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

AGENDA
PLANNING COMMISSION/SUBDIVISION COMMITTEE
REGULAR MEETING
Wednesday, July 26, 2017 – 7:00 PM

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

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

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

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

1. CALL TO ORDER

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

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

5. **APPROVAL OF MINUTES**
   A. Approve the Minutes for the Regular Meeting of May 24, 2017.

6. **CONSENT CALENDAR**
   None.

7. **PUBLIC HEARINGS**
   A. Continued 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) Applicants: Alison Stapakis and Olympia Stapakis
      Continued 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 (Applicants: Alison Stapakis and Olympia Stapakis).

      Recommendation: Continue the previously opened public hearing to the August 23, 2017 Planning Commission meeting.

   B. **Conditional Use Permit (CUP) 17-03**
      Outdoor Storage in the Planned Light Industrial (P-M) Zone
      Consideration of a Conditional Use Permit for a 4,920 square foot outdoor storage area, covered with twelve shipping containers on a 1.6 acre (73,200 square foot) lot. This is located on a vacant railway site, across Lexington Drive from Cottonwood Christian Center’s Cypress campus (APN’s 241-241-32 & 33) in the Planned Light Industrial (P-M) Zoning District (Applicant: Mike Wilson, of Cottonwood Christian Center). Staff recommends denial of the Application.

      Recommendation:

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

      2. ADOPT RESOLUTION NO. 17-04, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT (CUP 17-03) FOR A 4,920 SQUARE FOOT OUTDOOR STORAGE AREA, COVERED

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

9. COMMISSIONER REPORTS

10. ADJOURNMENT

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<td>Any final determination by the Planning Commission may be appealed to the City Council, and must be done so in writing at the Development Services Department, within twenty (20) days after the Planning Commission decision. The appeal must include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement, accompanied by an appeal fee of $1,000.00 in accordance with Los Alamitos Municipal Code Section 17.68 and Fee Resolution No. 2008-12.</td>
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I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.

Tom Oliver
Associate Planner

Date 7/20/17
1. CALL TO ORDER
The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, May 24, 2017, in the Council Chamber, 3191 Katella Avenue, Chair Andrade presiding.

2. ROLL CALL
Present: Commissioners:
  Chair Andrade
  Vice Chair DeBolt
  Cuilty, Grose, Riley and Sofelkanik

  Absent: Loe

  Staff: Steven Mendoza, Development Services Director
        Lisa Kranitz, Assistant City Attorney
        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, April 26, 2017.
   Vice Chair DeBolt addressed a change to the minutes regarding the square footage for the gross land per dwelling unit for the proposed project. Upon Staff’s review of this item in question, it was determined that 1,752 square feet is accurate, therefore it will remain as is.

   Vice Chair DeBolt also stated that on page 2, paragraph 9 be changed as follows:

   Vice Chair DeBolt expressed concern over the parking calculation. He read the code requiring parking and noted the staff report omitted the parenthetic example of an “other room” which included a den or office. He stated the other rooms should be counted at ½ space each resulting in a total of 15 spaces. He thought the project would need to be re-designed to accommodate the extra spaces.

   Vice Chair DeBolt said there was no mention in the minutes of Development Services Director Mendoza’s references to the memo that was distributed to the Commission prior to the meeting. He said he would like to read it into the record as follows:
Development Services Director Mendoza states his staff is challenged with what is readily used as a bedroom because there is no definition of a bedroom. Mr. Mendoza commented about a memo created by Staff in order to address this issue consistently on future projects.

Motion/Second: Grose/Cuilty
Carried 4/0: (Chair Andrade and Riley abstained and Loe was absent). The Planning Commission approved the minutes of the April 26, 2017 Regular meeting as amended.

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 3751/3755 Farquhar Avenue (APN 222-062-28) Applicant: Alison Stapakis and Olympia Stapakis
Continued 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).

Vice Chair DeBolt asked for clarification as to whether or not the plans are drawn to scale.

Developer Neoklis Zamvakellis stated that they are to scale, but given that they are dimensions, if the scale does not match, you would go by what the architect noted as the dimensions.

Vice Chair DeBolt questioned Staff about the whether or not the plans submitted satisfy what is required for this application process.

Development Services Director Steven Mendoza indicated that it does.

Vice Chair DeBolt questions the plans over them being labeled inadequately to identify dimensions. Furthermore, specifically addressing the trash enclosure and the distance from Building C to Building D.

Vice Chair DeBolt questioned the dimensions from the trash enclosure to the property line; it should be five feet by eight feet in interior dimension, exterior dimension has to be six feet by nine feet. Given such calculations, the dimension is short by one foot.
Staff, Developer, and the Planning Commission discussed at length what the code states about dimensions, curbs and landscaping.

Commissioner Grose suggested that if Staff deems it necessary, adjusting the location of the trash enclosure by a matter of inches should resolve this problem.

Vice Chair DeBolt asked for clarification from Assistant City Attorney Lisa Kranitz about what the Code Section 17.260.080 says regarding residential curbs and how permissive is the term “shall be”.

Assistant City Attorney Kranitz stated that “shall be” translates to “it must”.

Development Services Director Mendoza stated that Section 17.260.060 is the residential section of the parking dimensions; it begins and ends there. He said this is the wrong code section being referenced by Commissioner DeBolt pertaining to the parking dimensions is for commercial projects.

Commissioner Cuilty inquired about the possibility of continuing this item to the next Planning Commission meeting given that the other two projects (4551 Farquhar) that the Planning Commission have approved have been pulled by the City Council and she doesn't know why. She said the Commission could sit here and debate until midnight but, if it’s going to be pulled like the other two, so she’s wondering if they continue the item to the next one because it’ll be at the City Council meeting on June 19.

Chair Andrade felt that there were some merits to that for the simple fact that whatever they decide to go through at this point it would probably be helpful to know if there is a similarity between all three that need to be addressed at the same time.

Developer Zamvakellis expressed opposition to continuing this item and would like to call for the vote on this item. He felt that all of these tactics are merely delay tactics by somebody out there in the cloud.

Chair Andrade acknowledged the Applicant’s opinion but indicated that it’s the Commission’s job to make sure the project meets code. He said the Commission could do that but doesn’t know if the Applicant would ultimately like the result. He said his point is if the Council pulled the other two projects because one of the questions he was going to ask next was, after watching the video from the last Commission meeting, there was no discussion on the curb on those two projects and they’re very similar in design and in property space but now that we know what we know, now that they’ve been pulled by Council, tells him that there’s another reason for that and since they are so similar in nature it would make sense to continue it just to handle anything that they may come up with on those two that may be part of this as well and we can address it at that time.
Developer Zamvakellis indicated that it would be much more proactive if questions concerning their developments were brought forward to their attention prior to the meeting, in order to be prepared to provide answers in efforts to avoid having the items get continued repeatedly.

Assistant City Attorney Kranitz expressed to the Planning Commission that all issues should be made known to the Applicant at tonight’s meeting.

Commissioner Grose inquired about what the reasoning for the appeal was for the two projects.

Development Services Director Mendoza indicated that being that they are being called for review, the reasoning is neutral therefore, it will not be known until the night of the Council meeting why it is that these items were called for review.

Staff and the Planning Commission discussed proper interpretation of the code pertinent to parking in condominiums.

Vice Chair DeBolt inquired about parking for this development, and whether or not it is sufficient to meet code. Vice Chair DeBolt added that in the CC&R’s it states that condominiums must have two covered spaces for each unit.

Staff, the Developer, and the Planning Commission discussed what code stipulates about parking and which should be used for this development.

In response to Vice Chair DeBolt’s question, City Attorney Kranitz stated that R-3 is not meant to be apartment standards; it’s multifamily. But there are more specific provisions for condominiums. In this case of code inconsistencies, she said she would look at what the interpretation has been of the Planning Department and how has this been applied in the past. Generally, the more specific would prevail, in this case being the code referring specifically to condominiums.

Vice Chair DeBolt commented that if this project was scaled back to four units, it would be able to meet the development standards.

Commissioner Riley commented that he also believes that the parking requirements are not being satisfied for this development per the CC&R’s.

Commissioner Sofelkanik expressed concern over an insufficient amount of parking being available per what the code dictates about the number of bedrooms equal to the number of bedrooms.
Developer Zamvakellis provided Staff and the Planning Commission with a revision addressing this matter in which case, changing the use of what was initially proposed as a den to a laundry/mud room and they would propose this change on the other two projects as well.

Vice Chair DeBolt inquired about the turning radius of vehicles and the location of a pivot point for each vehicle being parked on-site. Specifically addressing unit 2, space number 4. Code section 17.26.060(f) A minimum turning radius of 28 feet shall be required for garages. A minimum back up distance of 24 feet is required behind all 90-degree parking stalls. He felt that the turning radius is the exact opposite of what it should be.

Staff and the Planning Commission discussed what the code states about turning radius and back-up distances from garages and parking stalls. Mr. Mendoza indicated he would bring in the Traffic Engineer to speak on this matter.

Chair Andrade indicated he disagrees with the Vice Chair and feels somebody could easily back out and turn left.

Commissioner Cuilty said she agrees as the code doesn’t say it has to be straight, it just says you need the room and there’s clearly the room to do it.

Vice Chair DeBolt said that that was fine but he would like an interpretation of the turning radius and we don’t have to have the engineer here; a hand out is fine or even an email. It should illustrate for this space how you compute the turning radius to enable a person to exit that garage.

Developer Zamvakellis said they would tweak the plans.

Steve Stapakis, son of Applicant, Olympia Stapakis addressed the concern expressed at the previous meeting by Vice Chair DeBolt about the height of the building versus the number of stories and its proximity to an R1 property. Referring to a handout, Mr. Stapakis indicated that the right-of-way at Farquhar is 60 feet wide and in addition, there’s another 40-foot drainage ditch which is 100 feet from the property line. Secondly, the code states for the height requirements in the R3 district, there’s a note that says, “#11. Portions of structures in excess of 30 feet shall be set back an additional 5 feet.” So the whole building is essentially less than 30 feet so no problem on that one. “B. Portions of structure located within 100 feet of R1 property shall not exceed 2 stories and 30 feet in height.” This is the one we’re up against. So, if you go back to the Google map that he provided, if you go to R1 property, and the drainage ditch is not R1 property, he referenced the word definitions in the code to address the development's proximity to an R1 property. He felt that a drainage ditch is clearly not an R1 property. He questioned why we’re trying to protect a flood control from R3 use? It’s a policy that shouldn’t be there. At a minimum you should consider it, the 100
feet, from the nearest R1 use. Even if you said we were going to measure from the line in-between the flood control and the street, now we'd have to have two stories in the first 40 feet of the lot because the street is 60 feet wide; it's a 60-foot right-of-way. At worst, we'd have a 20-foot-wide front yard setback and have to have only two stories for the first 20 feet of structure. We would come back to you and ask for a variance. We have a unique situation here. It's tailor made for a variance.

Staff, Applicant, and the Planning Commission discussed the code that applies to this development regarding its proximity to an R1 property.

Following a lengthy discussion, Commissioner Riley suggested the Applicant come back and ask for a variance because otherwise we face the same challenges mentioned earlier.

Vice Chair DeBolt said he would like to have copies of the proposed CC&R’s as required in Section B; they should have been submitted with the application.

Mr. Mendoza said he would like to get the other Commissioner’s concurrence on this request as even though it’s a code requirement, it’s a code requirement that has been deferred by the Commission for almost 40 years. The question is: Do the Commissioners want to go line by line through a set of CC&R’s?

A lengthy discussion ensued as to how and why the CC&R’s haven’t been reviewed for all of these years by the Commission and the responsibility falls to the City Attorney to review them. Ms. Kranitz indicated that normally what occurs is that the Commissioners will add conditions that certain things will be included in the CC&R’s. For example, garages will remain clear so that cars can park in them, etc. It’s much more common in cities for the Commissioners to just say this is what we want in the CC&R’s and then when Staff and the City Attorney reviews them, they go through the conditions and checks them against the CC&R’s.

Commissioner Riley pointed out that there really are only four items that the Commission would like to have addressed in the CC&R’s so as long as that’s done, he’s fine with it.

Vice Chair DeBolt indicated he was okay with things as they are.

Chair Andrade wanted to make sure the Applicant is clear with the issues at hand to be addressed for their request for a continuation. They are:

1) Lack of a covered space;
2) Distance and how this effects the number of floors permitted;
3) Definition of an R1 property and is the flood channel in question zoned R1;
4) Applicant will have to find reasoning for a variance;
5) Curbs and whether they’re required in driveways next to buildings in the Residential zone.

Motion/Second: Cuilty/Grose
Carried 6/0: (Loe absent). The Planning Commission moved to continue the discussion of a five-unit residential condominium project proposed for 3751/3755 Farquhar Ave. (APN 222-062-28) on an 8,760 square foot parcel in the Multiple Family Zoning District which will require demolition of two existing units to the next regularly scheduled Planning Commission meeting.

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
None.

9. COMMISSIONER REPORTS
Commissioner Riley inquired as to the condition of Coyote Creek Bike Trail. Mr. Mendoza indicated the City is repaving it.

Commissioner Sofelkanik brought up an experience he had when an applicant had invited him to visit his project and when he did, the driveway was supposed to be 14 feet but it ended up being 10 feet when he measured it. What his point was what the Commission is seeing at the meeting is not what is getting built after approval. A question he had was when the inspector inspects a project and it doesn’t match up to the approved plans, what do they enforce? He said he’s not looking for an answer but it’s put out there to provoke some thought. He also brought up the condominium project and feels that it’s very important to strongly adhere to the code in terms of density. He asked that we arrange a meeting with the Commission, Staff and City Attorney to have a discussion about what the complexion of these properties we want as a City because he’s concerned about us getting extremely dense in some of these areas.

Mr. Mendoza indicated that when we award the contract for the zoning code, he thinks that’s a perfect chance to do a subcommittee of council members and a subcommittee of commissioners to be on that so these issues are addressed.

Commissioner Riley indicated the items that Commissioner Sofelkanik brought up should be agendized for a future meeting for discussion especially the item he brought up regarding enforcement of site plans.

10. ADJOURNMENT
The Planning Commission adjourned at 9:36 p.m.
ATTEST:

Chair, Larry Andrade

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

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

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

From: Steven A. Mendoza, Development Services Director

Subject: Continued 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) Applicants: Alison Stapakis and Olympia Stapakis

Summary: This item is continued to the Planning Commission meeting of August 23, 2017. This includes an ongoing 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. The Applicant has applied for a Variance, but the Variance application is incomplete at this point(Applicants: Alison Stapakis and Olympia Stapakis).

Recommendation: Continue the previously opened public hearing to the August 23, 2017 Planning Commission meeting.

In the April 26, 2017 Planning Commission meeting the Commissioners continued the Public Hearing to the May 24, 2017 meeting to give the Applicants time to address a height issue for this proposed structure that would border the Single Family Residential (R-1) zoning district. In the May meeting the Commissioners continued the meeting to the June meeting which was in turn continued to July’s meeting. The July meeting was cancelled due to a potential lack of quorum. The Applicant’s representative has since submitted a Variance request for this project, and this application is thus far incomplete.
City of Los Alamitos
Planning Commission

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

To: Chair Andrade and Members of the Planning Commission

Via: Steven Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Conditional Use Permit (CUP) 17-03
Outdoor Storage in the Planned Light Industrial (P-M) Zone

Summary: Consideration of a Conditional Use Permit for a 4,920 square foot outdoor storage area, consisting of twelve shipping containers on a 1.6 acres of vacant railway property located across Lexington Drive from Cottonwood Christian Center’s Cypress campus (APN’s 241-241-32 & 33) in the Planned Light Industrial (P-M) Zoning District (Applicant: Mike Wilson, of Cottonwood Christian Center). Staff recommends denial of the Application.

Recommendation:

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


Applicant: Mike Wilson – Cottonwood Christian Center

Location: Two parcels that are part of a vacant railway site, across Lexington from Cottonwood Christian Center’s Cypress campus (APN’s 241-241-32 & 33)
Noticing:

Notices announcing the Public Hearing for July 26, 2017, were posted and mailed to all property owners within 500 feet of the proposed location on July 12, 2017. A Public Hearing notice regarding this meeting was also published in the News Enterprise on July 12, 2017.

Approval Criteria:

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

Background

An application has been filed by Mike Wilson on behalf of Cottonwood Christian Center for a Conditional Use Permit for an outdoor storage area in the Planned Light Industrial (P-M) zone, behind Arrowhead Products. The storage area would consist of 12 shipping containers that would cover 4,920 square feet of the parcel.

Staff is supportive the Application as a temporary use not to exceed five years, however, the Applicant is seeking a more permanent approval or automatic review after five years. Staff cannot support a permanent storage area using shipping containers, and thus does not support the application as proposed.
Location

The two side-by-side parcels noted for this proposed project are remnants of an abandoned rail line. There are no structures currently existing on them and they are partially covered with scattered gravel. The north and south adjacent properties are developed with industrial buildings and businesses in the Planned Light Industrial (P-M) zoning district -- although most of the Arrowhead property to the south is undeveloped. West of the parcel area for the project is a satellite parking lot for Oak Middle School, in the Community Facilities (C-F) Zone. To the east, across Lexington, is the Cottonwood Christian Center’s main campus, as well as the Los Alamitos Race Track stables, in Cypress.

Discussion

Los Alamitos Municipal Code (LAMC), Section 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for the Commercial/Industrial Zoning Districts) requires Planning Commission approval of a Conditional Use Permit to allow an outdoor storage use in the Planned Light Industrial (P-M) Zoning District. Section 17.38.120 of the LAMC requires that outdoor storage be screened from adjoining properties by decorative block walls, fences or landscaping and also requires solid gates. A 10 foot setback is required from adjacent property lines unless otherwise approved by the Planning Commission through the CUP process.

The Applicant requests to maintain this storage area indefinitely, and notes that they will always keep the storage to twelve (12) shipping containers. They propose to cover the storage area and parking area with gravel. This would help them not track mud or dirt.
out into the streets where it would enter any storm drain. The Applicant is not proposing screening as required by Code.

Staff Concerns

These parcels are Planned Light Industrial zoned and storage containers are placed on similar industrial parcels from time-to-time for temporary storage, however, the Applicant requests that this storage be more permanent with automatic renewals. The stored items are not articles that will be stored for a short period of time then shipped to another location, they are items that the church plans to keep in their possession and would store the items in these containers as permanent storage structures.

The use, as proposed, is a temporary solution to a long-term need. The 2035 General Plan identified parcels like this as a potential location for future bicycle paths. If this storage on the site were to be a temporary situation, Staff would not see this as a problem in continuing that General Plan policy which states:

Mobility and Circulation Element Policy 4.4 Bicycle and pedestrian trails. Convert railroad rights-of-way, former rights-of-way, alleyways, and areas along storm drain channels into pedestrian and bicycle trails.

Shipping containers as alternative to constructing a permanent industrial building

A consideration of this project asks the question of whether this manner of storage is appropriate for Los Alamitos. Another policy of the General Plan states:

Land Use Element Policy 3.1 Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.

While this is a parcel in the industrial zone, it is across the street from Cottonwood Church and the racetrack, which are both in Cypress. Staff is unaware of another storage area that looks like this, or would be approved, in the nearby vicinity. These steel boxes are intended as shipping containers and are not designed to be a permanent structure. Shipping containers are not designed to age appropriately, nor do they provide an appropriate example of the City's vision for its future architecture.
are not compatible with the planned industrial parks and well-maintained buildings in the City's industrial area.

It is true that in some instances, shipping containers are used as an interesting building material in a modern housing or commercial building project; however, a modern-style, state of the art building, incorporating shipping containers for visual interest, is not what is being proposed in this Application.

**Reasonable Time for Temporary Structures**
Staff has suggested to the applicant that the use be recommended for a select number of years as seen to be appropriate by the Planning Commission. Five years could be a reasonable period of time to find a permanent solution for this storage. At the end of that time, the Applicant could request an extension from the Commission if the storage is still needed. However, the Applicant was not amenable to the idea of using these shipping containers for a finite period of time. Attached to this report, is an email from the Applicant explaining his thoughts on the matter.

**Recommendation**

In order to be permanent, the Applicant would need to apply for a Site Plan Review to build an adequate warehouse structure, with foundation, roofing material, etc. Findings would need to be made in accordance with the code that the design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by the code. The design of the proposed development would need to 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. Shipping containers fall short of these findings.

Staff recommends denial of CUP 17-03 and adoption of Resolution 17-04 unless additional or contrary information is received during the meeting and based upon the evidence submitted to the Commission, including the evidence presented in this Staff report, and any oral and written evidence presented at the Public Hearing.

**Attachments:**
1) Resolution No. PC 17-04, including Exhibit A
2) Email from the Applicant, Mike Wilson of Cottonwood Christian Center
RESOLUTION NO. 17-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT (CUP 17-03) FOR A 4,920 SQUARE FOOT OUTDOOR STORAGE AREA, COVERED WITH TWELVE SHIPPING CONTAINERS, PLUS LOADING AREA, WITHIN A 1.6 ACRE VACANT RAILWAY PARCEL (LOCATION IS ACROSS LEXINGTON DRIVE FROM COTTONWOOD CHRISTIAN CENTER'S CYPRESS CAMPUS) (APN'S 241-241-32 & 33) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, (APPLICANT: MIKE WILSON, COTTONWOOD CHRISTIAN CENTER)

WHEREAS, the application is for a Conditional Use Permit to allow 4,920 square feet of outdoor storage space on empty parcels at Assessor Parcel Numbers (APN) 241-241-32 & 33 in the Planned Light Industrial (P-M) Zoning District; and,

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

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

WHEREAS, the Planning Commission took into account all material 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 above recitals are true and correct.

SECTION 2. Conditional Use Permit 17-03 is hereby denied to allow 4,920 square feet of outdoor storage space on an empty parcel at Assessor Parcel Numbers (APN) 241-241-32 & 33 in the Planned Light Industrial (P-M) Zoning District. This denial is based upon the following Conditional Use Permit findings below:

1. This use would endanger the public health, safety or general welfare if located where proposed and developed, and the use would allow conditions which tend to generate nuisance conditions. This form of shipping container is not appropriate as a permanent solution. Shipping containers as an alternative to conventional construction would degrade the general welfare.
of the City through the reliance on containers that are not intended to replace permanent warehouse buildings in the storage of goods that are deposited in them indefinitely.

2. This use does not meet the required conditions and specifications set forth in the zoning district where it proposes to locate. The Applicant is not proposing a permanent storage area that has requisite screening as required by the development standards of Los Alamitos Municipal Code section 17.38.120 Outdoor storage., Shipping containers are not intended as suitable replacements for a building structure intended for permanent storage.

3. The location and character of the use, according to the plan as submitted for approval with changes noted in Section 3, will not be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos general plan. The 2035 General Plan identified parcels like this as a potential location for future bicycle paths. Here is that policy:

    Mobility and Circulation Element Policy 4.4 Bicycle and pedestrian trails. Convert railroad rights-of-way, former rights-of-way, alleyways, and areas along storm drain channels into pedestrian and bicycle trails.

The General Plan is also concerned with compatibility of projects such as this with other developments in the City, and the use of shipping containers as warehouse structures should not be characterized as a compatibly designed solution for storage within the City of Los Alamitos. The policy states:

    Land Use Element Policy 3.1 Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.

4. The decision to deny the application for a conditional use permit is based on substantial evidence in view of the record as a whole before the commission, or council on appeal.

SECTION 3. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and shall certify as to the adoption of this Resolution.

SECTION 4. The decision of the Planning Commission shall be final absent an appeal to the City Council filed within twenty (20) calendar days of the adoption of this Resolution as specified in Chapter 17.68 of the Los Alamitos Municipal Code.
PASSED, APPROVED, AND ADOPTED this 26th day of July, 2017.

__________________________
Chair Andrade

ATTEST:

__________________________
Steven Mendoza, Secretary

APPROVED AS TO FORM:

__________________________
Lisa Kranitz, Assistant City Attorney

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

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

NOES:

ABSENT:

ABSTAIN:

______________________________
Steven Mendoza, Secretary
Mr. Mendoza, Mr. Oliver and The Planning Commission, (Please Forward)

Mr. Mendoza,
Thank you for taking the time to call me today with your concerns. Thank you also for the courtesy of informing me you would withhold your recommendation for our CUP Application with anything other than a 5 year termination. However we as the owner disagree with the 5 year termination and believe that it should not terminate in 5 years but if anything, a 5 year review would be reasonable and far more appropriate.
Sincerely,

Mike Wilson, Director of Facilities
Tel & Fax: 714/947-5324
Cottonwood CUP Application

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