

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

N O V E M B E R 1 6 , 2 0 0 6

The regular meeting of the City Planning Commission and public hearing convened on November 16, 2006, at 1:40pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

PRESENT: COMMISSIONERS: Leslie Gentile, Charles Greenberg,
Morton Stuhlbarg, Charles Winn

ABSENT: EXCUSED: Matthew Jenkins, Nick Sramek

CHAIRMAN: Leslie Gentile

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolyne Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Derek Burnham, Planner
Steve Valdez, Planner
Craig Chalfant, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Stephanie Reich, Urban Design Officer
Pat Smith, RDA consultant
Marcia Gold, Minutes Clerk

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

The pledge of allegiance was led by Commissioner Greenberg.

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 Winn moved to accept the staff recommendation for continuation on Items 1A, and staff recommendations on Items 1B and 1C. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Jenkins and Sramek were absent.

1A. Case No. 0606-25, Conditional Use Permit, CE 06-135

Applicant: Royal Street Communications
Laton Fuller, Representative
Subject Site: 1455 Magnolia (Council District 7)
Description: Request for approval of a Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a forty-five foot high monopole antenna structure designed as a palm tree with accessory equipment.

Continued to the December 21, 2006 meeting.

1B. Case No. 0501-15, Conditional Use Permit, Standards Variance, ND 01-05

Applicant: Roger Peter Porter
Subject Site: 1429 Magnolia (Council District 1)
Description: Request for approval of a Conditional Use Permit to allow for the reuse of the Foster and Kleiser Building, a designated historic landmark, as a hall rental facility, with a Standards Variance request for off-site parking without a deed restriction.

Certified Negative Declaration ND 01-05 and approved the Conditional Use Permit and Standards Variance request, subject to conditions of approval.

1C. Case No. 0508-16, Administrative Use Permit, Conditional Use Permit, Standards Variance, CE 05-147

Applicant: Biblical-Christian Fellowship
Rev. Dean Randolph, Pat Brown, Rep.
Subject Site: 1520 W. Wardlow Road (Council District 7)
Description: Administrative Use Permit, Conditional Use Permit and Standards Variance to allow the establishment of a church in the CNA zoning district with off-site joint-use parking with a deed restriction located more than 600 feet from the structure.

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

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

This item was taken out of order

5. Presentation--Draft Central Long Beach Design Guidelines

Stephanie Reich, Urban Design Officer, and Pat Smith, RDA Consultant, introduced recommended design guidelines to the Commission for their review and comments.

Commissioner Greenberg commented that he felt it would be better if the Cultural Heritage Commission was actively engaged in reviewing historically significant projects before passing them on to the Commission with their comments and recommendations. Suzanne Frick stated that staff would look into the suggestion as a possible modification.

Commissioner Winn noted that developers who wished to retain historical aspects of a project would find it hard to get an EIR approved without first going to the Commission to work out long-term changes, which could lead to appeals.

Chairman Gentile commented that the guidelines were clear and concise without dictating style and architecture, and asked that the issues of durability, quality and scale of building materials be clarified.

Commissioner Winn said he felt recycled and imitation materials should be allowed as long as they looked and felt original.

Ms. Reich stated that staff would clarify the intent of the guidelines to include appropriate materials.

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

2. Case No. 0602-06, Conditional Use Permit, Standards Variance

Applicant: Pat Brown
Subject Site: 85 W. Del Amo Blvd. (Council District 8)
Description: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking.

Steve Valdez presented the staff report recommending partial approval of the request since staff believes the site can support a total of only 20 children on the project site based on

the limited parking availability and relatively small size of the play area.

Pat Brown, 5390 S. 8th Street, applicant representative, presented a petition from area residents in favor of a larger operation.

Tina Brown, 85 W. Del Amo, applicant, explained that there was a great need for her services in the area, and that she wanted to provide for 30-31 children, not 20, with staggered play times to address the yard size issue. Ms. Brown added that with the varied drop-off and pick-up times, there has never been a traffic problem.

Carolyn Bihn acknowledged that the issue of yard area could be overcome by the staggered outside playtimes.

Chairman Gentile observed that in her daycare experiences, parking had not been a problem because of the brief nature of pick-ups and drop-offs, but it was important to have increased play area, and she suggested modification or removal of the garage to create more yard space.

Carolyn Bihn noted that staggering of playtimes could be used to address State and City requirements.

Tina Brown added that via a waiver, the State Licensing Analyst had agreed the house could handle 31 children.

Jessieca Pacheco, 2010-1/2 Martina Avenue, Torrance, 90501, applicant's employee, said that the operation provided quality child care to those in need and that she had never seen any parking problems created by the use.

Jesse Brown, 353 E. Plenty Street, area resident, expressed opposition to the request on the grounds that it would create dangerous traffic maneuvers.

LaToya Polk, 524 Almond Avenue #7, parent, stated that the operation was of such high quality she drove a long way to get there, and that she had never seen any traffic impacts.

Kathleen Ulep, 513 W. 228th Street, Carson, parent, agreed with Ms. Polk, expressing support for the operation which she declared was unusually affordable, safe and trustworthy.

Commissioner Winn stated that he felt the play area size issue was mitigated by the staggered playtimes.

Commissioner Winn moved to approve the Conditional Use Permit and Standards Variance subject to conditions, amending Condition #31 to allow 31 children on site.

Commissioner Greenberg noted that he would be abstaining from the vote since he had not been present for the first hearing on the issue.

Commissioner Stuhlbarg seconded the motion, asking for a condition to require removal of the garage.

Commissioner Winn accepted the addition to his motion, which passed 3-0-1, with Commissioner Greenberg abstaining and Commissioners Jenkins and Sramek absent.

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

This item was taken out of order

4. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158

Applicant: Albert Espinoza for Pet Partners
 Animal Hospital
Subject Site: 1058 E. Broadway (Council District 2)
Description: Appeal of the Zoning Administrator's
decision to deny a request for a Local Coastal Development Permit and Administrative Use Permit to convert a commercial lease area in a residential zone to a veterinary clinic without boarding.

Chairman Gentile moved to continue the item to the January 4, 2007 meeting as per staff's recommendation. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Jenkins and Sramek were absent.

3. Case No. 0510-03, PD Amendment, Site Plan Review, Tract Map, Standards Variance, EIR 28-05

Applicant: Press-Telegram Lofts c/o Jim Brophy
Subject Site: 604 Pine Avenue (Council District 1)
Description: Review the adequacy of Environmental Impact Report No. 28-05 in accordance with Section 15204 of the CEQA Guidelines; a request to amend the Downtown Planned Development District (PD-30) to change the subarea

designation for the subject site from Downtown Mixed Use to Downtown Core; a request to amend the allowable height from 100 feet to 250 feet; a request for approval of a Site Plan Review and a Tentative Map to demolish the Meeker-Baker Building and portions of the Press-Telegram Building to construct two 22-story buildings and various four- to five-story buildings for a mixed-use project consisting of 542 residential units, 14,000 square feet of commercial space, 24,000 square feet of office/gallery space, and 1,186 parking spaces, with the following code exceptions: (1) Less than code-required parking; (2) Building setback of 7'6'' along Pine Avenue (instead of 0 feet); (3) Building setback of two feet along Locust Avenue (instead of not less than 10 feet); and (4) Parking structure at the property line along Locust Avenue and 7th Street (instead of a setback of 10 feet).

Derek Burnham presented an overview of the entitlements and the staff report recommending adoption of the EIR and continuation of the other requests to allow the Cultural Heritage Commission to take action on the project. Mr. Burnham also explained that since staff believes the project has the potential to be an asset to the area, and given the historic character of the buildings on site, along with new high-quality structures, could serve as an anchor to the northern part of downtown.

Craig Chalfant, Planner, outlined EIR chronology and listed the unavoidably significant impacts of the project.

Deputy City Attorney Mais noted that mitigation measures were not being adopted at this time, but rather would return with recommendations from the Cultural Heritage Commission (CHC).

Commissioner Greenberg commented that it was difficult to separate the EIR approval from the other requests since the input from the CHC would be an important part of the project.

Mr. Mais explained that the CHC needed the EIR to be certified before issuing the Certificate of Appropriateness; otherwise, their advice could be construed as a ruling, and even if they issued the certificate, recirculation of the draft EIR might be required.

Suzanne Frick added that there had been a preliminary review by the CHC who said they wanted to see additional design modifications.

Commissioner Greenberg said he wanted the CHC's final advice before acting on the EIR, and that this awkward process was leaving the document out of context and open to appeal. He declared he would not go further in the process until the situation was rectified.

Jim Brophy, applicant, introduced Mark Donahue.

Mark Donahue, 1278 E. 34th Street, Oakland, lead project architect, applicant representative, reviewed the shade and shadow study and addressed changes to the project that had been made in response to staff concerns.

Bill Reifsteck, 21031 Middleton, Killdeer, IL 60047, applicant's historic preservation specialist, outlined their plan to restore or reuse historical elements of the original building and the problems preventing reuse, including the dangerous and rundown interior.

Pat Gibson, 5390 E. 8th Street, Santa Monica, presented results of a parking study done by Kaku and Associates and declared that their peak demand recommendations are more accurate than staff's.

Bob Stemler, 400 Oceangate, expressed relief that due to the changes in the project, there would be less massing on top of or near Press Telegram.

Commissioner Winn expressed concern about the deteriorated interior of the building, and asked why it would be unreasonable to remove such elements as long as the outside façade remained the same.

Mr. Reifsteck pointed out that adaptive reuse was usually not possible due to life safety and code violation issues.

