

**CITY PLANNING COMMISSION MINUTES**

**May 18, 2006**

The regular meeting of the City Planning Commission convened Thursday, May 18, 2006 at 1:33 pm in the City Council Chambers, 333 W. Ocean Boulevard.

**PRESENT: COMMISSIONERS:** Leslie Gentile, Matthew Jenkins, Nick Sramek, Morton Stuhlbarg, Charles Winn

**ABSENT: COMMISSIONERS:** Charles Greenberg, Mitchell Rouse

**CHAIRMAN:** Matthew Jenkins

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Bureau Manager  
Angela Reynolds, Advance Planning Officer  
Carolyn Bihn, Zoning Officer  
Jeff Winklepleck, Planner  
Mark Hungerford, Planning Aide  
Lynette Ferenczy, Planner  
Derek Burnham, Planner  
Steve Valdez, Planner  
Jill Griffiths, Community Planner  
Truong Huynh, Engineering Plan Check Officer  
Heidi Eidson, Minutes Clerk

**OTHERS PRESENT:** Mike Mais, Assistant City Attorney  
Isaac Pai, Water Department

**PLEDGE OF ALLEGIANCE**

Commissioner Winn led the pledge of allegiance.

**MINUTES**

The minutes of April 6, 2006 were approved on a motion by Commissioner Gentile, seconded by Commissioner Stuhlbarg and passed 4-0-1, with Commissioner Sramek abstaining and Commissioners Greenberg and Rouse absent.

The minutes of April 20, 2006 were approved on a motion by Commissioner Winn, seconded by Commissioner Sramek and passed 4-0-1, with Commissioner Gentile abstaining and Commissioners Greenberg and Rouse absent.

**SWEARING OF WITNESSES**

**CONSENT CALENDAR**

Item 1B was pulled from the Consent Calendar and moved to the Regular Agenda.

Commissioner Sramek moved to approve Consent Calendar items 1A, 1C, 1D, 1E and 1F as presented by staff. Commissioner Stuhlbarg seconded

the motion which passed 5-0. Commissioners Greenberg and Rouse were absent.

**1A. Case 0601-07, Amendments to Title 21 (Zoning Ordinance), CE 06-54**

Applicant: City of Long Beach  
Suzanne Frick, Director of Planning and Building  
Subject Site: Citywide  
Description: Proposed amendments to Title 21 (Zoning Ordinance) of the Long Beach Municipal Code to establish development standards for used automobile sales businesses in the Regional Highway (CHW) and Highway Commercial (CH) zoning districts. Also included are the Long Beach Boulevard Planned Development (PD-29) and Downtown Planned Development (PD 30) zoning districts.

Continued to the meeting of June 15, 2006.

**1B. Case No. 0512-10, Condominium Conversion, CE 05-263**

Applicant: Rey Berona  
Subject Site: 637 Atlantic Avenue (Council District 1)  
Description: Request for approval of Tentative Tract Map No. 064960 for the conversion of ten (10) apartment units into condominiums.

Moved to Regular Agenda.

**1C. Case No. 0511-27, Conditional Use Permit, ND 05-245**

Applicant: Women in Non-Traditional Employment Roles, Inc.  
Alexandra Torres Galancid, Representative  
Subject Site: 690 Studebaker Road (Council District 3)  
Description: Conditional Use Permit to allow the establishment of a vocational training facility at an existing industrial office building.

Approved the Conditional Use Permit, subject to conditions.

**1D. Case No. 0603-11, Condominium Conversion, CE 06-41**

Applicant: Maverick Productions, LLC  
Subject Site: 1485 Obispo Avenue (Council District 4)  
Description: Request for approval of Tentative Tract Map No. 064565 to convert eight (8) residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Tract Map No. 064565, subject to conditions.

**1E. Case No. 0601-26, Condominium Conversion, CE 06-10**

Applicant: Altair Homes, LLC  
Subject Site: 1062, 1064 and 1066 E. 2<sup>nd</sup> Street (Council District 2)  
Description: Request for approval of Tentative Tract Map No. 065616 to convert seven (7) residential dwelling units in two detached apartment buildings into condominiums.

Approved Tentative Tract Map No. 05616, subject to conditions.

**1F. Case No. 0603-10, Condominium Conversion, CE 06-40**

Applicant: Robert G. Taylor  
Subject Site: 3529 E. Broadway (Council District 3)  
Description: Request for approval of Vesting Tentative Parcel Map No. 063343 for the conversion of ten (10) apartment units into condominiums.

Approved Vesting Tentative Parcel Map No. 063343, subject to conditions.

**REGULAR AGENDA**

**1B. Case No. 0512-10, Condominium Conversion, CE 05-263**

Applicant: Rey Berona  
Subject Site: 637 Atlantic Avenue (Council District 1)  
Description: Request for approval of Tentative Tract Map No. 064960 for the conversion of ten (10) apartment units into condominiums.

Mark Hungerford presented the staff report recommending approval of the condominium conversion.

Kathy Kahler, tenant at 637 Atlantic, Apartment #9, stated that she was in favor of the conversion but had some concerns about the process. She stated that some tenants had not received notices about the hearing and information regarding tenants rights. She also stated concern that she had not seen a condition report with regards to needed building repairs.

Ms. Bihn responded that paperwork regarding noticing appeared to be in order, however she suggested that the item be continued to ensure that all tenants issues could be addressed.

Chris Christensen, representative for the owner, stated that notices had been sent out to all tenants via certified mail, however some were returned as unclaimed. He also mentioned that the applicant would work with staff and tenants to answer any questions.

Commissioner Stuhlberg moved to continue the item until the meeting of June 1, 2006 and Commissioner Gentile seconded the motion which passed 5-0. Commissioners Greenberg and Rouse were absent.

**2. Case No. 0508-23, Conditional Use Permit, Administrative Use Permit, Standards Variance, CE 05-152**

Applicant: Dr. Lawrence A. Lasisi  
Springs of Hope Christian Ministries  
Subject Site: 1925 Pacific Avenue (Council District 6)  
Description: Conditional Use Permit to allow the establishment of a church in the CNP Zone, a Standards Variance request for a reduced number of parking spaces and off-site parking without a

deed restriction, and an Administrative Use Permit for off-site joint use parking.

Lynette Ferenczy presented the staff report and explained that the item had been continued from a previous meeting to allow the applicant time to obtain a deed restriction for off-site parking. At the time of the meeting the deed restriction had not yet been obtained.

Ms. Ferenczy stated that the plans had been modified to reduce the number of required parking spaces by six spaces and that there were currently 23 on-site spaces and 10 off-site spaces by lease agreement with the owner of 1951 Pacific Avenue.

Ms. Ferenczy also reported on the store-front churches that had been listed at the previous meeting, remarking that all had been mailed letters of violation.

In response to a query from Commissioner Sramek, Ms. Bihn stated that a condition could be added to require that the bookstore be maintained as long as the church is in operation on the site.

In response to a query from Commissioner Gentile, Pat Brown, applicant's representative, stated that due to aisle width requirements they were unable to create more parking spaces by placing the spaces diagonally.

Mr. Brown stated that he did drop-in visits on two different Sunday mornings and only the parking lot was full. He stated that there was ample street parking available and that he did not observe any parishioners parking in residential areas or at Ward's Appliance Store. He also stated that he dropped in on a Wednesday night during the church's prayer meeting hours and again did not observe any problems with parking.

Mr. Brown stated that he was in agreement with the Conditions of Approval, but asked that the hours of operation be extended until 2:00 p.m. on Sunday.

Pastor Lawrence Lasisi, applicant, stated that he had tried working with the Wrigley Association to reach a compromise, but they were not willing to work with the church. He also stated that the Wrigley Association had contacted the doctor that was going to grant the deed restriction, further frustrating the matter.

In response to a query from Commissioner Gentile, Pastor Lasisi stated that between 40 and 50 people attend the weekend service.

In response to a query from Commissioner Gentile regarding insufficient restroom facilities for the occupant load, Pastor Lasisi stated that he was willing to work with the Building Department to rectify the situation.

Dr. O.Z. Salako, M.D., 1951 Pacific Avenue, stated that he initially had no qualms about leasing parking spaces to the church, but when the issue of a deed restriction came up he became hesitant. He also stated that he received phone calls and letters to his business and home telling him why he shouldn't lease the spaces. He further stated that since he could see no legal reason why the church should not exist, he

was willing to lease all the parking spaces at his disposal to the church.

In response to a query from Commissioner Stuhlbarg, Dr. Salako stated that he would be willing to lease the spaces as long as he was the owner of the building or lease the spaces for a specified period of time, whichever was deemed necessary.

Ade Fashola, 6230 Wilshire Boulevard, #197, Los Angeles, attorney for the applicant, stated that the church was looking for a lease for parking spaces for as long as the property was operated as a church and that is what the owner of 1951 Pacific was willing to provide.

Mr. Fashola also stated that he felt that the deed restriction placed and undue burden on the church.

Mr. Fashola further remarked that the church operates during hours that do not negatively affect the residents or businesses in the area.

Annie Greenfeld-Wisner, 1951 Chestnut, stated that she was against the approval of the project and that her complaints were not just directed at the one church, but also the other 7 illegal store-front churches in the area. She expressed frustration that Conditional Use Permits were not being enforced.

Ms. Greenfeld-Wisner showed photos she had taken on Sundays during a one-month period to illustrate the impacted parking in her neighborhood.

Ms. Greenfeld-Wisner also stated that according to the Zoning Code a deed restriction was a requirement and that there was no contingency for a lease.

Colleen McDonald, 525 W. 19<sup>th</sup> Street, stated that she was against the approval of the project because she felt that the church was attempting to conduct business without providing adequate parking and was unable to secure additional parking under a deed restriction as is required by the Municipal Code.

She further stated that she felt that the City needed to enforce codes that restricted the CNP designated area to commercial entities that served the Wrigley area.

Gavin McKiernan, 1841 Oregon, representing the Wrigley Association and the Neighborhood Advisory Group stated that at a previous Planning Commission meeting it was on record that that without a deed restriction the project would not go forward.

Mr. McKiernan also stated that the look of the building had not improved since the church moved in a year ago.

In response to a query from Commissioner Stuhlbarg, Mr. McKiernan stated that even if the church received the deed restriction, he was still against the approval of the project because his group wanted the street to be a pedestrian focused commercial area like Belmont Shore or Atlantic Avenue in Bixby Knolls. He commented that he did not feel that the church would attract other businesses into the area.

Olu Fayahun, stated that he was in support of the project. He commented that when he went to the post office on Pacific Avenue he had to wait 20 minutes for a parking space and did not understand why the same parking requirements did not apply to the post office.

He also commented that he had recently attended a Sunday service at the church and the lot was not full.

Mr. Ogundare, Bakersfield, stated that he is often late to church due to the distance he drives, but he has never had to park on the street even though he is usually the last person to arrive for services.

Harriet Wachs, 4246 Lakewood Drive, stated that the Post Office would not renew their lease if Pacific Avenue did not improve.

In rebuttal to comments made by the public, Mr. Brown stated that the multi-family units in the area created more impact on street parking than any of the businesses along Pacific Avenue.

He also commented that no letters or testimony had been received from any of the tenants living in the buildings directly next door to the church.

Mr. Brown further stated that the church and the owner of the satellite parking location at 1951 Pacific were both in agreement to enter into a 10-year lease for parking.

In response to queries from Commissioner Gentile with regards to the restroom facilities, Truong Huynh, Engineering Plan Check Officer, stated that if the occupancy load increased then the City would take into consideration that it is an existing building and would look at installing additional fixtures as opposed to adding additional restrooms. He further stated that the fixtures could be added without encroaching on the parking area.

Commissioner Stuhlberg stated that the Commission relies heavily on staff's recommendation regarding approval of a project. He also stated that the Commission couldn't consider future usage or code enforcement issues with other churches in the area as determining factors for approval of this project.

Commissioner Stuhlberg stated that he didn't see the impact on parking as the church is only in use once or twice a week.

Commissioner Stuhlberg then moved to approve the project as recommended with a change to Condition #3 which would address issues related to the change of ownership of the off-site parking.

Mr. Carpenter stated that the Condition could be changed to include language to address the loss of off-site parking or change of ownership for off-site parking so that the applicant shall notify the Planning and Building Department and that another hearing would be scheduled before the Planning Commission.

Mr. Carpenter also stated that staff wanted to add a condition that would require that the wall between the assembly area and the lobby be a floor to ceiling wall to ensure that both areas were not being used for church services.

In response to a query from Mr. Mais, Commissioner Stuhlbarg stated that he would also like the motion to include that the applicants obtain a 10-year lease for the off-site parking.

In response to a query from Commissioner Winn with regards to other churches in the area not operating in accordance to their Conditional Use Permits, Ms. Bihn stated that a new position had been created within the Planning Bureau that would inspect these churches and follow-up with enforcement.

The question was called and Commissioner Winn seconded the motion which passed 4-1, with Commissioner Gentile dissenting. Commissioners Greenberg and Rouse were absent.

**3. Case No. 0507-22, Appeal, CE 05-137**

Applicant: Mark Milan  
Subject Site: 2533 E. Second Street (Council District 3)  
Description: Appeal of the Zoning Administrator's decision to deny a Local Coastal Development Permit and Standards Variance for oversize and over height accessory structure in the front yard setback (off Broadway) on a through lot.

