

MINUTES OF A REGULAR MEETING OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON MONDAY, JUNE 18, 2007, AT 1 P.M.

Present: Commissioners: Topsy-Elvord, Walter, Hancock, Cordero  
Absent: " Hankla

Also present:

R. D. Steinke	Executive Director
S. B. Rubin	Managing Director
C. Lytle	Managing Director
D. A. Thiessen	Managing Director
R. G. Kanter	Managing Director
G. T. Hein	Executive Officer to the Board
S. Larson	Interim Director of Human Resources
S. Macias	Port Communications Officer
S. Joumbat	Chief Financial Officer
D. L. Albrecht	Director of Information Management
R. Rich	Director of Maintenance
A. J. Moro	Assistant Managing Director of Engineering
K. J. Adamowicz	Acting Director of Real Estate
C. Wynne	Administrative Analyst
D. B. Snyder	Director of Trade Relations
S. Ashley	Director of Government Affairs
R. S. Baratta	Director of Risk Management
D. T. Holzhaus	Principal Deputy City Attorney

VICE PRESIDENT CORDERO PRESIDED AS CHAIRPERSON.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Hancock and unanimously carried, the minutes of the regular meeting of June 4, 2007, were declared read and approved as read.

PUBLIC COMMENTS.

Mr. Greg Roach from Clean Energy addressed the Board and stated Clean Energy is a strong supporter of the Clean Air Action Plan and they are working hard at deploying the alternative fuel infrastructure that supports the clean truck program. Additionally, he stated Clean Energy was awarded, by the Port, the station RFP to go into negotiations to open and operate an alternative fuel LNG station in the Port.

Commissioner Hancock thanked Mr. Roach for his comments.

CONSENT CALENDAR – ITEMS NOS. 1-10.

1. CWO NO. 1266 - EXPENDITURES APPROVED AND PROJECT CLOSED TO ALL FUTURE CHARGES.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 13, 2007, submitting the following project for closing action:

		<u>BHC Approval</u>	<u>Expenditures</u>
CWO No. 1266	Pier T Reeves Avenue R/R Crossing Camera & Vehicle Detection	\$ 450,000	\$ 481,905

and requesting that the expenditures made to said project be approved and that it be closed to all future charges, was presented to the Board. The request was approved by the Acting Executive Director.

2. CWO NO. 1295, SUPPLEMENT NO. 1 – FOR THE GERALD DESMOND BRIDGE SIGNING - APPROVED.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 13, 2007, requesting approval of CWO No. 1295, Supplement No. 1, for the Gerald Desmond Bridge signing, in the amount of \$80,000, was presented to the Board. The request was approved by the Acting Executive Director.

3. SPECIFICATION NO. HD-S2247 - APPROVED AND NOTICE INVITING BIDS AUTHORIZED – PIER G TERMINAL REDEVELOPMENT.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 13, 2007, submitting Specification No. HD-S2247 for the Pier G Terminal Redevelopment and requesting authority to advertise for bids for said work, was presented to the Board. The request was approved by the Acting Executive Director.

4. EXCEL PAVING COMPANY – RATIFY CHANGE ORDERS NOS. 1 AND 2 – EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE STAFF-APPROVED CHANGE ORDER AUTHORITY FOR THE PHASE 3 CONTAINER YARD EXPANSION UNDER SPECIFICATION NO. HD-S2281 – CWO NO. 1255, SUPPLEMENT NO. 7 AND A BUDGET REVISION – APPROVED.

Communication from A. J. Moro, Chief Harbor Engineer, June 13, 2007, recommending ratification of Change Order No. 1, in the amount of \$750,000, Change Order No. 2, in the amount of \$99,406.56, with Excel Paving Company; approval of staff-approved change order authority, in the amount of \$1.4 million, for the Phase 3 Container Yard Expansion, under Specification No. HD-S2281, approval of

CWO No. 1255, Supplement No. 7, in the amount of \$750,000, and a revised project budget, was presented to the Board. The request was approved by the Acting Executive Director.

5. REJECTION OF ONE BID FOR TRAFFIC SIGNAL AND LIGHTING AT PIER C STREET AND MATSON DRIVEWAYS UNDER SPECIFICATION NO. HD-S2306 - AUTHORITY TO RE-ADVERTISE THE PROJECT.

Communication from A. J. Moro, Chief Harbor Engineer, dated June 13, 2007, recommending the rejection of one bid for the traffic signal and lighting at Pier C Street and Matson Driveways, under Specification No. HD-S2306, and the authorization to re-advertise the project, was presented to the Board. The request was approved by the Acting Executive Director.

6. LEVEL I HARBOR DEVELOPMENT PERMITS – RECEIVED AND FILED.

Communication from Richard D. Cameron, Manager of Environmental Planning, dated June 6, 2007, requesting that the following Level I Harbor Development Permits be received and filed:

HDP #07-046	THUMS Long Beach Company – GJ6 Pipeline Repair
HDP #07-047	THUMS Long Beach Company – Sump Pump and Motor Installation
HDP #07-048	Horizon Lines – Crane Modification

was presented to the Board. The request was approved by the Acting Executive Director.

7. DRILLING PERMIT APPLICATIONS – APPROVED.

Communication from Richard D. Cameron, Manager of Environmental Planning, dated June 13, 2007, requesting that the following drilling permit applications be approved:

HDP #07-058X	Pacific Energy Resources – Re-Drill Well S1C117
HDP #07-059X	Pacific Energy Resources – Re-Drill Well S1C110

was presented to the Board. The request was approved by the Acting Executive Director.

8. CH2MHILL - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE CONTRACT FOR GEOGRAPHIC INFORMATION SYSTEM SUPPORT SERVICES - DOCUMENT NO. HD-7190.

Communication from Richard D. Cameron, Manager of Environmental Planning, dated June 11, 2007, recommending authorization of a Contract with CH2M Hill for Geographic Information System support services, in the amount of \$300,000, for a period of three years, was presented to the Board. The recommendation was approved by the Acting Executive Director.

9. HARBOR REVENUE FUND – APPROVAL OF FUND TRANSFER JOURNALS AND AUTHORIZATION OF TRANSFER OF FUNDS.

Communication from Sam Joumbat, Chief Financial Officer, by J. A. Urrutia, dated June 12, 2007, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
719,371.15	Employee Benefits and Insurance Funds – transfer of the May 2007 cost of employees' fringe benefits
805,776.00	Fire Department – fire stations and boats for June 2007
9,344.92	Fire Department – vessel patrol for June 2007
119.94	Technology Services Department – wireless communication for May 2007
3,555,546.00	Tidelands Fund – 4 <sup>th</sup> installment of the operating transfer of 10% of FY 2005 Harbor net income. Due July 1, 2007
1,518.06	Planning and Building permits for April 2007
3,611.75	Civil Service – P Card charges as confirmed by C. Lewis, Administration

was presented to the Board. The request was approved by the Acting Executive Director.

10. YELOIS A. DROUIN – KIM HAMRING – DAVID P. DICKSON – CESAR ARCINIEGA – LOUIS F. BURKE – APPOINTMENTS.

Communication from Steve Larson, Interim Director of Human Resources, dated June 13, 2007, requesting approval of the appointments of the following individuals:

<u>Appointment</u>	<u>Classification</u>	<u>Range &amp; Step</u>	<u>Effective Date</u>
Yelois A. Drouin	Executive Secretary	EOO	6/23/07

Kim Hamring	General Maintenance Assistant	410/01	6/19/07
David P. Dickson	Manager of Infrastructure Maintenance	EOO	7/09/07
Cesar Arciniega	Clerk Typist II-NC	M17/04	6/19/07
Louis F. Burke	Administrative Intern-NC	H36	6/19/07

was presented to the Board. The request was approved by the Acting Executive Director.

Commissioner Walter moved, seconded by Commissioner Topsy-Elvord that the communications be received and filed and that Items Nos. 1-10 be approved as recommended. Carried by the following vote:

AYES:	Comms:	Topsy-Elvord,Walter,Hancock,Cordero
NOES:	"	None
ABSENT:	"	Hankla

ELECTION OF OFFICERS.

Commissioner Hancock presented the slate of officers for the Board of Harbor Commissioners for the 2007-2008 year:

President	Mario Cordero
Vice President	Dr. Mike Walter
Secretary	Doris Topsy-Elvord
Assistant Secretary	James Hankla

Commissioner Hancock moved, seconded by Commissioner Topsy-Elvord that the slate of officers be elected to serve for the next year. Carried by the following vote:

AYES:	Comms:	Topsy-Elvord,Walter,Hancock,Cordero
NOES:	"	None
ABSENT:	"	Hankla

NEW BUSINESS.

Commissioner Walter commented on the Green Flag overall compliance for May 2007 was 90.53%, which was an increase of 11.2% from May 2006.

Commissioner Walter stated he will be on personal business for the next two weeks and will miss the meetings of June 25 and July 2, 2007.

Commissioner Cordero stated he felt the recent Asian Trade Mission was a very successful trip. He stated when the Green Port Policy was first adopted there was concerns on if the community and industry would embrace this policy and he felt the concerns have been laid to rest and that the Asian countries are all on-board with the environment plan.

Mr. Randy Rich, Director of Maintenance introduced Mr. Ariel T. Delapaz. He stated Mr. Delapaz was hired to fill the position of Manager of Facilities in Maintenance.

Vice President Cordero welcomed Mr. Delapaz.

CLOSED SESSION.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Closed session pursuant to Section 54957(b) of the Government Code to evaluate the performance of the Executive Director.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Closed session pursuant to Section 54957(b) of the Government Code to evaluate the performance of the Executive Officer to the Board.

Both closed sessions were postponed.

ADJOURNED.

At 3:40 p.m., Commissioner Walter moved, seconded by Commissioner Hancock that the meeting be adjourned sine die. Carried by the following vote:

AYES:	Comms:	Topsy-Elvord,Walter,Hancock,Cordero
NOES:	"	None
ABSENT:	"	Hankla

**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 R C H   1,   2 0 0 7**

The regular meeting of the City Planning Commission and public hearing convened on March 1, 2007, at 1:35pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

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

**ABSENT: EXCUSED:** Charles Greenberg

**CHAIRMAN:** Leslie Gentile

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Manager  
Carolyn Bihn, Zoning Officer  
Jaime Ustin, Planner  
Cuentin Jackson, 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**

The pledge of allegiance was led by Commissioner Jenkins.

**M I N U T E S**

The minutes of November 16, 2006 were approved on a motion by Commissioner Stuhlberg, seconded by Commissioner Sramek and passed 4-0-1, with Commissioner Sramek abstaining. Commissioner Greenberg was absent.

The minutes of January 4, 2007 were approved on a motion by Commissioner Stuhlberg, seconded by Commissioner Sramek and passed 4-0-1, with Commissioner Gentile abstaining. Commissioner Greenberg was absent.

**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**

Item 1A was removed to the Regular Agenda at the request of an audience member.

**1A. Case No. 0612-03, Condominium Conversion, CE 06-277**

Applicant: Richard Crouch, Gaviota Villas, LLS  
Subject Site: 1025 Gaviota Avenue (Council District 2)  
Description: Request for approval of Tentative Tract Map No. 68496 for the conversion of nine apartment units into condominiums.

Removed to the Regular Agenda.

**R E G U L A R   A G E N D A**

**1A. Case No. 0612-03, Condominium Conversion, CE 06-277**

Applicant: Richard Crouch, Gaviota Villas, LLS  
Subject Site: 1025 Gaviota Avenue (Council District 2)  
Description: Request for approval of Tentative Tract Map No. 68496 for the conversion of nine apartment units into condominiums.

Jaime Ustin presented the staff report recommending approval of the request since it will comply with regulations and provide increased home ownership opportunities.

Richard Crouch, 1025 Gaviota, applicant, stated he was upgrading the building for first-time home buyers.

Monica Bowles, 1025 Gaviota #302, tenant, said she was against the proposal because it decreased the number of affordable rental units.

Phillipe Bowles, 1025 Gaviota #302, tenant, agreed that ongoing conversions were forcing lower-income tenants out of the area.

Chairman Gentile suggested that the speakers talk to the Housing Services Manager about first-time homebuyer programs designed to assist lower-income residents.

Commissioner Jenkins moved to approve Tentative Tract Map No. 68496 subject to conditions. Commissioner Sramek seconded the motion, which passed 5-0. Commissioner Greenberg was absent.



2. **Case No. 0612-07, Standards Variance, CE 06-279**

Applicant: Artie Stevenson  
Subject Site: 730 Santiago Avenue (Council District 3)  
Description: Request for a Standards Variance for two existing over-height driveway arches of 13'0" in the front yard setback area.

Cuentin Jackson presented the staff report recommending approval of the variance since the existing design did not cause any adverse effects to the community and because conditions of approval included requiring that the property be brought into compliance upon transfer of ownership.

Michael Pauls, 203 Argonne Avenue, applicant representative, said they felt the arches were visually unobtrusive and in keeping with the scale and design of the residence. Mr. Pauls also requested a modification to Conditions 12 (separate fence permit) and 15, title conveyance, asking that they be allowed to transfer the property within the family without triggering the arch removal requirement.

Ethel Stevenson, 730 Santiago Avenue, applicant and resident, explained that the home and its arches had been in her family for 65 years.

Commissioner Stuhlberg moved to approve the Standards Variance subject to revised conditions.

Commissioner Winn agreed that the arches looked fine, and that Condition 15 would remove any precedent-setting aspects of the case.

Commissioner Winn seconded the motion.

Chairman Gentile stated she would not support the motion especially with the revised conditions, because she felt the arches were inappropriate to the area and should be removed.

The question was called and the motion passed 4-1, with Chairman Gentile dissenting. Commissioner Greenberg was absent.

**3. Amendment to Rules and Procedures of the Planning Commission**

Description: Consideration of an amendment of the Planning Commission rules and procedures (bylaws) to change to evening meetings.

Greg Carpenter reported that the amendment had been suggested in response to the perceived need for greater public access to the meetings.

Commissioner Winn said he was not in support of the idea and it would affect his ability to serve on the Commission. Mr. Winn suggested televising the meetings instead for members of the public who could not attend.

Commissioner Sramek said he approved of the idea and felt it would increase audience participation.

Commissioner Stuhlberg said he was not in support of the idea since he felt it would cut too deeply into the personal time of the Commissioners who already work full-time during the day and need time at night with their families. Mr. Stuhlberg expressed concern that the late hours would make returning to the parking lot more dangerous, and commented that items of significant value bring in public participation, day or night.

Chairman Gentile said she liked the idea because she could get more work done during the day and added that design professionals and the general public could more easily attend evening meetings.

Commissioner Jenkins said he didn't mind day or night meetings, adding that he felt the public would find a way to get to a day meeting if it was important enough.

Selena Coleman, 269 E. Neece, said she wanted to attend Commission meetings but could not since she worked during the day.

Commissioner Sramek moved to amend the bylaws to change the meeting time to 5pm starting in May with a review after one year. Commissioner Jenkins seconded the motion, which passed 3-2, with Commissioners Winn and Stuhlberg dissenting. Commissioner Greenberg 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. Carpenter outlined City Council actions including the AUP for churches, the appeal of the Commission-approved four non-permitted units; the Press-Telegram project appeal by neighborhood associations and a planned public session on the airport.

Regarding the Boeing project, Mr. Carpenter said that the developer had announced they would not move forward with the low-density component of the project due to concerns regarding soil remediation and resulting liability, but are planning to move forward with the southern, commercial half of the site, which will soon come before the Commission.

**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 2:42pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk

**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 R C H   1 5 ,   2 0 0 7**

The regular meeting of the City Planning Commission and public hearing convened on March 15, 2007, at 1:33pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

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

**ABSENT:   EXCUSED:** Charles Greenberg

**CHAIRMAN:** Leslie Gentile

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Manager  
Carolyn Bihn, Zoning Officer  
Angela Reynolds, Advance Planning  
Lynette Ferenczy, Planner  
Derek Burnham, Planner  
Lemuel Hawkins, Planner

**OTHERS PRESENT:** Heather Mahood, City Attorney  
Dave Roseman, City Traffic Engineer  
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 Sramek.

**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 Stuhlbarg moved to accept the Consent Calendar as presented by staff with modifications to 1A. Commissioner Jenkins seconded the motion, which passed 5-0. Commissioner Greenberg was absent.

**1A. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158**

Appellant: 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.

Overtuned the decision of the Zoning Administrator, and approved the Administrative Use Permit and Local Coastal Development Permit subject to amended conditions.

**1B. Case No. 0701-03, Tentative Tract Map, CE 07-002**

Applicant: The Wilcox Building LLC  
Robert Vargo, Representative  
Subject Site: 336 E. 8<sup>th</sup> Street (Council District 1)  
Description: Request for approval of Tentative Tract Map No. 65613 to convert thirteen residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Tract Map No. 65613 subject to conditions.

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**DISCUSSION ITEM - IB2030 General Plan Update**

Angela Reynolds presented an update of the General Plan noting that it would include an extensive public outreach campaign, and that staff was in the process of gathering public input for the draft document.

