

PC RESOLUTION NO. 2024-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT 23-02 TO PERMIT A 19,328 SQUARE-FOOT (LEASABLE SPACE) STRUCTURE, WITH ONE STORY OF MEDICAL OFFICE OVER GROUND LEVEL PARKING, AND A SECOND PARKING LEVEL BELOW GRADE, AT 10852 KYLE STREET IN THE PLANNED LIGHT INDUSTRIAL (P-L-I)/MEDICAL OVERLAY ZONE (MOZ), APN 242-155-22 (APPLICANT: HANNIBAL PETROSSI).

WHEREAS, an application for a Site Development Permit was submitted by Hannibal Petrossi for approval to construct a 19,328 square-foot structure, with one story of medical office over street level parking, and an underground parking structure level, on a .62-acre property at 10852 Kyle Street, in the Planned Light Industrial (P-L-I) Zone with a Medical (M) overlay, and,

WHEREAS, said verified submission constitutes an application as required by Chapter 17.44 Site Development Permit of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, the Planning Commission considered the said application at a duly noticed public hearing on February 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 HEREBY 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. The Planning Commission hereby makes the following findings made in accordance with Section 17.44.060 of the LAMC, which is based on all of the evidence presented, both written and oral;

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

Response: The Medical (M) overlay zone is intended to encourage and permit medical businesses as primary uses on certain lots that are north of the Los Alamitos Medical Center campus.

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

Response: The Applicant completed the appropriate application for a Site Development Permit and provided all ancillary documents required therein for a decision to be made.

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

Response: This property is on the edge of the Planned Light Industrial Zone that has been identified for medical office growth in the City due to its proximity to the Los Alamitos Medical Center.

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

Response: The environment that this project will create and its architectural aesthetics are a step above the Industrial type buildings which surround it.

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.

Response: This building would provide space for more healthcare professionals in the City, contributing to the city's welfare.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves the application described above subject to the following conditions:

1. Approval of this application is to construct a 19,328 square-foot structure, with one story of medical office over street level parking, and an underground parking level, on a .62-acre property at 10852 Kyle Street with such additions, revisions, changes, or modifications as required by the Planning Commission for the Site Development Permit noted thereon, and on file in the Development Services Department (Exhibit A). 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 the plans dated 11-5-2023 (as may be amended during the hearing), 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 Site Development Permit is approved exclusively as precise plans for the structures, materials, and features as shown on the relevant drawings referenced in No. 1, above. Any relocation, alteration, addition to, and/or use of any building or property contrary to the conditions hereunder nullifies this approving action. If any changes are proposed, 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(s) is/are consistent with the provisions, spirit, and intent of this approval action, and that such action would have been the same as the proposed change(s) for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.
3. The duration of the Site Development Permit approval shall be twenty-four (24) months from the date the site plan is approved. If construction is commenced within this twenty-four (24) month period and construction is being pursued diligently toward completion, the Site Development Permit approval shall stay in full force and effect.
4. Upon receipt in writing from the applicant before the expiration date, the director may grant an extension of time up to twelve (12) months maximum. If an extension of time is not granted, the Site Development Permit approval shall expire and a new application shall be made.
5. 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.
6. The property owner/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. Proof of such recordation shall be submitted to the Development Services Department before issuing **any** permits.

7. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
8. The applicant shall comply with applicable City, County, and/or State regulations.
9. The applicant shall comply with the Seismic Hazards Mapping Act of 1990, including the Guidelines for Evaluating and Mitigating Seismic Hazards in California 1997.
10. All electrical, telephone, CATV and similar utility services, which provide service to the proposed development, shall be installed underground in a manner meeting the approval of the appropriate department or agency, where possible.
11. The applicant and the applicant's successors in interest shall be responsible for payment of all applicable fees.
12. 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 are not included under this noticing requirement.
13. 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

The applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.

14. The applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.
15. All demolition and construction shall be done in accordance with Los Alamitos Municipal Code Demolition Chapter 8.13.

16. Project plans for the development 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.
17. 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, including spraying water on dry soil to ensure dust does not migrate onto adjacent properties.
18. During construction, the site shall be maintained and cleared of all trash, weeds, and overgrown vegetation.
19. The project shall comply with all requirements of Chapter 17.20, Noise Control, of the Los Alamitos Municipal Code.
20. Hours and days of demolition, grading, and construction operations shall be prohibited between 8:00 P.M. and 7:00 A.M. on weekdays and Saturdays. 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.
21. A licensed landscape architect will prepare detailed hardscape, landscape, and irrigation plans. Such plans will be designed in accordance with the "Landscape and Irrigation Design Requirements" of the City and approved by the Director prior to the commencement of construction.
22. 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.
23. The landscape and irrigation plan shall be submitted for review and comply with the City's Xeriscape Ordinance (Ord. No. 563). All required landscaping and irrigation shall be installed prior to the issuance of a Certificate of Occupancy.
24. 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.

25. Prior to permit issuance, the applicant shall submit a lighting plan to the Development Services Department to the satisfaction of the Development Services Director. The applicant shall provide adequate exterior lighting that maintains performance standards as described in Chapter 8.48 *Of the Los Alamitos Municipal Code's Lighting Performance Standards*.
26. All exterior mechanical equipment shall be screened from view.
27. When not enclosed in a cabinet, all utility meters shall be screened from view from any place on or off-site by either plant materials or decorative screen while allowing sufficient access for reading.
28. Any signs shall comply with the provisions under Chapter 17.26 (Signs) of the Los Alamitos Municipal Code and shall be subject to the approval of the Development Services Director.
29. The Applicant shall maintain 97 parking spaces that meet the dimensions required by the City's Municipal Code on the site for this approval.
30. All outstanding Code Enforcement Violations shall abated prior to building permit approval.
31. The refuse and recycling shall be constructed to the latest State of California required standards and in accordance with Los Alamitos Municipal Code 17.16.090.
32. The Applicant shall deliver a lot tie recordation to the Planning Department prior to the request for building permits.

NPDES

33. All water runoff shall be designed to infiltrate the ground on the site.
34. Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm the Grading Plan specifications stipulate, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires the implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:
 - a) All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;
 - b) On-site vehicle speed shall be limited to 15 miles per hour;

- c) All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
 - d) Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
 - e) All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; Track-out devices shall be used at all construction site access points; and
 - f) All delivery truck tires shall be watered down and/or scraped down before departing the job site.
35. All trucks that are to haul excavated or graded material onsite shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with particular attention to Sections 23114(b)(F) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the project applicant shall demonstrate to the City of Los Alamitos how the project operations subject to that specification during hauling activities shall comply with the provisions set forth in Sections 23114(b)(F) and (e)(4).
36. Projects less than one acre shall be identified on plans or the permit for all BMPs that will be used on the project in accordance with the Orange County Construction Runoff Guidance Manual, latest edition. BMPs will be reviewed and approved by the City prior to issuance of the permit.
37. 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 provide to the City 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.

BUILDING DEPARTMENT

38. The Applicant shall submit complete grading and building plans for review.

ENGINEERING

39. A City public works permit shall be taken out for all work in public right-of-way before starting 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.

40. 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.

41. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.

42. The final compaction report prepared by a qualified Soil Engineer shall be submitted to the City Engineer for review and approval before the commencement of structural construction.

43. The Applicant shall submit a Geotechnical Report for review.

44. 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 provide to the City 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 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.

45. The Applicant shall submit Improvement Plans to a Registered Civil Engineer prepared for public works (off-site) and on-site improvements. Plan check fees shall be paid in advance.

46. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. The plan shall be 24" x 36", with elevations to the nearest 0.01 foot, minimum scale 1" = 20'. Registered Civil Engineers shall prepare a plan. Public works improvements may be shown in this plan. Grading plan check fees must be paid in advance.

47. The Applicant shall submit a drainage report. 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.

48. Parking lot slope shall be a minimum slope of 1%.

49. The driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.

50. Pursuant to and in accordance with Government Code Section 66020(d)(1), the Project Applicant is hereby notified as follows:

51. The fees, dedications, reservations, and other exactions ("impositions") imposed on this development and which are subject to notification pursuant to Government Code Section 66020(d)(1) are:

Traffic Impact Fees: Yes, if you are increasing the total daily trips by 200 trips.

Provide a traffic impact analysis pursuant to City Resolution 1469. Based on the review and approval of this analysis, additional conditions and/or fees may be required.

The project should prepare a focus traffic study to show the trip generations, and trip distribution and potential operational impacts at the intersection of Kyle and Bloomfield, and Bloomfield and Katella. If any impacts, recommend mitigations.

Based on the trip generation numbers the development shall participate in the impact fee. The following striping is required. Improvement to striping on Kyle Street.

52. All driveways, sidewalk and ADA Ramp shall meet current ADA requirements. Improvements to be done per City Standards.
53. Replace the curb, gutter, and sidewalk at the frontage along Kyle Street. Applicant is responsible for a new curb and gutter and a 10-foot sidewalk.
54. The full frontage street width must have a full grind and overlay, curb to curb, placed on it according to the City Engineer's satisfaction to the nearest competent asphalt limits. At a minimum, to the extents of the property lines.
55. All existing off-site public improvements (sidewalk, curb & gutter, driveways, and street paving) at the development site, or adjacent to, 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.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

None.

OCFA

56. 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 before the event specified (SR 300377).
57. Prior to OCFA clearance of a final map or issuance of a precise grading permit or a building permit, if a grading permit is not required:
 - Fire master plan (service code PR145)
58. Prior to issuance of a building permit:
 - architectural (service codes PR200-PR285)
 - Underground piping (service codes PR470-PR475)
 - Fire sprinkler system (service codes PR400-PR465)
59. Prior to concealing interior construction:
 - Fire alarm system (service code PR500-PR530)

SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Site Development Permit 23-02, as represented by the plans and elevations in "Exhibit A" and subject to the conditions herein.

SECTION 5. 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 Determination with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 28th day of February 2024 by the following vote:

ATTEST:

DocuSigned by:
Mary Anne Culty
FA8DA46B4E21487...

Mary Anne Culty, Chair

DocuSigned by:
Irving Montenegro Jr.
FEF24B98BBF14AD...

Irving Montenegro, Development Services Manager

APPROVED AS TO FORM:

DocuSigned by:
Michael Daudt
350A9F4BDFE445B...

Michael Daudt, City Attorney

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

I, Irving Montenegro Jr., 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 February 2024, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

DocuSigned by:
Irving Montenegro Jr.
FEF24B98BBF14AD...

Irving Montenegro, Development Services Manager

