

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

REGULAR MEETING – January 27, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:01 p.m., Wednesday, January 27, 2016, in the Council Chambers, 3191 Katella Avenue; Chair Riley presiding.

2. ROLL CALL

Present: Commissioners: Chair John Riley
Vice-Chair Mary Anne Cuiilty
Commissioner Larry Andrade
Commissioner Wendy Grose
Commissioner Gary Loe

Absent: Commissioner Art DeBolt
Commissioner Victor Sofelkanik

Staff: Development Services Director Steven Mendoza
Associate Planner Tom Oliver
Assistant City Attorney Lisa Kranitz
Department Secretary Dawn Sallade

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.

Josh Wilson, Chair of the Parks, Recreation and Cultural Arts Commission for the City of Los Alamitos, indicated he is offering the official challenge for Race on the Base participation to each Commission. Each of the Commissions is hereby challenged as well as the City Council to have as many participates either race or volunteer for the event. The race is on February 27, 2016.

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

5. PLANNING COMMISSION REORGANIZATION

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

Recommendation: Nominate and elect the following officers:

1. Chair
2. Vice Chair

Planning Director/Secretary of the Board Mendoza presented the Staff report.

Chair Riley turned the meeting over to Secretary Mendoza who opened the floor to nominations for the office of "Chair".

Commissioner Loe nominated Vice Chair Cuiilty.

There being no further nominations, Director/Secretary of the Board Mendoza closed the nominations.

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission appointed Vice Chair Cuiilty as Chair.

ROLL CALL

Chair Riley	Yes
Vice Chair Cuiilty	Yes
Commissioner Andrade	Yes
Commissioner DeBolt	Absent
Commissioner Grose	Yes
Commissioner Loe	Yes
Commissioner Sofelkanik	Absent

Chair Cuiilty opened the floor to nominations for the office of "Vice-Chair".

Commissioner Loe nominated Commissioner Andrade.

There being no further nominations, Director/Secretary of the Board Mendoza closed the nominations.

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission appointed Commissioner Andrade as Vice Chair.

ROLL CALL

Chair Cuiilty	Yes
Commissioner Andrade	Yes
Commissioner DeBolt	Absent
Commissioner Grose	Yes
Commissioner Loe	Yes
Commissioner Riley	Yes
Commissioner Sofelkanik	Absent

6. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of November 18, 2015.

Motion/Second: Grose/Loe.

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission approved the Minutes of the Regular meeting of November 18, 2015.

7. CONSENT CALENDAR

None.

8. STAFF REPORTS

A. Resolution of Intention 16-01 – Recreational Vehicles

Consideration of a Resolution of Intention by the Planning Commission to explore amending the zoning code concerning Recreational Vehicles (Citywide) (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. He explained that a resident had approached the Commission during the last meeting in December requesting a revision to the code; in order to revise the code, the Commission has to make a decision whether they would like to look at the code, make revisions and if so, the Commission would have to adopt a Resolution of Intention. Staff has recommended either adopt the Resolution of Intention which directs Staff to start a revision of the code or send this actual case back to the City Prosecutor so he can take a closer look to make sure Staff is enforcing the code in its literal manner and as it was intended to do.

Chair Cuiilty opened the Public Hearing.

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

Motion/Second: Grose/Andrade

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission directed the City Prosecutor to review the case provided to the Commission.

9. PUBLIC HEARINGS

A. Conditional Use Permit (CUP) 16-01 – Medical (Dentist) in C-G on Los Alamitos Blvd.

Consideration of an Conditional Use Permit (CUP 16-01) to allow a Medical Office (Dentist) in the General Commercial (C-G) Zone on a Major arterial at 10688 Los Alamitos Boulevard, APN 42-245-01 (Applicant: Sandy Yavitz, of Los Alamitos Center Plaza II, LLC).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission.

Chair Cuiilty opened the Public Hearing.

Judy Klabough – Owner of Green Street Interiors, said she wanted to give her blessing but asked the Commission to please give this a lot of consideration as parking is so bad and there is no parking anywhere. She indicated she personally needs two parking spots but if a dentist goes in, they'll need at least five spots which would greatly impact parking/businesses in the center. She said she loves her landlords but hates the parking situation.

Chair Cuiilty indicated the Public Hearing will remain open until the next Commission meeting on February 24, 2016.

Commissioner Loe said he is wondering if the landlord has been heard from and what they have to say about this parking situation if the dentist leases the property.

Sandy Yavitz, one of the owners of the property, indicated they did do a parking analysis and said she would like Staff to analyze it and would ask the Commission to look at it based on a dentist's use. She said they can lease the space to other users but they are trying to be sensitive to the tenants and they do not think that a dentist office is a parking intensive use. She said she appreciates Staff continuing this item to look at it and will be happy to come and address any of the questions the Commission may have at the next meeting.

Chair Cuiilty asked if the parking spots were measured when the parking study was done. She pointed out that some of the parking spaces in the center seem not to be the legal width.

Mr. Mendoza responded by saying the middle parking spots were legal at the time when it was built and met the code at the time. Since then, they do not meet the regulation 9' width.

Vice Chair Andrade indicated it appears that the parking is so bad that anything that goes into that space is going to create an issue. He said that it being a retail shopping center, he believes that anything that goes in there won't create the same additional issues.

Commissioner Grose asked what type of dentistry the dentist practices, i.e. oral surgery and does he use nitrous oxide?

Ms. Yavitz indicated the dentist will be at the hearing next month and the Commission can then ask him questions.

Motion/Second: Grose/Riley

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission moved to continue the Public Hearing to the February 24, 2016 Commission

meeting providing the City Attorney and Staff more time to address parking related issues recently reported at the property.

B. Conditional Use Permit (CUP) 15-05 – Restaurant with Outside Seating Area in the General Commercial (C-G) Zone

Consideration of a Conditional Use Permit to allow an Outside Seating Area at a Restaurant (Mighty Kitchen) in the General Commercial (C-G) Zone (Applicant: Craig Hofman, of Hof's Hut Restaurants, Inc.). The City Attorney's office has recommended that this item be continued to another date for more consideration.

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. Mr. Mendoza indicated that Staff is recommending a continuation on this item in order to give Staff more time to tighten this up in light of the passion that was drawn at the City Council meeting with regard to public parking.

Assistant City Attorney Lisa Kranitz interjected that the City Attorney's office is going to request that this item be re-noticed and be more clear as to what's being requested in terms of the parking situation and given the passionate level of that Council meeting, she wants' to make sure that everybody has adequate notice of this issue.

Chair Cuijly opened the Public Hearing.

Craig Hofman, owner of Hoffman Hospitality Group which also owns Hof's Hut, said he felt Staff adequately addressed their issues. He acknowledged they do have a visibility issue at that location and that's one of the reasons the business failed before. People drive by the restaurant and can't see that it is a restaurant other than just signage. By having some outdoor dining and seeing umbrellas and people dining, they think it will be very inviting for customers to stop. He said he feels they've addressed the parking issues fairly well by renting additional spaces during peak periods; night time and weekends. What they've done in front of the restaurant is there used to be some spaces there and they've closed that up so there are now more spaces on the street (3 spaces) where customers can park. They want to reopen the restaurant but they want to open it and make sure that they can stay open and be successful in Los Alamitos. As far as the landscaping issue is concerned, he feels they've really improved what was there before and he doesn't feel that they are changing the landscaping in any way that would be a detriment to the building.

Mary Herrera who indicated her family has the R & H building next door, said she is in favor of tables on the outside but her issue is the parking. Ms. Herrera indicated she has quite a bit of parking but they also have their tenants and their concern is their customers. She said when Spin Pizza was

open at the beginning, she said she did have issues and would have to shoo people away from her parking lot. She suggested that maybe that would be somewhat of a help if they put signs out where their parking is located. She also suggested that out front on the curb maybe change it back from 20 minute parking to something longer. She expressed excitement as does her clients and customers to have the restaurant reopen as it's a great idea.

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

Mr. Mendoza indicated Staff will re-notice this item and will bring it back to the February 24, 2016 Commission meeting.

C. Site Plan Review (SPR 15-04) – Second Residence to be Constructed on a Parcel with an Existing Residence in the R-3 Zone.

Consider a Site Plan Review (SPR 15-04) application for the addition of a 2,583 square foot residential unit on a parcel with an existing 1,158 square foot single family residence, thereby providing two single-family residences on a 9,490 square foot parcel at 4292 Green Avenue in the R-3 zone, APN 222-131-06. This project would also replace an existing one-car garage with two two-car garages (Applicant: Jason Hickox).

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated Staff supports this application. Mr. Oliver said he's prepared to answer questions from the Planning Commission.

Chair Cuiilty opened the Public Hearing.

Jay Crawford, architect, said they had no problems with the conditions of approval. He indicated the owner spoke with the City today and they told him that the utilities can stay overhead like they are currently.

Mr. Oliver confirmed that he spoke with the City Engineer today who indicated that if the owner wants to, they do not have to underground the utilities as stated in one of the conditions.

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

Commissioner Grose said when she drove by the project, she felt that it will be an asset to the area and will look nice.

Mr. Crawford indicated that the Planning Department is amazing; easy to work with and they have been a delight which is not always the case in other cities.

Commissioner Loe indicated he would like to strike the condition to do underground utilities from the pole to the property.

Motion/Second: Loe/Grose

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission approved (with the above change) the adoption of Resolution No. PC 16-02, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 15-04 FOR THE ADDITION OF A 2,583 SQUARE FOOT RESIDENTIAL UNIT ON A PARCEL WITH AN EXISTING 1,158 SQUARE FOOT SINGLE FAMILY RESIDENCE, THEREBY PROVIDING TWO SINGLE-FAMILY RESIDENCES, AND REPLACING AN EXISTING GARAGE WITH ONE ATTACHED AND ONE DETACHED TWO-CAR GARAGE ON A 9,490 SQUARE FOOT PARCEL AT 4292 GREEN AVENUE IN THE MULTIPLE-FAMILY (R-3) ZONE, APN 222-131-06, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JASON HICKOX)."

D. Zoning Ordinance Amendment (ZOA) 15-05 – Nonconforming Use Provisions

Continued discussion with Staff of desired provisions relating to Nonconforming Use Provisions, Zoning Ordinance Amendment (ZOA) 15-05 (Citywide) (City initiated).

Assistant City Attorney Kranitz summarized the Staff report, referring to the information contained therein. She indicated she believes she has incorporated all of the changes that the Commission directed that the Staff make at the last meeting. This item wasn't agendaized for adoption tonight; it will come back at the next meeting. They did have the environmental consultant take a look at it and he has determined that a Notice of Exemption would be appropriate. This is one thing Staff wanted to make sure of and he's comfortable that this can go on a Notice of Exemption so those findings will be incorporated into the resolution that will be before the Commission at the next meeting for them to recommend adoption. She indicated she's prepared to answer questions from the Planning Commission.

Chair Cuiilty re-opened the continued Public Hearing.

Chair Cuiilty reported that the Public Hearing will remain open for the February 24, 2016 Commission meeting.

Ms. Kranitz reported that this will come back in its final form with the appropriate findings. She said the only issue was the continuation of legal,

non-conforming lots; she said they did address it and put in the draft that you can build on it but just can't intensify the non-conformity.

E. Zoning Ordinance Amendment No. 15-09 – Allowing More Flexible Commercial Recreation Uses for Certain Parcels in the Planned Light Industrial Zone (City Initiated).

Continued consideration of a Zoning Ordinance Amendment (ZOA 15-09) to create a Limited Industrial Zone allowing more flexible commercial recreation uses for certain parcels in the Planned Light Industrial Zone to comply with the new 2015-2035 General Plan and to amend the Zoning Map by placing the Zone on specified parcels (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission.

Assistant City Attorney Kranitz explained that part of this was just redefining the terms so they seem to make more sense rather than having businesses falling into multiple categories.

Mr. Mendoza explained the idea around this was now the City can start improving the area that has these concentrations in them to address the drop off zones. There are some public improvements the City would like to do in this area so once this is done, Staff will start addressing this in the Capital Improvement Plan over the next seven years.

Vice Chair Andrade asked what the advantage is to not allowing a CUP for a business. If that type of a business wants to come in and they're limited to just the cross hatched areas, but those are all obviously occupied, there's nowhere else for them to go.

Associate Planner Tom Oliver said they could also go to the Commercial area. They have a large area, except for the commercial area often costs more to rent than the industrial area does and what this does, is this allows them to be in the industrial area.

Mr. Mendoza explained that another thing is compatibility. Staff was having applicants apply for things near places where trucks were waiting to load and off load and Staff just didn't see this as compatible and safe for kids.

Commissioner Riley said he agrees that maybe some of the buildings may be more appropriate for the business but that doesn't mean the surrounding area/street is always appropriate.

Ms. Kranitz explained that when the Planning Commission adopted the General Plan, the General Plan specifically states Commercial/Recreational uses are not permitted in the Planned Industrial General Plan category which

parallels the PM zone so if you want to go back and re-think that a CUP would be allowed for the Commercial/Recreational uses there, Staff would have to go back and amend the whole General Plan Land Use Element on that point because it was very clearly decided back then.

Ms. Kranitz explained that the action tonight should be to continue to the February 24th Planning Commission meeting.

Chair Cuiilty indicated that this item will be continued to the Planning Commission meeting of February 24, 2016.

F. Zoning Ordinance Amendment 15-10 – Vacant Lots and Buildings

Consideration of zoning code changes to clarify maintenance standards for vacant lots and buildings. The draft ordinance is brought to the Planning Commission for review (Citywide) (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. Mr. Mendoza suggested taking input tonight regarding fencing and landscaping on vacant lots and buildings and whatever input that the Staff obtains tonight will be incorporated in a resolution and ordinance for the next meeting.

Chair Cuiilty opened the Public Hearing.

Commissioner Grose asked how the City will handle pests/gophers on these lots.

Mr. Mendoza responded that the Nuisance Ordinance will handle this issue.

Responding to Commissioner Riley's question, Mr. Mendoza explained that the empty lot on the corner of Los Alamitos Blvd. and Cerritos Ave. has been in escrow for about 22 years. The ground is under remediation and has been for some time.

Commissioner Riley then asked about the banner that is hanging on the fence on that property and how the draft ordinance would affect this since it clearly states that no advertising signs or banners can be hung on a fence.

Mr. Mendoza explained that the ordinance wouldn't allow the banner.

Chair Cuiilty pointed out that they would have to actually landscape and put a new fence further back on the lot.

Mr. Mendoza said that that was correct; the owner would have to do this, not the high school.

Commissioner Grose asked if there was a toxic problem with the soil on this piece of property.

Mr. Mendoza explained that the entire intersection has had issues over the years.

Commissioner Grose asked if we wanted to push the fence back on the property to meet this code, is that going to create a problem with the soil that might release toxins if the soil is dug up?

Mr. Mendoza said there may be some concerns there.

Ms. Kranitz said they could get a variance but maybe Staff could come up with some sort of administrative variance to allow the banner to stay.

Commissioner Riley pointed out that this site comes up because it's been an eye sore for years. The volunteers put the banner on the fence and at least it looks better; they replace it frequently.

Ms. Kranitz pointed out that the City can't say we can allow a school banner and not allow a church banner or something of that type.

Commissioner Riley asked if the intent of the fence is to be see-through or something that's not see-through? It says the gate needs to be see-through but not the fence.

Mr. Mendoza asked if the Commission wants to see inside a lot that's not maintained or somebody can hide behind a fence that you can't see behind? He then asked the Commission if they like the Los Alamitos High School screening on the fence.

Chair Cuiilty said its looks very nice.

Commissioner Riley said it looks great but ideally he would much rather see something happen on that lot although something is better. He pointed out that the banner shows school spirit and it looks much better than what the lot looked like before.

Commissioner Grose said an issue she has is if the fence has to be pushed back on the property according to the ordinance, she is concerned about what potential soil hazards could be released into the atmosphere. She commented that the banner looks very nice as it stands now.

A lengthy discuss ensued regarding the remediation issue on the above subject project.

Commissioner Grose asked if Staff could do some investigation into some concepts on whether it's more feasible for the City to push the property owner to move the fence back and if the ground is safe. Also, if there are any other options in the mean time.

Mr. Mendoza asked if he is hearing a consensus that the Commission wants to allow for the banner as it exists; the community really loves that banner.

Vice Chair Andrade said that he's torn because this one banner is done right but they might not all be done right.

Commissioner Grose said they need to look at the wording so that we can allow that banner to remain.

Ms. Kranitz said perhaps we could find out what technique they used to create the banner. Also, we may want a different standard on the commercial versus the residential vacant properties. We may not want a banner in the residential areas; you may want more landscaping in the residential areas.

Commissioner Riley said there's definitely a distinction between the two.

Mr. Mendoza said Staff would put this together in an easy form to read so it's not lost in a resolution; we'll just say this is what we think the guidelines should be for commercial, industrial and residential. Also, we'll get the questions answered regarding the environmental aspect of the contaminated lot.

Chair Cuiilty asked if we can find out how long the remediation period is and it seems odd to her that a person could take as long as you want to get pollutants out of the ground especially when this has been going on for at least 25 years.

Motion/Second: Grose/Andrade

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission approved continuing this Public hearing item to the February 24, 2016 Planning Commission.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

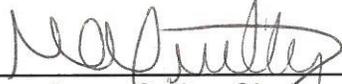
- Piano lot on Los Alamitos Blvd. has closed escrow.
- Lot line adjustment application submitted in back of the Arrowhead property.

11. COMMISSIONER REPORTS

- Commissioner Grose reported that she will be participating in the Race at the Base in February.
- Chair Cuiilty and Commissioner Riley indicated they were also attending the Race.

12. ADJOURNMENT

The Planning Commission adjourned at 8:29 PM.



Mary Anne Cuijly, Chair

ATTEST:



Steven Mendoza, Secretary