

**PC RESOLUTION NO. 2021-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A SITE DEVELOPMENT PERMIT (SDP) 21-01 FOR THE CONSTRUCTION OF A 5,200 SQUARE FOOT MEDICAL OFFICE BUILDING IN THE COMMERCIAL PROFESSIONAL OFFICE (C-O) ZONE AT 4562 KATELLA AVENUE & 11002 SARATOGA DRIVE, APNS 222-171-04 & -05 (APPLICANT: ELIZABETH CRAIG, PROCON DEVELOPMENT).**

**WHEREAS**, on March 8, 2021, City Staff received an application from Elizabeth Craig, of Procon Development, for a Site Development Permit (SDP 21-01) requesting City approval for the construction of a 5,200 square foot medical building at 4562 Katella Avenue and 11002 Saratoga Drive in the Commercial Professional Office (C-O) zoning district; and,

**WHEREAS**, the application constitutes a request under Section 17.44.030 (Site Development Permit - Application Requirements) of the Los Alamitos Municipal Code (LAMC); and,

**WHEREAS**, the Planning Commission considered said application at a duly noticed Public Hearing on March 24, 2021; and,

**WHEREAS**, on March 24, 2021, after receiving public testimony, the Planning Commission continued the Public Hearing to April 28, 2021; and,

**WHEREAS**, the Applicant, Applicant's representatives and members of the public were provided the opportunity to present written and oral testimony; and,

**WHEREAS**, the Planning Commission reviewed Site Development Permit 21-01 at a continued public hearing on April 28, 2021, at which time it considered all of the evidence presented, both written and oral.

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

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Site Development Permit 21-01 for the construction of a 5,200 square foot, two story medical building on a .36 acre site at 4562 Katella Avenue and 11002 Saratoga Drive in the Commercial Professional Office (C-O) zoning district, APNs 222-171-04 & -05, is hereby approved based upon the following findings:

1. The proposed project is allowed within the subject zone:

Medical Offices are a permitted use in the Commercial Professional Office (C-O) Zoning District.

2. The proposed project complies with all of the applicable criteria identified in 17.44.030(B) (Application Processing, Filing, and Review—Generally), which include:

- i. Compliance with this title and all other applicable City regulations and policies;

The proposed project complies with Los Alamitos Zoning Code (Title 17) and all other applicable City regulations and policies.

- ii. Efficient site layout and design;

The layout and design of the project are adequate.

- iii. Applicable environmental review;

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, a categorical exemption for a Section 15332, Class 32, for in-fill development projects, will be prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines.

- iv. Compatibility with neighboring properties and developments with regard to setbacks, building heights, massing, location of parking facilities, and similar site design and building design features that shape how a property appears within a broader, definable neighborhood or zone context;

This building meets the standards of the Zoning Code for all of these requirements.

- v. Efficiency and safety of public access and parking and loading facilities;

The Applicant requests a waiver from the requirement to install a designated loading space, since medical offices do not usually require large loading truck deliveries at these type of locations. The Director can waive this requirement if the project were to be approved. Further, vehicular access is proposed to be accommodated on Saratoga Drive which would remove the two driveway approaches from the existing homes on Katella Avenue. This would improve traffic flow and safety on Katella Avenue.

- vi. The compatibility in scale and aesthetic treatment of proposed structures with public areas;

The Applicant has worked with Staff to add more architectural detail to the proposed project. The Commission believes that the aesthetic detail is at an acceptable level.

- vii. The adequacy of proposed driveways, landscaping, parking spaces, onsite and off-site parking, pedestrian improvements;

Vehicular access is accommodated on Saratoga Drive which removes the two driveway approaches from the existing homes on Katella Avenue. This improves traffic flow and safety on Katella Avenue. The plans are for 26 parking spaces for the building, and the 5,200 square foot medical building requires 26 spaces, therefore the parking meets the requirement. The pedestrian walkways and landscaping are at 17.5%, surpassing the 15% required by the landscape code.

- viii. The placement and use of private open spaces;

There are no private open spaces as part of this project.

- ix. The use of design techniques such as façade articulation, use of varied building finishes and materials, varied rooflines, and stepped-back stories to break up building massing;

Through paint colors, screed lines to break up the large sections of stucco, divided light windows, awnings above the windows, and crown molding at the top of each floor, the proposed structure has a modern business park type of appearance.

- x. Privacy considerations with regard to the placement and orientation balconies and windows;

The windows are 63 feet from the residential side of the property. Staff has added conditions 20 to 22 to mitigate privacy issues. These conditions consider fencing, windowsill height on the second floor, and buffering trees.

- xi. Appropriate open space and use of water-efficient landscaping both to enhance overall site design and to provide privacy screening;

The landscaping of the project is required to comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation), Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code, and any provisions in the California Green Code. Conditions 20-22 are added to the resolution to mitigate privacy issues. These conditions consider fencing, windowsill height on the second floor, and buffering trees.

- xii. Consistency with the General Plan and any applicable specific plan; and,

The use is consistent with the Professional Office General Plan Land Use designation and Goals 2, 3 and 4 of the Land Use Element.

Goal 2: Fiscally sustainable growth and economic development through a balanced mix of land uses and development types.

Policy 2.5 Skilled jobs. Attract and retain businesses that provide highly skilled and well-paid jobs.

Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.

Policy 3.1 Compatibility. Require that new nonresidential development is located, scaled, and designed to be compatible with existing adjacent neighborhoods and uses.

Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.

Policy 4.1 Pride and identity. Enhance the sense of identity and increase the feeling of pride among Los Alamitos residents, business owners, employees, and visitors through excellent physical design and continual property maintenance and improvements.

xiii. Consistency with any adopted design guidelines, policies, and standards applicable to the property and in particular, the provisions of Section 17.08.045 (Design Standards).

There are no design guidelines, policies, or standards applicable in this zone.

3. The proposed project is in keeping with the character of the neighborhood, in terms of the structure(s) general appearance;

The design and layout of the structure would not interfere with the use and enjoyment of neighboring residential developments.

4. The design of the proposed development will provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and will remain aesthetically appealing and retain an appropriate level of maintenance; and

The design of the project would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color as described in the color board. It will also provide the correct amount of parking required for medical uses.

5. The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity. (Ord. 19-03 § 3, 2019)

The removal of the aging homes on the site and replacement with a new office building would be more in harmony with the zone this parcel is in.

SECTION 3. A categorical exemption, Section 15332, Class 32 (in-fill development project) shall be prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines.

SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Site Development Permit 21-01 subject to the following conditions:

1. Approval of this application is to allow the construction of a 5,200 square foot, two story medical office building on a .36 acre site at 4562 Katella Avenue and 11002 Saratoga Drive in the Commercial Professional Office (C-O) zoning district, APNs 222-171-04 & -05, with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a Site Development Permit, noted thereon, and on file in the Development Services Department. Subsequent submittals for this project shall be consistent with such plans shown in "Exhibit A," and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code and any applicable state law. If any changes are proposed regarding the location or alteration of the plans dated February 8, 2021, 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. 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 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 defense of the matter and pay the City's associated legal costs, or will advance funds to pay for 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.
3. The Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property 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.

4. In case of violation of any of the conditions of approval or applicable law, the property owner and tenant will be issued a Notice of Correction if said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all Staff time directly attributable to enforcement of the conditions of approval, mitigation measures, and/or City law including but not limited to, revocation of the herein approvals.
5. Project plans for the project shall be subject to a complete code compliance review with the Development Services Department when the plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.
6. Approval of Site Development Permit 21-01 shall be valid for a period of twenty-four (24) months from the date the site plan was approved. If construction is commenced within this twelve (12) month period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect. The director may, upon receipt in writing from the Applicant before the expiration date, grant extensions of time up to three (3) separate twelve (12) month extensions maximum. If an extension of time is not granted, the Site Development Permit approval shall expire and a new application shall be made.

### **LANDSCAPING**

7. A Landscape Irrigation Plan prepared by a licensed landscape architect shall be submitted to the Public Works Department prior to the issuance of building permits. The Irrigation Plan shall include an irrigation system layout with the location of controllers and points of connection with data on valve sizes and gallons per minute (G.P.M.), the size and location of sleeves and all spray heads, including the location of conventional systems and drip systems; an irrigation legend with complete specifications; irrigation notes and construction details of all assemblies and components; a recommended irrigation schedule, preferably on an annual basis; and a summary block on the initial page of submitted plans that will present the above information clearly and accurately. The City reserves the right to require subsequent checks, or approval of the landscape plans prior to issuance of a grading permit.
8. All landscaping on the site, including, without limitation, trees, shrubs and other vegetation, drainage and irrigation systems, shall be permanently maintained in good, first class condition, healthy, without deterioration, free of waste and debris, through all phases of construction and after. Dead or diseased plants shall be promptly replaced with landscaping similar in type, size, and quality. Automatic Irrigation systems shall be properly maintained and other reasonable and adequate

landscape maintenance facilities and procedures shall be provided to fulfill the foregoing requirements.

9. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.
10. Trees shall be planted outside of any Sight Safety Triangle or be trimmed to eight feet from above the adjacent top of curb.

### **LIGHTING**

11. All lighting structures shall be placed so as to confine direct rays to the subject property.
12. The Applicant shall provide an illuminated address number shall be installed on the structure.

### **CONSTRUCTION BMPS**

13. The Applicant shall hand deliver a construction schedule to the adjacent tenants in the area to properly inform them of future construction including the name and 24 hour contact information for a project manager for noise, dust, and other complaints.
14. During construction, the Applicant will display a sign visible to the public from Katella Avenue with a contact number of the construction superintendent to address any questions or concerns about demolition, grading, and construction activities.
15. Hours and days of demolition, grading, and construction operations shall be prohibited between the hours of 8:00 P.M. and 7:00 A.M. on weekdays and Saturday. There shall be no construction activities on Sunday or a Federal holiday celebrated by the City of Los Alamitos without express approval by the Development Services Director.
16. Prior to demolition and construction, a perimeter security fence not exceeding seven feet in height, shall be installed around the project site. The fencing shall include a green screen material or approved equivalent. The fence/screen material shall be properly maintained and be free of rips, tears, fraying, graffiti, and any other damage or vandalism.
17. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.
18. The site shall be kept reasonably clean during construction and maintained in a safe, nuisance, and hazard-free condition. Dust control measures shall be employed to include spraying water on dry soil to ensure dust does not migrate onto adjacent properties.

### **OTHER**

19. The Applicant shall provide, as a minimum, a trash enclosure to hold two standard dumpsters for solid waste, recycling, and organics, with five (5) foot by eight (8) foot clear interior dimension for each dumpster, including a solid roof designed to the satisfaction of the Development Services Director. Walls shall be a minimum of five (5) feet high and constructed of reinforced masonry or similar material. The enclosure shall be constructed with a roof made of solid material, such as that provided by a standing-seam metal roof. Wrought iron or equivalent gates with latch shall be provided. The top one-foot of the gates shall be open work with screening; the remaining section of the gates shall have solid metal backing. Enclosures shall have an interior six-inch curb bumper. This area shall accommodate receptacles sufficient to meet the solid waste and recycling needs of the development project.
20. The wall surrounding the property shall be constructed of a decorative material such as split-face block, slump stone, or stuccoed block. No bare precision block shall be permitted. The southern wall shall be 8 feet in height.
21. The windowsill height for second story windows along the southern elevation, shall be determined subject to site-line review with the Architect and Staff. The glass used for the windows shall not have a mirrored finish.
22. The trees that serve as a buffer between the project and residences, shall be of a type that has a minimum leaf drop and a non-invasive root system. Also, they must be of a minimum size as to provide visual relief.
23. Applicant shall close any un-utilized drive approaches along the entire frontage of the project along Katella Avenue by constructing full height curb and gutter per Orange County PF&RD Standard Plans.
24. Applicant shall construct and maintain at all times a minimum of twenty-six (26) parking spaces on the combined parcels and a minimum nine (9) foot by nineteen (19) foot dimension per parking space with minimum drive aisle widths of twenty-four (24) feet, unless ADA standards require a change.

### **ENGINEERING**

25. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.
26. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
27. Hydrologic and hydraulic calculations demonstrating adequate site drainage from a 10-year return frequency storm (25-year frequency in sump areas) prepared by a Registered Civil Engineer shall be submitted with the Grading Plan.

28. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.
29. All existing off-site public improvements (sidewalk, curb and gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer, and per OCPFRD Standard Plan.
30. A City Public Works permit shall be taken out for any work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.
31. A bond or surety device shall be posted with the City in an amount and type sufficient to cover the amount of off-site and on-site work to be done, as approved by the City Engineer.
32. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the Applicant shall submit to the City for review and approval a *Final* Water Quality Management Plan (WQMP) that:
- Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
  - Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
  - Incorporates Treatment Control BMPs as defined in the DAMP.
  - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
  - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
  - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
33. All driveway, sidewalk and ADA Ramp shall meet current ADA requirements.
34. The Applicant shall underground any power poles or power lines.

### **RECREATION AND COMMUNITY SERVICES**

None

**PUBLIC WORKS**

None.

**ORANGE COUNTY HEALTH CARE AGENCY**

None.

**ROSSMOOR/LOS ALAMITOS SEWER DISTRICT**

35. Preliminary plans with the proposed lateral connections need to be submitted to RLAASD to assess if plan check, inspection, and/or a sewer study is required. Along with the preliminary plans we also need to know the SF of office space, number of beds, and estimated flows discharging into the sewer system.

**BUILDING AND SAFETY DIVISION**

36. The Applicant must comply with all current California Building Codes in effect at the time that the plans are submitted.
37. The Applicant shall submit three (3) sets of complete building plans to the Building and Safety Department for review.

**ORANGE COUNTY FIRE AUTHORITY (OCFA)**

38. Plan Submittal: The Applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

*Prior to issuance of a building permit:*

- Architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form"
- underground piping for private hydrants and fire sprinkler systems (service code PR470-PR475)
- Fire sprinkler system (service codes PR400-PR465)

*Prior to concealing interior construction:*

- Fire alarm system (service code PR500-PR520), if modified, provided voluntarily, or required by code.
- Medical gas (service code PR350)

SECTION 5. The decision of the Planning Commission is subject to a 10 business day appeal period as specified in Chapter 17.60 of the Los Alamitos Municipal Code, after which such decision becomes final.

SECTION 6. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

**PASSED, APPROVED, AND ADOPTED** this 28th day of April 2021, by the following vote:

*Wendy Grose*

Chair Wendy Grose

ATTEST:

*R. Noda*

Ron Noda, Secretary

APPROVED AS TO FORM:

*Michael S. Daudt*

Michael S. Daudt, City Attorney

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

I, Ron Noda, Planning Commission Secretary 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 April 2021, by the following vote, to wit:

AYES: GROSE, DEBOLT, ANDRADE, LOE, RILEY

NOES: NONE

ABSENT: SOFELKANIK

ABSTAIN: CUILTY

*R. Noda*

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Ron Noda, Secretary