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

**2. Case No. 0609-39, Conditional Use Permit CE 06-226**

Applicant: Royal Street Communications (Metro PCS)  
c/o Pacific Communications Group  
Leslie Paramo, Representative  
Subject Site: 194 E. Artesia Boulevard (Council Dist. 9)  
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a 60-foot

high monopole antenna structure disguised as a pine tree with accessory equipment.

Lemuel Hawkins presented the staff report recommending denial of the request since the proposed monopole would be located within 125 of an existing one and because visual impact would be reduced through potential co-location.

Mindy Hartstein, Project Manager, Metro PCS, 350 Commerce, Irvine, stated that co-location on the existing monopole was impossible due to its steel construction, and that it was also economically unfeasible to lease land at a staff-recommended site. Ms. Hartstein added that their proposed monopole would allow for co-location.

Commissioner Jenkins observed that time was changing the laws and economics of the business, and that the City would have to make adjustments to accommodate older monopoles that were not able to add carriers.

Commissioner Jenkins moved to continue the item to the April 5, 2007 meeting to have staff draw up conditions for a new monopole with co-location capability at the new site. Commissioner Winn seconded the motion which passed 3-2, with Commissioners Sramek and Gentile dissenting.

**3. Case No. 0507-19, General Plan Amendment, Local Coastal Program Amendment, Planned Development Amendment, Local Coastal Development Permit, Site Plan Review, Vesting Tentative Map, Standards Variances, EIR 19-05**

Applicant: Lennar Seaport, LLC c/o Bea Bea Jimenez  
Subject Site: 6400 E. Pacific Coast Highway  
(Council District 3)

Description: Review the adequacy of Environmental Impact Report No. 19-05 in accordance with Section 15204 of the CEQA Guidelines; request to amend the General Plan, Local Coastal Program, and Subarea 17 of the Southeast Area Development Improvement Plan (SEADIP) to allow residential use and adopt residential standards; and a request for approval of Site Plan Review, Vesting Tentative Map, Local Coastal Development Permit and Standards Variances to construct a mixed-use project consisting of 425 residential units, 170,000 sq.ft. of commercial space, and 1,700 parking spaces with the following code exceptions: (1) Less than code-required parking; (2) Building setback of 5 feet

along 2<sup>nd</sup> Street (instead of not less than 20 feet); (3)  
Less than required useable open space.

Derek Burnham presented the staff report recommending adoption and approval of the various resolutions and requests because the proposed project will replace an existed deteriorated use with a new commercial and residential mixed-use development; will provide public benefits; is consistent with the intent of SEADIP, and since positive findings can be made to support the variance requests.

Angela Reynolds noted that the applicant was required to exhaust all remedies possible to build the Shopkeeper Road extension before the Certificate of Occupancy would be granted by the Director of Planning and Building.

In response to a query from Commissioner Sramek, Ms. Reynolds affirmed that any entitlements granted ran with the land, and were not limited to the present owner.

Applicant Bea Bea Jimenez, Lennar, c/o 6400 E. Pacific Coast Highway, outlined the scope of project showing how it had evolved in response to public input.

In response to queries from Commissioners Winn and Sramek regarding traffic concerns, Ms. Reynolds said that an environmental document or negative declaration would be needed to address the Shopkeeper Road issue, but that even with all mitigation measures in place, outstanding traffic impacts remained at several intersections.

In response to a query from Chairman Gentile regarding open space, Mr. Burnham explained that three conditions of approval dealt with the issue, but that private and residential open space was not counted.

Bob Garrison, Lennar, 6400 E. Pacific Coast Highway, applicant representative, addressed specific written requests from the Third District Councilmember regarding landscaping and reduction of restaurant space, saying they had agreed to landscape the median, and to restrict the restaurant space to 25% of total retail square footage as conditioned in the entitlements.

Richard Ogilby, 5750 Appian Way, spoke against the project citing traffic concerns.

Heather Altman, 41-1/2 Ximeno, Board Member, Los Cerritos Wetlands Trust, spoke against the project claiming it violated CEQA guidelines and would impact traffic.

Ben Goldberg, 6300 E. Vermont Street, past President, University Park Estates HOA, spoke in favor of the project saying that housing stock was needed and this would clean up a blighted area.

Jane Netherton, 249 East Ocean Blvd., spoke in favor of the project saying it would keep shopping dollars in town.

Mary Beth Mashburn, 2 Rivo Alto Canal, spoke against the project citing its size and traffic concerns about Shopkeeper Drive.

Jerry Mashburn, 2 Rivo Alto Canal, also spoke against the project citing lack of open space.

Randy Gordon, President/CEO Long Beach Chamber of Commerce, 1 World Trade Center #206, supported the project because it would bring in housing and retail.

Ken Weiss, 307 Lakeview Avenue, spoke against the project saying there was no room in area schools for new children.

Deanna Sklar, 5324 S. Marina Pacifica Drive, claimed her HOA was not in favor of the program due to traffic on the bridges.

Denise Gonzalez, 9201 Marina Pacifica, spoke in favor of the project saying it would revitalize the area and bring in more waterfront housing stock.

Kerrie Aley, 279 Park, spoke against the project saying she felt there was insufficient analysis of traffic impacts and not enough community outreach.

Randy Wolfe, 381 De Roca Avenue, also spoke against the project saying there were too many variances requested and a small hotel would be better.

Randy Terrell, 3915 Lime Avenue, spoke in favor of the project saying it would benefit the whole city and bring much needed tax revenues.

Shaun Lumachi, 4720 E. 2<sup>nd</sup> Street #7, also spoke in favor of the project saying it would bring in jobs and add value to the area.



Eric Peterson, 5507 Windward Avenue, also supported the project because it would create more view housing stock and keep retail in the city.

Rose Mary Mercer, 102 Orange Avenue #17, also spoke in support of the project saying it would bring in jobs, tax revenue, housing and a new bike path.

Andrew Kincaid, 5275 Paoli Way, SEADIP Reassessment Committee Member, expressed various concerns about view corridors, building heights, traffic and public beach access.

Nancy Buchanan, 36 La Verne, spoke against the project saying it was too large, would not complement the area and would compromise the area's quality of life.

Ann Cantrell, 3106 Claremore, also spoke against the project saying it had a flawed EIR and would be too dense, impacting area ecology.

Stan Poe, 144 Savona Walk, President, Long Beach Heritage Cultural Historic Commission, spoke against the project saying it would be too much of an impact on area traffic and would create health and safety issues.

Gary Woodruff, 3645 E. 5<sup>th</sup> Street, SEADIP Reassessment Committee Member, spoke against the project citing traffic concerns.

George Jones, 873 Roxanne Avenue, SEADIP Reassessment Committee Member, also spoke against the project citing traffic and potential pro-developer City concessions.

Pat Towner, 6239 E. 6<sup>th</sup> Street, spoke against the project citing traffic, parking and ecological impacts, and inappropriate high-density uses in a coastal zone.

Melinda Cotton, 158 Park Avenue, spoke against the project saying she felt the developer should meet code in a smaller project.

Jeff Miller, 158 Park Avenue, also spoke against the project agreeing with the previous speakers and adding that the project was too massive.

Tammy Holden, 5710 E. 7<sup>th</sup> Street #223, Long Beach Marina Boat Owners Association representative, said her group was against

the project because it was too big and would affect their parking area.

Carl Kirnbauer, 6536 N. Marina Way, said the Long Beach Boat Owners group was against the project because it would impede access to their boats.

Lee Whittenberg, Director, Development Services, City of Seal Beach, also spoke against the project, saying that they felt the EIR was unacceptable and the project should be downsized with less variance requests to reduce traffic impacts.

Tim Anderson, 7801 - 14<sup>th</sup> Street, Executive Director, Los Cerritos Land Trust, agreed the project had to be cut down drastically to code with at least 30% open space.

Taryn Olson, 3712 E. 1<sup>st</sup> Street, spoke against the project saying that the multiple impacts of all area projects in development should be examined as a group.

Paul Hambly, 2436 Petaluma Avenue #15, spoke against the project saying the EIR was not sufficient to mitigate traffic impacts.

Roger Cormier, 300 N. Silver Shoals Drive, also spoke in opposition to the project for all reasons listed before, and agreed that area streets could not physically handle the increased traffic.

Ken Kropf, 1005 Crestview Avenue, Seal Beach, agreed there would be too much traffic impact on existing businesses.

John Costa, 9123 Marina Pacifica, said he was in favor of the project because it would keep shopping dollars in Long Beach.

Mary Lou Trevis, 5229 Appian Way, spoke against the project saying there was not enough play area for children.

