CALL TO ORDER

ROLL CALL
Chair DeBolt
Vice Chair Riley
Commissioner Andrade
Commissioner Culity
Commissioner Grose
Commissioner Loe
Commissioner Sofelkanik

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 January 24, 2018.

6. **DISCUSSION**  
None.

7. **CONSENT CALENDAR**  
None.

8. **PUBLIC HEARINGS**  
A. Site Plan Review (SPR) 18-01  
Grating Pacific  
3651 Sausalito Street  
Consideration of Site Plan Review for the addition of a 5,863 square foot two-story office building on the existing 3.93 acre Grating Pacific site at 3651 Sausalito Street.

Recommendation:

1. Open the Public hearing; and,
2. Take testimony; and,
3. Make the CEQA finding that the project is subject to a Class 1 Categorical Exemption, pursuant to Section 15332, Class 32 (Infill development), has been prepared for the proposed project in accordance with the California Environmental Quality Act; and if appropriate,

B. Conditional Use Permit (CUP) 18-01  
I Love Kickboxing Franchise  
4224 and 4226 Katella Avenue
Consideration of a Conditional Use Permit to allow Kickboxing fitness classes at 4224 and 4226 Katella Avenue in the Commercial Professional Office (C-O) Zone (Applicant: Jesse Barba for I Love Kickboxing Franchise).

Recommendation:

1. Open the Public Hearing; and,

2. Take Testimony; and,

3. Make the CEQA finding that the project is subject to a Class 1 Categorical Exemption, pursuant to Section 15301(a) – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is in an existing building with interior alterations involving such things as interior partitions, plumbing, and electrical conveyance.

4. Adoption of Resolution No. 18-01, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 14-03 TO ALLOW KICKBOXING FITNESS CLASSES IN TWO UNITS TOTALLY 2,743 SQUARE FEET AT 4224 AND 4226 KATELLA AVENUE IN THE COMMERCIAL PROFESSIONAL OFFICE (C-O) ZONING DISTRICT, APN 222-111-41, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: Jesse Barba for I Love Kick Boxing).”

C. Site Plan Review (SPR) 15-01M
10742, 10744, 10746, 10748 & 10750 Walnut Street, APN 242-192-01
Consideration of modifications to the Site Plan Review (15-01M) for a previously approved five-unit, residential condominium project at 10742, 10744 -10750 (even) Walnut Street (APN 242-192-01) on a 9,587 square foot vacant parcel in the Multiple Family (R-3) Zoning District. (Applicant: Olympia Stapakis).

Recommendation:

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

2. Reject some or all of the modifications; or alternatively,

3. Accept some or all of the modifications

4. Direct the City Attorney to draft the appropriate resolution.

D. Site Plan Review (SPR) 16-09
Conditional Use permit (CUP) 16-18
Tentative Tract Map (TTM) 16-04
3751 Farquhar Avenue
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)

Recommendation:

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

2. Continue the Public Hearing to the March 28, 2018 Planning Commission meeting, but clarify the expectations of the Commission in regards to the number of stories/floors and units.

E. Consideration of a Resolution recommending the City Council approve a Zoning Ordinance to amend sections 17.26.040 and 17.76.020 of the Los Alamitos Municipal Code to modify off-street parking and guest parking requirements for new or expanded multiple-family residential uses in the R-2 (limited multiple-family) and R-3 (multiple-family) residential zoning districts and define “bedroom.”

Following the Planning Commission’s unanimous vote to initiate a Zoning Code amendment to address off-street parking, the Planning Commission surveyed the off-street parking requirements of surrounding cities and directed the City Attorney to prepare a Resolution recommending various amendments to the City Council to address excessive parking demands in the R-2 and R-3 Zoning Districts. The proposed Zoning Ordinance Amendment would require guest parking for new and expanded R-2 and R-3 projects and establish required parking based on a new definition of “bedroom” in the R-3 Zoning District.

Recommendation:

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


Planning Commission Meeting
February 28, 2018
Page 4 of 5
F. Zoning Ordinance Amendment (ZOA 17-05)
Off-Street Parking
The Planning Commission has initiated discussion of a Zoning Code Amendment for Off-Street Parking. This discussion begins with multi-family residential parking requirements and may or may not move toward other parking requirements based on the interest of the Commission.

Recommendation:

1. Open the Public Hearing, take testimony, and discuss possible changes to the Off-street Parking and Loading Standards in the Los Alamitos Municipal Code; and, if appropriate,

2. Direct Staff and the Assistant City Attorney to draft an Ordinance and appropriate resolution memorializing the requested code changes.

9. STAFF REPORTS
None.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
None.

11. COMMISSIONER REPORTS

12. 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 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 (resident)/$2,349.00 (non-resident) in accordance with Los Alamitos Municipal Code Section 17.68 and Fee Resolution No. 2017-13.

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 Avenue; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Boulevard; not less than 72 hours prior to the meeting.

[Signature]
Tom Oliver
Associate Planner

2/21/18 Date

Planning Commission Meeting
February 28, 2018
Page 5 of 5
MINUTES OF PLANNING COMMISSION/SUBDIVISION COMMITTEE MEETING
OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – January 24, 2018

1. CALL TO ORDER
The Planning Commission/Subdivision Committee met in Regular Session at 7:15 p.m., Wednesday, January 24, 2018, in the Council Chamber, 3191 Katella Avenue, Chair Andrade presiding.

2. ROLL CALL
Present: Commissioners: Chair Andrade
Vice Chair DeBolt
Culity, Grose, Loe and Sofelkanik

Absent: Commissioner Riley (excused)

Staff: Steven A. Mendoza, Development Services Director
Kendra Carney, 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
Commissioner Andrade opened the meeting for Oral Communication for items not on the agenda. There being no speakers, Chair Andrade closed Oral Communications.

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

Chair Andrade called for nominations for the position of Chair.

Commissioner Grose nominated Commissioner DeBolt.

Commissioner Andrade asked if there were any other nominations and there were not.

Unanimously Carried (Riley absent): The Planning Commission appointed Commissioner DeBolt as Chair.
Chair DeBolt asked if there were any nominations for the position of Vice Chair.

Commissioner Sofelkanik nominated Commissioner Riley.

Chair DeBolt asked if there were any other nominations for the position of Vice Chair.

There being no further nominations, Chair DeBolt closed the nominations.

Unanimously Carried (Riley absent): The Traffic Commission appointed Commissioner Riley as Vice Chair.

6. Approval of Minutes  
A. Approve the Minutes for the Regular Meeting of November 29, 2017.  
Commissioner Andrade questioned the spelling of John Reekstin on page 6.

Carried 5/0 (Riley absent, Andrade Abstained): The Traffic Commission approved the minutes of the Regular meeting of November 29, 2017.

7. DISCUSSION
None.

8. CONSENT CALENDAR
None.

9. 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 Farquhar Avenue (APN 222-062-28) Applicant: Alison Stapakis and Olympia Stapakis

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).

Development Services Director Mendoza summarized the staff report.

Chair DeBolt re-opened the meeting for Public Hearing.

Steve Stapakis, son of applicant came forward to request from the Planning Commission to continue the item. Mr. Stapakis stated that should the item be continued, it will be brought back as a two-story, four-unit project which will meet all the Planning Commission concerns.
Bryce Ricks, property owner at 3741 Farquhar expressed support for the development should it be brought back as a two-story, four-unit project.

Commissioner Cuilty asked and received clarification about what it means for the process should the item be continued; Development Services Director Mendoza indicated that the process would start over and begin at staff level.

Chair DeBolt asked and received clarification from Development Services Director Mendoza that if the application is withdrawn, it will not invoke the one-year rule where there could be no other submittals for development.

Commissioner Sofelkanik added that he does not wish to impose the inability to develop the property for a year.

Commissioner Andrade stated that it is unfortunate that it took a denial to reach this point.

Commissioner Sofelkanik stated for the record that this is the tenth time this item comes forward to the Planning Commission; Development Services Director Mendoza indicated that it is the eight time it comes forward.

The Planning Commission and Staff discussed the possibility of continuing the item, only if it is proposed in the way it was discussed to where it will meet code.

Motion/Second: Grose/Cuilty
Carried 6/0 (Riley absent): The Planning Commission made a motion to continue the item.

B. Continued Consideration of a Fifty-Unit Condominium Development Application for Tentative Tract Map, Conditional Use Permit, and Site Plan Review at 3311 Sausalito Street (APN 242-222-13) (Applicant: Steven Armanino representing The Olson Company)
Continued consideration to demolish an existing church building and construct fifty-units of townhome-style residential condominiums in 11 structures at 3311 Sausalito Street (APN 242-222-13) on a 2.44-acre 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: Steven Armanino, representing The Olson Company).

Development Services Director Mendoza summarized the staff report.

Chair DeBolt re-opened the meeting for Public Hearing.

John Reekstin for the Olson Company came forward and thanked the Planning Commission and Staff for all their hard work and input. Mr. Reekstin stated that they
are in full agreement of all the conditions except two: condition 16 and 44. Mr. Reekstin is asking the Planning Commission to consider the following: not require the relocation of the pole on Sausalito Street in addition to not requiring the undergrounding of the lines crossing Sausalito Street.

Additionally, Mr. Reeskin is also requesting that it not be required for the pole at the northern side of the parcel to be relocated, so that it does not trigger a major modification of the transmission pole. Mr. Reekstin indicated that the Olson Company is willing to dedicate the area around the pole to the City should they be in agreement.

Attorney for the Olson Company Fernando Villa came forward to discuss modification of Condition 44 to state that the Olson Company will be the responsible party for the mitigation ground water monitoring and remediation in place of the Home Owners Association (HOA).

Mr. Villa also stated for the record that the Olson Company requested for Condition 76 to be added to the Conditions of Approval to replace Condition 43, for purposes of clarity to state that the Santa Ana Regional Water Quality Control Board (SARWQCB) approves construction of this project prior to being able to obtain any building permits from the City.

Chair DeBolt re-opened the meeting for Public Hearing.

There being no other speakers, Chair DeBolt closed the item for public comments and brought the item back to the Planning Commission for discussion.

Chair DeBolt asked and received clarification from City Attorney Carney and Development Services Director Mendoza, that it does not make a significant difference as to who is the responsible party for handling any remediation needed.

City Engineer Hunt came forward to discuss that it is standard procedure to require any developments that disturb public right-of-way to also change the driveway approach/sidewalk because they are working in the public right-of-way as part of the project.

Chair DeBolt asked for clarification on what the modification of the pole on the northern side of the parcel would entail; City Engineer Hunt advised that the intention is for the developers to work with Edison on moving the pole three to four feet back without it requiring any major changes to the main transmitter that services a large part of the City.

City Engineer Hunt and Development Services Director Mendoza did an on-site walk through with an Edison representative and were advised that this would be an approximate $30,000 cost to the developers.
Commissioner Andrade asked and received clarification from City Engineer Hunt, that the power from the pole on Sausalito Court servicing their site but it is within the parameter of their project.

Chair Sofelkanik asked and received clarification from City Engineer Hunt, that the pole on the north side is already an easement for public utilities. At this point, it would be a matter of discussion to determine whether or not they would actually want to have the area dedicated to the City; the easement will stand within 20 inches from the back of the wall.

Commissioner Grose asked and received clarification from City Engineer Hunt as to whether or not the pole in question on Sausalito Court is due to be changed by Edison; City Engineer Hunt stated that at this time, he has no knowledge it being on the schedule for replacement.

The Planning Commission and Staff discussed making the following changes:

- **Edison pole on Sausalito Court** - Requiring the undergrounding of the wiring; essentially for improving the aesthetics of the area.
- **Condition 44** – make the Olson Company the responsible party instead of the HOA.
- **Edison pole on north side of parcel** – work with the City Engineer to determine the best course of action.

Development Services Director Mendoza advised the Commission that condition 31 will be modified to also exclude guests from being able to obtain a parking permit.

The Planning Commission and Staff discussed that the Conditions of Approval will be corrected to read that condition number 43 will be struck out and replaced to read, “see condition 76”.

Commissioner Sofelkanik stated for the record that the traffic study completed for this project was inadequate – it studied an intersection that is a significant distance away from the project leaving out the following two intersections that are already impacted: Sausalito Court at Chestnut Street and Chestnut Street and Cerritos Avenue.

Motion/Second: Grose/DeBolt
Carried 4/2 (Cutilty and Sofelkanik opposed, Riley absent): The Planning Commission made a motion to adopt Resolution 18-03, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM TO ALLOW THE CONSTRUCTION OF FIFTY RESIDENTIAL CONDOMINIUMS IN ELEVEN STRUCTURES FOR A PROJECT
LOCATED AT 3311 SAUSALITO STREET, APN 242-222-13 (APPLICANT: STEVEN ARMANINO, REPRESENTING THE OLSON COMPANY)."

Motion/Second: Grose/DeBolt
Carried 4/2 (Cuilty and Sofelkanik opposed, Riley absent): Adopt resolution 18-04, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 16-03 (TTM 18086) TO SUBDIVIDE PROPERTY TO ALLOW FOR DEVELOPMENT OF FIFTY RESIDENTIAL CONDOMINIUM UNITS IN ELEVEN STRUCTURES AT 3311 SAUSALITO STREET, APN 242-222-13, AND DIRECTING A NOTICE OF DETERMINATION BE FILED FOR A MITIGATED NEGATIVE DECLARATION FROM CEQA (APPLICANT: STEVEN ARMANINO, REPRESENTING THE OLSON COMPANY)."

Motion/Second: Grose/DeBolt
Carried 4/2 (Cuilty and Sofelkanik opposed, Riley absent): Adopt resolution 18-05, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-08) TO DEMOLISH A CHURCH STRUCTURE AND TO CONSTRUCT FIFTY RESIDENTIAL CONDOMINIUM UNITS IN ELEVEN STRUCTURES AT 3311 SAUSALITO STREET, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 242-222-13, AND DIRECTING A NOTICE OF DETERMINATION BE FILED FOR A MITIGATED NEGATIVE DECLARATION FROM CEQA (APPLICANT: STEVEN ARMANINO, REPRESENTING THE OLSON COMPANY)."

Motion/Second: Grose/DeBolt
Carried 4/2 (Cuilty and Sofelkanik opposed, Riley absent): Adopt resolution 18-06, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 16-17) TO DEMOLISH A CHURCH STRUCTURE AND TO CONSTRUCT FIFTY RESIDENTIAL CONDOMINIUM UNITS IN ELEVEN STRUCTURES AT 3311 SAUSALITO STREET, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 242-222-13, AND DIRECTING A NOTICE OF DETERMINATION BE FILED FOR A MITIGATED NEGATIVE DECLARATION FROM CEQA (APPLICANT: STEVEN ARMANINO, REPRESENTING THE OLSON COMPANY)."

RECESS
The Planning Commission took a brief recess at 8:05 p.m.

RECONVENE
The Planning Commission reconvened at 8:10 p.m.

C. Zoning Ordinance Amendment (ZOA 17-05)
Off-Street Parking
Development Services Director Mendoza summarized the staff report.
Chair DeBolt opened the public hearing.

There being no speakers, Chair DeBolt brought the item back to the Planning Commission for discussion.

The Planning Commission and Staff discussed the following:
- The definitions of bedroom and den (discussed how the surrounding cities have to define such rooms in their municipal codes).
- Discussed parking standards in surrounding cities.
- Discussion of whether or not rentals versus owned residences would differentiate what is required for parking.

The Planning Commission and Staff discussed setting the following regulations for parking requirements:

<table>
<thead>
<tr>
<th>Units</th>
<th>Number of bedrooms</th>
<th>Number of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>1.5</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>2.75</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>3.5</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>4 + .5 space per additional bedroom</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Guest Parking</th>
<th>Number of bedrooms</th>
<th>Number of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 units or less</td>
<td>1 designated guest space for every 4 units</td>
<td></td>
</tr>
<tr>
<td>5 units or more</td>
<td>1 designated guest space for every 3 units*</td>
<td></td>
</tr>
</tbody>
</table>

*5 units or more would be .33 designated guest space

Motion/Second: Cuyiti/Grose
Carried 6/0 (Riley absent): The Planning Commission made a motion to direct the City Attorney to bring back an Ordinance that reflects the majority figures in the table as well as a definition of bedroom, to include the notes discussed on the number of spaces based on the aggregate number of units as well as the rounding up.

The Planning Commission asked for the following to be discussed at the next meeting on this item: covered/uncovered, dimensions of spaces, aisles, circulation and back-up. Requesting to have the Engineer present at the following meeting for this discussion.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
Development Services Director Mendoza advised the Commission that digging is underway at the Edison vault on Catalina Street by Edison contractors. Completion of the Median project is pending their work. Additionally, City Council is reviewing the possibility of keeping three lanes on Los Alamitos Boulevard.

Commissioner Sofelkanik asked for a status of the property next to City Hall.
Development Services Director advised that it will become re-occupied as office use.

B. Distribution of Subdivision Map Act & and Index to Commissioners
This report includes new reference guide for Commissioners concerning the Subdivision Map Act.

The Planning Commission received individual copies.

11. COMMISSIONER REPORTS
Commissioner Cuilty asked for a status of the hotel project. Development Services Director Mendoza advised that the off-site improvements are expected to commence by April 1st and the building permit is ready to issue.

Commissioner Grose addressed the following concerns regarding the Walnut properties (10742 Walnut):
- The fence installed is not the approved fence per the plans
- Partially destroyed the neighbors fence
- Poor landscaping – many of the plants are going to be over two-feet tall inhibiting visibility in the alley way
- A drain at the east unit comes out over the air conditioner, while none of the other units have drains
- plants were installed around the air conditioner units instead of wood
- cement at the east end of the unit looks like it is half-way done

Chair DeBolt requests future discussion of the matter in which projects are approved or denied. Looking to discuss the following question: Is it required to re-open the entire project or discuss the resolutions of approval or denial only?

12. ADJOURNMENT
The Planning Commission adjourned the meeting at 9:09 p.m.

ATTEST: ___________________________  Art DeBolt, Chair

__________________________________________
Steven A. Mendoza, Secretary
To: Chair DeBolt and Members of the Planning Commission/Subdivision Committee

From: Steven A. Mendoza, Development Services Director

Subject: Site Plan Review (SPR) 18-01
Grating Pacific
3651 Sausalito Street

Summary: Consideration of Site Plan Review for the addition of a 5,863 square foot two-story office building on the existing 3.93 acre Grating Pacific site at 3651 Sausalito Street.

Recommendation:

1. Open the Public Hearing; and,

2. Take testimony; and,

3. Make the CEQA finding that the project is subject to a Class 1 Categorical Exemption, pursuant to Section 15332, Class 32 (Infill development), has been prepared for the proposed project in accordance with the California Environmental Quality Act; and if appropriate,


Applicant: Richard Jimenez for Grating Pacific

Location: 3651 Sausalito Street, Los Alamitos, CA 90720

Environmental: A categorical exemption – Section 15332, Class 32 (in-fill development project) will be prepared for the proposed project
in accordance with the California Environmental Quality Act (CEQA) Guidelines.

**Approval Criteria:** Section 17.50.020 of the Los Alamitos Municipal Code Site Plan Review-Applicability requires that a commercial development, or the addition of square footage to an existing commercial structure, shall be subject to Site Plan Review process.

**Noticing:** The Public Notice of this meeting was mailed out on February 7, 2018, to 59 property owners and tenants within 500 feet. Additionally, this was published in the News Enterprise on Wednesday, February 7, 2018, twenty-one days prior to the hearing.

**Background**

Founded in 1971, Grating Pacific has grown to become the premier fabricating distributor of industrial flooring products in the Western United States. With facilities strategically located in Arizona, Southern California, Central/Northern California, Oregon and Washington, Grating Pacific offers the optimal level of service to points ranging from Alaska to Mexico.

Grating Pacific has recently acquired the operating assets of Flynn & Enslow, Inc. This strategic initiative allows Grating Pacific to offer locally manufactured woven wire products of exceptional quality with the superior service that is a hallmark of Grating Pacific. In addition, Grating Pacific is also offering Architectural Products.

With this success comes the need to consolidate staff onto one site. Grating Pacific has fortunately selected Los Alamitos for this consolidation.

In order to facilitate this, Grating Pacific is in need of obtaining approval to reconfigure their 3.93 acre Los Alamitos site adding a 5,863 square foot two story office building to the site while demolishing a 3,600 square foot metal building warehouse.

**Discussion**

The site is located on eastern end of Sausalito Street near the Post Office. It is currently developed as Grating Pacific Headquarters. The adjacent properties are developed and zoned as follows:
The area to the north is developed with Industrial Uses in the Planned Light Industrial (P-M) Zoning District; this does include a commercial swim school. The area to the east is developed with Industrial Uses in the Planned Light Industrial (P-M) Zoning District. The area to the south is developed with Industrial Uses in the Planned Light Industrial (P-M) Zoning District including the School District Yard and Post Office. The area to the west is developed with Industrial Uses in the Planned Light Industrial (P-M) Zoning District.

**General Plan & Zoning Ordinance**

As proposed, the project would be consistent with the General Plan designation and all applicable policies.

The General Plan designation for this property as Planned Industrial which allows for Light industrial, manufacturing, and office park uses such as research and development, manufacturing, boat building, appliance repair and service, plastic fabrication, and printing plants. Commercial recreation uses are not permitted.

The zoning for the site is Planned Light Industrial (P-M). The purpose of the zone is to, “…provide appropriate areas for light-industrial uses and related activities; and to promote the concentration of those uses in a manner that will foster mutually beneficial relationships with each other, as well as with those areas of the city zoned for other development. The regulation of uses and standards of development identified in the P-M zoning district are those deemed necessary to provide the proper environment for the efficient and desirable use of this type of industrial land, and to provide the proper safeguards to protect nearby residential, commercial, and public uses.

**Access and Parking**

Vehicle access is gained from the south-side of the property at Sausalito Street. For build-out of the site, there are 98 parking spaces required. The applicant is proposing 101 stalls of which four meet the American’s with Disabilities Act (ADA) standards, which ultimately meet the City’s requirements.

<table>
<thead>
<tr>
<th>Type</th>
<th>Square Footage</th>
<th>Ratio (per)</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>10,619</td>
<td>1 per 250 sq. ft.</td>
<td>42</td>
</tr>
<tr>
<td>Warehouse</td>
<td>53,335</td>
<td>1 per 1,000 sq. ft</td>
<td>53</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>53,335</strong></td>
<td></td>
<td><strong>98</strong></td>
</tr>
</tbody>
</table>

**Site Plan**
As shown in the table below, the proposed new 5,863 square foot office building meets Zoning Ordinance 17.10.030 Property Development Standards for the Planned Light Industrial (P-M) Zoning District.

<table>
<thead>
<tr>
<th>Category</th>
<th>Required/Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Coverage</td>
<td>.4 Floor Area ratio</td>
<td>.37</td>
</tr>
<tr>
<td>Height Limit</td>
<td>3 stories or 40'</td>
<td>2 stories 30'</td>
</tr>
<tr>
<td>Front Setback</td>
<td>10'</td>
<td>14' 10&quot;</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>10'</td>
<td>135'</td>
</tr>
<tr>
<td>Side Setback</td>
<td>10'</td>
<td>70'</td>
</tr>
</tbody>
</table>

Landscaping

The proposed landscaping does not meet the minimum landscape requirements that new construction would normally be required. Because this expansion is not greater that 25% of the existing floor areas, they are allowed to expand as described in 17.20.020 (B) as excerpted below.

17.20.020 Applicability.
A. New Projects. New nonresidential projects, multiple-family residential projects, and new single-family residential subdivisions shall provide landscaping in compliance with the requirements of this chapter.
B. Additions to Structures. When additions to structures are made that are greater than twenty-five (25) percent of the existing floor area, landscaping shall be provided in compliance with the requirements of this chapter. In the case of an existing use, if the required landscaping cannot be accommodated because of existing physical constraints on the site, (e.g., structures, parking circulation, etc.) the applicant shall provide whatever additional landscaping the site can accommodate towards meeting the landscape area requirements of this chapter. (Ord. 688 § 1, 2006)

Architecture and Design

The architecture is demonstrated in the attached plans. The office building expansion will be a precision face concrete masonry block building along with undulating windows that will be accented by horizontal fluted metal wall panel and sun screens. The building colors are proposed to be earth tones to match the existing office building. The window and wall treatments are laid out to complement the existing building while adding an additional level of further develops the existing features of the buildings and site. The
blue arrow indicates the existing office and the white arrow indicates the proposed new office.

Conclusion
Staff concludes that the Planning Commission should approve the applicant's site plan with the conditions listed in the Resolution. The proposed use complies with the P-M Development Standards and is consistent with the Planned Light Industrial Designation of the City's Land Use Element of the General Plan. Construction of this proposed new building may be instrumental to the retention of one of the top businesses in Los Alamitos.

Attachment: 1. Draft Resolution No. 18-02 with Exhibit A - Plans dated 02.02.18
RESOLUTION NO. 18-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR) 18-01 TO PERMIT THE CONSTRUCTION OF A 5,863 SQUARE FOOT OFFICE BUILDING AT 3651 SAUSALITO STREET IN THE PLANNED LIGHT INDUSTRIAL ZONE (P-M), APN 242-242-04, & 204-242-05 (APPLICANT: RICHARD JIMENEZ FOR GRATING PACIFIC)

WHEREAS, an application for a Site Plan Review was submitted by Grating Pacific, the owner at 3651 Sausalito Street for permission to construct a 5,863 square foot office building on a 3.93-acre property; and,

WHEREAS, said verified submission constitutes an application as required by Chapter 17.50 Site Plan Review of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on February 28, 2018; 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 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. The Planning Commission hereby makes the following findings made in accordance with Section 17.50.040 of the LAMC, 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 5,863 square foot Office Building is consistent with the use and enjoyment of neighboring existing or future developments, and would not create traffic or pedestrian hazards as the design and layout of the office building would not interfere with the use and enjoyment of neighboring developments, as the immediately surrounding uses are industrial. The approved location is appropriate for a 6,080 square foot office building. The property is zoned for this type of development.

2. The design of the proposed development would maintain and enhance the attractive, harmonious, and orderly development contemplated by this chapter: The design of the 5,863 square foot office building would enhance the attractive, harmonious, and orderly development of the property. The design is in harmony
with existing development and has been designed to mimic the attached existing office building.

3. 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 office building would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, and color as described above. Such changes will continue the attractive environment that the existing property has enjoyed for years and maintain an appropriate level of maintenance.

4. 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 office building provides for public health, safety, and welfare of the business communities by providing the consolidation of office from Long Beach to Los Alamitos rather than causing sprawl at the fringes of this metropolitan area. The building will meet all building code requirements.

5. The proposed development would not substantially depreciate property values in the vicinity: The 5,863 square foot office would not depreciate property values in the vicinity, as the area is zoned for this type of use and it will improve the aesthetics of the existing areas.

6. Pursuant to the provisions of the California Environmental Quality Act (CEQA) the proposed project has been addressed with a Notice of Exemption pursuant to Section 15332, Class 32 of the California Environmental Quality Act (CEQA); the City’s Local Guidelines for implementing CEQA.

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

1. Approval of this application is to build a 5,863 square foot two story office building at 3651 Sausalito Street with such additions, revisions, changes or modifications as required by the Planning Commission for Site Plan Review noted thereon, and on file in the Development Services Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of the plans dated 2-02-2018 (as may be 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. Site Plan Review is approved exclusively as precise plans for the structures, materials, and features as shown on the relevant drawings referenced in No. 1, above. Any relocation, alteration, addition to, and/or use of any building or property contrary to the conditions hereunder nullifies this approving action. If any changes are proposed, 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(s) is/are consistent with the provisions, spirit, and intent of this approval action, and that such action would have been the same with the proposed change(s) for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.

3. The duration of the site plan review approval shall be twelve (12) months from the date the site plan is approved. If construction is commenced within this twelve (12) month period and construction is being pursued diligently toward completion, the site plan review approval shall stay in full force and effect.

4. The director may, upon receipt in writing from the applicant before the expiration date, grant an extension of time up to twelve (12) months maximum. If an extension of time is not granted, the site plan review approval shall expire and a new application shall be made.

5. 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 for 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.

6. The property owner/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 prior to the issuance of any permits.
7. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.

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

9. The applicant shall be required to comply with the Seismic Hazards Mapping Act of 1990, including the Guidelines for Evaluating and Mitigating Seismic Hazards in California 1997.

10. All electrical, telephone, CATV and similar utility services, which provide service to the proposed development, shall be installed underground in a manner meeting the approval of the appropriate department or agency, where possible.

**FEES**

11. The applicant and applicant’s successors in interest shall be responsible for payment of all applicable fees.

12. 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 are not included under this noticing requirement.

13. 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:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fees</td>
<td>n/a</td>
</tr>
<tr>
<td>Dedications</td>
<td>n/a</td>
</tr>
<tr>
<td>Reservations</td>
<td>n/a</td>
</tr>
<tr>
<td>Other Exactions</td>
<td>n/a</td>
</tr>
</tbody>
</table>

The applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.

14. The applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.

15. All demolition and construction shall be done in accordance with Los Alamitos Municipal Code Demolition Chapter 8.13.
16. The applicant must comply with all 2016 California Building Codes.

17. Project plans for the development shall be subject to a complete code compliance review with the Development Services Department when the 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.

18. The site shall be kept reasonably clean during construction and maintained in a safe, nuisance, and hazard-free condition. Dust control measures shall be employed to include spraying water on dry soil to ensure dust does not migrate onto adjacent properties.

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

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

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. 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 8:00 p.m. Monday thru Saturday and not at all on Sunday or federal holidays.

**LANDSCAPE**

23. Detailed hardscape, landscape, and irrigation plans will be prepared by a licensed landscape architect. Such plans will be designed in accordance with the "Landscape and Irrigation Design Requirements" of the City and approved by the Director prior to the commencement of construction.

24. 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.

25. The landscape and irrigation plan shall be submitted for review and comply with the City's Xeriscape Ordinance (Ord. No. 563). All required landscaping and irrigation shall be installed prior to the issuance of a Certificate of Occupancy.
26. All landscaping on the site, including, without limitation, trees, shrubs and other vegetation, drainage and irrigation systems, shall be permanently maintained in good, first class condition, healthy, without deterioration, free of waste and debris, through all phases of construction and after. Dead or diseased plants shall be promptly replaced with landscaping similar in type, size, and quality. Automatic Irrigation systems shall be properly maintained and other reasonable and adequate landscape maintenance facilities and procedures shall be provided to fulfill the foregoing requirements.

LIGHTING

27. Prior to permit issuance applicant shall submit a lighting plan to the Development Services Department to the satisfaction of the Development Services Director. The applicant shall provide adequate exterior lighting that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in the Los Alamitos Municipal Code.

MECHANICAL EQUIPMENT/METERS

28. All exterior mechanical equipment shall be screened from view.

29. 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.

SIGN

30. Any signs shall comply with the provisions under Chapter 17.28 (Signs) of the Los Alamitos Municipal Code and shall be subject to the approval of the Development Services Director.

NPDES

31. 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:

32. 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.

33. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
34. Incorporates Treatment Control BMPs as defined in the DAMP.

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

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

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

38. All water runoff must be designed to infiltrate the ground on the site.

39. Prior to issuance of any Grading or Building Permit and as part of the future development’s compliance with the NPDES requirements the project applicant shall enroll electronically through the SMARTS program to comply with the State of California General Construction Permit. Proof of enrollment must be submitted to the City of Los Alamitos before issuance of grading or building permits. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public Works and the City Engineer for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable".

40. Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm the Grading Plan specifications stipulate, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402, requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

   a) All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;
   b) On-site vehicle speed shall be limited to 15 miles per hour;
   c) All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
   d) Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
   e) All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; Track-out devices shall be used at all construction site access points; and
f) All delivery truck tires shall be watered down and/or scraped down prior to departing the job site.

41. All trucks that are to haul excavated or graded material onsite shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(F) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the project applicant shall demonstrate to the City of Los Alamitos how the project operations subject to that specification during hauling activities shall comply with the provisions set forth in Sections 23114(b)(F) and (e)(4).

42. Projects less than one acre shall identify on plans or the permit all BMPs that will be used on the project in accordance with the Orange County Construction Runoff Guidance Manual, latest edition. BMPs will be reviewed and approved by the City prior to issuance of the permit.

43. 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.

**ENGINEERING**

44. 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.

45. 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.

46. All existing off-site public improvements (sidewalk, curb & gutter, driveways, and street paving) at the development site which are in a damaged condition or are damaged during construction shall be reconstructed in accordance with City standards. (12.04.020)

47. Applicant shall, as may be required at the discretion of the City Engineer, reconstruct and/or rehabilitate street pavement on Sausalito Street to the centerline of the street for the entire frontage of the project property. Pavement section design shall be prepared by a qualified Registered Civil Engineer and submitted to the City Engineer for approval.

48. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.
49. 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.

**ROSSMOOR/LOS ALAMITOS SEWER DISTRICT**

50. The Applicant shall provide the Sewer District with the engineering plans and proposed sewage flow for the project before connecting to the District’s sewer.

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

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

**OCFA**

53. 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.

54. Prior to issuance of a building permit:

- fire master plan (service code PR145)

- architectural (service codes PR200-PR285), when required by the OCFA “Plan Submittal Criteria Form”

- high-piled storage (service code PR330)

- fire sprinkler system (service codes PR400-PR465)

**SECTION 4.** Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review 18-01, as represented by the plans and elevations in “Exhibit A” and subject to the conditions herein.

**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 Determination with the County Clerk.

**PASSED, APPROVED, AND ADOPTED** this 28th day of February, 2018, by the following vote:

ATTEST: ___________________________ Art DeBolt, Chair
I, Steven A. 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 28th day of February 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Agenda Report
Public Hearing
February 28, 2018
Item No: 8B

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

From: Steven Mendoza, Development Services Director

Subject: Conditional Use Permit (CUP) 18-01
I Love Kickboxing Franchise
4224 and 4226 Katella Avenue

Summary: Consideration of a Conditional Use Permit to allow Kickboxing fitness classes at 4224 and 4226 Katella Avenue in the Commercial Professional Office (C-O) Zone (Applicant: Jessica Borello for I Love Kickboxing Franchise).

Recommendation:

1. Open the Public Hearing; and,

2. Take Testimony; and

3. Make the CEQA finding that the project is subject to a Class 1 Categorical Exemption, pursuant to Section 15301(a) – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is in an existing building with interior alterations involving such things as interior partitions, plumbing, and electrical conveyances;

4. Adoption of Resolution No. 18-01, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 14-03 TO ALLOW KICKBOXING FITNESS CLASSES IN TWO UNITS TOTALLY 2,743 SQUARE FEET AT 4224 AND 4226 KATELLA AVENUE IN THE COMMERCIAL PROFESSIONAL OFFICE (C-O) ZONING DISTRICT, APN 222-111-41, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: Jessica Borello for I Love Kick Boxing).”

Applicant: Jessica Borello for I Love Kickboxing Franchise

Location: 4224 and 4226 Katella Avenue, Los Alamitos CA 90720

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301(a) – Existing Facilities, has been prepared for the proposed project
in accordance with the California Environmental Quality Act. The proposed use is in an existing building including interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;

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 "Schools, Commercial" establishment and retail sales use in the C-O Zoning District. Furthermore, Schools include Fitness as listed in the definitions section of the code.

Noticing: The Public Hearing Notice of this meeting was mailed out on February 14, 2018, to 81 property owners and tenants within 500 feet. Additionally, this was published in the News Enterprise on Wednesday, February 14, 2018, twenty one days prior to the hearing. Notices were hand delivered to tenants within the building. Notice was placed on the window of the suites.

Background

Jesse Barba has submitted an application for a Conditional Use Permit (CUP) 18-01 asking that the City allow "I Love Kick Boxing" (Schools, Commercial - Fitness), to be located at 4224 and 4226 Katella Avenue in the Commercial Professional Office (C-O) Zone. The proposed business, I Love Kick Boxing, is a national franchise offering kickboxing classes that combine martial arts, cardio and resistance training. Classes are available for children and adults. The facility will operate with a total of two employees. The project does not propose any exterior renovations to the building or any change in the parking layout. The interior plans are to improve the interior in accordance with the submitted floor plan including, locker room, restrooms, counter and a 1,358 square foot training floor. Additional improvements to protect the public will be based upon comments made by the public and commissioners during the hearing.

Discussion

The two tenant spaces total approximately 2,743 square feet located within an 11,200 square foot building. The project does not propose any exterior renovations to the building or any change in the parking layout.
Location
The properties to the south, separated by an alley, are multifamily within the R-3 zone. Properties to the north, separated by Katella Avenue, are industrial spaces located within the Planned Light Industrial (P-M) Zoning District. Properties to the east and west are commercial buildings located within the same C-O zoning district.

Parking
This site and the properties to the east including Katella Deli are all considered one shopping center and are under a “Covenant and Agreement to Maintain Reciprocal Access and Parking”. This exempts the shopping center from a parking analysis as the “shopping center” exceeds 30,000 square feet. Shopping Centers of 30,000 Square feet or more are parked at one space per 250 square feet instead of each use being analyzed. That being said, the specific site has 76 parking spaces for 11,200 square feet, sufficient to meet the needs.

Use Compatibility
Adjacent tenants include a physical therapy business to the west and a vacant space to the east. Subway Sandwiches is also nearby as well as Hear Well Center. Hear Well is a comprehensive audiology practice offering diagnostics and treatment options for hearing loss, tinnitus, and balance disorders. The proposed Kick Boxing use wanted to have an amplified sound system during exercise classes. Unregulated, there is the potential for music to be audible beyond the confines of the interior portion of the tenant spaces, which could cause an unreasonable level of impacts on the adjacent tenants, particularly the physical therapy business operator. Staff has conditioned this (No. 11) by prohibiting amplified music and speakers which should provide relief to the neighboring businesses.

Staff Concerns
There is the potential that this business could impact existing and future businesses within the same building. Common walls and common slab foundations can transfer vibration and noise to adjacent businesses. Therefore, the following conditions have been added:
11. There shall be no amplified music or mounted speakers in the facility.

12. In compliance with Los Alamitos Zoning Code Title 17 Division 6 Chapter 17.72 (Revocation and Modification), this Conditional Use Permit may be revoked or modified at any time by a vote of the Planning Commission, if any one of the following findings of fact can be made:
   a. Circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner;
   b. The permit or entitlement was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant’s testimony presented during the public hearing, for the permit or entitlement;
   c. One or more of the conditions of the permit have not been substantially fulfilled or have been violated;
   d. The improvement authorized in compliance with the permit is in violation of any code, law, ordinance, regulation, or statute;
   e. The improvement/use allowed by the permit or entitlement has become detrimental to the public health, safety, or welfare or the manner of operation constitutes or is creating a nuisance; or
   f. There is a compelling public necessity.

13. Exterior storage is specifically prohibited.

14. There shall be no free weights, weight lifting equipment or Smith Racks permitted within the premises.

15. Approval of a Special Event Permit shall be obtained for any special events, including any outdoor activity, organized or sponsored by the business.

16. All access doors of the business shall remain closed at all times but shall remain unlocked in case of an emergency.

17. The common tenant walls shall receive additional noise dampening insulation or other approved acoustical noise reduction surface that impedes resonance. Sound proofing of common walls shall be shown on tenant improvement plans submitted for plan check and permits and shall extend to the roofline beyond the existing T-Bar ceiling.

18. Property Owner, Property Manager and Tenant shall share all complaints related to the violations of these conditions with the City for inclusion in the CUP file.

Without inclusion of the above mentioned conditions, staff would not recommend approval.
Conclusion
Staff recommends approval of CUP 18-01 and adoption of Resolution No. 18-01 which includes the findings and conditions; unless additional or contrary information is received during the hearing 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. Draft Resolution 18-01 with Exhibit A - Site Plan/Floor Plan
2. Sound Detail
3. Soundproof Barrier
RESOLUTION NO. 18-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 18-01 TO ALLOW KICKBOXING FITNESS CLASSES IN TWO UNITS TOTALLY 2,743 SQUARE FEET AT 4224 AND 4226 KATELLA AVENUE IN THE COMMERCIAL PROFESSIONAL OFFICE (C-O) ZONING DISTRICT, APN 222-111-41, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JESSICA BORELLO FOR I LOVE KICK BOXING).”

WHEREAS, the application is for a Conditional Use Permit to allow classes in the form of Kickboxing in an existing 2,743 square foot space at 4224 and 4226 Katella Avenue in the Commercial Professional Office (C-O) 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 February 28, 2018; and,

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

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

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

SECTION 2. Conditional Use Permit 18-01 is hereby approved to allow classes for kickboxing in an existing space at 4224 and 4226 Katella Avenue in the Planned Light Industrial (P-M) Zoning District based upon the following findings:

1. I love Kick Boxing (classes, fitness) will not endanger the public health or general welfare as the use as conditioned, will not foster circumstances that tend to generate a nuisance because the use does not have any characteristics that are problematic such as excessive noise, glare, vibration or odors upon implementation of conditions. The business may cause excessive noise, vibrations, and has been conditioned regarding these factors. The business should not cause glare, odors or other nuisance conditions. This kickboxing school will, in fact, contribute
favorably to the health and welfare of City residents in that this use is a form of exercise near employment centers.

2. The classes for fitness establishment will be located in the Comerica Professional Office (C-O) Zoning district and schools (classes for fitness) are conditionally permitted uses within the district.

3. The proposed classes for fitness, as conditioned, will be compatible with other uses located in the C-O Zoning District.

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

5. The project is Categorically Exempt from the California Environmental Quality Act per Guidelines, Section 15303(a), Class 1. Existing Facilities. The proposed use is in an existing building with The proposed use is in an existing building with interior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

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 classes for fitness at 4224 and 4226 Katella Avenue with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 18-01 noted thereon, and on file in the Community Development 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. 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. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code or the Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Development Services Director.
3. Failure to satisfy and/or comply with the conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.

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

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

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

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

6. 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.

7. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
8. The property owner/applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The property owner/applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department prior to issuance of any permits.

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

10. The hours of operation shall be limited to the hours between 6:00 AM to 10:00 PM daily. Without further review by the Planning Commission, the Community Development Director may further limit the times of the classes if there is conflict with adjoining businesses.

11. There shall be no amplified music or mounted speakers in the facility.

12. In compliance with Los Alamitos Zoning Code Title 17 Division 6 Chapter 17.72 (Revocation and Modification), this Conditional Use Permit may be revoked or modified at any time by a vote of the Planning Commission, if any one of the following findings of fact can be made:

   a. Circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner;
   b. The permit or entitlement was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant’s testimony presented during the public hearing, for the permit or entitlement;
   c. One or more of the conditions of the permit have not been substantially fulfilled or have been violated;
   d. The improvement authorized in compliance with the permit is in violation of any code, law, ordinance, regulation, or statute;
   e. The improvement/use allowed by the permit or entitlement has become detrimental to the public health, safety, or welfare or the manner of operation constitutes or is creating a nuisance; or
   f. There is a compelling public necessity.

13. Exterior storage is specifically prohibited.

14. There shall be no free weights, weight lifting equipment or Smith Racks permitted within the premises.
15. Approval of a Special Event Permit shall be obtained for any special events, including any outdoor activity, organized or sponsored by the business.

16. All access doors of the business shall remain closed at all times but shall remain unlocked in case of an emergency.

17. The common tenant walls shall receive additional noise dampening insulation or other approved acoustical noise reduction surface that impedes resonance. Sound proofing of common walls shall be shown on tenant improvement plans submitted for plan check and permits and shall extend to the roofline beyond the existing T-Bar ceiling.

18. Property Owner, Property Manager and Tenant shall share all complaints related to the violations of these conditions with the City for inclusion in the CUP file.

**Building Department**

19. The applicant shall obtain City permits for all tenant improvements.

20. The applicant shall submit complete plans for any new construction and obtain all necessary permits for building, electrical, plumbing, and mechanical and any Accessibility related work to obtain "Assembly Use" occupancy in accordance with the building code in effect at time of permit issuance.

21. All exits must stay clear.

**Orange County Fire Authority**

22. 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.

23. Prior to issuance of any permits or approvals:

   - architectural (service codes PR200-PR285), when required by the OCFA “Plan Submittal Criteria Form”
   - fire sprinkler system (service codes PR400-PR465), if required by code or installed voluntarily
   - fire alarm system (service code PR500-PR520), if modified, provided voluntarily, or required by code.
SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Conditional Use Permit 18-01, as represented by the plans in "Exhibit A" and subject to the conditions herein.

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 28th day of February 2018, by the following vote:

______________________________
Art DeBolt, Chair

ATTEST:

______________________________
Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

______________________________
Kendra L. Carney, Assistant City Attorney

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

I, Steven A. 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 28th day of February 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Steven A. Mendoza, Secretary
1. SOUND WALL DETAIL TOTAL STC=97

1" = 1'-0"
Soundproof Barrier is the most widely used noise control solution for walls, floors and ceilings.

For a reliable, proven solution to any noise problem, you can count on Sound Isolation Company. Soundproof Barrier (Mass Loaded Vinyl or MLV) is a flexible, heavy product that comes in rolls, simple to install, and readily available from 10 different US locations. Soundproof Barrier is an easy and effective choice for your soundproofing project.

For today's commercial, institutional and residential projects, standard construction will not provide adequate privacy between spaces. It is common practice to place occupants with diverse businesses next to one another; many homes now have media rooms in the basement with living or sleeping space above; institutional spaces are combining quiet areas and loud activity areas on the same floor, or stacked on each other. In every case Soundproof Barrier can provide needed noise reduction.

- Easy to use, widely recognized and available for shipment today for 10 different US locations.
- Available in several weights and thicknesses; 48” or 54” wide to match framing of walls/ceilings.
- Used and tested in 1000's of projects; providing your project with higher STC rating.

Solve your noise problem. Call now to get it right the first time 888-666-5090

With Sound Isolation Company, you will get the help you need: expert design, product selection and installation instruction. We have the experience you need for a partnership that will work.

Soundproofing Made Simple
(888) 666-5090 | Fax: (704) 504-1115
info@soundisolationcompany.com
www.soundisolationcompany.com
SOUNDPROOF BARRIER SOLVES ALL YOUR NOISE CONTROL PROBLEMS IN ONE EASY STEP

- Install quickly with cap stapler or cap nailer.
- At 1 lb. thick, MLVs' low profile will not affect doors/windows
- Ideal for installation on wood or metal framing

OFFICE NOISE, NEIGHBOR NOISE, MULTI-FAMILY

Use 1 pound/square foot Soundproof Barrier and a single layer of 5/8" drywall.

MORE DEMANDING PROJECTS LIKE HOME THEATER AND STUDIOS, INDUSTRIAL NOISE OR MIXED-USE COMMERCIAL

Use 2 pound/square foot Soundproof Barrier and a single layer of 5/8" drywall.

<table>
<thead>
<tr>
<th>Standard Wall - STC: 37-39</th>
<th>3/4&quot; Drywall both sides 2&quot;x4&quot; Wood Studs R-13 Insulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soundproof Barrier - STC: 47-50</td>
<td>3/4&quot; Drywall both sides Soundproof barrier one side 2&quot;x4&quot; Wood Studs R-13 Insulation</td>
</tr>
<tr>
<td>Sound Isolation Clips - STC: 58</td>
<td>Single Studs with Soundproof Barrier and Sound Isolation Clips on one side, single layer of 5/8&quot; drywall both sides</td>
</tr>
</tbody>
</table>

SOUND BLOCKING BY FREQUENCY

<table>
<thead>
<tr>
<th>Weight</th>
<th>125</th>
<th>250</th>
<th>500</th>
<th>1K</th>
<th>2K</th>
<th>4K</th>
<th>STC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 lb</td>
<td>16</td>
<td>17</td>
<td>23</td>
<td>29</td>
<td>34</td>
<td>37</td>
<td>27</td>
</tr>
<tr>
<td>2.0 lbs</td>
<td>19</td>
<td>22</td>
<td>27</td>
<td>34</td>
<td>38</td>
<td>43</td>
<td>32</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Roll Sizes</th>
<th>4' x 25'</th>
<th>4.5' x 30'</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Custom Roll Sizes Available</td>
<td></td>
</tr>
</tbody>
</table>

INSTALLATION REQUIREMENTS

Foil Seam Tape
Acoustical Sealant
Putty Pads
Cap Stapler

sales@soundsolationcompany.com
888-666-5090
www.soundsolationcompany.com
Wall and Partition Facings and Accessories
See General Information for Wall and Partition Facings and Accessories

Type Tuff-Mass Acoustic Barrier (1 lb/sq ft.) membrane for optional use on one side of wall designs of the U300, U400, and V400 series. Also for optional use in floor-ceiling constructions of the L500 series over the subfloor.

For U300, U400 and V400 series designs, one layer of membrane applied to one side of wood or steel studs between stud and gypsum board per manufacturer’s recommendations. When installed, the membrane flex at midspan between the studs shall be max. 1 in. from the back of the gypsum board. Gypsum board layer(s) installed over membrane per the Design.

For L500 series designs, one layer of membrane applied over the subfloor with adhesive and/or nails per manufacturer’s recommendations. Finish floor attached per manufacturer’s instructions.

The appearance of a company’s name or product in this database does not in itself assure that products so identified have been manufactured under UL’s Follow-Up Service. Only those products bearing the UL Mark should be considered to be Listed and covered under UL’s Follow-Up Service. Always look for the Mark on the product.

Reprinted from the Online Certifications Directory with permission from Underwriters Laboratories Inc.®

Information herein pertains to Tuff Mass Acoustic Barrier, manufactured by Soundown Corporation 16 Broadway Salem MA 01970. Sound Isolation Company is a distributor of Tuff-Mass Acoustic Barrier.
SEALTIGHT PUTTY PADS

One of the least publicized and most misunderstood products in the soundproofing line would have to be Sealight Putty Pads. This datasheet will attempt to remove the mystery surrounding this product by answering some of the most commonly asked questions.

What are Sealight Putty Pads used for? This is really the question most people ask. Putty Pads are designed to be applied to the external surfaces of metallic and nonmetallic switch and receptacle boxes in some rated wall conditions. We also have used Putty Pads in a few systems for through-penetrations. Let’s discuss the electrical box usage first and then cover their use in through-penetration firestops.

Where did this idea come from? Sound deadening pads historically have been used in some jurisdictions to meet noise abatement requirements between living units in apartments or condos. An inspector in southern California about a dozen years ago happened to pick one up at a job site and apply a lighter to it. The pad went up in flames. He requested that pads be made from a fire stopping putty and thus an idea was born.

Why are they used? Over time, sound deadening has actually become a secondary use for putty pads. The pads are now used primarily to overcome certain restrictions on the number and placement of electrical boxes in rated gypsum wallboard assemblies.

Code Guidelines For Receptacle & Switch Boxes. Openings for steel electrical boxes not exceeding 16in² area and that are not listed for use in fire resistance rated assemblies should be permitted provided the area of any such openings does not exceed 100in² for any 100ft² of enclosure wall area. Outlet boxes should be separated by a horizontal distance of not less than 24 in.
How are Sealtight Putty Pads used?

Putty pads, as mentioned above, are designed to be applied to the external surfaces of metallic and nonmetallic boxes. They are applied to the back surface of the box, as well as the three sides that are away from the stud. The installation sequence is after the gypsum board is applied to one side and before it is closed in on the other side. Installing the pad on the side where the board is already installed is straightforward. Installing it on the other side requires some technique. The pad must be applied to the box and then either lapped over the front of the tile plate (if one is used) or excess material must be worked toward the front of the box and built up into a compressible gasket much like the pinched area of a pie crust. This gasket compresses between the front edge of the box and the gypsum board as the board is installed.

![Diagram of Putty Pads](image)

Figure 3: Putty Pads overcome the separation problems in staggered-stud walls.

When are they used? Putty pads are used in conjunction with metallic and nonmetallic electrical boxes under the following conditions:

1. Where the aggregate area of the boxes will exceed 100 sq. in. per 100 sq.ft. of wall. This restriction can be of particular importance in construction where the required concentrations of building services are very heavy (hospital rooms). High ceilings also can reduce the allowable amount of building services by decreasing the length of the wall required to hit the 100 sq.ft. total.

2. Where the horizontal spacing of the boxes must be less than the required 24 inches. This is a particular problem in back-to-back installations such as adjoining kitchens or bathrooms located on common rated walls.

3. In staggered-stud walls where stud cavities are not isolated and physical separation of boxes is impractical.

4. Where the required box must be larger than the permitted 16 sq. in. Present testing includes boxes up to 22 sq. in.

Using Putty Pads. Putty pads are a tested method for overcoming some of the limitations suggested by the NFPA Life Safety Code. It is important to understand that adherence to these limitations is at the discretion of the local authority having jurisdiction. Thus the use of the pads and their acceptance as a means of addressing these limitations is also at the discretion of the local authority having jurisdiction. Check with your local inspector before installing this product!

What about the cost? Putty pads do add cost! The pads are often more expensive than the cost of the boxes themselves. But they are less expensive than the alternatives. Some jurisdictions require that boxes be framed in with additional studs and gypsum board. This is particularly true in walls that utilize parallel staggered stud membranes. In these walls there is no true separation between stud cavities. Putty pads also reduce cost by allowing the designer greater freedom in designing mirror image living units along rated walls.

Putty Pads in Through-Penetration Firestops

STI utilizes putty pads in some through-penetration firestop designs. The shape of the pad as well as some of its unique properties work perfectly in solving a number of unique problems. Consider putty pads when you encounter the following conditions:

- Isolating copper pipes. Putty pads are highly water resistant. By breaking the path to ground, they can help prevent galvanic corrosion.
- Allow pipe movement by wrapping penetrates with putty pads prior to pouring in firestop mortar.
- Putty pads isolate plastic pipes from concrete or mortar to help speed reaction of intumescent materials.
- Lay putty pads under and over cables in tray applications to firestop and smoke seal heavy cable bundles-this is particularly effective in pillow installation.

SOUNDPROOFING ACCESSORIES

SilentSeal Acoustical Sealant
Electrical Box Extensions
Foil Seam Tape
Installation Guide and Safety Guide
Green Glue Noiseproofing Sealant

Green Glue Noiseproofing Sealant is a one-part nonflammable product designed specially for the reduction of sound transmission in all types of wall partition systems. Its primary function is to achieve and maintain the specific Sound Transmission Class (STC) value of the system designed. Use to seal edges and seams of drywall and subfloor to prevent loss of sound isolation caused by leaks.

SPECIFICATIONS
Appearance ....................... Brown Creamy Paste
Solids ........................................ 67-70% by weight
Viscosity .................. 980,000 cps +/- 10% # spindle 1rpm
PH ........................................ 7 - 7.5
Flammability ....................... Non-Flammable
VOC Content .................. <5 gr/liter (calculated)
Cure Time ....................... 2-7 days
Application temperature .............. 40°F min
Storage ....................... 40 to 100 deg F
Clean Up ....................... Soap and Water
Shelf Life ....................... 1 year

COVERAGE

<table>
<thead>
<tr>
<th>29 oz. Tube</th>
<th>1/2&quot; bead</th>
<th>22 linear ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3/8&quot; bead</td>
<td>40 linear ft.</td>
</tr>
<tr>
<td></td>
<td>1/4&quot; bead</td>
<td>89 linear ft.</td>
</tr>
</tbody>
</table>

Copyright 2007 Sound Isolation Company. No part of this document may be reproduced, in whole or in part, without the specific written permission of Sound Isolation Company.
INSTALLATION GUIDE

Green Glue Noiseproofing Sealant is required on soundproofing projects to insure the sound ratings. Do not substitute other non-acoustical sealants as they will fail.

**STEP 1**

Use a utility knife to cut an opening on the end of the Green Glue Sealant tube.
Tighten nozzle onto opened Green Glue Sealant tube.
Cut nozzle to desired bead size (3/8" bead is recommended).

**STEP 2**

All surfaces must be clean, dry and free of dirt, dust, oil, moisture and other foreign substances which could interfere with the bond of the Green Glue Acoustical Sealant.

**Walls & Ceilings:** Use Green Glue Sealant at the perimeter including all intersections with other walls, masonry, steel or other existing materials. 24 hours after application it is acceptable to mud and tape intersections. Green Glue Sealant may be used at all butt joints prior to mud and tape. Green Glue Sealant is paintable after 24 hours.
For multi layer drywall applications it is required to use SilenSeal for both layers.

**Penetrations:** All penetrations should be sealed completely with Green Glue Sealant, including mechanical and plumbing, outlet and switch plate boxes, lighting and any other cutouts in the surface of wall ceiling or floor.

**Floors:** For multi layer sub floors maintain a 1/4" gap at the perimeter of second layer. This gap should be filled with Green Glue Sealant. A similar gap should be maintained for any subsequent layers of the finished floor.

**NOTES**

Maximum joint sizes should not exceed 5/8" x 1/2".
Clean tools and excess sealant immediately after application with soap and water.
SilenSeal can be painted after 24 hours if needed.

**SOUNDPROOFING ACCESSORIES**

Privacy Duct Silencer
Sealtight Putty Pads
Integrity Gasket
Privacy Recessed Light Covers
Privacy Speaker Covers
Privacy Door Seals

**DISCLAIMER:** These application notes represent generally accepted procedures for successful installation. Sound Isolation Company reserves the right to alter these suggestions and encourages contact with the factory or its representatives to review any possible modification to these application notes prior to commencing installation.
City of Los Alamitos
Planning Commission

Agenda Report
February 28, 2018
Public Hearing
Item No: 8C

To: Chair DeBolt and Members of the Planning Commission
Via: Steven A. Mendoza, Development Services Director
From: Tom Oliver, Associate Planner

Subject: Site Plan Review (SPR) 15-01M
10742, 10744, 10746, 10748 & 10750 Walnut Street, APN 242-192-01

Summary: Consideration of modifications to the Site Plan Review (15-01M) for a
previously approved five-unit, residential condominium project at 10742, 10744 -10750
(even) Walnut Street (APN 242-192-01) on a 9,587 square foot vacant parcel in the
Multiple Family (R-3) Zoning District. (Applicant: Olympia Stapakis).

Recommendation:
1. Open the Public Hearing; and, if appropriate,
2. Reject some or all of the modifications; or alternatively,
3. Accept some or all of the modifications.
4. Direct the City Attorney to draft the appropriate resolution.

Applicant: Olympia Stapakis
Location: 10742, 44, 46, 48, & 50 Walnut Street (APN 242-192-01)
Notice: On February 14, 2018, Notice of Public Hearing was posted at the
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: The proposed use was and still remains exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 - In-Fill Development Projects.

Background

The Los Alamitos Planning Commission originally approved this five-unit condominium development on May 27, 2015 in accordance with the plans submitted. The developer/applicant has made field changes without obtaining approval of staff or the Commission. The original plans are below.

On December 11, 2017, staff noticed that the vinyl fencing did not match the plan. On December 12, 2017 comments were received regarding the fencing. With this discovery, staff conducted an inspection to determine if any other changes were made without approval.

December 26, 2017 the Applicant’s Representative submitted an application for a Certificate of Occupancy (C of O) for this condominium project. Staff inspected the project and wrote to the Applicant’s Representative concerning outstanding issues Staff had noticed.

The Applicant’s Representative sought administrative approval of these changes from the Director. The Applicant’s Representative was told that, if applied for, the request for these field changes would be denied by staff. The Applicant’s Representative then delivered a request to the City Manager to overturn the Director’s opinion on the modifications. On December 27th, the City Manager declined to overturn Staff’s opinion.
On January 23, 2018, the Applicant submitted an application to the City requesting for the Planning Commission to consider these modifications. The Applicant’s Representative submitted letters with the application regarding these changes, as well as a set of plans showing changes that the Applicant acknowledges have been made to the project. They are attached to this staff report. Please note that the plans represent today’s appearance are not the originally approved plans from March 16, 2015.

During the time period that the Applicant’s Representative prepared to submit a modification application, Code Enforcement Staff confirmed that the Owner of the project has allowed a resident to move into the project without a “Certificate of Occupancy” from the City. When the Applicant’s Representative was questioned about this situation, the Representative withdrew representation from the project and deferred all occupancy related questions to the Applicant, Olympia Stapakis who continued to place more residents within the units. The Code Enforcement Officer has issued multiple citations for this violation to the Applicant/Owner of this project, and has notified the residents of the building of the violation.

Discussion

These are those outstanding issues of compliance to the Planning Commission approved Site Plan and resolution conditions:

- Condition No. 43. The WQMP has not been recorded at the Orange County Clerk Recorder.
- Condition Nos. 7 & 43. The Final Tract Map has not been recorded.
- Site plans indicate “wood fence type” – As built: PVC fencing installed.
- Plans indicate a “wood cap” on wrought iron railings – As built: no wood.
- Plans indicate “exposed rafter tails” on elevations – As built: fascia board installed.
- Landscaping should block mechanical equipment (AC) – As built: AC in side setback not clearly screened from view from right-of-way.
- “Window count” on south side of building does not match window count on elevations – As built: three extra windows.
- Plans indicate a “curb” around private open spaces – As built: no curb.
- The installed “Garage Doors” do not match the elevation – As built: The doors have a different panel arrangement/style.

Additional items noted by Staff while drafting this report:

- Conduit lines for air conditioner condensers are exposed on the outside walls of structure.
- There are missing grids/mullions in rear facing windows, facing south.
- Split face block was used for fencing rather than a stucco-covered masonry wall.
• Some of the units do not have front door steps.
• Window shutters are missing on north elevation.

The Public had these comments about the project:

• The neighbor’s fence was ruined in the process of putting up the block wall, and they only replaced one section of the fence. The fence does not match the rest of the front yard fence. Staff note: The Applicant tells Staff that they have negotiated the fencing alterations with the neighbor to the south of this project, and Staff has received no complaint from them.
• The vinyl fencing, they have placed around the private open spaces is not the required wood fencing.
• The last unit on the east end of the project has a large section of cement that has never been finished.
• The south unit has a drain coming out from under the patio onto the air conditioner.
• None of the other unit’s patios have any drainage system. Staff note: These plans have been reviewed by an engineer for drainage.
• The air conditioners do not have fences around them, only a few plants which is inappropriate and will not provide adequate coverage. Staff note: The screening plants are not mature yet. The Applicant has added more screening plants as well.
• The north unit air conditioner is sitting in the west end of the yard with no screening. Staff note: The Applicant has installed the approved plants that will grow to screen the condenser unit.
• The parkway landscaping is concerning. Several of the plants in the parkway will grow taller than the allowed height requirements for parkways and will obstruct vision. Staff note: The Applicant will be required to maintain the landscaping in accordance with the City’s Code.
• Drought tolerant plants and yards are a concern. Staff note: The landscaping plans were approved by a landscape consultant who ensured that the landscaping meets the City’s code.

Changes previously approved by Staff:

• ADA bathroom changes to Unit “A” were made with previous Staff approval.
• A small landscaping strip on the middle of the east/alley frontage was removed with the approval of the City’s Landscape Consultant.

Review Process

Section 17.72.020 of the Los Alamitos Municipal Code provides a Revocation and modification procedure. Here is the section of the code that describes the findings for this modification process with Staff comments:
B. Review Authority Action. A land use permit or entitlement may be revoked or modified by the review authority (i.e., director, commission, council) that originally approved the permit or entitlement, or by the equivalent city review authority for permits or entitlements originally approved under the county’s authority, if any one of the following findings of fact can be made in a positive manner:

1. Circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner;

   **Staff Comment:** The circumstances under which the entitlement was granted have not changed, however the first condition of approval is consistency with the Planning Commission approved site plans. The Director can approve changes if they feel that the changes are consistent with the spirit of the approval. However, the Applicant did not provide the Director with a request for amendment ahead of making these changes to the project.

2. The permit or entitlement was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement in the application, or in the applicant’s testimony presented during the public hearing, for the permit or entitlement;

   **Staff Comment:** The Applicant had represented certain materials within the documents for the approval process and without notice to the City, installed materials in the project that are considered to be less than equal in quality and appearance to the approved materials.

3. One or more of the conditions of the permit have not been substantially fulfilled or have been violated;

   **Staff Comment:** Conditions have been violated. One of the initial concerns of Staff was that plans had been modified through the installation of vinyl or PVC fencing around the Private open space provided for each unit. In other inspections, Staff found that other changes to the approved plans were made by the Applicant without prior approval.
4. The improvement authorized in compliance with the permit is in violation of any code, law, ordinance, regulation, or statute;

**Staff Comment:** The changes noted by Staff and the public are changes to the Site Plans approved by the Planning Commission for this project. These changes were made without consulting the Director ahead of time.

5. The improvement/use allowed by the permit or entitlement has become detrimental to the public health, safety, or welfare or the manner of operation constitutes or is creating a nuisance; or

**Staff Comment:** The modifications are not detrimental to the public health, safety, or welfare nor are they creating a nuisance.

6. There is a compelling public necessity. (Ord. 688 § 1, 2006)

**Staff Comment:** City Staff has received a request from the Applicant to issue a Certificate of Occupancy. The project has been presented to Staff as a completed project and new residents of the project already inhabit the structure without required “final inspections” having been completed by the Building and Safety Division, the Planning Division or the Engineering Division.

**Conclusion**

The Applicant has failed to implement the project as approved by the Planning Commission. Due to the architectural significance of the changes, staff is unwilling to approve the changes administratively. Therefore, the Applicant is seeking approval of the Planning Commission.

Should the Commission deny the modifications, the Applicant can appeal the Commission’s decision to the City Council.

In considering the modification, the Commission should note which of the modifications are acceptable or not acceptable.

