

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
December 14, 2016

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on December 14, 2016, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Vice Chair Diep presiding.

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

Jay Saltzberg, Planning Manager
Brady M. Woods, Senior Planner
Tiffany Lin, Assistant Planner
Angelica Garcia, Planning Intern
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

- 1. APPROVAL OF MINUTES Special Meeting of November 15, 2016
Adjourned Meeting of November 23, 2016

RECOMMENDED ACTION: Approve

Commissioner Capelle moved and Commissioner Barstow seconded the motion to approve the minutes.

AYES: 6 COMMISSIONERS: Capelle, Barstow, Agrusa, Diep, McGuire, and Schoales

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Chung

ABSTAIN: 0 COMMISSIONER:

- 2. SITE PLAN NO. SP16-012

A request for the expansion of an existing 935 sq. ft. one-story single family residence to include a 454 sq. ft. one-story addition and a Conforming Garage Waiver to retain an existing 240 sq. ft. one-car garage with a 6' 11" driveway width expansion at 7571 Eleventh Street in the RS-6 (One-Family Residential) zone. As proposed, the 1,389 sq. ft. home will include three bedrooms, two bathrooms, kitchen/dining area, living room, and a 1-car garage. The project is Class 1, Section 15301, categorically exempt from CEQA.

PROPERTY OWNER: Sergio Lizarraga Lopez
7571 Eleventh Street
Buena Park, CA

APPLICANT:

Rafael Murillo
5371 Aldrich Road
Southgate, CA 90280

RECOMMENDED ACTION:

Adopt Resolution of Approval

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

The staff report was introduced by Angelica Garcia, Planning Intern.

The subject property is zoned RS-6 (One-Family Residential) and developed with a 935 sq. ft. one-story, single family residence with attached 240 sq. ft. one-car garage. Properties to the north, east, and west are zoned RS-6 and developed with single family homes. The property to the south is zoned RM-20 (Medium-Density Multifamily) and is developed with an apartment complex.

Staff recommends that the Planning Commission adopt the attached Resolution approving Site Plan No. SP16-012 with a Conforming Garage Waiver with findings of fact and conditions.

The property under application is located on the north side of Eleventh Street, with width of 50 ft. and length of 90 ft. with an area of approximately 4,500 sq. ft. The site was originally developed in 1961 with the existing 935 sq. ft. one-story, single family residence and a 240 sq. ft. one-car garage, which is incorporated as part of the home.

As indicated on the submitted plans, the single family residence includes two bedrooms, one bathroom, kitchen, dining room, living room, and attached legal non-conforming one-car garage accessed by a 12 ft. 1 in. wide driveway. The floor area of the home, lot width, and overall area are substandard based on the current Zoning Code. The minimum floor area for a single family residence in the RS-6 zone is 1,100 sq. ft.; minimum lot width is 60 ft. and minimum area is 6,000 sq. ft. As proposed, the addition would increase the floor area in compliance with the Zoning Code requirement. Provision of an additional garage space to comply with the current Zoning Code requirement would require substantial revision of the floor plan, eliminating the living room as currently configured.

The submitted application and plans propose to expand the single story home to include a 454 sq. ft. single story addition with a 6 ft. 11 in. wide driveway expansion and a request for Conforming Garage Waiver to retain the existing 240 sq. ft. one-car garage. The new floor plan will include three bedrooms, two bathrooms, kitchen, dining room, living room, and attached one-car garage, for a new habitable area of 1,389 sq. ft. The garage is not included in the total habitable area. As expanded, the driveway will be 6 ft. 11 in. wide to allow parking for two cars.

The total lot coverage, including the proposed single story addition and attached garage is 36 percent; maximum 40 percent lot coverage is permitted by Code. The rear yard coverage is .02 percent; maximum 30 percent coverage is permitted by Code. The house with addition will be located 22 ft. from the north property line, 23 ft. from the south property line, 5 ft. from the east property line, and 5 ft. 6 in. from the west property line.

Architecturally, the expanded residence will have a gable roof, stucco finish, and dual pane vinyl windows. The expanded home will maintain a design complementing the front elevation, including roof design and material, painted smooth stucco finish, and painted roof trim. The expanded driveway will be decorative concrete pavers to enhance the character of the home. When completed, the expanded home will be painted brown with white roof trim, and include composition shingle roofing to complement the earth tone color scheme, therefore preserving the residential integrity of the existing single-family neighborhood.

Section 19.128.040 of the Zoning Ordinance requires Planning Commission or Zoning Administrator review and approval when the proposed expansion of a single family dwelling, would exceed the greater of 1,100 sq. ft., or 150% of existing habitable area, via the Site Plan Review process. The goal of the Site Plan Review process is not only to ensure that the project meets all development standards of the zoning district, but to also ensure that the project is in "reasonable harmony with the architectural character of the area" and not "detrimental to the existing and intended character" of the surrounding neighborhood. This process furthers the General Plan goal to "maintain and enhance the character of single family residential neighborhoods."

Section 19.204.240C3 of the Zoning Ordinance also requires that a single family dwelling with non-conformity as to the number of required parking spaces in a garage be made fully conforming when the total residential floor area with the expansion, exceeds 1,100 sq. ft. The Code further states that in the event that compliance with this requirement to provide two garage spaces would constitute an undue hardship due to the existing location and floor plan design of any nonconforming garage and/or dwelling, a waiver of the requirement for a conforming garage may be granted.

The proposed addition will increase the floor area to 1,389 sq. ft. in compliance with the current minimum Code requirement for floor area. In considering the applicant's request for a Conforming Garage Waiver for retention of the existing 240 sq. ft. garage, the property size and dimensions as well as existing floor plan and potential locations for a new one-car garage were considered. As described, the residence is built on a lot that is substandard in both overall size and width. In addition, the Code requires a 5 ft. side yard setback along the east property line and 20 ft. front yard setback along the south property line. Therefore, the site and Code constraints prohibit the construction of a new two-car garage on the property. In addition, the single car garage is incorporated within the residential structure so that reconfiguration of the existing floor plan to accommodate an additional garage space would result in elimination of approximately 200 sq. ft. of living area, which would create an undue hardship for the applicant because the living area would be substantially reduced. Expansion of the existing garage to a two-car garage would require complete revision of the floor plan, and would reduce the existing living area of the house. As proposed, the driveway width will be expanded to a width of 24 ft. to provide parking for a total of three vehicles on the property, including the one-car garage and within the expanded driveway, while retaining the required min. 30% front yard landscape area

Staff reviewed the submitted plans, visited the site and surrounding area and is of the opinion that the site can accommodate the proposed single story addition; however, the site cannot accommodate a new two-car garage to meet current zoning requirements without encroaching on required building setbacks or expansion of the existing garage without elimination of approximately 200 sq. ft. of existing living area. On February 29, 2016, the Zoning Administrator approved a Conforming Garage Waiver for a single family residence at 7682 El Rovia Circle due to an undue hardship with their floor plan.

As proposed to include a Conforming Garage Waiver, the addition will be consistent with the character of the existing single family neighborhood and will impose no adverse impacts on adjacent properties. The proposed addition to expand two existing bedrooms and add a new master bedroom with bathroom complies with applicable development standards for residences within the RS-6 (One-Family Residential) zone, including lot coverage, floor plan, setbacks, and architectural compatibility, including the addition of a driveway parking space due to the expanded driveway width.

When completed, the materials, color scheme, and design of the renovated home will blend with the overall architectural character and color palette of the surrounding area, therefore preserving the residential integrity of the existing single-family neighborhood.

The project is Class 1, Section 15301, categorically exempt from CEQA.

Seven public notices of this Planning Commission meeting were mailed to adjacent property owners on December 7, 2016.

Chair Schoales asked if there were any questions for staff.

Commissioner Agrusa asked if a Variance is required for the proposed project.

Mr. Saltzberg said a Variance is not required; however, a waiver for a non-conforming garage is being requested, which the Code permits. Mr. Saltzberg explained that Planning Commission has the discretion to waive the requirement for a conforming garage without going through the Variance process.

Commissioner Capelle clarified, and Mr. Saltzberg confirmed, that the current size of the garage is non-conforming to current code and the proposal also allows the applicant to achieve the minimum size requirement for single-family homes.

Mr. Saltzberg said the house was originally built under previous zoning standards. He added that the additional parking in the driveway brings the total parking spaces to three, to be closer toward the Code requirement. Mr. Saltzberg explained that reconfiguring the entire building area in order to meet the parking requirement would cause financial hardship to the applicant. Therefore, the applicant is requesting Planning Commission to consider this request.

Chair Schoales stated that this is not a public hearing; however, if there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

There being no one wishing to speak on the matter, Chair Schoales advised that the item requires a Resolution for approval or denial with findings.

Commissioner Barstow moved, and Commissioner Diep seconded, the motion to adopt the Resolution approving Site Plan No. SP16-012 with findings of fact and conditions therein.

**RESOLUTION NO. 6023
SITE PLAN NO. SP16-012**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST TO EXPAND AN EXISTING 935 SQ. FT. ONE-STORY SINGLE FAMILY RESIDENCE TO INCLUDE A 454 SQ. FT. SINGLE STORY ADDITION AND A 6 FT. 11 IN. DRIVEWAY EXPANSION IN CONJUNCTION WITH A CONFORMING GARAGE WAIVER TO RETAIN AN EXISTING 240 SQ. FT. ONE-CAR GARAGE AT 7571 ELEVENTH STREET WITHIN THE RS-6 (ONE-FAMILY RESIDENTIAL) ZONE, WITH FINDINGS

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

3. SITE PLAN NO.SP16-010

A request for the expansion of an existing one-story single family residence with attached garage to include a 351 sq. ft. one-story addition and a 1,170 sq. ft. second story addition at 7059 Santa Anita Circle in the RS-6 (One-Family Residential) zone. The project is Class 1, Section 15301, categorically exempt from CEQA.

PROPERTY OWNERS: Leonardo and Blanca Alfaro
7059 Santa Anita Circle
Buena Park, CA 90620

APPLICANT: Jose Rebase
8209 Quoits Street
Downey, CA 90242

RECOMMENDED ACTION: Adopt Resolution of Approval

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

Commissioner Chung arrived prior to the presentation of the staff report for this item.

The staff report was presented by Angelica Garcia, Planning Intern.

The subject property is zoned RS-6 (One-Family Residential) and developed with a 1,315.5 sq. ft. one-story, single family residence with an attached 430.5 sq. ft. two-car garage.

Properties to the north, south, west, and east are zoned RS-6 (One-Family Residential) and developed with single family homes.

Staff recommends that the Planning Commission adopt the attached Resolution approving Site Plan No. SP16-010 with findings of fact and conditions.

The property under application is located on the north side of Santa Anita Circle, between Knott Avenue and Western Avenue, with a street frontage of 60 ft. and a total land area of approximately 6,000 sq. ft. The property is currently developed with a 1,315.5 sq. ft. one-story, single family residence containing two bedrooms, 2 ½ bathrooms, study room, kitchen/dining room, living room and an attached 430.5 sq. ft. two-car garage.

The submitted application and plans propose to expand the single story home to include a 351 sq. ft. single story addition and a 1,170.75 sq. ft. second story addition with a 21 sq. ft. garage expansion. The first floor will include expansion of the existing kitchen and a new den. The new second floor will include two bedrooms, two bathrooms, two walk-in closets, and a television room. The existing two-car garage will be expanded an additional 21 sq. ft. for a total of 451.5 sq. ft. The new floor plan will include four bedrooms, 4½ bathrooms, den, study room, kitchen/dining area, living room, television room, laundry room, two walk-in closets, and an attached two-car garage for a new habitable area of 2,837.25 sq. ft. The garage is not included in the total habitable area. The rear yard shed will be demolished.

The total lot coverage, including the proposed addition and attached garage is 32%; maximum 40% lot coverage is permitted by Code. The rear yard coverage is 6% which is below the 30 % allowed by code. The house with the addition and expanded garage will be located 23.75 ft. from the north property line, 20.5 ft. from the south property line, 5.5 ft. from the east property line, and 5 ft. from the west property line.

Architecturally, the front elevation of the expanded home will have complementary gable roofs for the first and second stories and curvilinear fascia boards. The newly expanded north, south, and west exteriors will maintain a design that will be consistent with the existing architecture, including roof design and material, smooth stucco finish, and framed windows. The north elevation will include a raised window with obscure glass to provide privacy to the adjacent properties. The front elevation will include scalloped fascia boards, decorative corbels and a brick planter to complement the overall design theme of the neighborhood. When completed, the home will have a tan smooth stucco finish with asphalt shingle roofing, with associated design features preserving the architectural integrity of the existing single-family residential neighborhood.

