

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
February 8, 2017

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on February 8, 2017, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Schoales presiding.

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

ABSENT: COMMISSIONER: Barstow

Joel W. Rosen, AICP, Director of Community Development
Jay Saltzberg, Planning Manager
Brady M. Woods, Senior Planner
Iris Lee, Assistant City Engineer
Ruth Santos, Senior Administrative Assistant

1. APPROVAL OF MINUTES Meeting of January 25, 2017

RECOMMENDED ACTION: Approve

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

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Barstow

ABSTAIN: 0 COMMISSIONER:

NEW BUSINESS

2. SITE PLAN NO. SP17-001

A request to construct a 1,106 sq. ft. second story addition and 68 sq. ft. kitchen addition at an existing single family home located at 7935 Aster Circle in the RS-6 (One-Family Residential) zone. The project is Class 1, Section 15301, categorically exempt from CEQA.

PROJECT OWNER/APPLICANT: Ana Maria Chavez
7935 Aster Circle
Buena Park, CA 90620

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 Capelle recommended that the staff report be waived as is customary with Site Plans for additions to single family residences.

Mr. Rosen agreed, adding that Site Plans for single family residential additions are usually listed under Consent Calendar.

Commissioner Capelle moved and Commissioner McGuire seconded the motion to waive the staff report.

Chair Schoales waived the reading of the staff report.

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 Diep seconded, the motion to adopt the Resolution approving Site Plan No. SP17-001 with findings of fact and conditions therein.

**RESOLUTION NO. 6031
SITE PLAN NO. SP17-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST TO EXPAND AN EXISTING 1,101 SQ. FT. ONE-STORY SINGLE FAMILY RESIDENCE TO INCLUDE A 1,106 SQ. FT. SECOND-STORY ADDITION AND A 68 SQ. FT. KITCHEN AREA EXPANSION AT 7935 ASTER CIRCLE WITHIN THE RS-6 (ONE-FAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Barstow

ABSTAIN: 0 COMMISSIONER:

PUBLIC HEARING:**NEW BUSINESS:****3. MITIGATED NEGATIVE DECLARATION NO. MND17-01**

A request to consider a recommendation to the City Council for the certification of a Mitigated Negative Declaration for the construction of a new booster pump station at the site of an existing obsolete water pumping station next to a City of Buena Park reservoir to include a 1,949 sq. ft. water pump building located at 8781 Rosecrans Avenue, City of Fullerton.

PROJECT PROPONENT: City of Buena Park
6650 Beach Boulevard
Buena Park, CA 90622

RECOMMENDED ACTION: Adopt Resolution recommending City Council Approval

In reply to Chair Schoales, Ms. Santos stated that staff had received and distributed correspondence, with comments, from the State of California Department of Toxic Substances Control, the Orange County Transportation Authority (OCTA), and the Orange County Public Works Department, as well as responses to the comments from Psomas, the City environmental and engineering consultant for the project.

The staff report was presented by Jay Saltzberg, Planning Manager, and Francisco Gutierrez, Associate Engineer.

The site is currently developed with a City of Buena Park water pumping station, which is located in the City of Fullerton. Constructed in 1964, the approximately 1/5 acre pumping station site is surrounded by an approximately 6 ft. tall chain link fence with landscape screening. The existing water pumping equipment is located on an unenclosed paved surface with the exception of electrical equipment within an adjacent small masonry building. The site is located on the north side of Rosecrans Avenue. Across Rosecrans Avenue to the south are a condominium development zoned RM-10 (Low Density Multifamily Residential) and Ralph B. Clark Regional Park, located in Buena Park; Athletic fields are located to the west and east of the site. Adjacent directly to the north is Buena Park's 20 million gallon water storage reservoir, covered by athletic fields, with single family residences beyond, and located in Fullerton. Recently, the pump station has been used only in emergency conditions, including scheduled Metropolitan Water District outages.

Staff recommends that the Planning Commission recommend adoption of the attached Resolution certifying Mitigated Negative Declaration No. MND17-01 to the City Council.

The existing water pumping station has operated for more than fifty years and has been determined to be obsolete as a result of analysis by Psomas Engineering. Current water production capability is below current minimum standards. The electrical equipment is outdated, with replacement parts increasingly difficult to find, often requiring manual operation of the facility. The outdoor location of the pumping equipment subjects the facility to varying weather conditions and vandalism.

