

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

REGULAR MEETING – February 9, 2015

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:03 P.M., Monday, February 9, 2015, in the Council Chambers, 3191 Katella Avenue; Chair Riley presiding.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Riley.

3. ROLL CALL

Present: Commissioners: Mary Anne CUILTY
Will Daniel
Art DeBolt
Wendy Grose
Gary Loe
John Riley
Victor Sofelkanik

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

4. ORAL COMMUNICATIONS

Chair Riley opened the meeting for Oral Communications.

City Council Member Warren Kusumoto thanked the Planning Commission for their hard work and service.

There being no further persons wishing to speak, Chair Riley closed Oral Communications.

5. APPROVAL OF MINUTES

A. Approve the Minutes of the Regular meeting of December 8, 2014.

Motion/Second: DeBolt/Grose

Unanimously Carried: The Planning Commission approved the minutes of the Regular meeting of December 8, 2014.

B. Approve the Minutes of the Regular meeting of January 12, 2015.

Motion/Second: DeBolt/Grose

Unanimously Carried: The Planning Commission approved the minutes of the Regular meeting of January 12, 2015.

6. **CONSENT CALENDAR**

None.

7. **STAFF REPORTS**

- A. **Proposed 2035 General Plan – This action ratifies the Planning Commission recommendation of approval of the Draft Environmental Impact Report (DEIR) and Draft 2035 General Plan after taking testimony and holding Public Hearings on October 13, 2014, November 10, 2014, December 8, 2014, and January 12, 2015.**

Community Development Director Mendoza summarized the Staff Report, referring to the information contained therein, gave a PowerPoint presentation and indicated he's prepared to answer questions from the Planning Commission. He indicated that this is a public hearing and testimony will be heard that's necessary regarding the area of Opportunity Site 6.

Mr. Mendoza explained that at the January 12, 2015 Planning Commission meeting, the Commissioners directed Staff to change the definition of Mixed Use to require retail businesses on the first floor of parcels that are adjacent to Los Alamitos Blvd. and Katella Ave. To make that change, in its research, Staff found that the change would create more legal non-conforming uses and would be a more restrictive document than intended by a General Plan.

Chair Riley opened the Public Hearing.

Dan Aguilar, resident on Pine Street, one block west of Los Alamitos Blvd., inquired how this will affect his property.

Mr. Mendoza explained that the only change to that area is that it will allow people to have a business out of their home.

Chair Riley asked if there was anyone else wishing to speak on this item. There being no further speakers, Chair Riley closed the public hearing.

Commissioner DeBolt stated that he still likes the mandatory language but he appreciates the concerns that Staff has raised regarding the issues but he has, however, tweaked the definition a little that might address those issues at least in a broad sense. For the parcels that front Los Alamitos Blvd. or Katella, he has changed it to say, "The ground floor is required to consist of those land uses allowed in the C-G zone as of the date of the adoption of the General Plan". So rather than calling it "retail uses" and then somebody trying to figure out what a retail is, he just incorporated the entire C-G zone into the definition. Then for the other parcels that do not front Los Alamitos Blvd. or Katella that stand alone and are not mixed use, commercial office

shall be permitted. The only thing that he really changed was instead of retail use, he said, "the uses that are currently allowed in the C-G zone".

Chair Riley asked if this references a C-G zone as of the date of adoption of the General Plan and the General Plan would be adopted before we make zoning changes.

Ms. Kranitz indicated that that was true and that would tie the Commission's hands on the C-G zone. The C-G zone could not be amended because then the Commission would be creating inconsistency with the General Plan.

Commissioner Solfelkanik suggested that we just take out "as of the date of adoption" which would give us flexibility and some latitude of what we could do in the future to clean things up. He said he thinks this is very broad in what is allowed in the C-G zone which ranges from schools to recycling centers to drive-thru restaurants, etc.

Chair Riley asked for Mr. Drukker's opinion as to whether the Commission is getting too specific.

Colin Drukker said he thinks that doing away with the language "as of the date of the adoption" is probably good. He thinks that in general, the spirit of what he's hearing is that to prevent any sort of creation of non-conforming uses if the preference is to have the ground floor be commercial in nature then we should be good with the uses that are allowed. It can get broad with the commercial designation so he can see where people kind of pick and choose but he thinks in spirit it's probably the best that we're going to get until we get enough development interest that we can really pick and choose what we want to allow. Also, he thinks if the Commission does away with the language "as of the date of adoption", an administrative problem won't be created and the City will get to say whether or not the commercial zone changes in the future. He said overall the language is good.

Ms. Kranitz said that she believes that that's the language they've had since December for parcels that don't front Los Alamitos Blvd. or Katella Avenue: "Stand alone, not Mixed Use, Commercial, Office, Public, Quasi-Public uses shall be permitted".

Associate Planner Tom Oliver said that the only word he would change in this would be to not use the word "allowed" but use the word "permitted" or "conditionally permitted" because "allowed" is different.

Ms. Kranitz asked if Mr. Oliver would say, "For parcels that front Los Alamitos Blvd. or Katella Avenue, the ground floor is required to consist of those land uses permitted or conditionally permitted in the C-G zone".

Mr. Oliver indicated that that is correct.

Motion/Second: Loe/Grose

Unanimously Carried: The Planning Commission approved the adoption of Resolution No. PC 14-31, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LOS ALAMITOS GENERAL PLAN INCLUDING THE LAND USE CHANGES FOR VARIOUS PARCELS AND RELATED FINDINGS, ADOPTION OF ENVIRONMENTAL FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PLAN PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT"; and,

Motion/Second: Loe/Grose

Unanimously Carried: The Planning Commission approved the adoption of Resolution No. PC 14-32, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE 2014 GENERAL PLAN UPDATE, INCLUDING LAND USE DESIGNATION CHANGES." with the following change to Page 7 of 10, Paragraph 2:

Site 6 - Town Center Area – Changing from Retail Business to Mixed Use, Including the Following Definition of Mixed Use: Vertical or Horizontal Mix of Commercial, Office, Public/Quasi-Public, and/or Residential Uses on the Same Parcel. Stand-Alone (Not Mixed-Use) Commercial, Office, Public/Quasi-Public Uses are also Permitted. For Parcels that Front Los Alamitos Boulevard or Katella Avenue, the Ground Floor is Required to Consist of Those Uses Permitted or Conditionally Permitted in the General Commercial Zoning District.

8. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

- A. Discussion regarding a change in the date and time that the monthly Planning Commission meeting is conducted.

Community Development Director Mendoza summarized the Staff Report, referring to the information contained therein.

A discussion ensued and it was decided that the Planning Commission meetings will be held on the fourth Wednesday of each month at 7:00 PM to begin in March.

Motion/Second: Grose/Sofelkanik

Unanimously Carried: The Planning Commission approved changing the date of the Planning Commission meetings to the fourth Wednesday of each month at 7:00 PM.

9. **COMMISSONER REPORTS**

None.

10. **ADJOURNMENT**

The Planning Commission adjourned at 7:43 PM.



John Riley, Chair

ATTEST:



Steven Mendoza, Secretary