

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
August 24, 2016

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on August 24, 2016, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Capelle presiding.

PRESENT: COMMISSIONERS: Agrusa, Barstow, Capelle, Chung, Diep, McGuire,
and Schoales

ALSO PRESENT:

Joel W. Rosen, AICP, Director of Community Development
Jay Saltzberg, Planning Manager
Brady M. Woods, Senior Planner
Tiffany Lin, Assistant Planner
David Jacobs, City Engineer
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

WELCOME NEW PLANNING COMMISSIONER - MARIELLA AGRUSA

Mr. Rosen introduced new Planning Commissioner Mariella Agrusa.

Mr. Rosen presented a plaque of appreciation to outgoing Chair Capelle.

1. ELECTION OF PLANNING COMMISSION OFFICERS:

Chair Capelle declared the offices of Chair and Vice Chair of the Planning Commission vacant and turned the meeting over to Ms. Santos for the election of new officers.

Ms. Santos opened the nominations for Chair of the Planning Commission. Commissioner Diep nominated Commissioner Schoales as Chair, which was seconded by Commissioner Barstow. There being no other nominations, Ms. Santos declared the nominations closed and called for a voice vote.

Ms. Santos announced that the MOTION CARRIED unanimously and Jim Schoales is the new Chair.

Chair Schoales opened the nominations for Vice Chair. Commissioner Barstow nominated Commissioner Diep as Vice Chair, which was seconded by Commissioner McGuire. There being no further nominations, Chair Schoales called for a voice vote. The MOTION CARRIED unanimously and Chair Schoales announced that Commissioner Diep is the new Vice Chair.

CONSENT CALENDAR:

2. APPROVAL OF MINUTES Meeting of June 22, 2016

RECOMMENDED ACTION: Approve

3. PROPOSED REVISION OF APPROVED MINUTES Meeting of June 15, 2016
Los Coyotes Country Club Development Plan
(DA14-002, GP15-002, C14-001, TT14-001, EIR14-001)
Page 5906, Paragraph 4
Page 5907, Paragraph 5

RECOMMENDED ACTION: Approve

Commissioner Agrusa abstained from voting on Item Nos. 2 and 3 due to her absence from the meetings of June 15 and 22, 2016.

Commissioner Barstow moved and Commissioner Diep seconded the motion to approve the items.

The MOTION CARRIED by the following votes:

AYES:	6	COMMISSIONERS:	Barstow, Diep, Capelle, Chung, McGuire and Schoales
NOES:	0	COMMISSIONER:	
ABSENT:	0	COMMISSIONER:	
ABSTAIN:	1	COMMISSIONER:	Agrusa

===== END OF CONSENT CALENDAR=====

PUBLIC HEARING:

NEW BUSINESS:

**4. DEVELOPMENT AGREEMENT NO. DA16-003/
TENTATIVE TRACT MAP NO. TT16-001**

A request to consider a recommendation to the City Council for a Development Agreement and Tentative Tract Map to construct a five-story, 22-unit multi-family residential condominium development including an affordable housing density bonus agreement, integrated parking, site improvements, and lot consolidation on approximately 0.54 acres of

land at 7411, 7431, 7451 Artesia Boulevard and 5962 Burnham Avenue in the RM-20 (Medium Density Multi-Family Residential) zone. The project is Class 32, Section 15332, categorically exempt from CEQA.

PROPERTY OWNER(S): City of Buena Park as Successor Agency to the former Community Redevelopment Agency
6650 Beach Boulevard
Buena Park, CA 90622

Arte Home, LLC
1554 S. Saint Andrews Place
Los Angeles, CA 90620

APPLICANT: Fore Architects
3550 Wilshire Boulevard
Suite 1777
Los Angeles, CA 90010

RECOMMENDED ACTION: Adopt Resolutions Recommending Approval to the City Council

In reply to Chair Schoales, Ms. Santos stated that staff had received no written communication on the item.

The staff report was introduced by Brady Woods, Senior Planner.

The proposed residential development will consist of one building. The floor plan options for the living units range from 2,040 sq. ft. to 2,140 sq. ft. All units are proposed to contain three bedrooms and two and half bathrooms. Each unit includes a kitchen, dining room, den, and living room. All units feature outdoor patios and private balconies off the Master Bedroom, with colored tempered glass guardrails. The units will also vary from one level to two levels. Four units have sleeping, kitchen and common areas on a single level. Seventeen of the 22 floor plans are 2-levels with kitchen and common areas on one level and bedrooms on another level. The "Type A" floor plan is designed to place the sleeping quarters on a level below the common quarters. The "Type B" and "Type C" floor plans are designed to place the sleeping quarters on a level above the common quarters. The "Type D" floor plan is designed to place both the sleeping and common quarters on the same level.

Common open space for the complex will be provided on the second floor accessible by elevator or stairs. The 2,798 sq. ft. outdoor deck will feature seating areas, planter boxes, colored concrete paving, patio furniture, fire pits, and a barbeque area. The outdoor deck area will also include 1,332 sq. ft. of landscape.

The applicant is proposing deviations for required building setbacks along street frontages and interior property lines via the Development Agreement. The code requires 15 ft. building setbacks along street frontages and 10 ft. setbacks along property lines. The proposed building will be set back a minimum of 5.5 ft. to a maximum 11 ft. along the Artesia Boulevard frontage and 10 ft. along the Burnham Avenue frontage. The proposed building will be set back 10 ft. from the east property line and 7 ft. from the north property line. East and north setback areas will include 5 ft. wide sidewalks and landscaping with mature landscaping to include screening trees adjacent to existing residences. A new 8 ft. tall

masonry wall will be erected along the east and north property lines adjacent to existing residences.

Vehicular access to the site is provided from Artesia Boulevard and Burnham Avenue. Parking facilities for the development will be provided on the ground floor at grade. The ground floor will be configured to provide a total of fifty-five (55) on-site parking spaces (44 resident spaces and 11 guest spaces). The applicant is proposing a reduction for the required guest parking via the Development Agreement. Per code, 1 space per unit is required for guest parking. The proposed plan shows guest parking at ½ space per unit in order to provide efficient vehicular circulation on the ground floor. On-street parking is also available on Burnham Avenue. Seventeen (17) of the forty-four resident parking spaces are designed to facilitate tandem parking. These spaces will be reserved for resident parking exclusively to avoid the blocking of vehicles by unknown drivers. The ground floor also contains enclosed storage areas for use by the residents. The primary entrance into the building lobby is provided on the ground floor both from inside the parking area and the exterior along Artesia Boulevard. An elevator and stairway in the lobby will provide access between the floors.

Landscaping along the project street frontage of Artesia Boulevard will include 24 in. and 36 in. box trees, flowering shrubs and low accent ground cover. In addition, palm trees will be planted within public right-of-way frontages (i.e. parkway) on Artesia Boulevard and Burnham Avenue, per the city's Urban Forestry Street Tree Plan. The project includes approximately 3,952 sq. ft. of landscaping, to include perimeter landscaping and the second floor common area. In order to provide a buffer between the proposed project and the adjacent residential area, the project includes mature landscaping to include screen trees (i.e. various pine trees that average 25 feet in height) within the setbacks along the north and east property lines. Accent landscaping will also be provided along the perimeter to consist of a combination planter beds and trees.

Architecturally, the building has been designed in an Urban Contemporary style incorporating a variety of forms and materials such as smooth stucco finishes, hardwood elements, metal trellises/canopies, projecting and recessed window, and colored tempered glass railings. The primary façade fronting Artesia Boulevard will feature varying elevation planes and building heights, decorative accent towers with stucco treatments with decorative hardwood accents and cornice features, as well as storefront windows on the second story providing views for the HOA office, community room, fitness room, playground area, and interior outdoor deck, overlooking Artesia Boulevard. A decorative metal garage door to complement the façade will also be included. Wall signage for the project is proposed on the building's primary façade.

California Government Code Section 65865 et. seq. allows the City to enter into Development Agreements, which in effect become contractual agreements between the City and property owners regarding development rights and performance standards. They allow the City and property owner to achieve certain comfort levels so that current and future projects can go forward in a reasonably orderly fashion without creating potentially chaotic or conflicting land uses and improvements. The Development Agreement process also requires the Planning Commission to make a recommendation to the City Council prior to Council action. The Development Agreement procedure was chosen because it is felt that it allows the property owners and the City a mechanism to attain respective goals while providing assurance, in contractual form, that property redevelopment will evolve with suitable provisions to alleviate detrimental effects.

In reviewing the application, Staff visited the site and surrounding area as well as reviewed the submitted plans. Based on this review, Staff is of the opinion that the proposed housing development will allow the subject site to transition into a residential development that can properly integrate with the surrounding multifamily residential neighborhood as envisioned within the General Plan. The proposed multifamily residential density has been increased over the maximum dictated by zoning code due to the inclusion of affordable housing units within the development. Utilizing Affordable Housing Bonus density calculations consistent with State Density Bonus Law (Government Code Section 65915) in addition to negotiated terms between the city and the developer per the Development Agreement, the project's proposed density increase from base RM-20 zoning designation of 20 dwelling units/acre to twenty-two (22) units (40 dwelling units/acre) is consistent with the property's General Plan designation of High Density Residential and the General Plan Housing Element Housing Opportunity Overlay areas which allows densities up to 40 to 45 units per acre. The project is architecturally compatible with new and existing commercial and multifamily residential development in the area, particularly the 184-unit apartment complex (Brookstone Apartment Homes) immediately south of the subject property and the Hampton Inn and Suites currently under construction to the west at Artesia Boulevard and Rostrata Avenue.

With regard to affordable housing, the proposed residential land use of the site will assist the City in meeting the housing goals of the City's General Plan Housing Element as well as State Regional Housing Need Allocation (RHNA) requirements. The subject property is identified in Table 11-C-2: Underutilized High-Density Residential Sites of the General Plan's Housing Element as a site which carries the realistic capacity for higher density development to accommodate affordable housing using various density bonus incentives described in the Housing Element. The project will contain two units as affordable and will be designated for families earning between 80% (lower income household) and 120% (median income household) of the Orange County Median Income. There will be no degradation of design or quality of amenities for the proposed affordable units in the project. When completed, the project will provide high quality housing that meets the long term vision for the area as identified in the General Plan.

Staff is of the opinion that the site and architectural design of the project is appropriate and consistent with the Multi-Family Architectural Design Guidelines for styling, open space, parking, block wall separation, and vehicular and pedestrian access. The project incorporates enhanced design, including diverse textures and materials which give the development a unique and appealing quality. Staff has reviewed the proposed landscaping, as well as private and common useable open space for the development and feels that the proposed development provides ample private and common space. The project provides over 1,300 sq. ft. of interior outdoor common open space in addition to the other interior residential amenities area as well as individual private decks and balconies for each unit. The applicant has also proposed a wide variety of amenities to be provided within the proposed open space area.

Finally, in order to ensure the highest quality of development, Staff has included conditions related to landscaping, architectural enhancements, and common usable open space amenities.

The project is Class 32, Section 15332, categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on August 11, 2016, and 29 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on August 11, 2016.

Chair Schoales asked if there were any questions of staff.

Commissioner Barstow asked if there will be an elevator in the building.

Mr. Woods said there will be one elevator in the building.

Commissioner Barstow asked if the proposed landscaping is water efficient and has rain sensors.

Mr. Woods said the proposed project, including landscaping, will comply with the City's water efficient ordinance, and the automatic sprinklers will have rain sensors.

Commissioner Barstow asked for a definition of the "Community Benefit" fee referred to on page 4 of the proposed Development Agreement.

Mr. Rosen said the "Community Benefit" fee is an amount negotiated on a case-by-case basis with the applicant. It helps pay for all or a portion of the costs of providing public services to the new development.

Commissioner Agrusa observed a possible lack of storage space.

Mr. Woods said additional storage spaces are proposed on the ground level.

Commissioner Agrusa asked about the price range of the homes.

Mr. Woods deferred to the applicant regarding information on the price range of homes.

Commissioner Agrusa asked what the minimum width is for parking spaces. She said she is concerned that the proposed 8 ft. wide parking spaces are too narrow.

Mr. Woods said the proposed 8 ft. width of some of the proposed spaces are consistent with compact parking stall widths.

Commissioner Chung asked if one elevator is sufficient for the proposed 22 units.

Mr. Rosen said he does not recall the specific code requirement, but the Building Division, after reviewing the plans, concluded that the plans met Building Code requirements, including stairways and other access features.

Commissioner McGuire asked for clarification of the proposed setbacks.

Mr. Woods said the proposal is to set the building back 7 ft. from the north property line, maximum 11 ft. on the south, and 10 ft. along the Burnham Avenue frontage. Mr. Woods said the proposed setbacks deviate from the code requirement of 15 ft. building setbacks along street frontages and 10 ft. setbacks along property lines.

Commissioner McGuire said the elevated rear decks facing the neighbors' properties are not acceptable to him due to privacy concerns. He said he visited the site of the proposed project and took two photos, which were included in the PowerPoint, which show insufficient street parking. He noted that the proposed 11 parking on-site spaces is half the standard requirement of one guest parking space per unit, and asked how parking will be assigned to guests.

Mr. Rosen said guests will have to park on a first-come basis.

Mr. Woods said street parking is permissible along Burnham Avenue.

Chair Schoales asked if tandem parking means one parking space is shared with someone else.

Mr. Woods confirmed that tandem parking spaces would count as two spaces.

Chair Schoales said tandem parking, which equates to insufficient parking, will not solve parking problems. He said he is also concerned about compact parking spaces.

Mr. Woods said compact spaces are permitted in the code.

Chair Schoales said compact spaces may be allowed by the code, but because there is no vehicle size requirement for compact spaces, big trucks can park in compact spaces, which may not be safe.

Chair Schoales asked about income levels of families eligible to purchase the affordable units.

Mr. Woods said affordable units are to be sold to lower and moderate income families.

Commissioner Barstow asked if the proposed project will have handicap parking.

Mr. Woods said the proposed project will have ADA handicap parking as required.

Chair Schoales and Commissioners Barstow and Agrusa raised safety concerns about vehicular access to the site. Commissioner Barstow asked about Fire Department access and parking.

Mr. Woods said vehicular access to and from the site is from Artesia Boulevard and Burnham Avenue, and that the plans show efficient vehicular circulation.

Mr. Rosen said Fire Department trucks can park along the streets.

Mr. Woods added that on-street parking is permissible along Burnham Avenue.

Commissioner Agrusa recommended, and Chair Schoales agreed, that the CC&Rs include a list of items allowed in the balconies (as opposed to a list of restricted items), especially in the balconies facing Artesia Boulevard.

Mr. Woods said CC&Rs can incorporate the list in the agreement.

Commissioner Chung asked if staff had recommended subterranean parking to the developer. He commented that a project this size should have the required parking spaces.

Commissioner Agrusa said she drove along Burnham Avenue by the proposed project site at around 4 pm or 5 pm on the day of this meeting and observed the lack of available parking spaces.

Chair Schoales said that this is a public hearing. If there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

Ryan Taesik Chun, representing Fore Architects, applicant, 3550 Wilshire Boulevard, Suite 1777, Los Angeles, CA 90010, said the proposed project will comply with current water-efficient code standards, which require a weather-based sprinkler system. He said there are ample storage spaces on the ground level for each unit. Mr. Chun said the developer will assess the sales price of each unit. He added that one elevator is sufficient for a project of this size. The standard, according to Mr. Chun, is one elevator for a 30 to 40-unit structure. He said there are set regulations regarding the number of required elevators for buildings with 70 to 80 units or more.

Mr. Chun said the proposed setbacks along the Artesia Boulevard and Burnham Avenue frontages will provide sidewalks, with aesthetics. While Mr. Chun acknowledges the limited number of parking spaces, he said the architects designed the maximum allowable spaces for the proposed project. The need for additional parking spaces, he said, is something that he will have to refer to the developer.

Mr. Chun said the proposed access to the site from Artesia Boulevard and Burnham Avenue will be convenient for residents and visitors, including emergency vehicles.

Commissioner Barstow asked if it is feasible to reduce the number of units to alleviate parking problems.

Mr. Chun said that decision is for the developer to make.

Victor Perrin, 5291 Fairview Avenue, Buena Park, CA 90621, said he has been a longtime resident in the area. He said he is a real estate broker and has sold properties in the neighborhood. Mr. Perrin said this neighborhood needs to be redeveloped. He said he learned about the proposed project a year ago and is of the opinion that the vertical high-density project is appropriate for the Artesia major thoroughfare area. He said the proposed project is a solution to the current housing shortage. Mr. Perrin said the proposed project, unlike other similar projects, does not require a zone change - it is in the correct zone and better fits the area. He said the architecture will provide the much needed enhancement to the blighted area. Regarding tandem parking, Mr. Perrin said that previously approved projects along Rostrata Street and Orangethorpe Avenue had tandem parking. He said the Homeowners Association can regulate parking.

Li Chu Hsu, 12548, E. Bryce Circle, Cerritos, CA 90703, spoke, with translation assistance from Tiffany Lin, Assistant Planner.

Mr. Hsu said he is concerned about the height of the proposed building, the lack of parking spaces, and egress (he said egress through Artesia would be better). Mr. Hsu said the original proposal, a two to three story building, is better than what is currently proposed.

Chair Schoales said the 2009 approval of a 14-unit condominium project in the same location was more acceptable than the proposed project.

Commissioner Agrusa asked if Mr. Hsu's property is located on the north of the proposed project.

Mr. Hsu confirmed that his property is directly north of the proposed project.

Commissioner Agrusa asked how the originally proposed three-story building would be better, in terms of privacy to the surrounding residents, than the currently proposed five-story building.

Mr. Hsu said he is concerned about the greater intensity of the project - the five-story building will have more occupants.

Francisco Molina, 5921 Burnham Avenue, Buena Park, CA 90621, said he has resided in the area for over 19 years. He said the proposed development will exacerbate parking problems in the area and tandem parking will not solve the problem. Mr. Molina said there are days when the street in front of his property is missed by the street sweeping crew because of cars illegally parked in the area. He said the proposed five-story building will bring in more people. Mr. Molina said he understands that City progress means more people wanting to live in the City, but new projects should not be detrimental to current residents. He said he and his wife chose to purchase their home because it was the ideal location. Mr. Molina said that while certain projects like those on the former Nabisco site and new hotels, such as the Hilton, may be economically beneficial to the City, the proposed project will not be good for current residents in the area. Mr. Molina said he is only 43 years old and has no intention to sell his property.

Commissioner Diep asked staff what is the parking standard for an apartment of this size.

Mr. Woods said 3 parking spaces are required for units with 3 or more bedrooms.

Commissioner Diep said the proposed reduction by 11 parking spaces from the standard requirement is of grave concern to her. She said the floor plans are impressive but the lack of parking spaces would pose problems to the residents.

Commissioner Barstow said he drove through Burnham Avenue, by the proposed site, on a Saturday, and observed that parking was full.

Chair Schoales said parking is a big concern on the proposed project.

Commissioner Agrusa said she is also concerned about possible lack of storage space. A typical three-bedroom unit, with a family of five would most likely have items such as baby strollers or recreational sports equipment.

Commissioner Capelle complimented the architect on the excellent design of the proposed project. However, she said she is concerned that one elevator will not be sufficient for residents of the 22 units, especially when moving companies transport items to or from certain units. She said she is also concerned about the lack of parking spaces.

Chair Schoales recessed the meeting at 8:20 p.m. and announced the meeting would be reconvened after five minutes.

The meeting was reconvened at 8:25 p.m.

Mr. Rosen said the applicant is requesting continuance of the item to a date uncertain.

Mr. Fox reminded staff that the item has to be re-noticed if it will be continued to a date uncertain.

There being no one else wishing to speak on the item, Chair Schoales advised that the item requires a Minute Action to approve continuance of the item to a date uncertain.

Commissioner Capelle moved and Commissioner Barstow seconded the motion to continue the item to a date uncertain.

The MOTION CARRIED unanimously.

AYES: 7 COMMISSIONERS: Capelle, Barstow, Agrusa, Chung, Diep, McGuire, and Schoales

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Woods announced that Butterfly Palladium is scheduled for a meeting in September.

STAFF REPORTS:


Mr. Rosen updated the Planning Commissioners on a proposal for freeway-oriented sign related to The Source.

COMMISSION REPORTS:

None


ADJOURNMENT:

At 8:40 p.m., Chair Schoales adjourned the meeting to the regularly scheduled Planning Commission meeting on Wednesday, September 14, 2016, in the City Council Chamber.



Jim Schoales
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary