

**CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
January 11, 2017**

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on January 11, 2017, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Schoales presiding.

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

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
Iris Lee, Assistant City Engineer
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

- 1. APPROVAL OF MINUTES** Meeting of December 14, 2016
Adjourned Meeting of December 28, 2016

RECOMMENDED ACTION: Approve

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

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

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

PUBLIC HEARING:

NEW BUSINESS

- 2. GENERAL PLAN AMENDMENT NO. GP16-002 FROM COMMERCIAL TO GENERAL MIXED-USE; ZONE CHANGE NO. Z16-001 FROM COMMERCIAL GENERAL TO GENERAL MIXED-USE; DEVELOPMENT AGREEMENT NO. DA16-006 FOR A 17-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT WITH SIX OPTIONAL LIVE-WORK UNITS; TENTATIVE TRACT MAP NO. TT16-003 FOR SUBDIVISION ON ONE PARCEL INTO 17 NUMBERED AND TWO LETTERED LOTS; AND ADDENDUM .TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE**

STANFORD/CRESCENT TOWNHOME PROJECT

A request to consider a recommendation to the City Council for the proposed construction of a two-story 17-unit residential condominium development including six optional live-work units with associated open space, parking, and site improvements on a 1.43 acre site at 8572 Stanton Avenue in the CG (Commercial General) zone.

PROJECT OWNER/PROPONENT: Brandywine Homes LLC
16580 Aston
Irvine, CA 92606

RECOMMENDED ACTION: Adopt Resolutions recommending City Council approval

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

The staff report was presented by Tiffany Lin, Assistant Planner.

The 1.43 acre site is located along the east side of Stanton Avenue within the CG (Commercial General) zone with the BCAA (Beach/Crescent Architectural Overlay) designation and is currently undeveloped. The property to the north is zoned CO (Commercial Office) with the BCAA (Beach/Crescent Architectural Overlay) designation and is developed with the United Food and Commercial Workers Union Hall. The properties to the east are zoned RS-6 (One-Family Residential) and are developed with single-family homes. The property to the south is zoned CG with the BCAA (Beach/Crescent Architectural Overlay) designation and is developed with Knights Inn Motel. The property to the west, across Stanton Avenue, is zoned CG and is developed with a commercial center also with the BCAA (Beach/Crescent Architectural Overlay) designation.

Staff recommends that the Planning Commission adopt the attached Resolutions recommending approval of General Plan Amendment No. 16-002, Zone Change No. Z16-001, Tentative Tract Map No. 16-003, and Development Agreement No. DA16-006 to the City Council.

The site is located on the east side of Stanton Avenue, between Crescent Avenue and the intersection of Stanton Avenue and Beach Boulevard, with street frontage of approximately 197 ft. along Stanton Avenue. The site was previously developed with a fast-food restaurant (Burger King) with drive-thru and associated parking lot. The Burger King restaurant structure was demolished in 2006 and the site contains the remnant parking lot and building foundation.

In November 2007, the City Council approved Development Agreement No. DA07-001 for the demolition of the 52,000 sq. ft. Union Hall facility and construction of a 63-unit townhome development including 23,330 sq. ft. of associated open space on a 5.43 acre site. The subject property was one of three parcels that was included as part of this project. In November 2008, the City Council granted a one-year extension of time for the project, however the development never commenced. The project included a certified Final Environmental Impact Report (FEIR) and the Environmental Impact Report concluded that all potentially significant environmental impacts can be reduced to a level of environmental insignificance through mitigation measures including sewer line improvements, sound

attenuation construction techniques, and construction restrictions. The current proposed project is found to be within the scope of the previously certified FEIR for the Stanton/Crescent Townhome project. An addendum has been prepared as part of this project to address the requirement of Senate Bill 18 to contact, provide notice, and consult with tribes with respect to impacts to traditional tribal cultural places through the General Plan Amendment process. The addendum will include site monitoring by a certified Native American Monitor, as a condition of approval.

