CITY OF LOS ALAMITOS
3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA
PLANNING COMMISSION
REGULAR MEETING
Wednesday, March 22, 2017 – 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.

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 Andrade
   Vice Chair DeBolt
   Commissioner Cuilty
   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 February 27, 2017.

6. CONSENT CALENDAR
None.

7. PUBLIC HEARINGS
A. Conditional Use Permit (CUP) 17-01
Seasonal, Outdoor Strawberry Stand in the Parking Lot of an Industrial Park, in the Planned Light Industrial (P-M) Zone
Consideration of a Conditional Use Permit to allow a temporary, seasonal outdoor strawberry stand in the parking lot of an Industrial Park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district. (Applicant: Sherrie Adams, Thacker Family Enterprises, LLC).

Recommendation:

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

Adopt Resolution No. 17-03, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 17-01) TO ALLOW AN ANNUAL, SEASONAL, OUTDOOR, STRAWBERRY STAND IN THE PARKING LOT OF AN INDUSTRIAL PARK, NEAR 3982 CERRITOS AVENUE IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT (APN: 242-242-64) AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHERRIE ADAMS, THACKER FAMILY ENTERPRISES, LLC).”

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

9. COMMISSIONER REPORTS

10. ADJOURNMENT
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, 11061 Los Alamitos Blvd., not less than 72 hours prior to the meeting.

[Signature]

Date

3/14/17

Tom Oliver
Associate Planner
1. **CALL TO ORDER**
The Planning Commission met in Regular Session at 7:03 p.m., Monday, February 22, 2017, in the Council Chamber, 3191 Katella Avenue, Chair Cuilty presiding.

2. **ROLL CALL**

   **Present:** Commissioners:
   - Chair Cuilty
   - Vice Chair Andrade
   - DeBolt, Grose, Loe, Riley and Sofelkanik

   Staff:
   - Steven Mendoza, Development Services Director
   - Lisa Kranitz, Assistant City Attorney
   - Michelle Müller, Department Secretary
   - Tom Oliver, Associate Planner

3. **PLEDGE OF ALLEGIANCE**
The Pledge of Allegiance was led by Chair Cuilty.

4. **ORAL COMMUNICATION**
Chair Cuilty opened the meeting for Oral Communication for items not on the agenda. There being no speakers, Chair Cuilty closed Oral Communications.

5. **PLANNING COMMISSION REORGANIZATION**
This report provides relevant information for the Planning Commission’s annual reorganization by the election of Chair and Vice Chair.

   **Recommendation:** Nominate and elect the following officers:
   1. Chair
   2. Vice Chair

   Development Services Director Steven Mendoza opened the floor to nominations for the office of “Chair.”

   Commissioner Grose nominated Commissioner Andrade.

   **Motion/Second:** Grose/DeBolt
   Carried 7/0/0: The Planning Commission appointed Commissioner Andrade as Chair.

**ROLL CALL**
Chair Andrade  Yes
Commissioner Cuilty  Yes
Chair Andrade opened the floor to nominations for the office of “Vice-Chair.”

Commissioner Grose nominated Commissioner DeBolt.

There being no further nominations, Development Services Director Mendoza closed the nominations.

Motion/Second: Grose/Riley
Carried 7/0/0: The Planning Commission appointed Commissioner DeBolt as Vice Chair.

ROLL CALL
Chair Andrade   Yes
Vice Chair DeBolt   Yes
Commissioner Cuilty   Yes
Commissioner Grose   Yes
Commissioner Loe   Yes
Commissioner Riley   Yes
Commissioner Sofelkanik   Yes

6. APPROVAL OF MINUTES
A. Approve the Minutes for the Regular Meeting of November 16, 2016.
Motion/Second: Grose/DeBolt
Carried 6/0/1 (Loe abstained): The Planning Commission approved the Minutes of the Regular meeting of November 16, 2016.

7. CONSENT CALENDAR
None.

8. PUBLIC HEARINGS
A. Four Residential Apartment Units on One Parcel
   Site Plan Review (SPR) 16-10
   Consideration of a four-unit, residential apartment project in two structures at 10922 Walnut Street (APN 242-202-07) on a 7,375 square foot parcel in the Multiple Family Residential (R-3) Zoning District. The project requires a Site Plan Review (Applicants: Mike Garnica and Ron Wikstrom).

   Chair Cuilty opened the Public Hearing.

   Commissioner Grose recused herself from discussing this item as she does reside within 500 feet from the site address.
Associate Planner Tom Oliver summarized the Staff Report, referring to the information contained therein.

Staff is recommending approval for this project with two (2) conditions: for the proposed vinyl fence to be replaced with block fencing (i.e., stucco or stone), and that the Resolution be corrected to reflect that there is only one dumpster and not two for this development.

Ron Wikstrom – the architect for this proposed project brought to the attention of the Commission that the building footprint is at a 20 foot setback, as required by code. However, there are two, 18 inch by two feet deep columns which reduce the setback to 18 feet in the front yard. Being that the columns go all the way down to the ground, it makes it a building setback and not a projection setback. Code allows up to 30 inches projection encroaching into the front yard setback; this development encroaches by 24 inches.

Mr. Wikstrom is requesting from the Planning Commission that they allow the two column projections.

Additionally, Mr. Wikstrom stated that he can make the changes required by Staff pertaining to the type of fencing in the front of the property, such as a block fence.

Commissioner Riley asked Mr. Wikstrom, how would the project be compromised, should the necessary changes be made to meet the code requirement of satisfying the 20 foot setback. Mr. Wikstrom stated that it is a shallow lot compared to other lots therefore; moving the building back would be difficult. Eliminating two columns would be the option to meet the required 20 foot setback. Mr. Wikstrom states that he does not believe that allowing this would be detrimental.

Commissioner Cuilty asked for confirmation from Staff about whether or not the only issue with this development, is the setback problem because of the two columns. Associate Planner Tom Oliver confirmed that it is in fact the only issue.

Chair Andrade asked for a little more detail about the design of the columns as to whether or not they were attached to the house or if there was a space in between; and whether or not corbels would work as a replacement in order for the development to satisfy what is required by code.

Mr. Wikstrom stated that in removing the columns, the stonework would also have to be removed.
Development Services Director Steven Mendoza stated that he was comfortable with the Planning Commission saying that this is a qualified projection into the front yard setback. It is not square footage, it is an architectural detail. Based on that decision, a policy document would be produced and it will be memorialize in the formal manner that it is done.

Chair Andrade asked, what it is that the code says exactly about projections. Assistant City Attorney Liza Kranitz read the code section to the Planning Commission.

Chair Andrade stated that in removing the columns, it would give the building a completely different look.

Staff and the Planning Commission again went over the conditions of approval for this development.

Assistant City Attorney Liza Kranitz made recommendations as to what Section 3 of the Resolution should read to meet the changes recommended by Staff regarding the dumpster.

Motion/Second: Cuilty/DeBolt
Unanimously Carried 7/0/0: Motion to approve with the required changes that Staff mentioned regarding the fence and the modification to the Resolution to read that there will be one dumpster on site and not two.

9. STAFF REPORTS
A. Post-Construction update on the McDonald’s Drive-Thru
Post-construction update of the McDonald’s drive through at 3562 Katella Avenue, APN 222-019-20 (Applicant: Kevin Kasha – McDonald’s).

Recommendation: The Business Owner of McDonald’s, Kevin Kasha, will update the Commission concerning the modified drive-through post-construction.

Applicant Kevin Kasha provided updates to the Planning Commission and Staff about the positive impact after installing a second drive-thru lane. Mr. Kasha stated that in addition to the significant diminution in the back-up of traffic, their franchise has seen a significant increase in revenue generated being that the drive-thru moves a lot faster.

The Planning Commission thanked Mr. Kasha for sharing such information and congratulated him on his success.

Mr. Kasha inquired about what the chances are of installing a u-turn sign during non-peak hours traveling west bound on Katella Avenue onto Los
Alamitos southbound. Chair Andrade advised Mr. Kasha that he needs to present this idea to the Traffic Commission.

Mr. Kasha thanked the Planning Commission for allowing him to move forward with his project.

B. Resolution of Intention 17-02
Amending Regulations for Accessory Dwelling Units in the Residential Zones in the City to Comply with New State Legislation
Consideration of a Resolution of Intention to amend the Los Alamitos Municipal Code to comply with new state legislation concerning Accessory Dwelling Units (ADU’s).

Recommendation: Adopt Resolution No. 17-02 entitled, “A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, TO OPEN A DISCUSSION OF POSSIBLE MUNICIPAL CODE CHANGES CONCERNING ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES IN THE CITY TO COMPLY WITH NEW STATE LEGISLATION (CITY INITIATED).”

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

Assistant City Attorney Liza Kranitz provided background to the Planning Commission and Staff about how the implementation of this legislation came about, and what that means for cities in the State of California.

The Planning Commission and Staff discussed what parameters this legislation sets and what that means for future developments in the City.

Development Services Steven Mendoza advised the Planning Commission that at this time, the City will not take any action in implementing policy; he asked the Commission to please advise him via email should they have any ideas towards the development of a future policy.

Motion/Second: Culity/Grose
Unanimously Carried 7/0/0: Motion to adopt Resolution 17-02.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
Development Services Director Steven Mendoza reminded the Planning Commission of the State of the City event that is scheduled to take place on Wednesday, March 8th, 2017 at the Base. Additionally, he advised that if anyone is interested in participating, reservations can be made by contacting the Chamber of Commerce.
Also, Development Services Director Steven Mendoza made mention that the Race on the Base was very successful.

Chair Andrade asked for an update on the appeal for the Shopping Center, Village 605. Development Services Director Steven Mendoza provided the Planning Commission with an update.

Commissioner Sofelkanik asked a follow-up question regarding Staff Report 9A concerning the dumpster at the McDonalds drive-thru.

Commissioner Loe requested a status on the development of the new hotel. Staff and the Planning Commission discussed the status of this project.

Development Services Director Steven Mendoza provided updates to the Planning Commission of ongoing Capital Improvement Projects throughout the City. Staff and the Planning Commission discussed the process for such projects.

11. **COMMISSIONER REPORTS**
None.

12. **ADJOURNMENT**
The Planning Commission adjourned at 8:06 p.m.

________________________________________
Larry Andrade, Chair

ATTEST:

________________________________________
Steven A. Mendoza, Secretary
# City of Los Alamitos  
## Planning Commission

### Agenda Report  
#### Public Hearing  
**March 22, 2017**  
**Item No: 7A**

**To:** Chair Andrade and Members of the Planning Commission  
**Via:** Steven Mendoza, Development Services Director  
**From:** Tom Oliver, Associate Planner  
**Subject:** Conditional Use Permit (CUP) 17-01  
Seasonal, Outdoor Strawberry Stand in the Parking Lot of an Industrial Park, in the Planned Light Industrial (P-M) Zone

### Summary:  
Consideration of a Conditional Use Permit to allow a temporary, seasonal, outdoor strawberry stand in the parking lot of an Industrial Park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district. (Applicant: Sherrie Adams, Thacker Family Enterprises, LLC).

### Recommendation:

1. Open the Public Hearing; and, if appropriate,  
2. Adopt Resolution No. 17-03, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 17-01) TO ALLOW AN ANNUAL, SEASONAL, OUTDOOR, STRAWBERRY STAND IN THE PARKING LOT OF AN INDUSTRIAL PARK, NEAR 3982 CERRITOS AVENUE IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT (APN: 242-242-64) AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHERRIE ADAMS, THACKER FAMILY ENTERPRISES, LLC).”

### Applicant:
Applicant: Sherrie Adams, Thacker Family Enterprises, LLC (APN 242-242-64)

### Location:
In the parking lot of an Industrial Park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district.

### Environmental:
A Class 1 Categorical Exemption, pursuant to Section 15311(Class 11) – Placement of Seasonal or Temporary Use Items, will be prepared for the
proposed project in accordance with the California Environmental Quality Act. This use is also exempted through Section 15301(e) – **Existing Facilities**. The proposed use is in an existing parking lot with no proposed alterations or expansion of no more than 2,500 square feet and there are no unusual circumstances present. A CEQA exemption applies as well through Section 15303(e) – **New Structures or Conversion of Small Structures**, such as accessory structures.

**Approval Criteria:**

Los Alamitos Municipal Code (LAMC) Section 17.38.110(A.1) (Outdoor Display and Sales) permits outdoor sales for more than nine consecutive calendar days if approved through a conditional use permit. LAMC Section 17.42.030 (Review Authority) states that the Commission shall approve, approve with conditions, or disapprove Conditional Use Permit applications.

**Background**

An application has been filed by Sherrie Adams, of Thacker Family Enterprises, for a Conditional Use Permit (CUP 17-01) to allow a temporary, annual, seasonal, outdoor strawberry stand in the parking Lot of an Industrial Park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district.
Discussion

The strawberry stand use would only take place annually from February to July each year, open daily from 9:00 a.m. to 6:00 p.m. (Condition #16). The 8’ x 8’ in size stand has no electricity, has no music, and they remove their trash daily. The stand takes up one parking space for the structure and moves in and out by trailer at beginning and end of the season. The Applicant purchases the strawberries from farmers in Oxnard, Santa Maria, and Watsonville.

In 2006, the Planning Commission approved a similar use for the same company at 5030 Katella Avenue which is still operational.

Thacker Family Enterprises runs 16 of these locations, and one currently operates in Los Alamitos on Katella Avenue as mentioned above. The applicant is requesting to locate and operate an annual seasonal strawberry stand (approximately 64 total square feet in size) on the north side of the parking lot near the corner of Cerritos Avenue and Bloomfield Street. Signs will be required to meet code (Condition #16), and no electricity or music will be used.

The Structure

The proposed seasonal stand (see below) has an eight (8) foot by eight (8) foot footprint. The seasonal stand will be constructed out of wood. The total structure
height is proposed at eight (8) feet to the top of the awnings, including a two (2) foot wood awning extending on the sides, facing all directions. The wood awnings shown will be supported by eight (8) foot tall 4-inch by 4-inch wood posts.

Location

The adjacent properties are developed and zoned as follows:

**North:** Developed with a Mobile Gas Station, across Cerritos Avenue, in the General Commercial (C-G) Zone.

**South:** Developed with industrial buildings, on this same parcel, in the Planned Light Industrial (P-M) Zoning District.

**East:** Developed with McAuliffe Middle School, across Bloomfield Street, in the Community Facilities (C-F) Zone.

**West:** Developed with the rest of the parking lot, and industrial buildings on this same parcel, in the Planned Light Industrial (P-M) Zone.

Access & Circulation

Access to the stand will be provided by the two (2) existing two-way driveways off Cerritos Avenue and Bloomfield Street. Parking will be available in the lot on the north and east sides of property. Given that the strawberry stand and its employee will take
up two parking spaces, for the most part, Staff does not foresee a parking conflict with the other tenants of the complex. However, the type of use might create additional traffic but the time each customer will spend at the stand will be minimal.

Parking

Section 17.26.040 of the Municipal Code requires one (1) parking space for every 300 square feet for multi-tenant industrial buildings and one (1) parking space for every 1,000 square feet warehouse units. The industrial center is 72,206 square feet and provides 204 parking spaces. When the separate uses within the industrial building are calculated with the parking requirements, it appears that the parking lot would need 207 spaces for these uses.

Although expansions of non-conforming structures are not allowed, staff does not believe that this counts as an expansion which is defined as an alteration, enlargement or addition to a building or structure. This is a temporary use which can be moved on very short notice.

In actual day to day operation, it is clear that this center has many empty parking spaces. This use would rarely have more than one driving customer at one time, and one employee, so in practice this stand would be of little impact to the day to day parking in this quiet parking lot. The Los Alamitos Municipal Code does not contain a parking requirement for seasonal, outdoor, retail sales uses such as a strawberry stand. Section 17.26.030B provides that it is up to the Planning Commission to determine the amount of parking for a use which is not specifically mentioned.

In further consideration at this center, the "SWEAT" fitness applicant was determined to need sixteen (16) spaces. Crossfit Recoil was approved with six (6) spaces for 1,920 feet. According to the property owner’s representative, Traci Shelton -- speaking when a hula dance business was approved here in 2014 with five (5) spaces:

"The parking ratio for the park is 3 per 1,000 and the parking is shared and in common (not reserved or assigned) for all of the tenants. Samantha’s (the hula business) unit is 1,440 square feet so that would allow them access to 4.5 or 5 parking spaces. Historically, we’ve not had any issues with the parking with the exception of the parents picking up their kids from McAulliffe Middle School every day. That situation is a nightmare and no matter what we do they continue to use our parking lot. That occurs for a brief period during the day and Samantha (the hula business) holds her classes after normal business hours so there’s no conflict."

Given that the applicant is selling one easily sold, boxed product, it is expected for the customers to spend little time at the location; such as two to three minutes. Staff recommends that the Planning Commission determine that a parking problem would not occur with this stand and the two spaces it might require for the stand and its customers. However, Staff has added a condition that the Conditional Use Permit will be revoked if parking in this lot becomes difficult at any time in the future (condition #15).
General Plan Consistency

This use is consistent with the General Plan as can be seen in the implementation items from the plan, noted below:

Open Space, Recreation, and Conservation Element Action 1.7: Farmers markets. This action asks the City to explore site and programming options for farmers markets, including Reagan Street, Pine Street, Laurel Park, and the JFTB. While this is not a farmer’s market, per se, this use concerns sales of a healthy farmer’s market-like snack that will be sold near the McAuliffe Middle School. This type of use is a good step toward modeling what farmer’s markets could bring to our City if they were to be established.

Land Use Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities. The local sales of farm fresh strawberries are a healthy, “quality of life” type of product that would add a nice small town ambiance to this part of the City.

Recommendation

Staff has reviewed the application for consistency with the zoning ordinance. After reviewing the plans and signage request, Staff has identified an issue with the signage. Based upon Section 17.28.120B (Temporary Signs) of the LAMC, temporary signs shall not exceed 24 square feet. The applicant is requesting signage on all four sides, totaling 160 square feet. In this particular case, the Planning Commission has the right to allow the signage as a part of the Conditional Use Permit application.

The proposed use, as conditioned in the attached Resolution, complies with Section 17.38.110(A1) (Outdoor Display and Sales). Additionally, retail businesses are permitted on street facing units that face Cerritos in the Planned Light Industrial (P-M) zone, so this is a retail-permitted area. Therefore, staff recommends approval of CUP 17-01.

Attachments: 1) Draft Planning Commission Resolution 17-02
   Exhibit A - Photos and Specifications
   2) List of Uses and Parking on the Parcel
RESOLUTION NO. 17-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 17-01) TO ALLOW AN ANNUAL, SEASONAL, OUTDOOR, STRAWBERRY STAND IN THE PARKING LOT OF AN INDUSTRIAL PARK, NEAR 3982 CERRITOS AVENUE IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT (APN: 242-242-64) (APPLICANT: SHERRIE ADAMS, THACKER FAMILY ENTERPRISES, LLC)

WHEREAS, the application is for a Conditional Use Permit to allow an annual, seasonal, outdoor, strawberry stand in the parking lot of an industrial park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district; and,

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

WHEREAS, the Planning Commission considered said application at a duly noticed Public Hearing on March 22, 2017, along with evidence, both oral and written; and,

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

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

SECTION 1. The above recitals are true and correct.

SECTION 2. In accordance with Section 17.26.030B of the Los Alamitos Municipal Code, the Planning Commission determines that no additional parking is required for the installation of the strawberry stand. The Planning Commission acknowledges that the Industrial Center in which this use is located currently has 204 parking spaces, and that approximately 207 are recommended by code for the uses in the center, however the Commission finds that the lot is consistently underused and that the stand’s operation would not affect the parking situation. The Planning Commission further determines that the seasonal stand does not constitute an expansion of a non-conforming structure.

SECTION 3. Conditional Use Permit 17-01 is hereby approved for an annual, seasonal, outdoor, strawberry stand in the parking lot of an industrial park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district, based upon the following findings and subject to the conditions set forth in Section 4:
1. An annual, seasonal, outdoor, strawberry stand in the parking lot of an industrial park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district will not endanger the public health or general welfare. The use will not foster circumstances that tend to generate a nuisance. The use would be scheduled to take place between February 1st and July 31st with hours of operation to be limited to 9:00 a.m. to 6:00 p.m. daily with such additions, revisions, changes or modifications as required by the Planning Commission, pursuant to approval of CUP 17-01.

2. An annual, seasonal, outdoor, strawberry stand in the parking lot of an industrial park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district is, and can be a conditionally permitted use within the zoning district where it proposes to locate. Section 17.38.110(A.1) (Outdoor Display and Sales) permits outdoor sales for more than nine consecutive calendar days if approved through a conditional use permit. As well, retail businesses are permitted on street facing units that face Cerritos, so this is a retail-approvable area. The project also complies with the P-M development standards with respect to building height, lot coverage.

3. An annual, seasonal, outdoor, strawberry stand in the parking lot of an industrial park, near 3982 Cerritos Avenue will be compatible with other uses located in the Planned Light Industrial (P-M) zoning district and with the Los Alamitos General Plan. Open Space, Recreation, and Conservation Element Action 1.7: Farmers markets. This action asks the City to explore site and programming options for farmers markets, including Reagan Street, Pine Street, Laurel Park, and the JFTB. While this is not a farmer’s market, per se, this use concerns sales of a healthy farmer’s market-like snack that will be sold near the McAuliffe Middle School. This type of use is a good step toward modeling what farmer’s markets could bring to our City if they were to be established. Land Use Goal 3. Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities. The local sales of farm fresh strawberries are a healthy, “quality of life” type of product that would add a nice small town ambiance to this part of the City.

4. The decision to approve the Conditional Use Permit is based on review by the Planning Commission of the plans and specifications submitted for the proposed project and on testimony given at the Public Hearing before the Planning Commission.

5. Staff is hereby directed to prepare and file a Notice of Exemption based on the following: Section 15311(Class 11) – Placement of Seasonal or Temporary Use Items; Section 15301(e) (Class 1) – Existing Facilities; and Section 15303(e) – New Structures or Conversion of Small Structures, such as accessory structures.
SECTION 4. The following conditions shall apply to this project:

Planning Department

1. Approval of this application is to allow an annual, seasonal, outdoor, strawberry stand in the parking lot of an industrial park, near 3982 Cerritos Avenue in the Planned Light Industrial (P-M) zoning district with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 17-01 noted thereon, and on file in the Development Services Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.

2. Approval of Conditional Use Permit 17-01 shall allow an annual seasonal strawberry stand for a period of 6 months (Feb 1st to July 31st) every year from the date of determination. If the commencement of the business approved by this action is not established within 12 months, such approval shall be terminated and shall thereafter be null and void.

3. Failure to satisfy and/or comply with the conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.

4. The applicant and the applicant’s successors, in interest, shall be fully responsible for knowing and complying with all conditions of approval.

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

Pursuant to Government Code Section 66020(d)(1), the applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:
6. The applicant has ninety (90) days from the date of adoption of this Resolution to protest the impositions described above. The applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.

7. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City’s associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant’s consent, but should it do so, the City shall waive the indemnification herein, except the City’s decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

8. The property owner/applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The property owner/applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department prior to issuance of any permits.

9. Applicant shall comply with applicable City, County, and/or State regulations.

10. All signage shall be reviewed and approved through the Development Services Department.

11. There shall be no more than 24 square feet of signage allowed for this use.

12. The signs that will be attached to the stand will be attached in a manner that will withstand wind, rain and weather.

13. The Planning Commission will review the conditional permit after the first annual season.

14. The stand’s structure shall occupy no more than one parking space.
15. The use shall be revoked if parking in this lot becomes difficult at any time in the future.

16. The stand shall be removed from the parcel within 24 hours of ceasing operations as part of a permanent or seasonal shutdown.

17. If sales extend to any product other than some type of berries, the CUP shall be reconsidered by the Planning Commission.

**Building Department**

18. None.

**Orange County Fire Authority**

19. None.

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

**PASSED, APPROVED, AND ADOPTED** this 22nd day of March, 2017.

________________________________
Larry Andrade, Chair

ATTEST:

______________________________
Steven Mendoza, Secretary

APPROVED AS TO FORM:

______________________________
Lisa Kranitz, Assistant City Attorney
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 22nd day of March, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________________________
Steven Mendoza, Secretary
**Different Stand Sizes To Fit Any Location**

**Mobile Stands (14ft x 7ft)**
Great for events or locations where city regulations require mobile set up.

**Small Stands (8ft x 8ft)**
A great space saver. This stand is designed to create an attractive and business friendly look from any direction.

**Medium Stands (12ft x 6ft)**
A sturdy structure with the look and feel of our large stands but still space conscious.

**Large Stands (16ft x 8ft)**
A Great eye catcher. These stands are designed to create the sense of a permanent structure yet leave no footprint once removed.

---

For more information, please contact your regional location partnership associate

Partnership Associate: ____________________________
Phone Number: ____________________________
Location: ____________________________
Monthly Lease Offer: ____________________________
EXHIBIT A

- Exhibitに名前が記載されている。
- 地図はビルディングの配置図で、BLOOMFIELD STREET、CERRITOS AVENUE、HUMBOLT AVENUEが示されている。
- 数値と注釈がいくつか記載されており、特定の位置の測定や詳細を示している。
- メモとして手書きの記入がある。
<table>
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<tr>
<th>Address</th>
<th>Tenant</th>
<th>Sq. Ft.</th>
<th>Type of Use</th>
<th>Use</th>
<th>Spcs/1000</th>
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**TOTAL:** 72,066

**207,304.33**