

**CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
January 10, 2018**

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on January 10, 2018, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Diep presiding.

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

ABSENT: COMMISSIONER: Chung

Joel W. Rosen, AICP, Director of Community Development
Brady M. Woods, Planning Manager
Swati Meshram, PhD AICP LEED AP, Associate Planner
Braulio M. Moreno, Assistant Planner
Craig Fox, Assistant City Attorney
Ruth Santos, Senior Administrative Assistant

- 1. **APPROVAL OF MINUTES** Meeting of December 13, 2017
Adjourned Meeting of December 27, 2017

RECOMMENDED ACTION: Approve

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

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

NOES: 0 **COMMISSIONER:**

ABSENT: 1 **COMMISSIONER:** Chung

ABSTAIN: 0 **COMMISSIONER:**

PUBLIC HEARING:

OLD BUSINESS:

- 2. **CONDITIONAL USE PERMIT NO. CU17-25732**

A request to upgrade beer and wine Type 41 ABC license to Type 47 for the sale of beer, wine, and spirits for on-site consumption and extension of operating hours to 2:00 am daily at an existing restaurant (Miss Shabu) located at 5450 Beach Boulevard, Suites 102, 104, and 106 within the CS (Community Shopping) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15301, Class 1 (Existing Facilities).

PROPERTY OWNER: Ocean Plaza, LLC
440 S. Vermont Avenue, Suite 301
Los Angeles, CA 90020

APPLICANT: Miss Shabu, LLC
 Min Young Chai
 5450 Beach Boulevard, Suites 102, 104, 106
 Buena Park, CA 90621

RECOMMENDED ACTION: Adopt Resolution of Approval

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

The staff report was presented by Braulio M. Moreno, Assistant Planner.

The property under application is located on Beach Boulevard between Cascade Way and Malvern Avenue, with street frontages of approximately 875 ft. along Beach Boulevard and approximately 500 ft. along Cascade Way. It carries a General Plan designation of Commercial Office Mixed Use, a Zoning classification of CS (Community Shopping), and a total land area of the property is 10.35 acres. The property is currently developed with an approximately 96,747 sq. ft. multi-tenant shopping center (McComber Shopping Center).

SURROUNDING LAND USE CHARACTERISTICS:

	GENERAL PLAN	ZONING	EXISTING LAND USE
North	OCM	CS	Commercial
South	LI	ML	Office
East	HDR	RM-20	Multifamily Residential
West	OCM	CS	Commercial

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU17-25732 with findings of fact and conditions.

The McComber Shopping Center consists of two large buildings located at the rear of the property, currently occupied by a 33,823 sq. ft. Zion Market and a 28,000 sq. ft. structure that currently contains twelve (12) units with a shared public area formerly occupied by the Sav-On Drug Store, as well as smaller in-line tenants. The center also consists of a free-standing former Denny's restaurant now Hamjipak Korean Restaurant, Jack-in-the-Box restaurant as well as a bank. The shopping center was approved in 1975 with the initial tenants as Ralph's and Sav-On Drug Store. In addition, the applicant is proposing to extend the hours of operation from 11:00 am to 2:00 am each day of the week.

On December 10, 2008, Interdepartmental Review No. ID08-022 was approved to reconfigure the former 28,000 sq. ft. Sav-On Drug store tenant space into fourteen (14) separate tenant spaces with a common pedestrian lobby. The restaurant under application currently occupies two tenant spaces with access to the interior common pedestrian lobby as well as the exterior of the building. The applicant was approved to occupy an additional tenant space within the building in order to provide associated banquet space.

On January 11, 2011, the Planning Commission approved Conditional Use Permit No. CU10-014, to allow the sale of beer and wine for on-site consumption in conjunction with a full service restaurant, as well as business hours from 11:00am to 12:00am Sunday through

Thursday and 11:00am to 2:00am Friday and Saturday. The restaurant began operations on May 12, 2011.

On December 6, 2011, the Community Development Director approved a minor modification to Conditional Use Permit No. CU10-014M1 to expand the 2,051 sq. ft. restaurant, including the alcohol beverage consumption provisions, with an additional 990 sq. ft. for a new banquet area.

The applicant has submitted an application, plans, and business plan requesting Planning Commission approval for the upgrade to an ABC Type-47 License allowing the sale of beer, wine, and distilled spirits for on-site consumption for the entire 3,041 sq. ft. restaurant, which has been under operation as "Miss Shabu" since March 9, 2017. According to the submitted business plan, alcoholic beverage sales will be incidental to the sale of food. In addition, the applicant is proposing to extend the hours of operation from 11:00 am to 2:00 am daily.

Section 19.512.010 of the City Code requires the applicant to obtain Planning Commission approval for the upgrade of an existing ABC license to allow the sale of beer, wine, and distilled spirits for on-site consumption in conjunction with a full service restaurant via the Conditional Use Permit process. In reviewing the applicant's request, staff reviewed plans and visited the property and is of the opinion that the facility and site are adequate to support the establishment of the sale of beer, wine, and distilled spirits for on-site consumption. Staff believes that on-site sale and consumption of alcoholic beverages will be appropriate within the context of the full service restaurant and will not negatively impact the subject and surrounding properties. The restaurant has no additional interior modifications proposed. There are separate men's and women's restrooms within the tenant space which meet Building Code requirements for the restaurant size and occupancy. The restaurant is located toward the front of the multi-tenant commercial building approximately 300 ft. from the residential dwellings to the east. There are no direct exits to the east between the subject tenant space and the adjacent residential dwellings to the east.

As conditioned, the on-site sale and consumption of beer, wine, and distilled spirits will be incidental to the full service restaurant use. To reaffirm the incidental use, staff is recommending a condition that requires gross food sales receipts to exceed gross receipts of alcoholic beverages and those alcoholic beverages be served only in conjunction with food sales. The proposed hours of operation are 11:00 a.m. to 2:00 a.m. each day of the week.

In staff's opinion, the proposed operating hours are appropriate for the Korean restaurant and are consistent with other similar approvals in the area. On-site parking is adequate for the existing business as the McComber Shopping Center currently maintains 571 parking spaces while 565 spaces are required. Also, upon review of the applicant's request, the Buena Park Police Department has indicated in a memo dated November 28, 2017 that they have no objection to the applicant's proposal for on-site sale and consumption of alcoholic beverages or the extended daily hours operation to 2 a.m., as conditioned.

The project is Class 1, Section 15301 (Existing Facilities), categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on December 22, 2017, and 13 notices were mailed to property owners within 300 ft. radius of the subject property on December 22, 2017.

Chair Diep asked if there were any questions for staff.

Commissioner Schoales asked about the numerical format of the project.

Mr. Rosen said the project number is automatically generated by the permitting system and the number does not indicate a count.

Chair Diep 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.

Afredo Perez, applicant representative, thanked staff and asked if there were any questions on the project.

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

Commissioner Barstow moved, and Commissioner Agrusa seconded, the motion to adopt the Resolution approving Conditional Use Permit No. CU17-25732 with findings of fact and conditions therein.

**RESOLUTION NO. 6075
CONDITIONAL USE PERMIT NO. CU17-25732**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU17-25732, TO ALLOW THE UPGRADE OF AN ABC TYPE-41 LICENSE FOR THE SALE OF BEER AND WINE TO A TYPE-47 FOR THE SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR ON-SITE CONSUMPTION, AND EXTENSION OF OPERATING HOURS TO 2:00 AM DAILY FOR AN EXISTING RESTAURANT LOCATED AT 5450 BEACH BLVD, SUITES 102-106 WITHIN THE CS (COMMUNITY SHOPPING) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NEW BUSINESS:

3. TENTATIVE PARCEL MAP NO. PM17-28017/SITE PLAN NO. SP17-28018

A request to subdivide one parcel of land into two separate parcels to allow development of a new 3-story 66,852 sq.ft. mixed-use self-storage facility with ancillary office space, 2,100 square foot ground level commercial space, 22 parking spaces, and related site improvements at 6950 Noritsu Avenue within the ML (Light Industrial) zone. The project is

categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (Infill Development).

PROPERTY OWNER: Jason Liu
 FDI Properties, LLC
 6950 Noritsu Avenue
 Buena Park, CA 90620

APPLICANT: Nolan Borden
 Baranof Holdings
 2305 Cedar Springs Road, Suite 220
 Dallas, TX 75201

RECOMMENDED ACTION: Adopt Resolutions of Approval

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

The staff report was presented by Braulio M. Moreno, Assistant Planner.

The subject property under application is located on the west side of Knott Ave and south of Noritsu Avenue. It carries a General Plan designation of OM (Office Manufacturing) within the Orangethorpe Corridor West Focus Area, and a Zoning classification of ML (Light Manufacturing). The property is 3.76 acres and is currently developed with a two-story 60,757 square foot industrial office building operating as a corporate office and distribution company (Fairmont Designs) located to the west side of the property; the remaining property is vacant.

SURROUNDING LAND USE CHARACTERISTICS:

	GENERAL PLAN	ZONING	EXISTING LAND USE
North	Commercial / Orangethorpe Corridor West Focus Area	ACSP	Industrial building used for public auto auctions
South	Office Manufacturing / Orangethorpe Corridor West Focus Area	ML	City Water Well / 91 Artesia Freeway
East	N/A	N/A	91 Artesia Freeway
West	Office Manufacturing / Orangethorpe Corridor West Focus Area	ML	Industrial Office building occupied by Noritsu American Corporation

Staff recommends that the Planning Commission adopt the attached Resolutions approving Site Plan Permit No. SP17-28018 and Tentative Parcel Map No. PM17-28017 with findings of fact and conditions.

On May 5, 1982, the Planning Commission approved Conditional Use Permit No. CU-780 allowing the construction of a 55,108 sq. ft. office/industrial building to be used as corporate offices and warehouse for the sale and distribution of photo processing equipment.

The property remains developed with the industrial office building and a 36,682 square feet vacant piece of land.

The applicant is proposing to subdivide an estimated 1.06 acre (46,167 square feet) of vacant land towards the east side of the parcel, facing South Knott Avenue for the new development. The subject site will have a street frontage of approximately 240 linear feet along the private street Noritsu Avenue and 200 linear feet along south Knott Avenue. The residual parcel after the subdivision will be approximately 2.94 acres and will retain the existing structures and current uses.

The applicant proposes to subdivide the existing single lot into two lots for the construction of a three-story, mixed-use self-storage facility. The proposed development will include 800 square feet of ancillary office space and 2,100 square feet of commercial retail space at the ground level. The commercial retail space will have additional 540 square feet of outdoor sitting area.

Based on market demand, the applicant is contemplating reducing the total originally proposed footprint of the commercial retail space from 2,100 square feet to 1,800 square feet. Since the applicant is keeping the same total square footage of the structure and no exterior modifications are being made to the proposed project, staff has no objection. Staff has added conditions that may allow the applicant to reduce the total square footage of retail space with approval of revised plans by the Planning Division before permits are issued.

The proposed self-storage facility will maintain setbacks the following yard areas:

	Required	Provided
Front (East)	15'	15'
Side (North)	0	49'
Side (South)	0	4'
Rear (West)	0	47'

The proposed structure incorporates architectural elements commonly seen in modern self-storage facilities. As proposed, the building elevations illustrate a variety of materials such as but not limited to stacked white CMU block with vertically scored split faced block to accent the blank canvas walls. The project proposes a mix of tinted fenestration storefronts and anodized aluminum mullions. The interior storage doors behind the fenestration will be painted to match the green accent color surrounded by white block wall. The green color will also be used for the metal panels and with the roll-up storage doors facing west.

The project is will have 27 parking stalls available, as required per the Zoning Ordinance. Sixteen (16) of the parking spaces will be located along Noritsu Avenue, a private street owned by FDI Properties LLC. Additionally, two (2) handicap parking spaces are property outside of the proposed security gate. On-site circulation has been designed to preserve an existing access easement to City-owned/maintained water well site adjacent to the 91 Freeway.

The Buena Park Zoning Ordinance requires Planning Commission review and approval for the proposed subdivision via the Tentative Parcel Map processes. Staff reviewed the plans, visited the property, and feels that the proposed use, design, scale, and layout of the site are appropriate for the subject property, as conditioned. The proposed mixed-use self-storage is consistent with the City's General Plan, Division 5 of Title 19, Commercial and Industrial Zones of the Buena Park Zoning Code and the ML Zone requirements, which permits the development of self-storage facilities by right. The proposed development meets the

requirements of the City Code and General Plan requirements for setbacks, floor area ratio, building massing, and parking.

The project has a land use designation of Office Manufacturing and is located within the Orangethorpe Corridor West Focus Area as called out by the General Plan. The project will be an enhancement to the property and will support the Orangethorpe Corridor West Focus Area objective to create business parks with campus-style layouts with individual tenants. Additionally, the project meets the intent of the Orangethorpe Corridor Focus Area which encourages the establishing of unified streetscape with landscaping, sidewalks, and street furniture that will provide for an attractive place to work and visit. The project also incorporates key character defining features listed in the General Plan such as integrated open space and the use of attractive office, commercial and light industrial architecture.

