its May 7, 1984 meeting, the BZA approved Resolution 154-561, approving a CUP amendment to allow an expansion of the use into the adjacent tenant space at 1016 Hermosa Avenue. At its March 15, 1988 meeting, the Planning Commission adopted Resolution 88-25, approving a CUP amendment to allow the relocation of a box office. At

its August 7, 1990 meeting, the Planning Commission adopted Resolution 90-62, approving a Parking Plan and CUP amendment. The approval allowed an expansion of conditional uses into an adjacent tenant space at 1014 Hermosa Avenue, including live entertainment and service of alcohol.

At its February 15, 2022 meeting, the Planning Commission (PC) approved PC Resolution PC 22-01 (**Attachment 2**) and 22-02 (**Attachment 3**), approving a Parking Plan and CUP amendment to allow an expansion of seating and enclosure of a patio area on the corner of 10th Street and Hermosa Avenue. At its March 19, 2024, meeting, the PC approved PC Resolution NO. 24-03 (**Attachment 4**), a two-year extension to CUP21-09 and PARK21-01 extending the entitlement to March 19, 2026.

Per HBMC 17.70.020, a permit granted by the Planning Commission or City Council that is not established within two years from the date of approval will automatically expire on that date. If no changes to the plans as approved are proposed, the Planning Commission may deny, approve, or conditionally approve one (1) or more time extensions, provided a public hearing is held, for any extension up to a two-year period.

***Past Board and Commission Actions***

<b>Meeting Date</b>	<b>Description</b>
August 6, 1979	Board of Zoning Adjustment (BZA) approved <a href="#">Resolution B.Z.A. 154-337</a> , modifying an existing conditional use permit (CUP) allowing service of alcohol in conjunction with a comedy and magic entertainment club.
June 29, 1982	BZA approved <a href="#">Resolution B.Z.A. 154-467</a> , approving a CUP amendment to allow outdoor dining along Hermosa Avenue.
May 7, 1984	BZA approved <a href="#">Resolution B.Z.A. 154-561</a> , approving a CUP amendment to allow an expansion of the use into the adjacent tenant space at 1016 Hermosa Avenue.
March 15, 1988	Planning Commission adopted <a href="#">Resolution PC 88-25</a> , approving a CUP amendment to allow the relocation of a box office.
August 7, 1990	Planning Commission adopted <a href="#">Resolution PC 90-62</a> , approving a Parking Plan and CUP amendment. The approval allowed an expansion of conditional uses into an adjacent tenant space at 1014 Hermosa Avenue, including live entertainment and service of alcohol.
February 15, 2022	Planning Commission approved <a href="#">PC Resolution 22-01</a> and <a href="#">PC Resolution 22-02</a> , approving a Parking Plan and CUP amendment to allow an expansion of seating and enclosure of a patio area on the corner of 10th Street and Hermosa Avenue.
March 1, 2024	Planning Commission approved <a href="#">PC Resolution NO. 24-03</a> , a two-year extension to CUP21-09 and PARK21-01 extending the entitlement to March 19, 2026

### **Discussion:**

The applicant submitted a Planning Application for a second Time Extension Request on January 26, 2026. The CUP 21-09 and PARK 21-01 with the first two year time extension (PC Resolution NO. 24-03), for which the extension was filed, expired on February 15, 2026. The applicant's request for a time extension notes continuing delays related to the COVID-19 pandemic and inflation as reasons for requesting an extension (**Attachment 5**).

On October 25, 2022, the applicant submitted construction plans to the City's Building and Safety Division for review. The plans proposed to relocate the stage in the lounge area but refrained from adding square footage, pursuant to CUP21-09 and PARK21-01. During the course of plan review, the permit expired because a six-month period elapsed with no activity and no resubmittal after corrections were issued. Following the approval of Resolutions PC 22-01 and PC 22-02, the applicant had two years from the date of approval to begin significant construction or improvements consistent with Planning Commission-approved plans. Though the building permit had expired, the applicant still had an opportunity to receive approval or apply for an extension to retain the previous entitlement approvals. A new building permit application was eventually resubmitted on May 24, 2023. The permit has now expired due to inactivity.

The applicant requested an indefinite extension of the entitlements. However, HBMC 17.70.020 specifies that the Planning Commission may approve an extension for a period not to exceed two years. As such, staff recommends that the Planning Commission grant a second two-year extension of CUP21-09 and PARK21-01 to April 17, 2028.

### **General Plan Consistency:**

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

#### *Land Use and Design Element*

#### **Goal 11. A proud and visible identity as an arts and cultural community.**

Policy:

**11.3 Art as cultural tourism.** Recognize the value of the arts to the City's quality of life and economic stability and promote cultural tourism as an engine for economic development.

#### **Goal 13. Land use patterns that improve the health of residents.**

Policy:

**3.2 Social and health needs.** Support the continuation of existing and new uses that enhance the social and health needs of residents.

### **Environmental Determination:**

Pursuant to the Environmental Quality Act (CEQA) the proposed project qualifies for a Class 1, Section 15301(a) Existing Facilities of the California Environmental Quality Act (CEQA), as it consists of a two-year time extension of a CUP and Parking Plan for an existing commercial building.

**Public Notification:**

For the April 21, 2026 Planning Commission meeting, a total of 858 public hearing notices were mailed to occupants and property owners of properties within a 500-foot radius on April 8, 2026. A legal ad was published on April 9, 2026, in the Easy Reader, a newspaper of general circulation. Additionally, the applicant received a notice poster to post on-site and provided proof of posting at least 10 days in advance of the public hearing, in accordance with HBMC 17.68.050. Public notification materials are included as **Attachment 6**. As of the writing of the report, staff received no public comments.

**Attachments:**

1. Draft Resolution 26-XX
2. PC Resolution 22-01
3. PC Resolution 22-02
4. PC Resolution NO. 24-03
5. Applicant's Letter dated January 22, 2026
6. Public Notification Package

**Respectfully Submitted by:** DeDe Tran, Assistant Planner

**Concur:** Alexis Oropeza, Planning Manager

**Legal Review:** Sarah Locklin, Interim Assistant City Attorney

**Approved:** Alison Becker, AICP, Community Development Director