

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA PLANNING COMMISSION REGULAR MEETING

Wednesday, August 24, 2016 – 7:00 PM

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the Development Services Department or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Each matter on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "for information" or "for discussion" may also be the subject of an "action" taken by the City Council at the same meeting.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Development Services Department, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the Development Services Department at (562) 431-3538, extension 303, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the Planning Secretary at the meeting for individuals with hearing impairments.

Persons wishing to address the Planning Commission on any item on the Planning Commission Agenda shall sign in on the Oral Communications Sign In sheet which is located on the podium once the item is called by the Chairperson. At this point, you may address the Planning Commission for up to ***FIVE MINUTES*** on that particular item.

1. CALL TO ORDER
2. ROLL CALL
 - Chair Cuiilty
 - Vice Chair Andrade
 - Commissioner DeBolt
 - Commissioner Grose
 - Commissioner Loe
 - Commissioner Riley
 - Commissioner Sofelkanik
3. PLEDGE OF ALLEGIANCE

4. ORAL COMMUNICATIONS

At this time any individual in the audience may address the Planning Commission and speak on any item within the subject matter jurisdiction of the Commission. If you wish to speak on an item listed on the agenda, please sign in on the Oral Communications Sign In sheet located on the podium. **Remarks are to be limited to not more than five minutes.**

5. APPROVAL OF MINUTES

- A. **Approve the Minutes for the Regular Meeting of June 22, 2016.**
- B. **Approve the Minutes for the Special Subdivision Committee Meeting of June 22, 2016.**
- C. **Approve the Minutes for the Regular Meeting of July 27, 2016.**

6. CONSENT CALENDAR

None

7. PUBLIC HEARINGS

A. Site Plan Review (SPR) 16-05

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

Consider a Site Plan Review (SPR 16-05) application for the construction of a new 4,450 square foot residential duplex at 10833 Cherry Street on a 6,750 square foot parcel in the R-2 zone, APN 242-183-11 to replace an existing 1,126 square foot single family residence. This project will also include construction of a detached 400 square foot two-car garage. (Applicant: Theresa Murphy – Precious Life Shelter).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 *In-Fill Development Projects*; and,
3. Adopt Resolution No. 16-15, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-05 TO REPLACE AN EXISTING 1,126 SQUARE FOOT SINGLE FAMILY RESIDENCE WITH THE CONSTRUCTION OF A 4,450 SQUARE FOOT DUPLEX, THUS PROVIDING TWO UNITS OF 2,225 SQUARE FEET EACH, AND ADDING A 400 SQUARE FOOT DETACHED TWO-CAR GARAGE ON A 6,750 SQUARE FOOT PARCEL AT 10833 CHERRY STREET IN THE LIMITED MULTIPLE-FAMILY (R-2) ZONE, APN 242-183-11, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: THERESA MURPHY – PRECIOUS LIFE SHELTER)."

B. Conditional Use Permit (CUP) 16-12

Motor Vehicle Impound Yard in the Planned Light Industrial (P-M) Zone

Consideration of a Conditional Use Permit (CUP 16-12) to permit a 6,000 square foot motor vehicle impound yard with a 2,300 square foot indoor office in a building located at 10621 Bloomfield Street, Unit 20, (APN 242-242-62) in the Planned Light Industrial (P-M) Zoning District (Applicant: Jose Flores, Ultimate Towing & Recovery).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to a Class 1 Categorical Exemption, pursuant to Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive; and,
3. Adopt Resolution No. 16-16, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP 16-12) FOR A 6,000 SQUARE FOOT MOTOR VEHICLE IMPOUND YARD – *NO DISMANTLING OR WRECKING, ATTACHED TO AN EXISTING 58,512 SQUARE FOOT BUILDING ON A 5.25 ACRE PARCEL* AT 10621 BLOOMFIELD STREET (APN NO. 242-242-62) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JOSE FLORES, ULTIMATE TOWING & RECOVERY).”

C. Conditional Use Permit (CUP) 336-90M

Site Plan Review (SPR) 11-01M

Modifying a McDonald’s Drive-Thru in the (C-G) Zoning District

Consideration of a modification to a Conditional Use Permit (CUP 336-90M) and a Site Plan Review (SPR 11-01M) to modify a drive-thru as well as make modifications to the landscape and curb for a McDonald’s at 3562 Katella Avenue in the General Commercial (C-G) zoning district (APN 222-091-20) (Applicant: Silman Ruiz).

Recommendation:

1. Open the Public Hearing; and, if appropriate,

2. Determine that a Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, shall be filed for the proposed project in accordance with the California Environmental Quality Act. The proposed use is part of the existing use at an existing building with no proposed alterations or expansion; and,
3. Adopt Resolution No. 16-17, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A MODIFICATION OF CONDITIONAL USE PERMIT 336-90 AND SITE PLAN REVIEW 11-01 TO PERMIT THE ADDITION OF A SECOND ENTRANCE TO THE MCDONALD'S FAST-FOOD RESTAURANT DRIVE-THRU AT 3562 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-20 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SILMAN RUIZ)."

8. STAFF REPORT

None

9. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

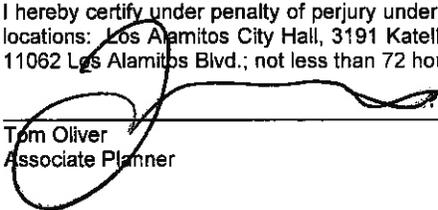
10. COMMISSIONER REPORTS

11. ADJOURNMENT

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed to the City Council, and must be done so in writing at the Community Development Department, within twenty (20) days after the Planning Commission decision. The appeal must include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement, accompanied by an appeal fee of \$1,000.00 in accordance with Los Alamitos Municipal Code Section 17.68 and Fee Resolution No. 2008-12.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.



Tom Oliver
Associate Planner

8/18/16

Date

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

REGULAR MEETING – June 22, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:03 PM, Wednesday, June 22, 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 Victor Sofelkanik

Absent: Commissioner John Riley

Staff: Development Services Director Steven Mendoza
Associate Planner Tom Oliver
City Attorney Cary Reisman
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. There being no speakers, Chair Cuiilty closed Oral Communication.

5. APPROVAL OF MINUTES

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

Commissioner DeBolt indicated that page 3, paragraph 3, be changed to reflect the following:

“Carried 5/0/1 (DeBolt and Riley absent): The Planning...”.

Commissioner DeBolt said he had recused himself because he had a conflict of interest that he had declared and the proper notation should be “absent” according to the City code, 2.32100 which says, “Disqualification for conflict of interest. A member stating disqualification shall not be counted as part of the quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.”

Motion/Second: Grose/DeBolt.

Carried 6/0/0 (Riley absent): The Planning Commission approved the Minutes of the Regular meeting of April 27, 2016 with correction as stated above.

B. Approve the Minutes for the Regular Meeting of May 25, 2016.

Motion/Second: Grose/Andrade.

Carried 6/0/0 (Riley absent): The Planning Commission approved the Minutes of the Regular meeting of May 25, 2016 as written.

6. CONSENT CALENDAR

None

7. PUBLIC HEARINGS

**A. Site Plan Review (SPR) 16-02
Conditional Use Permit (CUP) 16-04
Conditional Use Permit (CUP) 16-05
Marriott Fairfield Inn Hotel**

Continued consideration of a Marriott Fairfield Inn & Suites Hotel at 10650 Los Alamitos Boulevard (APN 242-243-03) on a 2.3 acre vacant parcel in the General Commercial (C-G) Zoning District. (Applicant: Shamir Narsai – Triple Sons Investments, LLC.)

Development Services Director Steven Mendoza summarized the Staff report, referring to the information contained therein, and indicated that Staff did receive letters of support from the shopping center next door (“Yavitz Company”) and also from Marriott.

Chair Cuiilty opened the Public hearing for comment.

Joe Maggiore, Brew Kitchen Ale House, said this project would definitely compliment his and other businesses especially in conjunction with the plans for the Boulevard Project. He felt that this project would add value to that section of town.

Stan Blackwell of 60 Minute Spectacles, said after consideration, he is in support of the hotel for the fact that any of the other options would increase traffic if they were to put any other type of venue in that lot.

Chair Cuiilty called on the Applicant.

Shamir Narsai, Triple Sons Investments, Applicant, went over his presentation from the previous Commission meeting and said at the end of that meeting, they were filled with mixed emotions as far as the color, the design and some landscape issues but he feels they have mitigated those issues and went over the following:

- \$250,000 annually would go into the City's General Fund;
- A letter from Marriott was emailed to Staff this week which indicated their approval and letter of intent for this project. They have also signed a Franchise Disclosure Document;
- Wrote up a new site plan according to the recommendations of the Commission and Staff which added one parking spot which now totals 109 parking spaces instead of 108;
- Color palette – Introduced three different options of colors plus the original option for a total of four options for the Commission to choose from.

Ray La Compte, owner of Arbor Village indicated he would be delighted to see this project go in.

There being no further speakers, Chair Culty closed the Public hearing.

Commissioner Grose said she has always been in favor of this project and asked for opinions from not only the Commission but also from the audience as to their preference of color options that the Applicant provided previously.

Commissioner DeBolt spoke about the Architectural Review Committee guidelines under Municipal Code which talks about the architectural theme for the City which is early California and is defined to include elements of Western Ranch, Spanish Monterey and Victorian Schools of Architecture and then it lists the characteristics of that theme. He said where he is in all of this is that this section of the code has either been ignored or overlooked but he thinks there's always been somewhat of the underlying notion that this is the theme for the City. He said for him this feels like a leap too far as he sees a box with windows and doesn't see the architectural interest that he would like to see in the area. He said he likes the project and he likes the idea of a hotel and the income that it generates but he just doesn't want this design in his neighborhood.

Vice Chair Andrade said he feels the architecture does fit the younger clientele and the different color options offered does warm up and soften the architecture. Also, he said the landscaping will go a long way to make the project more pleasant. One more thing he wanted to discuss was the possibility of adding some sort of a berm with landscaping which will really help the aesthetics and accentuate the property as a whole.

Gil Mendoza, Civil Engineer for the project, indicated that for the most part, this model is what attracts most of their clientele.

Vice Chair Andrade asked if the Applicant would be receptive to adding a condition with the addition of a berm.

Gil Mendoza indicated this could be accomplished with no problem.

Development Services Director Mendoza commented that condition #91 could be added covering the addition of a berm.

Motion: DeBolt

Moved to approve Option 1 with the condition that prior to issuance of building permits and any construction that they have a fully executed franchise agreement with Marriott that cannot be rescinded to ensure that this is a Marriott Fairfield Inn and Suites.

City Attorney Cary Reisman said he felt this motion was not proper. He said the Commission can approve the design and the 91 conditions but doesn't know that the name of the hotel is something that the City can or should be involved in.

Chair Culty indicated that Condition #7 covers the standards of an AAA hotel.

Commissioner DeBolt modified his motion and said he'll defer to the City Attorney with respect to that being infeasible and probably not able to do what he would have liked and he's okay with the criteria that has been laid out in Condition #7 with respect to the AAA standards and will assume that Marriott will deliver a Fairfield Inn and Suites.

Commissioner Grose seconded that motion. The motion was passed unanimously (Riley absent).

Chair Culty indicated now the Commission will decide on the color options.

City Attorney Reisman called for a vote and Option #3 was chosen.

In response to Chair Culty's question, Mr. Mendoza indicated that Condition #91 was added and will be placed under a category called "Added by the Commission".

Mr. Narsai pointed out that Condition #18 states that the Site Plan should match previously dated Site Plans.

Mr. Mendoza indicated that Staff will change that to the date of the plans that Mr. Narsai submitted tonight.

Motion/Second: Grose/Andrade

Carried 6/0/0 (Riley absent): The Planning Commission adopted Resolution No. 16-11, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-02 TO ALLOW CONSTRUCTION OF A FOUR-STORY 61,643 SQUARE FOOT HOTEL AT 10650 LOS ALAMITOS BOULEVARD,

IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-243-03, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHAMIR NARSAI – TRIPLE SONS INVESTMENTS, LLC).”

And

Motion/Second: Grose/Loe

Carried 6/0/0 (Riley absent): The Planning Commission adopted Resolution No. 16-12, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMITS (CUP) 16-04 & 16-05 TO ALLOW CONSTRUCTION OF A FOUR-STORY 61,643 SQUARE FOOT HOTEL WITH INCREASED BUILDING HEIGHT AT 10650 LOS ALAMITOS BOULEVARD, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-243-03, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHAMIR NARSAI – TRIPLE SONS INVESTMENTS, LLC).”

A break was called at 8:11 PM and reconvened at 8:21 PM with all Commissioners present (Riley absent).

B. Continued Consideration of General Plan Amendment and Zoning Map Amendment for 4411 Katella Avenue.

Continued consideration of a General Plan Amendment and Zoning Map Amendment to the 28-acre site commonly known as Arrowhead Property. The change would be from the current General Plan Designation (Planned Industrial with Retail Overlay) to Retail Business and amend the Zoning Map (Planned Light Industrial with Retail Overlay) to General Commercial (C-G). More specifically this property is identified as Orange County Assessor Parcel Nos. 241-241-08, 241-241-09, 241-241-10 and 241-241-11 (4411 Katella Avenue).

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

Chair Cuiilty re-opened the Public hearing.

Susan Hori, Manatt, Phelps & Phillips, LLP, indicated she spoke with the land owner as well as representatives from Arrowhead Products as the Commissioners asked at the previous meeting whether or not there might be any opportunity to carve out or create a provision in the ordinance that would allow Arrowhead to expand its operations on site through a conditional use permit process. While Arrowhead was very appreciative of the Commission's desire to retain the ability to expand on site and if the Commission wanted to include that as part of the ordinance, that is something they would not

oppose. But Arrowhead, as well as the owner, did want to make it clear that they still do not support the proposed General Plan amendment and the proposed rezoning; that it would be their preference that the property remains with the existing industrial land use and zoning with the retail overlay. A question that Commissioner DeBolt asked last month was how long Arrowhead expects to stay at the property and what their lease provisions are and the answer is Arrowhead anticipates being on the site for at least 20 years if not more depending upon renewals of their lease. They would very much like to see the existing land use and the zoning be retained and that the amendment not be moved forward to the City Council.

There being no further speakers, Chair Cuijly closed the item for public comment.

Commissioner DeBolt said that the Commission is here again at the City Council's direction to revisit this for whatever reason. He said he appreciates the idea that 20 years is a long time but Arrowhead has been here for many years and the back portion of the property has been vacant the entire time. It's not like the owners are precluded from ever developing their property into something other than retail; it's just that retail secures those retail uses for that property and it does that to the exclusion of objectionable non-retail uses.

Motion/Second: DeBolt/Sofelkanik

Carried 5/1/0 (Nay: Grose and Riley absent): The Planning Commission adopted Resolution No. 16-13, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL TO ADOPT GENERAL PLAN AMENDMENT (GPA) 16-01 TO CHANGE THE LAND USE DESIGNATION FROM PLANNED INDUSTRIAL RETAIL OVERLAY ZONE (P-M ROZ) TO RETAIL BUSINESS (R-B) AND ADOPT ZONING ORDINANCE AMENDMENT (ZOA) 16-01 TO CHANGE ZONING DESIGNATIONS FROM THE PLANNED LIGHT INDUSTRIAL RETAIL OVERLAY ZONE (P-M ROZ) TO THE GENERAL COMMERCIAL (C-G) ZONE FOR PROPERTY AT 4411 KATELLA AVENUE, ASSESSOR PARCEL NOS. 241-241-08, 241-241-09, 241-241-10 AND 241-241-11 (APPLICANT: CITY OF LOS ALAMITOS)".

The resolution was modified as follows: "...provided however that the current use upon the property shall not be subject to the City non conforming use provisions to the extent that it wishes to expand to other portions of the property".

Also, it was determined that the property owners names should also be changed on the resolution to reflect "JCB Inc. Tinicum Corporation" as the property owners.

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None

9. COMMISSIONER REPORTS

- Commissioner Grose asked to close the meeting today in honor of Gene Gabler, former Planning Commissioner and a long time resident, who recently passed away.

10. ADJOURNMENT

The Planning Commission adjourned at 9:04 PM.

Mary Anne Cuijly, Chair

ATTEST:

Steven Mendoza, Secretary

**MINUTES OF SUBDIVISION COMMITTEE MEETING
OF THE CITY OF LOS ALAMITOS**

SPECIAL MEETING – June 22, 2016

1. CALL TO ORDER

The Subdivision Committee met in Special Session at 9:15 PM, Wednesday, June 22, 2016, in the Council Chambers, 3191 Katella Avenue; Committee Chair Culty presiding.

2. ROLL CALL

Present: Commissioners: Committee Chair Mary Anne Culty
 Committee Vice Chair Larry Andrade
 Committee Member Art DeBolt
 Committee Member Wendy Grose
 Committee Member Gary Loe
 Committee Member Victor Sofelkanik

Absent: Committee Member John Riley

Staff: Development Services Director Steven Mendoza
 Associate Planner Tom Oliver
 City Attorney Cary Reisman
 Department Secretary Dawn Sallade

3. APPROVAL OF MINUTES

A. Approve the Minutes for the Special Subdivision Committee Meeting of May 25, 2016.

Motion/Second: Grose/Sofelkanik.

Carried 5/0/1 (DeBolt abstained and Riley absent): The Planning Commission approved the Minutes of the Special meeting of the Special Subdivision Committee meeting of May 25, 2016 as written.

4. ADJOURNMENT

The Subdivision Committee adjourned at 9:19 PM.

Mary Anne Culty, Committee Chair

ATTEST:

Steven Mendoza, Secretary

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

REGULAR MEETING – July 27, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:01 PM, Wednesday, July 27, 2016, in the Council Chambers, 3191 Katella Avenue; Vice Chair Andrade presiding.

2. ROLL CALL

Present: Commissioners: Vice Chair Larry Andrade
Commissioner Art DeBolt
Commissioner Wendy Grose
Commissioner Gary Loe
Commissioner John Riley
Commissioner Victor Sofelkanik

Absent: Chair Mary Anne Cuiilty

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chair Andrade.

4. ORAL COMMUNICATION

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

5. APPROVAL OF MINUTES

None

6. CONSENT CALENDAR

None

7. PUBLIC HEARINGS

None

8. STAFF REPORT

**A. Planned Sign Program (PSP) 16-01
Signage for Mighty Kitchen – 11122 Los Alamitos Blvd., Los Alamitos**
Consideration of proposed signage that is in excess of what is permitted within our code.

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.

Craig Hofman, Applicant, indicated that a few extra signs will add to the overall look of the restaurant and the identity of it. He added the added patio and the signs that are currently on the restaurant are calling much better attention to the restaurant than when it was Spin Pizza.

Motion/Second: DeBolt/Grose

Unanimously Carried 6/0/0 (Culity absent): The Planning Commission adopted Resolution No. 16-14, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING PLANNED SIGN PROGRAM (PSP) 16-01, AS CONDITIONED, CONSISTING OF REFACING THE EXISTING FREESTANDING POLE SIGN, ONE (1) ATTACHED WALL SIGN ON THE WEST ELEVATION AND ONE (1) ATTACHED WALL SIGN ON THE EAST ELEVATION, SIX (6) PAINTED WALL SIGNS ON CANOPIES, AND TWENTY-SEVEN (27) PARKING DIRECTIONAL SIGNS LOCATED AT 11122 LOS ALAMITOS BLVD., IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA. APN 222-092-11, (APPLICANT: HOF'S HUT RESTAURANTS, INC. – CRAIG HOFMAN)."

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None

10. COMMISSIONER REPORTS

- Commissioner Sofelkanik inquired about a granny flats ordinance that is being proposed and asked if the Commission should begin discussion on this topic.

Development Services Director Mendoza responded that the Commissioners should start reading the news articles as there are three different laws proposed currently looking to weaken cities' ability to prevent second dwelling units in the back of properties. The thought is this would alleviate the housing shortage in California. Staff is monitoring as well.

Also Staff is watching the marijuana law to ascertain what kind of defensive ordinances the City may need to protect the City's rights as there are many different opinions from different law firms about what the ballot initiative does do and doesn't do.

11. ADJOURNMENT

The Planning Commission adjourned at 7:08 PM.

Larry Andrade, Vice Chair

ATTEST:

Steven Mendoza, Secretary

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

August 24, 2016
Item No: 7A

To: Chair Culty and Members of the Planning Commission

Via: Steven A. Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Site Plan Review (SPR) 16-05
Duplex to be Constructed on a Parcel in the R-2 Zone

Summary: Consider a Site Plan Review (SPR 16-05) application for the construction of a new 4,450 square foot residential duplex at 10833 Cherry Street on a 6,750 square foot parcel in the R-2 zone, APN 242-183-11 to replace an existing 1,126 square foot single family residence. This project will also include construction of a detached 400 square foot two-car garage. (Applicant: Theresa Murphy – Precious Life Shelter).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 *In-Fill Development Projects*; and,
3. Adopt Resolution No. PC 16-15, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-05 TO REPLACE AN EXISTING 1,126 SQUARE FOOT SINGLE FAMILY RESIDENCE WITH THE CONSTRUCTION OF A 4,450 SQUARE FOOT DUPLEX, THUS PROVIDING TWO UNITS OF 2,225 SQUARE FEET EACH, AND ADDING A 400 SQUARE FOOT DETACHED TWO-CAR GARAGE ON A 6,750 SQUARE FOOT PARCEL AT 10833 CHERRY STREET IN THE LIMITED MULTIPLE-FAMILY (R-2) ZONE, APN 242-183-11, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: THERESA MURPHY – PRECIOUS LIFE SHELTER)."

Applicant: Theresa Murphy – Precious Life Shelter

feet each. In addition to the detached two-car garage, two uncovered parking spaces will be provided, and all car access is from the alley.

Discussion

Precious Life is building these units to rent to graduates of their Single Parenting program who are working full time and have a toddler child. The rents will be set at below-market rates for this area so that their graduates can afford to stay in the area while keeping their jobs. The location is in close proximity to Precious Life's main facilities to offer ongoing support as needed.

Precious Life purchased this property with intentions to build four (4) rental units; however, zoning requirements in the R-2 zoning district limit this 6,750 square foot lot to two (2) dwelling units. To help this situation work for both Precious Life's needs and also meet the requirements of the Municipal Code, Staff informed Precious Life that the buildings must have a shared front door and a shared kitchen to be considered by Staff as one dwelling unit in each building.

Project Location

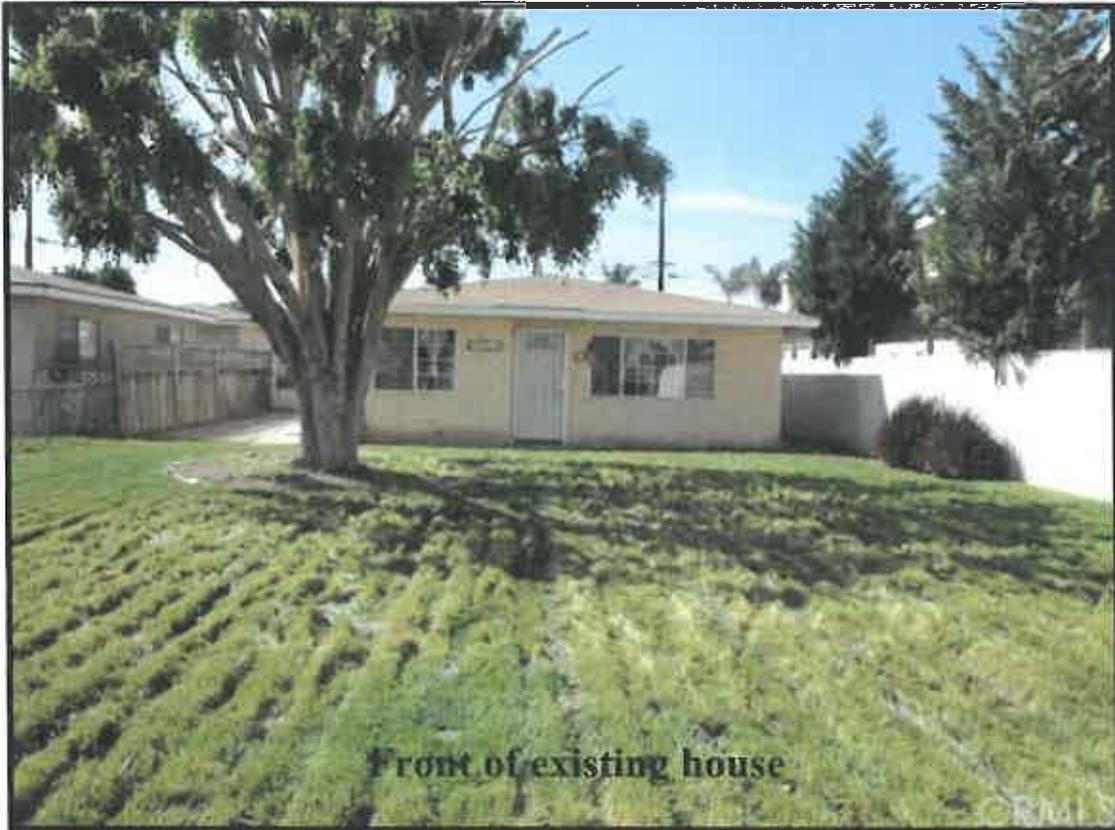


The existing property is shown above. The properties surrounding the proposed project are noted below:

Surrounding Zoning and Uses

Location		Zoning District	Uses
Project Site	Existing	Limited Multiple Family (R-2)	Single Family Residential
	Proposed	Limited Multiple Family (R-2)	Duplex
North of Site		Limited Multiple Family (R-2)	Multiple Family Residential
East of Site		Planned Light Industrial (P-M)	Industrial Buildings (Trend)
West of Site		Limited Multiple Family (R-2)	Single Family Residential
South of Site		Limited Multiple Family (R-2)	Duplex (under construction)





Application and Review Process

On June 14, 2016, the Applicant submitted a Discretionary Application that requested the following entitlement which is required for the project:

Site Plan Review (SPR 16-05)

Chapter 17.50.020 *Applicability*, in the Zoning Code, states:

“A commercial or industrial site development, tentative parcel map, residential development plan, conditional use permit, or the addition of square footage to an existing multiple-family residential, commercial, or industrial structure shall be subject to the site plan review process.”

This project is presented as a residential development plan which requires this Site Plan Review (SPR). A larger site plan is attached to this report as an exhibit of the approving resolution.

Analysis

• **Development Standards**

The proposed project would be located in the R-2 (Limited Multiple Family) Residential Zoning District which is the area designed to provide low-density, multiple-family housing. While the maximum density is up to twenty (20) dwelling units per acre according to the zoning code, the corresponding General Plan designation requires a minimum of 6 units per acre. Therefore, in order to remain consistent with the General Plan, this property would need to support at least 0.9 units. The table below identifies the development features that are required under Section 17.08.030 Table 2-03 (Residential Zoning Districts General Development Standards).

The property owner will dedicate 2½ feet of the western portion of the parcel for the alley, which is required by the City in this neighborhood to enable easier and safer trash collection services by the large trucks used in the industry.

R-2 Residential Development Standards

	Required	Proposed Project	Requirement Met
Parcel Area	9,000 sq. ft.	6,750 minus 112.5 for Alley Dedication	No, but legal nonconforming Parcel
Parcel Width (Interior Parcel)	60 ft.	45 ft.	No, but legal nonconforming Parcel
Parcel Depth	135 ft.	150 minus 2.5 for alley	Yes
Maximum Density	20 du/ac	12.5 du/ac	Yes
Density per General Plan	6-20 du/ac	12 du/ac	Yes
Dwelling Unit Density (Gross Land Area per Dwelling Unit)	3,000 sq. ft. per unit	3,375 sq. ft. per unit	Yes
Minimum dwelling area (gross floor area) (Not including garage)	800 sq. ft. each	2,225 sq. ft. each	Yes
Maximum Height Limit – Main Structures	35 ft.	25 ft. 8 inches	Yes
Setbacks:			
Front	20 ft.	20 ft.	Yes
Side	5 ft. each side	5 ft. each side	Yes
Rear	10 ft.	10 ft.	Yes
Maximum Site Coverage	60%	45%	Yes

	Required	Proposed Project	Requirement Met
Outdoor Living Space	500 sq. ft. per dwelling	1,286 sq. ft.	Yes
Distance between structures (ft.) on one parcel	10 ft. (footnote x)	Garage is 10 feet away from the structure and there is 15 feet between the walls adjacent to the entry between structures.	Yes
Storage Space	200 cubic feet per unit	Not currently shown	Yes, as conditioned (Condition #25)

(x) In those instances there shall be 15 feet between the structure walls adjacent to the entry, for a minimum wall length of 15 feet per entry, parallel to the structure wall.

In addition to the requirements set forth above, there are specific requirements that are set forth elsewhere in the Los Alamitos Municipal Code.

- **Parking**

This project proposes 4 parking spaces; two are in a garage, two are uncovered. All parking spaces are accessed from the alley. Parking requirements in the Limited Multiple Family Residential Zoning District (R-2) require two spaces for each dwelling unit; one of which must be in a garage or carport. The following table identifies the required parking spaces for the proposed project:

R-2 Parking Requirements

	Required §17.26.040 Parking Space Requirements; § 17.26.060	Proposed Project
Required Spaces	Two spaces for each dwelling unit; one of the required parking spaces for each dwelling unit shall be located in a carport or an enclosed garage.	Two units require two spaces each -- one in a garage for each = 4 spaces total need
Provided Spaces	4 spaces total.	2 spaces in a garage, two uncovered parking spaces = 4 spaces total provided

- **Architecture**

The proposed architectural style displays characteristics of Farmhouse style. It includes a full width front porch, divided light windows, a bit of window trim surrounding windows, shutters on the front upper front elevation windows and horizontal siding in a light maple color on all sides. The roofing material will consist of concrete flat tiles. Staff has added conditions #29 and #30 that all divided light windows and fiber cement decorative shutters as shown in the front elevation of the site plan illustrations be installed as shown. Additionally, Staff has added condition #31 to require that the garage doors look as they do in the illustrations so that they do not morph into cheaper unattractive versions.

The drawing below shows the proposed view of the front unit from Cherry Street, on the east, or front, of the parcel. The rear unit has the same front elevation and will be positioned to face the alley on the west.



The next drawing below shows the proposed view of the rear elevation; which is the same on both units and will face each other and share a small courtyard space. On the front unit this will face west, and on the rear unit this will face east.



REAR ELEVATION

SCALE 1/4" = 1'-0"

GENERAL DEVELOPMENT AND USE STANDARDS			
Subject	Code Section	Met?	Notes
Access	17.16.030	Yes	Vehicular access will be provided along the alley, through alley-facing spaces on the west side of the parcel.
Exterior lighting	17.16.050	Yes	The building will include exterior light fixtures located on the front elevation of both buildings and on the front and rear of the garage. These lights have been conditioned by Staff to direct light only on the subject property (condition #12)
Fences, hedges, and walls.	17.16.060	Yes	The existing stucco wall will remain on the north side of the property. On the south side there will be a new 5' high PVC privacy fence. The front setback will be

			enclosed with a 36" high PVC fence. The rear setback facing the alley will also have a 36" high PVC fence.
Park dedications and in-lieu fees	17.16.080	N/A	The property is not to be subdivided; therefore, no park fees are required.
Paving of front setback requirements	17.16.090	Yes	Paving of 50% not exceeded.
Projections into required setbacks	17.16.100	Yes	There are no projections into setbacks.
Refuse and recycling storage areas	17.16.110	Yes	Less than five units, so no minimum amount of space required. The Applicant has provided space for four trashcans.
Right-of-way dedications	17.16.120	Yes	2 ½ feet of the property is dedicated to widen the alley (condition #45)
Screening and buffering	17.16.130	Yes	All requirements are met.
Sight safety triangle	17.16.140	Unclear	Noted as condition #32
Swimming pools	17.16.150	N/A	None
Utilities and utility equipment	17.16.160	Yes	The air conditioner equipment is in the proper location.
Landscaping	17.20.030	Yes - 19% (1,286 sq. ft.)	LAMC Section (Landscape Area Requirements) speaks to landscaping requirements that multi-family uses shall provide. The Applicant must maintain a minimum 15 percent of the site in landscaped areas. According to the site plan the landscape areas total approximately 19 percent of the total site area, therefore meeting this requirement. The Applicant has proposed installing two new Crepe Myrtle trees to the City parkway with shrub plantings at the base and an additional 2 new Crepe Myrtle trees on the front setback. This project will be required to comply with Chapter 13.05 "Water Efficient Landscaping," and Chapter 13.04 "Water Conservation", of the Los

			Alamitos Municipal Code. This has been noted by Staff in conditions (#8, #9, #10, #11 and #50).
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Staff Conclusion

Staff has reviewed the proposed project and application materials and finds that as conditioned, the proposed project design and layout meet the minimum standards of the R-2 zoning district, including Section 17.08.030 (Property Development Standards), Section 17.16.040 (Architectural Design), and Chapter 17.20 (Landscaping). As conditioned, all of the findings can be made that are required by Section 17.50.040 as set forth in attached Resolution No. 16-15. This project has been compared to the development standards of the Limited Multiple-Family General Plan designation and has been found to be proposed at the density required in the General Plan (6 to 20 du/ac) at the density of 12 units per acre.

General Plan Compatibility

Staff believes that the proposed project is compatible with the surrounding land uses as it is immediately adjacent to similar high-density residential apartments and duplexes. The project would take a step toward implementing the City’s General Plan, and specifically the ones shown in the table below:

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	As conditioned, this will be a new, well-designed building in the neighborhood which will encourage neighbors to take a look at their own homes.
Policy 4.1 Pride and identity. Enhance the sense of identity and increase the feeling of pride among Los Alamitos residents, business owners, employees, and visitors through excellent physical design and continual property maintenance and improvements.	As conditioned, this will be a new, well-designed building in the neighborhood which will encourage neighbors to take a look at their own homes.
Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.	This project will be in the limited multiple-family residential neighborhood. As conditioned, the project is compatible with the surrounding neighborhood which is also developed with multiple-family units.
Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.	This project has been compared to the development standards of the limited multi-family General Plan designation and has been found to be proposed with the density

	required in the General Plan (6 to 20 du/ac).
Open Space, Recreation, and Conservation Element	
Goal 4: Air, water, and energy resources that are protected from pollution and overuse.	This is a residential infill project that will take the place of sprawl that would be built on the fringes of this metropolitan area.
Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD.	BMP's are required for the construction of this project in the conditions of approval.
Mobility and Circulation Element	
Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.	This will not add driveways to the passing streets, but will access the site from an existing alleyway.
Public Facilities and Safety Element	
Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.	These are BMP requirements that are a part of the conditions of approval for the project.

And while no specific policy actions of the Housing Element are fulfilled through this project, it does provide for housing that costs less than an average single family home in the City. Here is a goal of the Housing Element:

Housing Strategy Area 4: Adequate Housing Supply

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community.

Environmental Review

The project qualifies for two categorical exemptions.

Section 15303 (Class 3) of the Guidelines provides an exemption for construction of a limited number of new, small facilities or structures, including a duplex or similar multi-family residential structure totaling no more than four dwelling units. The project meets this definition.

Section 15332 (Class 32) provides an exemption for in-fill development projects when:

(a) the project is consistent with the applicable general plan designation, general plan policies, and applicable zoning designation and regulations – as set forth above, the project is consistent with both the general plan and zoning;

(b) the development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses – the project site is within the corporate

boundaries of Los Alamitos, the site is less than five acres, and the development is surrounded by urban uses;

(c) the project site has no value as habitat for endangered, rare or threatened species – the site has already been developed with a single-family home and has no habitat value;

(d) approval would not result in any significant effects relating to traffic, noise, air quality, or water quality – this project simply adds one residential unit to allow two units in an area of the City which is zoned for such use. The addition of one home to a property with an existing residence will not create any impacts as described above;

(e) the site can be adequately served by all required utilities and public services – this property is already developed with utilities and is already served by public services.

Guidelines Section 15300.2 provides that the exemptions cannot be used if there is: a cumulative impact; significant effect due to unusual circumstances; if the project will damage scenic resources; the project site is located on a hazardous waste list; or the project will have a substantial adverse change in the significance of a historical resource. Additionally, the Class 3 exemption cannot be used if the project will impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law. None of the exceptions to the exemption are present. There are no cumulative projects in the area; there are no unusual circumstances as the project site is flat and has previously been developed and graded; there are no scenic or historical resources which will be impacted; the site is not on a hazardous waste list; and there are no hazardous or critical environmental resources which will be impacted.

Staff Recommendation

As conditioned, Staff supports approval of SPR (Site Plan Review) 16-05.

*Attachments: 1) Resolution No. 16-15
Exhibit A (Conditions of Approval)
Exhibit B (Site Plans)*

RESOLUTION NO. 16-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-05 TO REPLACE AN EXISTING 1,126 SQUARE FOOT SINGLE FAMILY RESIDENCE WITH THE CONSTRUCTION OF A 4,450 SQUARE FOOT DUPLEX, THUS PROVIDING TWO UNITS OF 2,225 SQUARE FEET EACH, AND ADDING A 400 SQUARE FOOT DETACHED TWO-CAR GARAGE ON A 6,750 SQUARE FOOT PARCEL AT 10833 CHERRY STREET IN THE LIMITED MULTIPLE-FAMILY (R-2) ZONE, APN 242-183-11, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: THERESA MURPHY – PRECIOUS LIFE SHELTER).

WHEREAS, a completed application for a Site Plan Review was submitted by Theresa Murphy on June 14, 2016, requesting approval to replace an existing single family residence and with the construction of a duplex on a parcel at 10833 Cherry Street, APN 242-183-11; and,

WHEREAS, the verified application constitutes a request as required by Section 17.50.030 (Site Plan Review) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission reviewed the application for Site Plan Review at a duly noticed public hearing on August 24, 2016, at which time it considered all of the evidence presented, both written and oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. The Planning Commission hereby makes the following findings required by Section 17.50.040 of the Los Alamitos Municipal Code which are based on all of the evidence presented, both written and oral:

1. As conditioned, the design and layout for the construction of the new duplex at 10833 Cherry Street is consistent with the development and design standards/guidelines of the Limited- Multiple Family (R-2) Residential Zoning District, except where such compliance is excused because the lot is a legal non-conforming lot.
2. As conditioned, the design and layout for the construction of the duplex at 10833 Cherry Street would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses

are multiple-family residential units, industrial buildings and a single-family residence. The location of the ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Cherry Street by having one less curb cut. The property is zoned for this type of development.

3. As conditioned, the design for the construction of the new duplex would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City's architecture with an updated residential building design, extensive landscaping, and maintenance as required by municipal code.
4. As conditioned, the design for the construction of the new unit and renovation of the existing unit would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the requirements of the municipal code.
5. The construction of the new duplex will provide for the public health, safety, and welfare of the residential and business communities by improving a long-aged home site rather than causing sprawl elsewhere. The building will meet all building code requirements.
6. The duplex would not depreciate property values in the vicinity, as the area is zoned for this type of use and the new structure will improve the aesthetics.

SECTION 3. The proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303(b) – *New Construction of Small Structures* and 15332 – *In-Fill Development Projects* for the reasons more fully set forth in the Staff report which are incorporated herein by reference.

SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review (SPR)16-05, as represented by the plans and elevations in "Exhibit B" and subject to the conditions listed in "Exhibit A" and any changes made by this Commission.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 24th day of August, 2016, by the following vote:

Mary Anne Culty, Chair

ATTEST:

Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of Planning Commission held on the 24th day of August, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

**EXHIBIT A
10833 CHERRY STREET - DUPLEX PROJECT
CONDITIONS OF APPROVAL
SPR 16-05**

GENERAL CONDITIONS

- 1. Approval of this application is to construct a new duplex 10833 Cherry Street, APN 242-183-11 with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a vesting Site Plan Review, noted thereon, and on file in the Community Development Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code and any applicable state law. If any changes are proposed regarding the location or alteration of the plans dated July 13, 2016 (as amended during the hearing), a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.**
- 2. The Applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the Applicant of any such claim, action or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.**
- 3. The Applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department within 30 days of final approval of all resolutions. The Applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.**
- 4. In case of violation of any of the conditions of approval of applicable law, the property owner and tenant will be issued a Notice of Correction if said violation is**

not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all Staff time directly attributable to enforcement of the conditions of approval, mitigation measures, and/or City law including but not limited to, revocation of the herein approvals.

5. Project plans for the construction of a new duplex shall be subject to a complete code compliance review with the Community Development Department when the building plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code in effect at the time that the plans are submitted.
6. Approval of Site Plan Review 16-05 shall be valid for a period of twelve (12) months from the date they are approved. If construction is commenced within this twelve (12) month period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect.

FEES

7. The Applicant and Applicant's successors in interest shall be responsible for payment of all applicable fees.

California Government Section 66020(d)(1) requires that the project Applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including planning processing fees, building permit fees are not included under this noticing requirement.

- a. Pursuant to Government Code Section 66020(d)(1), the Applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:
 - i. Fees: n/a
 - ii. Dedications: n/a
 - iii. Reservations: n/a
 - iv. Other Exactions: n/a
 - v. The Applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.

LANDSCAPE

8. A Landscape Irrigation Plan prepared by a licensed landscape architect shall be submitted to the Community Development Department prior to the issuance of building permits. The Irrigation Plan shall include an irrigation system layout with the location of controllers and points of connection with data on valve sizes and gallons per minute (G.P.M.), the size and location of sleeves and all spray heads, including the location of conventional systems and drip systems; an irrigation legend with complete specifications; irrigation notes and construction details of all assemblies and components; a recommended irrigation schedule, preferably on an annual basis; and a summary block on the initial page of submitted plans that will present the above information clearly and accurately. The City reserves the right to require subsequent checks, or approval of the landscape plans prior to issuance of a grading permit.
9. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.
10. The Applicant shall install all of the trees shown on the site plan within the landscaped areas of the parcel.
11. The Applicant shall install irrigation to each of the City trees planted. The irrigation shall be a bubbler sprinkler NOT a tree well type of bubbler sprinkler.

LIGHT

12. The Applicant shall provide adequate exterior lighting for each residential unit that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in Los Alamitos Municipal Code. All lighting structures shall be placed so as to confine direct rays to the subject property.
13. The Applicant shall provide an illuminated uniform address number near the entryway of each unit, or other location acceptable to the Development Services Director.

UTILITIES

14. The Applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to the Building and Safety Division Plan check.
15. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading. Each unit shall be separately metered.

CONSTRUCTION

16. During construction, the Applicant will display a sign visible to the public from Cherry Street with a contact number of the construction superintendant to address any question or concerns about demolition, grading, and construction activities.
17. Demolition, grading, and construction operations shall be prohibited between the hours of 8:00 P.M. and 7:00 A.M. on weekdays and Saturday. There shall be no construction activities on Sunday or a Federal holiday celebrated by the City of Los Alamitos without express approval by the Development Services Director.
18. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of an existing dwelling shall be equipped with properly operating and maintained mufflers.
19. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.
20. Stock piling and/or vehicle-staging areas shall be placed as far as practical from residential homes.
21. The Applicant shall have rodent and pest controls on site during demolition and grading activities to mitigate impacts to the surrounding properties and neighborhood.
22. Prior to demolition and construction, a perimeter security fence not exceeding seven feet in height, shall be installed around the project site. The fencing shall include a green screen material or approved equivalent. The fence/screen material shall be properly maintained and be free of rips, tears, fraying, graffiti, and any other damage or vandalism.
23. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.
24. The site shall be kept reasonably clean during construction and maintained in a safe, nuisance, and hazard-free condition. Dust control measures shall be employed to include spraying water on dry soil to ensure dust does not migrate onto adjacent properties.

OTHER

25. The units shall be constructed with 200 cubic feet of storage space for each unit (LAMC 17.08.030).

26. The curb cut (driveway apron) on the east shall be removed.
27. The air conditioner units shall be installed in accordance with LAMC 17.16.100.D.
28. A Water Quality Management Plan (WQMP) will be required to be processed for this project.
29. All windows on the front elevations shall be divided light windows as shown on the plans
30. The fiber cement shutters on the front elevation windows shall be the same style as shown on the elevations.
31. The garage doors shall be the same style as shown on the elevations.
32. In any Sight Safety Triangle, the maximum height cutback of any object (e.g. fence, landscaping, walls, etc.) located in the corner area shall be three feet, measured from the adjoining top of curb. The three-foot height limit shall not apply to traffic safety devices, trees trimmed to eight feet above the adjacent top of curb, utility poles, and other government or utility installed devices.

ENGINEERING

33. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.
34. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
35. Hydrologic and hydraulic calculations demonstrating adequate site drainage from a 10-year return frequency storm (25-year frequency in sump areas) prepared by a Registered Civil Engineer shall be submitted with the Grading Plan.
36. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.
37. The Applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.
38. If utility cuts are excessive in the street the street must have a grid and overlay placed on it per the satisfaction of the City Engineer.

39. All existing off-site public improvements (sidewalk, curb and gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer, and per OCPFRD Standard Plan.
40. A City Public Works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.
41. A bond or surety device shall be posted with the City in an amount and type sufficient to cover the amount of off-site and on-site work to be done, as approved by the City Engineer.
42. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.
43. Final compaction report prepared by a qualified Soil Engineer shall be submitted to the City Engineer for review and approval prior to the commencement of structural construction.
44. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the Applicant shall submit to the City for review and approval a *Final* Water Quality Management Plan (WQMP) that:
- Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas.
 - Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - Incorporates Treatment Control BMPs as defined in the DAMP.
 - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
45. The Applicant shall dedicate alley 2½ feet of the property to City to widen the alley by occupancy of the units.

46. Remove driveway on Cherry St and replace with Curb and Gutter per City standards.

PUBLIC WORKS

47. The Applicant shall remove the existing drive approach (curb cut) to the property on Cherry Street and replace with new curb and gutter per City standards.

48. In the event that two or more utility cuts are made into the asphalt street on Cherry Street, the Applicant shall slurry seal the street to the satisfaction of the City Engineer.

49. The Applicant shall provide sidewalks and gutters with the latest handicap accessibility features where required by state and federal law.

50. The Applicant shall install 2 new trees on Cherry Street evenly spaced in the parkway in front of the subject parcel. Please call Tony Brandyberry at 562-431-3538 x105 for type and specifications.

51. If a utility cut is made in the alley, the Applicant shall replace the concrete panel entirely to the satisfaction of the City Engineer.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

52. None

BUILDING AND SAFETY DIVISION

53. The Applicant must comply with all current California Building Codes.

54. The Applicant shall submit three sets of complete building plans to the Building and Safety Department for review.

55. Prior to obtaining grading permits, the Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the Building and Safety Division.

ORANGE COUNTY FIRE AUTHORITY (OCFA)

56. **Plan Submittal:** The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a building permit:

- Fire Master Plan (service codes PR145)
- fire sprinkler system (service codes PR400)

PRECIOUS LIFE SHELTER

CHERRY STREET APARTMENTS

10833 CHERRY STREET

LOS ALAMITOS, CA

PLANNING RESUBMITTAL



SHEET INDEX

- 400 COVER SHEET
- 500A BUILDING PLAN TITLE SHEET
- 500B GRADING PLAN
- 500C EXISTING SITE PLAN
- 500D CONCEPTUAL LANDSCAPE PLAN
- ARCHITECTURAL
- 510A ARCHITECTURAL SITE PLAN
- 510B FLOORING CONDITIONS / DEMOLITION PLAN
- 510C EXISTING EXTERIOR FINISHES
- 510D BUILDING 1 SECOND FLOOR & ROOF PLAN
- 510E BUILDING 1 EXTERIOR ELEVATIONS
- 510F BUILDING 1 SECOND FLOOR & ROOF PLAN
- 510G BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510H BUILDING 2 EXTERIOR ELEVATIONS
- 510I BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510J BUILDING 2 EXTERIOR ELEVATIONS
- 510K BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510L BUILDING 2 EXTERIOR ELEVATIONS
- 510M BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510N BUILDING 2 EXTERIOR ELEVATIONS
- 510O BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510P BUILDING 2 EXTERIOR ELEVATIONS
- 510Q BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510R BUILDING 2 EXTERIOR ELEVATIONS
- 510S BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510T BUILDING 2 EXTERIOR ELEVATIONS
- 510U BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510V BUILDING 2 EXTERIOR ELEVATIONS
- 510W BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510X BUILDING 2 EXTERIOR ELEVATIONS
- 510Y BUILDING 2 SECOND FLOOR & ROOF PLAN
- 510Z BUILDING 2 EXTERIOR ELEVATIONS
- 511A BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511B BUILDING 2 EXTERIOR ELEVATIONS
- 511C BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511D BUILDING 2 EXTERIOR ELEVATIONS
- 511E BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511F BUILDING 2 EXTERIOR ELEVATIONS
- 511G BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511H BUILDING 2 EXTERIOR ELEVATIONS
- 511I BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511J BUILDING 2 EXTERIOR ELEVATIONS
- 511K BUILDING 2 SECOND FLOOR & ROOF PLAN
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- 511P BUILDING 2 EXTERIOR ELEVATIONS
- 511Q BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511R BUILDING 2 EXTERIOR ELEVATIONS
- 511S BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511T BUILDING 2 EXTERIOR ELEVATIONS
- 511U BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511V BUILDING 2 EXTERIOR ELEVATIONS
- 511W BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511X BUILDING 2 EXTERIOR ELEVATIONS
- 511Y BUILDING 2 SECOND FLOOR & ROOF PLAN
- 511Z BUILDING 2 EXTERIOR ELEVATIONS

DESIGN TEAM

- ARCHITECT**
- PRECIOUS LIFE SHELTER
- 10833 CHERRY STREET
- LOS ALAMITOS, CA 90720
- (949) 481-2000
- TERESA BERRY
- MARKET RESEARCH
- 2 VENTURE BLVD. 2ND
- IRVINE, CA 92614
- SCOTT JAMES
- OWNER**
- PRECIOUS LIFE SHELTER
- 10833 CHERRY STREET
- LOS ALAMITOS, CA 90720
- (949) 481-2000
- TERESA BERRY
- LANDSCAPE ARCHITECT**
- LOS ALAMITOS, CA 90720
- (949) 481-2000
- TERESA BERRY
- ENGINEER**
- PRECIOUS LIFE SHELTER
- 10833 CHERRY STREET
- LOS ALAMITOS, CA 90720
- (949) 481-2000
- TERESA BERRY

SITE DATA

- SITE USE** R4 - LIMITED MULTIFAMILY RESIDENTIAL
- SITE AREA** 3.11 ACRES
- CODE SUMMARY**
- EXPERIMENTAL ZONING
- USE GROUP
- LOT SIZE
- DEVELOPMENT TYPE
- CONSTRUCTION TYPE
- NUMBER OF STORIES
- PERMITS REQUIRED
- ALLOWABLE BUILDING HEIGHT
- ALLOWABLE BUILDING AREA
- LOT COVERAGE
- 3.11 ACRES
- U
- 1400
- TYPE: NEW/REBUILT
- NEW, 100 PER. C&C ROLL-3
- 2 STORIES
- 3.5'-0" MAX.
- 1 STORIES / 40 FEET
- (BY PERMITS CITY)
- 100 PER. MAX.
- 3000 SQFT / AC

PROJECT DESCRIPTION

- 2-UNIT CONDO UNIT, LOS ALAMITOS, CA
- TRACT NO. 1156, PARCEL 11
- RESIDENTIAL (1) DEVELOPED
- 1.5 AC. (1.5)
- 2 UNIT CONDO UNIT, LOS ALAMITOS, CA
- TRACT NO. 1156, PARCEL 11
- RESIDENTIAL (1) DEVELOPED
- 1.5 AC. (1.5)
- 2 UNIT CONDO UNIT, LOS ALAMITOS, CA
- TRACT NO. 1156, PARCEL 11
- RESIDENTIAL (1) DEVELOPED
- 1.5 AC. (1.5)
- 2 UNIT CONDO UNIT, LOS ALAMITOS, CA
- TRACT NO. 1156, PARCEL 11
- RESIDENTIAL (1) DEVELOPED
- 1.5 AC. (1.5)

BUILDING DEPARTMENT NOTES

1. ALL SUBMITTALS FOR PERMITTED DOCUMENTS SHALL BE SUBMITTED TO THE ARCHITECT OR ENGINEER OF RECORD FOR REVIEW AND APPROVAL. THE ARCHITECT OR ENGINEER OF RECORD SHALL BE RESPONSIBLE FOR THE GENERAL COMPLIANCE WITH THE DESIGN OF THE BUILDING. THE SUBMITTED SUBMITTAL SHALL NOT BE REOPENED UNTIL THE DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING DEPARTMENT.

2. PERMITTED SUBMITTAL ITEMS INCLUDE:

- A. ELECTRICAL, PLUMBING, MECHANICAL, AND FIRE PROTECTION SYSTEMS.

3. ALL SUBMITTALS MUST BE SUBMITTED DIRECTLY TO THE CITY OF LOS ALAMITOS FIRE DEPARTMENT PERMITS DIVISION. ALL SUBMITTALS MUST BE SUBMITTED WITH THE BUILDING PERMIT SHALL BE SATISFIED.

4. CODE NOTES:

- 2022 CALIFORNIA BUILDING CODE (CBC)
- 2022 CALIFORNIA MECHANICAL CODE (CMC)
- 2022 CALIFORNIA ELECTRICAL CODE (CEC)
- 2022 CALIFORNIA FIRE CODE (FC)
- 2022 CALIFORNIA PLUMBING CODE (CPC)
- 2022 CALIFORNIA ENERGY CODE (CEC)
- 2022 CALIFORNIA GREEN BUILDING CODE (CGBC)

5. THIS PROJECT SHALL CONFORM WITH ALL OTHER ORDINANCES ADOPTED BY THE LOCAL GOVERNING AGENCIES.

NOTES:

1. THIS PROJECT SHALL CONFORM WITH ALL OTHER ORDINANCES ADOPTED BY THE LOCAL GOVERNING AGENCIES.

2. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE GENERAL COMPLIANCE WITH THE DESIGN OF THE BUILDING. THE SUBMITTED SUBMITTAL SHALL NOT BE REOPENED UNTIL THE DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING DEPARTMENT.

3. PERMITTED SUBMITTAL ITEMS INCLUDE:

- A. ELECTRICAL, PLUMBING, MECHANICAL, AND FIRE PROTECTION SYSTEMS.

4. ALL SUBMITTALS MUST BE SUBMITTED DIRECTLY TO THE CITY OF LOS ALAMITOS FIRE DEPARTMENT PERMITS DIVISION. ALL SUBMITTALS MUST BE SUBMITTED WITH THE BUILDING PERMIT SHALL BE SATISFIED.

5. CODE NOTES:

- 2022 CALIFORNIA BUILDING CODE (CBC)
- 2022 CALIFORNIA MECHANICAL CODE (CMC)
- 2022 CALIFORNIA ELECTRICAL CODE (CEC)
- 2022 CALIFORNIA FIRE CODE (FC)
- 2022 CALIFORNIA PLUMBING CODE (CPC)
- 2022 CALIFORNIA ENERGY CODE (CEC)
- 2022 CALIFORNIA GREEN BUILDING CODE (CGBC)

6. THIS PROJECT SHALL CONFORM WITH ALL OTHER ORDINANCES ADOPTED BY THE LOCAL GOVERNING AGENCIES.

VICINITY MAP

PRECIOUS LIFE SHELTER (R4 - LIMITED MULTIFAMILY RESIDENTIAL)

10833 CHERRY STREET

LOS ALAMITOS, CA 90720

PRECIOUS LIFE SHELTER (R4 - LIMITED MULTIFAMILY RESIDENTIAL)

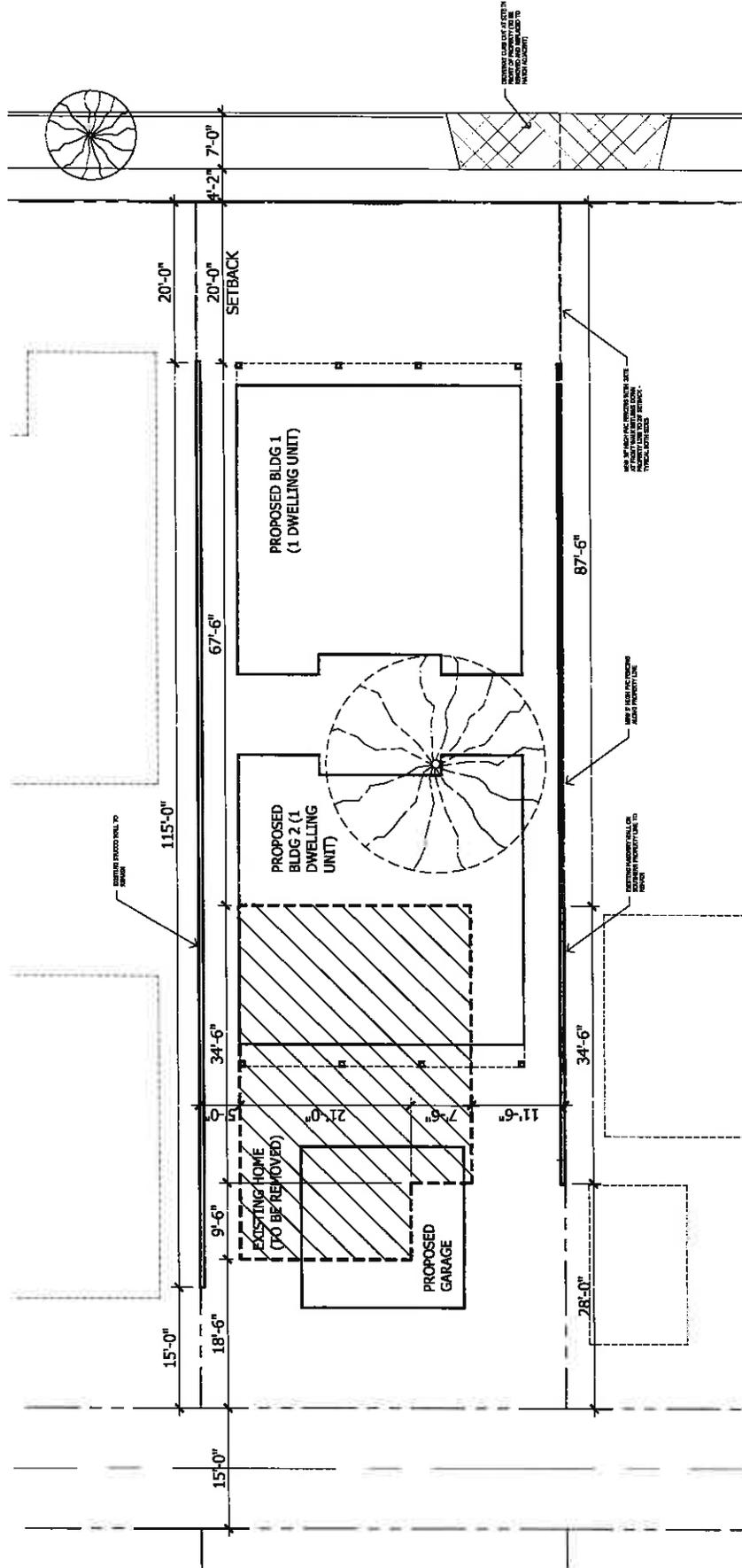
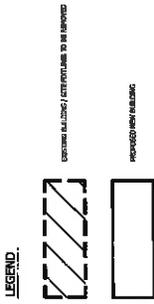
10833 CHERRY STREET

LOS ALAMITOS, CA 90720

PRECIOUS LIFE SHELTER (R4 - LIMITED MULTIFAMILY RESIDENTIAL)

10833 CHERRY STREET

LOS ALAMITOS, CA 90720



SITE PLAN
SCALE 1" = 15'-0"

SLAB PROFILE NOTES

THIS SLAB PROFILE IS FOR GENERAL INFORMATION ONLY. THE EXACT SLAB PROFILE SHALL BE DETERMINED BY THE STRUCTURAL ENGINEER. THE STRUCTURAL ENGINEER SHALL BE RESPONSIBLE FOR ALL STRUCTURAL REQUIREMENTS. THE SLAB PROFILE SHALL BE SUBMITTED TO THE CITY OF LOS ANGELES FOR REVIEW AND APPROVAL. THE SLAB PROFILE SHALL BE SUBMITTED TO THE CITY OF LOS ANGELES FOR REVIEW AND APPROVAL. THE SLAB PROFILE SHALL BE SUBMITTED TO THE CITY OF LOS ANGELES FOR REVIEW AND APPROVAL.

FLOOR PLAN NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

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11. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

12. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

13. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

14. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

15. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

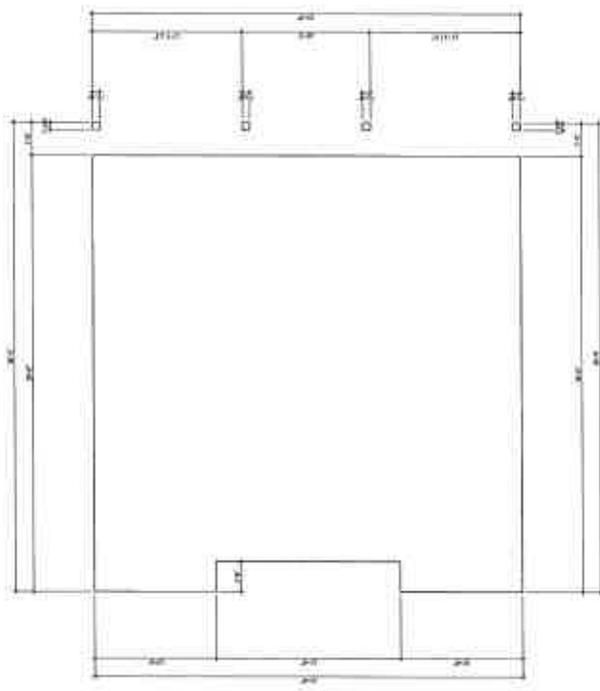
16. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

17. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

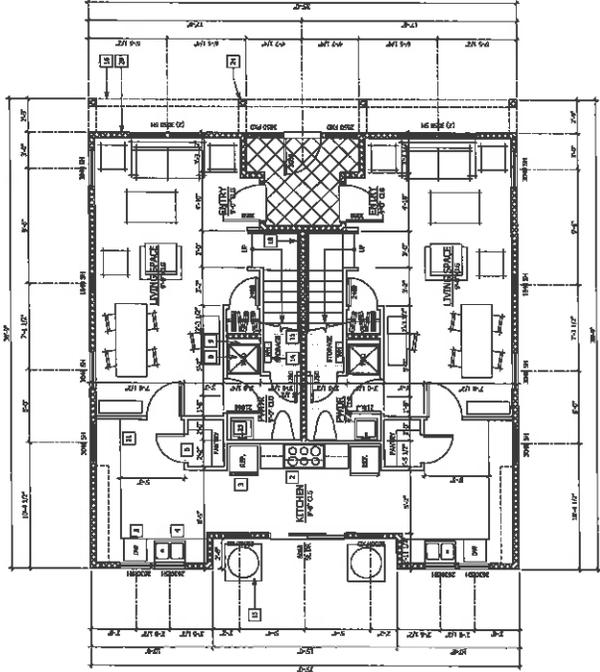
18. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

19. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

20. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.



SLAB PLAN - BUILDING 1
SCALE 1/4" = 1'-0"



FIRST FLOOR PLAN - BUILDING 1
SCALE 1/4" = 1'-0"

ADDITIONAL PLAN NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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18. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
19. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
20. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

UNIT SQUARE FOOTAGE

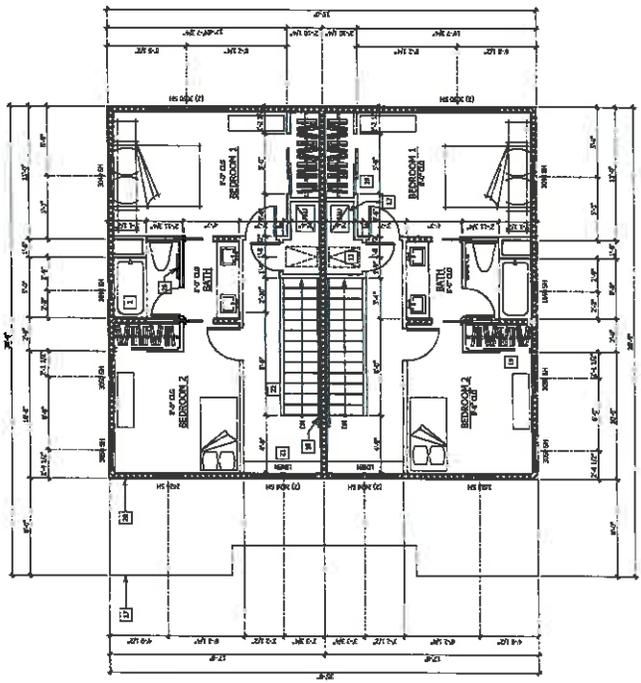
BUILDING 1	1,222 SF
UNIT 1 (TYPICAL) - 1ST FLOOR	725 SF
TOTAL	1,947 SF

FLOOR PLAN NOTES

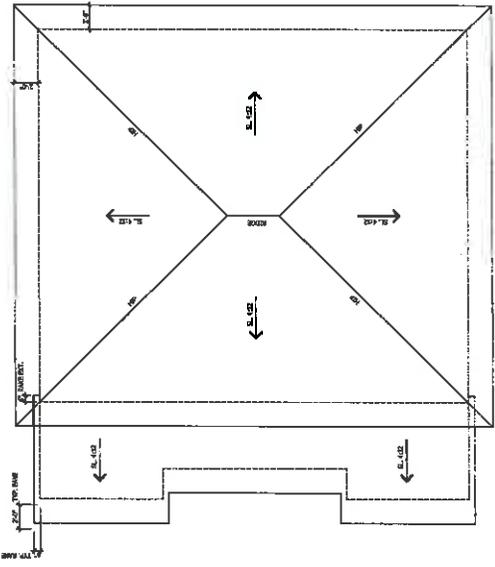
1. SEE ALL NOTES TO THIS PLAN.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL, ELECTRICAL, AND PLUMBING CODES.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE AND SAFETY CODES.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENERGY CODES.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA HISTORIC PRESERVATION ACT (HPA).
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND USE ACT (LUA).
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLANNING AND ZONING ACT (PZA).
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC WORKS ACT (PWA).
11. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC UTILITIES ACT (PUA).
12. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC SAFETY ACT (PSA).
13. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC HEALTH ACT (PHA).
14. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC EDUCATION ACT (PEA).
15. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC EMPLOYMENT ACT (PEM).
16. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC FINANCE ACT (PFA).
17. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC INFORMATION ACT (PIA).
18. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC LIBRARIES ACT (PLA).
19. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC RECORDS ACT (PRA).
20. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC SAFETY ACT (PSA).

ROOF NOTES

1. ROOF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. ROOF STRUCTURE SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
3. ROOF FINISH SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
4. ROOF DRAINAGE SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
5. ROOF VENTILATION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
6. ROOF INSULATION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
7. ROOF FLASHING SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
8. ROOF PARAPETS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
9. ROOF CURBS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
10. ROOF RAILS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
11. ROOF WALKWAYS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
12. ROOF LIFELINES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
13. ROOF ESCAPE ROUTES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
14. ROOF ACCESS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
15. ROOF STORAGE SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
16. ROOF MAINTENANCE SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
17. ROOF REPAIRS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
18. ROOF DEMOLITION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
19. ROOF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
20. ROOF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.



SECOND FLOOR PLAN - BUILDING 1
SCALE 1/4" = 1'-0"



ROOF PLAN - BUILDING 1
SCALE 1/4" = 1'-0"

ADDITIONAL PLAN NOTES

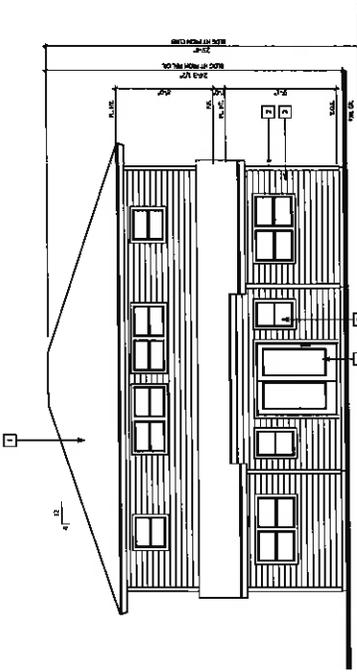
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL, ELECTRICAL, AND PLUMBING CODES.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE AND SAFETY CODES.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENERGY CODES.
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6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA HISTORIC PRESERVATION ACT (HPA).
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14. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC EMPLOYMENT ACT (PEM).
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19. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC SAFETY ACT (PSA).
20. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC HEALTH ACT (PHA).

UNIT SQUARE FOOTAGE

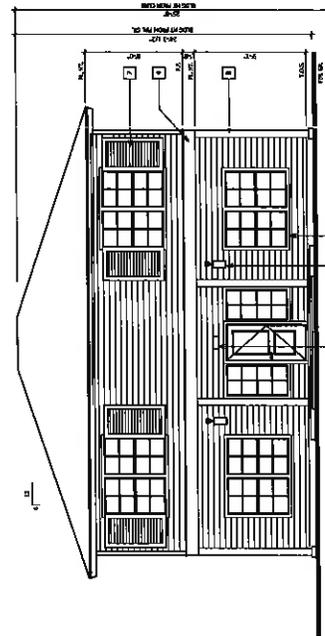
PER SQUARE FOOT
UNIT SQUARE FOOTAGE
TOTAL SQUARE FOOTAGE

EXTERIOR NOTES

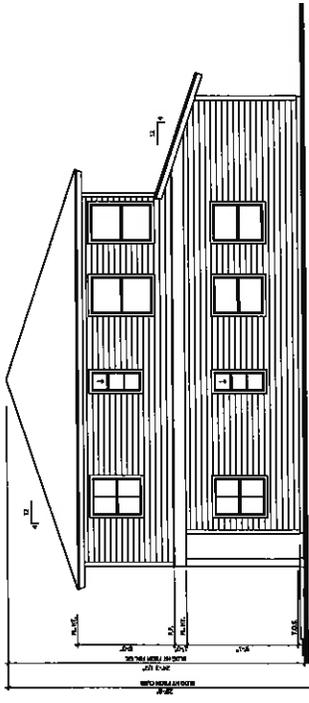
1. 1/2" CONCRETE TELL BODY
2. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
3. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
4. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
5. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
6. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
7. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
8. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
9. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
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14. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
15. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
16. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
17. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
18. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C
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20. 1/2" PRECAST CONCRETE CORNER BOWERS 3/4" x 4" AT 8" ON C



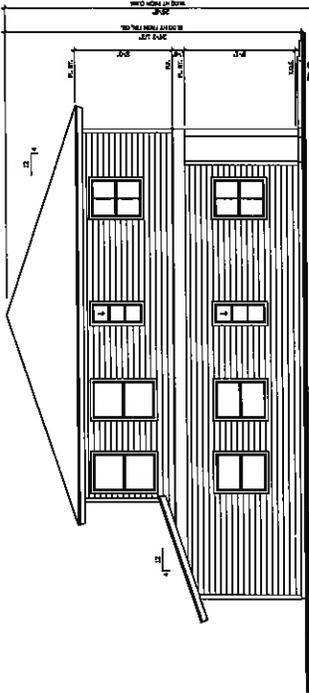
REAR ELEVATION
SCALE 1/4" = 1'-0"



FRONT ELEVATION
SCALE 1/4" = 1'-0"



RIGHT ELEVATION
SCALE 1/4" = 1'-0"



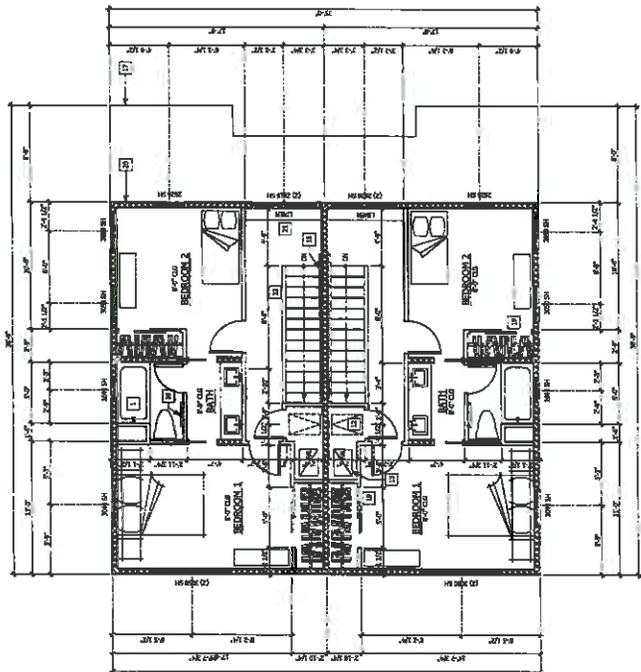
LEFT ELEVATION
SCALE 1/4" = 1'-0"

FLOOR PLAN NOTES

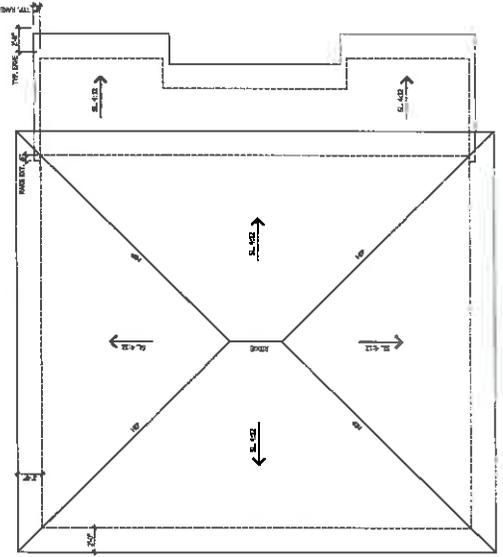
1. ALL ROOMS SHALL BE FINISHED TO THE FINISH LINE UNLESS OTHERWISE NOTED.
2. ALL WALLS SHALL BE 1/2" THICK UNLESS OTHERWISE NOTED.
3. ALL FLOORS SHALL BE 1/2" THICK UNLESS OTHERWISE NOTED.
4. ALL CEILING SHALL BE 8' UNLESS OTHERWISE NOTED.
5. ALL DOORS SHALL BE 3'0" WIDE UNLESS OTHERWISE NOTED.
6. ALL WINDOWS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
7. ALL PARTITIONS SHALL BE 1/2" THICK UNLESS OTHERWISE NOTED.
8. ALL STAIRS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
9. ALL ELEVATORS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
10. ALL MECHANICAL ROOMS SHALL BE 8'0" WIDE UNLESS OTHERWISE NOTED.
11. ALL ELECTRICAL PANELS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
12. ALL MECHANICAL UNITS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
13. ALL MECHANICAL ROOMS SHALL BE 8'0" WIDE UNLESS OTHERWISE NOTED.
14. ALL MECHANICAL ROOMS SHALL BE 8'0" WIDE UNLESS OTHERWISE NOTED.
15. ALL MECHANICAL ROOMS SHALL BE 8'0" WIDE UNLESS OTHERWISE NOTED.
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SECOND FLOOR PLAN - BUILDING 2
SCALE 1/4" = 1'-0"



ROOF PLAN - BUILDING 2
SCALE 1/4" = 1'-0"

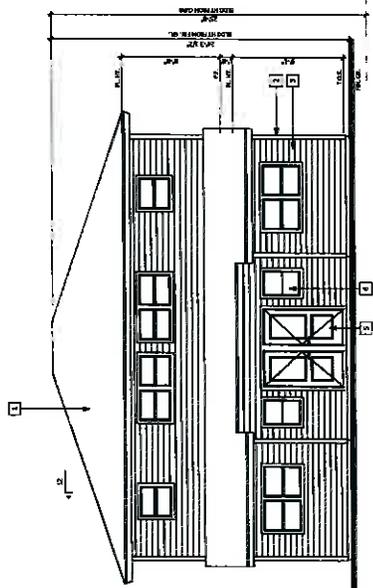
ADDITIONAL PLAN NOTES

1. ALL ROOMS SHALL BE FINISHED TO THE FINISH LINE UNLESS OTHERWISE NOTED.
2. ALL WALLS SHALL BE 1/2" THICK UNLESS OTHERWISE NOTED.
3. ALL FLOORS SHALL BE 1/2" THICK UNLESS OTHERWISE NOTED.
4. ALL CEILING SHALL BE 8' UNLESS OTHERWISE NOTED.
5. ALL DOORS SHALL BE 3'0" WIDE UNLESS OTHERWISE NOTED.
6. ALL WINDOWS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
7. ALL PARTITIONS SHALL BE 1/2" THICK UNLESS OTHERWISE NOTED.
8. ALL STAIRS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
9. ALL ELEVATORS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
10. ALL MECHANICAL ROOMS SHALL BE 8'0" WIDE UNLESS OTHERWISE NOTED.
11. ALL ELECTRICAL PANELS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
12. ALL MECHANICAL UNITS SHALL BE 4'0" WIDE UNLESS OTHERWISE NOTED.
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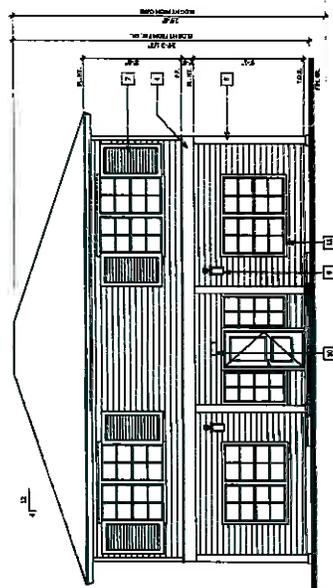
UNIT SQUARE FOOTAGE

UNIT 1 (WALK-OUT FLOOR)	1,225 SF
UNIT 2 (WALK-OUT FLOOR)	1,225 SF
UNIT 3 (WALK-OUT FLOOR)	1,225 SF

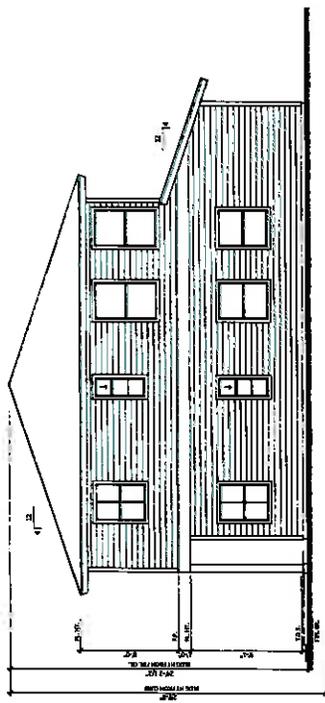
- EXTERIOR NOTES**
1. 1/2" CONCRETE SLAB ON GROUND
 2. 1/2" CONCRETE BLOCK WALLS, 8" MIN. CMU
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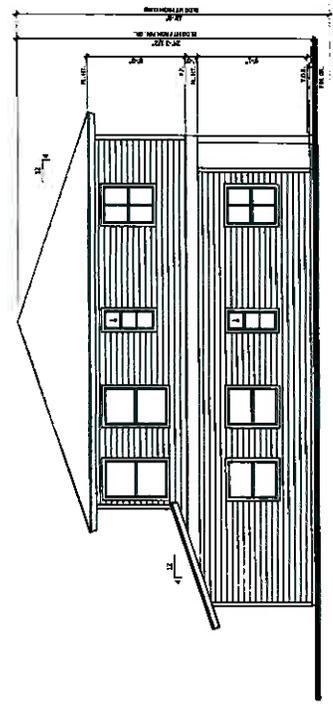
REAR ELEVATION
SCALE 1/4" = 1'-0"



FRONT ELEVATION
SCALE 1/4" = 1'-0"



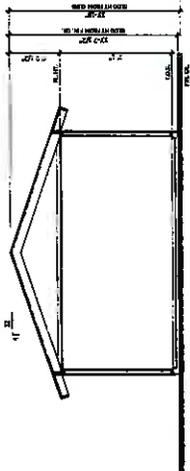
RIGHT ELEVATION
SCALE 1/4" = 1'-0"



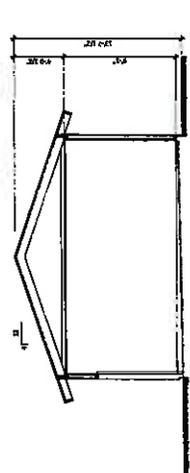
LEFT ELEVATION
SCALE 1/4" = 1'-0"

EXTERIOR NOTES

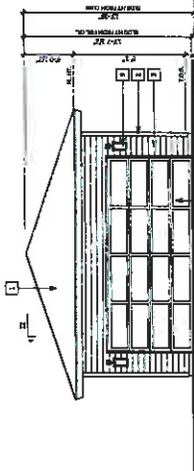
1. 1/2" CONCRETE DECK
2. 1/2" CONCRETE SLAB ON TOP OF 12" x 12" POSTS
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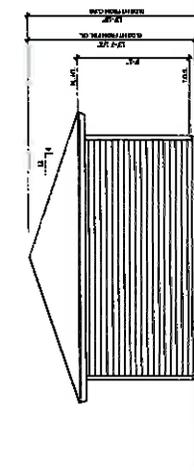
SECTION A - GARAGE
SCALE 1/4" = 1'-0"



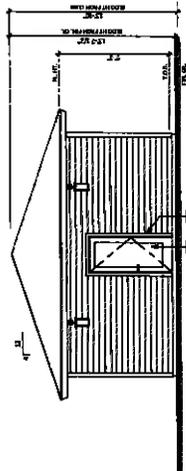
SECTION B - GARAGE
SCALE 1/4" = 1'-0"



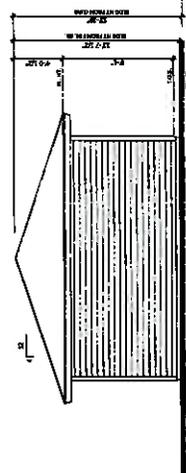
REAR ELEVATION - GARAGE
SCALE 1/4" = 1'-0"



RIGHT ELEVATION - GARAGE
SCALE 1/4" = 1'-0"



FRONT ELEVATION - GARAGE
SCALE 1/4" = 1'-0"



LEFT ELEVATION - GARAGE
SCALE 1/4" = 1'-0"

SECTION NOTES

1. ALL EXTERIOR WALLS SHALL BE CONSTRUCTED WITH 8" CMU.
2. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" FIBERGLASS INSULATION.
3. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" FIBERGLASS INSULATION.
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19. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" FIBERGLASS INSULATION.
20. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" FIBERGLASS INSULATION.

Reference:

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

August 24, 2016
Item No: 7B

To: Chair Culty and Members of the Planning Commission

Via: Steven A. Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Conditional Use Permit (CUP) 16-12
Motor Vehicle Impound Yard in the Planned Light Industrial (P-M)
Zone

Summary: Consideration of a Conditional Use Permit (CUP 16-12) to permit a 6,000 square foot motor vehicle impound yard with a 2,300 square foot indoor office in a building located at 10621 Bloomfield Street, Unit 20, (APN 242-242-62) in the Planned Light Industrial (P-M) Zoning District (Applicant: Jose Flores, Ultimate Towing & Recovery).

Recommendation:

1. Open the Public Hearing; and,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to a Class 1 Categorical Exemption, pursuant to Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive; and,
3. Adopt Resolution No. 16-16, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP 16-12) FOR A 6,000 SQUARE FOOT MOTOR VEHICLE IMPOUND YARD - NO DISMANTLING OR WRECKING, ATTACHED TO AN EXISTING 58,512 SQUARE FOOT BUILDING ON A 5.25 ACRE PARCEL AT 10621 BLOOMFIELD STREET (APN NO. 242-242-62) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JOSE FLORES, ULTIMATE TOWING & RECOVERY).”

Applicant: Jose Flores, Ultimate Towing & Recovery

Location: 10621, Unit 20, Bloomfield Street, Planned Light Industrial (P-M) Zone

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive.

Noticing: Notices announcing the Public Hearing for August 24, 2016, were mailed to all property owners within 500 feet of the proposed location on August 10, 2016. A Public Hearing notice regarding this meeting was also published in the News Enterprise on August 10, 2016.

Approval Criteria: Los Alamitos Municipal Code (LAMC), Section 17.26.020, Table 2-04 (Allowed Uses and Permit Requirements for the Commercial/Industrial Zoning Districts) requires Planning Commission approval of a Conditional Use Permit to allow a motor vehicle impound yard use in the P-M Zoning District.

Permitting History:

CUP #255-86	Contractor's Yard
CUP#83-77	Admin Offices for Auto Wholesale
CUP #73-23	Los Alamitos Police Association

Background

A Conditional Use Permit (CUP) modification application has been filed by Jose Flores of Ultimate Towing & Recovery for a 6,000 square foot motor vehicle impound yard, with a 2,300 square foot indoor office, at an existing 58,512 square foot industrial building at 10621 Bloomfield Street, Unit 20. This property, although currently vacant, was recently a contractor's yard, which has a CUP and the adjacent uses are all multi-tenant industrial uses in the P-M zoning district. The previous use in this unit is gone, and the last time a business license was recorded for this unit was 1997 when Cal Therms Company occupied the unit.

Staff feels that the Contractor's Storage Yard use is dissimilar from a Motor Vehicle Impound Yard and therefore this "modification" will be treated by Staff as a separate, new CUP.

Discussion

The Applicant's Representative says: "Ultimate Towing & Recovery (Ultimate) is a family-owned company. Husband and wife, Jose and Amber Flores started 'Ultimate' five years ago when Jose had a desire to create a business in an industry that the Flores' love dearly. Ultimate works in roadside assistance and battery sales with Auto Club of Southern California. Last year the Auto Club decided to extend a primary provider contract to Ultimate to service what used to be another tow company's area.

Ultimate has worked in the Los Alamitos and surrounding areas and is familiar with the community. Allowing this facility will enable Ultimate to provide even better service to the community for roadside, accident or battery needs (AAA). This impound yard will also give Ultimate an opportunity to work with the surrounding police departments for their towing needs. Ultimate currently has 5 tow trucks and 2 service vehicles. All trucks and vehicles will be parked in the yard when not in use."

The Applicant's representative tells Staff that Ultimate Towing would be the only Auto Club provider within Los Alamitos. The Applicant will move into the impound yard as soon as the project is approved by the Planning Commission. The development of the area will be office and business owned vehicle storage, followed by a tow yard upon approval of the CUP. There will be 9-10 employees at peak shifts with intent to grow as the business grows.

Section 17.20.020, table 2-04, note 17 of the Los Alamitos Municipal Code explains for impound yards, that "Storage and activities shall be conducted within an enclosed structure or an area enclosed by solid, decorative masonry walls with solid gates not less than six feet in height. Walls and gates shall be maintained in a sound and aesthetically pleasing fashion. Vehicles shall be screened from public view and shall not be stacked higher than the block wall. Vehicles may not be stored outside the enclosed yard area. Storage areas shall be paved and landscaped in compliance with applicable standards."

The Applicant proposes to replace the existing chain link fence on all three sides of the existing yard at this location with a new sandstone colored block wall and new metal decking sliding gate, with a new landscape planter in front of the new side block wall facing Bloomfield. Staff has placed conditions in the resolution to meet the code, and the wall has been conditioned to be six feet tall, and have up to one foot of wrought iron or tubular steel spikes on top of the wall.

Location

The adjacent properties are all developed multi-tenant industrial buildings and businesses in the Planned Light Industrial (P-M) zoning district.

North: Truck yard in the Planned Light Industrial (P-M) Zoning District.
East: Progressive Marine Maintenance in the Planned Light Industrial (P-M) Zoning District.
South & West: Woco Engineering



Staff notes that two other impound yards are located within close vicinity of this proposed motor vehicle impound yard. Staff recommends that the Planning Commission take a look at these yards when considering this proposed third impound yard. Here are the locations:

Rossmoor Club Towing
10832 Kyle Street, Suite A

Mr. C's Towing
10821 Bloomfield Street, Suite C

Parking

Section 17.26.040 of the Municipal Code requires 1 parking space for every 300 square feet for light industrial businesses in a multi-tenant complex.

The proposed impound yard will be 6,000 square feet on a 228,690 square foot site. The existing building on the site is 58,512 square feet, which would need 195 parking spaces. The office space for this particular use is 2,300 square feet which would require 7 of these parking spaces. There are 198 parking spaces on the site, meaning the parking requirement is met. The proposed impound yard will not take away from any of the current parking spaces.

Landscaping

New landscape planters are proposed to be placed to match the existing landscape of the property. These planters would be placed in front of the proposed 6' block wall facing Bloomfield Street (East side of existing yard). The planters would be visible to the public at the entrance to the motor vehicle impound yard. At present, the existing surface of the proposed impound yard has weeds coming out through cracks in the asphalt. If this application is approved, the Applicant would need to repair the possible problems that may occur with cracks and weeds growing out of the asphalt.

General Plan

How would this project fare when faced with General Plan policies and actions?

In Land Use Element Policy 3.2 **Mitigation measures**, the General Plan requires buffers and feasible mitigation measures to reduce impacts of new or expanded uses on existing neighborhoods, businesses, and public facilities. This is important because it is a reminder that there are methods in place to keep businesses from impacting other businesses; in this case, impound yards from becoming unsightly and negatively affecting the aesthetics for surrounding property owners that are doing their best to present an appropriate image. The block wall surrounding the yard provides the necessary buffer.

In the Open Space, Recreation and Conservation Element Policy 3.3 **Landscaping**, the Plan asks the City to establish and maintain attractive landscaping on public and private property visible to the public, including rights-of-way, freeway access points, building frontages, and trails. Maintaining an attractive city even in the industrial zone is important not only for the present, but for the future. The added block wall and landscaping, surrounding this area will shield their impound yard fence from view. If the surrounding tenants were to leave and remove their fences, the Applicant's yard would be shielded from view and look presentable.

Police Department Comments

Between July 1, 2015 and July 1, 2016 the Los Alamitos Police Department received 112 calls for service at one of the two existing towing companies in the City. The topics for these calls ranged from theft of items from cars while stored to dealing with angry or hostile car owners due to the towing of the car or the high cost to release a car.

The Police Department suggests some conditions to ameliorate those issues. The Police Department agrees that a block wall should surround the entire impound yard because it makes it more difficult for thieves to see inside the yard, and this should include some kind of metal spikes across the top of the wall to deter thieves and trespassers from entering the area. Additionally, the Police would suggest a robust surveillance system, 24-hour employee coverage at the site, and bullet proof glass in windows to protect staff from angry customers. Lastly, the business would need to respond immediately with appropriate measures to address fluid leaks from vehicles, so that there will be no need for any type of hazardous waste response.

Recommendation

There were no public comments received by Staff at the time this report was distributed to Commissioners. Since the Applicant has agreed to construct a block wall around the perimeter, as required by code, Staff recommends approval of Conditional Use Permit 16-12, as conditioned.

Attachments: 1). Resolution No. PC 16-16, with Exhibit A

RESOLUTION NO. 16-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP 16-12) FOR A 6,000 SQUARE FOOT MOTOR VEHICLE IMPOUND YARD - NO DISMANTLING OR WRECKING, ATTACHED TO AN EXISTING 58,512 SQUARE FOOT BUILDING ON A 5.25 ACRE PARCEL AT 10621 BLOOMFIELD STREET (APN NO. 242-242-62) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JOSE FLORES, ULTIMATE TOWING & RECOVERY).

WHEREAS, this application for a Conditional Use Permit asks to allow 6,000 square foot impound yard at an existing industrial building at 10621 Bloomfield Street in the Planned Light Industrial (P-M) Zoning District; and,

WHEREAS, the application constitutes a request under Section 17.42.040 (Conditional Use Permits - Application Filing) of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, the Planning Commission considered said application at a duly noticed Public Hearing on August 24, 2016; and,

WHEREAS, at this Public Hearing, the Applicant, Applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. Conditional Use Permit 16-12 is hereby approved for a 6,000 square foot impound yard attached to an existing industrial building at 10621 Bloomfield Street in the Planned Light Industrial (P-M) Zoning District. This approval is based upon the following Conditional Use Permit findings and subject to the conditions set forth in Section 3:

1. The 6,000 square foot impound yard attached to an existing industrial building at 10621 Bloomfield Street in the Planned Light Industrial (P-M) Zoning District will not endanger the public health or general welfare. The use will not foster circumstances that tend to generate a nuisance as an impound yard is an expected land use of the industrial area, and the yard is surrounded by other industrial uses.

2. The 6,000 square foot impound yard attached to an existing industrial building at 10621 Bloomfield Street is for the benefit of a light industrial use in the Planned Light Industrial (P-M) Zone. An impound yard, if approved, is a conditionally permitted use within this zoning district. This is an industrial property surrounded by industrial uses on all sides.
3. The 6,000 square foot impound yard attached to an existing industrial building at 10621 Bloomfield Street in the Planned Light Industrial (P-M) Zoning District will be compatible with other uses located in the P-M Zoning District. The impound yard would also be in general conformity with the Los Alamitos General Plan.

In Land Use Element Policy 3.2 **Mitigation measures**, the General Plan requires buffers and feasible mitigation measures to reduce impacts of new or expanded uses on existing neighborhoods, businesses, and public facilities. This is important because it is a reminder that there are methods in place to keep businesses from impacting other businesses. In this case, impound yards from becoming unsightly and negatively affecting the aesthetics for surrounding property owners that are doing their best to present an appropriate image.

In the Open Space, Recreation and Conservation Element Policy 3.3 **Landscaping**, the Plan asks the City to establish and maintain attractive landscaping on public and private property visible to the public, including rights-of-way, freeway access points, building frontages, and trails. Maintaining an attractive city even in the industrial zone is important not only for the present, but for the future. The added block wall on all sides and the landscaping on the street-facing side of this area will shield the impound yard fence from view. If the surrounding tenants were to leave and remove their fences, the Applicant's yard would still be shielded from view and look presentable.

4. The decision to approve the Conditional Use Permit is based on review by the Planning Commission of the plans and specifications submitted for the proposed project and on testimony given at the Public Hearing before the Planning Commission.
5. A Class 1 Categorical Exemption, pursuant to Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive. There are no exceptions to this exemption which are present.

SECTION 3. The following conditions shall apply to this project:

Planning Department

1. Approval of this application is to allow a 6,000 square foot impound yard attached to an existing industrial building at 10621 Bloomfield Street in the Planned Light Industrial (P-M) Zoning District with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 16-12 noted thereon, and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.
2. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Development Services Director.
3. Failure to satisfy and/or comply with the conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.
4. The Applicant and the Applicant's successors, in interest, shall be fully responsible for knowing and complying with all conditions of approval.
5. California Government Section 66020(d)(1) requires that the project Applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including Planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.

Pursuant to Government Code Section 66020(d)(1), the Applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees: N/A
Dedications: N/A
Reservations: N/A
Other Exactions: N/A

6. The Applicant has 90 days from the date of adoption of this Resolution to protest the impositions described above. The Applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.
7. The Applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers of the subject application. The City will promptly notify the Applicant of any such claim, action or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
8. The Property Owner/Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department. The Property Owner/Applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Development Services Department prior to issuance of any permits.
9. Applicant shall comply with applicable City, County, and/or State regulations.
10. All storage containers or storage tents shall be removed from the approved yard.
11. All weeds shall be removed from the impound area.
12. The paved surface of the Impound yard shall be maintained in good condition with no large, open cracks or any potholes.
13. No cars shall be stacked on top of each other.

Municipal Code Requirements

14. Storage and activities shall be conducted within an enclosed structure or an area enclosed by solid, decorative masonry walls with solid gates not less than six feet in height. Walls and gates shall be maintained in a sound and aesthetically pleasing fashion. Vehicles shall be screened from public view and shall not be stacked higher than the block wall. Vehicles may not be stored outside the enclosed yard area. Storage areas shall be paved and landscaped in compliance with applicable standards.
15. The block walls surrounding the yard shall be constructed of decorative blocks, such as slump stone, or split faced.
16. The gate shall be made of wrought iron or tubular steel, painted black with a mesh or screen backing, painted black.

Building Department

17. The Applicant shall obtain proper City permits and inspections for all tenant improvements.

Police Department

18. A six foot tall block wall shall surround the entire perimeter of the impound yard.
19. Wrought iron or tubular steel spikes, that are no taller than one (1) foot, shall be installed on top of the block wall to deter thieves and trespassers from entering the area.
20. A surveillance system shall be installed to the satisfaction of the Police Department. Please contact the Development Services Department to present the selected type of system to the Police Department.
21. 24-hour onsite personnel shall be employed.
22. Bullet proof glass shall be installed in windows to protect staff from angry customers.
23. The business shall respond immediately with appropriate measures to address fluid leaks from vehicles, with collection devices such as drip pans, so that fluids do not drain off the property and into storm drains.

Orange County Fire Authority

24. The OCFA has reviewed the proposed project and there do not appear to be any issues associated with this proposal that would require further submittals to the OCFA should the City approve the CUP. This application is a request for outdoor storage at one of Trend Offset's buildings. 20 feet of emergency access shall remain around the storage and access to the building shall be maintained. All exits from the building shall be maintained and accessible and shall not be impacted or obstructed by the storage area.

SECTION 4. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 24th day of August, 2016.

Mary Anne Cuiilty, Chair

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 24th day of August, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary



Humbolt

Existing Contractor's Yard
To Be Converted to
Tow Impound Yard

685'

Existing Building
Unit 20

10621 Bloomfield Street

Existing
Contractor Yard
To Remain

5.25 AC

Existing Building

10631 Bloomfield Street

399'

Overall Site

Scale 1"=50'

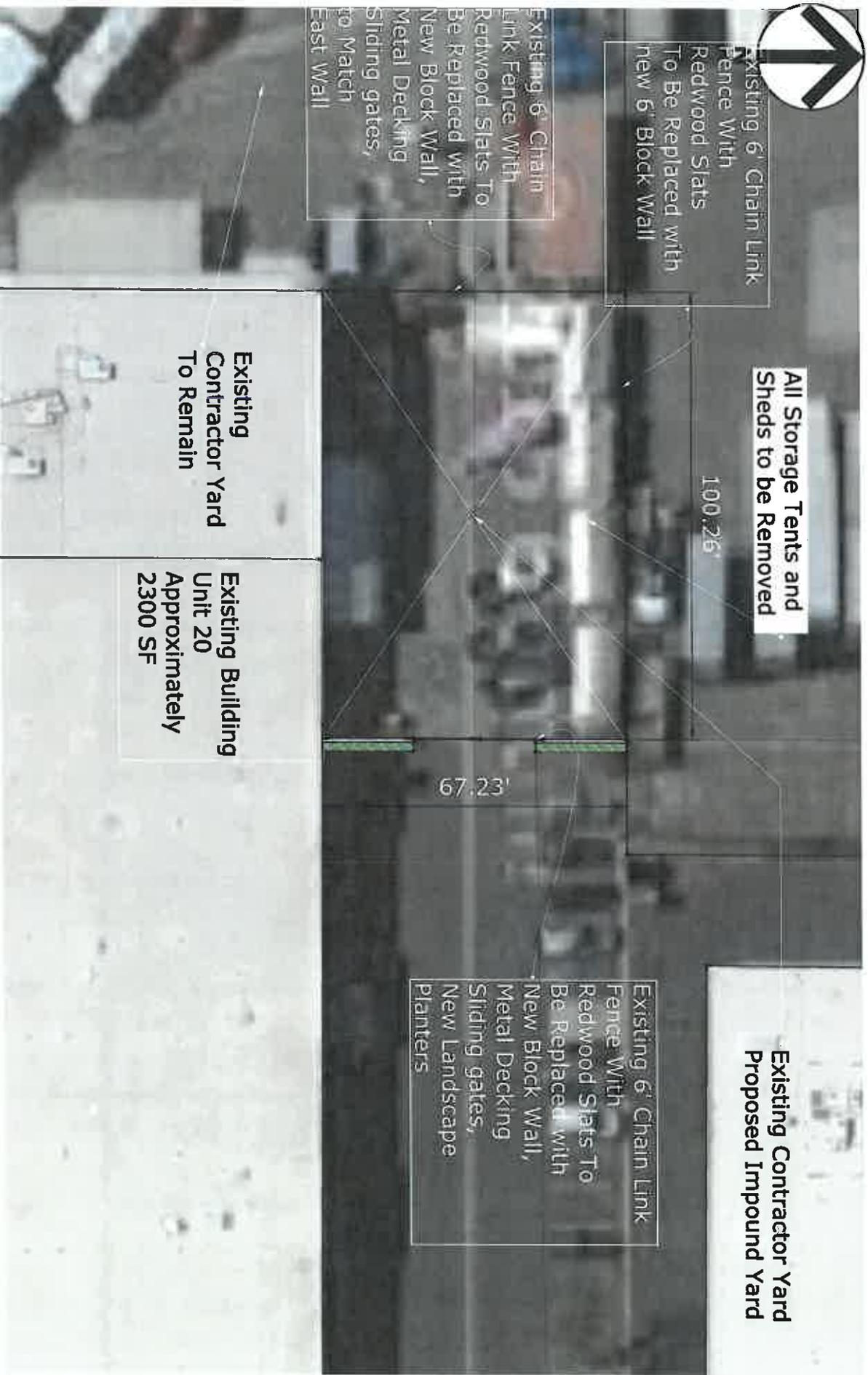
EXHIBIT A

Ultimate Towing

10621 Bloomfield Street, Los Alamitos, CA

Bloomfield Street

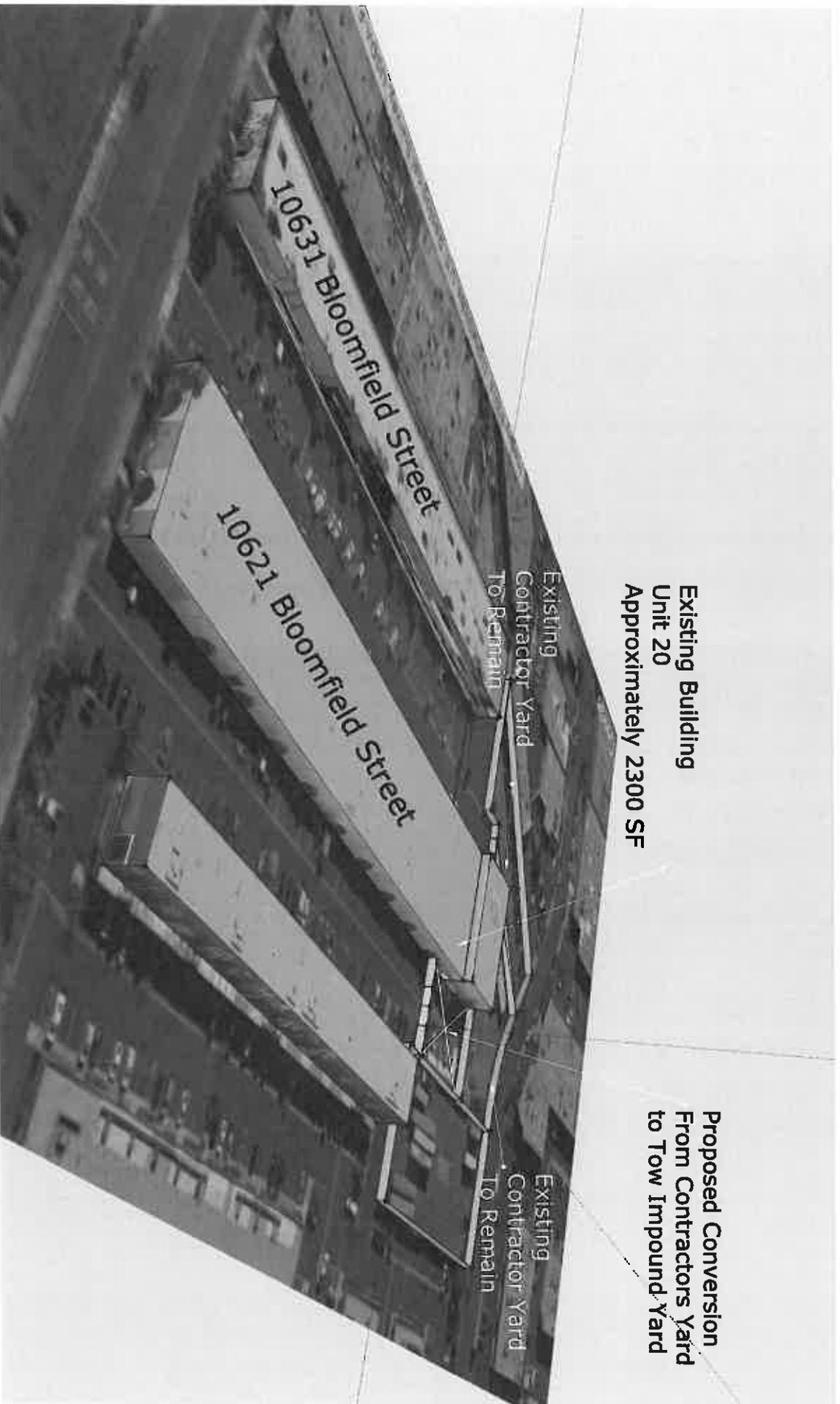
350'



Tow Yard Site Plan

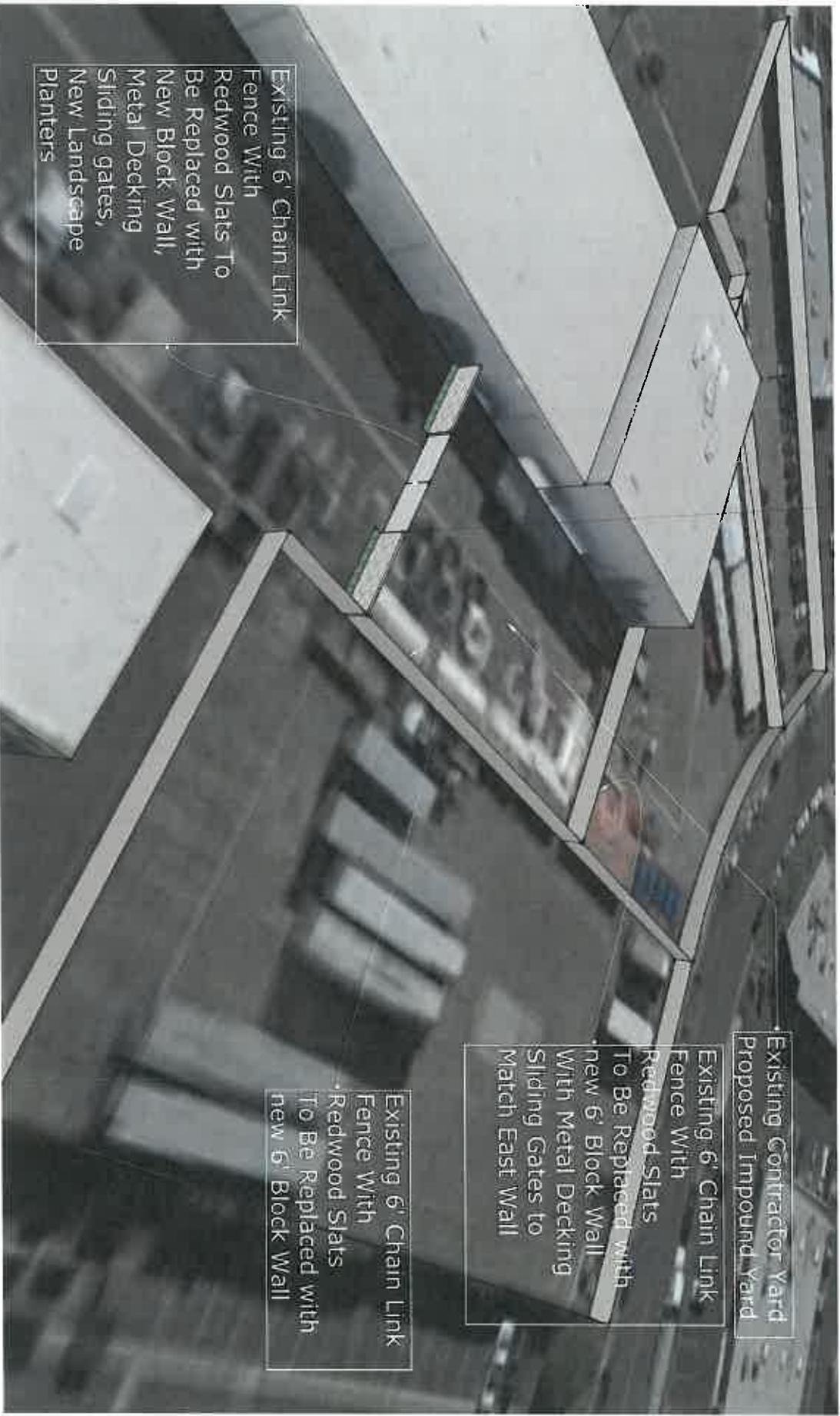
Scale 1"=20'

Ultimate Towing



Site Perspective

Ultimate Towing



Existing 6' Chain Link Fence With Redwood Slats To Be Replaced with New Block Wall, Metal Decking Sliding gates, New Landscape Planters

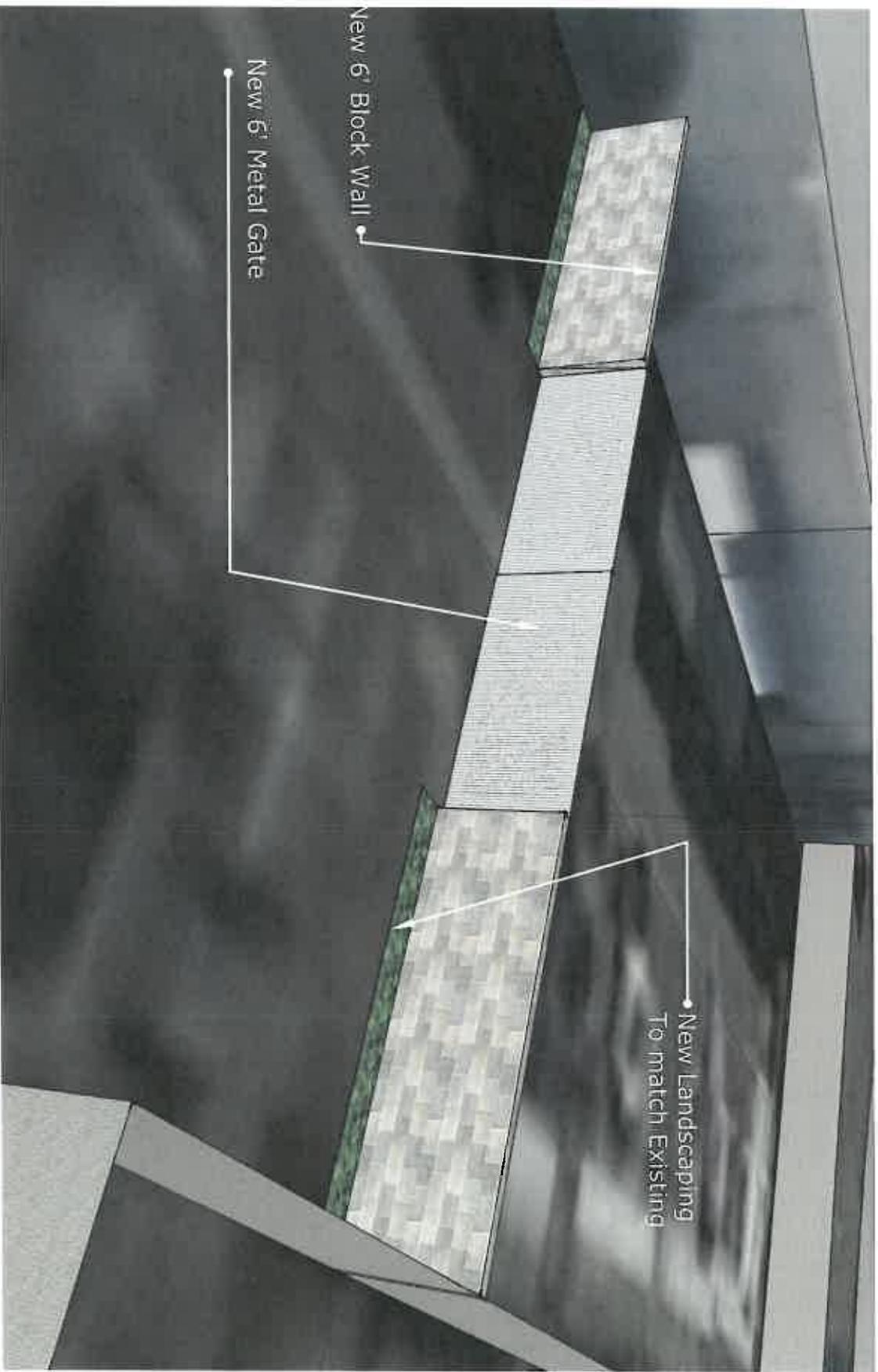
Existing Contractor Yard Proposed Impound Yard

Existing 6' Chain Link Fence With Redwood Slats To Be Replaced with new 6' Block Wall With Metal Decking Sliding Gates to Match East Wall

Existing 6' Chain Link Fence With Redwood Slats To Be Replaced with new 6' Block Wall

Tow Yard Perspective

Ultimate Towing



Block Wall Perspective

Ultimate Towing



Unit 20

Existing Fence
To Be Replaced



Existing Fence with
Redwood Slats
To Be Replaced

Ultimate Towing

Unit 20 With Fence



Existing Fence
With Redwood Slats
To Be Replaced



Existing Fence
With Redwood Slats
To Be Replaced

Ultimate Towing

Fence With Neighbor



Street Photo

Ultimate Towing

City of Los Alamitos

Planning Commission

Agenda Report
Public Hearing

August 24, 2016
Item No: 7C

To: Chair Cully and Members of the Planning Commission

Via: Tom Oliver, Associate Planner

From: Steven A. Mendoza, Development Services Director

Subject: Conditional Use Permit 336-90M
Site Plan Review 11-01M
Modifying a McDonald's Drive-Thru in the (C-G) Zoning District

Summary: Consideration of a modification to a Conditional Use Permit (CUP 336-90M) and a Site Plan Review (SPR 11-01M) to modify a drive-thru as well as make modifications to the landscape and curb for a McDonald's at 3562 Katella Avenue in the General Commercial (C-G) zoning district (APN 222-091-20) (Applicant: Silman Ruiz).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that a Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, shall be filed for the proposed project in accordance with the California Environmental Quality Act. The proposed use is part of the existing use at an existing building with no proposed alterations or expansion; and,
3. Adopt Resolution No. PC 16-17 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A MODIFICATION OF CONDITIONAL USE PERMIT 336-90 AND SITE PLAN REVIEW 11-01 TO PERMIT THE ADDITION OF A SECOND ENTRANCE TO THE MCDONALD'S FAST-FOOD RESTAURANT DRIVE-THRU AT 3562 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-20 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SILMAN RUIZ)."

Applicant: Silman Ruiz

Location: 3562 Katella Avenue, APN 222-091-20

- Environmental:** A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, will be filed for the proposed project in accordance with the California Environmental Quality Act. The proposed use is at an existing McDonald's Restaurant with upgrades to the existing landscape and drive-thru.
- Approval Criteria:** Section 17.10.020 (Land Uses and Permit Requirements), Table 2-04 (Allowed Uses and Permit Requirements) of the Los Alamitos Municipal Code (LAMC) allows restaurant's, with drive-thru facilities in the General Commercial (C-G) Zoning District with the approval of a Conditional Use Permit.
- Noticing:** Notices announcing the Planning Commission Meeting, discussing this Conditional Use Permit, were mailed to property owners and commercial occupants within 500 feet of the proposed location on August 10, 2016. A public notice regarding this meeting was also published in the News Enterprise on August 10, 2016.
- Permitting History:** CUP 73-03 Entrance Signs
CUP 183-82 Drive-thru window
CUP 203-83 Add play land with additional seating
CUP 283-87 Add drive-thru service (Denied)
CUP 336-90 Add drive-thru service
PSP 11-01 Plan Sign Program
SPR 11-01 McDonald's complete rebuild

Background



The Los Alamitos McDonald's location has had occasions over the past four and a half years when traffic has filled the drive-thru lanes to the point where the line backs up into the traffic on Katella, causing a dangerous situation for drivers. When McDonald's rebuilt this restaurant in 2011, they removed the kids play area in front of the building to make it possible to loop the drive-thru lane around the building for more room in the queue. The City agreed that this would provide a solution and added a condition to their approval that said:

The applicant shall take every necessary step to insure that the drive-through queue line does not back up onto Katella Avenue. This may include designating an employee to direct traffic within the parking lot or chaining off the secondary drive-through entrance on the west side of the lot.

Since this time, the City has received calls from the public to tell Staff that the drive-thru line was backing into the street. Six calls have come into City Hall since the time when Staff began tallying these calls. McDonald's has met with Staff from time-to-time on this issue and the business owner has decided to post a host employee outside near the lane to direct the traffic around the building or take orders from customers in line during mealtime rushes. McDonalds feels that this situation of continuing to have a host to direct traffic is not a good, permanent solution to the backup problem and has plans for other solutions for the situation.

An application has been filed by Silman Ruiz, the Applicant representing McDonalds, for the consideration of a drive-thru Conditional Use Permit modification and Site Plan Review modification for 3562 Katella Avenue. This request asks for the Planning Commission to allow drive-thru upgrades at the existing McDonald's. The single lane drive-thru will be upgraded to what the Applicant calls a double lane "side-by-side" drive-thru. Staff sees this change as simply adding another entrance to the drive-thru. As part of this change, the existing curb and landscape will be modified and there will be a replacement of the drive-thru pavement with new concrete pavement.

Discussion

McDonald's is looking to fix an existing problem with this additional drive-thru entry point. While Staff may feel that the Applicant has not explored the possibility to solve the problem by using the existing drive-thru as fully intended -- through chaining off the main drive thru entrance and having the line go around the back of the building to the second entrance -- However, Staff is comfortable that this new drive thru modification will not make the situation worse.

A photograph of the exterior of the building is shown below:



Here is how the Applicant, Mr. Ruiz, describes the modification project:

"The project consists of site upgrades to an existing McDonald's Restaurant and Drive-thru. The site work done includes upgrading the

single lane drive-thru to a double lane “side-by-side” drive-thru. Some modifications to the existing curbs and landscape areas are included as part of the scope of work as well as the replacement of the drive-thru pavement with new concrete pavement. The drive-thru menu boards and signage upgrades will be permitted separately and no changes are proposed to the building.”

McDonald’s hopes that the proposed additional drive-thru entry point will fix the problems they currently have experienced with the drive-thru queue line. This has been an intermittent problem since 2011 when the building was rebuilt and the drive-thru was laid out in its current configuration. The restaurant site will not be extensively modified, so the aesthetic will remain the same. Parking will be rearranged on the site so that there will be room for a new entrance to the drive-thru queue line. This use has existed for years, and the drive-thru should improve a situation that causes a backup for traffic on Katella Avenue. The Applicant also plans on replacing the drive-thru pavement with concrete.

Compatibility with the Surrounding Area

The adjacent properties to the center in which the proposed use is located are developed and zoned as follows:

- North: Starbucks and Sherwin-Williams Paints as well as other retail and dining in the General Commercial (C-G) Zoning District.
- East: Strip of retail in the General Commercial (C-G) Zoning District.
- South: Multiple family residences in the Community Facilities (C-F) Zoning District.
- West: Office space in the General Commercial (C-G) Zoning District.

The location of the proposed use is the General Commercial (C-G) zone which is intended for retail type uses. The location is bordered by an alley on the south side, across from which are multiple-family residential buildings. Commercial buildings lie directly to the east and west of the location. And commercial uses lie to the north, across Katella Avenue. The proposed project will not involve any construction or reconstruction of the existing building. There are other restaurants in the general vicinity of the existing McDonald’s, making it compatible with the commercial area.

Parking

The particular building that this use is located at has a 3,637 square foot interior footprint, and the site size is 30,688 square feet. The City’s zoning code requires 1 parking space per 100 square feet; therefore this site is required to have 37 parking spaces, which it currently has, meeting the City’s requirements. The parking will be

rearranged due to new landscape and curb modifications, but 37 parking spaces are still proposed.

Recommendation

Staff reviewed the application, researched the surrounding area and finds that the project proposal is acceptable as a project to attempt to repair the existing drive-thru backup problem at the site. Staff is not sure that adding a new drive-thru entry point will fix the problem, but the proposal does not seem to create any harm to the surrounding area. However, the City's Traffic Engineer agrees that the overall layout looks good. Staff has a concern that with this additional drive-thru area, there will be a misunderstanding between customers who think the extra entry point allows people to cut in line. McDonald's is looking to fix an existing problem with this additional drive-thru entry point. While Staff may feel that the Applicant has not tried to solve the problem by using the existing drive-thru layout as intended, we are comfortable that this new drive thru modification will not make the situation worse and, therefore, recommend approval of this CUP Modification and Site Plan Review. Staff has also reiterated the condition that the McDonalds have a host to direct traffic if traffic is still a problem (condition #13).

Attachment: 1. *Draft Planning Commission Resolution No. 16-17, including Exhibit A - Site Plan*
 2. *Previous Resolutions*

RESOLUTION NO. 16-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A MODIFICATION OF CONDITIONAL USE PERMIT 336-90 AND SITE PLAN REVIEW 11-01 TO PERMIT THE ADDITION OF A SECOND ENTRANCE TO THE MCDONALD'S FAST-FOOD RESTAURANT DRIVE-THRU AT 3562 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-20 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SILMAN RUIZ)

WHEREAS, an application for the modification of a Conditional Use Permit and Site Plan Review was submitted by the Applicant to allow a second entrance to a McDonald's Restaurant drive-thru at 3562 Katella Avenue; and,

WHEREAS, said application constitutes a request as required by Sections 17.42.040 (CUP), and 17.50.030 (SPR) of the Los Alamitos Municipal Code; and,

WHEREAS, the need for the application is due to the problem with the drive-thru line queuing into Katella Avenue; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on August 24, 2016 at which time it took into consideration all evidence presented, both written and oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Conditional Use Permit 336-90M is hereby approved to allow modifications to the drive-thru at the McDonald's on 3562 Katella Avenue based on the following findings:

1. The current layout of the McDonald's drive-thru is creating a safety hazard due to traffic queuing up into Katella Avenue. The modified McDonald's drive-thru as proposed will add additional space for traffic to queue on site and will alleviate this situation, thereby improving the public health, safety, and general welfare of the public from the existing conditions. The business has been conducted indoors and out for a period of time and this type of use has not been shown to create noise, glare, odor, vibration, or other nuisance conditions.

2. The proposed drive-thru modifications will be located in a commercial area and is a conditionally permitted use within the General Commercial Office (C-G) Zoning District. The (C-G) Zoning District permits restaurants with drive-thru facilities provided that the uses are found to be compatible and harmonious with surrounding uses with the approval of a Conditional Use Permit. These modifications to the drive-thru queue line should help improve the existing problem of the drive-thru backing up onto Katella Avenue, which has become a dangerous situation at times to drivers on the surrounding streets.
3. The proposed drive-thru modifications are compatible with similar uses located in the General Commercial (C-G) Zoning District and is surrounded by retail, fitness, and restaurant uses, and is in harmony with those uses. This use has existed for years, and the drive-thru should improve a situation that causes a backup for traffic on Katella Avenue.
4. The decision to approve the Conditional Use Permit for this use is based on review by the Planning Commission of the plans and specifications submitted for the proposed project and on oral and written testimony given to the Planning Commission.
5. A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is part of an existing use at an existing building.

SECTION 3. Through Site Plan review 11-01M, the Planning Commission also approves the curb and landscape modifications, as well as the new concrete pavement, at the McDonald's located at 3562 Katella Avenue, based on the following findings:

1. The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district; the design and layout will be slightly modified in a way that is compatible with the current design.
2. The design and layout of the proposed development would not interfere with the use and enjoyment of neighboring existing or future developments, and would not create traffic or pedestrian hazards; the proposed drive-thru is seen as a solution by McDonald's to fix the current queue line problem.
3. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter; the design will maintain the McDonald's restaurant theme.
4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors

through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance; the site plan will not be extensively modified, so the aesthetic will remain the same. The two spaces that will be removed to add an alternate entrance to the queue line will be replaced elsewhere on site.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity; there will be no changes to the building itself, but to the landscape and curbs as well as the addition of a second drive-thru; This should improve the drive-thru conditions.
6. The proposed development would not substantially depreciate property values in the vicinity. The restaurant is already existing in the area and McDonald's wants to make improvements to its drive-thru that would benefit the area (Ord. 688 § 1, 2006)

SECTION 4. This section below supersedes all of the original conditions from Conditional Use Permit 336-90, however, the original conditions from the Site Plan Review 11-01, Resolution 11-03 are not repeated in this resolution and shall remain in effect, unless the changes are made in Exhibit A for this modification. The approvals described above are subject to the following conditions:

Planning Division

1. Approval of this application is to allow a drive-thru modifications to 3562 Katella Avenue, with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 336-90M and SPR 11-01M noted thereon, and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.
2. Any proposal to expand the use beyond that which is shown in the approved drawings and all documents that are a part of this application that are included in this approval shall require a modification to be approved by the Planning Commission.

3. The Applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the Applicant of any such claim, action or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
4. Approval of the Conditional Use Permit modification shall be valid for a period of eighteen (18) months from the date of determination. If the use approved by this action is not established within such time period, such approval shall be terminated and shall thereafter be null and void. The duration of the site plan review modification shall be twelve (12) months from the date the site plan is approved. If construction is commenced within this twelve (12) month period and construction is being pursued diligently toward completion, the site plan review approval shall stay in full force and effect.
5. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
6. Prior to permit issuance, the Applicant, and Applicant's successors in interest, shall be responsible for payment of all applicable fees.
7. Prior to permit issuance, the property owner and Applicant shall file an Agreement Accepting Conditions of Approval with the Development Services Department. The property owner and Applicant shall be required to record the agreement with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.
8. The Applicant agrees to maintain the site per Section 17.14.070 of the Los Alamitos Municipal Code.
9. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Director.

10. Applicant shall comply with applicable City, County, and/or State regulations.
11. The Applicant will display a sign visible to the public with a contact number should any resident have any questions about the construction.
12. The Applicant shall install an automatic volume control (AVC) system incorporated into the drive-through speaker system.
13. The Applicant shall take every necessary step to insure that the drive-through queue line does not back up onto Katella Avenue. This may include designating an employee to direct traffic within the parking lot or chaining off the secondary drive-through entrance on the west side of the lot as presented to the City on the original submission for this drive thru in February of 2011.
14. Plans showing an update of the trash enclosure shall be submitted to the Community Development Department. The Applicant shall provide as a minimum a standard trash enclosure for solid waste and recycling that is five (5) foot by eight (8) foot clear interior dimension. Walls shall be a minimum of five (5) feet high and constructed of reinforced masonry or similar material. The enclosure shall be constructed with a roof made of solid material, such as that provided by a standing-seam metal roof. Wrought iron or equivalent gates with latch shall be provided. The top one-foot of the gates shall be open work with screening; the remaining section of the gates shall have solid metal backing. Enclosures shall have an interior six-inch curb bumper. This area shall accommodate receptacles sufficient to meet the solid waste and recycling needs of the development project.

Building Division

15. The Applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.
16. Building permit will be required for any electrical, plumbing or mechanical modifications or changes.
17. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 a.m. until 8:00 p.m. during the week; 7:00 a.m. until 8:00 p.m. on Saturday; and not at all on Sunday or federal holidays.

Code Enforcement

18. The tenant shall contact the City if they intend to erect any signs, banners, flags, or other similar items in conjunction with the operation of this business to obtain a permit for those uses.

Orange County Fire Authority

19. None

Los Alamitos Police Department

20. None

Traffic Engineering

21. None

SECTION 4. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 24th day of August, 2016.

Mary Anne Cuiilty, Chair

ATTEST:

Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of Planning Commission held on the 24th day of August, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

RESOLUTION NO. P.C. 527 - 90

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING CONDITIONAL USE PERMIT #336-90 TO PERMIT THE ADDITION OF A 222 SQUARE FOOT DRIVE-THRU WINDOW ADDITION AND RELATED FACILITIES ONTO AN EXISTING FAST FOOD RESTAURANT LOCATED AT 3562 KATELLA AVENUE, IN THE C-G, GENERAL COMMERCIAL DISTRICT.

I. Recitals.

- (A) The Planning Commission of the City of Los Alamitos has heretofore, on May 7, 1990, conducted a Public Hearing to consider Conditional Use Permit #336-90, relating to the following described property:

3562 Katella Avenue (Tax Assessor's Parcel Number 222-091-20)

- (B) Said property is located within the C-G, General Commercial Zoning District.
- (C) Said C-G District regulations require Conditional Use Permit approval to construct a drive-thru window addition.
- (D) The applicant, McDonald's Restaurant, requests Conditional Use Permit approval to construct a new 222 square foot drive-thru window addition on the subject property which is located in the C-G District.
- (E) The Negative Declaration prepared and considered on this project has been reviewed and considered prior to final approval. On the basis of that review, it is found that the project, if developed as proposed, will not have a significant adverse effect on the environment.
- (F) Section 22-31 of the Los Alamitos City Code requires that the Commission make findings of fact and state the reason for its action with respect to such permit.

II. RESOLUTION: Now, therefore, be it FOUND, DETERMINED and RESOLVED by the Planning Commission of the City of Los Alamitos as follows:

- A. The Conditional Use Permit to construct a 222 square foot drive-thru window addition to an existing restaurant on the subject property is hereby approved in accordance with the following findings:
- (1) The use will not endanger the public health or safety if located where proposed and developed, and

the use will not allow conditions which tend to generate nuisances, including, but not exclusively limited to, noise, glare, odor or vibrations, and off-street parking concerns.

- (2) The use does meet all the required conditions and specifications set forth in the Zone where it is to be located, under the C-G Zone Standards.
- (3) The location and character of the use, if operated according to the plan and conditions imposed, will be in harmony with the area in which it is located, and will be in conformance with the Los Alamitos General Plan.
- (4) The proposed drive-thru restaurant will not have a significant adverse impact on surrounding land uses but will be compatible with adjacent commercial, office, and residential uses if operated in accordance with the applicable required conditions.
- (5) The project, as proposed, complies with applicable Zoning Code standards relative to off-street parking, landscaping, building height, building setbacks, and lot coverage.
- (6) The proposed drive-thru facilities will not contribute to traffic congestion or air quality degradation if the mitigation measures are implemented in accordance with applicable City requirements.

B. The Planning Commission hereby approves Conditional Use Permit #336-90, subject to the following conditions:

Standard Conditions of Approval:

1. The proposed 222 square foot drive-thru restaurant addition shall be constructed, maintained and operated in accordance with the plans and conditions as approved by the Planning Commission.
2. No fewer than 44 parking spaces, including two (2) handicapped stalls, shall be provided and maintained on the site at all times. All parking spaces must be provided with adequate width, depth and turning radius in accordance with applicable City standards.
3. All landscaping on the site must be maintained in a live, neat and reasonably well-trimmed condition consistent with neighboring properties. A landscape and irrigation plan shall be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.

This plan shall indicate plant and tree sizes, location and species, and the type and placement of all irrigation devices.

4. All lighting in off-street parking areas shall be directed or shielded so as not to reflect onto adjoining properties or the public right-of-way.
5. A final detailed exterior elevation plan indicating the proposed colors, building materials and architectural treatment shall be filed with the Community Development Department for review before building permits are issued.
6. Concrete curbs shall be required around all parking, driveway and landscaped areas. Specifications shall be in accordance with Community Development Department criteria.
7. The project site must be kept reasonably clean during construction and maintained in a safe, nuisance and hazard free condition.
8. The hours of high noise producing construction shall be limited as follows: 7:00 a.m. until 5:00 p.m. during the week; 8:00 a.m. until 5:00 p.m. on Saturday; and not at all on Sunday.
9. All applicable conditions herein must appear on, or be noted on, the final working drawings, which must be approved prior to the issuance of building permits.
10. All conditions herein must be accomplished to the satisfaction of the Los Alamitos Community Development Department. Failure to satisfy the conditions herein may result in a recommendation to the City Council for revocation of approval.
11. The duration of this approval shall be one year from the date the approval is adopted. If construction is commenced within this one year period, and is being pursued diligently toward completion, the approval shall stay in full force for another year period. In the case of an extensive construction schedule, the Planning Commission may, upon application, extend the time limit for completion of the project.
12. One inch deadbolt locks shall be provided on all exterior doors, except where prohibited by the Uniform Building Code.
13. Public works permit to be taken out for all work in the public right-of-way prior to start of work. All work to be done in accordance with Orange County

EMA/City standards and to the satisfaction of the City inspector and completed before issuance of a Certificate of Occupancy.

14. Prior to the issuance of building permits for combustible construction, water improvement plans shall be submitted to, and approved by, the Orange County Fire Chief.
15. The property owner and applicant shall file an Acknowledgment of Conditions with the Community Development Department within 30 days of the Planning Commission approval. The property owner and applicant shall be required to record the Acknowledgment and these conditions of approval with the office of the Orange County Recorder and proof of such recordation submitted to the Community Development Department within 60 days of the Planning Commission approval.

Project-Specific Conditions

16. Street improvements, including a new, one-way exit driveway, a raised median island, and a painted barrier, shall be constructed along the Katella Avenue street frontage as noted on the approved Site Plan. Improvement plans shall be approved by the City Engineer prior to the issuance of Building Permits.
17. Lighted directional signage shall be provided at the driveway entrance to the restaurant. The west driveway entrance shall be signed "entrance only" on one side and "no exit" on the other. The easterly exit sign shall show "right turn only" on one side and "no entrance" on the other.
18. A sign shall be installed at the entrance of the drive-thru lane which states "No Drive-Thru Vehicles Behind this Point - Please Order Inside."
19. An automated menu ordering system with employees utilizing headsets and taking orders in the queue line, and then relaying the information to other responsible persons inside the restaurant, shall be used during peak periods of operation.
20. The applicant shall be responsible for compliance with and enforcement of the conditions of this permit.
21. The City has proposed and the applicant has accepted the following penalty provision:

Applicant shall pay to the City a penalty of \$50.00 for each vehicle which is observed by a City Official to be in the drive-thru line in the prohibited area designated by the signage described herein.

If the applicant believes circumstances beyond his control prevented him from enforcing this condition, he may present his reasons in writing to the City Manager within ten (10) days of the penalty imposition. The City Manager shall promptly review the matter and his decision shall be final.

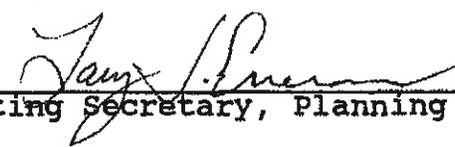
C. The Secretary of the Commission shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 21st day of May, 1990.


Chairperson, Planning Commission

I, Lawrence Emerson, Acting Secretary to the Planning Commission of the City of Los Alamitos, do hereby certify that the foregoing Resolution was passed at a Regular Meeting of the Planning Commission of the City of Los Alamitos, held on the 21st day of May, 1990, by the following vote:

AYES:	COMMISSIONERS:	Legere, Gabler, Lee, McDonnell, Nehrenberg
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None
ABSTAIN:	COMMISSIONERS:	None

ATTEST: 
Acting Secretary, Planning Commission

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RESOLUTION NO. 11-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 11-01 TO PERMIT A MCDONALD'S RESTAURANT AND DRIVE-THROUGH TO BE DEMOLISHED AND REBUILT AT 3562 KATELLA AVENUE IN THE GENERAL COMMERCIAL (G-C) ZONING DISTRICT, APN 222-091-20, (APPLICANT: CARLOS MADRIGAL)

WHEREAS, a completed application for a Site Plan Review was submitted by Carlos Madrigal on December 30, 2010, requesting approval for demolition of a restaurant building, drive-through, and parking lot and to rebuild a restaurant, drive-through, and parking lot at 3562 Katella Avenue, APN 222-091-20; and,

WHEREAS, the design of the project will not cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat because it is a previously developed urban site and the project involves negligible or no expansion of existing use. According to Section 15301 (Class 1) *Existing Facilities* of the guidelines for implementing the California Environmental Quality Act (CEQA) and Los Alamitos' Local Guidelines for implementing the CEQA, the proposed project is Categorically Exempt; and,

WHEREAS, the verified application constitutes a request as required by Section 17.50.030 (Site Plan Review) and Section 17.10.020 Table 2-01 (Allowed Uses and Permit Requirements) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission reviewed the application for Site Plan Review on February 14, 2011, and based upon the evidence presented, set forth the following findings required by Section 17.50.040 of the Los Alamitos Municipal Code:

1. The design and layout of the McDonald's restaurant at 3562 Katella Avenue is consistent with the development and design standards/guidelines of the General Commercial Zoning District; as conditioned and determined by the Planning Commission and as required by Chapter 17.10 of the Los Alamitos Municipal Code.
2. The design and layout of the McDonald's restaurant at 3562 Katella Avenue would not interfere with the use and enjoyment of neighboring commercial, office, and multi-family residential developments, as the surrounding uses are retail, dining, multi-family residential, and office. The approved location is appropriate for the continuation of the drive-through service. The location of the drive-through window would not create traffic or pedestrian hazards and will decrease traffic congestion and hazards from vehicle cross-over or vehicle stacking.
3. The design of the McDonald's restaurant would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City's architecture with an updated, branded appearance.
4. The design of the McDonald's restaurant would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, and color. Such changes will enhance the existing structure, remain aesthetically appealing, and retain an appropriate level of maintenance.
5. The McDonald's restaurant provides for public health, safety, and welfare of the residential and business communities by improving the circulation pattern. It is a convenience and a necessity for the general public and is not materially injurious to the

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properties or improvements in the vicinity. The proposed restaurant with drive-through balances the needs of residents and commercial property owners by providing improved kitchen facilities, traffic circulation, adequate off-street parking, and loading facilities.

6. The McDonald's restaurant would not substantially depreciate property values in the vicinity, improves the aesthetics, and traffic safety at the location.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California, finds that the above recitals are true and correct.

SECTION 2. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review SPR11-01, subject to the following conditions:

Planning

1. Approval of this application is a request to demolish a 3,190 square foot McDonald's restaurant and rebuild a new 3,637 square foot McDonald's restaurant and a drive-through on 30,690 square foot site located at 3562 Katella Avenue, APN 222-091-20, as shown in the attached site plan and elevation. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code, except for those waivers granted with this approval. The applicant has a Conditional Use Permit allowing for drive-through facilities as approved by Resolution 527-90 adopted in 1990.
2. The duration of the site plan review approval shall be twelve (12) months from the date the site plan is approved. If construction is commenced within this twelve (12) month period and construction is being pursued diligently toward completion, the site plan review approval shall stay in full force and effect.
3. The director may, upon receipt in writing from the applicant before the expiration date, grant an extension of time up to twelve (12) months maximum. If an extension of time is not granted, the site plan review approval shall expire and a new application shall be made.
4. Site Plan Review is approved exclusively as precise plans for the structures, materials, and features as shown on the relevant drawings referenced in No. 1, above. Any relocation, alteration, addition to, and/or use of any building or property contrary to the conditions hereunder nullifies this approving action. If any changes are proposed regarding the structure, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change(s) is/are consistent with the provisions, spirit, and intent of this approval action, and that such action would have been the same with the proposed change(s) for the proposal approved herein, the amendment may be approved by the Community Development Director without requiring a public meeting.
5. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
6. The applicant shall submit complete plans for plan check and obtain all required building permits for any tenant improvement to the tenant space. All applicable conditions herein

must appear on and be noted on the final working drawing prior to the issuance of a building permit.

7. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
8. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees.
9. The property owner and applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The property owner and applicant shall be required to record the Acknowledgment of Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.
10. The applicant shall comply with applicable City, County, and/or State regulations.
11. The site shall be kept reasonably clean during construction and maintained in a safe, nuisance, and hazard free condition. Dust control measures shall be employed to include spraying water on dry soil to ensure dust does not migrate onto adjacent properties.
12. The project shall comply with all requirements of Chapter 17.40, Noise Control, of the Los Alamitos Municipal Code.
13. The aisle width on the east side of the property shall be reduced to a 24 foot width and the additional space shall be used to expand the drive aisle on the west side of the parking lot. This shall be accomplished by moving the structure's footprint 3'6" to the east.
14. The height of the structure shall be measured from the top of the nearest curb.
15. The applicant will display a sign visible to the public with a contact number should any resident have any questions about the construction.
16. The applicant shall install an automatic volume control (AVC) system incorporated into the drive-through speaker system.
17. The applicant shall take every necessary step to insure that the drive-through queue line does not back up onto Katella Boulevard. This may include designating an employee to direct traffic within the parking lot or chaining off the secondary drive-through entrance on the west side of the lot.
18. The landscape and irrigation plan shall be submitted for review and comply with the City's Xeriscape Ordinance (Ord. No. 563). All required landscaping and irrigation shall be installed prior to the issuance of a Certificate of Occupancy.

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19. Stepping stones shall be placed between the bushes in the planting strip on the east side of the drive-through.
 20. The number of trees shown on the landscape plan, seventeen trees (17), shall be retained or planted as shown on the preliminary plan.
 21. Trees shall be planted outside of the Sight Safety Triangle or be trimmed to eight feet from above the adjacent top of curb.
 22. The applicant shall install a bike rack in a location that is satisfactory to the Director of Community Development.
 23. The existing wrought iron fence lining the east side of the property shall be retained to discourage customers from parking in the neighboring parking lot.
 24. All water runoff must be designed to infiltrate the ground on the site. The bioswales noted on the plans shall direct their infiltration pipes to the planter areas and not be placed under the asphalt.
 25. All landscaping on the site, including, without limitation, trees, shrubs and other vegetation, drainage and irrigation systems, shall be permanently maintained in good, first class condition, healthy, without deterioration, free of waste and debris, through all phases of construction and after. Dead or diseased plants shall be promptly replaced with landscaping similar in type, size, and quality. Automatic Irrigation systems shall be properly maintained and other reasonable and adequate landscape maintenance facilities and procedures shall be provided to fulfill the foregoing requirements.
 26. The applicant shall be required to comply with the Seismic Hazards Mapping Act of 1990, including the Guidelines for Evaluating and Mitigating Seismic Hazards in California 1997.
 27. The applicant shall provide adequate exterior lighting that maintains performance standards as described in Chapter 8.48 *Lighting Performance Standards* in the Los Alamitos Municipal Code.
 28. Prior to permit issuance applicant shall submit a lighting plan to the Community Development Department to the satisfaction of the Community Development Director.
 29. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and shall be subject to the approval of the Community Development Director.
 30. The applicant shall be required to apply for a Planned Sign Program.
 31. Applicant shall construct and maintain at all times a minimum of thirty-seven (37) parking spaces of a minimum nine (9) foot by nineteen (19) foot dimension per parking space with minimum drive aisle widths of twenty-four (24) feet. A minimum of two (2) of these spaces shall be maintained to Americans with Disabilities (ADA) standards, to the satisfaction of the Community Development Director.
 32. Wheel stops shall be required for all parking spaces.

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33. Overnight parking of vehicles, recreational vehicles, or trucks shall not be permitted on the premises except for employees of the business or customers while conducting business in the retail establishment.
 34. The current trash enclosure is not in an architectural design to match the new building. Plans showing an update of the trash enclosure shall be submitted to the Community Development Department. The applicant shall provide as a minimum a standard trash enclosure for solid waste and recycling that is five (5) foot by eight (8) foot clear interior dimension. Walls shall be a minimum of five (5) feet high and constructed of reinforced masonry or similar material. Wrought iron or equivalent gates with latch shall be provided. The top one-foot of the gates shall be open work with screening; the remaining section of the gates shall have solid metal backing. Enclosures shall have an interior six-inch curb bumper. This area shall accommodate receptacles sufficient to meet the solid waste and recycling needs of the development project.
 35. Applicant will promptly remove any graffiti or unapproved writing on the exterior walls of any structures within twenty-four hours of the onset of such graffiti or writing at the sole expense of the applicant.
 36. The sign showing height limit for drive-through shall be placed at the entrances to the drive-through.

BUILDING AND SAFETY

37. The applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.
38. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 a.m. until 8:00 p.m. Monday thru Saturday and not at all on Sunday or federal holidays.

PUBLIC WORKS

39. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for Public Works off-site and on-site improvements. Plan check fees shall be paid in advance.
40. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to the nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
41. Hydrologic and hydraulic calculations demonstrating adequate site drainage from a 10-year return frequency storm (25-year frequency in sump areas) prepared by a Registered Civil Engineer shall be submitted with the Grading Plan.
42. Parking lot slope shall be a minimum slope of 1%.
43. The applicant shall provide calculation that the rear retaining wall can handle the increase weight of the wall on top.
44. The applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.

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45. Pursuant to and in accordance with Government Code Section 66020(d)(1), the Project Applicant is hereby notified as follows:

The fee(s), dedication(s), reservation(s) and other exaction(s) ("impositions") imposed on this development are:

Traffic Impact Fees, if applicant increases total daily trip by 200 trips.

The Applicant is hereby notified that any protest to the impositions described above must be made within 90 days from the date of this Resolution's approval. The Applicant also is notified that any lawsuit to protest these impositions must be filed within 180 days from the date of this notice and that the timely making of a 90-day protest is a prerequisite to filing such.

46. Provide a traffic impact analysis pursuant to City Resolution 1469. Based on the review and approval of this analysis additional conditions and/or fees may be required.
47. Provide street tree(s) as per City requirements.
48. Provide new commercial drive approaches per City standards.
49. The applicant shall rehabilitate or reconstruct alley pavement to the centerline of the alley for the entire frontage of the project site. Applicant shall submit pavement design report prepared by a qualified Registered Civil Engineer for approval by the City Engineer.
50. All existing off-site public improvements (sidewalk, curb and gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer and per OCPFRD Standard Plan.
51. A City Public Works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.
52. A bond or surety device shall be posted with the City in an amount and type sufficient to cover the amount of off-site and on-site work to be done as approved by the City Engineer.
53. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.
54. Final compaction report prepared by a qualified Soil Engineer shall be submitted to the City Engineer for review and approval prior to the commencement of structural construction.
55. Prior to demolition, applicant shall construct a block wall on the south property line that will rise from the alley but not be less than five (5) feet in height when measured from the finished grade of the McDonald's property, subject to the satisfaction of the City Engineer.

POLICE DEPARTMENT

None.

NPDES

- 56. McDonald's shall hand deliver a construction schedule to the adjacent tenants in the area to properly inform them of future construction including the name and 24 hour contact information for a project manager for noise, dust, and other complaints.
- 57. All demolition and construction shall be done in accordance with Los Alamitos Municipal Code Demolition Chapter 8.13.
- 58. Prior to issuance of any Grading or Building Permit and as part of the future development's compliance with the NPDES requirements the project applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Los Alamitos before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public Works and the City Engineer for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable".
- 59. Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm the Grading Plan specifications stipulate, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402, requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:
 - All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;
 - On-site vehicle speed shall be limited to 15 miles per hour;
 - All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
 - Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
 - All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; Track-out devices shall be used at all construction site access points; and
 - All delivery truck tires shall be watered down and/or scraped down prior to departing the job site.
- 60. All trucks that are to haul excavated or graded material onsite shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(F) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the project applicant shall demonstrate to the City of Los Alamitos how the project operations subject to that specification during hauling activities shall comply with the provisions set forth in Sections 23114(b)(F) and (e)(4).
- 61. Projects less than one acre shall identify on plans or the permit all BMPs that will be used on the project in accordance with the Orange County Construction Runoff Guidance

Manual, latest edition. BMPs will be reviewed and approved by the City prior to issuance of the permit.

62. Detailed hardscape, landscape, and irrigation plans will be prepared by a licensed landscape architect. Such plans will be designed in accordance with the "Landscape and Irrigation Design Requirements" of the City and approved by the Director prior to the commencement of construction.

Orange County Fire Authority

63. The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a building permit:

- Fire master plan (service code PR145).
- Architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form."

Golden State Water Quality Management District

64. The applicant shall contact the Golden State Water Quality Management District at (714) 535-7711 ext. 214 for instructions related to the addition of a reduced principle (RP) backflow prevention device to the project site and comply with its recommendations.

Rossmoor/Los Alamitos Sewer District

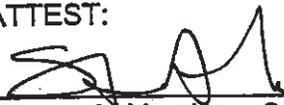
65. This address does not currently have a Grease Control Device. Per RLASD Sewer Ordinance this applicant must submit plans for its internal FOG (Fats-Oil-Grease) program review. This property is also served by an existing four-inch sewer lateral. Per RLASD standards, all commercial business must have at least six-inch diameter sewer lateral. Applicant shall submit two sets of design plans to the RLASD depicting the proposed type and location of the grease control device and the new six-inch diameter sewer lateral location for review. The plans should reference the appropriate RLASD standards for the connection type to the main sewer line in Katella Avenue and the sewer lateral size and material. Submit the plans to the RLASD, Susan Bell-General Manager during normal business hours for review and to begin the permitting process.

SECTION 3. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same.

PASSED AND APPROVED this 14th day of February, 2011, by the following vote:

AYES:	Daniel, Loe, Riley, Sofelkanik, Sutherlin, Andrade, Grose
NOES:	None
ABSENT:	None
ABSTAIN:	None

ATTEST:



Steven A. Mendoza, Secretary - LOS ALAMITOS PLANNING COMMISSION