

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

REGULAR MEETING – September 23, 2020

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:05 p.m., Wednesday, September 23, 2020, in a video conference, Chair Andrade presiding. As a result of the State of Emergency in California due to the threat of COVID-19 and pursuant to Governor Newsom Executive Order N-25-20 issued on March 12, 2020, all members of the Planning Commission/Subdivision Committee attended telephonically.

2. ROLL CALL

Present: Commissioners: Vice Chair Grose
Cuilty, DeBolt, Loe, Riley, and Sofelkanik

Absent: Chair Andrade

Staff: Chet Simmons, City Manager
Ron Noda, Acting Deputy City Manager
Michael Daudt, City Attorney
David Cain, Fiscal sustainability Manager
Tom Oliver, Associate Planner
Michelle Muller, Management Analyst
Maria Veronica Enciso, Department Secretary

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chair Grose.

4. PRESENTATION

A. Measure Y

City Manager Simmons and Fiscal Sustainability Manager Cain presented on Measure Y.

5. ORAL COMMUNICATIONS

Department Secretary Enciso advised there were two public comments received through email, agenda item 8A and 10A.

6. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of August 26, 2020

Motion/Second: DeBolt/Cuilty

Carried 6/0 (Andrade absent): The Planning Commission approved the minutes of the Regular Meeting of August 26, 2020.

ROLL CALL VOTE

Chair Andrade	(absent)
Vice Chair Grose	Aye
Commissioner Cuiilty	Aye
Commissioner DeBolt	Aye
Commissioner Loe	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	Aye

7. CONSENT CALENDAR

None.

8. PUBLIC HEARING

A. Conditional Use Permit (CUP) 20-03

Massage Establishment in the Town Center Mixed Use (TCMU) Zone

Consideration of a Conditional Use Permit for a massage establishment proposed for 10900 Los Alamitos Boulevard, Suite 129 in the Town Center Mixed Use (TCMU) Zoning District (Applicants: Wuttipat Charoenmit & Panisara Buttasu), APN 242-171-08.

Associate Planner Oliver summarized the staff report.

Vice Chair Grose opened the Public Hearing.

Narumon, investor and lead message therapist of Ch'Chada Thai Message introduced herself.

Bob, project manager, shared what the business is about.

Vice Chair Grose asked and received confirmation from Department Secretary Enciso that there was only one public comment received for the agenda item.

Commissioner DeBolt shared that he found that the applicants are current restaurant business owners of Thailusion and that they are already invested in the community.

Vice Chair Grose closed Public Hearing.

Commissioner DeBolt asked staff if the new employees of the business are vetted through City staff. City Attorney clarified that it is governed by the massage establishment regulations under Title 5 of the code.

Vice Chair Grose asked if the message therapy goes through the consumer affairs board. Daudt clarified that the CAMTC is the regulatory body at the state level that now oversees message therapy.

Motion/Second: Gary/DeBolt

Carried 6/0 (Andrade absent): Adoption Resolution No. 20-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 20-03 TO ALLOW A MASSAGE ESTABLISHMENT AT A 1,350 SQUARE FOOT UNIT IN THE TOWN CENTER MIXED-USE ZONE AT 10900 LOS ALAMITOS BLVD., STE. 129, APN 242-171-08 (APPLICANTS: WUTTIPAT CHAROENMIT & PANISARA BUTTASU)."

ROLL CALL VOTE

Chair Andrade	(Absent)
Vice Chair Grose	Aye
Commissioner Cuiilty	Aye
Commissioner DeBolt	Aye
Commissioner Loe	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	Aye

9. STAFF REPORT

None.

10. DISCUSSION

A. Conditions of Approval – Los Alamitos Luxury Apartments, located at 3342 Cerritos Avenue

The Planning Commission adopted Resolution No. PC 18-28 on November 28, 2018, authorizing the construction of a 107-unit apartment project at 3342 Cerritos Avenue ("Los Alamitos Luxury Apartments"). At its regular meeting on August 26, 2020, the Planning Commission directed staff to agendize for future discussion the conditions of approval appended to Resolution No. PC 18-28. This item provides an opportunity for the Planning Commission to discuss the conditions of approval of the Los Alamitos Luxury Apartments project.

City Attorney Daudt summarized the staff report.

Commissioner Sofelkanik asked for the staff from the Los Alamitos Luxury Apartments to introduce themselves.

Doug Dennington, lawyer representing the Los Alamitos Luxury Apartments.

Scott Felix, representing the managing member of the Los Alamitos Luxury Apartments.

Commissioner DeBolt discussed his concern of the recordation of a notice of vapor barriers in the [conditions of] approval and requested on an update if vapor barriers were installed as part of the remediation plan.

Doug Dennington shared that a letter was provided on September 14, 2020 to the Planning Commission that addresses the condition in discussion. He also discussed the vapor barriers that have been installed and inspected.

Scott Felix added that the vapor barriers were signed off and inspected on August 17, 2020 and then expressed his confusion to why this issue is being discussed.

Commissioner Sofelkanik shared that there are two things that need to be check off the list:

1. Does the development project have a vapor barrier?
2. City requirement of project applicant developer shall be required to record a separate notice to provide notification of the presence of vapor berries to future project residents.

Scott Felix clarified that the vapor barriers were installed shortly before the August 14, 2020 inspection and there are still hundreds of items left to be completed as part of the project prior to the occupancy. He also expressed that the discussion of this item is not necessary and he and his team has made themselves available to meet with the City to discuss any concerns.

Commissioner Sofelkanik and Scott Felix discussed the inspection that was made and if the Santa Ana Regional Water Quality Control Board is the agency that oversees the final inspection of the vapor barriers.

Commissioner DeBolt shared that what prompted this discussion was the initial document that was not recorded per the requirement of the conditions of approval.

Commissioner DeBolt and Scott Felix discussed the recordation of the resolutions with the County.

Acting Deputy City Manager Noda clarified that staff will do their due diligence to make sure the conditions are completed prior to the certificate of occupancy and emphasized the importance of working together.

Scott Felix shared that he agrees with working together with the City and should anyone have any questions, he welcomes a conversation with staff.

Doug Dennington requested to make the September 14, 2020 letter as part of the record.

Vice Chair Grose confirmed the recordation.

Commissioner Sofelkanik also adds to record the September 17, 2020 letter.

City Attorney confirmed the recordation.

Vice Chair Grose thanks Scott Felix and Doug Dennington for their time.

Commissioner Riley asked if the Kennedy Letter that was received needed to be discussed and City Attorney Daudt clarified that the letter is on record and will be available if any members of the public are interested.

11. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None.

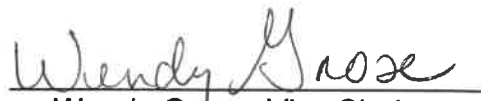
12. COMMISSIONER REPORTS

Vice Chair Grose reminded the commission of the Trunk or Treat event on October 24, 2020 and thanked the staff and commission for their participation and cooperation at tonight's meeting.

13. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:08 p.m.

ATTEST:


Wendy Grose, Vice Chair


Maria Veronica Enciso, Department Secretary

