

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

J U L Y 1 5, 2 0 0 4

The regular meeting of the City Planning Commission convened Thursday, July 15, 2004, at 1:33pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Leslie Gentile, Mitch Rouse, Nick Sramek, Morton Stuhlbarg, Charles Winn

ABSENT: COMMISSIONERS: Matthew Jenkins

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Zoning Officer
Angela Reynolds, Advance Planning
Carolynne Bihn, Senior Planner
Craig Chalfant, Planner
Jayme Mekis, Planner
Ira Brown, Planner
Jamilla Vollmann, Planner

OTHERS PRESENT: Lisa Malsten, City Attorney
Dennis Eschen, Manager, Planning and Development; Parks, Recreation & Marine
Marcia Gold, Minutes Clerk

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

Commissioner Rouse led the pledge of allegiance.

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

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

At the request of Commissioner Sramek, Items 1E and 1F were removed from the Consent Calendar for discussion.

Items 1A, 1B, 1C and 1D were approved as presented on a motion by Commissioner Winn, seconded by Commissioner Sramek, and passed 6-0. Commissioner Jenkins was absent.

1A. Case No. 0405-01, Vesting Tentative Parcel Map, CE 04-140

Applicant: K. C. Coultrup
Subject Site: 1001 Belmont Avenue (Council District 4)
Description: Request for approval of Vesting Tentative Parcel Map No. 61188, to convert an existing 35-unit apartment building into condominiums.

Approved Tentative Parcel Map No. 61188, subject to conditions.

1B. Case No.0405-25, Conditional Use Permit, CE 04-109

Applicant: Long Beach PCH Associates LLC c/o Paul Best
Subject Site: 5755 E. Pacific Coast Highway
(Council District 3)
Description: Request to allow the establishment of a restaurant with full bar in an existing commercial retail center.

Approved the Conditional Use Permit, subject to conditions.

1C. Case No. 0405-22, Conditional Use Permit, CE 107-04

Applicant: Marie Love and Andy Edwards
Subject Site: 3131 E. Broadway (Council District 3)
Description: Conditional Use Permit for on- and off-premises alcoholic beverage sales at a retail wine store with wine tasting.

Approved the Conditional Use Permit for the retail wine store with wine tasting, subject to conditions.

1D. Case No. 0405-02, Condominium Conversion, CE 03-73

Applicant: K. C. Coultrup
Subject Site: 1001 Park Avenue (Council District 3)
Description: Request for approval of Vesting Tentative Parcel Map No. 61215, to convert an existing 14-unit apartment building into condominiums.

Approved Tentative Parcel Map No. 61215, subject to conditions.

1E. OS&RE amd. 1-04; LUE amd. 1-04

Applicant: Fady Mattar, Planning & Building Dept.,
City of Long Beach
Subject Site: Citywide
Description: Amendment to the Open Space and Recreation
Element to list the new 55th Way Neighborhood Park and Daryl
Black mini-park; and the repeal of the limitation to three
Land Use Element amendments per calendar year.

Removed to the Regular Agenda.

1F. Case No. 0406-38, Zone Change

Applicant: City of Long Beach Department of Planning
and Building
Subject Site: Martin Luther King Jr. Avenue between
Pacific Coast Highway and 17th Street; and
New York Street between Myrtle Avenue and
Martin Luther King Jr. Avenue (Council
District 6)
Description: Request for Zone Changes from R-3-S to CNR;
and from R-1-S to I in order to allow upgrades to
properties that are not allowed under current zoning
restrictions.

Removed to the Regular Agenda.

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

1E. OS&RE amd. 1-04; LUE amd. 1-04

Applicant: Fady Mattar, Planning & Building Dept.,
City of Long Beach
Subject Site: Citywide
Description: Amendment to the Open Space and Recreation
Element to list the new 55th Way Neighborhood Park and Daryl
Black mini-park; and the repeal of the limitation to three
Land Use Element amendments per calendar year.

Ira Brown presented the staff report, noting the new
recommendation that action be postponed on the Amendment to the
Open Space and Recreation Element.

Commissioner Sramek mentioned that as a result of this effort,
the overall visibility of the parks and parkland development

efforts had been raised, and he lauded Mr. Eschen's contribution.

Commissioner Sramek then moved to accept the staff recommendation to postpone action on the Amendment to the Open Space and Recreation Element to a date uncertain, and to repeal the limitation in the Land Use Element to three Land Use Element amendments per calendar year, resulting in the default limitation of four amendments per calendar year, as depicted in Exhibit A. Commissioner Stuhlbarg seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

1F. Case No. 0406-38, Zone Change

Applicant: City of Long Beach Department of Planning and Building
Subject Site: Martin Luther King Jr. Avenue between Pacific Coast Highway and 17th Street; and New York Street between Myrtle Avenue and Martin Luther King Jr. Avenue (Council District 6)
Description: Request for Zone Changes from R-3-S to CNR; and from R-1-S to I in order to allow upgrades to properties that are not allowed under current zoning restrictions.

Pastor Michael Ealey, Christ Second Baptist Church, no address given, outlined the church plans to purchase the adjacent property to expand their facilities and better serve the community.

James A. Kirk, 1390 Martin Luther King Jr. Avenue, adjacent business owner, expressed objection to the proposed expansion, citing noise and traffic issues that he claimed were already negatively impacting his business.

Pastor Ealey promised to follow City noise ordinances, and noted he had increased his security level to avoid after-hours use of the parking area to address Mr. Kirk's concerns.

Commissioner Sramek suggested that Pastor Ealey advise his parishioners to be more sensitive to the neighborhood concerns about noise and parking.

Commissioner Stuhlbarg said he felt the situation would be easy to resolve, and he moved to approve the Zone Change request.

Commissioner Sramek seconded the motion, which passed 6-0.
Commissioner Jenkins was absent.

(Item taken out of order to be continued to a date certain)

5. Case No. 0404-17, CE 03-131

Applicant: City of Long Beach
Subject Site: Citywide
Description: Proposed Zoning Code Amendment establishing a procedure for the operation of temporary homeless shelters.

Commissioner Sramek asked that in order to better understand the shelter operations before changing the zoning, he wanted to see the next staff report address issues of zoning; permanent versus temporary shelters; shelter operation; over-concentration of the use; and the criteria for the crisis designation.

Commissioner Winn moved to continue the item to the August 19, 2004 meeting. Commissioner Stuhlberg seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

2. Case No. 0405-23, Conditional Use Permit, Site Plan Review; CE 04-67

Applicant: Javiar and Dorian Villasenor
Subject Site: 101 W. Pacific Coast Hwy. (Council Dist. 6)
Description: Request for a Conditional Use Permit and Site Plan Review to establish a courtesy parking lot in a residential district that would serve a newly constructed restaurant.

Jamilla Vollmann presented the staff report recommending approval of the request since it would provide required parking; positively impact the surrounding residential properties, and present appropriate landscaping and compatible architectural details and colors.

Javiar Villasenor, 10253 Cheney Avenue, Downey, 90241; and Jesse Gonzales, 17817 Valley View Avenue, Cerritos, project development director, stated that they were in agreement with the conditions of approval.

Commissioner Sramek moved to approve the Conditional Use Permit and Site Plan Review, subject to conditions of approval.

Commissioner Winn seconded the motion, which passed 6-0.
Commissioner Jenkins was absent.

3. Case No. 0306-09, Waived Parcel Map, CE 03-117

Applicant: Kadee Della Donna
Subject Site: 502-504 Nebraska (Council Dist. 2)
Description: Approval of Tentative Map No. 60282 for the purpose of creating a three-lot subdivision in the townhouse (R-3-T) Zone District.

Jayne Mekis presented the staff report recommending denial of the request since the proposal was not consistent with the requirements of the municipal code due to the proposed lot sizes, which have been reduced by the irrevocable dedication of a piece of the property for future street widening.

Kadee Della Donna, 3540 Lemon Avenue, applicant, stated she was hoping to improve and beautify the neighborhood, and increase home ownership opportunities and property values with her project. Ms. Della Donna presented photos of her proposal, saying she was willing to plant street trees; install a handicapped ramp on the corner; repair and reinstall the uprooted city sidewalk; require that her three properties only be sold to owner-occupants, and that she would carry the loan on one of the homes to assist first-time buyers.

Ms. Della Donna addressed the City's objection to the undersized lot by presenting a density study she had done within a 300 foot radius of her property showing that most families in the area lived on much less square footage than her proposed properties and with much higher density. She added that the side yard setback had already been redesigned to accommodate city setbacks by cutting off part of the existing Craftsman home.

The applicant added that she was not willing or able to give up 1080 feet of her property for the public right-of-way dedication, especially since she felt a street widening would probably never be necessary, given the quiet nature of the street. Ms. Della Donna added that no one else on the street had been asked to dedicate land for such a purpose, and if they were, the encroachment would actually cut right up to the front of their homes. The applicant said that with all the existing situations on the site, she felt her property should be grandfathered in to allow the development.

In response to a query from Commissioner Greenberg about pursuing the alternate option of airspace subdivision, the applicant replied that more parking would be required, resulting in the loss of backyard space, which would be less attractive to potential homebuyers.

David Arnold, 515 Nebraska, neighbor, stated he supported the applicant's request to build homes, not condominiums, because owner-occupied residences would be better maintained.

In response to a query from Commissioner Gentile regarding future street widening plans, Mr. Carpenter stated that the current street width was below standards, and that the Department of Public Works planned to ask for more dedications in the future for the project.

Mr. Carpenter added that staff's issue was that they did not want to establish a precedent with the undersized lot. He noted that subdivision regulations provided a fair method for determining lot sizes, with the Commission able to waive those sizes if the rest of the neighborhood also had smaller lots. Mr. Carpenter said that whether or not the Department of Public Works dedication requests were not staff's main concern.

Chairman Greenberg said that such a precedent would be acceptable if on balance her project would improve the overall housing situation while not compromising the long-term objectives of the Department of Public Works. Mr. Greenberg added that on the other hand, if the City had a consistent policy that it would require a dedication of the front of the property for road widening, it had to be enforced. However, Mr. Greenberg pointed out that he thought the City needed to review whether or not such a requirement was constitutional; otherwise, a 2500 sq.ft. lot could be a minor issue.

Chairman Greenberg then moved to continue the item to the August 19, 2004 meeting, to allow the City Attorney to research the constitutional issues presented by this case.

Commissioner Winn agreed that it was an important issue, although he didn't want to establish a precedent of non-dedication rights. Commissioner Winn then seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

4. Case No. 0404-19, Administrative Use Permit, ND 14-04

Applicant: Dennis Eschen, Department of Parks,
Recreation and Marine
Subject Site: 1729 Junipero Avenue (Council Dist. 4)
Description: Administrative Use Permit to allow
construction and operation of a recreational park on
existing vacant lots.

Craig Chalfant presented the staff report recommending approval of the request since the proposed park would be a positive improvement to the community and was an appropriate land use for the vacant and irregularly dimensioned project site, while conditions of approval would address potential impacts to the surrounding community.

Dennis Eschen, Manager, Planning and Development, Department of Parks, Recreation and Marine, stated they agreed with all the conditions of approval, and asked about the required block wall.

Mr. Chalfant responded that it was staff's intent to provide separation between a neighbor's property and the park if the existing private wall was to be removed.

In response to a query from Commissioner Sramek about public safety issues raised by a block wall, Mr. Carpenter stated that noise and privacy issues were better addressed with a solid wall.

Commissioner Winn asked why gates were included in the plans for the park, which he felt was unusual, and Mr. Eschen replied that they had been requested by the community, and were for nighttime security only, closed by the recreation department staff or park rangers.

Commissioner Sramek moved to certify Mitigated Negative Declaration 14-04, and to approve the Administrative Use Permit, subject to conditions. Commissioner Rouse seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

6. Case No. 0403-40, Conditional Use Permit

Applicant: Cindy Leinart for Compass Technology
Services, Inc.
Subject Site: 2819 E. South Street (Council Dist. 9)
Description: Conditional Use Permit request to install
and maintain a wireless telecommunications facility (45'

monopalm) with three sectors of antennas (four antennas per sector); and associated equipment.

Jayne Mekis presented the staff report recommending approval of the request since the proposed facility had been designed with a palm tree to reduce its visual impact; and because the project would improve service quality for area cell users.

Cindy Leinart, 27 Orchard, Lake Forest, CA, applicant, stated they were in agreement with the conditions of approval.

In response to a query from Chairman Greenberg, Ms. Leinart said there was room for co-location on the pole.

Commissioner Sramek moved to approve the Conditional Use Permit, subject to conditions. Commissioner Stuhlbarg seconded the motion, which passed 6-0. 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 presented a map of Commissioner residences for the conflict of interest purposes.

**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**

Chairman Greenberg expressed disappointment that the Coastal Commission had appealed the amphitheater at Bixby Park.

A D J O U R N

The meeting adjourned at 3:32pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk