

**A REGULAR MEETING OF THE CITY OF SIGNAL HILL
PLANNING COMMISSION**
December 10, 2013
7:00 P.M.

CALL TO ORDER

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

ROLL CALL

The Commission Secretary conducted roll call.

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

Staff present:

- 1) Community Development Director Scott Charney
- 2) Assistant Planner Selena Alanis
- 3) Assistant City Attorney Jeff Malawy
- 4) Sr. Engineering Technician II Anthony Caraveo

In addition, there were 12 people in attendance.

PLEDGE OF ALLEGIANCE

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

PRESENTATION

Chair Richard presented the 3rd Quarter Beautification Award recognizing the repainting of Town Center East. The recipient was unable to attend and staff will forward the award to them.

PUBLIC BUSINESS FROM THE FLOOR

None.

PUBLIC WORKSHOP

1. Single-Family Dwelling at 2799 E. 21st Street

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

Chair Richárd asked for any questions from the Commission.

There being no questions, Chair Richárd opened the workshop and asked if there were any members of the public who would like to speak.

The following members of the public spoke regarding the project.

- 1) Robin Watson, owner of 2125 Temple Avenue, expressed concerns about a diminished view and stated that from the lower floor there would only be a view of the new home, the sunlight would be decreased and breeze would be blocked. She will still have a view of the skyline but with the decreased view, the property value will be reduced. She asked about the height of the floors, the placement of the air conditioners and other projections.
- 2) Maria Luna, owner of 2123 Temple Avenue, expressed concerns about the height of the building and loss of her view. She felt the value of her home would decrease because of the new home, and stated that from inside she would only be seeing the roof of the home.
- 3) Bozena Jaworski, RPP Architects, stated the design of the home took into consideration the views and investment of the neighbors. Building a house on this property would help to deter transients from staying in the area. In performing the view analysis, she met with Ms. Watson, who determined the location where the view photographs would be taken, which was from the doors at the patios. The architect stated the view is not obstructed and the significant landmarks and views of the city-line are protected. The story pole heights indicate the maximum building height, which Ms. Jaworski explained accounts for any design changes that may be required for grading or building requirements.

She also stated that the view photos for Ms. Luna were taken from Ms. Luna's table. The view is not obstructed and all the significant landmarks of Long Beach are visible.

In response to Ms. Watson's and Ms. Luna's comments she does not see the view obstructions. In designing the home and in conducting the view analysis, they have been sensitive to neighbors and the construction of the new home should not be hampered since the views are retained.

Vice-Chair Benson stated it was a very good design overall. While the driveway comes off the alley, he has concerns that drivers with excessive speed on 21st Street will be a hazard to safety. He also asked if the Fire Department had approved the access and Ms. Jaworski confirmed they have done so. He also commended the architect on designing the building to be lower in height than previous designs. Staff confirmed that Public Works will work with the City's traffic consultant to do a traffic evaluation on 21st Street and will report the results to the Planning Commission when they are available.

Ms. Jaworski clarified that air conditioning units are located in the side yard, not on the roof, and that the projection noted on the plan is a small bay window.

- 4) Richard Silva, Vivir Properties and the property owner, stated they have worked diligently to design a building of value and beauty and have tried to minimize impacts to neighbors. It was his request of the architect to make sure the home was well below the maximum allowable height.

Chair Richárd asked for any further questions or comments from the Commission.

Commissioner Murphy stated she was happy to see a project completed at this site, a process of about 10 years. She believed the architect has done an excellent job in working with the neighbors and in lowering the pad. She stated it will be a good addition to 21st Street and that Ms. Jaworski had addressed Ms. Watson's concerns about air conditioning units, and has done a good job in preserving the views.

Commissioner Austin commended the applicant on making all changes asked of them, even in a difficult economic environment. She felt the home design is better than those previously submitted.

Commissioner Fallon agreed that the architect has done an excellent job in the design, and the home will make a nice completion of that site. She felt the architect has done everything that can be done to mitigate any problems.

Chair Richárd agreed that the current owner and the architect have made a good faith effort with the recommendations that staff has given and looks forward to this project moving forward.

Chair Richárd recommended the project move forward for a public hearing with no significant changes recommended by the Commission. Vice-Chair Benson requested staff investigate speed control options at the corner, and staff will consult with Public Works and the Traffic Safety Commission.

PUBLIC HEARINGS

2. Zoning Ordinance Amendment 13-05 and Related Negative Declaration – Operational and Development Standards for Emergency Shelters

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

Chair Richárd asked for any questions from the Commission.

Commissioner Austin asked if there were a contingency plan in the event of a need for a larger number of beds. Staff clarified that if an operator wants a facility a 16-beds or fewer, the approval can be made at the staff level; if another operator wants to create a second facility, they must meet the separation requirement of 300 feet and go through the public CUP process.

Vice-Chair Benson reiterated that a recommendation to City Council to approve the Zoning Ordinance Amendment is to provide for staff level approval of a potential emergency shelter, but does not indicate that a facility will be built.

Vice-Chair Benson asked for clarification of the definition of "emergency" and for an explanation of the hours of operation. Staff advised the facility is staffed and secured 24 hours a day. The intent of the emergency housing is for short-term housing with a transition to longer term housing, but not for housing in the event of temperature extremes. It was the consensus of the Commission that they are opposed to forcing occupants out of an emergency shelter during daytime hours.

Chair Richárd opened the public hearing and asked if there were any members of the public who would like to speak.

There being no public testimony, Chair Richard asked the Commission if there were further questions.

Commissioner Murphy commended staff on their excellent work in putting together this element of the Housing Element Update and for adjusting the number of beds to an appropriate number for the area.

Vice-Chair Benson commended staff's work to meet the requirements to qualify for an 8-year cycle so that the process would not have to be repeated every 4 years, which will be a cost savings to the City.

Chair Richárd closed the public hearing.

It was moved by Commissioner Fallon and seconded by Vice-Chair Benson to waive further reading and adopt the following resolutions:

Resolution No. 742-12-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SIGNAL HILL, CALIFORNIA, RECOMMENDING CITY
COUNCIL APPROVAL OF NEGATIVE DECLARATION
11/29/13(1), RELATIVE TO ZONING ORDINANCE AMENDMENT
13-05 FOR EMERGENCY SHELTERS FOR THE HOMELESS IN
ACCORDANCE WITH STATE MANDATES

Resolution No. 743-12-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT 13-05, AMENDMENTS TO TITLE 20 OF THE MUNICIPAL CODE FOR EMERGENCY SHELTERS FOR THE HOMELESS IN ACCORDANCE WITH STATE MANDATES

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

The motion carried 5/0.

3. Chipotle Restaurant, Starbucks Restaurant with a Drive-Thru, Sprint Retail Store, and Bank of America ATMs at the Signal Hill Gateway Center

Community Development Director Scott Charney read the form of notice and Assistant Planner Selena Alanis gave the staff report.

Chair Richárd asked for any questions from the Commission.

Chair Richárd opened the public hearing and asked if there were any members of the public who would like to speak.

Chair Richárd asked about the alcohol license for the restaurant. Staff advised the license would be for beer, wine and some spirits but stated it would not be operating as a bar.

Vice-Chair Benson had concerns about the Starbucks drive-thru and the potential air pollution by idling vehicles. Staff advised that Starbucks is concerned about the environment and their building will be up to LEED certification standards. Staff has thought about this issue and believes this will dealt with that at a regional or statewide context especially since our state is proactive regarding air quality. Commissioner Austin has read that some Starbucks designs have sloped driveways so cars can coast to the window. Staff will research this topic.

Commissioner Austin asked if Sprint will be offering technical support. Staff directed the question to the landlord, Signal Hill Petroleum.

Attorney Malawy requested clarifications to the CUPs and asked to have changes incorporated into the record for approval as follows:

Chipotle - CUP Condition #3 and #8
Starbucks - CUP Condition #3 and #4
Bank of America - CUP Condition #3 and #5

#3. The Community Development Department shall inspect the subject premises and report to the City Council on an annual basis regarding the applicant's compliance with these conditions. The City may add additional conditions, if necessary, or if any violations of these conditions have occurred, the Conditional Use Permit can be scheduled for revocation pursuant to Signal Hill Municipal Code 20.64.120 or other appropriate action.

#8. (Chipotle) No advertising material or signs shall be painted, installed, erected or displayed related to this use without first obtaining the approvals required by Chapter 20.58 of the Signal Hill Municipal Code City approval.

#4. (Starbucks) the approvals required by Chapter 20.58 of the Signal Hill Municipal Code City approval.

#5. (B of A) the approvals required by Chapter 20.58 of the Signal Hill Municipal Code City approval.

Chair Richárd opened the public hearing and asked if there were any members of the public who would like to speak.

- 1) Ashley Schaffer, property manager for Signal Hill Petroleum/Signal Hill Gateway LLC, asked for approval of the Site Plan and Design Review. She brought attention to the letter submitted by Starbucks and stated the new drive-thru will help to alleviate some of the waiting by customers at the Cherry & Willow location and could help reduce emissions by providing faster service. This project is another step in their drive to bring successful commercial tenants to the community. They also hope to acquire the property directly across from the Gateway Center to bring other successful commercial tenants which will provide economic and job growth to the area and enhance the community at large.

She also stated the contract for the Sprint store is in negotiation. She will advise them of concerns about technical support, which may currently result in customers being referred to another store.

Commissioner Murphy complimented Ms. Schaffer on the rendering and presentation of the project.

Vice-Chair Benson stated their project is extremely responsible, especially given the economic situation. He stated the Gateway Center is already a lively place, and commended Ms. Schaffer on drainage and landscaping.

Chair Richárd was pleased to have the project going forward at the final pad and commended the appearance of the plans.

Chair Richárd closed the public hearing.

It was moved by Vice-Chair Benson and seconded by Commissioner Fallon to waive further reading and adopt the following resolutions as amended:

Resolution No. 744-12-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING SITE PLAN AND DESIGN REVIEW 13-06, A REQUEST TO CONSTRUCT A 6,500 SQUARE FOOT BUILDING FOR A CHIPOTLE RESTAURANT, SPRINT RETAIL STORE, STARBUCKS RESTAURANT WITH A DRIVE-THRU, BANK OF AMERICA ATM AND TWO OUTDOOR DINING/SEATING AREAS AT THE SIGNAL HILL GATEWAY CENTER AT 999 E. SPRING STREET IN THE SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN, ZONING DISTRICT

Resolution No. 745-12-13 entitled:

THE CITY OF SIGNAL HILL, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT 13-06, A REQUEST TO AMEND SIGNAL HILL MUNICIPAL CODE CHAPTER 20.49, ENTITLED "SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN," TO INCLUDE "ATM'S FREESTANDING" AS A CONDITIONALLY PERMITTED USE

Resolution No. 746-12-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT 13-03, A REQUEST TO OPERATE A FREESTANDING AUTOMATED TELLER MACHINE (ATM) KIOSK FOR BANK OF AMERICA AT 981 E. SPRING STREET IN THE SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN, ZONING DISTRICT

Resolution No. 747-12-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT 13-04, A REQUEST TO OPERATE A DRIVE-THRU RESTAURANT FOR STARBUCKS AT 999 E. SPRING STREET IN THE SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN, ZONING DISTRICT

Resolution No. 748-12-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT 13-05, A REQUEST TO OPERATE A RESTAURANT SERVING ALCOHOLIC BEVERAGES AT 959 E. SPRING STREET IN THE SP-6, COMMERCIAL CORRIDOR SPECIFIC PLAN, ZONING DISTRICT

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

The motion carried 5/0.

DIRECTOR'S REPORT

4. CUP 97-03 Signal Hill Petroleum Drill Sites Landscape Improvements

Community Development Director Scott Charney gave the staff report.

Chair Richárd invited anyone wishing to speak on the matter to come forward.

There was no public testimony and Chair Richárd asked the Commission if they had questions or comments.

Vice-Chair Benson asked about if the garlic plants produced garlic or just flowers. Staff clarified it was just flowers, and that bark material was in place to match the appearance of the Orange Avenue corridor for a pleasant interface with the neighbors. Vice-Chair Benson stated that recent improvements to the drill sites are nice and the plans for additional improvements would further enhance their appearance. He asked about the fencing, and staff advised that an inventory was done and Signal Hill Petroleum would be upgrading fencing at this time.

It was moved by Commissioner Fallon motion and seconded by Vice-Chair Benson to approve the proposed improvements for each of the seven drill sites stipulated in CUP 97-03.

The following vote resulted:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

The motion carried 5/0.

CONSENT CALENDAR

The Community Development Director stated the following items were on the Consent Calendar for approval.

5. Minutes

Recommendation: Approve.

6. City Council Follow-up

Recommendation: Receive and file.

7. Development Status Report

Recommendation: Receive and file.

8. Code Enforcement Report

Recommendation: Receive and file.

9. In the News

Recommendation: Receive and file.

Vice-Chair Benson requested that Item No. 7 be pulled for discussion.

Commission Received and Filed Consent Calendar Items 5, 6, 8 and 9

It was moved by Commissioner Fallon and seconded by Commissioner Austin to receive and file Consent Calendar Item Nos. 5, 6, 8 and 9.

The motion carried.

Commission Receives and Files Consent Calendar Item No. 7.

Vice-Chair Benson alerted staff to a typographical error in the Development Status Report and asked that the commercial project at 2798 Junipero Avenue be corrected to show it as an adult day care center.

It was moved by Vice-Chair Benson and seconded by Commissioner Fallon to receive and file Consent Calendar Item No. 7.

The motion carried.

COMMISSION NEW BUSINESS

Vice-Chair Benson noted that staff's efforts to qualify the Housing Element Update for the 8-year cycle instead of the 4-year cycle will result in cost savings.

ADJOURNMENT

It was moved by Vice-Chair Benson and seconded by Commissioner Murphy to adjourn to the next regular meeting of the Planning Commission will be held on January 14, 2014.

The motion carried.

Chair Richárd adjourned the meeting at 8:37 p.m.



ROSE RICHARD
CHAIR

ATTEST:



SCOTT CHARNEY
COMMISSION SECRETARY