

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, APRIL 4, 2005, AT 1 P.M.

Present: Commissioners: Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
Absent: " None

Also present:

S. B. Rubin	Managing Director
T. Teofilo	Managing Director
G. T. Hein	Executive Officer to the Board
D. A. Thiessen	Chief Harbor Engineer
T. K. Whitesell	Director of Administration
A. W. Wong	Acting Director of Communications
M. J. Slavin	Director of Finance
D. L. Albrecht	Director of Information Management
W. D. Bower	Acting Director of Maintenance
R. G. Kanter	Director of Planning
K. J. McDermott	Director of Properties
C. Perrone	Director of Security
D. B. Snyder	Marketing Manager
T. A. Poe	Assistant Director of Government Affairs
D. T. Holzhaus	Principal Deputy City Attorney

PRESIDENT CALHOUN PRESIDED AS CHAIRMAN.

APPROVAL OF MINUTES.

Upon motion by Commissioner Topsy-Elvord, seconded by Commissioner Cordero and unanimously carried, the minutes of the regular meeting of March 28, 2005, were declared read and approved as read.

PRESENTATION BY UNION PACIFIC ON THE PROPOSED EXPANSION OF THE INTERMODAL CONTAINER TRANSFER FACILITY.

Mr. Scott Moore, Assistant Vice President from Union Pacific, stated they are reaching capacity and now is the time to begin the discussions, the planning and development of the expansions so ICTF will be able to meet the demand that is projected in the years to come.

Mr. Barry Michaels, from Strategic Operations for Union Pacific, gave a presentation on the proposed expansion of the Intermodal Container Transfer Facility.

In response to questions by Commissioner Hancock, Mr. Moore stated Union Pacific wanted to partner to move forward with discussions on how to address the community mitigation issues and how is it going to be funded.

Commissioner Hankla stated he felt it was a very positive step and he commends Union Pacific for taking the step. Additionally, he stated it was an opportunity to improve the usage of the Alameda Corridor.

Commissioner Cordero stated the concept presented fortifies the fact that the industry is moving aggressively with regard to the issues we need to deal with in this region, such as on-dock rail and less traffic on the freeways. He also applauded Union Pacific for including the use of Tier 2 locomotives in the proposed expansion and he felt this shows the good faith efforts the industry is placing in terms of addressing some of the concerns of the environment.

In response to a question by President Calhoun, Mr. Moore stated the majority of the support track would be in the Southern California Edison property and the purpose would be primarily staging of empty double-stack cars prior to being spotted to the working tracks at the facility.

In response to a question on reduced truck trips on the freeway by Commissioner Hancock, Mr. Moore stated Union Pacific had published a news release on February 28, 2005, announcing it is modifying its near-dock container transfer operation to reduce truck traffic, and he would forward a copy of the news release to the Commissioners.

In conclusion, Mr. Moore stated they are very sensitive to the neighborhood and they are looking at all ways to mitigate.

CONSENT CALENDAR – ITEMS NOS. 1-7.

1. DMJM+HARRIS, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE THIRD AMENDMENT TO CONTRACT FOR THE PIER S MARINE TERMINAL DEVELOPMENT - DOCUMENT NO. HD-6551B AND CWO NO. 1217, SUPPLEMENT NO. 28 - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated March 30, 2005, requesting approval of an amendment to Contract with DMJM+HARRIS, Inc., to increase the scope of work for the completion of the Pier S grading, drainage, and utilities project, in the amount of \$655,044, and CWO No. 1217, Supplement No. 28, in the amount of \$800,000, was presented to the Board. The request was approved by the Executive Director.

2. KIMLEY-HORN AND ASSOCIATES, INC. - EXECUTIVE DIRECTOR AUTHORIZED TO EXECUTE FIRST AMENDMENT TO CONTRACT FOR PORT INCIDENT MANAGEMENT SYSTEM PROJECT - DOCUMENT NO. HD-6812A – CWO NO. 1263, SUPPLEMENT NO. 2 AND A BUDGET REVISION - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated March 30, 2005, requesting approval of an amendment to Contract with Kimley-Horn and Associates, Inc., for the Port Incident Management System Project, in the amount of \$100,000, extending the term to December 31, 2007, CWO No. 1263, Supplement No. 2, in the amount of \$768,750, and a budget revision, was presented to the Board. The request was approved by the Executive Director.

3. ORTIZ ENTERPRISES – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE ADVANCE CHANGE ORDER AUTHORITY FOR THE OCEAN BOULEVARD/TERMINAL ISLAND FREEWAY INTERCHANGE UNDER SPECIFICATION NO. HD-S2103A, AND CWO NO. 1258, SUPPLEMENT NO. 2 - APPROVED.

Communication from D. A. Thiessen, Chief Harbor Engineer, dated March 30, 2005, recommending approval of advance Change Order authority for the Henry Ford Avenue storage yard utility infrastructure serving Fire Station No. 24, under Specification No. HD-S2103A, and approval of CWO No. 1258, Supplement No. 2, both in the amount of \$200,000, was presented to the Board. The request was approved by the Executive Director.

4. JED CONSTRUCTION – REFUND - APPROVED.

Communication from Michael J. Slavin, Director of Finance, dated March 28, 2005, recommending authorization of a refund to JED Construction for a security deposit paid on the area assignment and a rent overpayment for March 2005, in the amount of \$12,136.32, was presented to the Board. The recommendation was approved by the Executive Director.

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

Communication from Michael J. Slavin, Director of Finance, dated March 30, 2005, submitting the following Fund Transfer Journals received from the Department of Financial Management:

<u>AMOUNT</u>	<u>DESCRIPTION</u>
\$659,477.89	Employee Benefits and Insurance Funds – transfer of the March 2005 cost of employees' fringe benefits
1,060.17	Public Works Department – maintenance of streetlights for March 2005
13,589.50	Public Works Department – maintenance of traffic signals for 2 nd quarter of FY 2005

435.09	Reprographics for March 2005
256.00	Fingerprinting for January and February 2005
341.71	Water Department – temporary 2-inch fire hydrant meter #5528 to be moved at random
3,253.04	Energy Department – compressed Natural Gas (CNG) usage for September through December 2004, and January 2005

was presented to the Board. The Fund Transfer Journals were approved by the Acting Executive Director.

6. DONALD B. SNYDER – APPOINTMENT.

Communication from Toni K. Whitesell, Director of Administration, dated March 30, 2005, requesting approval of the appointment of Donald B. Snyder to the position of Director of Trade and Maritime Services, at \$95,000 annually, effective April 9, 2005, was presented to the Board. The request was approved by the Executive Director.

Commissioner Hankla congratulated Mr. Snyder on his promotion.

7. HAHN & HAHN LLP – SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES - APPROVED.

Communication from Dominic Holzhaus, Principal Deputy City Attorney, dated March 28, 2005, requesting authorization of an amendment to Agreement with Hahn & Hahn LLP for special counsel in connection with Harbor Department eminent domain matters, for a fee increase to \$250 per hour, was presented to the Board.

Commissioner Topsy-Elvord moved, seconded by Commissioner Cordero that the communications be received and filed and that Items Nos. 1-7 be approved as recommended. Carried by the following vote:

AYES:	Comms:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	“	None
ABSENT:	“	None

REGULAR AGENDA.

8. CITY OF VERNON – EXECUTIVE DIRECTOR AUTHORIZED TO APPROVE RECIPROCAL GRANT EASEMENT DEEDS AND ASSIGNMENTS FOR PROPERTY ALONG THE ALAMEDA CORRIDOR – FIRST READING OF ORDINANCE.

Communication from Kathryn McDermott, Director of Properties, dated March 30, 2005, recommending approval of Reciprocal Grant Easement Deeds and Assignments with the City of Vernon for property along the Alameda Corridor, was presented to the Board together with the authorizing ordinance therefore. The recommendation was approved by the Executive Director.

Commissioner Topsy-Elvord moved, seconded by Commissioner Hancock that the communication be received and filed and that the ordinance entitled, "AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH AUTHORIZING HE EXECUTIVE DIRECTOR TO EXECUTE RECIPROCAL GRANT EASEMENT DEEDS AND ASSIGNMENTS BY AND AMOUNT CITY OF LONG BEACH, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY, CITY OF LOS ANGELES, ACTING BY AND THROUGH ITS BOARD OF HARBOR COMMISSIONERS, AND CITY OF VERNON, AND MAKING A DETERMINATION RELATING THERETO," be declared read for the first time and laid over for its second and final reading. Carried by the following vote:

AYES:	Commrs:	Hancock, Cordero, Hankla, Topsy-Elvord, Calhoun
NOES:	"	None
ABSENT:	"	None

ANNOUNCEMENTS.

Mr. Gus Hein announced the Board would hold a Special Meeting in Sacramento on April 6, for the purpose of advocacy and education of our state legislators and state agency personnel on environmental, transportation, and security issues.

GREEN FLAG PROGRAM.

In response to a request by Commissioner Cordero, Ms. Morgan, Manager of Maritime Services, gave an overview of the Green Flag Program. She stated it is one element of the Green Port Policy that was adopted in January and this program was designed to increase compliance with the voluntary vessel speed reduction program. Ms. Morgan informed the Board that each vessel, with 100% compliance, would be given a green flag and dockage rebates would be given to terminals that achieve 90% compliance.

In response to a question by Commissioner Cordero, Ms. Morgan stated Hyundai Merchant Marine had achieved the 100% compliance for the period of March 1 through March 20, 2005. Additionally, she praised the Commissioners and the Executive Staff for their efforts while on the Asia Trade Mission to get the commitment from the companies for this program.

Commissioner Hancock stated his concerns on the amount of reduction discounts and requested this be discussed in detail with the Administration and Finance Committee to take a look at and make a judgment.

Commissioner Hankla stated he felt the Board is setting an important public policy and he concurred with Commissioner Hancock that it should be discussed with the Administration and Finance Committee. He also suggested that if another backlog of vessels occur, those flying the green flag should have some priority at dockage and thus he would like that to be part of the dialogue to be evaluated.

Mr. Teofilo stated the feedback is very valuable and that this program is a work in progress and at this time it is not ready to go to Committee.

ADJOURNED.

At 2:05 p.m., Commissioner Hankla moved, seconded by Commissioner Cordero that the meeting be adjourned sine die. Carried by the following vote:

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

CITY PLANNING COMMISSION MINUTES

JANUARY 20, 2005

The regular meeting of the City Planning Commission convened Thursday, January 20, 2005, at 1:38pm in the City Council Chambers, 333 W. Ocean Boulevard.

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

ABSENT: EXCUSED: Matthew Jenkins, Mitch Rouse

CHAIRMAN: Morton Stuhlbarg

STAFF MEMBERS PRESENT: Greg Carpenter, Planning Manager
Carolyne Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Joe Recker, Planner
Derek Burnham, Planner
Scott Mangum, Planner

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Layne Johnson, Cultural Heritage Comm.
Cindy Thomack, Hist. Preservation Ofcr.
Marcia Gold, Minutes Clerk

PLEDGE OF ALLEGIANCE

Commissioner Sramek led the pledge of allegiance.

SWEARING OF WITNESSES

CONSENT CALENDAR

The consent calendar was approved as presented by staff on a motion by Commissioner Winn, seconded by Commissioner Sramek and passed 5-0. Commissioners Jenkins and Rouse were absent.

1A. Case No. 0410-36, Conditional Use Permit, CE 04-223

Applicant: Nextel Communications c/o Spectrasite
Communications, Maria Jauregui, Rep.
Subject Site: 4400 Cherry (Council District 8)

Description: A Conditional Use Permit to construct and maintain a wireless telecommunications facility, consisting of a seventy foot (70') high monopine antenna structure with accessory equipment

Approved the Conditional Use Permit, subject to conditions.

1B. Case No. 9807-02 (Mod #4); Modification to an approved permit; General Plan Amendment, Site Plan Review, Planned Development Ordinance Amendment

Applicant: Long Beach Self Storage, LLC
Subject Site: 2506 Atlantic Avenue and 434 E. Willow St.
(Council District 6)

Description: Request to modify an approved Site Plan Review relating to the perimeter walls, landscaping, parking and exterior building finish for a commercial self-storage facility on the Old Pacific Electric right-of-way (Case No. 9807-02).

Continued to the February 3, 2005 meeting.

1C. Case No. 0408-12, Standards Variance, Site Plan Review, ND 23-04

Applicant: Dennis Eschen, Dept. of Parks, Recreation and Marine
Subject Site: 1321 E. Anaheim Street (Council District 6)
Description: Site Plan Review for the construction of a community theater and a request for Standards Variances related to the lot coverage and parking requirements.

Certified Negative Declaration 23-04 and approved the Standards Variances and Site Plan Review, subject to conditions.

1D. Case No. 0410-38, Tentative Parcel Map, CE 04-224

Applicant: Boeing Realty Corporation c/o Ron Curry of Adam Streeter Civil Engineering Inc.
Subject Site: Railroad right-of-way north of Wardlow Road and south of Lakewood municipal boundary (Council District 5)
Description: Tentative Parcel Map to subdivide a former railroad right-of-way between the City of Long Beach and the City of Lakewood.

Approved Tentative Parcel Map No. 62126, subject to conditions of approval.

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

The following item was taken out of order

6. Case No. 0411-09, Administrative Use Permit, CE 04-232

Applicant: Basic Fibers, Inc., Mayra Romero, Rep.
Subject Site: 2500-20 Santa Fe Avenue (Council Dist. 7)
Description: An Administrative Use Permit to allow the
 operation of a recycling collection center for cans and
 bottles (staff attended).

Since the applicant had asked that the item be continued, testimony was taken from those speakers who could not attend the February 17, 2005 meeting:

John Deats, 3600 Pacific Avenue, spoke against the recycling center saying it would cause an unavoidable stench in the neighborhood.

Evelyn Knight, 2521 Cota, also spoke against the center, citing traffic, smell and school proximity issues, and she suggested the center set up in a more appropriate industrial area.

