

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 1 9, 2 0 0 5

A study session reviewing the draft environmental impact report of the Home Depot project was presented on Thursday, May 19, 2005, at 12:00 noon.

The regular meeting of the City Planning Commission reconvened at 1:50pm in the City Council Chambers, 333 W. Ocean Boulevard.

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

ABSENT: EXCUSED: None

CHAIRMAN: Morton Stuhlbarg

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Angela Reynolds, Advance Planning
Jeff Winklepleck, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Marcia Gold, Minutes Clerk

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

Commissioner Gentile led the pledge of allegiance.

M I N U T E S

The minutes of April 21, 2005 were approved on a motion by Commissioner Winn, seconded by Commissioner Sramek, and passed unanimously.

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

Commissioner Sramek asked that Item 1C be removed to the Regular Agenda.

Items 1A, 1B and 1D of the consent calendar were approved as presented by staff on a motion by Commissioner Jenkins, seconded by Commissioner Winn, and passed unanimously.

1A. Case No. 0412-12, Conceptual Site Plan Review, ND 10-05

Applicant: Boeing c/o Steve Hooper
The Austin Company
Subject Site: 2019 E. Wardlow Road (Council District 5)
Description: Request for approval of a Site Plan Review
for the construction of a 15,900 square-foot fitness
center.

Certified Negative Declaration 10-05 and approved Site Plan
Review, subject to conditions.

1B. Case No. 0503-05, Tentative Subdivision Map, CE 05-40

Applicant: Amer Real Estate & Investments, Inc.
Subject Site: 1035 Myrtle Avenue (Council District 6)
Description: Request for approval of a Tentative Parcel
Map for the purpose of creating a four-unit condominium.

Approved Tentative Parcel Map No. 62474, subject to conditions.

1C. Case No. 0503-22, Conditional Use Permit, CE 05-51

Applicant: Tim Maher
Subject Site: 6105 Obispo Avenue (Council District 9)
Description: Request for approval of a Conditional Use
Permit to conduct aircraft engine repair and overhaul.

Removed to the Regular Agenda.

**1D. Case No. 0309-06, Local Coastal Development Permit,
Tentative Parcel Map, CE 03-170**

Applicant: Roland Kosser, c/o Jason Wbarra
Subject Site: 5357 The Toledo (Council District 3)
Description: Request for approval of Tentative Parcel Map
No. 060441 for the purpose of creating a two-unit
condominium.

Approved Tentative Parcel Map No. 060441, subject to conditions.

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

1C. Case No. 0503-22, Conditional Use Permit, CE 05-51

Applicant: Tim Maher
Subject Site: 6105 Obispo Avenue (Council District 9)
Description: Request for approval of a Conditional Use Permit to conduct aircraft engine repair and overhaul.

Jeff Winklepleck presented the staff report recommending approval of the request, since the proposed use was compatible with other uses in the zone; because operational conditions of approval relating to noise and hours would ensure that the proposed project would have minimal negative impacts on adjacent land uses--no objections had been received from anyone in the area--and because positive findings could be made to support the permit.

Angela Reynolds noted that staff had added a condition requiring a test of the process and proof of compliance with noise standards before the operation would be allowed.

Commissioner Sramek asked that a condition be added to give neighbors a phone number to call if they had a complaint.

Commissioner Sramek then moved to approve the Conditional Use Permit, subject to the revised conditions. Commissioner Greenberg seconded the motion, which passed unanimously.

C O N T I N U E D I T E M S

2. Certificate of Appropriateness

Applicant: Murchison Consulting for Mrs. Makineni
Appellants: John Romundstad and Elizabeth Kuehne
Subject Site: 2767 E. Ocean Blvd. (Council District 3)
Description: Continued hearing to consider an appeal of the decision of the Cultural Heritage Commission to approve a Certificate of Appropriateness for new construction at 2767 E. Ocean Boulevard.

Commissioner Jenkins disclosed he had discussed the matter with both sides. Commissioner Winn disclosed he had received a letter from appellant representative Doug Otto. Commissioner Greenberg disclosed he had received the same document.

Greg Carpenter presented the staff report, outlining the appeal of the Cultural Heritage Commission's decision and recommending that the supporting documentation be received into the record; that the public hearing be concluded; that the decision of the Cultural Heritage Commission be sustained; that the Certificate of Appropriateness for new construction in the Bluff Park Historic District be approved; and that the findings in the report be adopted.

Mike Murchison, 2767 E. Ocean Blvd., applicant representative, stated he believed the project had met the findings necessary to move it forward, including the Bluff Park Ordinance; the Certificate of Appropriateness awarded by the Cultural Heritage Commission since they felt the criteria were met; the Secretary of Interior standards, and zoning and permitting regulations. Mr. Murchison also touted the international achievements of the architect and outlined the extensive community outreach efforts they had made resulting in 70 changes to the original design to address all concerns. Mr. Murchison also noted that they would be transforming a local eyesore into an historic landmark at their expense.

Doug Otto, 111 W. Ocean Blvd., S. 1300, appellant representative, said he felt the applicants had the burden to prove that the certificate of appropriateness be granted, not the City; and that there was overwhelming opposition to the project by the historic district and neighbors, which he thought should carry more weight than the wishes of the applicant. Mr. Otto added that he believed the many changes made were merely cosmetic, none addressing concerns of bulk, mass and context. He added that the floor area ratio was two times the average of nearby properties, and that the project would be precedent-setting.

Commissioner Jenkins said he felt the entire issue had been well vetted, and that the project was not dissimilar to others in the area.

Commissioner Jenkins then moved to sustain the decision of the Cultural Heritage Commission, and to approve the Certificate of Appropriateness for new construction in the Bluff Park Historic District, to include adoption of the findings in the staff report.

Commissioner Greenberg remarked that it came down to a subjective view as to bulk, mass and scale, and how the project fit into the neighborhood. He agreed that the applicant did have

the burden of proof, but that the opposition evidence was not convincing because it compared the proposed home on Ocean Boulevard to homes on Temple Avenue. Commissioner Greenberg also pointed out that the opposition had not dealt with the more important aspect of the view corridor on Ocean and the historical façade. Mr. Greenberg remarked that because the applicant did not want to erect a sticks-and-strings outline of the structure, it had forced the Commission to make a narrow and subjective judgment leading to his belief that applicant had not met the burden of proof, and therefore he would oppose the motion.

Chairman Stuhlbarg said he felt subjectively that the applicant had made his case and that the support of the Cultural Heritage Commission was an important factor in the decision. Mr. Stuhlbarg added that from the evidence presented, he felt the applicant had also met the Bluff Park Ordinance and Secretary of Interior standards and guidelines. Commissioner Stuhlbarg commented that not only did he think the structure would not spoil the overall eclectic feel of the neighborhood, he also felt it met all City building requirements.

Chairman Stuhlbarg seconded the motion.

Commissioner Sramek agreed that the architectural aspect of scale and conformity was important, and he noted that although most of the lots along Ocean and Temple were larger, this project would seem even larger because it was on a corner, seeming to double the mass and size, and therefore not conforming with homes on Ocean or Temple. Mr. Sramek said he felt the appellant had proven that the structure would be too massive compared to others in the neighborhood.

Commissioner Rouse said he felt the design was good, but agreed with Commissioner Sramek that the duplex in the back tipped the scale towards overlarge mass and bulk appearance. He added that he gave weight to the Bluff Park Ordinance.

Commissioner Gentile voiced concern that due to the lack of definitive direction in the Bluff Park Ordinance, she felt a project could not be denied if it met zoning requirements. Ms. Gentile suggested the ordinance be rewritten to define terms more specifically with limits as to height, mass and scale.

Commissioner Winn commented that he felt he could be objective about the issue, and in spite of the discussion about bulk and mass, many floor area ratios were increasing due to large

Doug Wood, 3100 Lanai Court, Lakewood, adjacent park neighbor, asked about trees and fencing along the east side of the park.

Miguel Alvarez, 3100 Waldie Court, Lakewood, park neighbor, expressed concern about the slope drainage since he has experienced flooding. Ms. Reynolds stated that the drainage issues would be corrected with the construction of the park.

Commissioner Sramek moved to approve the addendum to the Environmental Impact Report and Revised Mitigation Monitoring Plan, and to approve the modification to the Site Plan Review, subject to conditions. Commissioner Winn seconded the motion, which passed unanimously.

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

Greg Carpenter discussed future study sessions planned, and noted that Historic Preservation Officer Cindy Thomack had resigned to take a job in Atlanta, Georgia.

Angela Reynolds said that her department was working on the downtown master Environmental Impact Report with a project-level detailed analysis of each upcoming project so each would not require its own impact report.

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 3:33pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk