

Melani Smith, Chair  
Charles Durnin, Vice-Chair



Becky Blair, Commissioner  
Alan Fox, Commissioner  
Leslie Gentile, Commissioner  
Phil Saumur, Commissioner  
Donita Van Horik, Commissioner

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## FINISHED AGENDA AND DRAFT MINUTES

### CALL TO ORDER (5:08 PM)

At 5:08 p.m., Chair Smith called the meeting to order.

### ROLL CALL (5:08 PM)

**Boardmembers Present:** Phillip Joseph Saumur, Alan L. Fox, Charles Durnin, Melani Smith and Becky Blair  
**Boardmembers Absent:** Leslie Fernald Gentile and Donita Van Horik

Also present: Reggie Harrison, Interim Director of Development Services; Derek Burnham, Current Planning Officer; Jill Griffiths, Advance Planning Officer; Michael Mais, Assistant City Attorney; Lynette Ferenczy, Planner; Craig Chalfant, Planner; Scott Kinsey, Planner; Heidi Eidson, Bureau Secretary.

### FLAG SALUTE (5:08 PM)

Commissioner Durnin led the flag salute.

### MINUTES (5:09 PM)

10-006PL Recommendation to receive and file the Planning Commission minutes of February 4, 2010.

**A motion was made by Commissioner Saumur, seconded by Chair Smith, to approve the recommendation. The motion carried by the following vote:**

**Yes:** 4 - Phillip Joseph Saumur, Alan L. Fox, Charles Durnin and Melani Smith

**Abstain:** 1 - Becky Blair

**Absent:** 2 - Leslie Fernald Gentile and Donita Van Horik

**DIRECTOR'S REPORT (5:10 PM)**

Reggie Harrison, Interim Director of Development Services, presented the Director's Report and showed a DVD highlighting the New Year's Eve event in downtown Long Beach.

**PUBLIC PARTICIPATION (5:20 PM)**

There was no public comment given at this time.

**SWEARING OF WITNESSES (5:20 PM)**

Do you solemnly swear or affirm that the evidence you shall give in this Planning Commission Meeting shall be the truth, the whole truth, and nothing but the truth.

**REGULAR AGENDA (5:21 PM)**

1. 10-005PL Recommendation to adopt a Resolution certifying Mitigated Negative Declaration 15-09 and approve a Local Coastal Development Permit to remove four large above-ground storage tanks, Tank Nos. 1, 2, 3 and 4, and one smaller above-ground storage tank, Cutter Tank B, and associated above-ground pipelines at 400 Studebaker Road. (District 3) (Application No. 0911-04)

Reggie Harrison, Interim Director of Development Services, introduced the item.

Lynette Ferenczy, Project Planner, presented the staff report.

Jill Griffiths, Environmental Planning Officer, spoke.

Derek Burnham, Current Planning Officer, responded to a query from Commissioner Durnin.

Mike Murchison, applicant's representative, spoke.

Mike Murchison responded to queries from Commissioner Durnin.

Eric Keller, construction manager for the project, responded to a query from Commissioner Durnin.

Mr. Murchison responded to queries from Commissioner Saumur.

Michael Mais, Assistant City Attorney, responded to a query from

Commissioner Saumur.

Derek Burnham responded to a query from Commissioner Saumur.

Michael Mais spoke.

Staff responded to a queries from Commissioner Saumur.

Tom Marchese, 6312 E. 5th Street, spoke.

Heather Altman, no address given, spoke.

Pat Towner, President of University Park Estates Homeowners Association, 6239 E. 6th Street, spoke.

Elizabeth Lambe, Los Cerritos Wetlands Land Trust, 4102 E. 6th Street, spoke.

A dialogue ensued between Commissioner Saumur and Ms. Lambe.

James Jacoby, Plains All American Pipeline, 5900 Cherry Avenue, spoke.

Mr. Jacoby responded to queries from Commissioner Durnin.

Mary Parsell, El Dorado Audubon Society, no address given, spoke.

Janice Dahl, 6212 E. Vista Street, spoke.

Ann Cantrell, 3106 Claremore, spoke.

Derek Burnham spoke.

Jill Griffiths spoke.

