MINUTES OF PLANNING COMMISSION/SUBDIVISION COMMITTEE MEETING
OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – August 22, 2018

1. CALL TO ORDER
The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, August 22, 2018, in the Council Chamber, 3191 Katella Avenue, Chair DeBolt presiding.

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

Absent: Commissioner Cuilty

Staff: Andy Perea, Interim Development Services Director
Michael Daudt, 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
Chair DeBolt opened the meeting for Oral Communication for items not on the agenda.

There being no speakers, Chair DeBolt closed the public hearing.

5. Approval of Minutes
A. Approve the Minutes for the Regular Meeting of July 25, 2018
Motion/Second: Grose/Andrade
Carried 5/0 (DeBolt abstained, Cuilty absent): The Planning Commission approved the minutes of the Regular meeting of July 25, 2018.

6. DISCUSSION
None.

7. CONSENT CALENDAR
None.

8. PUBLIC HEARINGS
A. Site Plan Review (SPR) 18-04, Conditional Use Permits (CUPs) 18-04, 18-05 & 18-06
Planned Sign Program (PSP) 18-01
Tentative Parcel Map (TPM) 18-02
Commercial (restaurant) Building
5252 Katella Avenue

Associate Planner Oliver summarized the staff report.

Interim Development Services Director Perea noted a modification to Resolution No. 18-20, 18-21, 18-22 section 5 to state that those resolutions are subject to approval of resolution number 18 and 19.

Associate Planner Oliver stated that exhibits A and B for Resolution No.18-18, are to be switched.

Chair DeBolt asked and received clarification from Interim Development Services Director Perea regarding the submittal of a new Tract Map; adding that it was recommended that the applicants submit a new map to remove the language, which inhibits ingress and egress off Katella Avenue.

Commissioner Sofelkanik asked and received clarification from Associate Planner Oliver about the zoning for that parcel which allow restaurants in the professional office zone.

Chair DeBolt opened the public hearing.

Applicant Jim Forgey came forward and thanked staff for their work in getting through the process. Mr. Forgey added that the drive-thru speaker box is on the street side away from the neighbors.

Commissioner Sofelkanik asked and receive clarification from representative for the property owners, Joanna Baker stating that a signed Letter of Intent from Starbucks; however, it has not been presented to Staff. Commissioner Sofelkanik asked that a copy of the document be provided to staff.

Mr. Forgey added that currently there are two restaurant spaces. There is a possibility of Café Rio going in as a single tenant with Starbucks.

Ms. Baker stated that Starbucks has been working closely with the architects on the design.

Commissioner Sofelkanik asked and received clarification from Mr. Forgey regarding the hours and necessity of needing to be a 24-hour drive-thru. Mr. Forgey
stated that is a vital function to have as there is a 24 Hour Fitness and the hospital employees working through the night.

Chair DeBolt asked and received clarification from Mr. Forgey regarding the layout for the drive-thru. Mr. Forgey noted that the standard vehicles queued in a drive-thru is 10 and they have designed the project to have 11 vehicles in queue therefore exceeding the standard.

Vice Chair Riley asked and received clarification from Associate Planner Oliver stating that it will be required that the parking lot lighting be shielded per the Conditions of Approval No’s. 22-24.

Ms. Baker stated that the Letter of Intent has been executed by both parties; at this time, they are waiting for Starbucks to submit the lease.

Commissioner Sofelkanik asked and received clarification as to why this project was brought before the Planning Commission prematurely. Associate Planner Oliver stated that the project cannot be approved based on the type of business going in.

Staff and the Planning Commission discussed the future challenges that could be faced from approving a drive-thru at that location.

Chair DeBolt asked and received clarification from City Attorney Daudt that an approval cannot be conditioned and tied to a tenant. However, there are options to address issues such as noise. Furthermore, there could not be a time limit set to an approval. An approval is an entitlement that will run with the land.

Vice Chair Riley added that should the conditions of approval be violated, staff would be able to pursue revoking a CUP.

Staff and the Planning Commission discussed the pros and cons of having a drive-thru open late at night.

Staff and the Planning Commission discussed the liking of the drive-thru layout.

Commissioner Sofelkanik asked and received clarification from Interim Development Services Director Perea that there is always the possibility of the configuration being modified by future tenants however, any future modifications will require that it go before the Planning Commission again.

Commissioner Grose expressed concern of the lights that might reflect off the cars in the evening. Furthermore, adding that perhaps considering requiring additional screening to prevent that from happening. City Attorney Daudt referenced condition 44 from the Conditions of Approval which addresses the lighting from vehicles.
Motion/Second: Loe/Grose
Carried 5/1 (Sofelkanik opposed, Cuilty absent): Adopt Resolution No. 18-18, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SITTING AS THE SUBDIVISION COMMITTEE, APPROVING TENTATIVE PARCEL MAP 18-02 (MAP NO. 2018-166) TO REMOVE AN ACCESS RESTRICTION FROM A 1976 RECORDED PARCEL MAP FOR 5252 KATELLA AVENUE IN THE COMMERCIAL-PROFESSIONAL OFFICE ZONE (C-O), APN 222-021-13, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JIM FORGEY, ARCHITECTS ORANGE)."

Motion/Second: Loe/Grose
Carried 5/1 (Sofelkanik opposed, Cuilty absent): Adopt Resolution No. 18-19, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 18-04 TO PERMIT THE CONSTRUCTION OF A 5,200 SQUARE FOOT COMMERCIAL BUILDING AT 5252 KATELLA AVENUE IN THE COMMERCIAL-PROFESSIONAL OFFICE ZONE (C-O), APN 222-021-13, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JIM FORGEY, ARCHITECTS ORANGE)."

Motion/Second: Loe/Grose
Carried 5/1 (Sofelkanik opposed, Cuilty absent): Adopt Resolution No. 18-20, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 18-04 TO PERMIT A DRIVE-THROUGH FOR A RESTAURANT AT 5252 KATELLA AVENUE (TENANT A, ON THE BUILDING'S WEST SIDE) IN THE COMMERCIAL-PROFESSIONAL OFFICE ZONE (C-O), APN 222-021-13, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JIM FORGEY, ARCHITECTS ORANGE)."

Motion/Second: Loe/Grose
Carried 5/1 (Sofelkanik opposed, Cuilty absent): Adopt Resolution No. 18-21, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 18-05 TO PERMIT OUTSIDE SEATING FOR A RESTAURANT AT 5252 KATELLA AVENUE (TENANT A, ON THE BUILDING'S WEST SIDE) IN THE COMMERCIAL-PROFESSIONAL OFFICE ZONE (C-O), APN 222-021-13, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JIM FORGEY, ARCHITECTS ORANGE)."

Motion/Second: Loe/Grose
Carried 5/1 (Sofelkanik opposed, Cuilty absent): Adopt Resolution No. 18-22, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 18-06"
FOR EXTENDED HOURS OF OPERATION FOR A RESTAURANT AT 5252 KATELLA AVENUE (TENANT A, ON THE BUILDING’S WEST SIDE) IN THE COMMERCIAL-PROFESSIONAL OFFICE ZONE, APN 222-021-13, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JIM FORGEY, ARCHITECTS ORANGE).

Motion/Second: Loe/Grose

B. Consideration of a zoning code amendment concerning small wireless cellular installations (also referred to as small cell sites) within the City of Los Alamitos. (Citywide) (City initiated).

Associate Planner Oliver summarized the staff report.

Commissioner Grose stated that she has seen some these types of wireless installations along the riverbed.

Motion/Second: Grose/Loe
Carried 6/0 (Cuilty absent): motion to keep the public hearing open and continued to the next regular scheduled Planning Commission meeting on Wednesday, September 26, 2018.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
Interim Development Services Director Perea provided the Planning Commission with following updates:

- City Council approved parking code amendment 18-02, which addresses tandem parking, interior dimensions of garages and the back-up.
- City Council approved a contract for the new Development Service Director, Les Johnson who is set to start on September 17th.
- Last meeting with the Planning Commission will be in September.
- Wireless SB 1357 has been put on hold for a year therefore no further hearings for a year.

Chair DeBolt thanked Interim Development Services Director Perea for his work.

11. COMMISSIONER REPORTS
12. ADJOURNMENT
The Planning Commission adjourned the meeting at 7:43 p.m.

ATTEST:

Art DeBolt, Chair

Andy Perea, Secretary