In reviewing the request, Staff is of the opinion that the proposed project, as conditioned, including the site layout, building massing, parking, and access is compatible with the surrounding properties and applicable development standards. The proposed self-storage facility, as conditioned to include enhanced architectural design, can be developed without negatively affecting the subject and adjacent properties.

The project is Class 32, Section 15332 (Infill Development), categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on December 22, 2017, and 7 notices were mailed to property owners within 300 ft. radius of the subject property on December 22, 2017.

Chair Diep asked if there were any questions for staff.

Commissioner Capelle asked what types of businesses are expected in the commercial spaces.

Mr. Moreno said the information is not available yet but coffee shops and other similar businesses are expected.

Commissioner Capelle asked if there will be adequate parking considering that customers are more likely to linger given the availability of Wifi in coffee shop-type establishments.

Mr. Moreno said parking is adequate, including 18 parking spaces available outside, along Noritsu Avenue, a private street.

Commissioner Agrusa asked about the total number of rental units and if parking is adequate.

Mr. Moreno said the maximum number of rental units is 600 and the proposed parking complies with City Code.

Mr. Rosen and Mr. Moreno explained that parking was analyzed based on the uses, with the self-storage business not expected to have the usual flow of customers that other commercial businesses have.

Commissioner Agrusa complimented the applicant on the proposed project design.

Chair Diep 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.

Nolan Borden, applicant, Baranoff Holdings, 2305 Cedar Springs Road, Suite 220, Dallas, TX 75201, thanked staff and Planning Commission.

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

Commissioner Capelle moved, and Commissioner Schoales seconded, the motion to adopt the following Resolutions approving Tentative Parcel Map No. PM17-28017/Site Plan No. SP17-28018 with findings of fact and conditions therein.

**RESOLUTION NO. 6076
PARCEL MAP NO. PM17-28017**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A PARCEL MAP TO SUBDIVIDE ONE (1) INDUSTRIALLY DEVELOPED PROPERTY INTO TWO (2) SEPARATE PARCELS AT 6950 NORITSU AVENUE WITHIN THE ML (LIGHT MANUFACTURING) ZONE, AND MAKING FINDINGS SUPPORTIVE THEREOF

**RESOLUTION NO. 6077
SITE PLAN PERMIT NO. SP17-28018**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST TO DEVELOP A NEW 3-STORY 66,852 SQUARE FOOT MIXED-USE SELF-STORAGE FACILITY WITH ANCILLARY OFFICE SPACE, 2,100 SQUARE FOOT GROUND LEVEL COMMERCIAL SPACE, PARKING AND RELATED SITE IMPROVEMENTS LOCATED AT 6950 NORITSU AVENUE IN THE ML (LIGHT INDUSTRIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

AYES:	6	COMMISSIONERS:	Capelle, Schoales, Agrusa, Barstow, McGuire, and Diep
NOES:	0	COMMISSIONER:	
ABSENT:	1	COMMISSIONER:	None
ABSTAINED:	0	COMMISSIONER:	

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Woods announced that the agenda for the next Planning Commission meeting will include a request to renovate and expand the Portola Inn Hotel, and an Appeal on Public Nuisance Order on 6801 Western.

STAFF REPORTS:

Mr. Rosen gave an update on City Council approval, at a Public Hearing on January 9, 2018, of a two-story live/work mixed-use development at 6172 Beach Boulevard.

Mr. Rosen said City Council discussed, at a Study Session on January 9, 2018, the conceptual architectural plans for Phase 2 development at The Source, as well as conceptual architectural plans for a residential/commercial mixed-use development proposal to be located at 6555 Beach Boulevard.

Mr. Rosen said the Subdivision Map for Phase 2 development at The Source will be considered at a future Planning Commission meeting.

Chair Diep suggested that a Planning Commission Study Session be held prior to Planning Commission consideration of the proposals.

Mr. Rosen said staff will schedule the Study Session.

COMMISSION REPORTS:

None

ADJOURNMENT: At 7:30 p.m., Chair Diep adjourned to the Planning Commission meeting of January 24, 2018, Wednesday, at 7:00 p.m. in the City Council Chamber.



Deborah Diep
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary