

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

REGULAR MEETING – October 25, 2023

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:01 p.m., Wednesday, October 25, 2023, in the Council Chamber located at 3191 Katella Avenue, Los Alamitos, CA 90720, Chair Loe presiding.

2. ROLL CALL

Present: Commissioners: Chair Loe
Andrade, DeBolt, Culty (absent), Grose,
Sofelkanik, Zellmer

Staff: Gabriela Martinez, Department Secretary
Irving Montenegro Jr., Development Services
Manager
Michael Daudt, City Attorney
Tom Oliver, Associate Planner

3. PLEDGE OF ALLEGIANCE

Vice Chair Loe led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair Loe opened oral communication.

Chair Loe closed oral communication.

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.

A. Approve the Minutes of the Regular Meetings of September 27, 2023

Motion/Second:

Carried 6/0 (Grose/Zellmer) Culty absent: The Planning Commission approved the Regular Meeting minutes of September 27, 2023.

6. PUBLIC HEARING

**A. Site Development Permit (SDP) 23-01 – Three Story, Four Unit Multiple
Family Residential Project**

Chair Grose accused herself due to living within 500 feet of the development.

Associate Planner Oliver summarized the staff report.

Chair Loe opened the discussion to the commission.

Commissioner Sofelkanik shared that the commission lacks jurisdiction to condition Accessory Dwelling Units (ADUs).

Motion/Second:

Not Carried 2/0 (Sofelkanik/DeBolt): Send the plans back to the Planning [Division] to have the applicant delete any reference to ADUs.

Commissioner DeBolt briefly discussed a concern over references to an ADU in the project.

Commissioner Sofelkanik asked for clarification from City Attorney Daudt as to whether his position was justified.

City Attorney Daudt advised the commission to make sure Public Hearing is open to residents.

City Attorney Daudt advised that the Commission's purview pertains to the site development permit review, as a discretionary process that enables the Commission to consider the proposed 3-story, 4-unit development and related parking and storage structures. Additionally, he stated that the ADU is a ministerial by right approval, that cannot be subject to any sort of discretionary review. Furthermore, stating that it cannot be considered within the confines of a public hearing as it is only subject to review by the Planning Director.

City Attorney Daudt briefly discussed the proposed plans and the challenges with disentangling the proposed site development permit, from what is suspected to eventually become an ADU and deems that it is appropriate for the Planning Commission to solely consider the site development components and avoid any consideration and review of the ADU aspect.

Commissioner Zellmer shared his concerns about the proposed storage unit, and the possibility of it being converted to an ADU, and how it would impact parking.

City Attorney Daudt briefly referenced the plans and where ADUs are referenced, including on the second floor.

Commissioner Zellmer asked for an addition to the proposed motion to include the removal of references to ADUs. City Attorney Daudt advised that the proposed motion is consistent with what is being sought.

Chair Loe opened the public hearing.

Property Owner Nader Faraji asked for clarification pertaining to the request from the Commission.

Chair Loe provided clarification stating that there should be no reference to ADUs on the plans as it changes the evaluation of the project.

Mr. Faraji asked for clarification about what could be considered for parking if the ADU is eliminated, and whether that would provide sufficient parking. Associate Planner Oliver advised that it would not [meet the requirements] for parking.

Chair Loe reiterated that the Commission is seeking to have plans that do not refer to ADUs, as it would eliminate any consideration based on the ADU. Chair Loe briefly discussed the challenges of considering the plans with reference to ADUs.

Chair Loe brought the item back to the Commission.

Commissioner Sofelkanik reiterated his motion stating that the intent is to have the plans sent back to the Planning [Division] to have the applicant delete any references to ADUs therefore solely referencing the multifamily unit and any accessory units within the jurisdiction of the Commission. This includes parking, community spaces, and any other items that fall within [the Planning Commission's] jurisdiction.

City Attorney Daudt asked and received clarification from Commissioner Sofelkanik about the direction for this item, stating that the motion will include moving this item to the next regular Planning Commission meeting.

Mr. Faraji asked if it would be possible to present the plans sooner than the next meeting. Chair Loe advised that there is a possibility that the November meeting could be moved as a result of the holidays.

Development Services Manager Montenegro Jr. advised Mr. Faraji that the next meeting will be dependent on the Commission's decision, which will be communicated to him.

Motion/Second:

Carried 5/0 (Sofelkanik/DeBolt) Grose recused, Cuijty absent: Send the plans back to the Planning [Division] and have the applicant delete any reference to ADUs therefore solely referencing the multifamily unit and any accessory units within the jurisdiction of the Commission. This includes parking and community spaces and any other items that fall within [the Planning Commission's]

jurisdiction. It will then be presented to the Commission at the next scheduled meeting.

Commissioner Zelmer asked if the aesthetic of the building could be brought up for discussion. Chair Loe advised that it would be discussed at a future meeting.

Commissioner Grose rejoined the dais.

B. Noise Standard Exemptions and Definitions of Maintenance and Construction

Development Services Manager Montenegro Jr. summarized the staff report.

Chair Loe opened the public hearing.

Chair Loe asked and received clarification as to whether there is language that addresses hours of construction for issued permits. Associate Planner Oliver advised that it is not included language however it is likely communicated by the [Building & Safety Division].

Development Services Manager Montenegro Jr. added that there is more direction on what can and cannot be done for businesses and commercial projects.

Motion/Second:

Carried 4/1 (DeBolt/Gorse) Zellmer opposed, Cuijly absent: Adopt Resolution No. 2023-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT ORDINANCE 2023-05 AMENDING AND RESTATING SECTION 17.20.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING NOISE STANDARD EXEMPTIONS ASSOCIATED WITH CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITIES (ZOA 23-05) (CITY INITIATED).

8. Staff Report

A. Electric Vehicle Charging Stations (EVCS)

Associate Planner Oliver summarized the staff report.

Commissioner Grose shared her concerns for safety and access for all emergency responders.

Chair Loe received and filed the staff report.

9. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

Development Services Manager Montenegro Jr. briefly discussed the following:

- Rosenberg's Rules of Order were distributed to Commissioners for review and reference.
- Individual photos will be taken after the meeting of each Commissioner to help update the City's website.
- Consideration for adjusting the Planning Commission meeting dates for November and December. The Planning Commission unanimously decided to cancel the November meeting and move the December meeting to December 5, 2023, at 7 pm.
- The street sweeping and neighborhood permit parking survey has been launched
- The Revive Los Al Reimbursement Grant Program including its conditions for eligibility and guidelines. Further advising that it is a Program overseen by the Development Services Department.
- Introduced the Development Services intern Taeler Von Jaroschka Phol.

9. COMMISSIONER REPORTS

Commissioner Zellmer inquired if neon light-emitting diode (LED) flashing business signs are allowed in the City, and whether there were code limitations to limit or restrict them.

Associate Planner Oliver shared insight and briefly discussed that the code was changed a few years back on flashing signs.

Commissioner Grose shared her experience with the city event Trunk-or-Treat, and that it was a huge success. She then reminded Commissioners of the Winter Wonderland event on Pine Street on December 2nd.

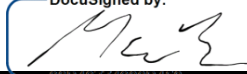
Commissioner DeBolt briefly discussed his preference for receiving large sets of plans for projects that are being considered. Additionally, he asked for consideration that the applicant submit additional copies of plans to provide for Commissioners who request it.

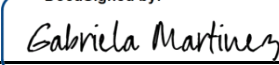
Development Services Department Manager Montenegro Jr. briefly discussed the practice moving forward for providing access to printed copies supplied by the applicant.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 7:48 p.m. to December 5, 2023.

ATTEST:

DocuSigned by:

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Gary Loe, Chair

DocuSigned by:

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Gabriela Martinez, Department Secretary