

August 7, 2006

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

**Regular Meeting of  
August 15, 2006**

SUBJECT: CONTINUED FROM JULY 18, 2006 MEETING

CONDITIONAL USE PERMIT 06-4 FOR "ON-SALE" ALCOHOL IN CONJUNCTION WITH  
A RESTAURANT, AND PARKING PLAN AMENDMENT 06-2 TO MODIFY THE  
ALLOCATION OF THE USES WITHIN THE HERMOSA PAVILION  
1601 PACIFIC COAST HIGHWAY #170

APPLICANT: TRAVIS W. JONES/GENE SHOOK

**Recommendation Alternatives:**

Direct staff as deemed appropriate from the following alternatives:

1. Approve the request subject to the conditions of approval contained in the attached resolution; or
2. Consider the building parking problems that have occurred over the last six months and advise the applicant to resubmit the project permit application once it has been demonstrated that building spillover parking has been resolved.

**Background:**

**PROJECT INFORMATION:**

ZONING:

SPA 8-Specific Plan Area

GENERAL PLAN:

Commercial Corridor

EXISTING RESTAURANT AREA:

912 Sq. Ft. (Stillwater Bistro)

PROPOSED NEW RESTAURANT AREA:

7,038 Sq. Ft.

PARKING PROVIDED IN HERMOSA PAVILION

540 spaces, 454 standard, 42 tandem,  
and up to 44 parallel parking spaces

ENVIRONMENTAL DETERMINATION:

Categorically Exempt

**Project History/Chronology:**

- **February 19, 2002:** The Planning Commission approved a Precise Development Plan, Parking Plan for shared parking and Variance for expansion and remodel to the Hermosa Pavilion to accommodate a health and fitness center and expanded retail floor area and to allow enclosure of the upper deck to exceed the height (**Total square feet 105,378-office 48,990, health club 44,300 and retail 12,088**)
- On Reconsideration and after three continued public hearings April 9, May 28 and June 11, 2002 the City Council approved the requested Precise Development Plan, Parking Plan and Variance for a modified development program (**Total square feet 108,430-office 25,380, health club 68,000 and retail 15,050**).
- **August 19, 2003:** The Planning Commission approved an amendment to the Precise Development Plan and Parking Plan (PDP 03-11 and PP 03-4) to modify the allocation of proposed uses within the Pavilion (**Total square feet 105,000-office 26,000, health club 46,500, retail 28,500 and restaurant 4,000**).
- **February 15, 2005,** C.U.P. granted for Kids Kabaret – Music and Performing Arts Academy and updated shared parking analysis to allow minor modification to allocation of uses to include 3,000 square foot auditorium use
- **May, 25, 2005** Updated shared parking analysis and modification to striping plan for V.I.P. lockers for the health club

- **February, 2006** Updated shared parking analysis submitted per Conditions of Approval of 03-45, based on existing and anticipated allocation of uses. Neighborhood parking analysis and evaluation of spillover parking included in report.
- **April 18, 2006:** The Planning Commission approved Resolution No. 06-16 modifying the Parking Plan at the Hermosa Pavilion to include a condition of the owner providing two hours of free parking for customers with validation and to re-evaluate the effectiveness of the validation program in six months. The applicant requested an appeal on this decision to the City Council
- **July 11, 2006:** The City Council sustained the decision of the Planning Commission to require 2-hour free validated parking, and 6-month re-evaluation of the program.
- **July 12, 2006:** The building owner indicated to staff that he will implement the 2-hour validated free parking. The implementation includes prominently displayed signs advertising the 2 hour validated free parking in all public areas and at entry locations.

**Analysis:**

The applicant, Still Water Contemporary American Bistro, is requesting the approval of a Conditional Use Permit for "on-sale" general alcohol in conjunction with a restaurant pursuant to Section 17.40.080 of the Zone Code. A Parking Plan Amendment is also being requested to modify the allocation of uses from the 4,000 square foot restaurant to 8,000 square feet of restaurant use. The proposed restaurant is approximately 7,038 square feet, and the existing café is 912 square feet. A retail wine and cheese shop will occupy approximately 1,535 square feet.

The proposed restaurant and retail wine and cheese areas are located on ground floor of the Hermosa Pavilion and will feature: a public dining area; "private dining rooms"; bar and lounge; foyer/hostess area; patio with seating areas; wine/cheese retail displays; pantry; cook-line; prep area; service area; scullery/storage area and kitchen/storage/coolers for restaurant facility. The seating plan identified 35 tables with 178 seats.

The applicant indicates that the hours of operation will be 9 a.m. to 10 p.m. for the retail wine and cheese sales and the lunch and dinner hours for the restaurant (11 a.m.-2:00 p.m. & 5:00 p.m. -10:00 p.m.) with service in the lounge area until the 2:00 a.m. Off-sale wine sales is a permitted use by-right until 11:00 p.m., and the applicant indicates that it will not be open later than 10:00 p.m. Staff recommends that the C.U.P. establish one set of operating hours from 7:00 A.M. to 12:00 midnight since it is impractical to establish separate operating hours for the restaurant and other appurtenant uses.

The applicant has also represented that wine tasting services will be provided in the wine retail areas but will not provide any fixed seating in this area. Regarding entertainment, no amplified entertainment will be provided according to the applicant. The floor plan identifies no stage, however any future events or modifications to the floor plan identifying a stage area for playing music requiring amplification will require an acoustical study and a Conditional Use Permit Amendment application.

The proposed restaurant is part of a multi-tenant building with secured parking and access from the central building lobby on Pacific Coast Highway and the parking garage. The restaurant is proposed to be an upscale, full service-dining establishment with ancillary retail wine and cheese tasting. Un-amplified live entertainment is proposed as an amenity to the restaurant use. These uses and the proposed business operations are consistent with the goals of the General Plan which call for "affirming the commercial character of the highway" and the general definition of the C-3 zone which is intended to provide "opportunities for the full range of office, retail and service businesses for the city and appropriate for the Pacific Coast Highway". (Page 105, Land Use Element, General Plan). The full service restaurant will complement the other uses within the commercial building and is consistent with the character of the commercial corridor.

Though bars and restaurants serving alcohol have been a permitted use for many years along the commercial corridor, the area is not heavily impacted with these uses. Staff surveyed the commercial corridor and found that of the 306 business along the corridor there are sixteen (16) restaurants. Of the sixteen restaurants (16) located on Pacific Coast Highway, only nine (9) have CUP's for "on-sale" beer/wine, and two have CUP's for full alcohol. (See attached survey).

Further, the proposed business cannot be considered a bar or lounge use as less than 643 square feet of the restaurant is allocated to the bar area, representing less than 10% of the floor area. The restaurant is entirely enclosed within a secured and insulated building and should not negatively impact abutting commercial and residential uses. Therefore the proposed restaurant is appropriate to the zone, a fitting use for the area, compatible with other uses in the multi-tenant building and consistent with the goals and objectives of the General Plan.

A complaint filed on July 11, 2006, identified the existence of an auto detail business ("Auto Spa" in the parking garage). The owner has since removed the use. Staff confirmed that the auto detailing is not in the garage and the code enforcement case has been closed.

**Parking Plan:**

The proposed Parking Plan amendment is required to update and modify the allocation of uses within the Hermosa Pavilion including the proposed restaurant. The potential parking impacts associated with the requested restaurant changes from 4,000 square feet of restaurant space to 8,000 square feet of restaurant was addressed in the latest Parking Study Report/Shared Parking Analysis for the Hermosa Beach Pavilion, prepared by Linscott, Law & Greenspan, Engineers on February 13, 2006. In addition to updating the allocation of uses to reflect actual tenancy, including all the latest modifications, and evaluating the day spa uses, the report identified and assessed future restaurant space of 8,000 square feet (the proposed restaurant and the existing cafe), and found that weekday peak shared parking demand of 426 spaces can be accommodated by the 454 standard spaces and 42 tandem spaces as provided with the latest revised striping layout plan. Thus the study indicates that proposed uses do not significantly impact the supply of parking (Pgs. 4, 27 & 28, LL & G Study).

Resolution No. 06-16 (which pertains to the entire Hermosa Pavilion) addressed detrimental effects of spillover parking and was sustained by the City Council. Given that the proposed restaurant intensifies the demand for parking in the building and that the required parking is based upon a shared parking analysis, staff has included conditions of approval to require free 2-hour validated parking for customers of the restaurant consistent with the decision of the City Council and review of the CUP if there is a problem identified with the building parking adequacy or efficiency.

To further verify the use of the parking garage by the health club customer's staff conducted an informal survey on August 2, 2006 at 6:00 P.M., aside from this CUP and did not observe large volumes of cars parking on 16<sup>th</sup> Street east of Pacific Coast Highway or within the surrounding residential streets and did not observe people leaving their cars and walking to the Pavilion Health Club facility. Staff did observe several cars parking on the west side of Pacific Coast Highway with drivers leaving their cars and walking to the health club facility. However, staff observed many cars entering the parking garage from Pacific Coast Highway via the 16<sup>th</sup> Street entrance.

**Conditions of Approval:**

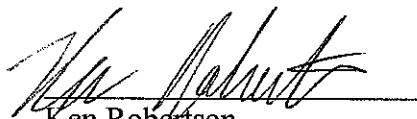
Based on the above analysis staff recommends the following specific conditions of approval in addition to standard conditions imposed for on-sale and off-sale alcohol establishments:

1. The CUP for the restaurant is based upon conformance to the Hermosa Pavilion Parking Plan as modified by City Council on July 12, 2006. Violations of the Parking Plan shall be submitted in a report to the Planning Commission which will automatically initiate a review of the CUP.
2. The hours of operation of the restaurant and appurtenant retail wine sales shall be limited to between 7:00 A.M. and 12:00 midnight daily. Any change in operating hours shall require amendment to the CUP.
3. The applicant shall submit a detailed seating and occupant load plan prior to issuance of building permits and an approved occupant load sign must be posted in the business.
4. The allocation of uses shall be as follows based on the latest shared parking analysis:

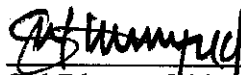
<u>Use</u>	<u>Allocation (in square feet)</u>
Health Club/Fitness Facility (i.e., basketball court/pool)	46,000
Office	20,400
Day Spa	13,000
Retail	9,600
Restaurant (including Food related retail sales)	8,000
Auditorium	3,000
Storage	<u>10,600</u>
<b>Total</b>	<b>110,600</b>

5. The kitchen shall remain open during operating hours to ensure that the use is maintained as a restaurant.
6. Repeated violations of the noise ordinance, creation of security or nuisance conditions and excessive occupancy of the business shall be grounds for Police Chief and Fire Chief report to the Planning Commission with automatic CUP review by the Commission.
7. Two hour free validated parking shall be provided for patrons of the business.
8. Parking signs shall be prominently displayed at the entry and within the restaurant to promote the two-hour free validated parking program.
9. The CUP shall be subject to Planning Commission review 6 months after commencement of the business and annually thereafter.