In December 2010, the City Council approved the comprehensive 2035 General Plan update to reflect the current conditions of the City and establish the vision for future growth. The 2035 General Plan identifies 10 key focus areas within the City as those with the most potential for growth and change. The subject site is located in the Entertainment Corridor Focus Area. Considered the "heart" of the City, the Entertainment Corridor Focus Area is envisioned as a pedestrian-friendly section of the City that includes tourist destinations, mixed-use developments, and commercial use districts. A primary design characteristic for this focus area includes mixed-use buildings incorporating ground-floor retail/office uses complemented by streetscape amenities such as street trees, street furniture, attractive signage, landscaping, and lighting. Although the focus area encourages tourist entertainment development, future redevelopment within this area must also be compatible with the existing surrounding single-family neighborhoods.

In July 2016, Staff presented a preliminary concept plan for 17-unit, two-story townhome condominium project proposal to the City Council, which featured a contemporary architectural design. The City Council was generally in support of a mixed-use development and configuration as presented, but expressed a preference that the project includes a more traditional architectural design rather than the contemporary design that was proposed. The Council was also supportive of having a live-work component to the project. In August 2016, the City Council reviewed and conceptually approved the revised plans that included a contemporary "Mediterranean" design with optional live/work units.

The submitted application and plans propose construction of a 2-story residential development consisting of seventeen (17) condominium units including six (6) optional live-work units with associated open space, parking, and other site improvements on the approximately 1.43 acre site. The application includes a General Plan Amendment, a Zone Change, and a Tentative Tract Map. The current General Plan land use designation for the site is Commercial; the proposed land use designation is GMU (General Mixed-Use). The current zoning for the site is CG (Commercial General). The proposed zoning is GMU (General Mixed-Use) which would be consistent with the proposed General Mixed Use designation.

The proposed residential development will consist of three buildings. The six optional live-work units will be located within one building fronting Stanton Avenue. The building located in the center of the development will include five units and the building towards the rear will include six units. There will be four floor plan options which will range from 1,859 sq. ft. to 2,094 sq. ft. Eleven units are proposed to contain three bedrooms with two and half bathrooms and six units are proposed to contain four bedrooms with three bathrooms. Each unit will include a kitchen and either a great room or a living and dining room. There are two floor plans for the three-bedroom units- Plan 1 and Plan 2. The three-bedroom units will include a kitchen, powder room, and either a great room or a living and dining room on the first floor. The optional live/work unit will reduce the living room area to create an office work space. The second floor will include three bedrooms, a loft for Plan 2, and a laundry room.

The four-bedroom units will also include two floor plans- Plan 3 and Plan 4. Both floor plans include a kitchen, either a living and dining room or a great room, bedroom, and bathroom on the first floor and three bedrooms, a laundry room, and a loft on the second floor. The live/work option for Plan 3 will replace the one bedroom on the first floor with an office work space and the live/work option for Plan 3 will reduce the great room to allow for the work space.

The General Mixed Use Zoning Designation requires that development standards for the project be set via the Development Agreement process. The proposed building lot coverage is 53.7%. The proposed height for the two-story buildings is 30 ft. Storage for certain units includes areas within oversized garages which allows for extra storage space. In addition, each floor plan includes either an extra room or an enclosed stairway alcove for additional storage space. Each unit will be supplied with individual trash containers.

Common open space for the development will be provided in a central location within the development accessible by interior sidewalks. The common open space will be surrounded by a 42" high wrought iron protective barrier and will include one seating area with a gas barbecue under a trellis patio cover. The common open space includes a total of 2,224 sq. ft. of landscaped areas. All units will feature an approximately 200 sq. ft. private open area within the front yard and private balconies from the master bedroom, with wood railing.

The proposed building along the Stanton Avenue frontage will be set back 15 ft. from the street right of way with an 8 ft. wide sidewalk and parkway area. The building will also maintain 10 ft. setbacks from the north, south, and east property lines. The north setback area will include landscaping and a portion of the interior sidewalk within the development. The south setback includes landscaping and a portion of the driveway access. The west setback includes landscaping and a portion of the private open area for the six units fronting Stanton Avenue. Private open spaces will be approximately 200 sq. ft. per unit and will be enclosed by 36" high stucco walls with entry gates. The east setback includes landscaping consisting of screening trees adjacent to existing single-family residences. A new 8 ft. tall concrete block wall will be erected along the north, south, and east property lines adjacent to the existing residences and commercial sites.

Vehicular access to the site is from Stanton Avenue. Each unit will include a two-car garage with sizes ranging from 440 sq. ft. to 485 sq. ft. A total of 57 parking spaces are provided for the development including 34 2-car garage spaces, with 17 on-site open parking spaces and 6 on-street parallel parking spaces. The on-site open parking spaces are located towards the rear of the development and include a van accessible parking space. The open parking area is buffered by a 10 ft. landscaped setback area and an 8 ft. tall concrete block wall adjacent to the existing residences. The 6 on-street parking spaces are located adjacent to the subject property along Stanton Avenue.

Landscaping along the project street frontage along Stanton Avenue will include 24 in. box trees, flowering shrubs, and low accent ground cover. The project includes approximately 23,223 sq. ft. of landscaping, which includes perimeter landscaping, interior landscaping, the common area, and private open areas. In order to provide a buffer between the proposed project and the adjacent residential area, the project landscaping includes 24 in. box trees to be spread no greater than 20 feet from center to center along the east property line. The perimeter of the site will include a combination of screen trees, shrubs, and groundcover.

The applicant is proposing deviation from the required open area and common usable area standards. City Code requires forty percent of the developed lot to include open area which is landscaped. The applicant is proposing an open area of 37% which will include landscaped setbacks, interior landscaping, recreational open area, and private open areas. City Code requires common usable open area of two hundred square feet per dwelling unit. Based on the number of dwelling units within the development, the required common usable open area is 3,400 sq. ft. The applicant is proposing 2,224 sq. ft. of common usable open area for the project.

The buildings will feature a Mediterranean design theme, including a variety of forms and finishes, varied rooflines, dimensional façades, two-tone sand stucco finish and trim, wood fascia, bargeboards, decorative railing, stucco pot shelves, outriggers, decorative address signs, "S" tile roofing, decorative exterior coach lights, painted entry doors, and arched entryways. Decorative metal automatic garage doors will be provided for each unit. The buildings will include a consistent architectural finish with an earth tone color scheme. The main building fronting Stanton Avenue will be a 6-plex that accommodates the six live-work units. The applicant is proposing a monument sign on the southwest corner of the site which will be approved along with individual building unit signs for the live-work units under a separate permit.

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 the proposed General Mixed Use Zoning designation requires it and because 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 order to allow the project to move forward, a General Plan Amendment, Zone Change, and Tentative Tract Map are also required subject to Planning Commission review and recommendation of City Council approval.

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 General Plan Amendment, Zone Change, and Tentative Tract Map will allow the subject site to transition into a residential development that can properly integrate with the surrounding single family residences and commercial centers. The subject property, originally developed as a fast-food restaurant with drive-thru has remained undeveloped, except for the remnant parking area, for an extended time. The property was previously approved as part of a large townhome development project in 2007 which was not constructed. The previously approved project included a certified Final Environmental Impact Report (SCH#2006041136).

The subject site is currently zoned Commercial General with the Beach/Crescent Architectural Overlay designation and located within the General Plan Entertainment Corridor Focus Area. The Beach/Crescent Architectural Overlay designation provides guidance to developers and property owners for the design and integration of existing and new development by encouraging quality design in order to maintain the viability of properties within the Beach/Crescent area. The Entertainment Corridor Focus Area is envisioned as a

pedestrian-friendly and tourist-oriented destination that connects Knott's Berry Farm to the Mall and other visitor serving uses along Beach Boulevard. The main form characteristics include mixed-use buildings with ground-floor retail, tourist entertainment uses, and public entertainment plazas. The design features for the focus area include unique streetscape amenities such as street trees, landscaping, and lighting. Although the General Plan does not designate residential uses for the focus area, the case studies for the Entertainment Corridor Focus Area do provide examples of how residential projects may be integrated within the entertainment corridor. The two case studies under the General Plan's Entertainment Corridor Focus Area discuss two mixed-use projects with a primary residential component supplemented by light commercial office and retail uses.

Based on the scope of the project and architectural design, Staff is of the opinion that the proposed General Plan Amendment and Zone Change will allow the subject site to transition into a mixed-use residential development that properly integrates with the surrounding residential neighborhood to the east. The proposed project provides a smooth transition between the adjacent single family residences to the east and the commercial uses in the surrounding area which include an integrated shopping center and two hotels. The project includes a commercial component with the six optional live-work units that provide the opportunity for home-based businesses to future potential homeowners. The proposed residential land use of the property will assist the City in meeting the housing goals of the City's General Plan. The density of the housing is appropriate for the anticipated growth within the focus area and encourages pedestrian activity within what is considered the "heart" of the City. The project has been designed with architectural and site design features to complement the surrounding commercial uses as well as separation and buffering from the single family residences and senior housing development to the east and south, respectively.

The site and architectural design of the proposed mixed-use development provides appropriate development standards for styling, setbacks, open space, parking, block wall separation, and vehicular and pedestrian access, as conditioned. The project incorporates enhanced design, including diverse textures and materials which give the development a unique and appealing quality. Additionally, the developer has provided quality architectural design and amenities that are consistent with other newer mixed-use developments within the area. 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 2,000 sq. ft. of outdoor common open space in addition to the other interior residential amenities area as well as individual private balconies and open space areas for each unit. Both the private and common useable open space will provide appropriate recreation opportunities for the future residents of this development.

In regards to the Tentative Tract Map request, Staff has reviewed the proposed subdivision of the subject properties for consistency with the City's General Plan, development standards within the Zoning Ordinance, Subdivision Ordinance, and the State Subdivision Map Act. The project design and configuration are consistent with applicable development criteria for multi-family residential housing projects and complies with the goals of the General Plan. The proposed townhome condominium development will maintain provisions for emergency access, circulation, and parking and maintain an efficient flow of traffic for ingress and egress.

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 found to be within the scope of the previously certified Project EIR for the Stanton/Crescent Townhome project (SCH# 2006041136). All applicable mitigation measures required by the previously certified Stanton/Crescent Townhome Project EIR will remain in effect. The previously certified FEIR included a sewer line upgrade for an existing 10-inch sewer line. Due to the reduced scope of the current project, the sewer line will not need to be upgraded at this time. An interim measure requiring a sewer overflow monitoring system be installed has been made a condition of approval. Also, in response to SB 18 consultation regarding project development on traditional tribal cultural places, an Addendum to the EIR has been prepared. An additional condition of approval has been added requiring a certified Native American Monitor to be on site to protect cultural resources during any and all ground disturbance activities.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on December 22, 2016, and 42 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on December 22, 2016.

Chair Schoales asked if there were any questions for staff.

Commissioner Diep asked if the designated parking spaces per unit will be individually marked, if there will be street parking, and if there will be signage for the live-work units.

Mr. Rosen said the on-site parking spaces will not be individually marked and street parking will be permitted. He added that the live-work units will have individual front signage identifying the business.

Ms. Lin said signage for the live-work units can be obtained through the sign permit process.

Chair Schoales complimented the applicant on the design of the project; however, he noted that there is a motel adjacent to the proposed site with a balcony that would overlook the proposed project. He expressed concern about privacy of future residents and the lack of security gates for the proposed development based on proximity to the adjacent motel and the large amount of transient pedestrian traffic in the area. Chair Schoales added that security concerns may cause certain owners to leave and rent out their units. He said he would like to see the proposed project as owner-occupied instead of rental units.

Ms. Lin addressed the privacy concerns raised by Chair Schoales by describing the setbacks for the proposed building and landscape plans to provide buffer. She said the building along the Stanton Avenue frontage will be set back 15 ft. from the street right-of-way. She also described the proposed landscaping which includes trees for screening/buffering purposes.

Chair Schoales recalled that last year, there was a request for Zone Change from Residential to Commercial in the area. He asked staff to explain the proposed Zone Change from Commercial to Residential. Chair Schoales also asked about the nearest school and the proximity of the proposed project to a park.

Mr. Rosen said the school nearest to the proposed project is Dysinger School and the nearest park is within the same proximity from existing homes adjacent to the proposed site.

Commissioner Agrusa commented, and Mr. Rosen agreed, that it may not be practical to provide security gates for the project because of the live-work units. Mr. Rosen added that installing a security gate will also require redesign of the project to include a call box and a turnaround driveway by the gate.

Commissioner Diep asked if the senior apartment complex south of the motel is gated.

Mr. Rosen said the senior apartment complex is gated with open parking.

Commissioner Diep recalled that the properties near the senior apartment complex were originally envisioned to be Residential until the Union group decided to rebuild.

Mr. Rosen said the approved development for 63 units did not include the hotel, and the site is designated for Residential and Mixed-Use.

Commissioner Diep commented that the proposed project is not entirely a new; it is a smaller version of the project plan that was approved but did not materialize. She recalled that the Crescent/Stanton plan was intended as Residential.

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.

Alex Hernandez, representing property owner/applicant Brandywine Homes, LLC, 16580 Aston, Irvine, CA 90620, said the installation of a gate would not be feasible because of the reasons stated by Mr. Rosen. He added that the concerns raised by Chair Schoales at this meeting were considered when the project was designed. He described the orientation of the homes to safeguard privacy and the proposed landscaping that would provide buffer and screening.

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

Commissioner Barstow moved, and Commissioner Agrusa seconded, the motion to adopt the following Resolutions recommending City Council approval of General Plan Amendment No. GP16-002, Zone Change No. Z16-001, Development Agreement No. DA16-006, Tentative Tract Map No. TT16-003, including an Addendum to the previously certified Environmental Impact Report for the Stanford/Crescent townhome project.

**RESOLUTION NO. 6027
GENERAL PLAN AMENDMENT NO. GP16-002**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF BUENA PARK, CALIFORNIA, RECOMMENDING
THAT THE CITY COUNCIL OF THE CITY OF BUENA PARK
APPROVE GENERAL PLAN AMENDMENT NO. GP16-002
FOR PROPERTY LOCATED AT 8572 STANTON AVENUE,**

**AMENDING THE LAND USE ELEMENT OF THE GENERAL
PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF**

**RESOLUTION NO. 6028
ZONE CHANGE NO. Z16-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE NO. Z16-001 FROM CG (COMMERCIAL GENERAL) TO GMU (GENERAL MIXED-USE) PERTAINING TO PROPERTY LOCATED AT 8572 STANTON AVENUE WITHIN THE CITY OF BUENA PARK

**RESOLUTION NO. 6029
DEVELOPMENT AGREEMENT NO. DA16-006**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVE DEVELOPMENT AGREEMENT NO. DA16-006 TO CONSTRUCT A 17-UNIT ATTACHED SINGLE FAMILY RESIDENTIAL CONDOMINIUM SUBDIVISION INCLUDING SIX LIVE-WORK UNITS, WITH ASSOCIATED OPEN SPACE, PARKING, AND OTHER SITE IMPROVEMENTS ON APPROXIMATELY 1.43 ACRES OF LAND LOCATED AT 8572 STANTON AVENUE IN THE GMU (GENERAL MIXED USE) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

**RESOLUTION NO. 6030
TENTATIVE TRACT MAP NO. TT16-003 (18084)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING CITY COUNCIL APPROVAL OF A TENTATIVE TRACT MAP TO SUBDIVIDE AN APPROXIMATELY 1.43 ACRE PARCEL INTO 17 NUMBERED AND 2 LETTERED LOTS FOR THE CONSTRUCTION A 17-UNIT ATTACHED SINGLE FAMILY RESIDENTIAL CONDOMINIUM SUBDIVISION INCLUDING SIX LIVE-WORK UNITS, WITH ASSOCIATED OPEN SPACE, PARKING, AND OTHER SITE IMPROVEMENTS AT 8572 STANTON AVENUE (APN: 070-141-11) WITHIN THE GMU (GENERAL MIXED USE) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NOES: 1 COMMISSIONER: Schoales

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Woods said Site Plans for larger additions to single family homes and Variances for new office developments will be scheduled in future meetings.

Mr. Saltzberg said future items will also include ABC license requests for new restaurants and a Mitigated Negative Declaration for a replacement booster pump station owned by the City and located in Fullerton.

STAFF REPORTS:

Mr. Rosen gave updates on the 45-day moratorium on Recycling Centers, and denial by City Council of the Arte Homes project.


Mr. Rosen introduced Iris Lee, Assistant City Engineer.

COMMISSION REPORTS:


Commissioner Diep asked for an update on new State regulations on accessory dwelling units.

Mr. Rosen said a study session will be scheduled.

ADJOURNMENT: At 7:40 p.m. Chair Schoales adjourned to the next regularly scheduled Planning Commission meeting.


James Schoales
Chair

ATTEST:


Joel W. Rosen, AICP
Secretary