# AGENDA LAND USE & DESIGN REVIEW COMMITTEE

Regular Meeting Thursday, February 13, 2014 9 A.M.

Laguna Woods City Hall Council Chambers 24264 El Toro Road Laguna Woods, CA 92637

AGENDA DESCRIPTION: The agenda descriptions are intended to give notice, to members of the public, of a general summary of items of business to be transacted or discussed. Any person wishing to address the Land Use & Design Review Committee on any matter, whether or not it appears on this agenda, may do so under the appropriate section of the agenda. Whenever possible, lengthy testimony should be presented to the Committee in writing (12 copies) and only pertinent points presented orally. Requests to speak to items on the agenda shall be heard at the appropriate point on the agenda; requests to speak about subjects not on the agenda will be heard during the Public Comment section of the meeting.

- I. CALL TO ORDER
- II. ROLL CALL
- III. COMMITTEE BUSINESS
  - A. Conditional Use Permit CUP-943 (Thaitanium, Inc.)

Project Location: Thaitanium Restaurant

24371 El Toro Road, Units C & D

Laguna Woods, CA 92637

RECOMMENDED ACTION: Recommend that the City Council approve Conditional Use Permit CUP-943, with conditions, to allow for the sale of alcoholic beverages and the performance of indoor, live, non-amplified music for a restaurant use within the Town Centre Shopping Center.

B. Conditional Use Permit CUP-950 (The Floyd Company)

Project Location: 24260 El Toro Road

Laguna Woods, CA 92637

RECOMMENDED ACTION: Recommend that the City Council approve Conditional Use Permit CUP-950, with conditions, to allow for alternative provisions to off-street parking regulations for a medical office use within the Willow Tree Shopping Center.

#### IV. COMMITTEE MEMBER COMMENTS

#### V. PUBLIC COMMENTS

#### VI. ADJOURN

The next regular meeting of the Land Use & Design Review Committee will be at 9 a.m. on March 13, 2014, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Meetings may be cancelled due to a lack of agenda items.

AMERICANS WITH DISABILITIES ACT: In compliance with Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at (949) 639-0500 (Voice) or, TDD (949) 639-0535 or the California Relay Service at (800) 735-2929 if you have a TDD or (800) 735-2922 if you do not have a TDD. Notification 48 hours prior to the meeting should enable the City to make reasonable arrangements to assure accessibility to the meeting.

AGENDA: The Land Use & Design Review Committee agenda and agenda back-up materials are available from the Office of the City Clerk, after 4:30 p.m., on the Friday prior to the Land Use & Design Review Committee meeting. The office of the City Clerk is located at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Copies of the agenda are provided at no cost. Agenda back-up materials are available at City Hall for inspection and copies are available at no charge prior to the meeting. A per page copy cost does apply after the meeting. If you wish to be added to the e-mail or regular mail list to receive a copy of the agenda, a request must be made to the City Clerk in writing. Copies of the agenda are mailed only if stamped, self-addressed envelopes are provided. The City of Laguna Woods mailing address is 24264 El Toro Road, Laguna Woods, CA 92637. Phone: (949) 639-0500, FAX (949) 639-0591.

I declare under penalty of perjury that I posted this notice of agenda at the locations designated by Resolution 02-33.

Date

Mare Donohue, Deputy City Clerk

# LAND USE AND DESIGN REVIEW COMMITTEE RECAP

January 9, 2014 9:00 A.M.

Laguna Woods City Hall Council Chambers 24264 El Toro Road Laguna Woods, CA 92637112

#### I. CALL TO ORDER

The meeting was called to order by Chair Hamm.

#### II. ROLL CALL

Present: Hamm, Hatch, Holman, Lindstrom, Malone, Schneider, Strom

Absent: Joss, Lo

#### III. COMMITTEE BUSINESS

#### A. Archery Regulations

An archery club in Laguna Woods Village approached the City to consider changes to the Laguna Woods Municipal Code prohibition on bows and arrows that would allow the establishment of archery ranges.

Assistant City Manager Reilly and Planning Manager Kurnow presented information about allowing for archery ranges within Laguna Woods. Staff presented impacts and issues relating to the City's municipal code and zoning ordinance. Committee Members then conducted a discussion on allowing the establishment of archery ranges and asked about impacts from its use. The discussion included research of other facilities in Orange County including two indoor ranges, one in Fountain Valley and one in Irvine, and two outdoor facilities in County public parks, Mile Square Park and Santiago Park. The discussion primarily focused on safety (including on-site supervision) and possible locations for archery ranges.

A motion was made and seconded to recommend that the City Council direct staff to prepare regulations that would permit the establishment of archery ranges subject to the approval of a Conditional Use Permit and compliance with terms and conditions thereof. The motion carried with a 6-1 vote, with Committee Member Malone voting no due to safety-related concerns.

#### IV. COMMITTEE MEMBER COMMENTS

None

#### V. PUBLIC COMMENTS

None

#### VI. ADJOURN

The next regular meeting of the Land Use & Design Review Committee will be at 9 a.m. on February 13, 2014, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Meetings may be cancelled due to a lack of agenda items.

# City of Laguna Woods Agenda Report

DATE:

February 13, 2014

Land Use & Design Review Committee Meeting

TO:

Honorable Chair and Committee Members

FROM:

Brian Kurnow, Planning Manager

**AGENDA ITEM:** 

Conditional Use Permit CUP-943 (Thaitanium, Inc.)

#### **Recommended Action**

Recommend that the City Council approve Conditional Use Permit CUP-943, with conditions, to allow for the sale of alcoholic beverages and the performance of indoor, live, non-amplified music for a restaurant use within the Town Centre Shopping Center.

# Background

The City has received a conditional use permit application from Thaitanium, Inc. to allow for the sale of alcoholic beverages and the performance of indoor, live, nonamplified music for a restaurant use within the Town Centre Shopping Center.

Project Location: Thaitanium Restaurant

24371 El Toro Road, Units C & D

Laguna Woods, CA 92637

Surrounding land uses are listed in Table 1.

Table 1: Surrounding Land Uses

Location	General Plan Land Use Designation	Land Use
North	Commercial	Town Centre Shopping Center
South	Commercial	Home Depot Shopping Center
East	Commercial	Town Centre Shopping Center
West	Commercial	Town Centre Shopping Center

The project location is zoned as Community Commercial, which designates areas to "provide for the development and preservation of high intensity commercial uses which serve the local community and regional area and are compatible with surrounding residential uses" (Laguna Woods Municipal Code Section 13.10.010).

The Laguna Woods Municipal Code requires a conditional use permit prior to the establishment of certain uses, including alcohol sales and live performances. The City Council is responsible for approving or denying conditional use permits.

#### **Discussion**

#### Alcoholic Beverages

The State Department of Alcoholic Beverage Control (ABC) regulates the sale of alcoholic beverages. The applicant has obtained a Type 47 (on sale general for bona fide public eating place) liquor license from ABC and is seeking approval to use the license at the project location. The Type 47 license allows the sale and on-site consumption of beer, wine, and distilled spirits in eating establishments. Alcohol sales cannot commence without approval from both the City and ABC.

The previous occupant (Sushi Wok restaurant) did not possess a liquor license. ABC has identified an over-concentration of liquor licenses in the census tract of the project location as an issue requiring further consideration. Likewise, the City Council is also able to consider the concentration of liquor licenses in a conditional use permit's approval or denial. Surrounding liquor licenses are listed in Table 2.

Table 2: Surrounding Liquor Licenses

Licensee	License	Proximity
Rite Aid	Type 21 <sup>1</sup>	Within 1,000 foot radius
Stater Brothers Market	Type 21 <sup>1</sup>	Within 1,000 foot radius
Tomo Sushi	Type 41 <sup>2</sup>	Within 1,000 foot radius
Ayres Hotel	Type 70 <sup>3</sup>	Within 1,000 foot radius
2		and within census tract
Golden Rain Foundation	Type 51 <sup>4</sup>	Within census tract
Laguna Woods Mutual No. 50	Type 51 <sup>4</sup>	Within census tract

<sup>&</sup>lt;sup>1</sup> Type 21 Off Sale General License (Package Store)

<sup>&</sup>lt;sup>2</sup> Type 41 On Sale Beer & Wine – Eating Place License (Restaurant)

<sup>&</sup>lt;sup>3</sup> Type 70 On Sale General – Restrictive Service License

<sup>&</sup>lt;sup>4</sup> Type 51 Club License

Tomo Sushi is the only other establishment within the same census tract or 1,000 feet of the project location that serves alcohol with an on-sale eating place license. The other five licenses relate to markets, carry-out purchases, clubhouses, and hotel mini-bars and activities. As a result, staff does not believe that ABC's issuance of a Type 47 license would result in excessive alcohol sales or negative impacts.

#### Live Music Performances

As a complementary use to the restaurant, the applicant is requesting the ability to have indoor, live, non-amplified music performances on Fridays, Saturdays, and Sundays from 8 p.m. to 10 p.m. The area used for performances would be limited to a 50 square foot area inside the restaurant's dining area; no dance floor would be permitted. The performances would only be permitted when all doors and windows are closed to reduce outside noise impacts. Staff believe that the conditions placed on the proposed performances (Attachment B) would limit negative impacts.

#### Police Services Input

The Orange County Sheriff's Department was asked to comment on the applicant's request. The Sheriff's Department recommended placing specific conditions on the type and duration of live music performances, which staff incorporated into the draft special conditions of approval (Attachment B). The Sheriff's Department also noted that there are no significant alcohol-related problems in the project area.

### **Environmental Review**

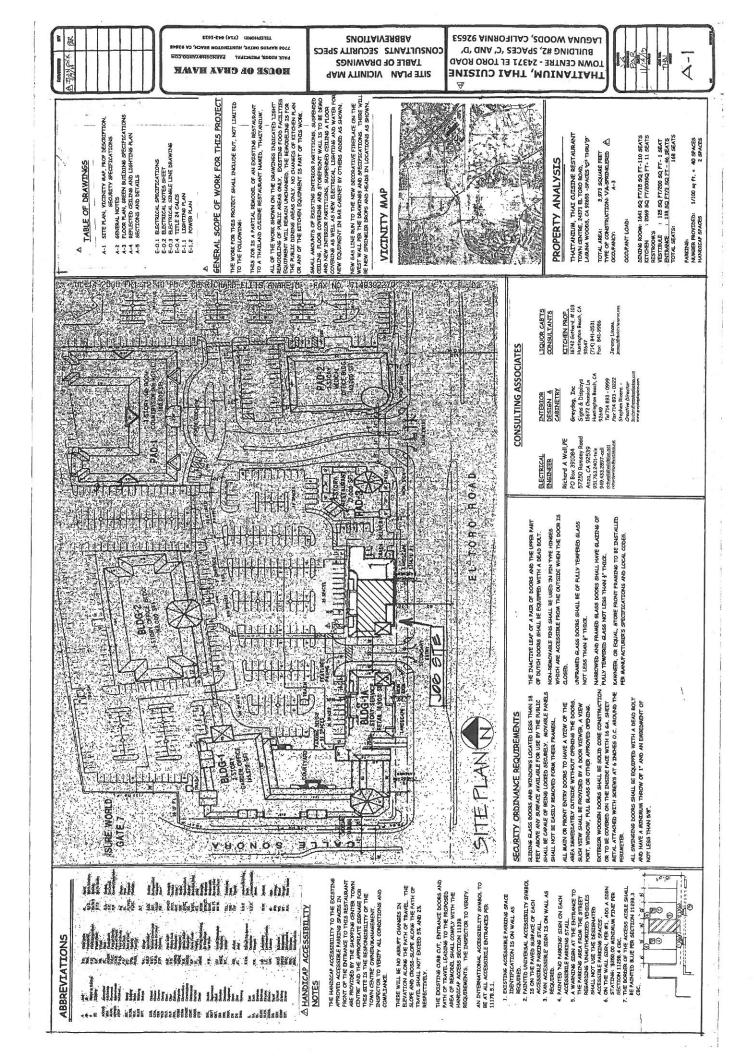
The proposed project is categorically exempt from the preparation of environmental documents under California Environmental Quality Act (CEQA) Section 15301.

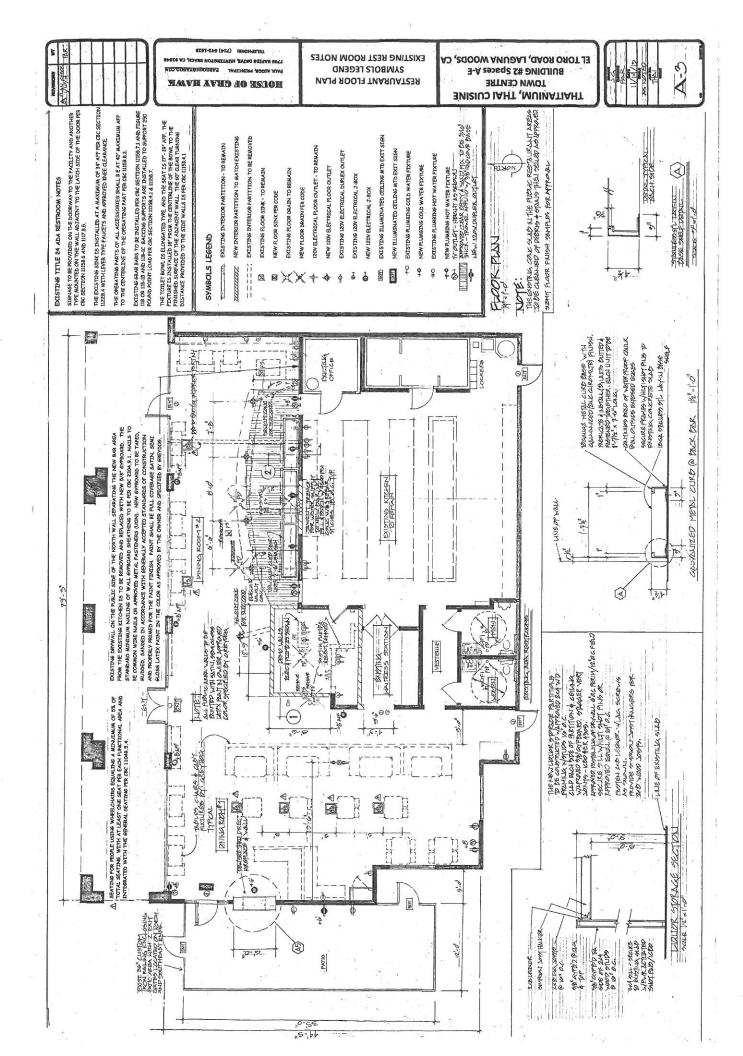
# **Conclusion**

After a thorough review, staff finds that approval of Conditional Use Permit CUP-943 would not result in any significant negative impacts. A public hearing on this matter will be held at the City Council meeting on February 19, 2014 at 2 p.m. at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

Attachments: A – Project Plans

B – Draft Special Conditions of Approval





# CITY OF LAGUNA WOODS DRAFT SPECIAL CONDITIONS OF APPROVAL Conditional Use Permit CUP-943 (Thaitanium, Inc.)

- 1. Prior to the sale of alcoholic beverages approval from the State of California Department of Alcoholic Beverage Control must be obtained.
- 2. The sale of alcohol is not permitted as the primary function of the business and must be sold in compliance with State of California Department of Alcoholic Beverage Control approval.
- 3. Live music performances are limited to non-amplified music only.
- 4. Live music performances must take place indoors, within the building. Live music performances are not permitted outside the restaurant or on the outdoor dining patio.
- 5. Live music performances are restricted to an area no larger than 50 square feet located within the business' dining area.
- 6. Live music performances may only take place between the hours of 8:00 p.m. and 10:00 p.m. on Fridays, Saturdays, and Sundays.
- 7. During live music performances, the doors and windows of the business must be closed except for ingress and egress purposes. Doors and windows shall not be propped open or left ajar at any point during live music performances.

# City of Laguna Woods Agenda Report

DATE:

February 13, 2014

Land Use & Design Review Committee Meeting

TO:

Honorable Chair and Committee Members

FROM:

Brian Kurnow, Planning Manager

AGENDA ITEM:

Conditional Use Permit CUP-950 (The Floyd Company)

#### **Recommended Action**

Recommend that the City Council approve Conditional Use Permit CUP-950, with conditions, to allow for alternative provisions to off-street parking regulations for a medical office use within the Willow Tree Shopping Center.

#### Background

The City has received a conditional use permit application from The Floyd Company to allow for alternative provisions to off-street parking regulations for a medical office use within the Willow Tree Shopping Center.

Project Location: 24260 El Toro Road

Laguna Woods, CA 92637

The project location is the site of the former Morgan Stanley building. Surrounding land uses are listed in Table 1.

Table 1: Surrounding Land Uses

Location	General Plan Land Use Designation	Land Use
North	Open Space	Laguna Woods Village Golf Course
South	Residential Community	Laguna Woods Village
East	Community Facilities	Saint Nicholas Catholic Church
West	Commercial	Willow Tree Shopping Center/City Hall

The project location is zoned as Community Commercial, which designates areas to "provide for the development and preservation of high intensity commercial uses which serve the local community and regional area and are compatible with surrounding residential uses" (Laguna Woods Municipal Code Section 13.10.010).

The Laguna Woods Municipal Code requires a conditional use permit prior to the implementation of alternative provisions to off-street parking regulations. The City Council is responsible for approving or denying conditional use permits.

#### **Discussion**

# Off-Street Parking

Construction of the Willow Tree Shopping Center was originally approved by the County of Orange in 1978 as a 96,930 square foot shopping center with a total of 571 parking spaces. Over time, modifications to the center have increased the total building square footage and reduced the amount of available parking.

The available parking for the Willow Tree Shopping Center was last evaluated in 2008 as part of Conditional Use Permit CUP-500 for Nifty after Fifty, an adult strength training, physical therapy, mental fitness, and therapeutic massage center. As part of that evaluation, the City Council found that the center's 545 parking spaces were sufficient to serve only existing uses or equal or less intense uses.

CUP-500's approval was based on a parking study and calculation for the Willow Tree Shopping Center that allocated a specific number of parking spaces to each building and suite. The study allocated 41 of the center's 545 parking spaces to the project location, which was previously occupied by Morgan Stanley.

The applicant is proposing to establish a medical office within the existing building totaling 14,242 square feet. The Laguna Woods Municipal Code requires a total of 95 parking spaces for such a use, equal to 1 parking space for every 150 square feet. The parking allocated to the project location would be lacking by 54 spaces.

The applicant contends that the medical office's operations would require a lesser number of parking spaces and is requesting a conditional use permit to that effect in accordance with Section 13.18.080 of the Laguna Woods Municipal Code.

"Alternative provisions to any of the off-street parking regulations may be permitted subject to the approval of a use permit application approved in

compliance with the provisions of this Code. Any such application may be approved provided the [City Council] finds:

- (1) Applicable off-street parking requirements are excessive or inappropriate due to the nature of the specific use involved or because of special circumstances applicable to the property; and
- (2) The proposed off-street parking facilities comply with the intent of the Zoning Code related to parking requirements."

The applicant conducted a parking study over the course of a week that included the peak hours of operation for the proposed medical office. While the study was limited to the 172 parking spaces that would most likely be utilized as a result of the proposed medical office, it did reveal that the utilization of those parking spaces ranged from approximately 6% to 55% during the hours of the study. Those utilization rates translate into between 77 and 161 parking spaces being unoccupied and available for use under existing conditions.

The applicant also provided the City with information and drawings that describe the proposed medical office's operations, including the following points:

- A maximum of 10 doctors would be on-site at any given time, with the more typical scenario being nine doctors on-site at any given time
- The medical office would require 21 employees in addition to doctors
- Only 10 doctors' offices and 30 examination rooms would be constructed
- Patients would be asked to arrive at their appointment time unless they are a first-time patient, in which case they would be asked to arrive 30 minutes early
- The anticipated daily patient load would be 125 to 150 patients

Staff used the information provided by the applicant and the following assumptions to calculate the anticipated peak parking demand (see Table 2):

- Each doctor, employee, and patient would drive to the medical office alone resulting in one vehicle and one parking space per person
- All 10 doctors would be on-site at the same time
- All 21 employees would be on-site at the same time
- All 30 examination rooms would be occupied concurrently
- One additional person would be waiting for each doctor

Table 2: Anticipated Peak Parking Demand

	Number of Persons	Number of Parking Spaces Required
Doctors	10	10
Other Employees	21	21
Patients (In Exam)	30	30
Patients (Waiting)	10	10
Total	71	71

The applicant is proposing to add 30 new parking spaces, which would bring the total number of spaces allocated to the project location to 71. Of those, five spaces would be for alternative vehicles. With the addition of 30 new parking spaces, staff believes that there would be adequate parking to serve the proposed medical office.

#### Site Alterations

In addition to off-street parking modifications, the applicant is also proposing to make tenant improvements that would include adding 2,217 square feet of gross floor area within the existing building, thereby increasing the total gross floor area to 14,242 square feet. Other alterations would include:

- Constructing and planting several trees in diamond-shaped medians within the parking lot to replace trees that would be removed for parking spaces
- Adding stacked stone cladding (aesthetic siding) and plaster clad columns with aluminum reveals on portions of the exterior façade
- Adding exterior metal clad fascia around the roof

# **Environmental Review**

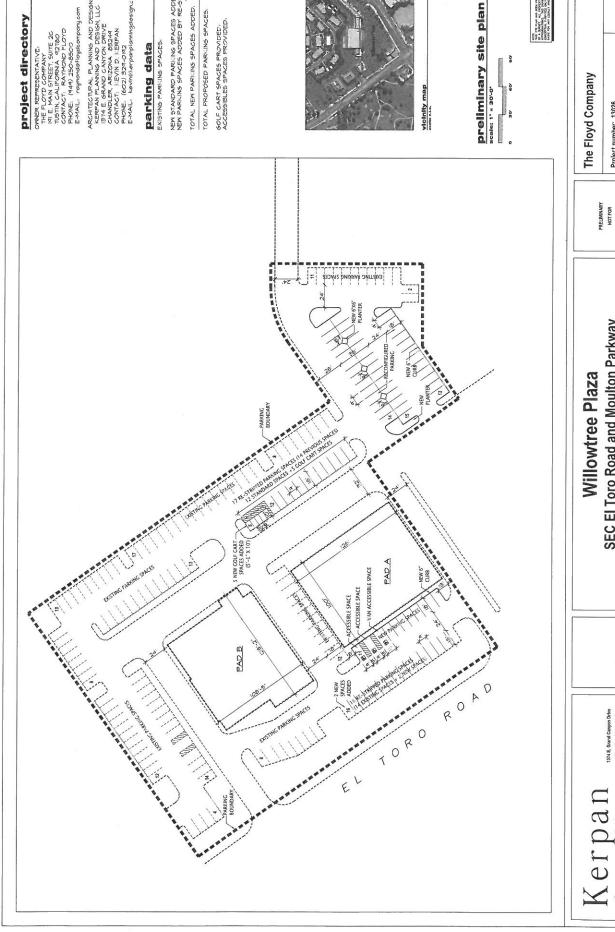
The proposed project is categorically exempt from the preparation of environmental documents under California Environmental Quality Act (CEQA) Section 15301.

# Conclusion

After a thorough review, staff finds that approval of Conditional Use Permit CUP-950 would not result in any significant negative impacts. A public hearing on this matter will be held at the City Council meeting on February 19, 2014 at 2 p.m. at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

Attachments: A – Project Plans

B – Draft Special Conditions of Approval



NEW STANDARD PARKING SPACES ADDED: NEW PARKING SPACES ADDED BY RE-STRIPE:

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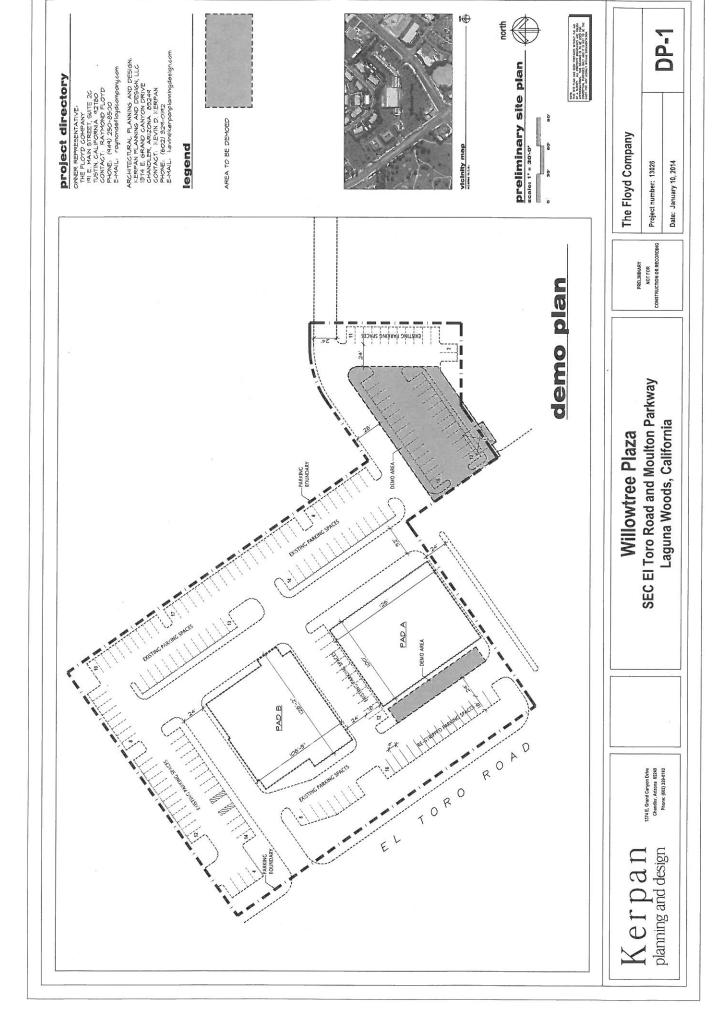
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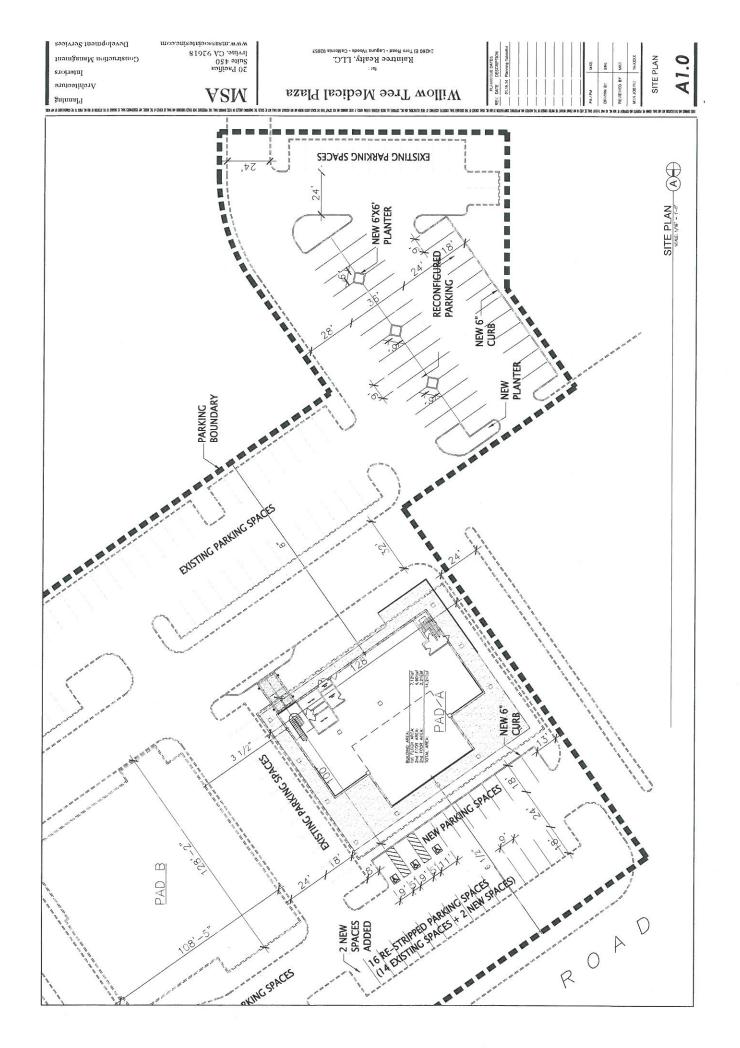
1374 E. Grand Canyon Drive Chandler, Arizona 85249 Phone: (602) 329-0192

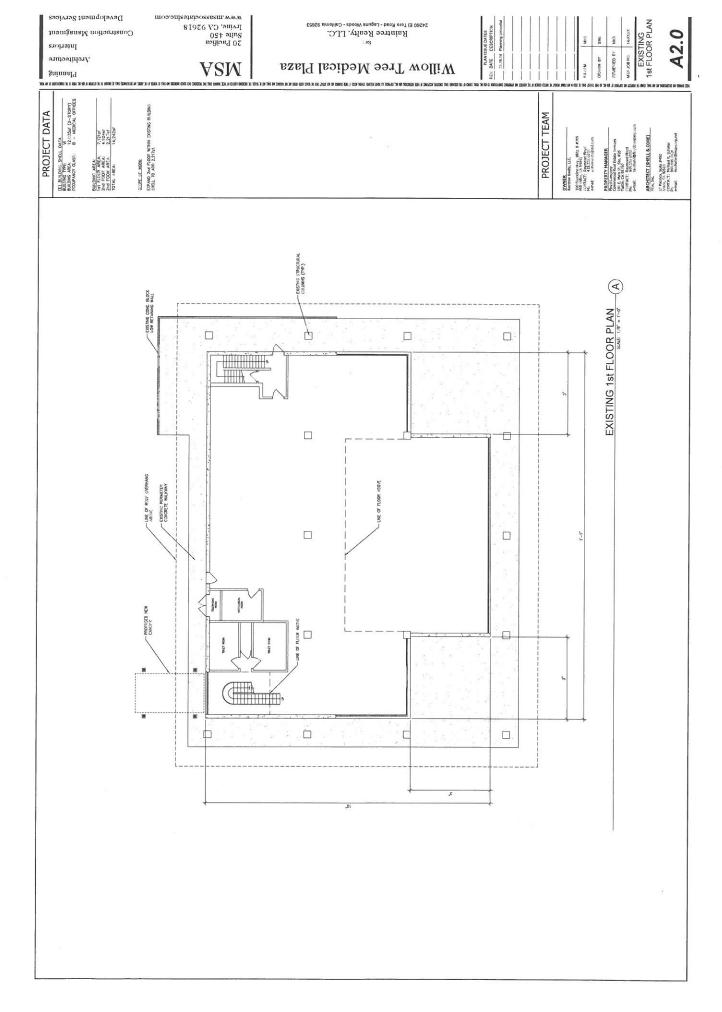
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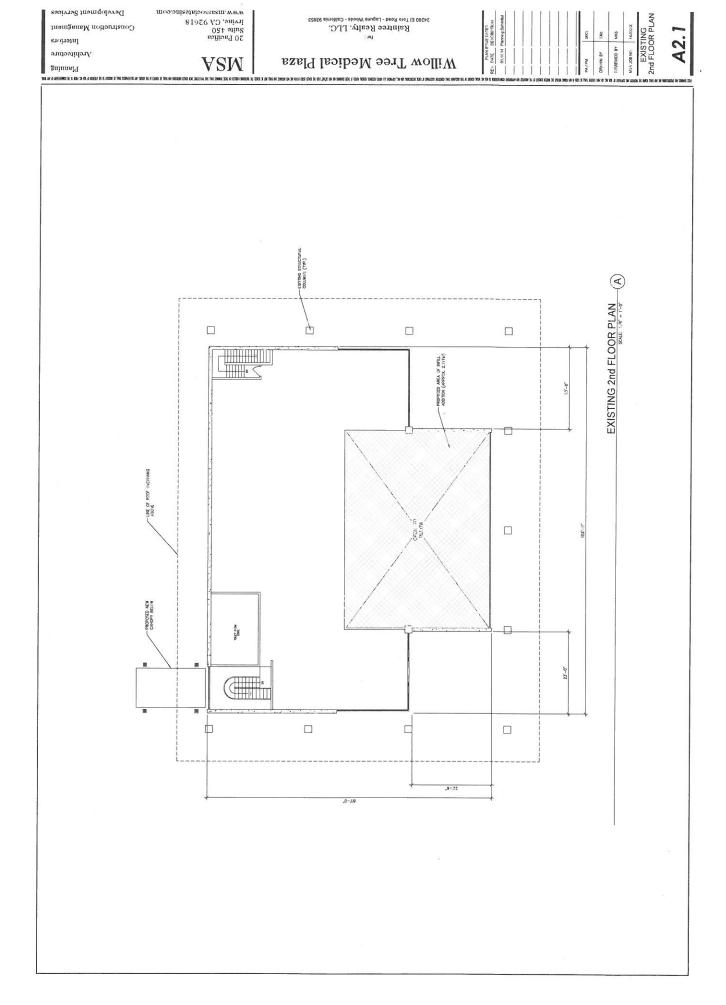
Date: January 29, 2014

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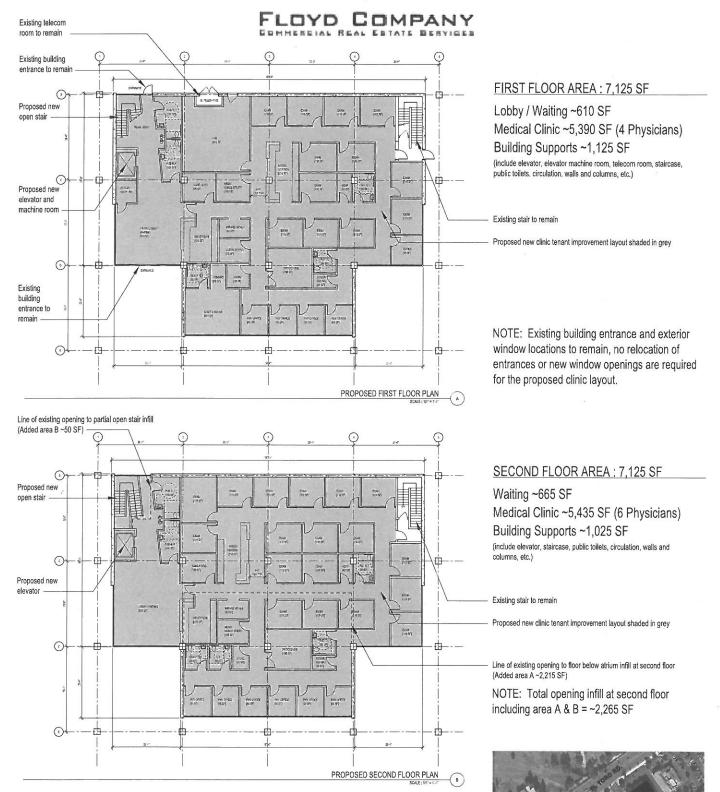










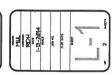




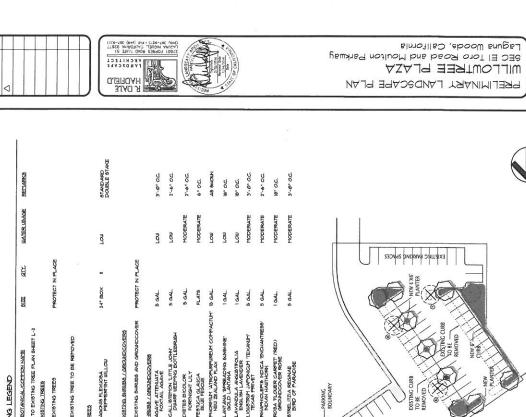








THE FLOYD COMPANY



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PLANTING NOTES:

C. CONTRACTOR TO REPLACE ANY EXISTING WORK DONE BY OTHERS DAMAGED DUE TO CONSTRUCTION. D. ALL PLANTNS AND IRRIGATION TO COMPLY WITH CITY OF LAGINA WOODS LANDSCAFE GUIDELINES.

F. ENTIRE BITE SHALL BE AUTOMATICALLY INRIGATED AND SYSTEM SHALL CORPORT WITH ABISSI REQUIREMENTS. E. THIS PLAN IS FOR PRELIMINARY USE ONLY, IT IS NOT INTENDED TO BE USED FOR CONSTRUCTION.

PLANTING LEGEND

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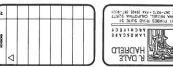
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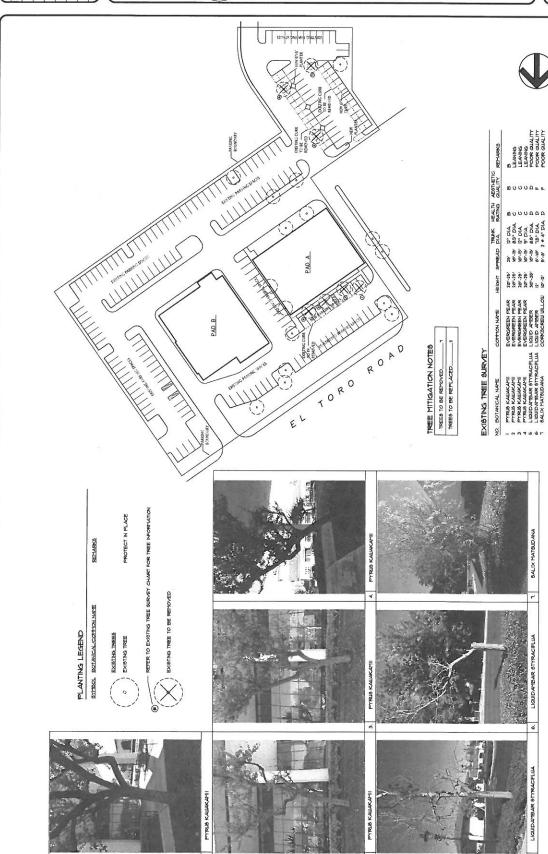
PRELIMINARY LANDSCAPE PLAN



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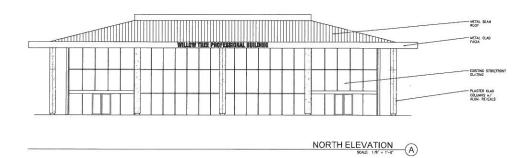


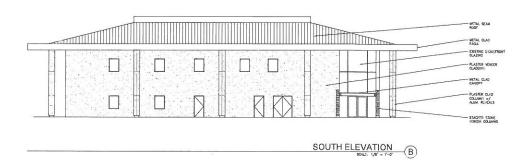
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PRELIMINARY LANDSCAPE PLAN

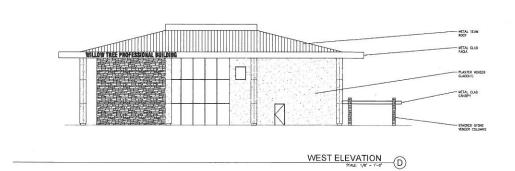
THE FLOYD COMPANY
191 East Main Street, Ste 2-C Tastin, CA 82780











WILLOW TREE SHOPPING CENTER

24260 El Toro Road - Laguna Hills - California



# CITY OF LAGUNA WOODS DRAFT SPECIAL CONDITIONS OF APPROVAL Conditional Use Permit CUP-950 (The Floyd Company)

- 1. A maximum of ten (10) doctor's offices and thirty (30) examination rooms are permitted within the subject building.
- 2. Any increase in the number of doctor's offices or examination rooms shall require additional parking analysis prior to implementation.
- 3. The medical office may not be used as urgent care.