

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA PLANNING COMMISSION REGULAR MEETING Monday, March 10, 2014 - 7:00 P.M.

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the Community Development Department or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the Community Development Department at (562) 431-3538, extension 303, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the City Clerk at the meeting for individuals with hearing impairments.

Persons wishing to address the Planning Commission on any item on the Planning Commission Agenda shall sign in on the Oral Communications Sign In sheet which is located on the podium once the item is called by the Chairperson. At this point, you may address the Planning Commission for up to ***FIVE MINUTES*** on that particular item.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Commissioner Cuiilty
Commissioner Daniel
Commissioner DeBolt
Commissioner Grose
Commissioner Riley
Chair Loe
Vice-Chair Sofelkanik

4. **ORAL COMMUNICATIONS**

At this time any individual in the audience may address the Planning Commission and speak on any item within the subject matter jurisdiction of the Commission. If you wish to speak on an item listed on the agenda, please sign in on the Oral Communications

Sign In sheet located on the podium. *Remarks are to be limited to not more than five minutes.*

5. **APPROVAL OF MINUTES**

- A. Approve the Minutes for the Regular Meeting of January 13, 2014.
- B. Approve the Minutes for the Regular Meeting of February 10, 2014.

6. **CONSENT CALENDAR**

None.

7. **PUBLIC HEARINGS**

A. Revisit Conditional Use Permit 99-04M2 for Modification to Alcohol Sales – 10772 Los Alamitos Boulevard.

Review of Conditional Use Permit 99-04M2 for compliance with conditions of approval at 10772 Los Alamitos Boulevard., APN 242-181-24 (Applicant: Balwinder Singh).

Recommendation:

- 1. Open the Public Hearing; and, if appropriate,
- 2. Discuss the conditions of Resolution 13-18.

B. Consideration of Conditional Use Permit 14-02 to Allow a Motor Vehicle Repair Business at 10831 Bloomfield Street, Unit #B.

Consideration of Conditional Use Permit 14-02 to allow a motor vehicle services repair area within a light industrial building at 10831 Bloomfield Street, Unit #B in the Planned Light Industrial (P-M) Zoning District (Applicant: Jerry Marks – Stuttgart Auto Werks).

Recommendation:

- 1. Conduct a public hearing; and, if appropriate,
- 2. Determine that the project is a Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion; and, if appropriate,
- 3. Adopt Planning Commission Resolution No. 14-08, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 14-02 TO OPERATE A MOTOR VEHICLE SERVICES REPAIR FACILITY IN A 4,000 SQUARE FOOT UNIT IN AN INDUSTRIAL BUILDING AT 10831 BLOOMFIELD STREET, UNIT #B, LOS ALAMITOS, CALIFORNIA IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, APN 242-151-02, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A

CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JERRY MARKS – STUTTGART AUTO WERKS).”

C. Revisit Conditional Use Permit 13-02 for Secondhand Shop and Social Service Facility – 5300 Katella Avenue

Continued Review of Conditional Use Permit 13-02 for a 14,455 sq. ft. secondhand shop and social service facility at 5300 Katella Avenue, APN 222-021-14 (Applicant: Blair Pietrini – Grateful Hearts Storehouse).

Recommendation:

1. Open the Public Hearing; and, if appropriate;
2. Discuss the Conditions of Resolution 13-07.

D. Conditional Use Permit (CUP) 14-01

Request for Alcoholic Beverage Sales, On- or Off-Site Consumption, and Outside Seating Area at Center Plaza at 10708 Los Alamitos Boulevard.

Variance No. 14-01

Request for reduction in parking standards for Los Alamitos Center Plaza for Outside Seating Area at 10660-10708 (even numbers) Los Alamitos Boulevard.

This is a request for approval for a Conditional Use Permit to: 1) Allow alcoholic beverage sales; and 2) Allow outside seating for a new restaurant at 10708 Los Alamitos Boulevard. (Applicant: Joseph Maggiore, Copper Belle, Inc.); and for a parking variance for the existing parking lot at 10660-10708 (even numbers) Los Alamitos Boulevard where the restaurant will be located (Applicant Sandra Yavitz, Los Alamitos Center Plaza I & II, LLC).

Recommendation:

1. Open the Public Hearing; and, if appropriate:
2. Adopt Resolution 14-09, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 14-01 TO ALLOW BOTH ALCOHOLIC BEVERAGE SALES, ON-SITE CONSUMPTION AND A 387 SQUARE FOOT OUTSIDE SEATING AREA FOR A 2,118 SQUARE FOOT RESTAURANT AT 10708 LOS ALAMITOS BOULEVARD IN THE GENERAL-COMMERCIAL (C-G) ZONING DISTRICT, APN 242-245-01, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JOSEPH MAGGIORE, COPPER BELLE, INC.).”

E. Zoning Ordinance Amendment 14-01

Proposed changes to the Los Alamitos Municipal Code sections relating to curb cuts, driveways, aprons and landscape standards.

Consideration of a Zoning Ordinance Amendment to make changes to Los Alamitos Municipal Code sections pertaining to curb cuts, driveways, aprons, and landscape standards (Citywide) (City Initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate:
2. Adopt Resolution No. 14-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 14-01 TO AMEND "LOS ALAMITOS MUNICIPAL CODE SECTIONS 17.16.090 RELATING TO LANDSCAPING IN THE FRONT YARD SETBACK AND 17.26.060 RELATING TO CURB CUTS, DRIVEWAYS AND APRONS AS WELL AS AMEND SECTION 12.08.030 REGARDING PERMITS FOR THE SAME, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED)."

F. Zoning Ordinance Amendment 13-05

Relating to Accessory Residential Uses and Accessory Structures.

Consideration of a Zoning Ordinance Amendment to amend the Los Alamitos Code to make changes relating to accessory residential uses and accessory structures (Citywide) (City Initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate:
2. Adopt Resolution No. 14-06, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 13-05 AMENDING THE LOS ALAMITOS MUNICIPAL CODE RELATING TO ACCESSORY STRUCTURES (INCLUDING CHANGES TO DEFINITIONS, REMOVAL OF GUEST HOUSES AS AN ALLOWABLE LAND USE AND CHANGES TO ACCESSORY STRUCTURES) AND MAKING MINOR TECHNICAL CHANGES TO THE PROVISIONS RELATING TO SECONDARY RESIDENTIAL UNITS, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED)."

G. Removal of Local Landmark Designations for: 10901 Chestnut Street, 10802 Chestnut Street, 3372 Florista Street, 11062 Los Alamitos Boulevard.

Continued from the January 13, 2014 meeting, the Planning Commission instructed Staff to bring back the remaining properties with Landmark Designations in order for them to be cleared from the local landmarks list including: 10901 Chestnut Street, 10802 Chestnut Street, 3372 Florista Street, and 11062 Los Alamitos Boulevard.

Recommendation:

1. Open the Public Hearing; and, if appropriate:
2. Adopt Resolution No. 14-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTIES AT: 10901 CHESTNUT STREET, 10802 CHESTNUT STREET, 3372 FLORISTA STREET, AND 11062 LOS ALAMITOS BOULEVARD, LOS ALAMITOS, CALIFORNIA 90720 (APN NOS. 242-202-17, 242-193-06, 242-202-21, & 222-091-07), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND FURTHER REMOVAL OF ANY LOCAL LANDMARK DESIGNATION THEREFROM."

8. STAFF REPORTS

None.

9. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

None.

10. COMMISSIONER REPORTS

At this time, Commissioners may report on items not included on the agenda, but no such matter may be discussed, nor may any action be taken in which there is interest to the community, except as to provide staff direction to report back or to place the item on a future agenda.

11. ADJOURNMENT

The next meeting of the Planning Commission will be held at 7:00 P.M. on **Monday, April 14, 2014**, in the City Council Chamber.

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed, and must be done so in writing to the Community Development Department, within twenty (20) days after the Planning Commission decision. The appeal must include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement, accompanied by an appeal fee of \$1,000.00 in accordance with Los Alamitos Municipal Code Section 17.68 and Fee Resolution No. 2008-12.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.

Tom Oliver
Planning Aide

Date

3/5/14

MINUTES

**January 13,
2014**

**MINUTES OF PLANNING COMMISSION MEETING
OF THE CITY OF LOS ALAMITOS**

January 13, 2014

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:00 P.M., Monday, January 13, 2014, in the Council Chambers, 3191 Katella Avenue; Chairperson Grose presiding.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Grose.

3. ROLL CALL

Present: Commissioners: CUILTY, Daniel, DeBolt, Grose, Loe, Riley and Sofelkanik.

Staff: Community Development Director Steven Mendoza
Planning Aide Tom Oliver,
Assistant City Attorney Lisa Kranitz
Dawn Sallade, Part-Time Clerical Aide

4. NEW COMMISSIONER INTRODUCTION

Introduction of Mary Anne CUILTY.

Community Development Director Mendoza introduced and welcomed the new Planning Commissioner Mary Anne CUILTY and gave a brief description of her background.

5. ORAL COMMUNICATIONS

Chairperson Grose opened the meeting for Oral Communications.

There being no persons wishing to speak, Chairperson Grose closed Oral Communications.

6. PLANNING COMMISSION REORGANIZATION

This report provides relevant information for the Planning Commission's annual reorganization, by the election of Chair and Vice-Chair.

Chair Grose sincerely thanked the Planning Commission for their support and help throughout the year.

Chair Grose opened the nominations for the Office of Chair.

Chair Grose nominated Commissioner Loe.

There being no further nominations, Chair Grose closed the nominations.

Unanimously Carried: The Planning Commission appointed Commissioner Loe to the Office of Chair.

Chair Loe opened the nominations for the Office of Vice-Chair.

Commissioner Daniel nominated Commissioner Sofelkanik.

There being no further nominations, Chair Loe closed the nominations.

Unanimously Carried: The Planning Commission appointed Commissioner Sofelkanik to the Office of Vice-Chair.

Chair Loe commented that he hopes he can do half as good a job as Commissioner Grose did because she did an excellent job as Chair.

7. APPROVAL OF MINUTES

Approve the Minutes of the Regular meeting of December 9, 2013.

Motion/Second: Grose/Loe

Carried 5/0/2. (Culity and Sofelkanik abstained.)

8. CONSENT CALENDAR

None.

Chairperson Loe readjusted the Agenda to hear Staff Report #10A first due to a large number of residents in the audience.

10. STAFF REPORTS

A. Removal of Local Landmark Designation for 10872 Chestnut Street.

The City Attorney is recommending the removal of May 2012 Local Landmark designation by the Planning Commission.

Recommendation to adopt Resolution No. 14-03, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTY AT 10872 CHESTNUT STREET, LOS ALAMITOS, CALIFORNIA 90720 (APN: 242-203-02), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND FURTHER REMOVE ANY LOCAL LANDMARK DESIGNATION".

Community Development Director Steven Mendoza summarized the Staff Report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. He commented that in the next few months Staff and the City Council are going to look at the process of which this was done and take a look at amending the Code when it comes to Local Landmarks or eliminating it altogether. This may be done at a future meeting of the Council. He indicated that the Commission is here tonight to try and fix a perceived wrong. Staff realizes that some of the safety measures

that they could have implemented to help avoid signature confusion at the time such as a title report or notarized signatures. The resolution as presented tonight removes the designation from this property only; there may be a resolution in the future that removes subsequent properties or changes the process altogether.

Commissioner Grose declared a conflict of interest as she owns property within 300 feet of the property and excused herself from the Chamber.

Commissioner DeBolt asked if the City Council was actually the correct body to deal with this issue. He referred to a letter from Mr. Levine that was passed out to the Commission before the meeting began, and spoke about the allegations of criminality and fraud and negligence on the part of the City and the \$500,000 claim which has been filed with the City.

Assistant City Attorney Lisa Kranitz explained that the Planning Commission is the body that put the designation on to begin with so the Planning Commission would be the one to take the designation off. Also, the City Council will be looking at this subject matter as a whole; Staff did have contact with the attorney last week who indicated that he doesn't expect to pursue this any further once the designation has been removed.

Vice-Chairperson Sofelkanik commented that if the Commission proceeds tonight, then he sees it, in a sense, as an admission of all allegations.

Assistant City Attorney Kranitz explained that there are three problems with this: it's just not the allegation of the forged signature, there's a second property owner that does not show up in the Orange County database. When she ran the information through a different program, it shows that there was a trust and two property owners. The third problem is that this should have had a public hearing to begin with and somehow there was none. This is not an admission that the City was negligent in any way; the City received the applications and it matched the single owner in the database. Staff will ask for a quick title report through our services and we'll have notarized signatures for the application if this Landmark designation is to continue so that there is never an allegation again that the person who signed isn't the person who was supposed to sign. There was really no negligence on the part of the City. The City's information is only as good as the Orange County Assessor's Office database that they pull from and they only inputted one property owner's name.

Vice-Chairperson Sofelkanik indicated that that was fine and we're looking into the future and addressing future issues regarding this designation but his concern is that Staff received a letter from Los Alamitos Museum Association that basically disputes Mr. Levine's representation of forgery so it looks to him like there's evidence that needs to be looked at and, maybe once that decision is made on what action occurred, the City could get a new letter from Mr. Levine that if, in fact, the signature was not a forgery, then perhaps he could retract some of the language making that allegation.

Assistant City Attorney Kranitz explained that the claim itself will be processed through the normal claims procedure or, once this is done, the City will ask the attorney to formally redraw the claim once the City can show him that the designation has been removed.

Vice-Chairperson Sofelkanik asked about the allegation of forgery and Assistant City Attorney Kranitz explained that that is not for the Planning Commission to determine whether a forgery had occurred or not. Setting aside the forgery issue, regardless of whether there was a forgery, the City Attorney's office would still recommend that the historical designation be rescinded. There was not the designation of a second property that has an interest in the property and the Code does say that all property owners are supposed to sign. Also, the fact that the proper procedure was not followed because there was no noticed public hearing with mailed notices to the addressees of the property, the owners of the property, or people within a 300 foot radius of the subject property. These are all very legitimate reasons to rescind the designation.

Chairperson Loe explained that he doesn't view this as an issue of forgery or not; he said he didn't look at it that way but looked at it as Staff was bringing this back up and do we want to keep it or not keep it on the Landmark designation list? The Commission doesn't really even have to have any reason at all or any findings to change this designation.

Assistant City Attorney Kranitz pointed out that there is no procedure set forth but she said she feels it's important to know that even the Museum Association has agreed that the historical designation should be rescinded not just for this one property but for all of the properties listed.

Commissioner DeBolt said he read the historical portion of the Code and he said he doesn't see where there is any way to remove any of the remaining three properties from the list unless the property is destroyed or unless they're moved.

Assistant City Attorney Kranitz said that the other three properties are not the subject of discussion tonight.

Commissioner DeBolt then commented that the real subject then for him is the allegations of a forgery and that a criminal act has been performed. If this was just a matter of ownership, then why didn't the attorney just write "just a matter of ownership"? There are allegations of forgery and fraud and if it was perpetrated, is the City a victim of the fraud as well? Was the City's Staff negligent in doing this or was the Commission at the time negligent as well? Additionally, a \$500,000 claim was filed against the City as well and he thinks this whole thing should be taken and handed to the City Council at their next meeting and let them handle it. He then asked Assistant City Attorney Kranitz if the City knows who owns the subject property. Is there a title report? The Commission doesn't know any of this information.

Assistant City Attorney Kranitz responded that in looking at the commercial title information, the sister had quit claimed into a trust and the brother had an interest in the property, also.

Commissioner DeBolt said he looked up the information on Data Quick (as he's in "the business") and he came up with information that showed "Reinhart Meyer" as the sole owner of the property as of 2007. He wonders if other titles have been processed since 2007. He said before the Planning Commission does anything, there needs to be a lot more information obtained. Also, the City Council is the body to handle this; the Planning Commission is not the body to handle litigation, etc.

Commissioner Daniel asked if the City Council is aware of this whole issue.

Community Development Director Mendoza said the City Council is well aware of what Staff is doing tonight. There is an attorney from the complainant and the attorney for the City that both agree on the action helps reduce the City's risk. Tonight is a Risk Management decision. To reduce the risk and get the claim removed and then the City Council will review the issue holistically at a future date.

Commissioner Daniel indicated he's in "the business" as well and pointed out that title searches can be correct or not. He commented, just as Commissioner DeBolt said, one of the issues the City had in the past was not having a title report and believing something that was told to us. He asked if we have a title report that shows that actually the people that own this property are the ones that sent this letter to the City or are we going to make another mistake again by not having the right owner when we do this. He pointed out that the first time this went before the Commission, they didn't have the correct owner, a title report, and a grant deed. He asked if the City had these documents tonight.

Community Development Director Mendoza said that City Staff agrees that a deed filed with a claim could be a twelve year old deed and twenty subsequent deeds could have been recorded after that. Staff also knows they didn't follow the proper procedures and Staff could give somebody cause by the fact that we never had the public hearing to begin with and whether it's valid at all. Staff also understands that the data that's supplied by the County is only as good as the person entering the data and the field in which it comes up. Commissioner DeBolt's information that he has brought up when he ran a report is the same thing that Staff receives; Staff probably believed it and probably ran with it at that time as being the truth. Staff did not run title reports; Staff still doesn't have title reports. From a Risk Management point of view we want to make sure that we remove this from the historic designation, get the claim reduced and follow the City Attorney's recommendation regarding the claim.

Commissioner DeBolt asked if Staff was directed by the City Council to bring this to the Planning Commission first.

Community Development Director Mendoza answered that he was directed by the City Attorney.

Vice-Chairperson Sofelkanik pointed out that it might be wise to continue this; get all the necessary documentation that needs to be reviewed, have it available for the Commission's review and also, maybe in that interim, have the attorney and the Museum Association possibly work out their issues regarding the forgery and the fraud allegations. Perhaps at that time, they could submit a letter without those allegations and then the Commission could proceed or put this at the feet of City Council to deal with.

Community Development Director Mendoza said he thinks that the City Council will deal with this in the future but removing the designation tonight minimizes the risk. Regardless of the signature being right or wrong, Staff didn't follow the normal process for which these designations were established.

Commissioner Daniel indicated he feels that perhaps instead of continuing this item, maybe we should let this whole thing go through and listen to what people have to say and then have another discussion. He said the whole goal it seems to him is that the owner wants this designation off the property so they can do something with it.

Chairperson Loe said once again that he doesn't see this as an issue with fraud; it's not the Commission's job to determine whether there was fraud committed or not and he really doesn't care if there was or wasn't. He said he doesn't feel it's for him to determine. He said he sees this coming as a Staff Report to the Commission now to rescind this property from the list and he doesn't see how anybody is disagreeing with the Commission tonight. He said he understands the Commissioner's concerns; he said they could always abstain from taking action on it if they choose but he sees it more as just an issue that is coming before the Commission that came before the past Commission before and the Commission is going to hear it out. If there is nobody from the public that has any issues with it tonight, then he doesn't see why the Commission can't overturn it without admitting anything.

Assistant City Attorney Kranitz explained that Staff wrote a revised resolution before the meeting tonight and included the wording that the City had been contacted by an attorney regarding the property owner who had provided documentation showing there were two owners of the property but only one signature and the owners and signature of the owner that was obtained did not appear to be the person's actual signature. Staff and Commission can certainly add a finding, "Whereas..." and whatever you want in there that says, "The Planning Commission in no way is making any determination as to whether this was a forgery in rescinding the Local Landmark designation". Also, "Whereas, the Los Alamitos Museum Association has also recommended taking this off since they are the ones who brought the application forward with the property owner's signature to begin with." She indicated Staff can include all that in the

resolution; that's not a problem so the Planning Commission is making it very clear that they're not making any determination regarding the forgery.

Commissioner Daniel added that we could even go one further and if the true owner wants to put it back on the list and give the City the appropriate document and we have a public hearing, we'll even look at putting it back on the list if the proper owners want them to.

Vice-Chairperson Sofelkanik pointed out that the allegations of the fraud and forgery aren't made towards the City; they're made towards the individuals that solicited the signature which would be the Museum Association. Also, with regard to the resolution, there's language in it that states there is a document which states there are two owners. Do we have that document?

Community Development Director Mendoza explained that in advance of today, Assistant City Attorney Kranitz has prepared a new resolution that the Commission doesn't have as yet that gets a little more deep than the resolution included in the packets and provides a little more detail regarding the case. The Commission does not have the revised resolution but the information from the claim is all available to them and has been passed out to them.

Assistant City Attorney Kranitz said that in the information from the claim, they included the grant deed dated 1984 that showed the sister included as well.

Commissioner DeBolt pointed out that the Commission made a decision based upon a recommendation and somebody comes in with the deed from 1984, a threat of a forgery, and says, "I have a claim for \$500,000 and either you take it off the list or I'm going to sue you.", and so with no proof, no verification on any one of those...the forgery, the fraud, the negligence and any verification up until tonight, of who really owns that property, we're expected to take this off this list and then cross our fingers and hope that all of these assumptions are correct when what we probably ought to do and what we should do, is just hand it to the body that gets to hire the attorneys and order a title report and just send it to the Council who hasn't seen it. He asked if the Council has had a meeting yet?

Assistant City Attorney Kranitz mentioned once again that she did go on line and she got the transfer history on the property.

Commissioner Daniel explained that she could go on that transfer history and then pull the grant deed and then it can be added to the resolution that it won't be effective until it's in your possession.

Commissioner Daniel said he believes that the concept is the Commission put the designation on the property; they didn't maybe do everything they were supposed to do as far as a public hearing, etc. What Staff is trying to do is put it back the way it was before this happened and if somebody else in the future wants to come before the Commission and put it on the list, then this Commission will do it the right way but all we're trying to do is correct some

errors that were made. The goal is so the property could be remodeled, or sell it, etc.

Commissioner DeBolt said he doesn't disagree with Commissioner Daniel's comments but he thinks the issue is that they just don't have all the information.

Chairperson Loe opened the item for public comment.

Marilyn Poe, citizen and President of the Los Alamitos Museum Association, said the Commission has a letter in front of them that the Association submitted to recommend that this property be removed from the Historic Landmark designation. They are also requesting that the other three properties on the list be removed as well. She explained that the Board never had the intent or interest in affecting the property value of any property; the desire was to enhance the properties by acknowledging in a public way their significance to our community's history. They were under the understanding that this was a ceremonial designation only and absolutely had no legal ramifications. They do know that Mr. Meyer did sign the statement standing in front of the property after it was explained to him what the Association was trying to do. It was on a clipboard and his stature was a little bent over and he was standing signing it right there after discussing with him what this was all about. He actually had expressed that he was real happy to have part of their property, because there's two properties on the lot, the front house is the one that the Association wanted to have the designation. They are very sorry for any inconvenience to the family, to the City, to the Staff; they had every intention to do something good; not to have anything that would be detrimental to anyone. The Association really would recommend and hope that the Commission would remove this designation this evening so that the family can move on with their plans.

Jody Schloss states that the only concern that she has is since this happened with one home, could it possibly happen with some of the other ones? She said she understands the City is going to address this in the future and all properties on the list will be checked. The Commission is saying that since there was a forgery, the Commission wasn't involved in any of that and are not to blame for that. She states she understands that but she's just curious about why the City just doesn't take care of all the properties all at once unless this person who is asking for it to be done right away, he's got a buyer or something similar.

There being no further speakers, Chairperson Loe closed the item for public comment and brought it back to the Commission for their comments.

Commissioner Riley stated he agrees with Ms. Schloss and wonders why, if we're going to do this to one property, shouldn't we do all of the properties at once to show we're not being swayed?

Assistant City Attorney Kranitz said the reason to do this one property separately is because the City does have a claim in on this one. She said that what's happened is that Mr. Meyer has died and she's not exactly sure how the sister

became aware of this but thinks she became aware of it with the probate/estate. The reason for doing this one property now is because this one has the claim. If the owner does want to do something with this property, we want to minimize any potential claim that if something comes up or they can't market it to how they feel they should market it in the next month until this designation is cleared up, then the potential liability for the City increases. This is why the City Attorney gave the recommendation for doing this as quickly as possible.

Commissioner Riley asked if the true motivation for doing this is not necessarily that the City is being threatened by a lawsuit but rather that it's come to light that the City didn't notice this properly, then it seems suspect that we're focusing so much on one property rather than the whole group that was affected by the failure in procedure to begin with.

Chairperson Loe indicated he agrees with Commissioner Riley and thinks the Commission could make that recommendation to Staff that they come back with all of the properties to deal with.

Assistant City Attorney Kranitz said she just pulled up the 2007 Quit Claim Deed where for no consideration, Grantor Ella May Roberts releases, remises and forever quit claims to Ella May Roberts, Trustee of Ella May Roberts Revocable Trust, dated August 24, 2007, that 50% ownership in trust in that real property in the city of Los Alamitos described in Exhibit A attached hereto". So, as the 1984 Grant Deed shows, each sibling was given half the estate.

Chairperson Loe pointed out that he feels that there's enough to give the Commission reasonable doubt that they should proceed.

Commissioner Riley said the issue of ownership is immaterial; if the City didn't follow process, then all of these property designations needs to be changed because the City didn't do it right to begin with. He said he just wants to ensure that the City is treating all of the properties in question the same way in taking them off because the City treated them all the same way in putting them on.

Assistant City Attorney Kranitz confirmed that all of the properties were indeed placed on the list at the same time. It was in 1984, a grant deed gave this to the brother and sister as tenants in common. The City knows that in 2007 the sister still owned 50% ownership in trust because she quit claimed her share into a revocable trust. That answers the question that there were two property owners.

Commissioner DeBolt said he hates to beleaguer the point but, with all due respect to the attorney, he worked for a title company for 2-1/2 years doing exactly this. That deed in 1984, as soon as he looked at it, he felt that somebody that didn't know what they were doing when they prepared the deed. He said you don't grant to a son and a daughter; you grant to an unmarried man, a married man, a single woman, etc., and you lay out the interest. There are no interests in that deed. You don't know what interest she has or he has. She declares that she has a 50% interest and she quit claims that but you don't know

for certain. She could have a 10% interest or whatever. The ownership is determined by a title company that will give you the complete chain of title all the way up to date and with that, you can act with certainty and everything we're doing is as speculative as when it was first done.

Commissioner Riley said that that is what the City is trying to fix. As he said before, ownership is immaterial. If the City didn't do this correctly, then the City needs to take them off the list and if people are interested in putting them back on and doing it the right way, then we can go back and do it the right way.

Commissioner DeBolt commented that with this particular property and doing this by itself, to him, it's the surrounding circumstances of the litigation that makes this different and why the Commission shouldn't be doing it on its own; do them all collectively at one time. If there's a potential lawsuit, let the Council deal with it. If there's a time issue, the Council is meeting in a few days.

Vice-Chairperson Sofelkanik said he agrees with Commissioner Riley in that ownership is immaterial; it's a procedural matter. If there's urgency with regard to time, as Commissioner DeBolt said, the Council can take this into consideration under threat of litigation and deal with it at their next meeting. He said he would like to see all the properties packaged and brought back before the Commission for removal on the basis of procedural error regardless of ownership.

Chairperson Loe said he agrees with all the speakers but made the motion to approve Resolution No. 13-03, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTY AT 10872 CHESTNUT STREET, LOS ALAMITOS, CALIFORNIA 90720 (APN: 242-203-02), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND FURTHER REMOVE ANY LOCAL LANDMARK DESIGNATION".

Assistant City Attorney Kranitz asked for time to add in the "Whereas..." clauses to the resolution as she spoke about earlier in the meeting.

Chairperson Loe withdrew his motion.

Assistant City Attorney Kranitz indicated the change she made to the resolution. It is:

- *WHEREAS, Section 17.22.040B of the Los Alamitos Municipal Code requires a public hearing; and*

Commissioner DeBolt stated that if he were going to vote on that resolution as written, he would want a finding added and worded, "It was revealed to the Planning Commission at the meeting that the prior approvals were not duly

noticed at the time and there was a determination or recommendation by the City Attorney that the prior approvals were not properly noticed”.

In response to Commissioner DeBolt’s comment, Community Development Director Mendoza stated that the item was placed on the agenda in 2012 as, “Staff Report”, not “Public Hearing”.

Commissioner Daniel asked the question that if the Planning Commission put these properties on the Landmark Designation list without a public hearing, can the Commission remove them without a public hearing.

Assistant City Attorney Kranitz explained that this first came up based on the attorney’s letter and the claim that was filed with the City. The City Attorney looked at the allegations that were made, determined that there was a second person who had an interest in the property and based on that, regardless of the fraud allegation, because there was a second person who appears to have some ownership interest, there should have been two signatures. The Staff Report was prepared. As Staff was going through the packet last week, she brought up the point about the public hearing and that’s when they went back and they looked at the old minutes and they found out, after they had already made the recommendation on the Staff Report and based on the fact that there was only one owner, not two, that signed the application, that now there was even a bigger problem. That’s why the other properties were not noticed because the agenda had been set, everything was out and it came up after the fact. It was one more reason for the City Attorney’s office to recommend to get the property off as soon as possible. They talked to the attorney last week for a brief conversation. The City Attorney said, “So, will this end it?” and he said, “It’s certainly going to be my recommendation to the client; I can’t see pursuing anything as long as we get the designation off of there”.

Chairperson Loe made the motion to approve the newly worded Resolution No. 13-03, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTY AT 10872 CHESTNUT STREET, LOS ALAMITOS, CALIFORNIA 90720 (APN: 242-203-02), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND FURTHER REMOVE ANY LOCAL LANDMARK DESIGNATION”.

Vice-Chairperson Sofelkanik said he would like it not to appear on the resolution that the Commission is making any findings. If it could say, “The City Attorney is making the finding that it was procedurally improper.” He said he would like that language to be added.

Assistant City Attorney Kranitz said she could add:

- *WHEREAS, the City Attorney has determined that Resolution No. 2012-03 was adopted without the required public hearing and recommends that the designation be removed from 10872 Chestnut Street;*

Commissioner DeBolt said he felt that since the City is handling this, the whole thing should be contingent upon a full and complete release from the attorney of all fees, costs and charges and the City has no expenses as a result of this being completed in such a quick and decisive manner so that they were able to market the property and that there is to be a letter issued that the attorney redraws all the allegations and the complaints.

Assistant City Attorney Kranitz stated that if this is done, now there's a real problem because of the word "contingent".

Commissioner DeBolt then said the Commission should negotiate on behalf of the City at least to get the fees; the City isn't going to get any expense in this because the City has no bargaining chip once the designation is removed for the Council to negotiate any fees or anything. They will have gotten what they wanted.

Chairperson Loe observed that they can sue the City no matter what. They can sue the City whether the designation is left on or removed. He said the Commission has to make an educated decision on what's best right now.

Assistant City Attorney Kranitz said the City is going on good faith that they really just want the designation removed. The problem is if the Commission is making the finding that they're doing this solely because of the public hearing issue and the Planning Commission is recommending that the designation is removed on all the other properties, then there's no reason for the attorney to give any release.

The motion was seconded by Commissioner Daniel.

*Motion/Second: Loe/Daniel
Carried: 5/1/1.*

Commissioner DeBolt requested that the reason for his "No" vote be placed in the record. He explained he voted no because specifically he feels that the Commission was rushed and he feels that the record will bear that out into making the decision for whatever reason he doesn't know that the reluctance to go to the City Council given the allegations of a forgery which is a criminal act, the allegations of fraud and negligence by the City and the Planning Commission, and the filing of the \$500,000 claim against the City. Taken altogether, the publication notwithstanding, or the lack of it notwithstanding, that materialized at this meeting, that this should have been referred to the City Council for their disposition.

Commissioner Grose returned to the Chamber at 8:18 PM.

9. **PUBLIC HEARING**

A. Consideration of a Request for a Conditional Use Permit (CUP) 13-11 to Allow Crossfit Fitness Classes in the Planned Light Industrial (P-M) Zone.

Consideration of a Conditional Use Permit to allow an indoor recreation establishment (fitness classes) in the Planned Light Industrial (P-M) Zone (Applicant: Nicole Liska, Crossfit Recoil.)

Staff recommends the adoption of Resolution No. 14-01, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 13-11 TO ALLOW AN INDOOR RECREATION ESTABLISHMENT (CROSSFIT RECOIL) AT 10595 BLOOMFIELD STREET IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NICOLE LISKA – CROSSFIT RECOIL)."

Planning Aide Tom Oliver summarized the Staff Report, referring to the information contained therein, presented a Power Point presentation and indicated he's prepared to answer questions from the Planning Commission.

Chairperson Loe opened the item for public comment.

Nicole Liska, Applicant, indicated she understands and approves the conditions of approval and thanked the Planning Commission for their consideration.

There being no further speakers, Chairperson Loe closed the item for public comment and brought it back to the Commission for their comments.

Commissioner Grose made the motion to adopt Resolution No. 14-01, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 13-11 TO ALLOW AN INDOOR RECREATION ESTABLISHMENT (CROSSFIT RECOIL) AT 10595 BLOOMFIELD STREET IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NICOLE LISKA – CROSSFIT RECOIL)."

The motion was seconded by Vice-Chairperson Sofelkanik.

Motion/Second: Loe/Sofelkanik

Commissioner DeBolt said he thought it might serve the City and the business owner well if the City might consider expanding the permitted uses in the PM zone to include any type of use that have classes but of a limited size for the size of the location and have a start and stop time where it's not open 24-hours a day with continual traffic.

Planning Director Mendoza recommended discussing this under Item #12, Commissioner Reports, and the Commission could direct Staff to bring back a Notice of Intention to talk about that topic at another meeting.

Chairperson Loe called for the vote.

Carried: 7/0/0.

B. Consideration of the Draft Comprehensive Update of the City's Housing Element for the Reporting Period of 2014-2021.

Consideration of General Plan Amendment No. 14-01 updating the City Housing Element and associated Mitigated Negative Declaration for the Reporting Period of 2014-2021.

Recommendation to adopt Resolution No. 14-02, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT GENERAL PLAN AMENDMENT 14-01 INCORPORATING AN UPDATED HOUSING ELEMENT INTO THE GENERAL PLAN AND A MITIGATED NEGATIVE DECLARATION FOR THE SAME".

Community Development Director Mendoza summarized the Staff Report, referring to the information contained therein and answered questions from the Planning Commission.

Chairperson Loe opened the item for public comment.

Jody Schloss, Resident, indicated she's against the City's recommendation because there is no land to put affordable housing. She pointed out that Cypress doesn't do this and they have open land but they don't care. The City has affordable housing already and have done their share.

There being no further speakers, Chairperson Loe closed the item for public comment and brought it back to the Commission for their comments.

In response to Commissioner DeBolt's question regarding penalties, Assistant City Attorney Kranitz explained that penalties include not being eligible for grants and lawsuits from people who can stop development altogether in the City because they argue the City has no valid General Plan.

Responding to Commissioner Sofelkanik's question, Assistant City Attorney Kranitz said the City has complied with what was required already and if we can get this approved tonight and the City Council approves it at their next meeting, we'll get it to Sacramento by February 11th, and the City will get the 8-year cycle instead of the 4-year cycle.

Commissioner Sofelkanik asked if Staff could make an assumption regarding why Cypress wouldn't file something like this.

Planning Director Mendoza indicated that Cypress has actually filed their Draft Housing Element; he said he saw a letter on line where they did file it with the State and received preliminary approval on August 7, 2013.

Commissioner Sofelkanik asked if there would be any benefit to any city (a city that is built out like Los Alamitos), to fail to file this.

Planning Director Mendoza indicated he would question any city that wouldn't want to be in compliance with State law and risk receiving the stated penalties.

The Commission and Staff went through the Draft Housing Element and a discussion ensued with no changes or corrections being made.

Commissioner Grose made the motion to adopt Resolution No. 14-02, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT GENERAL PLAN AMENDMENT 14-01 INCORPORATING AN UPDATED HOUSING ELEMENT INTO THE GENERAL PLAN AND A MITIGATED NEGATIVE DECLARATION FOR THE SAME".

The motion was seconded by Commissioner DeBolt.

Motion Carried 7/0/0.

C. Consideration of Zoning Ordinance Amendment 13-05 – Topics Include “Detached Guesthome”, “Guest House”, “Accessory Structures”, and “Driveways”.

Consideration of a possible Zoning Ordinance Amendment to clarify Los Alamitos Municipal Code definitions and Codes pertaining to the terms “Detached Guesthome”, “Guest House”, “Accessory Structures”, and “Driveways”. (Citywide) (City initiated).

Staff recommends CONSIDERATION OF POSSIBLE CHANGES TO THE LOS ALAMITOS MUNICIPAL CODE TO CLARIFY DEFINITIONS AND CODES PERTAINING TO THE TERMS “DETACHED GUESTHOME”, “GUEST HOUSE”, “ACCESSORY STRUCTURES”, AND “DRIVEWAYS”.

Planning Aide Tom Oliver summarized the Staff Report, referring to the information contained therein and answered questions from the Planning Commission.

GUEST HOUSE

Commissioner Grose brought up “Guest house” first and asked about the number of bathrooms and bedrooms a guest house could have. Also, could they have a kitchen?

Planning Aide Oliver indicated that the guest house can have a bathroom, no kitchen and the number of bedrooms is unlimited as it stands now.

Commissioner Grose observed that the Code needs to be tightened up right down to the size of the unit, the number of bedrooms allowed (maybe one or two bedrooms and one bathroom) and perhaps even place time limits as to how long a guest can stay in the unit. She said she even questions whether we should even be putting guest houses on the residential lots.

Planning Director Mendoza explained that a second dwelling unit is required to be in the Code; the State has told us that we need to loosen our rules and put second dwelling units in our Code. A second dwelling unit has very defined square footage; can't exceed 640 sq. feet and must have a parking space. We know what a second dwelling unit is; we think it's defined pretty well and when somebody wants to build one, the City says they need to build a garage or an enclosed parking space/carport as well. A guest house is something a little less than that. An easy answer to the issue of a guest house is to remove the definition altogether and if you want to build something in your backyard that you want to live in, it's a second dwelling unit or it's nothing.

Commissioner Daniel commented that for a second unit to be built, the residence has to be zoned for a second unit.

Planning Director Mendoza explained that that was not true. In any R-1 zone, a second dwelling unit can be built; the impediment is whether or not you can get another garage or a carport for it. It can be rented out but you have to live in one of them. You can't be an absentee landlord and covenants are recorded. The State allows us to do that.

Commissioner Daniel felt that this definition should be eliminated from the Code.

The rest of the Commissioners concurred.

Chairperson Loe opened the item for public comment.

Commissioner Daniel made the motion RECOMMENDING THAT STAFF BRING BACK A RESOLUTION AMENDING THE CODE TO REMOVE REFERENCE TO GUEST HOUSES OR GUEST HOMES FROM THE MUNICIPAL CODE.

The motion was seconded by Commissioner DeBolt.

Motion Carried 7/0/0.

ACCESSORY STRUCTURES

Planning Director Mendoza explained that the next topic for discussion is "Accessory Structures" and what else can be built in the backyard.

Commissioner Daniel asked what some of the allowed accessory uses are.

Planning Director Mendoza indicated that accessory structures are defined as, "A detached subordinate structure, the use of which is customarily incidental to that of the main structure or the main use of the land which is located on the same parcel with the same structure or use." He commented that the definition doesn't say "inhabitable"; it doesn't say "storage"; and it doesn't say "garage". It doesn't say what it could be so Staff finds that people have been using this looseness to their advantage.

Commissioner Daniel asked about the paragraph in front of the one that Planning Director Mendoza referred to where it talks about garages, greenhouses, storage sheds, studios and asked where that was from.

Planning Director Mendoza explained that that is from 17.38030, another section of our Code.

Commissioner Daniel asked if those items he referred to need to be permitted currently. Planning Director Mendoza explained that the resident does need to come to the City and obtain a building permit for an above ground swimming pool for example but somebody building a 6x8 storage shed does not need one due to it being under 120 square feet (such as a Tuff Shed).

Commissioner DeBolt commented that there is a third definition for an accessory structure and that's under Section 15.04 of the Building Code and it defines an accessory structure that is: "1) Either solely for the parking of no more than two cars or, 2) A small low cost shed for limited storage less than 150 square feet and \$1,500 in value." He said he stumbled into this third definition but it's under the heading of "Flood Plain Management" and wondered why that information would be under that heading.

Planning Director Mendoza answered that he had no idea it was there.

Commissioner DeBolt said his thought on this is that if you look at the two definitions that are in the report, both 38.030 and 76.020, he thinks that part of the confusion in 030 starts off by referring to "accessory uses and structures that are customarily related to the residence" and then 020 says, "accessory structure means..." and it says essentially the same as 030; it seems to him that 030 needs to be deleted completely. Then in 020, he feels Staff's problem is the term "subordinate". Why is that an issue? Subordinate can mean several things; it can be smaller size, of lesser anything and so he's just wondering if we ought to just modify that to just to say that an accessory structure means that it can even be attached; he said he doesn't know why it has to be detached.

Planning Director Mendoza pointed out then that would be a part of the main structure.

Commissioner DeBolt acknowledged this but accessory structure means a structure the use of which is customarily incidental to that of the main structure or the main use of the land. Just forget the “subordinate” aspect of it and it’s an added structure; it’s detached. It would obviously have to come to the Commission for approval and it could be anything; it could be a garage, a shed or something else.

Planning Director Mendoza pointed out that accessory structures don’t always come to the Commission.

Commissioner DeBolt acknowledged this and said as long as they’re within the setbacks, etc.

Vice-Chairperson Sofelkanik asked if “subordinate” and “incidental” are redundant.

Planning Director Mendoza answered that in all reality those words help him make the argument of why a 2,000 square foot garage was not acceptable behind a house that was only a thousand square feet; because it wasn’t subordinate and it wasn’t incidental to the house.

Commissioner DeBolt thought that it could be; if he lived in his house and his hobby is cars, the house is the primary function and use; the City doesn’t allow somebody to build a freestanding and storage garage in a residential area without a house. There’s got to be a residence there.

Planning Director Mendoza agreed and said that’s a question for the Commission – do we want super garages to be allowed?

Vice-Chairperson Solfelkanik said we could extend that to not just garages but to greenhouses, storage sheds and studios as they can all be larger than the main structure.

Commissioner Daniel observed that what Staff means by “subordinate” is almost related to that structure and that it has to have something to do with and have some benefit to that house.

Commissioner Riley said that anybody can make an argument that the structure has something to do with the main house. He said it’s hard to argue that a garage that’s twice as big as a house is subordinate or incidental to the main structure. He said that he felt that size is a factor in this and if others agree with this, then you say, “Accessory structures can’t be more than a certain percentage of the primary structure”. Limit it to 40% or 50% or whatever seems like a reasonable number and then is that the living square footage of the house or is that the total square footage including the garage?

Vice-Chairperson Solfelkanik commented that they might want to talk about that because there is nothing that says you can’t have multiple accessory structures.

Commissioner Riley suggested tying that in with the lot coverage.

Commissioner DeBolt said his feeling is if the lot's big enough, and the side yards are wide enough, why not allow a multi-car garage?

Commissioner Grose pointed out that you're also opening it up for noise with people working in their workshops, etc.

Commissioner DeBolt pointed out that the City has a noise ordinance in place. He said he feels people are entitled to use their property in just about any way they like.

Vice-Chairperson Solfelkanik asked what would be the problem in having some language that gives a percentage of the size of the main structure into how large you can build your accessory structure? Also, do we want to have multiple accessory buildings or do we limit it to one?

Commissioner Daniel said it has to be a percentage also of your lot size; you don't want to allow somebody to just make their whole backyard into a garage or something similar.

Commissioner Riley agreed with this.

Planning Director Mendoza pointed out the development standards for how much you can build on a lot are pretty solid and really the only place where somebody can exploit this is a wedge lot in a cul-de-sac or Carrier Row. There will be exceptions to what he just said but Carrier Row is where Staff is seeing it occur. Staff saw a four car garage built on a house that was a thousand square feet and the guy didn't want to live in the main house but remain in Huntington Beach; he just wanted to park his cars and work on them all the time. So that got Staff thinking that maybe we need to tighten our Codes and take a look at them. Then Staff received a complaint from a next door neighbor saying, "Well, they're always working on cars with loud power tools" but he pointed out that he could have a power tool in his one-car garage and make the same noise. If the Commission is fine with the super garage, then we just perfect the Code.

Commissioner DeBolt commented that when we talk about a super garage, we're carrying it out to the extreme. He said it seems to him that there are some neighborhoods that the characteristics of the neighborhoods are such that it's more amenable. The people in that area are more likely to have RV's because they can get them into their backyards; they're going to have more toys simply because they have the land to do it.

Commissioner Daniel wondered whether it maybe needs to come before the Commission for approval.

Commissioner DeBolt said he agrees and maybe that is what needs to happen because we're talking about narrow areas. He said he doesn't think this is a problem in any other part of the City.

Planning Director Mendoza agreed but there will probably be minor exceptions but the general part of the City is built out with housing tracts which are pretty tight.

Vice-Chairperson Solfelkanik pointed out that we might see that in properties that back up against the river; we've allowed them to build on that land.

Planning Director Mendoza said that that was true; they don't have the width but they certainly have the depth.

Commissioner DeBolt questioned once again, "What's the problem with that?".

Assistant City Attorney Kranitz said you can always create a two-tiered process that the Commission can set a percentage where it's simply allowed and anything over X-percent means a CUP goes back there.

Planning Director Mendoza said that anything over a detached 2-car garage or 3-car garage would fall under that.

Commissioner DeBolt agreed that anything over than two cars that now you're getting into the notion of a monster garage.

Planning Director Mendoza said the Commission might have simplified the whole discussion. Is that a 20x20 detached garage is a permitted use and anything that exceeds 20 feet would come before the Commission for consideration or review. He said he's not saying there's a problem in the City but there have been a couple of incidents that he doesn't think the Code really had the teeth to dissuade someone from building what he thought was a commercial use in their backyard. He indicated what he's hearing from the Commission tonight is perhaps bring back the Use Table, where it says Residential Uses, with a footnote that says conditional if it exceeds 20x20 footprint.

Chairperson Loe said he doesn't like that at all. First off, we're in an environment in Los Alamitos where we don't have excessive encumbrances on our houses; we have more than half of Orange County with HOA's with all kinds of controlling factors. He said he's good to a point but he thinks a 20x20 accessory structure is too restrictive for that. He says he thinks it's not allowing people to do what they want to do with their houses and it's encumbering certain lots that can generate something and certain lots that can't generate something.

Assistant City Attorney Kranitz asked if he would rather see a percentage?

Chairperson Loe said he could probably go with the percentage idea but he doesn't like a stated size that's a one size fits all for every structure in the City of Los Alamitos.

Vice-Chairperson Sofelkanik suggested using a percentage of the main house or structure.

Commissioner DeBolt said we should talk about what an accessory structure is; it's just not a garage we're talking about. An accessory structure, according to the definition, could be a swimming pool or a gazebo among other things. He felt that part of the problem is the definition of "structure". If we look up "structure" in the Code, it is anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground (17.76.020). He said he could see limiting a garage if you want to be specific but now we're into the realm that Chairperson Loe is talking about; we're being so restrictive. For example, he spoke about the plastic slide he erected for his grandchildren that sets outside in the backyard that is an accessory structure according to the Code.

Planning Aide Oliver explained that Staff has to make people move slides among other things because the neighbor can see them and complains to the City which then sends a Notice of Violation saying, "You have a structure that is within the five-foot setback". The City has made people move umbrellas, pop-up tents, built-in BBQ's, etc.

Commissioner Daniel thought the erection of a structure into the property line is the key; the City is not saying you shouldn't be able to put anything there but you really shouldn't be able to put a pop-up tent on the property line. What the City is saying is people within that 5 feet are violating this and that's why they're going out and citing them.

Planning Aide Oliver commented that sometimes people have a driveway that goes along the side of the house and they want to park their car there, they put a pop-up over the car and it's behind their front setback but it's on the side setback and the neighbor can see it so the City makes them take it out.

Planning Director Mendoza explained that the outdoor kitchen is something that is requested a lot. A detached outdoor kitchen, 5 feet away from their property line, doesn't always satisfy everyone; many times they want it closer to the property line. Usually people build them without the City's consideration but we catch them on the gas line.

Commissioner DeBolt said apart from something like a gas line, it seems to him that if you're not in the setback, you should be able to do anything you want to do as it's your backyard. If a neighbor has a two-story house and they're looking down into your backyard and they don't like what they see, well, that's tough. In the front yard/property, that's a different issue and he would have a problem with that.

Commissioner Daniel asked about a trampoline in a yard.

Planning Director Mendoza explained that a trampoline is not a permanent structure, is not constructed and is easy to move.

Planning Aide Oliver indicated the City does not allow a trampoline in the front yard of a property.

Planning Director Mendoza explained that Staff just wanted to bring this forward and see if these issues are shared by the Commission. If the Commission doesn't share the same issues, Staff is okay to leave it as it is.

Commissioner Daniel felt that this is an issue that needs to be addressed but he's not sure exactly how to do it tonight.

Planning Director Mendoza commented that we may not have an answer with just one discussion.

Commissioner Daniel commented that we need to be careful about the size but he has a tendency to agree that you can't just make everything fit into a nice little box but it's proportioned to the house, it's proportioned to the lot size; that may mean that one person can only build a one-car garage but another person can build a three-car garage, etc.

Planning Director Mendoza said perhaps the second resident, because of the size of his house, warrants a three-car garage.

In response to Chairperson Loe's question, Planning Director Mendoza explained that he could always deny a request and the applicant could then appeal it to the Planning Commission which is their right according to our Code.

Commissioner DeBolt asked what the cost to appeal is and Planning Director Mendoza indicated it would be thousands of dollars to do that.

Commissioner DeBolt said that that is the problem and that again creates a burden on the public and we make it prohibitive.

Chairperson Loe felt that the way the Code is right now, it is less prohibitive. If the Commission is going to take action to make it more prohibitive, it's even worse. We're going to tighten things up and cause more cost to come before the Commission.

Commissioner Riley said he thinks the Commission is needed to clarify; we would define what people can do by right and then what we need to take a look at and get input.

Commissioner DeBolt said he agrees and doesn't think that's restrictive. Right now, everything is ambiguous and subjective to Staff and, of course, they incur the wrath of the public. But on the other hand, if you make it by right, if we have a concern about garages, for example, then if we allow by right a certain number of cars, say two, in the back or if it's an accessory structure in the back, then if they want anything more than that, then they can appeal it to the Commission for a decision.

Commissioner Riley commented that when people know what they can do by right, they're very comfortable to plan and to decide on issues. He observed that that's what the Commission does; they decide what they think is reasonable to allow people to do and not reasonable to do. The Commission does it all the time. He said it's just a matter of deciding what the numbers are going to be.

Chairperson Loe commented that 99.9% of the time it is the Director and the Staff that are making these decisions. The Commission does such small, minute decision making and he feels it has worked just fine thus far.

Commissioner Riley said he agrees and he thinks the Commission has a good relationship with Staff but thinks that if the Staff changes in the future, we could end up with some bad decisions so why not tighten the Code up a little bit and give the guidelines that the public and Staff needs so that everybody can be comfortable or at least know what they have. It defines things so that people know what they're getting into.

Commissioner Grose suggested putting in a percentage of the size of the home and lot so somehow you value the house and the lot. She said there's got to be some formula on a percentage that would help guide this.

Planning Director Mendoza commented that if directed, Staff could bring back formulas from other cities to see what they've used.

Chairperson Loe felt that that is probably one of the best things to do, to look at other cities and get information from them.

Jody Schloss commented that the one thing she thinks is not good for the public is if the Community Development Director needs interpretation by the Commission on an item, she said she doesn't think that the residents should have to pay to bring it to the Planning Commission. The Code is pretty well defined and there may be some things that need to be changed or tightened up a little bit, but if it's been working so far, even in Carrier Row, except for a few incidents, if it comes to that point, you can say, "Okay... I'm going to turn this over to the Planning Commission and not charge for that". Now, if the resident is obstinate and they're asking for something that is just way beyond the Code, then they should pay for it if they want to get a CUP or bring it to the Planning Commission for an appeal. But if there's an interpretation that needs to happen, then maybe that can happen even in a workshop without the person being there, or could come to a meeting. If Staff's interpretation is different than what the

Planning Commission thinks it should be, then the resident shouldn't be charged for bringing it to the Commission.

Chairperson Loe said that's happened before; it's happened lots of times when Staff sees something they're not quite sure about, you want to put it in front of the Commission for interpretation.

Planning Director Mendoza said that that is correct but there still is a charge for it. He said he doesn't have the authority of waiving fees and neither does the Commission. He said that Ms. Schloss has brought up an interesting thought in that some large cities have a hearing body in between the Planning Commission and the Director; those are usually larger cities and they do a hearing in a conference room. There's a cost to bring something to the Commission. There's Staff time involved and if the applicant that's receiving the benefit isn't paying for it, then the general public is paying for it. The argument is that the person receiving the benefit from the service should pay for the service just like the person getting the building permit is the one getting the inspections and should be paying for it and the general public shouldn't.

Commissioner Riley observed that the fees aren't engineered to generate profit or revenue for the City; it's there just to cover cost.

Planning Director Mendoza said that was correct. The prohibitive costs is getting their drawings in a condition that Staff can understand. Somebody can sketch something on a piece of paper and hope that the Building counter will approve it but really if you're going to bring a document to the Planning Commission, you're seven people that really need to understand it and so the applicant has to pay an architect to do the drawings. When we bring the Commission sloppy drawings, Staff isn't proud of it and it makes everyone look bad and the number of questions increase. A cost of a CUP is about \$1,000 which covers a number of things such as mailing labels, circulation, postage for public notices, etc.

Commissioner Riley said that again this goes back to the Commission defining what an applicant can do by right with minimal expense and then what is going to be the upper realm that they're going to have to come and pay some extra money for, correct? So, if someone is looking at building some huge extravagant garage, they're probably going to be willing to pay the associated fees with bringing that to the City. That's how he sees this. To him it's a matter of defining where's that differentiator going to be; what are we going to define as by right and what are we going to define as a CUP. Personally, he said that's the way to go.

Commissioner's Daniel and DeBolt said they agree with Commissioner Riley.

Commissioner Riley said perhaps that's part of it, too. Structures are pretty much everything. Accessory structures are permanent and those are things that need to be talked about.

Commissioner Grose asked if Staff could come back with some comparisons of what other cities have done so the Commission can look at it before they make a final decision.

Planning Director Mendoza said that was a good idea and will bring up some other comparable things that other cities are doing regarding scale, proportion and things like that.

DRIVEWAYS

Planning Director Mendoza indicated that the next topic is "Driveways". He asked if somebody could have a horseshoe driveway which takes two aprons; should someone have two driveways to go back to their garage in their detached backyard on both sides of the house? Those kinds of things are silent in the Code. Therefore, Staff is challenged not just that it's not in the Code, but the applicant can say, "Tell me where it's not allowed". Most of the public don't want any assumptions in a Code. They want Staff to have evidence that it's not allowed. The Director saying it's not permitted, isn't enough sometimes. They'll push and push for evidence.

In response to Commissioner Daniel's question, Planning Director Mendoza said you can have a driveway as wide as the garage. A driveway cannot exceed the width of your garage. That's codified.

Planning Aide Oliver pointed out that if the person has an RV, it doesn't go in a garage and the Code allows them to drive it into the backyard and park.

Planning Director Mendoza also pointed out that they can't pave the area between the parkway and the garage.

Planning Aide Oliver explained that what they end up doing is installing the kind of bricks that allow grass to grow between them and they drive across that to get to their paved driveway behind the front.

Planning Director Mendoza said another issue Staff is always trying to defend is that the fact the driveway cannot exceed the width of the garage and, therefore, the no man's land between your driveway and your property line that's two to five feet wide, a lot of people want to pave it because it's hard to maintain. Staff is challenged with people asking if they can pave that area and when the Code says that the driveway can't be any wider than the garage, it doesn't allow you to pave that for a driveway. The reason Staff is bringing this up is to find out if the Commission is fine with the Code or do you want to loosen up or change the Code as it relates to that no-man's land.

Commissioner Daniel said he feels they shouldn't be allowed to pave that no-man's land (in between the driveway and the property line), they shouldn't be allowed to put a car on it, either.

Vice-Chairperson Sofelkanik said he agrees with Commissioner Daniel.

Commissioner Daniel stated further that they shouldn't even be allowed to put a motor home in the backyard, either. They shouldn't be allowed to put their motor home within five feet of the property line as well.

Planning Director Mendoza asked if we could get the full consensus of that driveway issue.

Commissioner Grose indicated she's okay with it..

Planning Director Mendoza said he's hearing the driveway not exceeding the width of the garage is acceptable; keep that the way it is.

The Commission concurred.

Planning Director Mendoza asked about horseshoe driveways and what everybody thought of those.

Vice-Chairperson Sofelkanik said he thought there should only be one curb cut for each lot.

Commissioner indicated he feels the same way as long as it's the width of the garage.

Commissioner Riley felt that you should only be able to put your driveway in the area directly in front of your garage. He said he can see where people can put a horseshoe driveway in but it's not fitting within that area that's directly in front of the garage.

Planning Director Mendoza said most of the lots in Los Alamitos are not Ranch or Pasadena homes or Villa Park homes that are really wide and are susceptible to that but we have no where in our Code that says the City Engineer shall not permit two aprons or two curb cuts. From a planning point of view, when somebody plans their improvements on their home, they come to Planning first so it helps if Planning has it somewhere in its Code and it takes care of it right there. It's very visible. The intent is there if somebody is buying property in the City, they know what they're buying, they know what they qualify for and they know what kind of requirements there are and neighbors know what's going to be allowed next door to their homes. The expectation of what's going to be next to you is in the Code and you're ready for it. A lot of the time we want to have a conditional use or an appeal because we want to involve the public as an opportunity to speak and for them to be notified and/or for them to chime in. When things are codified into a Code, the public knows what to expect from an organization, a city, and future property values.

Commissioner Daniel asked if a person can remodel a house and have two one-car garages separate from themselves.

Planning Director Mendoza said that right now he would have a hard argument saying he would not approve a second driveway for the resident. In the Code, you can build two garages away from each other with separate curb cuts but he would really rather not do that.

Commissioner Daniel said he felt that one curb cut per parcel would be good.

Vice-Chairperson Sofelkanik thought the words "per frontage" is better and Commissioner DeBolt concurred.

Jody Schloss pointed out there are some lots that are existing that have curb cuts on two different streets as they are corner lots and have two separate garages with two separate driveways and asked if these will be grandfathered in. She then asked what will happen when the owner goes to sale the house; is this going to be a problem?

Planning Director Mendoza answered that these houses are only grandfathered in if it was permitted at one time. If they can show him a permit, then they're grandfathered in.

Jody Schloss asked the question if the houses are not permitted, is the City going to make them tear down the garage?

Planning Director Mendoza responded that the City is not that active in Code Enforcement currently. But the next buyer certainly would be surprised. A fundamental question is, "Do you think that begins to deteriorate a neighborhood?" and, if so, then these kinds of regulations are necessary.

Vice-Chairperson Sofelkanik pointed out if we allow curb cuts on two different frontages, there should be language that they access the same driveway so you don't have a curb cut on a corner lot going to two different driveways as Ms. Schloss mentioned.

Commissioner Daniel said he felt it should be one curb cut per parcel for the width of the garage and if they want to do a second curb cut on a corner lot, they can come before the Commission for approval.

There being no further speakers, Chairperson Loe closed the item for public comment and brought it back to the Commission for their comments.

Planning Director Mendoza indicated he would like to see if there is consensus among the Commission for Commissioner Daniel's suggestion.

The Commission concurred.

Planning Director Mendoza indicated he's going to make the recommendation that it'll be a Site Plan Review and not a Conditional Use Permit. He asked Planning Aide Oliver if this would be less expensive for the resident.

Planning Aide Oliver indicated that the Site Plan Review (for a minor) is \$1,200 as opposed to \$1,000 for a CUP.

Planning Director Mendoza said he believes this dialogue was very helpful in Staff bringing back to the Commission a comprehensive three recommendations for Codes regarding guest homes, accessory structures and driveways. He said he felt Staff has enough direction about how the Commission wanted it but they can still make little tweaks when Staff brings the resolutions for approval.

10. STAFF REPORTS

A. Removal of Local Landmark Designation for 10872 Chestnut Street.

The City Attorney is recommending the removal of May 2012 Local Landmark designation by the Planning Commission.

This item was heard at the beginning of the meeting before the Public Hearing section of the agenda.

11. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Planning Director Mendoza pointed out that the Commissioners all received a new update of "Rosenberg's Rules" for their binders.

Planning Aide Oliver said he wanted to respond to Commissioner DeBolt about the request he had regarding what things require building permits. The Building Department web page has what things require building permits and what do not.

In response to Planning Director Mendoza, Planning Aide Oliver indicated he would make copies of this information and send them to all the Commissioners.

12. COMMISSIONER REPORTS

Commissioner DeBolt suggested considering expanding the uses in the PM zone to allow for classes that have definite start and end times; limited by the available parking and that type of thing. This is suggested to accommodate the changing business demographics that are occurring.

Commissioner Daniel commented that regarding some of the industrial parcels, Planning Director Mendoza mentioned maybe making some of the frontages, giving them an opportunity to be retail instead of industrial.

Planning Director Mendoza answered that this should have been brought up during the recession of 2004 and 2005. The City has always said that retail uses can't be in an industrial area but we have retail uses on frontages of industrial developments, especially along Katella. So, maybe it's time to start thinking about maybe retail uses to promote retail uses and sales tax that some of these arterial frontage industrial developments may be better suited for these kind of uses. A CUP is an impediment for retail being allowed.

Commissioner DeBolt suggested looking at this item at the same time Staff looks at his previous suggestion.

Planning Director Mendoza said Staff will bring the Commission a Notice of Intent for this item as well.

13. ADJOURNMENT

The Planning Commission was adjourned at 10:45 P.M. The next meeting of the Planning Commission will be held at 7:00 P.M. on **Monday, February 10, 2014**, in the City Council Chamber.

Gary Loe, Chairperson

ATTEST:

Steven Mendoza, Secretary

MINUTES

**February 10,
2014**

**MINUTES OF PLANNING COMMISSION MEETING
OF THE CITY OF LOS ALAMITOS**

February 10, 2014

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:02 P.M., Monday, February 10, 2014, in the Council Chambers, 3191 Katella Avenue; Chairperson Loe presiding.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Loe.

3. ROLL CALL

Present: Commissioners: Mary Anne CUILTY
Art DeBolt
Wendy Grose
John Riley
Gary Loe

Staff: Planning Director Steven Mendoza
Planning Aide Tom Oliver
Assistant City Attorney Lisa Kranitz
Dawn Sallade, Part-Time Clerical Aide

Late: N/A

Absent: Commissioners: Will Daniel
Victor Sofelkanik

Staff: N/A

4. ORAL COMMUNICATIONS

Chairperson Loe opened the meeting for Oral Communications.

There being no persons wishing to speak, Chairperson Loe closed Oral Communications.

5. APPROVAL OF MINUTES

None.

6. CONSENT CALENDAR

None.

7. PUBLIC HEARING

A. Revisit Conditional Use Permit 13-02 for Secondhand Shop and Social Service Facility – 5300 Katella Avenue.

Review of Conditional Use Permit 13-02 for a 14,455 sq. ft. secondhand shop and social service facility at 5300 Katella Avenue, APN 222-021-14 (Applicant: Blair Pietrini – Grateful Hearts Storehouse).

Staff recommends DISCUSSING THE CONDITIONS OF RESOLUTION 13-07.

Planning Director Steven Mendoza announced that any Commissioners that live adjacent to this or own properties adjacent to this that you may have the opportunity to recuse yourself.

Planning Aide Tom Oliver presented the Staff Report and indicated the applicant, Blair Pietrini, is not present at tonight's meeting as both her Mother and Brother are in the hospital. The person representing Ms. Pietrini is in the audience today and the Commission may ask her questions if they choose. If any decisions or changes need to be made to the conditions, the Commission would not be able to do that tonight until Ms. Pietrini is in attendance which will be next month.

Planning Director Mendoza commented that the Public Hearing should be opened and allow anyone in attendance to speak and, if there was an issue that the Commission wanted to bring up, it would probably be better to do that with the applicant present.

Chairperson Loe opened the item for public comment.

Cindy Diaz, representative for Grateful Hearts, acknowledged that their item will be postponed until next month but wanted to say that their goal is to be harmonious with the City's vision and abide by the City's General Plan and follow all municipal code. She said they're very excited as there are a lot of great things happening there and they can't wait for next month's hearing.

Instead of closing the Public Hearing, Chairperson Loe left the item open until the next Planning Commission meeting on March 10, 2014.

Commissioner DeBolt made the motion to leave this item open to the March 10, 2014 Planning Commission meeting.

The motion was seconded by Commissioner Grose.

*Motion/Second: DeBolt/Grose
Carried: 5/0/0.*

B. Consideration of the Removal of Local Landmark Designations for: 10901 Chestnut Street; 10802 Chestnut Street; 3372 Florista Street; 11062 Los Alamitos Boulevard.

During the January 13, 2014 meeting, the Planning Commission instructed Staff to bring back the remaining properties with Landmark Designations in order for them to be cleared from the local landmarks list including: 10901 Chestnut Street, 10802 Chestnut Street, 3372 Florista Street, and 11062 Los Alamitos Boulevard.

Staff recommends adoption of Resolution No. 14-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTIES AT: 10901 CHESTNUT STREET, 10802 CHESTNUT STREET, 3372 FLORISTA STREET AND 11062 LOS ALAMITOS BOULEVARD, LOS ALAMITOS, CALIFORNIA 90720 (APN NOS. 242-202-17, 242-193-06, 242-202-21 & 222-091-07), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND FURTHER REMOVAL OF ANY LOCAL LANDMARK DESIGNATION THEREFROM."

Commissioner DeBolt declared a conflict of interest as he has an interest in real within 500 feet on the corner of Catalina and Chestnut Streets and recused himself.

Commissioner Grose declared a conflict of interest as she owns property within 500 feet of the subject properties and recused herself.

Assistant City Attorney Lisa Krantz announced that with the recusal of Commissioners' DeBolt and Grose and the absence of two other Commissioners, we no longer have a quorum and, therefore, cannot take action on this item. She suggested opening the Public Hearing and take testimony from anybody wishing to speak on this item.

Planning Director Mendoza explained to the audience that the Commission does not have enough members tonight to actually take action but since it is a Public Hearing, that the Public Hearing will be opened and everyone is given an opportunity to speak still.

Chairperson Loe opened the item for public comment.

Margaret Kendrick (Resident of Rossmoor and she is a member of the Board of Directors for the Museum, and serves on the Orange County Historical Commission). Ms. Kendrick asked if "...and further removal of any local landmark designation...", also pertains to any property other than property in the City of Los Alamitos.

Assistant City Attorney Kranitz explained that the only thing that the Commission's action would pertain to at such time that they take action is to property under the Los Alamitos Code.

Instead of closing the Public Hearing, Chairperson Loe left the item open until the next Planning Commission meeting on March 10, 2014.

8. STAFF REPORTS

Zoning Ordinance Amendment Regarding (ZOA) 13-05 “Guest homes”; ZOA 14-01 – “Driveways”, and ZOA 14-02 – “Accessory Structures”.

The Commission is in the process of considering Zoning Ordinance Amendments related to “Detached Guest home”, “Guest house”, “Accessory Structures”, and “Driveways”. The Commission has provided direction to Staff for the amendments. Staff is requesting more time to solidify the changes and present them to the Commission at the March meeting (City initiated).

Staff recommends CONTINUING THE DISCUSSION TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING.

Planning Aide Tom Oliver summarized the Staff Report, and explained Staff needs more time to write the resolutions asking the City Council to make changes to the ordinances. Staff has need of more time to be able write those ordinance and still have a lot of discussion to go through as Staff to decide; however, you may open this item to public discussion and, if you’d like to continue to discuss for instance “accessory structure” which was left open at the last meeting and no direction was given as to what type of ordinance the Commission would like to see.

Chairperson Loe opened the item for public comment.

Commissioner DeBolt made the motion to leave this item open to the March 10, 2014 Planning Commission meeting.

The motion was seconded by Commissioner Grose.

*Motion/Second: DeBolt/Grose
Carried: 5/0/0.*

9. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Planning Director Mendoza invited the Commission to attend “The Race At the Base” on February 22nd and reminded them that he would pay the fees for them if they would like to participate.

10. COMMISSONER REPORTS

None.

11. **ADJOURNMENT**

The Planning Commission was adjourned at 7:20 P.M. The next meeting of the Planning Commission will be held at 7:00 P.M. on **Monday, March 10, 2014**, in the City Council Chamber.

Gary Loe, Chairperson

ATTEST:

Steven Mendoza, Secretary

ITEM 7A

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 10, 2014
Item No: 7A

To: Chair Loe and Members of the Planning Commission

Via: Steven A. Mendoza, Community Development/Public Works Director

From: Tom Oliver, Planning Aide

Subject: Revisit Conditional Use Permit 99-04M2 for Modification to Alcohol Sales – 10772 Los Alamitos Blvd.

Summary: Review of Conditional Use Permit 99-04M2 for alcohol sale modifications to sell singles at 10772 Los Alamitos Blvd., APN 242-181-24 (Applicant: Balwinder Singh).

Recommendation:

1. Open the Public Hearing; and, if appropriate;
2. Discuss the conditions of Resolution 13-18.

Applicant: Balwinder Singh – 7-Eleven Store

Location: 10772 Los Alamitos Blvd., APN 242-181-24

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, was prepared and filed for the project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

Approval Criteria: Section 17.10.020 Table 2-04 (Allowed Uses and Permit Requirements for Commercial/Industrial Zoning Districts) of the Los Alamitos Municipal Code (LAMC) alcoholic beverage sales, on- or off-site consumption may be allowed with the approval of a Conditional Use Permit in the C-G zoning district.

Noticing:

Notices announcing the Planning Commission meeting, discussing this Conditional Use Permit, were mailed to 31 property owners and 48 commercial occupants within 500 feet of the proposed location on February 26, 2014. A public notice regarding this meeting was also published in the News Enterprise on February 26, 2014.

Background

An application was filed in 2013 for a Conditional Use Permit to modify alcohol conditions concerning types of products sold at the 7-Eleven Store at 10772 Los Alamitos Boulevard, which the Planning Commission approved in September 2013. Tonight, the Commission will review the conditions as noted in Condition 32 which states, "The Planning Commission shall conduct a review of the applicant's compliance with these conditions after six months from the date of this resolution."



Discussion

On April 9, 2012, Mr. Balwinder Singh, the applicant, was approved to operate a 7-Eleven franchise store at 10772 Los Alamitos Boulevard. He received a CUP from the City to operate the store on a 24-hour basis and to sell alcohol from 6:00 AM to Midnight.

On June 28, 2013 Mr. Singh submitted an application for a modification to 2012's Conditional Use Permit (CUP 99-04M, PC Resolution 12-01B) to allow sales of alcohol to be extended from 6:00 AM until Midnight to 6:00 AM - 2:00 AM. The applicant also requested the ability to sell alcoholic beverages, 24-ounces and above, as well as singles which currently prohibited by the Planning Commission Resolution approved in 2012.

A Public Hearing was held by the Planning Commission on August 12, 2013, where the Commission directed the applicant to compile a list of what alcoholic beverages they wanted to sell -- and were unable to sell under their CUP conditions -- as well as the amount of space set aside in the store for alcohol sales, and return to the Planning Commission on September 9, 2013.

At the Planning Commission of September 9, 2013, the applicant's answers to the Planning Commission's questions were considered by the Planning Commission. The Commissioners directed Staff to draft a modification of 2012's resolution with certain changes including approval for sales of alcohol "singles," a limit to the percentage of floor area devoted to alcohol sales, a six month review of conditions, and a change of condition language concerning wine sales.

On September 12, 2013, Resolution 13-18 was approved by the Planning Commission.

The Original Conditions

Below is a table showing the original Conditions from the resolution approving an upgrade to an existing beer and wine license for off-site consumption to include distilled spirits at a market. Tonight, the Commission will review the conditions of Resolution 13-18 as noted in Condition 32 below, which states, "The Planning Commission shall conduct a review of the applicant's compliance with these conditions after six months from the date of this resolution." Staff's opinion of the applicant's compliance with these conditions is noted in the boxes on the right:

CONDITION	CONDITION MET "YES"	CONDITION MET "NO"
1. The store/market at 10772 Los Alamitos Boulevard may operate on a 24 hour basis (subject to Condition 4 below) and the facility may sell single bottles or cans of beer, subject to such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approvals of CUP 99-04 and the modifications thereto noted thereon, and on file in the Community Development Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Community Development Director without requiring a public meeting.	Yes	
2. The approval permits operation of a retail sales	Yes	

<p>establishment that sells alcohol that will operate beyond its normal permitted operational hours to extend to 24 hours (subject to Condition 4 below), which requires a Conditional Use Permit at 10772 Los Alamitos Boulevard in the General Commercial (C-G) zoning district.</p>		
<p>3. The approval allows the operational hours for the sales of beer, wine, and distilled spirits from 6:00 AM to Midnight at 10772 Los Alamitos Boulevard.</p>	Yes	
<p>4. Applicant must obtain, operate and maintain a franchise with 7-Eleven or a similar nationally recognized convenience store with substantially similar corporate structure and requirements regarding safety, marketing and merchandise as a condition to begin 24-hour operation.</p>	Yes	
<p>5. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and the Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Community Development Director.</p>	Yes	
<p>6. Failure to satisfy and/or comply with the Conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.</p>	Yes	
<p>7. The applicant and the applicant's successors in interest shall be fully responsible for knowing and complying with all Conditions of Approval. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.</p> <p>Pursuant to Government Code Section 66020(d)(1), the applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:</p> <p>Fees: N/A Dedications: N/A Reservations: N/A Other Exactions: N/A</p> <p>The applicant has 90 days from the date of adoption of this resolution to protest the impositions described above. The applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.</p>	Yes	

<p>8. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.</p>	<p>Yes</p>	
<p>9. The property owner/applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The property owner/applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department prior to issuance of any permits.</p>	<p>Yes</p>	
<p>10. Applicant shall comply with applicable City, County, and/or State regulations.</p>	<p>Yes</p>	
<p>11. The applicant shall submit complete plans for any new construction and obtain all necessary permits for building, electrical, plumbing, and mechanical work.</p>	<p>Yes</p>	
<p>12. The project shall comply with all requirements of Chapter 17.24, Noise Control, of the Los Alamitos Municipal Code.</p>	<p>Yes</p>	
<p>13. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.</p>	<p>Yes</p>	
<p>14. The display of alcoholic beverages shall be interior only (no outdoor display) at any time.</p>	<p>Yes</p>	
<p>15. There shall be no sales of low-priced, screw-top fortified wines, 40 oz. Malt liquors, and pints or half-pints of spirits.</p>	<p>Yes</p>	
<p>16. Deleted.</p>	<p>N/A</p>	
<p>17. There shall be no sale of wine in individual containers of less than a 750 mil. quantity, and wine coolers or similar alcoholic beverages shall be sold in manufacturer's pre-packaged multi-unit quantities.</p>	<p>Yes</p>	
<p>18. There shall be no sale, trade or exchange of any airline- or "shot"-size bottles of alcohol (50 milliliters or less).</p>	<p>Yes</p>	
<p>19. The hours for selling alcohol shall be restricted to between 6:00 AM and 12:00 Midnight.</p>	<p>Yes</p>	

20. Compliance with Chapter 5.48 of the Los Alamitos Municipal Code, as it may be amended from time to time, is required. As of the date of issuance of the Conditional Use Permit, Chapter 5.48.020 provides in part: "The display of material which is harmful to minors, as defined in Chapter 7.6 of Title 9 of the California Penal Code, (Section 313 et seq. thereof) in a public place, other than a public place from which minors are excluded, is prohibited unless a device commonly known as a blinder rack, is placed in front of such material, so that the lower two-thirds of the material is not exposed to view.	Yes	
21. All deliveries shall be conducted only during the hours of 8:00 AM to 12 Noon and shall be loaded through the front of the store.	Changed to 8AM to 10PM with Director Approval	
22. The parcel's landscape and parking lot shall be maintained in good, clean condition at all times.	Yes	
23. All vending machines of any kind shall be located within the store.	Yes	
24. Any complaints concerning trash in the yards of neighboring residences, from products purchased at this business, shall be remedied by the applicant immediately.	Yes	
25. The rear door of the building shall be converted to "Emergency Use" only, to the satisfaction of the Community Developer Director.	Yes	
<u>Police Department</u>		
26. The applicant shall install adequate outdoor lighting to the satisfaction of the Police Department.	Yes	
27. The applicant shall install an operable digital video recording system to record all 24 hours-a-day including: <ul style="list-style-type: none"> • Wall-mounted DVR (digital video recorder with hard drive for storage of info) in back office; • Front door camera mounted in door frame looking a main entrance/exit aisle; • Ceiling mounted camera looking a front door area; • Sales floor public view monitor (mounted on ceiling); • Two exterior cameras; • Two dome cameras looking down on sales counter area; • Alarm feature with hard wire button at sales counter with two remote devices; • Audio recording kit; • Back-up battery for power interruption. 	Yes	
28. Alcohol shall be stored in a manner that discourages theft, to the satisfaction of the Police Department.	Yes	
29. The rear deliver door shall be secured and closed at all times, except during deliveries.	Yes	
<u>Orange County Fire Authority</u>		
30. The applicant shall provide the Orange County Fire Authority with any plans for review of tenant improvements.	Yes	

Conditions added by Planning Commission		
31. No more than 100 square feet of the floor space of the store shall be used for the display of alcohol sales; this does not include multi-level shelving.	Yes	
32. The Planning Commission shall conduct a review of the applicant's compliance with these conditions after six months from the date of this resolution.	Tonight, Yes	

Note that there are less signs than in the past...



Recommendation

Staff reviewed the Conditions, visited the site, and looked for any records of code violation and finds that this 7-Eleven is in compliance with the Conditions approved in Resolution 13-18. At this point, the Planning Commission can take any or a combination of the following actions:

1. Add additional conditions if it deems necessary;
2. Schedule a further review date;
3. Determine that there is no need for any further action;
4. Provide a recommendation to the City Council to revoke the Conditional Use Permit.

Attachments: 1) *P.C. Resolution 13-18*
2) *09-09-13 Staff Report*
3) *09-12-13 Staff Report*

RESOLUTION NO. 13-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MODIFYING AND RESTATING THE PREVIOUS APPROVALS FOR RESOLUTION NOS. 99-21 (CONDITIONAL USE PERMIT 99-04) AND 12-01B (CONDITIONAL USE PERMIT 99-04M) AND APPROVING CONDITIONAL USE PERMIT 99-04M2 FOR 24 HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES FOR OFFSITE CONSUMPTION, IN CONJUNCTION WITH AN ALLOWED USE IN A 2,570 SQUARE FOOT STORE AT 10772 LOS ALAMITOS BOULEVARD IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-181-24 (APPLICANT: BALWINDER SINGH)

WHEREAS, the Los Alamitos Planning Commission adopted Resolution No 99-21 approving Conditional Use Permit No. 99-04 on December 6, 1999 permitting "an upgrade to an existing beer and wine license for off-site consumption to include distilled spirits at a market," between 8:00 A.M. and 9:00 P.M.; and,

WHEREAS, the Los Alamitos Planning Commission adopted Resolution No 12-01B modifying Conditional Use Permit No. 99-04 on April 9, 2012 to allow a twenty-four (24) hour use in a 2,570 square foot store/market in a multi-tenant building in the General Commercial (C-G) Zoning District, in order to facilitate applicant's intention to obtain 7-Eleven franchise for the property; and,

WHEREAS, on April 9, 2012 Mr. Balwinder Singh submitted an application to modify Conditional Use Permit No. 99-04 and the 2012 modification (Conditional Use Permit 99-04M), to extend alcohol sales hours and allow sales of alcohol "singles" (Conditional Use Permit 99-04M2); and,

WHEREAS, said verified application constitutes a request as required by Section 17.42.050 (Conditional Use Permits) of the Los Alamitos Municipal Code; and,

WHEREAS, the said verified application was publicly noticed on July 29, 2013, for a Public Hearing; and,

WHEREAS, the Planning Commission held a Public Hearing on August 12, 2013 and there requested additional Information from the applicant and continued the Public Hearing to September 9, 2013; and,

WHEREAS, Mr. Singh, through his representative, withdrew the request for additional alcohol sales hours; and,

WHEREAS, the Planning Commission, on September 9, 2013, directed Staff to continue the Public Hearing to September 12, 2013 and further directed Staff to draft a resolution of approval modifying alcohol conditions concerning types of products sold; and,

WHEREAS, in order to simplify and clarify for future enforcement, it is appropriate to adopt a new resolution making changes to certain conditions and restating all approvals and conditions in one document; and,

WHEREAS, a continued Public Hearing was held on said application by the Planning Commission on September 12, 2013 to review Resolution 13-18; and,

WHEREAS, on December 6, 1999, after a duly noticed Public Hearing, the Planning Commission approved Conditional Use Permit No. 99-04 to upgrade the beer and wine license to include distilled spirits and made the following findings:

1. LAM's Market, as proposed and conditioned is consistent with the General Plan land use designation of Retail Business.
2. LAM's Market, as conditioned, will not endanger the public health or general welfare if the project is located where proposed and the use will not foster circumstances that tend to generate nuisance conditions based upon the following:
 - a. There are no schools, churches, temples or other places primarily used for religious worship within a five hundred (500) foot radius. NO current or previous problems at the market have been identified. Soroptimist Park is within a five hundred foot radius of the market, but the professional opinion of the Chief of Police of the Los Alamitos Police Department (LAPD) is that an upgraded liquor license to include distilled spirits will not have an adverse effect on the park.

The nearest residential district, to the east, is buffered from the proposed use by an alley and the building in which the subject market is located. LAPD records indicate no loitering or drinking problems associated with the subject site.

- b. The nearest liquor store is more than five hundred (500) feet from the proposed site; therefore an undue concentration does not exist.
 - c. The applicant is not proposing any changes to the exterior appearance of the existing structure that is inconsistent with surrounding commercial structures.
3. The proposed project is categorically exempt pursuant to Section 15301, Class 1 (*Existing Facilities*) of the California Environmental Quality Act (CEQA) Guidelines.

WHEREAS, on April 9, 2012, after a duly noticed Public Hearing, the Planning Commission approved Conditional Use Permit No. 99-04M, which modified Conditional Use Permit No. 99-04 to allow a 24-hour location and made the following findings:

1. The operation of a store/market, as proposed and conditioned, will not endanger the public health, or general welfare at 10772 Los Alamitos Boulevard as the police department has included conditions to mitigate security concerns. Furthermore, these conditions will prevent the generation of nuisance conditions such as noise, glare, odor, or vibrations from the expanded hours of the business. The extended hours will offer a convenience to the nearby residences by being an option for after-hours purchases at a store/market.
2. The use as a store/market with extended hours will meet the required conditions and specifications set forth in the General Commercial (C-G) Zoning District where it is proposed to operate because the Los Alamitos Zoning Code conditionally allows for these uses with the approval of a Conditional Use Permit.

3. The use as a store/market with extended hours at 10772 Los Alamitos Boulevard, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located because the use is as a store/market currently exists and has created few concerns or complaints.
4. The use as a store/market with extended hours in general conformity with the Los Alamitos General Plan because the "Retail Business" Land Use Designation is described on page 1-10 in the land Use Element of the General Plan as "containing commercial retail uses such as supermarkets, drugstores, personal services, restaurants, and facilities that offer a wide variety of retail products."
5. The decision to approve Conditional Use Permit (CUP 12-01) is based on the Planning Commission's review of the plans and specifications submitted for the use as a store/market with extended hours and on testimony given at the public hearing on March 9, 2012, before the Planning Commission.
6. The proposed project is Categorically Exempt pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) and the City's Local Guidelines for implementing CEQA.

WHEREAS, based upon the evidence presented at the Public Hearings held on this matter on August 12, September 9, and September 12, 2013, it was determined that the findings required by Section 17.42.050 for the modification to Conditional Use Permit 99-04M (CUP 99-04M2) of the Los Alamitos Municipal Code are as follows:

1. Allowing the sale of single bottles of beer and clarifying that wine coolers and other prepackaged alcoholic beverages may be sold at the location will not endanger the public health, safety or general welfare at 10772 Los Alamitos Boulevard or the surrounding area as these types of sales are allowed at other locations throughout the City without problems and conditions continue to be imposed to mitigate safety concerns. The expansion of the sales will not create conditions which will create a nuisance, including but not limited to noise, glare, odor, or vibration. Additionally, a condition has been imposed to review this approval after a six month period in order to insure that no such problems develop.
2. The use as a store/market with alcohol sales continues to meet the required conditions and specifications set forth in the Los Alamitos Zoning Code which allows such use in the General Commercial zoning district pursuant to a conditional use permit. There is no prohibition in the City's Zoning Code which prohibits the sale of single cans.
3. The use as a store/market with alcohol sales will continue to be in harmony with the area and in general conformity with the Los Alamitos General Plan. The use has not created any concerns or complaints and allowing the sale of single cans of beer is not expected to generate any concerns or complaints. Significantly, no member of the public raised any objection to this expanded use.
4. The use continues to be in harmony with the "Retail Business" Land Use Designation of the General Plan which is described as "containing commercial retail uses such as supermarkets, drugstores, personal services, restaurants, and facilities that offer a wide variety of retail products."

5. The decision to approve Conditional Use Permit 99-04M2 is based on the Planning Commission's review of the staff reports, plans, and other materials submitted by staff and the applicant as well as on all oral testimony provided at the public hearings.
6. The proposed project is Categorically Exempt pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) and the City's Local Guidelines for implementing CEQA.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Based upon such findings and determinations, the Planning Commission hereby modifies and approves CUP 99-04M2, subject to the following conditions:

Planning

1. The store/market at 10772 Los Alamitos Boulevard may operate on a 24 hour basis (subject to condition 4 below) and the facility may sell single bottles or cans of beer, subject to such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approvals of CUP 99-04 and the modifications thereto noted thereon, and on file in the Community Development Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Community Development Director without requiring a public meeting.
2. The approval permits operation of a retail sales establishment that sells alcohol that will operate beyond its normal permitted operational hours to extend to 24 hours (subject to condition 4 below), which requires a Conditional Use Permit at 10772 Los Alamitos Boulevard in the General Commercial (C-G) zoning district.
3. The approval allows the operational hours for the sales of beer, wine, and distilled spirits from 6 a.m. to midnight at 10772 Los Alamitos Boulevard.
4. Applicant must obtain, operate and maintain a franchise with 7-Eleven or a similar nationally recognized convenience store with substantially

similar corporate structure and requirements regarding safety, marketing and merchandise as a condition to begin 24-hour operation.

5. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and the Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Community Development Director.
6. Failure to satisfy and/or comply with the conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.
7. The applicant and the applicant's successors in interest, shall be fully responsible for knowing and complying with all conditions of approval. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.

Pursuant to Government Code Section 66020(d)(1), the applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees:	N/A
Dedications:	N/A
Reservations:	N/A
Other Exactions:	N/A

The applicant has 90 days from the date of adoption of this Resolution to protest the impositions described above. The applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.

8. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision

to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

9. The property owner/applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The property owner/applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department prior to issuance of any permits.
10. Applicant shall comply with applicable City, County, and/or State regulations.
11. The applicant shall submit complete plans for any new construction and obtain all necessary permits for building, electrical, plumbing, and mechanical work.
12. The project shall comply with all requirements of Chapter 17.24, Noise Control, of the Los Alamitos Municipal Code.
13. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.
14. The display of alcoholic beverages shall be interior only (no outdoor display) at any time.
15. There shall be no sales of low-priced, screw-top fortified wines, 40 oz. Malt liquors, and pints or half-pints of sprits.
16. Deleted.
17. There shall be no sale of wine in individual containers of less than a 750 mil. quantity, and wine coolers or similar alcoholic beverages shall be sold in manufacturer's prepackaged multi-unit quantities.
18. There shall be no sale, trade or exchange of any airline- or "shot"-size bottles of alcohol (50 milliliters or less).
19. The hours for selling alcohol shall be restricted to between 6:00 A.M. and 12:00 Midnight.
20. Compliance with Chapter 5.48 of the Los Alamitos Municipal Code, as it may be amended from time to time, is required. As of the date of the date of the issuance of the conditional use permit, Chapter 5.48.020 provides in part: "The display of material which is harmful to minors, as defined in Chapter 7.6 of Title 9 of the California Penal Code, (Section 313 et seq. thereof) in a public place, other than a public place from which minors are excluded, is prohibited unless a device commonly known as a blinder rack, is placed in front of such material, so that the lower two-thirds of the material is not exposed to view.

21. All deliveries shall be conducted only during the hours of 8:00 a.m. to 12 noon and shall be loaded through the front of the store.
22. The parcel's landscape and parking lot shall be maintained in good, clean condition at all times.
23. All vending machines of any kind shall be located within the store.
24. Any complaints concerning trash in the yards of neighboring residences, from products purchased at this business, shall be remedied by the applicant immediately.
25. The rear door of the building shall be converted to "Emergency Use" only, to satisfaction of the Community Developer Director.

Police Department

25. The applicant shall install adequate outdoor lighting to the satisfaction of the Police Department.
26. The applicant shall install an operable digital video recording system to record all 24 hours-a-day including:
 - Wall-mounted DVR (digital video recorder with hard drive for storage of info) in back office
 - Front door camera mounted in door frame looking a main entrance/exit aisle
 - Ceiling mounted camera looking a front door area
 - Sales floor public view monitor (mounted on ceiling)
 - Two exterior cameras
 - Two dome cameras looking down on sales counter area
 - Alarm feature with hard wire button at sales counter with two remote devices
 - Audio recording kit
 - Back-up battery for power interruption
27. Alcohol shall be stored in a manner that discourages theft, to the satisfaction of the Police Department.
28. The rear deliver door shall be secured and closed at all times, except during deliveries.

Orange County Fire Authority

29. The applicant shall provide The Orange County Fire Authority with any plans for review of tenant improvements.

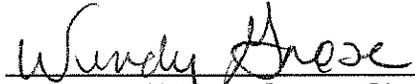
Conditions added by Planning Commission

30. No more than 100 square feet of the floor space of the store shall be used for the display of alcohol sales; this does not include multi-level shelving.
31. The Planning Commission shall conduct a review of the applicant's compliance with these conditions after six months from the date of this resolution.

SECTION 3. The provisions of Resolution Nos. 99-21 and 12-01 and have been incorporated herein and such Resolutions are of no further force and effect.

SECTION 4. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same.

PASSED, APPROVED, AND ADOPTED this 12th day of September, 2013.



Wendy Grose, Chair

ATTEST:



Steven Mendoza, Secretary

APPROVED AS TO FORM:

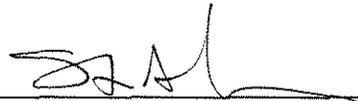


Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 12th day of September 2013, by the following vote, to wit:

AYES: DEBOLT, SOFELKANIK, LOE, GROSE
NOES: RILEY
ABSENT: DANIEL, SUTHERLIN
ABSTAIN: NONE



Steven Mendoza, Secretary

City of Los Alamitos

Planning Commission

**Agenda Report
Public Hearing**

**September 9, 2013
Item No: 7C**

To: Chairperson Grose and Members of the Planning Commission

Via: Steven A. Mendoza, Director of Community Development

From: Tom Oliver, Planning Aide

Subject: Continued Consideration of a Conditional Use Permit (CUP) 99-04M2
- A Request for Modifications of Conditions for Alcohol Sales at 7-
Eleven Located at 10772 Los Alamitos Boulevard

Summary: A request to expand alcohol sales hours and alcohol products sold at a 7-Eleven at 10772 Los Alamitos Boulevard, located in the General Commercial (C-G) District, APN 242-181-24 (Applicant: Balwinder Singh). *Staff is not supportive of this request.*

Recommendation:

Continue the Public Hearing; and, if appropriate,

1. Adopt Planning Commission Resolution No. 2013-11, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DENYING A MODIFICATION OF CONDITIONAL USE PERMIT NOS. 99-04 & 99-04M TO SELL ALCOHOL FROM 6:00 A.M. TO 2:00 A.M., AND TO SELL ALCOHOLIC BEVERAGES LARGER THAN TWENTY-FOUR (24) OUNCES, AS WELL AS SINGLES, AT 10772 LOS ALAMITOS BOULEVARD IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-181-24 (APPLICANT: BALWINDER SINGH);" *or, alternatively,*
2. Direct Staff to draft the appropriate resolution.

Applicant: Balwinder Singh

Project Location: 10772 Los Alamitos Boulevard

Environmental: A Categorical Exemption pursuant to Section 15301, Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines.

Approval Criteria: Section 17.10.020 Table 2-04 (Allowed Uses and Permit Requirements for Commercial/Industrial Zoning Districts) of the Los Alamitos Municipal Code (LAMC) specifies in Note 4 that retail sales or service establishment uses that operate between the hours of 10:00 P.M. and 6:00 A.M. may be allowed with the approval of a Conditional Use Permit in the C-G zoning district.

Noticing: This Hearing was noticed in the News Enterprise on July 29, 2013. All business owners, approximately 153 property owners, and residents within 500 feet of the subject property were mailed Public Notices on July 31, 2013.

Background

On April 9, 2012, Mr. Balwinder Singh, the applicant, was approved to operate a 7-Eleven franchise store at this location and received a CUP from the City to operate the store on a 24-hour basis and to sell alcohol from 6:00 A.M. to Midnight. 24-hour use is a common practice for these types of businesses, and the corporate standards of a 7-Eleven franchise are intended to help mitigate some of the adverse impacts that a 24-hour convenience store may have on an adjacent neighborhood.

Mr. Singh requests a modification to last year's Conditional Use Permit (CUP 99-04M) to allow sales of alcohol to be extended from 6:00 A.M. until Midnight to 6:00 A.M. - 2:00 A.M. The applicant has also requested the ability to sell alcoholic beverages, 24-ounces and above, as well as singles which is currently prohibited by the Planning Commission Resolution approved last year.

Tonight's Public Hearing is a continuation from the August 12, 2013 Planning Commission meeting. At that meeting the Commission directed the applicant to compile a list of what alcoholic beverages that they would like to sell, and are unable to sell under current CUP conditions, as well as the amount of space set aside in the store for alcohol sales, and return to the Planning Commission on September 9, 2013. The applicant's answers to the question are attached to this report.

Recommendation

Staff feels that expanded hours could offer a convenience to the surrounding area and that the corporate identity of 7-Eleven is beneficial to the community; however, Staff does not recommend that alcohol sale hours be expanded. In order to continue to mitigate any concerns regarding the adjacency of the six-unit apartment building and others in the Residential District behind this store, it would be Staff's recommendation to keep the current alcohol conditions in place.

Attachments:

- 1) *Site Plan*
- 2) *Planning Commission Resolution No. 12-01B, Approving CUP 99-04M*
- 3) *Planning Commission Resolution No. 99-21, Approving CUP 99-04*
- 4) *August 12, 2013 Planning Commission Meeting Staff Report with Attachments*
- 5) *Emails from Sherrie Olson Detailing the Beverages the Applicant is Proposing to Sell*
- 6) *Draft Planning Commission Resolution No. 2013-11*

City of Los Alamitos

Planning Commission

Agenda Report
Public Hearing

September 12, 2013
Item No: 7A

To: Chairperson Grose and Members of the Planning Commission

Via: Steven A. Mendoza, Director of Community Development

From: Tom Oliver, Planning Aide

Subject: Continued Consideration of a Conditional Use Permit (CUP) 99-04M2
- A Request for Modifications of Conditions for Alcohol Sales at 7-Eleven Located at 10772 Los Alamitos Boulevard

Summary: This hearing is continued from September 9, 2013 providing the Commission with a recommendation to approve their request to expand alcohol products sold at a 7-Eleven at 10772 Los Alamitos Boulevard, located in the General Commercial (C-G) District, APN 242-181-24 (Applicant: Balwinder Singh).

Recommendation:

1. Continue the Public Hearing; and,
2. Adopt Planning Commission Resolution No. 13-18 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MODIFYING AND RESTATING THE PREVIOUS APPROVALS FOR RESOLUTION NOS. 99-21 (CONDITIONAL USE PERMIT 99-04) AND 12-01B (CONDITIONAL USE PERMIT 99-04M) AND APPROVING CONDITIONAL USE PERMIT 99-04M2 FOR 24 HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES FOR OFFSITE CONSUMPTION, IN CONJUNCTION WITH AN ALLOWED USE IN A 2,570 SQUARE FOOT STORE AT 10772 LOS ALAMITOS BOULEVARD IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-181-24 (APPLICANT: BALWINDER SINGH)."

Applicant: Balwinder Singh

Project Location: 10772 Los Alamitos Boulevard

Environmental: A Categorical Exemption pursuant to Section 15301, Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines.

Approval Criteria: Section 17.10.020 Table 2-04 (Allowed Uses and Permit Requirements for Commercial/Industrial Zoning Districts) of the Los Alamitos Municipal Code (LAMC) specifies in Note 4 that retail sales or service establishment uses that operate between the hours of 10:00 P.M. and 6:00 A.M. may be allowed with the approval of a Conditional Use Permit in the C-G zoning district.

Noticing: Notice was provided in the News Enterprise on July 29, 2013.

Background

On April 9, 2012, Mr. Balwinder Singh, the applicant, was approved to operate a 7-Eleven franchise store at 10772 Los Alamitos Boulevard. He received a CUP from the City to operate the store on a 24-hour basis and to sell alcohol from 6:00 A.M. to Midnight. 24-hour use is a common practice for these types of businesses, and the corporate standards of a 7-Eleven franchise are intended to help mitigate some of the adverse impacts that a 24-hour convenience store may have on an adjacent neighborhood.

On June 28, 2013 Mr. Singh submitted an application for a modification to last year's Conditional Use Permit (CUP 99-04M, PC Resolution 12-01B) to allow sales of alcohol to be extended from 6:00 A.M. until Midnight to 6:00 A.M. - 2:00 A.M. The applicant also requested the ability to sell alcoholic beverages, 24-ounces and above, as well as singles which is currently prohibited by the Planning Commission Resolution approved last year.

A Public Hearing was held by the Planning Commission on August 12, 2013, where the Commission directed the applicant to compile a list of what alcoholic beverages they would like to sell -- and are unable to sell under current CUP conditions -- as well as the amount of space set aside in the store for alcohol sales, and return to the Planning Commission on September 9, 2013.

At the Planning Commission of September 9, 2013, the applicant's answers to the Planning Commission's questions were considered by the Planning Commission. The Commissioners directed Staff to draft a modification of last year's resolution with certain changes including approval for sales of alcohol "singles," a limit to the percentage of floor area devoted to alcohol sales, a six month review of conditions, and a change of condition language concerning wine sales.

Attachment: 1) Draft Planning Commission Resolution 13-18

ITEM 7B

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 10, 2014
Item No: 7B

To: Chair Loe and Members of the Planning Commission

Via: Steven A. Mendoza, Director, Community Development/Public Works

From: Tom Oliver, Planning Aide

Subject: Conditional Use Permit 14-02
Motor Vehicle Repair at 10831 Bloomfield Street, Unit #B

Summary: Consideration of Conditional Use Permit 14-02 to allow a motor vehicle services repair area within a light industrial building at 10831 Bloomfield Street, Unit #B in the Planned Light Industrial (P-M) Zoning District (Applicant: Jerry Marks – Stuttgart Auto Werks).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the project is a Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion; and, if appropriate,
3. Adopt Planning Commission Resolution No. 14-08, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 14-02 TO OPERATE A MOTOR VEHICLE SERVICES REPAIR FACILITY IN A 4,000 SQUARE FOOT UNIT IN AN INDUSTRIAL BUILDING AT 10831 BLOOMFIELD STREET, UNIT #B, LOS ALAMITOS, CALIFORNIA IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, APN 242-151-02, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JERRY MARKS – STUTTGART AUTO WERKS).”

Applicant: Jerry Marks – Stuttgart Auto Werks

Location: 10831 Bloomfield Street, Unit #B, APN 242-151-02

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

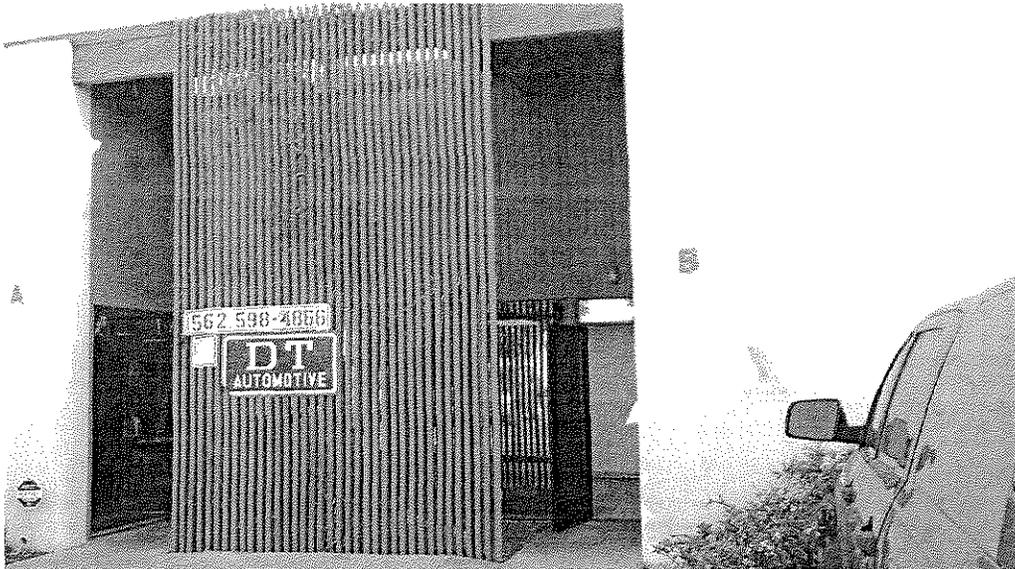
Approval Criteria: Section 17.10.020 (Land Uses and Permit Requirements), Table 2-04 (Allowed Uses and Permit Requirements) of the Los Alamitos Municipal Code (LAMC) allows Motor Vehicle Services Repair in the Planned Light Industrial (P-M) Zoning District with the approval of a Conditional Use Permit.

Noticing: Notices announcing the Planning Commission meeting discussing this Conditional Use Permit (CUP) were mailed to 86 property owners and occupants within 500 feet of the proposed location on February 26, 2014. A public notice regarding this meeting was also published in the News Enterprise on February 26, 2014.

Entitlement History: None

Background

An application has been filed by Jerry Marks for a Conditional Use Permit to operate a motor vehicle services repair area for German-made vehicles located within a building at 10831 Bloomfield Street, Unit #B. It would be called “Stuttgart Auto Werks.” Motor vehicle services repair areas require a Conditional Use Permit to locate in the Planned Light Industrial (P-M) Zone.