Mary Stenson, 2529 Cota, spoke against the project, saying it could create loitering problems with customers, and might interfere with emergency vehicle access to the area.

Harry Jobe, 2171 Baltic Avenue, also spoke against the project, in agreement with the previous speakers.

Commissioner Sramek moved to continue the item to the 2/17 meeting. Commissioner Greenberg seconded the item, which passed 5-0. Commissioners Jenkins and Rouse were absent.

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

2. Case No. 0410-18, Conditional Use Permit, Sign Standards Waiver, Site Plan Review, CE 04-215

Applicant: Long Beach Towne Center PO, LLC
 c/o Kerr Project Services
Subject Site: 7681 Carson Boulevard (Council District 5)
Description: A Conditional Use Permit and Site Plan
 Review to construct a new 4,659 square foot fast food

restaurant with a drive-through lane and a Sign Standards Waiver for a pre-menu board.

Lynette Ferenczy presented the staff report recommending approval of the requests, since the proposed use was compatible with the architecture of the shopping center and other surrounding commercial uses; positive findings could be made to support the requests; no negative environmental impacts were expected, and because the developer has agreed to make general traffic improvements.

Michael Garner, 5 Stonebrook, Aliso Viejo, 92656, Regional Director, Vestar Management, stated that they were in agreement with the staff recommendations and were willing to work with the city on any traffic concerns.

Greg Lawless, 12 Argose, Laguna Niguel, Chick-Fil-A representative, stated he was available for questions.

Commissioner Winn moved to approve the Conditional Use Permit, Site Plan Review and Sign Standards Waiver, subject to conditions. Commissioner Sramek seconded the motion, which passed 5-0. Commissioners Jenkins and Rouse were absent.

3. Case No. 0405-26, Conditional Use Permit, ND 21-04

Applicant: Warren Coalson
Subject Site: 1630-1660 E. 32nd Street (Council Dist. 7)
Description: Request to allow an asphalt and concrete recycling and crushing operation in the General Industrial (IG) Zone District.

Scott Mangum presented the staff report recommending certification of the Negative Declaration and approval of the Conditional Use Permit since the relatively isolated location of the facility limited the potential for negative impacts on the community, and since a similar use had operated adjacent to this facility for a number of years without adverse impacts.

In response to a query from Commissioner Sramek, Angela Reynolds confirmed that all concerns expressed by the City of Signal Hill except the one asking for an indoor operation had been addressed.

Marvin Howell, 9255 Ventana Way, San Diego, Director of Land Use Planning, Hanson Aggregates, gave an overview of the international company and showed a slide presentation of the

operation, noting that this smaller site would replace a larger quarry while moving to make way for a City sports park. Mr. Howell stated they were constantly addressing community concerns with ongoing outreach meetings, and asked that they be allowed to place landscaping instead of a block wall on the western border of the site.

In response to queries from Commissioner Sramek, who also noted he had spoken with applicant Lindell Marsh, Mr. Howell explained that they did have emergency procedures for possible toxic contamination, but that the bulk of their incoming materials were very low risk and employees had been trained to look for problems. Mr. Howell further outlined the watering down procedures, and said there would be no dust problems because the product was either cement, or too large to blow away.

Commissioner Greenberg referred to a letter of concern received from nearby business Certified Alloy, and Mr. Howell explained that their concerns regarded the former operator of the asphalt site, not Hanson, who made concrete aggregate.

Commissioner Winn, who also noted he had spoken to Mr. Marsh on the phone, questioned future development on the western edge of the site, and Mr. Howell stated they might develop it for a future tenant.

In response to a query from Commissioner Greenberg regarding enclosing the stockpiles, Mr. Howell declared such a requirement would make the operation economically unfeasible. Mr. Greenberg added that he had spoken to Mr. Marsh and Rob Bellevue.

Lindell L. Marsh, 172 Westport, Newport Beach, 92660, applicant, reviewed the legal aspects of the CUP, the zoning and the industrial location, and said they believed the site was effectively buffered from the nearby residential area.

Mike Murchison, 3333 E. Spring Street, stated he was representing various property owners against the CUP, and said he felt truck traffic would impact Spring Street. Mr. Murchison also remarked that he thought the AQMD wouldn't allow relocation of the operation within 1000 ft. of a school, and he asked who would oversee enforcement of the conditions of approval.

Ray Pok, 7th District Council Office representative, said that the Cal Heights Neighborhood Association had no objection to the project, with their only concern being potential dust and

traffic problems, but that they were satisfied with the mitigation measures proposed by the applicant.

Ira Cree, 3250 Cherry Avenue, objected to the project, citing potential dust and traffic issues, adding he did not feel it was compatible with surrounding uses.

Fred Riedman, 6475 E. Pacific Coast Hwy., adjacent property owner, also spoke against the project because of possible noise, dust and truck traffic issues, and said he felt it would create an adverse visual impact.

Rob Bellevue, 6018 E. Bayshore Walk, Walnut Street property owner, said he did not feel this was the best use for prime industrial property and added that he had talked to adjacent neighbors of the applicant's Orange County location who had complained about constant dust and noise. He also asked that if it was approved, the conditions of approval be monitored by an independent agency.

Charles Moore, 345 Bayshore Avenue, property owner adjacent to applicant's current site, stated that they never experienced problems with dust or smells and that the recycling of cement was important and would create area jobs.

Doug Coulter, 3416 Val Verde, area property owner and contractor, said he worked close to the current site and saw no problems with dust or traffic, and that he supported the project because the operation would dramatically lower local construction costs.

Robert Benard, 531 - 23rd Street, Manhattan Beach, said he felt the use did not have a right to be established in the zone unless it was approved by the Commission and was proven to not be detrimental to the surrounding neighborhood. Mr. Benard said the opponents felt this was a noisy outdoor mining operation that would be above grade unlike the applicant's current location, and therefore more visible. Mr. Benard added they felt this operation would drive away other area industries, and should be considered a discretionary use to be placed outside urban boundaries.

Bruce Flatt, 3830 N. Weston Place, Excel Paving, expressed support for the project because this type of recycled material needed to be available locally and cheaply.

Mr. Howell noted that his company had offered to make a presentation to the nearby school, which refused the offer, saying they had no concerns about the operation. He added that area residents also stated they had no concerns to discuss. Mr. Howell added that there would not be a lot of truck traffic, but that if any problems arose, their company had a truck safety program to deal specifically with community concerns.

Ms. Reynolds added that the AQMD requirement for a distance from schools with this kind of operation had not yet been formulated. Ms. Reynolds also noted that of the five changes to the conditions of approval suggested by the applicant, three were more restrictive than the staff recommendations, while two were less restrictive.

Tony Petros, 20 Executive Park, Irvine, discussed the traffic study analysis which cited a truck route in place that would not allow southbound traffic off the site.

In response to a query from Commissioner Sramek regarding the applicant's suggested changes to the conditions of approval, Mr. Howell explained that instead of the block wall, they wanted to plant fast-growing, tall plants to block the stockpile views on the west side, and they were asking for ten days a month to use the crusher, although they probably wouldn't use it that many days. Mr. Howell added that this request was consistent with the EIR, since it did not increase the hours of operation.

