

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA PLANNING COMMISSION / SUBDIVISION COMMITTEE REGULAR MEETING

Wednesday, November 16, 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 Cuijly
 - 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 October 26, 2016.

6. CONSENT CALENDAR

None

7. PUBLIC HEARINGS

A. Consideration of a 113,880-square foot Shopping Center Development Application for a Site Plan Review; Vesting Tentative Map; six Conditional Use Permits for (2) Drive-Through Facilities, (3) Large Outside Seating Areas, and (1) Alcoholic Beverage Sales; a Variance for a Freeway Pylon Sign; Planned Sign Program; and an Environmental Impact Report Addendum.

This report is for the consideration of up to a 113,880-square-foot retail shopping center proposed on 9.56 acres at 3131 Katella Avenue. The proposed project will require a Site Plan Review for the design of the development; Vesting Tentative Map to create five parcels; six Conditional Use Permits for two drive-through facilities with 24-hour operations, three large outdoor seating areas, and one for off-site alcohol beverage sales and on-site tastings at a market; Planned Sign Program; and a Variance to exceed height and sign area for a freeway pylon sign. The proposed project will involve the demolition of two existing office buildings, minor grading of the property site, and the construction of a shopping center consisting of seven buildings suited for major and minor retail, commercial services, and restaurant tenants.

Recommendations:

1. Open the Public Hearing; and, if appropriate,
2. Planning Commission adopt Resolution No. 16-18, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING AN ADDENDUM TO THE PREVIOUSLY-CERTIFIED LOS ALAMITOS GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT TO ALLOW CONSTRUCTION AND OPERATION OF UP TO A 113,880 SQUARE FOOT RETAIL SHOPPING CENTER AT 3131 KATELLA AVENUE, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC), MAKING FINDINGS THAT SUCH RETAIL SHOPPING CENTER PROJECT IS WITHIN THE SCOPE OF THE GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT AND THAT NO SUPPLEMENTAL

OR SUBSEQUENT EIR IS REQUIRED PURSUANT TO CEQA GUIDELINES 15162, 15164 AND 15168 ; and,

3. Planning Commission adopt Resolution No. 16-19, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A SITE PLAN REVIEW (SPR) 16-04 TO ALLOW THE CONSTRUCTION AND OPERATION OF UP TO A 113,880-SQUARE FOOT SHOPPING CENTER AT 3131 KATELLA AVENUE, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-212-09 AND ADOPTING A MITIGATION MONITORING PROGRAM (APPLICANT: KATELLA PROPERTY OWNER, LLC)"; and,
4. Subdivision Committee adopt Resolution No. 16-20, entitled, "A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF LOS ALAMITOS APPROVING A VESTING TENTATIVE MAP (VTM 16-01) TO ALLOW THE CONSTRUCTION OF A 105,880-SQUARE FOOT RETAIL SHOPPING CENTER FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)"; and,
5. Planning Commission adopt Resolution No. 16-21, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A CONDITIONAL USE PERMIT (CUP 16-08) TO ALLOW A RESTAURANT DRIVE-THROUGH FACILITY (PAD A) FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 4) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,
6. Planning Commission adopt Resolution No. 16-22, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A CONDITIONAL USE PERMIT (CUP 16-09) TO ALLOW A RESTAURANT DRIVE-THROUGH FACILITY (PAD B) FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 5) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,
7. Planning Commission adopt Resolution No. 16-23, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A CONDITIONAL USE PERMIT (CUP 16-10) TO ALLOW A LARGE OUTSIDE SEATING AREA (PAD A) FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 4) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,
8. Planning Commission adopt Resolution No. 16-24, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF

LOS ALAMITOS ADOPTING A CONDITIONAL USE PERMIT (CUP 16-11) TO ALLOW A LARGE OUTSIDE SEATING AREA (PAD B) FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 5) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,

9. Planning Commission adopt Resolution No. 16-25, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A CONDITIONAL USE PERMIT (CUP 16-12) TO ALLOW A LARGE OUTSIDE SEATING AREA (SHOPS 1) FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 1) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,
10. Planning Commission adopt Resolution No. 16-26, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING CONDITIONAL USE PERMIT (CUP 16-13) TO ALLOW ALCOHOLIC BEVERAGE SALES FOR A MARKET LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 1) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,
11. Planning Commission adopt Resolution No. 16-27, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A PLANNED SIGN PROGRAM (PSP 16-02) TO ALLOW A PLANNED SIGN PROGRAM FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (PARCEL 2) (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)"; and,
12. Planning Commission adopt Resolution No. 16-28, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A VARIANCE (VAR 16-02) TO ALLOW A HEIGHT LIMIT AND SIGN AREA INCREASE FOR A FREEWAY PYLON SIGN FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)".

B. Conditional Use Permit (CUP) 16-14 – Wrought-iron Fences in the Community Facilities (C-F) Zone Around St. Hedwig School

Consideration of a Conditional Use Permit to allow seven foot tall wrought-iron fences with stacked stone columns to be constructed around St. Hedwig School for safety and security purposes, located at 3591 Orangewood Avenue, (APN 130-741-11) in the Community Facilities (C-F) Zoning District (Applicant: Erin Rucker, St. Hedwig School).

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 Categorical Exemptions Section 15301 (f) - *Existing Facilities* and Section 15303(e) *New Construction or Conversion of Small Structures*. An exemption will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed fencing is on a property with an existing building, and will be used for the safety and security of children; and,
3. Adopt Resolution No. 16-xx, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP 16-14) FOR SEVEN FOOT TALL WROUGHT-IRON FENCES WITH STACKED STONE COLUMNS TO BE CONSTRUCTED AROUND ST. HEDWIG SCHOOL FOR SAFETY AND SECURITY PURPOSES ON A 7.58 ACRE PARCEL AT 3591 ORANGEWOOD AVENUE (APN NO. 130-741-11) IN THE COMMUNITY FACILITIES (C-F) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ERIN RUCKER, ST. HEDWIG SCHOOL)."

8. STAFF REPORTS

None

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

10. COMMISSIONER REPORTS

11. ADJOURNMENT TO THE PLANNING COMMISSION / SUBDIVISION COMMITTEE MEETING OF DECEMBER (TBD), 2016 AT 7:00 PM

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.

APPEAL PROCEDURES

The City Council is designated as an appeal board as that term is used in the Subdivision Map Act and shall hear appeals from actions of the Subdivision Committee with respect to tentative tract maps, tentative parcel maps, and lot line adjustments. (Ord. 580 § 2 Exh. A, 1994)

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

Date

11/9/16

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

REGULAR MEETING – October 26, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:00 PM, Wednesday, October 26, 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 John Riley
Commissioner Victor Sofelkanik (Arrived: 8:00 pm)

Absent: None

Staff: Development Services Director Steven Mendoza
Associate Planner Tom Oliver
Assistant City Attorney Lisa Kranitz
Department Secretary Dawn Sallade
City Engineer Dave Hunt
Traffic Engineer Farhad Iranitalab
MIG Project Manager Jose Rodriguez

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 August 24, 2016.

Ms. Kranitz corrected Page 2, last paragraph to read, "...as "A residential structure under a single ownership *containing two dwelling* units designed exclusively for..."

Motion/Second: Grose/DeBolt.

Carried 5/0/1 (Andrade abstained and Sofelkanik absent): The Planning Commission approved the Minutes of the Regular meeting of August 24, 2016 with the above correction.

6. **CONSENT CALENDAR**

None

7. **PUBLIC HEARINGS**

A. **Site Plan Review (SPR) 16-05 – 10833 Cherry Street**

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

Continued consideration of a Site Plan Review (SPR 16-05) application for the construction of residential units 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. (Applicant: Theresa Murphy - Precious Life Shelter).

Commissioner Grose indicated she will recuse herself from this item as she is the Co-Chair on the Board of Directors for the Precious Life Shelter but will speak from the audience.

Vice-Chair Andrade indicated that although he was absent from the last meeting that heard this item; he has watched the video and read the minutes from that meeting.

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated he is prepared to answer questions from the Commission. He reported that Staff recommended approval previously and they still recommend approval. Mr. Oliver indicated the Commission previously sent the Applicant back to redesign to explain how it would work as two units and they are here tonight to do that.

Chair Cuiity re-opened the Public hearing.

Theresa Murphy, Applicant, indicated she and the architects went back after the last meeting and came up with revisions that she feels the plans have been readjusted the plans to make it be just two units on the property. She said she feels the development of this property will be an asset to the City.

Wendy Grose, Co-Chair of Precious Life Shelter, spoke about what the shelter is and what it has done for many pregnant and homeless women over the years to get from a co-dependent to an independent state. Ms. Grose continued by explaining how the program works.

Don Jacobs, Architect for the project, said they listened at the last meeting and feel they have come up with the changes that the Commission asked them to do. He said he read the Staff Report and agrees with the conditions.

Bob Leal, responded to Commissioner DeBolt and indicated two A/C units will be sufficient for the space.

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

Following a long discussion with the Commission and Staff going back and forth, Chair Cuiilty reopened the public hearing to allow the following person to speak.

Evan Miles, indicated he's worked for Home Aid and Habitat for Humanity and have dealt with a lot of public approvals with cities, etc. He said the way he sees this is that Ms. Murphy and the architects have addressed all the issues and comments from the previous meeting. He said they are just asking for something that the City's code allows.

Motion/Second: Andrade/DeBolt

Carried 5/0/1 (Grose abstained and Sofelkanik absent): The Planning Commission adopted 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 TWO 2,229 SQUARE FOOT RESIDENTIAL UNITS FOR A TOTAL OF 4,458 SQUARE FEET, 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)."

Commissioner Grose returned to the Chamber.

Commissioner Sofelkanik arrived at 8:00 PM.

A break was called at 8:00 PM and reconvened at 8:10 PM with all Commissioners present.

B. Planning Commission Hearing/Workshop to Introduce the Commissioners and the Public to an 113,880-square foot Shopping Center Development Application.

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. Mr. Mendoza explained that this Public hearing will be re-noticed for a November 16th hearing to deliberate and consider the resolutions as well as conditions of approval for the project at that time. He introduced the members of the team who will speak about the project; they are:

- Tom Oliver, Associate Planner
- Lisa Kranitz, Assistant City Attorney
- Jose Rodriguez, Project Planner, MIG
- Bill Halligan, CEQA Consultant from PlaceWorks and author of the Addendum
- Dave Hunt, City Engineer
- Farhad Iranitalab, City's Traffic Engineer

Chair Culty opened the Public hearing.

Parke Miller, Applicant/Property Owner, Lincoln Property Management, indicated they are very excited about the project. He continued explaining what they were thinking as they created the vision of this project. He thanked Staff and consultants. He introduced the members of his team who will speak on the project; they are:

- Simon Berkowitz, Architect on the project
- Michael Tseng, Architect
- John Bishop, JV 3-D Lighting

Ruben Perez, resident, had questions on the point of entry for trucks delivering to the project. He also asked about the hours of operation as well as noise from music, etc.

Mr. Mendoza indicated there will be more than one point of entry and exit. He also answered that at this point the project is scheduled to close at 10 PM.

Mr. Miller said they would be cognizant of the noise and would be sensitive to that.

A discussion ensued and issues that were brought up by the Commission were:

- Pad loading area
- Aerial view of the 120' sign
- Shared parking agreement
- Landscaping/trees
- LED video monitor on the pole sign
- Potential traffic back up
- Trips out of project

Chair Culty indicated the Public hearing will be continued to the next regularly scheduled Planning Commission Meeting on November 16, 2016.

8. STAFF REPORTS

A. Community Development Block Grant (CDBG) Discussion Regarding Future Fund Use

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

Chair Cuiilty opened the Public hearing.

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

Following a unanimous vote, it was decided that Project No. 4 – Removal and Replacement of Asphalt Sidewalk to Concrete on the South side of Cerritos Avenue at the Coyote Creek Bridge – would be priority No. 1 for the Future Fund Use.

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None

10. COMMISSIONER REPORTS

None

11. ADJOURNMENT

The Planning Commission adjourned at 9:54 PM.

Mary Anne Cuiilty, Chair

ATTEST:

Steven Mendoza, Secretary

City of Los Alamitos
Planning Commission/Subdivision Committee

Agenda Report
Public Hearing

November 16, 2016
Item: 7A

To: Chair Culty and Members of the Planning Commission

From: Steven A. Mendoza, Development Services Director

Subject: Consideration of a 113,880-square foot Shopping Center Development Application for a Site Plan Review; Vesting Tentative Map; six Conditional Use Permits for (2) Drive-Through Facilities, (3) Large Outside Seating Areas, and (1) Alcoholic Beverage Sales; a Variance for a Freeway Pylon Sign; Planned Sign Program; and an Environmental Impact Report Addendum.

Summary: This report is for the consideration of up to a 113,880-square-foot retail shopping center proposed on 9.56 acres at 3131 Katella Avenue. The proposed project will require a Site Plan Review for the design of the development; Vesting Tentative Map to create five parcels; six Conditional Use Permits for two drive-through facilities with 24-hour operations, three large outdoor seating areas, and one for off-site alcohol beverage sales and on-site tastings at a market; Planned Sign Program; and a Variance to exceed height and sign area for a freeway pylon sign. The proposed project will involve the demolition of two existing office buildings, minor grading of the property site, and the construction of a shopping center consisting of seven buildings suited for major and minor retail, commercial services, and restaurant tenants.

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Planning Commission adopt Resolution No. 16-18, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING AN ADDENDUM TO THE PREVIOUSLY-CERTIFIED LOS ALAMITOS GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT TO ALLOW CONSTRUCTION AND OPERATION OF UP TO A 113,880 SQUARE FOOT RETAIL SHOPPING CENTER AT 3131 KATELLA AVENUE, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC), MAKING

FINDINGS THAT SUCH RETAIL SHOPPING CENTER PROJECT IS WITHIN THE SCOPE OF THE GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT AND THAT NO SUPPLEMENTAL OR SUBSEQUENT EIR IS REQUIRED PURSUANT TO CEQA GUIDELINES 15162, 15164 AND 15168 ; and,

3. Planning Commission adopt Resolution No. 16-19, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A SITE PLAN REVIEW (SPR) 16-04 TO ALLOW THE CONSTRUCTION AND OPERATION OF UP TO A 113,880-SQUARE FOOT SHOPPING CENTER AT 3131 KATELLA AVENUE, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-212-09 AND ADOPTING A MITIGATION MONITORING PROGRAM (APPLICANT: KATELLA PROPERTY OWNER, LLC)"; and,
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12. Planning Commission adopt Resolution No. 16-28, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A VARIANCE (VAR 16-02) TO ALLOW A HEIGHT LIMIT AND SIGN AREA INCREASE FOR A FREEWAY PYLON SIGN FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: PARKE MILLER, KATELLA PROPERTY OWNER, LLC, C/O LINCOLN PROPERTY COMPANY)".

Applicant: Parke Miller, Katella Property Owner, LLC

Project Location: The project site is located at 3131 Katella Avenue (APN 242-212-09) on 9.56-acres bordered by the I-605 freeway to the west; the Oak Middle School to the north; the Los Alamitos Civic Center (City Hall and Los Alamitos Police Department), Los Alamitos Community Center, and The Youth Center to the east; and Katella Avenue to the south.

Notice: On October 12, 2016, A Notice of Public Hearing was posted at City Hall, the Community Center, and the Los Alamitos Museum, published in the News Enterprise, and public notices were mailed out to all property owners and tenants within 500 feet of the property. The public hearing was held and continued to November 16, 2016. Additionally, on November 2, 2016, A Notice of Public Hearing for the November 16, 2016 meeting was posted at City Hall, the Community Center, and the Los Alamitos Museum, published in the News Enterprise, and public notices were mailed out to all property owners and tenants within 500 feet of the property.

CEQA: In accordance with the California Environmental Quality Act (CEQA) a modified Initial Study was used to analyze the proposed project against the previously certified Los Alamitos General Plan Update Program Environmental Impact Report, which included a detailed analysis of the project site. The Initial Study shows that there are no new significant impacts or a worsening of previously identified significant impacts and an Addendum has been prepared. Pursuant to the City's local CEQA guidelines, the Planning Commission adopts the Addendum.

Description: The project is a proposal for the development of up to 113,880 square feet of commercial development on 9.56 acres. The Site Plan shows 105,880 square feet with the possibility of another 8,000 square feet being added. The project includes two building pads along Katella Avenue which will each have a 24-hour drive-through restaurant operation, three major tenants with in line shops between the major tenants. One of the major tenants will be a market (365 by Whole Foods Market).

Background

The recently updated General Plan establishes a comprehensive framework through which the City manages its development to ensure it efficiently and effectively provides public facilities and services. Los Alamitos delivers a high quality of life and a desirable business climate, maintaining its position among the most attractive places to live and work in Southern California. Great communities develop over time, and Los Alamitos is no exception. The recently adopted General Plan was developed over a four year period and is the product of countless individual decisions by residents, businesses, investors, visitors, and organizations, as well as numerous collective decisions through elected and appointed officials.

The purpose of the General Plan is to provide a common vision for the future of Los Alamitos and to provide coordination for the many individual and collective decisions that, over time, will lead to the envisioned future.

Part of the vision is for retail development on the underutilized SuperMedia property. The General Plan laid the foundation for the reuse of the property to realize the potential to support a variety of retail uses and to take advantage of its close proximity to Katella Avenue and the 605 Freeway by changing the land use designation to Retail Business. The zoning was subsequently changed to General Commercial to be consistent with the General Plan. That vision has been realized with Lincoln Properties' proposal to develop a 113,880-square-foot retail shopping center on 9.56 acres formerly known as Supermedia.

Project Description

The proposed project would demolish two existing office buildings and construct a new 105,880-square-foot retail shopping center. The applicant has the option to develop up to 113,880 square feet with approval from the Development Services Director.¹ The proposed project consists of seven buildings and is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a market, retail stores, commercial services, and other retailers that offer a variety of products. Table 1, Project Development Summary, provides a breakdown of the proposed uses and building square footages.

Table 1: Project Development Summary

Buildings	Proposed Use	Square Footage
Major A	Retailer	33,880
Major B	Market with alcohol sales	28,000
Major C	Retailer	15,000
Shops 1	Retail and/or Restaurants with large outside eating area	12,000
Shops 2	Retail and/or Restaurants	6,000
Pad A	Retail and/or Restaurants with drive-through and large outside eating area	8,000
Pad B	Retail and/or Restaurants with drive-through and large outside eating area	3,000
N/A	120 foot freeway pylon sign	N/A
Total Project Square Footage¹		105,880

Note: 1. The Addendum studied an additional 8,000 square feet which was analyzed under the General Plan Update Environmental Impact Report for a total building area of 113,880 square feet. The applicant may choose to add an additional 8,000 square feet with approval from the Development Services Director.

¹ The Los Alamitos General Plan Update Environmental Impact Report Addendum analyzed a total 113,880 square feet of commercial building area.

The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two additional pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. There are outdoor patios and seating areas to provide gathering places for visitors.



Illustration of commercial retail buildings



Proposed Market



Shops 1 Plaza



Pad A

Surrounding Land Uses

Oak Middle School is located north of the project site. The Los Alamitos Civic Center (City Hall and Police Department), Los Alamitos Community Center, and The Youth Center are located to the east of the project. Katella Avenue and unincorporated Orange County (Rossmoor and Los Alamitos Sphere of Influence) are located south of the project site. Rossmoor, across from the project site consists of single-family homes. The project site is designated General Commercial (C-G) by the Zoning Code and designated as Retail Business by the General Plan Land Use Plan.

Table 2: Surrounding Designations and Uses

Location	General Plan Land Use Designations	Zoning Districts	Existing Uses
Project Site	Retail Business	General Commercial (C-G)	Unoccupied Office Buildings
North of Site	Community & Institutional	Community Facility (C-F)	Oak Middle School
East of Site	Community & Institutional	General Commercial (C-G)	Los Alamitos Civic Center
West of Site	N/A	N/A	I-605 Freeway and On/Off Ramps
South of Site	N/A	N/A	Single-Family Residential

Figure 1: Surrounding Uses



Existing Site

The existing site consists of 416,639 square feet or 9.56 acres. The two existing office buildings, referred to as the “Main” and “Annex” buildings, have a total floor area of 150,342 square feet. The larger Main building was completed in 1972 and the smaller Annex was completed in 1979. Surface parking with 521 parking spaces is provided along the north, east, and west perimeters of the buildings. Landscaping at the

perimeter of the buildings' lawn area, between 50 and 90 feet in width, along Katella, as well a variety of mature ornamental trees and groundcover exist throughout the parking lot and along the site boundary. The office buildings are currently unoccupied. However, prior to September 2015, the office buildings were fully occupied for over 40 years.

Outdoor seating areas for employees and trash enclosures are located outside of the building along the rear wall of the building. Public access to the office buildings is from the walkway from Katella Avenue and employee entrances are located in the rear by the parking areas.



Bird's eye view of existing site

A driveway is located at the eastern portion of the site, next to City Hall, which provides access to the rear parking lot and ingress and egress from Katella Avenue. This drive includes a shared access easement with the City of Los Alamitos to allow vehicles to access the City Hall parking lot and an access gate for the City's Public Works' storage area.

Various large trees and unmaintained existing vegetation surrounds the project site's perimeter. Large turf areas are located in between the frontage of the buildings and Katella Avenue.

Located at the northeast corner of the project site is an access gate from the project site to the Los Alamitos Community Center and The Youth Center. This gate is accessible from the project site's parking lot. The gate and a portion of the fence are erected at an angle and encroach into the project site. Several large Eucalyptus trees, turf, and a walkway are located within this encroachment area. During events at these community facilities, some participants park their vehicles within the project site's existing parking area and access the facilities through the gate.



Existing view looking north from Katella Avenue (June 2016)



Existing view looking south from rear parking lot (June 2016)

Application and Review Process

The applicant has submitted discretionary applications for the following entitlements:

- Site Plan Review (SPR 16-04)
- Vesting Tentative Map (VTM 16-01)
- Conditional Use Permit (CUP 16-08) for Pad A Drive-through Facility and 24-hour operation
- Conditional Use Permit (CUP 16-09) for Pad B Drive-through Facility and 24-hour operation
- Conditional Use Permit (CUP 16-10) for Pad A Large Outside Seating
- Conditional Use Permit (CUP 16-11) for Pad B Large Outside Seating
- Conditional Use Permit (CUP 16-12) for Shops 1 Large Outside Seating
- Conditional Use Permit (CUP 16-13) for Alcoholic Beverage Sales and in-store tastings
- Variance (VAR 16-02) for a 120-foot high, 3,050-square-foot sign area Freeway Monument Sign
- Planned Sign Program (PSP 16-02)

Environmental review in accordance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's CEQA procedures are required for these entitlements.

Site Plan Review (SPR 16-04)

The proposed project proposes 105,880 square feet of commercial and retail buildings. An additional 8,000 square feet of building area may be permitted with approval by the Development Services Director. The larger tenant buildings (Major A, B, C) are located to the rear of the project site. This row of buildings consists of three major tenant stores (76,880 sq. ft.), and two buildings of small tenant shops between the Major tenants (18,000 sq. ft.). A plaza is proposed in front of Shops 1, which includes planters and seating areas under a large metal canopy. Two small building pads are located along Katella Avenue. Pad A is 8,000 sq. ft. and Pad B is 3,000 sq. ft. Conditional Use Permits (CUP) are being requested for both pad buildings for each to have restaurant drive-through facilities and 24-hour operation of the drive-through as well as large outside seating areas in addition to the other uses that will occupy the pads.

Loading docks and some employee parking spaces are located at the northern section of the project site along the rear of the buildings.

A plaza is proposed to be located in front of the Shops 1 identified in the Site Plan. The plaza is a pedestrian-friendly, social gathering place that will be heavily landscaped with many pedestrian amenities. The plaza will include the following landscape and hardscape elements: decorative planter pots, fire table, sculpture seating, shade canopy elements, patio area, pedestrian lighting, bollards, enhanced concrete paving, various accent trees, heavily textured plants, living wall, reclaimed wood benches, seating areas and large outside seating area.

Development Standards

The proposed project is located in the C-G (General Commercial) Zoning District. The C-G Zoning District is established to provide for the development of general commercial and highway-related uses. Table 3 identifies the development features that are required under Section 17.10.030 Table 2-05 (Commercial/Industrial Zoning Districts General Development Standards).

Table 3: C-G Commercial Development Standards

Standards	Required	Proposed Project	Requirement Met
Minimum Parcel Area (sq. ft.)	6,000	416,619	Yes
Minimum Parcel Width (ft.)	60	1,041	Yes
Minimum Parcel Depth (ft.)	100	477	Yes
Maximum Parcel Coverage	90%	25.4%	Yes
Maximum Height Limit – Main Structures (ft.)	40 ft.	32 ft.	Yes
Setbacks¹			
Front	None Required	29 ft.	Yes
Sides	None Required	64 ft. - West 82 ft. - East	Yes
Rear	None Required	30 ft.	Yes

Note: 1. Setback standards are provided if located abutting a residential zoning district. The project site is not located adjacent to a residential zoning district.

Parking and Loading

The proposed project provides a total of 505 parking spaces and five loading docks (see Table 4). Based on the proposed building square footage of 105,880 square feet and the proposed uses, only 424 parking spaces are required. The project provides 466 standard (9 feet in width and 19 feet in depth) and 22 accessible parking spaces, which exceeds the City’s parking requirement by 64 spaces. If the project were to be developed at 113,880 square feet, 456 parking spaces would be required. The project also provides an additional 17 compact parking spaces (8.5 feet in width and 19 feet), which are not allowed to be used to satisfy the City’s minimum parking requirements.

Cart corrals are proposed to be located within three parking stalls in front of the proposed Major B Market; these spaces are not counted in the numbers above. Five loading docks are proposed, primarily for the major tenant spaces. Based on the square footage, the Municipal Code requires five spaces.

Table 4: Parking and Loading Spaces Required and Provided

		Required	Proposed Project	Requirement Met
Parking	Regular ¹	424	466	Yes
	Accessible	9	22	Yes
	Compact Spaces	N/A	17	N/A
	Total Parking	424	505	Yes
Loading Spaces		5	5	Yes

Note: 1. Section 17.26.040 (Parking Space Requirements) of the Los Alamitos Municipal Code requires one parking space per 250 gross square footage area of commercial, retail, and service uses, including shopping centers. Based on the 105,880 square feet of shopping center being proposed, 424 parking spaces are therefore required.

Shared Parking with Los Alamitos Recreation and Community Services Facilities

The applicant and the City of Los Alamitos will enter into a shared parking agreement that will allow users of the Los Alamitos Recreation and Community Services facilities to use a portion of the shopping center's spaces. These parking spaces will primarily be located just east of Major A building and adjacent to the new gate that will continue to allow users to connect to the recreation and community facilities. A gate currently exists along a chain link fence, but the fence traverses into the shopping center's property at an angle. The chain link fence will be removed and a new six-foot high wall will be built on the actual property line and will include a new gate to allow access between the properties.



Existing view looking east toward Los Alamitos Community Center (June 2016)



Existing view looking north toward existing access gate to Los Alamitos Parks and Recreation Department facilities (June 2016)

Vehicular Circulation

Two egress and ingress driveways are proposed for Katella Avenue. One of those driveways is an existing driveway that the Civic Center shares with the property site through an easement. The access point into the Civic Center will be moved further north to avoid conflicts at the intersection and a new easement will be given to the City.

The internal circulation pattern runs the perimeter of the site and around the buildings. Both Pad A and Pad B have proposed drive-throughs. The parking aisles run perpendicular to Katella Avenue. Delivery trucks would traverse to the rear of the property site where the loading docks for the larger stores are located.

The minimum width for all parking two-way aisles is 24 feet. All proposed parking lot driveway aisles meet this requirement, allowing vehicles to drive in both directions and meet the requirement for vehicle backup distance. There are no proposed one-way aisles. The driveway in front of the main shops is 26 feet in width. The rear drive aisle along the north side of the project site is 30 feet in width, which will accommodate trucks and larger delivery vehicles.

Non-vehicular Circulation

A pedestrian accessible walkway is located just west of the westerly driveway, adjacent to Pad A. The walkway allows pedestrian and wheelchair access from the sidewalk to Pad A and continues to the main shops through the parking area. Another walkway connects the main shops to Pad B. A walkway connecting the main shops is also provided along the Civic Center property. A pedestrian walkway is located along the entire length of the main shops and provides access to the plaza area. The applicant is proposing maximum pedestrian connections and walkways into the shopping center to

avoid pedestrian and vehicle conflicts and allow pedestrians from surrounding neighborhoods to easily walk into shopping center.

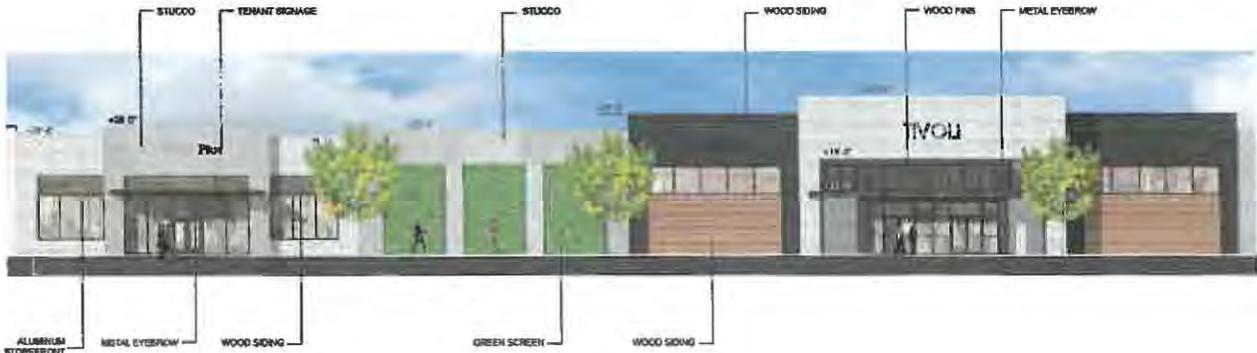
Six bicycle racks are distributed throughout the proposed project site. Four bicycle racks are proposed along the frontage of the main shops and two racks are proposed at Pad A and Pad B.

As noted above, an access gate will be provided by the applicant to allow users of the Recreation and Community Services facilities to park in the shopping center.

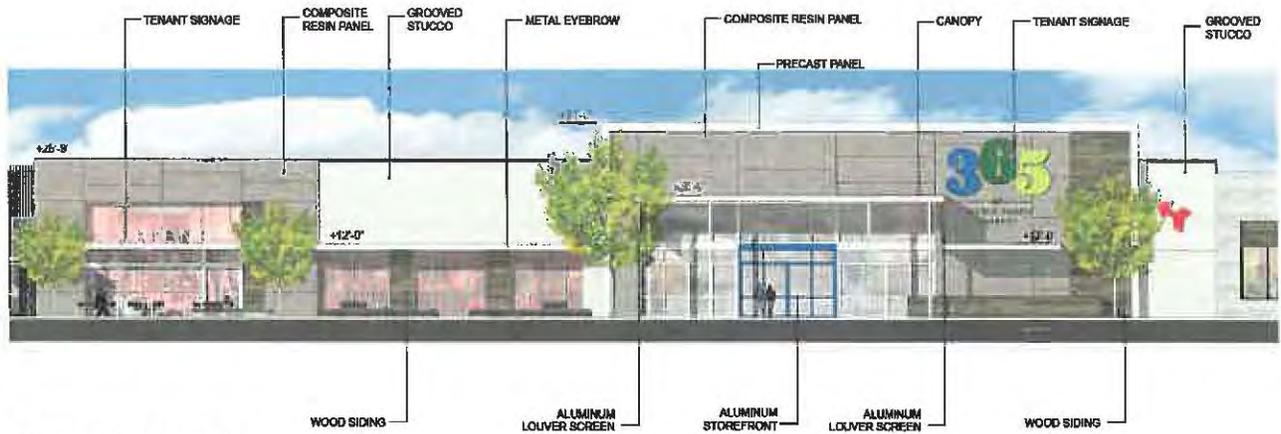
Architecture

The proposed project architecture and design provides a modern and contemporary architectural design for all buildings in the shopping center. All buildings are architecturally consistent in design. The building materials include textured stucco, wood siding, precast concrete panels, corrugated metal, metal trim, composite resin panel, and steel elements. The color themes of the proposed materials and architectural style are within earth tone color ranges. The wood and metal elements also lend to the earth tone color scheme.

Figure 2: Conceptual Building Elevations



Major A (south)



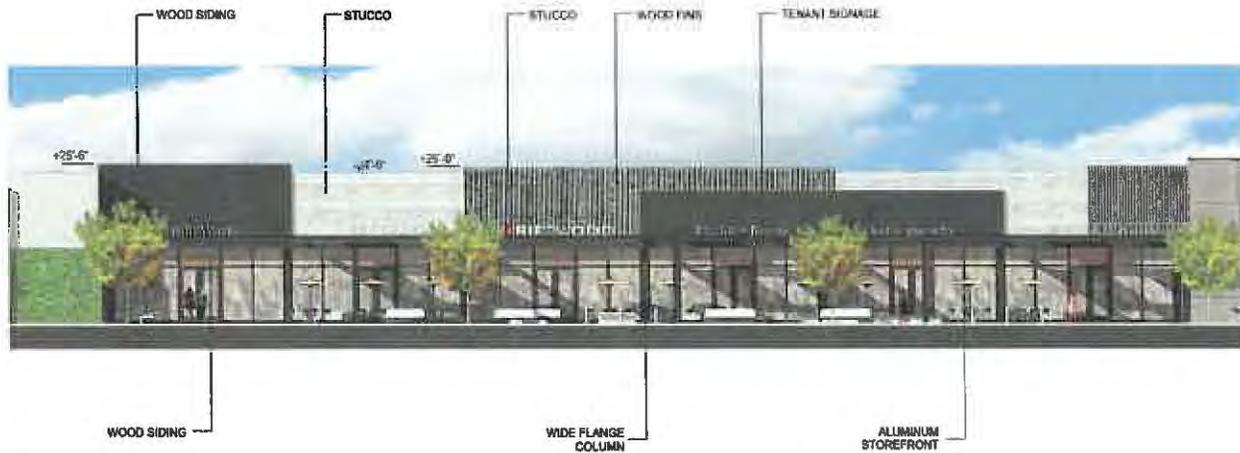
Major B (south)



Major C (south)



Major C (west)



Shops 1 (south)



Pad A



Pad B

Landscaping

The proposed project uses a drought tolerant planting theme. The driveway entryways will include enhanced paving and entry accent trees. The walkways will be lined with accent trees as well. Several building walls throughout the project will include landscaped walls. The parking lot will include shade trees ('Shade Master'), which will provide up to 56 percent shade coverage over the parking lot.

Some of the larger existing trees, including eucalyptus trees, will remain on the project site. All of shrubs along the north property line with Oak Middle School will be removed.

The rear CMU wall will include a landscape buffer that will consists of various drought-tolerant shrubs and plants. The proposed drive-through aisles will also include a landscape buffer with various hedges and trees, to screen the drive through from Katella Avenue.

Fencing and Walls

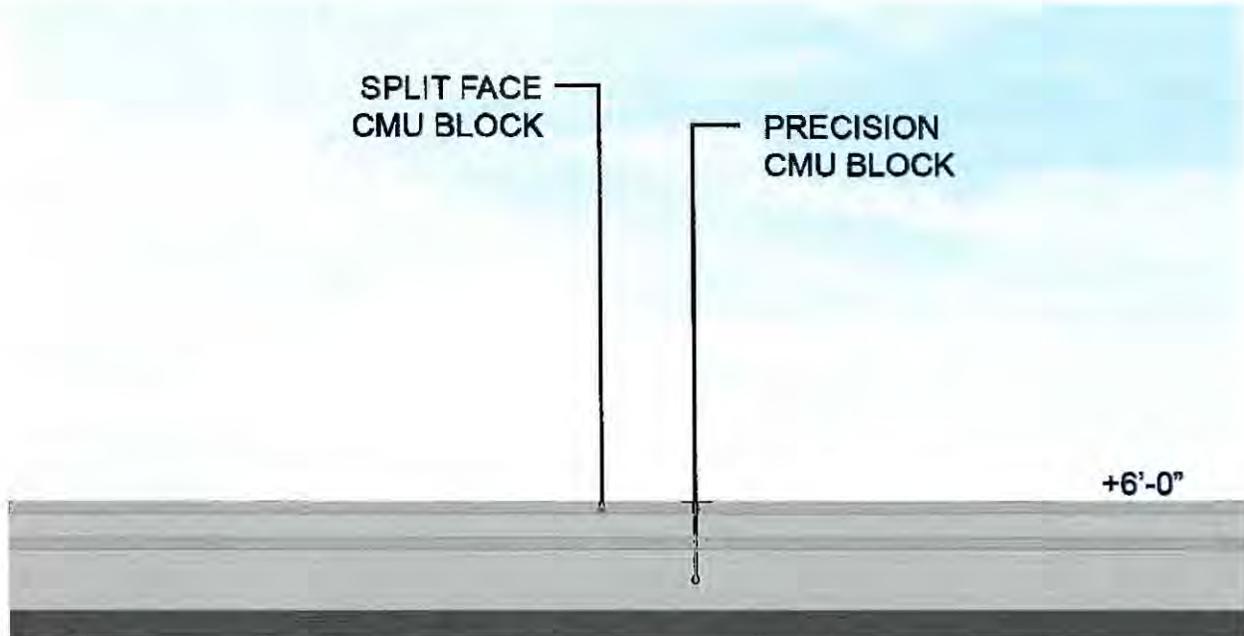
The existing walls are as follows:

- Chain link fencing around the north and western property line.
- Masonry brick wall along the eastern property line.

A concrete masonry unit (CMU) wall, six feet in height, is proposed along the northern property line and along a portion of the eastern property line parallel to the Recreation

and Community Services Facilities. The CMU wall will consist primarily of precision CMU block with a top row and added row of split face CMU block for textured relief look.

Figure 3: CMU Block Wall



CMU block wall at north edge of the site

The existing wall will be maintained around Public Work's storage yard. No wall or fencing will be provided between the shopping center and Civic Center. The applicant will provide appropriate fencing along the western property line to prevent pedestrians from crossing to and from the Katella Avenue/I-605 freeway ramp. The type of fencing will be determined during the plan check phase.

Lighting

A conceptual lighting design has been submitted that includes lighting details for buildings and walls, landscape, parking lot, public spaces, and entry ways. Types of lighting effects proposed include tree uplights, decorative exterior sconces, halo façade, uplit green wall, entry lighting, recessed linear slot lights, uplighting at façade trellis, wood bollards with lights, catenary pendants, color-washed panels, down lights, and under-bench lighting. Please refer to the Conceptual Lighting Plan for more details regarding the lights.

The rear of the buildings will include a wall pack/sconce to provide security lighting on the side and rear of the major buildings. All light fixtures are designed to minimize light trespass outside the site boundaries. Lighting is shielded so that direct rays do not shine or reflect onto adjacent property or into public rights-of-way. Also, all lamp

sources will use LED light fixtures to have the highest efficiency while meeting illumination and aesthetic goals.

Signage

The applicant has submitted an application for a Planned Sign Program (PSP 16-02) that provides guidance on the design and style for tenant identification and monument signage for the project. The planned sign program identifies the location, quantity, orientation, construction methods, illumination, and color and letter styles for each of the proposed signs. Ground signs and building signs are proposed. All proposed sign colors, letters, illumination, and design are complementary to the proposed architectural style of the buildings, which is contemporary. See PSP 16-02 in this report for more information regarding proposed signage.

Freeway Pylon Sign

A freeway pylon sign is proposed at the northwest corner of the project site. The sign will measure 120 feet tall, up to 50 feet wide, with a maximum sign area of 3,050 square feet, including the 555-square-foot digital commercial center identification sign. The freeway pylon sign is intended to provide freeway visibility and serve as a landmark gateway announcing entry into the City of Los Alamitos. The applicant is requesting a variance to exceed the height and sign area for the freeway pylon sign. See Variance (VAR 16-02) in this report for more information regarding the proposed freeway pylon sign.

Water Quality Management

The proposed drainage will be captured in drop inlets that are connected to proposed eight-inch corrugated metal pipes (CMP) for detention. These pipes will provide the storage to meet 100% of the design capture volume (DCV). These eight-inch CMPs will be pumped to one of three biofilter areas on-site. The pump's flow rate will be lower than the rate at which runoff flows through the biofilter areas. This prevents the biofilter areas from ponding. In large storm events, the runoff larger than the DCV will bypass the biofiltration system and be discharged into the Coyote Creek channel at rates mimicking the existing flow rates.

Trash Enclosures

Pad A and Pad B will each have their own free-standing trash enclosure. The trash enclosure materials and architectural style will complement the proposed buildings. The enclosures will primarily be made of CMU block with metal louvers for design emphasis and it will be covered by a corrugated metal roof. The larger buildings will have trash facilities integrated with the service areas of the building near the loading bays.

Figure 4: Trash Enclosure



Analysis

Staff has reviewed the proposed project and application materials and finds that the proposed project design and layout meet the minimum standards of the C-G Zoning District, including Section 17.10.030 (Property Development Standards), Section 17.16.040 (Architectural Design), and Chapter 17.20 (Landscaping). The freeway pylon sign exceeds the height and area sign limits identified in Section 17.287.090 (Allowed Signs Matrix), but the applicant is requesting a variance to exceed the limits (see Variance 16-02 in this report).

The proposed project is a retail shopping center and is consistent with the General Plan Retail Business land use designation. Due to its location on Katella Avenue, a six lane arterial and adjacent to the I-605/Katella ramps, accessibility to the project site is very convenient. The approved location is appropriate for a shopping center and is zoned for this type of development.

The proposed commercial project is generally consistent and compatible with the surrounding Los Alamitos Civic Center and Oak Middle School, and therefore staff believes that this project would not interfere with the use and enjoyment of these neighboring uses. The Project has incorporated design features to the project to lessen impacts to the surrounding uses; these Project Design Features ("PDFs") will also be included as conditions of approval.

The proposed project 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 commercial building design, attractive signage and lighting, gathering areas and landscaping.

Vesting Tentative Map (VTM 16-01)

According to Government Code Section 66426 (a portion of the Subdivision Map Act), a tentative map is required when a commercial project proposes to create more than four parcels. The proposed vesting tentative map (Vesting Tentative Map Number 945) establishes five lots for the proposed development of the retail shopping center. See Table 6 for proposed parcel division summary.

Once approved by the Planning Commission, sitting as the Subdivision Committee, the Vesting Tentative Map expires 24 months from the date of approval unless the applicant requests a time extension prior to the expiration.

Table 6: Proposed Parcel Summary

Proposed Parcels	Parcel Size		Building Square Footage	Floor-Area Ratio (FAR)
	Square Feet	Acres		
Parcel 1	170,681	3.92	94,880	0.556
Parcel 2	183,924	4.22	N/A (Parking)	N/A
Parcel 3	30,450	0.70	N/A (Parking)	N/A
Parcel 4	17,149	0.39	8,000	0.466
Parcel 5	14,426	0.33	3,000	0.208
Total	416,630	9.56	105,880	0.254¹

Note: 1) The General Plan land use designation of Retail Business allows a maximum floor-area ratio of 1.000. 0.254 is under the maximum FAR allowed.

Analysis

Staff believes the proposed Vesting Tentative Map 16-01 meets the requirements and regulations established within Chapter 16.12 (Standards of Design) and the Subdivision Map Act established in Government Code Sections 66410 et seq. Therefore, staff recommends approval of Tentative Tract Map 16-01 (County Tract No. 945).

As discussed above, the proposed project, including the map is consistent with the City's General Plan. The design and improvement meet all of the City's development standards for this property. As this is an infill project on a previously developed site, there will not be any damage to fish or wildlife habitat. The public health will not be

impacted by this project; the recently adopted General Plan Update specifically changed the land use designation for this property to support a development like the proposed project.

The proposed subdivision will not impede or inhibit any future or natural heating and cooling opportunities. The Project's retail component is oriented in a manner and includes placement of windows and doors in locations that will allow air flow for natural cooling of the units. Additionally, the Project will comply with the City's landscaping requirements, and will include trees intended to provide natural shade. When the parking lot trees fully mature nearly 56 percent of the lot will be shaded. The Project will include building materials, architectural treatments, placement and selection of plant materials to provide, to the extent feasible, for future or natural heating and cooling opportunities. Therefore, the proposed subdivision's design provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

There are no telephone, street, or public utility easements which will be affected by the proposed project. The environmental analysis shows that there will not be any discharge of waste water into the subdivision that would violate any Regional Water Quality Control Board requirements.

Conditional Use Permit (CUP 16-08 and CUP 16-09) for Pad A and Pad B 24-Hour Drive-through Facilities

The applicant is requesting approval of Conditional Use Permits to allow a drive-through facility for each Pad A and Pad B buildings, as well as 24 hours of operation for the drive-throughs. Each drive-through is located along Katella Avenue and would be utilized by potential restaurant uses.

The drive-through aisle width for Pad A is 12 feet and approximately 255 feet in total length and wraps around two sides of the building. The drive through can queue up to approximately 15 standard length vehicles with several feet of spacing in between the vehicles.

