

CITY OF LOS ALAMITOS
Council Chamber
3191 Katella Ave., Los Alamitos CA 90720

PLANNING COMMISSION/SUBDIVISION COMMITTEE
AGENDA
REGULAR MEETING

Wednesday, August 28, 2024 – 7:00 PM

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 review at City Hall in the Development Services Department or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Each matter on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "for information" or "for discussion" may also be the subject of an "action" taken by the Planning Commission at the same meeting.

Agenda-related documents provided to a majority of the Planning Commission after the distribution of the Planning Commission agenda packet (GC §54957.5) will be available for public inspection at the meeting and at the Development Services office, 3191 Katella Ave., Los Alamitos, CA 90720.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out by the Department Secretary. If you need special assistance to participate in this meeting, please contact the Department Secretary at (562) 431-3538, ext. 220. Notification at least 42 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling the Development Services Office at least 42 hours in advance.

If you are unable to attend this meeting in person, you may submit comments on any agenda item or on any item not on the agenda by email to gmartinez@cityoflosalamitos.org with the subject line "PLANNING COMMISSION PUBLIC COMMENT". Comments received by 3:00 p.m. the day of the meeting will be compiled, 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.

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 500, 48 hours prior to the meeting so that reasonable arrangements may be made.

1. CALL TO ORDER

2. ROLL CALL

Chair Cuilty
Vice Chair Zellmer
Commissioner DeBolt
Commissioner Grose
Commissioner Hastie
Commissioner Legere
Commissioner Loe

3. PLEDGE OF ALLEGIANCE

4. ORAL COMMUNICATIONS

At this time, any individual in the audience may address the Planning Commission and speak on any item within the subject matter jurisdiction of the Commission. Please state if you wish to speak on an item on the Agenda. **Remarks are to be limited to not more than five minutes.**

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 of Minutes

Approve the Planning Commission/subdivision Committee Special Meeting minutes of May 7, 2024.

Recommendation:

6. PUBLIC HEARING

A. Conditional Use Permit (CUP) 24-02 Commercial Recreation - Indoors at 10842 Noel St, #103, in the Planned Light Industrial (P-L-I) Zoning District

Consideration of a Conditional Use Permit (CUP) for the use of Commercial Recreation - Indoors in a 1,155 square foot warehouse in the Planned Light Industrial (P-L-I) Zoning District at 10842 Noel Street, #103, APN 241-241-24 (Applicant: Jason Lee, F & G Golf).

Recommendation:

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 24-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 24-02 TO ALLOW Commercial Recreation – Indoors (Golf) IN a 1,155 SQUARE FOOT WAREHOUSE IN THE PLANNED LIGHT INDUSTRIAL (P-L-I) ZONING DISTRICT AT 10842 Noel Street, #103, APN 241-241-24, (APPLICANT: Jason Lee)."

7. DISCUSSION

8. STAFF REPORT

9. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

10. COMMISSIONER REPORTS

11. 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 \$1,101.00 (resident)/ \$2,349.00 (non-resident) in accordance with Los Alamitos Municipal Code Section 17.60 and Fee Resolution No. 2022-11.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the Los Alamitos City Hall, 3191 Katella Ave. and online at www.cityoflosalamitos.org not less than 72 hours prior to the meeting.



Gabriela Martinez
Department Secretary

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

SPECIAL MEETING – May 7, 2024

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in a Special Session at 7:01 p.m., Tuesday, May 7, 2024, in the Council Chamber located at 3191 Katella Avenue, Los Alamitos, CA 90720, Chair Culty presiding.

2. ROLL CALL

Present: Commissioners:

Chair Culty
Hastie, DeBolt, Loe, Grose, Legere,
Zellmer (absent)

Staff:

Irving Montenegro Jr., Development Services
Manager
Michael Wimberley, City Attorney
Tom Oliver, Associate Planner
Gabriela Martinez, Department Secretary
Chet Simmons, City Manager

3. PLEDGE OF ALLEGIANCE

Chair Culty led the Pledge of Allegiance.

4. PRESENTATION

City Manager Simmons presented the preliminary draft budget presentation for Fiscal Year 2024-25 and Fiscal Year 2025-26.

Chair Culty inquired about a hotel tax for the City.

City Manager Simmons explained the City's 8% TOT tax and how the City is currently considering a hotel tax as a form of future revenue.

Commissioner Hastie asked who are the members of the Budget Standing Committee.

City Manager Simmons responded with Mayor Pro Tem Hasselbrink and Council Member Doby and continued to explain the roles of other committees within the City.

5. ORAL COMMUNICATIONS

Chair Culty opened oral communication.

Chair Culty closed oral communication.

6. 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 Meeting of February 28, 2024

Motion/Second: Legere/Grose

Carried 6/0 (Zellmer Absent): The Planning Commission approved the Regular Meeting minutes of February 28, 2024.

7. PUBLIC HEARING

A. Conditional Use Permit (CUP) 24-01 Health/Fitness Facility a warehouse at 3620 Briggeman Drive in the Planned Light Industrial (P-L-I) Zoning District

Associate Planner Oliver summarized the staff report.

Chair Culty opened the Public Hearing.