If the Commission does not approve the application staff will return with a resolution to deny the project at the next meeting.

  
Ken Robertson,  
Senior Planner

CONCUR:

  
Sol Blumenfeld, Director  
Community Development

Attachments:

1. Proposed Resolution to Approve
2. Parking Study excerpts
3. Restaurant Floor Plan
4. PCH Restaurant/Bar Survey

P.C. RESOLUTION NO. 06-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW ON-SALE GENERAL ALCOHOL IN CONJUNCTION WITH A RESTAURANT AND APPROVING A PARKING PLAN AMENDMENT MODIFYING THE ALLOCATION OF USES WITHIN THE "HERMOSA PAVILION" INCLUDING AN 8,000 SQUARE FOOT RESTAURANT AT 1601 PACIFIC COAST HIGHWAY # 170 AKA 1605 PACIFIC COAST HIGHWAY.

The Planning Commission of the City of Hermosa Beach does hereby resolve and order as follows:

Section 1. An application was filed by Travis Jones, Stillwater Contemporary American Bistro, seeking approval for on-sale general alcohol in conjunction with a new restaurant proposed in the Hermosa Pavilion, and amendment to the Parking Plan (P.C. Resolution 03-45) to modify and update the allocation of uses approved as part of the shared parking analysis.

Section 2. The Planning Commission continued the public hearing scheduled on June 20, 2006 because the project was not properly posted on site as required by City ordinance.

Section 3. The Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit and Parking Plan Amendment on July 18, 2006, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission and the hearing was continued to August 15, 2006,

Section 4. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. On August 19, 2003, the Planning Commission adopted P.C. Resolution 03-45 to approve Precise Development Plan and Parking Plan to remodel and expand an existing commercial building and to allow shared parking to accommodate a new allocation of uses within the building including a health and fitness facility, office, retail and restaurant uses. The approval included an allocation of 4,000 square feet for restaurant use.

2. The proposed restaurant will increase the allocation for restaurant use to 8,000 square feet, and proposed changes also include updates in the allocation of uses to reflect other minor modifications that have occurred since 2003 in the allocation of uses within the building.

3. The site is zoned SPA-7, Commercial, allowing restaurant uses, and on-sale general alcohol with approval of a Conditional Use Permit.

4. The Planning Commission conducted a duly noticed public hearing to consider the revocation or modification of the Precise Development Plan and Parking Plan on April 18, 2006, pursuant to Section 17.70.010 of the Zoning Ordinance (sub-sections E and F), and adopted Planning

1 Commission. Resolution No. 06-16 (which pertains to the entire Hermosa Pavilion) to address  
2 detrimental effects of spillover parking and which supersedes P.C. Resolution 03-45.

3 Section 5. Based on the foregoing factual findings, the Planning Commission makes the  
4 following findings pertaining to the application to amend the Conditional Use Permit:

5 1. The site is zoned S.P.A. 7 which permits on-sale alcohol in conjunction with restaurant uses,  
6 and the site is suitable for the proposed use;

7 2. The restaurant is located entirely within a secured, sound insulated building with entry only  
8 from a common lobby accessible only from Pacific Coast Highway and no outdoor use is permitted  
9 for the business;

10 3. The restaurant is separated from adjacent residential uses by the Hermosa Pavilion's fully  
11 enclosed parking garage to the west, the width of Pacific Coast Highway to the east and more than  
12 100 feet of building frontage to the north, thereby mitigating potential noise impacts from the  
13 business;

14 4. The proposed use is compatible with the commercial uses within the Hermosa Pavilion,  
15 consistent with the commercial character of the highway corridor and sufficiently secured within a  
16 multi-tenant building to be compatible with adjacent residential uses;

17 5. The imposition of conditions, including a limitation on the hours of operation, no outdoor  
18 dining and the requirement for free validated parking, as required by this resolution will mitigate  
19 any negative impacts on nearby residential or commercial properties;

20 6. This project is Categorical Exempt pursuant to Section 15303c of the California  
21 Environmental Quality Act.

22 Section 6. Based on the foregoing factual findings, the findings for the Conditional Use  
23 Permit, and the updated shared parking analysis prepared by Linscott Law and Greenspan; Parking  
24 Study Report, dated February 13, 2006, the Planning Commission makes the following findings  
25 pertaining the application to amend the Parking Plan to modify the allocation of uses within the  
26 Hermosa Pavilion:

27 1. The Parking Study Report identified and assessed all updated allocations including  
28 future restaurant space of 8,000 square feet (therefore including the entire square footage of the  
29 proposed restaurant), and found that weekday peak shared parking demand of 426 spaces can be  
accommodated by the 454 standard spaces and 42 tandem spaces as now provided with the latest  
revised striping layout.

2. Thus the study indicated that the shared parking impacts were immaterial to the  
supply of parking (Linscott Law and Greenspan; Parking Study Report, pg. 27).

3. The detrimental effects of the spillover parking which has occurred at the Hermosa  
Pavilion, documented in the Parking Study Report , and potentially exacerbated with a new

1 restaurant, will be mitigated with the condition requiring free validated parking applicable to the  
2 restaurant and to the entire building.

3 Section 7. Based on the foregoing, the Planning Commission hereby approves the  
4 Conditional Use Permit for on-sale general alcohol in conjunction with a restaurant and approves  
5 the amendment to the Parking Plan to modify the allocation of uses, subject to the following

6 **Conditions of Approval.**

- 7 **1. Interior and building alterations and the continued use and operation of the restaurant**  
8 **with appurtenant wine and cheese shop shall be substantially consistent with the plans**  
9 **submitted and reviewed by the Planning Commission on August 15, 2006.**
  - 10 **a. The Conditional Use Permit is for on-sale alcohol in conjunction with a restaurant**  
11 **and ancillary uses designated on the floor plan for ( wine and cheese shop closing**  
12 **before 11:00 p.m. ). Any intensification of use involving live entertainment, such as**  
13 **providing a disc jockey or other forms of amplified music for customer dancing, any**  
14 **type of live entertainment (i.e. live music whether acoustic or amplified, comedy acts,**  
15 **or any other type of performances) or extended hours of operation beyond what is**  
16 **specified requires amending this Conditional Use Permit.**
  - 17 **b. If the Conditional Use Permit is amended to provide dancing, live music, or other live**  
18 **entertainment as noted above, an acoustical analysis shall be conducted to verify**  
19 **compliance with the noise ordinance, demonstrating that the noise will not be**  
20 **audible from any adjacent residential use. Mitigation measures to attenuate noise**  
21 **may include sound baffles, double glazing and other methods specified in the**  
22 **acoustical study. The scope of the acoustical study shall be approved by the**  
23 **Community Development Director**
- 24 **2. The hours of operation for the restaurant shall be limited to between 7:00 A.M. and**  
25 **12:00 Midnight.**
- 26 **3. The and wine cheese shop retail uses are appurtenant to the restaurant and shall only**  
27 **operate in conjunction with it.**
- 28 **4. The kitchen shall remain open during operating hours to ensure that the use is**  
29 **maintained primarily as a restaurant.**
- 5. The establishment shall not adversely affect the welfare of the residents, and/or**  
**commercial establishments nearby.**
- 6. The business shall provide adequate staffing, management and supervisory techniques**  
**to prevent loitering, unruliness, and boisterous activities of the patrons outside the**  
**business.**

- 1 7. Noise emanating from the property shall be within the limitations prescribed by the  
2 City's noise ordinance and shall not be plainly audible from any residential use, and  
3 shall not create a nuisance to surrounding residential neighborhoods, and/or  
4 commercial establishments.
- 5 8. The Police Chief may determine that a continuing police problem exists, and may  
6 authorize the presence of a police approved doorman and/or security personnel to  
7 eliminate the problem, and then shall submit a report to the Planning Commission,  
8 which will automatically initiate a review of this Conditional Use Permit by the Planning  
9 Commission.
- 10 9. The applicant shall submit a detailed seating and occupant load plan prepared by a  
11 licensed design professional, which shall be approved by the Community Development  
12 and Fire Departments prior to implementing the restaurant use. An approved occupant  
13 load sign must be posted in the business.
- 14 10. The Fire Department shall maintain a record of the posted allowable occupant load for  
15 the business and regularly check the business for occupant load compliance. The Fire  
16 Chief may determine that there is a repeat pattern of occupant load violations and then  
17 shall submit a report to the Planning Commission which will automatically initiate a  
18 review of this Conditional Use Permit by the Planning Commission.
- 19 11. The exterior of all the premises shall be maintained in a neat and clean manner, and  
20 maintained free of graffiti at all times.
- 21 12. Any significant changes to the interior layout, which alter the primary function of the  
22 business as a restaurant, (i.e. increasing floor area for bar seating, or adding a dance  
23 floor) or increasing the designated floor area of restaurant seating shall be subject to  
24 review and approval by the Planning Commission and require amendment to this  
25 Conditional Use Permit.
- 26 13. The project and operation of the business shall comply with all applicable requirements  
27 of the Municipal Code.
- 28 14. The Planning Commission shall conduct a review of the restaurant operations for  
29 compliance with the terms of the Conditional Use Permit in 6 months, and in response to  
any complaints thereafter.
15. Violations of the Parking Plan for Hermosa Pavilion, as amended by P.C. Resolution 06-  
16, and sustained by the City Council on July 11, 2006 shall be submitted in a report to  
the Planning Commission which shall automatically initiate a review of the Conditional  
Use Permit.
16. Two hour free validated parking shall be provided for patrons of the restaurant within  
the Hermosa Pavilion parking facility and signs shall be prominently displayed at the



1 entry and within the restaurant to promote the two-hour free validated parking  
2 program;

3 17. The Parking Plan approval, as set forth in P.C. Resolution 03-45, as amended by P.C.  
4 Resolution 06-16, and sustained by the City Council on July 11, 2006, is amended with  
5 respect to the allocation of uses, which shall be substantially consistent or less than the  
6 following allocation:

	<u>Allocation (in square feet)</u>
7 Health and Fitness Facility (including a 8 basketball court and pool)	46,500
9 Office	20,400
10 Day Spa	13,000
11 Retail	9,600
12 Restaurant (Including food related retail 13 sales)	8,000
14 Auditorium	3,000
15 Storage	<u>10,600</u>
16 Total	110,600

17 Any material change to this allocation requires amendment to the Parking Plan, and  
18 approval of the Planning Commission.

19 18. The Conditional Use Permit shall be subject to Planning Commission review 6 months  
20 after commencement of business operations and annually thereafter.

21 Section 8. This grant shall not be effective for any purposes until the permittee and the owners  
22 of the property involved have filed at the office of the Planning Division of the Community  
23 Development Department their affidavits stating that they are aware of, and agree to accept, all of the  
24 conditions of this grant.

25 The Conditional Use Permit and Parking Plan Amendment shall be recorded, and proof of  
26 recordation shall be submitted to the Community Development Department.

27 Each of the above conditions is separately enforced, and if one of the conditions of approval is  
28 found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

29 Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and  
employees from any claim, action, or proceeding against the City or its agents, officers, or employee  
to attack, set aside, void or annul this permit approval, which action is brought within the applicable  
time period of the State Government Code. The City shall promptly notify the permittee of any  
claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to  
promptly notify the permittee of any claim, action or proceeding, or if the City fails to cooperate fully

1 in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold  
2 harmless the City.

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

8 The subject property shall be developed, maintained and operated in full compliance with the  
9 conditions of this grant and any law, statute, ordinance or other regulation applicable to any  
10 development or activity on the subject property. Failure of the permittee to cease any development or  
11 activity not in full compliance shall be a violation of these conditions.

12 The Planning Commission may review this Conditional Use Permit and Parking Plan  
13 Amendment and may amend the subject conditions or impose any new conditions if deemed  
14 necessary to mitigate detrimental effects on the neighborhood resulting from the subject use.

15 Section 9. Pursuant to the Code of Civil Procedure Section 1094.6 any legal challenge to the  
16 decision of the Planning Commission, after a formal appeal to the City Council, must be made within  
17 90 days after the final decision by the City Council.

18 VOTE: AYES:  
19 NOES:  
20 ABSTAIN:  
21 ABSENT:

### 22 CERTIFICATION

23 I hereby certify that the foregoing Resolution P.C. is a true and complete record of the action taken  
24 by the Planning Commission of the City of Hermosa Beach, California at their regular meeting of  
25 August 15, 2006.

26 \_\_\_\_\_  
27 Peter Hoffman, Chairman

28 \_\_\_\_\_  
29 Sol Blumenfeld, Secretary

30 \_\_\_\_\_  
31 Date

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**Jackie Drasco**

**From:** ronwamba@aol.com  
**Sent:** Wednesday, July 26, 2006 7:02 PM  
**To:** Jackie Drasco  
**Subject:** Problems on 16th Street

I am requesting that the following email and attached pictures be forwarded to the City Manager and if appropriate the City Council. I also request that an agenda item be added to a forthcoming meeting that will deal with the issues contained in this email. The issues below have been brought to the Planning Commission and they indicated that many of these types of issues need to be forwarded to either the City Manager or the City Council. If for some reason the pictures do not appear or there is a problem I can deliver a hard copy to the City Clerk. Therefore, based upon statements at the Planning Commission meeting I am requesting that the following issues be addressed and resolved.

I am a resident residing at 1600 Ardmore #213 at the Commodore Condo's. My home is the closest to the parking structure of the new building housing the Pavillion's parking structure. Sixteenth street (16th st) has become a virtual drag strip, raceway, and new parking lot. I have attached a number of pictures taken from my balcony which clearly illustrate the increase in the volume of traffic and the disregard for parking regulations. We also see few police patrols on the street. Last night at 6 pm I turned at the new PCH traffic light west onto 16th street and headed down the hill. I traveled about three car lengths and the traffic was stopped in both directions as people tried to get into the Pavillion parking garage. When I finally had a clear road in front of me, I continued down the hill when a pickup truck heading east and trying to turn into the Pavilion parking garage pulled across the road and blocked the entire road while he waited to get into the parking structure. He tried to block the entire street. I was able to go around the front of his truck and he started swearing at me and was trying to come after me, but traffic stopped him. Cars turning into the Pavillion refuse to let cars going straight down 16th street go through. There is a parking turn lane on the north side of 16th street but it is not used because cars can not make the tight turn into the garage. They think there is a 3 way stop in the front of the Pavillion parking garage. I am 66 and who needs this. Meanwhile, the street remained blocked in both directions and other cars were waiting/parking in the VON's loading area. We are aware that both the Planning Commission and the City Council approved the changes to the parking in the Pavillion that require 2 hours free parking. That was a positive move but it is just not working. It is too hard to enter the Pavillion parking garage. Come out for a few days and see for yourself.

The worst time of the day is 5 pm to 7 pm but the problems continue up to 2am in the morning. Customers of the Pavillion's parking garage peel their tires in and out of the parking garage and tear up and down sixteenth street. Car horns are continuously blaring in the early evening and that continues until 2 am in the morning. Truck drivers of 18 wheelers have started blowing their horns (very loud) in order to get cars parking in the Von's loading area moved. This is right outside our windows. Car owners are allowed to run their radios wide open, like boom boxes, while in the Pavillion garage and upon leaving. Night before last someone was working on their car at 2 am which was parked across the street. This woke me up and I watched a person go between the Pavillion garage and the car which was under the street light. The guy working on the car at 2 am in the morning was wearing a shirt that had 'SECURITY' across the back. The Planning Commission was assured both verbally and

in writing that the garage has staff who oversee it. What are these 'parking professionals' doing? Fitness Center patrons are also walking and standing outside the parking garage on the streets up to and past 2 pm. These people are really noisy and they yell right outside our windows. Can't get much sleep anymore. Last Monday, the HB Police had someone on the curb right outside our window at 11 pm. Guess they were dealing with a drinking issue as we have many that go up and down our streets between 11pm and 3am in the morning. Another late night for us.

The above issues go on every day of the week.

The Pavillion Parking Garage has cars on the right side trying to exit to the left and cars from both east and west trying to get into the garage. What a mess. The design of the garage entry is surely lacking and the existing turn lane is not usable. Maybe our city engineer should evaluate the access at 6 pm in the evening and propose a better solution.

Cars and semi's trucks park in the red zone on 16th street in front of the Commodore Condo's. Appears there has been little or no effort on the part of the Pavillion ownership to encourage their patrons to use the parking garage. Because of the problems and wait lines getting into the garage, patrons are parking elsewhere. They park all over the streets in front of residences. If the Pavillion has so much parking available why don't the patrons use it? When I place calls to the police they may or may not show up and it might be an hour later. Does not help much when a semi is outside your window with its engine running or cars are in the Von's loading area late at night with their lights on shining in our windows. Parking control has been doing a fair job but many times they also take an hour to show up. If there is an emergency in the city it must come first, but I have seen city police cars go around illegally parked cars and trucks after I have called in an issue and they just continue down the street. Guess that is not their job? I was assured by the Police Chief and Lt. Lance Jaakota that our problems would be addressed in a timely manner when we requested assistance. Service was good for a while but lately response has been very slow or non existant. Unless our area has increased police patrols problems will only increase.

We need relief on 16th street right now. Some citizen suggestions:

1. Position an unmarked police car on the street to ticket the speeders, the noise makers, and the drunks. Fines could be used to hire an officer.
2. Lower the speed limit on 16th street to some reasonable value such as 15 or 20 mph and enforce it.
3. Make 16th street a one way street. Not ideal but a solution that has worked in other areas in Hermosa Beach.
4. Require Parking Control to make some passes up/down the street at prime times and ticket people parking in illegal parking areas such in the Von's truck unloading area.
5. Consider placing speed strips/bumps on 16th street so that both the trucks and cars have to slow down.
6. Make parking on 16th street resident sticker parking only and on Pacific Coast Hwy in front of residences/condo's resident sticker parking only.
7. Make 16th street a quiet zone so the patrons of the Pavillion and cars or trucks using horns can be ticketed at any hour and enforce it.
8. Make responding to a problem reported by the community regarding parking, speeding or the Pavillion a priority. No one appears to be doing anything right now.

We know that this is not a perfect world and change does take time. We only ask that some cares enough to address issues that are real and continuing and that has been expressed by so many local residents in the last few planning and council meetings. The last Planning Commission meeting brought out at least 40+ people to speak to the parking, speeding, and other issues related to the Pavillion and the area surrounding it, including the request to open a lounge and restaurant in the Pavillion. Right now selling liquor at that location should be the last choice for the City Council. The residents of the area do not support this and seek relief from current problems before addressing any new issues. We want our former quality of life back.

Attached are a few pictures taken from my balcony of the numerous illegally parked cars and trucks and the confusion on the street that they cause. Sorry for the quality, but if requested I can provide many more and of a higher quality. I provided approximately 70 pictures to the Planning Commission. I would be happy to provide any additional information that is needed and would also be available for more details.

Thank you for listening,

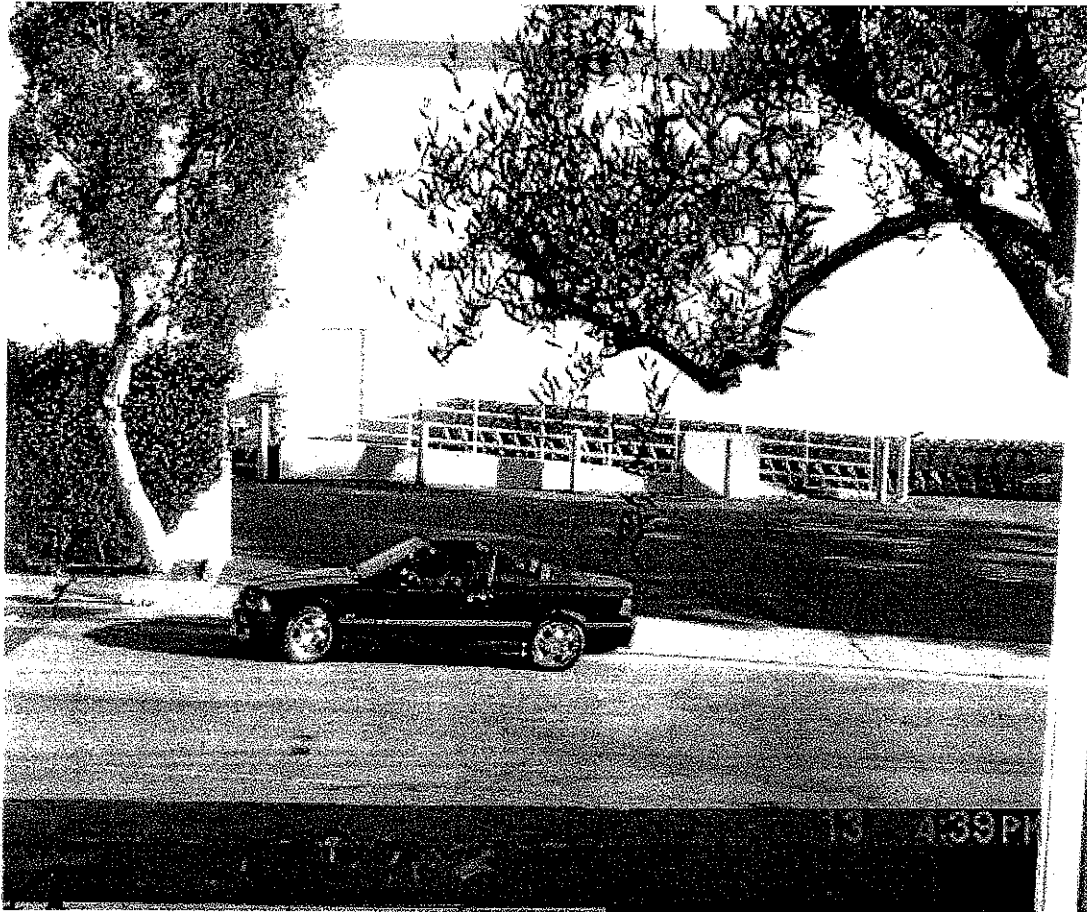
Ron Miller  
1600 Ardmore #213  
Hermosa Beach, CA 90254  
310-937-9052  
ron\_wamba@verizon.net  
ronwamba@aol.com



