

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA PLANNING COMMISSION/SUBDIVISION COMMITTEE SPECIAL MEETING

Wednesday, November 18, 2020 – 7:00 PM

SAFETY ALERT –NOTICE REGARDING COVID-19

Due to COVID-19, the City of Los Alamitos Planning Commission Meeting on November 18, 2020 will be conducted by videoconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20. The public may access the meeting electronically or telephonically.

Pursuant to Executive Orders and given the current health concerns, members of the public can access meetings by using your phone to dial +1 (301) 715-8592 and enter the Meeting ID: 885-9718-1663. Your microphone will be disabled upon entry for the duration of the meeting. **Members of the public may not attend the meeting in person.**

The public can submit comments to planningcommission@cityoflosalamitos.org with the subject line "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT NON-AGENDA ITEM." Comments **received by 4:00 p.m.** will be compiled and provided to the Planning Commission and made available to the public before the start of the meeting. Staff will not read email comments at the meeting but the official record will include all email comments received until the close of the meeting.

Members of the public wishing to verbally deliver comments via the telephone conference can submit their requests to planningcommission@cityoflosalamitos.org **until the close of the public comment period.** The Department Secretary will compile a list of speakers who have indicated a desire to speak. Before the close of the meeting, the Department Secretary will announce each speaker, enable the speaker's microphone, and begin the three-minute timer. The speaker's microphone will automatically be disabled at the end of three minutes.

All speakers shall observe civility, decorum and good behavior. Any item submitted to the Planning Commission during the meeting shall become public record and subject to applicable disclosure laws.

NOTICE TO THE PUBLIC

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

Any written materials relating to an item on this agenda submitted after distribution of the agenda packet are available for public inspection on the City's website at www.cityoflosalamitos.org.

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

1. **CALL TO ORDER**

2. **ROLL CALL**

Chair Andrade
Vice Chair Grose
Commissioner Cuijly
Commissioner DeBolt
Commissioner Loe
Commissioner Riley
Commissioner Sofelkanik

3. **PLEDGE OF ALLEGIANCE**

4. **ORAL COMMUNICATIONS**

The public can submit comments to planningcommission@cityoflosalamitos.org with the subject line "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT NON-AGENDA ITEM." Comments **received by 4:00 p.m.** will be compiled and provided to the Planning Commission and made available to the public before the start of the meeting. Staff will not read email comments at the meeting but the official record will include all email comments received until the close of the meeting.

Members of the public wishing to verbally deliver comments via the telephone conference can submit their requests to planningcommission@cityoflosalamitos.org **until the close of the public comment period.** The Department Secretary will compile a list of speakers who have indicated a desire to speak. Before the close of the meeting, the Department Secretary will announce each speaker, enable the speaker's microphone, and begin the three minute timer. The speaker's microphone will automatically be disabled at the end of three minutes.

5. **APPROVAL OF MINUTES**

A. Approve the Minutes for the Regular Meeting of September 23, 2020

ROLL CALL VOTE

Chair Andrade
Vice Chair Grose
Commissioner Culty
Commissioner DeBolt
Commissioner Loe
Commissioner Riley
Commissioner Sofelkanik

6. CONSENT CALENDAR

None.

7. PUBLIC HEARING

None.

8. STAFF REPORT

A. Nomination and Appointment of a Member of the Planning Commission for the Waste Hauler Ad Hoc Committee

This report provides the Planning Commission with information and timeline of the Waste Hauler Agreement. The report also requests input into the nomination and appointment of one commissioner to serve on the Waste Hauler Ad Hoc Committee.

Recommendation:

Nominate and appoint a representative from the Planning Commission to serve on the Waste Hauler Ad Hoc Committee.

ROLL CALL VOTE

Chair Andrade
Vice Chair Grose
Commissioner Culty
Commissioner DeBolt
Commissioner Loe
Commissioner Riley
Commissioner Sofelkanik

9. DISCUSSION

None.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

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 ten (10) business 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 \$1,038.00 (resident)/ \$2,349.00 (non-resident) in accordance with Los Alamitos Municipal Code Section 17.60 and Fee Resolution No. 2019-15.

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at City Hall, 3191 Katella Ave., Los Alamitos, CA 90720 and on the City's website at www.cityoflosalamitos.org not less than 24 hours prior to the meeting. **Dated this 10th day of November, 2020**



Maria Veronica Enciso
Department Secretary

11/10/2020

Date

**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
Cuiltly, 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/Cuiltly

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 Cuijty	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 Massage 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 Cuijty	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 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 checked 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 barriers 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 have 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

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE AGENDA REPORT

MEETING DATE: November 18, 2020

ITEM NUMBER: 8A

To: Chair Andrade and Members of the Planning Commission

Presented By: Ron Noda, Acting Deputy City Manager

**Subject: Nomination and Appointment of a Member of the Planning
Commission for the Waste Hauler Ad Hoc Committee**

SUMMARY

This report provides the Planning Commission with information and timeline of the Waste Hauler Agreement. The report also requests input into the nomination and appointment of one commissioner to serve on the Waste Hauler Ad Hoc Committee.

RECOMMENDATION

1. Nominate and appoint a representative from the Planning Commission to serve on the Waste Hauler Ad Hoc Committee.

Background

The City of Los Alamitos is requesting proposals from qualified solid waste and recycling companies to provide residential and commercial sector solid waste, recycling, and organic waste services for a period of at least seven (7) years, with a City option to extend services to ten (10) years. The City is also requesting that responding firms provide required capacities for its organic waste for the term of the agreement. Selection of the waste hauler will also ensure the City's compliance with AB 939, AB 341, AB 1826, and subsequent State legislation as may be in place at the time the Request for Proposal (RFP) responses have been received.

Through this procurement process, the City declares its intention to maintain reasonable rates and the highest level of service for the collection, transfer, processing, landfill diversion and disposal of residential and commercial sector waste generated within the City limits. City staff would like to create a Waste Hauler Ad Hoc Committee comprising of a member of the Traffic Commission, Planning Commission, and the Parks, Recreation, and Cultural Arts Commission, a member of City Council, and businesses in

the City to provide feedback throughout the process. Members of the Waste Hauler Ad Hoc Committee will be able to provide input at three meetings tentatively scheduled:

- Thursday, December 17, 2020
- Thursday, January 14, 2021
- Thursday, February 18, 2021

RFP Schedule (Tentative)

Activity	Milestone
Electronic delivery of RFP Package	March 15, 2021
Mandatory Pre-Proposer Conference	April 2, 2021
Deadline for submittal of proposals	June 15, 2021
Complete proposal evaluation	July 7, 2021
Interview selected proposers	Week of July 12, 2021
Select proposer	July 15, 2021
Finalize agreement	August 1, 2021
Recommendation to City Council	August 16, 2021
Preparation to transition to possible new Waste Hauler	August 17 to December 2021
Roll out commercial program	January 1, 2022
Roll out residential program	January 1, 2022

Fiscal Impact

There is no fiscal impact for the nomination and appointment to the Waste Hauler Ad Hoc Committee.