The City's municipal code defines "motor vehicle services" as the repair, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, and other motor vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This definition of the use is as follows:

"Repair/maintenance" means establishments that specialize in limited aspects of repair and maintenance including oil change and lubrication, tire and brake replacement, smog certification shops, and electrical equipment installation. May also rebuild engines and transmissions; perform muffler and upholstery work, radiator repair, collision repair, chassis work, other bodywork, and painting services.

According to the applicant, Stuttgart Auto Werks "...will be servicing Porsche, Mercedes, and BMW – all German cars. [They] will be working with others in the community [such as] interior, towing, and parts. We want to pull our customers from [the] Los Alamitos, Rossmoor, Cypress, and Seal Beach areas."

The proposed repair area would be located all within the interior of the building, as there is no yard. They plan to leave the outside of the building as it exists, and the inside will be cleaned up with paint, carpet, crown molding, etc. They will, however, be installing two lifts and a compressor that will probably need a building permit. The attached site plan is from the original construction of the building and serves only to illustrate the general layout of the site.

Motor vehicle repairs are required to comply with the requirements of Section 17.38.070 of the Los Alamitos Municipal Code.

Compatibility with the Surrounding Area

The last business license in this particular unit of the building was for a business support services company in 2001. The adjacent properties on the North, South, and West are developed with industrial buildings in the Planned Light Industrial Zone (P-M).

East: Next door is DT Automotive, and beyond that -- across Bloomfield Street -- is the Los Alamitos Elementary School.

West: Businesses to include a cabinet shop (Wavell) and a finishing shop (Shoumaker).

North: This building is in the same shared parking lot with Mr. C's Towing.

South: Will be the new Leone/Kesky warehouse building.



Parking

The proposed unit has 4,000 square feet of gross floor area. If the entire unit were to be considered to be devoted to automobile repair processes, it would require 1 space per 200 square feet, for a total of 20 spaces. The applicant has eight (8) assigned, outdoor spaces, with "Reserved" painted on them. The remainder of the parking spaces will be located inside the facility as all the cars that would be waiting to be worked on, or be waiting for pickup, would be kept in the inside of the building's repair bay, not outdoors. The applicant has determined that he can park up to (20) twenty cars inside the building. Condition #11 is added to require that this indoor parking situation will remain the case.

Findings

Certain findings are required by the Zoning Code for a Conditional Use Permit, and they are discussed below.

The use as a motor vehicle repair facility will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use, as conditioned, will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibrations (LAMC Section 17.42.050A.1.). This particular unit is in, and surrounded by, industrial buildings that were built for purposes such as this, and will not cause any unexpected problems for the neighborhood. Further, all work will be done indoors.

The use as a motor vehicle repair facility meets the required conditions and specifications set forth in the Planned Light Industrial (P-M) zoning district where it proposes to locate. (LAMC Section 17.42.050A.2.) The location is in a zone (P-M)

intended to support industrial uses such as this, and is not near residential homes and is, therefore, suitable in this location.

The location and character of the motor vehicle repair facility, if developed according to the application submitted for approval, will be in harmony with the industrial area in which it is to be located and is in general conformity with the Los Alamitos General Plan. (LAMC Section 17.42.050A.3.) This is the type of business described in the General Plan for this industrial area. It maintains compliance with General Plan Policy 1-3.1 that states, "Apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City."

The decision to approve the application for a conditional use permit would be based on substantial evidence in view of the record as a whole before the Planning Commission. (LAMC Section 17.42.050A.4.) The information before the Planning Commission constitutes substantial evidence.

Recommendation

Staff reviewed the application, toured the existing facility, researched the surrounding area and finds that the proposed use is compatible and harmonious with surrounding uses and that it will not negatively impact the health, welfare or safety of the public. Further, it will not negatively impact the available parking supply to the detriment of the surrounding tenants, will not create excessive noise or vibrations and, therefore, does not generate nuisance conditions. Staff recommends approval of the Conditional Use Permit, with conditions.

Attachment: 1) *Draft Resolution No. 14-08*
 2) *Site and Floor Plans*

RESOLUTION NO. 14-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 14-02 TO OPERATE A MOTOR VEHICLE SERVICES REPAIR FACILITY IN A 4,000 SQUARE FOOT UNIT IN AN INDUSTRIAL BUILDING AT 10831 BLOOMFIELD STREET, UNIT #B, LOS ALAMITOS, CALIFORNIA IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, APN 242-151-02, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JERRY MARKS – STUTTGART AUTO WERKS).

WHEREAS, an application for a Conditional Use Permit to operate a motor vehicle services repair area was submitted to the City on February 6, 2014; and,

WHEREAS, said verified application constitutes a request as required by Los Alamitos Municipal Code 17.42.040 *Application Filing, Processing, and Review*; and,

WHEREAS, a Conditional Use Permit is required to operate a motor vehicle services repair area in the Planned Light Industrial (P-M) zoning district; and,

WHEREAS, a duly noticed Public Hearing was held on March 10, 2014 to consider this request.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Conditional Use Permit 14-02 is hereby approved based upon the following findings:

1. The use as a motor vehicle repair facility at 10831 Bloomfield Street, Unit #B, will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use, as conditioned, will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibrations. This particular unit is in, and surrounded by, industrial buildings within the Planning Light Industrial Zone (P-M) that were built for purposes such as this, and will not cause any unexpected problems for the neighborhood.

2. The use as a motor vehicle repair facility meets the required conditions and specifications set forth in the Planned Light Industrial (P-M) zoning district where it proposes to locate. The location is in a zone (P-M) intended to support industrial uses such as this, and is not near residential homes and is therefore suitable in this location.

3. The location and character of the motor vehicle repair facility, if developed according to the application submitted for approval, will be in harmony with the industrial area in which it is to be located and is in general conformity with the Los Alamitos General Plan. This is the type of business described in the General Plan for this industrial area. It maintains compliance with General Plan Policy 1-3.1 that states, "Apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City."

4. The decision to approve the application for a Conditional Use Permit is based on substantial evidence in view of the record as a whole before the Planning Commission.

SECTION 3. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15301 for existing facilities and Staff is directed to file a Notice of Exemption.

SECTION 4. Conditions of Approval:

Planning

1. Approval is to conditionally permit a motor vehicle services repair area in a 4,000 square foot unit in an industrial building at 10831 Bloomfield Street, #B, Los Alamitos, California in the Planned Light Industrial (P-M) zoning district, APN 242-151-02, as represented in this Resolution with such additions, revisions, changes or modifications as required by the Planning Commission. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of the plans presented during the Planning Commission meeting, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Community Development Director without requiring a public meeting.
2. The approvals for this use shall be valid for a period of eighteen (18) months from the date they are approved. If the use is commenced within this eighteen (18) month period or being pursued diligently toward completion, the approvals shall stay in full force and effect (17.62.060).
3. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers of the subject application. The City will promptly notify the applicant of any

such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

4. The applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department within 30 days of final approval of all resolutions. The property applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.
5. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
6. The applicant shall comply with applicable City, County, and/or State regulations.
7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees.
8. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including planning processing fees, and building permit fees are not included under this noticing requirement.

Pursuant to Government Code Section 66020(d)(1), the applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees:	N/A
Dedications:	N/A
Reservations:	N/A
Other Exactions:	N/A

The applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.

9. Signs shall comply with the provisions under Chapter 17.28 (Signs) of the Los Alamitos Municipal Code and shall be subject to the approval of the Director of Community Development.
10. Applicant shall maintain at all times a minimum of eight (8) outdoor parking spaces on the parcel, with the exception of any requirements and changes made for ADA purposes that may adjust this figure in the future.
11. No materials, vehicles, or trucks, being repaired or waiting for pickup, shall be stored outside of this industrial building.
12. All manufacturing, cleaning, and repair of parts work shall be conducted entirely within the building.
13. Washing of vehicles shall not be allowed on this property.
14. Applicant shall comply with all provisions of Section 17.38.070 of the Los Alamitos Municipal Code.
15. This Conditional Use Permit may be modified or revoked by the Planning Commission or the City Council should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare, or materially injurious to property in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

Orange County Fire Authority

16. Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to the issuance of any permits or approvals:

- architectural (Service Codes PR236)
- hazardous materials compliance and chemical classification (Service Codes PR315-PR328)
- hazardous equipment, processes, or operations (Service Codes PR345-PR360)

Prior to concealing interior construction:

- fire sprinkler system (Service Code PR420-PR440), if modified, provided voluntarily, or required by Code.

Building & Safety Department

- 17. Applicant shall obtain permits with the Building Department for new electrical equipment.
- 18. Public restrooms must comply with ADA requirements.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 10th day of March 2014.

Gary Loe, Chair

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 10th day of March 2014, by the following vote, to wit:

AYES:

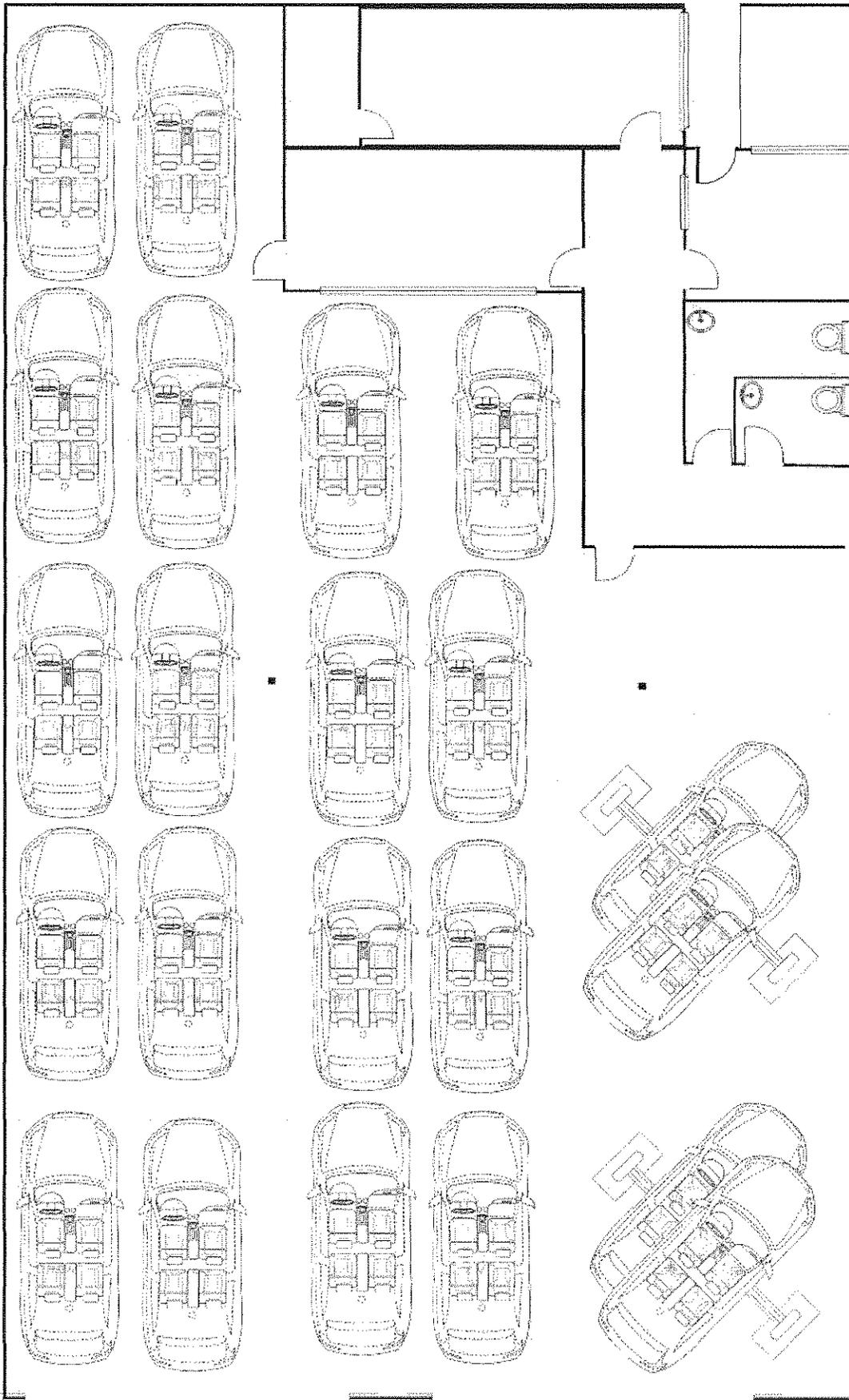
NOES:

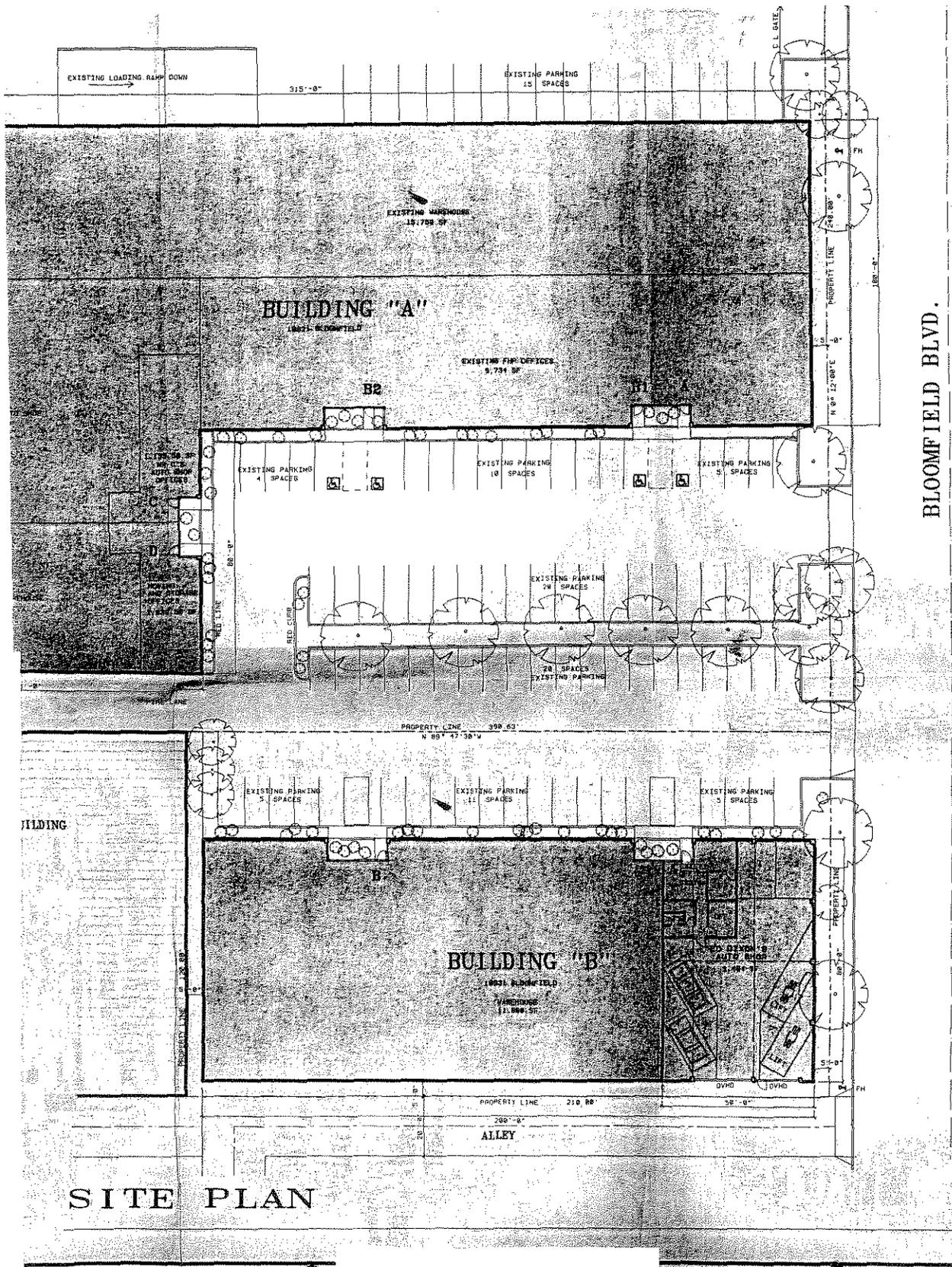
ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

Stuttgart Auto Werks





SITE PLAN

ATTACHMENT 2
10831 Bloomfield Street
Building B, Unit #B

ITEM 7C

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 10, 2014
Item No: 7C

To: Chair Loe and Members of the Planning Commission

Via: Tom Oliver, Planning Aide

From: Steven A. Mendoza, Community Development/Public Works Director

Subject: Revisit Conditional Use Permit 13-02 for Secondhand Shop and Social Service Facility – 5300 Katella Avenue

Summary: Continued Review of Conditional Use Permit 13-02 for a 14,455 sq. ft. secondhand shop and social service facility at 5300 Katella Avenue, APN 222-021-14 (Applicant: Blair Pietrini – Grateful Hearts Storehouse).

Recommendation:

1. Open the Public Hearing; and, if appropriate;
2. Discuss the Conditions of Resolution 13-07.

Applicant: Blair Pietrini – Grateful Hearts Storehouse

Location: 5300 Katella Avenue, APN 222-021-14

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, was prepared and filed for the project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

Approval Criteria: Section 17.10.020 (Land Uses and Permit Requirements), Table 2-04 (Allowed Uses and Permit Requirements) of the Los Alamitos Municipal Code (LAMC) allows both Secondhand Shops and Social Service Facilities in the Commercial Office (C-O) Zoning District with the approval of a Conditional Use Permit.

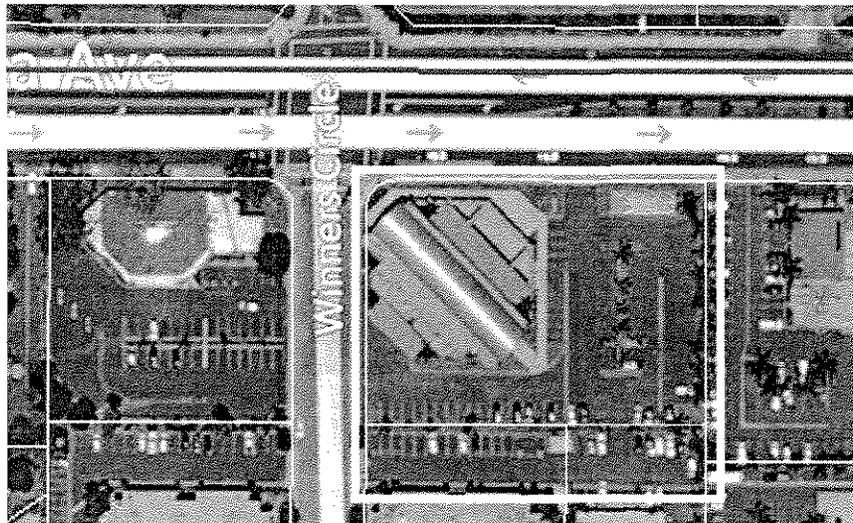
Noticing:

Notices announcing the Planning Commission meeting, discussing this Conditional Use Permit, were mailed to 31 property owners and 48 commercial occupants within 500 feet of the proposed location on January 29, 2014. A public notice regarding this meeting was also published in the News Enterprise on January 29, 2014.

Background

This Public Hearing is a continuation from the February 10, 2014 Planning Commission meeting since the applicant was unable to attend the meeting.

An application was filed for a Conditional Use Permit to operate a secondhand shop and social service facility at 5300 Katella Avenue, at the corner of Winners Circle and Katella, which the Planning Commission approved in June 2013. Tonight, the Commission will review the Conditions as noted in Condition 31 which states, "The Conditional Use Permit shall be reviewed by the Planning Commission in February, 2014 to insure that the property is being properly maintained."





The shop and facility is managed by Grateful Hearts which has located a business in the 14,455 square foot building. At the location they have a thrift store, offices, and storage for their food distribution to those in need within the community.

Grateful Hearts has employees, volunteers, and drivers who pick up groceries from several different grocery stores five times a week and pick up furniture once a week in their own mid-sized trucks. The drivers bring the trucks back to the warehouse and unload each of those days at the back of the warehouse. Rarely do they receive large truck donations. The thrift store receives donations in the back of the warehouse, using large red bins on wheels that sit inside the facility, and bags of donations go inside them. When someone drops off bags, they take the donations inside and give the donor a receipt if they would like one.

Furniture is received in the back of the warehouse as well. Most of the donations of furniture or appliances received are picked up with the trucks. Grateful Hearts stresses before pick up of items that they are clean, furniture is without rips, tears, or stains and the drivers have the right to refuse anything that is not up to standard, so they usually do not have to do any cleaning. If they do clean items, they do it in the back of the building. At this facility, they would consider doing cleaning out on the cement pad behind the curtained area; but, the need to clean items is highly unusual.

The Original Conditions

Below is a table showing the original Conditions from the resolution approving this secondhand store and social service facility. Tonight, the Commission will review the conditions of Resolution 13-07 as noted in Condition 31 below, which states, "The Conditional Use Permit shall be reviewed by the Planning Commission in February, 2014 to insure that the property is being properly maintained." Staff's opinion of the applicant's compliance with these conditions is noted in the boxes on the right:

CONDITION	CONDITION MET "YES"	CONDITION MET "NO"
<p>1. Approval of this application is to allow a 14,455 square foot secondhand store and social service facility at 5300 Katella Avenue, with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 13-02 noted thereon, and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Community Development Director without requiring a public meeting.</p>	Yes	
<p>2. Any proposal to expand the use beyond that which is shown in the relevant drawings and all documents that are a part of this application that are included in this approval shall require a modification to be approved by the Planning Commission.</p>	Yes	
<p>3. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.</p>	Yes	
<p>4. Approval of the Conditional Use Permit shall be valid for a period of eighteen (18) months from the date of determination. If the use approved by this action is not established within such time period, such approval shall be terminated and shall thereafter be null and void.</p>	Yes	
<p>5. Failure to satisfy and/or comply with the Conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.</p>	Yes	
<p>6. Prior to permit issuance, the applicant, and applicant's successors in interest, shall be responsible for payment of all applicable fees.</p>	Yes	
<p>7. Prior to permit issuance, the property owner and applicant shall file an Agreement Accepting Conditions of Approval with the Community Development Department. The property owner and applicant shall be required to record the agreement with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.</p>	Yes	

8. The applicant shall apply for a background check with the Police Department and receive a City Secondhand Dealers Permit prior to receiving a business license for this business. If such a permit is not received, then this CUP shall be valid only for the social services facility use and not for the secondhand use.	Yes	
9. This Conditional Use Permit does not permit the ability to convert this address at some later date into a pawn shop. This permit allows for the resale of traditional thrift store goods only. No gun sales shall be permitted.	Yes	
10. The awnings over the loading dock area shall be repaired, to the approval of the Community Development Director, before occupancy of the building.	Yes	
11. Secondhand sales operation shall be conducted only between the hours of 8:00 AM to 9:00 PM daily.	Yes	
12. Deliveries shall only take place during the hours of 6:00 AM to 10:00 PM daily.	Yes	
13. Deliveries shall take place only on the loading dock, and off-loaded items must immediately be moved to the interior of the building.	Yes	
14. There shall be no outdoor sales or outdoor displays unless a Special Event Permit is first obtained from the City.		No, but will correct.
15. No donations of any kind shall be left outside of the building.	Yes	
16. The gates for the perimeter fencing, surrounding the property, shall be closed at the end of each business day.	Yes	
17. All landscaping in the site, including, without limitation, trees, shrubs and other vegetation, drainage and irrigation systems, shall be permanently maintained in good, first class condition, healthy, without deterioration, free of waste and debris, by the Applicant or Owner of the property. Dead or diseased plants shall be promptly replaced with landscaping similar in type, size and quality. Automatic irrigation systems shall be properly maintained and other reasonable and adequate landscape maintenance facilities and procedures shall be provided to fulfill the foregoing requirements.	Yes; gophers are a problem, but has a gopher eradication contract	
18. The applicant agrees to maintain the site per Section 17.14.070 of the Los Alamitos Municipal Code.		No, Gourmet Pie Company is beginning to repair and slurry seal parking lot. Also, exposed broken electrical wires in Northwest and Northeast landscaping must be repaired immediately.
19. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Director.	Yes	
20. Applicant shall comply with applicable City, County, and/or State regulations.	Yes	

Building Division		
21. The applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.	Yes	
22. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 AM until 5:00 PM during the week; 8:00 AM until 5:00 PM on Saturday; and not at all on Sunday or federal holidays.	Yes	
Code Enforcement		
23. The tenant shall contact the City if they intend to erect any signs, banners, flags, or other similar items in conjunction with the operation of this business to obtain a permit for those uses.	Yes	
24. No outdoor sales or displays will be permitted		No, but will correct.
Orange County Fire Authority		
25. The tenant use and tenant improvements shall be in compliance with Orange County Fire Authority regulations and will obtain all required permits.	Yes	
Los Alamitos Police Department		
26. In accordance with Chapter 5.36 PAWNBROKERS AND SECONDHAND DEALERS, applicant will be required to annually obtain a Secondhand Dealers Permit from the City.	Yes	
27. The applicant agrees to comply with all the requirements described in Municipal Code Chapter 5.36 concerning "Secondhand Dealers."	Yes	
28. Applicant shall be required to keep business inventory and transaction records subject to inspection by the Chief of Police or his designee. All consignment item records shall contain the following: name, address, and phone number of the person placing the item on consignment, as well as record of a valid government issued identification.	Yes	
29. The applicant shall install a video surveillance system for security purposes.		No, but in the process of installation.
30. The Conditional Use Permit for the Secondhand Shop and Social Service facility shall not be effective until the following repair work has been completed and the applicant shall not be allowed to operate until such time. Improvements include: fence and gate replacement with locking gates, paint, replacement or removal of ripped awning, bring landscaping back up to a thriving condition, needed irrigation repairs, monument sign repair and curtain replacement or removal.	Yes	
31. The Conditional Use Permit shall be reviewed by the Planning Commission in February, 2014 to insure that the property is being properly maintained.	Tonight, Yes	

Recommendation

Staff reviewed the Conditions, visited the site, and looked for any records of code violation and finds that Grateful Hearts is, for the most part, in compliance with the Conditions approved in Resolution 13-07. At this point, the Planning Commission can take any or a combination of the following actions:

1. Add additional conditions if it deems necessary;
2. Schedule a further review date;
3. Determine that there is no need for any further action;
4. Provide a recommendation to the City Council to revoke the Conditional Use Permit.

Staff recommends that there is no need for further action provided that the repair of the parking lot and installation of the video surveillance system be completed within two months. Should outdoor sales continue or the repairs not be made timely, Staff recommends that it be brought back at that time to commence revocation proceedings in accordance with Chapter 17.72 of the LAMC.

Attachment 1) Staff Report and Resolution from June 2013

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

June 10, 2013
Item No: 7A

To: Chair Grose and Members of the Planning Commission

Via: Tom Oliver, Planning Aide

From: Steven A. Mendoza, Director of Community Development

Subject: Conditional Use Permit 13-02 for Secondhand Shop and Social Service Facility – 5300 Katella Avenue

Summary: Consideration of Conditional Use Permit 13-02 for a 14,455 sq. ft. secondhand shop and social service facility at 5300 Katella Avenue (Applicant: Blair Pietrini – Grateful Hearts Storehouse).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Adopt Resolution No. PC 13-07 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 13-02 TO OPERATE A 14,455 SQUARE FOOT SECONDHAND SHOP AND SOCIAL SERVICE FACILITY IN A COMMERCIAL BUILDING AT 5300 KATELLA AVENUE IN THE COMMERCIAL-OFFICE (C-O) ZONING DISTRICT, APN 222-021-14 (APPLICANT: BLAIR PIETRINI – GRATEFUL HEARTS STOREHOUSE)".

Applicant: Blair Pietrini – Grateful Hearts Storehouse

Location: 5300 Katella Avenue, APN 222-021-14

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

Approval Criteria: Section 17.10.020 (Land Uses and Permit Requirements), Table 2-04 (Allowed Uses and Permit Requirements) of the

Los Alamitos Municipal Code (LAMC) allows both Secondhand Shops and Social Service Facilities in the Commercial Office (C-O) Zoning District with the approval of a Conditional Use Permit.

Noticing:

Notices announcing the Planning Commission Meeting, discussing this Conditional Use Permit, were mailed to 31 property owners and 48 commercial occupants within 500 feet of the proposed location on May 28, 2013. A public notice regarding this meeting was also published in the News Enterprise on May 29, 2013.

Entitlement History for 5300 Katella

CUP 05-12 - Conditional Use Permit for Auto Detailing - Approved

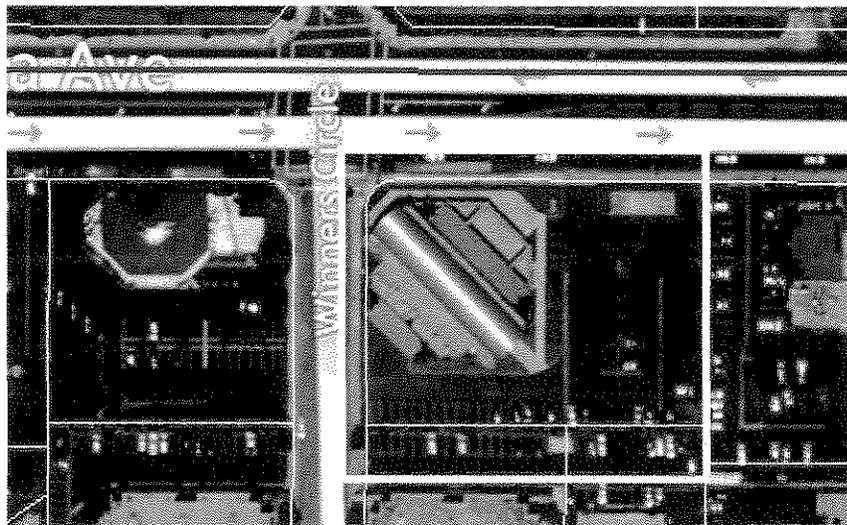
CUP 03-08 – Conditional Use Permit for retail auto sales & accessories - Approved

CUP 01-03 – Conditional Use Permit for joint use parking w/11042 Winners Circle - Approved

CUP 00-11 - Conditional Use Permit for automotive service facility - Approved

SPR 00-09 – Site Plan Review for construction of auto service/repair facility Approved

Background



An application has been filed for a Conditional Use Permit to operate a secondhand shop and social service facility at 5300 Katella Avenue, at the corner of Winners Circle

and Katella. The Applicant is proposing to locate this business in a 14,455 square foot building. The current use at the building is the retail sales arm of "Hockeytron" which will close this showroom since they experience more business transactions through online sales.

The City's municipal code defines secondhand/consignment store as *"a retail establishment engaged in selling used merchandise (e.g., clothing, furniture, books, shoes, household appliances, etc.) on consignment. Merchandise is brought to the establishment and processed by marking, cleaning, sorting, and storing as a major part of the primary use."*

The City's municipal code currently defines social service facilities as *"facilities providing assistance and aid to those persons requiring counseling and/or treatment for psychological problems, addictions, learning disabilities, physical disabilities or to those persons in need of food and/or shelter. Licensing is required by the California State Department of Social Services. This may include feeding centers, homeless shelters, and substance abuse recovery and treatment facilities."* A photograph of one of Grateful Heart's existing stores is below:



The proposed shop and facility will be managed by Grateful Hearts. They would like to have a thrift store, offices, and storage for their food distribution to those in need within the community. The use at this location will not replace their storehouses or their other thrift stores, such as "Thrift Redefined" at the corner of Cerritos and Bloomfield or "The Feed Store" in Long Beach. Here is how they describe their business:

A Grateful Hearts Overview

In 2012...

- *Over 52,000 people were served
- *Over 500 pieces of large furniture and appliances were distributed.
- * Through our partnership with six local Albertsons, over 1300 Holiday Meals were provided to families in need,
 - *463 of those families being from some branch of the military. (Including Vets, JFTB and Seal Beach Jr. Sailors)
- * Through our Adopt-a-Family Christmas program we provided Christmas gifts for 1300 children who might otherwise go without.
- * Our distribution program expanded to include The Cancer and Severe Blood Disorder wing of Miller's Children's Hospital. (We were able to provide gifts to teens that often get forgotten)
- * We provided all of the food for the Bell Armory Annual Soldiers Holiday Party for 300 soldiers and their families.

Regular Operations:

- *Each week we add new agencies that we assist with various items such as food, clothing, furniture, appliances, medical supplies and household necessities.
- *Currently we assist over 75 outside agencies.

(Salvation Army, DCFS, MHA the Village, Various Sober Living Homes, Impoverished School Districts, US Vets, Several Mental Health Facilities, American Red Cross, Veteran Affairs, Orange County Task Force on Human Trafficking, Various Shelters and many others)

*We deliver food to shut-ins who by reason of illness or injury are not able to get access to food. (We were awarded a \$10,000 three years ago from "Access to Food" to purchase a delivery van for this program)

- **Special Needs Program-**
- We partner with the Los Alamitos School District to provide a place where students with special needs can come and learn work and social skills in a positive atmosphere. We currently have approximately ten students from this program on an ongoing basis.

Our special needs program also includes the Marine Adult Therapeutic Center and the Easter Seals.

Community Service Program-

*We currently have students from ten high schools completing their community service hours at our facility any given week.

*We are an approved site for court ordered community service in partnership with the Volunteer Center of Long Beach, South Bay Harbor Volunteer Center, Orange County Probation Board, Bellflower Volunteer Center, and the LA Superior Court.

(Individuals may complete their mandatory community service hours –upon prior approval from Grateful Hearts.

- We receive ongoing large capacity donations from Businesses such as CVS that we do not sell, but distribute to partner agencies in need, with items such as over the counter medical supplies.

*UCLA Medical Facility Homeless Clinic

*Miller's Children's Hospital

*Lestonnac Free Clinic (We also supplied them with office furniture)

*We recently received a pallet of new unopened cosmetics that we have been able to distribute with:

*Honoring our Fallen- For gift baskets for soldier's widows

*Orange County Task Force against Human Trafficking- For a Make-Over Event for Human Trafficking Survivors to promote self worth.

*We have several Agency days when specific agencies can come to our facility and receive food for their clients such as:

*MHA-the Village- Long Beach Mental Health

*Veterans of America (VA)

*U.S. Vets

- We have an active and ongoing partnership with the Joint Force Training Base and Veteran Services to help them in any capacity necessary.

*We partner with organizations such as DCFS – (Child and family services) to provide items such as refrigerators to single moms who risk losing their children to the system, simply because they do not own this appliance.

- We also provide everything necessary for household maintenance to those who have experienced hardship such as house fires, domestic violence situations, and others.

Example:

Through our partnership with Miller's Children's Hospital, a mother of 6 was referred to us when her 4-year-old boy was diagnosed with stage 4-lung cancer. She could not work because she had to stay with her young son through his many rounds of chemotherapy. They helped her to find an apartment, but she had no money for furniture and very little for food. We were able to supply her with everything she needed for her home including: Refrigerator, beds, sofas, tables, lamps, linens, a desk and kitchen items. . She receives supplemental food from us on a regular basis now and we keep up on her family and the progress of her little boy.

In addition to the current programs held at Grateful Hearts each year, we have desired to provide other necessary community programs, but have never had the space to do so.

*Each year we hold a "Back to School " supply distribution for families in need, and we have desired to add Literacy classes and ESL classes to this program, but were not able to add any due to space issues.

This new facility would help us to realize some of these goals, thus enabling us to help more families within our community who are struggling.

Grateful Hearts has employees, volunteers, and drivers who pick up groceries from several different grocery stores five times a week and pick up furniture once a week in their own mid-sized trucks. The drivers bring the trucks back to the warehouse and unload each of those days at the back of the warehouse. Rarely do they receive large truck donations. The thrift store receives donations in the back of the warehouse, using large red bins on wheels that sit inside the facility, and bags of donations go inside them. When someone drops off bags, they take the donations inside and give the donor a receipt if they would like one.

Furniture is received in the back of the warehouse as well. Most of the donations of furniture or appliances received are picked up with the trucks. Grateful Hearts stresses before pick up of items that they are clean, furniture is without rips, tears, or stains, and the drivers have the right to refuse anything that is not up to standard, so they usually do not have to do any cleaning. If they do clean items, they do it in the back of the building. At this facility, they would consider doing cleaning out on the cement pad behind the curtained area. But, the need to clean items is highly unusual.

Requirements for a Conditional Use Permit (CUP)

The purpose of a CUP is to ensure the compatibility of a use in terms of configuration, design, location, and potential impacts of the proposed use, to evaluate the compatibility

of the proposed use with the surrounding uses, and the suitability of the use to the site, to ensure the protection of the public convenience, health, interest, safety, and welfare LAMC § 17.42.010 A & B.

The findings that have to be made for a CUP to be granted are as follows:

1. A determination that the use will or will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibrations;

2. That the use does or does not meet the required conditions and specifications set forth in the zoning district where it proposes to locate;

3. That the location and character of the use, if developed according to the plan as submitted for approval, will or will not be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos general plan;

Compatibility with the Surrounding Area

The adjacent properties are developed and zoned as follows:

North: Retail shops (such as Costco) in the City of Cypress.

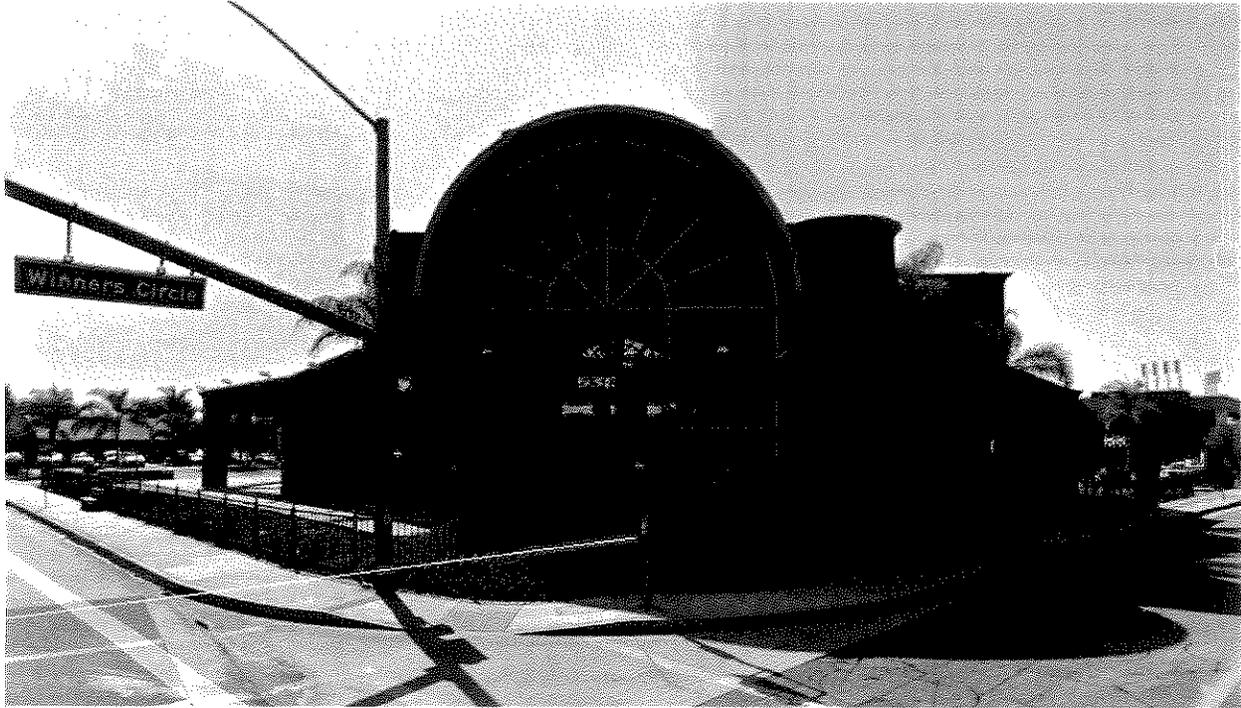
East: Gourmet Pie Company Restaurant in the Commercial Office (C-O) Zoning District.

South: Norms Auto Repair in the Planned Light Industrial (P-M) Zoning District.

West: City National Bank in the Commercial Office (C-O) Zoning District.

Pursuant to LAMC Section 17.10.020, both the proposed secondhand shop and social service facilities require the approval of a Conditional Use Permit.

The location of the proposed uses is the C-O zone which is intended to support office uses, is partially bordered by industrial uses and limited retail commercial and other related use facilities. Both secondhand stores and social service facilities are allowed in this zone pursuant to a CUP if the findings can be made. The property complies with the conditions and specifications of the C-O zone. The proposed use is partially bordered by industrial uses and is 340 feet from the nearest residential homes. There are other social service facilities located in this zone and in the general vicinity. The uses will be conducted indoors and will not generate nuisance conditions; none of the proposed uses (secondhand store, office, food distribution/storage) are the types of uses which would create noise, glare, odor, vibrations and other nuisance problems.



Site Plan/Floor Plan

The attached site plan shows the location of the proposed business. The Applicant has no plans for improvement or construction other than the installation of new signage. Grateful Hearts will use the building as it stands. Condition number 21 has been included to assure proper approvals and permits are obtained.

Parking

The building this use would be located in has 14,455 square feet of gross floor area. The use will act primarily as a retail and service site and has the appropriate parking to meet the needs of retail customers and employees. The secondhand retail use and social service facility would require a total of 58 spaces; (based on 1 per 250 sq. ft.); because the center has 77 spaces, it has more than sufficient parking for this proposed use.

Potential Impacts

Staff remains concerned about the potential for late night/after hours drop off of donations. As a deterrent, Staff has added condition number 16, requiring the gates on the perimeter fencing to be closed after business hours, to mitigate this potential activity.

Recommendation

Staff reviewed the application, researched the surrounding area and finds that the proposed use is compatible and harmonious with surrounding uses and that it will not negatively impact the health, welfare or safety of the public. Further, it will not negatively impact the available parking supply to the detriment of the surrounding tenants, will not create excessive noise or vibrations, or other nuisance conditions. The use will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan. Grateful Hearts has already provided a service to this community for a number of years in its current location in a positive manner. Staff recommends approval of the Conditional Use Permit, with conditions.

Attachment: 1. *Draft Planning Commission Resolution No. 13-07*
 2. *Site Plan*

RESOLUTION NO. 13-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 13-02 TO OPERATE A 14,455 SQUARE FOOT SECONDHAND SHOP AND SOCIAL SERVICE FACILITY IN A COMMERCIAL BUILDING AT 5300 KATELLA AVENUE IN THE COMMERCIAL-OFFICE (C-O) ZONING DISTRICT, APN 222-021-14 (APPLICANT: BLAIR PIETRINI – GRATEFUL HEART'S STOREHOUSE)

WHEREAS, an application for a Conditional Use Permit was submitted by the applicant to allow a secondhand shop and social service facility at the subject property; and,

WHEREAS, said verified application constitutes a request as required by Section 17.10.020, Table 2-04 of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on June 10, 2013; and,

WHEREAS, at this public hearing the applicant, applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Conditional Use Permit 13-02 is hereby approved to allow the 14,455 square foot building on the subject property to be used as both a secondhand shop and social service facility on the subject property based upon the following findings and determinations:

1. The uses, as a secondhand shop and social service facility as conditioned, will not endanger the public health, safety, or general welfare. The uses will be conducted indoors and neither use is the type of use which would create noise, glare, odor, vibration, or other nuisance conditions. The only issue of possible concern, donations being dropped off after business hours, has been addressed through the imposition of a condition requiring that the gates be shut. The site is located three hundred and forty (340) feet away from the nearest residential building and the residential area is buffered by the 62-foot wide Winner's Circle, a parking lot, and industrial buildings. The location is in a zone (C-O) which

is intended to support office and limited commercial retail uses, and is partially bordered by industrial uses.

2. The proposed use as a secondhand dealer and social service facility will be located in a office area and is a conditionally permitted use within the Commercial Office (C-O) Zoning District. The (C-O) Zoning District permits secondhand uses and social service facilities provided that the uses are found to be compatible and harmonious with surrounding uses with the approval of a Conditional Use Permit.
3. The proposed secondhand use and social service facility is compatible with similar uses located in the Commercial Office (C-O) Zoning District and is surrounded by retail, service, and restaurant uses, and is in harmony with those uses. The proposed use will fulfill a need of individuals or families with children who are homeless or hungry.
4. The decision to approve the Conditional Use Permit for both uses is based on review by the Planning Commission of the plans and specifications submitted for the proposed project and on oral and written testimony given to the Planning Commission.
5. A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves the application described above subject to the following conditions:

Planning Division

1. Approval of this application is to allow a 14,455 square foot secondhand store and social service facility at 5300 Katella Avenue, with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 13-02 noted thereon, and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment

may be approved by the Community Development Director without requiring a public meeting.

2. Any proposal to expand the use beyond that which is shown in the relevant drawings and all documents that are a part of this application that are included in this approval shall require a modification to be approved by the Planning Commission.
3. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
4. Approval of the Conditional Use Permit shall be valid for a period of eighteen (18) months from the date of determination. If the use approved by this action is not established within such time period, such approval shall be terminated and shall thereafter be null and void.
5. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
6. Prior to permit issuance, the applicant, and applicant's successors in interest, shall be responsible for payment of all applicable fees.
7. Prior to permit issuance, the property owner and applicant shall file an Agreement Accepting Conditions of Approval with the Community Development Department. The property owner and applicant shall be required to record the agreement with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.
8. The applicant shall apply for a background check with the Police Department and receive a City Secondhand Dealers Permit prior to receiving a business license for this business. If such a permit is not

received, then this CUP shall be valid only for the social services facility use and not for the secondhand use.

9. This Conditional Use Permit does not permit the ability to convert this address at some later date into a pawn shop. This permit allows for the resale of traditional thrift store goods only. No gun sales shall be permitted.
10. The awnings over the loading dock area shall be repaired, to the approval of the Community Development Director, before occupancy of the building.
11. Secondhand sales operation shall be conducted only between the hours of 8:00 a.m. to 9:00 p.m. daily.
12. Deliveries shall only take place during the hours of 6:00 a.m. to 10:00 p.m. daily.
13. Deliveries shall take place only on the loading dock, and off-loaded items must immediately be moved to the interior of the building.
14. There shall be no outdoor sales or outdoor displays unless a Special Event Permit is first obtained from the City.
15. No donations of any kind shall be left outside of the building.
16. The gates for the perimeter fencing, surrounding the property, shall be closed at the end of each business day.
17. All landscaping in the site, including, without limitation, trees, shrubs and other vegetation, drainage and irrigation systems, shall be permanently maintained in good, first class condition, healthy, without deterioration, free of waste and debris, by the Applicant or Owner of the property. Dead or diseased plants shall be promptly replaced with landscaping similar in type, size and quality. Automatic irrigation systems shall be properly maintained and other reasonable and adequate landscape maintenance facilities and procedures shall be provided to fulfill the foregoing requirements.
18. The applicant agrees to maintain the site per Section 17.14.070 of the Los Alamitos Municipal Code.
19. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Director.

20. Applicant shall comply with applicable City, County, and/or State regulations.

Building Division

21. The applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.
22. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 a.m. until 5:00 p.m. during the week; 8:00 a.m. until 5:00 p.m. on Saturday; and not at all on Sunday or federal holidays.

Code Enforcement

23. The tenant shall contact the City if they intend to erect any signs, banners, flags, or other similar items in conjunction with the operation of this business to obtain a permit for those uses.
24. No outdoor sales or displays will be permitted.

Orange County Fire Authority

25. The tenant use and tenant improvements shall be in compliance with Orange County Fire Authority regulations and will obtain all required permits.

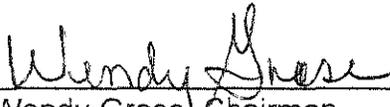
Los Alamitos Police Department

26. In accordance with Chapter 5.36 PAWNBROKERS AND SECONDHAND DEALERS, applicant will be required to annually obtain a Secondhand Dealers Permit from the City.
27. The applicant agrees to comply with all the requirements described in Municipal Code Chapter 5.36 concerning "Secondhand Dealers."
28. Applicant shall be required to keep business inventory and transaction records subject to inspection by the Chief of Police or his designee. All consignment item records shall contain the following: name, address, and phone number of the person placing the item on consignment, as well as record of a valid government issued identification.
29. The applicant shall install a video surveillance system for security purposes.

30. The Conditional Use Permit for the Secondhand Shop and Social Service facility shall not be effective until the following repair work has been completed and the applicant shall not be allowed to operate until such time. Improvements include: fence and gate replacement with locking gates, paint, replacement or removal of ripped awning, bring landscaping back up to a thriving condition, needed irrigation repairs, monument sign repair and curtain replacement or removal.
31. The Conditional Use Permit shall be reviewed by the Planning Commission in February, 2014 to insure that the property is being properly maintained.

SECTION 4. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same and shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 10th day of June, 2013.



Wendy Grose, Chairman

ATTEST:



Steven A. Mendoza, Secretary

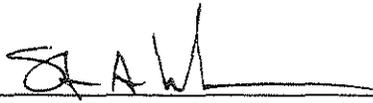
APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of Planning Commission held on the 10th day of June, 2013, by the following vote, to wit:

AYES: Daniel, DeBolt, Grose, Loe, Sofelkanik
NOES: None
ABSENT: Riley, Sutherlin
ABSTAIN: None



Steven Mendoza, Secretary

30. The Conditional Use Permit for the Secondhand Shop and Social Service facility shall not be effective until the following repair work has been completed and the applicant shall not be allowed to operate until such time. Improvements include: fence and gate replacement with locking gates, paint, replacement or removal of ripped awning, bring landscaping back up to a thriving condition, needed irrigation repairs, monument sign repair and curtain replacement or removal.
31. The Conditional Use Permit shall be reviewed by the Planning Commission in February, 2014 to insure that the property is being properly maintained.

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PASSED, APPROVED, AND ADOPTED this 10th day of June, 2013.



Wendy Grose, Chairman

ATTEST:



Steven A. Mendoza, Secretary

APPROVED AS TO FORM:



Lisa Kranitz, Assistant City Attorney

ITEM 7D

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 10, 2014
Item No: 7D

To: Chair Loe and Members of the Planning Commission

Via: Steven A. Mendoza, Director, Community Development/Public Works

From: Lisa Kranitz, Assistant City Attorney & Tom Oliver, Planning Aide

Subject: Conditional Use Permit (CUP) 14-01
Request for Alcoholic Beverage Sales, On- or Off-Site Consumption,
and Outside Seating Area at Center Plaza at 10708 Los Alamitos
Boulevard.

Variance No. 14-01
Request for reduction in parking standards for Los Alamitos Center
Plaza for Outside Seating Area at 10660-10708 (even numbers) Los
Alamitos Boulevard.

Summary: This is a request for approval for a Conditional Use Permit to: 1) Allow alcoholic beverage sales; and 2) Allow outside seating for a new restaurant at 10708 Los Alamitos Boulevard. (Applicant: Joseph Maggiore, Copper Belle, Inc.); and for a parking variance for the existing parking lot at 10660-10708 (even numbers) Los Alamitos Boulevard where the restaurant will be located (Applicant Sandra Yavitz, Los Alamitos Center Plaza I & II, LLC).

Recommendation:

1. Open the Public Hearing; and, if appropriate:
2. Adopt Resolution 14-09, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 14-01 TO ALLOW BOTH ALCOHOLIC BEVERAGE SALES, ON-SITE CONSUMPTION AND A 387 SQUARE FOOT OUTSIDE SEATING AREA FOR A 2,118 SQUARE FOOT RESTAURANT AT 10708 LOS ALAMITOS BOULEVARD IN THE GENERAL-COMMERCIAL (C-G) ZONING DISTRICT, APN 242-245-01, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JOSEPH MAGGIORE, COPPER BELLE, INC.)."

3. Adopt Resolution PC 14-10, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING VARIANCE (VAR) 14-01 PERMITTING A REDUCED AMOUNT OF PARKING REQUIRED FOR A 30,369 SQUARE FOOT SHOPPING CENTER AT 10660-10708 (EVEN NUMBERS) LOS ALAMITOS BOULEVARD IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-245-01 IN ORDER TO ALLOW OUTDOOR DINING, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SANDRA YAVITZ, LOS ALAMITOS CENTER PLAZA I & II, LLC)."

Applicant: Joseph Maggiore – Copper Belle, Inc. / Sandra Yavitz – Center Plaza I & II, LLC

Location: Center Plaza 10708 Los Alamitos Boulevard & parking lot at 10660-10708 (even numbers) Los Alamitos Boulevard, APN 242-245-01

Environmental: Outdoor Dining - Class 1 Categorical Exemption (CEQA Guidelines Section 15301(e)) – Existing Facilities - the proposed use relates to an existing building with no proposed alterations or expansion of more than 2,500 square feet.

Alcohol Sales – General Rule (CEQA Guidelines Section 15061(b)(3)) - CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity may have a significant effect, the activity is not subject to CEQA. Alcohol sales create no environmental impacts.

Parking Variance - General Rule (CEQA Guidelines Section 15061(b)(3)) - CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity may have a significant effect, the activity is not subject to CEQA. The Parking Study (Exhibit 3) shows that there will not be a shortage of parking and, therefore, there will not be any secondary effects which could lead to environmental impacts.

Approval Criteria: Section 17.14.020 (Uses Permitted Subject to Conditional Use Permit) of the Los Alamitos Municipal Code (LAMC) requires Planning Commission approval of a Conditional Use Permit for outside seating in conjunction with a permitted

restaurant use, and Alcoholic Beverage Sales, On-Site Consumption.

Section 17.56.030 of the Los Alamitos Municipal Code concerning Variance Applicability states that the Planning Commission may grant an adjustment for Off-Street Parking, as it pertains to number of off-street parking spaces, loading spaces, landscaping, etc.

Noticing:

Notices announcing the Public Hearing were mailed to all property owners and commercial occupants within 500 feet of the proposed location on February 26, 2014. A Public Hearing notice regarding this meeting was also published in the News Enterprise on February 26, 2014.

Background

Brew Kitchen Ale House, through applicant, Joseph Maggiore, has submitted a Conditional Use Permit (CUP) application asking for consideration for alcohol sales (Beer and Wine #41) and outdoor dining for a new restaurant, "Brew Kitchen Ale House," in the 30,369 square foot multi-tenant Center Plaza. This particular 2,118 square foot unit would become an approximate 2,505 square foot commercial space by adding 387 square feet of outdoor seating, increasing the total shopping center to 30,750 square feet. The outdoor seating would be created by removing landscaping and installing a raised concrete patio running North and South next to the southern building of the Center and facing Los Alamitos Boulevard. There would be a guardrail installed to surround the space in order to separate it from the public.



As the addition of the outdoor dining would be an expansion of the use, a parking variance is required as the parking standards do not meet current City requirements. The Center Plaza Shopping Center was originally built in 1984 and provided 111 parking spaces. Through the years the current parking was reduced to 108 spaces due to various repaving projects. The Shopping Center was the subject of an accessibility lawsuit under the Americans with Disabilities Act. The resulting settlement will require a reconfiguration of parking, ramps and landscaping resulting in a loss of 2 spaces for a total of 106 parking spaces. The reconfiguration by itself would not trigger a need for a variance under the City's Code; however, the expansion of the restaurant use into an outdoor patio area does trigger the need for a parking variance. If the Shopping Center with the proposed use were to be built under today's standards, 122 parking spaces would be required (1 space per 250 square feet). The addition of the outdoor parking area would increase the parking need to 123 spaces.

Discussion



The Shopping Center site is located at the Southeast corner of Los Alamitos Boulevard and Serpentine Drive at 10660-10708 (even numbers) Los Alamitos Blvd. The project site has two existing



commercial buildings located in the General Commercial (C-G) Zoning District. The restaurant site is located at the end of the southern building at 10708 Los Alamitos Blvd. The adjacent properties are developed and zoned as follows:

- North: An empty commercial lot in the General Commercial (C-G) Zoning District.
- East: Developed with industrial uses in the Planned Light Industrial (P-M) Zoning District.
- South: Ganahl Lumber in the General Commercial (C-G) Zoning District.
- West: Southland Credit Union across Los Alamitos Blvd. in the General Commercial (C-G) Zoning District.

The tenants of the Shopping Center are as follows:

Center Plaza Tenant Type			
Unit	Tenant Name	Sq. Footage	Type of Business
10660	Green St. Interiors	1100	Retail
10662	Green St. Interiors	1180	Retail
10664	Green St. Interiors	1200	Retail
10666	Printmasters	1200	Retail

10668	Printmasters	1200	Retail
10670	Snobiggie	1180	Restaurant
10672	Lush Brows	1015	Retail
10674	Jennie Craig	1955	Retail
10676	Nutrition Zone	980	Retail
10678	Deux Amis	1200	Retail & Liquor
10680	Rascals to Rebels	1180	Retail
10682	Seal Beach CrossFit	2455	Fitness
10688	Kumon	4375	School
10690	Vacant	Part of Kumon	School/Vacant
10692	Sango	1000	Restaurant
10694	Split btwn Bonjour/Sango	1020	Restaurant/Take-out
10696	Bonjour Bagel	1040	Take-out Restaurant
10698	Obaji Medical	1040	Retail
10700	Gloss Salon	1040	Retail
10702	Complete Nails	1040	Retail
10704	Vacant	1040	(Future Restaurant)
10706	Vacant	1040	(Future Restaurant)
10708	Vacant	960	(Future Restaurant)

Alcoholic Beverage Sales

The restaurant requests approval of Conditional Use Permit No. 14-01 for on-site consumption of alcoholic beverage sales (Beer and Wine Type #41). The restaurant, Brew Kitchen Ale House, will be a gastro pub, so that the sale of beer and wine is essential to the business' operation. Staff feels that there are no problems with the sales of alcoholic beverages inside the restaurant. Further, with the appropriate fencing that has been proposed, Staff feels that alcohol service on the patio area would not be problematic or create any public safety or nuisance issues. Preveza and Hof's Hut both currently have Conditional Use Permits for outside dining as well as beer and wine. Nearby businesses that sell alcohol are: Duex Amis I (in the same center at 10678 Los Alamitos), 7 Eleven (10772 Los Alamitos), Shenandoah (10631 Los Alamitos), and Tubby's Liquor (10601 Los Alamitos). Conditions are included in the Draft Resolution to insure that alcohol consumption does not become problematic.

The CUP for alcohol sales may be approved with or without the associated request for outdoor dining.

Outdoor Dining Area

The proposed outside dining area will be located west of the restaurant within a planted landscape area. The applicant's architect has designed a serviceable dining area with a concrete floor and decorative fencing. Staff has included Condition 27 to prohibit televisions and banners. The applicant has plans to install speakers outside with low-volume, ambient music playing; however, outdoor live music or outdoor events will not be approved for this location through this Conditional Use Permit, but would be

accomplished through the use of a separate Conditional Use Permit or Special Event Permit (Condition 26).

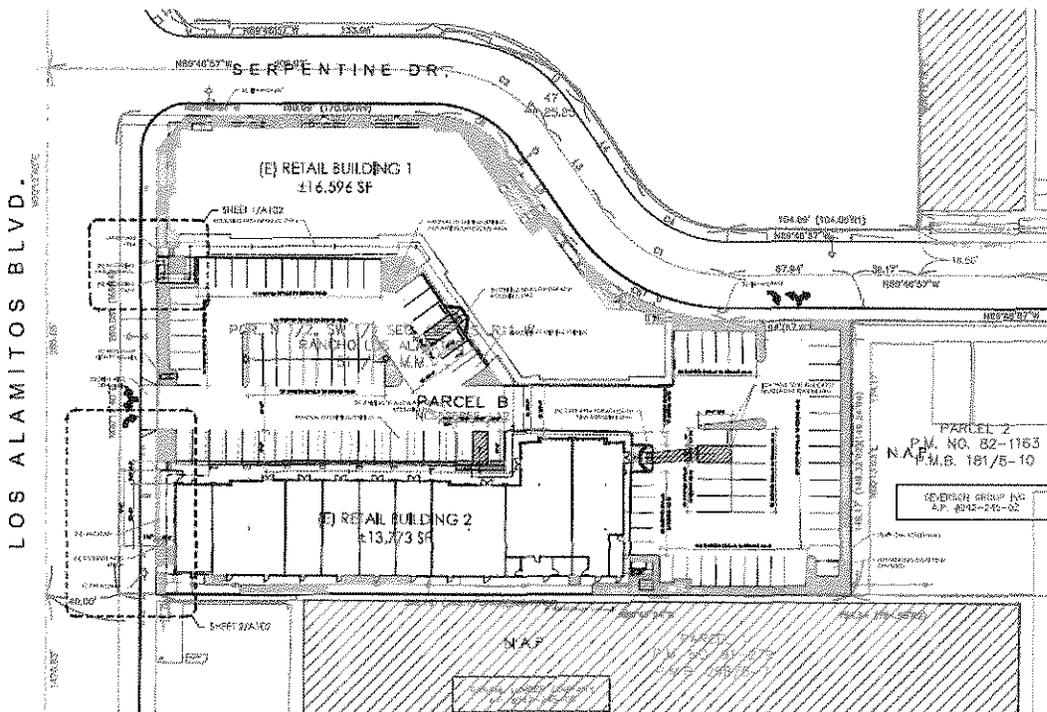
The patio will consist of an area measuring approximately 387 square feet and will accommodate eight tables and approximately thirty patrons (Exhibit A to the restaurant resolution). The applicant proposes a raised concrete porch bordered with a 3½ foot tall metal guardrail, having one exterior emergency exit gate, and the area will be entered through French doors from the side of the restaurant. The building has existing eave-mounted exterior lighting. There are no current plans for the installation of heating units in the area but there may in the future. They will run gas lines at this time in case they do desire such heating units in the future.

The proposed outside seating area is not anticipated to generate substantial, additional noise due to the outdoor dining area's location next to Los Alamitos Boulevard. The patio area is surrounded by parking, landscaping, and the Boulevard. The closest residential structure is approximately 266 feet away, buffered by the Southland Credit Union and Los Alamitos Boulevard.

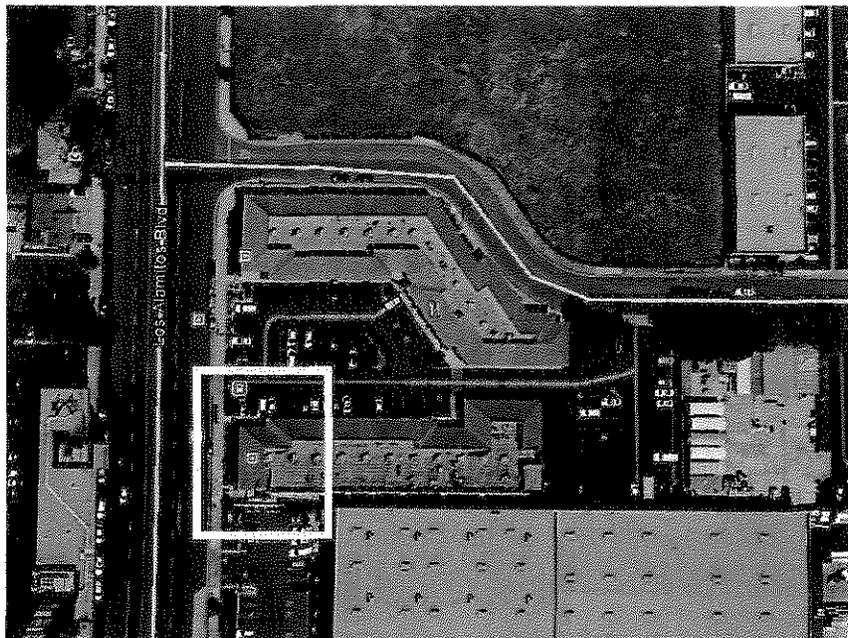
The outdoor dining cannot be approved without a parking Variance.

Parking

Below are the proposed parking changes as shown on the site plan for the project (also attached as Exhibit A to Draft Resolution for the parking Variance). As stated above, the parking configuration will change regardless of whether the CUP for outdoor dining is approved.



The current parking configuration can be seen in the picture below:



The Shopping Center owner has paid for her own parking study prepared by a well-known traffic engineering firm, which is attached to this report. After weekend and weekday parking analysis, including actual vehicle counts on the site, the bottom line of the study is the finding that, "...a minimum **parking surplus of 1 space** is forecast for the entire site." This forecast was based upon adding 2,118 square feet of restaurant

uses plus 440 square feet of outdoor dining to the current mix of uses and allocating the remaining vacant space to retail uses. The following conditions are proposed to insure that parking does not become a problem for customers:

- Require that the employees of the businesses will park in the Southeast section of the parking lot – away from the front entrances to the shops (Condition 9); and,
- Require that no more than 4,808 square feet of the Shopping Center shall be devoted to restaurant use (as opposed to fast food use of which there is currently 1,550 square feet) and 440 square feet of outdoor dining area without further approval of a new variance by the Planning Commission (Condition 4).

Findings

Certain findings are required to approve a CUP as set forth in Municipal Code Section 17.42.050:

1. The use as conditioned, will not endanger the public health or general welfare:

Alcohol sales: The on-site sale of beer and wine will not endanger the public health or general welfare. Alcohol sales -- in conjunction with a restaurant -- are a common occurrence, and are an essential component of a gastro pub. Alcohol sales on the outdoor patio should not create any problems with the fencing that has been proposed. Conditions have been added to help insure that the alcohol sales do not become problematic.

Outdoor dining: Outside dining, including the consumption of alcohol, will not foster circumstances that tend to generate a nuisance condition because the site is located two-hundred and sixty-six (266) feet away from the nearest residential zoned area to the West. The residential area to the West is buffered by the 120' wide Los Alamitos Boulevard and other commercial properties compatible with the proposed use. Conditions have been added to help insure that outdoor dining does not become problematic.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate:

Alcohol sales: On-site alcohol sales are a conditionally permitted use in the General Commercial (C-G) zone.

Outdoor dining: Restaurants with outside seating areas are a conditionally permitted use in the General Commercial (C-G) zone.

3. The location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos general plan;

Alcohol sales: The Los Alamitos General Plan designates this site for *Retail Business* which is consistent with the General Commercial Zone. The sale of alcohol in conjunction with a restaurant is harmonious with the other uses in the shopping center as well as in the general neighborhood. The site is located two-hundred and sixty-six (266) feet away from the nearest residence to the West. The residential area to the East is buffered by the 120' wide Los Alamitos Boulevard. Outdoor consumption of alcohol will be contained by the proposed fencing and by conditions of approval. Additionally, approving a CUP for alcohol sales which will allow the development of a gastro pub is consistent with the current General Plan and, in particular, Land Use Element Implementation 1-6.6.2, which states that the City should, "Define and promote uses which afford Los Alamitos residents a variety of shopping, dining, and entertaining alternatives within the context of the small-scale, low profile character of Los Alamitos."

Outdoor dining: The Los Alamitos General Plan designates this site for *Retail Business* which is consistent with the General Commercial Zone. Allowing outdoor dining in this location is harmonious with the other uses in the commercial shopping center that contains other restaurant and retail uses. Outdoor dining would not create any problems for the uses surrounding the shopping center. Residential uses are far enough away from the site that they will not be impacted by such use. Allowing outdoor seating is also consistent with other similar uses in the C-G zone on Los Alamitos Boulevard such as Preveza and Hof's Hut. Additionally, approving a CUP for outdoor dining which will allow the promotion of Land Use Element Implementation 1-6.6.2, which states that the City should, "Define and promote uses which afford Los Alamitos

residents a variety of shopping, dining, and entertaining alternatives within the context of the small-scale, low profile character of Los Alamitos.”

4. The decision to approve the Conditional Use Permit is based on substantial evidence: The plans and specifications submitted for the proposed project and the written and oral testimony constitute substantial evidence for both portions of the CUP.

Certain findings are required to approve a Variance as set forth in Municipal Code Section 17.56.050:

1. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this zoning code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

The Shopping Center has had to agree to reconfigure the parking lot due to settlement of an ADA lawsuit; the reconfiguration will result in the elimination of two (2) parking spaces and a total deficiency of sixteen (16) parking spaces from current Code requirements. No Variance would be required if it were not for the addition of the outdoor dining space. The addition of the outdoor dining only increases the parking need by one (1) additional space (from 122 to 123). A Parking Study has been done which shows that there is adequate parking for the current mix of tenants, plus the anticipated restaurant and retail space that will fill the vacant units.

2. Granting the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

Many of the shopping centers in the City are short of the number of spaces required by today's Code, not just this Center. While the Code is a good rule of thumb for new building projects in order that all parking can be accommodated onsite instead of relying on street parking, many of these shopping centers have existed for many years without detriment to the quality of life in Los Alamitos. The Parking Study prepared for the Center Plaza also shows that there is sufficient parking, in spite of the number of spaces ordinarily required of new construction. However, a condition will be added (Condition 4) to provide that the Center will not be allowed to have any additional restaurant uses (not counting take-out only) over and above 4,808 square feet, plus 387 square feet of outdoor dining in order to insure that parking remains sufficient.

3. Granting the Variance would not authorize a use or activity that is not otherwise expressly authorized by the zoning district regulations governing the subject property.

Granting the Variance would not authorize a use or activity that is not otherwise expressly authorized by the zoning district regulations governing the subject property as the Planning Commission has the ability to grant this Variance from Code requirements for parking. Allowing the parking Variance in order to establish a gastro pub with outdoor dining will allow the establishment of an allowed use.

4. It is additionally noted that the Variance would be consistent with Goal Three of the Land Use Element, which states that the City should, "Promote and upgrade the quality of the City's Commercial, Industrial, and Open Space areas." Allowing the parking Variance subject to the conditions will allow an upgrade of this commercial center by allowing a new use.

Summary

Staff reviewed the applications and researched the surrounding area and finds that the proposed Conditional Use Permit for alcohol sales and an outdoor seating area as conditioned will not endanger the public health or general welfare if the use is located at 10708 Los Alamitos Boulevard. The uses will not foster circumstances that tend to generate a nuisance condition because the site is located two-hundred and sixty-six (266) feet away from the nearest residential zoned area to the west. The residential area to the west is buffered by the 120' wide Los Alamitos Boulevard and other commercial properties compatible with the proposed use. Further, Staff has determined that granting the Variance for parking will not endanger the public health or general welfare of the Shopping Center or the surrounding properties as there is sufficient parking on-site as demonstrated by the parking study.

Staff recommends approval of Conditional Use Permit 14-01 for both the on-site consumption of alcohol sales and outdoor dining, as conditioned in Draft Planning Commission Resolution 14-09. Staff also recommends approval of Variance 14-01 to allow a reduction in parking spaces in the Shopping Center so that there may be outdoor dining, as conditioned in Draft Planning Commission Resolution 14-10.

- Attachments:*
- 1) *Draft Planning Commission Resolution 14-08, with Exhibit A - Site Plan & Floor Plan*
 - 2) *Draft Planning Commission Resolution 14-10, with Exhibit B - Site Plan*
 - 3) *Parking Study*

RESOLUTION 14-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 14-01 TO ALLOW BOTH ALCOHOLIC BEVERAGE SALES, ON-SITE CONSUMPTION, AND A 387 SQUARE FOOT OUTSIDE SEATING AREA FOR A 2,118 SQUARE FOOT RESTAURANT AT 10708 LOS ALAMITOS BOULEVARD IN THE GENERAL-COMMERCIAL (C-G) ZONING DISTRICT, APN 242-245-01, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JOSEPH MAGGIORE, COPPER BELLE, INC.).

WHEREAS, an application for a Conditional Use Permit (CUP) was submitted by Joseph Maggiore on behalf of Brew Kitchen Ale House to allow alcoholic beverage sales of beer and wine and an outside seating area at a new restaurant to be located at 10708 Los Alamitos Boulevard which is within the Center Plaza Shopping Center located at 10660-10708 (even numbers) Los Alamitos Boulevard; and,

WHEREAS, both outside seating and alcohol sales for on-site consumption are uses allowed by a CUP in accordance with Section 17.10.020, Table 2-04 of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on this matter on March 10, 2014, at which time it considered all evidence presented, whether written or oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Conditional Use Permit 14-01 for the sale of alcoholic beverages; specifically beer and wine, is hereby approved based upon the following findings and subject to the conditions listed in SECTION 3 below:

A. The use as conditioned will not endanger the public health or general welfare:

The on-site sale of beer and wine will not endanger the public health or general welfare. Alcohol sales -- in conjunction with a restaurant -- are a common occurrence, and are an essential component of a gastro pub. Alcohol sales on the outside patio should not create any problems with the fencing that has been proposed. Conditions have been added to help insure that the alcohol sales do not become problematic.

B. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate:

On-site alcohol sales are a conditionally permitted use in the General Commercial (C-G) zone.

C. The location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan:

The Los Alamitos General Plan designates this site for *Retail Business* which is consistent with the General Commercial Zone. The sale of alcohol in conjunction with a restaurant is harmonious with the other uses in the shopping center as well as in the general neighborhood. The site is located two-hundred and sixty-six (266) feet away from the nearest residence to the West. The residential area to the East is buffered by the 120' wide Los Alamitos Boulevard. Outside consumption of alcohol will be contained by the proposed fencing and by conditions of approval. Additionally, approving a CUP for alcohol sales which will allow the development of a gastro pub is consistent with the current General Plan and in particular, Land Use Element Implementation 1-6.6.2, which states that the City should "Define and promote uses which afford Los Alamitos residents a variety of shopping, dining, and entertaining alternatives within the context of the small-scale, low profile character of Los Alamitos."

SECTION 2. Conditional Use Permit 14-01 for a 387 square foot outside seating area, is hereby approved based upon the following findings and subject to the conditions listed in SECTION 3 below; this approval for outside seating shall only be effective if Variance 14-01 is also approved to reduce the number of parking spaces at the shopping center located at 10660-10708 (even numbers) Los Alamitos Boulevard:

A. The use, as conditioned, will not endanger the public health or general welfare:

Outside seating, including the consumption of alcohol, will not foster circumstances that tend to generate a nuisance condition because the site is located two-hundred and sixty-six (266) feet away from the nearest residential zoned area to the West. The residential area to the West is buffered by the 120' wide Los Alamitos Boulevard and other commercial properties compatible with the proposed use. Conditions have been added to help insure that outside seating does not become problematic.

B. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate:

Restaurants with outside seating areas are a conditionally permitted use in the General Commercial (C-G) zone.

C. The location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan;

The Los Alamitos General Plan designates this site for *Retail Business* which is consistent with the General Commercial Zone. Allowing outside seating in this location is harmonious with the other uses in the commercial shopping center that contains other restaurant and retail uses. Outside seating would not create any problems for the uses surrounding the shopping center. Residential uses are far enough away from the site that they will not be impacted by such use. Allowing outside seating is also consistent with other similar uses in the C-G zone on Los Alamitos Boulevard such as Preveza and Hof's Hut. Additionally, approving a CUP for outside seating which will allow the promotion of Land Use Element Implementation 1-6.6.2, which states that the City should, "Define and promote uses which afford Los Alamitos residents a variety of shopping, dining, and entertaining alternatives within the context of the small-scale, low profile character of Los Alamitos."

SECTION 3. Conditional Use Permit 14-01 is subject to the following conditions:

GENERAL CONDITIONS APPLICABLE TO BOTH ALCOHOL SALES AND OUTSIDE SEATING

1. The applicant shall defend, indemnify and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
2. Any signs or banners shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Director.
3. Approval of the Conditional Use Permit shall be valid for a period of eighteen (18) months from the date of determination. Each use approved by

- this action must be established within such time period or such approval shall be terminated and shall thereafter be null and void.
4. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of the approval of the alcohol sales and/or outside seating as applicable.
 5. Prior to permit issuance, the applicant, and applicant's successors in interest, shall be responsible for payment of all applicable fees.
 6. Prior to permit issuance, the property owner and applicant shall file an Agreement Accepting Conditions of Approval with the Community Development Department. The property owner and applicant shall be required to record the agreement with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.
 7. The applicant shall comply with applicable City, County, and/or State regulations.

CONDITIONS APPLICABLE TO ALCOHOL SALES

Planning Division

8. Approval of this application is to permit alcohol sales in conjunction with a Type #41 ABC license (On-Sale Beer and Wine for Bona Fide Public Eating Place) within a 2,118 square foot restaurant with a 387 square foot outside seating area at 10708 Los Alamitos Boulevard in conjunction with a bona fide eating establishment.
9. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.
10. The display of alcoholic beverages shall be interior only (no outside display) at any time.
11. Consumption of permitted alcoholic beverages in the outside eating area shall take place only in the area delineated by the barrier or fence which must completely enclose the designated alcohol consumption area except for ingress and egress.
12. Restaurant employees shall prevent alcohol from being carried out of or passed out of the outside seating area.
13. Serving of alcohol to obviously intoxicated individuals is prohibited.

14. Applicant shall provide a reasonable number of signs indicating that drinking alcoholic beverages is prohibited on city streets and public ways, and that City Ordinances prohibit carrying out open containers containing alcohol from designated areas.
15. Food establishments serving alcoholic beverages shall have a supervisor, at least 21 years of age, on-site at all times of operation.
16. Any alcohol-induced behavior that disturbs customers or passersby shall constitute grounds for revocation of any permit(s) for the on-premise sale of alcohol.
17. Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.
18. Applicant shall comply with the Municipal Code and Alcoholic Beverage Control laws regarding outside alcohol sales. (Los Alamitos Police Department)

CONDITIONS APPLICABLE TO OUTSIDE SEATING

19. The 387 square foot outside seating area, for a restaurant at 10708 Los Alamitos Blvd., shall be as shown on the drawings submitted by the applicant and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans, subject to such additions, revisions, changes, or modifications as required by the Planning Commission, and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code.
20. The alteration is approved exclusively as precise plans for the structures, materials, and features as shown on the relevant drawings referenced above. Any relocation, alteration, addition to, and/or use of any building or property contrary to the conditions hereunder nullifies this approving action. If any changes are proposed regarding the structure, a request for an amendment of this approval must be submitted to the Director of Community Development. If the Director determines that the proposed change(s) is/are consistent with the provisions, spirit, and intent of this approval action, and that such action would have been the same with the proposed change(s) for the proposal approved herein, the amendment may be approved by the Director of Community Development.
21. The applicant shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements. (Building Division)

22. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 AM until 5:00 PM during the week; 8:00 AM until 5:00 PM on Saturday; and not at all on Sunday or Federal holidays. (Building Division)

23. *Prior to issuance of a building permit:*

- architectural (service codes PR200-PR285)
- fire sprinkler system (service codes PR400-PR465), if required by code or installed voluntarily, or if the building is currently sprinklered and the system requires modification
- hood and duct extinguishing system (service code PR335)

24. The outside seating area must provide a permanent barrier of at least 3-1/2 feet in height separating the outside seating area from the Shopping Center property and the public right-of-way.

25. Permanent live entertainment and outdoor events shall only be permitted through the issuance of a Conditional Use Permit for live entertainment. Occasional live entertainment shall be permitted through the Special Event Permit process.

26. Televisions and banners shall not be permitted in the outside seating area.

27. Amplified music shall not exceed decibel level requirements of Los Alamitos Municipal Code Section 17.24.

28. Lighting shall be required for outside seating areas where food will be consumed during the evening hours. The lighting fixtures must be decorative and complement the architectural character of the existing building and area.

29. Lights mounted on the building shall not cause direct glare or other visual obstruction to pedestrians or vehicle drivers along the street and public walkway, and should illuminate only the sidewalk area.

30. Portable umbrellas may be permitted provided they do not obstruct foot traffic and do not contain advertising.

31. Establishments are required to maintain all areas in and around the outside seating area in a manner which is clean and free of litter and debris.

32. The outside seating hours of operation shall be limited to the hours of operation of the associated food or beverage establishment, which hours are limited to 10:00 PM unless a conditional use permit for extended hours is approved.

33. All plans and permits for the outside seating area approved by the City must be kept on the premises for public inspection at all times during which the associated establishment is open for business.
34. The outside seating area shall be operated in a manner that meets all requirements of the Health Department of Orange County and all other applicable regulations, laws, ordinances and standards.
35. The design, material, and colors used for barriers, chairs, tables, umbrellas, awnings and other fixtures shall compliment the architectural style and colors of the existing building facade to the approval of the Community Development Director. Any changes shall be subject to the approval of the Community Development Director and shall not require a public meeting.
36. Furniture used in this outside seating area shall be able to withstand inclement weather.
37. The applicant agrees to maintain the site per Section 17.14.070 of the Los Alamitos Municipal Code.
38. Behavior that disturbs customers or passersby shall constitute grounds for revocation of any permit(s) for the on-premise sale of alcohol.
39. Any runoff from washing and/or rinsing of restaurant equipment, including floor mats, food preparation utensils and other coverings in the outside seating area shall drain to the sewer system only; under no circumstances shall gray water from the site drain to the storm water system.

SECTION 4. The approval of the Conditional Use Permit for the outside seating is exempt from CEQA pursuant to CEQA Guidelines Section 15301(e) which provides a categorical exemption for existing facilities where the proposed expansion is no more than 2,500 feet. The approval of the Conditional Use Permit for alcohol sales is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that allowing alcohol sales will not create any environmental impacts.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same and shall certify as to the adoption of this Resolution, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 10th day of March, 2014.

Gary Loe, Chair

ATTEST:

Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of Planning Commission held on the 10th day of March 2014, by the following vote, to wit:

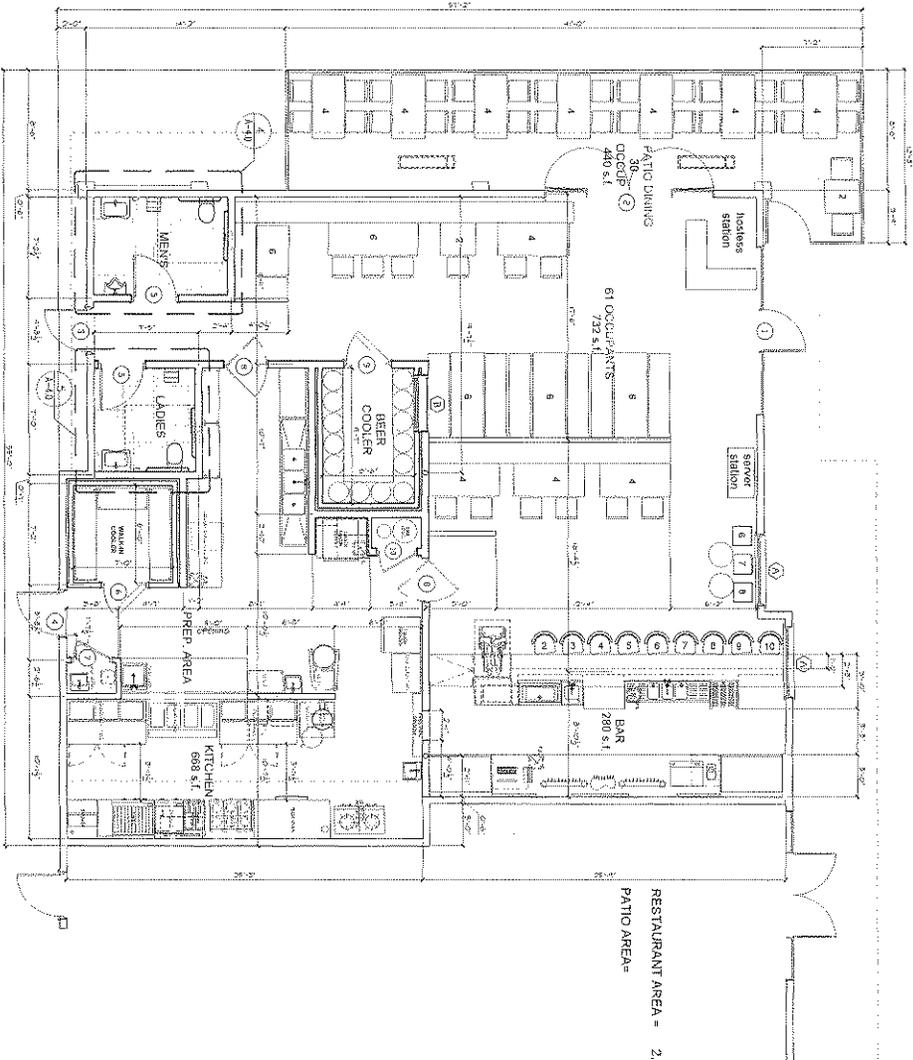
AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

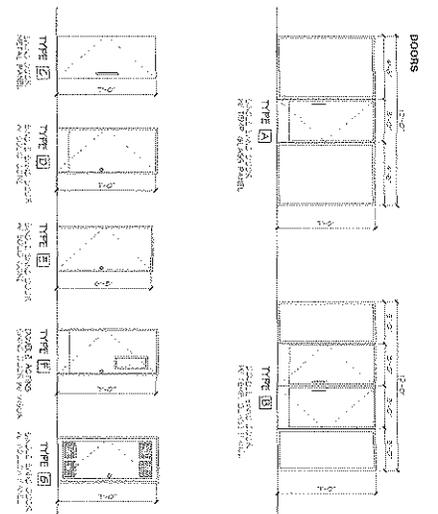
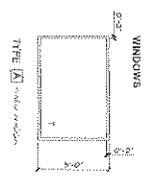


FLOOR PLAN 1
SCALE 1/4" = 1'-0"
A-2.1

RESTAURANT AREA = 2,118
PATIO AREA = 440

#	DIMENSION	TYPE	DESCRIPTION
1	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
2	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
3	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
4	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
5	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
6	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
7	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
8	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
9	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
10	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
11	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
12	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
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27	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
28	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
29	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
30	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA

#	DIMENSION	TYPE	DESCRIPTION
1	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
2	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
3	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
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6	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
7	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
8	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
9	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
10	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
11	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
12	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
13	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
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25	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
26	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
27	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
28	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
29	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA
30	3'-0" x 7'-0"	SWING	DOOR TO DINING AREA



DATE: 12-08-15
DRAWN BY: J.M. KAY
CHECKED BY: J.M. KAY
SCALE: AS SHOWN
PROJECT NO.: 30-10866
FLOOR PLAN



J.M. KAY ARCHITECTS INC.
1000 LOC ALAMITOS BLVD.
LOS ANGELES, CA 90028
TEL: 310.441.1234
WWW.JMKAYARCHITECTS.COM

REVISIONS
NO. DATE DESCRIPTION
1 12-08-15

A-2.1

RESOLUTION 14-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING VARIANCE (VAR) 14-01 PERMITTING A REDUCED AMOUNT OF PARKING REQUIRED FOR A 30,369 SQUARE FOOT SHOPPING CENTER ON A 80,545 SQUARE FOOT PARCEL AT 10660-10708 (EVEN NUMBERS) LOS ALAMITOS BOULEVARD IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-245-01, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR AN EXEMPTION FROM CEQA (APPLICANT: SANDRA YAVITZ, LOS ALAMITOS CENTER PLAZA I & II, LLC).

WHEREAS, a completed application for a Variance was submitted by Sandra Yavitz on January 29, 2014, requesting approval for a reduced amount of parking required for the 30,369 square foot Center Plaza Shopping Center on a 80,545 square foot parcel at 10660-10708 (even numbers) Los Alamitos Boulevard in the General Commercial (C-G) Zoning District, APN No. 242-245-01; and,

WHEREAS, the Variance allowing reduced parking is needed in order for the Brew Kitchen Ale House which is to be located within the Center Plaza Shopping Center to have a 387 square foot outside seating area; and

WHEREAS, parking standards may be reduced by a Variance under the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission held a duly noticed Public Hearing on this matter on March 10, 2014, at which time it considered all evidence presented, whether written or oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Variance 14-01 is hereby approved to allow a Variance to the Los Alamitos Municipal Code parking requirements for the subject property based upon the following findings in accordance with Section 17.56.050 of the Los Alamitos Municipal Code:

- A. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this zoning code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

The Shopping Center has had to agree to reconfigure the parking lot due to settlement of an ADA lawsuit; the reconfiguration will result in the elimination of two (2) parking spaces and a total deficiency of sixteen (16) parking spaces from current Code requirements. No Variance would be required if it were not for the addition of the outside seating space. The addition of the outside seating only increases the parking need by one (1) additional space (from 122 to 123). A Parking Study has been done which shows that there is adequate parking for the current mix of tenants, plus the anticipated restaurant and retail space that will fill the vacant units.

B. Granting the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

Granting the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district. Many of the shopping centers in the City are short of the number of spaces required by today's Code, not just this Center. While the Code is a good rule of thumb for new building projects in order that all parking can be accommodated onsite instead of relying on street parking, many of these shopping centers have existed for many years without detriment to the quality of life in Los Alamitos. The Parking Study prepared for the Center Plaza also shows that there is sufficient parking, in spite of the number of spaces ordinarily required of new construction. However, a condition will be added (Condition 4) to provide that the Center will not be allowed to have any additional restaurant uses (not counting take-out only) over and above 4,808 square feet, plus 387 square feet of outside seating in order to insure that parking remains sufficient.

C. Granting the Variance would not authorize a use or activity that is not otherwise expressly authorized by the zoning district regulations governing the subject property.

Granting the Variance would not authorize a use or activity that is not otherwise expressly authorized by the zoning district regulations governing the subject property as the Planning Commission has the ability to grant this Variance from Code requirements for parking. Allowing the parking Variance in order to establish a gastro pub with outside seating will allow the establishment of an allowed use.

D. It is additionally noted that the Variance would be consistent with Goal Three of the Land Use Element, which states that the City should "Promote and upgrade the quality of the City's Commercial, Industrial, and Open Space areas." Allowing the parking Variance subject to the conditions will allow an upgrade of this commercial center by allowing a new use.

SECTION 3. Variance 14-01 shall be subject to the following conditions:

1. Approval, with conditions, of this application is to allow a Variance to the Los Alamitos Municipal Code parking requirements for the property at 10660-10708 (even numbers) Los Alamitos Boulevard, as shown on the drawings submitted by the applicant and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans, subject to such additions, revisions, changes, or modifications as required by the Planning Commission, and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code.

2. This approval is for a Variance to the Los Alamitos Municipal Code parking requirements for the property at 10660-10708 (even numbers) Los Alamitos Boulevard. The alteration is approved exclusively as precise plans for the structures, materials, and features as shown on the relevant drawings referenced above. Any relocation, alteration, addition to, and/or use of any building or property contrary to the conditions hereunder nullifies this approving action. If any changes are proposed regarding the structure, a request for an amendment of this approval must be submitted to the Director of Community Development. If the Director determines that the proposed change(s) is/are consistent with the provisions, spirit, and intent of this approval action, and that such action would have been the same with the proposed change(s) for the proposal approved herein, the amendment may be approved by the Director of Community Development.

3. The applicant shall defend, indemnify and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

4. Applicant shall not be allowed to have more than 4,808 square feet of restaurant space (not counting take-out only restaurants), plus an additional 387 square feet of outside seating space without obtaining a further variance from the City.

5. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.

6. Prior to permit issuance, the applicant, and applicant's successors in interest, shall be responsible for payment of all applicable fees.

7. Prior to permit issuance, the property owner and applicant shall file an Agreement Accepting Conditions of Approval with the Community Development Department. The property owner and applicant shall be required to record the agreement with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.

8. The applicant shall comply with applicable City, County, and/or State regulations.

9. Applicant shall ensure that employees shall park in the southeast segment of the shopping center.

SECTION 4. A Notice of Exemption shall be filed that the approval of the Variance to allow reduced parking is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that allowing this Variance will not create any environmental impacts as the parking study substantiates that there is sufficient parking and there will not be any associated environmental impacts from lack of parking.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same and shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 10th day of March, 2014.

Gary Loe, Chair

ATTEST:

Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of Planning Commission held on the 10th day of March 2014, by the following vote, to wit:

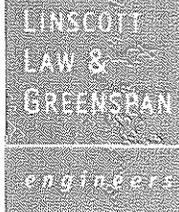
AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary



February 24, 2014

Ms. Sandra G. Yavitz
 Yavitz Companies
 1700 Pacific Coast Highway, Suite C
 Seal Beach, CA 90740

LLG Reference No. 2.14.3457.1

Subject: Parking Demand Analysis for Los Alamitos Center Plaza
 Los Alamitos, California

Dear Ms. Yavitz:

As requested, Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this Parking Demand Analysis for Los Alamitos Center Plaza. Los Alamitos Center Plaza is located on the southeast corner of Los Alamitos Boulevard and Serpentine Drive in the City of Los Alamitos, California. *Figure 1*, located at the rear of this letter report, presents a Vicinity Map, which illustrates the general location of the project site and depicts the surrounding street system.

Los Alamitos Center Plaza is an existing mixed-use 30,369 square-foot (SF) shopping center with a current retail vacancy of 5,401 SF and an existing parking supply of 108 parking spaces. *Figure 2* presents the site plan for Los Alamitos Center Plaza, which shows the existing buildings, the proposed outdoor patio and the parking lot. This parking demand analysis evaluates the proposed conversion of 2,118 SF of vacant retail space to restaurant space, the proposed addition of a 440 SF outdoor patio to the new restaurant space, and the re-occupancy of the remaining vacant retail square-footage (i.e. 3,283 SF) to their current use. It should be noted that the existing parking lot will be modified as part of the proposed Project to provide two additional paths of travel. The proposed modifications will result in the loss of two parking spaces. Therefore, a total of 106 parking spaces will be provided at completion of the proposed Project

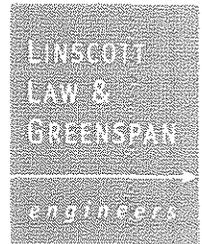
Based on our understanding, a parking study is required by the City of Los Alamitos to determine the parking demand for the existing shopping center with the proposed conversion of 2,118 SF of vacant retail space to restaurant space, the proposed addition of a 440 SF outdoor patio to the new restaurant space, and the re-occupancy of the remaining vacant square-footage to ensure that adequate parking will be provided.

Engineers & Planners
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 Parking

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Philip M. Linscott, PE (1978-2009)
 Jack M. Greenspan, PE (Ret.)
 William A. Law, PE (Ret.)
 Paul W. Wilkinson, PE
 John P. Keating, PE
 David S. Shender, PE
 John A. Boorman, PE
 Clare M. Look-Jaeger, PE
 Richard E. Barredo, PE
 Kail D. Maberry, PE



This report evaluates the parking demand of the existing and proposed land uses at Los Alamitos Center Plaza. The parking demand analysis evaluates the Project's parking requirements based on the City of Los Alamitos Municipal Code and utilization of existing parking surveys combined with the ULI *Shared Parking* methodology.

Our method of analysis, findings, and recommendations are detailed in the following sections of this report.

PROJECT DESCRIPTION

Los Alamitos Center Plaza is an existing mixed-use 30,369 square foot (SF) shopping center with a current retail vacancy of 5,401 SF and an existing parking supply of 108 parking spaces. The proposed Project consists of the conversion of 2,118 SF of vacant retail space to restaurant space, and the addition of a 440 SF outdoor patio to the new restaurant space. At completion of the proposed conversion, Los Alamitos Center Plaza will provide 30,809 SF (inclusive of the proposed 440 SF outdoor patio).

It should be noted that the existing parking lot will be modified as part of the proposed Project to provide two additional paths of travel. The proposed modifications will result in the loss of two parking spaces. Therefore, a total of 106 parking spaces will be provided at completion of the proposed Project.

PARKING SUPPLY-DEMAND ANALYSIS

The parking analysis for the Los Alamitos Center Plaza Project involves determining the expected parking needs, based on the size and type of existing and proposed development components versus the parking supply.

For this Project, there are two appropriate methods that can be used to estimate the site's peak parking requirements. These methods include:

1. Application of City Parking Code requirements.
2. Application of parking survey information combined with the ULI *Shared Parking* methodology, which combines actual parking demand data with proposed uses based on City Code and time of day profiles.

CITY PARKING CODE REQUIREMENTS

To determine the number of parking spaces required to support the proposed Los Alamitos Center Plaza Project, the parking demand was first calculated using parking code requirements per the *City of Los Alamitos Municipal Code – Chapter 17.26, Off-Street Parking and Loading, Section 17.26.040, Parking Spaces Required*. The following parking ratio was used to determine the required parking:

- Commercial, retail and service uses including shopping centers – *1.0 space per 250 SF of gross floor area*.

As mentioned previously, at completion of the proposed Project, Los Alamitos Center Plaza will provide 30,809 SF (inclusive of the proposed 440 SF outdoor patio). Direct application of the City's code to the proposed Project results in a total code parking requirement of **123 spaces**. With a proposed parking supply of 106 spaces, a theoretical parking deficiency of 17 spaces is forecast. However, the City code parking requirement significantly overstates the amount of parking that will be needed to accommodate the mix of uses within the project since there is a significant opportunity to share parking spaces based on the utilization profile of each land use component.

PARKING SURVEY DATA ANALYSIS

To determine the current parking demand of the existing uses at Los Alamitos Center Plaza, parking surveys were conducted on two weekdays and one weekend day by Transportation Studies, Inc. The parking surveys were performed at one-hour intervals between 8:00 AM and 10:00 PM on Thursday January 30, 2014, Friday January 31, 2014 and Saturday February 1, 2014. The parking surveys consisted of counting the number of parked vehicles for the entire mixed-use center site.

The results of the weekday (Thursday and Friday) and weekend day (Saturday) parking surveys are summarized in **Table 1**. As shown in *Table 1*, the study site experienced a weekday (Thursday) peak parking demand of *82 vehicles (76% utilization)* within the entire site at 4:00 PM, a weekday (Friday) peak parking demand of *72 vehicles (67% utilization)* within the entire site at 12:00 PM and a weekend day (Saturday) peak parking demand of *77 vehicles (71% utilization)* within the entire site at 1:00 PM.

Survey Data Shared Parking Demand Analysis and Results

In order to determine the most appropriate peak-parking requirement for the proposed Los Alamitos Center Plaza, utilization of the survey data for the existing land uses is combined with the parking demand within the ULI shared parking model for the proposed conversion of 2,118 SF of vacant retail space to restaurant space, the proposed addition of a 440 SF outdoor patio to the new restaurant space and the re-occupancy of the remaining vacant retail square-footage. This methodology reflects the most accurate peak parking demand for this development because the shopping center is currently 82% occupied, such that the current peak parking demand can be easily measured by conducting parking surveys while the parking demand for the converted and vacant uses can be forecasted using the *ULI Shared Parking* methodology.

The hourly parking demand profiles (expressed in percent of peak demand) utilized in this study and applied to the converted and vacant uses are based on profiles developed by the Urban Land Institute (ULI) and published in *Shared Parking, 2nd Edition*. These factors present a profile of parking demand over time and have been used directly in the analysis of the converted and vacant uses. Specifically the profiles for retail uses and restaurant uses (i.e. fine/casual dining restaurant) were utilized and their characteristics are described below.

- For retail uses, peak demand occurs between 12:00 PM and 3:00 PM on weekdays and between 1:00 PM and 5:00 PM on weekends. The hourly factors shown for retail uses are taken directly from ULI. The retail demand profile was applied to the remaining retail vacant suites (i.e. 3,283 SF). The City's parking code requirement of 1 space per 250 SF was utilized for general retail.
- The *ULI Shared Parking* publication indicates that fine/casual dining restaurant uses are shown to experience peak demand between 7:00 PM and 9:00 PM for both the weekday and weekend. The restaurant use profile is based on a fine/casual dining restaurant. Like the retail profiles, the fine/casual dining restaurant profile derives exactly from the ULI baseline and was applied to the proposed restaurant and proposed outdoor patio identified previously in the project description (i.e. 2,558 SF). The City's parking code requirement of 1.0 space per 100 SF of gross area of the structure up to 5,000 SF and 1.0 space per 150 SF of gross structure area in excess of 5,000 SF plus 1.0 space per 150 SF of area devoted to outdoor dining was utilized for restaurant uses.

Tables 2 and 3 present an approach, which applies the City code parking requirement and ULI time of day parking profiles to the re-occupancy of the remaining vacant retail and to the proposed conversion of 2,118 SF of vacant retail space to restaurant

space with the proposed addition of a 440 SF outdoor patio to the new restaurant space for the weekday (Thursday and Friday, respectively) time frame while directly applying the parking survey data results as a time of day parking profile for the occupied square-footage within the existing Los Alamitos Center Plaza. In addition, **Table 4** presents an approach, which applies the City code parking requirement and site-specific time of day parking profiles to the re-occupancy of the remaining vacant retail and to the proposed conversion of 2,118 SF of vacant retail space to restaurant space with the proposed addition of a 440 SF outdoor patio to the new restaurant space for the weekend day (Saturday) time frame while directly applying the parking survey data results as a time of day parking profile for the occupied square-footage within the existing Los Alamitos Center Plaza.

Appendix A contains the weekday and weekend day shared parking analysis calculation worksheets for the vacant retail uses and proposed restaurant with outdoor patio.

As shown in **Table 2**, the peak parking requirement for Los Alamitos Center Plaza during a typical weekday (Thursday) totals *105 parking spaces* and occurs at 4:00 PM. In addition, as shown in **Table 3**, the peak parking requirement for Los Alamitos Center Plaza during a non-typical weekday (Friday) totals *101 parking spaces* and occurs at 12:00 PM. Finally, as shown in **Table 4**, the peak parking requirement for Los Alamitos Center Plaza during a weekend day (Saturday) totals *103 parking spaces* and occurs at 1:00 PM.

As a result, based on a review of **Tables 2, 3 and 4**, the peak parking survey data shared parking demand for Los Alamitos Center Plaza is **105 parking spaces** and occurs at 4:00 PM on a Thursday. With a proposed on-site parking supply of 106 parking spaces, a minimum **parking surplus of 1 space** is forecast for the entire site. Consequently, the parking survey data shared parking demand analysis indicates that there is adequate parking to accommodate Los Alamitos Center Plaza with the proposed conversion of 2,118 SF of vacant retail space to restaurant space, the proposed addition of a 440 SF outdoor patio to the new restaurant space and the re-occupation of the remaining existing vacant retail space (i.e. 3,283 SF).

It should be noted that the aforementioned analysis did not consider any reduction in parking demand to account for potential walk-in customers from the surrounding area and thus the analysis presented above is conservative.

SUMMARY OF FINDINGS AND CONCLUSIONS

1. Los Alamitos Center Plaza is located on the southeast corner of Los Alamitos Boulevard and Serpentine Drive in the City of Los Alamitos, California. Los Alamitos Center Plaza is an existing mixed-use 30,369 square foot (SF) shopping center with a current retail vacancy of 5,401 SF and an existing parking supply of 108 parking spaces. The proposed Project consists of the conversion of 2,118 SF of vacant retail space to restaurant space and the addition of a 440 SF outdoor patio to the new restaurant space. At completion of the proposed conversion, Los Alamitos Center Plaza will provide 30,809 SF (inclusive of the proposed 440 SF outdoor patio). It should be noted that the existing parking lot will be modified as part of the proposed Project to provide two additional paths of travel. The proposed modifications will result in the loss of two parking spaces. Therefore, a total of 106 parking spaces will be provided at completion of the proposed Project.
2. Direct application of the City's code to the proposed Project results in a total code parking requirement of **123 spaces**. With a proposed parking supply of 106 spaces, a **theoretical parking deficiency of 17 spaces** is forecast.
3. The Survey Data Shared Parking Demand Analysis indicates that the peak parking requirement for Los Alamitos Center Plaza during a typical weekday (Thursday) totals **105 parking spaces** and occurs at 4:00 PM (*Table 2*). In addition, the peak parking requirement for Los Alamitos Center Plaza during a non-typical weekday (Friday) totals **101 parking spaces** and occurs at 12:00 PM (*Table 3*). Finally, the peak parking requirement for Los Alamitos Center Plaza during a weekend day (Saturday) totals **103 parking spaces** and occurs at 1:00 PM (*Table 4*).

As a result, the peak parking survey data shared parking demand for Los Alamitos Center Plaza is **105 parking spaces** and occurs at 4:00 PM on a Thursday. With a proposed on-site parking supply of 106 parking spaces, a minimum **parking surplus of 1 space** is forecast for the entire site.

Consequently, the parking survey data shared parking demand analysis indicates that there is adequate parking to accommodate Los Alamitos Center Plaza with the proposed conversion of 2,118 SF of vacant retail space to restaurant space, the proposed addition of a 440 SF outdoor patio to the new restaurant space, and the re-occupation of the remaining existing vacant retail space (i.e. 3,283 SF).

Ms. Sandra Yavitz
February 24, 2014
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LINSCOTT
LAW &
GREENSPAN
ENGINEERS

It should be noted that the aforementioned analysis did not consider any reduction in parking demand to account for potential walk-in customers from the surrounding area and thus the analysis presented above is conservative.

We appreciate the opportunity to prepare this analysis for Yavitz Companies. Should you have any questions or need additional assistance, please do not hesitate to call us at (949) 825-6175.

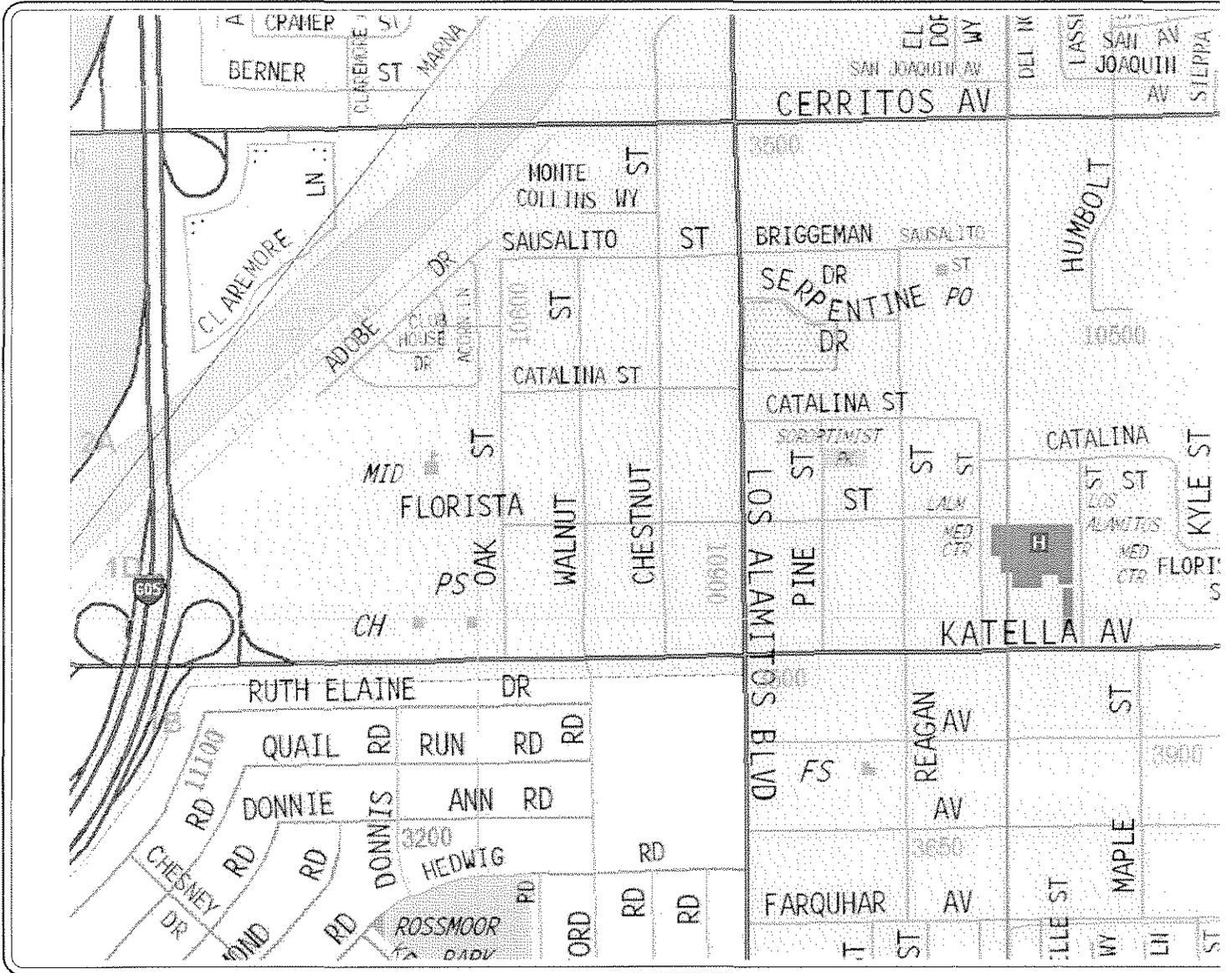
Very truly yours,
Linscott, Law & Greenspan, Engineers



Daniel A. Kloos, P.E.
Senior Transportation Engineer



Attachments



LINSCOTT
LAW &
GREENSPAN
ATTORNEYS



NO SCALE

SOURCE: THOMAS BROS.

KEY

 = PROJECT SITE

LOS ALAMITOS CENT

TABLE 1
PARKING COUNTS
Los Alamitos Center Plaza, Los Alamitos

Time Began	Thursday 1-30-14		Friday 1-31-14		Saturday 2-1-	
	Supply = 108		Supply = 108		Supply = 108	
	Parking Counts	Percent Utilization	Parking Counts	Percent Utilization	Parking Counts	P
8:00 AM	22	20%	24	22%	17	
9:00 AM	28	26%	34	31%	50	
10:00 AM	41	38%	57	53%	59	
11:00 AM	46	43%	56	52%	68	
12:00 PM	56	52%	72	67%	75	
1:00 PM	57	53%	64	59%	77	
2:00 PM	54	50%	59	55%	65	
3:00 PM	71	66%	64	59%	56	
4:00 PM	82	76%	67	62%	50	
5:00 PM	71	66%	55	51%	46	
6:00 PM	71	66%	53	49%	35	
7:00 PM	44	41%	47	44%	30	
8:00 PM	18	17%	26	24%	30	
9:00 PM	5	5%	14	13%	6	
10:00 PM	6	6%	3	3%	3	

TABLE 2
SURVEY BASED WEEKDAY (THURSDAY) SHARED PARKING DEMAND ANALYSIS [1]
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Existing Occupied	Vacant Retail	Proposed Fine/ Casual Dining	Total Spaces = 37 Shared Parking Demand	Compa Parkin 106 Su (Defi
Size	Los Alamitos Center Plaza - 24,968 SF [2]	3,283 KSF 4 /KSF 13 Spc.	2,558 KSF [3] 9.4 /KSF 24 Spc.		
Gross Spaces	Observed Hourly Parking Demand	Number of Spaces	Number of Spaces		
Time of Day					
6:00 AM	5	0	0	5	1
7:00 AM	9	1	1	11	5
8:00 AM	22	2	2	26	8
9:00 AM	28	5	3	36	7
10:00 AM	41	8	6	55	5
11:00 AM	46	11	10	67	3
12:00 PM	56	12	17	85	2
1:00 PM	57	12	17	86	2
2:00 PM	54	12	15	81	2
3:00 PM	71	11	10	92	1
4:00 PM	82	11	12	105	
5:00 PM	71	12	18	101	
6:00 PM	71	12	21	104	
7:00 PM	44	12	22	78	2
8:00 PM	18	9	22	49	5
9:00 PM	5	7	22	34	7
10:00 PM	6	4	21	31	7
11:00 PM	4	1	17	22	8
12:00 AM	1	0	6	7	9

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] During the on-site parking surveys, there were 5,401 SF of retail vacancies.

[3] The proposed project consists of a 2,558 SF restaurant. Of this total, 440 SF is designated as outdoor patio space. The code requirement of 1.0 space per 100 SF is applied to the restaurant space (2,118 SF) and the code requirement of 1.0 space per 150 SF is applied to outdoor patio space (440 SF).

TABLE 3
SURVEY BASED WEEKDAY (FRIDAY) SHARED PARKING DEMAND ANALYSIS [1]

Los Alamitos Center Plaza, Los Alamitos

Land Use	Existing Occupied	Vacant Retail	Proposed Fine/ Casual Dining	Total Spaces = 37 Shared Parking Demand	Compa Parkin 106 Sun (Defi
Size	Los Alamitos Center Plaza - 24,968 SF [2]	3.283 KSF 4 /KSF	2.558 KSF [3] 9.4 /KSF		
Gross Spaces	Observed Hourly Parking Demand	13 Spc.	24 Spc.		
Time of Day		Number of Spaces	Number of Spaces		
6:00 AM	7	0	0	7	5
7:00 AM	12	1	1	14	9
8:00 AM	24	2	2	28	7
9:00 AM	34	5	3	42	6
10:00 AM	57	8	6	71	3
11:00 AM	56	11	10	77	2
12:00 PM	72	12	17	101	
1:00 PM	64	12	17	93	1
2:00 PM	59	12	15	86	2
3:00 PM	64	11	10	85	2
4:00 PM	67	11	12	90	1
5:00 PM	55	12	18	85	2
6:00 PM	53	12	21	86	2
7:00 PM	47	12	22	81	2
8:00 PM	26	9	22	57	4
9:00 PM	14	7	22	43	6
10:00 PM	3	4	21	28	7
11:00 PM	2	1	17	20	8
12:00 AM	1	0	6	7	9

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] During the on-site parking surveys, there were 5,401 SF of retail vacancies.

[3] The proposed project consists of a 2,558 SF restaurant. Of this total, 440 SF is designated as outdoor patio space. The code requirement of 1.0 space per 100 SF is applied to the restaurant space (2,118 SF) and the code requirement of 1.0 space per 150 SF is applied to outdoor patio space (440 SF).

TABLE 4
SURVEY BASED WEEKEND (SATURDAY) SHARED PARKING DEMAND ANALYSIS [1]
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Existing Occupied	Vacant Retail	Vacant Fine/ Casual Dining	Total Spaces =	Compa Parkin
Size	Los Alamitos Center Plaza - 24,968 SF [2]	3.283 KSF 4 /KSF	2.558 KSF [3] 9.4 /KSF		
Gross Spaces	Observed Hourly Parking Demand	13 Spc.	24 Spc.	37	106
Time of Day		Number of Spaces	Number of Spaces	Shared Parking Demand	Su (Defi
6:00 AM	12	0	0	12	9
7:00 AM	13	1	1	15	9
8:00 AM	17	2	1	20	8
9:00 AM	50	5	2	57	4
10:00 AM	59	8	3	70	3
11:00 AM	68	10	6	84	2
12:00 PM	75	11	13	99	
1:00 PM	77	12	14	103	
2:00 PM	65	13	12	90	1
3:00 PM	56	13	12	81	2
4:00 PM	50	13	12	75	3
5:00 PM	46	12	16	74	3
6:00 PM	35	11	22	68	3
7:00 PM	30	10	23	63	4
8:00 PM	30	9	24	63	4
9:00 PM	6	7	22	35	7
10:00 PM	3	5	22	30	7
11:00 PM	2	2	21	25	8
12:00 AM	1	0	12	13	9

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] During the on-site parking surveys, there were 5,401 SF of retail vacancies.

[3] The proposed project consists of a 2,558 SF restaurant. Of this total, 440 SF is designated as outdoor patio space. The code requirement of 1.0 space per 100 SF is applied to the restaurant space (2,118 SF) and the code requirement of 1.0 space per 150 SF is applied to outdoor patio space (440 SF).

APPENDIX A

ULI SHARED PARKING ANALYSIS WORKSHEETS

Appendix Table A-1

SHOPPING CENTER (TYPICAL DAYS)
 WEEKDAY SHARED PARKING DEMAND ANALYSIS [1]
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Shopping Center (Typical Days)				
Size	3,283 KSF				Shared Parking Demand
Pkg Rate[2]	4.0 /KSF				
Gross Spaces	13 Spaces				
	10 Guest Spc.		3 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	1%	0	9%	0	0
7:00 AM	5%	1	14%	0	1
8:00 AM	14%	1	36%	1	2
9:00 AM	32%	3	68%	2	5
10:00 AM	59%	6	77%	2	8
11:00 AM	77%	8	86%	3	11
12:00 PM	86%	9	90%	3	12
1:00 PM	90%	9	90%	3	12
2:00 PM	86%	9	90%	3	12
3:00 PM	81%	8	90%	3	11
4:00 PM	81%	8	90%	3	11
5:00 PM	86%	9	86%	3	12
6:00 PM	86%	9	86%	3	12
7:00 PM	86%	9	86%	3	12
8:00 PM	72%	7	81%	2	9
9:00 PM	45%	5	68%	2	7
10:00 PM	27%	3	36%	1	4
11:00 PM	9%	1	14%	0	1
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute. "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix Table A-2

FINE/CASUAL DINING
WEEKDAY SHARED PARKING DEMAND ANALYSIS [1]
Los Alamitos Center Plaza, Los Alamitos

Land Use	Fine/Casual Dining				
Size	2,558 KSF				Shared Parking Demand
Pkg Rate[2]	9.4 /KSF				
Gross Spaces	24 Spaces				
	20 Guest Spc.		4 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	0%	0	0%	0	0
7:00 AM	0%	0	18%	1	1
8:00 AM	0%	0	45%	2	2
9:00 AM	0%	0	68%	3	3
10:00 AM	14%	3	81%	3	6
11:00 AM	36%	7	81%	3	10
12:00 PM	68%	14	81%	3	17
1:00 PM	68%	14	81%	3	17
2:00 PM	59%	12	81%	3	15
3:00 PM	36%	7	68%	3	10
4:00 PM	45%	9	68%	3	12
5:00 PM	68%	14	90%	4	18
6:00 PM	86%	17	90%	4	21
7:00 PM	90%	18	90%	4	22
8:00 PM	90%	18	90%	4	22
9:00 PM	90%	18	90%	4	22
10:00 PM	86%	17	90%	4	21
11:00 PM	68%	14	77%	3	17
12:00 AM	23%	5	32%	1	6

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix Table A-3

SHOPPING CENTER (TYPICAL DAYS)
WEEKEND SHARED PARKING DEMAND ANALYSIS [1]
Los Alamitos Center Plaza, Los Alamitos

Land Use	Shopping Center (Typical Days)				
Size	3,283 KSF				Shared Parking Demand
Pkg Rate[2]	4.0 /KSF				
Gross Spaces	13 Spaces				
	10 Guest Spc.		3 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	1%	0	10%	0	0
7:00 AM	5%	1	15%	0	1
8:00 AM	10%	1	40%	1	2
9:00 AM	30%	3	75%	2	5
10:00 AM	50%	5	85%	3	8
11:00 AM	65%	7	95%	3	10
12:00 PM	80%	8	100%	3	11
1:00 PM	90%	9	100%	3	12
2:00 PM	100%	10	100%	3	13
3:00 PM	100%	10	100%	3	13
4:00 PM	95%	10	100%	3	13
5:00 PM	90%	9	95%	3	12
6:00 PM	80%	8	85%	3	11
7:00 PM	75%	8	80%	2	10
8:00 PM	65%	7	75%	2	9
9:00 PM	50%	5	65%	2	7
10:00 PM	35%	4	45%	1	5
11:00 PM	15%	2	15%	0	2
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix A-4

FINE/CASUAL DINING
 WEEKEND SHARED PARKING DEMAND ANALYSIS [1]
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Fine/Casual Dining				Shared Parking Demand
Size	2,558 KSF				
Pkg Rate[2]	9.4 /KSF				
Gross Spaces	24 Spaces				
	20 Guest Spe.		4 Emp. Spe.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	0%	0	0%	0	0
7:00 AM	0%	0	20%	1	1
8:00 AM	0%	0	30%	1	1
9:00 AM	0%	0	60%	2	2
10:00 AM	0%	0	75%	3	3
11:00 AM	15%	3	75%	3	6
12:00 PM	50%	10	75%	3	13
1:00 PM	55%	11	75%	3	14
2:00 PM	45%	9	75%	3	12
3:00 PM	45%	9	75%	3	12
4:00 PM	45%	9	75%	3	12
5:00 PM	60%	12	100%	4	16
6:00 PM	90%	18	100%	4	22
7:00 PM	95%	19	100%	4	23
8:00 PM	100%	20	100%	4	24
9:00 PM	90%	18	100%	4	22
10:00 PM	90%	18	100%	4	22
11:00 PM	90%	18	85%	3	21
12:00 AM	50%	10	50%	2	12

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

ITEM 7E

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 10, 2014
Item No: 7E

To: Chair Loe and Members of the Planning Commission

Via: Steven A. Mendoza, Community Development/Public Works Director

From: Tom Oliver, Planning Aide

Subject: Zoning Ordinance Amendment 14-01
Proposed changes to the Los Alamitos Municipal Code sections relating to curb cuts, driveways, aprons and landscape standards

Summary: Consideration of a Zoning Ordinance Amendment to make changes to Los Alamitos Municipal Code sections pertaining to curb cuts, driveways, aprons, and landscape standards (Citywide) (City initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Adoption of Resolution No. 14-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 14-01 TO AMEND "LOS ALAMITOS MUNICIPAL CODE SECTIONS 17.16.090 RELATING TO LANDSCAPING IN THE FRONT YARD SETBACK AND 17.26.060 RELATING TO CURB CUTS, DRIVEWAYS AND APRONS AS WELL AS AMEND SECTION 12.08.030 REGARDING PERMITS FOR THE SAME, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED)."

Applicant: City Initiated

Location: Citywide

Environmental The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures. The proposed

amendments are exempt from California Environmental Quality Act review per Section 15061(b)(3) of the CEQA Guidelines because the Code Amendments will have no significant effect on the environment, and, pursuant to Section 15305, qualify as a minor alteration in land use limitations.

Approval Criteria:

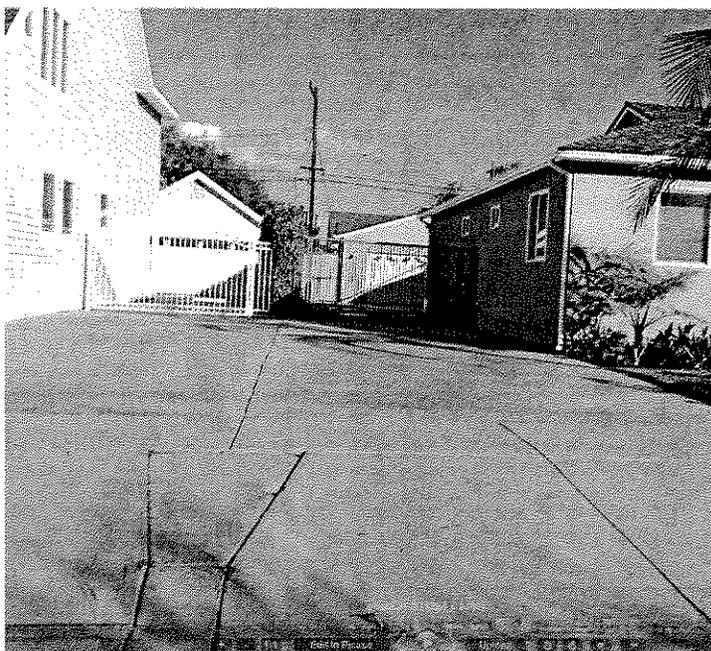
Section 17.70.020 of the Los Alamitos Municipal Code (LAMC) requires that any proposed amendment be recommended by a resolution to the City Council.

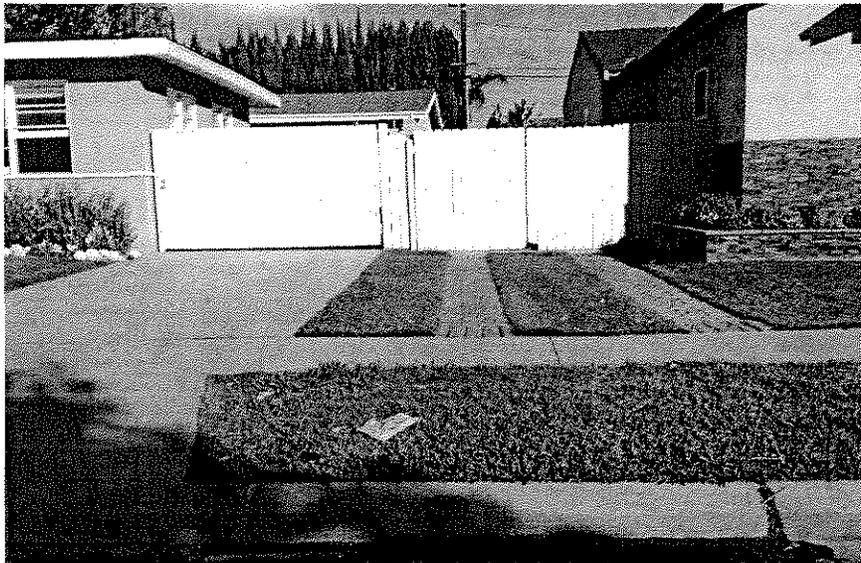
Noticing:

Since the number of real property owners exceeds 1,000, notices announcing the Public Hearing were published as a 1/8 page ad in the News Enterprise on January 29, 2014 for a hearing on February 10, 2014. The item was opened and continued to March 10, 2014.

Background

Staff has had questions about the sections of Code that pertain to driveways. The current Code language makes it difficult for homeowners to develop plans based on the imprecise requirements in the Code. Additionally, there has been concern expressed by residents about their neighbors parking their vehicles right up against the property line of the two homes.





LAMC Section 17.76.020 *Definitions of specialized terms and phrases*, defines the term “Driveway” as shown below:

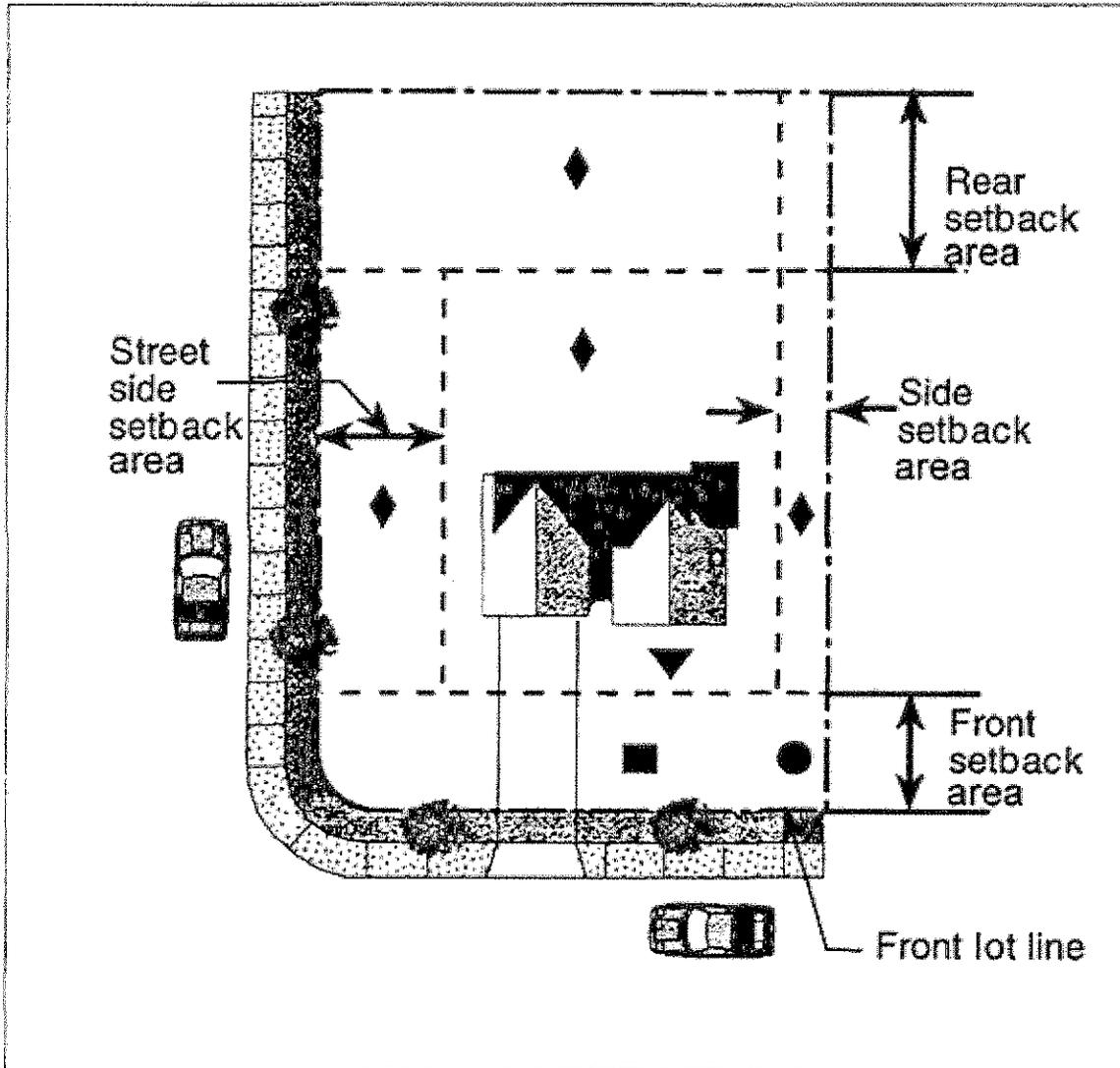
“Driveway” means a paved portion of a parcel located between the public right-of-way and the garage or carport, designed and intended as an access-way between the public right-of-way and the garage or carport.

LAMC Section 17.26.060 provides that driveways cannot exceed the width of the garage or carport or fifty percent of the parcel width at the street, whichever is less. This section also provides that any vehicles, including recreational vehicles, recreational items, and trailers can only be parked in the driveway, i.e., that paved portion leading up to the garage, and not on any other part of the front setback area. Additionally, up to two (2) RVs, recreational items or trailers may be parked in the side and rear setbacks provided that the view is obscured by a wall not more than seven (7) feet high. If the view is not obscured, these items must be parked at least five feet from all property lines. The exception to this rule is that vehicles, but not recreational vehicles, trailers, utility trailers, or other recreational items (such as boats) may be parked in the front, rear or side setback area *if* the driveway is in such setback areas.

The Planning Commission approved a Resolution of Intent at its meeting on December 9, 2013 to clarify the definitions and other municipal codes concerning “driveway(s).” At the January 13, 2014 Planning Commission meeting, the Planning Commission discussed the item and then directed Staff to draft a Resolution of Recommendation to the City Council to require a landscaping strip in a front setback covering the five feet between the driveway and a neighboring property line, unless approved by Site Plan Review. Also, the Commissioners recommended a requirement for a Site Plan Review if a resident requests two (2) or more curb cuts for driveways on a single residential parcel.

After taking a driving tour of some residential areas, Staff determined that it would be best to require a landscaping area of four feet by sixteen feet on each side property line in order to allow hardscaped access to fenced backyards and to allow some walking space if cars are parked in the driveway area.

Below is a diagram of a property to use in discussion:



In order to accomplish this, Staff recommends that the following changes be made to the Los Alamitos Municipal Code:

- Amend Section 17.16.090 relating to paving of front setback areas by requiring that in the front yard setback area, a minimum of four feet in width by sixteen feet in depth, measured from each side property line and from the front property line, be landscaped as part of the minimum 50% landscaped area. The

Community Development Director would be allowed to approve deviations if necessary to provide safe and adequate ingress and egress. This requirement would not apply unless someone was to build a new house or do substantial reconstruction on their existing residence which involves the renovation of the existing garage or front yard.

- Amend Section 17.26.060B.3 by adding a new subsection to provide that only one curb cut per parcel shall be allowed in conjunction with the development or renovation of any residential use unless a site plan is approved for additional curb cuts in accordance with Chapter 17.50. Again, this requirement would not apply unless someone was to build a new house or do substantial renovation involving the existing garage or front yard.
- Amend Section 12.08.030 to make clear that curb cuts, driveways, and aprons require a Public Works permit. Although this is not a zoning provision, it is being included in this Ordinance as it is tied to the zoning changes recommended above.

Findings

Staff considers the following findings of fact when studying a Zoning Ordinance Amendment for modification to the Los Alamitos Municipal Code:

First, the proposed amendments ensure and maintain consistency with the General Plan and the Zoning Code. The proposed additional regulations for driveways and landscaping in the front setback are consistent with General Plan Land Use Policy 1-3.1 to “apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City.” The amendments would establish consistent standards by revising sections of the Municipal Code where there are gray areas for Staff in evaluating a driveway or a landscaping plan. The proposed amendments establish consistent standards by establishing a requirement that each parcel only have one driveway and that the side property lines be landscaped. Additionally, the amendments clarify that permits are required for the installation of curb cuts, driveways, or aprons in the public right-of-way.

Second, the proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated in the Code amendments. Instead, the changes will improve the appearance of the City and result in less conflict between neighbors. Although parking in a non-driveway portion of a front setback is already prohibited (unless the driveway is in that area), the requirement for landscaping will help ensure that people abide by this rule. The prohibition against multiple curb cuts will improve communities by helping to ensure that there is adequate street parking and eliminating conflicts that can arise when driveways are spaced too closely together. Further, the clarification that permits

are required for curb cuts, driveways and aprons will help the City monitor these requirements.

The Ordinance provides for some flexibility. If a person needs to deviate from the hardscape and landscaping requirements to obtain safe and adequate ingress and egress, then the Community Development Director may grant an exception to the rules. If a person wishes to deviate from these requirements for any other reason, including the need to reach parking pads in the side or rear setbacks, Site Plan Review approval will be required.

Third, the proposed project has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15305 – minor alterations in land use limitations and 15061(b)(3) – activity is not subject to CEQA where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

Fourth, the proposed amendment is internally consistent with other applicable provisions of this Zoning Code and does not provide any conflicts with any other provision of the Los Alamitos Municipal Code.

Recommendation

Staff recommends that the Planning Commission approve the attached resolution recommending that the City Council adopt Zoning Ordinance Amendment 14-01 to add requirements to the Los Alamitos Municipal Code relating to curb cuts for driveways and landscape standards for the front yard setback.

Attachments: 1) *PC Resolution 14-05*
 2) *Draft Ordinance 2014-xx*

RESOLUTION NO. 14-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 14-01 TO AMEND "LOS ALAMITOS MUNICIPAL CODE SECTIONS 17.16.090 RELATING TO LANDSCAPING IN THE FRONT YARD SETBACK AND 17.26.060 RELATING TO CURB CUTS, DRIVEWAYS AND APRONS AS WELL AS TO AMEND SECTION 12.08.030 REGARDING PERMITS FOR THE SAME, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA" (CITYWIDE) (CITY INITIATED).

WHEREAS, the Planning Commission is interested in re-evaluating the Los Alamitos Code related to driveway(s) and curb cuts; and,

WHEREAS, Los Alamitos Municipal Code Section 17.70.020 *Amendments* requires that the Planning Commission begin this process through adopting a Resolution of Intention; and,

WHEREAS, the Planning Commission approved Resolution of Intention 13-21 on December 9, 2013 to consider changes to certain sections of the Los Alamitos Municipal Code dealing with, among other things, driveways; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning this Amendment on January 13, 2014; and,

WHEREAS, at the January 13, 2014 meeting, the Planning Commission directed Staff to draft a resolution recommending the City Council change the Municipal Code relating to driveways with specific relation to the number of driveways each parcel may have, landscaping along the sides of driveways and parking issues relating to driveways versus hardscaped surfaces in the front yard that were not driveways; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning this Amendment on February 10, 2014 and then continued the hearing to March 10, 2014; and,

WHEREAS, on March 10, 2014 the Planning Commission was presented with a draft of Zoning Ordinance Amendment 14-01 which includes related changes to Sections 17.26.060, 17.16.090, and 12.080.030 in order to accomplish the direction of the Planning Commission;

WHEREAS, the Planning Commission held a duly noticed Public Hearing on March 10, 2014; and

WHEREAS, the proposed amendments as described in Attachment 2, represent only minor changes of the Los Alamitos Municipal Code; and,

WHEREAS, after consideration of all applicable Staff Reports and all public testimony and evidence presented at the Public Hearings, the Planning Commission does hereby make the following findings for a Zoning Ordinance Amendment for modification to Los Alamitos Municipal Code Sections 17.16.090, and 17.26.060, as well as Section 12.08.030 related to curb cuts, driveways, aprons and landscape standards as required by Los Alamitos Municipal Code Section 17.70.050:

1. The proposed amendments ensure and maintain consistency with the General Plan and the Zoning Code. The proposed additional regulations for driveways and landscaping in the front setback are consistent with General Plan Land Use Policy 1-3.1 to “apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City.” The amendments would establish consistent standards by revising sections of the Municipal Code where there are gray areas for Staff in evaluating a driveway or a landscaping plan. The proposed amendments establish consistent standards by establishing a requirement that each parcel only have one driveway and that the side property lines be landscaped. Additionally, the amendments clarify that permits are required for the installation of curb cuts, driveways, or aprons in the public right-of-way.

2. Second, the proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated in the Code amendments. Instead, the changes will improve the appearance of the City and result in less conflict between neighbors. Although parking in a non-driveway portion of a front setback is already prohibited (unless the driveway is in that area), the requirement for landscaping will help ensure that people abide by this rule. The prohibition against multiple curb cuts will improve communities by helping to ensure that there is adequate street parking and eliminating conflicts that can arise when driveways are spaced too closely together. Further, the clarification that permits are required for curb cuts, driveways and aprons will help the City monitor these requirements.

The Ordinance provides for some flexibility. If a person needs to deviate from the hardscape and landscaping requirements to obtain safe and adequate ingress and egress, then the Community Development Director may grant an exception to the rules. If a person wishes to deviate from these requirements for any other reason, including the need to reach parking pads in the side or rear setbacks, Site Plan Review approval will be required.

3. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures in that the proposed amendments are exempt from California Environmental Quality Act review per Section 15061(b) (3) of the California State Government Code because the Code Amendments will have no significant effect

on the environment and pursuant to Section 15305 as a minor alteration in land use limitations.

4. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code and does not provide any conflicts with any other provision of the Los Alamitos Municipal Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct, which findings are incorporated by reference herein.

SECTION 2. Based upon such findings and determinations, the Planning Commission hereby recommends to the City Council of the City of Los Alamitos to approve Zoning Ordinance Amendment 14-01 to amend Municipal Code Sections 17.16.090 and 17.26.060 as shown in Attachment 2, which ordinance is attached hereto and incorporated by reference herein.

PASSED, APPROVED, AND ADOPTED this 10th day of March, 2014.

Gary Loe, Chairperson

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 10th day of March, 2014, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven Mendoza, Secretary

DRAFT ORDINANCE NO. 2014-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 14-01 TO AMEND SECTIONS 17.16.090 RELATING TO LANDSCAPING IN THE FRONT YARD SETBACK AND 17.26.060 RELATING TO CURB CUTS, DRIVEWAYS AND APRONS AS WELL AS AMEND SECTION 12.08.030 REGARDING PERMITS FOR THE SAME, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED).

WHEREAS, the City initiated a zoning ordinance amendment relating to driveway curb cuts and landscape standards in the front yard setback in accordance with the procedures set forth in Chapter 17.70 of the Los Alamitos Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on this Ordinance on March 10, 2014 after which time it adopted Resolution No. XX recommending that the City Council approve this Ordinance; and

WHEREAS, the City Council opened a duly noticed Public Hearing concerning this Amendment on _____; and,

WHEREAS, this Zoning Ordinance Amendment 14-01 has been considered by the City Council; and,

WHEREAS, the proposed amendments represent only a minor change and do not modify any other part of the Los Alamitos Municipal Code; and,

WHEREAS, after consideration of all applicable Staff Reports and all public testimony and evidence presented at the Public Hearing, the City Council does hereby make the following findings of fact for a Zoning Ordinance Amendment for modification to the Los Alamitos Municipal Code relating to curb cuts and landscape standards in the front setback:

1. The proposed amendments ensure and maintain consistency with the General Plan and the Zoning Code. The proposed additional regulations for driveways and landscaping in the front setback are consistent with General Plan Land Use Policy 1-3.1 to "apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City." The amendments would establish consistent standards by revising sections of the Municipal Code where there are gray areas for Staff in evaluating a driveway or a landscaping plan. The proposed amendments establish consistent standards by establishing a requirement that each parcel only have one driveway and that the side property lines be

landscaped. Additionally, the amendments clarify that permits are required for the installation of curb cuts, driveways, or aprons in the public right of way.

2. Second, the proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated in the Code amendments. Instead, the changes will improve the appearance of the City and result in less conflict between neighbors. Although parking in a non-driveway portion of a front setback is already prohibited (unless the driveway is in that area), the requirement for landscaping will help ensure that people abide by this rule. The prohibition against multiple curb cuts will improve communities by helping to ensure that there is adequate street parking and eliminating conflicts that can arise when driveways are spaced too closely together. Further, the clarification that permits are required for curb cuts, driveways and aprons will help the City monitor these requirements.

The Ordinance provides for some flexibility. If a person needs to deviate from the hardscape and landscaping requirements to obtain safe and adequate ingress and egress, then the Community Development Director may grant an exception to the rules. If a person wishes to deviate from these requirements for any other reason, including the need to reach parking pads in the side or rear setbacks, Site Plan Review approval will be required.

3. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures in that the proposed amendments are exempt from California Environmental Quality Act review per Section 15061(b) (3) of the California State Government Code because the Code Amendments will have no significant effect on the environment and pursuant to Section 15305 as a minor alteration in land use limitations.

4. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code and do not create any conflicts with any other provisions of the Los Alamitos Municipal Code.

**THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and incorporates them by reference herein.

SECTION 2. Los Alamitos Municipal Code Section 12.08.030 "Permits for improvements – Required" is amended to read as follows:

No person shall construct or place improvements within the public right-of-way, including curb cuts, driveways, and aprons, without first obtaining a public

works permit therefor. A written application for permit shall be submitted to the City Engineer for approval. The application shall include plans in triplicate showing the location and dimensions of the proposed work and such other detail as the City Engineer may require; upon approval, one copy of the plans shall be attached to each copy of the permit and become a part of the same.

SECTION 3. Los Alamitos Municipal Code Section 17.16.090 "Paving of front setback requirements" is amended to read as follows:

A. Paving shall not amount to more than fifty (50) percent of the required front setback area. Increases in the amount of allowable paving may be approved by the director, if necessary, to provide safe ingress and egress for the site. A minimum of fifty (50) percent of the required front yard setback area shall be landscaped.

B. Of the fifty (50) percent landscaped setback, a minimum of 4 feet in width and 16 feet in length measuring from each side property line and the front property line shall be landscaped. Notwithstanding any other provision of this Code, this requirement shall not apply to any legally permitted existing use unless after April 15, 2014 there is development of a new residential use, or renovation of an existing residential use and the renovation includes modifications to the existing garage or front yard.

C. The Community Development Director may allow an exception from the requirements set forth in subsection A and B above, if necessary, to provide safe and adequate ingress and egress for the site.

D. Site plan review approval in accordance with Chapter 17.50 shall be required in order to deviate from the requirements set forth in subsection A and B above for any reason (including to allow access to a parking pad in a side or rear setback) other than to provide safe and adequate ingress and egress.

SECTION 4. Los Alamitos Municipal Code Section 17.26.060 "Residential parking and storage standards" is further amended by adding Section 17.26.060.B.3.h to read as follows:

"h. Only one curb cut, driveway, and driveway apron shall be allowed for each residential parcel unless a site plan is approved in accordance with Chapter 17.50. Notwithstanding any other provision of this Code, this requirement shall not apply to any legally permitted existing use unless after April 15, 2014 there is development of a new residential use, or renovation of an existing residential use and the renovation includes modifications to the existing garage or front yard.

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity

of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. To the extent the provisions of the Los Alamitos Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 7. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 8. This Ordinance shall take effect thirty days after approval as provided in Government Code Section 36937.

SECTION 9. Staff is hereby directed to file a Notice of Exemption with the County Clerk's office relating to the adoption of this Ordinance under Guidelines Section 15305 – minor alteration in land use limitations and Section 15061(b)(3) - where the activity is not subject to CEQA when it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____, 2014.

Gerri L. Graham-Mejia, Mayor

ATTEST:

Windmera Quintanar, CMC
City Clerk

APPROVED AS TO FORM:

Cary Reisman
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 14-____ was duly introduced and placed upon its first reading at a regular meeting of the City Council on the ____ day of _____, 2014 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2014, by the following vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, City Clerk

ITEM 7F

City of Los Alamitos

Planning Commission

Agenda Report Staff Report

March 10, 2014
Item No: 7F

To: Chair Loe and Members of the Planning Commission

Via: Steven A. Mendoza, Community Development/Public Works Director

From: Lisa Kranitz, Assistant City Attorney
Tom Oliver, Planning Aide

Subject: Zoning Ordinance Amendment 13-05
Relating to Accessory Residential Uses and Accessory Structures

Summary: Consideration of a Zoning Ordinance Amendment to amend the Los Alamitos Code to make changes relating to accessory residential uses and accessory structures (Citywide) (City initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Adoption of Resolution No. 14-06, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 13-05 AMENDING THE LOS ALAMITOS MUNICIPAL CODE RELATING TO ACCESSORY RESIDENTIAL USES AND ACCESSORY STRUCTURES (INCLUDING CHANGES TO DEFINITIONS, REMOVAL OF GUEST HOUSES AS AN ALLOWABLE LAND USE AND CHANGES TO ACCESSORY STRUCTURES) AND MAKING MINOR TECHNICAL CHANGES TO THE PROVISIONS RELATING TO SECONDARY RESIDENTIAL UNITS, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED)."

Applicant: City Initiated

Location: Citywide

Environmental The proposed project has been reviewed in compliance with the provisions of the California

Environmental Quality Act (CEQA) and the City's environmental review procedures. The proposed amendments are exempt from California Environmental Quality Act review per Section 15061(b)(3) of the California State Government Code because the Code Amendments will have no significant effect on the environment and pursuant to Section 15305 as a minor alteration in land use limitations.

Approval Criteria:

Section 17.70.020 of the Los Alamitos Municipal Code (LAMC) requires that any proposed amendment be recommended by a resolution to the City Council.

Background

The Planning Commission approved a Resolution of Intent at its meeting on December 9, 2013 to clarify the definitions and other municipal codes concerning the terms "Detached Guesthome" and "Guest house" and "Accessory Structures."

Discussion

At the January 2014 meeting, the Planning Commission began to discuss problematic sections of the Los Alamitos Municipal Code (LAMC) that pertain to residential land uses relating to guest homes, guest houses, and accessory structures. During the discussion, concern was raised about accessory structures as well as guest homes being turned into rental units as these types of uses are not required to provide the additional parking that is required of a second residential unit, and the City had trouble monitoring these types of uses.

At the conclusion of this item, the Planning Commission determined that the only accessory housing units that should be allowed in the City should be second residential units and that accessory structures should be prohibited from having bedrooms, full bathrooms or kitchen facilities. Guest homes will no longer be a permitted use but, this will not impact any previously approved guest homes. At the February 2014 Planning Commission meeting, Staff requested that the item be continued in order to have more time to draft the Ordinance and make sure that all necessary sections of the Code were changed and there were no inconsistencies. The attached Draft Ordinance covers all of the changes deemed necessary by Staff.

Accessory Structures

Last month, the Planning Commission also directed Staff to find more examples from other cities concerning their treatment of accessory structures. The Planning Commission did not direct Staff to draft changes to Code concerning accessory

structures; however, when drafting changes to guest home Codes it was determined that the two subjects are intertwined and need to be dealt with as one subject. Staff has included examples from cities that are applicable to this discussion with this report. While Staff has found some possible changes that are incorporated in the Draft Ordinance, these other examples are to be used in the discussion tonight in determining a final recommendation for the City Council. The Draft Ordinance should be looked on as a jumping off place for tonight's discussion.

Changes to the Zoning Code

The Draft Ordinance does the following:

- Changes the definition of "Accessory Living Quarters" from Guest House to Second Residential Unit.
- Changes the definition of "Granny Flat" from a secondary residential unit to a residential unit that was approved in accordance with the Government Code section that used to allow for granny flats. That section has not been operative since 2007, although granny flats approved prior to that time remain a legal use subject to all the prior conditions under State law. The term "Granny Flat" as well as "Guest House" is being left in the Code as they describe legal non-conforming uses.
- Changes the term "Secondary residential unit" to "Second residential units" to provide consistency in the Code and consistency with State law.
- Amends the Land Use Table in Section 17.08.020 as follows:
 - Provides a cross reference for accessory uses and structures to Section 17.38.030 and footnotes that such structures are permitted up to 640 square feet without Site Plan Review approval.
 - Deletes detached guesthomes as a use that is allowed, even with a CUP.
- Amends Sections 17.10.020B (Commercial and Industrial zones) and 17.12.020B (Special Purpose and Overlay zones) to remove the cross references in Accessory Uses to the section on residential accessory structures. The sections now provide that accessory structures must be approved pursuant to Site Plan Review.
- Amends the Parking Table in Section 17.26.040 to provide that one parking space is required for each bedroom of a second residential unit. This is consistent with Section 17.38.150 of the Los Alamitos Municipal Code; it is a clean-up in order to place all of the parking requirements in one location.

- Amends Section 17.38.030 relating to Accessory Structures as follows:
 - Makes minor clean-up changes to the Title and Sections A and B.
 - Eliminates Section C which was for attached structures, as an attached structure is not an accessory structure, but part of the main structure; this is now consistent with the term “Accessory Structure” in the definitions.
 - Amends Section D (now Section C) on Detached Structures as follows:
 - Provides that unless it was previously approved as a guesthome or granny flat as of January 1, 2014, no accessory shall be used for residential purposes and the only detached structure that may be used for residential purposes is a second residential unit.
 - Provides that accessory structures shall not exceed 640 square feet unless there is approval of a Site Plan Review. This would allow a detached garage with a side room for washing machines, a work room, or a studio, as well as allow a three-car garage without the need for Planning Commission action.
 - Provides that accessory structures may include no more than one half-bath (sink and toilet) and shall not include any shower, bath, or cooking facilities.
 - Provides that except for a garage with an attached room or separate half-bath, accessory structures must be one room.

Findings

Staff considers the following findings of fact when studying a Zoning Ordinance Amendment for modification to the Los Alamitos Municipal Code.

First, the proposed amendment ensures and maintains consistency with the General Plan and the Zoning Code. The proposed amendments are consistent with General Plan Land Use Policy 1-3.1 to “apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City.” The amendment would establish consistent standards relating to accessory structures and accessory residential uses. Additionally, the amendments make changes to eliminate inconsistencies in the current Zoning Code.

Second, the proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated in the amendment of these items. They will instead improve the ability of Staff to regulate Second Residential Units and Accessory Structures. These modifications of the Code continue to allow the building of accessory structures and

second residential units in the areas where they are permitted in the City. Further, the amendments will alleviate problems for the public convenience, health, interest and safety by removing the ability to create illegal residential units without providing necessary parking.

Third, the proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and it has been determined that the Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the Code Amendments will have no significant effect on the environment as well as Section 15305 as a minor alteration in land use limitations.

Fourth, the proposed amendment is internally consistent with other applicable provisions of this Zoning Code and does not provide any conflicts with any other provision of the Los Alamitos Municipal Code.

Recommendation

Staff recommends that the Planning Commission approve the attached resolution recommending to the City Council they adopt Zoning Ordinance Amendment 13-05 relating to accessory residential uses and accessory structures.

*Attachments: 1) PC Resolution 14-06
2) Draft Ordinance 2014-xx
3) Examples of accessory structure code information from other cities*

RESOLUTION NO. 14-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 13-05 AMENDING THE LOS ALAMITOS MUNICIPAL CODE RELATING TO ACCESSORY RESIDENTIAL USES AND ACCESSORY STRUCTURES (INCLUDING CHANGES TO DEFINITIONS, REMOVAL OF GUEST HOUSES AS AN ALLOWABLE LAND USE AND CHANGES TO ACCESSORY STRUCTURES) AND MAKING MINOR TECHNICAL CHANGES TO THE PROVISIONS RELATING TO SECONDARY RESIDENTIAL UNITS AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED).

WHEREAS, the Planning Commission is interested in reevaluating the Los Alamitos Municipal Code as it relates to accessory residential units and accessory structures; and,

WHEREAS, Los Alamitos Municipal Code Section 17.70.020 *Amendments* requires that the Planning Commission begin this process through adopting a Resolution of Intention; and,

WHEREAS, the Planning Commission approved the Resolution of Intention 13-21 on December 9, 2013; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning this Amendment on January 13, 2014; and,

WHEREAS, at the January 13, 2014 meeting, the Planning Commission directed Staff to draft a resolution recommending the City Council change the Municipal Code; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning this Amendment on February 10, 2014 which was continued to March 10, 2014; and,

WHEREAS, on March 10, 2014 the Planning Commission held a Public Hearing on Zoning Ordinance Amendment No. 13-05; and

WHEREAS, after consideration of all applicable Staff Reports and all public testimony and evidence presented at the Public Hearings, the Planning Commission does hereby make the following findings of fact for Zoning Ordinance Amendment 13-05 relating to accessory residential uses and accessory structures by modifying the definitions in Chapter 17.76, amending Land Use Table 2-02 in Section 17.08.020,

amending the Parking Table in Section 17.26.040, and modifying Section 17.38.030 of the Los Alamitos Municipal Code:

1. The proposed amendment ensures and maintains consistency with the General Plan and the Zoning Code. The proposed amendments are consistent with General Plan Land Use Policy 1-3.1 to "apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City." The amendment would establish consistent standards relating to accessory structures and accessory residential uses. Additionally, the amendments make changes to eliminate inconsistencies in the current Zoning Code.

2. The proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated in the amendment of these items. They will instead improve the ability of Staff to regulate Second Residential Units and Accessory Structures. These modifications of the Code continue to allow the building of accessory structures and second residential units in the areas where they are permitted in the City. Further, the amendments will alleviate problems for the public convenience, health, interest and safety by removing the ability to create illegal residential units without providing necessary parking.

3. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and it has been determined that the Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the Code Amendments will have no significant effect on the environment as well as Section 15305 as a minor alteration in land use limitations.

4. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code and does not provide any conflicts with any other provision of the Los Alamitos Municipal Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct, which findings are incorporated by reference herein.

SECTION 2. Based upon such findings and determinations, the Planning Commission hereby recommends that the City Council of the City of Los Alamitos approve Zoning Ordinance Amendment 13-05 relating to accessory residential units and accessory structures as shown in Attachment 2, which Ordinance is attached hereto and incorporated by reference herein.

SECTION 3. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 10th day of March, 2014.

Gary Loe, Chairperson

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 10th day of March, 2014, by the following vote, to wit:

AYES:

NOES:
ABSENT:
ABSTAIN:

Steven Mendoza, Secretary

DRAFT ORDINANCE NO. 2014-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 13-05 AMENDING THE LOS ALAMITOS MUNICIPAL CODE RELATING TO ACCESSORY RESIDENTIAL USES AND ACCESSORY STRUCTURES (INCLUDING CHANGES TO DEFINITIONS, REMOVAL OF GUEST HOUSES AS AN ALLOWABLE LAND USE AND CHANGES TO ACCESSORY STRUCTURES) AND MAKING MINOR TECHNICAL CHANGES TO THE PROVISIONS RELATING TO SECONDARY RESIDENTIAL UNITS, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED).

WHEREAS, the City initiated a zoning ordinance amendment relating to changes for guest homes and accessory structures in accordance with the procedures set forth in Chapter 17.70 of the Los Alamitos Municipal Code; and

WHEREAS, the Planning Commission discussed this matter at a Public Hearing on January 13, 2014; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on this Ordinance on March 10, 2014 after which time it adopted Resolution No. _____, recommending that the City Council find that the Ordinance is exempt from CEQA and adopt this Ordinance; and

WHEREAS, the City Council opened a duly noticed Public Hearing concerning this Amendment on _____; and,

WHEREAS, this Zoning Ordinance Amendment 13-05 has been considered by the City Council; and,

WHEREAS, after consideration of all applicable Staff Reports and all public testimony and evidence presented at the Public Hearing, the City Council does hereby make the following findings of fact relating to the amendments set forth in this Ordinance as required by Los Alamitos Municipal Code Section 17.70.050:

1. The proposed amendments ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and does not create any inconsistencies with the Zoning Code. The proposed amendments are consistent with General Plan Land Use Policy 1-3.1 to “apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City.” The proposed amendments will establish consistent standards relating to the development of accessory residential uses in the City by providing that the only way that an accessory residential use may be allowed is by

approval of a second residential unit with appropriate parking. The amendments also establish standards for accessory structures and remove inconsistencies as to the definition of accessory structures that currently exist in the Municipal Code.

2. The proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated from the changes. Although guest houses will no longer be a use that can be conditionally approved in the R-1 zone, all previously approved guest houses will be allowed to remain and will not be subject to the non-conforming use provisions. The changes will improve the ability of Staff to regulate Second Residential Units and Accessory Structures. This Code modification continues to allow the building of accessory structures and second residential units in the areas where they are permitted in the City. Further, the amendment will alleviate problems for the public convenience, health, interest and safety by removing a mechanism by which people had the ability to create illegal residential units without providing necessary parking.

3. The proposed Municipal Code changes have been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures in that the proposed amendments are exempt from California Environmental Quality Act review per Section 15061(b) (3) of the California State Government Code because the Code Amendments will have no significant effect on the environment and pursuant to Section 15305 as a minor alteration in land use limitations.

4. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code and do not create any conflicts with any other provisions of the Los Alamitos Municipal Code.

THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and incorporates them by reference herein.

SECTION 2. The following definitions in Los Alamitos Municipal Code Section 17.76.020 "Definitions" are hereby amended to read as follows:

"Accessory Living Quarters". See ~~"Guest house."~~ "Second Residential Unit."

"Granny Flat." See ~~"Secondary residential units."~~ means a residential unit that was approved in accordance with Government Code section 65852.1 and is grandfathered under State Law.

~~"Secondary"~~ "Second residential unit" means a detached or attached dwelling unit that provides complete, independent living facilities for one or more

persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit.

SECTION 3. The following provisions of Los Alamitos Municipal Code Section 17.08.020, Table 2-02 "Land uses and permit requirements" are hereby amended as follows; all other provisions remain the same:

LAND USE	R-1	R-2	R-3	M-H	Specific Use Regulations
Accessory uses and structures, including noncommercial greenhouses	p ²	p ²	p ²	_____	<u>17.38.030</u>
Secondary residential units	P	P	P	_____	17.38.150
-Detached-guesthome (no rental)	CUP ²	_____	_____	_____	

² Up to 640 square feet; otherwise requires Site Plan Review approval. No cooking facility installed or maintained.

SECTION 4. Section 17.10.020B of the Los Alamitos Municipal Code is hereby amended to read as follows:

B. ~~Accessory uses structures.~~ Accessory land-uses structures are subject to the requirements of ~~Section 17.38.030 (Accessory structures)~~ Site Plan Review pursuant to Chapter 17.50 of this Code.

SECTION 5. Section 17.12.020B of the Los Alamitos Municipal Code is hereby amended to read as follows:

B. ~~Accessory uses structures.~~ Accessory land-uses structures are subject to the requirements of ~~Section 17.38.030 (Accessory structures)~~ Site Plan Review pursuant to Chapter 17.50 of this Code.

SECTION 6. The Parking Table in Section 17.26.040 of the Los Alamitos Municipal Code is hereby amended by adding the following after R-1 Single Family which merely reflects the requirements already set forth in Section 17.38.150.C.9 of the Los Alamitos Municipal Code.

Description of Use	Required Number of Spaces
<u>Second Residential Unit</u>	<u>One space for each bedroom</u>

SECTION 7. Section 17.38.030 of the Los Alamitos Municipal Code is hereby amended to read as follows:

17.38.030 Accessory structures/uses – Residential.

This section provides standards for accessory uses and structures that are customarily related to a residence, (e.g., garages, greenhouses, storage sheds, studios, above ground swimming pools/spas, and workshops). Standards for in-ground swimming pools are provided in Section 17.16.150 (Swimming pools).

A. ~~Construction of Accessory Structures.~~ Accessory structures shall may be erected or constructed concurrent with, or subsequent to, the construction of the main structure.

B. Relationship of Accessory Use/Structure to the Main Use. Consistent with the definitions of “accessory structure” and “accessory use” in Chapter 17.76, aAccessory uses and structures in the residential zone shall be incidental to and not alter the residential character of the site.

~~C. Attached Structures:~~

~~1. An accessory structure that is attached to a main structure shall be compatible with, and made structurally a part of, the main structure (e.g., share a common wall and roof with the main structure, rely partially on the main structure for structural support, or be attached to the main structure at a minimum of four points within twenty (20) feet).~~

~~2. An attached accessory structure shall comply with the requirements of this zoning code applicable to the main structure, including setbacks, heights, and lot coverage.~~

~~3. Construction and the use of materials and colors shall be compatible with the main structure whenever feasible.~~

CD. Detached Structures:

1. Use. Unless previously approved as a guest house or granny flat, as of January 1, 2014, no accessory structure shall be used for residential purposes, even on a temporary basis. After January 1, 2014, the only manner in which a residential use of a secondary structure may be allowed is pursuant to the second residential unit standards set forth in Section 17.38.150 of this Chapter.

2. Coverage. The sum of the floor area(s) of the total number of detached accessory structures shall not exceed the maximum rear yard coverage of the parcel in compliance with Table 2-03 (Residential Zoning District

General Development Standards). Accessory structures shall be included in the calculation for the coverage of the entire site in compliance with Table 2-03.

3. Size Limit. An accessory structure shall not exceed 640 square feet unless a site plan is approved by the Planning Commission in accordance with Chapter 17.50 of this Code.

4. Height Limit. Detached accessory structures shall not exceed a height of fifteen (15) feet, except detached tool sheds located within a required side yard shall not exceed a height of seven feet from grade.

5. Accessory structures may include no more than one (1) half-bath (i.e., sink and toilet), and shall not include any shower, bathtub or cooking facilities.

6. Each accessory structure shall be no more than one (1) room, not including a half-bath or an attached garage.

7. Materials and Color. Detached accessory structures shall be compatible with the materials and color of the main dwelling(s) on the property whenever feasible.

8. Separation Requirements. Detached accessory structures on a single parcel shall be separated from the main structure and other structures by at least five feet, or more, as required, except as allowed by the Uniform Building Code (UBC).

9. Location Requirements.

a. Yard Areas. (Section 17.06.030(E)(4)). Detached-aAccessory structures in residential zoning districts may be located in the required side or rear yard areas, provided that the structure(s) are a minimum of five feet from any common property line to the eave line and provided that all run-off water from the roof is disposed of on the parcel.

b. Garage Access from Alley. Where access to a garage is provided from an alley, the garage shall be located a minimum of ten (10) feet from the rear property line.

SECTION 8. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or

more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 9. To the extent the provisions of the Los Alamitos Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 10. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 11. This Ordinance shall take effect thirty days after approval as provided in Government Code Section 36937.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____, 2014.

Gerri L. Graham-Mejia, Mayor

ATTEST:

Windmera Quintanar, CMC
City Clerk

APPROVED AS TO FORM:

Cary Reisman
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 14-____ was duly introduced and placed upon its first reading at a regular meeting of the City Council on the ____ day of _____, 2014 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2014, by the following vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, City Clerk

ATTACHMENT 3

EXAMPLES OF ACCESSORY STRUCTURE CODE INFORMATION FROM OTHER CITIES

**CITY OF
PALO ALTO**



City of Palo Alto

Department of Planning and Community Environment
Planning Division, 250 Hamilton Avenue
Palo Alto, CA 94301
(650) 329-2441
<http://www.cityofpaloalto.org>

REGULATIONS FOR ACCESSORY STRUCTURES

WHAT IS AN ACCESSORY STRUCTURE?

An accessory structure is defined as any structure that is incidental to and customarily associated with a specific principle use or facility. Such examples include detached garages and workshops, playground structures, trellis structures and gazebos (excluding noise-producing equipment in single family residential (see section below), and hot tubs or spas, which are both subject to different restrictions).

ACCESSORY STRUCTURES – RESTRICTIONS AND LOCATIONS

RESTRICTIONS:

Generally, any accessory structure 120 square feet or larger in area will require a building permit, and will count towards lot coverage and floor area maximums for the lot. Structures under 120 sq. feet in size will not count towards floor area, but will count against the lot coverage maximum. Check with the Building Division to ensure if a building permit is required.

LOCATIONS:

Accessory structures shall be located on private property, outside of the required setback areas of a lot.

Required Setback	Zone Districts			
	R-1	R-1 (650, 743, 929, 1858)	RE	R-2, RMD
Front	20' if block average <30', otherwise contextual *	20' if block average <30', otherwise contextual *	30 feet	20 feet
Rear	20 feet	20 feet	30 feet	20 feet
Interior-Side	6 feet	8 feet	15 feet	6 feet
Street-Side	16 feet	16 feet	24 feet	16 feet

* Please see Code Section for 18.12.040 (e) for calculation, "contextual" or "average" front setback applies if the average front setback of the block is 30' or more.

EXCEPTIONS TO THE REQUIRED SETBACK:

Accessory structures may be located within the required setbacks if the following conditions are met:

1. In R-1 zoning districts*, on lots 95' in depth or more, the structure is located at least 75 feet from the front property line;
 - NOTE: On lots less than 95' in depth, detached covered parking may be located in the required interior side or rear yard (and less than 75' from front property line) if placed in the rear half of the lot.
 - NOTE: For Corner Lots, such structures shall be located at least 20 feet from the streetside lot line.
 - In other low density zoning districts (R-2, RMD, RE) the structure is located at least 75 feet from the front property line, and for corner lots at least 20 feet from the streetside lot line.
2. The structure shall not be used for living or sleeping purposes;
3. The structure shall not be located closer than three feet to any other structure;
4. The structure meets the following height restrictions:
 - Accessory buildings located within a required interior yard as permitted by this section shall be subject to a maximum height established by a daylight plane beginning at a height of eight feet at the property line and increasing at a slope of one foot for each three feet of distance from the property line, to a maximum height of 12 feet;
5. No such structure greater than 200 square feet in size shall have more than two plumbing fixtures;
6. The structure(s) shall not individually or cumulatively occupy an area exceeding fifty percent of the required rear yard.

REQUIREMENTS FOR NOISE-PRODUCING EQUIPMENT:

All noise-producing equipment, such as air conditioning units, pool equipment, and generators shall not be located within the required side, rear or front setbacks. Additionally, all such equipment shall be insulated and housed. For corner lots such equipment may be located up to 6 feet into the required (16') streetside setback. The Planning Director may permit installation without housing and insulation if the applicant can show such equipment, with technical specifications, location/buffering, noise measurements will comply with the noise ordinance at the nearest property line. Replacement of noise-producing equipment shall also conform to these requirements where feasible.

For more information, please contact the Planning Division:

City of Palo Alto Development Center
285 Hamilton Avenue
Palo Alto, CA 94301
Phone: (650) 329-2441
Webpage: <http://www.cityofpaloalto.org/government/planning/plandiv/>
Email: plandiv.info@cityofpaloalto.org

**CITY OF
MORGAN HILL**

MORGAN HILL

18.56.000 Purpose.

The purpose of this chapter is to provide development parameters for accessory uses and structures. These provisions are intended to promote and encourage the proper placement, height and size limitations on accessory uses and structures as to avoid any nuisance, hazard or commonly recognized offensive condition or characteristic adverse to the public health, safety and general welfare.

For the purposes of this chapter, an accessory use or structure means a use or structure subordinate to or part of the principal use on the same lot, and serving a purpose customarily incidental to the principal use. An accessory use or structure does not alter the principal use and does not serve parcels other than the parcel where the principal use is located. Guest houses, caretakers units, secondary dwelling units and pool houses with living space which is heated/cooled and/or contains a full bath facility are not considered accessory structures and must meet the requirements of Chapter 18.55.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.010 Accessory structures in side or rear yards.

- A. Accessory structures seven feet or less in height and one hundred twenty square feet or less in size are exempt from the provisions of this title.
- B. The following development standards shall apply to all accessory structures greater than seven feet in height, greater than one hundred twenty square feet in size which have some form of roof element (open or solid) and are constructed within or partially within, the required side and rear yard areas. Examples include a detached garage, carport, shed, trellises, arbors, shade structures, play structures, covered dog enclosures and gazebos.
 1. Maximum Coverage. Accessory structures in aggregate shall not exceed thirty percent of the area of the minimum required side or rear yards.
 2. Height. The maximum overall height for any accessory structure is twelve feet. Structure height is measured vertically from the lowest point of the natural grade at the base of the structure to the highest point at top.
 3. Setback. Setback is measured from the base to any property line.
 - a. Accessory structures with a height of greater than seven feet to a maximum of twelve feet shall be setback a minimum of five feet from property line.
 - b. Accessory structures with a height greater than twelve feet shall be constructed entirely within the building envelope.
 - c. Accessory structures with a solid roof element and walls on one or more sides shall be setback five feet from the principle structures. The separation may be covered by a breeze way or similar passage.
 4. Limitations. Accessory structures cannot be used as living space which is heated/cooled and/or contains a full bath facility. Accessory structures may be equipped with a half bath only (toilet and sink).

Note: Guest houses, caretakers units, secondary dwelling units and pool houses with living space which is heated/cooled and/or contains a full bath facility are not defined as accessory structures and must meet the requirements of Chapter 18.55.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.020 Equipment placement in side or rear yards.

Equipment or structures enclosing such equipment which are attached to the main building or accessory structure (e.g., solar panels and water storage tanks, heating, and air conditioning equipment, or similar mechanical equipment), shall not encroach more than fifty percent into a rear or side yard area. The fifty percent encroachment limitation can be waived if all other applicable code requirements can be met and the encroachment would not adversely affect the adjoining property. The community development director shall approve of any encroachment prior to the issuance of a permit.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.030 Patios, decks and balconies.

A. Side and Rear Yards. The following development standards shall apply to all patios, decks and balcony structures within the required side and rear yard areas:

1. **Maximum Coverage.** Decks and balconies greater than eighteen inches above grade shall not, in aggregate with other accessory structures, exceed thirty percent of the area of the required minimum side and rear yards.
2. **Height.** The maximum overall height for any deck or balcony structure within the required side and rear yard area is twelve feet. Structure height is measured at the point closest to the property line vertically from the base of the structure to the highest point at top (including railing height, trellis or similar roof feature).
3. **Setback.** Setback is measured from the farthest projecting point to any side or rear property line.
 - a. Patios and decks constructed at zero to eighteen inches above grade may be located in any rear or side yard area to within one foot of the rear or side property lines.
 - b. Deck structures with a height of six feet or less shall be setback a minimum of five feet from rear or side property lines.
 - c. Deck or balcony structures with a height of greater than six feet to a maximum of twelve feet shall be setback a minimum twelve and a half feet from the side and rear property line.
 - d. Deck structures with a height greater than twelve feet shall be constructed entirely within the building envelope.

B. Front Yards. The following development standards shall apply to all patios, decks and balcony structures within the required front yard area:

1. **Maximum Coverage.** Decks and balconies greater than eighteen inches above grade shall not in aggregate with other accessory structures exceed thirty percent of the area of the required minimum front yard.
2. **Height.** The maximum overall height for any deck or balcony structure within the required front yard area is twelve feet. Structure height is measured at the point closest to the property line vertically from the base of the structure to the highest point at top (including railing height, trellis or similar roof feature).
3. **Setback.** Setback is measured from the farthest projecting point to any side or front property line.
 - a.

Patios and decks constructed at zero to eighteen inches above grade may be located in any front yard area to within one foot of the side and five feet from the front property line.

- b. Deck structures with a height of six feet or less shall be setback a minimum of five feet from the side property line and fifteen feet from the front property line.
- c. Deck or balcony structures with a height of greater than six feet to a maximum of twelve feet shall be setback a minimum twenty feet from the front property line and twelve and a half feet from the side property line.
- d. Deck structures and balcony structures with a height greater than twelve feet shall be constructed entirely within the building envelope.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.040 Pools, spas and hot tubs.

- A. Swimming pools, spas and hot tubs are allowed outside of the required front yard setback and in the rear or side yard areas.
- B. In ground swimming pools, spas and hot tubs shall be a minimum of four feet from any property line.
- C. Above ground pools, spas and hot tubs shall be setback a minimum of five feet from any property line.
- D. Pool, spa and hot tub equipment shall be setback a minimum of five feet from any property line.
- E. Pool or hot tub accessories or associated improvements such as slides and waterfalls shall be a maximum of eight feet in height and setback a minimum of five feet from any property line.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.050 Ponds.

In ground ponds less than eighteen inches in depth are allowed within the front yard area but shall be setback a minimum of ten feet from all property lines. In ground ponds of any depth are allowed within the rear or side yard areas but shall be setback a minimum of one foot from any property line.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.060 Fireplaces, barbeque structures, statuary and fountains.

- A. Maximum Coverage. None
- B. Height. The maximum overall height for any free standing fireplace, built-in barbeque, statuary or fountain is twelve feet. Height is measured vertically from the base to the highest point at top.
- C. Setback. Setback is measured from the farthest projecting point to any property line.
 1. Free standing fireplace, built in barbeque, statuary or fountains with a height of eight feet or less shall be setback a minimum of three feet from property line.
 2. Free standing fireplace, built in barbeque, statuary or fountains with a height greater than eight feet to a maximum of twelve feet shall be setback a minimum five feet from property line.
 - 3.

Freestanding fireplace, built in barbeque, statuary or fountains with a height greater than twelve feet shall be constructed entirely within the building envelope.

- D. Orientation. All openings for freestanding fireplaces and built-in barbeques shall meet all Uniform Building Code and Uniform Fire Code requirements.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

18.56.070 Fences and walls.

- A. The following development standards shall apply to all fences and walls within all zoning district:

1. No fence or wall shall be constructed to exceed seven feet in height on any property line to the rear of the front setback line of any property, except that the section of fence above six feet shall be uniformly open to the passage of light and air, as determined by the community development director. Exception to this standard may be allowed by Section 18.57.010 of the exceptions chapter, or as approved by the planning commission or as approved in a development plan.
2. No fence or wall shall exceed three feet in height from the front setback line of any property to the street right-of-way line except as may be allowed by Section 18.57.010 of the exceptions chapter, or as approved by the planning commission or as approved in a development plan.
3. Any fence or wall along a property line adjacent to a street or in the adjacent required setback, except in the clear triangle (see definition section), may include a gate, trellis or other entry feature exceeding the height limit stated in subsection 18.56.070(A)(1) and (A)(2) above. Such gate, trellis or entry feature shall be limited to ten feet in width and ten feet in height. Only one such gate, trellis or entry feature shall be permitted per street frontage.
4. Fence or wall height is measured from the bottom to the top of the fence or wall. Fences placed on top of a retaining wall do not include the height of retaining wall.
5. Corner Lots. Side setback area: Any fence over three feet in height shall be set back five feet on any side yard setback, which is adjacent to a street.
6. A clear triangle (see definition section for illustration) shall be required on corner lots in which nothing shall be erected, placed, planted or allowed to grow exceeding three feet in height. Such area shall consist of a triangular area bounded by the street right-of-way lines of such corner lots and a line joining points along said street lines twenty feet from the point of intersection.

- B. The following fence types within the specified zoning districts are prohibited unless otherwise approved by the planning commission:

1. Residential zoning districts: Barbed wire, razor wire, and electric fences are prohibited.
2. Commercial zoning districts: Chain link fences are prohibited.
2. Industrial zoning districts: Barbed wire, razor wire, chain link and electric fences are prohibited in within the front setback.

(Ord. 1805 N.S. § 1 (Exh. A) (part), 2006)

(Ord. No. 1935 N.S., § 4(Exh. B), 6-3-2009)

**CITY OF
FOLSOM**

Permit Application Process

When applying for a building permit, certain information is required to complete the process.

1. Description of the work.
2. Location of the project.
3. Legal owners name, address and phone number.
4. Valuation of the proposed work (Contract price).
5. Two copies of plans, which **must** include:
 - Plot plan to scale with dimensions.
 - Floor plan and elevations.
 - Foundation and framing plans with details as required.
 - Electrical and plumbing plans.

The owner or licensed contractor are the only parties that may sign the building permit application. Contractors are required to show proof of the property owner's approval and Worker's Compensation Insurance at the time the permit is issued. Upon approval of the application and issuance of the permit, the permit holder has **180 days** to commence work, and **365 days** to complete both the work and inspections.



Building Permit Division

(916) 351-3555

INSPECTIONS

Inspections are required for all building permits issued.

A foundation and/or attachment inspection is required.

Based upon the nature of the structure, the frame and final inspections are completed at the same time unless walls are enclosed. If walls are to be enclosed, a framework inspection is required. All electrical is to be noted on plans and inspected prior to being concealed.

When and how to call for an inspection

24 Hour Inspection request recorder:

916-355-7210



Requests received prior to 3:30pm, will be scheduled for the following business day. All requests received after 3:30pm, will be scheduled for the second business day after the request.

Approved plans **and** the original permit card issued for the project must be on the job site and available to the inspector at the time of inspection.

Important Telephone Numbers

Building Permit Division, Inspection Requests

(916) 355-7210

Building Information

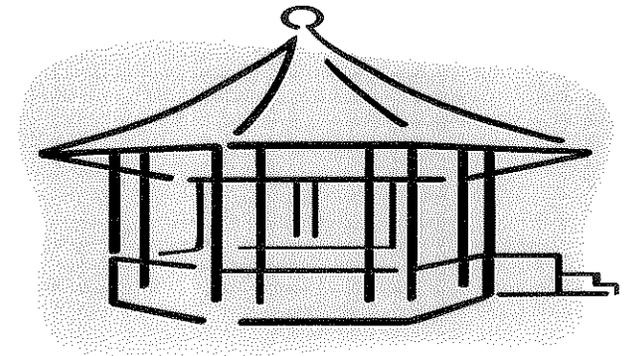
(916) 351-3555

Planning and Zoning

(916) 355-7214

COMMUNITY DEVELOPMENT DEPARTMENT
GUIDELINES

ACCESSORY STRUCTURES



A Guide for Owners and Builders



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

City of Folsom
Community Development Department
50 Natoma Street
Folsom, California
(916) 355-7214

ACCESSORY BUILDINGS, STRUCTURES AND USE

• • • • •

General Information and Guidelines

- All Accessory Structures that are greater than **120 sq.ft.** in size require a building permit.
- Accessory Structures that are attached to another structure where the combined area is greater than **120 sq.ft.** require a building permit.
- Structures **120 sq.ft.** or less that include plumbing and/or electrical require a building permit.
- Decks over **30"** in height require a building permit and must be a minimum of **5 feet** from the rear and side property lines.
- Structures and/or residential additions over **400 sq.ft.** in size require review by the City of Folsom's Architectural Review Commission **prior** to obtaining a building permit.
- A detached garage or building may not occupy more than **50%** of the area of the required rear yard.
- The **maximum height** for all **detached** accessory structures is **15 feet** above average grade.
- Eaves, cornices, and canopies **shall not** extend beyond **2 feet** into the required setback.

ACCESSORY BUILDINGS

"Accessory Building" means an attached or detached subordinate building, the use of which is incidental to that of the main building on the same lot, or to the use of the land. (FMC17.02.020)

• • • • •

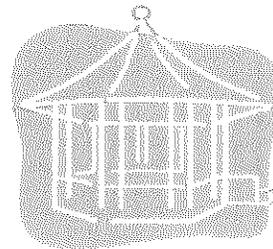
An **Attached Garage** must meet all setback requirements for the house, and comply with the coverage limitations allowed for building lot area.

A **Detached Garage** has a maximum height limit of **15 feet** above grade and must maintain an **8 foot clear distance** from any other structure in addition to the **5 foot** set-back requirements from the rear and side property lines.

All Attached Sunrooms and Enclosed Patios are required to meet the setback requirements of the house and shall be at least **8 feet** from any other structure and **5 feet** from a pool.*

Shed, Casita, Gazebo and Playhouse structures must be at least **8 feet** from any other structure and at least **5 feet** from a pool in addition to the **5 foot** setback requirements for rear and side property lines.*

* *Sliding doors must be a minimum of 10 feet from the water's edge of a pool.*



ACCESSORY STRUCTURES

"Structure" means anything constructed or erected upon the ground or attached to a structure having location on the ground.

• • • • •

All Patio Covers must be a minimum of **5 feet** from the rear and side property lines.

- **Attached Solid Patio Covers** must be **5 feet** from the water's edge of a pool.
- **Attached Lattice Patio Covers** may have support posts less than **5 feet** from the water's edge of a pool, as long as a **3 foot** clear access is provided.
- **Detached Solid Patio Covers** have a maximum height limit of **15 feet** above grade and must maintain an **8 foot clear distance** from any other structure in addition to a **5 foot** distance from the water's edge of a pool.
- **Detached Lattice Patio Covers** may have support posts less than **5 feet** from the water's edge of a pool, as long as a **3 foot** clear distance is provided. The maximum height limit is **15 feet** above grade.

Decks over 30 inches in height must be a minimum of **5 feet** from the rear and side property lines and require a building permit.

Outdoor Kitchens must be located a minimum of **5 feet** from the side and rear property lines. Please note that all electrical and plumbing work require a building permit.

Outdoor Fireplaces that burn gas, and propane heaters must be located a minimum of **5 feet** from the rear and side property lines, and **5 feet** from existing buildings and pools. Fireplaces that burn solid fuel must be **25 feet** from a property line and any other structures.

**CITY OF
DAVIS**

Accessory Structure Development Standards

Structure Type	Non-Habitable Accessory Structures											
	Code Reference	Front Yard Setback	Rear Yard Setback	Interior Side Setback	Street Side Setback	Max. Height	Min. Dist. From Other Structures	Counts Towards Lot Coverage	Usable Open Space	Building Permit Required	Counts Towards Covered Parking	Floor Area Ratio (FAR)
Standard Requirements (40.26.010d)	15 ft, varies with PD	10' (0' if rear adjoins alley) ¹	5' (0' if side adjoins alley) ¹	Same as Principal Structure	15'	6'	Yes, 50% max.	Depends on structure, 20% minimum	Yes (unless exempt per the CBC)	No	Depends on structure type	25% of the gross square footage of the primary structure
Detached Garages and Carports (40.26.010e2)³	Same as Principal Structure	5' Rear ½ of lot	5' Rear ½ of lot; Same as Principal Structure in front ½ of lot	Same as Principal Structure	15'	6'	Yes, 50% max.	No	Yes	Yes ³	Yes, if above 500 sq. ft.	25% of the gross square footage of the primary structure
Small Shed for Storage Only (Ord. 2009)	Not permitted	0' ⁶ 3' if no fence	0' ⁶ 3' if no fence	Same as Principal Structure	8' 6" ⁴ 7' wall	0'	Yes, 50% max.	No	No ²	No	No	120 sq. ft.
Trellis (50% open roof or more) Patio Cover (more than 50% solid roof) Gazebo (40.26.010e3)	15' ⁵	5' ⁵	3' ⁵ (check Building Code requirements)	10' ⁵	15'	0' unless required by Building Code	Yes, 50% max. (Trellis- No)	Yes	Only if over 120 sq. ft. or attached to a structure ²	No (Yes in R-2 CD Districts)	No, unless "solid" cover & enclosed on more than 2 sides	N/A
Arbor- open archway for vines/architectural interest (40.26.010e1)	0' (25' vision triangle for corners & driveways)	0' ⁶	0' ⁶	0' (25' vision triangle for corners & driveways)	10'	0'	No	Yes	No ²	No	No	10' Width 5' Depth
Play House (if over fence height) (40.26.010e4)	Not permitted	5'	3' (check Building Code requirements)	Same as Principal Structure	12' ⁴ 7' wall	0'	Yes, 50% max.	No	Only if over 120 sq. ft. or over one story ²	No	No	25% of the gross square footage of the primary structure
Play Structure (if over fence height) (40.26.010e5)	10'	10'	10'	10'	15'	6'	Yes, 50% max.	No	Only if over 120 sq. ft. or over one story ²	No	No	25% of the gross square footage of the primary structure



COMMUNITY DEVELOPMENT DEPARTMENT
23 Russell Blvd, Ste 2 - Davis, CA 95616
530.757.5610 FAX: 530.757.5660 TDD: 530.757.5666

¹ Wood or any other combustible construction requires 5 ft setback from property lines. Fire rated construction or structures exempt from requiring a building permit do not require a 5 ft setback as stated in the CBC.

² Requires Building permit if the structure has electrical, plumbing, or mechanical.

³ Minimum Dimensions (for one car) are 10 x 20 feet and minimum unencumbered space is 9 x 18 feet. (40.25.070e)

⁴ Maximum height shall exceed 7 feet only with gable roof or similar type as determined by the Community Development Director.

⁵ Setbacks measured to the outermost perimeter of the structure. (40.26.010e3)

⁶ Zero foot setback allowed only with a minimum 6 ft separation between structures, otherwise 3 ft minimum setback.

Accessory Structure Development Standards

Purpose

To provide clarification to development standards for accessory structures, Municipal Code Sections 40.01.010 and 40.26.010. Listed below are definitions for various accessory structures, standards, and process.

Definitions

Accessory Building or Structure: A structure detached from a principal building located on the same lot and incidental and subordinate to the principal building or use, including, but not limited to, garages, carports, storage sheds, gazebos, guest houses, and second dwelling units ("granny" units; in-law units, etc.)

Arbor: A detached or attached archway or bower, not fully enclosed on the sides, intended for the use of supporting vines or climbing plants and/or for architectural interest.

Gazebo: A free standing structure, with a solid or trellis roof, usually open on the sides, used for outdoor living and not for storage purposes.

Play House: Structure with no electrical or plumbing connections that is enclosed (either with solid material, screening, cloth, or other material) on three or more sides for the use of children's play. Such structure shall not be used for storage.

Play Structure: Jungle gym, swing set, slide, platform, or other similar unenclosed structure or device intended for the use of children's play.

Shipping Container: Structure designed and intended for the movement of materials over long distances, typically constructed of corrugated steel, and commonly associated with ship, train or tractor trailer shipping. Not permitted in any single family or duplex residential district.

Solid: Enclosure by, or coverage of, 50 percent or more. For the purposes of this definition, coverage or enclosure may be of any material, transparent or otherwise.

Trellis: Patio cover with an open roof (less than 50 percent coverage) which is not enclosed on the sides except for required roof supports.

Performance Standards

All accessory structures must comply with the requirements of the Uniform Building Code in effect at the time of construction.

An accessory structure in any district may only be constructed on a lot containing a principal structure.

Accessory structures, and any accessory uses (including surfaced area for parking) may not exceed 30% of the square footage of the required rear yard.

All enclosed accessory structures larger than 120 square feet in area must either be substantially screened from public view or constructed of materials that are residential in character. Such screening or materials will be subject to review and approval by planning staff during the building permit review.

If Garages or Carports are attached to the house, their required setbacks become the same as the house.

A Conditional Use Permit may be applied for to reduce the rear setback for accessory structures from the required minimum 10 ft to a minimum of 5 ft.

A Conditional Use Permit may also be applied for to increase the height and/or size of accessory structures up to a maximum of 50% of the gross square footage of the primary structure.

Eaves or overhangs of accessory structures are subject to Section 40.27.060 unless noted otherwise.

One side yard shall remain unencumbered to provide access to the rear yard.

Permit Process

The reverse side of this handout indicates which accessory structures require building permits. For further building permit information contact the Building Division at (530) 757-5610.

- Notes:** 1) Zoning standards on individual parcels always override any standards set forth by this accessory structure ordinance.
2) Refer to separate handout for information about 2nd Units and Guest Houses.



**CITY OF
MENLO PARK**



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

701 Laurel Street
Menlo Park, CA 94025
phone: (650) 330-6702
fax: (650) 327-1653
planning@menlopark.org
<http://www.menlopark.org>

ACCESSORY BUILDINGS AND STRUCTURES

Accessory buildings and structures are subordinate buildings and structures, the use of which is incidental to that of the main building or buildings on the same lot or building site. The regulations for accessory buildings and structures are located in Sections 16.04.110 and 16.68.030 of the Zoning Ordinance.

Examples of accessory buildings and structures include garages and carports, storage sheds, built-in barbecue grills, play structures, and detached arbors. Secondary dwelling units are not considered accessory buildings, and are regulated separately under Chapter 16.79 of the Zoning Ordinance. In addition, garden features as defined in Section 16.04.322 of the Zoning Ordinance are not considered accessory structures.

If structurally attached to the main building, accessory buildings and structures must comply with all development regulations that apply to the main building, with the additional requirement that all garage or carport entrances facing a property line must be located at least 20 feet from that property line.

If detached from the main building, accessory buildings and structures must comply with the following development regulations:

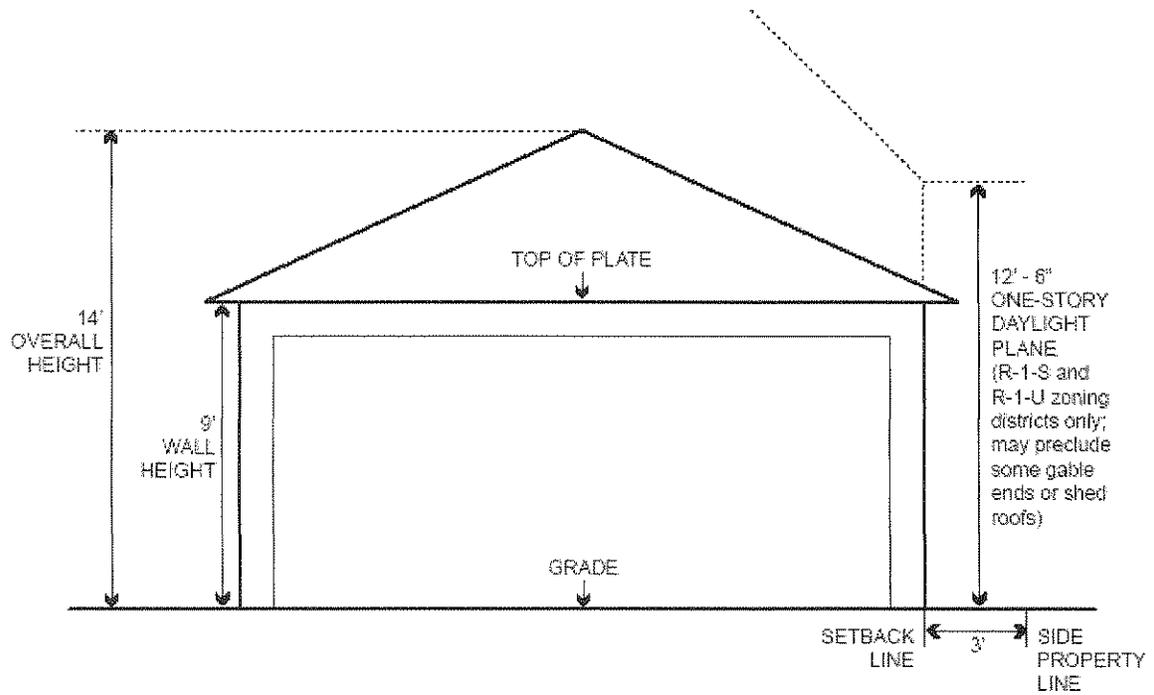
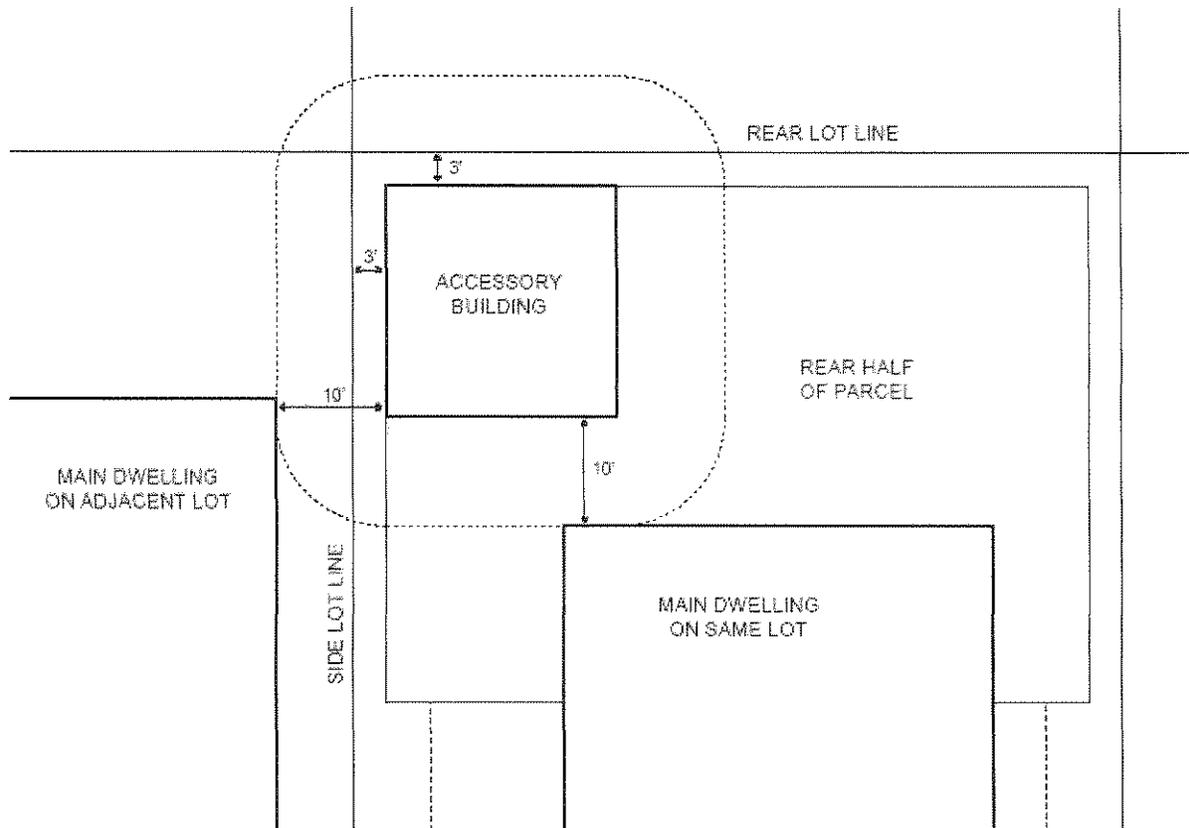
Gross Square Footage Limit (Total per Parcel)	700 square feet or 25 percent of the gross square footage of the main building (whichever is greater)
Location	Rear half of lot
Setback, Side (Interior)	3 feet ^{2,3}
Setback, Side (Corner)	Equal to the required main building setback of adjacent street-facing lot
Setback, Rear	3 feet ²
Setback, Alley	5 feet ⁴
Setback from Any Dwelling Building	10 feet
Height, Overall	14 feet
Height, Wall	9 feet
Daylight Plane (One Story)	See Section 16.67.020 of the Zoning Ordinance (R-1-U and R-1-S zoning districts only)

¹ Higher gross square footage limits may be allowed, subject to use permit approval by the Planning Commission.

² Some parcels have public utility or other easements along rear and/or side property lines that prohibit the construction of structures within them. If you are not certain whether such easements exist on your property, please review the parcel's title report and ask to see the original subdivision or parcel map at City offices.

³ Parking is not permitted within the main building side yards, so detached garages and carports are required to meet the main building setback requirements, unless the garage or carport is located at its absolute rear-most location.

⁴ If the garage or carport entrance faces the alley, a greater setback may be required to meet Transportation Division guidelines regarding total backup distance.



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**CITY OF
MOUNTAIN
VIEW**

ACCESSORY STRUCTURE

What Is an Accessory Structure?

Accessory structures are buildings that are attached or detached and subordinate in use from the main house. Examples of accessory structures are gazebos, trellises, greenhouses, storage buildings, enclosures for pool equipment, detached garages and detached carports. All accessory structures are counted toward the total FAR for your lot.

How Large an Accessory Structure Can I Have?

The maximum size of an accessory structure is 500 square feet. The maximum size may be limited based on your lot width and required rear yard area. An accessory structure cannot cover more than 30 percent of your required rear yard area and the width of the accessory structure cannot exceed 33 percent of the width of your lot to have a zero setback from the rear and side property lines (see Figure 6). The width of the structure can increase up to 50 percent of the width of the lot if it is located at least 7' from the property lines (see Figure 7). These limitations are to maintain a level of privacy in the rear yards of adjacent neighbors, while still permitting additional floor area for the homeowner. (Section A36.12.040.G)

Where Can I Put An Accessory Structure(s)?

Accessory structures are permitted in the rear or side yards in compliance

with required setbacks. They are prohibited in front yards. All detached accessory structures used as garages may have a zero setback from the side property line; required rear setbacks depend on the width of the structure. Other accessory structures may have a zero setback from the rear or side property line, if they comply with the maximum size, rear yard coverage, and width requirements. A zero setback is only permitted if roof drainage from the structure does not drain onto the neighboring property. Additionally, an accessory structure must be located at least 10' from the house and any other structure on the property.

How Tall Can an Accessory Structure Be?

They can only be one-story with a maximum building height of 16', measured to the top of roof, and a 9' maximum wall plate height, measured from adjacent grade.

How Many Accessory Structures Can I Have?

There is no limit to the number of accessory structures you are permitted so long as they comply with the accessory structure requirements of Section A36.12.040.G and do not exceed your maximum permitted FAR.

Can My Accessory Structure Have Plumbing and Electricity?

An accessory structure can have electricity and a maximum of 3 plumbing fixtures, not including a water

heater. However, an accessory structure cannot have a kitchen and cannot be used as a separate dwelling unit.

Can I Have An Accessory Structure Attached To My House?

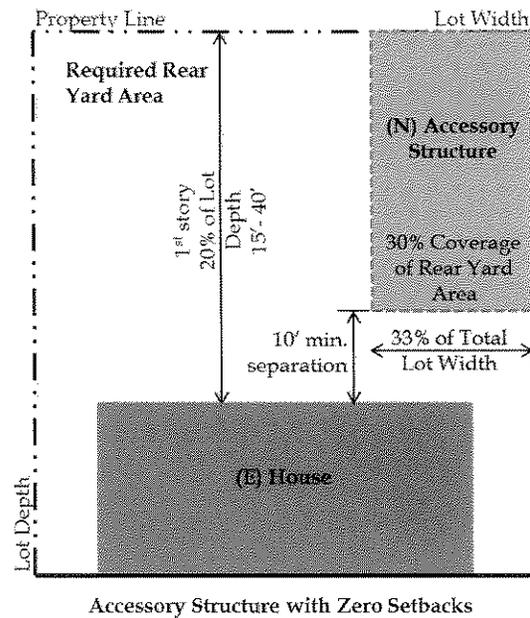
An accessory structure can be attached to the main house, but must be architecturally compatible with and structurally a part of the house. Attached accessory structures must comply with the setback requirements of the house.

Does an Accessory Structure Require Permits?

Accessory structures less than 120 square feet in size do not need to obtain building permits, unless plumbing or electricity is being added or a foundation is poured. All other accessory structures require building permits. Contact the Community Development Department with questions.

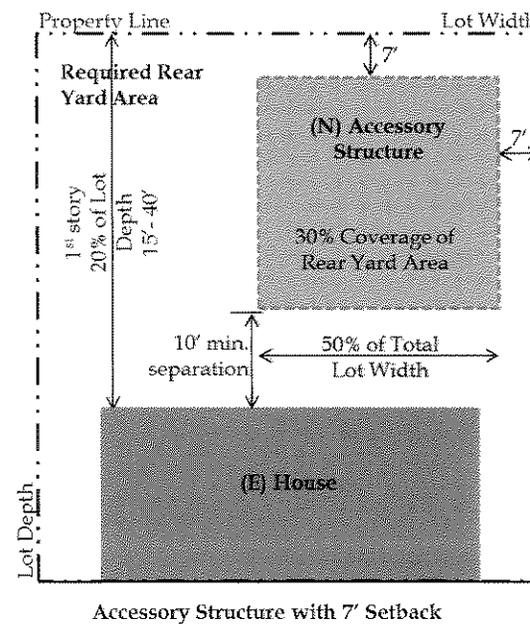
Can I Add a Porch to My Accessory Structure?

Porches are permitted on accessory structures, but the porch counts towards the maximum 30 percent coverage of the required rear yard area. The porch can encroach no more than 2' into the required side setback and 6' into the required rear setback. (Section A36.12.040.I.(4))



Accessory Structure with Zero Setbacks

Figure 6



Accessory Structure with 7' Setback

Figure 7

**CITY OF
BENICIA**



Community Development Department Planning Division

ACCESSORY STRUCTURES

WHAT IS AN ACCESSORY STRUCTURE?

An accessory structure is a detached structure, which provides for a secondary use on a site. The term includes detached garages, gazebos, covered detached decks, sheds and similar buildings. It does not include portable spas or swimming pools, unless some type of structure encloses them. It also does not include accessory dwelling units, which are governed by a separate set of regulations (see the "Accessory Dwelling Units" information sheet).

COMMERCIAL, INDUSTRIAL, AND PLANNED DEVELOPMENT ZONES

In all commercial and industrial zones, accessory structures are subject to the same standards and regulations as the primary structure. See the "Property Development Standards" summary sheet for a list of standards applicable to each zone. Off-site accessory uses may be possible with the approval of a staff-level use permit. All projects in commercial and industrial zones are subject to design review. The location of accessory structures in a PD zoning district is governed by the adopted PD plan for that specific PD district, and may be subject to design review. The remainder of this information sheet applies exclusively to accessory structures in residential zones.

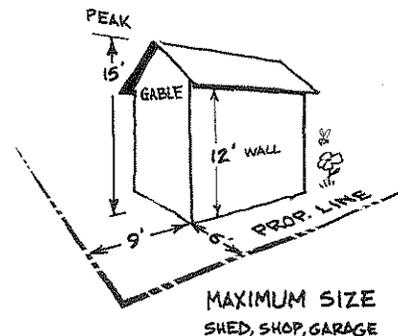
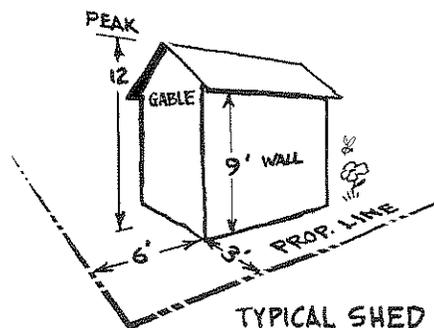
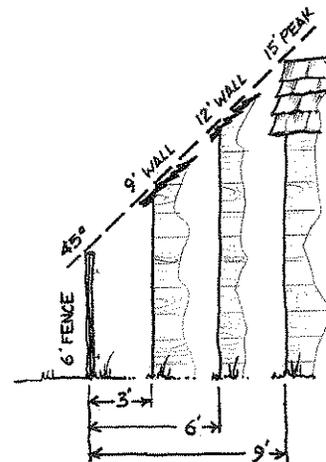
RESIDENTIAL ZONES

The following information pertains exclusively to accessory structures in residential (RS, RM, RH) zones.

WHERE CAN I PUT ONE ON MY LOT?

Accessory structures may be built behind the front wall of a primary structure in a rear yard, interior side yard, or corner side yard. In the RS zone, where the front yard area exceeds the 20-foot minimum setback, under certain circumstances a detached garage may be placed in front of the front wall of a residence. Overall, certain setbacks apply based on the height of the accessory structure, as listed below:

Accessory Structure Setbacks in Residential Zones	
IF...the wall height of the structure, closest to a property line, is:	THEN...the setback from a side or rear property line is:
6 feet or lower	Either 0 feet or 3 feet
7 to 9 feet	3 feet minimum
10 feet	4 feet minimum
11 feet	5 feet minimum
12 feet (max wall height)	6 feet minimum
BUT, IF...the peak of the structure is:	THEN...the minimum setback from a side or rear property line is:
13 feet	7 feet
14 feet	8 feet
15 feet	9 feet
16 feet to 20 feet (RS only)	10 feet to 14 feet (RS only)



HOW TALL CAN IT BE?

An accessory structure can have a maximum wall height of 12 feet. However, a pitched roof may extend to 15 feet in height. In RS (Single-Family Residential) zones only, a pitched roof may extend to 20 feet in height, but only where necessary to match the architectural features of a residence on the same lot. Overall, for each additional foot of roof height above 12 feet, the setback requirement is increased by one foot. No second story, other than an unfinished storage area, may be developed for any accessory structure in a residential district.

HOW BIG CAN IT BE?

The maximum size of an accessory building is governed by the size of the lot. The total amount of lot area covered by all roofed structures on the property cannot exceed 40 percent of the lot area (in the RS zoning district; the allowed lot coverage in RM zones is 45%, and 50% in RH zones). The percentage includes the house, garage, patio cover, or any other structures with roofs on the property, or decks more than 30 inches in height. In the RS zone, structures under 48 inches in height, such as doghouses or coops, and decks less than 30 inches in height, do not count toward that total. Also in the RS zone, the total area of any one accessory building on a lot cannot exceed the total area of the residence on the lot.

HOW CLOSE CAN IT BE TO OTHER BUILDINGS?

An accessory structure must be placed at least 3 feet away from the primary structure on the lot. It may be placed directly against another accessory building or a fence, but additional fire protection regulations may apply (check with the Building Division for more details). If an accessory structure is not placed directly against another structure, then it must be at least 3 feet away from that structure.

GARAGES OR CARPORTS ON ALLEYS

If you wish to construct a detached garage along an alley, then each garage door facing the alley must be placed at least 4 feet from the alley property line. A carport facing an alley must also be placed at least 4 feet from the property line. All regular setbacks listed above, based on the height of the structure, will still apply.

FREESTANDING DECKS

Freestanding, uncovered decks of less than 30 inches in height may be located anywhere in a rear yard or interior side yard, and may project into the corner side yard setback by 4 feet. The deck area is not included in lot coverage calculations. However, any deck which is over 30 inches in height must meet standard setback requirements, which for a single-family residence are: 15 feet from the rear property line, 5 feet from an interior side property line, and 10 feet from a street side property line. The setbacks in RM and RH districts are higher; see the "Property Development Standards" summary sheet for those setbacks. Refer to the "Building Additions" information sheet for more information about attached decks.

FREESTANDING DECKS ADJACENT TO OPEN SPACE

In the RS zone only, if a rear property line adjoins an area of permanent open space (such as the large open space areas in Southampton), a freestanding deck may be constructed closer to the property line than would normally be permitted. A detached deck which is between 30 inches and 48 inches high may be placed as close as 3 feet from the rear property line. However, a 5-foot side yard setback (or 10-foot corner side yard setback) is still required.

SWIMMING POOLS

An outdoor swimming pool or spa may be constructed in a side or rear yard, but the pool, spa, and any related mechanical equipment must be placed at least 5 feet from the side and rear property lines. Pools and in-ground spas are not included in lot coverage calculations.

WHAT DOES IT NEED TO LOOK LIKE?

Except in the historic districts, there are no design review requirements for accessory structures in the RS zone. Design review is required for all projects in RM and RH districts. It is always a good idea to be sensitive to the concerns of your neighbors when planning and locating an accessory building on your lot. In the Downtown and Arsenal Historic Conservation Districts, new accessory buildings on lots containing designated historic homes must undergo design review. See a member of the Planning staff for further information on design review in the historic districts.

DO I NEED A BUILDING PERMIT?

The need for a building permit is based on the requirements of the Uniform Building Code. The City's Building Division makes that determination. You should contact the Building Division at 746-4230 and discuss your project with them; they in turn can tell you if a permit is necessary. Although a permit may not always be needed, accessory buildings must always meet the requirement of the Zoning Ordinance with regard to setbacks, coverage, and height. Even if your accessory structure does not require a building permit, you may submit the plans to the Planning staff for review prior to construction to verify that the plans meet zoning requirements.

RELATED FORMS AND INFORMATION:

- Accessory Dwelling Units
- Property Development Standards
- Building Additions in the RS zone

ITEM 7G

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 10, 2014
Item No: 7G

To: Chair Loe and Members of the Planning Commission

Via: Steven A. Mendoza, Community Development/Public Works Director

From: Tom Oliver, Planning Aide

Subject: Removal of Local Landmark Designations for:
10901 Chestnut Street
10802 Chestnut Street
3372 Florista Street
11062 Los Alamitos Boulevard

Summary: Continued from the January 13, 2014 meeting, the Planning Commission instructed Staff to bring back the remaining properties with Landmark Designations in order for them to be cleared from the local landmarks list including: 10901 Chestnut Street, 10802 Chestnut Street, 3372 Florista Street, and 11062 Los Alamitos Boulevard.

Recommendation:

1. Open the Public Hearing; and, if appropriate:
2. Adopt Resolution No. 2014-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTIES AT: 10901 CHESTNUT STREET, 10802 CHESTNUT STREET, 3372 FLORISTA STREET, AND 11062 LOS ALAMITOS BOULEVARD, LOS ALAMITOS, CALIFORNIA 90720 (APN NOS. 242-202-17, 242-193-06, 242-202-21, & 222-091-07), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND FURTHER REMOVAL OF ANY LOCAL LANDMARK DESIGNATION THEREFROM."

Discussion

This Public Hearing is a continuation from the February 10, 2014 Planning Commission meeting since there wasn't a sufficient quorum to take action.

On May 14, 2012, the Planning Commission adopted a resolution designating certain properties as Local Landmarks. During the January 13, 2014 Commission meeting the Commission removed the designation from 10872 Chestnut Street based on the fact that it had been determined that a public hearing had not been held as required by the Los Alamitos Municipal Code. During that same January 13, 2014 meeting, the Commission further recommended that the Local Landmark designation on the remaining properties be brought back before the Planning Commission at the next meeting for removal.

The attached Resolution has been provided to solidify the action requested by the Commission. This will complete the task and if approved, no Los Alamitos properties will be encumbered by a Local Landmark designation.

This item has been noticed for a public hearing.

Fiscal Impact

None

*Attachments: 1) Planning Commission Resolution 14-04
2) Public Hearing Notice
3) Copy of Mailing List
4) Copies of Correspondence to Owners
5) Title Information
6) Museum Association Letter*

RESOLUTION NO. 14-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE REMOVAL OF PROPERTIES AT 10901 CHESTNUT STREET, 10802 CHESTNUT STREET, 3372 FLORISTA STREET, AND 11062 LOS ALAMITOS BOULEVARD, LOS ALAMITOS, CALIFORNIA 90720 (APN NOS. 242-202-17, 242-193-06, 242-202-21, & 222-091-07), FROM THE INVENTORY OF ARCHITECTURAL, CULTURAL, AND HISTORIC RESOURCES AND REMOVAL OF ANY LOCAL LANDMARK DESIGNATION THEREFROM.

WHEREAS, the City's General Plan Conservation Element 2-4.4.1 directs Staff to work with the Los Alamitos Museum Association to compile and maintain an inventory of architectural, cultural, and historic resources; and,

WHEREAS, in April 2012 the Planning Department received a list of addresses from the Los Alamitos Museum Association, Inc. with which to begin an inventory; and,

WHEREAS, the Los Alamitos Municipal Code describes the procedure for designating Local Landmarks for this inventory in Section 17.22.040; and,

WHEREAS, Section 17.22.040B of the Los Alamitos Municipal Code requires a public hearing regarding local landmark designations; and,

WHEREAS, on May 14, 2012 the Planning Commission adopted Resolution No. 2012-03 adding the following addresses to an inventory of the City's architectural, cultural, and historical resources and placed the Resolution in each building address file to ensure that the City's architectural heritage was not lost through building demolitions and inappropriate remodeling efforts:

- Single family residence at 10901 Chestnut Street.
- Single family residence at 10802 Chestnut Street.
- Single family residence at 3372 Florista Street.
- Los Alamitos Museum at 11062 Los Alamitos Boulevard; and,

WHEREAS, the City Attorney has determined that Resolution No. 2012-03 was adopted without the required public hearing and recommends that the designation be removed from 10901 Chestnut Street, 10802 Chestnut Street, 3372 Florista Street, and 11062 Los Alamitos Boulevard; and,

WHEREAS, Staff has noticed this as a public hearing, noticing affected property owners and property owners and businesses within a 500' radius; and,

WHEREAS, Staff has published said notice in the News Enterprise on Wednesday, January 29, 2014; and,

WHEREAS, Staff has posted the notice in three public places within the City as required.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. The Planning Commission removes the local landmark designation from, and directs Staff to remove the following addresses from, the inventory of the City's architectural, cultural, and historical resources and to place this Resolution in the building address files to ensure that these properties are free from any local restrictions related to the previous designation as Local Landmarks:

- Single family residence at 10901 Chestnut Street (APN 242-202-17)
- Single family residence at 10802 Chestnut Street (APN 242-193-06)
- Single family residence at 3372 Florista Street (APN 242-202-21)
- Los Alamitos Museum at 11062 Los Alamitos Boulevard (APN 222-091-07)

SECTION 3. The Secretary of the Planning Commission shall forward a copy of this Resolution to the owners of each property, the Los Alamitos Museum Association, and any other person requesting the same.

PASSED, APPROVED, AND ADOPTED this 10th day of March, 2014.

Gary Loe, Chairperson

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 10th day of March, 2014, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

PUBLIC NOTICE
CITY OF LOS ALAMITOS

ATTACHMENT 2

City Council Chamber
3191 Katella Avenue
Los Alamitos, CA 90720

DATE: Monday, February 10, 2014

TIME: 7:00 PM

At the above referenced date and time, the Planning Commission of the City of Los Alamitos will conduct a Public Hearing in the City Council Chamber located at 3191 Katella Avenue, Los Alamitos, CA to consider the following items:

REQUEST: To remove remaining properties from the City's Local Landmark list including 10901 Chestnut Street, 10802 Chestnut Street, 3372 Florista Street, and 11062 Los Alamitos Boulevard. **Environmental Determination:** None required.

REQUEST: Six month review of Conditional Use Permit 13-02 for a 14,455 sq. ft. secondhand shop and social service facility at 5300 Katella Avenue (Applicant: Blair Pietrini – Grateful Hearts Storehouse). **Environmental Determination:** A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, was prepared and filed for the project in accordance with the California Environmental Quality Act.

REQUEST: Consideration of a Zoning Ordinance Amendment (13-05) to remove definitions and codes pertaining to the terms "Detached Guesthome" and "Guest house" to eliminate confusion of separately defined Secondary Residential Units (Citywide) (City initiated). **Environmental Determination:** The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures in that the proposed amendments are exempt from California Environmental Quality Act review per Section 15061(b)(3) of the California State Government Code because the Code Amendments will have no significant effect on the environment.

REQUEST: Consideration of a Zoning Ordinance Amendment (14-01) pertaining to the term "driveway(s)" to require a landscaping strip in a front setback covering the five feet between the driveway and a neighboring property line, unless approved by a Site Plan Review, and a requirement for a Site Plan Review if a resident requests two or more curb cuts for driveways on a single residential parcel (Citywide) (City initiated). **Environmental Determination:** The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures in that the proposed amendments are exempt from California Environmental Quality Act review per Section 15061(b)(3) of the California State Government Code because the Code Amendments will have no significant effect on the environment.

This is a Public Hearing and you are invited to attend and comment on the proposed actions described above. If you challenge any action related to the proposed actions above in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing. Questions or comments can be directed to the Community Development Department, (562) 431-3538, Ext. 300, City Hall, 3191 Katella Avenue, Los Alamitos, California 90720. Written and oral testimony is invited.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Community Development Department at (562) 431-3538, Ext. 301. Notification by noon on the date of the Public Hearing will enable the City to make arrangements to assure accessibility to this meeting.

Respectfully Submitted,
Steven Mendoza, Community Development/Public Works Director

CLASSIFIEDS

LEGAL NOTICES



PUBLIC NOTICE
CITY OF LOS ALAMITOS
City Council Chamber
3191 Katella Avenue
Los Alamitos, CA 90720

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Respectfully Submitted,
Steven Mendoza, Community Development/Public Works Director
News Enterprise 14-10014
Publish January 29, 2014

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FICTITIOUS BUSINESS

Ordinance No. 2014-01

FICTITIOUS BUSINESS

HESSE, PAUL R
7 PRESTON
IRVINE CA 92618-4044

Current Occupant
10881 WALNUT ST
LOS ALAMITOS CA 90720-2359

MEYER, LUCY GOMEZ
10891 WALNUT ST
LOS ALAMITOS CA 90720-2359

GUARDADO, ANTONIO
10791 WALNUT ST
LOS ALAMITOS CA 90720-2364

Current Occupant
10871 WALNUT ST
LOS ALAMITOS CA 90720-2359

KASUMI #2 LIMITED
PARTNERSHIP
3591 SUNFLOWER CIR
SEAL BEACH CA 90740-3134

Current Occupant
10882 OAK ST
LOS ALAMITOS CA 90720-2368

LOS, ALAMITOS NO
3252 FLORISTA ST 716AMERICAN
LEGION
LOS ALAMITOS CA 90720-

Current Occupant
3252 FLORISTA ST
LOS ALAMITOS CA 90720-2306

DE LA TORRE, GUADALUPE
10841 WALNUT ST
LOS ALAMITOS CA 90720-2319

WALL, DAVID
3001 E OCEAN BLVD
LONG BEACH CA 90803-2537

Current Occupant
10831 WALNUT ST
LOS ALAMITOS CA 90720-2319

CLIFTON, CHARLES D
12730 ROSE AVE
LOS ANGELES CA 90066-1731

Current Occupant
10822 WALNUT ST
LOS ALAMITOS CA 90720-2382

RITCHIE, THOMAS B
10812 WALNUT ST
LOS ALAMITOS CA 90720-2320

VERGARA, MICHELLE LORETA
3670 MARIGOLD ST
SEAL BEACH CA 90740-3115

Current Occupant
10821 WALNUT ST
LOS ALAMITOS CA 90720-2365

RUZGIS, WILLIAM J
PO BOX 2354
SEAL BEACH CA 90740-1354

Current Occupant
10861 WALNUT ST
LOS ALAMITOS CA 90720-2359

VARGAS, JEFFREY R
10851 WALNUT ST
LOS ALAMITOS CA 90720-2319

ROA, VINCENT
10852 OAK ST
LOS ALAMITOS CA 90720-2314

MIRHOSSEINI, MOHSEN
6490 E EL JARDIN ST
LONG BEACH CA 90815-4631

Current Occupant
10801 CHESTNUT ST
LOS ALAMITOS CA 90720-2348

RIPPE, JEFFREY
10832 WALNUT ST
LOS ALAMITOS CA 90720-2320

Current Occupant
PROJECT 939-59
LOS ALAMITOS CA 90720-

STEWART, MARY FRANCES
PO BOX 3353
SEAL BEACH CA 90740-2353

Current Occupant
10842 WALNUT ST # 1
LOS ALAMITOS CA 90720-2375

DAY, JUDITH A
10854 WALNUT ST # 8
LOS ALAMITOS CA 90720-2376

MINAKAWA, JAMES K
10856 WALNUT ST # 7
LOS ALAMITOS CA 90720-2376

DIBIASE, THOMAS A
10848 WALNUT ST # 4
LOS ALAMITOS CA 90720-2375



HACKBARTH, DEAN R
10858 WALNUT ST # 6
LOS ALAMITOS CA 90720-2376

WELLER, GARY
10852 WALNUT ST # 9
LOS ALAMITOS CA 90720-2376

MERRIFIELD, ROBERT SCOTT
10844 WALNUT ST # 2
LOS ALAMITOS CA 90720-2375

BENECK, GEORGE JAMES
10846 WALNUT ST
LOS ALAMITOS CA 90720-2375

Current Occupant
10846 WALNUT ST # 3
LOS ALAMITOS CA 90720-2375

CRAIG, JOANNE K
10850 WALNUT ST # 5
LOS ALAMITOS CA 90720-2376

HIATT, JAMES E
PO BOX 860
LOS ALAMITOS CA 90720-0860

Current Occupant
10831 CHESTNUT ST
LOS ALAMITOS CA 90720-2325

ARRIOLA, CHRISTOPHER M
10843 CHESTNUT ST # 2
LOS ALAMITOS CA 90720-2349

WHITESELL, ELIZABETH A
10849 CHESTNUT ST
LOS ALAMITOS CA 90720-2349

Current Occupant
10849 CHESTNUT ST # 5
LOS ALAMITOS CA 90720-2349

GROSE, DEAN
10862 WALNUT ST
LOS ALAMITOS CA 90720-2358

CHEN, KUO CHANG
10868 WALNUT ST
LOS ALAMITOS CA 90720-2358

BILYK, ANNA
10855 CHESTNUT ST
LOS ALAMITOS CA 90720-2350

Current Occupant
10855 CHESTNUT ST # 8
LOS ALAMITOS CA 90720-2350

DIETZ, JANICE L
10853 CHESTNUT ST
LOS ALAMITOS CA 90720-2350

Current Occupant
10853 CHESTNUT ST # 7
LOS ALAMITOS CA 90720-2350

MACKEY, DAVID EDWARD
10845 CHESTNUT ST
LOS ALAMITOS CA 90720-2349

Current Occupant
10845 CHESTNUT ST # 3
LOS ALAMITOS CA 90720-2349

ZARKOS, GLORIA P
4257 BIRCHWOOD AVE
SEAL BEACH CA 90740-2810

Current Occupant
10841 CHESTNUT ST # 1
LOS ALAMITOS CA 90720-2349

ETTINGER, JUDITH
10841 CHESTNUT ST
LOS ALAMITOS CA 90720-2349

Current Occupant
10857 CHESTNUT ST # 9
LOS ALAMITOS CA 90720-2350

WOOLEVER, JUSTIN D
10851 CHESTNUT ST
LOS ALAMITOS CA 90720-2350

Current Occupant
10851 CHESTNUT ST # 6
LOS ALAMITOS CA 90720-2350

YANG, CHARLES Y
2782 ENGEL DR
LOS ALAMITOS CA 90720-4715

Current Occupant
10847 CHESTNUT ST # 4
LOS ALAMITOS CA 90720-2349

YANG, CHARLES Y
2782 ENGEL DR
LOS ALAMITOS CA 90720-4715

Current Occupant
10847 CHESTNUT ST # 4
LOS ALAMITOS CA 90720-2349

CRAIG, JOANNE K
10850 WALNUT ST # 5
LOS ALAMITOS CA 90720-2376

RAMIREZ, JESS
10872 WALNUT ST
LOS ALAMITOS CA 90720-2358

DEL PRETE, ALDA
5371 HUNTLEY AVE
GARDEN GROVE CA 92845-1925

Current Occupant
10891 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

PEREZ, MIKE L
5182 TRIPOLI AVE
LOS ALAMITOS CA 90720-2739

Current Occupant
3372 FLORISTA ST
LOS ALAMITOS CA 90720-2383

VIESTENZ, DONNA J
10869 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

Current Occupant
10861 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

LIAO, PATRICIA P
12 IRON SPGS
IRVINE CA 92602-2445

Current Occupant
10882 WALNUT ST
LOS ALAMITOS CA 90720-2392

POLE, SHIVANAND R
10892 WALNUT ST
LOS ALAMITOS CA 90720-2358

LAYTON, LEO
10802 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

ERNANDES, JACK
350 REDONDO AVE
LONG BEACH CA 90814-2655

Current Occupant
10877 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2329

CURRAN, JAMES
1211 BENNINGTON DR
SANTA ANA CA 92705-2331

Current Occupant
10922 OAK ST
LOS ALAMITOS CA 90720-2361

CHEN, KOUNG Y
3131 COLERIDGE DR
LOS ALAMITOS CA 90720-4018

Current Occupant
10901 WALNUT ST
LOS ALAMITOS CA 90720-2359

LAYTON, LEO
10802 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

Current Occupant
10821 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2332

POE IV, WILLIAM C
4761 GREEN AVE
LOS ALAMITOS CA 90720-2615

Current Occupant
10842 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

AHN, KUNHI
10831 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2332

Current Occupant
10847 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2332

LEE, EUNICE
10896 WALNUT ST
LOS ALAMITOS CA 90720-2358

ADAMS, MICHAEL
10894 WALNUT ST
LOS ALAMITOS CA 90720-2358

POE IV, WILLIAM C
4761 GREEN AVE
LOS ALAMITOS CA 90720-2615

Current Occupant
10862 CHESTNUT ST
LOS ALAMITOS CA 90720-2374

BARLIN, ANTHONY T
10889 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

MEYERS, ALAN M
PO BOX 2334
ANAHEIM CA 92814-0334

HARPT, JOYCE ARLENE
10887 CHESTNUT ST
LOS ALAMITOS CA 90720-2373



MEYER, REINHARD F
10876 CHESTNUT ST
LOS ALAMITOS CA 90720-2374

NIKOLAU, PAUL
10387 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2110

Current Occupant
10861 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2329

MOGG, WAYNE D
2751 COPA DE ORO DR
LOS ALAMITOS CA 90720-4911

Current Occupant
10931 CHESTNUT ST
LOS ALAMITOS CA 90720-2385

CELIK, KACIN
310 W 7TH ST
LOS ANGELES CA 90014-1706

Current Occupant
10902 WALNUT ST
LOS ALAMITOS CA 90720-2381

GONZALEZ, CARMEN
11341 PINE ST
LOS ALAMITOS CA 90720-3921

Current Occupant
10912 WALNUT ST
LOS ALAMITOS CA 90720-2322

WALL, DAVID M
3001 E OCEAN BLVD
LONG BEACH CA 90803-2537

Current Occupant
10911 CHESTNUT ST
LOS ALAMITOS CA 90720-2385

GARNICA, ANNA MARIA
10922 WALNUT ST
LOS ALAMITOS CA 90720-2322

CHEN, CHING HSIU
11632 MARTHA ANN DR
LOS ALAMITOS CA 90720-4042

Current Occupant
10952 WALNUT ST
LOS ALAMITOS CA 90720-2322

HIDAYAT LLC
PO BOX 1263
CLAREMONT CA 91711-1263

Current Occupant
10940 WALNUT ST
LOS ALAMITOS CA 90720-2346

KUBELKA, BARTON A
6552 HAVENWOOD CIR
HUNTINGTON BEACH CA 92648-6642

Current Occupant
10951 CHESTNUT ST
LOS ALAMITOS CA 90720-2378

KENDZIERSKI, EDMUND A
4048 MISTRAL DR
HUNTINGTON BEACH CA 92649-2140

Current Occupant
10941 CHESTNUT ST
LOS ALAMITOS CA 90720-2351

RAMIREZ, JOSEPH T
10911 WALNUT ST
LOS ALAMITOS CA 90720-2345

RIOS, BENJAMIN B
10923 WALNUT ST
LOS ALAMITOS CA 90720-2345

Current Occupant
10921 WALNUT ST
LOS ALAMITOS CA 90720-2345

MAURER, RICHARD A
7544 E SADDLEHILL TRL
ORANGE CA 92869-2311

Current Occupant
10931 WALNUT ST
LOS ALAMITOS CA 90720-2345

COASTAL COMMERCIAL
INVESTMENT HOLDINGS L
11061 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3201

Current Occupant
3251 KATELLA AVE
LOS ALAMITOS CA 90720-2336

MEJIA, JOSE R
10951 WALNUT ST
LOS ALAMITOS CA 90720-2345

DECKER, R JOSEPH
231 16TH ST
SEAL BEACH CA 90740-6514

Current Occupant
10943 WALNUT ST
LOS ALAMITOS CA 90720-2345

ALAMITOS DEVELOPMENT LLC
10934 PORTAL DR
LOS ALAMITOS CA 90720-2519

Current Occupant
3311 KATELLA AVE
LOS ALAMITOS CA 90720-2337

CHAVEZ, JAIME
10762 OAK ST
LOS ALAMITOS CA 90720-2355

Current Occupant
10932 WALNUT ST
LOS ALAMITOS CA 90720-2322

3381 KATELLA AVENUE LLC
4865 IRONWOOD AVE
SEAL BEACH CA 90740-2945

Current Occupant
3381 KATELLA AVE
LOS ALAMITOS CA 90720-2337

N S P S LTD
830 S HILL ST STE 371
LOS ANGELES CA 90014-3144

Current Occupant
10900 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2354

9980 GRINDLAY PTNRS
5146 EDGEMONT CIR
CYPRESS CA 90630-2915

Current Occupant
3391 KATELLA AVE
LOS ALAMITOS CA 90720-2337

ORANGE COUNTY FLOOD CONTROL
DISTRICT
300 N FLOWER ST # 6TH
SANTA ANA CA 92703-5001

SHORE, BAY OIL
16897 ALGONQUIN ST STE A
HUNTINGTON BEACH CA 92649-3832

ROTHMAN, HAROLD B
11061 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3201

Current Occupant
11131 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3603

DUNHURST DEVELOPMENT
CORP
16897 ALGONQUIN ST STE A
HUNTINGTON BEACH CA 92649-3832

NIKOLAU, PAUL
10387 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2110

Current Occupant
10931 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2339

NORTH WEST KATELLA LLC
1 CVS DR
WOONSOCKET RI 02895-6146

Current Occupant
3401 KATELLA AVE
LOS ALAMITOS CA 90720-2338

NORTH WEST KATELLA LLC
1 CVS DR
WOONSOCKET RI 02895-6146

Current Occupant
3401 KATELLA AVE
LOS ALAMITOS CA 90720-2338

CHEN, CHING HSIU
11632 MARTHA ANN DR
LOS ALAMITOS CA 90720-4042

Current Occupant
3351 KATELLA AVE
LOS ALAMITOS CA 90720-2337

CHURCH, BETHLEHEM
3352 KATELLA AVE
LOS ALAMITOS CA 90720-2362

Current Occupant
11088 WALLINGSFORD RD
LOS ALAMITOS CA 90720-3000

ERNANDES, JACK
350 REDONDO AVE
LONG BEACH CA 90814-2655

Current Occupant
10909 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2339

SOUTH, TESORO COAST
PO BOX 592809
SAN ANTONIO TX 78259-0190

Current Occupant
10961 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2339

BAY SHORE OIL (CO TR OF)
ROSSMOOR CENTER
16897 ALGONQUIN ST STE A
HUNTINGTON BEACH CA 92649-3832



NORTH WEST KATELLA LLC
1 CVS DR
WOONSOCKET RI 02895-6146

Current Occupant
3401 KATELLA AVE
LOS ALAMITOS CA 90720-2338

NORTH WEST KATELLA LLC
1 CVS DR
WOONSOCKET RI 02895-6146

Current Occupant
3401 KATELLA AVE
LOS ALAMITOS CA 90720-2338

SOUTH, TESORO COAST
PO BOX 592809
SAN ANTONIO TX 78259-0190

Current Occupant
10961 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2339

YING, LEEDY
12550 WHITTIER BLVD
WHITTIER CA 90602-1042

Current Occupant
10956 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2340

N S P S LTD
830 S HILL ST STE 371
LOS ANGELES CA 90014-3144

Current Occupant
10900 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2354

POMEROY III, MARTIN H
1807 JONES PL
PLACENTIA CA 92870-2604

Current Occupant
3555 GREEN AVE
LOS ALAMITOS CA 90720-3200

POMEROY III, MARTIN H
1807 JONES PL
PLACENTIA CA 92870-2604

Current Occupant
3551 GREEN AVE
LOS ALAMITOS CA 90720-3200

QUAN, GORDON TONG
3532 KATELLA AVE STE 107
LOS ALAMITOS CA 90720-3140

Current Occupant
3531 GREEN AVE
LOS ALAMITOS CA 90720-3203

MC DONALDS CORP
4431 CORPORATE CENTER DR STE
127
LOS ALAMITOS CA 90720-8523

Current Occupant
3562 KATELLA AVE
LOS ALAMITOS CA 90720-3109

QUAN, GORDON TONG
3532 KATELLA AVE STE 107
LOS ALAMITOS CA 90720-3140

Current Occupant
3532 KATELLA AVE
LOS ALAMITOS CA 90720-3112

IMPERIAL JEWELRY
MANUFACTURING COMPANY
INC
11072 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3202

BANK, JPMORGAN CHASE NA
1111 POLARIS PKWAY 1J
COLUMBUS OH 43240-

Current Occupant
3502 KATELLA AVE
LOS ALAMITOS CA 90720-3109

BAY SHORE OIL (CO TR OF)
ROSSMOOR CENTER
16897 ALGONQUIN ST STE A
HUNTINGTON BEACH CA 92649-
3832

Current Occupant
11031 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3201

DUNHURST DEVELOPMENT CORP
16897 ALGONQUIN ST STE A
HUNTINGTON BEACH CA 92649-3832

US BANK NATIONAL ASSOC
2800 E LAKE ST
MINNEAPOLIS MN 55406-1930

Current Occupant
10942 PINE ST
LOS ALAMITOS CA 90720-2428

DUNHURST DEVELOPMENT CORP
16897 ALGONQUIN ST STE A
HUNTINGTON BEACH CA 92649-3832

ROTHMAN, HAROLD B
11061 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3201

Current Occupant
11131 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3603

MUNDY, MICHAEL F
704 OCEAN AVE
SEAL BEACH CA 90740-6111

Current Occupant
3571 GREEN AVE
LOS ALAMITOS CA 90720-3244

SCHACK, ROBERT F
16311 CONTENT CIR
HUNTINGTON BEACH CA 92649-
2506

Current Occupant
3581 GREEN AVE
LOS ALAMITOS CA 90720-3220

KRAMER, GARY L
2010 N TUSTIN AVE
SANTA ANA CA 92705-7827

Current Occupant
3591 GREEN AVE
LOS ALAMITOS CA 90720-3247

HB INVESTMENT GROUP LLC
200 OCEANGATE STE 1570
LONG BEACH CA 90802-4363

Current Occupant
3601 GREEN AVE
LOS ALAMITOS CA 90720-3239

3611 FARQUHAR INVESTMENTS
LLC
3611 FARQUHAR AVE
LOS ALAMITOS CA 90720-2004

Current Occupant
3552 GREEN AVE
LOS ALAMITOS CA 90720-3243

BRADLEY, DENNIS L
262 SAINT JOSEPH AVE
LONG BEACH CA 90803-1720

Current Occupant
3602 GREEN AVE
LOS ALAMITOS CA 90720-3213

PEREZ, RUBEN SALVADOR
PO BOX 283
LOS ALAMITOS CA 90720-0283

Current Occupant
11130 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-

OLDE LAS BUILDING LLC
3129 THE STRAND
HERMOSA BEACH CA 90254-2356

Current Occupant
11122 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3604

PEREZ, RUBEN SALVADOR
5728 PINE CT
CYPRESS CA 90630-3816

Current Occupant
11142 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3649

OLDE LAS BUILDING LLC
3129 THE STRAND
HERMOSA BEACH CA 90254-2356

Current Occupant
11122 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3604

BENFANTI, JOHN R
11741 WEMBLEY RD
LOS ALAMITOS CA 90720-4235

Current Occupant
3561 HOWARD AVE
LOS ALAMITOS CA 90720-5307

BRADLEY, DENNIS L
262 SAINT JOSEPH AVE
LONG BEACH CA 90803-1720

Current Occupant
3582 GREEN AVE
LOS ALAMITOS CA 90720-3212

KENTISH, PAUL E
3510 LAKE AVE
NEWPORT BEACH CA 92663-3148

BLACKBURN, MARY D
3061 COPA DE ORO DR
LOS ALAMITOS CA 90720-5210

Current Occupant
3571 HOWARD AVE
LOS ALAMITOS CA 90720-3658

GIVEN BENJAMIN-LOS ALAMITOS
INVESTMENT CO
3029 WILSHIRE BLVD STE 200
SANTA MONICA CA 90403-2364

Current Occupant
11152 WALLINGSFORD RD
LOS ALAMITOS CA 90720-3045



GIVEN & BENJAMIN-LOS
ALAMITOS INVEST CO
3029 WILSHIRE BLVD STE 200
SANTA MONICA CA 90403-2364

ROTHMAN, WENDI
300 OCEAN AVE
SEAL BEACH CA 90740-6031

Current Occupant
11061 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3201

TWO BROTHERS LLC
19906 NANCY CIR
CERRITOS CA 90703-7534

Current Occupant
11102 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3604

CROWN LOTUS CORP
11110 LOS ALAMITOS BLVD STE
212
LOS ALAMITOS CA 90720-3602

Current Occupant
11110 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-3602

CORRIGAN, SHARON J
5351 HOLLAND AVE
GARDEN GROVE CA 92845-1530

Current Occupant
3581 HOWARD AVE
LOS ALAMITOS CA 90720-3641

SOMMER STAPLE INC
3532 KATELLA AVE STE 111
LOS ALAMITOS CA 90720-3144

Current Occupant
3591 HOWARD AVE
LOS ALAMITOS CA 90720-3642

CROWN LOTUS CORP
11110 LOS ALAMITOS BLVD STE
212
LOS ALAMITOS CA 90720-3602

Current Occupant
3532 GREEN AVE
LOS ALAMITOS CA 90720-3204

FREDERICKSON, JEFFREY R
15 CAMEO CRST
LAGUNA NIGUEL CA 92677-9211

Current Occupant
3601 HOWARD AVE
LOS ALAMITOS CA 90720-3682

GERSCHULTZ, STEVEN J
3602 COURTSIDE CIR
HUNTINGTON BEACH CA 92649-
2912

Current Occupant
3636 KATELLA AVE
LOS ALAMITOS CA 90720-3107

REAGAN PROPERTIES LTD
3532 KATELLA AVE STE 111
LOS ALAMITOS CA 90720-3144

Current Occupant
11041 REAGAN ST
LOS ALAMITOS CA 90720-3235

D & L LIGHTNER PROPERTIES LLC
237 CANAL ST
NEWPORT BEACH CA 92663-1843

Current Occupant
3621 GREEN AVE
LOS ALAMITOS CA 90720-3218

REAGAN PROPERTIES LTD
3532 KATELLA AVE STE 111
LOS ALAMITOS CA 90720-3144

Current Occupant
3641 GREEN AVE
LOS ALAMITOS CA 90720-3217

HSU, MERBERT
21 FRESCO
IRVINE CA 92603-4103

Current Occupant
3621 GREEN AVE
LOS ALAMITOS CA 90720-3218

VON GREMP, WALTER
30251 GOLDEN LANTERN STE E # E
PMB 202 STE E
LAGUNA NIGUEL CA 92677-5994

Current Occupant
3612 GREEN AVE
LOS ALAMITOS CA 90720-3240

RODRIGUEZ, AMADO PETE
5796 STRATMORE AVE
CYPRESS CA 90630-4622

Current Occupant
3611 HOWARD AVE
LOS ALAMITOS CA 90720-3683

BRAUNSTEIN, REINHARD HANS
608 TAPER DR
SEAL BEACH CA 90740-5865

Current Occupant
10771 WALNUT ST
LOS ALAMITOS CA 90720-2370

BEYER, MARTIN R
10781 WALNUT ST
LOS ALAMITOS CA 90720-2357

CHAVEZ, MARY A
6310 INDIANA AVE
LONG BEACH CA 90805-3827

Current Occupant
10763 WALNUT ST
LOS ALAMITOS CA 90720-2357

MC ALISTER, MICHAEL
PO BOX 922
SUNSET BEACH CA 90742-0922

Current Occupant
10801 WALNUT ST
LOS ALAMITOS CA 90720-2319

CHRISTENSEN, DANNY L
250 MIRA MAR AVE
LONG BEACH CA 90803-6126

Current Occupant
10722 CHESTNUT ST
LOS ALAMITOS CA 90720-2324

SOUTHLAND CIVIC CREDIT UNION
8545 FLORENCE AVE
DOWNEY CA 90240-4014

Current Occupant
10711 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2330

GUARDADO, ANTONIO
10791 WALNUT ST
LOS ALAMITOS CA 90720-2364

CHAVEZ, NICOLAS ANGEL
10762 WALNUT ST
LOS ALAMITOS CA 90720-2356

CELIK, KACIN
12331 CHIANTI DR
LOS ALAMITOS CA 90720-4642

Current Occupant
10811 WALNUT ST
LOS ALAMITOS CA 90720-8603

GANAHL LUMBER COMPANY
1220 E BALL RD
ANAHEIM CA 92805-5921

Current Occupant
10742 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2331

VERGARA, MICHELLE LORETA
3670 MARIGOLD ST
SEAL BEACH CA 90740-3115

Current Occupant
10821 WALNUT ST
LOS ALAMITOS CA 90720-2365

JESSUP, DAVID
10712 CHESTNUT ST
LOS ALAMITOS CA 90720-2324

GHAZARIAN, ZUHRAB
1701 CRESTVIEW AVE
SEAL BEACH CA 90740-5727

Current Occupant
10752 WALNUT ST
LOS ALAMITOS CA 90720-2389

HARTY, MATTHEW A
10702 CHESTNUT ST
LOS ALAMITOS CA 90720-2324

GONZALEZ, CARMEN
11341 PINE ST
LOS ALAMITOS CA 90720-3921

Current Occupant
10742 WALNUT ST
LOS ALAMITOS CA 90720-

CHENG, REX LEE
8 CALLE ANACAPA
SAN CLEMENTE CA 92673-6867

Current Occupant
10721 CHESTNUT ST
LOS ALAMITOS CA 90720-2323

MARIN, BAUDELIO M
10711 CHESTNUT ST
LOS ALAMITOS CA 90720-2323

MARTINEZ, RICHARD
3271 KENILWORTH DR
LOS ALAMITOS CA 90720-3837

Current Occupant
10722 WALNUT ST
LOS ALAMITOS CA 90720-2318



LOPEZ, THERESA
3425 LAMA AVE
LONG BEACH CA 90808-3115

Current Occupant
10712 WALNUT ST
LOS ALAMITOS CA 90720-2367

SCHLISKEY, CHARLES M
10701 CHESTNUT ST
LOS ALAMITOS CA 90720-2323

CENDEJAS, DEBORAH
403 E AVALON CT
UPLAND CA 91784-2075

Current Occupant
10751 CHESTNUT ST
LOS ALAMITOS CA 90720-2372

SALAS, HELEN
10772 WALNUT ST
LOS ALAMITOS CA 90720-2356

LEE, CURTIS W Q
12309 PROVINCETOWN ST
SEAL BEACH CA 90740-2784

Current Occupant
10782 WALNUT ST
LOS ALAMITOS CA 90720-2356

WALNUT RD ASSOC
11192 KENSINGTON RD
LOS ALAMITOS CA 90720-2907

Current Occupant
10792 WALNUT ST
LOS ALAMITOS CA 90720-2363

LAYTON, LEO
10802 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

Current Occupant
10791 CHESTNUT ST
LOS ALAMITOS CA 90720-2372

HUGGINS, MARY JANE
4314 W BINNACLE ST
ORANGE CA 92868-1501

Current Occupant
10761 CHESTNUT ST
LOS ALAMITOS CA 90720-2388

MOHAMMADI, HAMID
14343 PEACH HILL RD
MOORPARK CA 93021-3537

Current Occupant
10771 CHESTNUT ST
LOS ALAMITOS CA 90720-2372

MC NEILL, MARK M
10773 CHESTNUT ST
LOS ALAMITOS CA 90720-2372

KARGAR, SHAHIN S
10800 WALNUT ST
LOS ALAMITOS CA 90720-2320

Current Occupant
10804 WALNUT ST
LOS ALAMITOS CA 90720-2320

LAYTON, LEO
10802 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

Current Occupant
10781 CHESTNUT ST
LOS ALAMITOS CA 90720-2372

CLIFTON, CHARLES D
12730 ROSE AVE
LOS ANGELES CA 90066-1731

Current Occupant
10822 WALNUT ST
LOS ALAMITOS CA 90720-2382

RITCHIE, THOMAS B
10812 WALNUT ST
LOS ALAMITOS CA 90720-2320

CRAIG, JOANNE K
10850 WALNUT ST # 5
LOS ALAMITOS CA 90720-2376

MIRHOSSEINI, MOHSEN
6490 E EL JARDIN ST
LONG BEACH CA 90815-4631

Current Occupant
10801 CHESTNUT ST
LOS ALAMITOS CA 90720-2348

MINAKAWA, JAMES K
10856 WALNUT ST # 7
LOS ALAMITOS CA 90720-2376

FOWLER, CAROL L
5262 BRIGHTFIELD CIR
HUNTINGTON BEACH CA 92649-3697

Current Occupant
10775 CHESTNUT ST
LOS ALAMITOS CA 90720-2372

DIBIASE, THOMAS A
10848 WALNUT ST # 4
LOS ALAMITOS CA 90720-2375

HACKBARTH, DEAN R
10858 WALNUT ST # 6
LOS ALAMITOS CA 90720-2376

WELLER, GARY
10852 WALNUT ST # 9
LOS ALAMITOS CA 90720-2376

MERRIFIELD, ROBERT SCOTT
10844 WALNUT ST # 2
LOS ALAMITOS CA 90720-2375

BENECK, GEORGE JAMES
10846 WALNUT ST
LOS ALAMITOS CA 90720-2375

Current Occupant
10846 WALNUT ST # 3
LOS ALAMITOS CA 90720-2375

VARGAS, JEFFREY R
10851 WALNUT ST
LOS ALAMITOS CA 90720-2319

ETTINGER, JUDITH
10841 CHESTNUT ST
LOS ALAMITOS CA 90720-2349

Current Occupant
10857 CHESTNUT ST # 9
LOS ALAMITOS CA 90720-2350

CRAIG, JOANNE K
10850 WALNUT ST # 5
LOS ALAMITOS CA 90720-2376

ARRIOLA, CHRISTOPHER M
10843 CHESTNUT ST # 2
LOS ALAMITOS CA 90720-2349

MACKEY, DAVID EDWARD
10845 CHESTNUT ST
LOS ALAMITOS CA 90720-2349

Current Occupant
10845 CHESTNUT ST # 3
LOS ALAMITOS CA 90720-2349

Current Occupant
PROJECT 939-59
LOS ALAMITOS CA 90720-

STEWART, MARY FRANCES
PO BOX 3353
SEAL BEACH CA 90740-2353

Current Occupant
10842 WALNUT ST # 1
LOS ALAMITOS CA 90720-2375

DAY, JUDITH A
10854 WALNUT ST # 8
LOS ALAMITOS CA 90720-2376

ZARKOS, GLORIA P
4257 BIRCHWOOD AVE
SEAL BEACH CA 90740-2810

Current Occupant
10841 CHESTNUT ST # 1
LOS ALAMITOS CA 90720-2349

WALL, DAVID
3001 E OCEAN BLVD
LONG BEACH CA 90803-2537

Current Occupant
10831 WALNUT ST
LOS ALAMITOS CA 90720-2319

DE LA TORRE, GUADALUPE
10841 WALNUT ST
LOS ALAMITOS CA 90720-2319

WHITESSELL, ELIZABETH A
10849 CHESTNUT ST
LOS ALAMITOS CA 90720-2349

Current Occupant
10849 CHESTNUT ST # 8
LOS ALAMITOS CA 90720-2349

BILYK, ANNA
10855 CHESTNUT ST
LOS ALAMITOS CA 90720-2350

Current Occupant
10855 CHESTNUT ST # 8
LOS ALAMITOS CA 90720-2350

HIATT, JAMES E
PO BOX 860
LOS ALAMITOS CA 90720-0860

Current Occupant
10831 CHESTNUT ST
LOS ALAMITOS CA 90720-2325

RIPPE, JEFFREY
10832 WALNUT ST
LOS ALAMITOS CA 90720-2320

DIETZ, JANICE L
10853 CHESTNUT ST
LOS ALAMITOS CA 90720-2350

Current Occupant
10853 CHESTNUT ST # 7
LOS ALAMITOS CA 90720-2350

WOOLEVER, JUSTIN D
10851 CHESTNUT ST
LOS ALAMITOS CA 90720-2350

Current Occupant
10851 CHESTNUT ST # 6
LOS ALAMITOS CA 90720-2350

PEREZ, MIKE L
5182 TRIPOLI AVE
LOS ALAMITOS CA 90720-2739

Current Occupant
3372 FLORISTA ST
LOS ALAMITOS CA 90720-2383

VIESTENZ, DONNA J
10869 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

Current Occupant
10861 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

POLE, SHIVANAND R
10892 WALNUT ST
LOS ALAMITOS CA 90720-2358

LEE, EUNICE
10896 WALNUT ST
LOS ALAMITOS CA 90720-2358

ADAMS, MICHAEL
10894 WALNUT ST
LOS ALAMITOS CA 90720-2358

BARLIN, ANTHONY T
10889 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

MEYERS, ALAN M
PO BOX 2334
ANAHEIM CA 92814-0334

YANG, CHARLES Y
2782 ENGEL DR
LOS ALAMITOS CA 90720-4715

Current Occupant
10847 CHESTNUT ST # 4
LOS ALAMITOS CA 90720-2349

YANG, CHARLES Y
2782 ENGEL DR
LOS ALAMITOS CA 90720-4715

Current Occupant
10847 CHESTNUT ST # 4
LOS ALAMITOS CA 90720-2349

LIAO, PATRICIA P
12 IRON SPGS
IRVINE CA 92602-2445

Current Occupant
10882 WALNUT ST
LOS ALAMITOS CA 90720-2392

RAMIREZ, JESS
10872 WALNUT ST
LOS ALAMITOS CA 90720-2358

GROSE, DEAN
10862 WALNUT ST
LOS ALAMITOS CA 90720-2358

CHEN, KUO CHANG
10868 WALNUT ST
LOS ALAMITOS CA 90720-2358

CARRION, CARLOS A
10472 CHESTNUT ST
LOS ALAMITOS CA 90720-

Current Occupant
10742 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

WHITE, DENISE L
10754 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

AGAÑON, FLORENCIO
10752 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

SMITH, CHADWICK J
10758 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

LANDS, ADAM E
10748 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

MANNING, J MICHAEL
10756 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

CHRISTSEN, MICHAEL F
10750 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

BREWER, RAYMOND A
10738 CHESTNUT ST
LOS ALAMITOS CA 90720-2347



HILT, SARA ANGUIANO
10740 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

YANAGISAWA, FUMIHITO
10746 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

POTTIOS JR, MYRON J
10744 CHESTNUT ST
LOS ALAMITOS CA 90720-2347

HARPT, JOYCE ARLENE
10887 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

ALAMITOS COMPANY LLC
10741 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2309

DEL PRETE, ALDA
5371 HUNTLEY AVE
GARDEN GROVE CA 92845-1925

Current Occupant
10891 CHESTNUT ST
LOS ALAMITOS CA 90720-2373

ALAMITOS COMPANY LLC
10741 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2309

JVA CAPITAL GROUP LLC
3531 VAL VERDE AVE
LONG BEACH CA 90808-3151

Current Occupant
10761 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2309

DESPOSITO, ANDREW M
10766 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

CONNORS, CRAIG
10778 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

POE, THOMAS A
10772 CHESNUT ST
LOS ALAMITOS CA 90720-

Current Occupant
10772 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

ULIT, DOROTHY D
10764 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

ANDREWS, ROBERT L
10770 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

COBURN, KATHRYN
10762 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

LOO, GLORIA
10774 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

ANZAR, TERESA
10768 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

MARTIE, RICHARD P
10760 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

MARQUEZ, DAVID
10776 CHESTNUT ST
LOS ALAMITOS CA 90720-2352

THE ARLENE M CRUZ TRUST
10784 CHESTNUT ST
LOS ALAMITOS CA 90720-2371

BINDER, BARRY C
10791 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2309

MAGALLANES, JEFFREY
10786 CHESTNUT ST
LOS ALAMITOS CA 90720-2371

Current Occupant
10782 CHESTNUT ST # C
LOS ALAMITOS CA 90720-2371

LAYTON, LEO
10802 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

Current Occupant
10821 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2332

KENLIN, KRISTEN
10782 CHESTNUT ST # A
LOS ALAMITOS CA 90720-2371

DESMET, ANTHONY M
3105 JULIAN AVE
LONG BEACH CA 90808-4436

Current Occupant
10771 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2309



BARIN, JIRAYR
10 VILLAGER
IRVINE CA 92602-2460

Current Occupant
10772 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2302

MC NALLY, JAMES P
6703 E PREMIUM ST
LONG BEACH CA 90808-4136

Current Occupant
10792 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2302

GARCIA, BETSIE L
8901 STILWELL DR
HUNTINGTON BEACH CA 92646-7110

Current Occupant
10779 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2309

POE IV, WILLIAM C
4761 GREEN AVE
LOS ALAMITOS CA 90720-2615

Current Occupant
10842 CHESTNUT ST
LOS ALAMITOS CA 90720-2326

WILLEY, DOUGLAS W
3344 KALLIN AVE
LONG BEACH CA 90808-4207

Current Occupant
10802 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2333

WILLEY, DOUGLAS W
3344 KALLIN AVE
LONG BEACH CA 90808-4207

Current Occupant
10800 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2333

DAVIS, HALLOCK DERICKSON
363 VISTA BAYA
NEWPORT BEACH CA 92660-3635

Current Occupant
3542 CATALINA ST
LOS ALAMITOS CA 90720-2412

THAXTON SCHKLOVEN, LZENA
ODETT
2802 IROQUOIS AVE
LONG BEACH CA 90815-1508

Current Occupant
10781 PINE ST
LOS ALAMITOS CA 90720-2449

NARAHARA, YOSHIO
7212 EMERSON AVE
WESTMINSTER CA 92683-6106

Current Occupant
10801 PINE ST
LOS ALAMITOS CA 90720-2426

AHN, KUNHI
10831 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2332

Current Occupant
10847 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2332

FLORES, ELEANOR
10811 PINE ST
LOS ALAMITOS CA 90720-2426

GREENLEE, JOHN C
12401 W OLYMPIC BLVD
LOS ANGELES CA 90064-1022

Current Occupant
10832 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2333

FLORES, MANUEL E
10821 PINE ST
LOS ALAMITOS CA 90720-2426

THAXTON SCHKLOVEN, LZENA
ODETT
2802 IROQUOIS AVE
LONG BEACH CA 90815-1508

Current Occupant
10791 PINE ST
LOS ALAMITOS CA 90720-2450

GREENLEE, JOHN C
12401 W OLYMPIC BLVD
LOS ANGELES CA 90064-1022

Current Occupant
10800 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2333

MEYER, REINHARD F
10876 CHESTNUT ST
LOS ALAMITOS CA 90720-2374

BARIN, AGOP
4250 AVENIDA SEVILLA
CYPRESS CA 90630-3416



Current Occupant
10831 PINE ST
LOS ALAMITOS CA 90720-2426

MERCHANT, MARGARET J
10901 CHESTNUT ST
LOS ALAMITOS CA 90720-2327

ERNANDES, JACK
350 REDONDO AVE
LONG BEACH CA 90814-2655

Current Occupant
10909 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2339

N S P S LTD
830 S HILL ST STE 371
LOS ANGELES CA 90014-3144

Current Occupant
10900 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2354

GREENLEE, JOHN C
12401 W OLYMPIC BLVD
LOS ANGELES CA 90064-1022

Current Occupant
10850 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2333

POE IV, WILLIAM C
4761 GREEN AVE
LOS ALAMITOS CA 90720-2615

Current Occupant
10862 CHESTNUT ST
LOS ALAMITOS CA 90720-2374

NIKOLAU, PAUL
10387 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2110

Current Occupant
10861 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2329

ERNANDES, JACK
350 REDONDO AVE
LONG BEACH CA 90814-2655

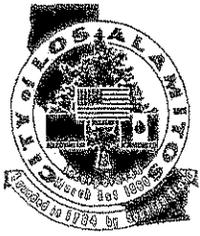
Current Occupant
10877 LOS ALAMITOS BLVD
LOS ALAMITOS CA 90720-2329

SABO, SHIRLEY
9607 OAKMORE RD
LOS ANGELES CA 90035-4021

Current Occupant
3551 FLORISTA ST
LOS ALAMITOS CA 90720-2474



CITY OF LOS ALAMITOS



January 30, 2014

Mayor:
Geri L. Graham-Mejia

Mayor Pro Tem:
Richard D. Murphy

Council Members:
Troy D. Edgar
Dean Grase
Warren Kusumoto

Mr. Leo Layton
10802 Chestnut Street
Los Alamitos, CA 90720-2327

**SUBJECT: Removal of Historical Designation
10802 Chestnut Street**

Dear Mr. Layton:

In May 2012, the Planning Commission adopted a resolution designating the above property as a "Local Landmark". The Commission has directed that the "Local Landmark" designation be removed from the properties.

The Commission will hold a Public Hearing regarding this matter on **Monday, February 10th, at 7:00 PM**. If you have any questions, please contact me at 562-431-3538, ext. 300 or you may email me at smendoza@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS

Steven A. Mendoza
Community Development/Public Works Director

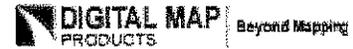
3191 Katella Avenue
Los Alamitos, CA
90720-5600

Telephone:
(562) 431-3538

FAX (562) 493-1255

www.cityoflosalamitos.org

Property Detail Report for:


10802 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2326
Owner Information:

Owner Name: **LAYTON, LEO**
 Mailing Address: **10802 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2326**
 Vesting Code: _____ Phone Number: _____

Location Information:

Legal Description: **A TR 441 BLK 21 LOT 7 LOS ALAMITOS LOT 7 BLK 21**
 County: **ORANGE** FIPS Code: **06059** Census Trct/Blk: **110108 / 1**
 APN: **242-193-06** Alternative APN: _____ Map Ref: **J2-796**
 Twncshp-Rnge-Sect: **--** Legal Book/Page: _____ Tract No: **441**
 Legal Lot: _____ Legal Block: _____
 Subdivison: _____

Last Market Sale Information:

Sale Date: **4/30/1987** Sale Price: _____ 1st Mtg Amount: _____
 Sale Doc No: **87-0240573** Price Per SqFt: _____ 1st Mtg Int Type: _____
 Transfer Doc No: _____ Price Per Acre: _____ 2nd Mtg Amount: _____
 1st Mtg Doc No: _____ 2nd Mtg Int Type: _____
 Sale Type: **From code table**
 Deed Type: _____
 Title Company: _____
 Lender: _____
 Seller Name: _____

Property Characteristics:

Building Area: **1,408** Total Rooms: **8** Construction: _____
 Living Area: **1,408** Bedrooms: **5** Heat Type: _____
 Garage Area: _____ Baths: **1** Air Cond: _____
 Basement Area: _____ Fireplace: _____ Roof Type: _____
 Parking Type: _____ No of Stories: **3** Roof Material: _____
 Yr Built/Effective: **1899 /** Quality: _____ Style: _____
 Pool Code: _____

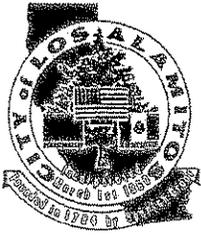
Tax and Value Information:

Assessed Value: **\$65,955** Assessed Year: **2012** Est Market Val: **\$655,666**
 Land Value: **\$37,423** Property Tax: **\$1,056** Assessor Appd Val: _____
 Improvement Value: **\$28,532** Improvement %: **43.26**
 Total Taxable Value: _____ Tax Exemption: **CA HOMEOWNER**

Site Information:

Assessor Acres: **0.34** Zoning: _____ Land Use Code: **163**
 Assessor Lot SqFt: **15,000** No of Buildings: _____ Land Use Desc: **SFR**
 Lot W/D: **/** Res/Comm Units: _____ County Use Code: **122**
 Calculated Acres: **0.3443** Sewer Type: _____
 Calculated Lot SqFt: **14,998** Water Type: _____

CITY OF LOS ALAMITOS



Mayor:
Geri L. Graham-Mejia

Mayor Pro Tem:
Richard D. Murphy

Council Members:
Troy D. Edgar
Dean Grose
Warren Kusumoto

January 30, 2014

Ms. Margaret J. Merchant
Margaret J. Merchant Revocable Trust
10901 Chestnut Street
Los Alamitos, CA 90720-2327

**SUBJECT: Removal of Historical Designation
10901 Chestnut Street**

Dear Ms. Merchant:

In May 2012, the Planning Commission adopted a resolution designating the above property as a "Local Landmark". The Commission has directed that the "Local Landmark" designation be removed from the properties.

The Commission will hold a Public Hearing regarding this matter on **Monday, February 10th, at 7:00 PM**. If you have any questions, please contact me at 562-431-3538, ext. 300 or you may email me at smendoza@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS

Steven A. Mendoza
Community Development/Public Works Director

3191 Katella Avenue
Los Alamitos, CA
90720-5600

Telephone:
(562) 431-3538

FAX (562) 493-1255

www.cityoflosalamitos.org

Property Detail Report for:



10901 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2327

Owner Information:

Owner Name: **MERCHANT, MARGARET J MARGARET J MERCHANT REVOCABLE TRUST**
 Mailing Address: **10901 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2327**
 Vesting Code: **TRUST** Phone Number:

Location Information:

Legal Description: **A TR 441 BLK 33 LOT 20**
 County: **ORANGE** FIPS Code: **06059** Census Trct/Blk: **110108 / 1**
 APN: **242-202-17** Alternative APN: Map Ref: **J2-796**
 Twnshp-Rnge-Sect: **--** Legal Book/Page: Tract No: **441**
 Legal Lot: Legal Block:
 Subdivison: **TOWN OF LOS ALAMITOS**

Last Market Sale Information:

Sale Date: **1/1/2006** Sale Price: 1st Mtg Amount:
 Sale Doc No: **2006-00331689** Price Per SqFt: 1st Mtg Int Type:
 Transfer Doc No: **2013000398184** Price Per Acre: 2nd Mtg Amount:
 1st Mtg Doc No: 2nd Mtg Int Type:
 Sale Type: **From code table**
 Deed Type:
 Title Company:
 Lender:
 Seller Name:

Property Characteristics:

Building Area: **801** Total Rooms: **5** Construction:
 Living Area: **801** Bedrooms: **2** Heat Type:
 Garage Area: Baths: **1** Air Cond:
 Basement Area: Fireplace:
 Parking Type: No of Stories: **3** Roof Type:
 Yr Built/Effective: **1898 /** Quality: Roof Material:
 Pool Code: Style:

Tax and Value Information:

Assessed Value: **\$28,537** Assessed Year: **2012** Est Market Val: **\$466,200**
 Land Value: **\$18,748** Property Tax: **\$540** Assessor Appd Val:
 Improvement Value: **\$9,789** Improvement %: **34.3**
 Total Taxable Value: **\$1** Tax Exemption: **CA HOMEOWNER**

Site Information:

Assessor Acres: **0.17** Zoning: Land Use Code: **163**
 Assessor Lot SqFt: **7,500** No of Buildings: Land Use Desc: **SFR**
 Lot W/D: **/** Res/Comm Units: County Use Code: **122**
 Calculated Acres: **0.1723** Sewer Type:
 Calculated Lot SqFt: **7,505** Water Type:

CITY OF LOS ALAMITOS



Mayor:
Gerri L. Graham-Mejia

Mayor Pro Tem:
Richard D. Murphy

Council Members:
Troy D. Edgar
Dean Grose
Warren Kusumoto

January 30, 2014

Mike L. and Rita M. Perez
5182 Tripoli Avenue
Los Alamitos, CA 90720-2739

**SUBJECT: Removal of Historical Designation
3372 Florista Street**

Dear Mr. Perez & Ms. Perez:

In May 2012, the Planning Commission adopted a resolution designating the above property as a "Local Landmark". The Commission has directed that the "Local Landmark" designation be removed from the properties.

The Commission will hold a Public Hearing regarding this matter on **Monday, February 10th, at 7:00 PM.** If you have any questions, please contact me at 562-431-3538, ext. 300 or you may email me at smendoza@cityoffosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS

Steven A. Mendoza
Community Development/Public Works Director

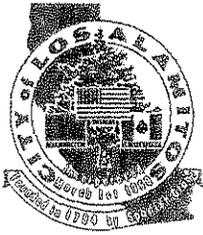
3191 Katella Avenue
Los Alamitos, CA
90720-5600

Telephone:
(562) 431-3538

FAX (562) 493-1255

www.cityoffosalamitos.org

CITY OF LOS ALAMITOS



Mayor:
Geri L. Graham-Mejia

Mayor Pro Tem:
Richard D. Murphy

Council Members:
Troy D. Edgar
Dean Grose
Warren Kusumoto

January 30, 2014

Mike L. and Rita M. Perez
3372 Florista Street
Los Alamitos, CA 90720-2383

**SUBJECT: Removal of Historical Designation
3372 Florista Street**

Dear Mr. Perez & Ms. Perez:

In May 2012, the Planning Commission adopted a resolution designating the above property as a "Local Landmark". The Commission has directed that the "Local Landmark" designation be removed from the properties.

The Commission will hold a Public Hearing regarding this matter on **Monday, February 10th, at 7:00 PM**. If you have any questions, please contact me at 562-431-3538, ext. 300 or you may email me at smendoza@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS

Steven A. Mendoza
Community Development/Public Works Director

3191 Katella Avenue
Los Alamitos, CA
90720-5600

Telephone:
(562) 431-3538

FAX (562) 493-1255

www.cityoflosalamitos.org

Property Detail Report for:



3372 FLORISTA ST, LOS ALAMITOS, CA, 90720-2383

Owner Information:

Owner Name: PEREZ, MIKE L PEREZ, RITA M
 Mailing Address: 5182 TRIPOLI AVE, LOS ALAMITOS, CA, 90720-2739
 Vesting Code: TRUST Phone Number:

Location Information:

Legal Description: A TR 441 BLK 33 LOT 24 LOS ALAMITOS LOT 24 BLK 3
 County: ORANGE FIPS Code: 06059 Census Trct/Blk: 110108 / 1
 APN: 242-202-21 Alternative APN: Map Ref: J2-796
 Twnshp-Rnge-Sect: - - Legal Book/Page: Tract No: 441
 Legal Lot: Legal Block:
 Subdivision: TOWNSHIP OF LOS ALAMITOS

Last Market Sale Information:

Sale Date: Sale Price: 1st Mtg Amount:
 Sale Doc No: Price Per SqFt: 1st Mtg Int Type:
 Transfer Doc No: 2013000119818 Price Per Acre: 2nd Mtg Amount:
 1st Mtg Doc No: 2nd Mtg Int Type:
 Sale Type: From code table
 Deed Type:
 Title Company:
 Lender:
 Seller Name:

Property Characteristics:

Building Area: 560 Total Rooms: 3 Construction:
 Living Area: 560 Bedrooms: 1 Heat Type:
 Garage Area: Baths: 1 Air Cond:
 Basement Area: Fireplace:
 Parking Type: No of Stories: 1 Roof Type:
 Yr Built/Effective: 1912 / Quality: Roof Material:
 Pool Code: Style:

Tax and Value Information:

Assessed Value: \$13,238 Assessed Year: 2012 Est Market Val: \$372,250
 Land Value: \$6,554 Property Tax: \$602 Assessor Appd Val:
 Improvement Value: \$6,684 Improvement %: 50.49
 Total Taxable Value: \$1 Tax Exemption:

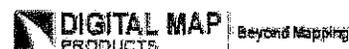
Site Information:

Assessor Acres: 0.06 Zoning: Land Use Code: 163
 Assessor Lot SqFt: 2,700 No of Buildings: Land Use Desc: SFR
 Lot W/D: / Res/Comm Units: County Use Code: 122
 Calculated Acres: 0.062 Sewer Type:
 Calculated Lot SqFt: 2,701 Water Type:

Ownership Information

10901 Chestnut Street

Property Detail Report for:



10901 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2327

Owner Information:

Owner Name: **MERCHANT, MARGARET J MARGARET J MERCHANT REVOCABLE TRUST**
 Mailing Address: **10901 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2327**
 Vesting Code: **TRUST** Phone Number:

Location Information:

Legal Description: **A TR 441 BLK 33 LOT 20**
 County: **ORANGE** FIPS Code: **06059** Census Trct/Blk: **110108 / 1**
 APN: **242-202-17** Alternative APN: Map Ref: **J2-796**
 Twnshp-Rnge-Sect: **--** Legal Book/Page: Tract No: **441**
 Legal Lot: Legal Block:
 Subdivison: **TOWN OF LOS ALAMITOS**

Last Market Sale Information:

Sale Date: **1/1/2006** Sale Price: 1st Mtg Amount:
 Sale Doc No: **2006-00331689** Price Per SqFt: 1st Mtg Int Type:
 Transfer Doc No: **2013000398184** Price Per Acre: 2nd Mtg Amount:
 1st Mtg Doc No: 2nd Mtg Int Type:
 Sale Type: **From code table**
 Deed Type:
 Title Company:
 Lender:
 Seller Name:

Property Characteristics:

Building Area: **801** Total Rooms: **5** Construction:
 Living Area: **801** Bedrooms: **2** Heat Type:
 Garage Area: Baths: **1** Air Cond:
 Basement Area: Fireplace: Roof Type:
 Parking Type: No of Stories: **3** Roof Material:
 Yr Built/Effective: **1898 /** Quality: Style:
 Pool Code:

Tax and Value Information:

Assessed Value: **\$28,537** Assessed Year: **2012** Est Market Val: **\$466,200**
 Land Value: **\$18,748** Property Tax: **\$540** Assessor Appd Val:
 Improvement Value: **\$9,789** Improvement %: **34.3**
 Total Taxable Value: **\$1** Tax Exemption: **CA HOMEOWNER**

Site Information:

Assessor Acres: **0.17** Zoning: Land Use Code: **163**
 Assessor Lot SqFt: **7,500** No of Buildings: Land Use Desc: **SFR**
 Lot W/D: **/** Res/Comm Units: County Use Code: **122**
 Calculated Acres: **0.1723** Sewer Type:
 Calculated Lot SqFt: **7,505** Water Type:

RECORDING REQUESTED BY
Margaret J. Merchant

WHEN RECORDED MAIL TO

Margaret J. Merchant
10901 Chestnut Street
Los Alamitos, CA 90720

Title Order No.
Escrow No.

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder



15.00
SR00059994608
2013000398181 3:53 pm 07/01/13
143 418 A09 F13 3
0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00

MB
11
30
ICP
IFP

AFFIDAVIT - DEATH OF JOINT TENANT

STATE OF CALIFORNIA
County of Orange) ss.

MARGARET J. MERCHANT, of legal age, being first duly sworn, deposes and says:

That DANIEL ALBAN MERCHANT, the decedent mentioned in the attached certified copy of Certificate of Death, is the same person as DANIEL A. MERCHANT named as one of the parties in that certain JOINT TENANCY GRANT DEED dated August 19, 1964, executed by Richard D. Grapp and Ricarda P. Grapp, husband and wife to Daniel A. Merchant and Margaret J. Merchant, husband and wife, as joint tenants, and recorded on January 12, 1965, in Book/Reel 7376, at Page/Image 84, Series/Instrument Number 5843 of Official Records of Orange County, California, covering the following described real property in Los Alamitos, in said County, State of California:

See attached Exhibit "A" made a part hereof for complete legal Description.

A.P.N. 242-202-17

Dated:

MARGARET J. MERCHANT

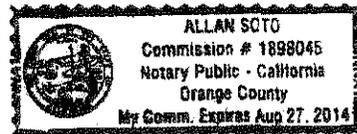
State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this 24th day of May, 2013, by MARGARET J. MERCHANT, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature (Seal)

Notary Stamp or Seal





Property Details

Merchant, Margaret J; Margaret J Merchant Revocable Trust,
10901 Chestnut St, Los Alamitos, CA 90720

APN: 242-202-17
Orange County

Owner Information

Primary Owner: MERCHANT, MARGARET J;
MARGARET J MERCHANT
REVOCABLE TRUST,

Secondary Owner:

Mall Address: 10901 CHESTNUT ST
LOS ALAMITOS CA 90720

Site Address: 10901 CHESTNUT ST
LOS ALAMITOS CA 90720

Assessor Parcel Number: 242-202-17

Census Tract: 1101.08

Tract Number: 441

Lot Number: 20

Legal description: Lot: 20 Block: 33 Tract No: 441 Abbreviated Description: LOT:20 BLK:33
SUBD:TOWN OF LOS ALAMITOS TR#:441 A TR 441 BLK 33 LOT 20

Sale Information

Sale Date: 07/01/2013

Document #: 2013000398181

Sale Amount: N/A

Seller: MERCHANT,
DANIEL ALBAN;
MERCHANT,
MARGARET J

Sale Type:

Cost/SF: N/A

Assessment & Tax Information

Assessed Value: \$29,107

Land Value: \$19,123

Imp. Value: \$9,984

Homeowner H
Exemption:

% Improvement: 34.3%

Tax Amount: \$562.92

Tax Status: Current

Tax Year: 2013

Tax Rate Area: 22-006

Tax Account ID:

Property Characteristics

Bedrooms: 2

Year Built: 1898

Pool:

Bathrooms: 1

Square Feet: 801 SF

Lot Size: 7,500 SF

Partial Baths:

Number of Units: 0

No of Stories: 3

Total Rooms: 5

Garage:

Fire Place:

Property Type: Single Family Residential Properties

Building Style:

Use Code: Single Family Residential

Zoning:



Transaction History

Merchant, Margaret J; Margaret J Merchant Revocable Trust,
10901 Chestnut St, Los Alamitos, CA 90720

APN: 242-202-17
Orange County

Prior Transfer

Recording Date: 07/01/2013
Price: N/A

Document #: 2013000398184 BK-PG -
Document Type: Intrafamily Transfer Or
Dissolution

First TD: N/A
Mortgage Doc #:

Type of Sale: Non-Arms Length Transfer
Interest Rate:

Lender Name:

Buyer Name: MERCHANT, MARGARET J; MARGARET J MERCHANT REVOCABLE TRUST,
Buyer Vesting: Revocable Trust

Seller Name: MERCHANT, MARGARET J

Legal description: Lot: 20 Block: 33 Tract No: 441 Map Ref: RS1 PG25
City/Muni/Twp: LOS ALAMITOS

Prior Transfer

Recording Date: 07/01/2013
Price: N/A
First TD: N/A

Document #: 2013000398181 BK-PG -
Document Type: Aff Death JT
Type of Sale: Non-Arms Length Transfer
Interest Rate:

Mortgage Doc #:

Lender Name:

Buyer Name: MERCHANT, MARGARET J
Buyer Vesting: N/A

Seller Name: MERCHANT, DANIEL ALBAN; MERCHANT, MARGARET J; MERCHANT, DANIEL A

Legal description: Lot: 20 Block: 33 Tract No: 441 Map Ref: RS1 PG25
City/Muni/Twp: LOS ALAMITOS

Prior Transfer

Recording Date: 05/17/2006
Price: N/A
First TD: N/A

Document #: 2006000331689 BK-PG -
Document Type: Aff Death JT
Type of Sale: Non-Arms Length Transfer
Interest Rate:

Mortgage Doc #:

Lender Name:

Buyer Name: MERCHANT, MARGARET J
Buyer Vesting: N/A

Seller Name: MERCHANT, DANIEL A; MERCHANT, MARGARET J

Legal description: Lot: 20 Block: 33 Map Ref: RS1 PG25
City/Muni/Twp: LOS ALAMITOS

Prior Transfer

Recording Date: 00/00/2006
Price: N/A

Document #: 2006-00331689 BK-PG -
Document Type: N/A

First TD: N/A

Type of Sale: Per Assessor Transaction
History

Mortgage Doc #:

Interest Rate:

Lender Name: N/A

Buyer Name: MERCHANT MARGARET J

Buyer Vesting: N/A

Seller Name: N/A

Legal description: Lot: 20 Block: 33 Tract No: 441

Abbreviated Description: A TR 441 BLK 33 LOT 20

STATE OF CALIFORNIA
CERTIFICATE OF VITAL RECORD

COUNTY OF ORANGE
HEALTH CARE AGENCY

1200 N. MAIN STREET, SUITE 100-A
SANTA ANA, CA 92701

CERTIFICATE OF DEATH

3 2006 30 003596

1. NAME OF DECEASED - FIRST NAME DANIEL		2. MIDDLE ALBAN		3. LAST NAME MERCHANT	
4. DATE OF BIRTH (month/day/year) 05/18/1926		5. AGE YRS. 79		6. SEX M	
7. BIRTH STATE/COUNTRY CA		8. SOCIAL SECURITY NUMBER 9039		9. EVER IN U.S. ARMED FORCES <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
10. EDUCATION 10		11. MARITAL STATUS at time of death MARRIED		12. DATE OF DEATH (month/day/year) 03/09/2006	
13. OCCUPATION CABINET MAKER		14. RACE CAUCASIAN		15. YEARS IN OCCUPATION 20	
16. CITY LOS ALAMITOS		17. COUNTY ORANGE		18. ZIP CODE 90720	
19. DECEASED'S RESIDENCE 10901 CHESTNUT ST.		20. DECEASED'S ADDRESS (street and number or post office address, city or town, state, ZIP)			
21. NAME OF SPOUSE - FIRST MARGARET MERCHANT -WIFE		22. SPOUSE'S ADDRESS (street and number or post office address, city or town, state, ZIP) 10901 CHESTNUT ST. LOS ALAMITOS, CA 90720			
23. NAME OF SPOUSE - MIDDLE MARGARET		24. MIDDLE JEAN		25. LAST NAME ZIMMER	
26. NAME OF FATHER - FIRST GLEN		27. MIDDLE CLEVER		28. LAST NAME MERCHANT	
29. NAME OF MOTHER - FIRST MARY		30. MIDDLE ELIZABETH		31. LAST NAME REES	
32. DEPORTATION DATE (month/year) 03/15/2006		33. PLACE OF FINAL DEPORTATION FOREST LAWN MEMORIAL PARK, 4471 LINCOLN AVE., CYPRESS, CA 90630			
34. TYPE OF DEPORTATION BU		35. INDUSTRY OF DEPORTATION NOT EMBALMED		36. LICENSE NUMBER	
37. NAME OF FUNERAL ESTABLISHMENT FOREST LAWN MORTUARY, CYPRESS		38. LICENSE NUMBER FD-1051		39. DATE 03/15/2006	
40. PLACE OF DEATH RESIDENCE		41. PLACE OF DEATH (street and number, city or town, state, ZIP)			
42. CITY ORANGE		43. COUNTY ORANGE		44. CITY LOS ALAMITOS	
45. CAUSE OF DEATH CARDIOPULMONARY ARREST		46. DATE (month/day/year) MINS			
47. CHRONIC OBSTRUCTIVE PULMONARY DISEASE CHRONIC OBSTRUCTIVE PULMONARY DISEASE		48. YEARS YEARS			
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EXHIBIT "A"

Legal Description:

Lot 20 in Block 33 of the Town of Los Alamitos, of Tract No. 441, in the County of Orange, State of California, as shown on a Licensed Surveyor's Map filed in Book 1, Page 25 of Record of Surveys, in the office of the County Recorder of said County.

Common Address: 10901 Chestnut Street, Los Alamitos, CA 90720

APN#: 242-202-17

Recording requested by and, unless stated below,
mail future tax statements to, and
when recorded, mail to:

Margaret J. Merchant
10901 Chestnut St.
Los Alamitos, Ca.
90720

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

12.00

2006000331689 12:46pm 05/17/06

115 15 ADB 3

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Space above for Recorder's use only

AFFIDAVIT OF DEATH OF JOINT TENANT

STATE OF California
COUNTY OF Orange

Margaret J. Merchant, of legal age, being first duly sworn, deposes and says:
THAT Daniel A. Merchant, the decedent mentioned in the attached certified copy of
Certificate of Death, is the same person as Daniel A. Merchant named as one of the parties in that
certain Joint Tenancy Grant Deed dated Jan. 12, 1965, executed by
Richard D. Grapp and Ricardo Grapp to Daniel A. and Margaret J. Merchant
as Joint Tenants, recorded as instrument No. 7376, on Jan. 12, 1965, in Book 7376, Page
84 of Official Records in the Office of the County Recorder of Orange County, State of California,
describing the following real property in the Los Alamitos, County of Orange, State of
California: *(insert complete legal description or attach a legible copy as Exhibit A)*

Lot 20 in block 33 of the town of Los Alamitos,
in the county of Orange, state of California,
as shown on a licensed surveyors map. Filed
in Book 1 page 25, of record of surveys,
in the office of the county recorder of said
county.

ASSESSOR'S PARCEL NUMBER: 242-202-17

Dated: May 17, 2006

Margaret J. Merchant
Signature of Declarant

"I hereby certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct."

Dated: May 17, 2006

Margaret J. Merchant
Signature of Declarant

Place of signing: Alm Mail Center
11278 Los Alamitos Blvd
Los Alamitos CA 90720
Mail future tax statements to:

Margaret J. Merchant
10901 Chestnut St.
Los Alamitos, Calif.
90720

"SEE ATTACHED DOCUMENT"

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

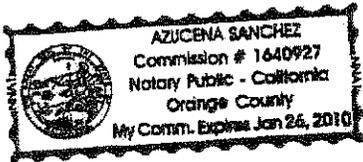
State of California

County of Orange } ss.

On May 17, 2006 before me, Azucena Sanchez (Notary)
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Margaret Jean Merchant
Name(s) of Signer(s)

personally known to me

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Azucena Sanchez
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Affidavit of Death of Joint Tenant

Document Date: May 17, 2006 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Margaret Jean Merchant

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here



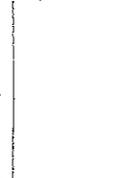
Signer Is Representing: _____

Self

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here



Signer Is Representing: _____

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF ORANGE
HEALTH CARE AGENCY
1200 N. MAIN STREET, SUITE 100-A
SANTA ANA, CA 92701

3 2006 30 003596

CERTIFICATE OF DEATH

1. NAME OF DECEASED - FIRST (Given)		2. GENDER		3. LAST NAME	
DANIEL		ALBAN		MERCHANT	
4. DATE OF BIRTH (Month/Day/Year)		5. AGE (Years)		6. SEX (M/F)	
05/18/1925		79		M	
7. RACE		8. MARRIAGE STATUS		9. HIGHER EDUCATION	
CAUCASIAN		MARRIED		03/09/2006	
10. OCCUPATION		11. TYPE OF DEATH		12. HOURS SINCE DEATH	
CABINET MAKER		AEROSPACE		20	
13. ADDRESS (Street and number in block)					
10901 CHESTNUT ST.					
14. CITY		15. ZIP CODE		16. STATE	
LOS ALAMITOS		ORANGE		90720 CA	
17. NAME OF DECEASED - FIRST					
MARGARET MERCHANT - WIFE					
18. ADDRESS (Street and number in block)					
10901 CHESTNUT ST. LOS ALAMITOS, CA 90720					
19. NAME OF DECEASED - FIRST		20. GENDER		21. LAST NAME	
MARGARET		FEMALE		ZIMMER	
22. NAME OF DECEASED - FIRST		23. GENDER		24. LAST NAME	
GLEN		MALE		MERCHANT	
25. NAME OF DECEASED - FIRST		26. GENDER		27. LAST NAME	
MARY		FEMALE		KEES	
28. DATE OF DEATH (Month/Day/Year)					
03/15/2006					
29. PLACE OF DEATH (City and State)					
FOREST LAKE MEMORIAL, 4471 LINCOLN AVE., CYPRESS, CA 90630					
30. TYPE OF DEATH (Natural, Homicide, Suicide, Unknown)					
SUICIDE					
31. NAME OF FUNERAL HOME (City and State)					
FOREST LAKE MEMORIAL, CYPRESS					
32. PLACE OF BIRTH (City and State)					
ORANGE		10901 CHESTNUT		LOS ALAMITOS	
33. CAUSE OF DEATH (Immediate cause, underlying cause, contributing cause)					
CARDIOPULMONARY ARREST					
34. CHRONIC DISEASES (List all chronic diseases)					
CHRONIC OBSTRUCTIVE PULMONARY DISEASE					
35. OTHER IMPORTANT CONDITIONS (List all other conditions)					
CACHEXIA					
36. SIGNATURE OF DECEASED (If known)					
37. SIGNATURE OF WITNESSES (List all witnesses)					
38. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
39. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
40. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
41. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
42. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
43. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
44. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
45. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
46. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
47. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
48. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
49. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					
50. SIGNATURE OF DECEASED'S NEAREST RELATIVE (List all relatives)					

CERTIFIED COPY OF VITAL RECORDS



STATE OF CALIFORNIA
COUNTY OF ORANGE

DATE ISSUED

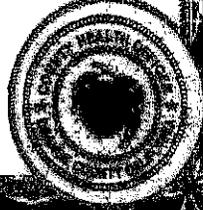
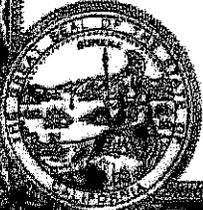
MAR 28 2006

This is a true and exact reproduction of the document officially registered and placed on file in the office of the VITAL RECORDS SECTION, ORANGE COUNTY HEALTH CARE AGENCY.

Hilry Meyers, M.D.

HILRY MEYERS, M.D.
INTERIM HEALTH OFFICER
ORANGE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.



10802 Chestnut Street

Delivering Revenue,
Insight and Efficiency
to Local Government

The City Of Los Alamitos

2,953 parcels

Logout



Parcel: 242-193-06 TRA: 22006 The City Of Los Alamitos

Use: RSFR Residential SINGLE FAMILY RESIDENCE Agency: Los Alamitos General Fund

Owner: LAYTON LEO TRUST Parcel Type: TG Page: 796-12

Situs: 10802 CHESTNUT ST Zoning: Region: (unknown)
 LOS ALAMITOS CA 90720 Census Tract: 1101.061 Lot # 7 Tract # 00441

Net Total AV: \$67,274 2.0% Change from prior fiscal year

DBA:

Mail Name: LAYTON LEO TRUST

Mail Address: 10802 CHESTNUT ST LOS ALAMITOS CA 90720-2326

This Parcel Is: Alternative Covered (Per Prop. 13)

Revenue:	<input checked="" type="radio"/> General Fund	<input type="radio"/> Project Area
Secured:	\$67.91	0.1000%
Unsecured:	\$0.00	Tax Bill: \$1,056.10
Cross-Ref:	\$0.00	Last Sale: 6/24/2005
Total Rev:	\$67.91	Last Sale Amount: \$509,000

Values: Sales General Apprais Unsecured Cross-Ref SEE LABEL

Current Year Values		
Land	38,172	Exemptions
Improvements	29,102	
Fixtures		
Personal Property		
Totals	67,274	
Net Total AV	67,274	HOX: 7,000

Prior Year Values		
Land	37,420	Exemptions
Improvements	28,532	
Fixtures		
Personal Property		
Totals	65,955	
Net Total AV	65,955	HOX: 7,000

2005 2010 2011 2012 2013

Property Detail Report for:


10802 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2326
Owner Information:

Owner Name: **LAYTON, LEO**
 Mailing Address: **10802 CHESTNUT ST, LOS ALAMITOS, CA, 90720-2326**
 Vesting Code: Phone Number:

Location Information:

Legal Description: **A TR 441 BLK 21 LOT 7 LOS ALAMITOS LOT 7 BLK 21**
 County: **ORANGE** FIPS Code: **06059** Census Trct/Blk: **110108 / 1**
 APN: **242-193-06** Alternative APN: Map Ref: **J2-796**
 Twship-Rnge-Sect: **- -** Legal Book/Page: Tract No: **441**
 Legal Lot: Legal Block:
 Subdivison:

Last Market Sale Information:

Sale Date: **4/30/1987** Sale Price: 1st Mtg Amount:
 Sale Doc No: **87-0240573** Price Per SqFt: 1st Mtg Int Type:
 Transfer Doc No: Price Per Acre: 2nd Mtg Amount:
 1st Mtg Doc No: 2nd Mtg Int Type:
 Sale Type: **From code table**
 Deed Type:
 Title Company:
 Lender:
 Seller Name:

Property Characteristics:

Building Area: **1,408** Total Rooms: **8** Construction:
 Living Area: **1,408** Bedrooms: **5** Heat Type:
 Garage Area: Baths: **1** Air Cond:
 Basement Area: Fireplace:
 Parking Type: No of Stories: **3** Roof Type:
 Yr Built/Effective: **1899 /** Quality: Roof Material:
 Pool Code: Style:

Tax and Value Information:

Assessed Value: **\$65,955** Assessed Year: **2012** Est Market Val: **\$655,666**
 Land Value: **\$37,423** Property Tax: **\$1,056** Assessor Appd Val:
 Improvement Value: **\$28,532** Improvement %: **43.26**
 Total Taxable Value: Tax Exemption: **CA HOMEOWNER**

Site Information:

Assessor Acres: **0.34** Zoning: Land Use Code: **163**
 Assessor Lot SqFt: **15,000** No of Buildings: Land Use Desc: **SFR**
 Lot W/D: **/** Res/Comm Units: County Use Code: **122**
 Calculated Acres: **0.3443** Sewer Type:
 Calculated Lot SqFt: **14,998** Water Type:

RECORDING REQUESTED BY

ATTORNEY ROBERT ARMSTRONG

87-240573

AND WHEN RECORDED MAIL TO

NAME Mr. and Mrs. Leo Layton
ADDRESS 10802 Chestnut
CITY & STATE Los Alamitos, CA 90720

\$5.00
C-10

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

-1 00 PM APR 30 '87

John A. Branch COUNTY RECORDER

MAIL TAX STATEMENTS TO

NAME
ADDRESS SAME
CITY & STATE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Documentary transfer tax \$ -0-
 Computed on full value of property conveyed, or
 Computed on full value less liens & encumbrances
remaining thereon at time of sale.
R. Armstrong, Armstrong & Assoc
Signature of declarant or agent determining tax - firm name
 Unincorporated area City of

PARCEL NO. 242-193-06

Quitclaim Deed

This Form Furnished By Founders Title Company

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

LEO LAYTON and FLORENCE M. LAYTON, husband and wife as community property,

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to

LEO LAYTON AND FLORENCE M. LAYTON, CO-TRUSTEES OF THE LAYTON FAMILY TRUST, UNDER
DECLARATION OF TRUST DATED December 22, 1986, AND ANY AMENDMENTS
THERETO,

the following described real property in the
county of Orange, state of California:

Lots 7 and 8, in Block 21, of "Town of Los Alamitos", in the County of Orange,
State of California, as shown on a Licensed Surveyor's Map filed in Book 1,
page 25 of Records of Surveys in the office of the County Recorder of Orange County.

REVOCABLE TRUST TRANSFER EXEMPT FROM REAPPRAISAL

Dated December 22, 1986

Leo Layton
LEO LAYTON

Florence M. Layton
FLORENCE M. LAYTON

STATE OF CALIFORNIA
COUNTY OF Los Angeles } ss.
On December 22, 1986 before me, the undersigned,
a Notary Public in and for said State, personally appeared
LEO LAYTON AND FLORENCE M. LAYTON

personally known to me (or proved to me on the basis of
satisfactory evidence) to be the persons whose name is
subscribed to the within instrument and acknowledged that
they executed the same.

Pamela Denise Reeves-Love
Signature of Notary
PAMELA DENISE REEVES-LOVE
Name (Typed or Printed) of Notary

FOR NOTARY SEAL OR STAMP



Title Order No. _____



Property Details

Layton Leo
10802 Chestnut St, Los Alamitos, CA 90720

APN: 242-193-06
Orange County

Owner Information

Primary Owner: LAYTON LEO

Secondary Owner:

Mail Address: 10802 CHESTNUT ST
LOS ALAMITOS CA 90720

Site Address: 10802 CHESTNUT ST
LOS ALAMITOS CA 90720

Assessor Parcel Number: 242-193-06

Census Tract: 1101.08

Tract Number: 441

Lot Number: 7

Legal description: Lot: 7 Block: 21 Tract No: 441 Abbreviated Description: LOT:7 BLK:21 TR:441 A TR
441 BLK 21 LOT 7 LOS ALAMITOS LOT 7 BLK 21

Sale Information

Sale Date:

Document #:

Sale Amount: N/A

Seller:

Sale Type:

Cost/SF: N/A

Assessment & Tax Information

Assessed Value: \$67,274

Land Value: \$38,172

Imp. Value: \$29,102

Homeowner H
Exemption:

% Improvement: 43.26%

Tax Amount: \$1,096.88

Tax Status: Current

Tax Year: 2013

Tax Rate Area: 22-006

Tax Account ID:

Property Characteristics

Bedrooms: 5

Year Built: 1899

Pool:

Bathrooms: 1

Square Feet: 1,408 SF

Lot Size: 15,000 SF

Partial Baths:

Number of Units: 0

No of Stories: 3

Total Rooms: 8

Garage:

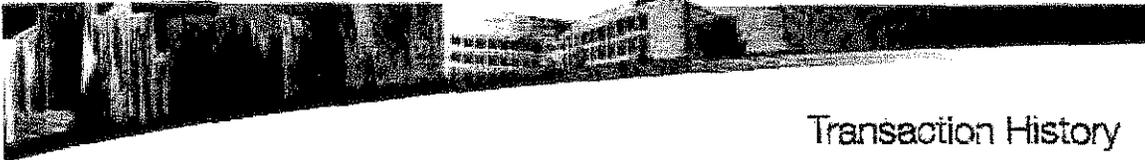
Fire Place:

Property Type: Single Family Residential Properties

Building Style:

Use Code: Single Family Residential

Zoning:



Transaction History

Layton Leo
10662 Chestnut St, Los Alamitos, CA 90720

APN: 242-193-06
Orange County

Prior Transfer

Recording Date: 04/30/1987

Price: N/A

First TD: N/A

Document #: 87-0240573 BK-PG -

Document Type: N/A

Type of Sale: Per Assessor Transaction
History

Interest Rate:

Mortgage Doc #:

Lender Name: N/A

Buyer Name: LAYTON LEO

Buyer Vesting: N/A

Seller Name: N/A

Legal description: Lot: 7 Block: 21 Tract No: 441

Abbreviated Description: A TR 441 BLK 21 LOT 7 LOS ALAMITOS LOT 7 BLK 21

3372 Florista Street

Delivering Revenue,
Insight and Efficiency
to Local Government

The City Of Los Alamitos

2,953 parcels

Logout



Parcel: 242-202-21 TRA: 22006 The City Of Los Alamitos
 Use: RSFR Residential SINGLE FAMILY RESIDENCE Agency: Los Alamitos General Fund
 Owner: PEREZ MIKE L TRUST MIKE AND RITA PEREZ 2012 TRUST Parcel Type: TG Page: 796-32

Situs: 3372 FLORISTA ST Zoning: Region: (unknown)
 LOS ALAMITOS CA 90720 Census Tract: 1101.081 Lot # 24 Tract # 00441

DBA: Net Total AV: \$13,502 1.99% Change from prior fiscal year

Mail Name: PEREZ MIKE L TRUST MIKE AND RITA PEREZ 2012 TRUST

Mail Address: 5182 TRIPODI AVE LOS ALAMITOS CA 90720

This Parcel Is: Absentee Owned Ice Disp 1.0

Revenues:	<input checked="" type="radio"/> General Fund	<input type="radio"/> Project Area
Secured:	\$13.63	0.1009%
Unsecured:	\$0.00	Tax Bill: \$601.84
Cross-Ref:	\$0.00	Last Sale: 2/27/2013
Total Rev:	\$13.63	Last Sale Amount: \$0

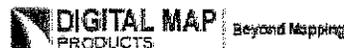
Values Sales General Appeals Unsecured Cross-Ref: \$00 Utilities

Current Year Values		Exemptions
Land	6,865	
Improvements	6,637	
Fixtures		
Personal Property		
Totals	13,502	
Net Total AV	13,502	

Prior Year Values		Exemptions
Land	6,554	
Improvements	6,684	
Fixtures		
Personal Property		
Totals	13,238	
Net Total AV	13,238	

2009 2010 2011 2012 2013

Property Detail Report for:



3372 FLORISTA ST, LOS ALAMITOS, CA, 90720-2383

Owner Information:

Owner Name: PEREZ, MIKE L PEREZ, RITA M
 Mailing Address: 5182 TRIPOLI AVE, LOS ALAMITOS, CA, 90720-2739
 Vesting Code: TRUST Phone Number:

Location Information:

Legal Description: A TR 441 BLK 33 LOT 24 LOS ALAMITOS LOT 24 BLK 3
 County: ORANGE FIPS Code: 06059 Census Trct/Blk: 110108 / 1
 APN: 242-202-21 Alternative APN: Map Ref: J2-796
 Twnshp-Rnge-Sect: -- Legal Book/Page: Tract No: 441
 Legal Lot: Legal Block:
 Subdivison: TOWNSHIP OF LOS ALAMITOS

Last Market Sale Information:

Sale Date: Sale Price: 1st Mtg Amount:
 Sale Doc No: Price Per SqFt: 1st Mtg Int Type:
 Transfer Doc No: 2013000119818 Price Per Acre: 2nd Mtg Amount:
 1st Mtg Doc No: 2nd Mtg Int Type:
 Sale Type: From code table
 Deed Type:
 Title Company:
 Lender:
 Seller Name:

Property Characteristics:

Building Area: 560 Total Rooms: 3 Construction:
 Living Area: 560 Bedrooms: 1 Heat Type:
 Garage Area: Baths: 1 Air Cond:
 Basement Area: Fireplace: Roof Type:
 Parking Type: No of Stories: 1 Roof Material:
 Yr Built/Effective: 1912 / Quality: Style:
 Pool Code:

Tax and Value Information:

Assessed Value: \$13,238 Assessed Year: 2012 Est Market Val: \$372,250
 Land Value: \$6,554 Property Tax: \$602 Assessor Appd Val:
 Improvement Value: \$6,684 Improvement %: 50.49
 Total Taxable Value: \$1 Tax Exemption:

Site Information:

Assessor Acres: 0.06 Zoning: Land Use Code: 163
 Assessor Lot SqFt: 2,700 No of Buildings: Land Use Desc: SFR
 Lot W/D: / Res/Comm Units: County Use Code: 122
 Calculated Acres: 0.062 Sewer Type:
 Calculated Lot SqFt: 2,701 Water Type:

RECORDING REQUESTED BY
Williamson & Gentilini
Attorneys At Law
AND WHEN RECORDED MAIL TO
Mike and Rita Perez
5182 Tripoli Ave
Los Alamitos, CA, 90720

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

9.00
* 5 R 0 0 E 4 9 7 9 1 3 3 5 *
2012000405041 3:45 pm 07/17/12
62 417 D10 2
0.00 0.00 0.00 0.00 3.00 0.00 0.00 0.00

APN: 242-202-21

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TRUST TRANSFER DEED

(Excluded from Reappraisal Under Proposition 13, i.e. Calif Const Art 13A §1 et seq.)

The undersigned Grantor(s) declare(s) under penalty of perjury under the laws of the State of California that the following is true and correct:

This conveyance is a Trust Transfer under Section 62 of the California Revenue and Taxation Code. By this Trust Transfer Deed, the Grantor(s) transfer his/her/their interest in the property described below to or from Grantor's revocable inter vivos trust. There is no consideration given for this transfer. "This conveyance transfers the grantor's interest into or out of his or her revocable living trust, R & T 11930." Documentary transfer tax is \$ NONE. (0)

11
24
CY

GRANTOR(S): Mike L. Perez and Rita M. Perez, Husband and wife, as joint tenants

hereby GRANTS to

GRANTEE(S): Mike L. Perez and Rita M. Perez, Trustees of the Mike and Rita Perez 2012 Trust
Dated February 16, 2012

The following described property in the City of Los Alamitos, County of Orange, State of California,

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A".

Document Date: February 16, 2012

Mike L. Perez

Mike L. Perez

Rita M. Perez

Rita M. Perez

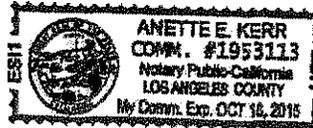
STATE OF CALIFORNIA)SS
COUNTY OF LOS ANGELES)

On February 16, 2012, before me, Anette E. Kerr, Notary Public, Personally appeared Mike L. Perez and Rita M. Perez, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Anette E. Kerr*



MAIL TAX STATEMENTS TO: SAME AS ABOVE

(seal)

EXHIBIT "A"

Lot 24 excepting the east 90 feet thereof block 33, township of Los Angeles as per map recorded in book 1, page 25, of License surveyors maps.



Property Details

Perez, Mike L; Perez, Rita M
3372 Florista St, Los Alamitos, CA 90720

APN: 242-202-21
Orange County

Owner Information

Primary Owner: PEREZ, MIKE L; PEREZ,
RITA M

Secondary Owner:

Mall Address: 5182 TRIPOLI AVE
LOS ALAMITOS CA 90720

Site Address: 3372 FLORISTA ST
LOS ALAMITOS CA 90720

Assessor Parcel Number: 242-202-21

Census Tract: 1101.08

Tract Number: 441

Lot Number: 24

Legal description: Lot: 24 Block: 33 Tract No: 441 Abbreviated Description: LOT:24 BLK:33
SUBD:TOWNSHIP OF LOS ALAMITOS TR#:441 A TR 441 BLK 33 LOT 24 LOS ALAMITOS
LOT 24 BLK 3

Sale Information

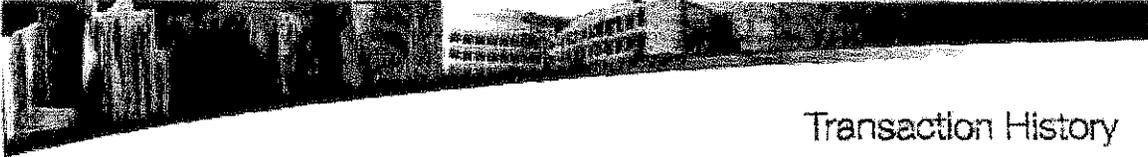
Sale Date:	Document #:	Sale Amount: N/A
Seller:	Sale Type:	Cost/SF: N/A

Assessment & Tax Information

Assessed Value: \$13,502	Land Value: \$6,685	Imp. Value: \$5,817
Homeowner Exemption:	% Improvement: 50.49%	
Tax Amount: \$627.38	Tax Status: Current	Tax Year: 2013
Tax Rate Area: 22-006	Tax Account ID:	

Property Characteristics

Bedrooms: 1	Year Built: 1912	Pool:
Bathrooms: 1	Square Feet: 560 SF	Lot Size: 2,700 SF
Partial Baths:	Number of Units: 0	No of Stories: 1
Total Rooms: 3	Garage: Detached	Fire Place:
Property Type: Single Family Residential Properties		Building Style:
Use Code: Single Family Residential		Zoning:



Transaction History

Perez, Mike L; Perez, Rita M
3372 Florista St, Los Alamitos, CA 90720

APN: 242-202-21
Orange County

Prior Transfer

Recording Date: 02/27/2013

Price: N/A

First TD: N/A

Mortgage Doc #:

Lender Name:

Buyer Name: PEREZ, MIKE L; PEREZ, RITA M; MIKE & RITA PEREZ 2012 TRUST

Buyer Vesting: Trust

Seller Name: PEREZ, MIKE L; PEREZ, RITA M

Legal description: Lot: 24 Block: 33 Map Ref: MB1 PG25

City/Muni/Twp: LOS ALAMITOS

Document #: 2013000119818 BK-PG -

Document Type: Intrafamily Transfer Or
Dissolution

Type of Sale: Non-Arms Length Transfer

Interest Rate:

Prior Transfer

Recording Date: 07/17/2012

Price: N/A

First TD: N/A

Mortgage Doc #:

Lender Name:

Buyer Name: PEREZ, MIKE L; PEREZ, RITA M; MIKE & RITA PEREZ 2012 TRUST

Buyer Vesting: Trust

Seller Name: PEREZ, MIKE L; PEREZ, RITA M

Legal description: Lot: 24 Block: 33 Map Ref: MB1 PG25

City/Muni/Twp: LOS ALAMITOS

Document #: 2012000405041 BK-PG -

Document Type: Intrafamily Transfer Or
Dissolution

Type of Sale: Non-Arms Length Transfer

Interest Rate:

11062 Los Alamitos Bl.



CITY OF LOS ALAMITOS LOCAL LANDMARK AUTHORIZATION FORM

Community Development Department
3191 Katella Ave., Los Alamitos, CA 90720-5600
Phone: (562) 431-3538 Fax: (562) 493-0678

FOR OFFICE USE ONLY	
<input checked="" type="checkbox"/>	SUBMITTED
<input checked="" type="checkbox"/>	APPROVED

APPLICANT INFORMATION

Property Owner: City of Los Alamitos – Angie Avery, City Manager (legal representative)

Parcel Address: Los Alamitos Museum – 11062 Los Alamitos Boulevard

Telephone Number: 562-431-3538 x249 Email: aavery@cityoflosalamitos.org

AUTHORIZATION

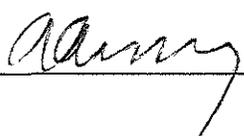
I/We, Angie Avery, City Manager (legal representative), owner(s)/legal representative(s) of the owners of the structure and parcel at 11062 Los Alamitos Boulevard, do hereby support the Los Alamitos' Museum's efforts to designate the property as a local landmark in accordance with Section 17.22.050 of the Los Alamitos Municipal Code.

17.22.050 Criteria for designation.

In considering a request for a local landmark designation, the following criteria shall be used in determining eligibility:

- A. Character, interest, or value as part of the heritage of the city;
- B. Location as a site of historical event;
- C. Identification with a person or persons or groups who significantly contributed to the culture and development of the city;
- D. Exemplification of a particular architectural style or way of life important to the city;
- E. Identification as the work of a person or persons whose work has influenced the heritage of the city, the state of California, or the United States;
- F. Embodiment of elements of outstanding attention to architectural design, detail, materials, craftsmanship, or the best remaining architectural type in an area;
- G. Relationship to other landmarks, where the preservation of one has a bearing on the preservation of another;
- H. A unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;
- I. Integrity as a natural environment that strongly contributes to the well being of the people of the city. (Ord. 688 § 1 (part), 2006)

APPLICANT CERTIFICATION: *I hereby certify that all information contained in this application is, to the best of my knowledge, true and correct. FALSE OR MISLEADING INFORMATION GIVEN IN THIS APPLICATION SHALL BE GROUNDS FOR DENYING APPLICATION.*

Applicant Signature  Date 8/13/12

If you have any questions or concerns, please feel free to contact the Community Development Department at (562) 431-3538, ext. 301.

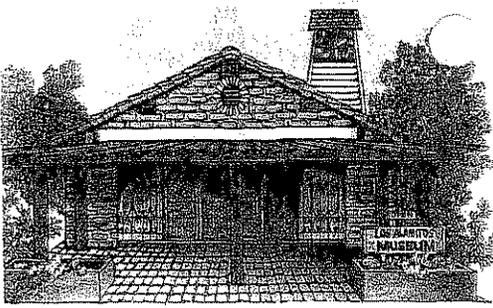
Los Alamitos Museum Association, Inc.

11062 Los Alamitos Boulevard

Los Alamitos, Ca., 90720

Post Office Box 15

562-481-8886



Bret Plumlee

Bret Plumlee, City Manager
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, CA 90720

Dear Mr. Plumlee,

The Los Alamitos Museum Association, Inc. has received a letter from J. Eric LeVine, attorney representing the Estate of Reinhard F. Meyer. This letter is regarding the Historical Designation of the home on 10872 Chestnut St., Los Alamitos, CA 90720 and the allegation that the signature is fictitious. We understand that the City of Los Alamitos has received a similar letter resulting in the placement of this item on the Planning Commission agenda for the meeting on Monday, January 13, 2014.

The Board of Directors of the Museum had an emergency meeting on Saturday, January 11, 2014 to address this letter and discuss the ensuing ramifications. After much discussion, there was a unanimous decision by the Board of Directors to support the removal of 10872 Chestnut St., Los Alamitos Ca 90720 from the Historic Designation list and we request the removal of the other residences that were also designated in Resolution No. 2012-03 in May of 2012.

Single family residence at 10901 Chestnut Street,
Single family residence at 10802 Chestnut Street,
Single family residence at 3372 Florista Street

At no time did the Los Alamitos Museum Association, Inc. Board of Directors ever have an interest in affecting the property value of any property. To the contrary, our desire was to enhance the properties by acknowledging in a public way their significance to our communities history. We also understand that the City of Los Alamitos Local Landmark Code had no legal standing and was ceremonial in nature.

We also would like to state that the signature of Reinhard F. Meyer is not a forgery. He signed the permission in the presence of a Museum Board member. The signature was obtained after a meeting with Mr. Meyer in front of the residence. The permission statement was attached to a clipboard, Mr. Meyer was standing and holding the clipboard while signing the permission. He expressed at the time great pleasure in having part of his property involved with Historic Designation.

We still believe the ordinance is ceremonial but are fearful that with only the removal of the 10872 Chestnut St. residence, the remaining property owners with the Historic Designation will become uneasy and one by one request their property be removed. Therefore, we request the removal of the other residences.

We are so very sorry that the City of Los Alamitos's staff, attorney and Planning Commission have had to take their valuable time to deal with this issue. We are appreciative of actions that will put this to rest.

Respectfully,

Marilynn Poe

Marilynn Poe, President
Los Alamitos Museum Association, Inc.