

**MINUTES OF THE MEETING
OF THE PLANNING COMMISSION
OF THE CITY OF EL SEGUNDO, CALIFORNIA**

September 10, 2009

Chairman Wagner called the El Segundo Planning Commission meeting to order at 7:00 p.m. in the El Segundo City Hall's Council Chambers, 350 Main Street, El Segundo, California.	CALL TO ORDER
Chairman Wagner led the Pledge of Allegiance to the Flag.	PLEDGE TO FLAG
PRESENT: WAGNER, BALDINO, FUENTES and NEWMAN	ROLL CALL
ABSENT: FELLHAUER	
None.	PUBLIC COMMUNICATIONS
Chair Wagner presented the Consent Calendar.	CONSENT CALENDAR
None.	CALL ITEMS FROM CONSENT
Commissioner Fuentes moved, seconded by Commissioner Baldino, to approve the August 10, 2009, Minutes. Motion carried (4-0).	MOTION
None.	WRITTEN COMMUNICATIONS
Chair Wagner presented Agenda Item H-2, Determination of Consistency of the Proposed Fiscal Year 2009-2010 (FIY2009-2010) Capital Improvement Program ("CIP") with the City of El Segundo General Plan. Applicant: City of El Segundo. Address: Citywide.	NEW BUSINESS - Capital Improvement Program (CIP)
Commissioner Newman recused herself from participating in Agenda Item H-2 for potential conflict of interest reasons due to the location of her house and business being within 500 feet of the project. She left the Council Chambers.	
Assistant Planner Bryan Fernandez presented the staff report (of record.)	
Commissioner Baldino inquired about the improvement of the street due to the removal of the trees on Richmond Street.	
Public Works Assistant City Engineer Daniel Garcia stated that the Richmond Street project was requested by the Parks and Recreation Department by the Parks Superintendent Mark Trujillo. He states that complaints have been received regarding root damage to the sidewalks and the potential trip hazard due to the trees. Mr. Garcia commented that the Capital Improvement Program was implemented to rectify the damage to and on Richmond Street.	

Liz Garnholz, resident

Ms. Garnholz stated her concerns regarding the project.

Commissioner Baldino commented that he agrees with Ms. Ganholz that if the trees on Richmond Street are removed the street will lose some of its charm.

MOTION

Commissioner Newman moved, seconded by Commissioner Baldino to approve Determination of Consistency of the Proposed 2009-2010 Fiscal Year Capital Improvement Program (CIP) with the City of El Segundo General Plan and Resolution No. 2664. Motion carried (3-0).

Commissioner Newman returned to the dais.

**NEW BUSINESS –
PUBLIC HEARING for
EA-828 and AUP 09-01**

Chair Wagner presented Agenda Item H-3, Environmental Assessment No. EA-828 and Administrative Use Permit No. 09-01. To allow the expansion of alcohol sales on a new 750 square-foot outdoor dining area at the rear of the building and a new 100 square-foot sidewalk dining area in front of the building in the public right-of-way for the sale of beer and wine for on-site consumption (Type 41 ABC) license at an existing restaurant (Second City Bistro). Applicant: Scott Reed. Property Owner: Star Restaurant Holdings LLC. Address: 223 Richmond Street. Business Name: Second City Bistro.

Assistant Planner Maria Baldenegro presented the staff report (of record.)

Commissioner Newman is concerned about the in-lieu parking fees. She commented that staff stated the fees must be paid before any use of the outdoor dining can occur regardless of its temporary or permanent use.

Ms. Baldenegro stated that the in-lieu parking spaces must be paid for the outdoor area proposed at the rear. She stated that the first 200 square feet of expansion of outdoor dining are exempt from additional parking. Ms. Baldenegro stated that the 100 square feet of outdoor dining that the applicant is requesting to place in front of the restaurant within the public right-of-way will not require additional parking. She stated that it will require an encroachment permit and the railing will need to be a minimum of 3 feet in height.

Ms. Newman inquired if the applicant is obligated to pay the in lieu fees then why is there temporary versus permanent parking.

Planning and Building Safety Director Greg Carpenter clarified that changes to the Downtown Specific Plan created some options. It allows restaurants both to have permanent outdoor dining and pay a parking in-lieu fee that can be paid over a maximum 20-year period of time or the option of temporary outdoor dining where you can rent spaces on a month-to-month basis or year-to-year basis to use the temporary outdoor dining. Alternatively, additional parking can be provided on-site if they have the availability.

Ms. Newman thanked staff for the clarification.

Commissioner Fuentes commented that a permit must be obtained from Public Works before seating for outdoor dining can occur in the public right-of-way. She believes that outdoor dining has been ongoing. However, she understands that the applicant has to or has initiated the use, or made use of monthly payments for the duration of the temporary use for the in-lieu parking fees. Ms. Fuentes states that she was aware that parking behind the restaurant was available and that the patio has always been closed off for dining and parties.

Ms. Baldenegro commented that there is two issues. First, staff has been working with the applicant to try to bring his operation into compliance. Second, that if the applicant propose and setup tables with out paying the required parking or providing the on-site parking for the expansion that is not what the regulations required.

Ms. Fuentes raised the question had the applicant setup table and chair being used without making the correct arrangement for the parking required.

Mr. Carpenter responded that this is a code enforcement case and the applicant has been in violation. He indicated that staff has advised the applicant what needs to be done to come into compliance.

Ms. Fuentes was interested in what kind of alcohol license do they have to sell wine by the case.

Ms. Baldenegro stated that the applicant has a Type 41 ABC license for a bona fide restaurant which required food to be sold when alcoholic beverages are sold.

Planning Manager Kimberly Christensen stated that staff would look into this matter and contact ABC to determine if there are any violations or additional requirements.

Liz Garnholz, Resident

Ms. Garnholz stated her concerns regarding the project.

Commissioner Baldino moved, seconded by Commissioner Newman, to approve Environmental Assessment No. 828 and Receive and File. Motion carried (3-1).

MOTION

Chair Wagner presented Agenda Item H-4, Environmental Assessment No. EA-844, Specific Plan No. 09-02, and Conditional Use Permit No. 09-05. Applicant: JF El Segundo Owner, LLC. Property Owner: JF El Segundo Owner, LLC. Address: 101 Continental Boulevard.

**NEW BUSINESS –
PUBLIC HEARING for
EA-844, SP 09-02 and
CUP 09-05**

Contract Senior Planner Trayci Nelson presented the staff report (of record.)

Richard Mielbye, Fisher Property

Mr. Mielbye gave a presentation that he is available to answer any questions. Mr. Mielbye introduced Cynthia Morgan, attorney for the project, who will explain the project benefits and Charlotte Baxter, the real estate manager, who is with Fisher Property.

Cynthia Morgan, Attorney for Fisher Property

Ms. Morgan gave a presentation that she is available to answer any questions.

Commissioner Newman inquired about why originally the occupancy rates projected for Aloft Hotel was 35 percent and now the applicant is projecting 60 percent occupancy for the Cambria Hotel.

Mr. Mielbye stated that they did their analysis based on how long it would take to build the hotel and how long it would take to ramp up for operation. He stated that it typically takes 18 months from opening to run full cycle and they were

projecting an opening by May 2010.

Ms. Newman asked Mr. Mielbye how many Cambria Suites Hotels are up and running.

Mr. Mielbye responded that there are nineteen Cambria Suites up and running and one that is due to open in Fresno.

Commissioner Fuentes raised the question on how soon before opening.

Mr. Mielbye stated that they are looking at 4 to 6 months for the entitlement process and then 2 to 3 months for the plans, followed by obtaining building permits, and then going out to bid.

Liz Garnholz, resident

Ms. Garnholz stated her concerns regarding the project.

Commissioner Baldino moved, seconded by Commissioner Fuentes, to approve Environmental Assessment No. 844 and Receive and File. Motion carried (4-0).

MOTION

None.

**PUBLIC HEARING -
CONTINUED BUSINESS**

Director Carpenter stated that the September 24 2009 meeting would be cancelled.

**REPORT FROM
PLANNING AND
BUILDING SAFETY
DIRECTOR**

None.

**PLANNING
COMMISSIONERS
COMMENTS**

None.

OTHER BUSINESS

Chairman Wagner adjourned the meeting. Motion carried (4-0).

MOTION

The meeting adjourned at 8:10 p.m.

ADJOURNMENT

PASSED AND APPROVED ON THIS 10th DAY OF SEPTEMBER 2009

**Greg Carpenter, Secretary of
the Planning Commission
and Director of The
Planning and Building Safety
Department**

**David Wagner, Chairman
Planning Commission
City of El Segundo, California**

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