Commissioner Stuhlbarg noted that he had visited the site with Mr. Brophy, and agreed that the condition of the building's interior was dismal, and renovation seemed hopeless.

Chairman Gentile noted that the treatment above the building in the plans seemed to detract from the original style, and Mr. Reifsteck said they felt the step back would enhance the original façade.

Mr. Brophy added that the project would bring desperately needed affordable housing to the area, with 60 units earmarked for sale

at below market rates to the University for faculty housing. He assured the Commission that when safely and economically feasible, historical aspects of the building would be preserved and restored.

Commissioner Greenberg revealed that he had discussed project design details with applicant representative Mark Donahue.

Mark Stevens, publisher, Long Beach Press Telegram, 604 Pine Avenue, assured the Commission he was receiving no benefit from the project but felt it was a first-class effort solving many needs of the local community.

Maureen Neeley, Long Beach Heritage, 247 Termino, spoke against the project and said her group was concerned that certification of the EIR would entitle the project along with what they felt were ineffectual mitigation measures with regards to the historic aspects of the building. Ms. Neeley added that Long Beach Heritage felt the project wanted to see more study before any further approvals were given.

Tony Shooshani, City Place, 275 E. 4th Street, expressed support for the project because he felt it was a positive addition to the neighborhood.

Byron Schweigert, Long Beach Memorial Hospital, spoke in favor of the project because it would help the hospital retain staff by creating local, affordable housing.

Justin Hectus, 41 Cedar Walk, Arts Council representative, said the project also enjoyed the support of the Arts Council because they felt it would liven up the entire area and add many community resources.

Lillian Kawasaki, 4281 Country Club Drive, expressed support for the project, pointing out that this project was the first private sector development in Long Beach to receive green building certification, and would bring in crucial workforce housing.

Mo Tidemanis, 6300 State University Drive Suite 260, also spoke in favor of the project because of the overwhelming need for affordable housing for University faculty and staff, which could make the school more competitive with other institutions.

Layne Johnson, Cultural Heritage Commission, noted that the building might be eligible for State landmark status so any

radical changes to the interior or exterior would not be allowed. He added that the CHC was concerned with inconsistent changes within CEQA guidelines and that the overall impact of the design would mask the historical lines of the original building.

Carri Matsumoto, 2425 Webster Avenue, school district representative, spoke against the project, citing district concern about significant shadows covering the school across the street during the day with no mitigation measures promised, and that lack of light on the play areas of the school would have a long-term negative effect on the children there.

Michael Wylie, 714 Pacific Avenue, spoke in favor of the project because it would bring affordable housing to the area and strengthen the economic viability of the City.

Kraig Kojian, 100 W. Broadway #170, representative, Downtown Long Beach Association, expressed support for the project, citing quality of workmanship and design and the project's potential to stimulate the business corridor.

Dr. Patricia Rozee, 7890 E. Spring St. #180, representing the CSULB Center for Community Engagement, expressed support for the project, saying it would enhance the community arts program and be a visible University presence in the downtown area.

Don Darnauer, 801 Pine Avenue, Pine Plaza Homeowners Association, said it was a commendable project with quality elements and green, affordable housing. Mr. Darnauer acknowledged that area residents were concerned about construction impacts on nearby schools and shopping as well as traffic and parking problems that could result from the development, but that they felt the developer was making sincere efforts to address these problems.

John Molina, 1 Golden Shore Drive, also spoke in favor of the project, saying it was not risky or bold, and would unify the City by bringing in affordable housing and a University presence downtown.

Commissioner Winn moved to adopt the Resolution certifying EIR 28-05/SCH #2006031124; to continue the hearing on the requests for Site Plan Review, Tentative Map and Standards Variances in order to allow consideration of an application for a Certificate of Appropriateness by the Cultural Heritage Commission prior to

Planning Commission reconsideration; and to direct staff to prepare amendments to the Downtown Planned Development District.

Commissioner Greenberg agreed it was a good project but said he would not approve a bifurcation of approval of the EIR from the project without an extraordinary reason. Mr. Greenberg acknowledged that the project seemed fairly non-controversial and enjoyed widespread area support, but unresolved environmental issues remained.

Commissioner Stuhlbarg said he thought the developer should not be penalized by this situation, and he seconded the motion.

Chair Gentile agreed with the motion but expressed concern that PD-30 was problematic and that the City should first resolve these urban issues before allowing large projects in the area.

The question was called, and the motion passed 3-1. Commissioner Greenberg dissented, and Commissioners Sramek and Jenkins were absent.

This item was taken out of order and continued

4. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158

This item was heard out of order at the beginning of the agenda

5. Presentation--Draft Central Long Beach Design Guidelines

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. Mais announced that the State required all Commissioners to undergo two hours of mandatory ethics training before the end of the year.

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 5:13pm

Respectfully submitted,

Marcia Gold
Minutes Clerk