Jeff Winklepleck presented the staff report recommending that, based on the revised plans, the appeal be granted and the decision of the Zoning Administrator be overturned.

Mark Milan, appellant, stated that he and his architect had worked with staff to mitigate some of the issues and felt that the compromise that was reached would create a project that would be appealing to the neighborhood.

Commissioner Stuhlbarg moved to overturn the decision of the Zoning Administrator, grant the appeal and approve the Local Coastal Development Permit and Standards Variance, subject to conditions. Commissioner Winn seconded the motion.

In response to a query from Commissioner Gentile with regards to the increase in size of the half bath, Mr. Milan stated that a free-standing closet and bench were going to be added.

Commissioner Gentile asked if a condition could be added to ensure that it would not become a full bath and living space.

In response, Ms. Bihn stated that there was already a condition that a covenant be recorded against the title that the accessory structure could not be identified as a separate dwelling unit.

The question was called and the motion passed 5-0. Commissioners Greenberg and Rouse were absent.

**4. Case No. 0410-21, Zone Change, Tentative Tract Map, Site Plan Review, Standards Variance, ND 29-04.**

Applicant: David Kubit  
Subject Site: 210 W. 3<sup>rd</sup> Street (Council District 1)

Description: Request for approval of an Amendment to the Downtown Planned Development District (PD-30), Site Plan Review, and a Vesting Tentative Tract Map for a 15-story, 94-unit condominium complex, with ground floor retail and live-work uses, with a Standards Variance for less than code-required number of parking spaces.

Derek Burnham presented the staff report and Power Point presentation discussing the Site Plan, parking uses and make-up of the project. Mr. Burnham also remarked that the project had received Stage III approval from the Redevelopment Agency Board.

In response to a query from Commissioner Sramek with regards to an analysis of heights and densities in the downtown area, Ms. Frick remarked that because the project had been in the process for a long time, staff found it appropriate to adjust the height boundaries and move ahead with the project.

In response to a query from Commissioner Sramek with regards to parking, Mr. Carpenter commented that staff did not want to require someone to provide excess parking that may not be used. The project was an excellent example of shared use parking as far as the varying hours of demand were concerned.

In response to a query from Commissioner Gentile, Mr. Burnham stated that parking for the two uses was tied together by a deed restriction.

Vince Chupka, representing the applicant, stated he was in agreement with staff's remarks regarding parking use and commented that a parking study had been done to justify this.

David Kubit, applicant, remarked that the project was located on the transit line to encourage the use of public transportation. He also stated that the shared use parking with the church allowed for the congregation to pull into the lot directly across from the church rather than spread their parking out throughout the neighborhood. He further remarked that the spaces would be available in the evenings and on the weekends.

Reverend Jerald Stinson, 767 Los Altos Avenue, Minister of the First Congregational Church, stated that the church is involved with many community service programs requiring weekday parking and community events requiring weekend evening parking. He further stated that he felt that the project would increase competition for the limited available street parking. He remarked that the church would be more comfortable if the parking lease were part of the City's requirements on the project.

Reverend Stinson also commented that the church was concerned that the City was not requiring that the project include affordable housing units.

William Mueller, 315 W. 3<sup>rd</sup> Street, resident of the Willmore Building, stated that he too was concerned about the shortage of parking in the neighborhood.

In response to a query from Chairman Jenkins, Ms. Frick stated that there was currently no requirement in the City of Long Beach for housing projects to provide affordable housing units.

Mr. Kubit stated that he understood the need for affordable housing, but in order for the project to be economically viable the units needed to be priced within the median range. He also stated that Long Beach Arts was going to be located in the building and that they were offered their space at below market rent rates.

In response to a query from Commissioner Gentile with regards to providing the church parking more often, Mr. Kubit responded that as the parking lot is completed they would look into allowing the church to use it until the project's occupancy level stabilizes and the need increases.

Commissioner Winn moved to review and consider Negative Declaration 29-04, recommend that City Council approve an Amendment to the Downtown Planned Development District (PD-30) and approve the Site Plan Review, Vesting Tentative Tract Map No. 066902, and Standards Variance, subject to conditions. Commissioner Stuhlbarq seconded the motion which passed 5-0. Commissioners Greenberg and Rouse were absent.

