

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

REGULAR MEETING – July 22, 2015

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:00 PM, Wednesday, July 22, 2015, in the Council Chambers, 3191 Katella Avenue; Chair Riley presiding.

2. ROLL CALL

Present: Commissioners: Chair John Riley
Vice-Chair Mary Anne Culty
Will Daniel
Art DeBolt
Wendy Grose
Gary Loe
Victor Sofelkanik

Absent: None

Staff: Development Services Director Steven Mendoza
Associate Planner Tom Oliver
Dawn Sallade, Department Secretary

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Riley.

4. ORAL COMMUNICATION

Chair Riley opened the meeting for Oral Communication for items not on the agenda.

Theresa Murphy of Precious Life Shelter indicated they are hosting a Taste of Precious Life at the Plaza this Sunday afternoon from 3:30 to 7:00 PM and extended an invitation to all to attend.

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

5. CONSENT CALENDAR

A. Withdrawal of Development Applications for a Marriott Fairfield Inn Hotel and Drive-Thru Starbucks, Which Required a Site Plan Review, a Conditional Use Permit for Hotel Operation, Height, Drive-Thru and Shared Parking for a Parcel at 10650 Los Alamitos Boulevard, APN 242-243-03 (Applicant: Kevin Coleman – Net Development Co.)

This is a report which informs the Commission and the public that the application for the above mentioned project has been withdrawn by the applicant.

Recommendation: Receive and File.

Development Services Director Steven Mendoza summarized the Staff report and indicated he's prepared to answer questions from the Planning Commission.

Chair Riley indicated that the Public Hearing was still open and so closed the Public Hearing.

6. PUBLIC HEARINGS

A. **Consideration of Site Plan Review and Conditional Use Permit for an Application for the Addition of a Residential Unit and Square Footage to an Existing Single Family Residence, Thereby Creating a Duplex, and Replacing a Garage with a Five Space Carport in the R-2 Zone at 10845 Cherry Street (APN 242-183-10) Applicant: Loan Tran.**

This is to consider the addition of a 2,065 square foot residential unit, as well as an addition of 821 square feet, to an existing 946 square foot single family residence, thereby creating a duplex at 10845 Cherry Street in the R-2 Zone, APN 242-183-10. This project would also replace an existing garage with a five space carport. The project requires a Site Plan Review and Conditional Use Permit (Applicant: Loan Tran).

Commissioner Grose declared a conflict of interest as she serves on a Board of Directors that has property next door to the subject project and excused herself from the Chamber.

Associate Planner Tom Oliver 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.

Chair Riley opened the Public Hearing.

Loan Tran, Applicant, indicated she submitted the plan for the construction of the duplex.

There being no additional speakers, Chair Riley closed the item for public comment and brought it back to the Commission for their comments and action.

Motion/Second: Cuiilty/DeBolt

Carried 6/0/1 (Grose abstained): The Planning Commission approved the adoption of Resolution No. PC 15-12, entitled, "A RESOLUTION OF THE

PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 15-03 FOR THE ADDITION OF A 2,065 SQUARE FOOT RESIDENTIAL UNIT, AS WELL AS ADDING 821 SQUARE FEET, TO AN EXISTING 946 SQUARE FOOT SINGLE FAMILY RESIDENCE, THEREBY CREATING A DUPLEX, AND REPLACING A GARAGE WITH A FIVE SPACE CARPORT AT 10845 CHERRY STREET IN THE R-2 ZONE, APN 242-183-10, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: LOAN TRAN)”; and,

Adopt Resolution No. PC 15-13, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 15-04 FOR THE ADDITION OF A 2,065 SQUARE FOOT RESIDENTIAL UNIT, AS WELL AS ADDING 821 SQUARE FEET, TO AN EXISTING 946 SQUARE FOOT SINGLE FAMILY RESIDENCE, THEREBY CREATING A DUPLEX, AND REPLACING A GARAGE WITH A FIVE SPACE CARPORT AT 10845 CHERRY STREET IN THE R-2 ZONE, APN 242-183-10, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: LOAN TRAN)”.

Commissioner Grose returned to the Chamber.

7. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

None.

8. COMMISSIONER REPORTS

Call for Review of Planning Commission Decision Regarding Appeal of Director’s Decision – Unpermitted Expansion of Crossfit at 10893/10895 Portal Drive in the Planned Light Industrial (P-M) Zone APN 241-241-19.

Mr. Mendoza explained the that there are two processes after he takes an action or a Commission takes an action. It can be appealed to the City Council within 20 days or a Council member can call it up for review with 10 days. They have the option of bringing up to review; they have to stay neutral on the item and not state what their opposition is or whether their favorability of it is. They then do a very similar public hearing with public notice, Staff report, and the Commissioner’s will be noticed as well.

In response to Commissioner Daniel’s question, Mr. Mendoza indicated Council member Hasselbrink has requested that this be brought up for review.

Commissioner DeBolt asked if the Commission attends and be subjected to questions as to what their reasoning for the decision was.

Mr. Mendoza indicated that there is no requirement that the Commission has to attend the Council meeting.

Chair Riley asked if the Commission will receive a summary of their actions after the meeting.

Mr. Mendoza explained that they have several options; they could send the whole issue back to the Planning Commission; they can make a decision to uphold the Commission's decision; they could over-ride the Commission's decision; or, they could augment it in any way they see fit. He further commented that the five Council members will probably have as complex feelings and observations that the Commission had.

Commissioner Solfelkanik asked if there is any forum that the City Council could question the Planning Commission as to why they made certain findings.

Mr. Mendoza indicated that the whole Planning Commission is on tape and they can review that. They could also direct him to question the Commissioners if they want but he just doesn't see that happening.

Commissioner Grose asked if Council member Hasselbrink gave a reason for why she is requesting the review.

Mr. Mendoza responded she did not. Placing a reason would put her in a position of bias.

Commissioner DeBolt asked if this is an appeal.

Mr. Mendoza replied no, that it's a call for review. The appeal section of the Code has two sections: Appeal and Call for Review. It was implemented about four years ago or so.

9. ADJOURNMENT

The Planning Commission adjourned at 7:26 PM.



John Riley, Chair

ATTEST:



Steven Mendoza, Secretary