Chairman Stuhlberg observed that it came down to a well-established applicant with a good track record providing an important service vs. local business and others concerned about area development.

Commissioner Greenberg agreed that the applicant was an international company with good reputation providing an environmentally useful process, with basic zoning that fit the request, but that on the negative side, there were a lot of unknowns regarding the actual impacts of dust and noise. Mr. Greenberg said he personally felt the project should go forward but that the conditions of approval needed to be fine-tuned for enforceability.

Commissioner Winn said he respected both sides, was impressed with the applicant's track record, and felt the conditions of approval were already airtight enough to address all objections. Mr. Winn added that he felt the block wall requirement should remain for noise and aesthetic reasons.

Commissioner Winn then moved to certify Negative Declaration 21-04 and to approve the Conditional Use Permit, subject to conditions as amended, eliminating the staff requirement for the block wall, but allowing the 10-15 crushing days per month as requested by the applicant; a height limit on the stockpiles down to 25'; moving those piles to the back half of the property, and a baseline crusher monitoring study.

Mr. Winn pointed out that not only the City but also the AQMD would monitor the conditions of approval and any complaints. Assistant City Attorney Mais added that the City already has the ability to revoke the CUP if the applicant were to violate any conditions of approval.

In response to a query from Commissioner Sramek regarding monitoring of dust and noise, Ms. Reynolds noted that the City could require the applicant to submit a quarterly monitoring report and survey to be approved by the Director of Planning and Building, and that the Health Department could monitor the noise issue.

Commissioner Winn said he was willing to accept an amendment to his motion, requiring quarterly monitoring of dust from the AQMD and noise from the City Health Department, with the condition that if the applicant could not solve any reported problems, their CUP would be revoked.

Mr. Mais suggested adding a condition requiring staff to return with a report card on the operation in one year, with the stipulation that if there were significant violations, the City would hold a revocation hearing. Mr. Winn agreed to the addition to the motion.

Commissioner Sramek seconded the motion, clarifying that the addition to the motion was that the applicant be required to contract with a third party technical company who would submit a quarterly dust and noise monitoring report to the Director of Planning and Building, who would bring the issue back before the Commission after one year, with recommendations, if needed, for any changes to the conditions of approval.

Applicant Howell asked if this requirement would be for one year only, since such monitoring promised to be an expansive undertaking.

Tony Chung, LSA, 20 Executive Park, Irvine, discussed the noise study he conducted for the proposed site and others in operation. Mr. Chung said that based on those readings, this specific operation would not generate a high level of noise since the area already had high ambient noise due to the adjacent freeway and other industrial activities. He added that the noise of operation would be less than ambient noise, except on the north side, where material stockpiles would provide a noise shield. Mr. Chung added that he did not feel the west side block wall would be at all beneficial since there was already a very high ambient noise on that side of the site.

Commissioner Gentile said she felt the block wall should remain for aesthetic reasons plus dust and truck noise control.

Commissioner Winn pointed out that if that side of the site was to be developed, the 8' high block wall would become a problem, and he suggested continuing the item to discuss all the ramifications of the issue.

Commissioner Greenberg observed that there was only anecdotal evidence from both sides, and that the weight of evidence did not preclude certification of the Negative Declaration. Mr. Greenberg said he felt the required monitoring would pick up any problems, even though at this point, there was no credible evidence that there would be such problems.

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

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

4. Case No. 0411-22, Certificate of Appropriateness, Local Coastal Development Permit, CE 04-261

Applicant: Roger Kurath, Design 21
Appellants: Roger Kurath (appeal of Certificate of Appropriateness); Brad Bolger and Steve Westbrook (appeal of Local Coastal Development Permit)
Subject Site: 2767 E. Ocean Boulevard (Council Dist. 2)
Description: Hearing to consider an appeal of the Cultural Heritage Commission's decision to deny a Certificate of Appropriateness for new construction in the Bluff Park Historic District and an appeal of the Zoning Administrator's decision to approve a Local Coastal

Development Permit for the new construction of a single-family home.

Joe Recker presented the staff report recommending sustaining the decision of the Cultural Heritage Commission and denying the Certificate of Appropriateness while continuing the Local Coastal Development Permit, referring it to the Zoning Administrator for consideration of a revised application.

Cindy Thomack, Historic Preservation Officer, discussed the criteria by which the Certificate of Appropriateness had been denied.

Layne Johnson, Chair, Cultural Heritage Commission, discussed the project history and the basis for their evaluation of the specific development.

In response to queries from Commissioner Winn regarding the issue of massing, Mr. Johnson explained that three existing and more massive homes on Bluff Park had been designed within the context of the neighborhood, and were east of the then-established historic area, although he admitted that it would have been difficult to get the projects through the Cultural Heritage Commission today.

Mr. Winn expressed concern that the use of massing would become problematic in certain highly visible areas, and suggested that some sort of mathematical formula be developed to deal with this issue.

Mel Nutter, 200 Oceangate #850, representing the project proponent, stated he felt the home would be compatible with its surroundings, and that the opponents' petition misrepresented the actual project.

Roger Kurath, 4240 Via Marina #14, Design 21, Marina del Rey, 90292, applicant/appellant, said the home had been designed to reflect the area's famous architecture as well as to blend in with area homes. Mr. Kurath also noted that they had held extensive meetings with the Bluff Park Neighborhood Association as well as the Cultural Heritage Commission, making changes as requested in size, height, color, architectural appearance and landscaping to address concerns. Mr. Kurath also presented a detailed comparison of the actual project vs. the one presented to neighbors to support his claim that the information in the opponents' petition was incorrect.

Commissioner Gentile announced that she had to leave the meeting and would not be able to vote on the item, but that if it were to be continued, she would review all materials before the next hearing.

Doug Otto, 111 West Ocean, opposition representative, stated they were opposed to the appeal of the denial of the Certificate of Appropriateness and supportive of the appeal to granting the Local Coastal Development Permit.

Dr. Elbert Segelhorst, 2828 E. 1st Street, discussed cultural preservation of area homes.

Jill Aversa, 2695 E. 1st Street, said she felt the mass and volume of the proposed house was not in keeping with the ordinance governing historical districts.

John Romundsted, 2827 E. 1st Street, also spoke against the project, citing incompatibility with the Bluff Park district.

Meg Beatrice, 17 Temple Avenue also spoke against the project, saying that the actual volume and mass of the project was misrepresented because the interior courtyard, the difference between the finished floor and grade, and mass above the roof structure enclosed by parapet walls were not taken into consideration.

Isaac Waksul, 2695 E. 1st Street, Vice President, Bluff Park Neighborhood Association, presented a comparison between the mass of the largest existing area building and the proposed project, showing that it would be 75% more massive than average area homes.

Roger Kurath demonstrated that his drawings accurately represented the actual mass of the structure.

William Wynne, 333 W. Ocean Blvd., Cultural Heritage Commissioner and architect, acknowledged the lack of clarity over the meaning of the ordinance.

