

**From:** Rachel Enders <rachel.enders@gmail.com>  
**Sent:** Tuesday, November 18, 2025 11:26 AM  
**To:** Planning  
**Subject:** Public Comment on Hermosa Beach Planning Commission Agenda Item 7a  
**Attachments:** [Hermosa Planning Meeting Public Comment.docx](#)

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Good morning,

Please see public comment for agenda item 7a. Position is against approval of CUP and TPM, and in the alternative, asking for a conditional approval based on concerns raised about the grading and a proposed exterior wall.

CUP - The proposed use will be adverse to the community and detrimental to surrounding properties or improvements.

TPM - The proposed project reduces property value of the triplex at 1038 Sunset, 1040 Sunset, and 1038 Loma by restricting access and blocking ingress and egress.

Best,

**Rachel Enders Clark**

Attorney at Law

[310-908-1668](tel:310-908-1668) | [LinkedIn](#)

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Public Comment for 11/18:

Good evening Commissioners, and thank you for the opportunity to be heard on this matter. My name is Rachel Enders Clark. I am an attorney representing Francesca and Olivier Enders, the owners of 1040 Sunset Drive, 1038 Sunset Drive, and 1041 Loma Drive—the triplex located immediately adjacent to the proposed development at 1035 Loma.

First, I want to express that my clients were truly thrilled to see the renderings for 1035 Loma. The design is thoughtful and attractive and we agree that this project has the potential to greatly enhance the neighborhood. We support the property owner's efforts to improve the site. We are not here to delay construction or oppose the development as a whole. Our request is simply that certain long-standing access rights be acknowledged and preserved so that both properties can coexist harmoniously.

The primary issues relate to (1) the proposed grading, and (2) the proposed construction of a wall directly on the property line. For at least 25 years—the period that the current owners have held title—the residents of 1038 and 1040 Sunset have continuously and openly used the side path between the two properties. This area provides the only access to the kitchen door of 1040 Sunset and the hot water heater closet, which access from the street is blocked via the existing stairs and landing. If the grading is altered so that the level of 1035 Loma becomes lower than the existing grade of 1038 and 1040 Sunset, or if a wall is built on the property line, access to these critical areas would either be made unsafe or be entirely blocked.

This is not a new or temporary use—it has existed for decades and has been relied upon by multiple tenants and owners. While my clients would have a strong basis to pursue a prescriptive easement through the courts, that is not the outcome anyone wants. Litigation benefits no one and risks delaying a project that we genuinely hope to see move forward. Instead, my clients would much prefer an amicable and cooperative resolution, including the recording of a mutually agreed-upon easement that preserves the existing grade and maintains the accessible path that has been in continuous use for at least a quarter century, and likely 50 years +.

We have not yet had a chance to confer with the property owners of 1035 Loma, although we have left a message with their architect Mr. Tomaro and left multiple voicemails for them.

Accordingly, we respectfully request that the Commission either deny the CUP and TPM as currently proposed or, preferably, issue a conditional approval allowing the project to proceed while leaving the issues of grading and the proposed wall open for continued

discussion among the parties. This would allow construction to move forward without jeopardizing our clients' long-standing access rights.

We believe this approach supports responsible development, respects property rights, and avoids unnecessary legal conflict. My clients look forward to collaborating with the owners of 1035 Loma to reach a fair and practical solution.

Thank you very much for your time and consideration.

**From:** Rachel Enders <rachel.enders@gmail.com>  
**Sent:** Tuesday, November 18, 2025 2:01 PM  
**To:** Planning  
**Subject:** Re: Public Comment on Hermosa Beach Planning Commission Agenda Item 7a

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Specifically, we are asking for the commission to do a conditional approval subject to both sides agreeing to a mutually shared easement.

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