Dan Pressburg, no address given, said the project would fix a blighted corner in an underserved area, and bring money and home ownership opportunities to the City.

Sandie Van Horn, 845 Stevely Avenue, also spoke in opposition to the project saying she felt it was underparked and too dense.

Don Cobleigh, 6440 Marina Drive, also spoke against the project citing traffic and pollution concerns.

Brad Whyte, 354 E. Shoreline Drive, member, Long Beach Marine Advisory Committee, said they met with Lennar to discuss the project and their main concern was traffic impact on boat owners.

Thomas Marchese, 6312 E. 5<sup>th</sup> Street, University Park Estates Neighborhood Association, said the project would clean up a blighted area but was too dense and over-optimistic, with no concern for the aggregate effects of all area developments.

Kevin Dougherty, 25 Enterprise, Aliso Viejo, applicant's representative, said they were committed to making traffic improvements and felt the EIR mitigated all impacts to a level less-than-significant, with overriding considerations required due to the involvement of Cal Trans. Mr. Dougherty added that they were required to attempt to complete Shopkeeper Road, and that if it was not feasible, would implement other mitigation measures including expensive upgrades to the area that would give equivalent benefits to improving the intersection.

Bob Garrison, Lennar representative, noted that a hotel on the site was not feasible due to its seasonal location, lack of support by large business uses and low levels of weekday traffic.

Commissioner Sramek said he felt the residential component was too dense and that the overall project would create terrible traffic problems, even with mitigation measures in place, creating a quality of life issue. Mr. Sramek continued that he felt the view corridors were insufficient, the project too high and setbacks too small, and he could not support the project as currently designed.

Commissioner Sramek moved to reject the project.

Commissioner Winn disagreed, saying he felt the project looked good and he assured the audience that even if the Commission approved the project, the developer would not receive a 'blank check' and they would have to mitigate the traffic problem or he would not continue his support.

Commissioner Jenkins agreed and added that continuing growth in Long Beach would cause these kinds of adverse effects, but that the City needed this kind of upscale development to keep residents buying and living in the area.

Chairman Gentile said she felt the project did not fit proportionally or in context and scale to its site or the neighborhood, and certainly not to development guidelines set by the City to maintain its unique environment during growth. She stated that nothing warranted the variances being requested, and that any City approvals would be precedent-setting. Ms. Gentile added that this was not the right development for the site, and would be more appropriate for downtown.

Commissioner Stuhlbarg commented that he felt the project had been improved in response to City direction, but agreed that traffic would not get better, only worse. Mr. Stuhlbarg added that parking usage in the area would probably be sufficient with a 68% usage rate, and that the schools would be able to handle the influx of new students.

Commissioner Gentile seconded Commissioner Sramek's motion to reject the project. The motion failed 2-3, with Commissioners Winn, Jenkins and Stuhlbarg dissenting and Commissioner Greenberg absent.

Rick Zbur, Latham & Watkins, representing Lennar, stated that their investment of \$4.5 million was commitment enough to ensure that either Shopkeeper Road or a viable alternative would go through, and he asked that the City not tie building permits to this process.

Commissioner Winn expressed discomfort at allowing the developer to build the project without a firm backup plan in place, and he noted that if the project were smaller, more people would support it.

Suzanne Frick added that there was disagreement among the staff as to whether or not the developer's backup traffic mitigation plan was sufficient, saying that Lennar's alternatives did not sufficiently mitigate the impacts.

Dave Roseman, City Traffic Engineer, noted that the extension of Shopkeeper Road would be a capacity-enhancing aspect, different than the backup plan proposed by the applicant of operational upgrades, not service level enhancing components.

Commissioner Winn moved to adopt the resolution certifying EIR 19-05/SCH#2005051096, to adopt the resolution with the Statements of Overriding Consideration, to adopt the resolution with Findings of Fact and a Mitigation Monitoring Program; forward a recommendation of approval to the City Council with

respect to the amendments to the General Plan, Local Coastal Program and Subarea 17 of SEADIP; to require that before a building permit be issued, either the Shopkeeper Road issue be resolved, or an acceptable alternative be reviewed and approved by the Director of Planning and Building; that the percentage of restaurant space be reduced; and the promised 2<sup>nd</sup> Street median landscaping between Pacific Coast Highway and Bayshore and the bike path be included.

Commissioner Jenkins seconded the motion, which passed 3-2. Commissioners Gentile and Sramek dissented and Commissioner Greenberg was absent.

**4. Case No. 0601-07, PD Planned Development Amendment  
CE 06-54**

Applicant: City of Long Beach  
c/o Suzanne Frick, Director of Planning  
and Building  
Subject Site: Citywide  
Description: Proposed amendments to Long Beach Boulevard  
Planned Development District (PD-29) to establish  
development standards for automobile sales businesses on  
Long Beach Boulevard between Willow and Anaheim Streets.

Lemuel Hawkins presented the staff report recommending adoption of the amendments to the Long Beach Boulevard Planned Development District, PD-29.

In response to a query from Commissioner Sramek regarding the use of an AUP instead of a CUP, Carolyne Bihn stated that it would serve the same purpose as the CUP and that all businesses had two years to come forward and go through the upgrade process at the AUP level.

Commissioner Stuhlberg moved to recommend that the City Council adopt the amendments to the Long Beach Boulevard Planned Development District (PD-29) with language as revised by staff . Commissioner Winn seconded the motion, which passed 4-0. Commissioner Jenkins had left the meeting, and Commissioner Greenberg 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**

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

**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 5:20pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk

**CITY PLANNING COMMISSION MINUTES****APRIL 5, 2007**

The regular meeting of the City Planning Commission and public hearing convened Thursday, April 5 at 1:35 pm in the City Council Chambers, 333 W. Ocean Boulevard.

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

**ABSENT: COMMISSIONERS:** Charles Greenberg

**CHAIRMAN:** Leslie Gentile

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Bureau Manager  
Angela Reynolds, Advance Planning Officer  
Carolyn Bihn, Zoning Officer  
Jeff Winklepleck, Planner  
Scott Kinsey, Planner  
Heidi Eidson, Minutes Clerk

**OTHERS PRESENT:** Michael Mais, Assistant City Attorney

**PLEDGE OF ALLEGIANCE**

Commissioner Stuhlbarg led the pledge of allegiance.

**MINUTES**

Commissioner Winn moved to approve the minutes of December 7, 2006. Commissioner Jenkins seconded the motion which passed 5-0. Commissioner Greenberg was absent.

Commissioner Sramek moved to approve the minutes of February 1, 2007. Commissioner Jenkins seconded the motion which passed 4-0-1, with Commissioner Winn abstaining. Commissioner Greenberg was absent.

**SWEARING OF WITNESSES**

**CONSENT CALENDAR**

Items 1B, 1C, 1E, 1F, and 1h were removed to the Regular Agenda.

Commissioner Jenkins moved to approve Items 1A, 1D, and 1G as presented by staff. Commissioner Stuhlbarg seconded the motion which passed 5-0. Commissioner Greenberg was absent.

**1A. Case No. 0609-39, Conditional Use Permit, CE 06-226**

Applicant: Royal Street Communications (Metro PCS)  
c/o Pacific Communications Group  
Leslie Paramo, Representative  
Subject Site: 194 E. Artesia Boulevard (Council District 9)  
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a 60-foot high monopole antenna structure (designed as a pine tree) with accessory equipment.

Approved Conditional Use Permit, subject to conditions.

**1B. Case No. 0701-04, Tentative Tract Map, Standards Variance, CE 07-003**

Applicant: Ruth Meghiddo  
Subject Site: 428 W. 10<sup>th</sup> Street (Council District 1)  
Description: Request for approval of Tentative Parcel Map No. 68486 and Standards Variance to convert an existing nonconforming commercial building into two residential units, with a code exception for less than required turning radius.

Removed to Regular Agenda.

**1C. Case No. 0701-07, Condominium Conversion, CE 07-006**

Applicant: Shahla Yousefian  
c/o Michelle Rosca  
Subject Site: 1764 Freeman Avenue (Council District 4)  
Description: Request for approval of Tentative Tract map No. 61685 for the conversion of eight (8) apartment units into condominiums.

Removed to Regular Agenda.



**1D. Case No. 0701-08, Condominium Conversion, CE 07-072**

Applicant: Michelle Rosca  
Subject Site: 1021 Temple Avenue (Council District 4)  
Description: Request for approval of Tentative Tract Map No. 68385 for the conversion of eight (8) apartment units into condominiums.

Approved Tentative Tract Map No. 68385, subject to conditions.