Tim O'Shea, 3135 1st Street, stated that the neighborhood opposed the project not because it would block views, but because they felt it was just too big.

Ana Maria McGuan, 800 E. Ocean Blvd., #210, questioned why the applicant had received several previous City approvals throughout the design process.

Commissioner Sramek stated that he had talked to Ms. McGuan.

Mr. Mais noted that although it was not inappropriate to have Cultural Heritage Commissioners speak, these two Commissioners represented the minority view of the Commission.

Brad Bolger, 100 Temple, said he felt the Bluff Park ordinance was very clear about mass and volume being in context with the area structures, and that this project far exceeded these objective criteria.

Ken Yankolevich, 3025 E. 2nd Street, stated that he supported growth in the neighborhood and thought that the majority of area homeowners were not aware of this issue, and that the negative opinion was a minority one.

Wendy Harn, 3214 E. 2nd Street, President, Bluff Park Neighborhood Association, said the neighborhood welcomed residential development in keeping with the ordinance. In response to a query from Commissioner Winn about allowing large expansions at the rear of properties, Ms. Harn stated that she felt it was more important to keep any visible appearance consistent.

Mel Nutter noted the differences in views on certain aspects of the historic preservation ordinance, and said he felt this project should be commended for not requiring any variances from zoning or building ordinances. Mr. Nutter said he thought it came down to conformity vs. compatibility, and that this applicant had made a responsible and responsive effort to enhance the neighborhood.

Mr. Otto stated that the purpose of the ordinance was to preserve and protect the historical style of the area, and that preservation of neighborhood compatibility should have more weight than development standards. He noted that the Cultural Heritage Commission had voted against the applicant three times, a fact which he felt was a piece of information that should be considered by the Commission in their decision.

Commissioner Greenberg complimented both sides on the quality of their presentation, adding that he felt the most significant issue was the subjective one of mass, and he expressed a desire for more time to absorb all the materials presented and to visit the site.

Commissioner Greenberg then moved to continue the item to the February 17, 2005 meeting to allow time to visit the site.

Commissioner Sramek echoed Mr. Greenberg's sentiments that these were two of best presentations ever given.

Commissioner Sramek seconded the motion.

Commissioner Winn asked staff to help authenticate the various statistics given during the hearing, especially if they would be used to make a final decision. Mr. Winn noted that even if this decision set a precedent, it would only do so for the one remaining lot.

Mr. Carpenter suggested that the applicant put up a silhouette of the building, and Mr. Kurath said it would only show the mass and volume, instead of the more important architectural reality.

Chairman Stuhlbarg said he was ready to make a decision but respected the motion on the floor.

Bahna Makeneni, 2 Open Brand, Rolling Hills, property owner, said she felt the project was designed within zoning requirements and she did not understand why there were any objections.

Commissioner Greenberg said he was having trouble visualizing where the house would look like in relation to the other homes.

Commissioner Winn withdrew his motion to continue the item.

Chairman Stuhlbarg moved to sustain the decision of the Cultural Heritage Commission and deny a Certificate of Appropriateness for new construction in the Bluff Park Historic District, and to approve the Local Coastal Development Permit.

Commissioner Sramek seconded the motion, saying he felt the house was out of proportion and context with the neighborhood.

Commissioner Greenberg said he was not yet ready to make a decision and would vote against the motion.

Commissioner Winn agreed, remarking that in his opinion, this one project would not bring the historic aspect of the neighborhood to its knees.

Mr. Mais noted that since the matter was on appeal, a tie vote would mean that the decision of the Cultural Heritage Commission would be the operative one.

The question was called. Commissioners Stuhlberg and Sramek voted in favor of the motion, and Commissioners Greenberg and Winn voted against it, making the final vote a tie of 2-2. Commissioner Gentile had left the meeting and Commissioners Jenkins and Rouse were absent.

5. Case No. 0408-16, Administrative Use Permit, Standards Variance, ND 24-04

Applicant: Brooks College c/o Douglas Otto
Subject Site: 4825-4845 E. Pacific Coast Highway
(Council District 4)

Description: Request to approve Administrative Use Permits to legalize approximately 18,000 sq.ft. of additional classroom floor area at Brooks College and utilize joint use of two off-site parking lots and approve Standards Variances to parking space size and terms of off-site parking.

Joe Recker presented the staff report recommending approval of the requests, since the project would continue to provide educational opportunities to residents; was not anticipated to cause adverse effects on the neighborhood; and would ensure a greater supply of off-street parking.

Al Nederhood, 17025 Brooklyn Avenue, Yorba Linda, applicant, outlined the community outreach efforts made to address problematic parking issues

Doug Otto, 111 W. Ocean Blvd., applicant representative, explained that they felt a parking fee would encourage students to seek alternate transportation. He added that they objected to the guard shack relocation requirement due to high cost, low student use, and loss of drive lane space, although they would consider putting in a card reader instead. Mr. Otto explained that the light requirement could create an annoyance for neighbors, and that the cost of putting burglar alarms in every interior office would be prohibitive. Mr. Otto announced that the conditionally required letter of agreement from the playhouse would be impossible to obtain because the group was concerned about losing their non-profit status if they maintained a parking contract with a for-profit institution.

Mr. Carpenter outlined staff's response to the applicant's requested changes, and reiterated that the condition to move the guard shack should remain unless the applicant removed the shack, moved the gate back and installed a card reader. Regarding the lighting, Mr. Carpenter noted that the requirements were from the Police Department, but that language could be added to allow the lighting to be installed to the satisfaction of the Police Department and the Director of Planning and Building.

Mr. Carpenter further explained that security requirements such as fish-eye viewers and solid core doors applied to new construction only, and that the burglar alarms would be required in interior accounting offices, not in secure storage areas.

Regarding the parking agreement with the playhouse, Mr. Carpenter noted that although the code required a deed restriction, the proposed condition was flexible in allowing for a yearly written agreement, but that staff did not recommend granting any kind of relief on this condition for the Certificate of Occupancy.

Commissioner Greenberg moved to approve the Administrative Use Permit and Standards Variances, subject to conditions. Chairman Stuhlbarg seconded the motion, which passed 4-0. Commissioner Gentile had left the meeting and Commissioners Jenkins and Rouse were absent.

(Item #6 was heard out of order at the beginning of the meeting.)

7. Case No. 0410-08, Standards Variances

Applicants: James Meyer and Jayme Mekis
Appellants: Polly and Allen Thomas
Subject Site: 4109 Cedar Avenue (Council District 8)
Description: Appeal of the Zoning Administrator's decision to approve Standards Variance requests for a side yard setback of 4 feet (instead of not less than 6 feet), and a rear yard setback of 28 feet 6 inches (instead of not less than 30 feet).

Derek Burnham presented the staff report recommending denial of the appeal and upholding of the Zoning Administrator's decision to approve the Standards Variance requests since size of the lot, existing side yard setback and location of the garage created a hardship to meeting required setbacks.

Allen Thomas, 4121 Cedar Avenue, said he wanted the setback request denied because he felt there was plenty of lot space to use and no hardship involved for the applicant. Mr. Thomas complained that Ms. Mekis' status as a City employee had positively affected the outcome of her request.

Jayne Mekis, 4109 Cedar Avenue, applicant, noted that their house was already one of the smallest on the street, and the remodel was well within the building envelope. Ms. Mekis added that the planned design was more compatible and historically accurate to the neighborhood than the existing home, and that the small variance requested was also necessary for plumbing reasons. Ms. Mekis noted that the appellants were well aware of her employment status, and that she had gone out of her way to avoid any kind of special treatment.

James Meyer, 4109 Cedar Avenue, applicant, noted that the 18'' requested to attach the garage was a common improvement, and would help increase property values in the area.

John Deats, 3600 Pacific Avenue, suggested that the garage wall be moved to the addition instead of vice versa.

Allen Thomas, appellant, complained that his open space and air would be impacted.

Mr. Mais remarked that the Planning Department had consulted with the City Attorney's office to avoid any kind of conflict of interest, and that they felt the final recommendation was fair to both parties.

Commissioner Sramek noted that he had met with the applicants and viewed the property. Mr. Sramek added that he usually voted to grant a variance when a house was out of conformity with current zoning, and would always vote to approve such a request when it involved continuation of a straight line down a house, which he felt was a standard and reasonable request.

Commissioner Sramek then moved to deny the appeal and to uphold the Zoning Administrator's decision to approve the Standards Variance requests.

Commissioner Greenberg observed that the City was tough on variances, but that view loss was not a valid reason to deny a variance, and that the applicants' solution seemed reasonable.

Commissioner Greenberg seconded the motion, which passed 4-0.
Commissioner Gentile had left the meeting and Commissioners
Jenkins and Rouse 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

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 8:31pm.

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**F E B R U A R Y 1 7, 2 0 0 5**

A study session of the City Planning Commission convened Thursday, February 17, 2005, at 12:00pm in the City Council Meeting Room, 333 W. Ocean Boulevard, to discuss the Draft Environmental Impact Report for Long Beach Memorial Hospital.

The regular meeting of the City Planning Commission convened Thursday, February 17, 2005, at 1:30pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Winn, Charles Greenberg,
Nick Sramek, Leslie Gentile,
Matthew Jenkins, Mitch Rouse

ABSENT: EXCUSED: Morton Stuhlbarg

CHAIRMAN: Matthew Jenkins

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Planning Manager
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Officer
Derek Burnham, Planner

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Marcia Gold, Minutes Clerk

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

Commissioner Gentile led the pledge of allegiance.

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**

The consent calendar was approved as presented by staff on a motion by Commissioner Winn, seconded by Commissioner Sramek and passed 6-0. Commissioner Stuhlbarg was absent.

1A. Case No. 0411-09, Administrative Use Permit, CE 04-232

Applicant: Basic Fibres, Inc.
Mayra Romero, Representative
Subject Site: 2500-2520 Santa Fe Ave. (Council District 7)
Description: An Administrative Use Permit to allow the operation of a recycling collection center for cans and bottles (staff attended).

Continued the item to April 21, 2005.

1B. Historic Landmark Designation

Applicant: Cultural Heritage Commission
Subject Site: 153 - 12th Street (Council District 1)
Description: Historic Landmark Designation for the Delker House, constructed 1909.

Recommended that the Long Beach City Council adopt an ordinance designating the Delker House as a Long Beach Historic Landmark.

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

2. Case No. 0412-19, Conditional Use Permit

Applicant: Lyon Realty Advisors c/o Ron Cole
Subject Site: 1900 E. Ocean Boulevard (Council District 3)
Description: Local Coastal Development Permit and Conditional Use Permit for alcoholic beverage sales for off-premises consumption at an existing café/delicatessen within an apartment building in the Ocean Boulevard Planned Development District (PD-5).

Derek Burnham presented the staff report recommending approval of the permit since small-scale accessory commercial uses were desirable amenities for apartment buildings, and because the proposed use would not have significant adverse effects on the community and positive findings could be made to support the request.

Ron Cole, Lyon Development 4901 Birch Street, Newport Beach, 92660, applicant, stated that any noise created by the use would be kept low, and no alcohol would be served on site. He also noted that building security was able to handle complaints any time of day or night.

Shannon O'Hara, 6147 E. Teton, Orange, General Manager of the apartment complex, stated a meeting was scheduled between the two building associations to resolve drainage and noise issues, and that the residents in the adjacent building had phone numbers to call with any problems at any time.

Al Kinsel, 25-15th Place, President, Palacio del Mar Homeowners Association, said they needed to get immediate action when they had a complaint against the applicant, and he felt granting of the license would exacerbate noise issues. Mr. Kinsel asked that the item be continued to allow them to have a more detailed discussion with the applicant.

Commissioner Greenberg said to Mr. Kinsel that most of the listed concerns in the letter from their attorney did not have anything to do with this specific request for a Conditional Use Permit, and therefore could not be addressed by the Commission.

In response to a query from Commissioner Gentile, Ms. O'Hara stated that the hours of operation of the café were 8am to 9pm. She also noted that complaints from the adjacent homeowners' association regarded drainage and palm trees but not noise, and that they had moved the palm trees as requested.

Commissioner Winn agreed that granting the CUP would not exacerbate the situation, and that a more effective deterrent would be any kind of action by the Police Department.

Commissioner Greenberg moved to approve the Conditional Use Permit, subject to conditions of approval. Commissioner Winn seconded the motion, which passed 6-0. Commissioner Stuhlbarg 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

Greg Carpenter noted two City Council actions that included denial of a Commission-recommended approval on the self storage facility at 4100 Cherry; and a denial of the two-unit conversion on Pacific, on which the Commission had recorded a tie vote.

Regarding the General Plan update, Angela Reynolds noted that there would be a citywide workshop during which the cluster

groups would make their presentation. Ms. Reynolds also noted that a lawsuit had been filed by the Lakewood Village Homeowners Association to challenge the approval of the Boeing project.

**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 2:08pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk

CITY PLANNING COMMISSION MINUTES

MARCH 3, 2005

A study session of the City Planning Commission convened Thursday, March 3, 2005, at 12:00pm in the City Council Meeting Room, 333 W. Ocean Boulevard, featuring a Planning Commissioner Training Session.

The regular meeting of the City Planning Commission convened Thursday, March 3, 2005, at 1:41pm in the City Council Chambers, 333 W. Ocean Boulevard.

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

ABSENT: EXCUSED: Matthew Jenkins, Mitch Rouse

CHAIRMAN: Morton Stuhlbarg

STAFF MEMBERS PRESENT: Greg Carpenter, Planning Manager
Carolyne Bihn, Zoning Officer
Angela Reynolds, Advance Planning

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Marcia Gold, Minutes Clerk

PLEDGE OF ALLEGIANCE

Planning Manager Greg Carpenter led the pledge of allegiance.

MINUTES

The minutes of February 5, 2005 were approved on a motion by Commissioner Greenberg, seconded by Commissioner Winn and passed 5-0. Commissioners Jenkins and Rouse were absent.

SWEARING OF WITNESSES

CONTINUED ITEM

1. Case No. 0407-26, Conditional Use Permit, CE 04-157

Applicant: Cingular Wireless c/o AFL
Authorized Agent, Chip Clustka

Subject Site: 1950 Lemon Avenue (Council District 7)
Description: A Conditional Use Permit to construct and maintain a wireless telecommunications facility, consisting of a seventy foot (70') high monopine antenna structure with accessory equipment.

As per staff's recommendation, Commissioner Sramek moved to continue the item to a date uncertain. Commissioner Winn seconded the motion, which passed 5-0. Commissioners Jenkins and Rouse were absent.

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

2. Proposed Amendment to the Municipal Code

Applicant: Robert E. Shannon, City Attorney
Subject Site: Citywide
Description: Proposed amendment to the Long Beach Municipal Code relating to code enforcement and tenant relocation.

Mike Mais presented the staff report asking that the Commission recommend that the City Council adopt the amendments to the Municipal Code, noting that this would be a tool to assist Code Enforcement in identifying and dealing with substandard buildings. Mr. Mais stated that the amendment would clarify confusing relocation and illegal unit issues, plus allow assessment of penalties for late payments on relocation fees. He added that it would also remove the low income requirement that had previously slowed City efforts to deal with these problems.

In response to a query from Commissioner Winn, Mr. Mais explained that routine maintenance issues would not invoke this ordinance if the situation could be remedied while the tenant was in place.

Susanne Browne, 110 Pine #420, attorney with Legal Aid, stated that her group was in support of the staff recommendation.

Nancy Ahlswede, 333 W. Broadway #101, Executive Director, Apartment Association of California/Southern Cities, said they felt this would be the best possible situation for tenants while maintaining private property rights.

Commissioner Greenberg moved to recommend that the City Council adopt the amendments to the Municipal Code. Commissioner Sramek

seconded the motion, which passed 5-0. Commissioners Jenkins and Rouse were absent.

3. Case No. 0412-17, Administrative Use Permit, CE 04-254

Applicant: Nasser Labbaf
Subject Site: 1075 E. Pacific Coast Highway
(Council District 6)
Description: Request to establish a coin-operated
Laundromat at a new retail center in the Commercial Highway
(CHW) Zone District.

Nassar Labbaf, 1075 E. Pacific Coast Hwy, applicant, requested that the item be continued to the next meeting.

Hip Lee, 1090 E. Pacific Coast Hwy, owner of building across from the site, stated he was against the request because it would create trash and loitering problems while decreasing the value of his property. Mr. Lee also said he felt there were already too many laundromats in the area.

Commissioner Winn explained to Mr. Lee that the conditions of approval attached to the request would address his concerns.

Commissioner Sramek moved to continue the item to the March 17, 2005 meeting. Commissioner Gentile seconded the motion, which passed 5-0. Commissioners Jenkins and Rouse 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**

Greg Carpenter stated that the City Council had acted to adopt the Open Space Annual Report, and would be hearing an appeal for the concrete aggregate plan.

Mr. Carpenter also welcomed new Planning staff member Monica Mendoza and noted that the City Manager would soon be making the final decision on the Planning and Building Director.

Angela Reynolds presented an update on the progress of the citywide workshops on the General Plan. In response to an observation by Commissioner Sramek on the negative reactions of some of the newer workshop attendees, Ms. Reynolds said they

would be making greater outreach efforts to contact more people in the community.

Mr. Carpenter also discussed projects that needed to be completed in this calendar year, including the official adoption of the Coastal Program document, and a number of General Plan updates.

**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 2:28pm.

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 7, 2 0 0 5

The regular meeting of the City Planning Commission convened Thursday, March 17, 2005, at 1:34pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Morton Stuhlbarg, Matthew Jenkins, Mitch Rouse, Nick Sramek, Charles Winn

ABSENT: EXCUSED: Charles Greenberg, Leslie Gentile

CHAIRMAN: Morton Stuhlbarg

STAFF MEMBERS PRESENT: Greg Carpenter, Planning Manager
Carolyne Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Jayme Mekis, Planner
Monica Mendoza, Planner/Translator

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Marcia Gold, Minutes Clerk

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

Commissioner Jenkins led the pledge of allegiance.

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, and Items 1B, 1C, 1D and 1E of the consent calendar were approved as presented by staff on a motion by Commissioner Sramek, seconded by Commissioner Jenkins and passed 5-0. Commissioners Greenberg and Gentile were absent.

1A. Case No. 0501-17, Tentative Subdivision Map, CE 05-12

Applicant: Eric Bruns & Company as authorized agent
for property owner
Subject Site: 2031 & 2033 Cameron St. (Council District 7)
Description: Vesting Tentative Tract Map No. 62008, to convert an existing two-unit property into condominiums.

Removed to the Regular Agenda.

1B. Case No. 0502-16, Tentative Subdivision Map, CE 05-14

Applicant: Richard Williamson, as authorized agent
for owner
Subject Site: 1771 Redondo Avenue (Council District 4)
Description: Vesting Tentative Tract Map No. 62307, to
convert an existing eight-unit apartment building into
condominiums.

Approved Tentative Tract Map. No. 62307, subject to conditions.

1C. Case No. 0502-35, Zoning Amendment, ND 27-04

Applicant: Jim Najah (property owner of 125 Linden
Avenue and the Broadlind Hotel at 145
Linden Avenue)
Subject Site: Broadway Corridor of the East Village
Arts District (Council District 2)
Description: Amendment to the Downtown Long Beach Planned
Development District (PD-30) to allow residential densities
ranging from 45 to 70 dwelling units per acre and building
height up four stories and 60 feet.

Continued to the April 7, 2005 meeting.

**1D. Case No. 0406-30, Conditional Use Permit, Site Plan
Review, Tentative Subdivision Map, ND 11-05**

Applicant: Jim Najah, property owner
Subject Site: 125 & 145 Linden Avenue (Council District 2)
Description: Request for a Conditional Use Permit to
waive density regulations for the Broadlind Hotel at 145
Linden Avenue and a request for Site Plan Review and
Tentative Subdivision Map to allow the new construction of
a four-story mixed-use development.

Continued to the April 7, 2005 meeting.

1E. Case No. GPC 3-17-05, Finding of Conformity

Applicant: Bryan Speegle, County of Orange,
Resources and Development Mgmt. Dept.
Subject Site: Los Alamitos Pump Stn. (Council District 3)

Description: Finding of conformity with the General Plan for the acquisition of access easements and real property for the reconstruction of the Los Alamitos Pump Station.

Continued to a date uncertain.

REGULAR AGENDA

1A. Case No. 0501-17, Tentative Subdivision Map, CE 05-12

Applicant: Eric Bruns & Company as authorized agent
for property owner
Subject Site: 2031 & 2033 Cameron St. (Council District 7)
Description: Vesting Tentative Map No. 62008, to convert
an existing two-unit property into condominiums.

Jayne Mekis presented the staff report recommending approval of the request since the design and improvements of the proposed subdivision were consistent with regulations and because it would provide increased home ownership opportunities.

Shirley Cisneros, 2024 Cameron Street, expressed opposition to the request citing increased traffic and fire department access problems.

Eric Bruns, P. O. Box 100, Sunset Beach, 90742, owner representative, stated they were committed to providing home ownership opportunities to the current tenants.

Jessica Salcido, 2033 Cameron Street, back house tenant, said she was concerned about repairs that needed to be made.

The item was continued to later in the agenda to allow the other tenant to arrive and for a translator to be brought to the hearing.

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

2. Case No. 0412-17, Administrative Use Permit, CE 04-254

Applicant: Nasser Labbaf
Subject Site: 1075 E. Pacific Coast Highway
(Council District 6)
Description: Request to establish a coin-operated
laundromat at a new retail center in the Commercial,
Highway (CHW) Zone District.

Jayne Mekis presented the staff report recommending approval of the permit since the use would be compatible with the retail center while providing a beneficial mix of uses with future commercial uses; and since it could provide services to a broad segment of the City's population.

Nassar Labbaf 1075 E. Pacific Coast Highway, applicant, stated that the request to open a laundromat had come from his landlord.

Sunwoo Chung, 6529 Verde Ridge Road, Rancho Palos Verdes, 90275, nearby laundromat owner, expressed opposition to the use, citing the proliferation of similar operations nearby.

Commissioner Winn observed that the aspect of marketplace competition was not a concern to the Commission, and he moved to approve the Administrative Use Permit, subject to conditions. Commissioner Jenkins seconded the motion, which passed 5-0. Commissioners Greenberg and Gentile were absent.

1A. Case No. 0501-17, Tentative Subdivision Map, CE 05-12
Continued from earlier in the agenda

Applicant: Eric Bruns & Company as authorized agent
Subject Site: 2031 & 2033 Cameron St. (Council District 7)
Description: Vesting Tentative Map No. 62008, to convert an existing two-unit property into condominiums.

Mr. Carpenter stated that the landlord had to offer first rights to buy to the current tenants and that if they were not interested in buying the unit and were at a specific rent level, relocation assistance had to be provided. Mr. Carpenter added that conditions of approval required the property be inspected and all code violations repaired prior to occupancy.

Jesus Teron, 2023 Cameron Street, front unit tenant, through interpreter/planner Monica Mendoza, said there were maintenance problems in his unit.

Evelyn Rogers, 529 W. Broadway #12, expressed support for the project, saying it would increase the tax base.

Commissioner Jenkins noted that the City's policy was to encourage home ownership, and that the conditions of approval would address any existing maintenance issues.

Commissioner Jenkins then moved to approve Tentative Map No.

62008, subject to conditions. Commissioner Rouse agreed that the conversion would not increase density or put untoward pressure on emergency services and he seconded the motion, which passed 5-0. Commissioners Greenberg and Gentile were absent.

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

3. Case No. 0407-04, Administrative Use Permit, Local Coastal Development Permit, Standards Variance, CE 04-145

Appellant: Ali Homayouni c/o Bill Ridgeway Design
Subject Site: 5470 E. Second Street (Council District 3)
Description: Appeal of the Zoning Administrator's decision to deny an Administrative Use Permit, Local Coastal Development Permit and Standards Variance to expand the existing Sushi of Naples Restaurant by converting a mezzanine area to dining area and adding outdoor dining along the east side of the building without providing any additional on-site parking and instead providing joint-use, valet parking off-site at 5430 East Second Street (Union Bank of California) without a deed restriction.

Carolyn Bihn presented the staff report recommending denial of the appeal since the building was already legal non-conforming for parking and existing commercial use of the mezzanine area was creating additional, unaddressed demands on parking, while this request would only exacerbate the current parking problems.

Bill Ridgeway, 5633 Sorrento, appellant representative, said they would remove the outside dining request, and presented a last-minute petition signed by adjacent neighbors in support of the request. Mr. Ridgeway also stated that the bank and possibly a nearby school would provide sufficient parking via valet, and he suggested tying the availability of these extra spaces to the business license.

Michael Cho, 3991 MacArthur Blvd. #350, Newport Beach, 92660, representing restaurant owner Sato, said his client was willing to move the building entry to facilitate valet parking and make structural changes to ensure that expansion areas of the mezzanine could not be used.

Bob Goforth, 5727 Campo Walk, spoke in opposition to the request, saying the bank was giving no guarantees that the parking would always be available.

David Johnson, 136 Venetia Drive, also spoke against the request, saying the appellant had not successfully addressed the heavy weekend traffic in the area.

Rita, Rita's Flowers, 5500 E. Second Street, claimed that the restaurant's valet parking operation had negatively impacted her business because they used cones to block parking spaces.

Diane Coltrane, 5500 E. Second Street, nearby building owner, also spoke against the expansion, citing financial losses suffered by her tenants from lack of area parking.

Joanne Johnson, 136 Venetia Drive, spoke against the request, expressing concern that the bank parking was problematic.

Lonnie Reynolds, 15381 Shasta Lane, Huntington Beach, 92647, valet parking service owner, said they had discussed these issues with the neighbors, and that many of the complaints concerned other businesses, not the restaurant. Mr. Reynolds said they had more spaces available than they ever used, and said he always gave his card out and asked neighbors to call him if they had a problem.

Donna, 2932 Allred Street, Lakewood, 90712, area employee, spoke in favor of the request, saying the restaurant provided employment and services.

Barry Blodgett, 146 Siena Drive, spoke against the request, saying area businesses used the neighborhood for parking.

Kathleen Blodgett, 146 Siena Drive, also spoke against the request, saying she felt valet parking created safety issues.

Ali Homayouni, 5470 E. Second Street, restaurant property owner, said he had improved the area by upgrading the property many times, and that the bank parking was a reliable option.

Maryann Stiles, 4332 Lakewood Boulevard, urged the Commission to deny the appeal due to parking and environmental issues.

Harvo Sato, 5470 E. Second Street, Sushi of Naples owner, said he wanted to expand to the adjacent building.

Michael Cho said that his client would suspend the expanded operation if the bank parking was ever lost, and that the new use only would operate in the evening hours.

Commissioner Winn said that the City's earlier efforts to encourage area business by lowering parking requirements had backfired, and allowing uses such as this would only exacerbate the problems. Mr. Winn added that allowing this use would also be precedent-setting, and without a deed restriction from the bank, there would be no guarantee of the additional parking.

Commissioner Winn moved to deny the appeal and uphold the decision of the Zoning Administrator. Commissioner Sramek seconded the motion, which passed 5-0. Commissioners Greenberg and Gentile 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**

Greg Carpenter announced that the new Director of Planning and Building would be Suzanne Frick, currently the Community Development Director in Santa Monica.

Angela Reynolds gave an update on the General Plan, noting that the City Council held a Study Session to discuss Citywide options, and that their overriding concern had been adding development in areas underserved by public infrastructure such as schools, parkland, etc.

**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 3:38pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk