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 March 22, 2017.

6. CONSENT CALENDAR
None.

7. PUBLIC HEARINGS
A. Consideration of a Five-Unit, Residential Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 4071 Farquhar Avenue (APN 222-052-43) (Applicant: Eddie and Donna Kesky)
Consideration of a five-unit, residential condominium project at 4071 Farquhar Avenue (APN 222-052-43) on a 9,490 square foot parcel in the Multiple Family (R-3) Zoning District. The project requires a Site Plan Review, Conditional Use Permit and a Tentative Tract Map for condominium subdivision purposes (Applicant: Eddie and Donna Kesky).

Recommendation:

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

2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects; and,

3. Adopt Resolution No. PC 17-03, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-07) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)"; and,

4. Adopt Resolution No. PC 17-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-07) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)"; and,
CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 16-16) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY). and,

5. Adopt Resolution No. PC 17-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-02 (TTM 18098) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)."

B. Consideration of a Five-Unit, Residential Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 3751/3755 Farquhar Avenue (APN 222-062-28) Applicant: Alison Stapakls and Olympia Stapakls

Consideration of a five-unit, residential condominium project at 3751/3755 Farquhar Avenue (APN 222-062-28) on an 8,760 square foot parcel in the Multiple Family (R-3) Zoning District. The project requires a Site Plan Review, Conditional Use Permit and a Tentative Tract Map for condominium subdivision purposes (Applicant: Alison Stapakis and Olympia Stapakis).

Recommendation:

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

2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects; and,

3. Adopt Resolution No. PC 17-06, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-09) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED
FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS); and,

4. Adopt Resolution No. PC 17-07, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 16-18) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS); and,

5. Adopt Resolution No. PC 17-08, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-04 (TTM 18100) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS)."

C. Consideration of a Five-Unit, Residential Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 4061 Farquhar Avenue (APN 222-052-44) Applicant: Neoklis Zamvakellis and Alison Stapakis

Consideration of a five-unit, residential condominium project at 4061 Farquhar Avenue (APN 222-052-44) on a 9,490 square foot parcel in the Multiple Family (R-3) Zoning District. The project requires a Site Plan Review, Conditional Use Permit and a Tentative Tract Map for condominium subdivision purposes (Applicant: Neoklis Zamvakellis and Alison Stapakis).

Recommendation:

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

2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects; and,

3. Adopt Resolution No. PC 17-09, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS,
CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-06) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS); and,

4. Adopt Resolution No. PC 17-10, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 16-15) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS);” and,

5. Adopt Resolution No. PC 17-11, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-01 (TTM 18099) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS).”

D. Conditional Use Permit (CUP) 17-02  
Request to Allow a Standby Generator to be Installed in the Planned Light Industrial (P-M) Zone  
Consideration of a Conditional Use Permit to install a standby generator for a wireless tower installation in the Planned Light Industrial (P-M) Zone at 10851 Portal Drive.

Recommendation:

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

2. Determine that the project is a Class 3 Categorical Exemption, pursuant to Section 15303(e) – New Construction or Conversion of Small Structures, as an accessory structure – will be prepared for the proposed project in accordance with the California Environmental Quality Act; and, if appropriate,

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

9. COMMISSIONER REPORTS

10. ADJOURNMENT

**APPEAL PROCEDURES**

Any final determination by the Planning Commission may be appealed to the City Council, and must be done so in writing at the Community Development Department, within twenty (20) days after the Planning Commission decision. The appeal must include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement, accompanied by an appeal fee of $1,000.00 in accordance with Los Alamitos Municipal Code Section 17.88 and Fee Resolution No. 2008-12.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10811 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.

[Signature]
Tom Oliver, Associate Planner

Date: 4/10/17
MINUTES OF PLANNING COMMISSION MEETING
OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – March 22, 2017

1. CALL TO ORDER
The Planning Commission met in Regular Session at 7:00 p.m., Wednesday, March 22, 2017, in the Council Chamber, 3191 Katella Avenue, Chair Andrade presiding.

2. ROLL CALL
Present: Commissioners: Chair Andrade
Vice Chair DeBolt
Cuilty, Grose, Loe, Riley and Sofelkanik
(Commissioner Riley arrived at 7:03 p.m.)

Staff: 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 Andrade.

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

5. APPROVAL OF MINUTES
A. Approve the Minutes for the Regular Meeting of Monday, February 8, 2017.
   Motion/Second: Grose/Loe
   Carried 7/0/0: The Planning Commission approved the Minutes of the Regular meeting of February 8, 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).

   Chair Andrade opened the Public Hearing.
Associate Planner Tom Oliver summarized the Staff Report, referring to the information contained therein.

Regional Manager Sherrie Adams for Thacker Berry Farms came forward to discuss the size and location of banner on the stand.

Ms. Adams asked if it would be okay to at least have a strawberry on the two sides that are being requested to be maintained white [without signage].

Chair Andrade was asking for clarification from Staff as to what is required by code, and what was being requested by the applicant.

Associate Planner Tom Oliver indicated that code permits 24 square feet per street facing side of signage. However, it was being requested to approve for the signage to wrap around the stand as it they normally do.

Ms. Adams indicated that strawberries will be sold and sometimes blueberries.

Chair Andrade asked about lighting given that he did not see any mention of that in the report. Ms. Adams provided clarification that their business hours will be between 9am to 6pm, therefore no lighting will be needed.

Chair Andrade asked if the tenants at that corner were notified of this, and if so were there any concerns. Associate Planner Tom Oliver advised that the businesses in the surrounding area were notified by the usual mailing of the public hearing notice.

Commissioner Grose asked if there will only be one person working the stand. Ms. Adams advised that there will be one person working the stand and they will be wearing a Thacker Berry Farm t-shirt.

Commissioner Grose asked if they have any issues with the kids from the schools. Ms. Adams indicated that the worst case scenario is that the kids will ask for samples and they are told that their parent needs to be present.

Assistant City Attorney Lisa Kranitz recommended changes to the resolution; planning Condition #1 at the end of the first sentence to state that it will include a wrap around sign that will be on the 8’ x 8’ stand.

Ms. Adams asked if they have to wait or can they open. Associate Planner Tom Oliver advised that there is a twenty (20) day appeal period. However, Ms. Adams was advised that she can write a letter and it should state that she agrees to remove the stand, should anyone file an appeal to remove. Ms. Adams agreed that she would be doing so.
Motion/Second: Grose/Loe
Unanimously Carried 7/0/0: Motion to approve Resolution 17-02 with the correction on the condition of approval.

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
Associate Planner Tom Oliver provided the Commission with a summary of the possible projects that will be going to the Planning Commission for their consideration.

Chair Andrade asked about the median project and when it might commence. Associate Planner Tom Oliver provided the Planning Commission with brief information about the status of that project.

Commissioner Grose asked about what was going on at Old Town East. Associate Planner Tom Oliver advised of water system flushing that has been taking place on behalf of Golden State Water throughout the City.

9. COMMISSIONER REPORTS
None.

10. ADJOURNMENT
The Planning Commission adjourned at 7:17 p.m.

_______________________________
Larry Andrade, Chair

ATTEST:

_______________________________
Steven A. Mendoza, Secretary
City of Los Alamitos  
Planning Commission and Subdivision Committee

Agenda Report  
Public Hearing  
April 26, 2017  
Item No: 7A

To: Chair Andrade and Members of the Planning Commission/Subdivision Committee

From: Steven A. Mendoza, Development Services Director

Subject: Consideration of a Five-Unit, Residential Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 4071 Farquhar Avenue (APN 222-052-43) (Applicant: Eddie and Donna Kesky)

Summary: Consideration of a five-unit, residential condominium project at 4071 Farquhar Avenue (APN 222-052-43) on a 9,490 square foot parcel in the Multiple Family (R-3) Zoning District. The project requires a Site Plan Review, Conditional Use Permit and a Tentative Tract Map for condominium subdivision purposes (Applicant: Eddie and Donna Kesky).

Recommendation:

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

2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects; and,

3. Adopt Resolution No. PC 17-03, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-07) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)”; and,

FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY); and,

5. Adopt Resolution No. PC 17-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-02 (TTM 18098) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)."

Applicant: Eddie and Donna Kesky

Project Location: 4071 Farquhar Avenue (APN 222-052-43)

Notice: On April 12, 2017, Notice of Public Hearing was posted at City Hall, the Community Center, and the Los Alamitos Museum and at the Site. It was also published in the News Enterprise and public notices were mailed out to all property owners and tenants within 500 feet of the property on this date.

Environmental: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

Background

The Applicant has submitted an application for a project to be located at 4071 Farquhar Avenue. The project will involve demolishing the existing three (3) homes and the construction of five residential condominium units. This project will mirror a simultaneous project to the west side of this project at 4061 Farquhar Avenue that is to be presented at tonight’s meeting. The two side-by-side projects are under separate ownership -- the separate owners decided to develop at the same time with similar plans for a cost savings. Additionally, there is a third project being presented tonight for an address nearby these projects on Farquhar by related parties. It is similar to these projects as well.
The five (5) units will be located in three (3) buildings as illustrated below. The units range in size from 1,620 to 1,978 Square feet. Four (4) units will be three-bedroom and 2 ½ baths with a study and one (1) unit will be four-bedroom and 3 baths. All structures will be three stories in height and each unit will have a private two-car garage. Outdoor space will be provided for each unit consisting of a ground-floor private yard area.

Here is how the Applicant describes the project:

"Currently on the property are existing 3 unit apartments (built early 1960s). This proposal includes demolishing the residences and constructing 5 new SFR townhome units. The homes will be of Grade-A construction quality, with style fitting in with the newer developments of similar type in the area. They will be 3-story on grade, with private, landscaped yards and private decks, providing residents with unparalleled comfort and livability. Four of the homes will be 3-bedroom, one will be 4-bedroom; four units will have 2-1/2 baths and one unit will have 3 baths, private laundry facilities, and plenty of storage. Kitchens and baths will have solid surface counters, high-end appliances and tile or wood flooring. Each home will have central heat and air-conditioning and include the latest energy saving construction technologies. Also included will be anti-mold and termite treatments on all wood framing. Every effort will be made to make long lasting, comfortable, low maintenance homes available at a high value price in one of the finest cities in North Orange County."

**Project Location**

The existing property is shown below. The property consists of a 9,490 square foot parcel in the Apartment Row neighborhood of the City. Currently on the site are 3 unit apartments built around 1960. These three units are not considered historic properties by the City.
### Surrounding Zoning and Uses

<table>
<thead>
<tr>
<th>Location</th>
<th>Zoning District</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing</td>
<td>Multiple Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>Proposed</td>
<td>Multiple Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>North of Site</td>
<td>Multiple Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>East of Site</td>
<td>Multiple Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>West of Site</td>
<td>Multiple Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>South of Site</td>
<td>Community Facilities (C-F)</td>
<td>Vacant – Base Little Cottonwood Park</td>
</tr>
</tbody>
</table>
Here are photos of the existing property:

Front View:
Application and Review Process

On November 17, 2016, the Applicant submitted a Discretionary Application that requested the following entitlements which are required for the project:

- Site Plan Review (SPR 16-07)
- Tentative Tract Map (TTM 16-02 [TTM 18098])
- Conditional Use Permit (CUP 16-16)

Site Plan Review (SPR 16-07)

Chapter 17.50.020 Applicability, in the Zoning Code, states:
"A commercial or industrial site development, tentative parcel map, residential development plan, conditional use permit, or the addition of square footage to an existing multiple-family residential, commercial, or industrial structure shall be subject to the site plan review process."

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

Analysis

**Development Standards**

The proposed project would be located in the R-3 (Multiple Family) Residential Zoning District. The R-3 zoning district identifies areas designed to provide multiple-family housing. Types of development allowed in the district are multiple dwelling structures of four or more units, as well as less intensive residential developments that are allowed in the R-1 and R-2 zoning districts, which includes single-family dwelling units. The maximum density allowed is up to thirty (30) dwelling units per acre. The R-3 zoning district is consistent with the "Multiple-Family Residential" land use designation of the General Plan. Table 2 identifies the development features that are required under Section 17.08.030 Table 2-03 (Residential Zoning Districts General Development Standards).

The General Plan’s Housing Element identifies this property in Table B-3 (Underutilized Land - Apartment Row Neighborhood) as an underutilized parcel as it is currently developed with a single family home. The General Plan specifies that the density in this area should be between 20 and 30 dwelling units to the acre. Being a fully developed City, this parcel is suitable for an infill project in an established neighborhood that presents no known environmental or infrastructure constraints. The additional units provided by this project will help the City meet its allocation of required new housing per the Southern California Association of Governments (SCAG) “fair share” goals.

The property owner will dedicate 2½ feet of the Northern part of the parcel to the alley, which is required by the City in this neighborhood for enabling safer access by trash collection services due to the large trucks used in the industry.

**R-3 Residential Development Standards**

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed Project</th>
<th>Requirement Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Area</td>
<td>7,200 sq. ft.</td>
<td>9,360 sq. ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Parcel Width (Interior Parcel)</td>
<td>60 ft.</td>
<td>52 ft.</td>
<td>No - Legal Nonconforming Parcel</td>
</tr>
<tr>
<td>Parcel Depth</td>
<td>100 ft.</td>
<td>180 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Requirement</td>
<td>Required</td>
<td>Proposed Project</td>
<td>Requirement Met</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td><strong>Maximum Density</strong></td>
<td>30 du/ac max by code, 20 to 30 units per acre by General Plan Standards</td>
<td>23 du/ac</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Dwelling Unit Density</strong></td>
<td>1,750 sq. ft. per unit</td>
<td>1,971 sq. ft. per unit</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Minimum dwelling area (gross floor area)</strong></td>
<td>2 + bedrooms - 800 sq. ft.</td>
<td>Units 1&amp;2: 1,620 sq. ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>(Not including garage)</td>
<td></td>
<td>Units 3&amp;4: 1,905 sq. ft.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unit 5: 1,978 sq. ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Height Limit – Main Structures</strong></td>
<td>3 Stories or 35 ft.</td>
<td>3 Stories (33 1/2 ft.)</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Setbacks:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Side</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Maximum Site Coverage</strong></td>
<td>50%</td>
<td>35.6%</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Outdoor Living Space</strong></td>
<td>200 sq. ft. per dwelling (1,000 sq. ft. total)</td>
<td>The property has over 200 square feet of landscaping per unit (1,932 sq. ft. total) and a private yard size with no dimension less than 10 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Distance between structures (ft.) on one parcel</strong></td>
<td>10 ft.</td>
<td>25 ft. between structure A and B. 19 ft. between structure B and C.</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Storage Space</strong></td>
<td>200 cubic feet per unit</td>
<td>200 cubic feet per unit</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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

- **Section 17.34.060 – Residential Condominiums (only relevant sections listed)**
  - Building Codes - The project will be required to comply with all current building codes as a condition of approval.
  - Utility Meters – Each unit will be required to be separately metered as a condition of approval.
  - Undergrounding of utilities – On-site utilities will be required to be
undergrounded as a condition of approval.
- Laundry Facilities – Each unit has its own laundry facilities.
- Covenants, Conditions, and Restrictions (CC&Rs) – CC&Rs shall be required prior to final map approval and conditions will require that required provisions be included.

- Parking

This project will have 13 spaces total; two spaces per each two-car garage (five total two-car garages) and three extra spaces in common areas.

Parking requirements in the Residential Zoning District (R-3) require two spaces for the first two bedrooms of each dwelling unit. For rooms that can readily be utilized as bedrooms (i.e., bedrooms, dens, and offices) an additional \( \frac{1}{2} \) space is required for each room in excess of the first two bedrooms. One of the required parking spaces for each dwelling unit shall be located in an enclosed garage. The following table identifies the required parking spaces for the proposed project.

### R-3 Parking Requirements

<table>
<thead>
<tr>
<th>Required §17.26.040 Parking Space Requirements</th>
<th>Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Spaces</td>
<td></td>
</tr>
<tr>
<td>Two spaces for the first two bedrooms of each dwelling unit; plus one-half space for each bedroom or other room that can readily be used as bedrooms in excess of the first two bedrooms</td>
<td>4 - 3 bed units @ 2 ( \frac{1}{2} ) spaces each = 10 spaces</td>
</tr>
<tr>
<td></td>
<td>1 - 4 bed unit @ 3 spaces = 3 spaces</td>
</tr>
<tr>
<td>Provided Spaces</td>
<td>Total = 13 spaces</td>
</tr>
<tr>
<td>13 spaces</td>
<td></td>
</tr>
<tr>
<td>Garage Spaces</td>
<td></td>
</tr>
<tr>
<td>5+ in garages</td>
<td>10 in garages</td>
</tr>
</tbody>
</table>

- **Circulation**

Vehicular access will be provided along the alley, through one private driveway, with ingress and egress from the alley. The width of the driveway in the narrowest place is 12 feet wide. All of the garages have enough room to accommodate the 28-foot turning radius required in the zoning code. Each proposed unit will have an attached two-car garage all of which face the private driveway. The three additional guest parking spaces are off of the alley.
• **Architecture**

The proposed architectural style displays a modern architecture with multiple planes that step in and out, stucco facia at varied heights on the parapet, and a large vertical inset covered with wood grain tiles. All proposed buildings will include additional enhanced architectural elements on all sides of the building in addition to the front architectural elements.

The drawing below shows the proposed view of the project from Farquhar Street, on the south side of the building:

![Diagram of proposed building view](image)

This is the elevation of the C building, as shown facing the alley on the North:
• **Landscaping**

LAMC Section 17.20.030 (Landscape Area Requirements) speaks to landscaping requirements that multi-family uses shall provide. The Applicant must maintain a minimum 15 percent of the site in landscaped areas. According to the site plan the front setback area, common area, and the yard areas of each home will include landscape areas that total approximately 20 percent of the total site area, therefore meeting this requirement. The Applicant proposes to install trees in the project but has not yet presented a landscape plan. Staff recommends that the Applicant install five trees at a minimum, and has added a condition requiring this (#11). This project will be required to comply with Chapter 13.05 “Water Efficient Landscaping,” and Chapter 13.04 “Water Conservation”, of the Los Alamitos Municipal Code. This has been noted by Staff in the conditions.

• **Fencing and Walls**

Currently, there is a variety of fencing types on the property lines. The applicant plans to add a short, three-foot tall wood fencing around the private outdoor spaces in the front setback for the two units of the first building and seven foot tall fencing either between or around the other units’ private spaces. The Applicant will install a 7 foot block wall on the eastern property line and there will be no fencing on the western side between this and the mirrored project on the west.

• **Lighting**

The building will include exterior light fixtures located on all four sides of the structures. These lights have been conditioned by Staff to direct light only on the subject property.
Required Findings

In order to approve a Site Plan Review, the following findings must be made in accordance with Section 17.50.040 of the LAMC:

1. **The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district:** The design and layout of the five residential condominiums on one lot at 4071 Farquhar Avenue, as conditioned, is consistent with the development and design standards/guidelines of the Multiple Family (R-3) Residential Zoning District as well as with the requirements for residential condominiums set forth in Section 17.34.060. As shown above, the development meets, or will be conditioned to meet, all requirements except for the width of the property, which is excused from the requirement as a nonconforming lot.

2. **The design and layout of the proposed development are consistent 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 five residential condominiums at 4071 Farquhar Avenue would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses are multi-family residential with a city park and vacant base land across the street. The approved location is appropriate for a five unit residential condominium development. The location of the private driveway ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Farquhar Avenue by having less curb cuts. The property is zoned for this type of development.

3. **The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter:** The design of the five residential condominiums would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City’s architecture with an updated residential building design, extensive landscaping, and maintenance requirements under a condominium ownership.

4. **The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance:** The design of the five residential condominiums would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping,
and color as described above. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the implementation of a homeowners’ association and the use of covenants, conditions, and restrictions.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity: The five residential condominiums provide for public health, safety, and welfare of the residential and business communities by increasing the density of the site to the amount required by the General Plan at this home site rather than causing sprawl elsewhere. Additionally, this project replaces structures which are 60 years old, and the building will meet all building code requirements.

6. The proposed development would not substantially depreciate property values in the vicinity: The five residential condominium units would not depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics.

Staff Conclusion

Staff has reviewed the proposed project and application materials and finds that the proposed project design and layout meet the minimum standards of the R-3 zoning district, including Section 17.08.030 (Property Development Standards), Section 17.16.040 (Architectural Design), and Chapter 17.20 (Landscaping) and that all of the findings can be made as set forth in attached Resolution PC 17-03.

Conditional Use Permit (CUP16-16)

The Applicant requests a Conditional Use Permit to permit a condominium project in the R-3 (Multiple Family) Residential Zoning District as required by Sections 17.08.020 and 17.34.020A of the LAMC.

Analysis

Condominiums require a conditional use permit under the City’s Municipal Code. (LAMC §§ 17.08.020; 17.34.020.)

Required Findings

Staff reviewed the proposed project and researched the surrounding area and has made the following Conditional Use Permit findings as set forth in LAMC Section 17.42.050:

1. The use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will not allow
conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibration: The project, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for this type of five unit condominium development project and the project will comply with all applicable building and development codes. The condominium project will not foster circumstances that tend to generate nuisance conditions such as noise, glare, odor, or vibrations because it is a residential development that is consistent with the surrounding multiple-family and single-family residential uses.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate: The proposed five-unit residential condominium project meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this residential development project complies with all of the development standards for the Multiple Family Residential (R-3) Zoning and additional requirements set forth in Section 17.34.060 relating to residential condominiums.

3. 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 location and character of the use, if developed in accordance with the plan as submitted for approval, will be in harmony with the area in which it is to be located because the residential condominiums are 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.

<table>
<thead>
<tr>
<th>Applicable General Plan Implementing Goals and Policies</th>
<th>Consistency of Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use Element</strong></td>
<td></td>
</tr>
<tr>
<td>Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
</tr>
<tr>
<td>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.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
</tr>
<tr>
<td>Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.</td>
<td>This project will be in the multi-family residential neighborhood and is just the sort of project which will add to the character of the neighborhood.</td>
</tr>
<tr>
<td>Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.</td>
<td>This project has been compared to the development standards of the multi-family General Plan designation and has been found to be compliant.</td>
</tr>
</tbody>
</table>
Open Space, Recreation, and Conservation Element

Goal 1: A diverse range of parks, facilities, and programs that meet the recreational needs and interests of the community.

Goal 4: Air, water, and energy resources that are protected from pollution and overuse.

Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD.

Mobility and Circulation Element

Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.

Public Facilities and Safety Element

Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.

Growth Management Element

Policy 1.1 New development. New development shall pay its share of the costs of public facilities and services needed to serve the new residents.

This project will be required to pay park fees which will provide funds for future recreational fees to be met.

This is a residential infill project that will take the place of sprawl that would be built on the fringes of this metropolitan area.

BMP's are required for the construction of this project in the conditions of approval.

This will not add driveways to the passing streets, but will access the site from an existing alleyway.

These are BMP requirements that are a part of the conditions of approval for the project.

And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with the Housing Element:

Housing Strategy Area 4: Adequate Housing Supply

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

This property was also identified as an underutilized lot in this element.

4. The decision is based on substantial evidence in view of the record as a whole before the Commission: The decision to approve Conditional Use Permit 16-16 is based on the Planning Commission's review of the plans and specifications submitted for the proposed project and on testimony given at the public hearing on April 26, 2017, before the Planning Commission.
Staff Conclusion

Staff believes the proposed Conditional Use Permit meets the requirements established within Section 17.42.050 (Findings and Decision) as more fully set forth in Resolution PC 17-04, attached hereto.

Tentative Tract Map (TTM 16-02 and Tentative Tract Map No. 18098)

According to Government Code Section 66426 (a portion of the Subdivision Map Act) and the City’s subdivision ordinance, a tentative tract map is required when a project proposes five or more condominiums.

Analysis

The proposed tentative tract map (Tentative Tract Map Number 18098) establishes one lot for the purpose of developing a condominium project for five condominiums on one lot. The tentative tract map has the same dimensions and parameters of the existing lot and identifies the private driveway access and utility easements. No additional lots will be created or removed. Once approved by the Planning Commission, sitting as the Subdivision Committee, the Tentative Tract Map expires 24 months from the date of approval unless the applicant requests a time extension prior to the expiration. The Subdivision Map Act, along with Title 16 of the LAMC, regulates subdivisions.

The LAMC requires residential subdivisions of five units to pay parkland dedication (Quimby) fees. The current rate for multi-family residential units is $13,412.00, as set by resolution of the City Council. The project will be conditioned on paying a fee of $26,824.00, since there will be two new units on the property.

Required Findings

The findings that are required to approve Tentative Tract Map 16-02 are set forth in the Subdivision Map Act as well as Sections 16.10.100 and 16.10.110 of the LAMC. They are as follows:

1. The proposed map is consistent with the City’s General Plan. The proposed map allows for the development of 5 condominium units at a density of 23 dwelling units an acre which is within the General Plan multi-family residential land use designation of 20–30 units per acre. The proposed design and improvements of the five-unit condominium subdivision are consistent with the applicable General Plan goals, policies, and implementation measures as set forth below.

2. The design and improvement of the proposed subdivision is consistent with the City’s General Plan: The design and improvement of the five-unit condominium project are suitable for residential development of the R-3 designation and the density meets the requirements of the General Plan.
3. The site is physically suitable for the proposed type of development: The site is physically suitable for a residential condominium subdivision because the site is generally flat and will require minimal grading on site. The project can meet all development standards except width, which is excused as a legal nonconforming lot.

4. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

5. The site is physically suitable for the proposed density of development: The site is capable of supporting the development of five residential condominium units. The proposed project is at 23 dwelling units per acre, well under the City's R-3 zoning district that allows a maximum of 30 dwelling units per acre under a multi-family development project. Each proposed unit and the entire project meets the development standards for the R-3 zone including parcel area, parcel depth, maximum density, minimum dwelling area, maximum height, setbacks, site coverage, and minimum distances between buildings. The parcel width is minimally under the code requirement, but is allowed because it is a legal non-conforming lot.

6. The design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife in their habitat: The proposed subdivision will not cause any environmental damage as this is an infill project on property that already has been developed with residential units and there are no fish or wildlife habitat on site. The site has already been graded.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems: The proposed subdivision design and improvements will not adversely affect the public health of the citizens of the City of Los Alamitos as the project is the type of use which is planned for in this area; the residential condominium project will be compatible with the multi-family residential uses in the area. Also the widening of the alley will improve safety for trash collection by today's larger trucks.

8. The design of the subdivision and improvements will not conflict with public access easement through the property: The design of the...
subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements. There are no public access easements through the property.

9. The design and improvements of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations: The project will be able to comply with all zoning regulations as specified above.

10. The discharge of waste into an existing community sewer system will not result in or add to a violation of existing requirements prescribed by either the Regional Water Quality Control Board: The project will not result in a violation of requirements prescribed by the Regional Water Quality Control Board as the Applicant is required to prepare a Water Quality Management Plan (WQMP) for the project.

11. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision as the roof pitch is flat and must be made white in color and the project is subject to Green Building Codes.

Covenant Conditions & Restrictions

Prior to the sale of the first condominium, the Conditions will require the Applicant to prepare a document called Covenants, Conditions, and Restrictions (CC&Rs) and submit them to the City for review and approval. This will provide the operating regulations for the proposed condominium project and ensure that the project’s landscaping, irrigation, residential building exteriors, interior and exterior fences and walls, common areas and amenities, front yard areas, and back yard areas are maintained appropriately. The CC&Rs identify that the homeowners’ association will have the duty to maintain the property in a clean, safe, attractive, and healthy condition at all times, free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Los Alamitos Municipal Code. Staff has included some conditions to ensure that the Association will act as primary enforcer of parking regulations in the community. Additionally, all of the requirements set forth in LAMC 17.34.060 will be required to be included in the CC&Rs.

Staff Conclusion

Staff believes the proposed Tentative Tract Map 16-02 meets the requirements and regulations established by Chapter 16.12 (Standards of Design) and the Subdivision Map Act established in Government Code Sections 66410 et seq. and that all required findings can be made, as more fully set forth in Resolution No. PC 17-05, attached hereto.

General Plan Compatibility & Staff Recommendation
Staff believes that the proposed project is compatible with the surrounding land uses as it is immediately adjacent to similar high-density residential apartments and condominiums. The project would implement the City’s General Plan, and specifically the ones shown in the table below:

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Five Residential Condominium Project
April 26, 2017
Page 19 of 20
And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City. Here is a goal of the Housing Element:

**Housing Strategy Area 4: Adequate Housing Supply**

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

Staff supports approval of CUP (Conditional Use Permit) 16-16, SPR (Site Plan Review) 16-07, and TTM (Tentative Tract Map) 16-02 (18098) due to what appears to be exceptional layout, design, and architecture of the project.

**Attachments:**

1) Site Plan dated January 2, 2017
2) Site Plan Review Resolution No. PC 17-03
3) Conditional Use Permit Resolution No. PC 17-04
4) Tentative Tract Map Resolution No. PC 17-05
5) Exhibit A Conditions of Approval for all of the Resolutions
6) TTM 18098 – Exhibit B to Tentative Tract Map Resolution
4061 Farquhar

Stucco Body (Merlex)

Stucco Accent (Merlex)

Veneer (Coronado Stone)

Entry Doors

Garage Doors

Rails, Awnings, Trim

4071 Farquhar

3755 Farquhar

Refined WoodStone (Blackened Oak)

Entry Doors

Garage Doors

Sherwin Williams Paints
RESOLUTION NO. PC 17-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-07) TO ALLOW CONSTRUCTION OF FIVE CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)

WHEREAS, an application for a Site Plan Review was submitted by Eddie and Donna Kesky on November 17, 2016, requesting approval for demolishing an existing 3 unit apartment building and building five residential condominium units at 4071 Farquhar Avenue, APN 222-052-43; and,

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

WHEREAS, the Planning Commission reviewed the application for Site Plan Review at a duly noticed public hearing on April 26, 2017, at which time it considered all of the evidence presented, both written and oral.

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

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

SECTION 2. The Planning Commission hereby makes the following findings which is based on all of the evidence presented, both written and oral; the Staff report is incorporated by reference:

1. The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district: The design and layout of the five residential condominiums on one lot at 4071 Farquhar Avenue, as conditioned, is consistent with the development and design standards/guidelines of the Multiple Family (R-3) Residential Zoning District as well as with the requirements for residential condominiums set forth in Section 17.34.060. As shown above, the development meets, or will be conditioned to meet, all requirements except for the width of the property, which is excused from the requirement as a nonconforming lot.
2. The design and layout of the proposed development are consistent 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 five residential condominiums at 4071 Farquhar Avenue would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses are multi-family residential with a city park and vacant base land across the street. The approved location is appropriate for a five unit residential condominium development. The location of the private driveway ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Farquhar Avenue by having less curb cuts. The property is zoned for this type of development.

3. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter: The design of the five residential condominiums would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City’s architecture with an updated residential building design, extensive landscaping, and maintenance requirements under a condominium ownership.

4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance: The design of the five residential condominiums would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color as described above. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the implementation of a homeowners’ association and the use of covenants, conditions, and restrictions.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity: The five residential condominiums provide for public health, safety, and welfare of the residential and business communities by increasing the density of the site to the amount required by the General Plan at this home site rather than causing sprawl elsewhere. Additionally, this project replaces structures which are 60 years old, and the building will meet all building code requirements.

6. The proposed development would not substantially depreciate property values in the vicinity: The five residential condominium units would not
depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics.

7. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review SPR16-07, as represented by the plans and elevations in the plans dated January 2, 2017 and subject to the conditions shown on “Exhibit A.”

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-04 and 17-05 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

ATTEST: Larry Andrade, Chair

Steven A. Mendoza, Secretary
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 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________________
Steven A. Mendoza, Secretary
RESOLUTION NO. PC 17-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP16-16) TO ALLOW CONSTRUCTION OF FIVE CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY).

WHEREAS, an application for a Conditional Use Permit was submitted for the construction of five residential condominiums on one lot at 4071 Farquhar Avenue, APN 222-052-43, on November 17, 2016; and,

WHEREAS, the verified application constitutes a request under Section 17.08.020 (Land Uses and Permit Requirements), Section 17.08.020 Table 2-02 (Allowed Uses and Permit Requirements for Residential Zoning Districts) and Section 17.42.040 (Conditional Use Permits Required) of the Los Alamitos Municipal Code, which requires Planning Commission approval of a Conditional Use Permit for condominium projects in the R-3 Zoning District; and,

WHEREAS, prior to adopting this Resolution the Planning Commission adopted Resolution No. XXX approving the Site Plan, dated January 2, 2017; and

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on April 26, 2017 at which time it considered all of the evidence presented, both written and oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES 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 16-16 is hereby approved to allow the construction of five residential condominiums on one lot at 4071 Farquhar Avenue based upon the following findings. These findings are based on all of the evidence presented and the Staff report is incorporated herein by reference:

1. The use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibration: The project, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for this type of five unit condominium development.
project and the project will comply with all applicable building and development codes. The condominium project will not foster circumstances that tend to generate nuisance conditions such as noise, glare, odor, or vibrations because it is a residential development that is consistent with the surrounding multiple-family and single-family residential uses.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate: The proposed five-unit residential condominium project meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this residential development project complies with all of the development standards for the Multiple Family Residential (R-3) Zoning and additional requirements set forth in Section 17.34.060 relating to residential condominiums.

3. 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 location and character of the use, if developed in accordance with the approved site plan, will be in harmony with the area in which it is to be located because the residential condominiums are 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.

<table>
<thead>
<tr>
<th>Applicable General Plan Implementing Goals and Policies</th>
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<td><strong>Land Use Element</strong></td>
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<td>Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
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<td>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.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
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<td>Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.</td>
<td>This project will be in the multi-family residential neighborhood and is just the sort of project which will add to the character of the neighborhood.</td>
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<tr>
<td>Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.</td>
<td>This project has been compared to the development standards of the multi-family General Plan designation and has been found to be compliant.</td>
</tr>
<tr>
<td><strong>Open Space, Recreation, and Conservation Element</strong></td>
<td></td>
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<td>Goal 1: A diverse range of parks, facilities, and programs that meet the recreational needs and interests of the community.</td>
<td>This project will be required to pay park fees which will provide funds for future recreational fees to be met.</td>
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<td>This is a residential infill project that will take the place of sprawl that</td>
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would be built on the fringes of this metropolitan area.

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<th>Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD.</th>
<th>BMP's are required for the construction of this project in the conditions of approval.</th>
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<td><strong>Mobility and Circulation Element</strong></td>
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<td>Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.</td>
<td>This will not add driveways to the passing streets, but will access the site from an existing alleyway.</td>
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<td><strong>Public Facilities and Safety Element</strong></td>
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<td>Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.</td>
<td>These are BMP requirements that are a part of the conditions of approval for the project.</td>
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<td><strong>Growth Management Element</strong></td>
<td></td>
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<td>Policy 1.1 New development. New development shall pay its share of the costs of public facilities and services needed to serve the new residents.</td>
<td>Park fees will be required to be paid.</td>
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And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City. Here is a goal of the Housing Element:

**Housing Strategy Area 4: Adequate Housing Supply**

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community. This property was also identified as an underutilized lot in this element.

4. *The decision is based on substantial evidence in view of the record as a whole before the Commission:* The decision to approve Conditional Use Permit 16-16 is based on the Planning Commission's review of the plans and specifications submitted for the proposed project and on testimony given at the public hearing on April 26, 2017, before the Planning Commission.

5. CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – *In-Fill Development Projects*. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.
SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves the Conditional Use Permit 16-16 subject to the conditions attached and incorporated by reference as Exhibit “A” to this Resolution.

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-03 and 17-05 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

Larry Andrade, Chair

ATTEST:

Steven A. 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 Planning Commission held on the 26th day of April, 2017, by the following vote, to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  

__________________________
Steven A. Mendoza, Secretary
RESOLUTION NO. PC 17-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-02 (TTM 18098) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE CONDOMINIUM UNITS ON ONE LOT AT 4071 FARQUHAR AVENUE, APN 222-052-43, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: EDDIE AND DONNA KESKY)

WHEREAS, an application for a Tentative Tract Map was submitted by Eddie and Donna Kesky on November 17, 2016, requesting to demolish 3 unit apartments on one lot and construct five residential condominiums on that lot at 4071 Farquhar Avenue, APN 222-052-43; and,

WHEREAS, the verified application constitutes a request as required by Chapter 16.10 (Tentative Maps-Procedures) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered the application at a duly noticed public hearing on April 26, 2017, at which time it considered all of the evidence presented, both written and oral.

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

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

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

1. The proposed map is consistent with the City’s General Plan. The proposed map allows for the development of five condominium units at a density of 23 dwelling units an acre which is within the General Plan multi-family residential land use designation of 20 – 30 units per acre. The proposed design and development of the five-unit condominium subdivision are consistent with the applicable General Plan goals, policies, and implementation measures as set forth below.

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<td>Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.</td>
<td>This project will be in the multi-family residential neighborhood and is just the sort of project which will add to the character of the neighborhood.</td>
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<td>Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.</td>
<td>This project has been compared to the development standards of the multi-family General Plan designation and has been found to be compliant.</td>
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### Open Space, Recreation, and Conservation Element

**Goal 1: A diverse range of parks, facilities, and programs that meet the recreational needs and interests of the community.**

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<th>Policy 1.1 Park and recreation space. Establish a goal of providing 5 acres of park and recreation space for every 1,000 residents in Los Alamitos.</th>
<th>This project will be required to pay park fees which will provide funds for future recreational fees to be met.</th>
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<td>Goal 4: Air, water, and energy resources that are protected from pollution and overuse.</td>
<td>This is a residential infill project that will take the place of sprawl that would be built on the fringes of this metropolitan area.</td>
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### Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD.

### Mobility and Circulation Element

**Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.**

| Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health. | These are BMP requirements that are a part of the conditions of approval for the project. |

### Public Facilities and Safety Element

| Policy 1.1 New development. New development shall pay its share of the costs of public facilities and services needed to serve the new residents. | Park fees will be required to be paid. |

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

**Housing Strategy Area 4: Adequate Housing Supply**

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community. This property was also identified as an underutilized lot in this element.
2. The design and improvement of the proposed subdivision is consistent with the City’s General Plan: The design and improvement of the five-unit condominium project are suitable for residential development of the R-3 designation and the density meets the requirements of the General Plan.

3. The site is physically suitable for the proposed type of development: The site is physically suitable for a residential condominium subdivision because the site is generally flat and will require minimal grading on site. The project can meet all development standards except width, which is excused as a legal nonconforming lot.

4. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

5. The site is physically suitable for the proposed density of development: The site is capable of supporting the development of five residential condominium units. The proposed project is at 23 dwelling units per acre, well under the City’s R-3 zoning district that allows a maximum of 30 dwelling units per acre under a multi-family development project. Each proposed unit and the entire project meets the development standards for the R-3 zone including parcel area, parcel depth, maximum density, minimum dwelling area, maximum height, setbacks, site coverage, and minimum distances between buildings. The parcel width is minimally under the code requirement, but is allowed because it is a legal non-conforming lot.

6. The design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife in their habitat: The proposed subdivision will not cause any environmental damage as this is an infill project on property that already has been developed with residential units and there are no fish or wildlife habitat on site. The site has already been graded.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems: The proposed subdivision design and improvements will not adversely affect the public health of the citizens of the City of Los Alamitos as the project is the type of use which is planned for in this area; the residential condominium project will be compatible with the multi-family residential uses in the area. Also the widening of the alley will improve safety for trash collection by today’s larger trucks.
8. The design of the subdivision and improvements will not conflict with public access easement through the property: The design of the subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements. There are no public access easements through the property.

9. The design and improvements of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations: The project will be able to comply with all zoning regulations as specified above.

10. The discharge of waste into an existing community sewer system will not result in or add to a violation of existing requirements prescribed by either the Regional Water Quality Control Board: The project will not result in a violation of requirements prescribed by the Regional Water Quality Control Board as the Applicant is required to prepare a Water Quality Management Plan (WQMP) for the project.

11. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision as the roof pitch is flat and must be made white in color and the project is subject to Green Building Codes.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Tentative Tract Map 16-02 (TTM 18098) attached as Exhibit "B," subject to the conditions located in Exhibit "A."

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-03 and 17-04 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

________________________
Larry Andrade, Chair

ATTEST:

________________________
Steven A. Mendoza, Secretary
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 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________________  
Steven A. Mendoza, Secretary
KESKY FIVE UNIT CONDOMINIUM PROJECT
CONDITIONS OF APPROVAL
SPR 16-07, CUP16-16, and TTM 16-02 (18098)

GENERAL CONDITIONS

1. Approval of this application is to build a five unit condominium development project in three buildings at 4071 Farquhar Avenue (APN 222-052-43) with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a vesting Site Plan Review, Conditional Use Permit, and Tentative Tract Map, noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code and any applicable state law. If any changes are proposed regarding the location or alteration of the plans dated January 2, 2017 (as amended during the hearing), a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.

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

3. The Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property Applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Development Services Department.

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

5. Project plans for the condominium development shall be subject to a complete code compliance review with the Development Services Department when the condominium plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.

