

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

M A Y 2 0, 2 0 0 4

A study session was held at 12:00pm in the City Council Lounge to discuss the Douglas Park Design Guidelines and Planned Development Ordinance, and Development Agreement.

The regular meeting of the City Planning Commission reconvened Thursday, May 20, 2004, at 1:35pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Nick Sramek, Morton Stuhlbarg, Charles Winn, Lynn Moyer

ABSENT: COMMISSIONERS: Matthew Jenkins

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Zoning Officer
Jamilla Vollmann, Planner

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Beth Stochl, Housing Services
Barbara Kaiser, Redevelopment Board
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

Commissioner Sramek led the pledge of allegiance.

S W E A R I N G O F W I T N E S S E S

R E G U L A R A G E N D A (out of order)

4. Case No. 0208-18, Amendment to the Land Use Element of the General Plan, Amendments to the Alamitos Land Planned Development District (PD-17), Site Plan Review, Vesting Tentative Tract Map, EIR 35-01-03

Applicant: Frawn Granados, Le Plastrier Management Company, Inc.

Subject Site: 2080 Obispo (Council District 4)

Description: Amendment to the Land Use Element of the General Plan; Amendment to the Alamitos Land Planned Development District (PD-17); Site Plan Review, and

approval of Vesting Tentative Tract Map No. 52702 to allow a 106-unit single family house development.

Mr. Carpenter stated that the applicant had requested a continuation.

Commissioner Winn moved to continue the item to the June 3, 2004 meeting. Commissioner Stuhlbarg seconded the motion, which passed 5-0. Commissioner Jenkins was absent.

C O N S E N T C A L E N D A R

The Consent Calendar was approved as presented, on a motion by Commissioner Sramek, seconded by Commissioner Moyer, and passed 5-0. Commissioner Jenkins was absent.

1A. Case No. 0403-22, Modification to existing Conditional Use Permit

Applicant: Harold L. Richardson
Subject Site: 3120 Airport Way (Council District 5)
Description: Modification of existing Conditional Use Permit (allowing a church in an Industrial Zone District with Code Exceptions for off-site parking distance and no deed restriction) to allow a church to remain at the Industrially Zoned location indefinitely.

Approved, subject to conditions.

1B. Case No. 0402-23, Conditional Use Permit, CE 04-64

Applicant: Seth Sor
Subject Site: 5330 Atlantic Avenue (Council District 8)
Description: Request for a Conditional Use Permit to establish a check cashing business in the CCA District.

Approved the Conditional Use Permit, subject to conditions.

1C. Case No. 0402-16, Standards Variance, Conditional Use Permit, CE 04-39

Applicant: Jim Najah
Subject Site: 149 Linden Avenue (Council District 2)
Description: Conditional Use Permit to allow the on-site consumption of beer, wine and distilled spirits for a proposed restaurant and bar with live entertainment.

Standards Variance to provide off-site parking that is over 600' away without a deed restriction.

Approved the Conditional Use Permit and Standards Variance request, subject to conditions.

R E G U L A R A G E N D A

2. Converta-Belle

Subject Site: Citywide

Description: Converta-Belle housing concept and potential zoning amendments.

Jamilla Vollmann presented the staff report recommending clarification of the Zoning Code on the duplex concept in order to remove confusion regarding square footage of secondary units. Staff also recommended that City Council not proceed with the multi-unit condominium proposal because of the overwhelming negative public feedback from the idea, and due to difficulty in enforcing owner occupancy.

Alex Bellehumeur, 6424 Napoli Drive, applicant, stated he would respond to public testimony.

Angela Kimble, 3826 Gondar Ave., representing the Carson Park Community Group, stated that they agreed with staff that the best-case occupancy scenario was not realistic, and that with density a critical issue, they thought the idea should only be targeted for redevelopment areas. Ms. Kimble also stated that they thought the demo idea would be too limited to ascertain long term impacts.

Paul de Jung, 310 Carroll Park East, also spoke against the idea, saying he felt it would have an overall negative impact on local economics.

Joshua Butler, 2750 E. Spring Street #100, representing the Disabled Resource Center, said that they were in favor of the project because it would provide affordable, accessible housing for the disabled near transportation corridors.

Linda Ivers, 5565 Linden, stated she felt the project was too dense for single-family areas, and that the idea should be referred to the five neighborhood clusters for discussion.

Bry Myown, 776 Raymond Avenue, said she felt the Land Use Element process should be completed prior to dealing with this issue, and that this type of project should be in a planned development, not in existing areas that could be destabilized by this type of housing.

Carol McCafferty, 1060 Main Avenue, agreed with Ms. Myown and added that there wasn't enough information about the project presented at community meetings, especially regarding parking and maintenance issues.

Lew Nelson, 1040 Burling Hall Drive, Bixby Knolls, said he felt that the zoning clarification was inadequate to address crowded secondary units citywide, and that it would hard to control and enforce the proposed rules of occupancy.

Beth Stochl, 110 Pine, Suite 1200, Long Beach Housing Services, said that this idea was a creative way to provide affordable housing, but that it was underparked especially if converted. Ms. Stochl also said they felt the idea would increase density and create overwhelming enforcement issues for the City regarding management and liability. She added that she felt even a pilot program would create more problems than it would solve.

Barbara Kaiser, Manager, Redevelopment Bureau, noted that the RDA Board had not yet taken the staff report into consideration, but that if the demonstration project was viable, they would like to see the idea applied citywide, not just restricted to RDA areas. Ms. Kaiser acknowledged the possibility of enforcement problems, but said they'd like to support a demonstration project in other areas of the City.

Mr. Mais said that it was not possible to impose deed restrictions to mandate owner-occupancy except in limited circumstances like government-subsidized housing, since public policy was against such restraints. Mr. Mais suggested looking at more enforceable land use issues like parking and open space.

Mr. Bellehumeur stated that he felt the community response was more positive than negative, and he refuted various statements in the staff report regarding lot sizes, lot coverage and management issues. He added that a study had been done by the City which he claimed was not in the staff report, in which it was noted that the proposed project met parking requirements.

Mr. Bellehumeur also said he thought a demo project should be in a dense transportation corridor to require even less parking, and he read a letter from an owner of an original Converta-Belle in support of the multi-purpose long-term design.

In response to concerns about owner occupation, Mr. Bellehumeur stated that the affordability of the units would discourage rentals, and agreed that they should be restricted to redevelopment areas that need to be upgraded, not citywide.

Chairman Greenberg said that since no one knew how this program would play in the City, he still wanted to see a special ordinance created specifically to construct a demonstration project in an area to be determined, and to have it monitored with no time limit until the Commission was satisfied about the idea's viability.

Commissioner Moyer agreed that a demonstration project should be placed somewhere in the City before a final decision was made as to the idea's feasibility.

In response to a query from Commissioner Sramek, Mr. Carpenter said staff was looking at the broader issues of development, location and zoning to implement those recommendations. Commissioner Sramek commented that there were too many unknown impacts of the idea on parking, open space and enforcement.

Commissioner Stuhlbarg recalled being in favor of a trial project, and said he'd prefer to move forward with that before passing the project on to the City Council.

Commissioner Winn said he was impressed with the concept, but had hoped to hear definitive recommendations for a pilot project from staff, and that he agreed this would not be a good fit in non-redevelopment areas.

Mr. Carpenter said that staff had examined the legal aspects of the idea and had come to the conclusion that it was not practical and would create community compatibility problems.

Commissioner Moyer said although she liked the concept in general, she couldn't recommend anything to the City Council, but would support sending this back to staff with the direction to find a location for the trial project. Ms. Moyer added that because the idea was too general and ethereal at this point it was impossible to focus on possible potential impacts.

Commissioner Sramek suggested that the idea be sent to the Redevelopment Agency for their input and recommendations for a demo site.

Commissioner Winn moved to push forward with a pilot project on both the duplex and condo concepts, on a site to be identified by the applicant.

Commissioner Sramek objected to the condo part of the concept, saying he felt there would be a high rental turnover.

Commissioner Winn said there would be huge problems with enforcement but noted that the concept had worked elsewhere.

Commissioner Stuhlbarg said he believed the concept worthy of a try, and he seconded the motion on the floor.

Commissioner Moyer suggested that the applicant work with the RDA to identify a demo site.

Fady Mattar acknowledged the tremendous amount of time and money staff had spent to put their recommendation together, and he verified that this project would come before staff eventually as a new project, with code exceptions attached and monitoring suggestions.

Commissioner Winn agreed that it would be helpful if Mr. Bellehumeur could return with an application for a specific pilot project.

The question was called, and the motion passed 5-0. Commissioner Jenkins was absent.

3. Case No. 0403-23, Local Coastal Development Permit, Conditional Use Permit, CE 04-69

Applicant: Craig Hofman, Hof's Hut Restaurants, Inc.
Subject Site: 4828 E. 2nd Street (Council Dist. 38)
Description: Request for a Conditional Use Permit to allow a liquor license upgrade for on-site consumption of distilled spirits for an existing restaurant (Lucille's).

Greg Carpenter presented the staff report recommending denial of the request, since the use has no on-site parking, and is located in an area with an over-concentration of ABC licenses and a high crime rate.

Craig Hoffman, 2601 E. Willow, owner, Hof's Hut, said that many other restaurants in the area already had full liquor licenses, and he presented a petition with over 4000 signatures in support of the license upgrade.

Tom Stark 225 St. Joseph, said he was against the request, because it would impact parking too much.

Kate Karp, 156 Ximeno, said she supported the applicant because she felt the restaurant was well-run with a high-caliber clientele who wanted to enjoy all types of liquor.

Jeanette Gavin, 60 Pomona, President, Belmont Short Residents' Association, spoke against the request, saying that her Board had voted unanimously against the license upgrade because of potential significant parking impacts.

Harold Sturgeon, 183 St. Joseph, also spoke against the application, saying the restaurant's negative effect on parking was already constant and widespread.

Pat Fricke, 181 Park Avenue, added that parking was very impacted by the restaurant's employees, who used street parking in front of residents' homes.

Melinda Cotton, 158 Park Avenue, Past President, Belmont Shores Residents' Association, spoke in opposition to the request, noting that the applicant had never participated in any community efforts to find more parking. Ms. Cotton said that any intensification of the use would only further strain parking resources, and she suggested that the applicant work harder to urge employees to use public transportation.

Donald Dame, 183 St. Joseph, agreed that the growth of this business had had a devastating effect on the parking load in the neighborhood. Mr. Dame claimed the applicant had promised the community he would never add a bar at the time he received his beer and wine license.

Jeff Miller, 158 Park Avenue, also spoke against the request, saying that the business already had a significant impact on parking and traffic between the employees, customers and deliveries with no attempt at mitigation by the applicant. Mr. Miller said he felt the business no longer served the community as specifically as it used to, and he claimed Mr. Hofman's petition was mostly signed by customers from out of the area.

Nancy Buchanan, 36 Laverne, spoke against the request because of current parking problems the business was experiencing as a legal non-conforming use.

Henry Schwartz, 163 Park Avenue, spoke against the application saying the addition of the bar would create untenable parking impacts with no benefit to the surrounding community.

Bud Lorbeer, 5320 2nd Street, said he supported the request because the applicant was a good business operator, and that the increased use would help area security.

Mr. Hofman claimed that area residents had converted their garages into rental units which increased parking loads, and that his petition did have local signatures.

Commissioner Winn expressed concern about the claims that the applicant was not working to get his employees on public transportation, and he moved to deny the Conditional Use Permit and Local Coastal Development Permit request. Commissioner Moyer seconded the motion.

Ms. Moyer stated for the record that she had formerly been partners with Mr. Hofman's legal counsel.

Commissioner Moyer acknowledged the high quality of the applicant's operation, but said she respected the concerns of the neighbors regarding parking, and was concerned that Mr. Hoffman didn't make concessions for employees to park elsewhere. Ms. Moyer agreed that the license upgrade would bring in more business and employees.

Chairman Greenberg expressed support for the motion, and noted the business' long-time non-conforming use designation, pointing out that such uses can continue as is but can't intensify or expand without meeting code requirements, especially regarding parking.

The question was called, and the motion passed 5-0. Commissioner Jenkins was absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

**M A T T E R S F R O M T H E D E P A R T M E N T O F
P L A N N I N G A N D B U I L D I N G**

Mr. Mattar noted that the City Council had sent back the EIR on the oil operating property.

**M A T T E R S F R O M T H E P L A N N I N G
C O M M I S S I O N**

There were no matters from the Planning Commission.

A D J O U R N

The meeting adjourned at 4:29pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk