

**A REGULAR MEETING OF THE CITY OF SIGNAL HILL
PLANNING COMMISSION**
December 15, 2015
7:00 P.M.

CALL TO ORDER

Chair Fallon called the meeting to order at 7:00 p.m.

ROLL CALL

The Commission Secretary conducted roll call.

Present: Chair Fallon
 Vice-Chair Devon Austin
 Commissioner Tom Benson
 Commissioner Shannon Murphy
 Commissioner Rose Richárd

Staff present:

- 1) Community Development Director Scott Charney
- 2) Senior Planner Colleen Doan
- 3) Associate Planner Selena Alanis
- 4) Assistant City Attorney Elena Q. Gerli
- 5) Assistant City Attorney Gina Chung
- 6) Sr. Engineering Technician Anthony Caraveo

In addition, there were 20 people in attendance.

PLEDGE OF ALLEGIANCE

Chair Fallon led the audience in reciting the Pledge of Allegiance.

PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

PUBLIC WORKSHOPS

- (1) The Courtyard Residential Development of 10 Condominiums and a New Specific Plan

Commissioner Richárd recused herself and took a seat as a member of the audience due to a potential conflict as she resides within 500 feet of the proposed project site. City Staff Anthony Caraveo also recused himself for the same reason.

Community Development Director Scott Charney read the form of notice and gave an introduction, and Associate Planner Selena Alanis gave the staff report.

Vice-Chair Austin asked staff about the density allowed in Residential High Density zoning district. Staff clarified that the applicant is proposing 10 units with 3 stories while this zoning district density allows 12 units but 2 stories only.

Commissioner Benson asked if it is possible to lower the elevation of the building pad without changing the stories of the building. Staff responded that they will have to look into the design of the project and what the grading plans allow.

Commissioner Murphy asked about the setbacks of other buildings surrounding the project site. Staff did not have the information available but gave general information about setback requirements.

Chair Fallon opened the public workshop.

The following members of the public spoke regarding the project:

- 1) Brad Hilgren, High Rhodes Property Group project applicant, extended his gratitude to the Community Development Department staff and spoke about the background of the project, the view analysis process with nearby residents and some specifics about the project (e.g. architectural elements, shadow study, privacy issues, property values, etc.). Commissioner Benson asked what has been done for the condos on the north side to ensure proper sunlight and airflow. Brad Hilgren explained that a shadow study was done using computer-generated calculations, the study showed that all of the shadow falls below the 1st floor of the project and will not have an impact on the neighboring condos. As for the airflow, the project will be built with gaps in between the buildings to allow air to flow through.
- 2) David Fukumoto, resident of 1903 Temple Avenue, voiced his concern about the shadow study, which didn't take the condos to the west of the project into consideration, sunlight will be blocked completely for his unit with the 35' in height proposal. Mr. Fukumoto also voiced his concern regarding the reduced setback.
- 3) Donald Venitsky, Lakewood resident, commented on the design and the height of the project.
- 4) Patrick Faecke, resident of 1957 Temple Avenue #201, voiced his concern on the view impact, the reduced setbacks, the building heights, the rooftop decks and the aesthetic of the design. Commissioner Benson engaged Mr. Faecke in a discussion about property value and the design of the project. Mr. Faecke requested to see all buildings the same height and additional design concepts.
- 5) Alin Chitanu, resident of 1957 Temple Avenue #104, commented on the discrepancy of his view photos versus the applicant's view photos, stating that the view impact is downplayed by the applicant. Mr. Chitanu also raised concern about privacy issues with the proposed building design with windows facing directly to his balcony. He was not in favor of increasing building height, rooftop decks, or reduced setbacks.

- 6) Miruna Babatie, resident of 1957 Temple Avenue #202, stated she was in escrow when the applicant tried to contact the owner and bought her current property recently because of the downtown, seaport and Catalina Island view, but with the proposed project, her view will be completely blocked. Ms. Babatie requested a better solution from the applicant.
- 7) Janice Reed, resident of 1957 Temple Avenue #101, commented that she has concerns about her privacy because the window for the 3-story stairwell will be directly in front of her master bedroom. Ms. Reed requested the applicant to eliminate the rooftop deck and stairwell and adhere to the 25' in building height requirement. Ms. Reed commented that the project will block sunlight for her patio garden.

Staff distributed additional photos submitted by Ms. Reed that were not included with the staff report to the Commission (photos are available in the Community Development Department).

- 8) Erik Radcliffe, resident of 1903 Temple Avenue #311, commented on views and privacy issues and added that he is not in favor of increasing the building height. He felt the applicant had not shown good faith in addressing concerns.
- 9) Adam Stewart, resident of 1957 Temple Avenue #103, reiterated similar privacy concerns as other speakers, stating that the proposed rooftop deck and windows facing his condo will limit the privacy he and his neighbors currently have.

There being no further public testimony, Chair Fallon closed the public workshop.

Commissioner Murphy commented on the difficulty of developing infill projects. She also stated concerns with the reduced setbacks, rooftop decks and view impacts, but is pleased with the overall design of the project.

Vice-Chair Austin expressed her disapproval of the rooftop deck and asked if the building height can be lowered. She advised the applicant to engage in more in-depth conversations with the residents who live nearby the project site.

Commissioner Benson stated he could see how rooftop decks can add value to the development. He encouraged the applicant not to be dismissive of the residents' concerns and issues.

Chair Fallon summarized her overall agreement and rejected the rooftop decks. She directed the applicant to work with the residents to address comments received and return for another workshop.

Commissioner Richárd and City Staff Anthony Caraveo returned to the dais.

(2) Single-Family Dwelling at 2085 Freeman Avenue and Alley Vacation

Community Development Director Scott Charney read the form of notice and gave an introduction, and Associate Planner Selena Alanis gave the staff report.

Vice-Chair Austin asked for clarification on accessing the alley. Staff responded the garages will be built facing the street, therefore, no alley access will be needed.

Chair Fallon opened the public workshop.

The following member of the public spoke regarding the project:

- 1) Bozena Jaworski, RPP Architects and applicant for the Tran Family, thanked the Commission for holding the workshop and noted that the alley in the back will have utility and Verizon easements for the adjacent homes, but the alley will be maintained by the property owner.

Commissioner Richárd complimented on the solar panels and the design of skylights for the house. Ms. Jaworski advised that the owner is not installing the solar panels at the moment, but the house will be built solar-ready.

Commissioner Benson stated that this project is beautiful and a great addition to the community.

There being no further public testimony, Chair Fallon closed the public workshop and directed staff to schedule the project for a public hearing.

PUBLIC HEARING

(3) Regulations to Prohibit Cultivation and Delivery of Medical Marijuana

Community Development Director Scott Charney read the form of notice and gave the staff report.

Commissioner Richárd asked if the initiative mentioned in the presentation will be on the 2016 ballot. Staff responded the intent is to get the initiative on the ballot as soon as possible.

Chair Fallon opened the public hearing.

The following member of the public spoke regarding the project:

- 1) Larry Forester, Signal Hill resident, spoke in support of prohibiting cultivation and delivery of medical marijuana within City of Signal Hill.
- 2) Donald Venitsky, Lakewood resident, handed in a white paper (available in the Community Development Department) and reflected on his proposals for public sector ownership of production and distribution of medical marijuana.

3) Luis Franco, Santa Ana resident, asked what would happen if someone was already cultivating medical marijuana within the City. Staff responded commercial cultivation is not permitted under the current zoning ordinance, code enforcement, which can include legal action, would be initiated. Mr. Franco spoke about the financial and medical benefits of medical marijuana and support for local cultivation.

There being no further public testimony, Chair Fallon closed the public hearing.

Commissioner Benson spoke in support of decriminalization of medical marijuana, but added that currently the City should not consider allowing medical marijuana in the City until the subject could be studied in more details.

It was moved by Commissioner Murphy and seconded by Commissioner Benson to waive further reading and adopt the resolution. The Commission acknowledged the motion was for both the Zoning Ordinance Amendment and Ordinance Amendment and recommended City Council approval of both.

Resolution No. 774-12-15, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE SIGNAL HILL RECOMMENDING CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT 15-03 AMENDING TITLE 20 OF THE SIGNAL HILL MUNICIPAL CODE PROHIBITING MEDICAL MARIJUANA CULTIVATION IN ALL ZONING DISTRICTS INCLUDING SPECIFIC PLANS AND REVISING THE DEFINITION OF MEDICAL MARIJUANA DISPENSARY TO INCLUDE MOBILE DELIVERY SERVICES

The following vote resulted:

AYES: CHAIR FALON; VICE-CHAIR AUSTIN; COMMISSIONERS BENSON, MURPHY AND RICHÁRD

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Motion carried 5/0.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

(4) Volunteer Roundup for the 2016 Homeless Count Event

Senior Planner Colleen Doan gave the staff report.

All Commissioners signed up to volunteer for the 2016 Homeless Count.

CONSENT CALENDAR

Commissioner Benson requested that Item No. 7 be pulled for discussion.

Commission Received and Filed Consent Calendar Items No. 5, 6 and 8.

It was moved by Commissioner Murphy and seconded by Commissioner Richárd to receive and file Consent Calendar Items No. 5, 6 and 8.

The motion carried 5/0.

Commission Received and Filed Consent Calendar Item No. 7.

Item No. 7, Development Status Report, was pulled to correct a spelling error.

It was moved by Commissioner Benson and seconded by Commissioner Murphy to receive and file Consent Calendar Item No 7.

The motion carried 5/0.

COMMISSION NEW BUSINESS

Commissioner Murphy commented on getting 2 water bills this month. Staff responded it might be due to an error from the new system and will forward this feedback to the Finance Department.

Commissioner Murphy expressed disappointment in the tree lighting and Halloween Carnival events and requested the tree lighting to be held up on the hill next year and the Halloween Carnival to be held closer to Halloween day instead of a week before. Staff will forward this feedback to the Community Services Department.

Commissioner Murphy would like to send a thank you card to attorney David Kwon and welcomed new attorneys Elena Q. Gerli and Gina Chung.

Commissioner Richárd suggested to have the tree lighting up on the hill next year as well and recommended to include in the flyer that in case of inclement weather, the event will be moved to the Community Center.

Commissioner Richárd and Vice-Chair Austin both commented on the tree lighting flyer being sent too early in advance of the event.

Vice-Chair Austin expressed her concern about trees in the City with the recent strong wind and upcoming El Niño. Staff responded the City is actively prepared for El Niño and the Public Works Department will be trimming street trees.

Vice-Chair Austin asked if staff will inform HOAs with palm trees in their private properties to prepare for El Niño. Staff responded the city arborist did an inspection on the palm trees and found no immediate danger as of now. Staff will prepare letters to the HOAs with recommendation to trim or remove the trees for safety reasons.

Commissioner Benson commented on dying trees on Temple Avenue, North of 21st street and advised that trees in the city parks need trimming as well.

ADJOURNMENT

It was moved by Commissioner Richárd and seconded by Commissioner Murphy to adjourn to the next regular meeting of the Planning Commission to be held on Tuesday, January 19, 2016, at 7:00 p.m., in the Council Chamber of City Hall, 2175 Cherry Avenue, Signal Hill, CA, 90755.

The motion carried 5/0.

Chair Fallon adjourned the meeting at 9:17 p.m.

Jane Fallon
Chair

Attest:

Scott Charney
Commission Secretary