Section 19.128.040 of the City of Buena Park Zoning Ordinance requires Planning Commission or Zoning Administrator review and approval of any addition to a single-family home, in which the addition exceeds 50% of the existing habitable floor area, via the Site Plan Review process. On February 24, 2015, City Council approved Text Amendment No. C14-002, adding Section 19.128.040A1.f.(iii) to the Zoning Code, changing the Site Plan Review process to require prior legal noticing to adjacent and nearby property owners for large additions and new homes, and adoption of "Guidelines for Single Family Residential Additions". The goal of the Site Plan Review process is not only to ensure that the project meets all development standards of the zoning district, but to also ensure that the project is in "reasonable harmony with the architectural character of the area" and not "detrimental to the existing and intended character" of the surrounding neighborhood. This process furthers

the General Plan goal to "maintain and enhance the character of single family residential neighborhoods."

Staff reviewed the submitted plans, visited the site and surrounding area, and is of the opinion that the site can accommodate the proposed addition to the house with expanded garage. As proposed, the addition and garage expansion will be consistent with the architectural character of the existing single family neighborhood and will impose no adverse impacts on adjacent properties.

The proposed addition complies with all development standards for residences within the RS-6 (One-Family Residential) zone, including lot coverage, setbacks, parking, and architectural compatibility. Additionally, the proposal complies with the Guidelines for New Single-Family Residences and Residential Additions adopted by City Council for the purpose of promoting high-quality construction compatible with adjacent properties.

When completed, the materials, color scheme, and design of the renovated home will blend with the overall architectural character and color palette of the surrounding area, therefore preserving the architectural integrity of the existing single-family residential neighborhood.

The project is Class 1, Section 15301, categorically exempt from CEQA.

Nine public notices of this Planning Commission meeting were mailed to adjacent property owners on December 1, 2016.

Chair Schoales asked if there were any questions for staff.

Chair Schoales stated that this is not a public hearing; however, if there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

There being no one wishing to speak on the matter, Chair Schoales advised that the item requires a Resolution for approval or denial with findings.

Commissioner Capelle moved, and Commissioner Barstow seconded, the motion to adopt the Resolution approving Site Plan No. SP16-010 with findings of fact and conditions therein.

**RESOLUTION NO. 6024
SITE PLAN NO. SP16-010**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST TO EXPAND AN EXISTING 1,315.5 SQ. FT. ONE-STORY SINGLE FAMILY RESIDENCE TO INCLUDE A 351 SQ. FT. ONE-STORY ADDITION AND A 1,170.75 SQ. FT. SECOND-STORY ADDITION WITH A 21 SQ. FT. GARAGE EXPANSION AT 7059 SANTA ANITA WITHIN THE RS-6 (ONE-FAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

PUBLIC HEARING:

4. EXTENSION OF NON-CONFORMING PRIVILEGE NO. ENP16-003

A request for construction and operation of a new 5,620 sq. ft. church located at 8302 Artesia Boulevard within the ML (Light Industrial) zone. The project is Class 32, Section 15332, categorically exempt from CEQA.

PROPERTY OWNER/APPLICANT: Love For One Soul Church
8302 Artesia Boulevard
Buena Park, CA 90621

RECOMMENDED ACTION: Adopt Resolution of Approval

In reply to Chair Schoales, Ms. Santos stated that staff had received and distributed a memo from Public Works Director David Jacobs deleting Public Works Conditions 1, 3, and 5 and adding the following condition:

1. Owner/Developer shall provide the Public Works Department with an Ownership Certificate for grading prior to issuance of building permits.

The staff report was presented by Jay Saltzberg, Planning Manager.

The subject property is zoned ML (Light Industrial) and was previously developed with the Love for One Soul Church building. The property to the North, across Artesia Boulevard, is zoned PD (Planned Development) and developed with a multi-family residential development. The property to the South is zoned RS-6 and developed with a single family residence. The properties to the West and East are zoned ML and developed industrially.

The property under application is located on the south side of Artesia Blvd. between Dale Street and Indiana Avenue. The site maintains street frontage of 100 ft. with an area of 29,185 sq. ft. The property was previously developed with a 2,600 sq. ft. one-story religious facility that included a small sanctuary, multi-purpose rooms, cafeteria, kitchen, and offices with parking and landscape areas.

In November 1968, the City Council, with recommendation of the Planning Commission, approved Conditional Use Permit CU-276 for development and operation of the church. When the Conditional Use Permit was approved, the property was zoned RS-6 (One-Family Residential) but was rezoned to ML in 1985. Currently, the Zoning Code permits churches only in the CO (Commercial Office), CG (General Commercial), and CM (Commercial Manufacturing zones). Churches are not permitted in the ML zone; therefore, the Church was considered to be a legal non-conforming land use.

On January 8, 2015, the Planning Commission approved Conditional Use Permit CU 276M1 for remodel and an approximately 3,000 sq. ft. expansion of the existing church for a total of

5,600 sq. ft. As described in the attached November 15, 2016 correspondence, the church building originally approved for remodel and expansion was subsequently stripped to the original framing and construction began consistent with approved plans under CU 276M1. However, the original framing of the existing building intended for reuse was demolished once the structural integrity was determined by the on-site contractor to be substandard and unsuitable for the remodel as approved. The contractor began framing to reconstruct the 2,600 sq. ft. existing building but the project was stopped by the City inspector since the building permit issued was only for "remodel" with expansion. Therefore, CU 276M1, as approved, became invalid. The new proposal is to reconstruct the church building with the same size and configuration as previously approved by CU 276M1.

The proposal to rebuild the legal non-conforming religious facility may be considered by the Planning Commission based on Zoning Code Section 19.132.020 pertaining to "Extension or Termination of Nonconforming Privilege". The purpose of this section is to allow for "varying the requirements relating to the continuation, extension, or termination of nonconforming situations in specific cases which require such adjustment in order to achieve an equitable balance between private property rights and the public interest."

In addition, Zoning Code Section 19.204.020A.3 "Changes and Alterations" allows modifications to non-conforming uses in compliance with other laws., The Federal Religious Land Use and Institutionalized Persons Act (RLUIPA). RLUIPA was adopted by the United States Congress and signed into law by President Bill Clinton in 2000. RLUIPA restricts the zoning and land use powers of State and local jurisdictions with respect to development regulations applicable to religious institutions. In general, RLUIPA requires that government shall not impose land use regulations that provide a substantial burden on the religious exercise of persons, religious assemblies, or organizations, unless the government can demonstrate that imposition of the burden furthers a compelling government interest and is the least restrictive method to further the government interest.

The submitted application and plans propose the construction and operation of an approximately 5,600 sq. ft. religious facility, with building area and interior configuration consistent with the previously approved CU 276M1. The church will include a new sanctuary with 58 seats, approximately 200 sq. ft. stage area, media room, entry area, prayer rooms, classrooms, cafeteria, kitchen, and men's and women's restrooms. Forty-six parking stalls will be provided. Front setback and parking area landscape will be included, with a new 10 ft. wide rear landscape setback buffer with screening trees.

The building elevations will feature a contemporary design with the new front facade incorporating varying tones of blue plaster in a geometric pattern with etched tempered glass icon and complementary colors along the side elevations with decorative reveals.

Love For One Soul Church operates daily, including worship, bible study, and refreshments. The Love For One Soul Church was originally established in Los Angeles and relocated to the existing church at the property in December 2014. There are approximately 60 current members of the congregation. The purpose of the proposal is to create a modern religious facility to accommodate the worship needs and community service objectives of the congregation.

As stated previously, the proposal to reconstruct and operate the legal non-conforming religious facility may be considered by the Planning Commission based on Zoning Code Sections "Extension or Termination of Nonconforming Privilege" 19.132.020 and

"Nonconforming Uses and Sites 19.204.020A.3. Changes and Alterations." The proposal for a new religious facility is in conformance with applicable Zoning Code development requirements, including landscape setbacks, access, circulation, parking, and architectural design. The process is also consistent with RLUIPA an requirement to apply a reasonable regulatory process that does not excessively restrict use of land or development of buildings for religious institutions or provide unreasonable barriers to development or use for religious purposes.

In reviewing the applicant's request for Extension of Nonconforming Privilege, staff has determined that the project to construct the religious facility is consistent with applicable Code provisions (Section 19.132.020D/E.) including that appropriate balancing of the public interest and the vested interests of the property owner requires deviation from the standard nonconformity regulations. As proposed, the church building can be accommodated on the site with appropriate development conditions and without negative impact on the subject or surrounding properties in order to assure equitable balance of the public interest and the vested interests of the owner(s) of the subject property.

The proposed new single story approximately 5,600 sq. ft. religious facility, with 24 ft. tall decorative front façade, will include a 29.5 ft. landscape setback from the front property line and a 10 ft. landscape setback from the rear property line. The sanctuary with 58 seats and the classroom configuration within the building require 27 parking spaces, per Code. A total of 46 parking spaces will be provided.

Staff believes that the new church building, including prayer rooms and restroom facilities, with ample parking and landscape improvements, will appropriately accommodate potential additional patrons of the church. The upgraded design and configuration of the new church building will provide a contemporary facility with enhanced appearance and functionality. As conditioned, sufficient landscape buffer and separation will be provided so as not to negatively affect adjacent single family residential properties to the south.

As proposed, the new religious facility complies with applicable development standards including access, circulation, parking, landscape, buffering, height, and design criteria. Therefore, Staff concludes that the proposed religious facility is appropriate for operation at the site in a manner consistent with adjacent properties.

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

Notice of public hearing was posted at City Hall, Buena Park Library, and Ehlers Community Center on December 1, 2016 and 24 notices were mailed to property owners within a 300 ft. radius of the subject property on December 1, 2016.

Chair Schoales asked if there were any questions of staff.

Commissioner Agrusa asked if the entire building had been demolished and if a Variance is required.

Mr. Saltzberg said the entire building was demolished and that a temporary canopy is being used at the back to allow for church services in the interim.

Commissioner Agrusa asked, and Mr. Saltzberg confirmed, that the site is industrial, according to the Master Plan.

Commissioner Capelle recalled that the remodeling and expansion of the church was approved in the past; however, the building was demolished instead.

Mr. Saltzberg explained that the proposed project does not require a Variance; however, it requires an extension of non-conforming privilege, which may be granted upon discretion of the Planning Commission.

Commissioner McGuire asked if the process can be expedited if the applicant is granted the extension of non-conforming privilege.

Mr. Saltzberg said staff had worked with the applicant so that construction plans were submitted in advance for building plan check pending the approval of the proposed project. . Mr. Saltzberg explained that the appeal period ends on January 9, 2017. Once the project is approved and plan check completed, construction may start, which should be within a few weeks.

Chair Schoales asked why the Public Works Director made the revisions stated in the memo distributed at this meeting.

Chair Schoales stated 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.

Simon Gwon, applicant, FORE Architects, 110 E. 9th Street, Suite C-700D, Los Angeles, CA 90079, said he was not sure if the entire building was demolished.

Mr. Gwon explained that the revised conditions were to match the original conditions of the project.

There being no one else wishing to speak on the matter, Chair Schoales closed the public hearing and advised that the item requires a Resolution for approval or denial with findings.

Commissioner Barstow moved, and Commissioner Capelle seconded, the motion to adopt the Resolution approving Extension of Non-Conforming Privilege No. ENP16-003 with the revisions listed by the Public Works Director in the memo distributed at this meeting, and with findings of fact and conditions therein.

**RESOLUTION NO. 6025
EXTENSION OF NON-CONFORMING PRIVILEGE NO. ENP16-003**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
BUENA PARK APPROVING A REQUEST FOR EXTENSION OF NON-
CONFORMING PRIVILEGE TO CONSTRUCT AND OPERATE A 5,620 SQ.
FT. CHURCH AT 8302 ARTESIA BOULEVARD WITHIN THE ML (LIGHT
INDUSTRIAL) ZONE WITH FINDINGS IN SUPPORT**

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

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Saltzberg said a mixed-use live-work housing development by Brandywine for the former Burger King site at Crescent and Stanton is scheduled for the January 11 Planning Commission meeting.

STAFF REPORTS:

Mr. Saltzberg announced the appointments of Mayor Swift and Mayor Pro Tem Vaughn at the City Council Meeting of December 13. He also discussed the extension of the moratorium on recreational marijuana.


COMMISSION REPORTS:

None

ADJOURNMENT: At 7:47 p.m. Chair Schoales adjourned to the next regularly scheduled Planning Commission meeting.


James Schoales
Chair

ATTEST:


Joel W. Rosen, AICP
Secretary