**1E. Case No. 0701-06, Conditional Use Permit, CE 07-004**

Applicant: Barnabas Kim  
Subject Site: 340 W. Pacific Coast Highway (Council District 1)  
Description: Request for approval of a Conditional Use Permit to allow off-site sales of beer and wine at an existing market.

Removed to Regular Agenda.

**1F. Case No. 0701-12, Conditional Use Permit, CE 07-011**

Applicant: Chalichen, LLC  
Subject Site: 402 E. 3<sup>rd</sup> Street (Council District 2)  
Description: Request for approval of a Conditional Use Permit to allow the off-site sales of beer and wine at a full service neighborhood market.

Removed to Regular Agenda.

**1G. Case No. 0701-11, Condominium Conversion, CE 07-010**

Applicant: Roland R. Kosser  
Subject Site: 1775 Sherman Place (Council District 4)  
Description: Request for approval of Tentative Tract Map No. 66042 to convert four (4) residential dwelling units into condominiums.

Planning Commission continued to April 19, 2007.

**1H. Case No. 0610-29, Modification to EIR, Standards Variance, General Plan Conformity, Finding for Street Vacation, EIR 25-99, Addendum 18-06**

Applicant: Rancho Los Cerritos and Virginia Country Club  
c/o City of Long Beach  
Department of Parks, Recreation and Marine Bureau  
Subject Site: 4600 and 4602 Virginia Road (Council District 8)  
Description: Request for approval of a modification to the Rancho Los Cerritos Master Plan to allow up to 59 off-site

parking spaces used as overflow/special event parking for the Rancho to be relocated from the west side of Virginia Road to a new parking lot at the Virginia Country Club and a Standards Variance request to not pave the new parking lot. A Finding of General Plan conformity for a partial street vacation of Virginia Road is also requested.

Removed to Regular Agenda.

## REGULAR AGENDA

### 1B. Case No. 0701-04, Tentative Tract Map, Standards Variance, CE 07-003

Applicant: Ruth Meghiddo  
Subject Site: 428 W. 10<sup>th</sup> Street (Council District 1)  
Description: Request for approval of Tentative Parcel Map No. 68486 and Standards Variance to convert an existing nonconforming commercial building into two residential units, with a code exception for less than required turning radius.

Carolyn Bihn stated that a Standards Variance was also needed for the project for an overheight fence. She suggested that the item be continued to the May 3, 2007 hearing to allow time for proper noticing.

Commissioner Sramek moved to continue the item to May 3, 2007. Commissioner Jenkins seconded the motion which passed 5-0. Commissioner Greenberg was absent.

### 1C. Case No. 0701-07, Condominium Conversion, CE 07-006

Applicant: Shahla Yousefian  
c/o Michelle Rosca  
Subject Site: 1764 Freeman Avenue (Council District 4)  
Description: Request for approval of Tentative Tract Map No. 61685 for the conversion of eight (8) apartment units into condominiums.

Scott Kinsey presented the staff report recommending approval of the condominium conversion request.

Michelle Rosca, applicant, stated that remodeling of the units had already started. She also stated that she felt this was a good project to promote homeownership for first time buyers.

Andrea Wheeler, tenant at 1764 Freeman, stated that she was opposed to the project and was hoping to reach a compromise with the owner to

continue renting. She also stated that she had been offered a unit at a discounted price but the offer was revoked when other buyers offered more money.

Greg Carpenter stated that the conditions require that relocation benefits be provided to tenants that qualify for them. Mr. Carpenter also offered to put Ms. Wheeler in contact with Dale Hutchinson from the Housing Services Bureau to discuss if she qualified for the relocation benefits.

Commissioner Winn moved to approve Tentative Tract Map No. 61685, subject to conditions. Commissioner Jenkins seconded the motion which passed 5-0. Commissioner Greenberg was absent.

**1E. Case No. 0701-06, Conditional Use Permit, CE 07-004**

Applicant: Barnabas Kim  
Subject Site: 340 W. Pacific Coast Highway (Council District 1)  
Description: Request for approval of a Conditional Use Permit to allow off-site sales of beer and wine at an existing market.

Commissioner Sramek asked if the recommendations suggested by the Police Department for the liquor license would be included as part of Conditions of Approval for the project.

Jeff Winklepleck, project planner, stated that Condition No. 15 serves as a way for the applicant to connect with the Police Department and go thru the site to see if all of the recommendations and requirements are necessary for the specific project. Mr. Winklepleck further stated that this had been successful for other similar projects.

Commissioner Sramek moved to approve the Conditional Use Permit, subject to conditions. Commissioner Jenkins seconded the motion, which passed 5-0. Commissioner Greenberg was absent.

**1F. Case No. 0701-12, Conditional Use Permit, CE 07-011**

Applicant: Chalichen, LLC  
Subject Site: 402 E. 3<sup>rd</sup> Street (Council District 2)  
Description: Request for approval of a Conditional Use Permit to allow the off-site sales of beer and wine at a full service neighborhood market.

Commissioner Sramek stated that the discussion on Item 1E also addressed his concerns about this item.

Commissioner Sramek then moved to approve the Conditional Use Permit, subject to conditions. Commissioner Jenkins seconded the motion, which passed 5-0. Commissioner Greenberg was absent.

**1H. Case No. 0610-29, Modification to EIR, Standards Variance, General Plan Conformity, Finding for Street Vacation, EIR 25-99, Addendum 18-06**

Applicant: Rancho Los Cerritos and Virginia Country Club  
c/o City of Long Beach  
Department of Parks, Recreation and Marine Bureau  
Subject Site: 4600 and 4602 Virginia Road (Council District 8)

Commissioner Gentile advised that an amendment to Condition No. 25 had been added to the item.

Commissioner Jenkins moved to approve the modification to the Rancho Los Cerritos Master Plan and Standards Variance, including the amendment to Condition No. 25, and find the proposed street vacation consistent with the Land Use Element of the General Plan. Commissioner Sramek seconded the motion, which passed 4-0-1 with Commissioner Winn abstaining. Commissioner Greenberg was absent.

**2. Case No. 0308-05, Code Amendment, Rezoning, Tentative Map, Conditional Use Permit, ND 12-06**

Applicant: Windward Village  
c/o Gerald Gibbs, The Gibbs Law Firm  
Subject Site: 3595 Santa Fe Avenue (Council District 7)  
Description: Request for certification of Negative Declaration, approval of a Zoning Ordinance Amendment to establish the R-4-M Zone (Subdivided Mobilehome Park District), Zone Change from RM (Mobilehome Park) to R-4-M (Subdivided Mobilehome Park District), Tentative Tract Map 62384 and Conditional Use Permit to subdivide an existing mobilehome park into 306 lots.

Jeff Winklepleck presented the staff report recommending approval of the project.

Mr. Winklepleck stated that while the State of California is the enforcement agency for mobile home parks, the rezoning amendment would set forth procedural requirements such as right of first refusal to purchase lots, lifetime leases, minimum open space requirements, maximum density, minimum RV storage requirements, minimum guest parking requirements and infrastructure survey and repair. These requirements protect those who purchase their lots as well as those who continue to rent.

The Zoning Amendment establishing the R-4-N district is citywide and if passed, would affect all 11 mobilehome parks within the city.

Mr. Winklepleck also reported that the lifetime lease requirement would ensure renters the ability to maintain residency and also link rent increases to limits set by the state of California.

In response to a query from Commissioner Gentile, Mr. Winklepleck stated that all unsold lots would be maintained by a separate entity to ensure lifetime leases to current renters.

In response to a concern voiced by Commission Jenkins with regards to requiring an RV parking area, Mr. Winklepleck stated that the Planning Commission could waive such site requirements on a case by case basis for similar Conditional Use Permits.

Gerald Gibbs, 110 E. Avenida Palasada, San Clemente, applicant, stated that the goal of the project was to provide homeownership opportunities for first time buyers. He also stated that a public-benefit, non-profit corporation would buy the park and any unsold lots would be held to ensure lifetime lease opportunities for renters not wishing to purchase their lot.

Allen Hose, 3595 Santa Fe Avenue, #251, Windward Village Homeowners Association President, stated that he supported the conversion because it would provide more control over rent increases and park policies, increase personal equity and assets, increase home buyer affordability in the 7<sup>th</sup> District, increase pride in ownership, and provide greater leverage against a corporate buyout of the land.

Mr. Hose also stated that he was concerned about rent increases and what would be considered low-income.

Joe Walsh, 2595 Santa Fe Avenue, #38, stated that he was against the conversion because he didn't believe the promises that the owner was making based on previous interactions.

Sandra Johnson, 3595 Santa Fe Avenue, stated that she was concerned that they only have one year to buy the property, because most financial institutions will require potential buyers to prove that they are qualified for loans over a number of years.

Ms. Johnson also stated that a common area for storage of oversized vehicles such as RV's and boats was necessary.

Margaret Wigand, 3595 Santa Fe Avenue, stated that she supported the conversion because the value of real estate continues to increase and this would offer a chance to own affordable housing and would increase pride in ownership in the mobilehome park.

Maurice Weinhard, 3595 Santa Fe Avenue, stated that he was concerned about the low-income disabled and elderly people's opportunities to purchase the lots.

Sandy Barnes, 3595 Santa Fe Avenue, #180, stated that she supported the conversion because the rents continue to increase and if she bought her lot she would be able to know what her payments would be each month.

Jill Liants, 3595 Santa Fe Avenue, stated that she supported the conversion because each year the residents of the park face a rent increase and the opportunity to purchase their lots would keep their payments from doubling over the next ten years.

Richard Pemberton, 3595 Santa Fe Avenue, #37, stated that he was against the conversion because he felt that the people that were not able or willing to purchase their lots would be forced out of the park.

Richard Forney, 3595 Santa Fe Avenue, #93, stated that he supported the conversion because of the value of the land. He also stated that the rapid increase in rent posed more of a threat to forcing people out of the park than the Homeowners Association would.

Susanne Brown, 110 Pine Avenue, #420, housing attorney for Legal Aid Foundation, representing the Housing Coalition of Long Beach, stated that she would like to see stronger anti-displacement protections for tenants who cannot afford to buy their units or pay market rent.

Ms. Brown also suggested that two conditions be added to the Conditions of Approval. First, that the rent protection given to low-income residents be extended to moderate-income residents. Secondly, that the park owners be required to hire an objective appraiser approved by the City and the Homeowners Association to value the lots and market rents for the lots.

In clarification to concerns expressed by the audience, Mr. Gibbs stated that qualified low-income renters would only pay cost of living increases in rents and taxes would not go up if a tenant chose to purchase their lot.

Commissioner Jenkins moved to certify Negative Declaration ND 12-06, recommend that the City Council adopt the amendment to the Municipal Code establishing the R-4-M (Subdivided Mobilhome Park District) and associated requirements, recommend that the City Council approve the Zone Change from RM (Mobilhome Park) to R-4-M (Subdivided Mobilehome Park District), approve Tentative Tract Map No. 62384, subject to conditions, and approve the Conditional Use Permit, subject to conditions. Commission Stuhlberg seconded the motion.

Mr. Carpenter asked the Commission to include an amendment for development standards for a minimum 5' side yard setback, per state law, instead of 6' as proposed by staff.

The question was called and Commissioners Jenkins and Stuhlberg agreed to this change in the motion. The motion carried 4-0-1, with Commissioner Sramek recusing himself. Commissioner Greenberg was absent.

**MATTERS FROM THE AUDIENCE**

There were no matters from the audience.

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

Carolyne Bihn gave a preview of the items for the next Planning Commission hearing.

Angela Reynolds gave a preview of the SEADIP study session for the next Planning Commission hearing.

**MATTERS FROM THE PLANNING COMMISSION**

There were no matters from the Planning Commission.

**ADJOURN**

The meeting adjourned at 3:05

Respectfully submitted,

Heidi Eidson  
Minutes Clerk

**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   3,   2 0 0 7**

The regular meeting of the City Planning Commission and public hearing convened on May 3, 2007, at 5:07pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

**PRESENT: COMMISSIONERS:** Nick Sramek, Morton Stuhlbarg,  
Matthew Jenkins

**ABSENT: EXCUSED:** Leslie Gentile, Chuck Greenberg

**ACTING CHAIRMAN:** Nick Sramek

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Greg Carpenter, Planning Manager  
Carolyn Bihn, Zoning Officer  
Craig Chalfant, Planner

**OTHERS PRESENT:** Heather Mahood, City Attorney  
Suzanne Mason, Deputy City Manager  
Craig Beck, Redevelopment Bureau Mgr.  
Mark Sandoval, Manager, Marinas &  
Beaches, Dept. of Parks, Rec. & Marine  
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 Jenkins.

**M I N U T E S**

The minutes of February 15, 2007 were approved on a motion by Commissioner Stuhlbarg, seconded by Commissioner Jenkins, and passed 3-0. Commissioner Gentile was absent.

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

City Attorney Mahood explained that with the current roster of five Commissioners, a quorum was present when only three were in attendance.

**P R E S E N T A T I O N**

Suzanne Mason, Deputy City Manager, reported on the Fiscal Year 2008 budget which included reductions in positions and services.



In response to a query from Chairman Sramek, Craig Beck, Redevelopment Agency Bureau Manager, stated that of the \$377 million total budget, \$120 million is within the Redevelopment Agency budget.

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

In response to a query from Chairman Sramek regarding a concern expressed by Commissioner Gentile, Mr. Beck agreed to condition a requirement to bring Promenade design refinement issues before the Director of Planning and Building during the construction process.

Commissioner Stuhlbarg moved to accept the Consent Calendar with modifications as agreed to for Item 1A; with modifications as presented by staff to Items 1B and 1C; and as presented by staff for Items 1D, E, & F. Commissioner Jenkins seconded the motion, which passed 3-0. Commissioners Gentile and Greenberg were absent.

#### **1A. Promenade Master Plan**

Applicant: Pat West, Redevelopment Agency, City of Long Beach  
Subject Site: Promenade between Ocean Boulevard and 3<sup>rd</sup> Street (Council Districts 1 and 2)  
Description: Promenade Master Plan

Approved the Promenade Open Space Master Plan and added a condition to work with the Department of Planning and Building on design issues throughout the construction process.

#### **1B. Case No. 0702-06, Conditional Use Permit, CE 07-016**

Applicant: Hotel D'Artistes, LLC c/o Richard Lewis  
Subject Site: 402 E. 1<sup>st</sup> Street (Council District 2)  
Description: Request for approval of a Conditional Use Permit to allow the conversion of a two-story 10-room hotel into three residential units, with off-site parking at the Westin Long Beach parking garage.

Approved the Conditional Use Permit subject to modified conditions.

**1C. Case No. 0703-06, Conditional Use Permit, CE 07-26**

Applicant: Beth Aboulafia--Hinman & Carmichael  
Subject Site: 2270 N. Bellflower (Council District 4)  
Description: Request for approval of a Conditional Use Permit to allow off-site sales of beer and wine at a department store.

Approved the Conditional Use Permit subject to modified conditions.

**1D. Case No. 0701-04, Tentative Parcel Map, Standards Variance, CE 07-003**

Applicant: Ruth Meghiddo  
Subject Site: 428 W. 10<sup>th</sup> Street (Council District 1)  
Description: Request for approval of Tentative Parcel Map No. 68486 and Standards Variance to convert an existing nonconforming commercial building into two residential units, with a code exception for less than required turning radius.

Approved the Tentative Tract Map and Standards Variance subject to conditions.

**1E. Case No. GPC 5-3-07.1**

Applicant: Jim O'Brien, Trimark Pacific Homes, LP  
Subject Site: Adjacent to 835 North Locust Avenue  
(Council District 1)  
Description: Finding of Conformity with the General Plan for the proposed vacation of subterranean and aerial portions of the north-south alley.

Found the proposed vacation in conformance with the General Plan.

**1F. Case No. GPC 5-3-07.2**

Applicant: Christine Anderson, Dept. of Public Works  
Subject Site: 1317 San Francisco Ave. (Council District 1)  
Description: Finding of Conformity with the General Plan for the vacation of the east-west alleys west of San Francisco Avenue and a portion of Deforest Avenue between Anaheim and Esther Streets.

Found the proposed vacation in conformance with the General Plan.

**C O N T I N U E D   I T E M S**

**2. Case No. ND 11-06, Certification of Negative Declaration**

Applicant: Mark Sandoval, Manager, Marinas and Beaches  
Department of Parks, Recreation & Marine  
Subject Site: Long Beach Harbor, on both sides of Belmont  
Veterans' Memorial Pier and on the leeward  
side of Oil Island White (Council Dist. 3)  
Description: Request adoption of recirculated Mitigated  
Negative Declaration (ND 11-06) for Belmont Pier Boat  
Mooring Project.

Craig Chalfant presented the staff report recommending adoption of the Negative Declaration since it was prepared and made available for public review in accordance with CEQA; reflected the lead agency's independent judgment and analysis, and would not have any unavoidable adverse impacts upon the environment.

Mark Sandoval, Manager, Marinas and Beaches, Department of Parks, Recreation and Marine, City of Long Beach, reiterated that the City would be the owner and overseer of the mooring project, which would be managed by a contractor. Mr. Sandoval explained the transient nature of the project and described the environmentally-friendly mooring tackle. He outlined the planned responsibilities of the concessionaire and gave a summary of the overall changes, noting this program was the most aggressive environmental stewardship project on the California coast.

Fred Kumar, President, Beach Ventures, Inc., program concessionaire, stated they were committed to working with the City on the project and at the end of the month, would be opening the long-closed restaurant at the end of the pier.

Don Longfellow, 550 E. Shoreline, local resident, stated he was against the program since free anchoring was an asset to the City, and suggested the project be built along the beach.

Don Cobleigh, 6440 Marina Drive, boat resident representing the Long Beach Marina Boat Owners Association, disagreed, stating he felt the moorings would be a great asset to the area.

John Tobin, 26-38<sup>th</sup> Place, spoke against the project, saying he felt the mitigation was inadequate, and that the moorings were

not configured correctly. Mr. Tobin expressed concern about illegal waste dumping by transient boaters, adding that enforcement of the stringent conditions would be problematic.

Mark Nevin, 4100 E. Ocean, stated he was in favor of the project and felt it would upgrade the quality of life, bringing revenue to the City and beauty and character to the area. Mr. Nevin added that he trusted the City, harbor patrols and concessionaire to enforce all regulations.

Bob Luskin, 225 Belmont Avenue, boat owner, also spoke in favor of the project, saying it would bring many new boaters to the area who were previously unable or unwilling to try free mooring.

Joe Geever, Southern California Regional Manager, Surfrider Foundation, 8117 W. Manchester Avenue #297, Playa del Rey, CA, expressed opposition to the project, saying that it would have negative environmental impacts on the beach, which he felt should be restored to a healthy state before any other uses were approved in the area.

Robert Palmer, Vice Chair, Long Beach Chapter, Surfriders Foundation, 293 LaVerne Avenue, also spoke against the project, and claimed that toxic paint on boats could further impact area water quality.

Enrique Delgado, 14523 Freeman Avenue, Lawndale, Surfrider Foundation member, said he was against the project because it was negatively precedent-setting and could impede reconfiguration of the breakwater which he felt was crucial in restoring beach health.

Bill Napier, 5465 E. 2<sup>nd</sup> Street, agreed with Mr. Delgado, adding that visiting boaters would not make a positive economic difference to the City.

Dr. William Cahill, 266 Mira Mar Avenue, said he was in favor of the project because the restaurant at the end of the pier would be open again.

Gordana Kajer, 235 Loma Avenue, Chairperson, Long Beach Chapter, Surfrider Foundation, said she was against the project and in favor of a full EIR because as designed, she felt this would negatively impact the beach and waters.

William Davidson, 31 The Colonnade, said he was in favor of the idea because he felt all concerns were adequately addressed by the Negative Declaration.

Bud Lorbeer, 5320 E. 2<sup>nd</sup> Street, Long Beach Yacht Club, stated that the water and beaches of Long Beach had not been clean for decades until recently. Mr. Lorbeer added that the new mooring designs gave yachts a much-needed, safe place to anchor, and pointed out that toxic paints were no longer applied to boats.

Mr. Sandoval addressed concerns brought up by the speakers, agreeing that the waters off Long Beach had never been cleaner than in the past decade, and that sea life was also increasing. He noted that many boaters were afraid to use their own anchors, and the new moorings would be a reasonable, attractive alternative. In response to a concern addressed by Ms. Kajer regarding missing signage on the pier warning of health hazards in consuming the sea life, Mr. Sandoval said they would replace the signs and upgrade the area concessions. Mr. Sandoval noted that a Request for Proposal had gone out on the project, and the concessionaire chosen had given the most competitive bid.

Mr. Sandoval added that this was not a revenue-driven project, but rather a recreational one designed to meet the demand of local boaters unable to get to Catalina Island. He noted the project was not affected by the existence of the breakwater, since the moorings could also work in unprotected waters.

Commissioner Jenkins said he felt all concerns were effectively addressed via a compromise good for both the City and the environment.

Commissioner Jenkins moved to adopt recirculated Mitigated Negative Declaration ND 11-06, and the Mitigation Monitoring Program for ND 11-06. Commissioner Stuhlberg seconded the motion.

Chairman Sramek lauded the mitigation measures but said he felt a full EIR was needed to understand the full impact of the project on the environment.

The question was called, and the motion passed 2-1. Chairman Sramek dissented, and Commissioners Gentile and Greenberg were absent.

**R E G U L A R   A G E N D A**

**3.   Case No. GPC 5-3-07.3**

Applicant:       Ronald D. Bagel, Director of Real Estate  
                  Los Angeles Unified School District  
Subject Site:    4110 Santa Fe Avenue(Council District 8)  
Description:     Finding of Conformity for the acquisition of  
real property by the Los Angeles Unified School District  
within the City of Long Beach.

Craig Chalfant presented the staff report recommending that a resolution be adopted finding that the proposed acquisition of property was inconsistent with the General Plan.

Mr. Carpenter noted that the applicant was not present.

Chairman Sramek expressed disappointment that the school district representative did not show up for this critical issue.

Commissioner Jenkins moved to find the proposed acquisition not in conformance with the General Plan. Chairman Sramek seconded the motion, which passed 3-0. Commissioners Gentile and Greenberg were 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. Carpenter noted that City Council would be hearing about the standards for auto sales on Long Beach Boulevard and an appeal of the 1<sup>st</sup> Street AUP.

**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 Sramek asked City Attorney Mahood if Commissioner appointments were being pursued.

**A D J O U R N**

The meeting adjourned at 6:49pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk

MINUTES  
 REGULAR MEETING OF THE BOARD OF WATER COMMISSIONERS  
 LONG BEACH, CALIFORNIA  
 JUNE 7, 2007

The Board of Water Commissioners of the City of Long Beach met in the Board Room of the Administration Building, 1800 E. Wardlow Road, Long Beach, California, on June 7, 2007.

The meeting was called to order at 9:15 a.m. by President Clarke.

PRESENT:	Frank Clarke	Commissioner
	William B. Townsend	Commissioner
	Stephen T. Conley	Commissioner
	Helen Z. Hansen	Commissioner
	Charles Parkin	Principal Deputy City Attorney
	Kevin L. Wattier	General Manager
	Sandra L. Fox	Secretary to the Board of Water Commissioners
	Robert C. Cheng	Deputy General Manager – Operations
	B. Anatole Falagan	Deputy General Manager – Business
	Ryan J. Alsop	Director, Government & Public Affairs
	Matthew P. Lyons	Director, Planning & Conservation
	Isaac C. Pai	Director of Engineering
	Eric Leung	Director of Water Resources
	Paul Fujita	Director of Finance
	David Honey	Administrative Officer
	Monya Hawkins	Manager, Information Technology
	Robert V. Swain	Division Engineer
	Melissa L. Keyes	Administrative Analyst II/Special Projects Coordinator
	Dynna Long	Office Administrator
	Ken Bott	Administrative Analyst III
	Jean Hartman	Water Ambassador Coordinator
	Edward Kamlan	Public Affairs Specialist

ABSENT: NONE

**1. PLEDGE OF ALLEGIANCE**

Robert Cheng, led the Board and audience in the Pledge of Allegiance.



## 2. APPROVAL OF MINUTES

May 17, 2007

Upon motion by Commissioner Hansen, seconded by Commissioner Townsend and unanimously carried, the Minutes of the Regular Meeting of May 17, 2007, were approved.

## 3. PUBLIC COMMENT

President Clarke opened the public comment period. As there were no requests to address the Board, the public comment period was closed.

## 4. RECOGNITION OF "WATER IS LIFE" POSTER CONTEST WINNERS

- **Melissa L. Keyes, Administrative Analyst II/Special Projects Coordinator**

Ms. Keyes expressed congratulations to all of the "Water is Life" poster contest winners, and pointed out that the winning posters had been framed and are displayed in the board room. Ms. Jean Hartman, Water Ambassador Coordinator, provided background on the poster contest program.

All of the 1<sup>st</sup> place winners in each grade category (Kindergarten through Sixth grade) were recognized and received a Borders gift card. The overall category winners received framed pictures of their posters along with certificates.

Commissioner Conley and Commissioner Townsend recommended that a photo of the contest winners be submitted to local newspapers.

President Clarke complimented Ms. Keyes and Ms. Hartman for their work on this program.

## 5. PRESIDENT'S REPORT

- **Frank Clarke, President, Board of Water Commissioners**

None.

## 6. GENERAL MANAGER'S REPORT

- **Kevin L. Wattier, General Manager**

### STATE WATER PROJECT (SWP) BANKS PUMPS UPDATE

Mr. Wattier provided an update on the recent decision by the Department of Water Resources to voluntarily shut down the SWP pumps (on May 31, 2007) at the Banks Plant in northern California in response to a recent report regarding Delta Smelt being impacted by the pumping action at this plant. He reported this shutdown could affect

water being supplied to the San Jose area, San Joaquin Valley agriculture and Southern California.

Mr. Wattier also reported that a conference call would be held by Metropolitan Water District Thursday (June 7, 2007) regarding the impact of this shutdown.

Mr. Wattier also provided an update on the previous court ruling regarding SWP pumping in the delta where he noted that SWP was in violation of the California Endangered Species Act (CESA) and did not have the proper permits in place for this action. He reported that an additional ruling was made on Friday (June 1, 2007) that SWP is also in violation of the Federal Endangered Species Act (FESA) for the same reason. Mr. Wattier advised the judge has set an August 21, 2007 hearing date for SWP to deliver an Operating Plan to comply with the current situation (no permits).

#### LEO J. VANDER LANS TREATMENT FACILITY PROPOSED EXPANSION

Mr. Wattier reviewed his recent letter written to Robb Whitaker, General Manager of the Water Replenishment District (WRD) regarding their agency's wish to move ahead with an expansion of the Leo J. Vander Lans treatment facility and change the Alamitos barrier to full reclaimed water. Mr. Wattier advised this letter clearly states the need for WRD to work with the Long Beach Water Department to consider a number of critical issues ranging from water supply to financial viability for this proposed expansion.

#### "LEGACY PROJECT" WITH WATER REPLENISHMENT DISTRICT (WRD)

Mr. Wattier updated the Board regarding a presentation made by WRD last year regarding a proposed Central Basin pipeline/Montebello Well Field project. He advised an Ad Hoc Committee (made up of two Long Beach Water Department Board Members – Bill Townsend and Lillian Kawasaki, and two Water Replenishment District directors) had been established to schedule meetings to discuss this proposed project. He reminded the Board that they had postponed scheduling meetings on this project due to various reasons, including Ms. Kawasaki's resignation from the Board of Water Commissioners.

He advised that WRD Director Kawasaki had recently requested that this Committee begin holding meetings to discuss this project. Mr. Wattier advised that the cities of Lakewood and Downey should also be involved in these meetings since the proposed pipeline would need to cross through their cities.

Mr. Wattier advised he has an upcoming meeting scheduled to meet with Mr. Whitaker to discuss these matters and will report back to the Board.

## WATER CONSERVATION CALL BY CITY OF LOS ANGELES

There was general discussion regarding the recent call for water conservation efforts by the City of Los Angeles.

The Board indicated a desire to take similar action. The General Manager recommended the Board call for extraordinary conservation efforts. There was general discussion regarding this idea, and it was decided the Board would call for a special Board meeting to be held on Thursday, June 14, 2007 to agendize this matter.

## NEW UTILITY BILLING SYSTEM

Mr. Wattier reported that he had recently attended a meeting with City Manager staff and councilmembers who expressed a desire for tiered CII water rates. Mr. Wattier advised that the current utility billing system could not support this type of transaction. He reported that these discussions led to the prioritization of a new utility billing system to help implement tiered CII rates, and that future meetings would be held to explore this matter.

### **7. LEGAL COUNSEL REPORT**

- **Charles Parkin, Principal Deputy City Attorney**

Mr. Parkin reported on the litigation – City of Long Beach vs. Los Angeles Unified School District. He advised as part of this litigation the city would be challenging the EIR for a new LAUSD school that would require water service from the LBWD. He explained the EIR did not acknowledge the need for a Water Supply Assessment from LBWD for this project.

### **8. CONSENT CALENDAR**

President Clarke advised that consent calendar item 8e. would be pulled for separate discussion and consideration.

It was moved by Commissioner Conley and seconded by Commissioner Townsend that the Board approve Consent Calendar items 8a. through 8d., and 8f.

Commissioner Townsend requested additional information be provided for consent calendar item 8f. Mr. Cheng provided background information, and described efforts that led to contract with UCLA, and the benefits expected from this partnership.

President Clarke called for the vote. Consent calendar items 8a. through 8d., and 8f. were unanimously approved.

**8a. Approval of Transfer of Funds by Journal Entry Dated June 7, 2007**

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

**8b. Receive and File the List of Vendor Payment for the month of April 2007.**

A communication was presented to the Board from Paul Fujita, which is on file at the Long Beach Water Department.

**8c. Approval of Retirement Order No. 6076 for items that have become obsolete and/or unrepairable during the current year**

A communication was presented to the Board from Robert Cheng, which is on file at the Long Beach Water Department.

**8d. Approve the retirement of lab equipment and authorize the sale of said equipment to Full Spectrum Analytics, Inc. (FSA), with no warranties expressed or implied, for an amount of \$200.00 through an Agreement of Sale and Release of Liability**

A communication was presented to the Board from Robert Cheng, which is on file at the Long Beach Water Department.

**8e. Authorize the General Manager to Execute the First Amendment to Agreement No. WD-2745 with GRW & Son, Inc. to Increase Compensation to an amount not to exceed \$280,000**

A communication was presented to the Board from Isaac Pai, which is on file at the Long Beach Water Department.

Mr. Isaac Pai provided an overview on the jobsite problems that arose during the upgrades on the Division Street project, the need for continuing involvement of the company, and the justification for the proposed increase in the contract amount.

It was moved by Commissioner Hansen and seconded by Commissioner Conley, and unanimously approved that the Board approve Consent Calendar Item 8e.

**9. LEGISLATIVE ISSUES/ACTIONS/BILLS**

- **Ryan J. Alsop, Director, Government & Public Affairs**

**FEDERAL APPROPRIATIONS UPDATE**

Mr. Alsop advised that he has been advised that the House mark-up looks good for Federal appropriations for LBWD proposed program amounts, but that exact dollar figures would not be revealed until the House/Senate meet.

**OVERVIEW OF AB 640 – BIFURCATE REPLENISHMENT ASSESSMENT AND AMEND WATER CODE**

Mr. Alsop provided an update on AB 640 which included the history of the bill's development; history of viewpoints expressed on the bill and the recent decision to change the bill to a study bill.

**UPDATE ON ADDITIONAL LEGISLATION TRACKING**

Mr. Alsop also reported to the Board that staff was tracking AB 885 (possible amendments to MWD Act, and AB 1420 (possible amendments to Water Act related to Best Management Practices being tied to future DWR grants or loans), and advised he would keep the Board updated on these two bills at future meetings.

Commissioner Hansen thanked and complimented Mr. Alsop on his hard work regarding AB 640.

**10. METROPOLITAN WATER DISTRICT (MWD) BOARD AGENDA ITEMS AND RECOMMENDATIONS FOR THE JUNE 12, 2007, BOARD MEETING**

- **Helen Z. Hansen, MWD Director**

Commissioner Hansen in her capacity as the City of Long Beach MWD Director, called the Board's attention to the MWD Board of Director's meeting agenda of June 12, 2006: She requested input from the Board, and stated that she will report back during the Special Board meeting of June 14, 2007, regarding matters discussed at the MWD meeting.

President Clarke commented on MWD agenda item 8-10 (Authorize implementation of 2007/08 updated water conservation communications plan and renew a one-year agreement for up to \$5.45 million with Johnson/Ukropina for regional advertising services to promote water conservation) and requested that staff provide a copy of this plan to all Board members.

## 11. NEW BUSINESS

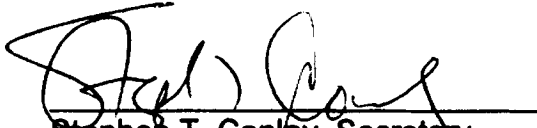
Commissioner Conley commented on press releases, and advised he would like to see more emphasis on the Commission and its role in the Water Department included, and suggested a quote or remarks from the President of the Board should also be included in all future press releases.

Commissioner Townsend complimented and thanked staff for their work on the special bottled water, and involvement in the recent retirement dinner for City Manager, Jerry Miller.

President Clarke reminded the Board members of the Special Board meeting to be held on June 14, 2007 in place of the Committee of the Whole. He also reminded the Board regarding the Water Department Service Awards luncheon scheduled for Thursday, June 14 2007.

## 12. ADJOURNMENT

There being no further business to come before the Board, President Clarke adjourned the meeting at 11:02 a.m. to the Special Meeting of the Water Commission to be held on Thursday, June 14, 2007, at 9:15 a.m., in the Board Room of the Administration Building, 1800 E. Wardlow, in Long Beach, California



Stephen T. Conley, Secretary

Attest:



Frank Clarke, President