

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

**March 10, 2014**

**1. CALL TO ORDER**

The Planning Commission met in Regular Session at 7:01 P.M., Monday, March 10, 2014, in the Council Chambers, 3191 Katella Avenue; Chairman Loe presiding.

**2. PLEDGE OF ALLEGIANCE**

*The Pledge of Allegiance was led by Chairman Loe.*

**3. ROLL CALL**

**Present: Commissioners:** Mary Anne Culty  
Will Daniel  
Art DeBolt  
Wendy Grose  
Gary Loe  
Victor Sofelkanik

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

**Late:** John Riley (7:05 PM)

**Absent: Commissioners:** N/A

**Staff:** N/A

**4. ORAL COMMUNICATIONS**

*Chairman Loe opened the meeting for Oral Communications.*

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

**5. APPROVAL OF MINUTES**

Approve the Minutes of the Regular meeting of January 13, 2014.

*Motion/Second: Grose/Sofelkanik*

*Carried: 7/0/0*

Approve the Minutes of the Regular meeting of February 10, 2014.

*Motion/Second: Grose/Culty*

*Carried: 5/0/2 (Commissioner Daniel and Vice-Chairman Sofelkanik abstained)*

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).

Staff recommends DISCUSSING THE CONDITIONS OF RESOLUTION 13-18.

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

*Chairman Loe opened the item for public comment.*

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

*Commissioner Grose made the motion that no further action or review on CUP 99-04M2 is needed.*

*The motion was seconded by Vice-Chairman Solfelkanik.*

*Motion/Second: Grose/Solfelkanik*

*Carried: 7/0/0*

**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).

Staff recommends adoption of 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)."

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

Community Development Director Mendoza pointed out that Staff missed adding Condition 11 as represented in the Staff Report and would like to add that as Condition 19 in Resolution 14-08. It will read as follows:

*19. Applicant shall maintain twelve (12) indoor parking spaces.*

*Chairman Loe opened the item for public comment.*

Jerry Marks, applicant, states that he is a second generation car man. He indicated his research shows that Los Alamitos does not currently have an auto repair shop that specializes in German-made cars. Mr. Marks reported that he is local and lives in Rossmore, his children attend local schools and his manager lives in Seal Beach; he believes in giving back to the community.

In response to Chairman Loe's question, Mr. Marks indicated that he does not currently own an auto shop.

Commissioner Grose asked Mr. Mark's what exactly his shop will offer and Mr. Marks indicated they will rebuild motors and transmissions, change the oil, etc. His shop will not handle the interiors; he has already contacted other shops who will do that. Also, the hours of operation will be 9:00 AM to 5:00 PM, Monday through Friday but may make the hours 8:00 AM to 4:00 PM or 5:00 PM eventually.

Commissioner DeBolt inquired whether Mr. Marks had read the conditions of approval and whether he agrees with them.

Mr. Marks indicated he has read the conditions of approval and agrees with them.

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

Vice-Chairman Sofelkanik asked how long Mr. Marks can store vehicles on his property.

Planning Aide Tom Oliver explained that there is a requirement that all the cars that are being worked on or waiting to be worked on, are to be inside. If there is a car that is left overnight, the car will have to be inside until he has completed that job.

Mr. Marks confirmed that 99% of the cars that are waiting to be repaired and are there overnight, are stored inside the shop.

Commissioner Grose made the motion to adopt 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 OPEATE 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) with the addition of Condition 19 as stated below:

*19. Applicant shall maintain twelve (12) indoor parking spaces.*

*The motion was seconded by Commissioner DeBolt.*

*Motion/Second: Grose/Solfelkanik  
Carried: 7/0/0*

**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).

Staff recommends DISCUSSING THE CONDITIONS OF RESOLUTION 13-07.

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

*Chairman Loe opened the item for public comment.*

Blair Pietrini, applicant, reported they have installed a surveillance camera and the removal of the exposed wires has been contracted to be removed as stated in the Conditions of Approval.

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

*Commissioner DeBolt made the motion that no further action or review on Conditional Use Permit 13-02 is needed.*

*The motion was seconded by Commissioner Grose.*

*Motion/Second: DeBolt/Grose  
Carried: 7/0/0.*

**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.

And

**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).

Staff recommends adoption of 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.)."

Staff also recommends adoption of Resolution 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 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).

Community Development Director Mendoza introduced the item and explained that this is a package of three applications for one site. The Code states that it's required to take all three applications at one time and not in a piece mill fashion. Staff wanted to make sure that the Commission is aware that the Conditional Use Permit is for the sale and consumption of alcohol; it's also for an outdoor seating area as well as it's for a variance for parking; all in the same shopping center known as Center Plaza right in the middle of Los Alamitos Boulevard.

Planning Aide Tom Oliver summarized the Staff Report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. He also explained that the applicant for the

approval of the restaurant is Joseph Maggiore and Sandra Yavitz on behalf of the Center Plaza and represents the ownership on that property.

Commissioner Grose pointed out that there is a red curb where all of the newspapers stands are located at the site and asked why the red curb is there.

Community Development Director Mendoza indicated he didn't know but speculated that it was there for visibility. He explained that there is a perception along the Boulevard that there are three traffic lanes so there's always a little bit of extra caution on red curbing some of those.

Commissioner Grose thought perhaps Staff could eventually look at this and maybe by decreasing that, it would give the applicant a little more parking right out front. She asked if there were any complaints from other businesses and also asked about the hours of operation.

Community Development Director Mendoza answered that the hours are just like any other business; it will be opened from 6:00 PM to 10:00 PM unless they apply for a Conditional Use Permit.

Vice-Chairman Solfelkanik asked why there are two resolutions for approval.

Assistant City Attorney Kranitz explained that the first resolution covers the CUP to allow the alcohol beverage service and the outdoor dining. The second resolution is for the parking variance. The Commission can approve the alcohol sales on its own; the outdoor dining is contingent on the parking variance. She further explained that the outdoor dining and the parking variance are tied together; they weren't included in the same resolution because the CUP for the alcohol and the outdoor dining goes to the restaurant; the parking variance goes to the shopping center as a whole and not particular to that restaurant.

Responding to Commissioner Daniel's question, Community Development Director Mendoza explained that the "Compass Blueprint Demonstration Project" for Los Alamitos Boulevard is a pedestrian friendly revamp of the Boulevard and included many opportunities for outside dining. Staff hadn't gotten through the analysis of it and never really got into parking variances and parking options on that. He stated that in his opinion, this project does fit with the Boulevard; the parking variance is a complicated thing, though. The determination of the parking variance should be decided after hearing from the public tonight.

In response to Commissioner Daniel's question, Community Development Director Mendoza explained that these applications do not include a remodel of the shopping center. He further explained that a CUP for a new business in a vacant store front doesn't trigger a remodel of a shopping center.

*Chairman Loe opened the item for public comment.*

Joseph Maggiore, applicant, explained that he has been in the restaurant business for most of his adult life and has several different restaurants in Southern California. He said his family currently owns and operates seven or eight different restaurants in both Southern California and Phoenix. He said he grew up in Belmont Shore and is hoping his young children will attend schools locally. As far as the business is concerned, he believes it's going to be a great opportunity for something different in the community; something with class and style which doesn't exist currently. The restaurant is something that definitely fits into the larger picture of the corridor and the City of Los Alamitos. He doesn't feel that they will be doing anything that conflicts with what the City stands for and are upstanding restaurant operators.

Commissioner Grose asked if they will be following a theme with regard to the sale of beer that she has seen in Long Beach with several different kinds of beer.

Mr. Maggiore explained that most places are doing that right now but he has the tendency to look past current trends. He explained further that they will have 28 taps but will also have an extensive wine list. The restaurant will be a local gathering place with a bar that sells better than average food. His brother owns a brewery that manufactures and they will be featuring some of those beers in the restaurant.

Commissioner Riley asked if they will be remodeling the exterior of the building at all or just the inside.

Mr. Maggiore explained that the only plans they have are to incorporate indoor/outdoor with the patio. He said he just wants to fit in but he understands that the Commission would like to see an upgrade as far as the overall décor which he wouldn't be against but his main focus is to operate as a restaurateur. He said he believes the business will be unique enough in itself in the way that they've designed the interior of the space. He said he is satisfied with what they have; they've been working very hard to get where they are right now and it has been a very long time coming.

Commissioner Riley indicated he really likes this and would like to see this on the Boulevard; he hates the fact that the City doesn't have outdoor dining. He said he likes the idea and the whole pub concept and there is something definitely appealing to it.

Commissioner Grose asked if there will be umbrellas on the tables outside.

Mr. Maggiore answered in the affirmative.

Sandy Yavitz, one of the owners of the Center Plaza, explained she is present to represent the ownership tonight on the parking variance. She said they've owned this Center for the past ten years and have been re-tenanting it through various times. When this space opened up, they purposely left that vacant

because they wanted to connect it to the front space and do a restaurant. They wanted to create some activity not only along Los Alamitos Boulevard but as well as in the shopping center. When it all came together, they went looking for restaurant operators; they didn't want a fast food operator although they had a lot of offers from various fast food operators. They wanted something that they felt served the city and was more like fine dining. When they met Mr. Maggiore, saw his operations and she knew his parent's restaurant in the Marketplace years earlier, they thought that would be the right operation.

Commissioner Cuijty asked if the owners had any plans to remodel the Center.

Ms. Yavitz explained their plan is to upgrade the parking lot, landscaping and to repaint in a different color theme. She said Mr. Maggiore has been talking about maybe doing some awnings on the outside of his business similar to what Green Street Interior has on theirs to match it up.

Commissioner Daniel expressed his opinion that the two panels on the front of the building that are white, is not to his liking. He said he would like to see the whole Center painted but at the very least, paint those two white panels to match the rest of the building.

Ms. Yavitz explained that the whole Center is going to be painted.

Community Development Director Mendoza pointed out that one of the things the Commission could always do is, as they've done with other applications, they can have this come back to them after the restaurant has been opened for a period of time so the Commission can review compliance with the conditions and also perhaps trigger some new conditions at that time. There has been a good track record with this; if an applicant knows they'll be back up for review at six months, it really helps.

Judy Cluboe, owner of Green Street Interiors for 37 years, said she feels this will be a real asset to the Center. The only concern that she would like to address is she would like to have two spots in front of her store marked for "Green Street" because her clients are always carrying out wallpaper, books and things and it's kind of hard to go too far. Other than that, she reports she's heard nothing but positive remarks and thinks it would be incentive for some of the other business owners in the Center to keep the businesses open a couple of evenings a week.

Tiffany Nelson, owner of Rascals to Rebels children's store in the Center, said she's very excited about the restaurant hopefully being approved. She said she believes there will be some logistical issues with the parking as it does tend to fill up at certain times and she feels that a lot of that has to do with the employees that are there all day. She said she's in an area where there is handicap parking in front of her store so they are very limited for anybody to park in front of her location. She believes that these issues can be worked through as long as the ownership can help work on the logistics and set up guidelines with the other tenants.

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

Vice-Chairman Sofelkanik asked for Ms. Yavitz to return to the dais to address a question he has. He said one of the concerns he's having is the parking issue and was also concerned about some of the other tenants having a negative response but it sounds like it's all positive. There were some suggestions brought up with regard to designating a couple of spaces and as long as Staff didn't have any objections to that, he wanted to hear comments on that. Plus, regarding the employee parking; is there anywhere, possibly some of the parameter spots that the employees could possibly be encouraged to park in?

Ms. Yavitz commented that that was one of the conditions of approval.

Planning Aide Oliver pointed out that that is actually one of the conditions of approval in the variance which is for the whole Center.

Ms. Yavitz said she and the other owners do accept those conditions of approval and will work with their tenants.

Vice-Chairman Sofelkanik asked about the designation of the Green Street spaces; is there any provisions for that or is that something can be accomplished in another way?

Community Development Director Mendoza explained that that would be between the landlord and the tenant. The condition of approval says that Staff wants to recommend that employees park in the southeast area. It doesn't say anything about the customers. This would allow Judy's customers to stay in front of her store if they like and if Judy and the landlord can work out a situation where they paint the parking lot, that's certainly up to them.

In response to Commission Daniel's question about employee parking, Community Development Director Mendoza explained that Staff drafted a condition within the resolution that requires that the employees park in the back, and if they don't do this, then this could be a violation of the variance and could be brought back to the Commission for review or consideration.

Commissioner DeBolt commented that overall he likes the project, but has a question regarding Condition #9 which is the subject presently. He felt that the wording should be a little more precise and cover all of the employees for all of the businesses in the Center and not just for the applicant.

Assistant City Attorney Kranitz indicated Condition #9 could be modified to cover ALL employees in the Center.

Commissioner DeBolt said that that would be fine but it goes to the next question which is enforceability from the City's perspective. He said he personally thinks that Condition #9 should just be deleted as the property owner

is a successful manager and owner and that he's sure that this use has the potential to create problems for the other tenants in the Center. Like all successful businesses, they grow and they could create a problem but from his perspective that's not really the City's problem; that's the problem of the property owner and between the owners and their tenants in the complex. When the Commission places a condition in there that says, "The applicant shall ensure that the employees park in the southeast segment", he says he has no idea how she's going to do that. He feels this is opening up a problem and feels this is strictly between the owner of the center and her other tenants and there really is no reason to have Condition #9.

Naomi Rocamocker, owner of Kumon Math & Reading Center, states that Commissioner DeBolt had a valid point and agrees 100% with him. She explained that she has been in the Center for 7 years and as part of her lease agreement, she has trained her customers to park in the back lot and her employees park on the street. She said she will be one of those businesses impacted by enforcement of Condition #9.

Commissioner Cuiilty asked Ms. Yavitz if, in any of her leases, does it say how many employees are allowed to park in the Center.

Ms. Yavitz indicated their leases have a provision that they can designate employee parking but it doesn't designate how many spaces. She said they are going to start looking at that again because she thinks that some of the school children are parking in the lot as well.

Commissioner Grose said she agrees with Commissioner DeBolt regarding Condition #9; she doesn't know if the City needs to be in the business of policing the shopping center. The landlord has the responsibility to her tenants to try to encourage parking in the right spaces so that customers can come to the stores and that should be worked out between them. She said she's not sure if the condition should be deleted or reworded.

Commissioner Riley concurred.

Chairman Loe asked if anybody on the Commission didn't like the idea of striking Condition #9 and nobody disagreed with striking it.

*Commissioner Grose made a motion to approve 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.)."*

*The motion was seconded by Commissioner DeBolt.*

*Motion/Second: Grose/DeBolt  
Carried: 6/1/0 (Daniel opposed)*

*Commissioner Grose made a motion to approve 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) AND **DELETED** THE FOLLOWING CONDITION OF APPROVAL:*

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

*The motion was seconded by Commissioner DeBolt.*

*Motion/Second: Grose/DeBolt  
Carried: 7/0/0*

## **RECESS**

*Chairman Loe called for a recess at 8:16 PM and the meeting reconvened with all members present at 8:25 PM.*

*Chairperson Loe readjusted the Agenda to hear Item G next due to several people in the audience regarding this item.*

- 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.

Staff recommends adopting 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 estate 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 300 feet of the subject properties and recused herself.*

Community Development Director Mendoza explained that the Public Hearing on this item does remain open as it was continued from the previous meeting. Mr. Mendoza summarized the Staff Report, indicated that this is a continued Public Hearing, and indicated he’s prepared to answer questions from the Planning Commission.

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

*Chairman Loe made the motion to approve 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.”*

*The motion was seconded by Commissioner Daniel.*

*Motion/Second: Loe/Daniel*

*Carried: 5/0/2 (Commissioners DeBolt and Grose abstained)*

#### **E. Zoning Ordinance Amendment 14-01.**

**Proposed changes to the Los Alamitos Municipal Code sections relating to curb curbs, 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).

Staff recommends adopting 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).”

Planning Aide Tom Oliver summarized the Staff Report, referring to the information contained therein, and indicated he’s prepared to answer questions from the Planning Commission.

Commissioner DeBolt inquired about Item B in the ordinance regarding the sixteen feet from the front setback and asked for clarification.

Assistant City Attorney Kranitz indicated the side setback actually doesn’t start until you’re behind the 20 foot front yard setback and this is to allow people the access they need to open a back gate and pull trash cans out, etc.; they thought 4 feet would be a good width for that and still have 16 feet deep of landscaping. The 5 feet setback is on the side yard setback which starts behind the front yard setback.

Commissioner DeBolt clarified that instead of requiring the 5 feet all the way from the sidewalk all the way to the side of the house, it’s going to be 4 feet from the house towards the street and can be concreted or do whatever the owner wants to do to facilitate access to a side gate or whatever.

Assistant City Attorney Kranitz indicated that that was correct.

Commissioner DeBolt asked regarding the sentence in the ordinance, “The requirements do not apply unless somebody was to build a new house or do substantial reconstruction on their residence which involves the renovation of the existing garage or the front yard”. He asked why that is an exception.

Commissioner DeBolt then asked if the wording is right. Why not say, “This requirement applies only to new construction or substantial reconstruction or renovation”?

Staff agreed.

Commissioner DeBolt asked if the property owner will need a permit to renovate their front yard.

Planning Aide Oliver explained that whenever someone does the front porch or the façade of their house, they generally bring in plans that they say they’re re-doing their landscaping. When that time comes, Staff will tell them what they can and cannot cover with concrete and when the owner asks to see it in the Code, this will clear it up for them that they have to have a certain amount of grass. Currently, people can basically concrete all over and Staff has to encourage them not to do that.

Commissioner DeBolt felt that we should limit it to building a new house or substantial renovation of the existing garage or front yard.

Assistant City Attorney Kranitz said in looking at the City Council Draft Ordinance itself and the proposed Code amendments, in Section 3-B and in Section 4-h, they will now read as suggested by Commissioner DeBolt:

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 applies only to 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, that occurs after April 15, 2014.

"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 applies only to development of a new residential use, or renovation of an existing residential use which includes modifications to the existing garage or front yard, that occurs after April 15, 2014.

Commissioner Grose moved to approve 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)." WITH THE ABOVE CORRECTIONS.

The motion was seconded by Commissioner DeBolt.

Motion/Second: Grose/DeBolt  
Carried: 7/0/0

There being no speakers, Chairman Loe closed the item for public comment.

#### **F. Zoning Ordinance Amendment 13-05**

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).

Staff recommends adopting 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 (CITYWISE) (CITY INITIATED).”

Planning Aide Tom Oliver summarized the Staff Report, referring to the information contained therein, and indicated he’s prepared to answer questions from the Planning Commission.

*Chairman Loe opened the item for public comment.*

Community Development Director Mendoza reminded the Commission that at our last discussion on accessories, we were talking about driveways and then went into accessories and we weren’t quite all on the same page. Staff took the liberty of trying to wrap this up and see what the intent of the Commission was.

Vice-Chairman Sofelkanik had a question regarding the parking.

Planning Aide Oliver explained that in the Code for second residential units, it states, “One parking space is required”; now it will say, “One parking space per bedroom is required” and that will also be in the Parking section of the Code as well. It also says that guest homes are no longer permitted and we’re just requiring them to have a parking space now.

Assistant City Attorney Kranitz added that then they will be limited in size according to the Code to 640 square feet or the percentage of the home, whichever is less.

Commissioner DeBolt commented that we’re eliminating guest houses as a stand-alone.

Assistant City Attorney Kranitz answered that guest houses that don’t provide parking are no longer going to be allowed.

Community Development Director Mendoza explained what Staff has attempted to do is to bundle up the issue of a residential unit. If you want a residential unit in your backyard, you have to come under the umbrella of second unit or forget it. There was a little bit of a cloud when we had the word “guest houses” and “guest homes” in the Code. We had an issue that came before the Commission regarding a guest home and this would have eliminated that issue at the time if it was in the Code. Staff has learned from that experience and that’s where the discussion began with the Commission.

Commissioner DeBolt said he's okay with that but he has a question regarding Section 7-A and asked if we need to define what, "...subsequent to, the construction of the main structure" means? He asked if that would be a habitable living unit and not just some building that's there already.

Assistant City Attorney Kranitz asked him if he would rather have it say, "Main residential structure".

Commissioner DeBolt answered in the affirmative.

Assistant City Kranitz indicated that that would be changed.

Commissioner DeBolt said he likes that an owner doesn't have to do anything to 640 square feet except come into the City and get a permit for an accessory structure. He said in reading what other City's do, Palo Alto, Morgan Hill, etc., almost all of them require a building permit for any accessory structure 120 square feet or larger. So, if it's less than 120 square feet, they don't need a permit whereas now in our town, almost anything you do require's a permit.

Community Development Director Mendoza pointed out that a Tuff Shed doesn't require a permit.

Assistant City Attorney Kranitz said she thinks the 120 square feet is in the Building Code itself as to what size requires a building permit.

Chairman Loe indicated he would like to continue this until the next Public Hearing because he hasn't had a chance to look at this as thoroughly as he would like to. He said he's concerned about potentially being too restrictive and wants to ensure it is not.

Community Development Director Mendoza asked that if the Commissioner's had any more thoughts regarding this, they could let Staff know prior to next month's meeting.

Commissioner Grose asked Staff to include a copy of the section of the Building Code that was brought up tonight.

*Chairman Loe made a motion to recommend the continuance of this item to the April 14<sup>th</sup> meeting.*

*The motion was seconded by Commissioner Daniel.*

*Motion/Second: Loe/Daniel*

*Carried: 7/0/0*

## **8. STAFF REPORTS**

*None.*

9. **ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR**

*None.*

10. **COMMISSONER REPORTS**

Commissioner DeBolt reminded Staff about wanting to have a discussion regarding expanding the uses in the industrial areas (such as Cross Fit, etc.) before another application comes in.

Community Development Director Mendoza acknowledged that Staff had promised to bring a Notice of Intention to the Commission and reported that that will occur at next month's meeting.

Commissioner Grose thanked Community Development Director Mendoza for sponsoring her participation at the Race-at-the-Base in February.

11. **ADJOURNMENT**

The Planning Commission was adjourned at 9:08 P.M. 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.

  
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Gary Loe, Chairman

ATTEST:

  
\_\_\_\_\_  
Steven Mendoza, Secretary