6. Approval of Site Plan Review 16-07 shall be valid for a period of twelve (12) months from the date the site plan was approved, and Conditional Use Permit 16-16 shall be valid for a period of eighteen (18) months from the date this permit approved. If construction is commenced within this eighteen (18) month period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect.

7. Approval of TTM 16-02 (TTM 18098) is valid for twenty-four (24) months. Prior to the expiration of the Map the Applicant may request a twelve (12) month extension in accordance with the Los Alamitos Municipal Code.

8. In accordance with Government Code section 66477 and Chapter 16.17 of the Los Alamitos Municipal Code, the applicant shall be required to pay $26,824.00 in parkland dedication (Quimby) fees.

**LANDSCAPE**

9. 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.
10. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.

11. The Applicant shall install, at a minimum, five 15 gallon trees within the landscaped areas of the parcel.

12. Front-yard landscaping for each individual condominium unit, private driveway street trees, common open space landscaping, and landscaping area shall be installed prior to occupancy of any condominium units. The developer shall be responsible for maintaining the common area landscaping until such time as the project nears complete sell-out and the homeowner's association takes over maintenance responsibility.

13. Trees shall be planted outside of any Sight Safety Triangle or be trimmed to eight feet from above the adjacent top of curb.

LIGHTING

14. Prior to permit issuance, Applicant shall submit a lighting plan to the Development Services Department to the satisfaction of the Development Services Director.

15. The Applicant shall provide adequate exterior lighting for each residential unit that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in the Los Alamitos Municipal Code. All lighting structures shall be placed so as to confine direct rays to the subject property.

16. The Applicant shall provide an illuminated uniform address number near the entryway of each unit, or other location acceptable to the Development Services Director.

UTILITIES

17. The Applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Development Services Department for review and approval prior to the Building and Safety Division Plan check.

18. All utility service lines shall be placed underground.

19. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading. Each unit shall be separately metered.

CONSTRUCTION
20. During construction, the Applicant will display a sign visible to the public from Farquhar Avenue with a contact number of the construction superintendent to address any questions or concerns about demolition, grading, and construction activities.

21. 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 Development Services Director.

22. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of an existing dwelling shall be equipped with properly operating and maintained mufflers.

23. 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.

24. Stock piling and/or vehicle-staging areas shall be placed as far as practical from residential homes.

25. The Applicant shall have rodent and pest controls on site during demolition and grading activities to mitigate impacts to the surrounding properties and neighborhood.

26. 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.

27. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.

OTHER

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

29. The ground floor room labeled as "study/den" in Units 1, 2, 3 and 4 shall not have a closet installed and shall not be considered as a bedroom. This requirement shall be included in the CC&Rs.
30. The air conditioner units shall be installed in accordance with LAMC 17.16.100.D.

31. The garage doors shall be the same style as shown on the elevations.

32. A Water Quality Management Plan (WQMP) will be required to be processed for this project.

33. Prior to the sale of any individual condominium, a Homeowners’ Association shall be created to maintain the common area landscaping, driveway trees, maintenance of common open space and furniture, walls and fencing. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover replacement and major repair costs. The homeowners’ association shall be authorized to enforce the Covenants, Conditions, and Restrictions (CC&Rs). The developer shall prepare project CC&Rs for the entire development for review and approval by the Development Services Director, prior to any permanent Certificate of Occupancy being issued.

34. The CC&Rs shall be approved by the City Attorney’s office and the Development Services Department prior to the issuance of any Certificate of Occupancy (temporary or permanent). The CC&Rs shall be recorded prior to or at the same time that the final map is recorded and two copies of the recorded CC&Rs shall be provided to the Development Services Department. The CC&Rs shall include the following provisions in addition to anything else identified in these conditions:

   a. All units shall maintain within the garage the ability to park two cars at all times. Garages shall not be converted to any other use.

   b. Parking spaces in the garages shall be made available to the occupants of the unit at all times.

   c. There shall be no business activities or day care conducted within or from the garages.

   d. The CC&R’s shall identify for the tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as trash trucks, fire trucks, etc., from maneuvering around the private driveway.

   e. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
f. The CC&R's shall include requirements that maintenance of the private drive aisles, storm drain, sewer system, and open space areas within the interior of the development is the responsibility of the Homeowner's Association, including the common landscaped areas.

g. **Attorney Fees:** The City shall be entitled to recover its attorney's fees and costs incurred in connection with its actions to enforce the conditions of these Declarations or Tentative Tract Map TTM 16-02 (18098), Conditional Use Permit CUP 16-16, Site Plan Review SPR 16-07 approvals, or to abate the violation thereof. The City may impose a lien or assessment on the property to recover such attorney's fees and costs.

h. **Public Safety Access:** The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.

i. The CC&R's may not be amended without prior approval from the City. The City's approval shall be limited to insuring that the provisions required by these conditions have not been altered.

35. The applicant shall provide, as a minimum, a trash enclosure to 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 Community Development. 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.

**ENGINEERING**

36. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.

37. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
38. 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.

39. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.

40. The Applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.

41. If utility cuts are excessive in the street the street must have a grid and overlay placed on it per the satisfaction of the City Engineer.

42. 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.

43. A City Public Works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.

44. 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.

45. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.

46. 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.

47. The Applicant shall dedicate 2½ feet of the property to the City to widen the alley by occupancy of the units.

48. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Final Water Quality Management Plan (WQMP) that:

- Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
• Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

• Incorporates Treatment Control BMPs as defined in the DAMP.

• Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.

• Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.

• Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

PUBLIC WORKS

49. The Applicant shall install new sidewalk on Farquhar Avenue, in front of the entire subject parcel.

50. The Applicant shall remove the existing drive approach (curb cut) to the property on Farquhar Avenue and replace with a new curb and gutter per City standards.

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

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

53. The Applicant shall install 1-2 new trees on Farquhar Avenue evenly spaced in the parkway in front of the subject parcel. Please call the Public Works Superintendent at 562-431-3538 for type and specifications.

54. The Applicant shall install irrigation to each of the City trees planted. The irrigation shall be a bubbler sprinkler NOT a tree well type of bubbler sprinkler.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

55. The Applicant shall submit engineering plans to the Sewer District prior to connection to the District's sewer in Farquhar Avenue.

56. The Applicant shall pay all applicable Sewer District connection, permit, plan check and inspection fees.
BUILDING AND SAFETY DIVISION

57. The Applicant must comply with all current California Building Codes in effect at the time that the plans are submitted.

58. The Applicant shall submit three (3) sets of complete building plans to the Building and Safety Department for review.

59. 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.

60. Provide asbestos report for demo permit and submit to AQMD if asbestos is found.

61. For demo and construction, project must recycle 60% of material and submit a waste management plan.

ORANGE COUNTY FIRE AUTHORITY (OCFA)

62. Plan Submission: 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. If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.

Prior to issuance of a building permit if a grading permit is not required:

- fire master plan (service code PR145)

Prior to issuance of a building permit:

- fire sprinkler system (service codes PR400)

- Lumber-drop Inspection: After installation of required fire access roadways and hydrants, the Applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least two days in advance to schedule the lumber drop inspection.
City of Los Alamitos
Planning Commission and Subdivision Committee

Agenda Report
Public Hearing
April 26, 2017
Item No: 7B

To: Chair Andrade and Members of the Planning Commission/Subdivision Committee

From: Steven A. Mendoza, Development Services Director

Subject: Consideration of a Five-Unit, Residential Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 3751/3755 Farquhar Avenue (APN 222-062-28) Applicant: Alison Stapakis and Olympia Stapakis

Summary: Consideration of a five-unit, residential condominium project at 3751/3755 Farquhar Avenue (APN 222-062-28) on an 8,760 square foot parcel in the Multiple Family (R-3) Zoning District. The project requires a Site Plan Review, Conditional Use Permit and a Tentative Tract Map for condominium subdivision purposes (Applicant: Alison Stapakis and Olympia Stapakis).

Recommendation:

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

2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects; and,

3. Adopt Resolution No. PC 17-06, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-09) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS)”; and,

FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS); and,

5. Adopt Resolution No. PC 17-08, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-04 (TTM 18100) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS)".

Applicant: Alison Stapakis and Olympia Stapakis

Project Location: 3751 Farquhar Avenue (APN 222-062-28)

Notice: On April 12, 2017, Notice of Public Hearing was posted at City Hall, the Community Center, and the Los Alamitos Museum and at the Site. It was also published in the News Enterprise and public notices were mailed out to all property owners and tenants within 500 feet of the property on this date.

Environmental: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 - In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

Background

The Applicant has submitted an application for a project to be located at 4071 Farquhar Avenue. The project will involve demolishing the two existing homes and the construction of five residential condominium units. This project will look similar to two other projects near this project on Farquhar Avenue that are to be presented at tonight's meeting. The owners of this project are developing at the same time as the others, with similar plans, for a cost savings.

The five (5) units will be located in three (3) buildings as illustrated below. The units range in size from 1,324 to 1,778 Square feet. Four (4) units will be three-bedroom and...
2 ½ baths with either a study or studio and one (1) unit will be two-bedroom and 2 ½ baths. All structures will be three stories in height and each unit will have a parking attached. Outdoor space will be provided for each unit consisting of a ground-floor private yard area.

Here is how the Applicant describes the project:

“Currently on the property is an existing 2 unit SFR (built around 1960). The proposal includes demolishing the residence and constructing 5 new townhome units. The homes will be of Grade-A construction quality, with style fitting in with the newer developments of similar type in the area. They will be 3-story on grade, with private, landscaped yards and private decks, providing residents with un-paralleled comfort and livability. Four of the homes will be 3-bedroom and 2-1/2 baths, one will be 2-bedroom and 2-1/2 baths; each will have private laundry facilities, and plenty of storage. Kitchens and baths will have solid surface counters, high-end appliances and tile or wood flooring. Each home will have central heat and air-conditioning and include the latest energy saving construction technologies. Also included will be anti-mold and termite treatments on all wood framing. Every effort will be made to make long lasting, comfortable, low maintenance homes available at a high value price in one of the finest cities in North Orange County.”

**Project Location**

The existing property is shown below. The property consists of an 8,760 square foot parcel in the Apartment Row neighborhood of the City. Currently on the site are two 850 square foot single family residences built around 1960. These are not historic homes.
<table>
<thead>
<tr>
<th>Location</th>
<th>Zoning District</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td>Existing Multiple</td>
<td>Duplex</td>
</tr>
<tr>
<td></td>
<td>Family (R-3)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Proposed Multiple</td>
<td>MFResidential</td>
</tr>
<tr>
<td></td>
<td>Family (R-3)</td>
<td></td>
</tr>
<tr>
<td>North of Site</td>
<td>Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>East of Site</td>
<td>Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>West of Site</td>
<td>Family (R-3)</td>
<td>MFResidential</td>
</tr>
<tr>
<td>South of Site</td>
<td>Single Family (R-1)</td>
<td>OC Flood Control</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Channel</td>
</tr>
</tbody>
</table>
Here are photos of the existing property:

Front View:
Application and Review Process

On December 1, 2016, the Applicant submitted a Discretionary Application that requested the following entitlements which are required for the project:

- Site Plan Review (SPR 16-09)
- Tentative Tract Map (TTM 16-04 [TTM 18100])
- Conditional Use Permit (CUP 16-18)

Site Plan Review (SPR 16-09)

Chapter 17.50.020 Applicability, in the Zoning Code, states:

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

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

Analysis

- Development Standards

The proposed project would be located in the R-3 (Multiple Family) Residential Zoning District. The R-3 zoning district identifies areas designed to provide multiple-family housing. Types of development allowed in the district are multiple dwelling structures of four or more units, as well as less intensive residential developments that are allowed in the R-1 and R-2 zoning districts, which includes single-family dwelling units. The maximum density allowed is up to thirty (30) dwelling units per acre. The R-3 zoning district is consistent with the "Multiple-Family Residential" land use designation of the General Plan which requires a density of 20 – 30 dwelling units per acre. Table 2 identifies the development features that are required under Section 17.08.030 Table 2-03 (Residential Zoning Districts General Development Standards).

The General Plan's Housing Element identifies this property in Table B-3 (Underutilized Land - Apartment Row Neighborhood) as an underutilized parcel as it is currently developed with a single family home. The General Plan specifies that the density in this area should be between 20 and 30 dwelling units to the acre. Being a fully developed City, this parcel is suitable for an infill project in an established neighborhood that presents no known environmental or infrastructure constraints. The additional units provided by this project will help the City meet its allocation of required new housing per the Southern California Association of Governments (SCAG) "fair share" goals.

The property owner will dedicate 2½ feet of the Northern part of the parcel to the alley, which is required by the City in this neighborhood for enabling safer access by trash collection services due to the large trucks used in the industry.

R-3 Residential Development Standards

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed Project</th>
<th>Requirement Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Area</td>
<td>7,200 sq. ft.</td>
<td>8,760 sq. ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Parcel Width (Interior Parcel)</td>
<td>60 ft.</td>
<td>48 ½ ft.</td>
<td>No - Legal Nonconforming Parcel</td>
</tr>
<tr>
<td>Parcel Depth</td>
<td>100 ft.</td>
<td>180 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>30 du/ac, plus 20 to 30 du/ac for the General Plan</td>
<td>25 du/ac</td>
<td>Yes</td>
</tr>
<tr>
<td>Dwelling Unit Density</td>
<td>1,750 sq. ft. per</td>
<td>1,752 sq. ft. per unit</td>
<td>Yes</td>
</tr>
<tr>
<td>(Gross Land Area per Dwelling Unit)</td>
<td>Required</td>
<td>Proposed Project</td>
<td>Requirement Met</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------</td>
<td>------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Minimum dwelling area (gross floor area)</td>
<td>unit</td>
<td>Unit 1: 1,324 sq. ft. Unit 2: 1,598 sq. ft. Units 3 &amp; 4: 1,778 sq. ft. Unit 5: 1,657 sq ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Height Limit - Main Structures</td>
<td>2 + bedrooms - 800 sq. ft.</td>
<td>3 Stories or 35 ft.</td>
<td>3 Stories (33' 6&quot;)</td>
</tr>
<tr>
<td>Setbacks:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Side</td>
<td>5 ft.</td>
<td>5 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Site Coverage</td>
<td>50%</td>
<td>35%</td>
<td>Yes</td>
</tr>
<tr>
<td>Outdoor Living Space</td>
<td>200 sq. ft. per dwelling (1,000 sq. ft. total)</td>
<td>The property has over 200 square feet of landscaping per unit (1,615 sq. ft. total) and a private yard size with no dimension less than 10 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Distance between structures (ft.) on one parcel</td>
<td>10 ft.</td>
<td>28 ft. between structure A and B. 28 ft. between structure B and C.</td>
<td>Yes</td>
</tr>
<tr>
<td>Storage Space</td>
<td>200 cubic feet per unit</td>
<td>222 cubic feet in unit 1. 202 cubic feet in unit 2. 280 cubic feet in units 3 &amp; 4. 234 cubic feet in unit 5.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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

- **Section 17.34.060 – Residential Condominiums (only relevant sections listed)**
  - Building Codes - The project will be required to comply with all current building codes as a condition of approval.
  - Utility Meters – Each unit will be required to be separately metered as a condition of approval.
  - Undergrounding of utilities – On-site utilities will be required to be undergrounded as a condition of approval.
  - Laundry Facilities – Each unit has its own laundry facilities.
  - Covenants, Conditions, and Restrictions (CC&Rs) – CC&Rs shall be required
prior to final map approval and conditions will require that required provisions be included.

- **Parking**

This project will have 12 spaces total; two spaces per each two-car garage (four total two-car garages), one 1-car garage and three open spaces.

Parking requirements in the Residential Zoning District (R-3) require two spaces for the first two bedrooms of each dwelling unit. For rooms that can readily be utilized as bedrooms (i.e., bedrooms, dens, and offices) an additional ½ space is required for each room in excess of the first two bedrooms. One of the required parking spaces for each dwelling unit shall be located in an enclosed garage. The following table identifies the required parking spaces for the proposed project.

**R-3 Parking Requirements**

<table>
<thead>
<tr>
<th>Required</th>
<th>Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>$\S$17.26.040 Parking Space Requirements</td>
<td></td>
</tr>
<tr>
<td>Two spaces for the first two bedrooms of each dwelling unit; plus one-half space for each bedroom or other room that can readily be used as in excess of the first two bedrooms</td>
<td>4 - 3 bed units @ 2 ½ spaces each = 10 spaces</td>
</tr>
<tr>
<td></td>
<td>1 - 2 bed unit @ 2 spaces = 2 spaces</td>
</tr>
<tr>
<td></td>
<td><strong>Total = 12 spaces</strong></td>
</tr>
<tr>
<td>Provided Spaces</td>
<td>12 spaces</td>
</tr>
<tr>
<td>Garage Spaces</td>
<td>5+ in garages</td>
</tr>
</tbody>
</table>

- **Circulation**

Vehicular access will be provided along the alley, through one private driveway, with ingress and egress from the alley. The width of the driveway in the narrowest place is 12 feet wide. All of the garages have enough room to accommodate the 28-foot turning radius required in the zoning code. 3 units will have an attached two-car garage and 1 unit will have a one-car garage all of which face the private driveway. Two additional guest parking spaces are off of the alley and the other additional space is near unit 1.

- **Architecture**

The proposed architectural style displays a modern architecture with multiple planes that step in and out, stucco fascia at varied heights on the parapet, and a large vertical
inset covered with wood grain tiles. All proposed buildings will include additional enhanced architectural elements on all sides of the building in addition to the front architectural elements.

The drawing below shows the proposed view of the project from Farquhar Avenue, on the south side of the project:

This is the project from the north side toward the alley:

- **Landscaping**

LAMC Section 17.20.030 (Landscape Area Requirements) speaks to landscaping requirements that multi-family uses shall provide. The Applicant must maintain a
minimum 15 percent of the site in landscaped areas. According to the site plan the front setback area, common area, and the yard areas of each home will include landscape areas that total approximately 18.4 percent of the total site area, therefore meeting this requirement. The Applicant proposes to install trees in the project but has not yet presented a landscape plan. Staff recommends that the Applicant install five trees at a minimum and has required that as Condition #11. This project will be required to comply with Chapter 13.05 “Water Efficient Landscaping,” and Chapter 13.04 “Water Conservation”, of the Los Alamitos Municipal Code. This has been noted by Staff in the conditions as #10.

- **Fencing and Walls**

There is currently a variety of fencing types on the property lines. The applicant plans to add a short, three-foot tall wood fencing around the private outdoor spaces in the front setback for the two units of the first building and seven foot tall fencing either between or around the other units’ private spaces. The Applicant will install a 7 foot block wall if they decide to replace the existing walls on the property lines.

- **Lighting**

The building will include exterior light fixtures located on all four sides of the structures. These lights have been conditioned by Staff to direct light only on the subject property (condition #15).

**Required Findings**

In order to approve a Site Plan Review, the following findings must be made in accordance with Section 17.50.040 of the LAMC:

1. The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district: The design and layout of the five residential condominiums on one lot at 3751 Farquhar Avenue, as conditioned, is consistent with the development and design standards/guidelines of the Multiple Family (R-3) Residential Zoning District as well as with the requirements for residential condominiums set forth in Section 17.34.060. As shown above, the development meets, or will be conditioned to meet, all requirements except for the width of the property, which is excused from the requirement as a legal nonconforming lot.

2. The design and layout of the proposed development are consistent 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 five residential condominiums at 3751 Farquhar Avenue would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses are multi-family
residential with a city park and vacant base land 2 blocks east. The approved location is appropriate for a five unit residential condominium development. The location of the private driveway ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Farquhar Avenue by having less curb cuts. The property is zoned for this type of development.

3. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter: The design of the five residential condominiums would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City's architecture with an updated residential building design, extensive landscaping, and maintenance requirements under a condominium ownership.

4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance: The design of the five residential condominiums would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color as described above. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the implementation of a homeowners' association and the use of covenants, conditions, and restrictions.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity: The five residential condominiums provide for public health, safety, and welfare of the residential and business communities by increasing the density on the site rather than causing sprawl elsewhere. Additionally, this project replaces structures which are approximately 60 years old. The building will meet all building code requirements.

6. The proposed development would not substantially depreciate property values in the vicinity: The five residential condominium units would not depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics.

7. CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no
cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

Staff Conclusion

Staff has reviewed the proposed project and application materials and finds that the proposed project design and layout meet the minimum standards of the R-3 zoning district, including Section 17.08.030 (Property Development Standards), Section 17.16.040 (Architectural Design), and Chapter 17.20 (Landscaping) and that all of the findings can be made as set forth in attached Resolution PC 17-06.

Conditional Use Permit (CUP16-18)

The Applicant requests a Conditional Use Permit to permit a condominium project in the R-3 (Multiple Family) Residential Zoning District as required by Sections 17.08.020 and 17.34.020A of the LAMC.

Analysis

Condominiums require a conditional use permit under the City's Municipal Code. (LAMC §§ 17.08.020; 17.34.020.)

Required Findings

Staff reviewed the proposed project and researched the surrounding area and has made the following Conditional Use Permit findings as set forth in LAMC Section 17.42.050:

1. The use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibration: The project, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for this type of five unit condominium development project and the project will comply with all applicable building and development codes. The condominium project will not foster circumstances that tend to generate nuisance conditions such as noise, glare, odor, or vibrations because it is a residential development that is consistent with the surrounding multiple-family residential uses.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate: The proposed five-unit residential condominium project meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate
as this residential development project complies with all of the development standards for the Multiple Family Residential (R-3) Zoning and additional requirements set forth in Section 17.34.060 relating to residential condominiums, with the exception of the width of the property which is excused as a legal non-conforming use.

3. 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 location and character of the use, if developed in accordance with the plan as submitted for approval, will be in harmony with the area in which it is to be located because the residential condominiums are 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.

<table>
<thead>
<tr>
<th>Land Use Element</th>
<th>Consistency of Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
</tr>
<tr>
<td>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.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
</tr>
<tr>
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Five Residential Condominium Project
April 26, 2017
Page 14 of 21
And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with a goal of the Housing Element:

Housing Strategy Area 4: Adequate Housing Supply

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community. This property was also identified as an underutilized lot in this element.

4. The decision is based on substantial evidence in view of the record as a whole before the Commission: The decision to approve Conditional Use Permit 16-18 is based on the Planning Commission's review of the plans and specifications submitted for the proposed project and on testimony given at the public hearing on April 26, 2017, before the Planning Commission.

Staff Conclusion

Staff believes the proposed Conditional Use Permit meets the requirements established within Section 17.42.050 (Findings and Decision) as more fully set forth in Resolution PC 17-07, attached hereto.

Tentative Tract Map (TTM 16-04 and Tentative Tract Map No.18100)

According to Government Code Section 66426 (a portion of the Subdivision Map Act) and the City's subdivision ordinance, a tentative tract map is required when a project proposes five or more condominiums.

Analysis

The proposed tentative tract map (Tentative Tract Map Number 18100) establishes one lot for the purpose of developing a condominium project for five condominiums on one lot. The tentative tract map has the same dimensions and parameters of the existing lot and identifies the private driveway access and utility easements. No additional lots will be created or removed. Once approved by the Planning Commission, sitting as the
Subdivision Committee, the Tentative Tract Map expires 24 months from the date of
approval unless the applicant requests a time extension prior to the expiration. The
Subdivision Map Act, along with Title 16 of the LAMC, regulates subdivisions.

The LAMC requires residential subdivisions of five units to pay parkland dedication
(Quimby) fees. The current rate for multiple-family residential units is $13,412.00, as
set by resolution of the City Council. The project will be conditioned on paying a fee of
$40,236.00 for the three new net units.

Required Findings

The findings that are required to approve Tentative Tract Map 16-04 are set forth in the
Subdivision Map Act as well as Sections 16.10.100 and 16.10.110 of the LAMC. They
are as follows:

1. The proposed map is consistent with the City’s General Plan. The
   proposed map allows for the development of 5 condominium units at a
density of 25 dwelling units an acre which is within the General Plan multi-
family residential land use designation of 20 – 30 units per acre. The
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   subdivision are consistent with the applicable General Plan goals, policies,
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**Mobility and Circulation Element**

- **Policy 1.6 Access management.** Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.
- This will not add driveways to the passing streets, but will access the site from an existing alleyway.

**Public Facilities and Safety Element**

- **Action 4.5 Construction activity.** Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.
- These are BMP requirements that are a part of the conditions of approval for the project.

**Growth Management Element**

- **Policy 1.1 New development.** New development shall pay its share of the costs of public facilities and services needed to serve the new residents.
- Park fees will be required to be paid.

And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with a goal of the Housing Element:

**Housing Strategy Area 4: Adequate Housing Supply**

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

This property was also identified as an underutilized lot in this element.

2. **The design and improvement of the proposed subdivision is consistent with the City’s General Plan:** The design and improvement of the five-unit condominium project are suitable for residential development of the R-3 designation and the density meets the requirements of the General Plan.

3. **The site is physically suitable for the proposed type of development:** The site is physically suitable for a residential condominium subdivision because the site is generally flat and will require minimal grading on site. The project can meet all development standards except width, which is excused as a legal nonconforming lot.

4. **The requirements of CEQA have been satisfied:** CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a...
previously-developed lot that is intended to have this amount of density and greater.

5. The site is physically suitable for the proposed density of development: The site is capable of supporting the development of five residential condominium units. The proposed project is at 25 dwelling units per acre, well under the City's R-3 zoning district that allows a maximum of 30 dwelling units per acre under a multi-family development project. Each proposed unit and the entire project meets the development standards for the R-3 zone including parcel area, parcel depth, maximum density, minimum dwelling area, maximum height, setbacks, site coverage, and minimum distances between buildings. The parcel width is minimally under the code requirement, but is allowed because it is a legal non-conforming lot.

6. The design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife in their habitat: The proposed subdivision will not cause any environmental damage as this is an infill project on property that already has been developed with residential units and there are no fish or wildlife habitat on site. The site has already been graded.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems: The proposed subdivision design and improvements will not adversely affect the public health of the citizens of the City of Los Alamitos as the project is the type of use which is planned for in this area; the residential condominium project will be compatible with the multi-family residential uses in the area. Also, the widening of the alley will improve safety for trash collection by today's larger trucks.

8. The design of the subdivision and improvements will not conflict with public access easement through the property: The design of the subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements. There are no public access easements through the property.

9. The design and improvements of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations: The project will be able to comply with all zoning regulations as specified above.

10. The discharge of waste into an existing community sewer system will not result in or add to a violation of existing requirements prescribed by either the Regional Water Quality Control Board: The project will not result in a violation of requirements prescribed by the Regional Water Quality Control Board.
Board as the Applicant is required to prepare a Water Quality Management Plan (WQMP) for the project.

11. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision as the project must conform to green building standards.

Covenant Conditions & Restrictions

Prior to the sale of the first condominium, the Conditions will require the Applicant to prepare a document called Covenants, Conditions, and Restrictions (CC&Rs) and submit them to the City for review and approval. This will provide the operating regulations for the proposed condominium project and ensure that the project’s landscaping, irrigation, residential building exteriors, interior and exterior fences and walls, common areas and amenities, front yard areas, and back yard areas are maintained appropriately. The CC&Rs identify that the homeowners’ association will have the duty to maintain the property in a clean, safe, attractive, and healthy condition at all times, free of weeds, visible deterioration, graffiti, debris, and other conditions that violate the Los Alamitos Municipal Code. Staff has included some conditions to ensure that the Association will act as primary enforcer of parking regulations in the community. Additionally, all of the requirements set forth in LAMC 17.34.060 will be required to be included in the CCRs.

Staff Conclusion

Staff believes the proposed Tentative Tract Map 16-04 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. and that all required findings can be made, as more fully set forth in Resolution No. PC 17-08, attached hereto.

General Plan Compatibility & Staff Recommendation

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

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And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with a goal of the Housing Element:

**Housing Strategy Area 4: Adequate Housing Supply**

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

This property was also identified as an underutilized lot in this element.
Staff supports approval of CUP (Conditional Use Permit) 16-18, SPR (Site Plan Review) 16-09, and TTM (Tentative Tract Map) 16-04 (18100) due to what appears to be exceptional layout, design, and architecture of the project.

Attachments:  
1) Site Plan dated January 2, 2017  
2) Site Plan Review Resolution No. PC 17-06  
3) Conditional Use Permit Resolution No. PC 17-07  
4) Tentative Tract Map Resolution No. PC 17-08  
5) Exhibit A Conditions of Approval for all of the Resolutions  
6) TTM 18100 – Exhibit B to Tentative Tract Map Resolution
RESOLUTION NO. PC 17-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-09) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS)

WHEREAS, a completed application for a Site Plan Review was submitted by Alison Stapakis and Olympia Stapakis on December 1, 2016, requesting approval for demolishing an exiting 2 units, and constructing five residential condominium units at 3751/3755 Farquhar Avenue, APN 222-062-28; and,

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

WHEREAS, the Planning Commission reviewed the application for Site Plan Review at a duly noticed public hearing on April 26, 2017, at which time it considered all of the evidence presented, both written and oral.

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

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

SECTION 2. The Planning Commission hereby makes the following findings which is based on all of the evidence presented, both written and oral; the Staff report is incorporated by reference:

1. The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district: The design and layout of the five residential condominiums on one lot at 3751 Farquhar Avenue, as conditioned, is consistent with the development and design standards/guidelines of the Multiple Family (R-3) Residential Zoning District as well as with the requirements for residential condominiums set forth in Section 17.34.060. As shown above, the development meets, or will be conditioned to meet, all requirements except for the width of the property, which is excused from the requirement as a nonconforming lot.
2. The design and layout of the proposed development are consistent 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 five residential condominiums at 3751 Farquhar Avenue would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses are multi-family residential with a city park and vacant base land 2 blocks east. The approved location is appropriate for a five unit residential condominium development. The location of the private driveway ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Farquhar Avenue by having less curb cuts. The property is zoned for this type of development.

3. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter: The design of the five residential condominiums would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City's architecture with an updated residential building design, extensive landscaping, and maintenance requirements under a condominium ownership.

4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance: The design of the five residential condominiums would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color as described above. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the implementation of a homeowners' association and the use of covenants, conditions, and restrictions.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity: The five residential condominiums provide for public health, safety, and welfare of the residential and business communities by increasing the density on the site rather than causing sprawl elsewhere. Additionally, this project replaces structures which are approximately 60 years old. The building will meet all building code requirements.

6. The proposed development would not substantially depreciate property values in the vicinity: The five residential condominium units would not depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics.
7. CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review SPR16-09, as shown on the plans and elevations dated January 2, 2017 and subject to the conditions in “Exhibit A.”

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-07 and 17-08 are also approved

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

ATTEST: ____________________________
Larry Andrade, Chair

Steven A. 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 Planning Commission held on the 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Steven A. Mendoza, Secretary
RESOLUTION NO. PC 17-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 16-18) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS)

WHEREAS, an application for a Conditional Use Permit was submitted for the construction of five residential condominiums on one lot at 3751/3755 Farquhar Avenue, APN 222-062-28, on December 1, 2016; and,

WHEREAS, the verified application constitutes a request under Section 17.08.020 (Land Uses and Permit Requirements), Section 17.08.020 Table 2-02 (Allowed Uses and Permit Requirements for Residential Zoning Districts) and Section 17.42.040 (Conditional Use Permits Application Filing, Processing, and Review) of the Los Alamitos Municipal Code, which requires Planning Commission approval of a Conditional Use Permit for condominium projects in the R-3 Zoning District; and,

WHEREAS, prior to adopting this Resolution the Planning Commission adopted Resolution No. XXX approving the Site Plan, dated January 2, 2017; and

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on April 26, 2017 at which time it considered all of the evidence presented, both written and oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES 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 16-18 is hereby approved to allow the construction of five residential condominiums in three buildings at 3751 Farquhar Avenue based upon the following findings. These findings are based on all of the evidence presented and the Staff report is incorporated herein by reference:

1. The use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibration: The project, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for this type of five unit condominium development
project and the project will comply with all applicable building and development codes. The condominium project will not foster circumstances that tend to generate nuisance conditions such as noise, glare, odor, or vibrations because it is a residential development that is consistent with the surrounding multiple-family residential uses.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate: The proposed five-unit residential condominium project meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this residential development project complies with all of the development standards for the Multiple Family Residential (R-3) Zoning and additional requirements set forth in Section 17.34.060 relating to residential condominiums, except with regard to the width of the property which is excused as this is a legal non-conforming lot.

3. 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 location and character of the use, if developed in accordance with the approved site plan, will be in harmony with the area in which it is to be located because the residential condominiums are 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.

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**Housing Strategy Area 4: Adequate Housing Supply**

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community. This property was also identified as an underutilized lot in this element.

4. **The decision is based on substantial evidence in view of the record as a whole before the Commission:** The decision to approve Conditional Use Permit 16-18 is based on the Planning Commission’s review of the plans and specifications submitted for the proposed project and on testimony given at the public hearing on April 26, 2017, before the Planning Commission.

5. **CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects.** There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.
SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Conditional Use Permit 16-18 subject to the conditions attached and incorporated by reference as Exhibit “A” to this Resolution.

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-06 and 17-08 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

__________________________
Larry Andrade, Chair

ATTEST:

__________________________
Steven A. 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 Planning Commission held on the 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Steven A. Mendoza, Secretary
RESOLUTION NO. PC 17-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-04 (TTM 18100) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPAKIS AND OLYMPIA STAPAKIS)

WHEREAS, a completed application for a Tentative Tract Map was submitted by Alison Stapakis and Olympia Stapakis on December 1, 2016, requesting to demolish a 2 unit property and construct five residential condominiums on one lot at 3751/3755 Farquhar Avenue, APN 222-062-28; and,

WHEREAS, the verified application constitutes a request as required by Chapter 16.06 (Subdivisions) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered the application at a duly noticed public hearing on April 26, 2017, at which time it considered all of the evidence presented, both written and oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, 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 Government Code:

1. *The proposed map is consistent with the City’s General Plan.* The proposed map allows for the development of five condominium units at a density of 25 dwelling units an acre which is within the General Plan multifamily residential land use designation of 20 – 30 units per acre. The proposed design and improvements of the five-unit residential condominium subdivision are consistent with the applicable General Plan goals, policies, and implementation measures as set forth below.

<table>
<thead>
<tr>
<th>Applicable General Plan Implementing Goals and Policies</th>
<th>Consistency of Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal 4: Neighborhoods and buildings that are well maintained and</td>
<td>These will be new, well designed</td>
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</table>
demonstrate a sense of pride and identity.

| 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. | buildings in the neighborhood which will encourage neighbors to take a look at their own homes. |
| Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood. | These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes. |
| Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character. | This project will be in the multi-family residential neighborhood and is just the sort of project which will add to the character of the neighborhood. |
| Open Space, Recreation, and Conservation Element | This project will be required to pay park fees which will provide funds for future recreational fees to be met. |
| Goal 1: A diverse range of parks, facilities, and programs that meet the recreational needs and interests of the community. | This is a residential infill project that will take the place of sprawl that would be built on the fringes of this metropolitan area. |
| Goal 4: Air, water, and energy resources that are protected from pollution and overuse. | BMP's are required for the construction of this project in the conditions of approval. |
| Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD. | This will not add driveways to the passing streets, but will access the site from an existing alleyway. |
| Mobility and Circulation Element | These are BMP requirements that are a part of the conditions of approval for the project. |
| Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants. | Public Facilities and Safety Element |
| Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health. | These are BMP requirements that are a part of the conditions of approval for the project. |
| Growth Management Element | Park fees will be required to be paid. |
| Policy 1.1 New development. New development shall pay its share of the costs of public facilities and services needed to serve the new residents. | And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City as provided for by the following goal of the Housing Element: |

### Housing Strategy Area 4: Adequate Housing Supply

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community.
This property was also identified as an underutilized lot in this element.

2. The design and improvement of the proposed subdivision is consistent with the City's General Plan: The design and improvement of the five-unit condominium project are suitable for residential development of the R-3 designation and the density meets the requirements of the General Plan.

3. The site is physically suitable for the proposed type of development: The site is physically suitable for a residential condominium subdivision because the site is generally flat and will require minimal grading on site. The project can meet all development standards except width, which is excused as a legal nonconforming lot.

4. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

5. The site is physically suitable for the proposed density of development: The site is capable of supporting the development of five residential condominium units. The proposed project is at 25 dwelling units per acre, well under the City's R-3 zoning district that allows a maximum of 30 dwelling units per acre under a multi-family development project. Each proposed unit and the entire project meets the development standards for the R-3 zone including parcel area, parcel depth, maximum density, minimum dwelling area, maximum height, setbacks, site coverage, and minimum distances between buildings. The parcel width is minimally under the code requirement, but is allowed because it is a legal non-conforming lot.

6. The design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife in their habitat: The proposed subdivision will not cause any environmental damage as this is an infill project on property that already has been designated as an area for residential units and there are no fish or wildlife habitat on site. The site has already been graded.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems: The proposed subdivision design and improvements will not adversely affect the public health of the citizens of the City of Los Alamitos as the project is the type of use which is planned for in this area; the residential condominium project will be compatible with the
single-family and multi-family residential uses in the area. Also, the widening of the alley will improve safety for trash collection by today's larger trucks.

8. The design of the subdivision and improvements will not conflict with public access easement through the property: The design of the subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements. There are no public access easements through the property.

9. The design and improvements of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations: The project will be able to comply with all zoning regulations as specified above, except as to the width of the parcel which is excused as a legal non-conforming lot.

10. The discharge of waste into an existing community sewer system will not result in or add to a violation of existing requirements prescribed by either the Regional Water Quality Control Board: The project will not result in a violation of requirements prescribed by the Regional Water Quality Control Board as the Applicant is required to prepare a Water Quality Management Plan (WQMP) for the project.

11. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision as the project must conform to green building standards.

12. CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

SECTION 3. Based upon such findings and determinations, the Planning Commission, sitting as the Subdivision Committee hereby approves Tentative Tract Map 16-04 (TTM 18100) attached as Exhibit "B," subject to the conditions located in attached Exhibit "A."

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-06 and 17-07 are also approved.
PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

________________________________________
Larry Andrade, Chair

ATTEST:

________________________________________
Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

________________________________________
Lisa Kranitz, Assistant City Attorney
STATE OF CALIFORNIA
COUNTY OF ORANGE
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 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________________________
Steven A. Mendoza, Secretary
ATTACHMENT 5

STAPAKIS FIVE UNIT CONDOMINIUM PROJECT
CONDITIONS OF APPROVAL
SPR 16-09, CUP16-18, and TTM 16-04 (18100)

GENERAL CONDITIONS

1. Approval of this application is to build a five unit condominium development project in three buildings at 3751 Farquhar Avenue (APN 222-062-28) with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a vesting Site Plan Review, Conditional Use Permit, and Tentative Tract Map, noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code and any applicable state law. If any changes are proposed regarding the location or alteration of the plans dated January 2, 2017 (as amended during the hearing), a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.

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

3. The Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property Applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Development Services Department.

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

5. Project plans for the condominium development shall be subject to a complete code compliance review with the Community Development Department when the condominium plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.

6. Approval of the Site Plan Review (SPR 16-09) shall be valid for a period of twelve (12) months from the date the site plan was approved, and the Conditional Use Permit (CUP16-18) shall be valid for a period of eighteen (18) months from the date this permit was approved. If construction is commenced within this period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect.

7. Approval of TTM 16-04 (TTM 18100) is valid for twenty-four (24) months. Prior to the expiration of the Map the Applicant may request a twelve (12) month extension in accordance with the Los Alamitos Municipal Code.

8. In accordance with Government Code section 66477 and Chapter 16.17 of the Los Alamitos Municipal Code, the applicant shall be required to pay $40,236.00 in parkland dedication (Quimby) fees.

LANDSCAPE

9. 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.
10. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.

11. The Applicant shall install, at a minimum, five 15 gallon trees within the landscaped areas of the parcel.

12. Front-yard landscaping for each individual condominium unit, private driveway street trees, common open space landscaping, and landscaping area shall be installed prior to occupancy of any condominium units. The developer shall be responsible for maintaining the common area landscaping until such time as the project nears complete sell-out and the homeowner’s association takes over maintenance responsibility.

13. Trees shall be planted outside of any Sight Safety Triangle or be trimmed to eight feet from above the adjacent top of curb.

LIGHTING

14. Prior to permit issuance, Applicant shall submit a lighting plan to the Community Development Department to the satisfaction of the Director of Community Development.

15. The Applicant shall provide adequate exterior lighting for each residential unit that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in the Los Alamitos Municipal Code. All lighting structures shall be placed so as to confine direct rays to the subject property.

16. The Applicant shall provide an illuminated uniform address number near the entryway of each unit, or other location acceptable to the Development Services Director.

UTILITIES

17. The Applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Development Services Department for review and approval prior to the Building and Safety Division Plan check.

18. All utility service lines shall be placed underground.

19. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading. Each unit shall be separately metered.
CONSTRUCTION

20. During construction, the Applicant will display a sign visible to the public from Farquhar Avenue with a contact number of the construction superintendent to address any questions or concerns about demolition, grading, and construction activities.

21. 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 Development Services Director.

22. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of an existing dwelling shall be equipped with properly operating and maintained mufflers.

23. 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.

24. Stock piling and/or vehicle-staging areas shall be placed as far as practical from residential homes.

25. The Applicant shall have rodent and pest controls on site during demolition and grading activities to mitigate impacts to the surrounding properties and neighborhood.

26. 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.

27. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.

OTHER

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

29. The ground floor room labeled as "studio/study" in Units 2, 3 and 4 shall not have a closet installed and shall not be considered as a bedroom. This requirement shall be included in the CC&Rs.
30. The air conditioner units shall be installed in accordance with LAMC 17.16.100.D.

31. The garage doors shall be the same style as shown on the elevations.

32. A Water Quality Management Plan (WQMP) will be required to be processed for this project.

33. Prior to the sale of any individual condominium, a Homeowners' Association shall be created to maintain the common area landscaping, driveway trees, maintenance of common open space and furniture, walls and fencing. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover replacement and major repair costs. The homeowners' association shall be authorized to enforce the Covenants, Conditions, and Restrictions (CC&Rs). The developer shall prepare project CC&Rs for the entire development for review and approval by the Director of Community Development, prior to any permanent Certificate of Occupancy being issued.

34. The CC&Rs shall be approved by the City Attorney's office and the Development Services Department prior to the issuance of any Certificate of Occupancy (temporary or permanent). The CC&Rs shall be recorded prior to or at the same time that the final map is recorded and two copies of the recorded CC&Rs shall be provided to the Development Services Department. The CC&Rs shall include the following provisions in addition to anything else identified in these conditions:

   a. All units shall maintain within the garage the ability to park two cars at all times. Garages shall not be converted to any other use.

   b. Parking spaces in the garages shall be made available to the occupants of the unit at all times.

   c. There shall be no business activities or day care conducted within or from the garages.

   d. The CC&R's shall identify for the tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as trash trucks, fire trucks, etc., from maneuvering around the private driveway.

   e. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
f. The CC&R's shall include requirements that maintenance of the private drive aisles, storm drain, sewer system, and open space areas within the interior of the development is the responsibility of the Homeowner's Association, including the common landscaped areas.

g. **Attorney Fees:** The City shall be entitled to recover its attorney's fees and costs incurred in connection with its actions to enforce the conditions of these Declarations or Tentative Tract Map TTM 16-04 (18100), Conditional Use Permit CUP 16-18, Site Plan Review SPR 16-09 approvals, or to abate the violation thereof. The City may impose a lien or assessment on the property to recover such attorney's fees and costs.

h. **Public Safety Access:** The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.

i. The CC&R's may not be amended without prior written approval from the City. The City's approval shall be limited to insuring that the provisions required by these conditions have not been altered.

35. The applicant shall provide, as a minimum, a trash enclosure to 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 Community Development. 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.

**ENGINEERING**

36. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.

37. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
38. 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.

39. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.

40. The Applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.

41. If utility cuts are excessive in the street the street must have a grid and overlay placed on it per the satisfaction of the City Engineer.

42. 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.

43. A City Public Works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.

44. 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.

45. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.

46. 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.

47. The Applicant shall dedicate 2½ feet of the property to the City to widen the alley by occupancy of the units.

48. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Final Water Quality Management Plan (WQMP) that:

- Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas.
• Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

• Incorporates Treatment Control BMPs as defined in the DAMP.

• Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.

• Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.

• Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

PUBLIC WORKS

49. The Applicant shall install new sidewalk on Farquhar Avenue, in front of the entire subject parcel.

50. The Applicant shall remove the existing drive approach (curb cut) to the property on Farquhar Avenue and replace with a new curb and gutter per City standards.

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

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

53. The Applicant shall install 1-2 new trees on Farquhar Avenue evenly spaced in the parkway in front of the subject parcel. Please call the Public Works Superintendent at 562-431-3538 for type and specifications.

54. The Applicant shall install irrigation to each of the City trees planted. The irrigation shall be a bubbler sprinkler NOT a tree well type of bubbler sprinkler.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

55. The Applicant shall submit engineering plans for the District’s review prior to connection to the District’s sewer in Farquhar Street.

56. Prior to the approval of the above plans, the Applicant shall pay all applicable connections, permit, plan-check and inspection fees.

BUILDING AND SAFETY DIVISION
57. The Applicant must comply with all current California Building Codes in effect at the time that the plans are submitted.

58. The Applicant shall submit three (3) sets of complete building plans to the Building and Safety Department for review.

59. 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.

60. Prior to obtaining a demolition permit, the Applicant shall submit an asbestos report for review and approval by the Building and Safety Department. If asbestos is found on site, a report to the Air Quality Management District (AQMD) must be made.

61. For demolition and construction, the project must recycle 60% of material and the Applicant shall submit a waste management plan to the Building and Safety Department.

ORANGE COUNTY FIRE AUTHORITY (OCFA)

62. 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. If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.

Prior to issuance of a building permit if a grading permit is not required:

• fire master plan (service code PR145)

Prior to issuance of a building permit:

• fire sprinkler system (service codes PR400)

• Lumber-drop Inspection: After installation of required fire access roadways and hydrants, the Applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least two days in advance to schedule the lumber drop inspection.
City of Los Alamitos
Planning Commission and Subdivision Committee

Agenda Report
Public Hearing
April 26, 2017
Item No: 7C

To: Chair Andrade and Members of the Planning Commission/Subdivision Committee

From: Steven A. Mendoza, Development Services Director

Subject: Consideration of a Five-Unit, Residential Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 4061 Farquhar Avenue (APN 222-052-44) Applicant: Neoklis Zamvakellis and Alison Stapakis

Summary: Consideration of a five-unit, residential condominium project at 4061 Farquhar Avenue (APN 222-052-44) on a 9,490 square foot parcel in the Multiple Family (R-3) Zoning District. The project requires a Site Plan Review, Conditional Use Permit and a Tentative Tract Map for condominium subdivision purposes (Applicant: Neoklis Zamvakellis and Alison Stapakis).

Recommendation:

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

2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 In-Fill Development Projects; and,

3. Adopt Resolution No. PC 17-09, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-06) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS)”; and,

FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS); and,

5. Adopt Resolution No. PC 17-11, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-01 (TTM 18099) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS)."

Applicant: Neoklis Zamvakellis and Alison Stapakis

Project Location: 4061 Farquhar Avenue (APN 222-052-44)

Notice: On April 12, 2017, Notice of Public Hearing was posted at City Hall, the Community Center, and the Los Alamitos Museum. It was also published in the News Enterprise and public notices were mailed out to all property owners and tenants within 500 feet of the property on this date.

Environmental: The proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 - In-Fill Development Projects.

Background

The Applicant has submitted an application for a project to be located at 4061 Farquhar Avenue. The project will involve demolishing the existing house and the construction of five residential condominium units. This project will mirror a simultaneous project to the east side of this project at 4071 Farquhar Avenue that is to be presented at tonight's meeting. The two side-by-side projects are under separate ownership – the separate owners decided to develop at the same time with similar plans for a cost savings. Additionally, there is a third project being presented tonight for an address nearby these projects on Farquhar by different members of the same family who have decided to develop at the same time. It is similar to these projects as well.

The five (5) units will be located in three (3) buildings as illustrated below. The units range in size from 1,620 to 1,978 square feet. Four (4) units will be three-bedroom and 2 ½ baths with a study and one (1) unit will be four-bedroom and 3 baths. All structures
will be three stories in height and each unit will have a private two-car garage. Outdoor space will be provided for each unit consisting of a ground-floor private yard area.

Here is how the Applicant describes the project:

"Currently on the property is an existing single family residential (SFR) residences (built early 1960s). This proposal includes constructing five new SFR townhome units. The homes will be of Grade-A construction quality, with style fitting in with the newer developments of similar type in the area. They will be 3-story on grade, with private, landscaped yards and private decks, providing residents with un-paralleled comfort and livability. Four of the homes will be 3-bedroom and 2-1/2 baths, one will be 4-bedroom and 3 baths; each will have private laundry facilities, and plenty of storage. Kitchens and baths will have solid surface counters, high-end appliances and tile or wood flooring. Each home will have central heat and air-conditioning which will include the latest energy saving construction technologies. Also included will be anti-mold and termite treatments on all wood framing. Every effort will be made to make long lasting, comfortable, low maintenance homes available at a high value price in one of the finest cities in North Orange County."

Project Location

The existing property is shown below; there is one home on the property. The property consists of a 9,490 square foot parcel in the Apartment Row neighborhood of the City. Currently on the site is a 1,080 square foot single family residence built in 1960. This home is not considered a historic property by the City.
### Surrounding Zoning and Uses

<table>
<thead>
<tr>
<th>Location</th>
<th>Zoning District</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td>Existing: Multiple Family (R-3)</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td></td>
<td>Proposed: Multiple Family (R-3)</td>
<td>MFRResidential</td>
</tr>
<tr>
<td>North of Site</td>
<td>Multiple Family (R-3)</td>
<td>MFRResidential</td>
</tr>
<tr>
<td>East of Site</td>
<td>Multiple Family (R-3)</td>
<td>MFRResidential</td>
</tr>
<tr>
<td>West of Site</td>
<td>Multiple Family (R-3)</td>
<td>MFRResidential</td>
</tr>
<tr>
<td>South of Site</td>
<td>Community Facilities (C-F)</td>
<td>Vacant – Base</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Little Cottonwood Park</td>
</tr>
</tbody>
</table>
Here are photos of the existing property:

Front View:
Application and Review Process

On November 17, 2016, the Applicant submitted a Discretionary Application that requested the following entitlements which are required for the project:

- Site Plan Review (SPR 16-06)
- Tentative Tract Map (TTM 16-01 [TTM 18099])
- Conditional Use Permit (CUP 16-15)

Site Plan Review (SPR 16-06)

Chapter 17.50.020 Applicability, in the Zoning Code, states:

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

This project is presented as a residential development plan which requires this Site Plan Review (SPR). A larger site plan is attached to this report.
Analysis

- Development Standards

The proposed project would be located in the R-3 (Multiple Family) Residential Zoning District. The R-3 zoning district identifies areas designed to provide multiple-family housing. Types of development allowed in the district are multiple dwelling structures of four or more units, as well as less intensive residential developments that are allowed in the R-1 and R-2 zoning districts, which includes single-family dwelling units. The maximum density allowed is up to thirty (30) dwelling units per acre. The R-3 zoning district is consistent with the “Multiple-Family Residential” land use designation of the General Plan. Table 2 identifies the development features that are required under Section 17.08.030 Table 2-03 (Residential Zoning Districts General Development Standards).

The General Plan’s Housing Element identifies this property in Table B-3 (Underutilized Land - Apartment Row Neighborhood) as an underutilized parcel as it is currently developed with a single family home. The General Plan specifies that the density in this area should be between 20 and 30 dwelling units to the acre. Being a fully developed City, this parcel is suitable for an infill project in an established neighborhood that presents no known environmental or infrastructure constraints. The additional units provided by this project will help the City meet its allocation of required new housing per the Southern California Association of Governments (SCAG) “fair share” goals.

The property owner will dedicate 2½ feet of the Northern part of the parcel to the alley, which is required by the City in this neighborhood for enabling safer access by trash collection services due to the large trucks used in the industry.

R-3 Residential Development Standards

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed Project</th>
<th>Requirement Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Area</td>
<td>7,200 sq. ft.</td>
<td>9,490 sq. ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Parcel Width (Interior Parcel)</td>
<td>60 ft.</td>
<td>52 ft.</td>
<td>No - Legal Nonconforming Parcel</td>
</tr>
<tr>
<td>Parcel Depth</td>
<td>100 ft.</td>
<td>182.51 ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>30 du/ac max by code, 20 to 30 units per acre by General Plan Standards</td>
<td>23 du/ac</td>
<td>Yes</td>
</tr>
<tr>
<td>Dwelling Unit Density (Gross Land Area per Dwelling Unit)</td>
<td>1,750 sq. ft. per unit</td>
<td>1,898 sq. ft. per unit</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum dwelling area (gross floor area) (Not including garage)</td>
<td>2 + bedrooms - 800 sq. ft.</td>
<td>Units 1&amp;2: 1,620 sq. ft. Units 3&amp;4: 1,905 sq. ft.</td>
<td>Yes</td>
</tr>
<tr>
<td>Required</td>
<td>Proposed Project</td>
<td>Requirement Met</td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>------------------</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>ft. Unit 5: 1,978 sq. ft.</td>
<td>3 Stories or 35 ft.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>3 Stories or 35 ft.</td>
<td>3 Stories (33½ ft.)</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Maximum Height Limit – Main Structures</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Setbacks:</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20 ft.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>5 ft.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Maximum Site Coverage</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>200 sq. ft. per dwelling (1,000 sq. ft. total)</td>
<td>35.6%</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Outdoor Living Space</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private space. No dimension less than 10 ft.</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 ft. between structure A and B. 19 ft. between structure B and C.</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distance between structures (ft.) on one parcel</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>200 cubic feet per unit</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

- **Section 17.34.060 – Residential Condominiums (only relevant sections listed)**

  - Building Codes - The project will be required to comply with all current building codes as a condition of approval.
  - Utility Meters - Each unit will be required to be separately metered as a condition of approval.
  - Undergrounding of utilities - On-site utilities will be required to be undergrounded as a condition of approval.
  - Laundry Facilities - Each unit has its own laundry facilities.
  - Covenants, Conditions, and Restrictions (CC&Rs) - CC&Rs shall be required prior to final map approval and conditions will require that required provisions be included.
• **Parking**

This project will have 13 spaces total; two spaces per each two-car garage (five total two-car garages) and three extra spaces in common areas.

Parking requirements in the Residential Zoning District (R-3) require two spaces for the first two bedrooms of each dwelling unit. For rooms that can readily be utilized as bedrooms (i.e., bedrooms, dens, and offices) an additional half space is required for each room in excess of the first two bedrooms. One of the required parking spaces for each dwelling unit shall be located in an enclosed garage. The following table identifies the required parking spaces for the proposed project:

**R-3 Parking Requirements**

<table>
<thead>
<tr>
<th>Required Spaces</th>
<th>Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two spaces for the first two bedrooms of each dwelling unit; plus one-half space for each bedroom or other room that can readily be used as in excess of the first two bedrooms</td>
<td>4 - 3 bed units @ 2 1/2 spaces each = 10 spaces</td>
</tr>
<tr>
<td></td>
<td>1 - 4 bed unit @ 3 spaces = 3 spaces</td>
</tr>
<tr>
<td>Provided Spaces</td>
<td>Total = 13 spaces</td>
</tr>
<tr>
<td>13 spaces</td>
<td></td>
</tr>
<tr>
<td>Garage Spaces</td>
<td>10 in garages</td>
</tr>
<tr>
<td>5+ in garages</td>
<td></td>
</tr>
</tbody>
</table>

• **Circulation**

Vehicular access will be provided along the alley, through one private driveway, with ingress and egress from the alley. The width of the driveway in the narrowest place is 12 feet wide. All of the garages have enough room to accommodate the 28-foot turning radius required in the zoning code. Each proposed unit will have an attached two-car garage all of which face the private driveway. The three additional parking spaces are off of the alley.

• **Architecture**

The proposed architectural style displays a modern architecture with multiple planes that step in and out, stucco fascia at varied heights on the parapet, and a large vertical inset covered with wood grain tiles. All proposed buildings will include additional enhanced architectural elements on all sides of the building in addition to the front architectural elements.
The drawing below shows the proposed view of Building "A", Units 1 & 2, as seen from Farquhar Avenue:

Below is the rear elevation of Building "C", Unit 5, as seen from the alley:
• **Landscaping**

LAMC Section 17.20.030 (Landscape Area Requirements) speaks to landscaping requirements that multi-family uses shall provide. The Applicant must maintain a minimum 15 percent of the site in landscaped areas. According to the site plan the front setback area, common area, and the yard areas of each home will include landscape areas that total approximately 20.6 percent of the total site area, therefore meeting this requirement. The Applicant proposes to install trees in the project but has not yet presented a landscape plan. Staff recommends that the Applicant install five trees at a minimum and has added a condition requiring this (#11). This project will be required to comply with Chapter 13.05 “Water Efficient Landscaping,” and Chapter 13.04 “Water Conservation”, of the Los Alamitos Municipal Code. This has been noted by Staff in the conditions.

• **Fencing and Walls**

Currently the east and north perimeter has chain link fencing. On the west perimeter the neighboring garage wall abuts the property line and there is an existing wall obscured by overgrown vines. The applicant plans to remove the entire chain link on the east and north and replace the wall on the west for a new seven foot tall block wall. On the east property line there will be no fencing between this and the mirrored project. The applicant plans to add a short, three-foot tall wood fence around the private outdoor spaces in the front setback of the first building, Units A and B. The remaining units will also have a contemporary seven foot tall fence with horizontal pickets around their private patios.

• **Lighting**

The building will include exterior light fixtures located on all four sides of the structures. These lights have been conditioned by Staff to direct light only on the subject property.

**Required Findings**

In order to approve a Site Plan Review, the following findings must be made in accordance with Section 17.50.040 of the LAMC:

1. The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district: The design and layout of the five residential condominiums on one lot at 4061 Farquhar Avenue, as conditioned, is consistent with the development and design standards/guidelines of the Multiple Family (R-3) Residential Zoning District as well as with the requirements for residential condominiums set forth in Section 17.34.060. As shown above, the development meets, or will be conditioned to meet, all requirements.
except for the width of the property, which is excused from the requirement as a nonconforming lot.

2. The design and layout of the proposed development are consistent 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 five residential condominiums at 4061 Farquhar Avenue would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses are multi-family residential and across the street is Little Cottonwood Park and the Joint Forces Training Base. The approved location is appropriate for a five unit residential condominium development. Moving the location of the private driveway ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Farquhar Avenue by having less curb cuts. The property is zoned for this type of development.

3. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter: The design of the five residential condominiums would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City's architecture with an updated residential building design, extensive landscaping, and maintenance requirements under a condominium ownership.

4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance: The design of the five residential condominiums would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color as described above. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the implementation of a homeowners' association and the use of covenants, conditions, and restrictions.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity: The five residential condominiums provide for public health, safety, and welfare of the residential and business communities by increasing the density of the site to the amount required by the General Plan at this home site rather than causing sprawl elsewhere. Additionally, the project replaces a structure that is approximately 60 years old, and the building will meet all building code requirements.

Five Residential Condominium Project
April 26, 2017
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6. The proposed development would not substantially depreciate property values in the vicinity: The five residential condominium units would not depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics.

7. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

**Staff Conclusion**

Staff has reviewed the proposed project and application materials and finds that the proposed project design and layout meet the minimum standards of the R-3 zoning district, including Section 17.08.030 (Property Development Standards), Section 17.16.040 (Architectural Design), and Chapter 17.20 (Landscaping) and that all of the findings can be made as set forth in attached Resolution PC 17-09.

**Conditional Use Permit (CUP16-15)**

The Applicant requests a Conditional Use Permit to permit a condominium project in the R-3 (Multiple Family) Residential Zoning District as required by Section 17.08.020 and 17.34.020A of the LAMC.

**Analysis**

Condominiums require a conditional use permit under the City’s Municipal Code. (LAMC §§ 17.08.020; 17.34.020.)

**Required Findings**

Staff reviewed the proposed project and researched the surrounding area and has made the following Conditional Use Permit findings as set forth in LAMC Section 17.42.050:

1. The use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibration: The project, as proposed and conditioned, will not endanger the public health, or general welfare. The property is zoned for this type of condominium development project and
the project will comply with all applicable building and development codes. The condominium project will not foster circumstances that tend to generate nuisance conditions such as noise, glare, odor, or vibrations because it is a residential development that is consistent with the surrounding multiple-family residential uses.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate: The proposed five-unit residential condominium project meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this residential development project complies with all of the development standards for the Multiple Family Residential (R-3) Zoning and additional requirements set forth in Section 17.34.060 relating to residential condominiums, except as to the width of the property which is excused as this is a legal non-conforming lot.

3. 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 location and character of the use, if developed in accordance with the plan as submitted for approval, will be in harmony with the area in which it is to be located because the residential condominiums are 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.

4. The decision is based on substantial evidence in view of the record as a whole before the Commission: The decision to approve Conditional Use Permit 16-15 is based on the Planning Commission’s review of the plans and specifications submitted for the proposed project and on testimony given at the public hearing on April 26, 2017, before the Planning Commission.

Staff Conclusion

Staff believes the proposed Conditional Use Permit meets the requirements established within Section 17.42.050 (Findings and Decision) as more fully set forth in Resolution PC 17-10, attached hereto.

Tentative Tract Map (TTM 16-01 and Tentative Tract Map No.18099)

According to Government Code Section 66426 (a portion of the Subdivision Map Act) and the City’s subdivision ordinance, a tentative tract map is required when a project proposes five or more condominiums.

Analysis
The proposed tentative tract map (Tentative Tract Map Number 18099) establishes one lot for the purpose of developing a condominium project for five condominiums on one lot. The tentative tract map has the same dimensions and parameters of the existing lot and identifies the private driveway access and utility easements. No additional lots will be created or removed. Once approved by the Planning Commission, sitting as the Subdivision Committee, the Tentative Tract Map expires 24 months from the date of approval unless the applicant requests a time extension prior to the expiration. The Subdivision Map Act, along with Title 16 of the LAMC, regulates subdivisions.

The LAMC requires residential subdivisions of five units to pay parkland dedication (Quimby) fees. The current rate for multiple-family residential units is $13,412.00, as set by resolution of the City Council. The project will remove one unit and build five, therefore the project will be conditioned on paying a fee of $53,648.00 since there will be four new units on the property.

**Required Findings**

The findings that are required to approve Tentative Tract Map 16-01 are set forth in the Subdivision Map Act as well as Sections 16.10.100 and 16.10.110 of the LAMC. They are as follows:

1. The proposed map is consistent with the City’s General Plan. The proposed map allows for the development of 5 condominium units at a density of 22 dwelling units an acre which is within the General Plan multi-family residential land use designation of 20 – 30 units per acre. The proposed design and improvements of the five-unit condominium subdivision are consistent with the applicable General Plan goals, policies, and implementation measures as set forth below.

| Land Use Element | Consistency of Proposed Project |
|------------------|---------------------------------
| Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity. | These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes. |
| Policy 4.1 Pride and identity. Enhance the sense of identity and increase the feeling of pride among Los Alamitos residents, business owners, employees, and visitors through excellent physical design and continual property maintenance and improvements. | These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes. |
| Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood. | This project will be in the multi-family residential neighborhood and is just the sort of project which will add to the character of the neighborhood. |
| Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character. | This project has been compared to the development standards of the multi-family General Plan designation and has been found to be compliant. |
And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City and helps the City achieve its housing goals in compliance with the Housing Element:

**Housing Strategy Area 4: Adequate Housing Supply**

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

2. *The design and improvement of the proposed subdivision is consistent with the City’s General Plan:* The design and improvement of the five-unit condominium project are suitable for residential development in the R-3 designation and the density meets the requirements of the General Plan.

3. *The site is physically suitable for the proposed type of development:* The site is physically suitable for a residential condominium subdivision because the site is generally flat and will require minimal grading on site. The project can meet all development standards except width, which is excused as a legal nonconforming lot.

4. *The requirements of CEQA have been satisfied:* CEQA has been satisfied as a determination has been made that the proposed use is exempt from...
the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

5. The site is physically suitable for the proposed density of development: The site is capable of supporting the development of five residential condominium units. The proposed project is at 22 dwelling units per acre, well under the City’s R-3 zoning district that allows a maximum of 30 dwelling units per acre under a multi-family development project. Each proposed unit and the entire project meets the development standards for the R-3 zone including parcel area, parcel depth, maximum density, minimum dwelling area, maximum height, setbacks, site coverage, and minimum distances between buildings. The parcel width is minimally under the code requirement, but is allowed because it is a legal non-conforming lot.

6. The design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife in their habitat: The proposed subdivision will not cause any environmental damage as this is an infill project on property that already has been developed with a home and there are no fish or wildlife habitat on site. The site has already been graded.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems: The proposed subdivision design and improvements will not adversely affect the public health of the citizens of the City of Los Alamitos as the project is the type of use which is planned for in this area; the residential condominium project will be compatible with the multi-family residential uses in the area. Also the widening of the alley will improve safety for trash collection by today’s larger trucks.

8. The design of the subdivision and improvements will not conflict with public access easement through the property: The design of the subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements. There are no public access easements through the property.

9. The design and improvements of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations: The project will be able to comply with all zoning regulations as specified above.
10. The discharge of waste into an existing community sewer system will not result in or add to a violation of existing requirements prescribed by either the Regional Water Quality Control Board: The project will not result in a violation of requirements prescribed by the Regional Water Quality Control Board as the Applicant is required to prepare a Water Quality Management Plan (WQMP) for the project.

11. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision as the roof pitch is flat and must be made white in color and the project is subject to Green Building Codes.

**Covenant Conditions & Restrictions**

Prior to the sale of the first condominium, the Conditions will require the Applicant to prepare a document called Covenants, Conditions, and Restrictions (CC&Rs) and submit them to the City for review and approval. This will provide the operating regulations for the proposed condominium project and ensure that the project’s landscaping, irrigation, residential building exteriors, interior and exterior fences and walls, common areas and amenities, front yard areas, and back yard areas are maintained appropriately. The CC&Rs identify that the homeowners’ association will have the duty to maintain the property in a clean, safe, attractive, and healthy condition at all times, free of weeds, visible deterioration, graffiti, debris and/or other conditions that violate the Los Alamitos Municipal Code. Staff has included some conditions to ensure that the Association will act as primary enforcer of parking regulations in the community. Additionally, all of the requirements set forth in LAMC 17.34.060 will be required to be included in the CCRs.

**Staff Conclusion**

Staff believes the proposed Tentative Tract Map 16-01 meets the requirements and regulations established by Chapter 16.12 (Standards of Design) and the Subdivision Map Act established in Government Code Sections 66410 et seq. and that all required findings can be made, as more fully set forth in Resolution No. PC 17-11, attached hereto.

**General Plan Compatibility & Staff Recommendation**

Staff believes that the proposed project is compatible with the surrounding land uses as it is immediately adjacent to similar high-density residential apartments and condominiums. The project would implement the City’s General Plan, and specifically the ones shown in the table above.

And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with the Housing Element:
Housing Strategy Area 4: Adequate Housing Supply

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

Staff supports approval of CUP (Conditional Use Permit) 16-15, SPR (Site Plan Review) 16-06, and TTM (Tentative Tract Map) 16-01 (18099) due to what appears to be exceptional layout, design, and architecture of the project.

Attachments:
1) Site Plan dated January 2, 2017
2) Site Plan Review Resolution No. PC 17-09
3) Conditional Use Permit Resolution No. PC 17-10
4) Tentative Tract Map Resolution No. PC 17-11
5) Conditions of Approval – Exhibit A to all of the Resolutions
6) TTM 18099 – Exhibit B to Tentative Tract Map Resolution
RESOLUTION NO. PC 17-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-06) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS)

WHEREAS, an application for a Site Plan Review was submitted by Neoklis Zamvakellis and Alison Stapakis on November 17, 2016, requesting approval for demolishing an existing single family home and constructing five residential condominium units at 4061 Farquhar Avenue, APN 222-052-44; and,

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

WHEREAS, the Planning Commission reviewed the application for Site Plan Review at a duly noticed public hearing on April 26, 2017, at which time it considered all of the evidence presented, both written and oral.

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

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

SECTION 2. The Planning Commission hereby makes the following findings which is based on all of the evidence presented, both written and oral; the Staff report is incorporated by reference:

1. The design and layout of the proposed development are consistent with the development and design standards/guidelines of the applicable zoning district: The design and layout of the five residential condominiums on one lot at 4061 Farquhar Avenue, as conditioned, is consistent with the development and design standards/guidelines of the Multiple Family (R-3) Residential Zoning District as well as with the requirements for residential condominiums set forth in Section 17.34.060. As shown above, the development meets, or will be conditioned to meet, all requirements except for the width of the property, which is excused from the requirement as a nonconforming lot.
2. The design and layout of the proposed development are consistent 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 five residential condominiums at 4061 Farquhar Avenue would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding uses are multi-family residential and across the street is Little Cottonwood Park and the Joint Forces Training Base. The approved location is appropriate for a five unit residential condominium development. Moving the location of the private driveway ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Farquhar Avenue by having one less curb cut. The property is zoned for this type of development.

3. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter: The design of the five residential condominiums would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City’s architecture with an updated residential building design, extensive landscaping, and maintenance requirements under a condominium ownership.

4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and would remain aesthetically appealing and retain an appropriate level of maintenance: The design of the five residential condominiums would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color as described above. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the implementation of a homeowners’ association and the use of covenants, conditions, and restrictions.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity: The five residential condominiums provide for public health, safety, and welfare of the residential and business communities by increasing the density of the site to the amount required by the General Plan at this home site rather than causing sprawl elsewhere. Additionally, the project replaces a structure that is approximately 60 years old, and the building will meet all building code requirements.

6. The proposed development would not substantially depreciate property values in the vicinity: The five residential condominium units would not
depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics.

7. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review SPR16-06, as represented by the plans and elevations in the plans dated January 2, 2017 and subject to the conditions shown on "Exhibit A."

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-10 and 17-11 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

ATTEST: Larry Andrade, Chair

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 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:
ABSENT:
ABSTAIN:

__________________________
Steven A. Mendoza, Secretary
RESOLUTION NO. PC 17-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP16-15) TO ALLOW CONSTRUCTION OF FIVE RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS).

WHEREAS, an application for a Conditional Use Permit was submitted for the construction of five residential condominiums on one lot at 4061 Farquhar Avenue, APN 222-052-44, on November 17, 2016; and,

WHEREAS, the verified application constitutes a request under Section 17.08.020 (Land Uses and Permit Requirements), Section 17.08.020 Table 2-02 (Allowed Uses and Permit Requirements for Residential Zoning Districts) and Section 17.42.040 (Conditional Use Permits Required) of the Los Alamitos Municipal Code, which requires Planning Commission approval of a Conditional Use Permit for condominium projects in the R-3 Zoning District; and,

WHEREAS, prior to adopting this Resolution the Planning Commission adopted Resolution No. XXX approving the Site Plan, dated January 2, 2017; and

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on April 26, 2017 at which time it considered all of the evidence presented, both written and oral.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES 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 16-15 is hereby approved to allow the construction of five residential condominiums in three buildings at 4061 Farquhar Avenue based upon the following findings. These findings are based on all of the evidence presented and the Staff report is incorporated herein by reference:

1. The use will not endanger the public health, safety or general welfare if located where proposed and developed, and that the use will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibration: The project, as proposed and conditioned, will not endanger the public health, or general welfare. The
property is zoned for this type of five unit condominium development project and the project will comply with all applicable building and development codes. The condominium project will not foster circumstances that tend to generate nuisance conditions such as noise, glare, odor, or vibrations because it is a residential development that is consistent with the surrounding multiple-family residential uses.

2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate: The proposed five-unit residential condominium project meets all of the required conditions and specifications set forth in the zoning district where it is proposed to locate as this residential development project complies with all of the development standards for the Multiple Family Residential (R-3) Zoning and additional requirements set forth in Section 17.34.060 relating to residential condominiums, except with regard to the width of the property which is excused as this is a legal non-conforming lot.

3. 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 location and character of the use, if developed in accordance with the approved site plan, will be in harmony with the area in which it is to be located because the residential condominiums are 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.

<table>
<thead>
<tr>
<th>Applicable General Plan Implementing Goals and Policies</th>
<th>Consistency of Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Element</td>
<td></td>
</tr>
<tr>
<td>Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
</tr>
<tr>
<td>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.</td>
<td>These will be new, well designed buildings in the neighborhood which will encourage neighbors to take a look at their own homes.</td>
</tr>
<tr>
<td>Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.</td>
<td>This project will be in the multi-family residential neighborhood and is just the sort of project which will add to the character of the neighborhood.</td>
</tr>
<tr>
<td>Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.</td>
<td>This project has been compared to the development standards of the multi-family General Plan designation and has been found to be compliant.</td>
</tr>
<tr>
<td>Open Space, Recreation, and Conservation Element</td>
<td></td>
</tr>
<tr>
<td>Goal 1: A diverse range of parks, facilities, and programs that meet the recreational needs and interests of the community.</td>
<td>This project will be required to pay park fees which will provide funds for future recreational fees to be met.</td>
</tr>
<tr>
<td>Policy 1.1 Park and recreation space. Establish a goal of providing 5 acres of</td>
<td>This project will be required to pay</td>
</tr>
<tr>
<td>Park and recreation space for every 1,000 residents in Los Alamitos.</td>
<td>Park fees which will provide funds for future recreational fees to be met.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Goal 4: Air, water, and energy resources that are protected from pollution and overuse.</strong></td>
<td>This is a residential infill project that will take the place of sprawl that would be built on the fringes of this metropolitan area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD.</th>
<th>BMP’s are required for the construction of this project in the conditions of approval.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mobility and Circulation Element</strong></td>
<td></td>
</tr>
<tr>
<td>Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.</td>
<td>This will not add driveways to the passing streets, but will access the site from an existing alleyway.</td>
</tr>
<tr>
<td><strong>Public Facilities and Safety Element</strong></td>
<td></td>
</tr>
<tr>
<td>Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.</td>
<td>These are BMP requirements that are a part of the conditions of approval for the project.</td>
</tr>
<tr>
<td><strong>Growth Management Element</strong></td>
<td></td>
</tr>
<tr>
<td>Policy 1.1 New development. New development shall pay its share of the costs of public facilities and services needed to serve the new residents.</td>
<td>Park fees will be required to be paid.</td>
</tr>
</tbody>
</table>

And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with the following goal:

**Housing Strategy Area 4: Adequate Housing Supply**

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

4. *The decision is based on substantial evidence in view of the record as a whole before the Commission*: The decision to approve Conditional Use Permit 16-15 is based on the Planning Commission’s review of the plans and specifications submitted for the proposed project and on testimony given at the public hearing on April 26, 2017, before the Planning Commission.

5. *The proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 153322 – In-Fill Development Projects*. There are no unique circumstances which would trigger an exception to the exemption.
SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves the Conditional Use Permit 16-15 subject to the conditions attached and incorporated by reference as Exhibit “A” to this Resolution.

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-09 and 17-11 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

____________________________
Larry Andrade, Chair

ATTEST:

____________________________
Steven A. 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 Planning Commission held on the 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________
Steven A. Mendoza, Secretary
RESOLUTION NO. PC 17-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE TRACT MAP 16-01 (TTM 18099) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIVE CONDOMINIUM UNITS ON ONE LOT AT 4061 FARQUHAR AVENUE, APN 222-052-44, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: NEOKLIS ZAMVAKELLIS AND ALISON STAPAKIS)

WHEREAS, an application for a Tentative Tract Map was submitted by Neoklis Zamvakellis and Alison Stapakis on November 17, 2017, requesting to subdivide a property and construct five residential condominiums on one lot at 4061 Farquhar Avenue, APN 222-052-44; and,

WHEREAS, the verified application constitutes a request as required by Section 16.10 (Tentative Maps-Procedures) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered the application at a duly noticed public hearing on April 26, 2017, at which time it considered all of the evidence presented, both written and oral.

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

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

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

1. The proposed map is consistent with the City’s General Plan. The proposed map allows for the development of five condominium units at a density of 23 dwelling units an acre which is within the General Plan multi-family residential land use designation of 20 – 30 units per acre. The proposed design and improvements of the five-unit residential condominium subdivision are consistent with the applicable General Plan goals, policies, and implementation measures as set forth below.

<table>
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<td>These will be new, well designed buildings in the neighborhood which</td>
</tr>
</tbody>
</table>
And while no specific policy actions of the Housing Element are fulfilled through this project, it does strive for offering products of housing that cost less than an average single family home in the City in compliance with the following goal of the Housing Element:

Housing Strategy Area 4: Adequate Housing Supply

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community.
2. The design and improvement of the proposed subdivision is consistent with the City’s General Plan: The design and improvement of the five-unit condominium project are suitable for residential development in the R-3 designation and the density meets the requirements of the General Plan.

3. The site is physically suitable for the proposed type of development: The site is physically suitable for a residential condominium subdivision because the site is generally flat and will require minimal grading on site. The project can meet all development standards except width, which is excused as a legal nonconforming lot.

4. The requirements of CEQA have been satisfied: CEQA has been satisfied as a determination has been made that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. There are no unusual circumstances which would trigger an exception to the exemption, and no cumulative impacts because this is a previously-developed lot that is intended to have this amount of density and greater.

5. The site is physically suitable for the proposed density of development: The site is capable of supporting the development of five residential condominium units. The proposed project is at 22 dwelling units per acre, well under the City’s R-3 zoning district that allows a maximum of 30 dwelling units per acre under a multi-family development project. Each proposed unit and the entire project meets the development standards for the R-3 zone including parcel area, parcel depth, maximum density, minimum dwelling area, maximum height, setbacks, site coverage, and minimum distances between buildings. The parcel width is minimally under the code requirement, but is allowed because it is a legal non-conforming lot.

6. The design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife in their habitat: The proposed subdivision will not cause any environmental damage as this is an infill project on property that already has been developed with residential units and there are no fish or wildlife habitat on site. The site has already been graded.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems: The proposed subdivision design and improvements will not adversely affect the public health of the citizens of the City of Los Alamitos as the project is the type of use which is planned for in this area; the residential condominium project will be compatible with the multi-family residential uses in the area. Also the widening of the alley will improve safety for trash collection by today’s larger trucks.
8. The design of the subdivision and improvements will not conflict with public access easement through the property: The design of the subdivision and the proposed improvements will not conflict with any existing telephone, street, and public utility easements. There are no public access easements through the property.

9. The design and improvements of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations: The project will be able to comply with all zoning regulations as specified above.

10. The discharge of waste into an existing community sewer system will not result in or add to a violation of existing requirements prescribed by either the Regional Water Quality Control Board: The project will not result in a violation of requirements prescribed by the Regional Water Quality Control Board as the Applicant is required to prepare a Water Quality Management Plan (WQMP) for the project.

11. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision as the roof pitch is flat and must be made white in color and the project is subject to Green Building Codes.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Tentative Tract Map 16-01 (TTM 18099) attached as Exhibit “B,” subject to the conditions located in Exhibit “A.”

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

SECTION 5. This resolution shall be effective immediately, but only if resolutions 17-09 and 17-10 are also approved.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2017, by the following vote:

________________________________________
Larry Andrade, Chair

ATTEST:

____________________________
Steven A. Mendoza, Secretary
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 26th day of April, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________  
Steven A. Mendoza, Secretary
ZAMVAKELLIS & STAPAKIS FIVE UNIT CONDOMINIUM PROJECT
CONDITIONS OF APPROVAL
SPR 16-06, CUP16-15, and TTM 16-01 (18099)

GENERAL CONDITIONS

1. Approval of this application is to build a five unit condominium development project in three buildings at 4061 Farquhar Avenue (APN 222-052-44) with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a vesting Site Plan Review, Conditional Use Permit, and Tentative Tract Map, noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code and any applicable state law. If any changes are proposed regarding the location or alteration of the plans dated January 2, 2017 (as amended during the hearing), a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.

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

3. The Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property Applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Development Services Department.

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

5. Project plans for the condominium development shall be subject to a complete code compliance review with the Development Services Department when the condominium plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.

6. Approval of Site Plan Review 16-06 shall be valid for a period of twelve (12) months from the date the site plan was approved, and Conditional Use Permit 16-15 shall be valid for a period of eighteen (18) months from the date this permit approved. If construction is commenced within this eighteen (18) month period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect.

7. Approval of TTM 16-01 (TTM 18099) is valid for twenty-four (24) months. Prior to the expiration of the Map the Applicant may request a twelve (12) month extension in accordance with the Los Alamitos Municipal Code.

8. In accordance with Government Code section 66477 and Chapter 16.17 of the Los Alamitos Municipal Code, the applicant shall be required to pay $53,648.00 in parkland dedication (Quimby) fees.

**LANDSCAPE**

9. 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.
10. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.

11. The Applicant shall install, at a minimum, five 15 gallon trees within the landscaped areas of the parcel.

12. Front-yard landscaping for each individual condominium unit, private driveway street trees, common open space landscaping, and landscaping area shall be installed prior to occupancy of any condominium units. The developer shall be responsible for maintaining the common area landscaping until such time as the project nears complete sell-out and the homeowner’s association takes over maintenance responsibility.

13. Trees shall be planted outside of any Sight Safety Triangle or be trimmed to eight feet from above the adjacent top of curb.

**LIGHT**

14. Prior to permit issuance, Applicant shall submit a lighting plan to the Community Development Department to the satisfaction of the Development Services Director.

15. The Applicant shall provide adequate exterior lighting for each residential unit that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in the Los Alamitos Municipal Code. All lighting structures shall be placed so as to confine direct rays to the subject property.

16. The Applicant shall provide an illuminated uniform address number near the entryway of each unit, or other location acceptable to the Development Services Director.

**UTILITIES**

17. The Applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Development Services Department for review and approval prior to the Building and Safety Division Plan check.

18. All utility service lines shall be placed underground.

19. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading. Each unit shall be separately metered.
CONSTRUCTION

20. During construction, the Applicant will display a sign visible to the public from Farquhar Avenue with a contact number of the construction superintendant to address any questions or concerns about demolition, grading, and construction activities.

21. 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 Development Services Director.

22. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of an existing dwelling shall be equipped with properly operating and maintained mufflers.

23. 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.

24. Stock piling and/or vehicle-staging areas shall be placed as far as practical from residential homes.

25. The Applicant shall have rodent and pest controls on site during demolition and grading activities to mitigate impacts to the surrounding properties and neighborhood.

26. 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.

27. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.

OTHER

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

29. The ground floor room labeled as “study/den” in Units 1, 2, 3 and 4 shall not have a closet installed and shall not be considered as a bedroom. This requirement shall be included in the CC&Rs.
30. The air conditioner units shall be installed in accordance with LAMC 17.16.100.D.

31. The garage doors shall be the same style as shown on the elevations.

32. A Water Quality Management Plan (WQMP) will be required to be processed for this project.

33. Prior to the sale of any individual condominium, a Homeowners’ Association shall be created to maintain the common area landscaping, driveway trees, maintenance of common open space and furniture, walls and fencing. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover replacement and major repair costs. The homeowners’ association shall be authorized to enforce the Covenants, Conditions, and Restrictions (CC&Rs). The developer shall prepare project CC&Rs for the entire development for review and approval by the Director of Community Development, prior to any permanent Certificate of Occupancy being issued.

34. The CC&Rs shall be approved by the City Attorney’s office and the Development Services Department prior to the issuance of any Certificate of Occupancy (temporary or permanent). The CC&Rs shall be recorded prior to or at the same time that the final map is recorded and two copies of the recorded CC&Rs shall be provided to the Community Development Department. The CC&Rs shall include the following provisions in addition to anything else identified in these conditions:

   a. All units shall maintain within the garage the ability to park two cars at all times. Garages shall not be converted to any other use.

   b. Parking spaces in the garages shall be made available to the occupants of the unit at all times.

   c. There shall be no business activities or day care conducted within or from the garages.

   d. The CC&R’s shall identify for the tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as trash trucks, fire trucks, etc., from maneuvering around the private driveway.

   e. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
f. The CC&R's shall include requirements that maintenance of the private drive aisles, storm drain, sewer system, and open space areas within the interior of the development is the responsibility of the Homeowner's Association, including the common landscaped areas.

g. Attorney Fees: The City shall be entitled to recover its attorney's fees and costs incurred in connection with its actions to enforce the conditions of these Declarations or Tentative Tract Map TTM 16-01(17802), Conditional Use Permit CUP 16-15, Site Plan Review SPR 16-06 approvals, or to abate the violation thereof. The City may impose a lien or assessment on the property to recover such attorney's fees and costs.

h. Public Safety Access: The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.

i. The CC&R's may not be amended without prior approval from the City. The City's approval shall be limited to insuring that the provisions required by these conditions have not been altered.

TRASH

35. The applicant shall provide, as a minimum, a trash enclosure to 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 Community Development. 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.

ENGINEERING

36. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.

37. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
38. 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.

39. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.

40. If utility cuts are excessive in the street, the street must have a grid and overlay placed on it per the satisfaction of the City Engineer.

41. 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.

42. A City Public Works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.

43. 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.

44. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.

45. 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.

46. The Applicant shall dedicate 2½ feet of the property to the City to widen the alley by occupancy of the units.

47. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Final Water Quality Management Plan (WQMP) that:

- Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
• Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

• Incorporates Treatment Control BMPs as defined in the DAMP.

• Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.

• Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.

• Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

PUBLIC WORKS

48. The Applicant shall install new sidewalk on Farquhar Avenue, in front of the entire subject parcel.

49. The Applicant shall remove the existing drive approach (curb cut) to the property on Farquhar Avenue and replace with a new curb and gutter per City standards.

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

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

52. The Applicant shall install 1-2 new trees on Farquhar Avenue evenly spaced in the parkway in front of the subject parcel. Please call the Public Works Superintendent at 562-431-3538 for type and specifications.

53. The Applicant shall install irrigation to each of the City trees planted. The irrigation shall be a bubbler sprinkler NOT a tree well type of bubbler sprinkler.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

54. The Applicant shall submit engineering plans to the Sewer District prior to connection to the District's sewer in Farquhar Avenue.

55. The Applicant shall pay all applicable Sewer District connection, permit, plan check and inspection fees.

BUILDING AND SAFETY DIVISION
56. The Applicant must comply with all current California Building Codes in effect at the time that the plans are submitted.

57. The Applicant shall submit three (3) sets of complete building plans to the Building and Safety Department for review.

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

59. Prior to obtaining a demolition permit, the Applicant shall submit an asbestos report for review and approval by the Building and Safety Department. If asbestos is found on site, a report to the Air Quality Management District (AQMD) must be made.

60. For demolition and construction, the project must recycle 60% of material and the Applicant shall submit a waste management plan to the Building and Safety Department.

ORANGE COUNTY FIRE AUTHORITY (OCFA)

61. 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. If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.

Prior to issuance of a building permit if a grading permit is not required:

- fire master plan (service code PR145)

Prior to issuance of a building permit:

- fire sprinkler system (service codes PR400)

Lumber-drop Inspection: After installation of required fire access roadways and hydrants, the Applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least two days in advance to schedule the lumber drop inspection.
# City of Los Alamitos

**Planning Commission**

## Agenda Report

**Public Hearing**

**April 26, 2017**

**Item No: 7D**

<table>
<thead>
<tr>
<th>To:</th>
<th>Chair Andrade and Members of the Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Via:</td>
<td>Steven Mendoza, Development Services Director</td>
</tr>
<tr>
<td>From:</td>
<td>Tom Oliver, Associate Planner</td>
</tr>
<tr>
<td>Subject:</td>
<td>Conditional Use Permit (CUP) 17-02</td>
</tr>
<tr>
<td></td>
<td>Request to Allow a Standby Generator to be Installed in the Planned Light Industrial (P-M) Zone</td>
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</table>

**Summary:** Consideration of a Conditional Use Permit to install a standby generator for a wireless tower installation in the Planned Light Industrial (P-M) Zone at 10851 Portal Drive.

**Recommendation:**

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

2. Determine that the project is a Class 3 Categorical Exemption, pursuant to Section 15303(e) – *New Construction or Conversion of Small Structures*, as an accessory structure -- will be prepared for the proposed project in accordance with the California Environmental Quality Act; and, if appropriate,


**Applicant:** Al Gamboa, Milestone Wireless, for Verizon Wireless

**Location:** 10851 Portal Drive, APN 241-241-19

**Environmental:** If approved, a Class 3 Categorical Exemption, pursuant to Section 15303(e) – *New Construction or Conversion of Small Structures*, as an accessory structure – will be
prepared for the proposed project in accordance with the California Environmental Quality Act.

Approval Criteria: Section 17.10.020, Table 2-04 of the Los Alamitos Municipal Code (LAMC) requires that a Conditional Use Permit (CUP) be considered by the Planning Commission to allow the installation of a Wireless Telecommunications Facility.

Noticing: Notices announcing the Public Hearing were mailed to all property owners and commercial occupants within 500 feet of the proposed location on April 12, 2017. A Public Hearing notice regarding this meeting was also published in the News Enterprise on April 12, 2017.


Background

An application was filed for a Conditional Use Permit (CUP 13-09) in 2013 involving the installation of the generator with a block wall screening it behind a building at 10851 Portal. That application was originally submitted and approved by the Planning Commission in 2014, however, it was never installed. This approval expired after eighteen months and therefore must be resubmitted to the Commission to seek new approval as a new Conditional Use Permit (CUP 17-02). The main part of the wireless installation -- which is existing, owned by Verizon, and already has a CUP -- is at the front of the building on Portal Drive. This building used to be leased by Metro PCS from VDAP Properties, but they appear to have closed that business in the building. The generator is for emergencies and, if approved, will test run once a week for 15 minutes at approximately 69 decibels and -- as its main purpose -- to operate during emergencies for undetermined periods of time.

Discussion

This emergency generator is proposed to be located on the opposite side of the building from the existing wireless installation that it will support on Portal Drive. The existing installation already has a Conditional Use Permit. When the applicant originally submitted this application, the generator installation was to be exposed and unscreened. The generator, when running, is louder than Los Alamitos Municipal Code allows in Section 17.24. Since the installation is next to Los Alamitos Elementary, separated only by a chain link fence, the Applicant was asked by Staff to conduct a noise study, which the Applicant did provide.

In the zoning code chapter 17.24 “Noise,” zones for decibel levels are delineated. Schools are in noise zone 2 and industrial properties are in noise zone 4. The highest noise level for the school parcel would be 55 dB(a), and for the industrial property the
limit would be 70 dB(a). The generator level is below 70 dB(a) (at 69 dB(a)) which is acceptable on the industrial property where it will be placed, however, it is over the 55 dB(a) limit for the school property next door. The ambient noise in the area has been measured to be between 50 to 60 decibels, so the ambient noise is above code limits for the area surrounding this subject property from time-to-time with existing conditions as they stand. With the wall/barrier, the noise study has found that the 55 decibel level will not be exceeded.

The noise study determined that a block wall should be built around the generator. While it will only be turned on for 15 minutes a week, if there were an emergency, it would run 24 hours a day, and might disrupt classes if students have returned to classes after a disruption in power. The wall that is proposed to be built would be adequate to mitigate this noise problem, according to the noise study.

In addition to the noise question, Chapter 17.30 of the Zoning Code also has certain requirements for Wireless Telecommunication Facilities. In the particular sections 17.30.070 Additional Requirements, and in 17.30.090 Screening and site selection guidelines, wireless installations are subject to certain development standards which the main installation has previously met and been approved for concerning subjects such as location and height. This generator would be in a new location as an ancillary part of the main installation. On its own merits, this separate location of the generator complies with these standards, being behind an industrial building and buffered by a block wall.

Staff feels that this project is an admirable disaster recovery effort on the part of the Verizon to keep communications facilities open in the aftermath of a disaster. The City's code allows an exemption from the code in Section 17.24.020.C for "A mechanical device, apparatus, or equipment used, related to or connected with emergency machinery, vehicle or work..." However, this is contradicted by Code Section 17.24.090 Special Provisions—Schools, Hospitals and Religious Institutions, which states that, “It is unlawful for a person to create noise that causes the noise level at a school, hospital, or religious institution while the facility is in use, to exceed the noise limits specified for exterior noise in this chapter, or which noise level unreasonably interferes with the use of the facility or which unreasonably disturbs or annoys patients in a hospital, provided conspicuous signs are displayed in three separate locations within one-tenth of a mile of the institution indicating the presence of a school, hospital, or religious institution.” Staff believes that the proposed block wall will mitigate this noise issue. The noise study is attached to this report for more information about how this mitigation was determined.

**Findings for a Conditional Use Permit**

In order to approve a conditional use permit, three findings are required which must be supported by additional evidence (LAMC 17.42.050). These findings are:

1. The generator will not endanger the public health, safety or general welfare if located where proposed and developed with the block wall structure that will surround it, and the generator with the wall as insulation will not allow conditions which tend to generate nuisance conditions including but not limited to noise,
glare, odor, or vibrations. The generator will be adequately view-screened and sound-screened to fit squarely within the City's noise standard; and,

2. The generator meets the required conditions and specifications set forth in the P-M zoning district where it proposes to locate; and,

3. The location and character of the generator, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located, which is the Planned Light Industrial (P-M) Zone. It must also be in general conformity with the Los Alamitos General Plan, which, for example, in Policy 3-3.2 of the Safety Element states, “Maintain and expand the City's flooding disaster preparedness and emergency response capabilities.” In the event of a power outage, and if this wireless installation were to be disabled during that outage, this generator would help those response capabilities.

**Conditions for Wireless Telecommunications Installations**

As currently shown, the proposed generator would meet required conditions and specifications set forth in the zoning district; it meets the development requirements noted in the Wireless Telecommunications Facilities chapter (LAMC 17.30) as noted below:

**17.30.060 Development requirements**

Facilities shall comply with the following requirements:

A. Signs Not Allowed. Facilities shall not bear signs or advertising devices other than certification, warning, or other required seals or required signage.

B. Accessory Equipment. Accessory equipment associated with the operation of a facility shall be located within a structure, enclosure, or underground vault that complies with the development standards of the zoning district in which the accessory equipment is located. If the equipment is to be located above ground, it shall be visually compatible with the surrounding structures and include sufficient landscaping to screen the structure from view.

C. Colors and Materials. Facilities shall have colors and nonreflective materials that blend with surrounding materials and colors.

D. Screening. Screening for wall mounted and/or roof-mounted facilities shall be compatible with the existing architecture, color, texture, and or materials of the structure to which it is mounted. (Ord. 688 § 1, 2006)
Recommendation

Based on the above report and its considerations, Staff recommends that the Planning Commission adopt Resolution No. 17-12, approving the request for a Conditional Use Permit.

Attachments

1) Resolution 17-12
2) Current Plans for Generator
3) 2013 Noise Study
RESOLUTION NO. 17-12


WHEREAS, the previous approval for this generator (Conditional Use Permit 13-09) expired after eighteen months and must be renewed prior to installation; and,

WHEREAS, an application for a Conditional Use Permit was submitted by Al Gamboa on March 6, 2017, requesting approval for the installation of an outdoor generator for a wireless telecommunications facility at 10851 Portal Drive in the Planned Light Industrial (P-M) Zoning District, APN No. 241-241-19; and,

WHEREAS, a revised application was submitted that includes a CMU screen wall enclosure as part of the project application; and,

WHEREAS, the verified application constitutes a request as required by Section 17.42.040 (Conditional Use Permits) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered said application at a duly noticed Public Hearing on April 26, 2017; 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 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 17-02 is hereby approved for the installation of an outdoor generator surrounded by a CMU screen wall for a wireless telecommunications facility at 10851 Portal Drive in the Planned Light Industrial (P-M) Zoning District, APN No. 241-241-19, based upon the following findings in accordance with Section 17.42.050 of the Los Alamitos Municipal Code and subject to the conditions set forth below:
1. The generator will not endanger the public health, safety or general welfare if located where proposed and developed with the block wall structure that will surround it, and the generator with the wall as insulation will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibrations. The generator will be adequately view and sound-screened to fit squarely within the City's noise standard; and,

2. The generator meets the required conditions and specifications set forth in the P-M zoning district where it proposes to locate; and,

3. The location and character of the generator, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located, which is the Planned Light Industrial (P-M) Zone. It will also be in general conformity with the Los Alamitos General Plan, which for example, in Policy 3-3.2 of the Safety Element states, "Maintain and expand the City's flooding disaster preparedness and emergency response capabilities." This generator would help those response capabilities in the event of a power outage and this wireless installation were to be disabled; and,

4. The decision to conditionally approve the application is based on substantial evidence in view of the record as a whole before the Commission; and,

5. A Class 3 Categorical Exemption, pursuant to Section 15303(e) – New Construction or Conversion of Small Structures, as an accessory structure — will be prepared for the proposed project in accordance with the California Environmental Quality Act; and,

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves subject to the following conditions:

Planning

1. Approval of this application is to allow the installation of a generator, with a block wall screening it, behind a building at 10851 Portal Drive 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 17-02 noted thereon, and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development 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 Community Development Director without requiring a public meeting.

2. 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.

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

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

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

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

5. The applicant has 90 days from the date of adoption of this Resolution to protest the impositions described above. The applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.

6. 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.
7. 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.

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

9. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 A.M. until 5:00 P.M. during the week; 8:00 A.M. until 5:00 P.M. on Saturday; and not at all on Sunday or federal holidays.

10. The project shall comply with all requirements of Chapter 17.40, Noise Control, of the Los Alamitos Municipal Code.

11. The applicant will display a sign visible to the public with a contact number should any person have any questions about the generator.

12. Signs Not Allowed. Facilities shall not bear signs or advertising devices other than certification, warning, or other required seals or required signage.

13. Accessory Equipment. Accessory equipment associated with the operation of a facility shall be located within a structure, enclosure, or underground vault that complies with the development standards of the zoning district in which the accessory equipment is located. If the equipment is to be located above ground, it shall be visually compatible with the surrounding structures and include sufficient landscaping to screen the structure from view.

14. Colors and Materials. Facilities shall have colors and nonreflective materials that blend with surrounding materials and colors.

15. Screening. Screening for wall mounted and/or roof-mounted facilities shall be compatible with the existing architecture, color, texture, and/or materials of the structure to which it is mounted.

**Building Department**

16. The applicant shall submit complete plans per the 2016 California Building Code for any new construction and obtain all necessary permits for building, electrical, plumbing, and mechanical work.

17. The applicant shall obtain City permits for all improvements.
Orange County Fire Authority

18. 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 any permits or approvals:

- tanks storing hazardous materials (service codes PR300-PR305)
- hazardous materials compliance and chemical classification (service codes PR315-PR328)
- battery (service codes PR370-PR375) for any system containing an aggregate quantity of electrolyte with hazard classification(s) in excess of the permit issuance threshold amount listed in CFC Appendix Chapter 1, Section 105

Specific submittal requirements may vary from those listed above depending on actual project conditions identified or present during design development, review, construction, inspection, or occupancy. Standard notes, guidelines, submittal instructions, and other information related to plans reviewed by the OCFA may be found by visiting www.ocfa.org and clicking on “Fire Prevention” and then “Planning & Development Services.”

If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.

Additional Planning Commission Conditions

19. Testing shall be limited to 15 minutes a week and only during the hours of 8 a.m. to 5 p.m. Monday through Friday. During the time that school is in session the testing shall not occur during the hours of 8:00 a.m. to 3:00 p.m.

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 26th day of April, 2017.

ATTEST: ____________________________

                       Larry Andrade, Chair

___________________________

Steven Mendoza, Secretary

APPROVED AS TO FORM:

___________________________

Lisa Kranitz, Assistant City Attorney

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

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 26th day of April, 2017, by the following vote, to wit:

AYES: __________________________
NOES: _________________________
ABSENT: _______________________
ABSTAIN: _____________________

___________________________

Steven Mendoza, Secretary
STANDBY GENERATOR NOISE ANALYSIS
FOR THE ROSSMOOR CELL SITE
CITY OF LOS ALAMITOS

Project #552001-0100
February 18, 2014

Prepared For:

Milestone Wireless, Inc.
14110 Ramona Boulevard
Whittier, CA 90605

Prepared By:

Fred Greve, P.E.
Keith Turner
Mestre Greve Associates
Division of Landrum & Brown
27812 El Lazo Road
Laguna Niguel, CA 92677
949-349-0671
1.0 INTRODUCTION

This report addresses compliance of the proposed Rossmoor Cell Site located at 10851 Portal Drive with the City of Los Alamitos Noise Ordinance. Exhibit 1 shows the location of the site on a vicinity map and Exhibit 2 presents the proposed site plan. The only considerable source of noise from the proposed cell site is a 30-kilowatt emergency generator. As shown in Exhibit 2, the generator will be located near the southwest corner of the subject property on the west side of an existing building adjacent to a sunken loading dock. We understand that the generator will be tested approximately once per week and will operate during a power outage. When not in use, the generator will not produce noise.

The analysis will determine the potential noise levels at the adjacent property lines. Noise impacts on adjacent properties will then be compared to the City of Los Alamitos Noise Ordinance limits.

2.0 BACKGROUND ON NOISE

Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dB higher than another is judged to be twice as loud; and 20 dB higher four times as loud; and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud).

Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Community noise levels are measured in terms of the "A-weighted decibel," abbreviated dBA. Exhibit 3 provides examples of various noises and their typical A-weighted noise level. Sound levels decrease as a function of distance from the source as a result of wave divergence, atmospheric absorption and ground attenuation. As the sound wave travels away from the source, the sound energy is dispersed over a greater area, thereby dispersing the sound power of the wave. Intervening topography or sound walls can also have a substantial effect on the effective perceived noise levels.

Noise has been defined as unwanted sound and it is known to have several adverse effects on people. From these known effects of noise, criteria have been established to help protect the public health and safety and prevent disruption of certain human activities. This criteria is based on such known impacts of noise on people as hearing loss, speech interference, sleep interference, physiological responses and annoyance. Each of these potential noise impacts on people are briefly discussed in the following narratives:
<table>
<thead>
<tr>
<th>Noise Level</th>
<th>Outdoor</th>
<th>Indoor</th>
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<tbody>
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<td>0 dBA</td>
<td>threshold of hearing (0 dBA)</td>
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<td>rustling of leaves (20 dBA)</td>
<td>whispering at 5 feet (20 dBA)</td>
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<td>60</td>
<td>air-conditioner at 100 feet (60 dBA)</td>
<td>sewing machine (50 dBA)</td>
</tr>
<tr>
<td></td>
<td>car at 25 feet at 65 mph (77 dBA)</td>
<td>normal conversation (50 to 65 dBA)</td>
</tr>
<tr>
<td></td>
<td>diesel truck at 50 feet at 40 mph (84 dBA)</td>
<td>garbage disposal (80 dBA)</td>
</tr>
<tr>
<td></td>
<td>propeller airplane flyover at 1000 feet (88 dBA)</td>
<td>ringing telephone (80 dBA)</td>
</tr>
<tr>
<td></td>
<td>motorcycle at 25 feet (90 dBA)</td>
<td>vacuum cleaner (60-85 dBA)</td>
</tr>
<tr>
<td></td>
<td>lawn mower (96 dBA)</td>
<td>shouted conversation (90 dBA)</td>
</tr>
<tr>
<td></td>
<td>backhoe at 50 feet (75-95 dBA)</td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>snowmobile (100 dBA)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>pile driver at 50 feet (90-105 dBA)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>car horn (110 dBA)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>rock concert (110 dBA)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>leaf blower (115 dBA)</td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>ambulance siren (120 dBA)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>stock car races (130 dBA)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>jackhammer (130 dBA)</td>
<td></td>
</tr>
<tr>
<td>140</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Leaside & The Field Gesture, www.lfg.org
Metsu-3, Metabolic Rate Control, National Heart, published by Ga. Harris, 1973
Measurements by Mestre Greve Associates

Exhibit 3
Typical Noise Levels
HEARING LOSS is not a concern in community noise situations of this type. The potential for noise induced hearing loss is more commonly associated with occupational noise exposures in heavy industry or very noisy work environments. Noise levels in neighborhoods, even in very noisy airport environs, are not sufficiently loud to cause hearing loss.

SPEECH INTERFERENCE is one of the primary concerns in environmental noise problems. Normal conversational speech is in the range of 60 to 65 dBA and any noise in this range or louder may interfere with speech. There are specific methods of describing speech interference as a function of distance between speaker and listener and voice level.

SLEEP INTERFERENCE is a major noise concern for traffic noise. Sleep disturbance studies have identified interior noise levels that have the potential to cause sleep disturbance. Note that sleep disturbance does not necessarily mean awakening from sleep, but can refer to altering the pattern and stages of sleep.

PHYSIOLOGICAL RESPONSES are those measurable effects of noise on people that are realized as changes in pulse rate, blood pressure, etc. While such effects can be induced and observed, the extent is not known to which these physiological responses cause harm or are signs of harm.

ANNOYANCE is the most difficult of all noise responses to describe. Annoyance is a very individual characteristic and can vary widely from person to person. What one person considers tolerable can be quite unbearable to another of equal hearing capability.

3.0 CITY OF LOS ALAMITOS NOISE ORDINANCE CRITERIA

Noise ordinances are designed to protect adjacent noise-sensitive land uses from non-transportation related noise sources (e.g., manufacturing facilities, music, mechanical equipment, and activities on private property). To control these types of non-transportation related noise, many communities have developed noise ordinances. The City of Los Alamitos Noise Ordinance is presented in Chapter 17.25 of the City's Zoning Code (Title 17) and is summarized in Tables 1 through 3 below. Table 1 presents the exterior noise standards defined in the Ordinance and Table 2 presents the interior noise standards. Table 3 presents the definitions for the Noise Zones referenced in Table 1 and 2.

The exterior noise level limits presented in Table 1 are the baseline standards, which are the noise levels that cannot be exceeded for a cumulative period more than 30 minutes in an hour based on the receiving land use Noise Zone designation. The baseline limit plus five dB cannot be exceeded for a cumulative period of more than 15 minutes in an hour and the limit plus 10 dB cannot be exceeded for more than 5 minutes in an hour. The limit plus 20 dB cannot be exceeded for more than 1 minute in an hour and the limit plus 20 dB cannot be exceeded for any period of time.
For noise sources impacting residential uses, i.e.; Noise Zone 1, the noise level cannot exceed 55 dBA for 30 minutes in an hour or 75 dBA for any period of time during the daytime, 7 a.m. to 10 p.m. During the nighttime hours, 10 p.m. to 7 a.m., the noise level cannot exceed 50 dBA for 30 minutes in an hour or 70 dBA for any period of time. The limit for sources impacting professional offices and public institutional properties during all hours of the day is the same as the daytime residential standard. The noise standards for commercial and industrial properties are 5 dB and 10 dB higher, respectively, than the residential daytime standard.

**Table 1**

**EXTERIOR NOISE STANDARDS**

<table>
<thead>
<tr>
<th>Noise Zone</th>
<th>Noise Level</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Day;</td>
<td>55 dBA</td>
<td>7 a.m. to 10 p.m.</td>
</tr>
<tr>
<td>1: Night;</td>
<td>50 dBA</td>
<td>10 p.m. to 7 a.m.</td>
</tr>
<tr>
<td>2:</td>
<td>55 dBA</td>
<td>Anytime</td>
</tr>
<tr>
<td>3:</td>
<td>60 dBA</td>
<td>Anytime</td>
</tr>
<tr>
<td>4:</td>
<td>70 dBA</td>
<td>Anytime</td>
</tr>
</tbody>
</table>

* Taken from Chapter 17: Noise, Section 17.24.050

The interior noise standards presented in Table 2 are the baseline interior noise standards, which cannot be exceeded for more than 5 minutes in an hour. The baseline interior limit plus five dB cannot be exceeded for more than 1 minute in an hour and the baseline limit plus 10 dBA cannot be exceeded for any period of time.

**Table 2**

**INTERIOR NOISE STANDARDS**

<table>
<thead>
<tr>
<th>Noise Zone</th>
<th>Noise Level</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Day;</td>
<td>55 dBA</td>
<td>7 a.m. to 10 p.m.</td>
</tr>
<tr>
<td>1: Night;</td>
<td>45 dBA</td>
<td>10 p.m. to 7 a.m.</td>
</tr>
<tr>
<td>2, 3, and 4:</td>
<td>55 dBA</td>
<td>Anytime</td>
</tr>
</tbody>
</table>

* Taken from Chapter 17: Noise, Section 17.24.070

**Table 3**

**DESIGNATED NOISE ZONING DISTRICTS**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Noise Zone 1:</td>
<td>All residential properties</td>
</tr>
<tr>
<td>B. Noise Zone 2:</td>
<td>All professional office and public institutional properties</td>
</tr>
<tr>
<td>C. Noise Zone 3:</td>
<td>All commercial properties with the exception of professional offices</td>
</tr>
<tr>
<td>D. Noise Zone 4:</td>
<td>All industrial properties</td>
</tr>
</tbody>
</table>

* Taken from Chapter 17: Noise, Section 17.24.070
Section 17.24.020 specifies activities that are exempt from the Noise Ordinance. Item C exempts "a mechanical device, apparatus, or equipment used, related to or connected with emergency machinery, vehicle or work." As discussed above, the only considerable source of noise from the project will be the emergency generator. When the generator is operated during a power outage, it is providing emergency service to allow wireless communication during the power disruption. Therefore, when the emergency generator is operating during a power outage it is exempt from the Noise Ordinance.

To ensure that the generator is operational and will be available for use during a power outage it will be tested on a regular basis. This testing involves starting the generator and allowing it to run for 15 to 30 minutes. Testing will occur no more than once a week during the daytime hours. Because this is not considered emergency operation, testing of the generator is subject to the Noise Ordinance Limits. The generator results in a nearly constant noise level when it is operating. Therefore, the generator noise will not be able to exceed baseline noise level limits presented in Tables 1 and 2 and demonstrating compliance with the baseline noise level limits will demonstrate compliance with the City’s Noise Ordinance.

A school, public institutional property, is located on the property directly west of the generator and residential apartments are located directly south of the generator. Therefore, the noise from the generator will not be able to exceed 55 dBA at or beyond the property line for a ground level observer, or within the apartments located to the south. Typical construction provides at least 20 dB of outdoor to indoor noise reduction with windows closed. The amount of noise reduction falls to approximately 12 dB when windows are open. As a worst-case condition, windows will be assumed to be open. Therefore, the generator will not be able to generate a noise level exceeding 67 dBA at the building face in order for the interior noise level to remain below the 55 dBA interior noise limit.

The land use directly south of the project is assumed to be residential space. The land use directly west of the project is a public school (public institutional property). The most stringent requirement for the proposed equipment is in Section 17.24.050 of the City’s Noise Ordinance and specifies that the equipment at the site may not exceed a daytime (7 a.m. to 10 p.m.) exterior noise level of 55 dBA at either the southern or western property lines. The standby generator should only be tested during the daytime between the hours of 7 a.m. and 10 p.m. Note that it appears that most of the apartments have through the wall air conditioners, which would allow for windows to remain closed.
4.0 AMBIENT NOISE LEVELS

Noise measurements were conducted during the morning of January 27, 2014 hours, in order to document the ambient noise levels at the site. The noise measurements were taken at locations adjacent to the southern and western property lines of the project site as shown in Exhibit 4. The results of these measurements are presented below in Table 4 and Table 5. These tables show the measured average, Leq, noise level along with the maximum and minimum noise levels during the measurement period. The remaining values present the L% (L percentile) levels corresponding with the Noise Ordinance Limits. The L% represents the noise level that was exceeded cumulatively during the specified percentage of time of the measurement. The L50 represents the noise level exceeded half the measurement period, or the noise level exceeded for 30 minutes in an hour. The L25 represents the noise level exceeded for 15 minutes in an hour, L8 represents the noise level exceeded for 5 minutes in an hour and L2 is the noise level exceeded for one minute in an hour.

The noise monitor used for the measurements was a Brüel & Kjær Type 2236 sound level meter, with a Brüel & Kjær Type 4188 1/2” electret condenser microphone. The measurement system was calibrated before and after the measurements with a Brüel & Kjær Type 4231 sound level calibrator with calibration traceable to the National Institute of Standards and Technology.

Table 4
SUMMARY OF AMBIENT NOISE LEVELS AT SITE 1
SOUTHERN PROPERTY LINE (dBA)

<table>
<thead>
<tr>
<th>Time:</th>
<th>Leq</th>
<th>Lmax</th>
<th>Lmin</th>
<th>L2</th>
<th>L8</th>
<th>L25</th>
<th>L50</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:31 to 10:46 a.m.</td>
<td>60.9</td>
<td>74.2</td>
<td>49.2</td>
<td>67.2</td>
<td>65.0</td>
<td>61.0</td>
<td>58.0</td>
</tr>
</tbody>
</table>

Table 5
SUMMARY OF AMBIENT NOISE LEVELS AT SITE 2
WESTERN PROPERTY LINE NEAR SCHOOLYARD

<table>
<thead>
<tr>
<th>Time:</th>
<th>Leq</th>
<th>Lmax</th>
<th>Lmin</th>
<th>L2</th>
<th>L8</th>
<th>L25</th>
<th>L50</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:51 to 11:06 a.m.</td>
<td>50.1</td>
<td>56.6</td>
<td>45.0</td>
<td>54.0</td>
<td>52.5</td>
<td>51.0</td>
<td>49.5</td>
</tr>
</tbody>
</table>

The results of the measurements indicate that the ambient noise level was about 60.9 dBA (Leq) at the southern property line. At the west property line near the schoolyard, the ambient noise level was about 50.1 dBA (Leq). The daytime noise levels for Site 1 were primarily due to children playing in the schoolyard. The noise levels at Site 2 were due to loading dock activities at the rear of the existing building located on the project site.
Ambient Noise Measurement Locations

1. NOISE MONITORING SITE

Exhibit 4
5.0 POTENTIAL NOISE LEVELS

Exhibit 2 shows the standby generator location and the adjacent properties. This exhibit shows that the generator will be located approximately 60 feet from the western property line and approximately 98 feet from the southern property line. The apartment building to the south is situated approximately 10 feet from the southern property line and 108 feet from the generator. This building has three floors.

The nearest building on the school property to the west is located approximately 160 feet from the property line and 220 feet from the proposed generator. All of the buildings located on the school property are single story. Compliance with the City's exterior standard will result in outdoor noise levels from the generator being less than 55 dBA at the school. Therefore, indoor noise levels at the school will be less than 43 dBA with open windows and less than 35 dBA with closed windows. Therefore, demonstrating compliance with the exterior noise standard at the school to the west will also demonstrate compliance with the interior noise standard.

The standby generator planned for use at the site is a Kohler 30-kW emergency backup generator. At this time, the specific model of generator is not known but it is known that the generator will include the manufacturer's noise reducing enclosure. Noise data for a comparable Kohler generator, Model 30RE0ZJB, was obtained from the manufacturer and is presented in the Appendix. The manufacturer's data shows that the generator noise level will be approximately 69 dBA at a distance of 23 feet to the side (east-west) of the generator. The data shows that the noise level at radiator end of the generator, which will face the southern property line, will be about 74 dBA at 23 feet.

As discussed in Section 3, the operation of the emergency generator during a power outage is specifically exempt from the Noise Ordinance. However, the noise produced by the generator during periodic testing to ensure proper operation is not exempt. This testing will occur at most once a week by starting and running the generator for a 15 to 30 minute period. In order to comply with the City's Noise Ordinance, the noise level from the generator will need to be less than 55 dBA at the western and southern property lines and less than 55 dBA inside the apartments located south of the site.

Using the data above, generator noise levels were projected for each property line. The noise levels from the standby generator will be approximately 60.7 dBA at the western property line and approximately about 61.4 dBA at the southern property line. Therefore, without mitigation, the proposed generator will result in noise levels exceeding the City of Los Alamitos exterior Noise Ordinance Limits at the properties to the south and west. Mitigation is discussed below in Section 6.

The noise level at the face of the apartment building to the south is approximately 60.6 dBA. This results in an estimated interior noise level of 48.6 dBA with open windows and 40.6 dBA with closed windows. Therefore, the proposed generator will not result in noise levels exceeding the City of Los Alamitos interior Noise Ordinance Limits at the apartments to the south. No mitigation is required for the project to comply with the interior noise limits.
6.0 NOISE MITIGATION MEASURES

Since the unmitigated noise levels of the standby generator will exceed the 55 dBA standard at the property lines to the south and west, mitigation is required to meet the City’s exterior noise standard. Exterior noise mitigation typically is provided through the construction of a noise barrier. A noise barrier provides noise reduction when it blocks the line-of-sight between a noise source and a receptor. The barrier requires the noise to bend around the top of the wall to get to the observer, which reduces the level of the noise. The higher the wall, the more the noise has to bend and the greater the noise reduction provided.

Calculations show that a 6-foot tall noise barrier will reduce the generator noise level to less than 55 dBA at the south and west property lines. The relevant information used for these calculations is presented in the appendix. The location of the barrier is presented in Exhibit 5. The barrier must wrap the entire installation except for the northeast portion of the lease area, where an opening will be allowed to gain access to the generator. The noise barrier must have a surface density of at least 3.5 pounds per square foot, and shall have no openings or gaps (other than as mentioned above and shown on the exhibit to permit access to the generator). The wall may be constructed of stud and stucco, any masonry material, or a combination of these materials.

With the 6-foot tall noise barrier shown in Exhibit 5 generator noise levels will not exceed 55 dBA at the property lines and the project will operate in compliance with the City of Los Alamitos Noise Ordinance.
Exhibit 5 - Noise Barrier Required to Meet the City's Noise Ordinance Criteria
APPENDIX

CALCULATION SPREADSHEETS

DATA USED TO DETERMINE
EXTERIOR NOISE LEVELS
"Rossmoor Cell Site" (Standby Generator), Los Alamitos Milestone Wireless - Al Gamboa
Project #552001-0100
FRÉD. KEITH TURNER; February 2014

<table>
<thead>
<tr>
<th>CASE I</th>
<th>Standby Generator</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(at South Property Line)</td>
</tr>
<tr>
<td>REFERENCE DISTANCE</td>
<td>23</td>
</tr>
<tr>
<td>REFERENCE LEVEL</td>
<td>74.0</td>
</tr>
<tr>
<td>dB / DOUBLING OF DISTANCE</td>
<td>6</td>
</tr>
<tr>
<td>dB / DECADE OF DISTANCE</td>
<td>20</td>
</tr>
<tr>
<td>RECEIVER DISTANCE</td>
<td>98</td>
</tr>
<tr>
<td>SOUND LEVEL</td>
<td>61.4</td>
</tr>
</tbody>
</table>

Radiator End (Position 3; Sound Enclosure Data)

Notes Ordinance Criteria (Applied): 55 dB

(par Los Alamitos Municipal Code;)

Chapter 17.24, Noise)
"Rossmoor Cell Site" (Standby Generator), Los Alamitos
Milestone Wireless - Al Gamboa
Project #552001-0100
FRED / KEITH TURNER: February 2011

### CASE 1

**Standby Generator**
(at West Property Line)

<table>
<thead>
<tr>
<th>Reference Distance</th>
<th>Reference Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>63.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>dB / Doubling of Distance</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>dB / Decade of Distance</td>
<td>20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Receiver Distance</th>
<th>Sound Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>60.7</td>
</tr>
</tbody>
</table>

Opposite Cabinet Doors (Position 1; Sound Enclosure Data)

Noise Ordinance Criteria (Applied): 55 dB
(per Los Alamitos Municipal Code; Chapter 17.24, Noise)
based on nearest distance to prop line (SF prop line)

<table>
<thead>
<tr>
<th>Sound Pressure Level of</th>
<th>74.0</th>
<th>dBA</th>
<th>at</th>
<th>23.0 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical Freq. (Hz)</td>
<td>500</td>
<td></td>
<td></td>
<td>(FG)</td>
</tr>
<tr>
<td><strong>Noise Level at 50'</strong></td>
<td>67.3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**BARRIER PREDICTION WORKSHEET, POINT SOURCE**

Last Update: 5-25-99

<table>
<thead>
<tr>
<th>Lot</th>
<th>Elevation</th>
<th>Source Elevation</th>
<th>Distance To Wall</th>
<th>Base Of Wall</th>
<th>Dist. To Observer</th>
<th>Pad Elevation</th>
<th>Observer Height</th>
<th>Wall Height</th>
<th>Barrier Reduction</th>
<th>Noise Level (dBA)</th>
<th>Standard Applied</th>
<th>NR Achieved Below Std.</th>
</tr>
</thead>
<tbody>
<tr>
<td>South PL no mitigation</td>
<td>0.0</td>
<td>3.5</td>
<td>3.5</td>
<td>5</td>
<td>98</td>
<td>0.0</td>
<td>5</td>
<td>0.0</td>
<td>0.0</td>
<td>61.4</td>
<td>55</td>
<td>-6.4 dB</td>
</tr>
<tr>
<td>Bldg &amp; South PL</td>
<td>0.0</td>
<td>3.5</td>
<td>3.5</td>
<td>5</td>
<td>108</td>
<td>0.0</td>
<td>15</td>
<td>0.0</td>
<td>0.0</td>
<td>60.6</td>
<td>67</td>
<td>-5.6 dB</td>
</tr>
<tr>
<td>Northern PL with mitigation</td>
<td>0.0</td>
<td>3.5</td>
<td>3.5</td>
<td>5</td>
<td>58</td>
<td>0.0</td>
<td>5</td>
<td>6.0</td>
<td>5.5</td>
<td>52.9</td>
<td>55</td>
<td>-2.1 dB</td>
</tr>
<tr>
<td>Bldg &amp; South PL with mitigation</td>
<td>0.0</td>
<td>3.5</td>
<td>3.5</td>
<td>5</td>
<td>108</td>
<td>0.0</td>
<td>15</td>
<td>6.0</td>
<td>7.0</td>
<td>53.8</td>
<td>67</td>
<td>-1.4 dB</td>
</tr>
<tr>
<td>Bldg &amp; South PL with mitigation</td>
<td>0.0</td>
<td>3.5</td>
<td>3.5</td>
<td>5</td>
<td>108</td>
<td>0.0</td>
<td>25</td>
<td>6.0</td>
<td>5.8</td>
<td>53.9</td>
<td>87</td>
<td>-1.4 dB</td>
</tr>
</tbody>
</table>
4061 Farquhar

4071 Farquhar

3755 Farquhar

Stucco Body
(Merlex)

Stucco Accent
(Merlex)

Veneer
(CoronadoStone)

Entry Doors

Garage Doors

Rails, Awnings, Trim

(Sherwin Williams Paints)
4051 Farquhar

4071 Farquhar

3755 Farquhar

Stucco Body (Merlex)
Stucco Accent (Merlex)
Veneer (Coronado Stone)
Entry Doors
Garage Doors
Rails, Awnings, Trim

Refined Wood Stone
Blackened Oak