Derek Burnham responded to a query from Commissioner Durnin.

Derek Burnham responded to queries from Chair Smith.

Joe Power, Rincon Consultants, responded to a query from Commissioner Saumur.

Mike Murchison responded to comments made by the public.

Eric Keller spoke.

Mr. Keller responded to a query from Chair Smith.

Commissioner Fox spoke.

Michael Mais responded to queries from Commissioner Fox.

Derek Burnham responded to a query from Commissioner Fox.

Derek Burnham responded to a query from Commissioner Saumur.

Mr. Murchison responded to queries from Commissioner Durnin.

Commissioner Blair spoke.

Michael Mais responded to Commissioner Blair's remark.

Jill Griffiths responded to a query from Commissioner Saumur.

Jill Griffiths and Eric Keller responded to a query from Commissioner Fox.

Mr. Keller responded to a query from Chair Smith.

Commissioner Durnin spoke.

Derek Burnham and Mr. Keller responded to queries from Chair Smith.

Mr. Keller responded to a query from Michael Mais.

A dialogue ensued between Chair Smith, Derek Burnham, Mr. Keller and Mr. Murchison.

Heather Altman spoke.

Anne Cantrell spoke.

Derek Burnham spoke.

Jill Griffiths spoke.

A dialogue ensued between Chair Smith, Derek Burnham and Michael Mais.

A dialogue ensued between Commissioner Fox, Chair Smith and Michael Mais.

Commissioner Saumur spoke.

A motion was made by Commissioner Durnin, seconded by Chair Smith, to continue the item to a date uncertain to allow time for the applicant to get necessary work plan approved by D.T.S.C. and to get approval from the adjacent property owner of an analysis indicating that the adjacent property owner's operation will not be harmed during the demolition phase.

Commissioner Fox spoke.

Commissioner Blair spoke.

A substitute motion was made by Commissioner Blair, seconded by Commissioner Fox, to approve the recommendation to certify the Mitigated Negative Declaration, approve a Local Coastal Development Permit and impose additional conditions of approval that a demolition permit not be issued until the City receives notification that an appropriate work plan is in place for the project, that there is cooperation between the applicant and the adjacent property owner that the adjacent property owner's interests are not harmed during the demolition phase, and that the applicant pay for a City inspector to be on-site daily during the demolition phase.

Michael Mais responded to a query from Chair Smith.

The motion failed by the following vote:  
(Failed 2-3) Yes: Fox, and Blair. No: Saumur, Durnin, Smith. Absent: Van Horik, Gentile.

Michael Mais spoke.

**A vote was taken on the original motion made by Commissioner Durnin, seconded by Chair Smith, to continue the item to a date uncertain to allow time for the applicant to get necessary work plan approved by D.T.S.C. and to get approval from the adjacent property owner of an analysis indicating that the adjacent property owner's operation will not be harmed during the demolition phase.**

**The motion carried by the following vote:**

**Yes:** 3 - Phillip Joseph Saumur, Charles Durnin and Melani Smith

**No:** 2 - Alan L. Fox and Becky Blair

**Absent:** 2 - Leslie Fernald Gentile and Donita Van Horik

**STUDY SESSION - Discussion of Wireless Telecommunication Regulations (7:32 PM)**

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Derek Burnham, Current Planning Officer, introduced the study session.

Scott Kinsey, Project Planner, presented the study session.

Derek Burnham spoke.

Derek Burnham responded to queries from Commissioner Saumur.

Scott Kinsey responded to a query from Commissioner Durnin.

Commissioner Durnin spoke.

Derek Burnham spoke.

Commissioner Blair spoke.

Chair Smith spoke.

A dialogue ensued between Derek Burnham and Chair Smith.

Michale Mais, Assistant City Attorney, spoke.

Commissioner Durnin spoke.

Derek Burnham spoke.

**COMMENTS FROM THE PLANNING COMMISSION (8:05 PM)**

A dialogue ensued between Commissioner Blair and Derek Burnham.

**ADJOURNMENT (8:10 PM)**

At 8:10 p.m., Chair Smith adjourned the meeting.

NEXT REGULAR MEETING: March 4, 2010 - 5:00 p.m.

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