1. CALL TO ORDER
The Planning Commission/Subdivision Committee met in Regular Session at 7:15 p.m., Wednesday, February 28, 2018, in the Council Chamber, 3191 Katella Avenue, Chair Andrade presiding.

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

Absent: Sofelkanik (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 DeBolt.

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. Approval of Minutes
A. Approve the Minutes for the Regular Meeting of November 29, 2017.

Commissioner Andrade noted the following corrections:
- Page 5, last paragraph should read, “the Planning Commission appointed Commissioner Riley”.
- Commissioner Sofelkanik questioned the spelling of John Reekstin.

Motion/Second: Grose/DeBolt
Carried 5/0 (Sofelkanik absent and Riley abstained): The Planning Commission approved the minutes of the Regular meeting of January 24, 2018.

6. DISCUSSION
None.
Applicant, Jessica Borello thanked the Planning Commission and Staff for their time and consideration of this project. Ms. Borello provided a brief presentation depicting the concept of her proposed business.

Voula Douglass, manager for the I Love Kickboxing Franchise in Yorba Linda brought forward a letter written by their neighboring businesses expressing positive feedback of their business.

Kim Walker, manager for this I Love Kickboxing location and resident of the City submitted the results of a Noise Study completed. Ms. Walker added that the results indicated that there would be no impact to the neighboring businesses.

Jesse Barba Junior Designer for Creative Heights provided a brief presentation to the Planning Commission of the proposed remedies to provide noise control; those changes include, extra soundproofing and sealing the electrical penetrations.

John Davies, owner of the Physical Therapy business at 4220 Katella Avenue expressed concern over the noise the proposed business would generate as a result of the holes in the ceiling even if it is blocked with the sound wall. An additional concern is the potential issues with parking. Mr. Davies is troubled by the concern his patients have and in addition to the code interpretation of this type of business going within this zone.

Robert Espinoza, resident of Rossmoor came forward to express support for this business.

Raquel Davis, wife of Mr. Davies expressed opposition to this business opening up at the proposed location due the noise impact it will have on the predominant aging population that their business serves.

Rene Lord, employee of the Physical Therapy business at 4220 Katella Avenue expressed concern over this potential business not being categorized under the right zoning.

Resident of Rossmoor, Elizabeth Hanning asked why it is that the business is not moved over one space to where it would leave a vacant space between I Love Kickboxing and the Physical Therapy Center.

Ms. Borello presented a letter for the record to state that she is in the midst of negotiation with the landlord to move one space over, closest to the Edible Arrangements with the same proposed changes to the units.

Gus Angelopoulos owner of I Love Kickboxing in Yorba Linda expressed support for this business. Mr. Angelopoulos added that he has the same set-up at his business and has never had any problems with his neighboring businesses.
Associate Planner Oliver summarized the staff report.

Vice Chair Riley opened the public hearing.

Nickolas Zamvakellis came forward to speak on behalf of the applicant.

Mr. Zamvakellis provided a brief presentation to the Planning Commission to illustrate the differences in the quality of material used for this project.

Contractor John Durante came forward on behalf of the applicant and gave a brief presentation of the difference between the split-face and smooth-face block wall.

Contractor Michael Hearts came forward on behalf of the applicant and gave a brief presentation as to why the roof rafters were installed as they were.

Steve Stapakis, representative for the applicant came forward to discuss the changes made without proper approval. Mr. Stapakis brought forward the following revisions:

- Three windows added for lighting in the kitchen
- The step is not necessary at the entrance
- The curb in the open space is not necessary
- Window shutters will be added when the rest of the revisions are addressed
- Fascia added to support the gutters as required by the WQMP’s

Mr. Stapakis stated that these changes were made because they felt they were the best changes for the neighborhood.

Shelly Myers commented that she is happy with the developments completed by Mr. Zamvakellis, and supports the PVC type of fencing.

Commissioner Andrade asked and received a response from the applicant as to why these types of materials were not brought up prior to approval of the plans; Mr. Stapakis stated that details are missed.

Commissioner Grose asked and received clarification from the Assistant City Attorney about what liability the City has if a tenant is injured while occupying the units without an issued Certificate of Occupancy; City Attorney Carney stated that the City has exposure for that however, the City can take steps to legally force them to move out of the property until a Certificate of Occupancy is obtained.

Commissioner Andrade added that it is not about the material but rather the process in which all of these changes were made and the fact that the process was not followed.
(action: okay to remain as-is)
- Split face block was used for fending rather than a stucco-covered masonry wall
  (action: okay to remain as-is)
- Some of the units do not have front door steps
  (action: have Building & Safety assess and determine if it is necessitated)
- Window shutters are missing on north elevation
  (action: will install once everything is completed)
- The last unit on the east end of the project has a large section of cement that has never been finished
  (action: required to correct)
- Several of the plants in the parkway will grow taller than the allowed height requirements for parkways and will obstruct vision
  (action: maintain vegetation on a regular basis as required by code)

Motion/Second: Grose/Andrade
Carried 5/0 (DeBolt recused himself, Sofelkanik absent): Partial approval and partial denial of modification proposed and direct the City Attorney to bring back a resolution with said changes.

RECESS
The Planning Commission took a brief recess at 9:20 p.m.

RECONVENE
The Planning Commission reconvened at 9:26 p.m.

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)

Development Services Director Mendoza summarized the staff report.

Chair DeBolt opened the public hearing.

Steve Stapakis, representative for the applicant stated that they do not have a project ready to present yet. Mr. Stapakis stated that it will be two-stories in reference to note 11 – it will be two stories on grade.
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.

Development Services Director Mendoza summarized the staff report.

Chair DeBolt opened the public hearing. There being no speakers, Chair DeBolt closed the public hearing and brought the item back to the Commission for discussion.

Chair DeBolt asked and received clarification from Development Services Director Mendoza that there is no distinction the proposed changes apply to both the R-2 and R-3 zones.

Motion/Second: Culty/Grose

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.

Development Services Director Mendoza summarized the staff report.

Traffic Engineer Iranitalab provided a brief presentation of what the turning radius for vehicles that are exiting garages.

Chair DeBolt asked for discussion at the next meeting of the current parking differences between multi-family and condominiums in the Municipal Code.
Motion/Second: Grose/Riley
Carried 6/0 (Sofelkanik absent): motion to continue the item for discussion at the next scheduled Planning Commission of March 28, 2018.

9. STAFF REPORTS
None.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
Development Services Director Mendoza provided lights are lit on the Los Alamitos Boulevard median. The lane configuration is under review; paving will follow once a decision is made on the configuration.

Development Services Director Mendoza advised that the projected start date for the construction of the hotel remains as April 1st.

11. COMMISSIONER REPORTS
Commissioner Loe briefly discussed the practices by other Cities in decision making and the process of their Planning Commission and City Council meetings.

Chair DeBolt commented on the memorandum sent to the Planning Commission from Assistant City Attorney Carney discussing the process as to how meetings are to be held. Assistant City Attorney Carney clarified that when a resolution is brought back to the Commission following an approval or denial, the applicant is not able to come back and re-argue their entire project unless the Commission is okay with that occurring.

Development Services Director Mendoza informed the Commission that generally, Staff has pre-meetings with the applicants that are presenting to the Planning Commission so that they may familiarize themselves with the process to get a feel of the setting in the Council Chamber.

Commissioner Grose extended an invitation to the Planning Commission to attend an Honored Citizens event at the Los Alamitos Museum March 11, 2018 at 2 p.m.

12. ADJOURNMENT
The Planning Commission adjourned the meeting at 10:26 p.m.

ATTEST: Art DeBolt, Chair

Michelle Müller, Department Secretary