The Orange County Water District has requested that Buena Park pump additional underground water to minimize reliance on the Metropolitan Water District (MWD) and is providing incentives for additional pumping to increase water production. During emergencies precluding purchase of MWD water, Buena Park must be capable of independently providing water for domestic consumption.

As requested by the City of Fullerton, the City of Buena Park acted as Lead Agency in the preparation of the Initial Environmental Study for the proposed Booster Pump Station Replacement Project. The environmental documentation process and associated project scope have been coordinated with the City of Fullerton.

Pursuant to City Code and as coordinated with the City of Fullerton, the proposed Initial Study/Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program is submitted for City of Buena Park review and determination that the attached Initial Study and associated Mitigated Negative Declaration demonstrate that the potential environmental impacts associated with development of the new water pumping facility will not result in a significant impact on the environment based on inclusion of specified mitigation requirements.

The Initial Study/MND document analyzes the potential environmental impacts associated with proposed demolition of the existing obsolete water pumping station and development of a new water pumping facility. The Initial Study concluded that there was evidence that the project has the potential to have a negative effect on the environment relating to air quality, biological resources, cultural resources, geology and soils, noise, and transportation and traffic, without inclusion of mitigation requirements as part of the project. Therefore, a Mitigation Monitoring and Reporting Program has been incorporated to ensure that any potential environmental impacts are reduced to the level of environmental insignificance.

The Initial Study analyzed the potential environmental impacts associated with development of the new water pumping station including a 1,949 sq. ft. pump station building featuring decorative masonry with a height of 17 ft. and surrounded by a min. 8 ft. tall decorative block wall. The building will include a pump room, electrical room, generator room, and disinfection room, as described in detail within the attached Initial Study/MND. In addition, associated improvements will include a vehicle turnaround area, a detention basin to capture surface drainage and nuisance water, and a concrete pad for a 4000 gallon steel surge tank. During the construction period, temporary staging areas adjacent to Rosecrans Avenue and adjacent to the north of the athletic fields will be used for construction equipment and materials to be secured with temporary fencing. Construction is estimated for approximately one year.

The proposed Mitigated Negative Declaration for the project recommends a Mitigation Monitoring and Reporting program, including required actions, timing and responsible parties, to ensure that there are no unmitigated environmental impacts. Staff believes that the associated Mitigation Monitoring and Reporting Program adequately addresses the potential environmental impacts discussed in the attached Initial Study. All potential impacts will be either avoided or reduced to achieve a level of environmental insignificance.

Staff is of the opinion that the proposed Initial Study/Mitigated Negative Declaration (MND) provides sufficient analysis to support the required environmental determination for the proposed replacement of the obsolete pump station, consistent with CEQA requirements.

The document appropriately analyzes the potential environmental impacts associated with construction of the new water pumping station. Based on the required Mitigation Monitoring and Reporting Program, any potential project impacts will be reduced to a level of environmental insignificance.

The proposed vital new pumping station will provide critical water production capability with replacement of the existing substandard, obsolete, underperforming facility. The replacement pumping station is essential to providing a sustainable water supply for area residents. The facility will assist the City in maintaining adequate system pressure in emergency situations when imported water may be unavailable to pressurize the upper zones of the service area. In addition, the site and architectural character of the proposed water pumping facility will include design, scale, buffering, circulation, access and security features to properly integrate with area development.

As determined by the Cities of Fullerton and Buena Park, all required on-site permits and inspections will be the responsibility of Buena Park. All required permits for off-site/public right-of-way work shall be obtained from Fullerton.

The City of Buena Park prepared and circulated the attached Initial Study/Mitigated Negative Declaration for the proposed development which discusses environmental categories, potential for and degree of impacts, and mitigation requirements, as appropriate. The public review period began on January 5, 2017 and ended on February 4, 2017. Potential issues summarized and addressed, including timing, responsible parties, and mitigation requirements, in the Mitigation Monitoring and Reporting Program are as follows:

Air Quality
Biological Resources
Cultural Resources
Geology and Soils
Noise
Transportation and Traffic

The Initial Study/Mitigated Negative Declaration concludes that all potentially significant environmental impacts can be reduced to a level of environmental insignificance, with the associated Mitigation Monitoring and Reporting Program. As required, the project design and construction will incorporate the mitigation measures proposed within the Mitigated Negative Declaration to ensure that identified potential environmental impacts are addressed.

