

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

REGULAR MEETING - December 8, 2014

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:00 P.M., Monday, December 8, 2014, in the Council Chamber, 3191 Katella Avenue; Chair Loe presiding.

2. ROLL CALL

Present: Commissioners: Mary Anne Cuiilty
Will Daniel
Art DeBolt
Wendy Grose
Chair Gary Loe
Vice-Chair Victor Sofelkanik

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

Absent: Commissioner: John Riley

3. PLEDGE OF ALLEGIANCE

Chair Loe led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair Loe opened the meeting for Oral Communications. There being no persons wishing to speak, Chair Loe closed Oral Communications.

5. APPROVAL OF MINUTES

None

6. CONSENT CALENDAR

None.

7. PUBLIC HEARINGS

None

8. STAFF REPORTS

A. Proposed 2035 General Plan

Community Development Director Mendoza addressed the Commission and stated that action on this item will ratify the Commission's previous review of both the Environmental Impact Report (EIR) and the General Plan. Two resolutions are being brought back as directed by the Commission at the November 10, 2014 Planning Commission meeting. The resolutions must be approved in order, with the EIR being first and the actual General Plan second. Also included with the Staff report are two memorandums from the City's consultant who has worked closely with the City Attorney. The first memorandum explains how the changes made by the Commission remain consistent with the Draft Environmental Impact Report; and the second memorandum demonstrates how the City is accommodating the request of the Airport Land Use Commission.

Chair Loe opened the discussion to the Commissioners.

Commissioner DeBolt stated that several parcels listed under Opportunity Site 6 of the draft Resolution No. 14-32, Page 6 of 10, are not retail and should not be included in the listing. He stated further that the Resolution does not reflect a Mixed Use Overlay designation; however, the property owner of 3561 Howard Avenue has received communication from the City indicating the property is to be designated a Mixed Use Overlay.

Community Development Director Mendoza responded there is some question as to where the retail district and residential district began due to the 2006 Zoning Code update. Mr. Mendoza stated that the intent of listing the properties in question was to allow the first floor to remain commercial, allowing the second, third and fourth floors of the properties to be designated as Mixed Use.

Commissioner DeBolt reiterated that it was his understanding that the intent was to preserve the existing retail uses and allow a Mixed Use Overlay. Commissioner DeBolt suggested the previous Zoning Code update should be corrected.

Assistant City Attorney Lisa Kranitz stated she had previously raised the question regarding the designation of Opportunity Site 6, and the General Plan Consultant, Colin Drukker responded in an e-mail that there is no Mixed Use Overlay; the decision was to move forward with a Mixed Use designation.

Commissioner DeBolt stated that the owner of the property has received notification of the proposed change to Mixed Use Overlay.

Mr. Mendoza responded that zoning of the property is not being changed; only a General Plan Update is being recommended.

Discussion ensued regarding retail zoning of the area, with Mr. Mendoza stating that retail would be allowed on the first floor of a building located in Opportunity Site 6, but there would be no mandatory requirement that a second or third floor should be Mixed Use.

Assistant City Attorney Kranitz stated that in a separate e-mail, Mr. Drukker indicated he would amend the land use element to add a definition that Mixed Use is allowed but not required.

Mr. Mendoza stated that the General Plan states that Mixed Use allows a variety of uses of buildings and structures in a particular area.

Commissioner DeBolt stated that there is a discrepancy between the map presented to the Commission and the parcels listed in the Resolution, and questioned the validity of Public Notices which state the change to the Mixed Use Overlay.

Vice-Chair Sofelkanik stated that he initially opposed the change to Mixed Use since he wanted to retain Retail at Opportunity Site 6. He stated he did not recall a discussion regarding an Overlay at this site, and expressed his concern over Public Notices indicating a change to Mixed Use Overlay.

Commissioner DeBolt stating that the difference between a Commercial Office Zone and a Retail zone is that on the ground floor of Retail, only 15% of the space is allowed to be used as office space. He stated further that the parcels in question should be reviewed, property owners notified of the review, and a determination made if they should be changed to a Mixed Use.

Vice-Chair Sofelkanik suggested the need for corrections to the Resolution, and stated that the Commission should review the parcels in question to determine if they should be changed.

Community Development Director Mendoza requested clarification on the direction of the Commission in regards to changing the zoning for the parcels.

Vice Chair Sofelkanik moved to verify the accuracy of the parcel numbers in question in Opportunity Site 6; confirm the legality of the Public Notice; and decide on the designation of Opportunity Site 6.

Commissioner DeBolt seconded; however, no vote was taken.

Commissioner DeBolt pointed out properties on the map which should be left unchanged, allowing the entire ground floor to be used as office space

as opposed to the Retail zone, which allows only 15% of non-retail use. He stated that a solution would be an Overlay which would allow businesses to retain their underlying zone.

Assistant City Attorney Kranitz clarified the new definition of Mixed Use as "a vertical or horizontal mix of commercial office, public, quasi-public and/or residential on the same parcel, retail is preferred on the ground floor, office and residential should be above the ground floor; stand alone, not Mixed Use commercial office and public/quasi-public are also permitted." She stated there would be no harm that the term "Mixed Use Overlay" was used in the Public Notice because it is the same thing, but expressed her concern that certain properties may have been omitted from the Public Notice. She recommended that the Public Notice should be redone.

Commissioner Grose confirmed that the Mixed Use designation would allow the combination of uses or those individual uses, and would not change existing businesses. She further confirmed that the Public Notice would include the properties that were previously omitted from noticing, and suggested that the definition of Mixed Use be included.

Vice-Chair Sofelkanik retracted his previous motion with a substitute motion to direct Staff to send parcel specific Public Notices stating that a General Plan amendment to the parcel is being considered; no residential properties to be noticed; and bring the item back to the Commission for discussion at a Public Hearing.

Discussion ensued and during the discussion, Assistant City Attorney Kranitz again read the definition of the term "Mixed Use." She confirmed it indicates that an office on the ground floor, by itself, would be permitted; and stand-alone residential would not be permitted.

Commissioner DeBolt expressed concern that the Mixed Use designation would allow a change in retail to office use on Los Alamitos Boulevard.

Commissioner Daniel concurred that the wording in the updated General Plan should be specific.

Chair Loe opened the meeting for Public Comment, and asked if anyone present wished to speak.

Mr. Benfanti stated that he was unaware that the commercial property he purchased eleven years ago was changed to Retail Business six years ago. He suggested that any proposed changes should be parcel specific. He stated that his single parcel property would not be suitable for retail, and encouraged the Commission to determine a way to achieve the City's objectives while maintaining the integrity and value of properties.

Assistant City Attorney Kranitz established that Mr. Benfanti's "Commercial" property was Professional Office. She clarified that after changes are made to the General Plan, the next step will be to make the Zoning conform to the General Plan designation. She stated discussion indicates that the property may not remain Retail Business, and would return to a conforming use.

Susan Hori, Esq., representing Arrowhead Products stated that Arrowhead Products supports the Planning Commission's recommendation to keep the property Planned Industrial with a Retail Overlay.

There were no additional persons wishing to speak on the item.

Motion/Second: Sofelkanik/DeBolt

Unanimously Carried: The Planning Commission approved:

1. Public Notices, which are parcel specific, to be sent to all property owners in Opportunity Site 6, south of Katella Avenue, stating that a General Plan amendment to their parcel is being considered; and
2. Notices will not be sent to residential properties; and
3. Staff is directed to bring the item back to the Commission for further discussion at a Public Hearing.

B. Planned Sign Program (PSP) 14-01 – Chevron – 5100 Katella Avenue, Los Alamitos

Associate Planner Oliver reported that Planned Sign Program (PSP) 14-01 consists of a monument sign, a canopy fascia and gas pump signage for a service station located at 5100 Katella Avenue in the General Commercial (C-G) Zone. The business is a former Unocal gas station which is now a Chevron gas station. Mr. Oliver stated that the owner of the business is Sal Hassan, and the applicant, Kevin Loring of Compass Services is present at the meeting. Mr. Oliver reported that the purpose of a PSP is to provide flexibility of the Los Alamitos Municipal Code (LAMC) while encouraging good sign design, sign variety and better visibility. A previous PSP was never completed and approval has since expired. Mr. Oliver indicated Staff recommends a stone veneer base, as noted in the 2007 PSP and, as a safety measure, Staff has added a condition to keep the sign out of the driveway's sight safety triangle to the west. He stated that the proposed plan states that wall signs will be removed from the building; however, Staff recommends that wall signs should remain approved, even if removed. This will enable the franchise owner to reattach similar signs at a future date without being required to come back to the Planning Commission for approval. Mr. Oliver

concluded that Staff recommends approval of Planned Sign Program 14-01, with modifications as conditioned.

Chair Loe asked if there were any questions for Staff. There being none, Chair Loe invited the applicant to come forward.

Kevin Loring, Compass Services, stated that the station had a soft opening on December 1, and is currently awaiting Planning Commission approval to proceed with the monument signs. Mr. Loring thanked the Planning Commission for their consideration, and stated that Staff's recommendations will be adhered to if the Commission grants approval of the PSP.

Vice-Chair Sofelkanik stated that he remembered the previous PSP request and discussion related to the monument sign blocking the vision triangle to the west. He confirmed with Staff that the property owner and the business owner to the west of the property received proper public notices related to the Planned Sign Program, and neither has indicated that they have any issues related to the PSP.

Mr. Oliver stated that he is requesting the Commission to give approval for Staff to request the sign to be kept out of the driveway's sight safety triangle.

Vice-Chair Sofelkanik questioned why the resolution did not specify that the sign should be located outside of both of the sight safety triangles.

Mr. Oliver responded that the reason for this is that Staff is agreeing to their submission, but making changes by adding a second sight safety triangle. Mr. Oliver stated further that an option is to allow the service station to keep the existing pole sign and keep the dimensions the same.

Community Development Director Mendoza stated that Staff recommended that the applicant bring forward a design that would be acceptable to the Planning Commission and further suggested that the architect could address the issue of the location of the sign.

Mr. Loring stated that the sign plans submitted previously were for a Unocal 76 station, but the intention was to change the franchise to Chevron and the previous applicant never made the sign changes to the property. The present owner would like to retain a pole sign using the existing base, but a custom sign would require Chevron's approval. He explained that he did not have the exact measurements of the distance of a pole sign from the pole's base.

Mr. Oliver responded that the original pole sign design went below the required 8 feet, which would cause sight issues. He stated that a large pole sign that is out of the sight safety triangle could have been requested.

Mr. Mendoza stated that proper drawings showing the Commission where the sign will be located are needed. He recommended that this item should come back to the Commission showing the location of the sign with the two site safety triangles superimposed on the drawings.

Vice-Chair Sofelkanik asked if Staff would like to see an amended pole sign as another option.

Mr. Mendoza stated that the direction most cities are going is toward a ground based monument sign for a cleaner look, and that was the direction the Commission was going toward previously. He asked if an aerial photo showing the proposed monument sign, the two sight safety triangles and the driveway aprons superimposed over the photo would assist the Commission in making a decision.

The Commission concurred that the photo would be beneficial in making a decision. Staff was directed to bring this item back to the next Planning Commission meeting, and the applicant was directed to provide a photo as requested.

Motion/Second: Sofelkanik/Grose

Unanimously Carried: The Planning Commission directed Staff to bring this item back to the next Planning Commission meeting, and include a photo as discussed.

9. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Community Development Director Mendoza reminded the Commission of the Holiday Dinner to be held the following evening.

10. COMMISSIONER REPORTS

None

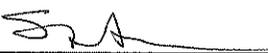
11. ADJOURNMENT

The Planning Commission adjourned at 8:54 P.M.



Gary Loe, Chairman

ATTEST:



Steven Mendoza, Secretary