



## Legislation Text

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**File #:** 06-0642, **Version:** 4

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Recommendation to receive supporting documentation into the record, conclude the public hearing, overrule the appeal by appellants Annie Greenfeld, Gavin McKiernan and Colleen McDonald, and sustain the decision of the City Planning Commission to approve a Conditional Use Permit to establish a church at 1925 Pacific Avenue, a Standards Variance for a reduced number of parking spaces and off-site parking without a deed restriction, and an Administrative Use Permit for off-site joint use parking at 1951 Pacific Avenue (Case No. 0508-23). (District 6)

On August 15, 2006, City Council conducted a public hearing on a request by the applicant, Pastor Lawrence A. Lasisi for Springs of Hope Christian Ministries, for approval of a Conditional Use Permit, Administrative Use Permit and Standards Variance to legalize an existing storefront church at 1925 Pacific Avenue. The applicant's representative, Mr. Pat Brown, and Pastor Lasisi presented testimony to the Council. Subsequently, public testimony was taken with five people speaking in opposition and three people speaking in support of the project. The first motion to overrule the appeal failed. A second subsequent motion was made to refer this item back to planning staff for negotiations with the appellants and to resolve the issue of the ten-year lease for off-site parking. The motion passed 6-3 (see City Council staff report and minutes, Attachment 1). In addition, the Pastor has submitted a letter dated September 27, 2006, which addresses his actions at the previous Council hearing of August 15, 2006 (Attachment 2).

On August 21, 2006, planning staff met with the appellants to discuss their concerns. The issues raised at this meeting include equitable enforcement of zoning code violations, timely and fair enforcement of Conditional Use Permit conditions of approval, the difficulty created in the business community when parking variances are granted that create parking shortages, making a difficult environment for new businesses to operate, and the maximum building occupancy for the church. At this time, the Pastor has a concern regarding the future expansion of the congregation and therefore prefers not to accept a condition of approval that will limit building occupancy below that which is currently permitted by Building and Fire Department regulations.

A condition of approval has been added to address the parking situation by allowing the use of a tandem parking arrangement for church services (condition of approval 37, Attachment 3). The applicant has submitted a copy of the ten-year lease agreement for off-site parking at 1951 Pacific Avenue (letters dated May 19, 2006 and August 28, 2006, Attachment 4).

Springs of Hope Christian Ministries has been in operation at this location since August of 2005 without benefit of City approvals. An application was submitted to the Planning Department on August 22, 2005. The application was completed in February 2006, and a Planning Commission hearing date was scheduled for March 2, 2006 (see Planning Commission staff report and minutes, Attachment 5). At the first Planning Commission hearing, nine individuals spoke in opposition to the project, and six letters from neighborhood groups and approximately forty letters from residents were received in opposition to the project. Two letters and two petitions submitted by the church were received in support of the project (Attachment 6). After a lengthy discussion covering parking for the church, building appearance and services provided by the church, the Planning Commission

continued the case to April 6, 2006, in order to allow the Pastor additional time to obtain a deed restriction for the off-site parking located at 1951 Pacific Avenue.

On April 6, 2006, the Planning Commission conducted a second public hearing. At this hearing, the Commission requested staff to investigate other unpermitted churches in the area and report back to the Commission. Three people spoke in opposition to the continuance request and one letter was received in opposition to the request. The applicant was unable to obtain a deed restriction for the off-site parking lot and requested a continuance, which was granted to May 18, 2006 (see Planning Commission staff report and minutes, Attachment 7).

On May 18, 2006, the City Planning Commission conducted a third public hearing for this request (see Planning Commission staff report and minutes, Attachment 8). Staff reported back to the Commission that seven other churches were operating on Pacific Avenue between Pacific Coast Highway and Willow Street; two with a Conditional Use Permit and five without any City approvals. Four individuals spoke against the project. Issues raised at this hearing were parking, code enforcement of other nonconforming churches, and the appearance of the church. After additional testimony, the Planning Commission voted to approve the request subject to conditions of approval. Additional conditions of approval were added to create and maintain a bookstore in the front of the church in perpetuity with the operation of the church, provide floor to ceiling partition walls in the sanctuary area, and require notification to the City if the off-site lease expires or the property is sold. Commissioner Stuhlbarg made a motion to approve, seconded by Commissioner Winn. The motion passed 4-1 with Commissioner Gentile voting in opposition. Commissioners Greenberg and Rouse were absent. Three appeals were filed (Attachment 9).

The subject site is a 16,300 square foot lot with a one-story 5,161 square foot commercial building constructed in 1945 with 17 on-site parking spaces. The off-site parking is located approximately 100 ft. to the north at 1951 Pacific Avenue. This site is improved with a one-story, 2,000 square foot medical office with an open parking lot to the rear with 16 parking spaces. The parking lot is accessed off the alley.

The church has been in operation for the past year. If approved, the conditions of approval require a bookstore with storefront windows to be established in the front portion of the building facing Pacific Avenue to create an active pedestrian use within six months of the date of final action. Other exterior improvements include removal of exterior security bars, new paint, new fencing, landscaping, removal of nonconforming signage, parking lot stripping, and a limited assembly area.

The subject site is also located in the Central Redevelopment Project Area and in the Pacific Avenue Neighborhood Center of the Central Long Beach Strategic Guide for Development. The long-term goals of this area are to focus on neighborhood-related and pedestrian-oriented uses and upgrade the appearance of the corridors with streetscape and facade improvements.

This report was reviewed by Assistant City Attorney Michael J. Mais on October 12, 2006.

The Long Beach Municipal Code requires that an appeal of the Planning Commission's decision be heard within 60 days of filing of the appeal, or by July 28, 2006. This item was continued from the City Council meeting of August 15, 2006. Due to the election of new council members and cancellations of meetings during the month of July, the meeting date exceeded the 60-day time period.

A 10-day public notice of the hearing is required.

None.

Approve recommendation.

MATTHEW JENKINS, CHAIR  
CITY PLANNING COMMISSION

APPROVED:

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Suzanne M. Frick  
Director of Planning and  
Building