
LVR & Late Night Off-Sale Liquor

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To Planning Commission <Planningcommission@hermosabeach.gov>

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Dear Madame Chair & Commissioners:

I write briefly on Land Value Recapture (LVR) and late night off-sale liquor downtown.

The LVR fee is only paid by landowners whose property was upzoned for affordable housing and who choose instead to build market rate housing. The threshold to avoid the LVR fee is significantly lower than the amount of affordable housing for which the properties have been upzoned. In other words, the LVR fee is easily avoidable by every affected property owner, including smaller parcel owners who complain about the LVR program.

For those who choose to pay it, Kosmont showed in December 2023 that the fee "appears low enough so as not to obstruct the development of residential uses in newly eligible areas of the City." In other words, every property subject to the fee can be profitably developed.

Perhaps most important, the likelihood that properties upzoned for affordable housing will be developed at market rate can only increase without the LVR fee; market rate development of zoned affordable housing risks pushing the City's sites inventory below our RHNA allocation; and if we fall below our RHNA allocation, the City has to add properties to the sites inventory.

In short, the LVR program benefits the City. I urge you to maintain it as adopted.

Late night off-sale liquor downtown is a public safety and quality of life problem, as Chief Phillips explained. One could ask whether Robert's ABC violations are enough to amend its CUP to eliminate late night hours that comprise 25% of its alcohol sales. A better question might be this: Does the City benefit when downtown liquor stores make 25% of their alcohol sales late at night? I submit the answer is no. Eliminating late night off-sale liquor at Robert's (and Beach Market and Abe's) will improve public safety and quality of life.

Thank you for your time and for serving the City. I look forward to seeing you all soon.

Yours truly,

Justin Massey