**Attachments:**
1. Modified Site Plan
2. Letter to Tom Oliver dated December 19, 2017
3. Email to City Manager Bret Plumlee dated December 20, 2017
   3a. December 13, 2017 letter from Tom Oliver
4. Email to Applicant from City Manager Bret Plumlee dated December 27, 2017
5. Letter to Commissioners dated January 9, 2018
Tuesday, December 19, 2017

Tom Oliver
City of Los Alamitos Planning Department
3191 Katella Avenue
Los Alamitos CA, 90720

Subject: Clarification of picket fencing at 10742 Walnut St

Tom,

I received your letter from December 12 regarding the picket fencing being installed at the project referenced above. I would like to clarify that we did not consider the installation of the PVC fencing to be in conflict with the approved plans since the depiction on sheet 14 elevation calls out “picket fence” and did not specify wood as the material for the fence. While installing and completing elevation details, one would naturally refer to the page in the plans showing the elevation of the building and not the title page of the plans.

When the project was reviewed and approved originally, I don’t recall any questions about the fence material at the planning commission meeting nor anything in the findings or conditions of approval. I believe anyone looking at the plans would have paid most attention to the elevation depicted on sheet 14 and would not have referred to the title sheet to determine detailed design elements. Furthermore, we feel that using PVC for the fence does not significantly affect the appearance or design of the project, indeed it enhances the safety, longevity and curb appeal.

Note that while PVC is more expensive it offers many advantages such as: lasts longer, requires no maintenance, easier to clean [graffiti], is sturdier and safer, does not splinter like wood, etc. Given that along this sidewalk a couple hundred children from the middle school walk by daily, we feel that our choice of this material is the right one. We are expecting crayon marks, graffiti, and many kids running their hands along the fence. We would hate to have anyone get splinters or other injuries from a wooden fence in the future. Additionally, we spoke to several neighbors and asked what they thought of the PVC fencing and they expressed their preference of this material and indeed thought the project looks beautiful.
Allowing the use of PVC for the fencing is within the purview of the planning director. Paragraph 17.62.070–C in the municipal code allows the director to approve minor changes:

C. Minor Changes. The director may authorize minor changes to an approved site plan, architecture, or the nature of the approved use if the changes:

1. Are consistent with applicable provisions of this zoning code and the spirit and intent of the original approval;
2. Do not involve a feature of the project that was:
   a. A basis for findings in a negative declaration or environmental impact report for the project,
   b. A basis for conditions of approval for the project, or
   c. A specific consideration by the review authority (e.g., the director, commission, or council) in the approval of the entitlement.
3. Do not result in an expansion of the use.

Again, this part of the code refers to changes to the original approval. We maintain that the choice of PVC is not a change at all, merely clarification of the material used for the fence. If this is really a change, surely it represents a minor one since the visual appearance of the fence is substantially equivalent to the elevation details depicted as referred above.

Attached you will find pictures of the completed front elevations showing the fence in question and two clarification sheets of the areas on sheets T and 14 from the plans.

I look forward to your input and resolution of this item. Let me know if I can do anything else to help.

Thank you for reading this far and your continued patience and great service.

Sincerely,

Nick Zamvakellis, President
Tech-Wise Development, Inc
Mr Plumlee,

I am writing to humbly request that you take a bit of time to look into an issue that I am having regarding some final completion at my mother in law’s property at 10742 Walnut St. I am acting as her builder/developer on this 5 unit townhome style building that she is planning on renting out. Indeed she has many interested families from the city chomping at the bit to become residents.

To summarize:
I met with Steve Mendoza and Tom Oliver from the planning department at length yesterday. Mr Mendoza did not agree that the ‘change’ from wood to PVC for the front yard areas’ low picket fence constituted a minor change which he would approve of. In essence he said that since the word ‘wood’ was included on the title sheet of the approved plans, that the fence should be wood. The elevation sheet which depicts the actual fence only stated that it be a ‘picket fence’ and did not specify a material. If you read the attached letter dated 12/19, hopefully you can see that this change is well within the purview of the planning department, and indeed conforms to the “spirit and intent of this approval action, that such action would have been the same with the proposed change…” [from Tom’s letter dated 12/13]. Indeed, if the fence were constructed of wood, there would be little difference in the look of the fence since using smooth wood painted white would mimic the look of the PVC, without the benefits of PVC.

I understand that Mr Mendoza is trying to perform his duty as best he can, and he and the rest of staff do a great job even given all the pressure they work under. We have enjoyed a very cordial and professional relationship with Steven and Tom, and have always been able to work together to best solve any issues, but I feel that this decision is unduly harsh.

We also spent some time discussing which fee might be appropriate for the review of this change. In the past, with our many previous projects, when there was such a minor change, it was handled with a written request and a sketch showing the change, and discussed and approved ‘over the counter’ with planning staff. I am not opposed to the collection of a review fee as I am sensitive to the time and energy spent by planning staff on a large variety of tasks assigned to them, and I understand the need to cover these expenses. However, Mr Mendoza has proposed that this very minor architectural material change be reviewed as a ‘Minor Site Plan Review’ which assess a fee of around $2,300 (if memory serves). Surely there is a more appropriate fee that can be charged. If a builder had to pay this amount of money for every minor material and/or design change (possibly even necessitated by a field inspection by the building department, although that is not the case here), how would that reflect on the City’s reputation towards its residents and customers? Imagine a restaurant owner wanting to rearrange his tables being asked to pay $2,300 for a minor site plan review since the layout was on his CUP approval. I feel that imposing this fee on minor changes such as these and requiring a Minor Site Plan Review sets a risky precedent which will undoubtedly generate strong objections from other city residents/business owners.
In this case, and for other minor field changes on existing approved projects under construction, might I suggest fees such as PL5.1 Appeal-Director-Resident, or PL21 Planning Plan Check-Minor/PL22 Planning Plan Check-Major as possibly more appropriate.

For reference I have attached an email thread with Tom Oliver regarding this issue, as well as his letter to me which was an attachment to his original emails, and my follow up letter with explanation of the issue. Please take the time to read through this material and give it serious consideration. Should you have any questions, please call me so we can discuss this matter or arrange a time to meet at your convenience.

Thank you for reading this far and for your consideration on this matter.

Nick

Nick Zamvakellis, President
Tech-Wise Development, Inc.
nick@techwisedev.com
Cell: 562-618-5278
December 13, 2017

Nick Zamvakellis
Tech-Wise Development, Inc.
3742 Katella Avenue, Suite 400
Los Alamitos, CA 90720

SUBJECT: FIVE UNIT RESIDENTIAL CONDOMINIUM PROJECT - 10742 WALNUT STREET, LOS ALAMITOS

Dear Nick:

I received your email on December 12, 2017 responding to Staff’s concern about the fencing surrounding the Private Open Space areas for the above noted project. Staff observed on December 11th, that your crew has been installing vinyl fencing. The approved plans call for wood fencing as noted on Sheet T, and is being installed with no curb as noted on Sheet 14. This apparent change has been made without Development Services Director or Planning Commission approval as required by the Planning Commission’s resolution of approval for this project.

Here is that requirement as noted in the resolution of approval, Condition 1:

"Approval of this application is to build a five unit condominium development project in one building at 10742 Walnut Street (APN 242-192-01) 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 Community Development 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 March 15, 2015 (as amended during the hearing), 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."

If you would like to make a change to the fencing as presented in the plans, you will need to apply for an amendment. The process to apply for an amendment is
initiated through the use of a discretionary form. Your request for this amendment would ask for a minor Site Plan Review. This discretionary form can be found on our website at cityoflosalamitos.org, under development services department forms. The Development Services Director would then make a decision on your request and decide if the request will need to be heard by the Planning Commission.

Please contact me at (562) 431-3538, ext. 300, or at smendoza@cityoflosalamitos.org should you have any questions.

Sincerely,

Tom Oliver
Associate Planner
Development Services Department
From: Bret Plumlee  
Sent: Wednesday, December 27, 2017 4:51 PM  
To: Nick Zamvakellis  
Cc: Steven Mendoza; Tom Oliver  
Subject: RE: Minor change review process and concerns  

Mr. Zamvakellis,

I have reviewed your email below and all of the attachments you sent me on December 20 as you requested. Based on my review of the plans submitted, visual observance of the fence that you installed, and discussion with staff, I agree with staff’s assessment that the change you made from wood to PVC for the front yard areas’ low picket fence did not constitute a minor change that could be approved at the Director’s level.

I also agree with staff on charging you for a minor site plan review. I have received a copy of a letter that Mr. Oliver sent you and Ms. Stavakis on December 26, 2017 that references various outstanding issues with compliance to the Site Plan approved by the Commission, and I suggest that you package those corrections together. It is my understanding that you will be able to take care of these issues under the same $2,300 fee as a minor site plan review.

I appreciate your concern that you expressed and also your positive comments about the staff. I agree that they do an outstanding job.

Thank you.

Bret M. Plumlee  
City Manager  
City of Los Alamitos
Tuesday, January 9, 2018

Planning Commission members and
City of Los Alamitos Planning Department
3191 Katella Avenue
Los Alamitos CA, 90720

Subject: As built/plan clarifications at 10742 Walnut St
   Re: Letter dated 12/19/17 “Clarification of picket fencing” to planning dept.
   Re: Letter from planning dept. 12/26/17, C of O application concerns

Dear Planning Commission members and planning staff,

I am providing this letter to support your review of the revised plans documenting the as-built conditions at 10742 Walnut St. In addition to the previously discussed use of the PVC fencing in the front yard areas, we are now addressing any other small changes that have been included in the completed project. As requested by planning staff, we have gone to the site and reviewed the plans against the as-built condition, and we are providing plan sheets documenting items that [slightly] differ from the approved plans. Please know that it was never our intent to deviate from the approved plans to the extent that the completed project did not conform to the spirit and intent of the original approval, and the planning commission’s desires. That being said, these ‘changes’ were done to improve the completed product. We take extreme pride in our projects and indeed have always been able to work with the city to create buildings that fit with the surrounding areas and improve the neighborhood, increasing tax revenues and providing more home ownership and higher property values.

Here is a summary of the changes you will see on the supplied as-built plans dated 1/5/18:

Sheet T:
- Revised CMU wall on south property line from stucco to split face block. We have found the use of block with stucco has been problematic due to uneven coloring of the stucco and its associated maintenance issues. Reduced length of wall to match neighbor property trash enclosure and to improve sight lines at alley.

• Revised driveway at east end where there was a small landscape strip between the carport driveway and the garage driveway. Done to prevent vehicles running over and destroying landscaping and to allow better turning radius while entering/leaving.
• Added gate at block wall in guest parking area at west end of property. Added a path from gate to sidewalk. Done to improve accessibility for Fire Department and pedestrians.
• Clarified private patio areas and fences.
• Revised tables to reflect as-built areas. All still well within code required areas.

Sheet 4:
• Revised floor plan to show added window in kitchen in Plan B. During construction noticed that the kitchen area was quite dark so the window was added to improve light and comfort for the residents.

Sheet 10:
• Showing as built dimensions of private yard areas and porch/steps. Needed due to site conditions and resultant grades and to match sidewalk elevations.
• Showing on plans the previously approved (on original stamped plans) addition of the ADA bathroom in plan A first floor bedroom. The bathroom revision was required by the building department to meet ADA codes.

Sheet 14:
• Showing PVC fences at private areas. See previous letter from Dec. 19 referenced above for full explanation of this material choice.
• Showing omission of the concrete curb around the private yard area. Since the yard area is all cement patio, the curb is not necessary.
• Showing omission of the wood cap on the guard rail at the private decks. Reduces maintenance and splinters.
• Showing addition of facia board in lieu of exposed rafter tails at roof. This detail was changed in order to accommodate the installation of rain gutters. The civil engineer who prepared the WQMP instructed us to install rain gutters to channel water from the roof to the storm water pit. There is no practical way to install the rain gutters on the exposed rafter tails.
• Showing new gate at west elevation.
• Showing northwest corner elevation change due to ADA bathroom change.

Sheet 15:
• Showing omitted window grids at south facing windows (previously approved by planning staff)
• Showing facia board and gutters (see above).
• Showing new 16 panel garage doors. (see above)
• Showing added kitchen window in B plans. See sheet 4 revision above.
• Showing required gate at trash bin. Was not shown on original drawings.
• Showing third floor windows hardy-board trim instead of stuccoed foam. Using stuccoed foam trim in the siding areas was not possible. Also, the hardy trim matches the style of the building better.

I look forward to your input and resolution of these items. Thank you for reading this far and your continued patience and great service.

Sincerely,

Nick Zamvakellis, President
Tech-Wise Development, Inc
City of Los Alamitos  
Planning Commission

Agenda Report  
Public Hearing  
February 28, 2018  
Item No: 8D

To: Chair DeBolt and Members of the Planning Commission

Via: Steven A. Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Site Plan Review (SPR) 16-09  
Conditional Use permit (CUP) 16-18  
Tentative Tract Map (TTM) 16-04  
3751 Farquhar Avenue

Summary: 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).

Recommendation:

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

2. Continue the Public Hearing to the March 28, 2018 Planning Commission meeting, but clarify the expectations of the Commission in regards to the number of stories/floors and units.

Applicant: Alison Stapakis and Olympia Stapakis

Project Location: 3751/3755 Farquhar Avenue (APN 222-062-28)

Notice: On November 15, 2017, Notice of Public Hearing was posted at City Hall, the Community Center, and the Los Alamitos Museum and at the Site for the November 29, 2017 Planning Commission meeting. 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 November 15, 2017. The November 29, 2017 meeting was continued to the January 24, 2018 Planning
on November 15, 2017. The November 29, 2017 meeting was continued to the January 24, 2018 Planning Commission Meeting. During the January meeting, the Applicant was granted a request for continuance to the February 28, 2018 meeting.

**Environmental:**

If the project were approved, CEQA would be 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’s representative, Nick Zamvakellis, has submitted an application for a project to be located at 3751/3755 Farquhar Avenue. The project would involve demolishing two existing homes and the construction of five (5) residential condominium units. This meeting is a continued public hearing from previous meetings that were continued to tonight’s meeting. Here is a recap of those meetings:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 26, 2017</td>
<td>Commission hearing continued so that the Applicants could respond to the code note in Los Alamitos Municipal Code (LAMC) 17.08.030, limiting the project to two (2) stories within 100 feet of a Single Family Residential-zoned property. The R-1 property that is within 100 feet is the Orange County Flood Control District parcel, known as the Rossmoor Storm Channel.</td>
</tr>
<tr>
<td>May 24, 2017</td>
<td>Commission hearing continued after the Applicant’s representative could not convince the Commission to allow three stories for that part of the project that is within 100 feet of the Single Family Residential Zone.</td>
</tr>
<tr>
<td>June 28, 2017</td>
<td>Commission hearing cancelled due to a potential lack of quorum.</td>
</tr>
<tr>
<td>July 26, 2017</td>
<td>Commission hearing continued so that the Applicant could complete a Variance application.</td>
</tr>
<tr>
<td>June 28, 2017</td>
<td>Variance application was filed and was considered complete on August 14, 2017.</td>
</tr>
<tr>
<td>August 23, 2017</td>
<td>Commission hearing continued because Variance application was not complete and Variance portion of hearing had not been noticed.</td>
</tr>
<tr>
<td>September 27, 2017</td>
<td>Commission hearing where Variance was discussed. Commission directed the drafting of a resolution of denial. Commission did not feel that findings of fact could be made to approve a Variance and directed the Applicant’s Representative to revise the project plans.</td>
</tr>
<tr>
<td>October 25, 2017</td>
<td>Variance denial approved, hearing continued to November 29th meeting so that Applicant would have time to submit new plans for the project.</td>
</tr>
<tr>
<td>November 29, 2017</td>
<td>Applicant presented new plans with subterranean floor. Commission directed Staff to draft resolutions of denial.</td>
</tr>
<tr>
<td>January 24, 2018</td>
<td>The Applicant asked the Planning Commission to continue the Public Hearing rather than deny the proposed project, and Commissioners agreed to the continuance.</td>
</tr>
</tbody>
</table>
Conclusion

During the Planning Commission meeting of January 24, 2018, Commissioners considered denying the project.

During the hearing, the Applicant’s representative, Steve Stapakis stated that if they were awarded a continuance instead of a denial, they would be proposing a 2 story, 4-unit project. The Commission deliberated about the 2 story, 4-unit option and Mr. Stapakis again stated, “completely on grade, 2-story, no strings attached, no games.”

The following day, another representative, Mr. Nick Zamvakellis stated “I hope the Commission did not think we meant the whole project would be 2 stories.” Staff and the Commissioners are receiving mixed messages from separate representatives of the applicant.

The Applicant paid the continuance fee of $1,174.00 on February 14, 2018.

The Applicant has yet to prepare the promised 2 story, 4-unit development plans in time for Packet distribution, therefore Staff recommends that Commissioners continue the hearing to the March 28, 2018 meeting, but clarify the expectations of the Commission in regards to the number of stories/floors and units.
City of Los Alamitos
Planning Commission and Subdivision Committee

Agenda Report
Public Hearing
February 28, 2018
Item No: 8E

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

Via: Steven A. Mendoza, Development Services Director

From: Kendra L. Carney, Assistant City Attorney

Subject: ZOA 18-01
Consideration of a Resolution recommending the City Council approve a Zoning Ordinance to amend sections 17.26.040 and 17.76.020 of the Los Alamitos Municipal Code to modify off-street parking and guest parking requirements for new or expanded multiple-family residential uses in the R-2 (limited multiple-family) and R-3 (multiple-family) residential zoning districts and define “bedroom.”

Summary: Following the Planning Commission’s unanimous vote to initiate a Zoning Code amendment to address off-street parking, the Planning Commission surveyed the off-street parking requirements of surrounding cities and directed the City Attorney to prepare a Resolution recommending various amendments to the City Council to address excessive parking demands in the R-2 and R-3 Zoning Districts. The proposed Zoning Ordinance Amendment would require guest parking for new and expanded R-2 and R-3 projects and establish required parking based on a new definition of “bedroom” in the R-3 Zoning District.

Recommendation:

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

Background

On September 27, 2017, the Los Alamitos Planning Commission voted unanimously to initiate a Zoning Code amendment to update the City’s off-street parking requirements, located at Section 17.26.040 of the City of Los Alamitos Zoning Code, and which were last updated in 2006. To assist the Planning Commission, Development Services Department Staff surveyed off-street parking requirements from other nearby jurisdictions. Staff determined that whereas the City of Los Alamitos does not currently require multiple-family residential uses to provide guest parking in addition to the onsite parking required for each unit, surrounding jurisdictions, including the cities of Huntington Beach, Orange, Stanton and Tustin have codified off-street guest parking standards. These standards range from a minimum of 0.2 guest spaces required per unit to 0.5 guest spaces required per unit.

During this review, the Planning Commission also observed that surrounding jurisdictions commonly require a specific number of parking spaces per bedroom. The City of Los Alamitos currently requires only one-half parking space for each bedroom in excess of two bedrooms per unit. Moreover, the Los Alamitos Zoning Code does not define “bedroom” which can make it difficult to determine the parking requirements with specificity for any given project.

The City is experiencing an increasing demand for on-street parking in the R-2 and R-3 Zoning Districts. The Development Services Director, Associate Planner and Police Department frequently receive complaints and requests for service relating to illegally parked vehicles and an over-concentration of on-street parking. Inadequate off-street parking requirements for new or expanded multi-family development contribute to the deficiency of on-street parking.

Following the completion of its study of the City’s off-street parking requirements, the Planning Commission directed the City Attorney to prepare a Resolution recommending the City Council adopt a Zoning Code amendment, which could result in a reduction in on-street parking demand in the R-2 and R-3 Zoning Districts by requiring guest parking and specifying the number of parking spaces required based on the number of bedrooms per unit.

Discussion

Most of the City’s current off-street parking regulations were adopted years ago to suit the needs of a more suburban community. Best practices for establishing parking requirements have seen a significant transition over the last several years. Today’s population has cars, uses cars for travel regularly, and needs storage for those cars. Like many cities, Los Alamitos has not updated the off-street parking standards to reflect current trends.
As a result, the Planning Commission held a public hearing on September 27, 2017, which was continued to January 24, 2018, and February 28, 2018. At the September and January hearings, the Planning Commission reviewed guest parking standards and parking space requirements for multiple-family developments in the Los Alamitos and surrounding jurisdictions. Based on its review and its consideration of the evidence presented, the Planning Commission directed the City Attorney to prepare a Resolution recommending the City Council adopt a Zoning Ordinance Amendment to establish guest parking requirements for R-2 and R-3 Zoning Districts, establish specific parking space requirements based on the number of bedrooms per unit in the R-3 Zoning District, and add a definition of “bedroom” to the Zoning Code.

The proposed amendment will modify Table 3-01 of Los Alamitos Zoning Code section 17.26.040 to appear as follows:

**LOS ALAMITOS ZONING CODE**

**SECTION 17.26.040**

**PARKING SPACE REQUIREMENTS**

**TABLE 3-01**

<table>
<thead>
<tr>
<th>Description of Use Residential</th>
<th>Required Number of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2 limited multiple-family (^{(1),(2)})</td>
<td>One and one-half (1.5) parking spaces for each studio unit</td>
</tr>
<tr>
<td>R-3 multiple-family (^{(1),(2)})</td>
<td>Two (2) parking spaces for each one-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Two and three-quarters (2.75) parking spaces for each two-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Three and one-half (3.5) parking spaces for each three-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Four (4) parking spaces for each four-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>One-half (0.5) additional parking spaces for each additional bedroom in excess of the first four bedrooms</td>
</tr>
<tr>
<td></td>
<td>A minimum of one unassigned, designated guest space for a project that is four units or fewer. A minimum of 0.33 unassigned, designated guest spaces per unit for a project that is five units or more</td>
</tr>
</tbody>
</table>
(1) The total number of parking spaces required is determined by the aggregate number of units within the project as a whole.

(2) Should the calculation for required parking spaces determine that any amount of a partial parking space is required, the City will round up to the nearest whole number. For example, should the parking calculation required 10.25 parking spaces, the City will require the project to include 11 spaces.

The proposed amendment will also add the following definition of “bedroom” to Zoning Code section 17.76.020:

“Bedroom” means any room within a dwelling unit that could be used for sleeping purposes. Rooms identified as a bedroom on any plans or application shall contain no less than 70 square feet, measure at least seven horizontal feet in any direction, and include a closet. Other rooms containing 70 square feet or more, identified on a plan or application as a den, library, study, office, loft, media room, or other similar term, or an undesignated room or area containing 70 square feet or more shall be considered a bedroom for purposes of calculating required parking spaces only. The definition of ‘bedroom’ shall specifically exclude any room identified on a plan or application as a kitchen, living room, dining room, bathroom, hallway, or entryway.

The enactment of these off-street parking requirements will mitigate and prevent the exacerbation of on-street parking demand and congestion in the R-2 and R-3 Zoning Districts and further preserve the public safety, health, and welfare of the community.

Attachments:

1. PC Resolution No. 18-03
2. CC Draft Zoning Ordinance Amendment No. 18-01
RESOLUTION NO. 18-03

A RESOLUTION OF THE PLANNING COMMITTEE OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL TO ADOPT ZONING ORDINANCE AMENDMENT (ZOA) 18-01 TO AMEND SECTIONS 17.26.040 AND 17.76.020 OF THE LOS ALAMITOS MUNICIPAL CODE TO MODIFY OFF-STREET GUEST PARKING REQUIREMENTS FOR NEW OR EXPANDED MULTIPLE-FAMILY RESIDENTIAL USES IN THE R-2 (LIMITED MULTIPLE-FAMILY) AND R-3 (MULTIPLE-FAMILY) RESIDENTIAL ZONING DISTRICTS AND DEFINE “BEDROOM.”

WHEREAS, Chapter 17.26 (Off-Street Parking and Loading) of the Los Alamitos Zoning Code contains the City’s parking space requirements. Section 17.26.040 of the Zoning Code includes off-street parking requirements for residential uses, including multiple-family residential uses; and,

WHEREAS, the off-street parking requirements set forth in Section 17.26.040 of the Zoning Code were last updated in 2006; and,

WHEREAS, the City is experiencing an increased demand for on-street parking in R-2 and R-3 Zoning Districts and the City does not currently require multiple-family residential uses to provide guest parking in addition to the off-street parking required for each unit; and,

WHEREAS, on September 27, 2017, the Los Alamitos Planning Commission voted unanimously to initiate a Zoning Code amendment to update the City’s off-street parking requirements, located at Section 17.26.040 of the City of Los Alamitos Zoning Code, and which were last updated in 2006; and,

WHEREAS, the Planning Commission and City Staff surveyed off-street parking requirements from other nearby jurisdictions and determined that surrounding cities, including Huntington Beach, Orange, Stanton, and Tustin do have codified off-street guest parking standards; and,

WHEREAS, on December 18, 2017, the Los Alamitos City Council adopted by a four-fifths (4/5) vote Interim Urgency Ordinance No. 2017-13 enacting provisional off-street guest parking requirements for new or expanded multiple-family residential uses in the R-2 (Limited Multiple-Family) and R-3 (Multiple-Family) Residential Zoning Districts pending review and possible amendment of the Zoning Code; and,
WHEREAS, on January 16, 2018, the City Council extended Interim Urgency Ordinance No. 2017-13 to provide the Planning Commission with sufficient time to complete its study of the City’s current off-street parking requirements and potential proposal for a Zoning Code amendment; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on January 24, 2018, at which time it continued its study of the City’s parking requirements and considered all evidence presented, both written and oral, and discussed Zoning Code amendments to address excessive on-street parking demands and congestion generated by new or expanded multiple-family residential uses in the R-2 and R-3 Zoning Districts, then continued the meeting to February 28, 2018; and,

WHEREAS, Zoning Ordinance Amendment (ZOA) 18-01 includes the recommendation provided in Exhibit “A” and the recommendation to add the following definition of “bedroom” to Los Alamitos Zoning Code section 17.76.020:

“Bedroom” means any room within a dwelling unit that could be used for sleeping purposes. Rooms identified as a bedroom on any plans or application shall contain no less than 70 square feet, measure at least seven horizontal feet in any direction, and include a closet. Other rooms containing 70 square feet or more, identified on a plan or application as a den, library, study, office, loft, media room, or other similar term, or an undesignated room or area containing 70 square feet or more shall be considered a bedroom for purposes of calculating required parking spaces only. The definition of ‘bedroom’ shall specifically exclude any room identified on a plan or application as a kitchen, living room, dining room, bathroom, hallway, or entryway.

WHEREAS, the Planning Commission held a continued public hearing on February 28, 2018, and considered all evidence presented, both written and oral and all applicable staff reports.

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

SECTION 1. Findings.

A. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct and are incorporated by reference herein.
B. The recommended amendments to the Zoning Code ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and do not create any inconsistencies with the Zoning Code. The proposed amendments are consistent with General Plan Land Use Goal 4 “Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity” and Policy 4.1 to “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.” The recommended amendments will establish consistent standards for off-street parking and guest parking to mitigate and prevent the exacerbation of on-street parking demand and congestion in the R-2 and R-3 Zoning Districts.

C. The recommended amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated from the changes. Although future developments will be required to comply with the modified parking requirements, all previously approved developments will be allowed to remain and will not be subject to non-conforming use provisions. The changes may improve parking accessibility in the R-2 and R-3 Zoning Districts and mitigate and prevent the exacerbation of on-street parking demand and congestion in the R-2 and R-3 Zoning Districts.

D. This Ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines because “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” Approval of this Ordinance, inclusive of the provisional off-street parking requirements, does not approve any development project. Future development subject to the parking requirements would be subject to CEQA at that time, as those actions would be classified as “projects” under CEQA. Therefore, the proposed action qualifies for exemption and no further environmental review is necessary.

E. The recommended amendments are internally consistent with other applicable provisions of this Zoning Code and do not create any conflicts with any other provisions of the Los Alamitos Municipal Code.

SECTION 2. Based on the entire record before the Planning Commission, including the written and oral record and the findings set forth above, the Planning Commission hereby recommends approval of Zoning Ordinance Amendment 18-01.

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. Staff shall file a Notice of Determination with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 28th day of February, 2018, by the following vote:

__________________________
Art DeBolt, Chair

ATTEST:

__________________________
Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

__________________________
Kendra L. Carney, Assistant City Attorney

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

I, Steven A. 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 28th day of February, 2018, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
Steven A. Mendoza, Secretary
## LOS ALAMITOS ZONING CODE
### SECTION 17.26.040
### PARKING SPACE REQUIREMENTS

**TABLE 3-01**

<table>
<thead>
<tr>
<th>Description of Use</th>
<th>Required Number of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>R-2 limited multiple-family (^{(1),(2)})</td>
<td>One and one-half (1.5) parking spaces for each studio unit</td>
</tr>
<tr>
<td>R-3 multiple-family (^{(1),(2)})</td>
<td>Two (2) parking spaces for each one-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Two and three-quarters (2.75) parking spaces for each two-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Three and one-half (3.5) parking spaces for each three-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Four (4) parking spaces for each four-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>One-half (0.5) additional parking spaces for each additional bedroom in excess of the first four bedrooms</td>
</tr>
<tr>
<td></td>
<td>A minimum of one unassigned, designated guest space for a project that is four units or fewer. A minimum of 0.33 unassigned, designated guest spaces per unit for a project that is five units or more.</td>
</tr>
</tbody>
</table>

(1) The total number of parking spaces required is determined by the aggregate number of units within the project as a whole.

(2) Should the calculation for required parking spaces determine that any amount of a partial parking space is required, the City will round up to the nearest whole number. For example, should the parking calculation require 10.25 parking spaces, the City will require the project to include 11 spaces.
ORDINANCE NO. ___


WHEREAS, Chapter 17.26 (Off-Street Parking and Loading) of the Los Alamitos Zoning Code contains the City’s parking space requirements. Section 17.26.040 of the Zoning Code includes off-street parking requirements for residential uses, including multiple-family residential uses; and,

WHEREAS, the off-street parking requirements set forth in Section 17.26.040 of the Zoning Code were last updated in 2006; and,

WHEREAS, on September 27, 2017, the Los Alamitos Planning Commission voted unanimously to initiate a Zoning Code amendment to update the City’s off-street parking requirements, located at Section 17.26.040 of the City of Los Alamitos Zoning Code, and which were last updated in 2006; and,

WHEREAS, the City is experiencing an increased demand for on-street parking in R-2 and R-3 Zoning Districts and the City of Los Alamitos does not currently require multiple-family residential uses to provide guest parking in addition to the offsite parking required for each unit; and,

WHEREAS, the Planning Commission and City Staff surveyed off-street parking requirements from other nearby jurisdictions and determined that surrounding cities, including Huntington Beach, Orange, Stanton, and Tustin do have codified off-street guest parking standards; and,

WHEREAS, on December 18, 2017, the Los Alamitos City Council adopted by a four-fifths (4/5) vote Interim Urgency Ordinance No. 2017-13 enacting provisional off-street guest parking requirements for new or expanded multiple-family residential uses in the R-2 (Limited Multiple-Family) and R-3 (Multiple-Family) Residential Zoning Districts pending review and possible amendment of the Zoning Code; and,

WHEREAS, the Planning Commission did not meet in December 2017; and,

WHEREAS, on January 16, 2018, the City Council extended Interim Urgency Ordinance No. 2017-13 to provide the Planning Commission with sufficient
time to complete its study of the City’s current off-street parking requirements and potential proposal for a Zoning Code amendment; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on January 24, 2018, at which time it continued its study of the City’s parking requirements and considered all evidence presented, both written and oral, and discussed Zoning Code amendments to address excessive on-street parking demands and congestion generated by new or expanded multiple-family residential uses in the R-2 and R-3 Zoning Districts, then continued the meeting to February 28, 2018; and,

WHEREAS, the Planning Commission held a continued public hearing on February 28, 2018 at which time it considered all evidence presented, both written and oral; and,

WHEREAS, at the conclusion of the public hearing, the Planning Commission adopted Resolution No. 18-03 recommending to the City Council adoption of Zoning Ordinance Amendment 18-XX to amend sections 17.26.040 and 17.76.020 of the Los Alamitos Municipal Code to modify off-street parking and guest parking requirements for new or expanded multiple-family residential uses in the R-2 (limited multiple-family) and R-3 (multiple-family) residential zoning districts and define “bedroom” to reduce future demand for on-street parking in the R-2 and R-3 Zoning Districts; and,

WHEREAS, on DATE, the City Council held a duly noticed public hearing on the recommended Zoning Ordinance Amendment at which time it considered all the evidence presented, both written and oral.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings.

A. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and are incorporated by reference herein.

B. The proposed amendments to the Zoning Code ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and do not create any inconsistencies with the Zoning Code. The proposed amendments are consistent with General Plan Land Use Goal 4 “Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity” and Policy 4.1 to “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.”
The proposed amendments will establish consistent standards for off-
street parking and guest parking to mitigate and prevent the exacerbation 
of on-street parking demand and congestion in the R-2 and R-3 Zoning 
Districts.

C. The proposed amendments will not adversely affect the public 
convenience, health, interest, safety, or welfare of the City as there are no 
adverse impacts anticipated from the changes. Although future 
developments will be required to comply with the modified parking 
requirements, all previously approved developments will be allowed to 
remain and will not be subject to non-conforming use provisions. The 
changes may improve parking accessibility in the R-2 and R-3 Zoning 
Districts and mitigate and prevent the exacerbation of on-street parking 
demand and congestion in the R-2 and R-3 Zoning Districts.

D. This Ordinance is Categorically Exempt from the California Environmental 
Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the 
CEQA Guidelines because “it can be seen with certainty that there is no 
possibility that the activity in question may have a significant effect on the 
environment.” Approval of this Ordinance, inclusive of the provisional off-
street parking requirements, does not approve any development project. 
Future development subject to the parking requirements would be subject 
to CEQA at that time, as those actions would be classified as “projects” 
under CEQA. Therefore, the proposed action qualifies for exemption and 
no further environmental review is necessary.

E. The proposed amendments are internally consistent with other applicable 
provisions of this Zoning Code and do not create any conflicts with any 

SECTION 2. The City Council hereby adopts Ordinance No. 2018-XX approving 
Zoning Ordinance Amendment 18-01 which establishes the parking requirements for 
ew or expanded multi-family residential developments as shown in amended Table 3-
01 of Section 17.26.040 for R-2 and R-3 Zoning Districts to read as shown on Exhibit 
“A.”

SECTION 3. The Los Alamitos Zoning Code is amended by adding the following 
definition of “bedroom,” in alphabetical order, to Section 17.76.020:

“Bedroom” means any room within a dwelling unit that could be 
used for sleeping purposes. Rooms identified as a bedroom on any plans 
or application shall contain no less than 70 square feet, measure at least 
seven horizontal feet in any direction, and include a closet. Other rooms 
containing 70 square feet or more, identified on a plan or application as a 
den, library, study, office, loft, media room, or other similar term, or an
undesignated room or area containing 70 square feet or more shall be considered a bedroom for purposes of calculating required parking spaces only. The definition of ‘bedroom’ shall specifically exclude any room identified on a plan or application as a kitchen, living room, dining room, bathroom, hallway, or entryway.

SECTION 4. Interim Urgency Ordinance No. 2017-13 shall be repealed effective immediately at the same time that this Ordinance No. 2018-XX takes effect.

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 6. This Ordinance shall become effective on the 31st day after passage.

PASSED, APPROVED, AND ADOPTED this ______ day of March, 2018.

__________________________
Troy D. Edgar, Mayor

ATTEST:

__________________________
Windmera Quintanar, CMC, City Clerk
STATE OF CALIFORNIA  )  
COUNTY OF ORANGE  )  ss.  
CITY OF LOS ALAMITOS  )  

I, Windmera Quintanar, CMC, City Clerk of the City of Los Alamitos, do hereby certify: (1) that the whole number of the members of the City of Los Alamitos City Council is five; and (2) that the foregoing Ordinance No. 2018-__ was duly adopted and passed at a regular meeting of the City Council on the ____ day of March, 2018, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, CMC, City Clerk
### LOS ALAMITOS ZONING CODE

SECTION 17.26.040

PARKING SPACE REQUIREMENTS

#### TABLE 3-01

<table>
<thead>
<tr>
<th>Description of Use Residential</th>
<th>Required Number of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2 limited multiple-family (1),(2)</td>
<td>One and one-half (1.5) parking spaces for each studio unit</td>
</tr>
<tr>
<td>R-3 multiple-family (1),(2)</td>
<td>Two (2) parking spaces for each one-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Two and three-quarters (2.75) parking spaces for each two-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Three and one-half (3.5) parking spaces for each three-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>Four (4) parking spaces for each four-bedroom unit</td>
</tr>
<tr>
<td></td>
<td>One-half (0.5) additional parking spaces for each additional bedroom in excess of the first four bedrooms</td>
</tr>
<tr>
<td></td>
<td>A minimum of one unassigned, designated guest space for a project that is four units or fewer. A minimum of 0.33 unassigned, designated guest spaces per unit for a project that is five units or more</td>
</tr>
</tbody>
</table>

(1) The total number of parking spaces required is determined by the aggregate number of units within the project as a whole.

(2) Should the calculation for required parking spaces determine that any amount of a partial parking space is required, the City will round up to the nearest whole number. For example, should the parking calculation required 10.25 parking spaces, the City will require the project to include 11 spaces.
City of Los Alamitos
Planning Commission

Agenda Report
Public Hearing

February 28, 2018
Item No: 8F

To: Chair DeBolt and Members of the Planning Commission

Via: Steven A Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Zoning Ordinance Amendment (ZOA 17-05)
Off-Street Parking

Summary: The Planning Commission has initiated discussion of a Zoning Code Amendment for Off-Street Parking. This discussion began with multi-family residential parking requirements and now may or may not move toward other parking requirements based on the interest of the Commission.

Recommendation:

1. Open the Public Hearing, take testimony, and discuss possible changes to the Off-street Parking and Loading Standards in the Los Alamitos Municipal Code; and, if appropriate,

2. Direct Staff and the Assistant City Attorney to draft an Ordinance and appropriate resolution memorializing the requested code changes.

Applicant: City Initiated

Location: Citywide

Approval Criteria: Section 17.70.020 of the Los Alamitos Municipal Code (LAMC) requires that any proposed amendment be recommended by a resolution to the City Council.

Background

The Planning Commission initiated a Zoning Code Amendment to update off-street parking and loading requirements during its September 27, 2017 meeting by approving a Resolution of Intention for Zoning Ordinance Amendment (ZOA) 17-05.
In the January 24, 2018 meeting, the Planning Commission discussed changes to recommend to the City Council that would address the urgency ordinance that was adopted as ZOA 18-01. Those changes are in a previous Staff Report for tonight’s meeting. Tonight the Commission continues the discussion that began as ZOA 17-05.

As a reminder, in addition to the number of parking spaces required, the Planning Commission may also want to review the following:

1. Quantity of parking spaces which should be covered or enclosed
   a. How many should be in garages?
   b. How many should be in carports?
2. Parking space size, garage size, carport size
3. Maneuverable aisle dimensions should be adequate for today’s automobiles
4. Back up distances, turning radius
5. Driveway width
6. Aisle width
7. Tandem parking
8. Condominium requirements – Is ownership different?
9. R-3 vs. R-2 – Should they be different or the same

Conclusion

Staff recommends that the Planning Commission open the public hearing, take testimony, and continue to discuss possible changes to the Off-street Parking and Loading Standards in the Los Alamitos Municipal Code; and, if appropriate, direct Staff to draft a resolution of recommendation to the City Council for an ordinance making changes to Chapter 17.26 and possibly other sections of the Los Alamitos Municipal code, concerning Off-street Parking and Loading.