

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

REGULAR MEETING – April 27, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:00 PM, Wednesday, April 27, 2016, in the Council Chambers, 3191 Katella Avenue; Chair CUILTY presiding.

2. ROLL CALL

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

Absent: Commissioner John Riley

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair CUILTY.

4. ORAL COMMUNICATION

Chair CUILTY opened the meeting for Oral Communication for items not on the agenda. There being no speakers, Chair CUILTY closed Oral Communication.

5. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of March 23, 2016.

Motion/Second: Grose/Sofelkanik.

Carried 6/0/0 (Riley absent): The Planning Commission approved the Minutes of the Regular meeting of March 23, 2016 as written.

B. Approve the Minutes for the Special Meeting of April 6, 2016.

Motion/Second: Grose/Andrade.

Carried 6/0/0 (Riley absent): The Planning Commission approved the Minutes of the Special meeting of April 6, 2016 as written.

6. CONSENT CALENDAR

None.

7. PUBLIC HEARINGS

A. Conditional Use Permit (CUP) 16-01

A Request for a Dentist to Locate in the General Commercial (C-G) Zone
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 (Applicant: Sandra Yavitz of Los Alamitos Center Plaza II, LLC).

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. He also reminded the Commission that this is a continued Public hearing

Chair Cuiilty re-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/DeBolt

Carried 6/0/0 (Riley absent): The Planning Commission adopted Resolution No. 16-08 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 16-01 TO ALLOW A MEDICAL USE (DENTIST) AT 10688 LOS ALAMITOS BOULEVARD, A MAJOR ARTERIAL IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT (APPLICANT: SANDRA YAVITZ, OF LOS ALAMITOS CENTER PLAZA II LLC)."

B. Conditional Use Permit (CUP) 16-06

Secondhand Shop in the General Commercial (C-G) Zoning District

Consideration of Conditional Use Permit (CUP 16-06) for a 750 square foot secondhand shop at 3622 Katella Avenue in the General Commercial (C-G) zoning district, APN 222-091-21 (Applicant: Sheyenna Lesser).

Commissioner DeBolt indicated he had a conflict due to having interest in real estate within 500 feet and excused himself 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. Mr. Oliver reminded the Commission that this is a continued Public Hearing.

Chair Cuiilty re-opened the Public Hearing.

Sheyenna Lesser, Applicant, indicated she is very experienced and has been managing a very successful half million dollar per year company in Newport Beach. She concluded that there is a real need for this type of shop in Los

Alamitos and the community. Her goal is not to leave or sell the business and would like to be in the community for a long time.

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.

In response to Commissioner Sofelkanik's question, Associate Planner Oliver explained that the differentiation between a pawn shop and a secondhand store is that a pawn shop holds items as collateral and a secondhand store sells products outright. As instructed by Commissioner Sofelkanik, Mr. Oliver read into record Los Alamitos Municipal Code 17.76.02 which deals with the definition of a pawn shop and secondhand stores.

Motion/Second: Grose/Sofelkanik

Carried 5/0/1 (DeBolt abstained and Riley absent): The Planning Commission adopted Resolution No. 16-09 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 16-06 TO OPERATE A 750 SQUARE FOOT SECONDHAND SHOP IN A 8,037 SQUARE FOOT COMMERCIAL BUILDING AT 3622 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-21 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHEYENNA LESSER)."

C. Site Plan Review (SPR 16-03)

Duplex to be Constructed on a Parcel in the R-2 Zone

Consideration of a Site Plan Review (SPR 16-03) application for the construction of a 4,649 square foot residential duplex unit on a 7,405 vacant parcel at 10700 Reagan Street in the Limited Multiple Family residential (R-2) zone, APN 242-183-03. This project would include an attached three-car garage with one uncovered parking spot outside of the structure (Applicant: Teresa Mattazaro).

Commissioner DeBolt returned to 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.

Chair Culty opened the Public Hearing.

Teresa Mattazaro, Applicant, said that they found this beautiful lot and she is looking forward constructing this duplex.

John Epps, Consulting Project Manager for this project introduced himself to the Commission.

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.

In response to Commissioner Grose's question, Mr. Oliver explained that the City requires 15% of required landscaping.

Mr. Epps indicated they've met the requirement as it's at 22.6% for landscaping and it is a low water type of landscaping that also meets the water requirements. Mr. Epps indicated these are not large trees; they are a smaller to medium tree which won't create any sidewalk issues in the future.

Motion/Second: Grose/DeBolt

Commissioner DeBolt pointed out that with regard to Exhibit A, Conditions of Approval, the address on the title is incorrect as it shows 4292 Green and it should be 10700 Reagan Street.

The motion carried 6/0/0 (Riley absent): The Planning Commission moved to adopt Resolution No. 16-10, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 16-03 FOR THE CONSTRUCTION OF A 4,649 SQUARE FOOT DUPLEX ON A 7,405 SQUARE FOOT VACANT PARCEL AT 10700 REAGAN STREET IN THE LIMITED MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE, APN 242-183-03, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: TERESA MATTAZARO)."

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

Continued review of the land use table and definitions 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. He explained that the Commission has received a letter of interest from an attorney representing a property owner in the area.

Chair Cuiilty re-opened the Public hearing.

Chris Burke of Manatt, Phelps, & Phillips, LLP, representing JCB, Inc., the owner of the property located 4411 Katella Avenue. Mr. Burke confirmed the Commission received a letter today and within that letter was a specific question about Arrowhead's existing operations which generally they conduct aerospace engineering and manufacturing accessories, etc., and they also use some sort of rubber manufacturing in preparing those products. He explained that rubber products have been eliminated from the use list and he just wanted clarification as to the continued operation of Arrowhead under the aerospace heading.

Chair Culty asked Mr. Mendoza if Arrowhead would be grandfathered in.

Mr. Mendoza explained that he would see it more as a primary use issue versus a secondary use issue.

Assistant City Attorney Lisa Kranitz explained that she's not exactly sure what Arrowhead does and whether the City made that a CUP or not but it would be legal non-conforming so they could continue doing that use even under a new owner. She further explained that assuming the City Council does the second reading of the Non-Conforming Ordinance that they introduced the other night, then Arrowhead is a legal, non-conforming use because it doesn't have a CUP and would be allowed to continue its operations.

Motion/Second: DeBolt/Sofelkanik

Carried 6/0/0 (Riley absent): The Planning Commission moved to Adopt Resolution No. 16-07, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 16-05 THEREBY MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, SECTION 17.38.140 RELATING TO RECYCLING FACILITIES, AND DEFINITIONS IN CHAPTER 17.76, OF THE LOS ALAMITOS MUNICIPAL CODE (CITY INITIATED)."

8. STAFF REPORTS

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 summarized the Staff report, and explained that the Commissioners asked Staff to bring back this Resolution of Intention so they may discuss this subject. In their meeting the Commission recommended that Staff refer the issue to the City Prosecutors' office to review the compliance of the recreational vehicle prior to taking on this issue. The City Prosecutor made a visit to the site that the resident had presented as an example to the Commission at the December, 2015

meeting. The Prosecutor did not observe a recreational vehicle parked at the site, and later met with Staff to review photographs and the applicable code sections.

It is the opinion of the Prosecutor, the requirements of LAMC 17.26.060 (RV parking code), permit the parking of an operable recreational vehicle on the front driveway at least 5 feet from the adjacent property, albeit in public view. With respect to parking in the side setback, the requirements for an obscuring wall (up to 7') and minimum setback from the property line prevents utilizing the side yard at this particular property. The wooden gate hiding the side yard setback does not alter these requirements. Code changes would be required to further limit front yard parking on the driveway or to allow side yard parking with the absence of the minimum setback and wall requirements.

Mr. Mendoza indicated Staff has corresponded through email with the resident who brought this subject up at the December meeting and has learned that the owner of the neighboring property in question has not been parking the RV at the home as of late.

Ann Bickel, resident, supplied the Commission with new updated Information and explained the code changes she would suggest the Commissioners take a look at in Municipal Code Section 17.26.060. She said she would like to urge the Commission to continue to discuss this issue and have it opened in a Public Hearing. She said she spent some time looking at how this evolved (the zoning regulations) as far as the intent was concerned.

Mr. Mendoza indicated it was in 2006 with a small change that didn't pertain to RV's occurring in 2014.

Commissioner DeBolt said he would like to see something like this come from the City Council to the Commission rather than have it initiated from the Commission.

Vice Chair Andrade said this is a widely debated topic and it never ends well because 50% of the people will be happy with a change and 50% of the people are not going to be happy. There's only one issue that is being looked at right now and that's why there isn't a large amount of people coming in saying that this is a huge problem in the City. The other question he has with regard to that was whether or not Code Enforcement went out to inspect the property and what the outcome was on that.

Mr. Mendoza explained the resident was cited when the RV was in the side yard towards the back; when it was in the front yard, it wasn't a violation of the code. Then we had the City Prosecutor look at it and make sure we were enforcing it correctly and he stated he agrees with Staff; that if it's in the front part of the property, it is not a violation of the code as it's currently written

today. The RV comes and goes; it hasn't been there this entire time but it appeared back in the yard yesterday.

Vice Chair Andrade asked if they found a place to store it somewhere else and that's why it's been gone.

Ms. Bickel indicated they store it somewhere else as they found out she was making an attempt to regulate the code.

Vice Chair Andrade asked if they brought the RV back to pack it up for another trip.

Ms. Bickel acknowledged that that was probably the case.

Vice Chair Andrade said actually it sounds like they were possibly being neighborly and actually made an attempt to move it somewhere else.

Ms. Bickel said that yes, they did.

Vice Chair Andrade said he's not a fan of opening this up to further discussion. He said he understands Ms. Bickel's point but it sounds like that neighbor has actually made an attempt to possibly help out the situation. Commissioner DeBolt asked Staff if the City gets a lot of calls or complaints about this type of thing.

Mr. Mendoza explained that Code Enforcement does get calls but it normally is boats more than RV's they get complaints about.

Commissioner Sofelkanik asked Ms. Kranitz if a Commissioner had a motor home, should that Commissioner recuse him or herself from the discussion.

Ms. Kranitz said that would probably be a good idea but she would have to check the specific rules.

Vice Chair Andrade said we haven't seen a rash of people coming in to complain about RV's and he feels that if we open this up for discussion, this Chamber will be completely full and the end result is he doesn't know if it would be any better than what we currently have in place. Why go there? He said he's not trying to discount Ms. Bickel's complaint because it is just as important as anybody else's but there is just one complaint, not twenty or thirty.

Motion/Second: Grose/Andrade.

Carried: 6/0/0 (Riley absent). The Planning Commission moved to deny the resolution.

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None.

10. COMMISSIONER REPORTS

None.

11. ADJOURNMENT

The Planning Commission adjourned at 7:47 PM.



Mary Anne Cuffy, Chair

ATTEST:



Steven Mendoza, Secretary