Applicant Smylie shared a presentation on the proposed business, Red Line Athletics. He presented the following:

- He expressed his thanks to the City Staff.
- The background and business model for Red Line Athletics.
- The projected hours of operation would be Monday through Friday, 3 p.m.- 8 p.m., and Saturdays from 9 a.m. to 3 p.m.
- The current building layout will not be altered. He shared the design of the Lake Forrest location to give an insight into the look & feel of the proposed business.
- Showed a short video of what the business will look like.
- Explained his experience, background, and why he wanted to bring his business into Los Alamitos.
- He discussed the demand for this type of business within the city limits by sharing the number of participants in the local sports leagues.
- He shared the results of a petition he created and sent out to the Community, showing the demand for his type of business as a sports training facility. The response was in favor of the business.
- He shared snippets of letters he received from different Sports League Officials and business owners within the area supporting the business.
- He acknowledged the concerns that have arisen with the parking and shared that he had a parking study completed. The findings from this study have shown that there is adequate parking within the lot for the proposed new business.

- Class times and sizes will be kept at a minimum, mostly running classes in the evening. Therefore, it would not impact the parking of the surrounding businesses.
- Red Line Athletics is more of a drop-off/pick-up business. Parents will arrive, drop off their children, and then return to pick them up. Most parents at the Lake Forrest location do not stick around to watch.

Chair Culty asked about the number of classes offered at a single time.

Applicant Smylie answered with 1 class at a time.

Commissioner Hastie inquired about the number of staff members who would be present in the early hours, which could possibly impact the surrounding businesses' parking as spaces are not assigned. He shared his understanding of classes not starting until 3 p.m., but he wanted to know what was happening in the earlier hours.

Applicant Smylie provided clarification of the business and the early activity consisting of employee arrival and preparation for classes.

Commissioner Grose asked about summer and holiday hours.

Applicant Smylie shared that there are no set hours yet for the summer holidays. The hours will most likely stay the same but was non-committal.

Chair Culty opened the Public Hearing.

Joe Freire of Champions Quest shared concerns in opposition to the applicant with the following:

- Champions Quest has shown interest in buying and expanding their business into the building Applicant Smylie is speaking on, but the City has denied them in the past due to not having adequate parking for such business.
- There is already high traffic due to the surrounding businesses.
 - Post Office
 - Fairfield Inn & Suites
 - Off-campus parking for Los Alamitos High School
 - Ganahl Lumber
 - Gemini Forest Products
 - Grating Pacific
 - Ambulance Dispatch
 - School District Bus & Fleet Maintenance Center
 - Youth Sports Centers
- Continues to express concern about the City's parking requirements of 1 - 200 and how the Applicant, Smylie, must adhere to them and not be shown favoritism.

- Compares the Redline Athletics Lake Forrest location to the proposed Los Alamitos location in terms of class limits and participants at a time. Concerned about the possibility of adding people and the number of classes offered.
- Redline can be grandfathered in, and the building could be reclassified as a health and wellness business, which would increase the capacity number to 134.
- Shared Redline Athletics' franchise history and financial instability.

Resident Mark Cole took to the podium and shared concerns in opposition to the applicant with the following:

- Introduced himself and shared his history with being involved and a resident of the City of Los Alamitos.
- Shared his understanding of the zoning for the area in which the applicant is seeking approval.
- Spoke on his opposition to the proposed business and thinks it is not a good fit for the City and neighboring business.
- He is asking for the Planning Commission to deny it due to inconsistencies with the agenda report on parking demand analysis and the presentation on the hours of operations.
- He expressed concern that the parking lot is a shared lot, and even during non-operating hours of other businesses, there are not enough spots for the applicant to use.
- States the inaccuracy with the applicant's statement that the Owners Association has been non-responsive. He then lists individuals he has spoken to regarding this statement and its inaccuracy:
 - Tom Oliver
 - Ron Noda
 - Shelly Hasselbrink
- He states that he strongly disagrees with the City's statement that parking is not a problem. He believes this business will cause a big problem down the road due to parking, as it is currently an issue with the surrounding businesses.
- With representing himself and the Owners Association, they are not in favor of the proposed business entering the location of 3620 Briggeman Drive.

Commissioner DeBolt inquired if the parking lot is owned in common by the 4 unit owners or owned by the Association.

Resident Cole provided insight into Commissioner DeBolt's question by sharing the correct unit count of 8. Cole owns 2, along with 7 other owners of different units.

Commissioner DeBolt inquired if there was a parking plan in place within the Owner Associations regarding designated parking places for each business.

Resident Cole continued sharing the hardship of parking due to people other than the owners and employees of the businesses.

Chair Culty asked if there was anyone else who wanted to speak.

Resident Jeremiah DeLeon took to the podium and shared concerns in opposition to the applicant with the following:

- His connection by working directly across the street from the proposed business location.
- The applicant's proposed business has unrealistic participant numbers. Smylie proposes 5-7 participants at a time, while similar businesses run much more. This, in turn, will further exacerbate an already existing parking problem for the area of 3620 Briggeman Drive.
- Continued voicing his concern with the already impacted parking issue.
- Voiced the importance of preventing new developments from compromising the safety and well-being of existing businesses and his objection to the applicant's Conditional Use Permit for Redline Athletics.
- Strongly urges the Planning Commission to deny the application.

Wife of the Applicant, Meghan Smylie, took to the podium to clarify questions that were presented by the Commission:

- There are no existing parking assignments per the CCNR agreement, but there is a percentage of parking space permitted per listed building owner.
- Shared a City Code that anyone who is not required to get a Conditional Use Permit (CUP) and purchase the building will be able to park as many cars as desired.

Resident John Demirjian, the current owner of building 3620 Briggman Drive., shares he is in favor of the Applicant, then continues to discuss that there is no traffic and parking issue within the area.

Chair Culty asked if there was anyone else who wanted to speak.

Resident James OmerRoy took to the podium and shared concerns in opposition to the applicant with the following:

- Shares his experience with putting individuals into real estate with similar businesses and the challenges of it due to the number of participants these businesses bring.
- He doesn't believe that parents will simply drop off their children and leave. Staff, parents, and children will all play a role in the number of parking spots.
- He requests the Commission be fair when considering this business, Red Line Athletics, and future businesses regarding parking spots.

Chair Culty closed the Public Hearing.

Commissioner DeBolt inquired with Staff the following:

- His only issue is the parking. He does not have an issue with the business, just the parking. Shared Code 17.22.080 concerning joint use or shared parking.
- Asked questions regarding the ownership of the association only because it is not a single-owner parcel.
- Due to having individual owners along with parking owned by the individuals, we have to be cognizant of everybody.
- The Commission needs to know the wording of the CCR and a copy of the Deed Restriction recorded for the properties.
- His belief that not only one owner can sign the Deed Restriction in behalf of the other owners agreeing on the parking permitted to each.

Commissioner Loe wants to remind the Commission they're jurisdiction is permitting the use of the building, not the applicant.

Commissioner Hastie agreed on the code and the use of the area. He doesn't feel the business could function with simply 14 parking spaces and there needs to be more communication between the other 7 unit owners.

Commissioner Grose shared her concerns about what she feels are contradictions in the hours of operations and the training aspects that will be taught.

Chair Cuitly asked City Attorney Wimberley's perspective of the code DeBolt touched on regarding the Condo Association.

City Attorney Wimberley clarified what a deed restriction would do. It would add the particularization of uses that are approved by the Commission for that single unit/business. The deed wouldn't encumber the property in any extra manner or the other owners.

Commissioner DeBolt asked for further clarification from Attorney Wimberley.

Associate Planner Oliver provided further clarification with an example of a previous business within the City. The City doesn't have jurisdiction over individuals' deeds, but it does have jurisdiction over the business having to record it. He also clarified to Commissioner DeBolt that CCNRs are not under the City's purview in this particular meeting.

City Attorney Wimberley shared that only if the CCNR is relevant to the topic at hand can it be brought into the discussion.

Commissioner DeBolt and Associate Planner Oliver continued to discuss whether the proposed business location's parking lot is a shared parking lot.

Associate Planner Oliver states that applicant Smylie is not asking for more parking spaces than what he is entitled to. The parking study shows he is allowed 14 spaces, which is what is being asked for.

Commissioner Hastie added insight into what the parking study says. It states the applicant will need more than 14 parking spaces to be sustainable.

Commissioner DeBolt shares what seems to him: there needs to be an agreement between the owners and the tenants.

Associate Planner Oliver inquired with Commissioner DeBolt about what is triggering his desire to see a deed restriction. He asked if it was the use of the 14 allowed parking spaces or the possibility of using more than 14 spaces.

Commissioner DeBolt says he is simply reading the code and then asks if the parking lot is a shared-use or joint-use parking lot.

Associate Planner Oliver answered the parking lot is neither. Clarified the code Commissioner DeBolt is referring to is if an individual wants to use someone else parking on another property.

Commissioner Hastie shared that if approved, the Commission is approving the CUP and 20 parking spaces.

Development Services Manager Montenegro Jr. shared the importance of considering the applicant and the applicant's use. The intended use, as it is presented, is not to foresee the future or identify what could be. The focus of the discussion is only taking in the proposed information that is currently being presented.

Commissioner DeBolt inquired about the location where the document gets recorded.

City Attorney Whemberley addressed Commissioner DeBolt by providing further clarification on the CUP that will be between the City and the applicant. Any violations will be imposed by the City.

Commissioner DeBolt voiced his disagreement with Development Services Manager Montenegro Jr's statement of "not looking forward" when considering the approval of the CUP.

Associate Planner Oliver explains how Code Enforcement works regarding upholding and regulating approved resolutions. He supports the code in requiring a parking study be done and the findings that come from such a study.

Commissioner DeBolt asked which section of the code shows the requirement for a parking study.

Commissioner Hastie asked Associate Planner Oliver if the Commission approves the presented CUP as is, the Commission would be approving the use of 14 parking spaces and to get along with your neighbors. This will not be a change to the code.

Associate Planner Oliver answered yes, and it would include the approval that a parking study was done, and that it was done by a legal engineer.

Commissioner DeBolt asked for clarification again regarding the parking lot being a shared lot.

Associate Planner Oliver again stated that the Home Owners Association owns the parking lot in common with the other owners. Each owner does not own specific individual parking spots; the entire lot is owned in common.

Commissioner Hastie added that it seems like the Home Owners Associations should have a meeting regarding individual parking spots.

Commissioner DeBolt again reread the results from the parking study.

Associate Planner Oliver stated we can just agree to disagree at this point regarding what constitutes a shared parking lot.

Commissioner DeBolt continues speaking on differences between joint use and shared parking.

Commissioner Loe made a motion to deny the Conditional Use Permit (CUP) 24-0.

Commissioner DeBolt made a substitute motion to continue the discussion for a month and see an agreement signed by the other property owners,

Development Services Manager Montenegro Jr. clarified that the next meeting will be held on June 26th.

Motion/Second: DeBolt/Legere

Carried 5/1 Loe opposed (Zellmer Absent): The Planning Commission approved the continuance of the discussion for the approval of the Conditional Use Permit (CUP) 24-01 Health/Fitness Facility a warehouse at 3620 Briggeman Drive in the Planned Light Industrial (P-L-I) Zoning District to the June 26th Planning Commission meeting along with seeing a parking agreement by the Home Owners Association.

8. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

Development Services Manager Montenegro Jr. briefly discussed the following:

- The Parklet series is currently taking place and will continue every Thursday from 6:30 p.m. - 8 p.m. until June 6th.

Chair Cuiilty asked if food trucks would be present at The Parklet Series.

Development Services Manager Montenegro Jr. answered that no trucks would be present, but the City encourages the support of local businesses and/or the bringing of food.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:49 p.m. to June 26, 2024.

ATTEST:

Mary Anne Cuiilty, Chair

Gabriela Martinez, Department Secretary

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: August 28, 2024

ITEM NUMBER: 6A

To: Chair Culty & Members of the Planning Commission

Presented By: Tom Oliver, Associate Planner

Subject: Conditional Use Permit (CUP) 24-02 Commercial Recreation - Indoors at 10842 Noel St, #103, in the Planned Light Industrial (P-L-I) Zoning District

SUMMARY

Consideration of a Conditional Use Permit (CUP) for the use of Commercial Recreation - Indoors in a 1,155 square foot warehouse in the Planned Light Industrial (P-L-I) Zoning District at 10842 Noel Street, #103, APN 241-241-24 (Applicant: Jason Lee, F & G Golf).

RECOMMENDATION

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 24-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 24-02 TO ALLOW Commercial Recreation – Indoors (Golf) IN a 1,155 SQUARE FOOT WAREHOUSE IN THE PLANNED LIGHT INDUSTRIAL (P-L-I) ZONING DISTRICT AT 10842 Noel Street, #103, APN 241-241-24, (APPLICANT: Jason Lee)."

BACKGROUND

Applicant	Jason Lee, F & G Golf
Location	10842 Noel Street #103, Los Alamitos, CA 90720
Environmental	Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301, the proposed project is exempt from CEQA under the Class 1 categorical exemption since the proposed project involves no expansion of the building footprint beyond the existing area. Furthermore, all necessary public services and facilities are already available at the proposed project site, and approval of the proposed project would not result in significant adverse effects relating to traffic, noise, air quality, or

water quality.

Approval Criteria

Los Alamitos Municipal Code (LAMC), Section 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) requires the Planning Commission to approve a Conditional Use Permit (CUP) to allow this use in a unit in the P-L-I zoning district.

Noticing

The Public Hearing Notice for this meeting was mailed to property owners and commercial tenants within 1,000 feet of the subject parcel on August 14, 2024, and published in the Event News Enterprise on August 14, 2024.

Prior Actions

None in this unit.



The Applicant, Jason Lee, has submitted a Conditional Use Permit (CUP) application to ask that the City permit “Commercial Recreation – Indoors” at a 1,155 square foot warehouse at 10842 Noel Street, #103 in the Planned Light (P-L-I) Industrial Zone. This location is one of several industrial condominium units in the Noel Business Park. The business would use the warehouse space as a primary training area for golf driving/hitting bays, the front area as a lobby and reception, and custom club fitting displays. The Applicant states they will not sell equipment at this location. The proposed location is a warehouse unit that has not had a business with a business license since 2002.

DISCUSSION

The parcel and building for this request are in the City's industrial area. The Conditional Use Permit (CUP) application considers whether “Commercial Recreation - Indoors” is appropriate in this location. Concerns such as noise, parking, and safety should be considered. A CUP is approved or denied by the Planning Commission in accordance with the findings found in LAMC Chapter 17.32 (Conditional Use Permits).

According to the Zoning Code, “The Planned Light Industrial (P-L-I) zone is established to accommodate manufacturing, research and development, product assembly, equipment repair, and other light manufacturing businesses that have limited environmental impact in terms of noise, traffic, odors, hazardous materials use/production, and vibration. Other allowed uses include indoor commercial recreation uses such as fitness studios, sports courts/fields, and sports instructional

facilities, provided such uses can be found compatible with and not detrimental to the operations of the primary permitted light industrial uses. The regulation of uses and standards of development identified for the P-L-I zone are those deemed necessary to provide the proper environment for industrial businesses and to provide the proper safeguards to protect nearby residential, commercial, and public uses. The P-L-I zone implements the General Plan Planned Industrial land use designation.”

Here is how the applicant describes the business:

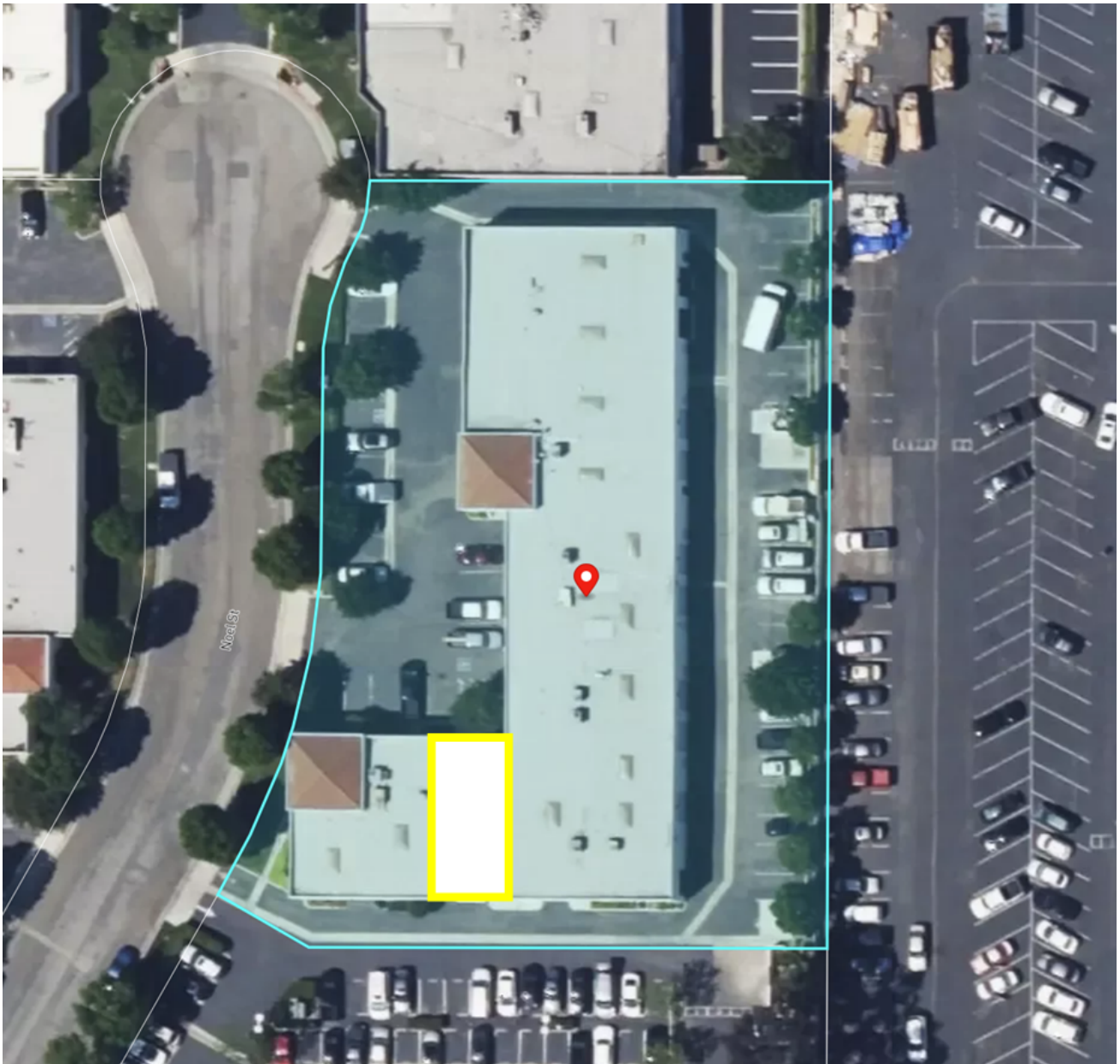
“F&G Golf is a state-of-the-art indoor golf facility. Our goal is to help golfers of all skill levels to achieve their next step. We will accomplish this through individualized private swing lessons to lower their scores and by providing custom club fitting sessions to ensure the players are using the most optimal clubs for their skill levels and swing patterns.

Through our appointment-based system, we will provide detailed attention and care to each individual in privacy and without distractions.

We will utilize the Skytrak launch monitor system to provide in-depth analysis and real-time data. In addition, we will use the industry-leading PFS Shaft Optimizer system created by Mizuno Golf, along with various other club fitting systems provided by PING, Callaway, Srixon Golf, and others, to find the best set of clubs for each player.

We will also provide a full club repair service from a simple grip change to re-shafting, lie and loft angle changes, and everything else in between.”

Location



The proposed unit, in the area denoted by the yellow box in the above picture, is in the Noel Business Park. The north, east, and west buildings are Industrial Buildings in the Planned Light Industrial (P-L-I) Zone. To the south of the parcel is an office building in the Commercial Professional Office (C-O) Zone.



The proposed floor plan is above and attached to this report. As for the hours of operation, the Applicant provided the following:

"Since we will be operating on an appointment basis, we don't have set operating hours yet. But based on past history, most of the lessons and fittings have taken place after normal work hours. As of right now, we anticipate that most of my business will take place between 3:00 p.m. to 9:00 p.m."

Staff have added a condition to the resolution that hours of operation shall stay within the daytime hours of 8:00 a.m. to 9:00 p.m. (Condition 11).

Sound mitigation

There is a question about the sound of customers driving golf balls. The Applicant provided the following:

"As for sound mitigation, the screen we will be hitting the balls is sound-absorbing. Also, we will be leaving the roll-up door open, which will allow most of the sound to escape with minimal echo. However, if that is not enough, and additional measures become necessary, we will insulate the west wall to further mitigate the sound. Staff has added the condition below to the resolution of approval."

If, at some future point, due to public complaints, it is determined that increased noise attenuation is required, the Applicant shall institute solutions that meet the director's determination of approval or denial. (Condition #14)

Parking

The "Commercial Recreation—Indoors" land use requires one parking space per 200 square feet of the unit. At 1,155 square feet, the business would require 6 parking spaces itself. There are 43 parking spaces on this parcel, and one property owner owns the building, so they divide the entire site's parking as they see fit. As you can see in the parking table below, this business does meet the parking code.

10842 Noel	Unit Number	Business Name	2nd Business	Square Footage	Type of Business	Max parking spaces allowed under lease or property management agreement
	0	Owners' Agents		0	Property Manager / leasing agent/contractors/landscapers/mail or package delivery	1
	101	General Electronic Materials Technology		1,485	general office/warehouse for production & distribution of interconnecting components/adapters/cables, non-retail	3
	102	John Weedon		1,375	general office/warehouse robotics/industrial automation solutions, non-retail	3
	103	F & G Golf		1,155	golf instruction and related sales/admin & office, non-retail	2
	104	XIX XIX, LLC dba Street Smart		670	general office/warehouse for e-commerce selling clothing and art supplies, non-retail	1
	105	Dean Grose		1,040	personal office and storage, non-retail	2
	106	Plan B Development		1,918	general office/warehouse for production & distribution of sports uniform and apparel and other general office, non-retail	4
	107	Michael Flynn		1,254	general office for commercial gas company and personal storage in warehouse, non-retail	3
	108	Nick Sleeth (temporary dead storage)		1,368	dead storage for office equipment, zoned for general office/warehouse for light industrial, non-retail	3
	109	Erz Criz Paclibar		1,254	general office/warehouse for telecommunications company, non-retail	3
	110	Lazzar Furniture Company dba Lazzar Floor Jack		1,728	general office/warehouse for hydraulic parts business, non-retail	4
	111	Firstline Medical LLC		1,728	general office/lab/warehouse for drug and other testing business, non-retail	4
	112	PAR Performance		1,728	General office and gym for one-on-one personal training business, non-retail	4
	113	PAR Performance		1,634	General office and gym for one-on-one personal training business, non-retail	4
			Total Square Footage	18,337	assigned regular stalls	41
					ADA stalls (not assignable)	2
					unassigned regular stalls	2

Findings

A. To approve a Conditional Use Permit, the Planning Commission must hold a public hearing and make findings of support for the proposed project. These findings are from the Conditional Use Permit requirements at LAMC 17.32.070, and include:

1. The proposed use is consistent with the General Plan and any applicable specific plan;

Staff Response: Here is a policy from the General Plan that pertains to this Land Use of a "Commercial Recreation - Indoors:" Land Use Element Action 3.6 "Recreation in industrial zones. Amend the zoning ordinance to implement the Limited Industrial general plan designation and preclude the use of other industrially-zoned properties for commercial recreation."

The Planning Commission has since changed this General Plan Policy, and the earlier area that allowed for uses such as Commercial Recreation facilities, known as the Limited Industrial Zone, was extended to the entire Planned Light Industrial Zone.

2. The proposed use is permitted within the applicable zone and complies with all other relevant provisions of this Zoning Code and the Municipal Code;

Staff response: Los Alamitos Municipal Code (LAMC), 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) requires Planning Commission approval of a Conditional Use Permit to allow the "Commercial Recreation - Large" use in the Planned Light Industrial (P-L-I) zoning district. A Conditional Use Permit (CUP) does not automatically denote that the use is appropriate for all locations. A CUP asks that the use be carefully considered for its fit in any particular location. Staff feel that this use in this unit is a suitable fit for the location.

3. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity:

Staff Response: This proposed location is in the Planned Light Industrial (P-L-I) Zone. This use can be conditionally permitted through the Conditional Use Permit process, which is obtained by an affirmative decision of the Planning Commission. This process considers existing and future uses in the vicinity and finds that this location is acceptable for the proposed business.

- B. The site is physically suitable in terms of:

1. Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use of the land and uses in the neighborhood;

Staff response: The building on this parcel was constructed years ago, and all the previously mentioned characteristics were designed to meet the development standards that were current at the time for an Industrial type of building. These types of industrial buildings are desirable to those who manage these types of businesses because of their large space and low rent. The proposed facility will be contained entirely within the walls of the existing industrial space. Parking is adequate to accommodate the proposed use, as shown when calculated using the City's Zoning Code requirements for this use and others in the building. If this use were to be approved, any interior tenant improvements would be required to be reviewed by the City's Building Department and the Orange County Fire Authority for compliance with building and safety standards.

2. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;

Staff response: The unit proposed for this business in this industrial building was initially built to meet the codes of the time it was constructed. All-access, as well as emergency access, was designed to meet that year's current access standards for a commercial center and has been upgraded from time to time through the years. Therefore, the streets are adequate for public and emergency vehicle access.

3. Public protection services (e.g., fire protection, police protection, etc.); and,

Staff response: This unit has historically been served by public protection services without interruption.

4. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal).

Staff response: This unit in the Planned Light Industrial (P-L-I) Zone has historically been served by adequate utility services without interruption.

5. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially harmful to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

Staff response: Other than a slight increase in parking numbers at the Center, predominantly consisting of adults coming and going would not adversely affect public convenience, health, interest, safety, or general welfare.

RECOMMENDATION

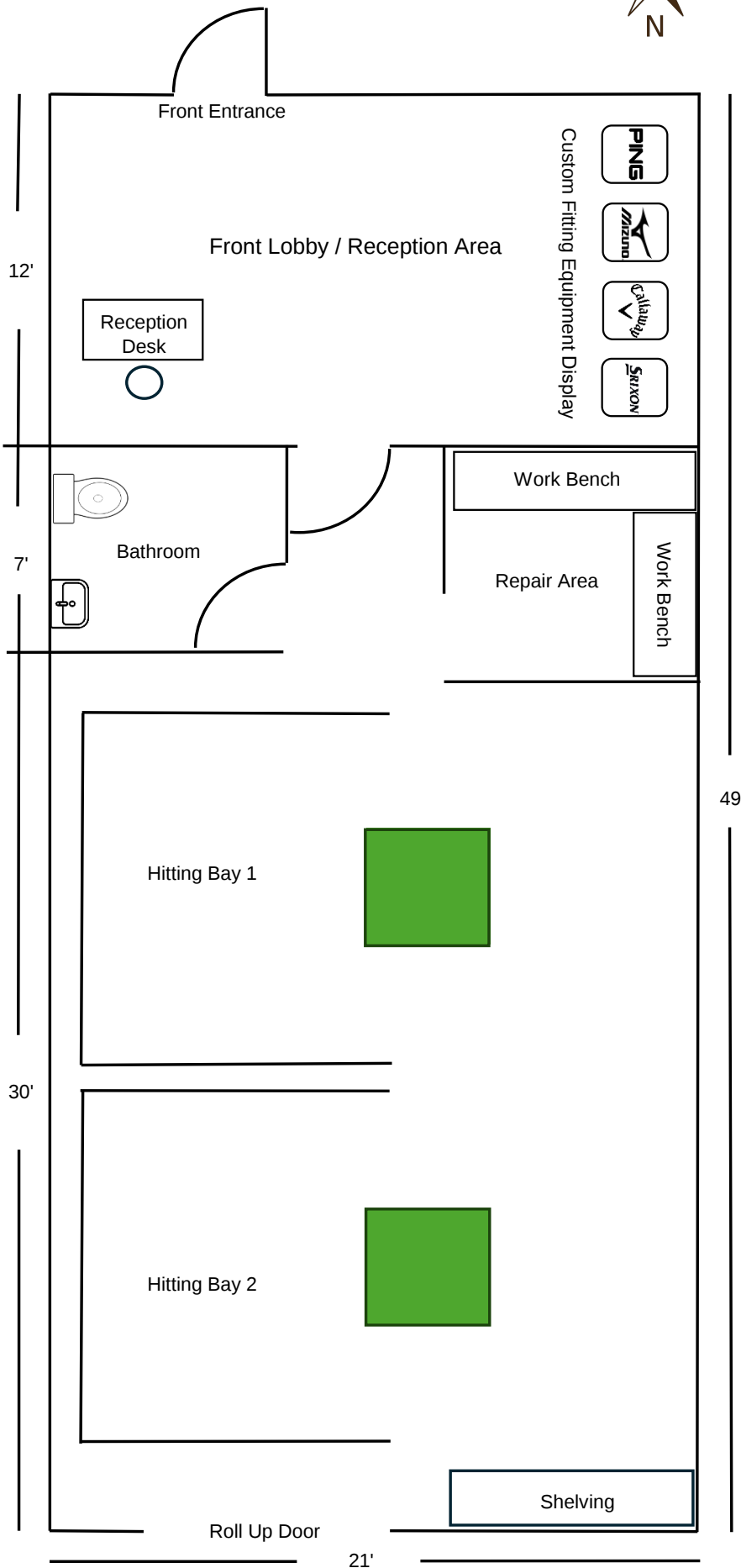


Staff has reviewed this business proposal for consistency with the General Plan, the Los Alamitos Municipal Code (LAMC), and compatibility with surrounding land uses and believes that affirmative findings can be made for the proposed CUP. Therefore, staff recommends approval.

FISCAL IMPACT

None.

Attachment: 1. F&G_Golf_Floor_Plan
 2. 8-28-2024-05 CUP 24-02- Commercial Recreation - Indoor - Approval Resolution



PLANNING COMMISSION RESOLUTION 24-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 24-02 TO ALLOW COMMERCIAL RECREATION – INDOORS (GOLF DRIVING RANGE) IN 1,155 SQUARE FOOT WAREHOUSE IN THE PLANNED LIGHT INDUSTRIAL (P-L-I) ZONING DISTRICT AT 10842 NOEL STREET, #103, APN 241-241-24 (APPLICANT: JASON LEE, F. & G. GOLF).

WHEREAS, on July 24, 2024, the Applicant, Jason Lee, submitted a complete application for the consideration of Commercial Recreation - Indoors (golf driving range with two hitting bays) in a 1,155 square foot warehouse in the Planned Light Industrial (P-L-I) zoning district at 10842 Noel Street, #103, APN 241-241-24; and,

WHEREAS, the application constitutes a request under Section 17.32.030 (Conditional Use Permits - Application Requirements) of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, the Planning Commission considered said application at a duly noticed Public Hearing on August 28, 2024; and,

WHEREAS, at this Public Hearing, the Applicant, Applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission finds that the above recitals are true and correct.

SECTION 2. Conditional Use Permit 24-02, requesting approval of a Permit for the use of Commercial Recreation - Indoors in a 1,155 square-foot warehouse in the Planned Light Industrial (P-L-I) zoning district at 10842 Noel Street, #103, APN 241-241-24, is hereby approved based upon the following findings as required by LAMC Section 17.32.070:

- A. The proposed use is consistent with the General Plan and any applicable specific plan;

Here is a policy from the General Plan that pertains to this Land Use of a "Commercial Recreation - Indoors:"

Land Use Element Action 3.6 "Recreation in industrial zones. Amend the zoning ordinance to implement the Limited Industrial general plan designation and preclude the use of other industrially-zoned properties for commercial recreation."

The Planning Commission has since changed this General Plan Policy, and the earlier area that allowed for uses such as Commercial Recreation facilities known as the Limited Industrial Zone was extended to the entire Planned Light Industrial Zone.

- B. The proposed use is permitted within the applicable zone and complies with all other relevant provisions of this Zoning Code and the Municipal Code;

Los Alamitos Municipal Code (LAMC), 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) requires Planning Commission approval of a Conditional Use Permit to allow the "Commercial Recreation - Large" use in the Planned Light Industrial (P-L-I) zoning district. A Conditional Use Permit (CUP) does not automatically denote that the use is appropriate for all locations. A CUP asks that the use be carefully considered for its fit in any particular location. The Commission has determined that this use in this unit is a suitable fit for the location.

- C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity:

This proposed location is in the Planned Light Industrial (P-L-I) Zone. This use can be conditionally permitted through the Conditional Use Permit process, which is obtained by an affirmative decision of the Planning Commission. This process considers existing and future uses in the vicinity and the Commission finds that this location is acceptable for the proposed business.

- D. The site is physically suitable in terms of:

1. Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;

The building on this parcel was constructed years ago, and all of the previously mentioned characteristics were designed to meet the development standards that were current at the time for an Industrial type of building. These types of industrial buildings are desirable to those who manage these types of businesses because of their large space and low rent. The proposed facility will be contained entirely within the walls of the existing industrial space. Parking is adequate to accommodate the proposed use, as shown when calculated using the City's Zoning Code requirements for this

use and others in the building. When approved by the Planning Commission, any interior tenant improvements would be required to be reviewed by the City's Building Department and the Orange County Fire Authority for compliance with building and safety standards.

2. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;

The unit proposed for this business in this industrial building was initially built to meet the codes of the time it was constructed. All access, as well as emergency access were designed to meet that year's current access standards for an commercial center, and have been upgraded from time to time through the years, therefore, the streets are adequate for public and emergency vehicle access.

3. Public protection services (e.g., fire protection, police protection, etc.); and,

This unit has historically been served by public protection services without interruption.

4. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).

This unit in the Planned Light Industrial (P-L-I) Zone has historically been served by adequate utility services without interruption.

E. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

Other than a slight increase in parking numbers at the Center, this use with a small number of, for the most part, adults coming and going, would not adversely affect the public convenience, health, interest, safety, or general welfare.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Conditional Use Permit (CUP) 24-02 subject to the following conditions:

Planning

1. Approval of this application is to allow Commercial Recreation – Indoors in a 1,155 square foot warehouse in the Planned Light Industrial (P-L-I) zoning district at 10842 Noel Street, #103, APN 241-241-24, with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 24-02 noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.
2. Failure to satisfy and/or comply with the conditions herein may result in revocation of this approval by the Planning Commission and/or City Council.
3. The Applicant and the Applicant's successors in interest, if any, shall be fully responsible for knowing and complying with all conditions of approval.
4. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including Planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.

Pursuant to Government Code Section 66020(d)(1), the Applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees:	N/A
Dedications:	N/A
Reservations:	N/A
Other Exactions:	N/A

5. The Applicant has ninety (90) days from the date of adoption of this Resolution to protest the impositions described above. The Applicant is also notified of the 180-day period from the date of this

notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.

6. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers for the subject application. The City will promptly notify the applicant of any such claim, action, or proceeding against the City, and the applicant will either undertake a defense of the matter and pay the City's associated legal costs or will advance funds to pay for the defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
7. The property owner/Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department. The property owner/Applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Development Services Department prior to issuance of any permits.
8. Applicant shall comply with applicable City, County, and/or State regulations.
9. Any signs shall comply with the provisions under Chapter 17.26 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Development Services Director.
10. In the event the City receives public nuisance complaints in connection with the use authorized by this CUP, the Development Services Director shall investigate such complaints in accordance with the public nuisance regulations of the Los Alamitos Municipal Code and, if nuisance conditions are found to exist, the Development Services Director may bring this CUP back to the Planning Commission to consider imposing additional conditions, amending or revising conditions, or revoking this CUP.
11. The hours of operation for this business are limited to, and shall not fall outside, the daytime hours between 8:00 a.m. to 9:00 p.m.

12. No Commercial Recreation use shall be conducted out of doors.
13. No storage facility shall be constructed out of doors.
14. If at some future point, due to public complaints, it is determined that increased noise attenuation is required, the Applicant shall institute solutions that meet the director's determination of approval or denial.

Building Department

15. Applicant shall provide full tenant improvement plans that comply with the latest City of Los Alamitos-adopted California Building Code to the Building and Safety Department before beginning any alteration, repair, construction, or change of occupancy of the building or parcel.
16. Obtain any required demolition and HVAC permits required from the City's Building and Safety Department.

Orange County Fire Authority

None.

SECTION 3. The decision of the Planning Commission is subject to a ten-day appeal period as specified in Chapter 17.60 of the Los Alamitos Municipal Code, after which such decision becomes final.

SECTION 4. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting it and shall certify as to its adoption.

PASSED, APPROVED, AND ADOPTED this 28th day of August 2024.

Chair Cuijty

ATTEST:

Irving Montenegro, Development Services Manager

APPROVED AS TO FORM:

Michael Daudt, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Irving Montenegro, Development Services Manager of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 28th day of August 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Irving Montenegro, Development Services Manager