

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

REGULAR MEETING - November 10, 2014

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:02 P.M., Monday, November 10, 2014, in the Council Chamber, 3191 Katella Avenue; Vice Chair Sofelkanik presiding.

2. ROLL CALL

Present: Commissioners: Art DeBolt
Mary Anne CUILTY
Will Daniel
Wendy Grose
Victor Sofelkanik

Staff: Community Development /Public Works Director
Steven Mendoza
Associate Planner Tom Oliver
Assistant City Attorney Lisa Kranitz
Department Secretary Pamela Brackman

Absent: Commissioners: Gary Loe
John Riley (arrived at 7:04 P.M.)

3. PLEDGE OF ALLEGIANCE

Vice-Chair Sofelkanik led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Vice-Chair Sofelkanik opened the meeting for Oral Communications.

Craig Durfey, founder of Distracted Driving Awareness & Complete Streets spoke regarding a recent cycling event, and encouraged the City to look into different grants available to assist in the development of a master plan for bicycle and pedestrian transportation and safety.

John Underwood, Vice-Chair, LATV, encouraged the Commission to consider the utilization of the local cable television operation, LATV, in the upcoming General Plan Update. He stated that LATV had been a part of dialog and workshops in the past, and should be a part of future discussions. Mr. Underwood further stated that LATV was identified and placed in a position of relevance in the current General Plan, and continues to serve the community.

5. APPROVAL OF MINUTES

Motion/Second/Abstain: Grose/DeBolt/CUILTY, Daniel
Carried: 4/0/2 (CUILTY, Daniel abstained): The Planning Commission approved the minutes of the Regular meeting of September 8, 2014.

6. **CONSENT CALENDAR**

None.

7. **PUBLIC HEARINGS**

A. **Community Development Block Grant (CDBG)**

Community Development Director Mendoza reported that the City of Los Alamitos annually applies to the County for Community Development Block Grant (CDBG) funds. As part of the process, the City Council is tasked with deciding on what to apply for each year. Prior to applying for the funds, the Planning Commission seeks input at a public meeting to collect information regarding the needs of the community.

Mr. Mendoza reported that in past years the City has utilized CDBG funds to improve Public Facilities within the City's low income census tracts, and during the current Fiscal Year funds are being used for alley rehabilitation projects. Mr. Mendoza stated that this is the opportunity to receive public testimony from residents regarding community needs and on the planned use of funds.

Vice-Chair Sofelkanik opened the public hearing. There were no members of the public who wished to speak on this item.

Commissioner DeBolt confirmed that the targeted areas were those listed in the staff report, and funds would be utilized to improve Public Facilities.

Vice-Chair Sofelkanik questioned the status of a park project along the river bed.

Mr. Mendoza responded that this project utilizes Rivers and Mountains Conservancy funds, and is nearing completion. He indicated Staff is exploring the possibility of utilizing funding from the project to pave the bike path, with negotiations continuing regarding the maintenance of the paths.

Vice-Chair Sofelkanik closed the public hearing.

B. **Continued Consideration of Zoning Ordinance Amendments Relating to Allowable Uses in the Planned Light Industrial Zone (Citywide) (City initiated)**

Community Development Director Mendoza reported that the Planning Commission has been in the process of reviewing the Los Alamitos Municipal Code (LAMC) pertaining to land uses in the Industrial Zone. The Commission presented a recommendation to the City Council which would allow retail to be more readily permitted in the Industrial Zone. A

first reading approving that recommendation was held, and the second reading is scheduled for the next City Council meeting. Mr. Mendoza stated that the Commission wished to continue the review related to fitness uses and other uses, and further stated that the General Plan may cover the Commission's vision of the item. He indicated Staff is requesting further direction regarding this item.

Vice-Chair Sofelkanik opened the public hearing. There was no one wishing to speak to this matter in the audience.

Commissioner DeBolt suggested that discussion of the item should continue since non-industrial uses in the Industrial Area have recently been confirmed. He suggested that there could be a distinction within the Industrial Area defining a business park zone and heavy industrial. He further stated that there is a need for recreational areas within the City.

Discussion ensued regarding the various uses within the industrial area of the City.

Commissioner Daniel stated the City should exercise caution in allowing recreational uses in the industrial area.

Mr. Mendoza stated that the General Plan is geared to keeping recreational areas near each other.

Commissioner DeBolt suggested there is a demand for "specialized" recreational uses.

Vice-Chair Sofelkanik stated that discussion of this item should continue, and recommended that Staff explore a dual Industrial Area and bring their comments and recommendations back to the Planning Commission.

Mr. Mendoza suggested that the General Plan should first be approved, and then conversation to modifications of the General Plan could continue at the beginning of the year. He stated that the General Plan may be changed up to four (4) times per year.

Vice-Chair Sofelkanik stated that the draft of the proposed General Plan lists target sites which will be changing, and the amount of available industrial areas in the City will be diminished.

Commissioner DeBolt confirmed that notices announcing the Public Hearing were published, and suggested that owners of the businesses should be notified and invited to provide their input.

Mr. Mendoza confirmed that Commissioner DeBolt was requesting targeted outreach, and suggested that e-mails could be sent.

There being no further discussion, Vice-Chair Sofelkanik closed the public hearing.

C. Continued Consideration of the Proposed 2035 General Plan

Community Development Director Mendoza reported that at the Planning Commission meeting of October 13, 2014, the Commission began a discussion of the draft 2035 General Plan. Ten (10) sites were determined to merit consideration for a new land use designation, and following discussion, direction was given on the first nine (9) sites. Mr. Mendoza further reported that Staff was directed to bring back Site Ten (10), Arrowhead Products, and to provide input from the owners. The requested input was received the morning of the November 10, 2014, Planning Commission meeting. The owners stated that they would like their use to continue with no restrictions on their future use, and they do understand the need for a retail overlay.

Vice-Chair Sofelkanik opened the public hearing.

John Eclevia, representing the Los Alamitos Unified School District (LAUSD), presented a letter regarding the proposed General Plan to Mr. Mendoza, and stated that copies would be provided to the Planning Commissioners, City Council Members and the City Manager. Mr. Eclevia stated the LAUSD requests that the City of Los Alamitos exclude all District property from the zoning changes resulting from the City's proposed General Plan. He further stated that at its October 13, 2014 meeting, the Planning Commission elected not to exclude the District's property from zoning changes. Zone changes may prevent the District from using its property to meet the community's educational needs, and may force the District to relocate some of its operations. Mr. Eclevia stated that changes to zoning laws could adversely affect the District's ability to sell or lease its properties in the future. In conclusion, the District requests exclusion of all District properties from the proposed zone changes.

Vice-Chair Sofelkanik stated that, for the record, Mr. Mendoza was given a copy of the letter.

Mr. Mendoza stated copies would be made and distributed.

Susan Hori, Esq., representing Arrowhead Products, stated that she wished to reiterate the comments made in the e-mail from Mr. Benenson, owner of Arrowhead Products, with respect to Arrowheads' desire to retain the industrial land use designation on the property. Ms. Hori further stated that Arrowhead's desire to continue its industrial use to ensure it does not become a non-conforming use was discussed with Assistant City Attorney Lisa Kranitz.

Commissioner DeBolt asked Ms. Hori if a zone change would still be an issue should Arrowhead Products decide to vacate and/or sell the property.

Ms. Hori responded that it would be a concern since the primary buildings are on the front of the property, and a retail land use designation would limit the opportunity for expansion on the back portion of the property.

Commissioner DeBolt then questioned if this would be a concern if the issue was dealt with.

Ms. Hori responded that it would still be a concern since there would be a desire to preserve the ability for expansion, and the overlay process, which allows the option of either retail or industrial, would be an option. The issue has been discussed with brokers as to whether the property could be used for retail development, and due to lack of street frontage and the difficulty of having to wind through industrial property to get to the back 14 acres; the best use for the site would be the continuation of industrial land uses.

There being no additional speakers for this item, Vice-Chair Sofelkanik closed the public hearing.

Vice-Chair Sofelkanik requested a brief explanation of the overlay as it pertains to Arrowhead Products.

Assistant City Attorney Lisa Kranitz responded that an overlay must be applied for, and since the Environmental Impact Report (EIR) has been completed, it would not need to go back for a full environmental review; change of circumstances and site specific would need to be reviewed, but a complete environmental analysis would not be needed.

Vice-Chair Sofelkanik questioned if discussions can take place to complete an overlay with the LAUSD properties.

Mr. Mendoza responded that Mr. Eclevia has stated that he requests that the LAUSD property remain Industrial, and further he does not want an overlay.

Mr. Eclevia stated that the District did not initially want recreation uses near their property although that is not mentioned in the correspondence presented at this evening's meeting. Mr. Eclevia confirmed that LAUSD no longer opposes the use of recreational uses near their site.

Vice-Chair Sofelkanik stated that a speaker made comments earlier under Oral Communications related to LATV.

Mr. Mendoza confirmed that the comments will be taken into testimony; however, there was some confusion since his comments were about the Commission and LATV, and his intent regarding involvement was unclear.

Vice-Chair Sofelkanik responded that the speaker's comments did request that LATV be included in the General Plan discussions.

Ms. Kranitz stated that the record will reflect Mr. Underwood's comments (see Oral Communications for comments made by John Underwood, Vice-Chair, LATV).

Mr. Mendoza stated that no comments had been made previously by LATV, and the three Commissions chosen as advisories were due to their elements in the General Plan.

Commissioner DeBolt questioned that if there is an overlay on the property and the property is sold, what choices will a prospective buyer have?

Assistant City Attorney Kranitz responded it could be either industrial or retail.

Commissioner DeBolt further questioned that if the zoning is changed to retail and Arrowhead becomes non-conforming, could they continue to operate.

Ms. Kranitz confirmed they could continue to operate; however, they could not expand their use and could not use the back property for industrial.

Commissioner DeBolt then asked if there could be a zone change that would allow Arrowhead to expand their use on that parcel only.

Ms. Kranitz stated that changes cannot be made to a non-conforming use.

Commissioner DeBolt expressed concern regarding the use of the property should it be sold in the future. He stated there is a need to change the zoning in order to preclude an industrial use in the future, should Arrowhead Products sell the property. Commissioner DeBolt also said that the amortization requirements should be addressed as well.

Commissioner Grose stated that Arrowhead Products has been in the City for over 50 years and has not indicated they will be leaving. She expressed her concern that the Commission could be sending the wrong message to land owners by changing the property to retail. She stated that Retail zoning will increase traffic and impact neighborhoods. She said she favors retaining the Arrowhead Products property as Industrial but did not oppose an overlay on the property.

Commissioner Daniel stated that changing the zoning would limit what Arrowhead Products can do on their property, both now and in the future. An overlay would allow Arrowhead to sell their property as either Industrial or Retail.

Vice-Chair Sofelkanik commented that changing the property to Retail will increase traffic and any jobs that would be created, would be low paying jobs. He stated that the earlier proposal to bifurcate the Industrial zone into Light and Heavy Industrial could dictate the uses of the property. An overlay would benefit Arrowhead Products but could remove control from the City as to what could go onto the property. He stated further that a better decision could be made after Staff explores the potential of Light Industrial and Heavy Industrial zones, and the item should be continued.

Assistant City Attorney Kranitz clarified that the Commission is presently looking at changing the General Plan, but could direct Staff to come back at a later date to include definitions to create two kinds of zones that are consistent with the Planned Industrial General Plan designation. She further stated that if the property was zoned as a legal non-conforming use for Arrowhead Products, it would remain a legal non-conforming use for another industrial owner.

Commissioner DeBolt asked for clarification on the type of industrial business that could locate on the property.

Ms. Kranitz responded that if it is not an expansion of the type of industrial use or an intensification, it could be anyone and not just aerospace.

Commissioner DeBolt stated that his concern is that any industrial business could locate on the property, and questioned if that could be resolved by having different types of zones that would not allow the type of business that would be offensive to neighbors to locate on the property. He suggested looking at surrounding cities to determine what they do regarding industrial uses.

Community Development Director Mendoza stated that the Planning Commission is deciding if the area should remain Industrial for the General Plan consideration. When the Planning Commission reviews the Zoning Code, two types of industrial may be recommended, but at the General Plan level, the Commission is deciding only Industrial.

Vice-Chair Sofelkanik stated that it seems that the Light/Heavy Industrial designation should be in place before deciding upon the General Plan.

Commissioner Riley pointed out that upon completion of the General Plan, the Commission could then have discussions regarding uses in the areas. He suggested that retaining the Planned Industrial for Arrowhead Products

with the overlay is a good idea, and then determining the use of the Planned Industrial at a later date.

Commissioner DeBolt questioned if the Commission must approve the overlay with the General Plan.

Mr. Mendoza responded that if that is the Commission's direction, Staff will bring back resolutions that approve a designation that the Commission gives direction on.

Commissioner DeBolt confirmed that a modification to that zone can be made in the future.

Motion/Second: Grose/Cuilty

Unanimously Carried: The Planning Commission approved that Arrowhead Products property be Industrial with a Retail Overlay.

Community Development Director Mendoza stated that at the meeting of October 13, 2014, the Planning Commission accepted the proposed change from Planned Industrial to Limited Industrial & Community & Institutional for Site 2B to the Post Office and Los Alamitos Unified School District (LAUSD) yard. Mr. Mendoza asked if the Commission wishes to address the comments as presented in the letter submitted by Mr. Eclevia at tonight's meeting. He further stated that both the Post Office and the School District serve the public, and Staff is of the opinion that the Community & Institutional Facilities General Plan definition fits the District use more than the industrial use. He stated that the School District has exempted itself from City zoning laws.

Mr. Eclevia stated that the District is asking for exclusion of its property thus allowing it to use the property to best meet the educational needs of the community without the various approvals of the City now and in the future.

Commissioner Grose questioned how the change would affect the District.

Mr. Mendoza responded that the City would have no way of knowing how the land use change would affect their site plans since plans are not submitted to the City for review. The site does not currently abide by the City's zoning standards for the Industrial Zone.

Assistant City Attorney Kranitz stated that school districts may exempt themselves from City's zoning for instructional facilities, but the industrial yard should be in compliance with the City's zoning codes.

Commissioner Daniel stated that the School District should comply with the City's zoning laws at their non-educational facilities.

Commissioner Culty stated that she would like to change the designation of Site 2B; however, if it is not changed, the School District should be in compliance with the City's zoning laws.

Mr. Mendoza stated that the School District is presently circulating an environmental document to modernize the site behind the post office.

Mr. Eclevia outlined the proposed modernization project which entails one concrete structure, new restrooms, the removal of two trailers, and the installation of water and new sewers. As part of the modernization, two new buildings will be included; one will be a warehouse facility with a secure storage area, and the second building will be utilized for bus and ground maintenance. There will be a bus wash area which will recycle the water used to wash buses, and a compressed natural gas station which allow the buses to be fueled overnight. Mr. Eclevia stated that building plans come through the Division of the State Architect (DSA) who has jurisdiction over new construction and modernization of all of their schools and school properties.

Ms. Kranitz confirmed that building construction does go through the DSA; however, non-instructional facilities are not exempt from local zoning.

Mr. Mendoza stated that a copy of the environmental document has not yet been filed with the City.

In response to an inquiry, Mr. Eclevia responded that Orange County Fire Authority has reviewed the plans.

Discussion ensued regarding the status of the post office, and it was determined that the post office has no plans to either close or move its facility at this time.

Motion/Second: Grose/DeBolt

Unanimously Carried: The Planning Commission approved the continuation of Site 2B as Planned Industrial.

Further discussion ensued, and it was confirmed that the School District's environmental document will be submitted to the City, and Staff will determine which applications need to be filed.

8. STAFF REPORTS

None

9. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Community Development Director Mendoza discussed the agenda for the December, 2014 meeting.

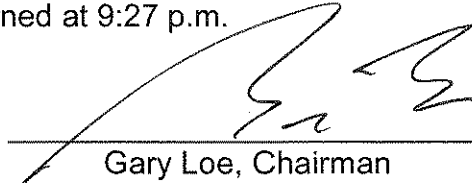
Community Development Director Mendoza reminded the Commissioners of the Commission Christmas party to be held the following evening.

10. COMMISSIONER REPORTS

None.


11. ADJOURNMENT

The Planning Commission adjourned at 9:27 p.m.



Gary Loe, Chairman

ATTEST:



Steven Mendoza, Secretary