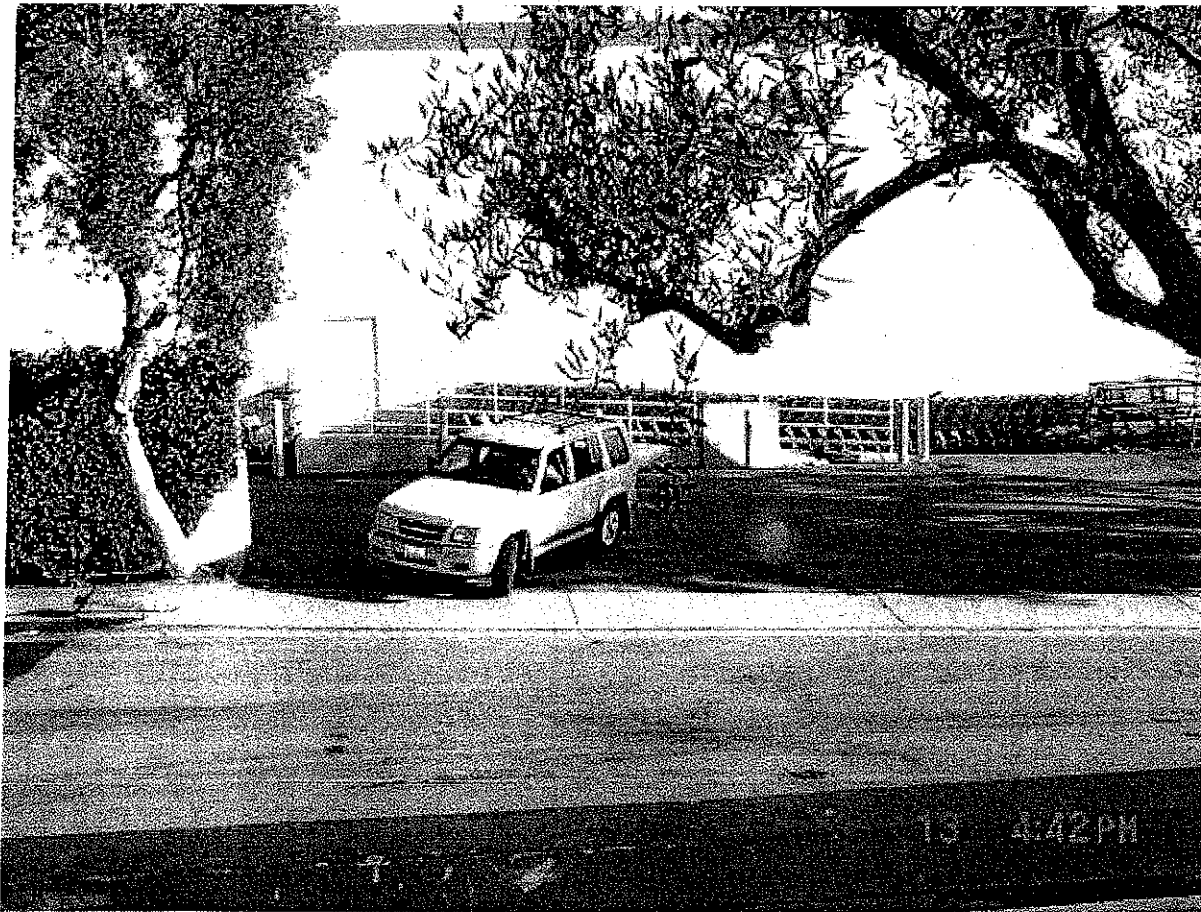
Traffic at 6 pm or so. Note SUV illegally parked.



One of the many traffic jams on 16th St.

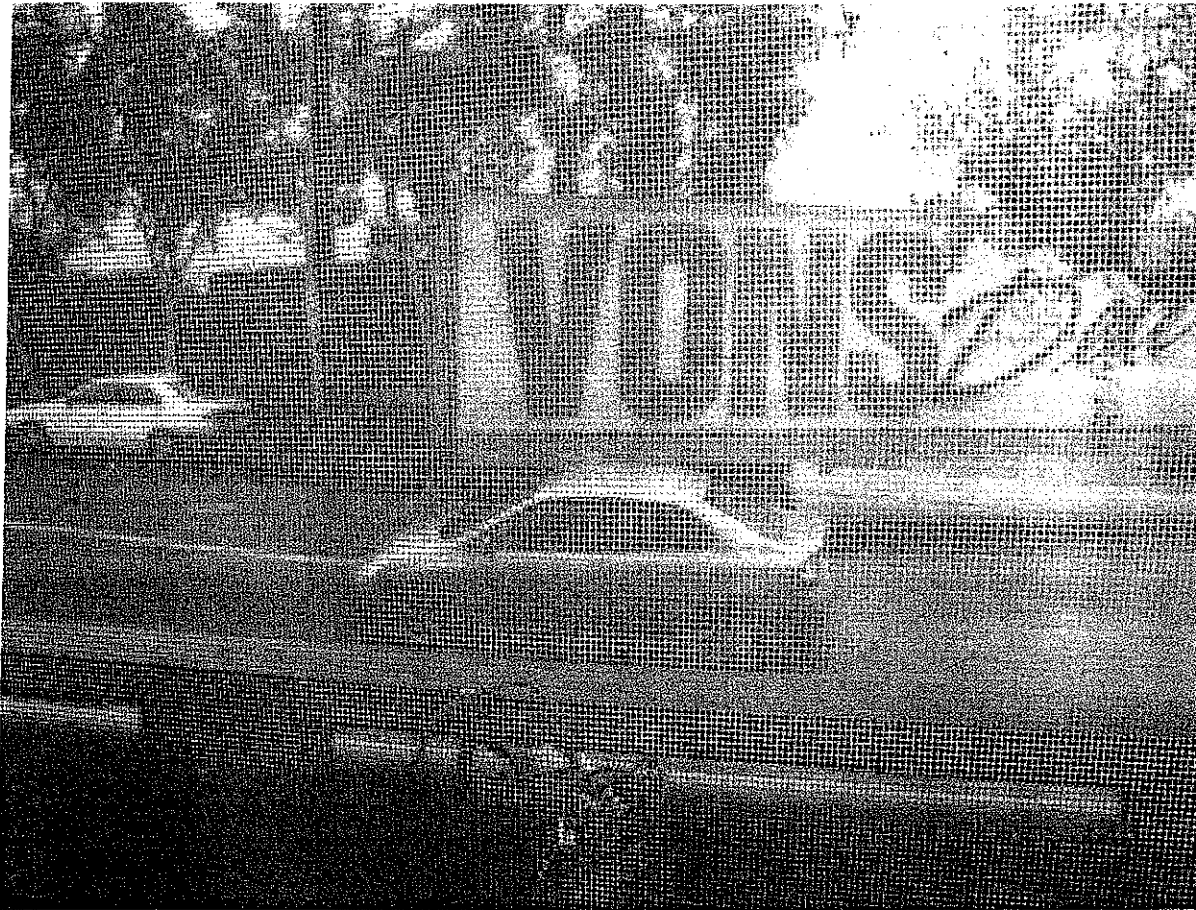


Car parking illegally in Von's loading area



Car parking illegally in Von's loading area





Truck blocking the street in the Morning.



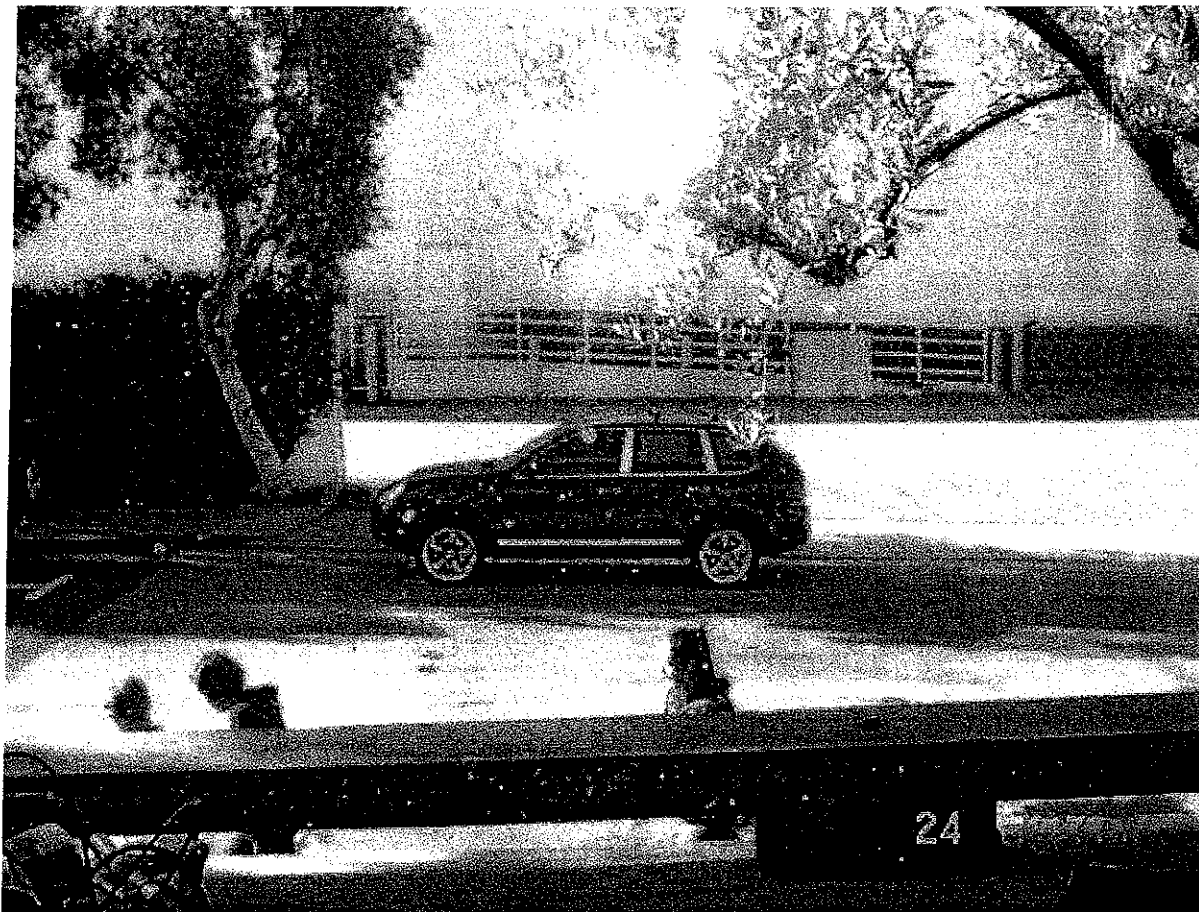
More pictures of the traffic on 16th



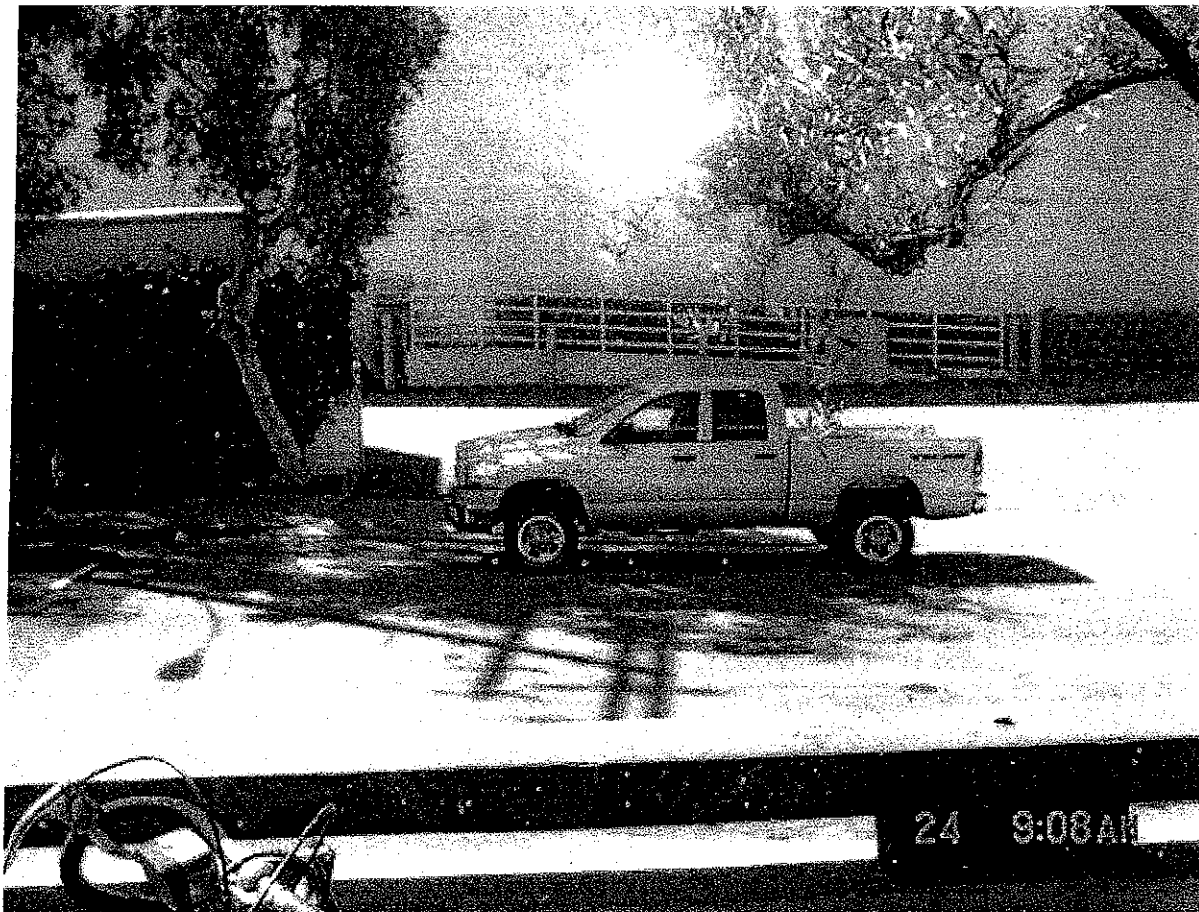
This is part of the 5:30 pm crowd



Car parking illegally in Von's loading area



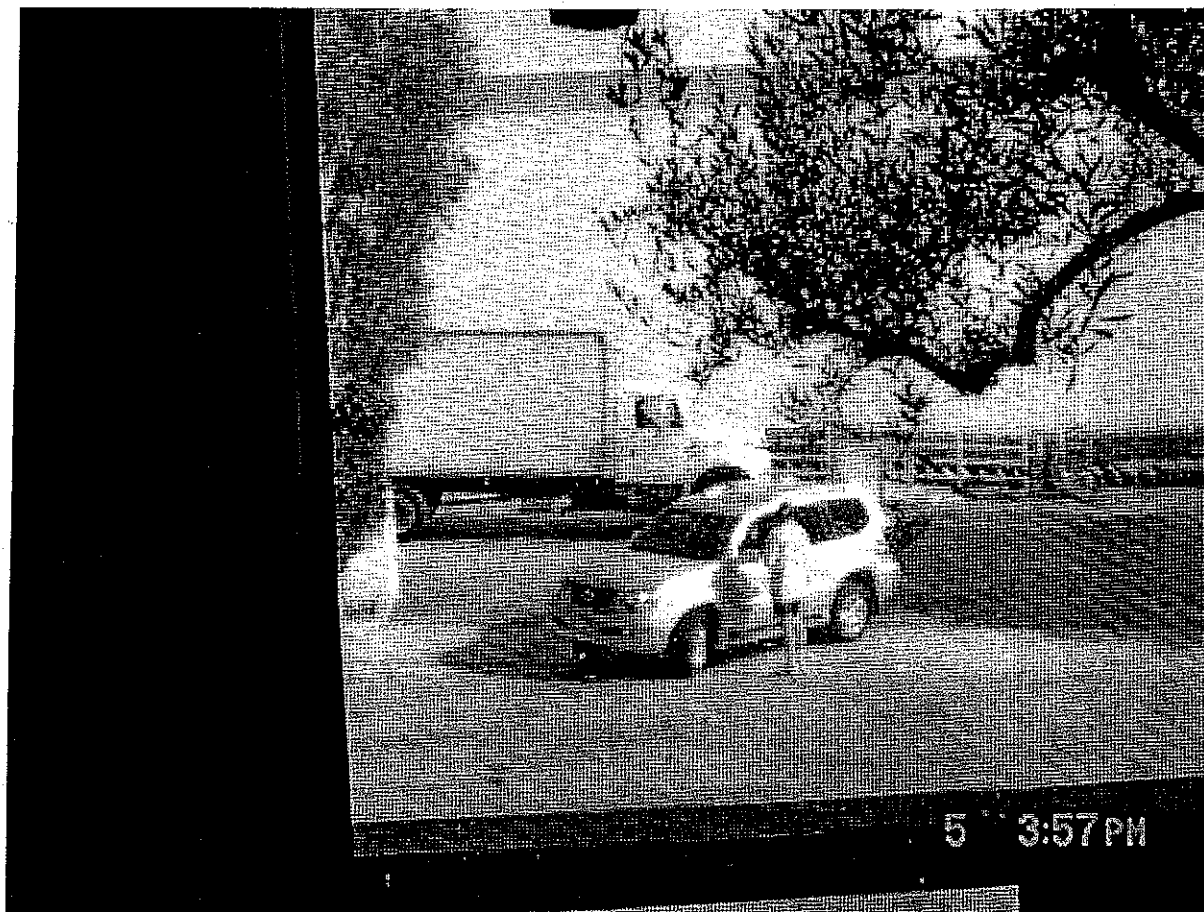
Car parking illegally in Von's loading area in morning.



Car parking illegally in Von's loading area



Car parking illegally in Von's loading area



Car parking illegally in Von's loading area

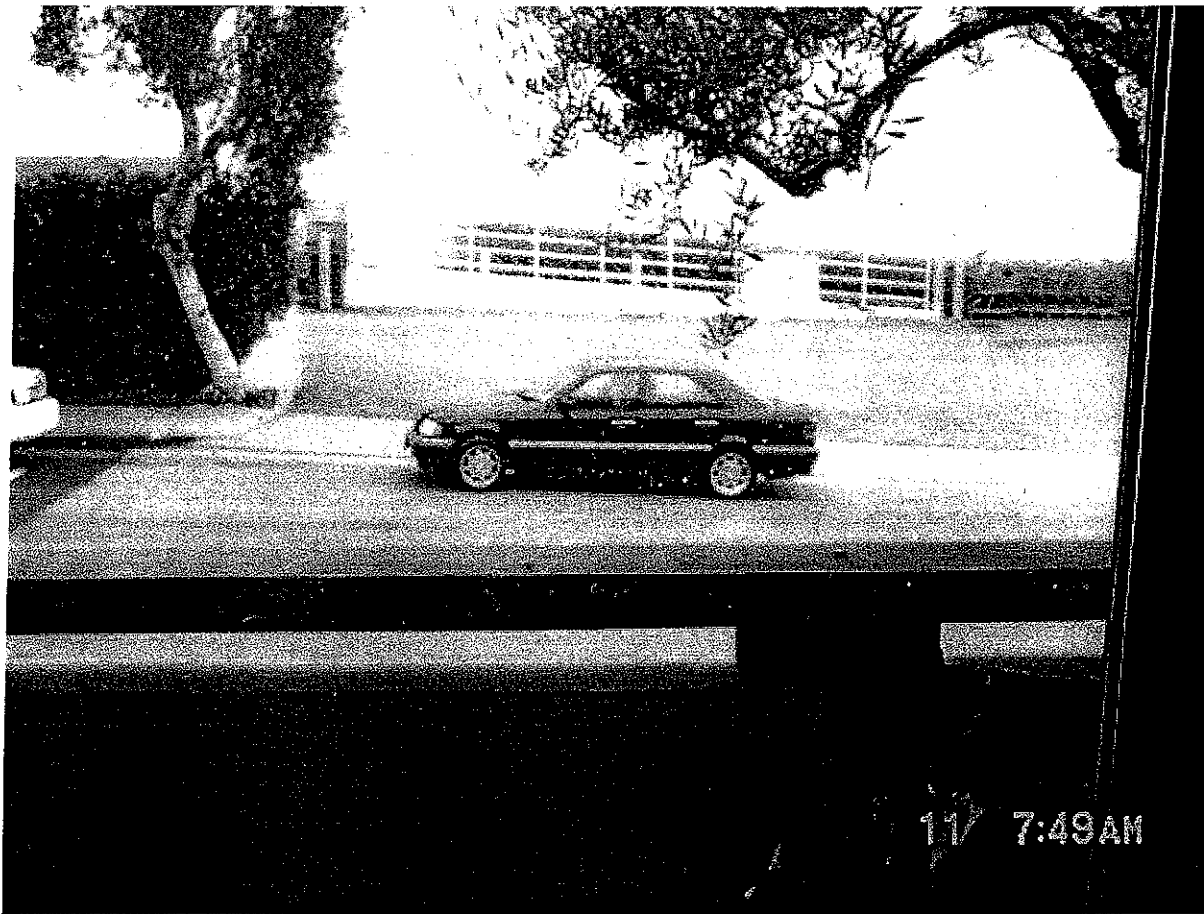




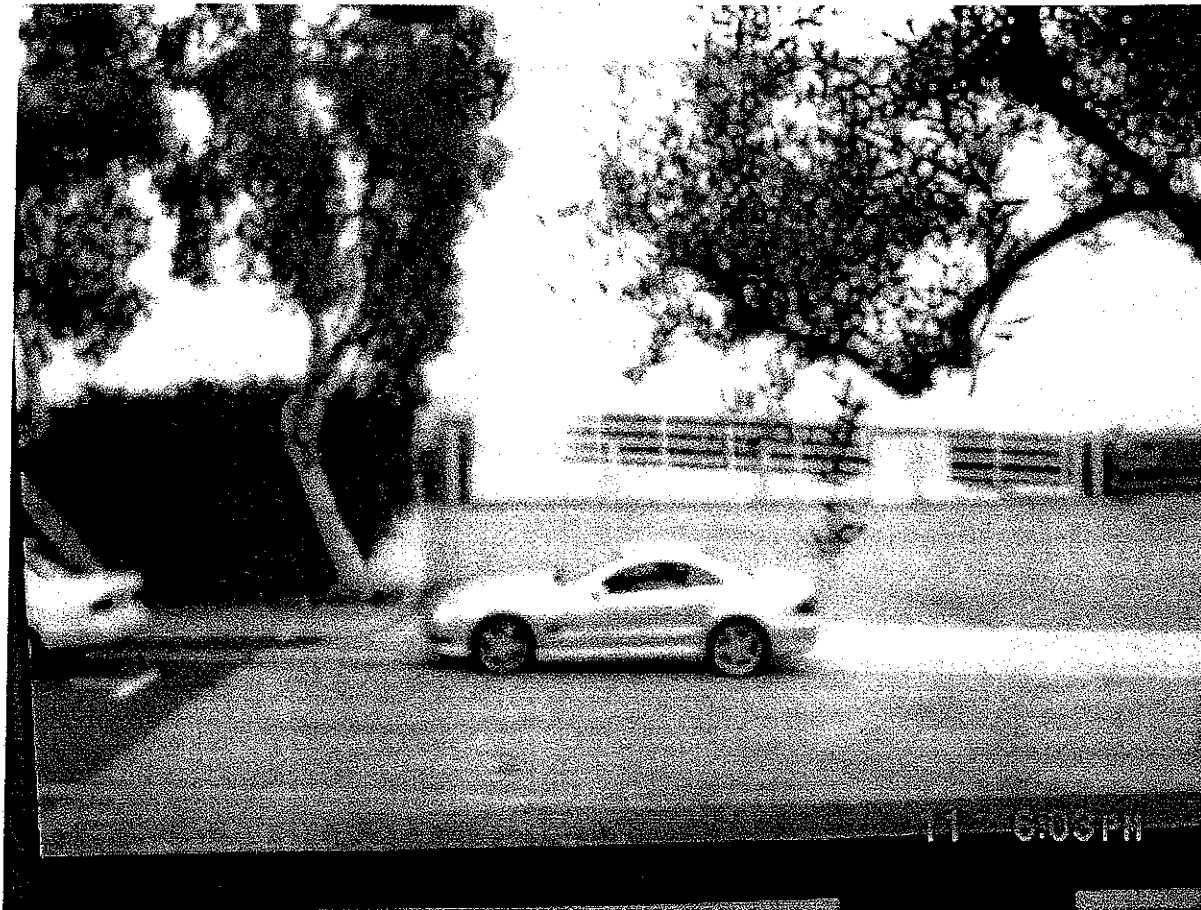
Truck parking illegally in Red Curb zone - police no show



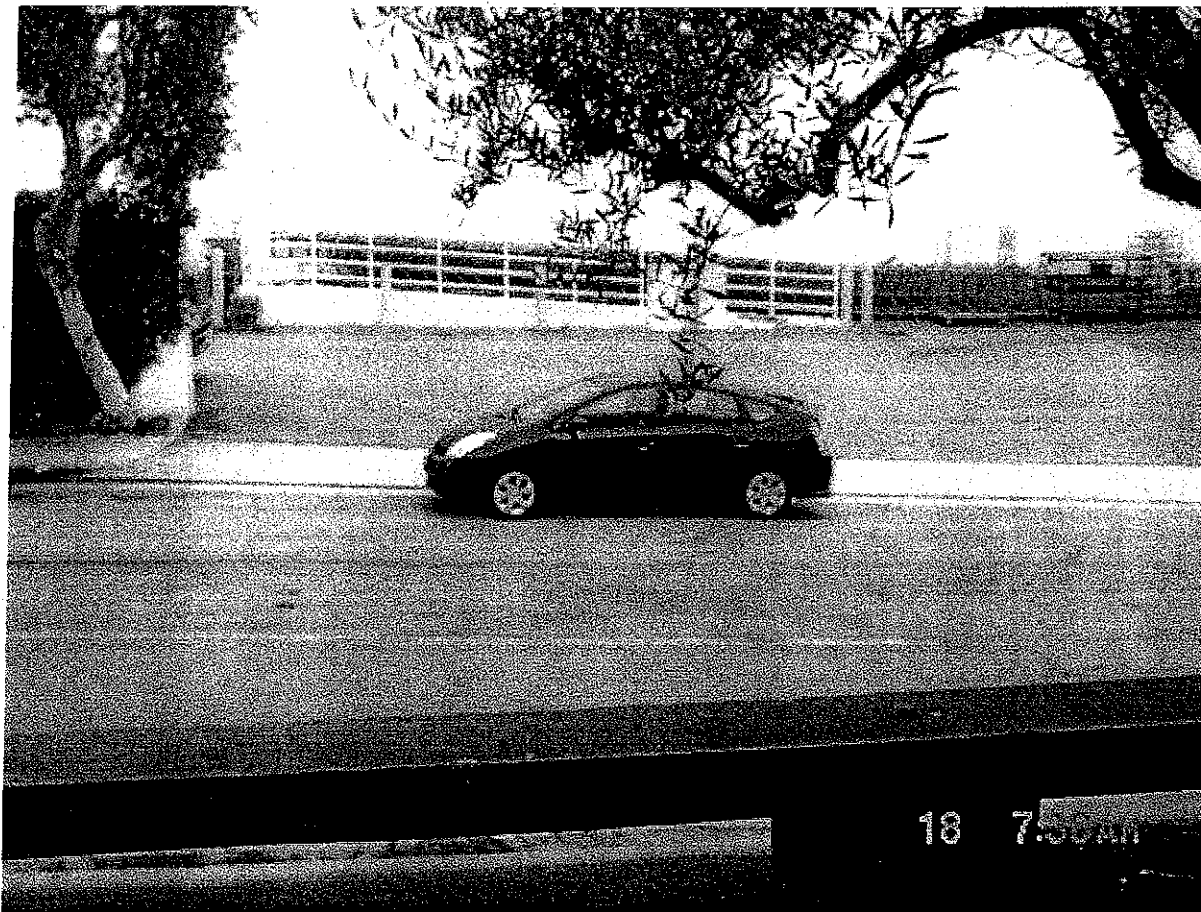
Car unloading illegally in Red Curb zone - police no show



Car parking illegally in Von's loading area



Car parking illegally in Von's loading area



Car parking illegally in Von's loading area



Cars parking illegally in Von's loading area

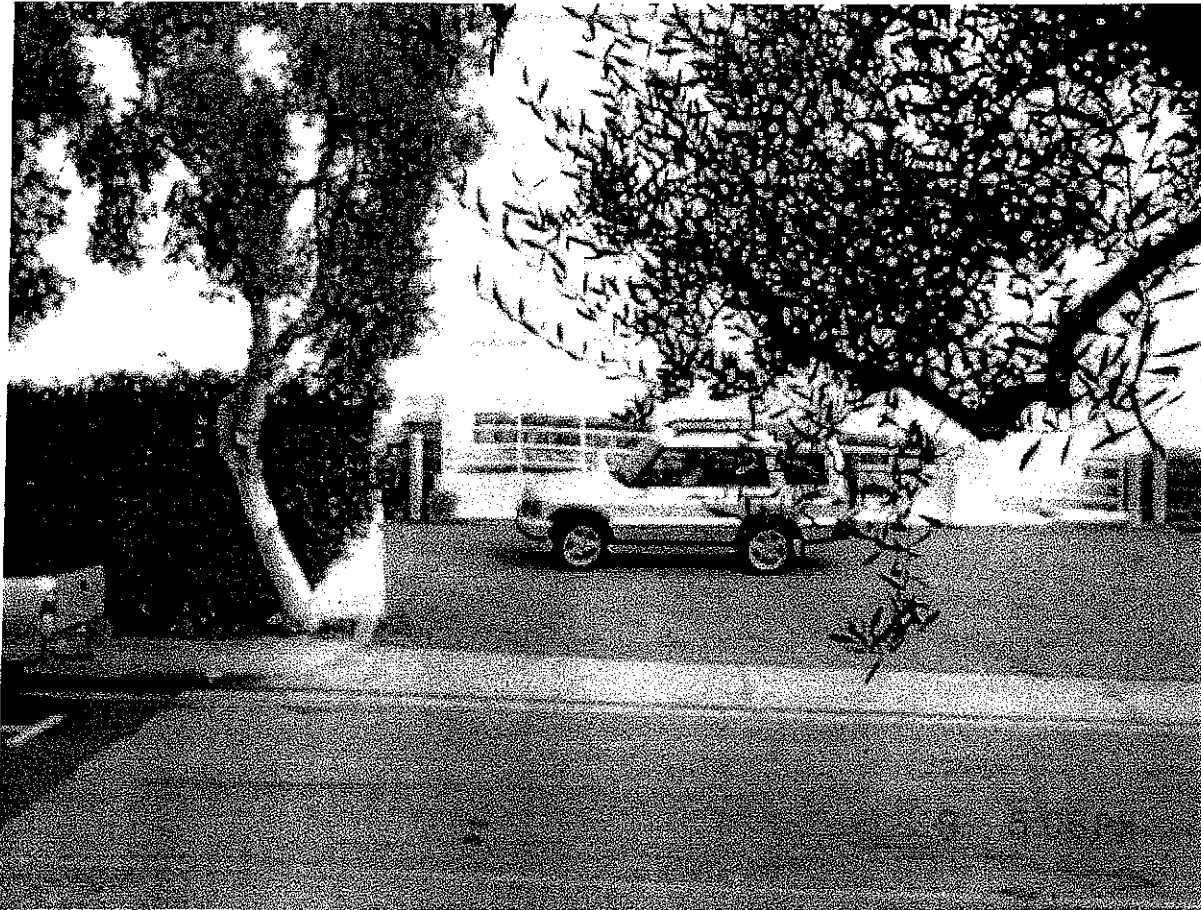


Car parking illegally in Von's loading area



Cars parking illegally in Von's loading area





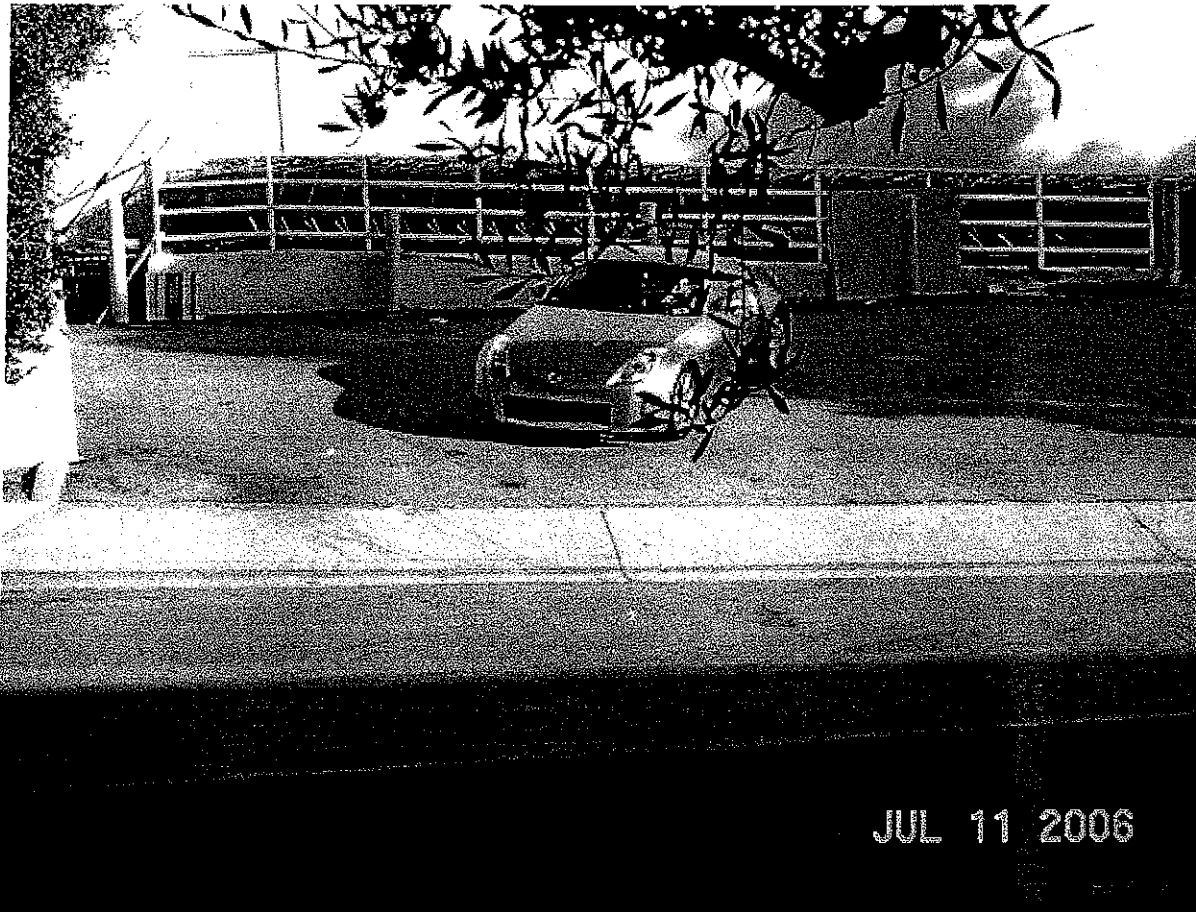
Car parking illegally in Von's loading area



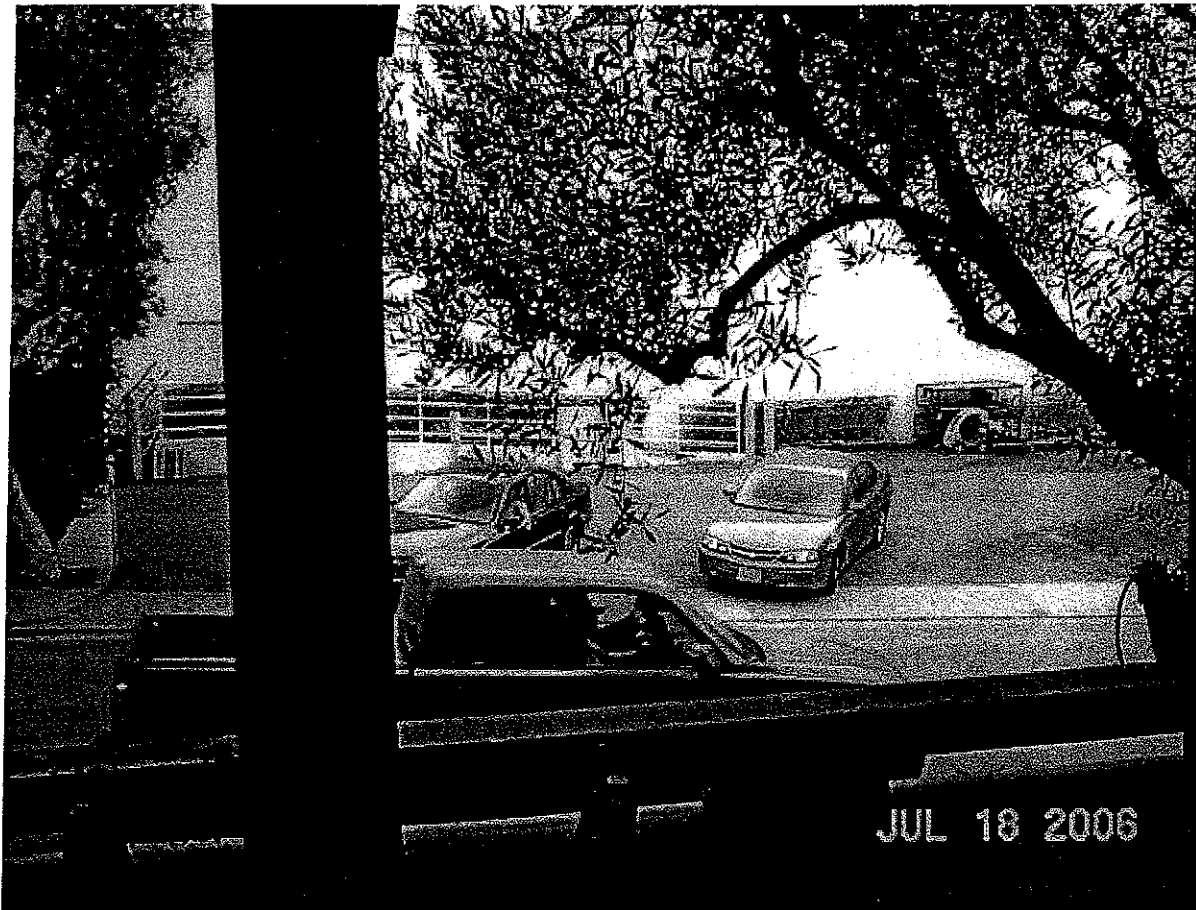
Car parking illegally in Von's loading area



Car parking illegally in Red Curb zone - police no show



Car parking illegally in Von's loading area



Cars parking illegally in Von's loading area and Red Curb zone



Car parking illegally in Von's loaing area

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REC-111111

JUL 18 2006

COM. DEV. DEPT.

To: Sol Blumenfeld  
From: Nathan Koher  
Date: 7-18-06

Regarding: Restaurant & Parking Plan Amendment to modify the Allocation of uses with the Hermosa Pavilion

Dear Mr. Blumenfeld,

I am writing you this letter stating that I have conducted this research. I have taken pictures as well as walked the neighboring communities of Manhattan, Redondo, and Hermosa Beach. I have found stunning similarities. The similarities are as follows:

**Hermosa Beach:**

- It takes exactly 2 min 50 sec to legally walk from the front entrance of the Hermosa Pavilion to get to the parking spaces in front of Pet Care.
- It takes exactly 4 minutes (200 paces) to legally walk from the front entrance of the Hermosa Pavilion to get to the free parking space on 829 17<sup>th</sup> street.



- It takes exactly 118 paces to legally walk from the free parking space by 832 16<sup>th</sup> street.
- 15<sup>th</sup> and 16<sup>th</sup> street have free parking in a residential neighborhood



- The Hermosa Pavilion has neighboring residential areas that offers free parking

- The Commodore, which is located directly behind the Hermosa Pavilion, offers no parking for visitors of their building.
- The Hermosa Pavilion is located adjacent to a Vons shopping center
- There are no restaurants/bars in Hermosa Beach that offer any kind of validated parking.



**Metlock Center:**

- The Metlock Center is approximately 1.5 miles from the Hermosa Pavilion. I'll also add that the Hermosa Pavilion and the Metlock Center are neighboring businesses to Ardmore Street.
- It takes exactly 80 paces to legally walk from 1200 12<sup>th</sup> street to get to the traffic signal located on Manhattan Beach Blvd and Ardmore Avenue. It takes 130 paces (2 min 30 sec) to legally walk to the Metlock Center property from 1200 12<sup>th</sup> street.



- The Metlock Center Parking Garage has exactly 463 non valet parking spaces. The Parking Garage also has 31 (lower level) valet spaces giving a total of 494 potential parking spaces.
- The Metlock Center Parking Garage has metered parking priced at 25 cents for every 15min at a maximum of 8 hours for long term meters and a maximum of 2 hours for short term meters. The meters are enforced from 9am to 8pm.





➤ The Parking Garage for the Metlock Center serves a number of the same businesses as the Hermosa Pavilion.



### TENANT DIRECTORY

#### 451C&D TERRACE LEVEL SUITES

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CURVES	6/24
SPACE STUDIO - SPIN, DANCE, YOGA	6/24
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ANNE NORRIS OZER, D.D.S.	6/24
STEVEN W. OZER, D.D.S.	6/24
JILL MICHELLE / S.F.A. DESIGN	6/24
WATERLEAF INTERIORS	6/24



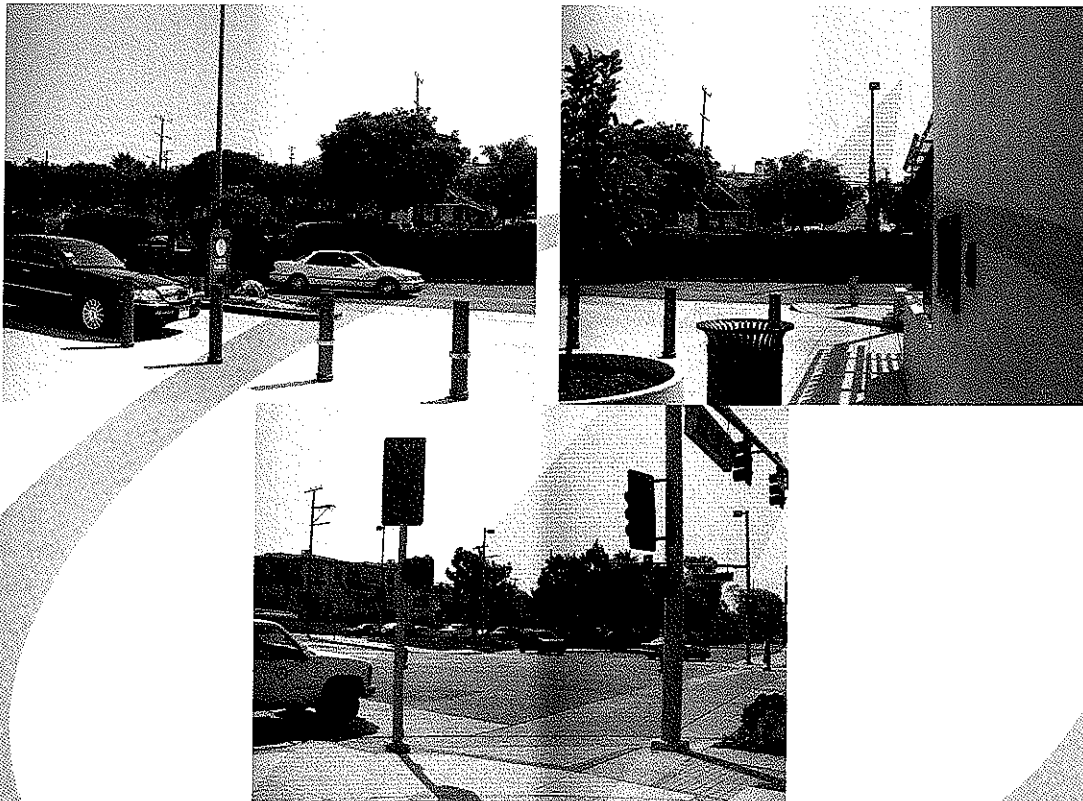
- I will also note that the Metlock Center has multiple restaurants located in their center.
- There is an adjacent condo across the street from the Metlock Center that offers visitor parking.



- Ardmore Avenue has parking that is not restricted
- The Green Build has metered parking.
- The Metlock Center is also located adjacent to a Vons shopping center.

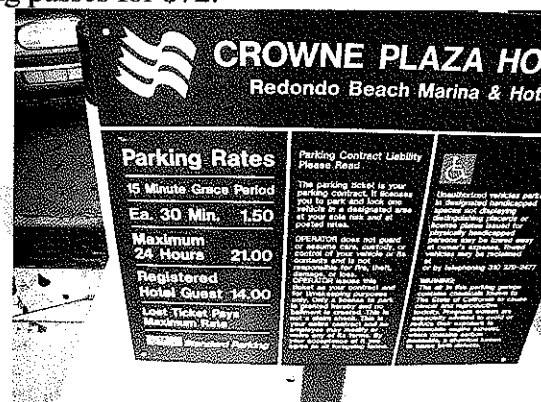


- The Metlock Center also has a hotel business that offers parties and functions that can function till 2am.
- There is not residential permit parking in the residential areas by the Metlock Center.



Redondo Beach:

- The Gold's Gym offers discounted parking for their gym members. The price is 50 cents for the first 4hrs of parking. Gym members can also buy monthly parking passes for \$6 and yearly parking passes for \$72.



- Gold's Gym has a car wash center (that uses water, not steam) located in their parking structure. Gold's Gym members also receive a discounted rate on the service.



In conclusion, the Metlock Center and the Hermosa Pavilion are similar properties and Metlock is not required to validate for restaurants.

FACSIMILE COVER SHEET AND MESSAGE

Total number of pages including this cover sheet 3

Date TH 8-10-06 Time

RECEIVED

AUG 10 2006

COM. DEV. DEPT.

To Hermosa Beach Planning Commission  
Fax number 937-6235  
Voice phone number 318-0235

From James Lissner, 2715 El Oeste, Hermosa Beach, CA 90254  
Fax number: (310) 376-2287  
Voice number: (310) 376-4626

Venue: Planning Commission Meeting of 8-15-06

Subject: 1601 PCH, CUP for Restaurant with Alcohol

Commissioners:

Staff is recommending midnight hours, seven days a week. I would like to suggest that those hours be only on weekends, with earlier closing during the week, like Manhattan Beach is doing on its new projects (see survey, attached).

I would suggest a three-tier arrangement, like Manhattan used with Fonzs, with these hours:

- Sun - Wed close at 10 pm
- Thu - close at 11 pm
- Fri - Sat close at 12 mid

Thank you for your consideration.

Sincerely,



Important: The pages comprising this facsimile transmission contain confidential information from James Lissner. This information is intended solely for use by the individual or entity named as the recipient hereof. If you are not the intended recipient, be aware that any disclosure, copying distribution, or use of the contents of this transmission is prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we may arrange to retrieve this transmission at no cost to you.

SURVEY OF DOWNTOWN EATING AND DRINKING ESTABLISHMENTS			
Establishment	Address	Hours of Operation	Alcohol License
900 Manhattan Club	900 Manhattan Ave.	M-Th 11am-12 am F 11am-1 am Sat 9am-12am Sun 9am-12am	Full Liquor
<i>Formerly BANYAN</i> Cdoco Noche	1140 Highland Ave.	Su-Th 6am-10pm F-Sa 6am-11pm	Beer and Wine
Beaches	117 Manhattan Beach Blvd.	M-F 10am-1am Sa-Sun 8 am-1am	Full Liquor
Café Pierre	317 Manhattan Beach Blvd.	Su-Sa 9am-1am	Full Liquor
Pasta Pomodoro	401 Manhattan Beach Blvd.	Su-Sa 7am-11pm	Beer and Wine
Ebizio	229 Manhattan Beach Blvd.	M-Th 6am - 11pm F-Sa 6am-12am	Beer and Wine
El Sombrero	1005 Manhattan Ave.	Su-Th 7am-11pm F-Sa 7am-12am	Beer and Wine
Ercoles	1101 Manhattan Ave.	Su-Sa 11am-2am	Full Liquor
Fonzs	1017 Manhattan Ave.	Su 9am-9pm M-Th 5:30am-10pm F-Sa 5:30am-11pm	Full Liquor
Francesca	1209 Highland Ave.	M-Th 11am-10pm F-Su 7:30am-11pm	Beer and Wine
Good Stuff (closed 9/05)	1300 Highland Ave.	Su-Sa 24 Hours	Beer and Wine
Hennesseys	313 Manhattan Beach Blvd.	Su-Sa 11am-2am	Full Liquor
Fusion Sushi	1150 Morningside Dr.	Su-W 9am -11pm Th-Sa 7am-12am	Full Liquor
Kettle	1138 Highland Ave.	Su-Sa 24 Hours	Beer and Wine
Mama D's	1125 A Manhattan Ave.	Su-Sa 7am-2am	Beer and Wine
Mangiarno	128 Manhattan Beach Blvd.	Su-Sa 8am-12am	Full Liquor
Manhattan Brewing Company	124 Manhattan Beach Blvd.	Su-Sa 7am-12am F-Sat 7am-1am	Full Liquor
Sharks Cove <i>Coolers</i>	309 Manhattan Beach Blvd.	Su-Sa 7am-2am	Full Liquor
Manhattan Pizzeria	133 Manhattan Beach Blvd.	No Reso	Beer and Wine
Michi	903 Manhattan Ave.	Su-T 11am-12am F-Sat 11am-2am	Full Liquor
Octopus	1133 Highland Ave.	M-F 11:30am-2:30pm to 5:30pm-11pm F-Sa 5:30pm-12am	Beer and Wine
Old Venice	1001 Manhattan Ave.	Su-Sa 10am-12am	Beer and Wine
Penny Lane	820 Manhattan Ave.	Su-Th 7am-10:30pm F-Sa 7am-11:30pm	Beer and Wine
Rock N Fish	120 Manhattan Beach Blvd.	Su-Th 7am-12am F-Sa 7am-1am	Full Liquor
Sidedoor	900 Manhattan Ave.	M-Th 11am-12 am F 11am-1 am Sat 9am-12am Sun 9am-12am	Full Liquor
Shellback	116 Manhattan Beach Blvd.	No Reso	Full Liquor
Sun & Moon Café	1131 Manhattan Ave.	Su-Th 6am-11pm F-Sa 6am-12am	Beer and Wine
Talia's	1148 Manhattan Ave.	Su-W 7am-11pm Th-Sa 7am-12am	Full Liquor

Towne	1142 Manhattan Ave.	M-W 11am-11pm Th-F 11am-12am Sa 7am-12am Su 7am-11pm	Full Liquor
Chakra	304 12th Street	Su-Th 10am-12am F-Sa 10am-1am	Full Liquor
Wahoo's	1129 Manhattan Ave.	Su-Th 6am-11pm F-Sa 6am-12am	Beer and Wine
Avenue	1141 Manhattan Ave.	Su-Th 11am-11pm F-Sa 11am-12am	Full Liquor
Shade Hotel	1221 Valley Drive	Lobby Bar- daily 5pm-11pm Courtyard Su-Th 6am-11pm F- Sat 6am-12am Roofdeck daily 6am-10pm	Full Liquor
Petro's	451 Manhattan Beach Blvd Suite B-110	Su-Th 6am-11pm F-Sa 6am-12am	Full Liquor
Jr.'s Deliboy	451 Manhattan Beach Blvd Suite D-126 1200 Morningside	Su-Th 6am-11pm F-Sa 6am-12am	Full Liquor

R M

R M

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R

CORKSCREW 2201 HIGHLAND  
CAFE

→ 11 pm FULL LIQ

G:/Planning/Ledger/Downtown Alcohol & Hrs List  
07/11/06

Received 7-25-06 by kill the goose.com

R = Recent approvals

M = metlox development