

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
July 12, 2017

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on July 12, 2017, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Schoales presiding.

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

ABSENT: COMMISSIONER: Diep, McGuire

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

1. APPROVAL OF MINUTES Meeting of June 28, 2017

RECOMMENDED ACTION: Approve

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

AYES: 5 COMMISSIONERS: Barstow, Agrusa, Capelle, Chung, and Schoales

NOES: 0 COMMISSIONER:

ABSENT: 2 COMMISSIONERS: Diep, McGuire

ABSTAIN: 0 COMMISSIONER:

PUBLIC HEARING:

2. ZONE CHANGE NO. Z16-002; DEVELOPMENT AGREEMENT NO. DA16-008; TENTATIVE PARCEL MAP NO. PM17-24937

A request to consider a recommendation to the City Council for a Zone Change from CO (Commercial Office) to GMU (General Mixed-Use); Development Agreement to construct a new three-story 10,030 sq. ft. building including four residential live-work condominium units with four connecting office spaces and 13 parking spaces; Tentative Parcel Map to subdivide one parcel for condominium purposes for the residential/office development located at 5801 Homewood Avenue within the CO (Commercial Office) zone. The proposed project has been reviewed and found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026) and the previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines.

PROPERTY OWNER:

VIP GOLD LLC
Violet Chen, Manager
P.O. Box 2428
Fullerton, CA 92837

APPLICANT:

Myung Chung
9040 Flair Drive, Suite 128
El Monte, CA 91731

RECOMMENDED ACTION:

Adopt Resolutions recommending City Council Approval

In reply to Chair Schoales, Ms. Santos stated that staff distributed a memo recommending that Planning Division Condition No. 19.j under Exhibit C of the proposed Development Agreement be modified to read as follows:

19. j The live/work units option shall comply with Code Section No. ~~19.348.030~~ for Home Occupations. The type of uses permitted to the ~~live/work units~~ shall be limited to office related uses only.

The staff report was presented by Kirt Coury, Contract Planner.

The .15 acre site is located on Homewood Avenue and is zoned CO (Commercial Office) and developed with a legal non-conforming single family residence and associated improvements. The properties to the north are zoned CO and are developed with legal non-conforming single-family homes. The properties to the east, across Homewood Avenue, are zoned RS-6 (One-Family Residential) and are developed with single-family homes. The property to the south is zoned CO and is developed with a legal non-conforming single-family home. The property to the west, along Beach Boulevard, is zoned GMU (General Mixed-Use) and is under construction for a 5-story mixed use development including senior apartments, medical offices, and commercial.

Staff recommends that the Planning Commission adopt the attached Resolutions recommending approval of Zone Change No. Z16-002, Tentative Parcel Map No. PM17-24937, and Development Agreement No. DA16-008 to the City Council.

The site is located on the west side of Homewood Avenue, between Franklin Street and Holt Street, with an approximately 50 ft. street frontage on Homewood Avenue and a lot area of 6,750 sq. ft.

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 with the most potential for growth and change. The subject site is located in the Central Buena Park Focus Area. Historically defined as the heart of the City, the Central Buena Park Focus Area is envisioned as a complementary mix of retail, high-density residential, and office. A primary design characteristic for this focus area includes street-oriented buildings with ground level retail and dining and residential units above. Although the focus area encourages higher density mixed-use development, future redevelopment within this area must also be compatible with the adjacent single-family residential neighborhood.

At a June 23, 2015 study session, the City Council considered a conceptual proposal (#1) for a four story, 48 ft. tall building containing five condominium units and five office spaces with private restrooms and separate access and 12 parking spaces. The City Council expressed the following concerns regarding the proposal:

- Excessive height and massing along Homewood Avenue
- Public safety issues related to simultaneous residential and office uses with common access
- Lack of recreational open space, storage, and inadequate parking

The applicant revised the project in response to City Council comments and presented the proposal (#2) to the City Council at the July 28, 2015 study session. The revised plans included a four story, 30 to 48 ft. tall building containing five ownership units and five office spaces with separate restrooms and access and 13 parking spaces. The City Council expressed the following concerns regarding the second proposal:

- Excessive height and massing along Homewood Avenue
- Lack of sufficient on-site parking for offices
- Office spaces should be only for condominium owners

On October 13, 2015, the City Council held a study session to review the applicant's revised (#3) proposal. The proposal included a three story, 33-35 ft tall mixed-use residential condominium/office development with four residential ownership units and four ground floor office spaces with separate restrooms and access. Following discussion, the majority of the City Council generally supported the conceptual proposal as presented.

On September 14, 2016, the Planning Commission held a study session to discuss the proposed project. Three separate project designs were presented to the Planning Commission which included different configurations for the ground floor parking and office spaces. All three proposals included the required amount of parking, same number of units, and similar office and habitable areas. In reviewing the proposals, Planning Commissioners cited concerns related to proposed triple tandem parking, insufficient separation of roof-top open spaces, and alley access, but otherwise supported the project and directed Staff to continue to work with the applicant. The preferred parking option among the Commissioners was to provide 2-car garages with parking on the driveway for each unit.

The submitted application and plans propose construction of a new 3-story 10,030 sq. ft. building including 4 residential live-work condominium units with 4 connecting office spaces and 13 parking spaces. According to the plan, the ground floor provides four office spaces totaling approximately 1,600 sq. ft., including restroom and laundry facilities. It should be noted that the offices will be required to be used only by the residents of the development and shall not be separately rented or leased. The top two floors will provide four condominiums with associated open space areas on the roof. Each floor will include two units for a total of four units. Units 1 and 3 are located on the second floor and front on Homewood Avenue and Units 2 and 4 are located on the third floor and front the alley. Entrances into the building will be provided on the north and south elevations of the building. Once in the building, a stairway will provide access between the floors.

The building frontage features a three story, 33 to 35 ft. tall building with contemporary design, with two 2-car garages for the two units facing Homewood Avenue and two 2-car

garages for the two units facing the alley, and five parking spaces in the driveway. A decorative-glass, sectional garage door to complement the façade will also be included. The east and west elevations fronting Homewood Street and the alley, respectively, will include signage and decorative lighting. The north and south elevations include the main entrances to the offices and residential unit stairways, windows for the office spaces, and individual trash enclosures for each unit screened by decorative metal doors with louvers.

The two living units on the second and third floor fronting Homewood Avenue will have sliding doors leading to private balconies with decorative wrought iron railings, building trim, and accent details. The two units fronting the alley will include similar architectural finishes, with faux balconies and decorative window railings instead of private balconies. There will be approximately 360 sq. ft. of private rooftop open area for each unit. The live/work condominiums will include direct access from the work/office spaces to the living spaces through the shared stairways. In addition, two shared storage areas are provided adjacent to the shared stairway on the ground floor. The interior configuration is designed to ensure residence/office integration and promote separation between the units with associated amenities.

The floor plans for the units range from 1,624 sq. ft. to 1,740 sq. ft. and include three bedrooms and two bathrooms with a kitchen, living room, and dining room. Each unit will feature rooftop outdoor patios. The two units fronting Homewood Avenue will include private balconies. Unit 1 on the second floor will include a 235 sq. ft. balcony and Unit 3 on the third floor will include two 40 sq. ft. balconies. The rooftop deck will include an outdoor seating area with an overhead wood trellis cover for each unit. Each outdoor seating area will include L-shaped counters with under counter refrigerators, barbecue grills, and double sinks. A two-car garage is provided for each dwelling unit and five guest parking spaces are included on the driveways. The guest parking spaces include four standard stalls and one accessible stall. The guest parking spaces are located directly in front of the garages, creating tandem parking for units 2 and 4. The accessible space is included in front of the office areas for units 1 and 3. Access to the site is provided from Homewood Avenue and from the alley on the west side of the property.

The building has been designed with contemporary urban architecture featuring a variety of forms and textures. All four elevations will feature varying projections and building heights enhanced with multiple colors and materials, including smooth stucco finishes, wrought iron railing, metal and wood trim accents, trellis elements, metal outriggers, and stuccoed window surrounds. The building frontages along Homewood Avenue and the alley to the west incorporate decorative metal elements and a variety of forms and finishes while considering the more sensitive adjacent residential uses through the placement of the 2-car garages on the front elevations. The main entries to each office space are located along the side elevations and will be accessed through private 5 ft. wide walkways connected to the public right-of-way.

In conjunction with the development proposal, the applicant is requesting consideration of a Zone Change to allow the development to move forward. The current zoning for the site is CO (Commercial Office). The proposed Zone Change would change the zoning of the site to GMU (General Mixed-Use) which is consistent with the Buena Park General Plan land use designation for the site. In addition, the applicant is requesting consideration of a Tentative Parcel Map to subdivide the parcel for condominium purposes to allow for the mixed-use development.

California Government Code Section 65865 et. seq. allows the City to enter into Development Agreements, which are contractual agreement 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 requires the Planning Commission to make a recommendation to the City Council prior to Council action. The Buena Park Zoning Ordinance requires a regulatory plan or Development Agreement to be established and/or executed to allow for development within the General Mixed-Use zone. 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. Since the existing site maintains a Zoning classification of CO (Commercial Office), a Zone Change is required to develop a mixed-use project on the site.

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 proposal will allow the site to appropriately transition to a mixed-use development with design and scale complementary to newer mixed-use development along Beach Boulevard while remaining compatible with the character of the adjacent residential neighborhood, as envisioned within the General Plan. The subject site is located within the Central Buena Park Focus Area as designated in the General Plan. The Central Buena Park Focus Area is envisioned as a complementary mix of commercial, higher density residential, and offices providing residents the opportunity to shop, work, and live in the historical heart of Buena Park. The key design features and building form characteristics include mixed-use ground level office with residential units above. The overall intended character for this focus area includes "Street Oriented Buildings" with outdoor gathering spaces and adjacent parking.

Based on the scope of the project, architectural design, and massing of the development, Staff feels that the proposed project fulfills the expectations identified for this area within the General Plan. Staff is of the opinion that the proposed development has been designed to complement the existing single-family residential neighborhood to the east. The residential condominium project provides connecting offices to allow home-based businesses for the future homeowners. The proposed residential land use of the property will assist the City in meeting the housing goals of the City's General Plan. As proposed, the project is consistent with the preferred design characteristics of the Central Buena Park Focus Area in order to ensure compatibility between future mixed-use development along Beach Boulevard and Homewood Avenue and the adjacent single family residential neighborhood.

The site and architectural design of the proposed live-work development provides an appropriate development, including form, density, setbacks, height, massing, open space, parking, amenities, and vehicular and pedestrian access, as conditioned, to ensure compatibility with the adjacent residential neighborhood. The project incorporates enhanced design, including diverse textures and materials which give the development a unique and appealing quality. Additionally, the developer has provided a quality architectural design with amenities consistent with other newer mixed-use development within the Orange County region. The proposed live-work development has been configured to integrate with the existing single-family neighborhood while creating a high quality mixed-use design with ample individual open space areas based on the scale of the project. The private useable

open space areas will provide appropriate recreation opportunities for the residents of this development based on the amenities provided.

The proposed project has been reviewed and found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026) and the previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines.

Notice of public hearing was posted at City Hall, on the Buena Park website, the Buena Park Library, and Ehlers Community Recreation Center on June 29, 2017, and 44 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on June 29, 2017.

Chair Schoales asked if there were any questions for staff.

There were no questions for staff.

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.

Myung Chung, applicant, 9040 Flair Drive, Suite 128, El Monte, CA 91731, noted that the parking plan within the PowerPoint presentation did not include the recent revision to comply with accessible parking requirements, which was coordinated with the Building Division.

At the request of Mr. Rosen, Chair Schoales recessed the meeting at 7:15 p.m.

Chair Schoales reconvened the meeting at 7:20 p.m.

Mr. Rosen said that although the Planning Commissioners were given the revised parking plan to provide for compliant accessible parking, the staff report posted on the city's website did not include the parking plan, as revised.

As advised by Mr. Fox, Mr. Rosen recommended continuance to the next regularly scheduled Planning Commission meeting.

Mr. Fox clarified that the continuance will allow staff to provide the revised parking plan, demonstrating accessibility, for public review on the City website.

There being no one else wishing to speak on the item, Chair Schoales advised that the item requires a Minute Action to approve continuance to the next regularly scheduled Planning Commission meeting of July 26, 2017.

Commissioner Barstow moved and Commissioner Agrusa seconded the motion to continue the item to the Planning Commission meeting of July 26, 2017.

AYES:	5	COMMISSIONERS:	Barstow, Agrusa, Capelle, Chung, and Schoales
NOES:	0	COMMISSIONER:	
ABSENT:	2	COMMISSIONERS:	Diep, McGuire
ABSTAIN:	0	COMMISSIONER:	

ORAL COMMUNICATIONS:

Tyler Sharp said he lives in the area and has no objection to the project but expressed concern about the proposed balconies compromising the privacy and security of adjacent residents.

Mr. Fox suggested that Mr. Sharp raise his concern at the continued public hearing for this project.

AGENDA FORECAST:

Other than the continued item, Mr. Woods said an application to allow the sale of beer and wine for on-site consumption, with outdoor dining and live entertainment, at the proposed Grange Hall at Buena Park Downtown, is scheduled for the next Planning Commission meeting.

STAFF REPORTS:

Mr. Rosen said the proposed Grange Hall at Buena Downtown was discussed at the last City Council Study Session. He said City Council also discussed shed regulations.

COMMISSION REPORTS:

None

ADJOURNMENT: At 7:30 p.m., Chair Schoales adjourned to the Planning Commission meeting of July 26, 2017, Wednesday, at 7:00 p.m. in the City Council Chamber.

James Schoales
Chair

ATTEST:

Joel W. Rosen, AICP
Secretary