

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

REGULAR MEETING – March 23, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:02 p.m., Wednesday, March 23, 2016, in the Council Chambers, 3191 Katella Avenue; Chair Cuiilty presiding.

2. ROLL CALL

Present: Commissioners: Chair Mary Anne Cuiilty
Vice Chair Larry Andrade
Commissioner Art DeBolt
Commissioner Wendy Grose
Commissioner Gary Loe
Commissioner Riley
Commissioner Sofelkanik

Absent: None

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Cuiilty.

4. ORAL COMMUNICATION

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

Shy Lesser – Ms. Lesser said she wanted to introduce herself and indicated she'll be opening a children's upscale resale boutique in the shopping center that has Madera's restaurant in it and said she will be before the Commission next month with an application for a CUP.

J.M. Ivler – Mr. Ivler said when the General Plan was approved, it was pointed out at that time that the City needed to really look at the zones before approving the General Plan, especially the PM zones. When the Planning Commission met a number of times before forwarding the General Plan to the Council, it was mentioned that the PM zone needed to be looked into thoroughly and it was never agendized because as he's been told many times, the only way to get something on the agenda is if the Council forwards something to the Commission or it comes over the counter. So even though it was mentioned by members of this Commission, it never got dealt with. The Council finally after something slipped through that nobody

in this City wants, decided to discuss having a moratorium. At that meeting the Council instructed City Staff that they wanted the Commission to clean up the PM zones. So tonight the Commission is going to address which is basically taking a look at a list of things that are allowed and crossing off those things that you don't want to live with a recycling facility, a trucking terminal, etc. Mr. Ivler asked that the Commission does not get sidetracked; it's a really simple process. There's a list of approved uses and just ask yourselves if you would want to live a block away from this use; do I want this in the community? Is this something that I really think the City needs. He said the City does not need trucking terminals, we don't need recycling facilities and he's sure the Commission can go through the list just as easily as any resident can and say you don't want the use next to your homes. He asked that the Commission please takes the time to do it right and don't get into long discussions and get sidetracked. He indicated this should be done as quickly as possible but he had hoped the City Staff would actually have scheduled this for a special meeting so it could have gotten done and forwarded to the City Council for a first vote on Monday and now it's been delayed for another month. Please get it done tonight and get it to the Council and he's sure the Council will agree with whatever the Commission has recommended.

Candace DeWitt-Drucker said she agrees with Mr. Ivler's comments.

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

5. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of January 27, 2016.

Motion/Second: Grose/Andrade.

Carried 5/0/2 (DeBolt and Sofelkanik abstained): The Planning Commission approved the Minutes of the Regular meeting of January 27, 2016 as written.

6. CONSENT CALENDAR

None.

7. PUBLIC HEARINGS

**A. Conditional Use Permit (CUP) 15-05 – Outside Seating
Conditional Use Permit (CUP) 16-03 – Shared Parking
Restaurant with Outside Seating Area and Shared Parked in the General
Commercial (C-G) Zone**

Consideration of a Conditional Use Permit to allow an Outside Seating Area and shared parking for a Restaurant (Mighty Kitchen) in the General Commercial (C-G) Zone (Applicant: Craig Hofman, of Hof's Hut Restaurants, Inc.).

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

Chair Culty opened the Public Hearing.

Craig Hofman, Applicant, indicated it's very important to have the outside seating area to the potential success of the business. The ability of people driving by to see people dining; see umbrellas and activity is very important. Mr. Hofman feels that Staff has done an outstanding job coming up with solutions to the parking issue and he said they're willing to agree with the conditions of approval.

Commissioner Grose asked if Mr. Hofman had spoken to Mrs. Herrera who is a tenant in the complex and who had an issue with the parking; if so, did everything work out okay?

Mr. Hofman said he had spoken to Mrs. Herrera and indicated that they have worked everything out.

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

The Commissioners discussed on street and off street parking.

Motion/Second: Loe/Grose

Carried 4/0/1 (Andrade absent & Sofelkanik abstained): The Planning Commission adopted Resolution No. 16-06 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING AN 877 SQUARE FOOT RESTAURANT OUTSIDE SEATING AREA AT 11122 LOS ALAMITOS BOULEVARD AND CONDITIONAL USE PERMIT (CUP) 16-03 TO ALLOW SHARED PARKING (APN NOS. 222-092-11 & 222-092-24) IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: CRAIG HOFMAN, OF HOF'S HUT RESTAURANTS, INC.)."

Commissioner Grose said that although her comment is not part of the motion, she wanted Staff to look into getting rid of the green parking zone on the curb.

Mr. Mendoza said that the City Council is reconsidering the parking in that area and in multiple areas in April at their Council meeting so he said he would mention Commissioner Grose's comment with them.

B. Conditional Use Permit (CUP) 16-01

A Request for a Dentist to Locate in the General Commercial (C-G) Zone, and without Sufficient Parking.

Continued consideration of a Conditional Use Permit (CUP 16-01) to allow a dentist on a property (Center Plaza) in the General Commercial (C-G) Zone

on a major arterial at 10688 Los Alamitos Boulevard, APN 242-245-01 and to allow parking of less than one space for each 250 square feet of gross floor area (Applicant: Sandra Yavitz, of Los Alamitos Center Plaza II, LLC).

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated he is prepared to answer questions from the Commission. Mr. Oliver reminded the Commission that this is a continued Public Hearing.

Chair Culty re-opened the Public Hearing.

Sandy Yavitz, one of the partners in Center Plaza, thanked Staff for their hard work on analyzing this and working with the partners, the parking consultant and she has their parking consultant present as well if the Commission has any questions. She indicated that the operators of the dental office, Dr. Hofkis and Dr. Yen are present as well to answer any operational questions. She said she supports a dental office being in the Center as it's a common use in centers of this type. They have this category in a number of their centers and it's a welcome addition and compatible with other tenants. The particular location within Center Plaza is in the rear of the Center and the front doors face the rear parking lot so they do not believe the use will encroach on any of the main parking field in the middle of the Center. The location is really not compatible to a retail use so they believe this is the right use for the space. They've approached at least 100 different prospective tenants for this space but due to the location, it seems to work best for service oriented use. They could lease the space to another service oriented use without coming in and asking for this CUP such as a salon, a nail salon, a beauty salon but they just don't feel those are compatible uses in the Center since they already have those uses. But there are a number of personal service uses that they could lease this space to that are much more parking intensive than a dental office. As stated in the Staff report, she said they've received letters from all but one of their tenants in support of a dental office and this evening, she said they received an email from the one tenant that has had some concerns and read the email aloud.

Dr. Jamison Hofkis, dentist and applicant, said there would be about five staff at most at one point consisting of a dentist, and front and back office staff consisting of a receptionist, assistants, and a hygienist a couple of times a week.

Ms. Yavitz asked if there were any questions regarding the parking study.

Commissioner DeBolt asked what would be the net change by reducing the hours from being closed two hours to being closed for one hour.

Dan Close, Engineer, explained that when he focused on a Friday in the traffic study, the original study showed a peak at 1:00 of 105 spaces and now

when they adjust the peak parking to account for the office being closed and all they account for is the five employees that would be there, that now drops to 101 spaces so it's a decrease of four which would result in a surplus of five spaces now instead of one. That's the main difference from what is in the Staff report versus the tables of the document that was just passed around.

Commissioner Sofelkanik asked when the last time that use was served by a retail business was.

Ms. Yavitz said about five years ago.

Commissioner Sofelkanik asked how long she had been marketing the space.

Ms. Yavitz said they started marketing the space in May of 2015.

Commissioner Sofelkanik asked if there had been any retail applicants showing interest.

Ms. Yavitz indicated there were none.

Vice Chair Andrade asked where the four or five staff members were planning on parking and assumed it would be in the lot.

Ms. Yavitz said yes unless they can get the street parking untimed as there is a time limit on the street parking.

Commissioner Grose asked if there was going to be only one dentist at a time working and a hygienist and the two dentists won't be working simultaneously.

Dr. Hofkis said no.

Commissioner Grose asked if they leave during the lunch hour.

Dr. Hofkis said he was unsure.

Commissioner Riley asked if the numbers are based on staff leaving during the lunch hour or based upon no clients being seen during the lunch hour.

Engineer Close explained that the demand for five spaces is associated with staff and the dentist.

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 DeBolt said a concern he has is regarding the input from the police department; he doesn't believe the police are responding to anything on site that is occurring so he feels that what they are addressing is the parking surrounding the Center and not the actual site so he doesn't feel it's a problem of the landowner. Another observation was once he read the Staff report regarding the parking issues, he felt that if our own Traffic Engineer validates the applicant's traffic engineer's information, at least on paper, the parking issue seems to be resolved. Conversely, this is a retail zone and this area is part of the revenue for the City but this use seems to fit but he hates to see a further intensification with a non-retail use. Part of his problem overall with these zones is the City needs to be a little more restrictive on not necessarily office uses but just non-retail uses in general in the C-G zone and attach a percentage to that. What has swung him the other way is that the applicant has tried to rent the space and trying to find a retail tenant for the space with it being in the back of the Center is going to be difficult at best. Another non-retail office such as a realty could have 20 people working out of the office so he said he's good with the use as is.

Vice Chair Andrade said he feels the same as Commissioner DeBolt plus from a retail standpoint, it is not a great location at all. The other thing is, as far as the property owner is concern, he doesn't believe that they would choose to put a tenant in the space that would create issues with the rest of the tenants for fear of losing some of those other tenants. Also, now they have 100% support from all tenants in the Center for the dental office going in.

Chair Culty said one of the big issues with the parking in the Center is that the spaces don't fit most cars. Technically, there is the right number of spaces but most cars are bigger than the parking space.

Commissioner DeBolt asked about the hours of operation.

Chair Culty indicated it was 9-6 but they're considering one day a week opening 10:00 to 7:00 so people can come after work.

Ms. Kranitz said it was Monday through Friday, and Saturday by appointment only.

Vice Chair Andrade what time the other businesses in the Center close.

Commissioner Grose said most of them close right around 6:00 pm although the beauty salon stays open one night a week or maybe two.

Commissioner Sofelkanik asked Staff if a condition could be added that the number of chairs remain at four and not increase?

Ms. Kranitz said the Commission could do that if they choose.

Chair Cuiilty asked Dr. Hofkis if a condition would be added that he could not have more than four chairs would be agreeable to him.

Dr. Hofkis said as their practice grows, maybe five years or so when the business becomes more established, it would be nice to be able to have available a fifth chair in case they're busy enough to have a hygienist every day. They prefer not to have the condition but they really want to be in the Plaza so they would definitely consider that.

Chair Cuiilty asked Staff if the Commission put the condition on now, they could always come back for a modification, is that correct?

Mr. Mendoza explained the applicant could always request a modification.

Responding to the Commission's question, Dr. Hofkis said he would be agreeable to the hours of operation of 9:00 a.m. to 6:00 p.m. and Saturday's to remain open until 3:00 p.m. He also indicated that 9:00 a.m. to 6:00 p.m. is ideal for them but could add Wednesday until 7:00 p.m.

Motion/Second: Grose/DeBolt

Carried 7/0/0: The Planning Commission moved to bring the resolution of approval to the next meeting in April with changes as follows:

- 1) An additional condition of allowing four chairs only; and,
- 2) No beginning operating hour but an ending hour of operation of 6:00 p.m., Monday through Friday; plus Wednesday will remain open until 7:00 p.m., and Saturday's to remain open until 3:00 p.m.

Chair Cuiilty indicated the Public hearing would remain open for the April 27, 2016 meeting.

C. Conditional Use Permit (CUP) 16-02

Outside Storage in the Planned Light Industrial (P-M) Zone

Consideration of a Conditional Use Permit (CUP 16-02) to permit an unpermitted 4,554 square foot outside storage area at a 18,808 square foot Industrial Building (Trend Offset) located at 10631 Humbolt Street (APN 242-242-25) in the Planned Light Industrial (P-M) Zoning District (Applicant: Kristie Nelsen, Of Kardent Design).

Chair Cuiilty recused herself because she knows the principal of the design company who's presenting and excused herself from the Chamber.

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated he is prepared to answer questions from the Commission.

Vice Chair Andrade opened the Public Hearing.

Steve Furlong, Applicant's representative and employee of Trend, explained that the press that put inside the building is a huge piece of equipment and explained what the press does. As far as the building permit not being applied for, the ball got dropped and he takes the blame for that. He also said that with this new equipment Trend will be hiring potentially ten new employees.

Vice Chair Andrade asked if the building was to store equipment or paper.

Mr. Furlong said that it is just for the storage of paper.

Vice Chair Andrade asked if there was enough room for paper as well as the press.

Mr. Furlong said no.

Candy DeWitt-Druckker, resident, said she lives in the Greenbrook Tract which is right off of Humbolt Street and has concerns about the noise level of the new equipment at Trend. She indicated the noise level is better but still can hear a soft hum in her upstairs bedroom. Her concern also is the noise that comes from the truck traffic on Humbolt Street and she asked what time of night Trend is going to be delivering the paper to their business. She also said she's concerned about the employment of ten new employees as she's not sure if there's enough parking for the new employees. Ms. DeWitt-Druckker urged the Commission to strongly consider all the traffic, noise and parking issues in their determination tonight.

Vice Chair Andrade asked if it was the same paper that they've always used and asked about the delivery schedule of the paper.

Mr. Furlong indicated it was the same paper and same schedule they've always had. They receive the paper between 6:00 a.m. to 8:00 p.m. by appointment only. They've been working hard with the traffic and have an employee with an I Pad scheduling trucks when they're backed up and will reroute them. He said he would give Ms. DeWitt-Druckker a business card to get in touch with him if there are issues. They've been working hard as they realize they're in the middle of a neighborhood but they're also part of the neighborhood, too. As far as the parking is concerned, Mr. Furlong said they've actually opened all that up on the backside of the fence which is all parking spaces. On Reagan Street, they weren't utilizing all the parking with the two buildings they have so they have a swinging gate there and they have their employees parking back there. They installed better lighting and the lot is cleaned every morning.

Responding to Vice Chair Andrade's question, Mr. Furlong indicated there will not be night time forklift traffic.

Vice Chair Andrade asked Staff if there is a penalty for not obtaining a permit prior to the erection of the building.

Mr. Mendoza explained doing work without a permit, it's a double fee when you obtain the permit. Trend was actually already going through the process; they had filed their CUP application and Staff kind of understood that they were struggling between violating the City's rules and regulations and covering their paper from the weather. They took a chance. He had asked for the At Risk letter much earlier in the process and Trend didn't get it to him on time until he went to the CEO so that the City is covered and finally got it.

Commissioner Sofelkanik asked if Trend as since gotten permits and paid all the fees.

Mr. Mendoza answered that the permits have been issued and paid for and they've also had inspections; they just don't have Planning approval.

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

Motion/Second: Grose/DeBolt

Carried 6/0/1 (Culity abstained): The Planning Commission moved to Adopt Resolution No. 16-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 16-02) TO RETROACTIVELY APPROVE A 4,531 SQUARE FOOT METAL CANOPY-COVERED STRUCTURE, OUTDOOR STORAGE AREA, ATTACHED TO AN EXISTING 18,808 SQUARE FOOT BUILDING ON A 1.05 ACRE PARCEL AT 10631 HUMBOLT STREET (APN NO. 242-242-25) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: KRISTIE NELSEN, KARDENT DESIGN, ON BEHALF OF TREND OFFSET PRINTING)."

Chair Culity returned to the Chamber.

A break was called at 8:24 PM and reconvened at 8:32 PM with all Commissioners present.

**D. Zoning Ordinance Amendment (ZOA) 16-05
Review of Uses in the Planned Light Industrial Zone (Citywide) (City Initiated)**

The City Council has directed the Planning Commission to review the land use table for the Industrial Zone (other zones to follow) and consider a Zoning Ordinance Amendment to implement those uses supported by the Commission within the Planned Light Industrial (P-M) Zone and its overlay zones (Citywide) (City initiated).

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

Chair Cuijly opened the Public hearing.

George Pardon, Cypress resident, commented that that area is significantly impactful to his community as they already deal with getting out of their tract of homes every morning and afternoon not only because of the traffic from the industrial area but the school traffic as well. He said between Los Alamitos and Cypress, the residents worked very hard together not to have Prologis Truck Center coming to Cypress and they were successful. They would hate to have that success and then introduce more truck traffic right across the street from them.

Lois Waddle, Los Alamitos resident, said she's also concerned about the truck traffic as the traffic is already unbearable. She asked why the residents living in Carrier Row weren't notified of this meeting. She informed the Commission and Staff that there will be a meeting on the Master Plan on the Race track on Tuesday and Wednesday night and hopes the Commission and the Council will attend as we will take anything on development for that race track into our pocket the same as we're doing now and will have to absorb the cost of the traffic on Katella as we're doing now.

Sherry Poe, resident, said she's lived in Los Alamitos all her life and she's seen a lot of changes and changes she doesn't like. She said she doesn't want to see trucks as Los Alamitos worked long and hard with Cypress to prevent Prologis from going into that 33 acre property and now less than a half of a block away there would be another truck terminal (Arrowhead). The Council at that time voted unanimously to oppose Prologis and then about 3 weeks ago, we had a community meeting and they had three members of the Council vote to have a 45 day moratorium on looking over all of the zoning and making changes that need to be done. She said she suggests that the Council do that; that you go through and check off things that don't belong where they should not be. She said that Staff needs to know that the people that live in Los Alamitos don't want trucks.

Bill Budge, Property Manager of Los Alamitos Corporate Center on Cerritos Blvd., which is one of the larger mixed projects in the area and he wanted to say that in regards to the land use document as it exists today, he finds it to be very compatible with Los Alamitos as it allows a mix of office and light

industrial and service businesses that can accommodate the needs of the community and provide jobs and opportunities for all of the people in the area. He had a heavy truck user at one point but they have since moved and they have replaced them with BarBaker's on Bloomfield Ave. and are more manufacturing oriented. Staff has worked with them and they've worked with Staff to get a mix of uses that are conducive to local business and job creation.

Marilyn Low, Cypress resident, said she received a notice about the trucking and huge building for big trucks.

Chair Cuiilty explained that the item we're talking about currently is not about the Arrowhead property but the zoning as a whole and what we want there.

Ms. Low said that if the City changed the zoning and allow what was in the letter, the City is impacting the schools and she said she just thinks it's a bad idea and hopes the Commission will consider everything before making a decision.

Orion Wise, with the property management of the Katella Corporate Center, received a notice and is wondering what some of the proposed benefits of the proposed plan are as it is right now.

Mr. Mendoza answered that there are no proposals until the Commission starts discussing it. There's been no Staff report giving them direction to make any type of changes; they will discuss that tonight.

Mr. Wise asked if there will be an opportunity to make comments after that discussion.

Mr. Mendoza answered the hearing will remain open.

Ty Bolding, representing three properties within the overlay; one on Cerritos and two on Catalina. They are small multi-tenant light industrial properties and they are opposed to anything that would be more restrictive to the tenants already there.

Chair Cuiilty indicated the Public hearing will remain open.

Commissioner DeBolt indicated he attended the special City Council meeting that was called for the moratorium that was spoken about earlier. He commented that Los Alamitos is a bedroom community; this is where we raise our kids and primarily that's the function here. What he took away was we don't want to end up like a Santa Fe Springs or a more and more heavy industrial. If anything, we are fully developed and 99% built out; the days of needing industry to provide jobs are passed and the heavier, dirtier, more intense uses if anything should begin to be phased out in favor of the lighter

R & D type uses that will help preserve the community or keep it in that way. That's just his general overall view before beginning to go through this.

The Commission began going line by line in the Los Alamitos Municipal Code Section 17.10.020, Table 2-04, which is included in the Draft Ordinance attached to this item and but only worked on the P-M and L-I zones. They discussed at length each use and gave particular examples of properties within the City and how the properties and property owners could be impacted by the existing code and any proposed changes to the code.

Following the discussion, and the unanimous decision to have a Special Planning Commission meeting on Wednesday, April 6 at 6:00 p.m., Ms. Kranitz indicated she would incorporate the Commission's changes into the Ordinance and will bring it back to the April 6th meeting.

8. STAFF REPORT

A. Update on Recreational Vehicle Issue

A Staff update to the Planning Commission concerning the zoning code that pertains to Recreational Vehicles (Citywide) (City initiated).

Development Services Director Mendoza reported the applicant called him today to let him know she would not be able to attend tonight's meeting and so therefore is recommending that this item be continued to the April 27, 2016 Regular Planning Commission Meeting.

Motion/Second: Sofelkanik/DeBolt.

Unanimously carried: 7/0/0. The Planning Commission moved to continue this item to the April 27, 2016 regular Planning Commission meeting as recommended by Staff.

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

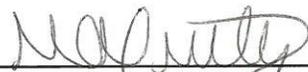
None.

10. COMMISSIONER REPORTS

None.

11. ADJOURNMENT

The Planning Commission adjourned at 10:45 p.m. to a Special Planning Commission Meeting on April 6, 2016 at 6:00 p.m. with a continued Public hearing.



Mary Anne GUILTY, Chair

ATTEST:



Steven Mendoza, Secretary