

***Please have this communication agenized for the next council meeting on September 12, 2006.

September 3, 2006

City of Hermosa Beach
Mayor and Council Members
1315 Valley Drive
Hermosa Beach, CA 90254

**RE: CODE VIOLATION & RECISSION OF CUP
HERMOSA PAVILION, 1601 PCH.**

Dear Mr. Mayor and Members of Council:

During the Labor Day weekend, the owner of the Hermosa Pavilion solicited "event parking" for \$10. This violates the PDP, Parking Plan, and Municipal Code. A chamber event is not an excuse to operate this garage as an auxiliary parking lot. Compliance issues have been at issue since August of 2005, and continue.

Code prohibits the "reducing diminishing or elimination of existing required off-street parking." **Municipal Zoning Code 17.44.050 (Unlawful to reduce available parking)**

A commission's decision in April of 2006 was upheld in July of 2006. The city required owner to provide 2-hour free parking to all patrons. SHOOK, owner of the "Pavilion" refused to implement this policy voluntarily. Forcing residents to cope with conditions over an **(11) month** period.

Once again, the owner of the Pavilion is in direct violation of municipal zoning code by diminishing parking availability. Shook's parking garage has created a marked increase in vehicular traffic along 16th Street. A review of the PDP and Parking Plan is essential. Nuisance conditions have become a chronic pattern, action needs expediting.

Rescind CUP 06-04 (Conditional Use Permit for on-sale general alcohol in conjunction with restaurant, together with amendment to Parking the Plan) of which modifies the allocation of uses within the Hermosa Pavilion. This document approved by commissioners contains misinformation. For multiple reasons this proposal for an 8,000 sq ft mega restaurant-bar will burden residents, and is an incompatible use for the area.

Rescind CUP 06-04 Parking Plan amendment: The parking plan is flawed by design, and deters and reduces one's ability to self-park their vehicle. The "double parking" or "valet parking" of vehicles is a counter productive strategy. By design it **diminishes** parking availability on city streets, causing spillover. The general public prefers to retain control over the keys to their vehicle, not valet park, or waste time waiting upon an attendant to retrieve their vehicle, prior to exiting the building. The policy will displace customers who will resort to parking on surface streets within residential neighborhoods. The "approved" parking plan is flawed by design. **MODIFY THE PARKING PLAN TO ALLOW ALL CUSTOMERS AND EMPLOYEES TO SELF PARK THEIR VEHICLES.**

A restaurant usage with alcohol consumption compounds impacts. Hours of operation that extend beyond 9:00pm are undesirable for neighborhood. Tenants should NOT have authority to operate later than 9:00pm, on any night of the week with the exception of the gym tenant due to the building's proximity to residential neighborhoods.

A neighborhood street (16th Street) is being converted into a main traffic artery to service the commercial corridor. Chronic impacts such as traffic noise, traffic volume, traffic flow, and parking impacts are progressive, and disruptive. On August 16, 2006, a public works hearing was conducted. A large number of residents from the "Hermosa Hills" attended this meeting. The consultant's report and recommendation defied credibility. The consultant from AAE and the Director of Public Works concluded the installation of the traffic signal had not changed traffic volumes entering 16 Street east of PCH. In addition, "*Since NO significant volume change has occurred further analysis is not warranted.*"

Once again, residents were denied consideration, and resolution.

Consistently, the city has acted to accommodate, enhance, and safeguard the economic interests of Mr. Shook, owner of the Pavilion, without consideration to the quality of life or property rights of residents in the surrounding area. The imbalance is very disturbing, and results in negative impact for residents residing in the surrounding area. For over a year, we have invested our time, and have encountered a charade of committee meetings, delays and counterfeit reports.

This communication is evidence of a formal written complaint, which requires attention of council at the next meeting on September 12, 2006.

Respectfully,

Patty Egerer
Resident