

**Zoning Administrator—Alexis Oropeza****February 8, 2021**

Teleconference Pursuant to Executive Order N-29-20

Issued by Governor Gavin Newsom

The Zoning Administrator opened the teleconference at 2:02 p.m.

Zoning Administrator Oropeza provided a brief overview of the Zoning Administrator hearing procedures, how the items would be considered, public comment, and ultimately the appeal period of the projects in and outside of the coastal zone.

**Items—Consent Agenda**

1) Application No: 2007-12 (LMG 20-011)

Address: 5641, 5643 5645, and 5649 Atlantic Avenue

Council District: 8

Project Description: A request for a lot merger of three adjoining lots (4,100 sf each) to create a single lot of 12,300 sf in the Neighborhood Pedestrian (CNP) Zoning District.

Environmental Review: This project qualifies for a categorical exemption per Section 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act Guidelines.

**Action: Approved**

**Items—Regular Agenda**

2) Application No: 2011-14 (LCDP 20-044)

Address: 138 Rivo Alto Canal

Council District: 3

Project Description: Request to demolish an existing one-car garage and storeroom/playroom above the garage, remodel exterior/interior, and construct an addition to an existing two-story, single-family dwelling that meets the definition of demolish at a property located at 138 Rivo Alto Canal in the R-1-S Zoning District. The project would result in a new two-story, (25-foot-1-inch maximum height), 2,247-square-foot single-family



dwelling with an attached two car garage (522 square feet), accessory workshop (90 square feet), and balcony (210 square feet).

Environmental Review: This project qualifies for a categorical exemption per Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines. (CE-21-003)

Planner Maryanne Cronin provided a brief overview of the project. The project proposal is a rebuild of the existing two story, single family residence with a 2-car garage, and 90\_ssf workshop. There is a special setback on the property of ten feet along the front property line along Rivo Alto Canal (a 15-foot-wide public walkway). Garage access is from the existing 15-foot-wide alley. The existing front patio walls encroach into the public walkway abutting the front yard. Although this is not a complete teardown, the project proposal meets the City's definition of 'demolition' or demolish, which requires that the proposal be treated as new construction and shall meet the code requirements. Included with site compliance is the requirement for 50 percent of the front yard to be live landscape area.

Planner Cronin mentioned several conditions of approval, including one that would be a covenant removing encroachments and restricting private structures/uses in the public right of way. She mentioned that the four findings for a local coastal development permit could be made, the project improves public access with the removal of existing encroachments, and it will comply with NPDES requirements as well.

Zoning Administrator Oropeza opened the public hearing and asked the Applicant to speak and state they accept the conditions of approval as stated.

John Udoff spoke and mentioned he was the designer of the project and that he went over the conditions with the owner and they are acceptable. Since there were no other speakers, the public hearing was closed.

Zoning Administrator Oropeza reiterated that the findings could be made and inclusion of the the conditions of approval will ensure compliance with the Coastal Act and improves access by removing the existing encroachments.

**ACTION: Approved with conditions of approval**

3) Application No: 2004-08 (AUP 20-004)

Address: 6090 Long Beach Boulevard

Council District: 9

**Project Description:** An Administrative Use Permit to allow the sale of diesel fuel. The diesel sale would be in conjunction with a future convenience store and gas station within the Community Commercial Automobile-Oriented (CCA) Zoning District.

**Environmental Review:** This project qualifies for a categorical exemption per Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act Guidelines. (CE20-026)

Planner Alex Muldrow provided an overview of the project which only includes the sale of diesel fuel at a remodeled gas station with a convenience store. The diesel fuel facility would have a canopy and 6 pump stations intended only for Class C passenger vehicles. The overall property size is 22,500sf with access only from Long Beach Boulevard and the abutting alley. All unused drive approaches will be replaced with full-height curb and gutter. Currently the site is lacking in landscaping, but the proposed project shows 16 new trees and numerous shrubs. The findings required for an administrative use permit can be made as fuel sales and the convenience store are permitted as a matter of right, and only the sale of diesel fuel requires the administrative use permit. Several conditions of approval are included which address, hours of operation, signage for no on-site idling, noise monitoring, and a new masonry wall adjacent to the alley.

Pursuant to review of the project, a Class 32 (In Fill Development) exemption would be the appropriate California Environmental Quality Act (CEQA) level. Technical studies were submitted that address traffic and air quality neither of which show that the proposed project exceed the thresholds as stated in the CEQA Guidelines.

Zoning Administrator Oropeza opened the public hearing and asked if the Applicant was on the line, if they wanted to add anything to the presentation, if they received and agree with the conditions of approval. Mr. Madrid with ASI spoke up and indicated he was representing their client 7-11 on the project. He stated that they are remodeling the gasoline pump area to include both three grades of gasoline and diesel fuel for passenger vehicles only. He stated that big trucks can utilize the site now, but with the remodel wouldn't be able to easily access the pumps. They have been working collaboratively with the City for over a year now on the project. Two wall areas are designated for murals painted by local artists. He did receive the conditions of approval and agrees with them.

The Zoning Administrator asked for verification that the station is proposing to sell the three grades of gasoline and diesel fuel all for non-commercial vehicles only. The applicant responded yes.

Alfred Heintz spoke about the project being detrimental to the surrounding area. He stated that the project will bring increased traffic to Long Beach Boulevard causing problems for the children that cross Long Beach Boulevard to get to the nearby elementary school. There is traffic and undesirables from the nearby motel and that they park on Gordon Street leaving it inaccessible to residents, the alley is full of trash which is never cleaned up, diesel fuel is detrimental to the community, and noise, odor, and traffic will increase.

Mr. Tula echoed the concerns of Mr. Heintz. More noise and traffic will be generated from the project. The motel has problems, diesel fuels is detrimental. He supports the 7-11, but not the diesel fuel sales.

Tempest Orbach—Attorney representing the adjacent gasoline station owner. Stated that the findings, technical reports, nor the conditions were posted or accessible and provided no opportunity to review. She stated that the project doesn't fit the community and that 7-11 will attract more people and vehicles to the area. A VMT study should have been prepared. The project will have a negative impact on the school route and the additional vehicles will have an impact on on-site queuing and circulation. With Powell Elementary 625 feet away it may create a safety impact. Wanted to know if the Long Beach Unified School District was consulted. A Health Risk Assessment may be required. States that a Negative Declaration or EIR should be prepared.

Renee Rios belongs to the nearby Longwood neighborhood Association. Noted that the traffic study was done in February and isn't accurate because of Covid with parents and children being at home. She believes that the project will have safety issues and would like to see cameras installed connected to the City. There has been prostitution and murders at the motel.

Ahad Zaki wanted to know how big rigs will be controlled from entering the site to purchase diesel fuel and if 7-11 is proposing to apply for an ABC license.

Patricia, president of the Coolidge Neighborhood Association asked about the hours of operation. She also indicated that there are a lot of issues along Long Beach Boulevard. She mentions a promise by the local Councilman that there would be no beer or wine at the location.

Dave San Jose belongs to the local neighborhood association. He's not opposed to the project, but wants it to be safe for everyone. He thanked for the opportunity to speak because neighbors feel that they don't have a voice.

No one else spoke up and the Zoning Administrator closed the public hearing.

Zoning Administrator Oropeza asked if the Applicant would like to speak. Mr Madrid indicated that he would like to address the concerns from the speakers.

Mr. Madrid stated that he does not know if 7-11 is contemplating an ABC license in the future, today's decision is only on the AUP for diesel fuel sales and the sale of gas and a convenience store is permitted by right. He stated that the Categorical Exemption is appropriate in that the technical reports were all prepared by outside 3<sup>rd</sup> parties. The traffic study prepared by a licensed engineer showed that the limited increase is insignificant. The use is parked according to the Code and should not result in spillover into the neighborhood.

A noise study was prepared and shows that any noise increase is insignificant. Further, the

proposed 8 foot high masonry wall abutting the alley will mitigate potential noise concerns from the project.

The Air quality study that was prepared also shows a less than significant impact. Gasoline stations are a land use that is constantly under scrutiny, by not only cities, but also the AQMD and the EPA.

Mr. Madrid stated that he would be open to a continuance or advisement. This would enable him to meet with the community and the Council Office. They are further open to reasonable conditions of approval.

The Zoning Administrator asked if the gasoline pumps would have video screens which would display commercials and public service announcements. Mr. Madrid replied that he didn't recall that 7-11 gasoline pumps had those types of screens.

Zoning Administrator Oropeza moved to continue the item to the March 8, 2021 Zoning Administrator meeting. In the meantime, Mr. Madrid would reach out to the community; he also provided his email address and encouraged the neighborhood to reach out to him: [adan@ASIDVM.com](mailto:adan@ASIDVM.com)

**Continued until March 8, 2021**

4) Application No: 2008-10 (AUP 20-013)

Address: 2201 Bellflower Boulevard

Council District: 4

Project Description: Administrative Use Permit for the remodel of an existing Wendy's Restaurant with a drive-through to include an interior and exterior remodel including the relocation of the drive through window in the Community Automobile Oriented (CCA) Zoning District.

Environmental Review: This project qualifies for a categorical exemption per Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines. (CE21-002)

Project Planner Sergio Gutierrez provided a brief overview of the project. He indicated that there is no expansion or new square footage is proposed, this is an exterior remodel which includes an existing drive through facility.

Zoning Administrator Oropeza opened the public hearing and asked the Applicant to add anything else and indicate that they have read and accept the conditions of approval. John Dotson, the Applicant, didn't have anything to add to the presentation; he also indicated that the conditions of approval were acceptable.

Zoning Administrator Oropeza asked if there were any other public comments, no one coming forward, she closed the public hearing. Zoning Administrator Oropeza moved to approve the administrative use permit with a request to the project planner to expand condition number 11 requiring that a landscaping plan that will refresh the landscaped areas be submitted when the construction plans are submitted for plan check.

**ACTION: Approved with conditions of approval**

5) Application No: 2009-18 (AUP 20-017)

Address: 1345 Seabright Avenue

Council District: 1

Project Description: A request to establish an adult-use cannabis cultivation facility with third-party distribution within an existing 5,485– square-foot industrial building located at 1345 Seabright Avenue in the General Industrial (IG) Zoning District.

Environmental Review: This project qualifies for a categorical exemption per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines.

Planner Christopher Aldana provided a brief overview of the project. He indicated that this project was for adult use cannabis cultivation and 3<sup>rd</sup> party distribution. The applicant already has permits for medical cannabis cultivation and 3<sup>rd</sup> party distribution. Included are special conditions relating to lighting, no building signage referring to cannabis, and landscaping in the front planters. The project meets the findings as it is located in an industrial area and would not have a detrimental impact on the neighborhood. The conditions of approval support the projects Title 5 compliance.

Zoning Administrator Oropeza opened the public and asked if the Applicant was on the line, if they had anything to add, and if they read and accept the conditions of approval as provided. Ramon Baguio, the applicant stated he read and understands the conditions of approval. He also clarified that this administrative use permit is for adult use only, the site currently has a license for medical cultivation and distribution. Zoning Administrator Oropeza asked if the chain link would remain, Mr. Baguio indicated the chain link would be as drawn on the plans.

A member of the public asked about the chain link fencing; he thought that wrought iron was required and that chain link was not permitted. No one else commented, so the public comment period was closed.

Zoning Administrator Oropeza had two items, (1) the fencing would need to be wrought iron or some other type of decorative fencing that would be reviewed through plan check. She

also added another condition of approval (2) that mentioned delivery vehicles shall not block the public right of way (sidewalk area). The timing of the fencing would be that a submittal for plan check would be required no later than 90 days after approval of the administrative use permit. Planner Cuentin Jackson asked if the existing wrought iron fence could be painted to match the building. Zoning Administrator Oropeza indicated that she was not opposed to maintaining the existing wrought iron fence and would reword the condition of approval to capture that scenario.

**ACTION: Approved with conditions of approval**

6) Application No: 2009-32 (AUP 20-018)

Address: 1630 West Cowles Street

Council District: 1

Project Description: A request to establish an adult-use cannabis distribution facility within an existing 3,150-square-foot industrial building located at 1630 West Cowles Street in the General Industrial (IG) Zoning District.

Environmental Review: This project qualifies for a Categorical Exemption per Section 15303 (New Construction or Conversion of Small Structures) and 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act Guidelines.

Project Planner Miguel Samayoa provide a brief overview of the project and indicated that this project was for the 3<sup>rd</sup> party distribution of adult use cannabis products. He explained that the distribution area was within an enclosed fenced area with access from the rear alley. He stated that the administrative use permit meets the findings and that conditions of approval are included.

Zoning Administrator Oropeza asked if the Applicant was on the line. Paul Collins stated he was representing the Applicant. He didn't have an issue with the conditions of approval except the requirement for landscaping along the front elevation. Mr. Collins stated that there was about 8 inches which would need to be dug out and then being irrigated the landscaping could cause water damage to the front of the new elevation and possibly damage the old foundation. Zoning Administrator Oropeza agreed and said eight inches wasn't sustainable for landscaping. She stated that the condition could be removed. There were no other public comments.

Zoning Administrator Oropeza stated that the project meets the requirements Title 5 and findings required for an administrative use permit. She added a condition of approval that required the replacement of unused drive approached with full height curb and gutter.

**ACTION: Approved with conditions of approval**

7) Application No: 1902-32 (LCDP 19-001)

Address: 110 West Ocean Boulevard

Council District: 3

**Project Description:** Local Coastal Development Permit request for modifications to an existing building mounted Verizon Wireless telecommunications facility including the removal of eight antennas to be replaced with four new antennas on dual bands, eight existing RRU's to be replaced with four new RRUs abutting the antennas and related equipment upgrades on the Ocean Center Building Historic Landmark in the PD-6 Zoning District.

**Environmental Review:** This project qualifies for a categorical exemption per Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines. (CE19-065)

Project Planner Sergio Gutierrez provided a brief overview of the project and stated that he had been working with the applicant for approximately one year on the modifications to the existing telecommunications facility atop a historic building.

Zoning Administrator Oropeza asked if the Applicant was on the line, if they wanted to add anything and if they have read and accept the conditions of approval. Ben Axton representing Verizon Wireless have read the conditions of approval and accept them.

No one else spoke on the public so the public comment period was closed. Zoning Administrator Oropeza indicated that the conditions of approval as presented were fine to approve the project and that the findings meet the required findings for a local coastal development permit. The project does not impede access to coastal resources, nor does the project impact and viewsheds.

**ACTION: Approved with conditions of approval**

The Zoning Administrator adjourned the meeting at 4:07pm.

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Alexis Oropeza  
Zoning Administrator