

# City Council Hybrid Meeting (Closed Session - 5:00 PM and Open Session - 6:00 PM)

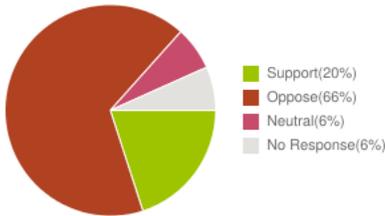
01-24-23 17:00

Agenda Name	Comments	Support	Oppose	Neutral
b) REPORT 23-0049 CONSIDERATION OF FEES AND OTHER CHANGES TO THE TEMPORARY OUTDOOR DINING PROGRAM (Environmental Programs Manager Douglas Krauss)	15	3	10	1

## Sentiments for All Agenda Items

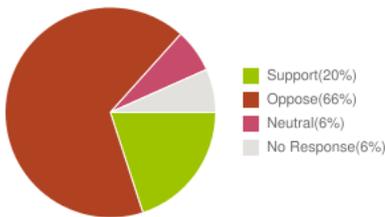
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

### Overall Sentiment



### Agenda Item: eComments for b) REPORT 23-0049 CONSIDERATION OF FEES AND OTHER CHANGES TO THE TEMPORARY OUTDOOR DINING PROGRAM (Environmental Programs Manager Douglas Krauss)

### Overall Sentiment



### Ira Ellman

Location:

Submitted At: 2:49pm 01-24-23

Dining decks on the plaza should be moved back to their original pre-pandemic boundaries. All other dining decks should be allowed to stay in their current space. However, decks need to be evaluated/inspected regularly for safety, structure, continued usage and appearance. Any advantage the city can give to the lower traffic areas of the city (Hermosa Ave, Pier Ave East, North End, Aviation, PCH, etc.) should be considered. In addition, I believe the current fee structure is reasonable based on the current economic climate. To retain roof top decks, restaurants should have to work through the planning department approval procedures. Finally, if it is determined by Council to keep plaza dining decks, I think Loreto Plaza should be at least partially returned to public use, as it is a public walkway, as well as one of the few shaded areas in the plaza. Somewhat unrelated to this discussion, city business licenses for restaurant/bars on Pier Plaza should be increased substantially to account for the regular required attention by city staff and HBPD (the current ridiculously low fee is \$6,196).

**Barclay Roach**

Location: 90254, Hermosa Beach

Submitted At: 2:38pm 01-24-23

Hello. I am a Hermosa Beach resident of almost 40 years. I'm also a full time musician, and am proud to say that I've been performing here for 25 years and counting. The extended patios on pier plaza have presented an amazing opportunity for the musicians in our town which was not previously available. Removal of the extended dining decks would directly affect the music community in a negative way. Please continue your support for the music community and for our local restaurants by allowing for the continuity of the extended dining decks on the plaza. Thank you.

**Laura Pena**

Location:

Submitted At: 11:26am 01-24-23

Dear Mayor, Council Members, and Staff – I appreciate all the diverse opinions on the Temporary Outdoor Dining Program. I oppose the removal of any of the extended patios on the Plaza as well as the roof-top dining areas on private property until a Permanent Program can be implemented. The City has long supported and encouraged outdoor dining on private and public property to supplement indoor operations. During the November 3rd Council Meeting, our deck program was extended until May 1, 2023. From a policy standpoint, it is hard to comprehend the rationale to change course and conclude the extended deck program that targets our Plaza businesses only two months later. I would understand if it was a safety or security issue, but according to the staff report that does not seem to be the case. Over the past year, the repeated question from council has been, why haven't business owners invested more in their decks to make them look nicer? Well, this is probably the exact reason. If a business cannot depend on a sixth month policy extension for a temporary program then please do not expect substantial investment in our downtown in temporary programs.

According to PLAN Hermosa, the guiding principles that help support our vision is to be a catalyst for innovation which includes anticipating future lifestyles and environmental realities that create a vibrant economy. Our Outdoor Dining Program including the extended patios realizes this vision. These spaces provide an important amenity for residents, workers, and visitors to socialize, recreate, and gather. If you go back to the ROMA (2014) report, "widened sidewalks and public plazas that create space for cafes and outdoor dining can also attract additional patrons. Activities that spill out and populate the public spaces communicate that this place is worth visiting – seeing people brings people." If we want our businesses to thrive during this economically challenging time then we need to provide them the tools to do so.

I appreciate your thoughtful consideration.

Laura Pena

**Megg Sulzinger**

Location: 90254, Hermosa Beach

Submitted At: 11:26am 01-24-23

I am 100% in opposition of removing the dining decks on pier plaza. Any time the word "equitable" is used is a cause for concern because that essentially means you are taking something from someone to give to some else to make things "fair". All our restaurants are equal in Hermosa regardless of location. Pier Plaza businesses pay a premium for their location and should not be punished. No business owner in Hermosa was forced into buying a location they did not want, all businesses are aware of potential challenges certain locations present. Removing dining decks for some restaurants and not others benefits one group while taking away from another simply because of their location is actually unfair. It is the city and the chamber's job to make visitors and residents aware of all the great restaurants in our town. Allowing dining decks that take away parking being allowed and those that take away no parking as noted in the agenda item seems very misguided. Please explain how removing the plaza decks improves parking? Allowing Pier Ave and Hermosa Ave businesses with decks and not on the plaza will create animosity amongst business owners. We are a community and you are attempting to make a very dangerous divide. The dining decks are a beautiful addition to our city and all restaurants should be able to keep theirs. Please consider the long term impact a decision like this will make.

**Fiona Fleming**

Location:

Submitted At: 11:21am 01-24-23

Dear City Council,

I, Fiona Fleming am owner & operator of Patrick Molloy's, a family owned establishment on Pier Plaza. This is our 27th year in business and we have seen many changes in Hermosa Beach over the last 3 decades. The last few Covid years has been the most trying times for any business owners, employees and residents alike. Although some may argue that the pandemic is nearly "over" and thus we should return to the pre-pandemic way of life, the residual consequences of the business closures and constant pivoting of business operations we endured during this time, are far from over. It will be many years before we can recoup what we have lost financially over the last few years. The dining decks for us & our neighboring businesses, have been vital in rebuilding our community and keeping our doors open. Additionally, they have proved to be one of the only positive improvements as a result of the pandemic.

We are blessed with the opportunity to live & work in one of the most beautiful beach communities. We have arguably the best weather in the Country where days are meant to be spent outside. Patrons come to Hermosa to experience the beach life - to eat, shop and enjoy our enviable way of life. This is evident in the sales analysis we conducted from the past few Covid years where 70-75% of our revenue was generated from our outdoor dining deck vs revenue from inside our restaurant. We have been able to employ additional staff as a result & if these dining decks go away, our loyal and hardworking staff may face layoffs. Simply, loss of revenue from our Pier plaza business is a direct loss of revenue for the city & its residents.

It does not seem reasonable, consistent or fair to remove the decks on pier plaza for the reasons stated in the report nor does it seem fair and consistent to charge variable rates based on late night business hours when in fact we are required to close & break down these dining decks every single night by 11:00PM like the other businesses that have earlier hours.

Please consider the original plan to set the dining decks as a permanent footprint and support all businesses equally. Thank you for your hard work & consideration on this topic.

Best Regards,  
Fiona Fleming, C.E.O.  
Patrick Molloy's

**Cris Bennett**

Location: 90254, Hermosa Beach

Submitted At: 11:05am 01-24-23

Good evening, Officers of the Hermosa Beach City Council, community, and residents present for tonight's meeting.

Firstly, I would like to apologize for not attending in person tonight. I have several personal conflicts that require my attention. I appreciate the opportunity to present my comments pertaining to this important agenda item, however, as has a huge impact on my business of 43+ years – Good Stuff Restaurants.

I know you are all aware of how challenging the recovery from the pandemic has been for all of us, including our businesses. I am here to share my personal experience as a long-time business owner who has the pleasure and honor to serve our and neighboring cities for over four decades.

The presence of the outdoor patios upgrades the face of Hermosa Beach. It brings and expands a new culture to Hermosa Beach by encouraging collaboration among our community and fellow businesses owners, promoting wellness, and enables us to help each other not only survive in our businesses but thrive in our daily operations.

Our outdoor patio at Good Stuff Restaurant on the Strand is, by far, the most popular dining option, especially post-Covid. Our community and customers LOVE feeling the sun on their faces and ocean breeze in their hair - now more than ever! We are ecstatic to see so many smiling faces and families enjoying a beautiful Hermosa Beach day for a great meal. I bet many of you can agree, the presence of the outdoor dining program has truly elevated the experience of living and working in this great town. Pumping revenue back into our town by way of additional and exceptional seating encourages further business growth. Consistency is key. We need program as-is to continue to operate successfully. That's a fact.

In speaking with customers and our community on a regular basis, I hear how much residents and visitors

appreciate the opportunity to drive less and walk or bike more to our little downtown. Our bike racks are often full, which is a beautiful thing to see! Not only does the outdoor dining promote healthier and a more pleasant atmosphere to enjoy a drink or a meal, helps encourage a greater community-feel and a healthy lifestyle. I have heard visitors talk about how much our outdoor dining reminds them of Europe. If we think of the bigger picture, having ample outdoor dining options encourages tourists and brings more revenue to our city. People want to come back, and they do largely in part to how enjoyable and fun our town is. Am I wrong?

In closing, I am confident that our elected leadership can devise a plan that continues to support the resurrection of revenue in Hermosa Beach, post Covid and beyond. I feel strongly in supporting our collective efforts and would be happy to participate in a committee of downtown merchants to help. I would love to see Hermosa Beach continue to support our active and healthy lifestyles by continuing the outdoor dining program, indefinitely. It benefits us all.

Thank you for your time.

Cris Bennett

Owner - Good Stuff Restaurants since 1979

### **Cody Lauterbach**

Location: 90254, Hermosa Beach

Submitted At: 10:18am 01-24-23

Dear City Council,

Since acquiring the extension of our outdoor patio and roof top dining deck during the pandemic we have been able to provide a unique intimate experience for our guests and have been able to put both spaces into good use for our community. The expansion of the patio allows us to focus much more on the dining aspect of our business and cater to many more locals, tourist and families looking to enjoy delicious food surrounded by Hermosa Beach's greatest attribute, it's outdoor beauty.

The roof top deck has become a downtown staple for community gatherings, home base for Hermosa sports leagues, and the go-to location for many other meaningful events. Our roof top deck is home to Leadership Hermosa meetings, Women's Club Hermosa meetings, Smack and Prank Monkey sports leagues and many more community driven groups. In addition, the outdoor roof space has allowed us to book many private events for residents that have included wedding and engagement receptions, graduation celebrations, along with beautiful outdoor celebrations of life for Hermosa's very own. Our local schools have also taken advantage of the space by hosting class reunions for Mira Costa High and Redondo High, and end of season gatherings for school sports teams.

Taking away the space would mean an end of being able to cater to large groups of guests who need and depend on this space for all it provides. We have taken much pride in being able to provide the community with one-of-a-kind space that allows us to host such important events.

We have worked extremely hard to provide our team members work during the pandemic and post, and the out outdoor space is an integral part of being able to do so. Removing the spaces would drastically cut down hours of pay for all of our service industry workers. Taking away income takes away from them being able to provide for themselves and families.

I strongly encourage you to consider these words, listen to the people of your community, and not take away our outdoor spaces. We look forward to being able to continue to utilize the silver lining that came out of the pandemic, our beautiful extended outdoor patios.

Sincerely,

Cody Lauterbach

General Manager

Baja Sharkeez Hermosa Beach

562-881-3507

cody@sharkeez.net

### **JD Ciasulli**

Location: 90254, Hermosa Beach

Submitted At: 8:25am 01-24-23

I wanted to write with regards to the discussion to remove the Pier Plaza deck extensions as well as the removal of roof top decks that were temporarily approved during the pandemic. I cannot express enough the misjustice that would be done to the people of Hermosa Beach if we were to remove these decks. I do not need to detail the terrible epidemic that we are still getting through, but I would rather focus on the good things we learned during that time that we can do to benefit our community. The greatest commodity gained during this dark period was the ability to enjoy outdoor dining in beautiful Southern California.

Being outdoors is what this beach town is all about. Our locals love to eat outdoors as evidenced by the fact that a vast majority of our reservations still request outdoor seating. It is always tough to have to tell regulars and locals that they cannot sit outdoors because we do not have enough tables outside. We all know how great a tourist destination Hermosa Beach is, not only for people out of state or country, but also for shorter visits by guests that live in surrounding cities. With all the tourism, it is imperative that we can still accommodate the members of our amazing community. When locals come down with their families, in strollers, with their kids, wanting to eat on a deck and enjoy our beautiful outdoors, we want to make sure we can accommodate them as well as their requests. If you remove the outdoor decks, that will drastically reduce the number of seats we have outdoors, and our locals will suffer drastically.

Even more than just local households, the addition of our rooftop has given us an amazing space for groups to enjoy in a private sense. Just last week, we helped hold a fundraiser for the Sand Tots organization. Leadership Hermosa has used our roof for multiple events. We hosted many a birthday parties, wedding rehearsal dinners, holiday parties, etc. for our locals and friends up on the roof. Again, this is why we live in Southern California; why would we make it harder for members of our community to find outdoor space large enough to host their milestone events when they can make those memories in our own backyard.

Everyone has lost enough during the pandemic, I implore you not to take away the outdoor and rooftop decks, one of the only good things that this community gained throughout this crisis. Please do not do that to the people of Hermosa Beach. We need to enjoy the beautiful outdoors that Hermosa Beach offers!

Sincerely,

JD Ciasulli

General Manager

Palmilla Cocina y Tequila

310-623-2563

jd@palmillahb.com

### **Levi Lupercio**

Location: 90266, Manhattan Beach

Submitted At: 7:47am 01-24-23

Dear City Hello,

My name is Levi Lupercio, my wife Lisa and I own Playa Hermosa Fish & Oyster. That being said, we are family owned and loss of outdoor dining will not only be a major detriment to our business, but to our staff as well. Staff will definitely lose shifts, potentially jobs and I really see no reason for us to jeopardize this for something that people in our community support, as well as supporting the city and small businesses. This loss of revenue will absolutely hurt us all. Please stick to the plan set forward in November and consider making outdoor dining parcels permanent and not abolished. Thank you so much for your time and consideration.

Best

Levi Lupercio

### **Andrea Jacobsson**

Location:

Submitted At: 10:49pm 01-23-23

Please oppose closing the temporary dining decks, especially right before summer, and support keeping dining decks, roof decks, and patios whether they are in public or private areas open and permanent. It would be sad if City Council followed the staff report suggestion disallowing roof-top dining areas on private property or outdoor dining encroachments on Pier Plaza. The community, Hermosa businesses, Hermosa employees, and the city, (from revenue), benefit from keeping these rooftops patios, and decks. Everyone enjoys fresh air, sunsets, and dining by the ocean. Making the outside patios/roof decks permanent is a win-win and creates a European vibe at the pier, beach, and downtown area.

## Raymond Dussault

Location: 90254, HERMOSA BEACH

Submitted At: 6:38pm 01-23-23

When temporary and extended space was approved during COVID, it was intended to be temporary. (As were the lane reductions on Hermosa Ave. and Pier Ave.) Like Europe after the 1919 Influenza, the community has overwhelmingly supported the patios and want the city to find a way to make them permanent.

Every council candidate, including the three that were elected, stated clearly that they supported the permanent patios. On Nov. 3, 2022, the City Council directed City Staff to return on May 1, 2023 with a permanent plan. On the current agenda, City Staff proposed closing all temporary and extended patios on Pier Plaza. This is shocking and short-sighted.

Sharkeez and Palmilla's rooftop decks are mentioned specifically in the staff report but not Vista's. Personally, I love all three spaces and they are assets to the community. Yet all three are on private property and Sharkeez is already ADA ingress/egress compliant. Sharkeez rooftop was intended as a rooftop deck and was designed structurally for that use. All three decks must be treated equally with an opportunity for permanent approval.

There are complex issues, including permitting processes, adequate parking, and Coastal Commission support, that must be addressed in the permanent plan. That is an argument for not chopping this up piecemeal and making rash decisions that tear up the community. The plan must include a chance for all businesses to seek approval for private spaces and extended outdoor dining patios.

You may have seen in the news that San Diego acted proactively and already has an approved plan in place for its business community. Hopefully our staff is doing the same and is not waiting for May 1st to start the process.

### Market Rents:

- The city should seek market rents for the space used by businesses. It is unfortunate that staff has muddied a non-controversial issue with the disconcerting proposal of closing well loved and needed outdoor dining space.

### Pier Plaza Temporary & Extended Patios:

- If you close the Pier Plaza patios, all these businesses will have to layoff bartenders, servers, managers and chefs. The human cost of governmental decisions is often forgotten.
- This "equity" argument is a logical fallacy. Pier Plaza - like Santa Monica's 3rd Street, Redondo Beach's Riviera Village, San Diego's Gaslamp - benefits from the synergy of many businesses in a single location near the ocean. That was the point! Because of that, rents and expenses are already many times higher than businesses that choose to locate off Pier Ave. Residents and visitors alike gravitate towards Pier Plaza because it has these advantages, not because it has more patio space. Should we erect a 20 foot wall in front of Scotty's so their view is similar to a business on Upper Pier? The city should not pit one business against another. When this is done, the community loses.
- There are different business plans necessary if a business owner decides to open off of Pier Plaza.
- In addition, there are many small-front businesses that are roughly the same size as the off-Pier properties. Businesses like Waterman's, Greenspot, Silvios, Café Bonaparte, Playa and even Molloy's need their extended patios for long term viability.
- Some of the larger businesses – Vista's patio, Brews Hall, Palmilla's rooftop, Hennessey's new patio area with its nice railing and Adirondack chairs, Sharkeez roof, Tower's patio – have become valued assets to the community. The Chamber took advantage of Vista's space for an election mixer, Leadership Hermosa Beach has embraced Sharkeez and Palmilla's roof decks. I've personally held a toy drive supporting the Beach Cities Toy Drive on Sharkeez patio and a fundraiser benefitting Breast Cancer Angels on Tower's patio.
- The community has desperately needed these larger spaces and they have been widely embraced.

- Staff is proposing a market rate structure for all of the extended patios. For the extended patios on Pier Plaza, that extra space costs the city nothing. Why not earmark those dollars for economic development improvements on Hermosa Ave. and Upper Pier? Invest in better cohesive lighting, standing directories, events and creating a sense of place.

Not only will businesses be harmed but employees will lose their incomes and residents will lose valuable spaces that are widely supported. We will lose those valuable spaces because of the mistaken idea that closing them will cause thousands of people to flood Hermosa Ave. and Upper Pier. That's not human nature.

The city has long neglected the business corridors off Pier Plaza. Those corridors deserve a long-term comprehensive plan to improve their vitality. Harming residents and Pier Plaza businesses is not the plan those corridors need.

Please do not close these valuable Pier Plaza dining spaces and recommit to the council's Nov. 3rd direction that Staff brings a comprehensive plan forward on May 1.

### **Randy Balik**

Location:

Submitted At: 4:24pm 01-23-23

First, there is so much confusion with this one in terms of "support" and "oppose," that I just selected "neutral"....but that is misleading - my positions on these matters are very strong and very clear. What are we actually supporting or opposing by clicking these buttons? There are things to BOTH support and oppose here. The confusion is evident in just the first few comments posted - at the time of this comment, there are comments from two restauranteurs who both support expanded outdoor dining - one clicked "support" (assuming meaning to keep it as-is) and one clicked "oppose" (assuming meaning in opposition to changes). So don't be misled on the "support" vs. "oppose" comments - all comments must be read thoroughly.

So let my written comment here be more clear than what is actually on the table right now. I fully SUPPORT our outdoor dining. I fully SUPPORT a fair fee structure for that encroachment. I fully SUPPORT all of Hermosa's downtown businesses to have the opportunity to use outdoor space in front of their storefronts (subject to the fair fee structure, of course). I fully OPPOSE trimming back any of our outdoor dining, including roof decks and other outdoor spaces that were opened up during the pandemic. In short, fully SUPPORT our businesses being able to take advantage of more of our outdoor space, which is the European model I've been espousing ever since I was, myself, a City Council candidate.

The grumblings around town about this issue, true or not, is that there is a push from City Hall to curtail our outdoor dining, shrinking it back down to pre-pandemic size, and removing some of the newly created outdoor spaces. There are both rumored and written reasons for this, but the most widely used rationale from my understanding is that it is only fair to restaurants, not fair to other businesses, and leads to more physical crowding on our walking spaces and plaza. That's just plain ridiculous.

Regarding fair to all businesses, I've not heard this complaint from any non-restaurants. The "fairness" and "balance," most especially when it comes to the Pier Plaza businesses, is baked in with the encroachment permits. If a business wants to use more space, they pay more. If they don't, then they don't have to pay more. This outdoor space use has generated a lot of foot traffic and energy, which is great for Hermosa Beach and all of our downtown businesses...so why curtail it?

I've had the pleasure of enjoying the expanded outdoor spaces being used by many of our local restaurants. I've enjoyed the European vibe created by our expanded cafe-like atmospheres around town. Perhaps fee structures may need to be revisited. Perhaps points of view of the non-restaurant businesses need to be fully heard. Perhaps those non-restaurant businesses need to be given their own opportunities to utilize more outdoor space of their own (another idea I've stated loudly many times). But DO NOT shrink down the vibrant outdoor business atmosphere that we, as a city, are still learning how to fully harness in the best possible ways.

Encourage Hermosa Beach to push forward, not to regress and move backward.

### **Michael Zislis**

Location: 90266, Manhattan Beach  
Submitted At: 2:46pm 01-23-23

Monday, January 23, 2023

Dear City Council,

I opened The Brews Hall restaurant in May of 2021. Though this was a challenging time in the industry and our Country's history to invest in new business, my team and I were excited to work with the city and provide a family-friendly restaurant on the Pier that would appeal to residents. Our restaurant group invested over a million dollars to achieve this goal. While business has improved compared to the more severe stages of the Covid epidemic, it is far from thriving. Additionally, the constant warnings of an impending recession have made customers more conservative with their dollars. The proposed loss of the extended outdoor seating will be detrimental for businesses like ours for several reasons.

Over 70% of our revenue is generated from our outdoor dining, nearly half of which is the extended patio portion. The patios are used predominantly on the weekends when we can recoup the low sales during the week. Our business on Saturdays and Sundays allows us to recover the overall loss we experience during the week (Monday- Thursday). We depend on the busy weekends to balance those losses and bring us to breakeven. By removing the additional seating, you would remove nearly a third of our revenue, making profitability and the resulting sustainability of the business impossible.

Decreased restaurant revenue is not only a Hermosa Beach problem. The restaurant industry nationwide has continued to experience challenges. The effects of Covid never entirely subsided, and now we are experiencing new declines in sales due to the economy and impending recession. Customers are being extremely conservative with their dollars. It is the wrong time to take away revenue sources from restaurants. We do not have late-night sales generated by alcohol, and no other family restaurants on the Pier will survive this change. We encourage all of the businesses to share their current financials compared to 5 years ago. Those numbers will prove that business has yet to recover from the effects of 2020.

Our Covid footprint does not negatively impact the Pier in any way. Our space utilizes the bank's side frontage and does not encroach on the public walkway or views. The outdoor space is where families and the daytime crowd want to be.

In conclusion, if the extended patios are removed, the non-night club businesses, including ours, will most likely be forced to shut down, employees will lose their jobs and resulting incomes, and residents and visitors will go elsewhere to enjoy outdoor dining. Why take away such a positive element of Hermosa Beach? Keeping the patios will continue to encourage the healthy family environment that we all want and strive for in the city,

Thank you for your time and attention to this critical matter.

Sincerely,

Michael Zislis

Owner, The Brews Hall

**Joey Gomez**

Location: 90732, San Pedro  
Submitted At: 2:22pm 01-23-23

Hello,

My name is Levi Lupercio, my wife Lisa and I own Playa Hermosa Fish & Oyster. That being said, we are family owned and loss of outdoor dining will not only be a major detriment to our business, but to our staff as well. Staff will definitely lose shifts, potentially jobs and I really see no reason for us to jeopardize this for something that people in our community support, as well as supporting the city and small businesses. This loss of revenue will absolutely hurt us all. Please stick to the plan set forward in November and consider making outdoor dining parcels permanent and not abolished. Thank you so much for your time and consideration.

Best

Levi Lupercio

**Umut Cicek**

Location: 90254, Hermosa beach  
Submitted At: 12:29pm 01-23-23

Hello,  
I own heavenly couture retail store at pier plaza. I m full supporter for outdoor dining .it helps everybody who own business in hermosa beach.it should be permanently.  
Thank you.