

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

REGULAR MEETING – July 27, 2022

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, July 27, 2022 in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Chair DeBolt presiding.

2. ROLL CALL

Present: Commissioners:

Chair DeBolt
Loe, Grose, Sofelkanik, and Zellmer

Absent:

Andrade and Cuiilty

Staff:

Ron Noda, Development Services Director
Michael Daudt, City Attorney
Tom Oliver, Associate Planner
Maria Veronica Enciso, Department Secretary

3. PLEDGE OF ALLEGIANCE

Chair DeBolt led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair DeBolt opened the meeting for Oral Communications for items not on the agenda.

There being no speakers, Chair DeBolt closed the Oral Communications.

5. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Planning Commissioner requests separate action on a specific item.

Motion/Second: Zellmer/Grose

Carried 5/0 (Andrade and Cuiilty Absent): The Planning Commission approved the following Consent Calendar item:

**A. Findings Required by AB 361 for the Continued Use of
Teleconferencing for Meetings**

For the Planning Commission to continue to have the option to meet via teleconference during the pandemic, AB 361 requires the Planning Commission to make specific findings at least every thirty (30) days.

Recommendation:

Make the following findings by a majority vote of the Planning Commission:

1. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic, and continues to be in effect; and,
2. The Planning Commission has reconsidered the circumstances of the state of emergency; and
3. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

6. PUBLIC HEARING

A. Site Development Permit (SDP) 21-03

Development Services Director Noda summarized the staff report.

Associate Planner Oliver shared additional details of the staff report.

DeBolt opened the Public Comment.

Bill Phillips, board member of St. Hedwig, shared his support for the item.

Vice Chair Loe asked about the location of the modular building being on the baseball field or not. Associate Planner Oliver and Commissioner Zellmer confirmed that it wasn't on the baseball field.

Chair DeBolt added that based on the plans he did not see any encroachment into the fields.

Chair DeBolt asked about the lighting item (Condition 8) in the CUP. Associate Planner Oliver clarified that the item would be for the Fire Department to identify the buildings and in the future, there could be labeled (e.g. A, B, C...) buildings as there are multiple buildings.

Chair DeBolt asked about requiring a restroom near the new building. Staff clarified that it is not required.

Chair DeBolt asked about the dumpster and needing a trash enclosure. Associate Planner Oliver clarified that condition is added in all things that need construction just so that if the current dumpsters don't meet the current code that they would bring it up to code.

Commissioner Zellmer asked about the proposed fencing and it taking up a portion of a field. Applicant clarified that it would be a raised fence and would not take much space from the outfield.

Commissioner Zellmer shared his safety concern of having an iron fence and proposed a chain link fence.

Motion/Second: Grose/Zellmer

Carried 5/0 (Andrade and Cuijly absent): Adopt Resolution 2022-08, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A SITE DEVELOPMENT PERMIT (SDP) 21-03 FOR THE INSTALLATION OF TWO 960 SQUARE FOOT (EACH) MODULAR CLASSROOM STRUCTURES IN THE COMMUNITY FACILITIES (C-F) ZONE AT 3591 ORANGEWOOD AVENUE, APN 130-741-11 (APPLICANT: TUAN NGUYEN, JOSEPHS A+ BUILDERS)."

B. Conditional Use Permit (CUP) 22-03

Development Services Director Noda summarized the staff report.

Associate Planner Oliver shared additional details of the staff report.

Development Services Director Noda added that as of today the code violations have not been corrected so staff recommends to open public hearing but continue approval until next month on the condition that the applicant resolves his code violations.

Vice Chair Loe asked City Attorney Daudt how to reconcile the CUP and the code enforcement issue. City Attorney Daudt clarified that in the conditions of approval it states that the code enforcement issues be resolved in order to approve the resolution.

Chair DeBolt shared that he doesn't see approving the CUP if the code enforcement issues haven't been resolved.

Development Services Director Noda clarified that staff is asking the Planning Commission to continue the item to next month in order for the applicant to resolve the code enforcement issues he currently has.

Commissioner Sofelkanik shared for the Planning Commission to wait in order to proceed until code enforcement items are resolved.

City Attorney Daudt added that the item was noticed as a public hearing so if there is anyone wanting to speak, they should have an opportunity to do so.

Commissioner Sofelkanik noted that Planning Commission did receive letters of approval.

Chair DeBolt opened the public hearing.

Applicant, William Phillips, shared the background of the business Play it Again Sports. He also shared his personal background and being a part of the Los Alamitos community. He then asked if there is a need for a CUP based on the definition of a secondhand dealer.

Chair DeBolt mentioned to speak to the City staff regarding his question of the need for a CUP.

William Phillips explained that he's driven around the City and found other businesses that have done temporary signs and banners like he had/has. He also explained why the storage container is stored and having bikes taking up a parking space.

Chair DeBolt made a comment that the City staff has received compliments from many applicants over the years regarding how easy it is to work with the staff and how they helped them through the process.

Commissioner Zellmer asked about the outside sales being available at other locations. Development Services Director Noda clarified that there are locations with outside sales that are permitted and specifically clarified the location of Play it Again Sports and having outdoor sales.

Applicant, William Phillips, discussed other locations where items are being displayed on walkways.

Chair DeBolt clarified that there is a process in displays on the walkway.

Commissioner Zellmer asked if the item be pushed to 60 days instead of 30 days to give applicant time to resolve the items.

Vice Chair Loe shared that he doesn't believe that it doesn't matter if he's given 30 days or 60 days, and that the items get resolved sooner than later.

Joe Shade shared her support for William Phillips and the business.

Commissioner Sofelkanik shared that this item isn't about the applicant, but the property.

Vice Chair Loe commented that the City would like to encourage and foster.

Motion/Second: Grose/Sofelkanik

Carried 5/0 (Andrade and Cuijly absent): The Planning Commission agreed to move this item to the next Planning Commission meeting on August 24th, 2022.

C. Consideration of a Resolution of Recommendation to the City Council for Adoption of a Negative Declaration Pursuant to the California Environmental Quality Act (CEQA) and Approval of a Draft Comprehensive Update of the City's Housing Element for the Reporting Period of 2021-2023 (GPA 21-01)

Development Services Director Noda summarized the staff report.

Associate Planner Oliver shared additional items from the staff report.

Development Services Director Noda shared that the draft is for the sixth cycle which is an eight-year span and wanted to note that a lot can change in that time frame.

Commissioner Sofelkanik shared that he understands the difficulty that the City is faced. He mentioned the use of Civic Center and changing the R4 designation. Development Services Director Noda shared the process the City went through to find properties. City Attorney Daudt added that the City could have future general plan amendments and zoning land use allocation to shift from residential to retail.

Chair DeBolt shared that the City property would need to go through City Council for approval to sell to a developer.

Chair DeBolt asked if the City had property owners who did not want to be included in the housing element. Development Services Director Noda shared that the Arrowhead property was the largest property that opted out.

City Attorney Daudt clarified that a property owner simply opposed to the zoning code change or general plan designation change isn't enough to [remove from Housing Element]. He added that the issue the City had with Arrowhead was they were bounded by a long-term ground lease for industrial uses on the property.

Chair DeBolt opened the public comment.

Mamie Wong shared her concerns with the requirement for density, number of units, and eminent domain.

Development Services Director Noda clarified eminent domain and the planning for the Housing Element.

Chair DeBolt mentioned for the resident to reach out to the City staff.

Commissioner Sofelkanik shared to the resident to encourage other residents in the community to help voice their opinions.

Chair DeBolt clarified the Planning Commission approval of the item will allow it to go to City Council for discussion. He also shared for the resident to reach out to the state elected officials to express their concerns.

Chair DeBolt and City Attorney Daudt discussed eminent domain and the likelihood of that kind of scenario happening.

Commissioner Zellmer added that in the Housing Element plan it is all commercial and no residential.

Motion/Second: Grose/Zellmer

Carried 5/0 (Andrade and Cuijly absent): Adopt Resolution No. 2022-07, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RESCINDING PLANNING COMMISSION RESOLUTION NO. 2022-04 AND RECOMMENDING THAT THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION, AND APPROVE GENERAL PLAN AMENDMENT 21-01, UPDATING THE LOS ALAMITOS HOUSING ELEMENT (2021-2029)."

7. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

Associate Planner Oliver shared an update on the Chevron project.

Development Services Director Noda updated on the following:

- Arterial Street Name Signs have been completed and the old signs will be available for sale
- National Night Out on August 2 at Little Cottonwood Park

8. COMMISSIONER REPORTS

Commissioner Sofelkanik asked about the project on Oak Street and shared his wants to have Civic Center be moved.

Commissioner Grose asked if there will be food trucks at National Night Out.

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:30 p.m.

ATTEST:


Art DeBolt, Chair

R. Noda

Ron Noda, Development Services Director