**5. Case No. 0511-40, Conditional Use Permit, Site Plan Review, Standards Variance, ND 09-06**

Applicant: Golgotha Trinity Baptist Church  
c/o Bozena Jaworski  
Subject Site: 1630 E. 14<sup>th</sup> Street (Council District 6)  
Description: Request for approval of a Site Plan Review and Conditional Use Permit to allow a church in the R-2-N Zone, with Standards Variance requests for a front setback of 8 feet (instead of not less than 15 feet), maximum building height of 30 feet (instead of not more than 25 feet), less than required usable open space, and less than code-required number of parking spaces.

Derek Burnham presented the staff report recommending approval of the church project. Mr. Burnham also explained that staff and the Urban Design Officer worked with the applicant to improve the design of the building.

Bozena Jaworski of RPP Architects, representing the applicants, stated that the design kept the same square footage of the existing building, maintained the setback from the residential single family home area on the south side, and kept the same height of the existing building in most places. She also stated that the new floor plan worked better to meet the needs of the congregation.

In response to a query from Commissioner Stuhlbarg, Mr. Burnham stated that staff was recommending the demolition of the existing church, the building of a new church and the maintenance of non-conforming rights.

In response to a query from Commissioner Stuhlbarg, Ms. Jaworski stated that the existing building requires demolition due to extensive termite damage, water damage, cracks in the foundation, and crumbling stucco. She added that the current layout is not functional for the congregation and does not meet current codes.

In response to a query from Commissioner Jenkins, Ms. Jaworski stated that the front setback of the proposed building has been reduced from the existing building in order to accommodate seven additional parking spaces in back.

Pastor Robert Benjamin, stated that he has been the pastor at the church for the last five years and that he has witnessed the dilapidation of the building. He also stated that repairs didn't meet the needs of the congregation and that a new building was required.

Commissioner Winn stated that he loved the look of the new church and lauded the pastor for the good work of the congregation in raising the funds needed to proceed with the project.

Commissioner Winn moved to certify Negative Declaration 09-06 and approve the Conditional Use Permit, Site Plan Review and Standards Variance requests, subject to conditions.

Commissioner Gentile stated that the renderings Ms. Jaworski provided alleviated some of her concerns about the scale of the building overwhelming the neighborhood, but she felt that further review with the Urban Design Officer was necessary to simplify some of the architectural elements.

In response to a query from Mr. Carpenter on what direction she felt was necessary, Commissioner Gentile stated that perhaps the roof pitch could be steeper to make the walls lower and that the entry elements could be different. She stated that she felt it appeared too large a building on a small piece of property.

Ms. Jaworski stated that the height of the proposed structure did not exceed the height of the existing building. She also stated that she hoped the building would stand out from the rest of the neighborhood and that it would impact the neighborhood in a positive way. She further continued that the congregation's budget needed to be taken into account, but if they could afford to provide surface treatments for the walls in the future it would be considered.

In response to a query from Commissioner Winn, Ms. Reynolds stated that no objections were received from the public with regards to the project.

The question was called and Commissioner Gentile seconded the motion which passed 5-0. Commissioners Greenberg and Rouse were absent.

**6. Case No. 0602-10, Site Plan Review, ND 06-06**

Applicant: City of Long Beach Water Department, Ana Ananda

Subject Site: 7600 E. Spring Street (Council District 4)  
Description: Request for approval of Site Plan Review to  
construct two nanofiltration facilities in El Dorado Park.

Steve Valdez presented the staff report and gave a Power Point presentation with regards to the two nanofiltration facilities and explained the process of nanofiltration.

Jill Griffiths discussed the CEQA document and remarked that only one comment was received.

Isaac Pai, Chief Engineer of the Long Beach Water Department, stated that the proposed reclaimed water reuse is part of the El Dorado Park Master Plan and has received positive responses during presentations to stakeholders.

In response to a query from Commissioner Winn, Mr. Pai stated that treating reclaimed water with nanofiltration is less expensive than potable water or well water and therefore the City would realize savings.

Commissioner Sramek moved to certify Mitigated Negative Declaration 06-06 and approve the Site Plan Review, subject to conditions. Commissioner Gentile seconded the motion which passed 4-0. Commissioner Stuhlberg had left the meeting early and Commissioners Greenberg and Rouse were absent.

#### **MATTERS FROM THE AUDIENCE**

There were no matters from the audience.

#### **MATTERS FROM THE DEPARTMENT OF PLANNING AND BUILDING**

There were no matters from the Department of Planning and Building.

#### **MATTERS FROM THE PLANNING COMMISSION**

There were no matters from the Planning Commission.

#### **ADJOURN**

The meeting adjourned at 4:45.

Respectfully submitted,

Heidi Eidson  
Minutes Clerk