The drive-through aisle width for Pad B is 11 feet and approximately 250 feet in total length and wraps around two sides of the building. The drive through can also queue up to approximately 15 standard length vehicles with several feet of spacing in between the vehicles.

Proposed landscaping for each drive-through facility includes a landscape buffer with evergreen hedges at a minimum height of three feet and evergreen perimeter screen trees to help screen a portion of the drive through when viewed from Katella Avenue.

In the event a drive-through is backed up with vehicles, overflow vehicles will queue into the parking lot and will not affect traffic flow at the nearest driveway or traffic flow along Katella Avenue.

The drive-through restaurants are a potential noise source for the Rossmoor residences south of Katella Avenue. The most significant noise generator at a drive-through restaurant is the menu board. Both Pad A and Pad B have one drive aisle and menu board. The drive-through aisles are planned for the southern side of the buildings, along Katella Avenue. The nearest sensitive receptors would be the residential uses south of the proposed project site, across Katella Avenue, approximately 160 feet from the order boards. Residences are shielded by an existing five-foot block wall along their northern boundary.

According to the Noise Impact Analysis conducted for the Village 605 project, it identifies that soundboard noise from a menu board begins to decay (noise decrease/sound reduction) to 43 dB Leq at about 160 feet for two menu boards from 87 dB Leq at about one foot from two menu boards. This would be less than the nocturnal noise standard of 50 dB Leq. Therefore, the noise experienced at the nearest residence will be inaudible and below ambient levels.

The 24-hour operations will be only for the drive-through facilities; patrons will not be able to enter the main establishment. This will eliminate the closing of car doors, the sounding of car alarms, patrons utilizing the outdoor dining areas, and people have conversations in the parking lots. The landscape screening will minimize impacts from headlights on adjacent properties.

CUP 16-08 for Pad A will be associated with Parcel 4 and CUP 16-09 for Pad B will be associated with Parcel 5, when the project site is divided up under the Vesting Tentative Map.

Analysis

Staff reviewed the proposed project and researched the surrounding area and finds that the proposed drive-through facilities are compatible with the City's General Plan and harmonious with surrounding uses and that it will not negatively impact the health, welfare, or safety of the public. Further, it will not negatively create traffic or parking impacts to the detriment of the surrounding neighborhood, will not create excessive noise, and therefore does not generate nuisance conditions. The proposed landscaping along Katella Avenue will include a three-foot tall evergreen hedge that will visually screen the drive-through and minimize vehicle headlights from impacting residential neighborhoods across Katella Avenue.

Staff believes the proposed CUP 16-08 and CUP 16-09 meet the requirements established within Section 17.42.050 (Findings and Decision). Therefore, staff recommends approval of CUP16-08 and CUP 16-09.

Conditional Use Permit (CUP 16-10, CUP 16-11, and CUP 16-12) for Pad A, Pad B, and Shops 1 Large Outside Seating Areas

The applicant is requesting approval of Conditional Use Permits to allow large outdoor seating areas (“patio area”) for restaurant(s) located immediately adjacent to Pad A, Pad B, and Shops 1 building in accordance with Los Alamitos Municipal Code section 17.38.190. The outdoor seating areas are intended to provide comfortable outdoor spaces for customers and for outdoor dining areas for restaurants. All outdoor areas will include pedestrian lighting, seating areas, and landscaping. The proposed outdoor seating area tables, chairs, umbrellas, planters, and barriers are complementary to the colors and materials of the building’s architectural style and will be consistent with the requirements of the Los Alamitos Municipal Code.

Pad A Outdoor Seating Area

The Pad A outdoor seating area is approximately 696 square feet in size and will not be adjacent to any public right-of-way. The seating area will be setback nearly 25 feet from the property line. The patio area is also located approximately 175 feet from residences located on the south side of Katella Avenue.

Pad B Outdoor Seating Area

The Pad B outdoor seating area is approximately 1,383 square feet in size and will not be adjacent to any public right-of-way. The seating area will be setback nearly 25 feet from the property line. The patio area is also located approximately 175 feet from residences located on the south side of Katella Avenue.

Figure 5: Pad B Outdoor Seating Area



Pad B Outdoor Seating Area

Shops 1 Outdoor Seating Area

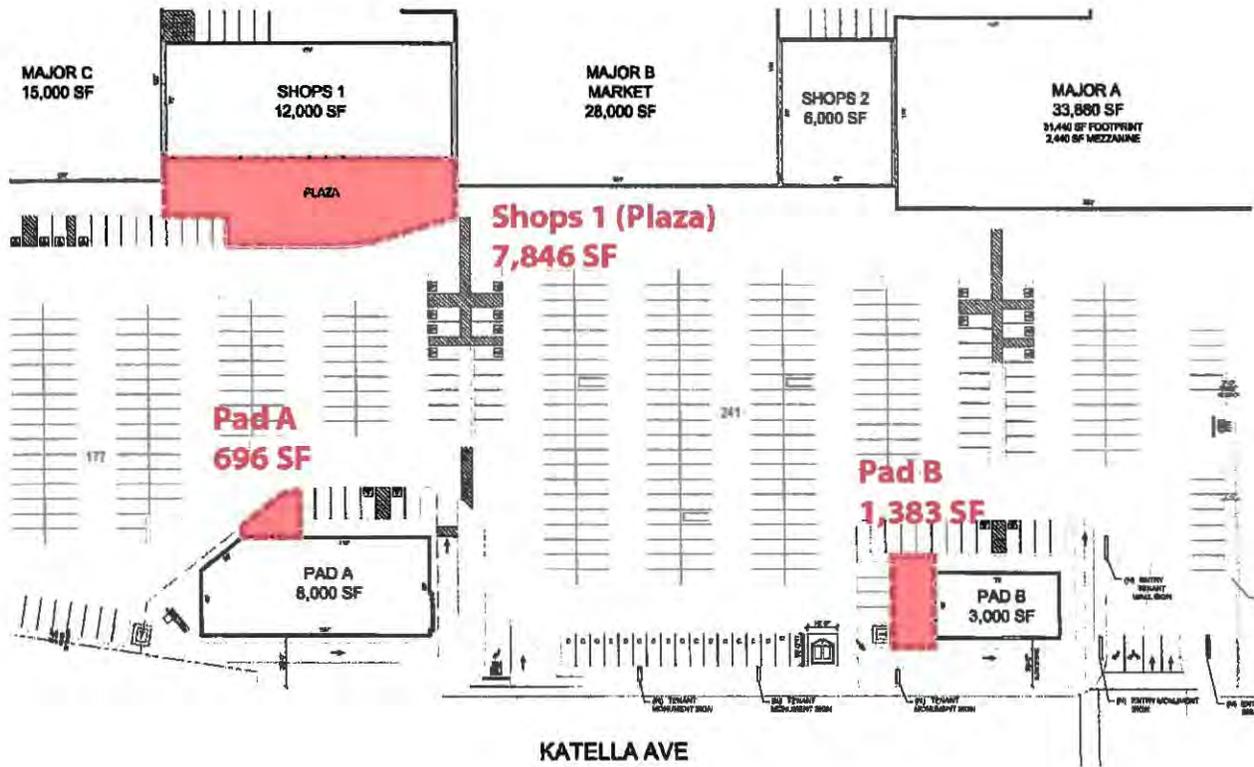
The Shops 1 outdoor seating area is approximately 7,846 square feet in size and will not be adjacent to any public right-of-way. The seating area will be setback nearly 250 feet from the property line. This outdoor seating area will include casual seating areas and outdoor dining areas for restaurants. This patio area will include shade canopy elements, fire tables, decorative planter pots, benches, sculptured seating, and other amenities. There is no separate outdoor dining area associate with the proposed 365 market; the market will not have any take-away food facilities.

This plaza area will be controlled by the shopping center owner. Any seating in this area will be for the comfort of all shopping center patrons.



Shops 1 (Plaza) outdoor seating area

Figure 6: Outdoor Seating Area Location and Size



At this time, there is no anticipated service of alcoholic beverages associated with the restaurants and therefore no dining barriers will be required. If a business wishes to serve alcoholic beverages in the future, a dining barrier will be required and the business must comply with California Department of Alcoholic Beverage Control standards and permitting, as well as obtain a CUP.

Analysis

Staff reviewed the proposed project and researched the surrounding area and finds that the large outdoor seating areas each provide adequate safety and flow for pedestrians within the shopping center and visual appearance of the seating area will be compatible with the overall architectural style of the shopping center. Further, it will not negatively create traffic or parking impacts to the detriment of the surrounding neighborhood, will not create excessive noise, and therefore does not generate nuisance conditions.

Staff believes the proposed Conditional Use Permit meets the requirements established within Section 17.38.190 relating to large outdoor dining areas and therefore the findings required by Section 17.42.050 can be made. Therefore, staff recommends approval of CUP 16-10, CUP 16-11, and CUP 16-12.

Conditional Use Permit (CUP 16-13) for Alcoholic Beverage Sales

The applicant is requesting approval of a Conditional Use Permit for the proposed market to sell alcoholic beverages in accordance with Los Alamitos Municipal Code section 17.10.020. The applicant will submit for the following types of licenses with the California Department of Alcoholic Beverage Control (ABC):

- License Type: 21 - Off-Sale General
- License Type: 86 - Instructional Tasting License

The CUP would cover the same type of sales.

The proposed market is a 28,000 square feet, small-format grocery store. The small-format grocery is in line with similar smaller grocery stores, such as Sprouts, Trader Joes, and Grocery Outlet Bargain Market in terms of store size, which typically fall within the range of 25,000 to 35,000 square feet. Traditional grocery stores, such as Whole Foods, Vons, Stater Bros. Markets, Albertsons, and Ralphs, are typically larger than 40,000 square feet.

Type 21 License (Off-Sale General)

The sales of alcoholic beverages associated with the Type 21 license (Off-Sale General) will include beer, wine, and spirits for off-site consumption. The store will include areas dedicated to selling alcohol, including refrigerated coolers and display racks. The store will also include in-store tablet kiosks to search the inventory, plan wine pairings with foods, and scan wine, spirits, and/or beer bottles to get details and reviews.

The proposed market (Major B) is located less than 500 feet from Oak Middle School, but will be separated by a six-foot wall. Walking distance from the market's front entrance to the Oak Middle School property via Katella Avenue and Oak Street is approximately 1,200 feet.

Type 86 License (Instructional Tasting License)

The market will also provide instructional tasting events (License Type: 86 - Instructional Tasting License). This license allows a grocery store to bring in a representative of an alcohol manufacturer and do a tasting event. This could be for a sample tasting of wine, beer, or distilled spirits. The size and number of samples that can be given to each guest is restricted. The tastings take place inside a small, roped-off area that's set up for the tasting. Nobody under 21 is allowed into the tasting area, and guests who receive samples have to consume the sample inside the tasting area. Those performing the tasting are trained on ABC rules and safe, responsible alcohol service training. Under ABC rules, the tasting area can be set up anywhere in the grocery store space. The market is intending to have tastings in the beer/wine department, in the cheese department, and occasionally in the meat/seafood department. Even though it's vendors

who perform the tastings, the market staff members will work closely with vendors and monitor the events to ensure that they're being conducted in accordance with the rules.

The following are examples of ABC key restrictions associated with a Type 86 license:

- No charge of any sort shall be made for tastings at an instructional tasting event.
- A person under 21 years of age shall not serve, or be served, wine, beer, or distilled spirits at the instructional tasting event.
- Unless otherwise restricted, an instructional tasting event may only take place between the hours of 10 A.M. and 9 P.M.
- The type 86 license shall not authorize any on-sale retail sales to consumers attending the instructional tasting event.
- The type 86 license holder shall not permit any consumer to leave the instructional tasting area with an open container of alcohol.
- At all times during an instructional tasting event, the instructional tasting event area shall be separated from the remainder of the off-sale licensed premises by a wall, rope, cable, cord, chain, fence, or other permanent or temporary barrier. The type 86 license holder shall prominently display signage prohibiting persons under 21 years of age from entering the instructional tasting event area.

Analysis

The proposed market (Major B) is located less than 500 feet from Oak Middle School, but will be separated by a six-foot wall. Walking distance from the market's front entrance to the Oak Middle School property via Katella Avenue and Oak Street is approximately 1,200 feet.

The proposed project is located in Census Tract 1101.08. The Census Tract, which is bounded by Coyote Creek, Katella Avenue, Ball Road, and Bloomfield Street, encompasses 17 businesses with active ABC licenses for Active On-Sale Retail (i.e. restaurants and bars) and Active Off-Sale Retail (i.e. grocery stores, liquor stores, and package stores). Of the 17 licenses, 12 are for Active On-Sale Retail and 5 are for Active Off-Sale Retail. Fifteen of those licenses are on Los Alamitos Boulevard. There are no active licenses within 1,000 feet of the project site.

The Los Alamitos Municipal Code Section 17.38.050 (Alcoholic Beverage Retail Sales) was established to review and mitigate adverse conditions associated with establishments which sell, or serve alcoholic beverages for off-site consumption.

The proposed market is a permitted use within the C-G zone. The off-site sale of beer, wine, and spirits requires the review and approval of a CUP. The off-site sales of beer,

wine, and spirits will be incidental to the overall market operations of the business. Granting the ability to sell beer, wine, and spirits will allow this business the same opportunity as other existing grocery stores and markets in Los Alamitos and surrounding cities. The proposed conditions of approval for the sale of alcohol will ensure that the market will not negatively impact surrounding properties. In addition, there are no other active ABC licenses within 1,000 feet of the proposed project site.

The use as a market with sales of alcohol at 3131 Katella Avenue as conditioned will not endanger the public health, safety or general welfare as alcohol sales in conjunction with a market is a common occurrence. The use as a market with sales of alcohol and instructional tastings at 3131 Katella Avenue meets the required conditions and specifications set forth in the General Commercial (C-G) Zoning District and are a conditionally permitted use in the zone.

Providing instructional tastings at the market will not change or interfere with the nature of the market use as it will take place in a limited area, the amount of alcohol to be dispensed will be limited, and will occur in accordance with ABC rules and regulations.

Staff believes the proposed Conditional Use Permit meets the requirements established within Section 17.42.050 (Findings and Decision). Therefore, staff recommends approval of Conditional Use Permit (CUP16-13).

Planned Sign Program (PSA 16-02)

The applicant has submitted a sign program for the proposed project. The sign program identifies the location, quantity, orientation, construction methods, illumination, and color and letter styles for each of the proposed signs. Ground signs and building signs are proposed. Ground signs consist of a 120-foot tall freeway pylon sign, entry monument signs, tenant monument signs, and entry tenant wall signs. Building signs consists of art wall, building tenant identification signs, blade signs, and address signs. Table 5 identifies the location and quantity of signs and maximum sign heights, width, and area. A copy of the Planned Sign Program was previously provided to the Planning Commission at the meeting of October 26, 2016.

All proposed sign colors, letters, illumination, and design are complementary to the proposed architectural style of the buildings, which is contemporary.

Please see the Variance 16-02 for more information about the freeway pylon sign. The applicant is requesting a variance for the freeway pylon sign to exceed the height and sign area.

Table 5: Sign Program Summary

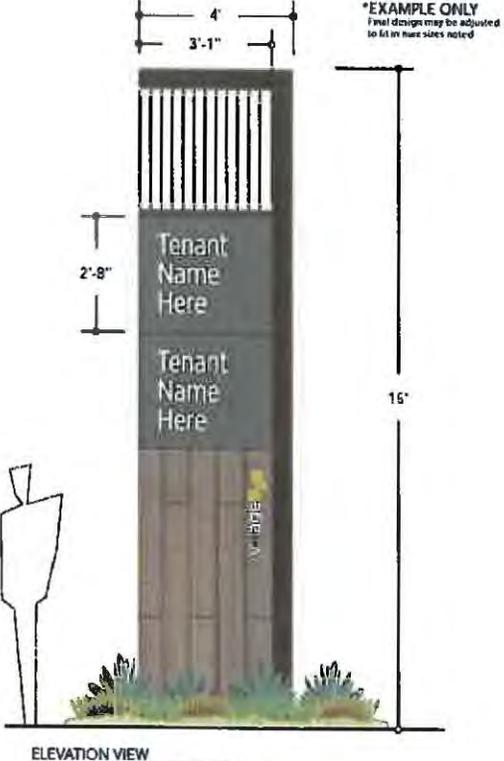
Standards	Location	Maximum			
		Quantity	Height	Width	Area
Freeway Pylon	Ground	1	120'-0"	50'-0"	3,050 sq. ft.
Entry Monument	Ground	2	15'-0"	4'-0"	60 sq. ft.
Tenant Monument	Ground	3	15'-0"	4'-0"	60 sq. ft.
Entry Tenant Wall	Ground	1	12'-0"	7'-0"	84 sq. ft.
Art Wall	Building	1	8'-0"	35'-0"	280 sq. ft.
Building Tenant Identification	Building	27	15'-0"	Varies ¹	Varies
Secondary Tenant Identification	Building	9	3'-0"	Varies ¹	Varies
Blade Sign	Building	TBD	24"	36"	6 sq. ft.
Address Sign	Building	7	17"	4'-0"	6 sq. ft.

Note: 1. Building Tenant ID width varies per elevation; Secondary Tenant ID width varies per elevation.

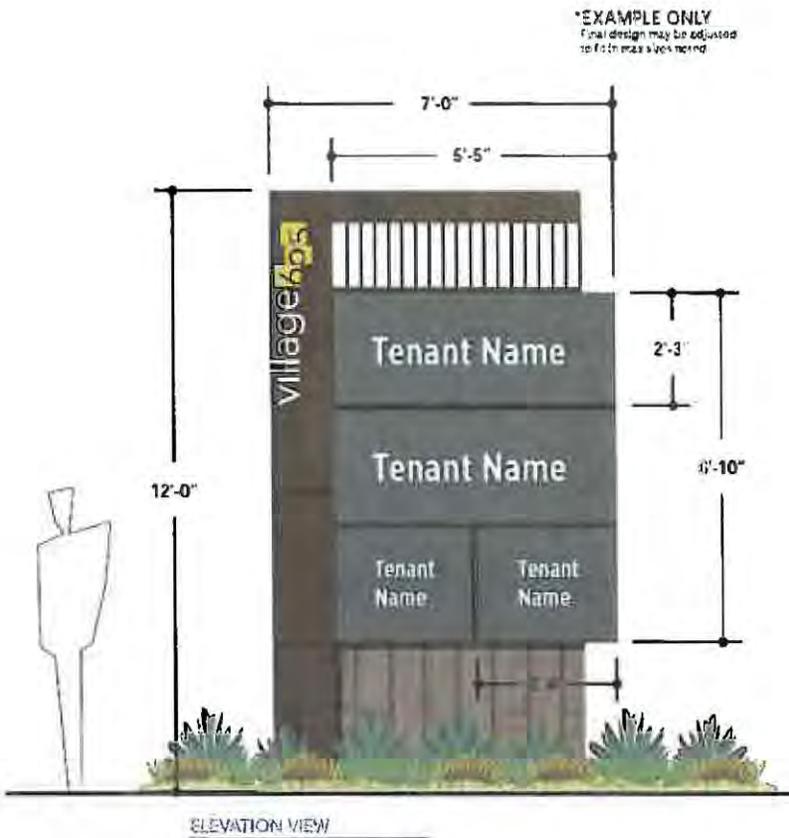
Figure 7: Monument Signs



Entry Monument



Tenant Monument



Entry Tenant Wall

Digital Board Sign

A digital (electronic) board sign is integrated within the freeway pylon sign. The digital board is 30 feet tall and 18.5 feet wide with a sign area of 555 sq. ft. The purpose of the freeway pylon sign and the digital board are to identify business names occupying the building suites within the shopping center.

Generally, the capability of electronic signs to present changing images raises concerns regarding the effect of such signage on traffic safety, including effects on driver attention and the potential for such signage to produce light of such intensity or direction that could interfere with a driver's vision.

The Federal Highway Administration (FHWA) has addressed signage issues in general, and digital signs in particular. As part of its agreement with various states pursuant to the Highway Beautification Act (23 U.S.C. §131), for example, it has confirmed that no sign is allowed that imitates or resembles any official traffic sign, and that signs may not be installed in such a manner as to obstruct, or otherwise physically interfere with, an official traffic sign, signal, or device, or to obstruct or physically interfere with the vision of drivers in approaching, merging or intersecting traffic. These provisions may be

enforced by the FHWA, but the agreement with the State of California also requires Caltrans to enforce these provisions.

The segment of I-605 adjacent to the Project Site identified by Caltrans as a “classified landscaped freeway,” meaning it meets the criteria of State Outdoor Advertising Regulations, Sections 2500-2513. As such, installation of signage (whether electronic or stationary) for off-premise displays (that is, advertising for a business not located at the same site as the sign) is prohibited. However, Caltrans does not regulate on-premise displays. The proposed signage at the Project Site is limited to on-premise displays.

On September 25, 2007, the FHWA issued a Memorandum on the subject of off-premises changeable electronic variable message signs. The Memorandum identified “ranges of acceptability” relating to such signage, as follows:

- **Duration of message:** Duration of display is generally between 4 and 10 seconds; 8 seconds is recommended;
- **Transition time:** Transition between messages is generally between 1 and 4 seconds; 1 to 2 seconds is recommended;
- **Brightness:** The sign brightness should be adjusted to respond to changes in light levels;
- **Spacing:** Spacing between the signs should be not less than the minimum specified for other billboards, or greater if deemed required for safety; and
- **Locations:** Location criteria are the same as for other signage, unless it is determined that specific locations are inappropriate.

To minimize the potential for lighting and glare impacts from the electronic project identification sign, the project proponent has incorporated FHWA's recommended design and operational criteria as elements of the Project. These design features are specified in PDF 1-1 in the Addendum which specifies that the applicant will operate the electronic message board in accordance with the following:

1. **Duration of Message:** The duration of each display will be a minimum of 4 seconds.
2. **Transition Time:** The transition time between messages will be no more than 4 seconds.
3. **Brightness:** Brightness of the sign must adjust to changes in ambient lighting levels.

Analysis

The proposed Planned Sign Program satisfies the intent of Chapter 17.28 (Signs) and the Los Alamitos General Plan. The Planned Sign Program is consistent and complementary to the design elements of the proposed project, including building materials, letter style, colors, illumination, sign-type, and sign shape. The proposed Planned Sign Program also incorporates materials, colors, and design motifs included in the structures being identified.

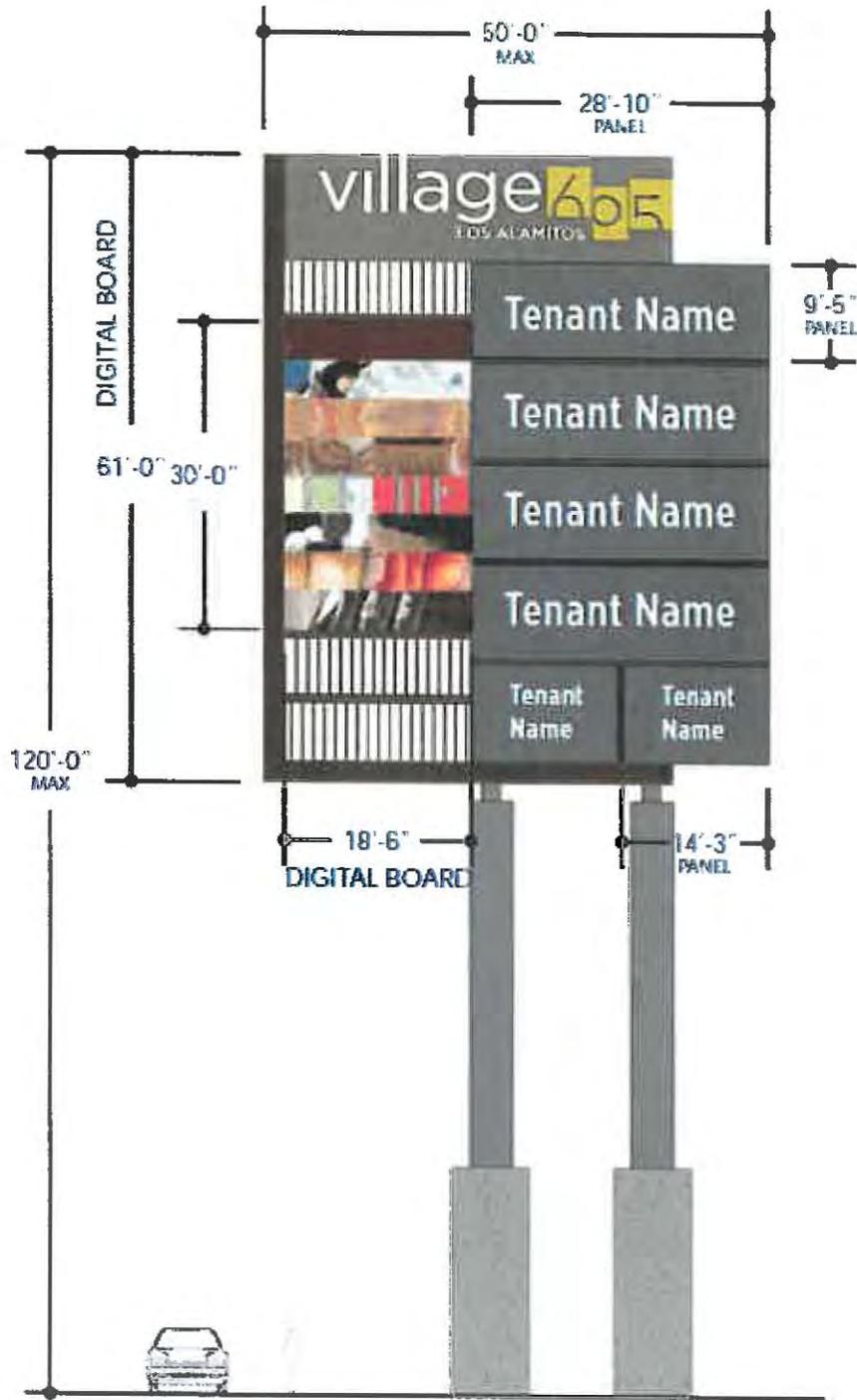
The Planned Sign Program will not adversely affect surrounding land uses as the nearest residential uses are located across from Katella Avenue, nearly 150 feet from the project site. The adjoining middle school and civic center properties will not be affected by the proposed signage. There are no adjacent signs that will be impacted by the proposed signage. Due to the location of the Pylon sign as more thoroughly described in the Aesthetics section of the Addendum, it also will not adversely affect surrounding land uses or create a negative visual impact.

Variance (VAR 16-02) for Freeway Monument Sign

The applicant is requesting approval of a Variance to allow the proposed freeway monument sign to exceed the height and sign area. Under Chapter 17.56 (Variance), exceeding the dimensional standards identified in the Zoning Code, as in sign heights or sign area, requires the approval of a variance. In addition to the findings prescribed in Section 17.56.050 (Findings and Decision), the Planning Commission shall also find and determine that the proposed pylon sign fulfills the purpose and intent of Chapter 17.28 - Signs.

The proposed freeway pylon sign is located at the northwest corner of the project site. The proposed sign location will provide high visibility to travelers on the I-605 freeway. Due to the elevation change (approximately 50 feet) as result of the grade change to cross Katella Avenue and the distance from the I-605, a large freeway pylon sign is proposed. The sign will measure 120-feet tall, up to 50-feet wide, with a maximum sign area of 3,050 square feet, including the 555-square-foot digital commercial center identification sign discussed above.

According to Section 17.28.030 (Definitions) the definition of a sign area allows the area of the sign face to be counted on one side only when the sign faces are placed back to back. Therefore the sign area measures 3,050 square feet.



Analysis

Under Section 17.28.090 (Allowed signs matrix), the General Commercial (C-G) District allows a maximum freestanding pole sign height of 20 feet for Center Identification Sign (Detached with Two or More Tenants) and a maximum sign area of 50 square feet. The applicant is requesting a sign height of 120 feet with a sign area of 3,050 square feet. The applicant proposes to exceed the sign height by 100 feet and the sign area by 3,000 square feet.

A 20-foot-high sign with only 50 square feet of sign area would be completely inadequate and non-visible to freeway motorists due to the raised elevation of the freeway grade. As a result, the applicant is requesting a variance to allow a larger sign that would be more visible from the freeway.

Signage is designed to ensure freeway visibility, as is typical for commercial developments, and to serve as a landmark gateway announcing entry into and raising the visibility of the City of Los Alamitos. The proposed pylon sign will be tall enough to be seen from the freeway.





Chapter 17.28 (Signs) does not include any specialized standards and height provisions to accommodate signage along a freeway. Freeway signage is typically taller and has a larger sign area to maximize visibility to motorists. The sign standards in Chapter 17.28 are suitable for monument identification signs along commercial corridors, such as Katella Avenue and Los Alamitos Boulevard.



Existing freeway pylon signs in Long Beach (Long Beach Town Center freeways signs) and Hawaiian Gardens (Gardens Casino freeway sign) are approximately 80 feet in height, but the signs are located at grade, and the sites they are located on do not possess the same site limitation and grade change that are present at the proposed project site.

The following is an assessment of the proposed project's ability to comply with the required findings for a variance, as defined by the Municipal Code and Government Code Section 65906:

1. **Required Finding:** There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this Zoning Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

Project Consistency: The project site has two major roadway frontages—Katella Road and the I-605 freeway. The Los Alamitos Municipal Code generally allows for placement of signage on commercial properties along each major roadway frontage. The I-605 property frontage is located adjacent to an elevated portion of the I-605 freeway. The project site's grade is approximately 50 feet below the freeway's grade. The Municipal Code limits freestanding signage in the C-G zone to 20 feet in height and 50 square feet of sign area; therefore, absent a variance, signage would not be visible from the I-605. Signage is critical to the economic viability of commercial centers; therefore, the Municipal Code's requirements would deny the property owner a privilege enjoyed by other property owners within zoning districts intended for commercial use.

2. **Required Finding:** Granting the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

Project Consistency: The variance would apply to installation of a freeway-oriented sign only. Signage is expressly permitted in the Zoning Code for commercial facilities within the City of Los Alamitos. The variance is necessitated by the site's grade difference with the adjacent freeway, an atypical condition for commercially-zoned land in the City of Los Alamitos. The granting of the required variance would allow the property to be developed with signage that is visible from adjacent major roadways, thereby ensuring the economic viability of the proposed commercial center. The placement of signage that is visible from adjacent roadways is permitted for similar commercial zones across the City; therefore, the granting of the variance would not constitute any granting of special privilege that is inconsistent with the limitations of other properties in the same zoning district.

3. **Required Finding:** Granting the variance would not authorize a use or activity that is not otherwise expressly authorized by the zoning district regulations governing the subject property.

Project Consistency: The variance would apply to installation of a freeway-oriented sign above the maximum allowed height only. Signage is expressly permitted in the Zoning Code for commercial facilities within the City of Los Alamitos. The granting of the required variance for increased height would not authorize a use or activity that is not otherwise expressly authorized by the zoning code for this property.

Staff believes the proposed Variance meets the requirements established within Section 17.56.050 (Findings and Decision). Therefore, staff recommends approval of Variance (VAR16-02).

Traffic Study

A Traffic Generation Assessment (TGA), dated October 12, 2016, was prepared for the Proposed Project by Linscott, Law & Greenspan (LLG) Engineers. As shown in Table 7, the Approved Project is forecast to generate 10,773 daily trips, with 437 trips (246 inbound, 191 outbound) produced in the AM peak hour and 531 trips (271 inbound, 260 outbound) produced in the PM peak hour. By comparison, the Proposed Project is forecast to generate 10,479 daily trips, with 431 trips (242 inbound, 189 outbound) produced in the AM peak hour and 514 trips (263 inbound, 251 outbound) produced in the PM peak hour. When the proposed Project is compared to the 121,000 square foot development analyzed as part of the Program EIR, the Project is forecast to generate 294 fewer daily trips, six fewer AM peak hour trips, and 17 fewer PM peak hour trips within the project study area.

Table 7. Traffic Generation Forecast Comparison (Approved Project v. Proposed Project)

	Average Daily Trips	Peak Hour Trips	
		AM	PM
Approved Project (121,000 sq. ft.)	10,773	437	531
Proposed Project (133,880 sq. ft.)	10,479	431	514
Net Project Trip Generation as Compared to the Approved Project	-249	-6	-17

Source: Linscott, Law & Greenspan, Engineers, October 2016.

For the Opening Year 2019 scenario, the TGA determined there would not be a significant impact to any of the 20 key study intersections, subject to the implementation of intersection improvements at the Los Alamitos Boulevard at Cerritos Avenue intersection, which are included as Project Design Feature (PDF) 16-1. See CEQA Compliance – Addendum under this report for a full list of Project Design Features. One

intersection, Norwalk Boulevard at Wardlow Road in the City of Long Beach, is forecast to have service levels below the applicable standard; however, the added traffic from the Proposed Project does not significantly impact this intersection.

PDF 16-2 ensures that the Civic Center Drive access point would be designed to provide adequate storage for forecast queue lengths, either by widening and restriping the northern leg of the intersection of Civic Center Drive at Katella Avenue to provide an exclusive southbound left-turn lane, a shared left-right-turn lane, and two inbound lanes or by providing two exclusive left turn lanes and an exclusive right-turn lane with a single inbound lane. PDF 16-2 also ensures that the driveway access to Los Alamitos City Hall be relocated as far north as possible to ensure that adequate ingress and egress is provided upon completion of the Proposed Project. A redesign of Civic Center Drive to provide adequate storage for queuing is incorporated into Proposed Project Driveway 1 at Katella Avenue has sufficient storage for the forecast queue lengths.

The Year 2019 Cumulative Plus Project scenario projected the queue for the eastbound left movement from Katella Avenue to Civic Center Drive to be up to 431 feet during the PM peak hour, greater than the 170-foot length of the existing left-turn pocket. As described in PDF 16-2, the Proposed Project would lengthened the left-turn pocket to 450 feet of storage with 120 feet of transition.

In both the Existing Plus Project and Year 2019 Cumulative Plus Project scenarios, no significant impacts were found related to the LOS at project access points (driveways), at the I-605 northbound ramps at Katella Avenue, or along any of the four analyzed key freeway segments along I-605.

With of the design features of PDF 16-1 and 16-2, impacts would be less than significant. The Proposed Project is consistent with the impacts identified in the Program EIR and the level of impact (significant and unavoidable) would be reduced from that cited in the Program EIR.

The Program EIR assumed that the SuperMedia/Civic Center Site would be developed with a 163,000 square feet commercial center over approximately 13 acres. The Proposed Project proposes an 113,880 square feet commercial center on 9.6 acres (the SuperMedia site only; the Civic Center remaining in place and not part of the Proposed Project). The Program EIR assumed a 0.29 FAR for the 13 acre site. Proportionally, applying a 0.29 FAR, the 9.6 acre Proposed Project Site would have an allocation of 121,000 square feet. The Proposed Project is proposing a maximum 113,880 square foot commercial center with an FAR of 0.27. Compared to the project approved as part of the Program EIR, fewer trips would be generated by the Proposed Project for 113,880 square feet of retail commercial uses than by the 121,000 square feet of commercial uses assumed for the Proposed Project Site in the Program EIR. The GPU buildout condition analyzed as part of the Program EIR, represents the cumulative condition, and already assumes full redevelopment of the Proposed Project Site and the Civic Center as 163,000 square feet of commercial uses.

CEQA Compliance - Addendum

In March 2015 the City Council certified a Program EIR for the General Plan Update ("Program EIR"). The Proposed Project is within the scope of the General Plan EIR and the General Plan EIR adequately describes the activity for the purposes of CEQA. In connection with the Proposed Project, an Addendum to the General Plan EIR has been prepared in accordance with the provisions of Sections 15162, 15164, and 15168 of the CEQA Guidelines. The Addendum sets forth the analysis for the determination that the Proposed Project is within the scope of the Program EIR and that there are no significant environmental impacts which were not identified in the Program EIR resulting from the Proposed Project and there are no previously identified significant impacts which would be substantially more severe in connection with the Proposed Project. The Addendum will not be circulated for public review, but a copy will be attached to General Plan EIR. A copy of both the Addendum and the Program EIR are on file in the Development Services Department. Applicable mitigation measures from the Program EIR will be adopted as conditions of approval along with a Mitigation Monitoring and Reporting Program.

Project Design Features

Project Design Features (PDF) are applicant-initiated actions which effectively reduce potential environmental impacts. They are identified in the Addendum. All PDFs shall be incorporated as conditions of approval.

PDF 1-1 [Electronic Project Identification Sign]

The Proposed Project includes a sign program, in which the applicant will operate the electronic message board in accordance with the following standards for operation:

- **Duration of Message:** The duration of each display will be a minimum of 4 seconds.
- **Transition Time:** The transition time between messages will be no more than 4seconds.
- **Brightness:** Brightness of the sign must adjust to changes in ambient lighting levels.

PDF 12-1 [Temporary Construction Noise Barrier]

Construction noise impacts would be temporary and limited. These temporary impacts would cease once the Proposed Project is completed. Complete elimination of construction noise is technically infeasible. However, incorporation of the best available noise reduction methods, PDFs, and compliance with Mitigation Measure 7-2 would minimize impacts, to less than significant levels. The Proposed Project would not expose sensitive receptors to elevated noise levels from traffic and stationary noise.

These measures would ensure that the Proposed Project's noise impacts would not be more severe than those of the Program EIR (significant and unavoidable).

Pursuant to Program EIR Mitigation Measure 7-2, the applicant is incorporating the following best management practices relating to construction of the Proposed Project:

- In accordance with the Los Alamitos Municipal Code hours of construction will be limited to hours of lesser noise sensitivity with heavy equipment to operate from 7 a.m. to 8 p.m. on weekdays and Saturdays, excluding federal holidays.
- Prior to the start of construction activities, the contractor will install a temporary 15-foot-high noise barrier adjacent to the northern and eastern property line. The barrier shall be solid and may consist of acoustical blankets, plywood, or other material with a transmission loss of at least 15 dBA.
- Prior to the start of construction activities, the contractor will install a temporary 8-foot-high noise barrier along the southern property line along Katella Avenue. The barrier shall be solid and may consist of acoustical blankets, plywood, or other material with a transmission loss of at least 8 dBA. The temporary barrier along Katella Avenue will remain in place during the Demolition, Site Prep, and Grading construction phases, and may be removed during Building Construction and Paving phases.
- Construction vehicles and equipment (fixed or mobile) will be equipped with properly operating and maintained mufflers.
- Haul routes and construction-related traffic will be restricted.[See PDF 16-3, Traffic and Transportation]
- Material stockpiles and/or vehicle staging areas will be located as far as practical from dwelling units.[See PDF 16-3, Traffic and Transportation]
- Backup audible warning devices will be replaced 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.
- Where feasible, the grading contractor will coordinate with management of the school facilities to schedule the noisiest activities during periods of lesser sensitivity. Such coordination could be to not operate large equipment close to outdoor student assembly areas when outdoor recreation is in progress, or when the school facility is not occupied.

12-2 [Permanent Sound Wall]

A 6-foot high block wall will be constructed along the northern Project Site property line abutting Oak Middle School.

12-3 [Load Dock Screen Walls]

12-foot high block screen ("wing") walls will be constructed along the loading dock areas.

PDF 16-1 [Los Alamitos Boulevard/Cerritos Avenue Intersection]

The Proposed Project includes the following roadway improvements at the Los Alamitos Boulevard at Cerritos Avenue intersection which will be implemented prior to the issuance of a Certificate of Occupancy unless the City Engineer determines this PDF is redundant as a result of the implementation of the Los Alamitos Boulevard Median Improvement Project.

- Restripe the eastbound right-turn lane along Cerritos Road to provide a shared through/right-turn lane. Restripe the eastbound departure and provide a third eastbound (receiving) through lane. On-street parking along the south side of Cerritos Avenue is currently prohibited where approximately 270 feet of red curb markings exist. Depending on final design, the restriping improvements will require up to 150 feet of additional red curb installation/parking restrictions, resulting in the loss of street parking by approximately 6 vehicles.
- Modify the existing traffic signal, pavement markings and signs per the City of Los Alamitos Standard Design Guidelines and/or CA Manual on Uniform Traffic Control Devices (MUTCD) to reflect the above roadway restriping. Implementation of this improvement will require the approval of the City of Los Alamitos.
- The project applicant is requesting a reimbursement agreement for costs exceeding the fair-share allocation using traffic mitigation funds received from other development projects found to have an impact on this intersection.

PDF 16-2 [Civic Center Drive/Katella Avenue]

As part of the Proposed Project, the applicant will, in coordination with the City of Los Alamitos:

- Lengthen the left-turn pocket from Katella Avenue onto Civic Center Drive to 450 feet of storage with 120 feet of transition.
- Design the Civic Center Drive access point to provide adequate storage for forecast queue lengths, either by widening and restriping the northern leg of the

intersection of Civic Center Drive at Katella Avenue to provide an exclusive southbound left-turn lane, a shared left-right-turn lane, and two inbound lanes or by providing two exclusive left turn lanes and an exclusive right-turn lane with a single inbound lane.

- Relocate the driveway access to Los Alamitos City Hall as far north as possible.
- Modify the northeast corner of Civic Center Drive at Katella Avenue to provide a compound curb radii of 50 to 15 feet.
- Maintain adequate sight distance for Proposed Project driveways by minimizing obstructions (i.e., landscaping and/or hardscape) within the "limited use area" on either side of the proposed project driveways. Landscaping and/or hardscapes will be designed such that a driver's clear line of sight is not obstructed and does not threaten vehicular or pedestrian safety, as determined by the City Traffic Engineer.
- To accommodate the turning requirements of a WB-65 large truck into the Proposed Project Site, unless otherwise directed by the City Traffic Engineer, the median on the west leg of the intersection of Civic Center Drive at Katella Avenue should be set back 20 feet to accommodate the eastbound left-turn inbound movement and a compound curb return radii of 50 to 15 feet be implemented to accommodate the westbound right-turn inbound movement. Within the Proposed Project Site, it is recommended that a curb return radii of 70 feet be implemented at the north end of the main drive aisle into the site and a curb return radii of 50 feet be implemented in the southwest portion of the site.

PDF 16-3 [Construction Management Plan]

As part of the Proposed Project, a Construction Management Plan will be prepared by the applicant in coordination with the City of Los Alamitos, to address the following topics as determined necessary by the City Engineer:

- Ingress and egress for the construction traffic would be via the site right-turn in/out only driveway located along Katella Avenue with a flagman to assist with right-turn egress from to site to westbound Katella Avenue.
- Traffic control for any street closure, detour or other disruption to traffic circulation.
- Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles piping, windows, etc.), to access the site, traffic controls and detours and proposed construction phasing plan for the Project.

- Identify parking needs and parking areas for construction related equipment and workman support.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the Applicant to keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant will clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer) of any material which may have been spilled, tracked or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads will be allowed between the hours of 8:30 AM and 3:30 PM only, Monday through Friday, unless approved otherwise by the City Engineer (exact hours to be determined by the City Engineer). Hauling or transport may be permitted/required during nighttime hours, weekends or Federal holidays, at the discretion of the City Engineer. All hauling/delivery access to and from the site will be from Katella Avenue. An approved Haul Route Permit will be required from the City.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.
- If hauling operations cause any damage to existing pavement, street, curb and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All constructed-related parking and staging of vehicles will be kept out of the adjacent public roadways and parking lots and will occur on-site.
- This Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as City of Los Alamitos requirements.

Staff Recommendation

The proposed retail shopping center development project is well designed, compatible with the surrounding land uses, and appropriate in scale and use for the site. The proposed Site Plan Review, Conditional Use Permits, Vesting Tentative Map, and Variance are necessary for the development of the proposed project, which is consistent with several goals, policies, and actions of the City's General Plan. As indicated in the Addendum to the certified EIR, the proposed project would continue to have a less than significant impact in all environmental impact areas. Staff recommends that the Planning Commission approve the following applications:

- Site Plan Review (SPR 16-04)

- Conditional Use Permit (CUP 16-08) for Pad A Drive-through Facility
- Conditional Use Permit (CUP 16-09) for Pad B Drive-through Facility
- Conditional Use Permit (CUP 16-10) for Pad A Large Outside Seating
- Conditional Use Permit (CUP 16-11) for Pad B Large Outside Seating
- Conditional Use Permit (CUP 16-12) for Shops 1 Large Outside Seating
- Conditional Use Permit (CUP 16-13) for Alcoholic Beverage Sales
- Vesting Tentative Map (VTM 16-01) (sitting as Subdivision Committee)
- Variance (VAR 16-02)
- Planned Sign Program (PSP 16-02)

Staff also recommends that the Planning Commission find and determine that the previously-certified General Plan Update Environmental Impact Report (SCH # 2013121055) and Addendum serve as the appropriate environmental documentation for this project.

Attachments:

1. *EIR Addendum Resolution No. 16-18 with Exhibit A*
2. *Site Plan Review Resolution No. 16-19*
3. *Tentative Parcel Map Resolution No. 16-20 (Tract No. 945) with Exhibit A*
4. *Conditional Use Permit Resolution No. 16-21 (Pad A Drive-through Facility)*
5. *Conditional Use Permit Resolution No. 16-22 (Pad B Drive-through Facility)*
6. *Conditional Use Permit Resolution No. 16-23 (Pad A Large Outside Seating)*
7. *Conditional Use Permit Resolution No. 16-24 (Pad B Large Outside Seating)*
8. *Conditional Use Permit Resolution No. 16-25 (Shops 1 Large Outside Seating)*
9. *Conditional Use Permit Resolution No. 16-26 (Alcoholic Beverage Sales)*
10. *Conditional Use Permit Resolution No. 16-27 (Planned Sign Program 16-02)*
11. *Variance Resolution No. 16-28 (Freeway Monument Sign)*

Exhibit A for Attachment(s): 2, 4, 5, 6, 7, 8, 9, 10, 11

Previously Provided Exhibits:

1. *Proposed Project Submittal Package dated October 10, 2016, (including Site Plans, Grading Plan, Utility Plans, Concept Landscape Plan, Lighting Plan, and Conceptual Architectural Elevations, and Conceptual Renderings)*
2. *Village 605 Sign Program (revised version handed out October 26, 2016)*
3. *General Plan Update Environmental Impact Report Addendum*
 - a. *Addendum Appendix A: Air Quality and Greenhouse Gas Assessment*
 - b. *Addendum Appendix B-1: Historic Resources Survey*
 - c. *Addendum Appendix B-2: Cultural and Paleontological Report*
 - d. *Addendum Appendix C: Preliminary Geotechnical Investigation*
 - e. *Addendum Appendix D: Phase 1 Site Assessment*
 - f. *Addendum Appendix E: Hydrology Report*
 - g. *Addendum Appendix F: Preliminary Water Quality Management Plan*
 - h. *Addendum Appendix G: Noise Study*
 - i. *Addendum Appendix H: Traffic Generation Assessment*

ATTACHMENT 1

RESOLUTION NO. 16-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING AN ADDENDUM TO THE PREVIOUSLY-CERTIFIED LOS ALAMITOS GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT TO ALLOW CONSTRUCTION AND OPERATION OF UP TO A 113,880 SQUARE FOOT RETAIL SHOPPING CENTER AT 3131 KATELLA AVENUE, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-212-09, MAKING FINDINGS THAT SUCH RETAIL SHOPPING CENTER PROJECT IS WITHIN THE SCOPE OF THE GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT AND THAT NO SUPPLEMENTAL OR SUBSEQUENT EIR IS REQUIRED PURSUANT TO CEQA GUIDELINES 15162, 15164 AND 15168 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes a 120 foot freeway pylon sign; and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for up to 113,880 square feet of development; and,

WHEREAS, the additional 8,000 square feet is to provide design flexibility in the buildings in connection with build out of the Site Plan; and,

WHEREAS, the applications for the Proposed Project are for a: (1) vesting tentative parcel map dividing the property into five parcels; (2) site plan review; (3) two conditional use permits for two drive-through restaurants with 24 hour operations; (4) three conditional use permits for large outdoor dining areas (one for each drive-through restaurant and one in front of Shops 1); (5) conditional use permit for off-site alcohol sales and in-store tastings ant the proposed market; (6) variance for the height and sign area limits for a freeway pylon sign; and (7) planned sign program; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of approximately 150,342 square feet; and,

WHEREAS, on March 23, 2015, the City Council of the City of Los Alamitos certified the Final Program Environmental Impact Report (SCH # 2013121055) which analyzed the environmental impacts for the entire General Plan Update ("Program EIR") and adopted Findings and a Statement of Overriding Considerations for those environmental effects associated with implementation of the GPU project, that were considered to be significant and adverse, specifically: (1) air quality; (2) greenhouse gas emissions; (3) noise; and (4) traffic; and,

WHEREAS, as part of the General Plan process the City identified a number of "Opportunity Sites" that were in transition and identified for possible new uses; and,

WHEREAS, the SuperMedia/Civic Center Site was identified as Opportunity Site 7; and,

WHEREAS, the Program EIR analyzed the impacts of converting the approximately 13 acre SuperMedia/Civic Center site from the existing office/civic uses to 163,000 square feet of commercial retail development, which proportionally provided for 121,000 square feet of retail development on the SuperMedia site, as further described in Section 3.2 of the Addendum (defined herein); and,

WHEREAS, the scope of the Proposed Project is located on the SuperMedia Site and falls within the amount of commercial development that was analyzed for the SuperMedia site in the Program EIR; and,

WHEREAS, CEQA Guidelines 15168(c) provides that subsequent activities in a program must be examined in light of the Program EIR to determine whether an additional environmental document must be prepared and if no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the Program EIR and no new environmental document is required; and,

WHEREAS, CEQA Guidelines 15168(c)(4) provides that where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine

whether the environmental effects of the operation were covered by the Program EIR; and,

WHEREAS, the City of Los Alamitos has prepared an Addendum to the previously certified Program EIR for the Proposed Project as the checklist to determine whether the environmental effects of the operation were covered in the Program EIR pursuant to CEQA Guidelines 15168(c)(4); and,

WHEREAS, the Addendum has been completed in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the procedures for review as set forth in the City of Los Alamitos Guidelines for Implementation of the CEQA (Local CEQA Guidelines); and,

WHEREAS, the record on which the Planning Commission's findings are based is located at the Development Services Department located at 3191 Katella Avenue and the custodian of the record of proceedings for this project is the Development Services Director; and,

WHEREAS, on October 26, 2016, the Planning Commission conducted a public hearing on the Proposed Project; and,

WHEREAS, the public hearing was continued to November 16, 2016 and there was a new published and mailed notice of the November 16, 2016 public hearing; and,

WHEREAS, the Planning Commission considered the Addendum at the time of the public hearing(s) with the Program EIR and took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports and technical studies to the Addendum.

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 and are incorporated by reference herein.

SECTION 2. The Planning Commission has reviewed the Proposed Project and the Addendum and hereby approves the Addendum to the Program EIR for the construction and operation of a retail shopping center of up to 113,880 square feet to be located at 3131 Katella Avenue, a copy of which is attached as Exhibit A and will also be attached to the Program EIR, based on the following findings:

A. Placeworks, Inc. was the environmental consultant that prepared the City's General Plan Update and the Program EIR for the Update.

B. The Applicant submitted a draft environmental analysis and technical studies were subject to thorough review and revision by City staff and Placeworks, Inc. on behalf of the City as well as Fehr & Peers.

C. The Addendum reflects the independent judgement of the City and is an accurate and complete statement of the environmental impacts of the Proposed Project.

D. Consistent with the analysis contained in the Addendum, the environmental effects of the Proposed Project were covered in the Program EIR, the Proposed Project is within the scope of the development program described therein, and no further environmental documentation is required to address the potential environmental effects of the Proposed Project.

E. None of the conditions in Public Resources Code § 21166 or CEQA Guidelines § 15162 are present which would require a subsequent or supplemental EIR. The Addendum includes an analysis of the determination that:

- a. No substantial changes are proposed in the Proposed Project (labeled the "Revised Project" in the Addendum), or with respect to the circumstances under which the Proposed Project is to be undertaken which will require important or major revisions in the Program EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- b. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Program EIR was certified as complete, shows any of the following:
 - i. That the Proposed Project will have one or more significant effects not discussed in the Program EIR;
 - ii. That significant effects previously examined will be substantially more severe than shown in the Program EIR;
 - iii. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Proposed Project, but the Proposed Project proponents decline to adopt the mitigation measure or alternative; or
 - iv. That mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the

environment, but the Proposed Project proponents decline to adopt the mitigation measure or alternative; or

F. The Addendum contains the required explanation of the decision not to prepare a subsequent EIR and the explanation is supported by substantial evidence as required by CEQA Guidelines § 15164.

G. Pursuant to CEQA Guidelines section 15168(c) and as documented with substantial evidence in the Addendum checklist, findings and elsewhere in the record, the Proposed Project is within the scope and covered in the Program EIR and no further documentation is required due to the following:

- a. The changes to the Proposed Project described in the Addendum do not trigger any of the conditions described in CEQA Guidelines Section 15162 and therefore does not trigger new effects, the need for new mitigation measures, or have effects that were not examined in the Program EIR pursuant CEQA Guidelines Section 15162;
- b. Feasible and applicable mitigation measures developed in the Program EIR will be incorporated into the Proposed Project either as Project Design Features or as conditions of approval. The applicable mitigation measures are attached hereto as Exhibit A.

H. The Addendum was not circulated for public review, but will be attached to the Program EIR in accordance with CEQA Guidelines § 15164(c).

SECTION 3. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Proposed Project which is incorporated by reference.

SECTION 4. This Resolution shall take effect immediately.

SECTION 5. The custodian of records is the Director of Development Services located at Los Alamitos City Hall, 3191 Katella Ave, Los Alamitos, CA 90720.

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of this resolution and shall enter a certified copy of this resolution in the book of resolutions of the City.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

**EXHIBIT A
APPLICABLE MITIGATION MEASURES
FROM PROGRAM EIR**

-
- 2-1 If, during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed the South Coast Air Quality Management District (SCAQMD) adopted thresholds of significance, the City of Los Alamitos shall require that applicants for new development projects incorporate mitigation measures as identified in the CEQA document prepared for the project to reduce air pollutant emissions during construction activities. Mitigation measures that may be identified during the environmental review include but are not limited to:
- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.
 - Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
 - Limiting nonessential idling of construction equipment to no more than five consecutive minutes.
 - Water all active construction areas at least three times daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
 - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
 - Pave, apply water three times daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
 - Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas, and staging areas at the construction site to control dust.
 - Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.
 - Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
 - Enclose, cover, water three times daily, or apply non-toxic
-

soil binders to exposed stockpiles (dirt, sand, etc.).

- 3-1 Applicants for future development projects with intact extant building(s) more than 45 years old shall provide a historic resource technical study to the City of Los Alamitos. The historic resources technical study shall be prepared by a qualified architectural historian meeting Secretary of the Interior Standards. The study shall evaluate the significance and data potential of the resource in accordance with these standards. If the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852), mitigation shall be identified within the technical study that ensures the value of the historic resource is maintained.
-
- 3-2 Applicants for future development projects that require grading of undisturbed soil in areas of known or inferred archaeological resources, prehistoric or historic, shall provide a technical cultural resources assessment to the City of Los Alamitos prior to the issuance of grading permits. The cultural resources assessment shall be prepared by a qualified archaeologist to assess the cultural and historical significance of any known archaeological resources on or next to each respective development site, and assessing the sensitivity of sites for buried archaeological resources. On properties where resources are identified, or that are determined to be moderately to highly sensitive for buried archaeological resources, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:
- a. An archaeologist shall be retained for the development project and shall be on call during grading and other significant ground-disturbing activities.
 - b. Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources.
 - c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Archaeologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University, Fullerton; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).
-
- 3-3 Applicants for future development projects that require excavation greater than five feet below the current ground surface in undisturbed sediments with a moderate or higher fossil yield potential shall provide a technical paleontological assessment prepared by a qualified
-

paleontologist assessing the sensitivity of sites for buried paleontological resources to the City of Los Alamitos prior to issuance of grading permits. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified paleontologist. The mitigation plan shall include the following requirements:

- a. A paleontologist shall be retained for the project and shall be on call during grading and other significant ground-disturbing activities.
- b. Should any potentially significant fossil resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources.
- c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University, Fullerton; and provide a comprehensive final report, including catalog with museum numbers.

7-1 Individual projects that involve vibration-intensive construction activities, such as blasting, pile drivers, jack hammers, and vibratory rollers, within 200 feet of sensitive receptors shall be evaluated for potential vibration impacts. A study shall be conducted for individual projects where vibration-intensive impacts may occur. If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., nonexplosive blasting methods, drilled piles as opposed to pile driving, etc.).

7-2 Applicants for new development projects within 500 feet of sensitive receptors shall implement the following best management practices to reduce construction noise levels:

- Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers.
- Restrict haul routes and construction-related traffic
- 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.
- Reduce nonessential idling of construction equipment to no more than five minutes
- Consider the installation of temporary sound barriers for

construction activities that occur adjacent to occupied noise-sensitive structures, depending on length of construction, type of equipment used, and proximity to noise-sensitive uses.

ATTACHMENT 2

RESOLUTION NO. 16-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 16-04 TO ALLOW CONSTRUCTION AND OPERATION OF UP TO A 113,880 SQUARE FOOT SHOPPING CENTER AT 3131 KATELLA AVENUE, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-212-09 AND ADOPTING A MITIGATION MONITORING PROGRAM (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the additional 8,000 square feet is to provide design flexibility in the buildings; and,

WHEREAS, the Proposed Project, as shown on the attached site plan includes 505 (488 standard and 17 compact) parking spaces where only 456 standard spaces are required under the Los Alamitos Municipal Code for a 113,880 square foot shopping center proposing the mix of uses described in the Addendum (defined herein); and,

WHEREAS, the applications for the Proposed Project are for a: (1) vesting tentative parcel map dividing the property into five parcels; (2) site plan review; (3) two conditional use permits for two drive-through restaurants with 24 hour operations; (4) three conditional use permits for large outdoor dining areas (one for each drive-through restaurant and one in front of Shops 1); (5) conditional use permit for off-site alcohol sales and in-store tastings ant the proposed market; (6) variance for the height and sign area limits for a freeway pylon sign; and (7) planned sign program; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of approximately 150,342 square feet; and,

WHEREAS, the verified application constitutes a request as required by Section 17.50.030 (Site Plan Review) and Section 17.10.020 Table 2-04 (Allowed Uses and Permit Requirements for Commercial/Industrial Zoning Districts) of the Los Alamitos Municipal Code; and,

WHEREAS, on March 23, 2015, the Los Alamitos City Council certified the Final Environmental Impact Report (SCH # 2013121055) for the General Plan Update (the "Program EIR"), which included an analysis of converting the SuperMedia Site to commercial retail development; and,

WHEREAS, the City of Los Alamitos has prepared an Addendum to the Program EIR for the Proposed Project (the "Addendum"); and,

WHEREAS, on October 26, 2016, the Planning Commission conducted a public hearing on the Proposed Project; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission considered the Addendum at the time of the public hearings with the Program EIR and took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports and technical studies to the Addendum; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project which provided that the applicable mitigation measures would be adopted as conditions of approval;

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. The Planning Commission hereby makes the following findings:

- A. 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 of the retail shopping center at 3131 Katella Avenue, as conditioned, is consistent with the development and design standards/guidelines of the General Commercial (C-G) Zoning District. The development meets, or will be conditioned to meet, all requirements with the exception of the 120-foot pylon sign for which the Planning Commission has approved a variance through Resolution No. 16-28, approved concurrently herewith for the reasons stated therein. The discussion in the Staff Report and the Land Use section of the Addendum provide further evidence demonstrating that the design and layout of the Proposed Project is consistent with applicable zoning requirements.

- B. 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 design and layout of the shopping center at 3131 Katella Avenue as conditioned, would not interfere with the use and enjoyment of neighboring civic, educational, and residential developments. The proposed shopping center at 3131 Katella Avenue is compatible to surrounding uses and design features have been incorporated into the project to lessen impacts to the surrounding uses, particularly Oak Middle School. The approved location is appropriate for a shopping center and has a General Plan designation and zoning which specifically allows for this type of development. The Site Plan has been designed to insure that there will be no traffic or pedestrian hazards. The Proposed Project will also implement traffic and pedestrian improvements to facilitate convenient functional access to the City's Civic Center facilities located adjacent to the Proposed Project. The Proposed Project will also accommodate parking for the adjacent Los Alamitos Recreation and Community Services facilities within the shopping center through a shared parking agreement. The discussion in the Staff Report and in the Land Use and Transportation and Traffic sections of the Addendum provide further evidence demonstrating the design and layout of the Proposed Project will not interfere with use and enjoyment of neighboring existing or future developments, and would not create traffic or pedestrian hazards.

- C. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter.

The design of the shopping center at 3131 Katella Avenue as conditioned 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 commercial building design, and extensive landscaping. The Proposed Project will provide a pedestrian-friendly plaza with pedestrian amenities, including attractive landscaping, a fire table, sculpture seating, shade canopy elements, and a patio area. The Planned Sign Program imposes maintenance standards to ensure that the Proposed Project maintains and enhances attractive, harmonious and orderly development. The discussion in the Staff Report and the aesthetic and land use sections of the Addendum provide further evidence demonstrating the Proposed Project will maintain and enhance the attractive, harmonious and orderly development.

- D. 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 design of the shopping center at 3131 Katella Avenue, as conditioned, would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, lighting, and colors, as further described in the Staff Report. Pedestrian access from the sidewalk and outdoor pedestrian gathering spaces also contribute to a desirable environment. The design enhances the existing property by replacing older office buildings and water thirsty landscaping with the construction of new commercial buildings and new landscaping. Property maintenance is required under the Zoning Code. Refer to the discussion in the Staff Report, aesthetic and land use sections of the Addendum for further evidence in support of this finding.

- E. 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.

The proposed shopping center at 3131 Katella Avenue, as conditioned, would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity as the development will improve the commercial site. Development of the Proposed Project will provide additional shopping opportunities for the public, redevelop an underutilized site, revitalize the surrounding environment, improve traffic and pedestrian circulation to the Civic Center facilities, and accommodate shared parking for the City's recreational

facilities and therefore would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. As stated in the Addendum, the Proposed Project will not result in any new impacts or worsening of impacts than those previously identified under the Program EIR. Project design features and compliance with standard conditions of approval will insure there are no water quality impacts, noise, traffic, lighting or other impacts beyond those analyzed in the Program EIR, including impacts related to signage.

- F. The proposed development would not substantially depreciate property values in the vicinity.

The proposed shopping center at 3131 Katella Avenue, as conditioned would not depreciate property values in the vicinity, as the area is zoned for this type of use and it will actuality improve the aesthetics and property values in the surrounding environment by replacing an outdated office development with an attractive new retail center.

SECTION 3. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Proposed Project which is incorporated by reference.

SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review SPR 16-04, as generally represented by the plans and elevations in "Exhibit A" and subject to the conditions located in "Exhibit B." The Planning Commission specifically approves as part of Site Plan Review SPR 16-04 the ability of the Applicant to add up to 8,000 additional square feet of building space provided that the buildings remain in the same general configuration, parking is not reduced below the amount required by the Los Alamitos Municipal Code, and there is no alteration to the circulation pattern or the width of any drive aisles.

SECTION 5. The Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit "C".

SECTION 6. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting the same and shall file a Notice of Determination.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

RESOLUTION NO. 16-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING A VESTING TENTATIVE MAP (VTM 16-01) DIVIDING PROPERTY INTO FIVE (5) LOTS TO ACCOMMODATE THE CONSTRUCTION OF A 113,880-SQUARE FOOT RETAIL SHOPPING CENTER FOR A PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket and pet supply, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Drive-through restaurant facilities are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes a 120 foot freeway pylon sign; and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the additional 8,000 square feet is to provide design flexibility in the buildings; and,

WHEREAS, one of the applications is for a Vesting Tentative Map requesting to subdivide the one existing lot into five lots and the verified application constitutes a verified application under Section 16.06.070 (Vesting Tentative Maps) of the Los Alamitos Municipal Code; and,

WHEREAS, the five lots will consist of: Pad A, Pad B, the shops along the northern border, and 2 separate parcels for parking; and,

WHEREAS, on March 23, 2015, the Los Alamitos City Council certified the Final Environmental Impact Report (SCH # 2013121055) for the General Plan Update (the "Program EIR"), which included an analysis of converting the SuperMedia Site to commercial retail development; and,

WHEREAS, the City of Los Alamitos has prepared an Addendum to the Program EIR for the Proposed Project (the "Addendum"); and,

WHEREAS, on October 26, 2016, the Planning Commission conducted a public hearing on the Proposed Project; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission considered the Addendum at the time of the public hearings with the Program EIR and took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports and technical studies to the Addendum; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and approved Resolution No. 16-19 approving the Site Plan for the Proposed Project.

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

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

SECTION 2. The Subdivision Committee hereby makes the following findings as required by the Los Alamitos Municipal Code and the Government Code:

- A. The General Plan designation for the site is Retail Business which is consistent with the General Commercial (C-G) Zoning District, and staff's analysis concludes the proposed Vesting Tentative Map is consistent with the applicable General Plan goals, policies, and implementation actions; therefore, the proposed Vesting Tentative Map is consistent with the General Plan. Additionally, the parcels resulting from proposed Vesting Tentative Map meet all minimum requirements of the Los Alamitos Municipal Code.
- B. The General Plan Update which was approved in March 2015 specifically changed the land use designation on this parcel to accommodate Retail Business development and the proposed design and improvements of a shopping center subdivision are consistent with the applicable General

Plan goals, policies, and implementation actions; therefore, the proposed Vesting Tentative Map is consistent with the General Plan.

- C. The design and improvement of the shopping center project are suitable for commercial and retail development in the C-G Zoning District and the subdivision can be developed in compliance with all of the applicable zoning regulations.
- D. The site is physically suitable for a shopping center subdivision because the site is large enough to accommodate the proposed development, is generally flat and will require minimal grading on site, and can provide adequate ingress, egress, and parking.
- E. The site is capable of supporting the development of the seven shopping center buildings. Each proposed commercial building and the entire project meets the development standards for the C-G Zoning District including minimum parcel area, minimum parcel width and depth, maximum parcel coverage, maximum height, and minimum setbacks. The overall density of the Proposed Project is actually less than what was analyzed in the Program EIR for this site.
- F. The proposed subdivision design and improvements will not cause substantial environmental damage as this is an infill project on property that already was developed with an existing office development and there are no fish or wildlife habitat on site.
- G. The proposed subdivision design and improvements will not adversely affect the public health of the City of Los Alamitos as the project is the type of use which is planned for in this area; the proposed commercial shopping center project will be compatible with the residential, civic and educational uses in the area.
- H. The design of the subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements.
- I. The discharge of waste water from the subdivision into the sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board as described in the Addendum.
- J. The proposed subdivision will not impede or inhibit any future or natural heating and cooling opportunities. The Project's retail component is oriented in a manner and includes placement of windows and doors in locations that will allow air flow for natural cooling of the units. Additionally, the Project will comply with the City's landscaping requirements, and will include trees intended to provide natural shade. The Project will include building materials, architectural treatments,

placement and selection of plant materials to provide, to the extent feasible, for future or natural heating and cooling opportunities. Therefore, the proposed subdivision's design provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

- K. CEQA has been satisfied as the Planning Commission has previously adopted Resolution No. 16-18 approving an Addendum to the General Plan Update Program EIR in accordance with the provisions of the California Environmental Quality Act (CEQA).

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Vesting Tentative Map 16-01 attached as Exhibit "A," subject to the conditions listed in Exhibit "B."

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 shall file a Notice of Determination.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

Mary Ann CUILTY, 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 the Planning Commission held on the 16th day of November, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven A. Mendoza, Secretary

**EXHIBIT A
For Attachment 3**

**VILLAGE 605 SHOPPING CENTER PROJECT
CONDITIONS OF APPROVAL
VTM 16-01**

GENERAL CONDITIONS

1. Approval of Vesting Tentative Map (VTM) 16-01 application is to subdivide a property into five (5) separate parcels to develop an up to 113,880-square foot shopping center at 3131 Katella Avenue (APN 242-212-09) with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a Vesting Tentative Map noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be in substantial compliance (as determined by the Development Services Director) with such project approvals. Any amendment or modifications to the Vesting Tentative Map that are greater than 113,880 square feet of building area will require Planning Commission approval and may be subject to the California Environmental Quality Act.
2. The Applicant shall defend, indemnify, and hold the City (including its agents, officers and employees [together "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. The City shall promptly notify applicant of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, Applicant shall not thereafter be responsible to defend, indemnify, or hold City and/or Indemnified Parties harmless. The City may participate in the defense of any claim, action or proceeding if City both bears its own attorney's fees and costs and the City defends the action in good faith. The Applicant is not required to pay or perform any settlement unless such settlement is approved by the Applicant.
3. The applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property owner 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.

PLANNING

4. A final map shall be required to subdivide the property.

5. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners or through Covenants, Conditions and Restrictions (CC&Rs) reviewed and approved in accordance with Condition 7 of these Conditions of Approval for VTM 16-01.
6. The applicant shall create drainage and utility easements across the project (which may be, but are not required to be, accomplished with CC&Rs reviewed and approved in accordance with Condition 7 of these Conditions of Approval for VTM 16-01) for the benefit of the individual lots, subject to the review and approval of the City Engineer (to the extent such easements are not shown on the tentative map and not dedicated on the final map).
7. With the map, the project applicant shall set forth the maintenance areas of the proposed development and maintenance responsibilities. The project applicant shall record CC&Rs at the time of recordation of the map. The CC&Rs shall be subject to the review and approval of the City Attorney prior to recordation of the map whose review shall ensure that the CC&Rs satisfy the conditions of approval relating to VTM 16-01 and the conditions relating to SPR 16-04 et al, as well as the Los Alamitos Municipal Code. The applicant shall not make any changes to the CC&Rs without the prior approval of the City, which review shall be limited to the above.
8. Prior to the first plan check, to the extent the City does not have a published fee schedule for processing of final maps, the applicant's engineer/surveyor shall submit a preliminary copy of the final map along with a preliminary copy of the title report and a copy of the adjoining deeds and/or recorded maps to the City. The City will forward these documents to its consultant who will estimate the cost for examining the map and certifying that the map is technically correct and in accordance with Section 66442 of the California Subdivision Map Act. After the consultant has provided a cost estimate, the applicant's engineer/surveyor may submit the first plan check along with a deposit for these costs along with all other standard plan check fees. Any unused portion of the estimate will be returned to the applicant after the map is recorded. Similarly, if the applicant withdraws their application in writing prior to the consultant having performed the work, any unused portion of the deposit will be returned to the applicant. Conversely, should consultant's estimate be insufficient to cover all of the consultant's time, the applicant will be required to pay the City the difference between the estimate and the actual cost prior to submittal of the map for the City Engineer's approval.
9. The applicant shall record the final map in the Orange County Recorder's Office.
10. The applicant shall provide an access easement to the City of Los Alamitos for its officers, agents, employees and visitors of the Civic Center, which shall appear in the location shown on the tentative map and shall be dedicated on the final map.

11. Any dedications, open offers of dedication, or grants of easements may be dedicated and accepted on the face of the map. Unless otherwise specified herein, agreements or other required items shall be recorded as separate documents concurrently with the recordation of the final map.
12. Prior to final map recordation, provide a copy of a reciprocal access and parking agreement for all parcels of VTM 16-01, which may be, but shall not be required to be, included in the CC&Rs reviewed and approved in accordance with Condition 7 of these Conditions of Approval for VTM 16-01.
13. Planning Commission approval of VTM 16-01 is valid for twenty-four (24) months. Prior to the expiration of the Map the applicant may request a twelve (12) month extension. VTM 16-01 shall expire on November 16, 2018, unless (1) the applicant requests a time extension as outlined by City standards and in conformance with Section 16.10.130 (Period of Validity – Extensions) of the Los Alamitos Municipal Code; (2) the City provides an extension of time by operation of state law; or (3) the VTM is automatically extended by operation of state law.

ATTACHMENT 4

RESOLUTION NO. 16-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A CONDITIONAL USE PERMIT (CUP 16-08) TO ALLOW A RESTAURANT DRIVE-THROUGH FACILITY WITH 24-HOUR OPERATIONS ON PAD A IN A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to a 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, an application for a Conditional Use Permit was submitted to operate a 24-hour drive-through facility on Pad A of the proposed shopping center; and,

WHEREAS, the verified application constitutes a request under Section 17.10.020 for a Conditional Use Permit for a 24-hour drive-through facility, in the General Commercial (C-G) zone; and,

WHEREAS, on October 26, 2016, the Planning Commission conducted a public hearing on the Proposed Project; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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 16-08 is hereby approved to allow the operation of a 24-hour drive-through facility on Pad A at a proposed commercial shopping center at 3131 Katella Avenue as depicted on the Site Plans attached hereto as Exhibit A and subject to the conditions attached hereto as Exhibit B. This approval is based on the following findings set forth in Section 3.

SECTION 3. The Planning Commission finds and determines as follows in relation to approving a drive-through with 24-hour operations, as set forth in Section 17.42.050:

- A. A determination that the use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

The Pad A 24-hour drive-through facility in the proposed commercial shopping center, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for retail and restaurant use and the project complies with all applicable building and development codes. The project will not foster circumstances that tend to generate nuisance conditions such as noise or traffic because: Pad A is located 160 feet from the nearest residence; the traffic queue is sufficient to accommodate 15 regular sized vehicles and if there is a queue beyond this, it will occur within the shopping center parking lot and will not affect surrounding streets; there is screening for the drive-through aisle along

Katella Boulevard; lighting from vehicles using the drive-through will not impact any surrounding residences in part due to the landscape screening; the menu board ordering area will not produce noise that can be heard from the closest residential uses; and the 24-hour operation is only for the drive-through which will prevent noise associated with car alarms, the shutting of vehicle doors, patrons utilizing the outdoor dining areas, and people carrying on conversations in the parking lots.

- B. That the use meets the required conditions and specifications set forth in the zoning district where it proposes to locate;

The Pad A 24-hour drive-through facility in a proposed commercial shopping center, as proposed and conditioned, meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this commercial development project complies with all of the development standards for the General Commercial (C-G) Zoning, with the exception of a sign height and sign area requirement for which a variance is being granted and which does not impact the 24-hour drive-through operations.

- C. That the location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan;

The land use designation for the property is Retail Business and the General Commercial zone, which allows this land use, is consistent with the Retail Business designation. The Pad A 24-hour drive-through facility for a proposed commercial shopping center, as proposed and conditioned, will be in harmony with the area in which it is to be located and in general conformity with the General Plan because the drive-through facility is compatible with the similar surrounding uses, and these types of projects are in fact intended to be built, in conformity with the City's General Plan, in this area, as more fully discussed below.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
Goal 2: Fiscally sustainable growth and economic development through a balanced mix of land uses and development types.	Restaurants with drive-through facilities are appropriate uses along Katella Avenue and will provide a convenience to customers using the I-605 freeway. The 24-hour drive-through facility is associated with a commercial shopping center development that will contribute to fiscally sustainable growth and economic development within the City.
Policy 2.2: Mix of land uses. Maintain a balanced mix of residential, retail, employment, industrial, open space, and public facility land uses.	Restaurants with drive-through facilities will contribute to a balanced mix of commercial uses, allowing the opportunity of diverse restaurants to be located within the City.
Policy 2.3: Maximize retail along Katella. Maximize community- and regional-scale retail opportunities along Katella Avenue. For parcels 10 acres or larger along Katella Avenue, support the conversion to community- and regional-scale retail.	Restaurants with drive-through facilities at this location will benefit the City as a whole and the proposed project contributes to advancing the regional-scale retail opportunities along Katella Avenue.
Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.	The drive-through facility is compatible with surrounding uses and is over 160 feet from the nearest residential uses within the Rossmoor neighborhood south of Katella Avenue.
Policy 3.1: Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.	The drive-through facility is designed to be compatible with surrounding residential uses. The landscape plan includes landscaping to screen the drive-through aisle. A noise impact analysis prepared for the EIR Addendum conducted noise analyses for the drive-through menu board and parking lot noise, which concluded that the proposed project will not cause noise standards to be exceeded at the nearest residential uses across Katella Avenue.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	The restaurant buildings and site plan that are associated with the drive-through facility include high-quality architecture, landscaping, site planning, signage, and lighting features, which demonstrate a sense of pride and identity within the western gateway of the City.
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.	Proposed conditions to the project ensure continual property maintenance and improvements that contribute to a sense of pride and identity for the community.
Economic Development Element	
Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life.	The drive-through facility is associated with a commercial shopping center development that will provide the City with tax revenues, as well as retail, restaurants, and commercial services that will benefit the entire Los Alamitos community.

D. This decision to conditionally approve the application for the conditional use permit is based on the entire administrative record which constitutes substantial evidence.

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 shall file a Notice of Determination.

SECTION 5. The decision of the Planning Commission is subject to a 20 day appeal period as specified in Chapter 17.68 of the Los Alamitos Municipal Code, after which such decision becomes final.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

ATTACHMENT 5

RESOLUTION NO. 16-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A CONDITIONAL USE PERMIT (CUP 16-09) TO ALLOW A RESTAURANT DRIVE-THROUGH FACILITY WITH 24-HOUR OPERATIONS ON PAD B FOR A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to a 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, an application for a Conditional Use Permit was submitted to operate a 24-hour drive-through facility on Pad A of the proposed shopping center; and,

WHEREAS, the verified application constitutes a request under Section 17.10.020 for a Conditional Use Permit for a 24-hour drive-through facility, in the General Commercial (C-G) zone; and,

WHEREAS, on October 26, 2016, the Planning Commission conducted a public hearing on the Proposed Project; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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 16-09 is hereby approved to allow the operation of a 24-hour drive-through facility on Pad B at a proposed commercial shopping center at 3131 Katella Avenue as depicted on the Site Plans attached hereto as Exhibit A and subject to the conditions attached hereto as Exhibit B. This approval is based on the following findings set forth in Section 3.

SECTION 3. The Planning Commission finds and determines as follows in relation to approving a drive-through with 24-hour operations, as set forth in Section 17.42.050:

- A. A determination that the use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

The Pad B 24-hour drive-through facility in the proposed commercial shopping center, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for retail and restaurant use and the project complies with all applicable building and development codes. The project will not foster circumstances that tend to generate nuisance conditions such as noise or traffic because: Pad B is located 160 feet from the nearest residence; the traffic queue is sufficient to accommodate 15 regular sized vehicles and if there is a queue beyond this, it will occur within the shopping center parking lot and will not affect surrounding streets; there is screening for the drive-through aisle along

Katella Boulevard; lighting from vehicles using the drive-through will not impact any surrounding residences in part due to the landscape screening; the menu board ordering area will not produce noise that can be heard from the closest residential uses; and the 24-hour operation is only for the drive-through which will prevent noise associated with car alarms, the shutting of vehicle doors, patrons utilizing the outdoor dining areas, and people carrying on conversations in the parking lots.

- B. That the use meets the required conditions and specifications set forth in the zoning district where it proposes to locate;

The Pad B 24-hour drive-through facility in a proposed commercial shopping center, as proposed and conditioned, meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this commercial development project complies with all of the development standards for the General Commercial (C-G) Zoning, with the exception of a sign height and sign area requirement for which a variance is being granted and which does not impact the 24-hour drive-through operations.

- C. That the location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan;

The land use designation for the property is Retail Business and the General Commercial zone, which allows this land use, is consistent with the Retail Business designation. The Pad B 24-hour drive-through facility for a proposed commercial shopping center, as proposed and conditioned, will be in harmony with the area in which it is to be located and in general conformity with the General Plan because the drive-through facility is compatible with the similar surrounding uses, and these types of projects are in fact intended to be built, in conformity with the City's General Plan, in this area, as more fully discussed below.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
Goal 2: Fiscally sustainable growth and economic development through a balanced mix of land uses and development types.	Restaurants with drive-through facilities are appropriate uses along Katella Avenue and will provide a convenience to customers using the I-605 freeway. The 24-hour drive-through facility is associated with a commercial shopping center development that will contribute to fiscally sustainable growth and economic development within the City.
Policy 2.2: Mix of land uses. Maintain a balanced mix of residential, retail, employment, industrial, open space, and public facility land uses.	Restaurants with drive-through facilities will contribute to a balanced mix of commercial uses, allowing the opportunity of diverse restaurants to be located within the City.
Policy 2.3: Maximize retail along Katella. Maximize community- and regional-scale retail opportunities along Katella Avenue. For parcels 10 acres or larger along Katella Avenue, support the conversion to community- and regional-scale retail.	Restaurants with drive-through facilities at this location will benefit the City as a whole and the proposed project contributes to advancing the regional-scale retail opportunities along Katella Avenue.
Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.	The drive-through facility is compatible with surrounding uses and is over 160 feet from the nearest residential uses within the Rossmoor neighborhood south of Katella Avenue.
Policy 3.1: Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.	The drive-through facility is designed to be compatible with surrounding residential uses. The landscape plan includes landscaping to screen the drive-through aisle. A noise impact analysis prepared for the EIR Addendum conducted noise analyses for the drive-through menu board and parking lot noise, which concluded that the proposed project will not cause noise standards to be exceeded at the nearest residential uses across Katella Avenue.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	The restaurant buildings and site plan that are associated with the drive-through facility include high-quality architecture, landscaping, site planning, signage, and lighting features, which demonstrate a sense of pride and identity within the western gateway of the City.
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.	Proposed conditions to the project ensure continual property maintenance and improvements that contribute to a sense of pride and identity for the community.
Economic Development Element	
Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life.	The drive-through facility is associated with a commercial shopping center development that will provide the City with tax revenues, as well as retail, restaurants, and commercial services that will benefit the entire Los Alamitos community.

- D. This decision to conditionally approve the application for the conditional use permit is based on the entire administrative record which constitutes substantial evidence.

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 shall file a Notice of Determination.

SECTION 5. The decision of the Planning Commission is subject to a 20 day appeal period as specified in Chapter 17.68 of the Los Alamitos Municipal Code, after which such decision becomes final.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

ATTACHMENT 6

RESOLUTION NO. 16-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A CONDITIONAL USE PERMIT (CUP 16-10) TO ALLOW A LARGE OUTSIDE SEATING AREA FOR A RESTAURANT USE ON PAD A IN A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to a 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, an application for a Conditional Use Permit (CUP) was submitted to allow a large outdoor seating area of 696 square feet for Pad A at the proposed shopping center; and,

WHEREAS, section 17.38.190 of the Los Alamitos Municipal Code requires a conditional use permit for a large outdoor seating area, which is a seating area greater than 300 square feet; and,

WHEREAS, the verified application constitutes a request under Section 17.10.020 for a Conditional Use Permit for a large outdoor seating, in the General Commercial (C-G) zone; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on October 26, 2016 at which time it considered all of the evidence presented, both written and oral; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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 16-10 is hereby approved for large outdoor seating for a restaurant use on Pad A in a proposed commercial shopping center at 3131 Katella Avenue as depicted on the Site Plans attached hereto as Exhibit "A" and subject to the conditions attached hereto as Exhibit "B". This approval is based on the following findings set forth in the following sections.

SECTION 3. The Planning Commission finds and determines as follows in relation to approving outdoor seating for Pad A, as set forth in Section 17.42.050:

- A. A determination that the use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

The Pad A large outdoor seating area in a proposed commercial shopping center, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for retail and restaurant use and the project complies with all applicable building and development codes. The project will not foster circumstances that tend to generate nuisance

conditions such as noise because the facility is located 160 feet from the nearest residence. The outdoor seating area will not interfere with pedestrian or vehicular ingress or egress.

- B. That the use does meet the required conditions and specifications set forth in the zoning district where it proposes to locate;

The Pad A large outdoor seating in a proposed commercial shopping center, as proposed and conditioned, meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this commercial development project complies with all of the development standards for General Commercial (C-G) Zoning, with the exception of a sign height and sign area requirement for which a variance is being granted which does not impact the large outdoor seating area. The conditions of approval will require compliance with the requirements of Los Alamitos Municipal Code section 17.38.190 regulating outdoor dining.

- C. That the location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos general plan;

The Pad A large outdoor seating in a proposed commercial shopping center, as proposed and conditioned, will be in harmony with the area in which it is to be located and in general conformity with the General Plan because the large outdoor seating is compatible with the similar surrounding uses, and these types of projects are in fact intended to be built, in conformity with the City's General Plan, in this area, as more fully discussed below.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
<p>Goal 2: Fiscally sustainable growth and economic development through a balanced mix of land uses and development types.</p>	<p>Large outdoor seating is an appropriate use along Katella Avenue and will contribute to providing a pedestrian-friendly environment and vibrant outdoor gathering spaces within the shopping center. The large outdoor seating area is associated with a commercial shopping center development that will contribute to fiscally sustainable growth and economic development within the City.</p>
<p>Policy 2.2: Mix of land uses. Maintain a balanced mix of residential, retail, employment, industrial, open space, and public facility land uses.</p>	<p>Restaurants and commercial uses with large outdoor seating areas will contribute to a balanced mix of commercial uses, allowing the opportunity of diverse restaurants and commercial uses to be located within the City.</p>
<p>Policy 2.3: Maximize retail along Katella. Maximize community- and regional-scale retail opportunities along Katella Avenue. For parcels 10 acres or larger along Katella Avenue, support the conversion to community- and regional-scale retail.</p>	<p>Restaurants with large outdoor seating areas at this location will benefit the City as a whole and the proposed shopping center project will contribute to advancing the regional-scale commercial and retail opportunities along Katella Avenue.</p>
<p>Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.</p>	<p>The large outdoor seating area is compatible with surrounding uses and is over 160 feet from the nearest residential uses within the Rossmoor neighborhood south of Katella Avenue.</p>
<p>Policy 3.1: Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.</p>	<p>The large outdoor seating area is designed to be compatible with surrounding residential uses. The design of the seating area and use of outdoor furniture will complement the proposed project's architecture and landscape design.</p>

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	The restaurant buildings and site plan that are associated with the large outdoor seating area include high-quality architecture, landscaping, site planning, signage, and lighting features, which demonstrate a sense of pride and identity within the western gateway of the City.
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.	Proposed conditions to the project ensure continual property maintenance and improvements that contribute to a sense of pride and identity for the community.
Economic Development Element	
Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life.	The large outdoor seating area is associated with a commercial shopping center development that will provide the City with tax revenues, as well as retail, restaurants, and commercial services that will benefit the entire Los Alamitos community.

- D. That the decision to conditionally approve the application for a conditional use permit is based on the entire administrative record which constitutes substantial evidence.

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 shall file a Notice of Determination.

SECTION 5. The decision of the Planning Commission is subject to a 20 day appeal period as specified in Chapter 17.68 of the Los Alamitos Municipal Code, after which such decision becomes final.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

ATTACHMENT 7

RESOLUTION NO. 16-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A CONDITIONAL USE PERMIT (CUP 16-11) TO ALLOW A LARGE OUTSIDE SEATING AREA FOR A RESTAURANT USE ON PAD B IN A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to a 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,,

WHEREAS, an application for a Conditional Use Permit (CUP) was submitted to allow a large outdoor seating area of 1,383 square feet for Pad B at the proposed shopping center; and,

WHEREAS, section 17.38.190 of the Los Alamitos Municipal Code requires a conditional use permit for a large outdoor seating area, which is a seating area greater than 300 square feet; and,

WHEREAS, the verified application constitutes a request under Section 17.10.020 for a Conditional Use Permit for a large outdoor seating, in the General Commercial (C-G) zone; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on October 26, 2016 at which time it considered all of the evidence presented, both written and oral; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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 16-11 is hereby approved for large outdoor seating for a restaurant use on Pad B in a proposed commercial shopping center at 3131 Katella Avenue as depicted on the Site Plans attached hereto as Exhibit "A" and subject to the conditions attached hereto as Exhibit "B". This approval is based on the following findings set forth in the following sections.

SECTION 3. The Planning Commission finds and determines as follows in relation to approving outdoor seating for Pad B, as set forth in Section 17.42.050:

- A. A determination that the use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

The Pad B large outdoor seating area in a proposed commercial shopping center, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for retail and restaurant use and the project complies with all applicable building and development codes. The project will not foster circumstances that tend to generate nuisance conditions such as noise because the facility is located 160 feet from the

nearest residence. The outdoor seating area will not interfere with pedestrian or vehicular ingress or egress.

- B. That the use does meet the required conditions and specifications set forth in the zoning district where it proposes to locate;

The Pad B large outdoor seating in a proposed commercial shopping center, as proposed and conditioned, meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this commercial development project complies with all of the development standards for General Commercial (C-G) Zoning, with the exception of a sign height and sign area requirement for which a variance is being granted which does not impact the large outdoor seating area. The conditions of approval will require compliance with the requirements of Los Alamitos Municipal Code section 17.38.190 regulating outdoor dining.

- C. That the location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos general plan;

The Pad B large outdoor seating in a proposed commercial shopping center, as proposed and conditioned, will be in harmony with the area in which it is to be located and in general conformity with the General Plan because the large outdoor seating is compatible with the similar surrounding uses, and these types of projects are in fact intended to be built, in conformity with the City's General Plan, in this area, as more fully discussed below.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
<p>Goal 2: Fiscally sustainable growth and economic development through a balanced mix of land uses and development types.</p>	<p>Large outdoor seating is an appropriate use along Katella Avenue and will contribute to providing a pedestrian-friendly environment and vibrant outdoor gathering spaces within the shopping center. The large outdoor seating area is associated with a commercial shopping center development that will contribute to fiscally sustainable growth and economic development within the City.</p>
<p>Policy 2.2: Mix of land uses. Maintain a balanced mix of residential, retail, employment, industrial, open space, and public facility land uses.</p>	<p>Restaurants and commercial uses with large outdoor seating areas will contribute to a balanced mix of commercial uses, allowing the opportunity of diverse restaurants and commercial uses to be located within the City.</p>
<p>Policy 2.3: Maximize retail along Katella. Maximize community- and regional-scale retail opportunities along Katella Avenue. For parcels 10 acres or larger along Katella Avenue, support the conversion to community- and regional-scale retail.</p>	<p>Restaurants with large outdoor seating areas at this location will benefit the City as a whole and the proposed shopping center project will contribute to advancing the regional-scale commercial and retail opportunities along Katella Avenue.</p>
<p>Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.</p>	<p>The large outdoor seating area is compatible with surrounding uses and is over 160 feet from the nearest residential uses within the Rossmoor neighborhood south of Katella Avenue.</p>
<p>Policy 3.1: Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.</p>	<p>The large outdoor seating area is designed to be compatible with surrounding residential uses. The design of the seating area and use of outdoor furniture will complement the proposed project's architecture and landscape design.</p>

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	The restaurant buildings and site plan that are associated with the large outdoor seating area include high-quality architecture, landscaping, site planning, signage, and lighting features, which demonstrate a sense of pride and identity within the western gateway of the City.
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.	Proposed conditions to the project ensure continual property maintenance and improvements that contribute to a sense of pride and identity for the community.
Economic Development Element	
Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life.	The large outdoor seating area is associated with a commercial shopping center development that will provide the City with tax revenues, as well as retail, restaurants, and commercial services that will benefit the entire Los Alamitos community.

- D. That the decision to conditionally approve the application for a conditional use permit is based on the entire administrative record which constitutes substantial evidence.

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 shall file a Notice of Determination.

SECTION 5. The decision of the Planning Commission is subject to a 20 day appeal period as specified in Chapter 17.68 of the Los Alamitos Municipal Code, after which such decision becomes final.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

ATTACHMENT 8

RESOLUTION NO. 16-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A CONDITIONAL USE PERMIT (CUP 16-12) TO ALLOW A LARGE OUTSIDE SEATING AREA IN FRONT OF SHOPS 1 IN A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to a 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, an application for a Conditional Use Permit (CUP 16-12) was submitted to allow a large outdoor seating/patio area of 7,846 square feet in front of Shops 1 at the proposed shopping center which will be for common usage; and,

WHEREAS, section 17.38.190 of the Los Alamitos Municipal Code requires a conditional use permit for a large outdoor seating area, which is a seating area greater than 300 square feet; and,

WHEREAS, the verified application constitutes a request under Section 17.10.020 for a Conditional Use Permit for a large outdoor seating, in the General Commercial (C-G) zone; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on October 26, 2016 at which time it considered all of the evidence presented, both written and oral; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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 16-12 is hereby approved for large outdoor seating/patio area in front of Shops 1 of the proposed commercial shopping center at 3131 Katella Avenue as depicted on the Site Plans attached hereto as Exhibit "A" and subject to the conditions attached hereto as Exhibit "B". This approval is based on the following findings set forth in the following sections.

SECTION 3. The Planning Commission finds and determines as follows in relation to approving outdoor seating in front of Shops 1, as set forth in Section 17.42.050:

- A. A determination that the use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

The Shops 1 large outdoor seating area in a proposed commercial shopping center, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for retail and restaurant use and the project complies with all applicable building and development codes. The project will not foster circumstances that tend to

generate nuisance conditions such as noise because the facility is located 160 feet from the nearest residence. The outdoor seating area will not interfere with pedestrian or vehicular ingress or egress.

- B. That the use does meet the required conditions and specifications set forth in the zoning district where it proposes to locate;

The Shops 1 large outdoor seating in a proposed commercial shopping center, as proposed and conditioned, meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this commercial development project complies with all of the development standards for General Commercial (C-G) Zoning, with the exception of a sign height and sign area requirement for which a variance is being granted which does not impact the large outdoor seating area. The conditions of approval will require compliance with the requirements of Los Alamitos Municipal Code section 17.38.190 regulating outdoor dining.

- C. That the location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos general plan;

The Shops 1 large outdoor seating in a proposed commercial shopping center, as proposed and conditioned, will be in harmony with the area in which it is to be located and in general conformity with the General Plan because the large outdoor seating is compatible with the similar surrounding uses, and these types of projects are in fact intended to be built, in conformity with the City's General Plan, in this area, as more fully discussed below.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
<p>Goal 2: Fiscally sustainable growth and economic development through a balanced mix of land uses and development types.</p>	<p>Large outdoor seating is an appropriate use along Katella Avenue and will contribute to providing a pedestrian-friendly environment and vibrant outdoor gathering spaces within the shopping center. The large outdoor seating area is associated with a commercial shopping center development that will contribute to fiscally sustainable growth and economic development within the City.</p>
<p>Policy 2.2: Mix of land uses. Maintain a balanced mix of residential, retail, employment, industrial, open space, and public facility land uses.</p>	<p>Commercial uses with large outdoor seating areas will contribute to a balanced mix of commercial uses, allowing the opportunity of diverse restaurants and commercial uses to be located within the City.</p>
<p>Policy 2.3: Maximize retail along Katella. Maximize community- and regional-scale retail opportunities along Katella Avenue. For parcels 10 acres or larger along Katella Avenue, support the conversion to community- and regional-scale retail.</p>	<p>Large outdoor seating areas at this location will benefit the City as a whole and the proposed shopping center project will contribute to advancing the regional-scale commercial and retail opportunities along Katella Avenue.</p>
<p>Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.</p>	<p>The large outdoor seating area is compatible with surrounding uses and is over 160 feet from the nearest residential uses within the Rossmoor neighborhood south of Katella Avenue.</p>
<p>Policy 3.1: Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.</p>	<p>The large outdoor seating area is designed to be compatible with surrounding residential uses. The design of the seating area and use of outdoor furniture will complement the proposed project's architecture and landscape design.</p>

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	The buildings and site plan that are associated with the large outdoor seating area include high-quality architecture, landscaping, site planning, signage, and lighting features, which demonstrate a sense of pride and identity within the western gateway of the City.
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.	Proposed conditions to the project ensure continual property maintenance and improvements that contribute to a sense of pride and identity for the community.
Economic Development Element	
Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life.	The large outdoor seating area is associated with a commercial shopping center development that will provide the City with tax revenues, as well as retail, restaurants, and commercial services that will benefit the entire Los Alamitos community.

- D. That the decision to conditionally approve the application for a conditional use permit is based on the entire administrative record which constitutes substantial evidence.

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 shall file a Notice of Determination.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

Mary Anne CUILTY, 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 16th day of November, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

ATTACHMENT 9

RESOLUTION 16-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A CONDITIONAL USE PERMIT (CUP 16-13) TO ALLOW OFF-SITE ALCOHOLIC BEVERAGE SALES AND INSTRUCTIONAL TASTINGS FOR A MARKET LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Proposed Project also includes an up to a 120 foot tall freeway pylon sign (the "Proposed Project"); and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, one of the uses that is proposed for the major stores is for a market; and,

WHEREAS, in addition to having the traditional sale of alcoholic beverages for off-site consumption, the market also intends to provide instructional tasting of alcoholic beverages; and,

WHEREAS, the market will submit for the following types of licenses with the California Department of Alcoholic Beverage Control (ABC): Type 21 – Off-Sale General and Type 86 – Instructional Tasting License; and,

WHEREAS, a business with alcohol beverage sales is allowed by a CUP in accordance with Section 17.10.020, Table 2-04 of the Los Alamitos Municipal Code in the General Commercial (C-G) Zoning District; and,

WHEREAS, an application for a Conditional Use Permit (CUP) for alcohol at the proposed market was submitted to the City; and,

WHEREAS, on October 26, 2016, the Planning Commission conducted a public hearing on the Proposed Project; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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 16-13 for the off-site sale of alcoholic beverages and instructional tastings, is hereby approved subject to the conditions attached hereto as Exhibit A. This approval is based on the following findings set forth in Section 3.

SECTION 3. The Planning Commission finds and determines as follows in relation to approving a drive-through with 24-hour operations, as set forth in Section 17.42.050:

- A. A determination that the use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will or will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.

The use as a market with sales of alcohol at 3131 Katella Avenue as conditioned will not endanger the public health, safety or general welfare as alcohol sales in conjunction with a market is a common occurrence. Providing instructional tastings at the market will not change or interfere with the nature of the market use as it will take place in a limited area, the amount of alcohol to be dispensed will be limited, and will occur in accordance with ABC rules and regulations. The approvals do not allow on-site consumption except for very limited amounts during instructional tastings which will be under supervision. Conditions have been added to help insure that the alcohol sales and the instructional tastings do not become problematic. Additionally, the sales and tastings are subject to ABC regulations.

- B. That the use meets the required conditions and specifications set forth in the zoning district where it proposes to locate;

The use as a market with sales of alcohol and instructional tastings at 3131 Katella Avenue meets the required conditions and specifications set forth in the General Commercial (C-G) Zoning District and are a conditionally permitted use in the zone. Providing instructional tastings at the market will not change or interfere with the nature of the market use as it will take place in a limited area, the amount of alcohol to be dispensed will be limited, and will occur in accordance with ABC rules and regulations.

- C. The off-site alcohol sales and instructional tastings, when developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan;

A market with alcohol beverage sales and instructional tastings at 3131 Katella Avenue when developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan: The Los Alamitos General Plan designates this site for Retail Business which is consistent with the General Commercial Zone. "Retail Business" land use designation is described on Table 2: Land Use Designations (page 17) in the land Use Element of the General Plan as "Commercial retail uses that include supermarkets, drugstores, personal services, restaurants, and facilities that offer a variety of retail products." Allowing these uses will enhance the market and help ensure that it is successful, thereby fulfilling the goal of the General Plan for fiscally sustainable growth and economic development through a balanced mix of land uses and development types, as well as the policies to maximize retail along Katella.

- D. This decision to conditionally approve the application for the conditional use permit is based on the entire administrative record which constitutes substantial evidence.

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 shall file a Notice of Determination.

SECTION 5. The decision of the Planning Commission is subject to a 20 day appeal period as specified in Chapter 17.68 of the Los Alamitos Municipal Code, after which such decision becomes final.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016.

Mary Anne Cuijly, 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 16th day of November 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

RESOLUTION NO. 16-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A PLANNED SIGN PROGRAM (PSP 16-02) FOR A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, the Planned Sign Program for the Proposed Project includes five tenant and entry monument signs, up to 15 feet in height, and an entry tenant wall up to 12 feet in height along Katella Avenue, tenant identification and signs located within the site, and a 120 foot freeway pylon sign with an aggregate area of 3,050 square feet, inclusive of an up to 555 square foot digital commercial center identification sign area, all as more particularly shown on Exhibit A, attached hereto; and,

WHEREAS, Section 17.28.060 of the Los Alamitos Municipal Code requires a planned sign program whenever a parcel will have permanent signage that exceeds five signs or an aggregate area of two hundred square feet; and,

WHEREAS, the verified application constitutes a request under Section 17.28.060 for a Planned Sign Program; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on October 26, 2016 at which time it considered all of the evidence presented, both written and oral; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project and Resolution No. 16-19 approving the Site Plan for the Proposed Project;

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. The Planning Commission hereby makes the following findings as required by the Los Alamitos Municipal Code Section 17.28.060 (Planned Sign Program):

- A. The proposed signs satisfy the intent of this chapter and the general plan;

The proposed Planned Sign Program satisfies the intent of Chapter 17.28 (Signs) and the Los Alamitos General Plan. The General Plan contemplates retail development on the Super Media Site. Chapter 17.28 specifically recognizes that the primary purpose of signage is to identify, locate, and encourage businesses and events and the purpose of the Chapter is provide a balance between satisfying such purpose while protecting the visual appearance of the community's character and eliminating potential traffic and safety hazards to motorists and pedestrians. The purpose of the Planned Sign Program is to provide flexibility from a strict application of the code while encouraging, in part, good design and better visibility. The Planned Sign Program will provide for adequate identification of the shopping center while promoting good design.

The proposed Planned Sign Program also satisfies the intent of the General Plan by implementing the Katella + Los Alamitos Commercial

Corridors Plan ("Corridors Plan"), as further described in the Addendum's discussion of impacts on aesthetics and land use. The Proposed Project site is within the Corridors Plan area, which the General Plan describes as representing the City's vision for development. One of the objectives of the Corridors Plan is to enhance the City's sense of identity along the corridors, which include Katella Avenue, and at key gateways, including the Proposed Project site which is identified as the "Western Gateway." The Corridors Plan notes that "overall there is a lack of identifying features or landmarks in Los Alamitos that visually set it apart from adjacent communities." The Planned Sign Program allows the Proposed Project to make a prominent "visual statement" and create a major gateway or landmark feature that will enhance the City's identity through, for example the freeway pylon sign and the use of tower elements, all as further discussed in the staff report and Addendum.

- B. The proposed signs complement and are in harmony with the design of the building; incorporate several common design elements (e.g., materials, letter style, colors, illumination, sign-type or sign shape); and, incorporate materials, colors or design motifs included in the structure being identified.

The proposed Planned Sign Program is consistent and complementary to the design elements of the Proposed Project, including building materials, letter style, colors, illumination, sign-type, and sign shape. The proposed Planned Sign Program also incorporates materials, colors, and design motifs included in the structures being identified. As further discussed in the Aesthetics and Land Use sections of the Addendum, the Planned Sign Program would ensure that signs on the Proposed Project site compliment the architecture and design scheme of the Proposed Project, while also creating the opportunity for a major gateway or landmark feature at the western entrance to Los Alamitos on Katella Avenue. The Proposed Sign Program also sets forth detailed specifications to ensure the maintenance and quality of the sign as businesses in the center change over many years.

- C. The approval of a planned sign program will not adversely affect surrounding land uses or obscure adjacent conforming signs.

The proposed Planned Sign Program will not adversely affect surrounding land uses as the nearest residential uses are located across from Katella Avenue, nearly 150 feet from the project site. The adjoining middle school and civic center properties will not be affected by the proposed signage. There are no adjacent signs that will be impacted by the proposed signage. The Aesthetics and Land Use discussions in the Addendum provide further evidence in support of this finding.

- D. That the decision to conditionally approve the application for a conditional use permit is based on the entire administrative record which constitutes substantial evidence.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Planned Sign Program 16-06, as shown in Exhibit A, attached hereto and incorporated herein by reference, subject to the conditions set forth in Exhibit B.

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 shall file a Notice of Determination.

SECTION 5. The decision of the Planning Commission is subject to a 20 day appeal period as specified in Chapter 17.68 of the Los Alamitos Municipal Code, after which such decision becomes final.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

Mary Ann CUILTY, 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 the Planning Commission held on the 16th day of November, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven A. Mendoza, Secretary

RESOLUTION NO. 16-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS APPROVING A VARIANCE (VAR 16-02) TO ALLOW A HEIGHT LIMIT AND SIGN AREA INCREASE FOR A FREEWAY PYLON SIGN FOR A SHOPPING CENTER PROJECT LOCATED AT 3131 KATELLA AVENUE, APN 242-212-09 (APPLICANT: KATELLA PROPERTY OWNER, LLC)

WHEREAS, on or about May 18, 2016, Katella Property Owner, LLC filed applications to allow the development of a shopping center at 3131 Katella Avenue (the "SuperMedia Site") which applications were later supplemented to provide that the shopping center could include up to 113,880 square feet and to cover additional supporting improvements ("Proposed Project"); and,

WHEREAS, the Proposed Project is anticipated to provide a mix of retail, commercial and restaurant tenants, inclusive of a supermarket, personal services, and other retailers that offer a variety of products. The site plan shows the conceptual arrangement of buildings and parking areas, the size and location of the pedestrian spaces and landscaping, and how the features relate to one another. The five buildings of retail uses would be organized in a linear pattern along the northern edge of the property. Two pad buildings are proposed along Katella Avenue and would provide access for vehicles and pedestrian walkways, as well as adding massing variety to the streetscape. Restaurants and other retail, including restaurants with drive-through facilities, are proposed for Pads A and B. There will be outdoor dining patios on Pads A and B, each of which will be associated with a restaurant use. Additionally, there is an outdoor patio area in front of Shops 1 that will provide a gathering and seating area for visitors to the Shopping Center; and,

WHEREAS, the Site Plan shows 105,880 square feet of development but the CEQA analysis was for a total of 113,880 square feet of development; and,

WHEREAS, the Proposed Project will require the demolition of two office buildings consisting of 150,342 square feet; and,

WHEREAS, the Planned Sign Program for the Proposed Project includes five tenant and entry monument signs, up to 15 feet in height, and an entry tenant wall up to 12 feet in height along Katella Avenue, tenant identification and signs located within the site, and a 120 foot freeway pylon sign with an aggregate area of 3,050 square feet, inclusive of an up to 555 square foot digital commercial center identification sign area, all as more particularly shown on Exhibit A, attached hereto; and,

WHEREAS, one of the submitted applications includes a request for a variance which is required to exceed both the 20 foot height limit and 50 square foot sign area

limit, which verified application constitutes a request as required by Chapter 16.56 (Variances) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on October 26, 2016 at which time it considered all of the evidence presented, both written and oral; and,

WHEREAS, the public hearing was continued to November 16, 2016 and the hearing was renoticed; and,

WHEREAS, the Planning Commission took into consideration all evidence presented at the hearings, both written and oral, as well as the entire administrative record, including but not limited to the City staff reports, the Addendum and technical studies to the Addendum all of which are incorporated herein by reference; and,

WHEREAS, prior to approving this Resolution the Planning Commission approved Resolution No. 16-18 approving the Addendum for the Proposed Project, Resolution No. 16-19 approving the Site Plan for the Proposed Project and Resolution No. 16-27 approving the Planned Sign Program;

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. The Planning Commission hereby makes the following findings as required by Los Alamitos Municipal Code Section 17.56.050 (Findings and Decisions):

- A. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this zoning code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

The Proposed Project site has two major roadway frontages—Katella Avenue and the I-605 freeway. The Los Alamitos Municipal Code generally allows for placement of signage on commercial properties along each major roadway frontage. Chapter 17.28 of the Los Alamitos Municipal Code specifically recognizes that the primary purpose of signage is to identify, locate and encourage businesses and events. As the I-605 freeway property frontage is located adjacent to an elevated portion of the I-605 freeway, signage at the allowed height and size would be useless to meet the purpose as to motorists on the I-605 freeway. The Project Site's grade is approximately 50 feet below the freeway's grade. The Municipal Code limits freestanding signage in the CG zone to 20 feet in height and 50 square feet in sign area; therefore, absent a variance,

signage would not be visible from the I-605. Signage is critical to the economic viability of commercial centers; therefore, the Municipal Code's requirements would deny the property owner a privilege enjoyed by other property owners within zoning districts intended for commercial use.

- B. Granting the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

The variance would apply to installation of a freeway-oriented sign only. Signage is expressly permitted in the Zoning Code for commercial facilities within the City of Los Alamitos. The variance is necessitated by the site's grade difference with the adjacent freeway, an atypical condition for commercially-zoned land in the City of Los Alamitos. The granting of the required variance would allow the property to be developed with signage that is visible from adjacent major roadways, thereby ensuring the economic viability of the proposed commercial center. The placement of signage that is visible from adjacent roadways is permitted for similar commercial zones across the City; therefore, the granting of the variance would not constitute any granting of special privilege that is inconsistent with the limitations of other properties in the same zoning district.

- C. Granting the variance would not authorize a use or activity that is not otherwise expressly authorized by the zoning district regulations governing the subject property.

The variance would apply to installation of a freeway-oriented sign above the maximum allowed height and sign area only. Signage is expressly permitted in the Zoning Code for commercial facilities within the City of Los Alamitos. The granting of the required variance for increased height would not authorize a use or activity that is not otherwise expressly authorized by the Zoning Code for this property.

- D. That the decision to conditionally approve the application for a conditional use permit is based on the entire administrative record which constitutes substantial evidence.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Variance 16-02 for the pylon sign depicted in Exhibit A and subject to the conditions listed in Exhibit B.

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 shall file a Notice of Determination.

PASSED, APPROVED, AND ADOPTED this 16th day of November, 2016, by the following vote:

Mary Ann CUILTY, 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 the Planning Commission held on the 16th day of November, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven A. Mendoza, Secretary

EXHIBIT A
For Attachments: 2, 4, 5, 6, 7, 8, 9, 10, 11

VILLAGE 605 SHOPPING CENTER PROJECT
CONDITIONS OF APPROVAL
SPR 16-04
CUP 16-08, 16-09, 16-10, 16-11, 16-12, and 16-13
VAR 16-02
PSP 16-02

GENERAL CONDITIONS

1. Approval of this application is to develop up to a 113,880-square foot shopping center at 3131 Katella Avenue (APN 242-212-09) with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a Site Plan Review, Variance, Planned Sign Program, and Conditional Use Permits noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be in substantial compliance (as determined by the Development Services Director) with such project approvals. Any amendments or modifications to the site plan that are greater than 113,880 square feet of building area will require Planning Commission approval and may be subject to the California Environmental Quality Act.
2. The Applicant shall defend, indemnify, and hold the City (including its agents, officer and employees [together, "Indemnified Parties"]) harmless from any claim, action or proceeding against the City and/or any Indemnified Parties to attack, set aside, void or annul any City approval relating to this project, other than a challenge to the vesting tentative map, with legal counsel of City's choosing. The City shall promptly notify Applicant of any claim, action or proceeding and shall cooperate fully in the defense. If City fails to promptly notify applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify or hold City and/or Indemnified Parties harmless. The City shall not settle any claim, action or proceeding without consent of the Applicant. 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 rights set forth herein.
3. The applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property owner 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.
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. The Developer shall encourage all contractors and subcontractors on the site to participate in directing local tax to the City of Los Alamitos wherever possible when the construction contract is equal to or greater than \$5,000,000 by encouraging them to exercise their option to obtain a Board of Equalization sub-permit for the job site and allocate all eligible use tax payments to the City of Los Alamitos.
6. As and when required by state law, Out-of-state retailers who are engaged in business in California and collect use tax on single interstate sales of \$500,000 or more for this project shall report the local tax on the transaction Form BOE-531F (Schedule F) to the City of Los Alamitos.
7. Approval of Site Plan Review 16-04; Variance 16-02; Planned Sign Program 16-02; and Conditional Use Permits 16-08, 16-09, 16-10, 16-11, 16-12, and 16-13 shall be valid for a period of eighteen (18) months from the date they are approved. If construction is commenced within this eighteen (18) month period and construction is being pursued diligently toward completion, or if the applicant demonstrates that within eighteen (18) months of the date of the project approvals, it has diligently pursued project financing or other permits needed for the project prior to construction permit issuance, then the approvals shall stay in full force and effect.
8. All mitigation measures set forth in the Mitigation Monitoring and Reporting Program set forth in Exhibit A of Resolution No. 16-18 1 are hereby incorporated as conditions of approval.
9. All Project Design Features referenced in the Addendum are hereby incorporated as conditions of approval. These are:

PDF 1-1 [Electronic Project Identification Sign]

The Proposed Project includes a sign program, in which the applicant will operate the electronic message board in accordance with the following standards for operation:

- Duration of Message: The duration of each display will be a minimum of 4 seconds.
- Transition Time: The transition time between messages will be no more than 4 seconds.

- **Brightness:** Brightness of the sign must adjust to changes in ambient lighting levels.

PDF 12-1 [Temporary Construction Noise Barrier]

The applicant is incorporating the following best management practices relating to construction of the Proposed Project:

- In accordance with the Los Alamitos Municipal Code hours of construction will be limited to hours of lesser noise sensitivity with heavy equipment to operate from 7 a.m. to 8 p.m. on weekdays and Saturdays, excluding federal holidays.
- Prior to the start of construction activities, the contractor will install a temporary 15-foot-high noise barrier adjacent to the northern and eastern property line. The barrier shall be solid and may consist of acoustical blankets, plywood, or other material with a transmission loss of at least 15 dBA.
- Prior to the start of construction activities, the contractor will install a temporary 8-foot-high noise barrier along the southern property line along Katella Avenue. The barrier shall be solid and may consist of acoustical blankets, plywood, or other material with a transmission loss of at least 8 dBA. The temporary barrier along Katella Avenue will remain in place during the Demolition, Site Prep, and Grading construction phases, and may be removed during Building Construction and Paving phases.
- Construction vehicles and equipment (fixed or mobile) will be equipped with properly operating and maintained mufflers.
- Haul routes and construction-related traffic will be restricted. [See PDF 16-3, Traffic and Transportation]
- Material stockpiles and/or vehicle staging areas will be located as far as practical from dwelling units. [See PDF 16-3, Traffic and Transportation]
- Backup audible warning devices will be replaced 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.
- Where feasible, the grading contractor will coordinate with management of the school facilities to schedule the noisiest activities during periods of lesser sensitivity. Such coordination could be to not operate large equipment close to outdoor student assembly areas when outdoor recreation is in progress, or when the school facility is not occupied.

12-2 [Permanent Sound Wall]

A 6-foot high block wall will be constructed along the northern Project Site property line abutting Oak Middle School.

12-3 [Load Dock Screen Walls]

12-foot high block screen ("wing") walls will be constructed along the loading dock areas.

PDF 16-1 [Los Alamitos Blvd./Cerritos Ave. Intersection]

The following roadway improvements at the Los Alamitos Boulevard at Cerritos Avenue intersection will be implemented prior to the issuance of a Certificate of Occupancy unless the City Engineer determines this PDF is redundant as a result of the implementation of the Los Alamitos Boulevard Median Improvement Project.

- Restripe the eastbound right-turn lane along Cerritos Road to provide a shared through/right-turn lane. Restripe the eastbound departure and provide a third eastbound (receiving) through lane. On-street parking along the south side of Cerritos Avenue is currently prohibited where approximately 270 feet of red curb markings exist. Depending on final design, the restriping improvements will require up to 150 feet of additional red curb installation/parking restrictions, resulting in the loss of street parking by approximately 6 vehicles.
- Modify the existing traffic signal, pavement markings and signs per the City of Los Alamitos Standard Design Guidelines and/or CA Manual on Uniform Traffic Control Devices (MUTCD) to reflect the above roadway restriping. Implementation of this improvement will require the approval of the City of Los Alamitos.

PDF 16-2 [Civic Center Drive/Katella Avenue]

The applicant will, in coordination with the City of Los Alamitos:

- Lengthen the left-turn pocket from Katella Avenue onto Civic Center Drive to 450 feet of storage with 120 feet of transition.
- Design the Civic Center Drive access point to provide adequate storage for forecast queue lengths, either by widening and restriping the northern leg of the intersection of Civic Center Drive at Katella Avenue to provide an exclusive southbound left-turn lane, a shared left-right-turn lane, and two inbound lanes or by providing two exclusive left turn lanes and an exclusive right-turn lane with a single inbound lane.
- Relocate the driveway access to Los Alamitos City Hall as far north as possible.

- Modify the northeast corner of Civic Center Drive at Katella Avenue to provide a compound curb radii of 50 to 15 feet.
- Maintain adequate sight distance for Proposed Project driveways by minimizing obstructions (i.e., landscaping and/or hardscape) within the "limited use area" on either side of the Proposed Project driveways. Landscaping and/or hardscapes will be designed such that a driver's clear line of sight is not obstructed and does not threaten vehicular or pedestrian safety, as determined by the City Traffic Engineer.
- To accommodate the turning requirements of a WB-65 large truck into the Proposed Project Site, unless otherwise directed by the City Traffic Engineer, the median on the west leg of the intersection of Civic Center Drive at Katella Avenue should be set back 20 feet to accommodate the eastbound left-turn inbound movement and a compound curb return radii of 50 to 15 feet be implemented to accommodate the westbound right-turn inbound movement. Within the Proposed Project Site, it is recommended that a curb return radii of 70 feet be implemented at the north end of the main drive aisle into the site and a curb return radii of 50 feet be implemented in the southwest portion of the site.

PDF 16-3 [Construction Management Plan]

A Construction Management Plan will be prepared by the applicant in coordination with the City of Los Alamitos, to address the following topics as determined necessary by the City Engineer:

- Ingress and egress for the construction traffic would be via the site right-turn in/out only driveway located along Katella Avenue with a flagman to assist with right-turn egress from to site to westbound Katella Avenue.
- Traffic control for any street closure, detour or other disruption to traffic circulation.
- Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles piping, windows, etc.), to access the site, traffic controls and detours and proposed construction phasing plan for the Project.
- Identify parking needs and parking areas for construction related equipment and workman support.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.

- Require the Applicant to keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Applicant will clean adjacent streets, as directed by the City Engineer (or representative of the City Engineer) of any material which may have been spilled, tracked or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads will be allowed between the hours of 8:30 AM and 3:30 PM only, Monday through Friday, unless approved otherwise by the City Engineer (exact hours to be determined by the City Engineer). Hauling or transport may be permitted/required during nighttime hours, weekends or Federal holidays, at the discretion of the City Engineer. All hauling/delivery access to and from the site will be from Katella Avenue. An approved Haul Route Permit will be required from the City.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.
- If hauling operations cause any damage to existing pavement, street, curb and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All constructed-related parking and staging of vehicles will be kept out of the adjacent public roadways and parking lots and will occur on-site.
- This Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as City of Los Alamitos requirements.

PLANNING

10. Approval of Site Plan Review 16-04 is initially for 105,880 square feet of retail shopping center building area. The Project entitlement approved by the review authority also includes ministerial substantial compliance design flexibility to add an additional 8,000 square feet of building area (113,880 total square feet). The Development Services Director may only make a substantial compliance determination if:
 - The buildings remain in the same general configuration
 - There is no reduction of parking spaces beyond that required by the Los Alamitos Municipal Code (without an off-site parking sharing agreement to off-set the reduction below code) and the applicant is not in default of any shared parking agreement with the City regarding the Los Alamitos Recreation and Community Services facility.

- There is no change in the circulation pattern of the parking areas
 - There is no reduction in width of any drive aisle space as shown in the Site Plan
 - Any amendments modifications to the site plan that are greater than 113,880 square feet of building area will require Planning Commission approval and may be subject to the California Environmental Quality Act.
11. The applicant and the City of Los Alamitos will enter into a shared parking agreement subject to such terms and conditions that are mutually agreeable, but that at a minimum will allow users of the Los Alamitos Recreation and Community Services Facilities to use up to 25 parking spaces in the shopping center.
 12. The existing chain link fence between the Applicant's property and the City's property shall be removed and the applicant shall provide a gate at the northeast corner of the project site. The design and location of the gate are subject to the approval by the Development Services Director and shall be identified on the approved site plan.
 13. The applicant shall relocate the Civic Center parking lot vehicle access driveway further north as indicated on the approved site plan without permanently and materially impeding the Public Works' storage yard access gate.
 14. The applicant shall operate uses within the project site in a manner that does not constitute a nuisance.
 15. Prior to issuance of a building permit for any fences and/or walls, the specific design, placement, screening, height, and other design components of the proposal shall be reviewed for substantial compliance with the approvals granted by the review authority by the Director of Development Services. Any fence and/or wall design proposed to occur on the property shall be compatible with the overall project design, as determined by the Director of Development Services.
 16. Prior to the issuance of any building permit, the design, location, and placement of required screening for rooftop or ground - level equipment (e.g., parapets, fencing, panels, etc.) shall be reviewed for substantial compliance with the approvals granted by the review authority by the Director of Development Services. As directed, minor revisions to the parapet design or other building elevation design elements shall be made to ensure that all rooftop equipment is adequately screened to the satisfaction of the Director of Development Services.
 17. The applicant shall provide, as a minimum, trash enclosures that each hold two standard dumpsters for solid waste and recycling, with five (5) foot by eight (8)

foot clear interior dimension for each dumpster, including a solid roof designed to the satisfaction of the Director of Development Services. 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. The location of the trash enclosures will be consistent with the Site Plan included in the submittal packet dated October 10, 2016.

18. Parking spaces shall be dimensioned not less than 9 feet by 19 feet for all spaces, except the extra compact spaces, as required by Los Alamitos Municipal Code chapter 17.26 and accessible spaces. Compact spaces shall be dimensioned not less than 8 feet by 17 feet.
19. All compact parking spaces shall be clearly marked as compact spaces.
20. The 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.
21. The parcel's landscape and parking lot shall be maintained in good, clean condition at all times.
22. Bicycle racks and/or storage shall be installed as required by the Cal Green code.

Landscaping Conditions

23. Landscaping shall be installed in accordance with the Conceptual Landscape Plan included in the Site Plan submittal packet dated October 10, 2016 and changes that were required by the Commission. Developer shall install a minimum of 15 percent landscaping in accordance with Section 17.20.030 (Landscaping Area Requirements) of the Los Alamitos Municipal Code.
24. A landscape Irrigation Plan prepared by a licensed landscape architect shall be submitted to the Development Services 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.

25. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation), Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code, and any provisions in the California Green Code.
26. Trees shall be planted outside of any Sight Safety Triangle (as defined in Los Alamitos Municipal Code Section 17.16.140) or be trimmed to eight feet from above the adjacent top of curb.

Lighting Conditions

27. The applicant shall submit specifications for the proposed on-site light poles and light pole base for review by the Development Services Department.
28. Photometric data must be provided to demonstrate that the parking area will meet one (1) foot-candle of minimum maintained illumination per square foot of parking surface, over the entire paved area. The parking area shall be illuminated from dusk until the termination of business every operating day.
29. Said lighting shall be constructed by using sufficient poles and fixtures so that the lighting is evenly distributed over the surface and does not impact adjacent public and/or private properties.
30. Lighting shall be shielded from neighboring properties and directed at a specific task or target. Exposed bulbs are prohibited.
31. Prior to permit issuance, applicant shall submit a lighting plan to the Development Services Department to the satisfaction of the Director of Development Services.
32. 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.
33. The applicant shall provide an illuminated uniform address number near the entryway of each building, or other location acceptable to the Director of Development Services.
34. All utility service lines shall be placed underground.

35. All utilities, 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 building shall be separately metered.

Signage Conditions

36. Signage shall conform to Chapter 17.28 of the Los Alamitos Municipal Code or Var. 16-02 and the approved Planned Sign Program (PSP 16-02).
37. All signage, including the freeway monument sign shall prohibit off-site advertising.
38. The electronic message board sign shall be operated in accordance with PDF 1-1 above.

Alcohol Use Conditions (Market, Parcel 1)

39. Approval of CUP 16-13 is for Type 21 (Off-Sale General) and Type 86 (Instructional Tasting License) only. Any request to modify these license types shall require approval from the Planning Commission.
40. Prominent, permanent signs stating: (1) "No loitering is allowed on or around these premises" and, (2) "No open alcoholic beverage containers are allowed on these premises" shall be posted in places clearly visible to patrons in common areas, parking lots, and outdoor seating areas (unless those areas have been approved by the Alcohol Control Board and an additional Conditional Use Permit is obtained from the City). Prior to posting, all signs shall be submitted to the City for review and approval to ensure compliance with the Los Alamitos Municipal Code.
41. Advertising alcoholic beverage products on the windows or the building is prohibited.
42. The hours for selling alcohol shall conform to any codes required by the California Department of Alcoholic Beverage Control.
43. No person under the age of 21 shall be allowed in the sampling or tasting areas.
44. The permittee shall not allow any consumer to leave the instructional tasting area with an open container of alcohol.
45. An instructional tasting event may only take place between the hours of 10 A.M. and 9 P.M.

46. Samples of alcohol shall be offered without charge of a fee, except for personal consultations by appointment and lectures and wine and beer education classes in which a fee is charged.
47. A single tasting of distilled spirits shall not exceed one-fourth of one ounce and a single tasting of wine shall not exceed one ounce. No more than three tastings of distilled spirits or wine shall be provided to any person on any day. The tasting of beer is limited to eight ounces of beer per person per day. The wine, beer, or distilled spirits tasted shall be limited to the products that are authorized to be sold by the holder of the type 86 license under its requisite off-sale license.
48. At all times during a tasting event, the tasting event area shall be separated from the remainder of the off-sale licensed premises by a wall, rope, cable, cord, chain, fence, or other permanent or temporary barrier. The applicant shall prominently display signage prohibiting persons under 21 years of age from entering the tasting event area.
49. The permittee shall obey all rules, regulations, and conditions imposed upon the project through, but not limited to, the Alcoholic Beverage Commission (ABC) and relevant State laws.

Drive-Through Conditions (Pads A and B, Parcel 4 and 5)

50. The applicant shall provide the landscape screening of the drive-through aisles along Katella Avenue to buffer the visibility of the drive-throughs and shield the headlights associated with the drive-through operations.
51. Sound from the drive-through menu boards shall not exceed the allowable municipal noise standard for the residential properties south of Katella Avenue.
52. The ordering and pick-up of food and beverages using drive-through facilities is only permitted from a motorized/electric vehicle; any other means used to access drive-through facilities, including without limitation, pedestrian and bicycle, are prohibited.
53. The 24-hour operations shall be limited to the drive-through operations only; restaurants associated with the drive-through shall be required to close at 10:00 p.m.

Outdoor Seating Area Conditions (Shops 1 and Pads A and B; Parcel 1, 4, and 5)

54. The applicant shall submit floor plans of the outdoor seating areas and specifications for all outdoor furniture and fencing delineating the outdoor seating area to the Development Services Department for approval. Except in the event that it is required by the California Department of Alcoholic Beverage Control or the City of Los Alamitos Municipal Code, fencing of outdoor seating areas is not

required. These plans and specifications must comply with the requirements of Los Alamitos Municipal Code section 17.38.190.

Noise Conditions

55. The project shall comply with all requirements of Chapter 17.24, Noise Control, of the Los Alamitos Municipal Code.
56. The project will comply with PDF 12-2 and PDF 12-3 above.

Construction Conditions

57. The project will comply with PDF 12- 1 above.
58. During construction, the applicant will display a sign visible to the public from Katella with a contact number of the construction superintendant to address any questions or concerns about demolition, grading, and construction activities.
59. Hours and days of 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 Director of Development Services.
60. 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.
61. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation. The contractor must use one of the City's approved solid waste haulers.

ENGINEERING

62. Prior to issuance of an Encroachment Permit, the applicant shall submit Improvement Plans for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance. The applicant shall submit to the Public Works Department 24" x 36" reproducible street improvement plans, as prepared by a California Registered Civil Engineer, for approval. The plans shall clearly show existing and proposed surface and underground improvements, including construction and/or replacement of any missing or damaged public improvements adjacent to this development. Said plans shall include, but not be limited to, the following:

- | | |
|--|-------------------------------|
| a) Curb and gutter | h) Domestic water facilities |
| b) Sidewalk, including curb ramps for the physically disabled | i) Reclaimed water facilities |
| c) Drive aprons | j) Sanitary sewer facilities |
| d) Signing/striping | k) Landscape/irrigation |
| e) Street paving | l) Dry utility lines |
| f) Street lighting | m) Traffic signal |
| g) Catch basin/storm drain laterals/connection to existing storm drain system. | |

63. Current Federal Americans with Disabilities Act (ADA) requirements shall be met at all driveways and sidewalks adjacent to the site. City of Los Alamitos standards shall apply, unless otherwise approved by the City Engineer.
64. 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.
65. Driveway slope shall be a minimum slope of 1% for asphalt and .5% for concrete and Parking lot slope shall be a minimum slope of 1%.
66. If utility cuts are excessive in the street the street must be have a grid and overlay placed on it per the satisfaction of the City Engineer. See Public Works Encroachment Conditions.
67. 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.
68. 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. Caltrans permit will be require for all drainage going into their facilities.
69. An on-site 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.
70. Provide catch basin that meet NPDES standards throughout the property.
71. An on-site grading 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.

72. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.
73. 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.
74. The Development shall comply with all applicable provisions of the City of Los Alamitos Water Quality Ordinance and all Federal, State, and Regional Water Quality Control Board rules and regulations.
75. Developer shall prepare a sedimentation and erosion control plan for all work related to this development.
76. Prior to issuance of a Grading Permit, a final grading plan, prepared by a California Registered Civil Engineer, shall be submitted and approved. The plan shall be consistent with the approved site plan and landscaping plans.
77. Prior to issuance of a Grading Permit, a grading bond (on a form acceptable to the City) will be required. The engineer's estimate, which covers the cost of all work shown on the grading plan, including grading, drainage, water, sewer and erosion control, shall be submitted to the City for approval.
78. Prior to issuance of any permits, the applicant shall submit for approval by Planning and Public Works Divisions of the Development Services Department, a Water Quality Management Plan (WQMP). If the WQMP has been determined to be a Priority WQMP, it shall identify Low Impact Development (LID) principles and Best Management Practices (BMPs) that will be used on-site to retain storm water and treat predictable pollutant run-off. The Priority WQMP shall identify: the implementation of BMPs, the assignment of longterm maintenance responsibilities (specifying the developer, parcel owner, maintenance association, lessees, etc.) and reference to the location(s) of structural BMPs.
79. Prior to final inspection of the project, a Water Quality Management Plan (WQMP) shall be recorded with the County of Orange and presented to the Development Services Department.
80. Prior to issuance of any permits, the applicant shall record a "Covenant and Agreement Regarding O & M Plan to Fund and Maintain Water Quality BMPs, Consent to Inspect, and Indemnification", with the County Clerk - Recorder. These documents shall bind current and future owner(s) of the property regarding implementation and maintenance of the structural and non-structural BMPs as specified in the approved WQMP.

81. Prior to issuance of a Grading Permit, the applicant shall submit a copy of the Notice of Intent (NOI) indicating that coverage has been obtained under the National Pollutant Discharge Elimination System (NPDES) State General Permit for Storm Water Discharges Associated with Construction Activity from the State Water Resources Quality Control Board.
82. Maintain two entrance/exits to the property off of Katella Avenue consistent with the Site Plan included in the submittal packet dated October 10, 2016.
83. Widen existing Civic Center Drive to accommodate safe turning movements for trucks and automobiles to the satisfaction of the City Engineer.
84. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners of through Covenants, Conditions and Restrictions (CC&Rs) reviewed and approved in accordance with the conditions of VTM 16-01.

Traffic / Street Lights

85. The project will comply with PDF 16-2 above.
86. During construction of the new City driveway access ensure alternative access and parking is provided for City staff and operations.
87. The project will comply with PDF 16-1 above.
88. Unless the City Engineer determines PDF 16-1 is redundant as a result of the implementation of the Los Alamitos Boulevard Median Improvement Project (as set forth in PDF 16-1), prior to the issuance of Certificate of Occupancy, the applicant shall either (a) construct the intersection improvement described in PDF 16-1 in substantial compliance with the Transportation Implementation Plan, or (b) post security in the amount of \$150,000 to guarantee its future construction. The applicant shall not be obligated to construct the improvement until the City secures and grants the applicant the necessary easements and access to perform the improvement work. The City shall process a Reimbursement Agreement making the findings required by Los Alamitos Municipal Code Section 17.16.120.C, and using the fair share allocations described in the Project's Traffic Study, unless the applicant waives its claim for reimbursement in writing to the City. The applicant shall be entitled to credits against its development impact fees.
89. The applicant shall install new traffic signal as required by widening the entrance to meet current standards at Katella Avenue and Civic Center Drive and the approved traffic study for the site.

90. To accommodate the widening of Civic Center Drive, if necessary the applicant shall move control boxes that are on Katella Avenue to a location approved by the City Engineer and obtain all necessary permits.
91. The applicant shall provide an access easement to the City of Los Alamitos for its officers, agents, employees and visitors of the Civic Center, which shall appear in the location shown on vesting tentative map 16-01 and shall be dedicated on the final map. If the map is not ready for recordation prior to this time, the easement shall be provided by separate document. If the easement is by separate document, it shall be reviewed and approved by the City Attorney.
92. Pursuant to and in accordance with Government Code Section 66020(d)(1), the applicant is hereby notified as follows:

The fees, dedications, reservations and other exactions ("impositions") imposed on this development and which are subject to notification pursuant to Government Code Section 66020(d)(1) are based upon the Traffic Impact Analysis provide by the Linscott, Law & Greenspan, Engineers. 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.

Traffic Impact Fees: Commercial \$3.36 square foot.

Traffic Construction Management

93. The project will comply with PDF 16-3 above.

BUILDING AND SAFETY DIVISION

94. The applicant must comply with all California Building Codes in effect at the time of submission of the building plans.
95. The applicant shall submit three sets of complete building plans to the Building and Safety Department for review, to include structural calculations.
96. The applicant shall submit Title 24 calculations and grading & drainage plans.
97. 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.

98. At the time of building permit application, the plans shall comply with the latest edition of the codes, City Ordinances, State, Federal laws, and regulations as adopted by the City Council of the City of Los Alamitos.
99. At permit issuance, the Building Department will collect fees on behalf of the Orange County Sanitation District.
100. Prior to permit issuance, school fees must be paid to the Los Alamitos Unified School District.
101. The applicant shall submit a liquefaction report, by a registered geotechnical engineer, with building plans.
102. Prior to permit issuance, the applicant shall submit a copy of the front page of the approved Orange County Fire Authority plan set.

ORANGE COUNTY FIRE AUTHORITY

103. 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 grading permit, or a building permit if a grading permit is not required:

- Fire master plan (service code PR 145)

Prior to issuance of a building permit:

- Architectural (service codes PR200-PR285)
- High-piled storage (service code PR330)
- Underground piping for private hydrants and fire sprinklers systems (service code PR470-PR475)
- Fire sprinkler system (service codes PR400-PR465)

Prior to issuance of a building permit:

- Sprinkler monitoring system (service code PR500)
- Fire alarm system (service code PR500-PR520)
- Hood and duct extinguishing system (service code PR335)(if applicable)