Notice of Availability and Intent to Adopt a Mitigated Negative Declaration for the Rosecrans Booster Pump Station Replacement Project was posted at the project site and at City Hall, the Buena Park Library, and on the City website (BuenaPark.com) and was sent to interested agencies and organizations on January 5, 2017.

Notice of the Planning Commission public hearing to consider a recommendation to the City Council regarding the Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program was posted online at City Hall, the Buena Park Public Library, and Ehlers Community Center on January 26, 2017; 32 notices were mailed to property owners within a 300 ft. radius of the subject property and 71 notices were mailed to residential property owners to the north and west of the site in the City of Fullerton on January 26, 2017.

Chair Schoales asked if there were any questions for staff.

Commissioner McGuire asked who is financially responsible for the proposed project, and suggested that the proposed pump station be redesigned to reduce the project cost.

Mr. Rosen responded that the role of the Planning Commission was limited to review of the environmental analysis, but noted that the project scope and design had been determined to be appropriate to achieve the project objectives.

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.

Harvey Gobas Consultant, Psomas Engineering, Francisco Gutierrez, Associate Engineer, and Mike Grisso, Utilities Manager, explained the benefits of the proposed project. They said the project will replace the existing outdated pumping equipment and improve energy efficiency; provide greater operational flexibility and improved Citywide water management; and will enable City to meet emergency demands under various conditions including fire, earthquake, or imported water loss.

The City Engineering staff confirmed that the proposed project will be paid for by the City's Water Enterprise Fund.

In response to Commissioner Diep, Mr. Gutierrez said the water source for the pumping station is a combination of reservoir and groundwater.

Chair Schoales recalled that there was a Buena Park Police Department shooting range that operated for many years in the vicinity of the proposed project and asked why it was not addressed in the environmental report.

Commissioner Agrusa asked about mitigation standards and how air quality is addressed in the environmental study.

Jennifer Marks, Consultant, Psomas Engineering, said that the existence of the shooting range did not show in their database search. She explained that the pump station was probably constructed after the existence of the shooting range, and there might have been an excavation during the construction process.

In response to Commissioner Agrusa, Ms. Marks explained that the environmental process, which includes the initial study, analyzes whether the project will create potentially significant environmental impacts. Ms. Marks said that, based on the study, it was concluded that the project would have negative environmental impacts, unless mitigated. She added that the proposed Mitigated Negative Declaration/Monitoring and Reporting Program addresses potential air quality, biological and cultural resources, geology and soils, noise, and transportation and traffic impacts.

Chair Schoales asked if testing was conducted at the site to determine the presence of lead.

Ms. Marks said testing for lead was not done on the site.

RECESS

Chair Schoales recessed the meeting at 7:35 p.m.

Chair Schoales reconvened the meeting at 7:40 p.m.

Commissioner Diep said that if a park replaced the shooting range, then a study may have been conducted to ensure the site was environmentally safe.

Chair Schoales requested that the environmental analysis for the project be revised to include assessment of the potential for lead contamination within the project area since the site had been used as a shooting range by the Buena Park Police Department during the 1960's.

Mr. Rosen recommended that the public hearing be continued to allow additional environmental research and analysis regarding any potential impacts resulting from previous use of the site as a shooting range.

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 the next regularly scheduled Planning Commission Meeting of February 22, 2017.

Commissioner Diep moved and Commissioner Capelle seconded the motion to continue the item to the Planning Commission meeting of February 22, 2017.

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Barstow

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Saltzberg announced that a proposal for a major new warehouse and distribution facility is scheduled for the next Planning Commission meeting.

STAFF REPORTS:

None

COMMISSION REPORTS:

In response to Commissioner McGuire, Mr. Rosen said that staff and the City Attorney's office are in the process of compiling research materials for future Study Session items on ADA and architectural design guidelines.

Commissioner Capelle said she will be unable to attend the next Planning Commission meeting.

Commissioner Diep said she will be unable to attend the first Planning Commission meeting in April.

ADJOURNMENT: At 7:50 p.m., Chair Schoales adjourned to the Planning Commission meeting on Wednesday, February 22, 2016, in the City Council Chamber.

James Schoales
Chair

ATTEST:

Joel W. Rosen, AICP
Secretary

DRAFT