

PROPERTY OWNER: Dr. Paul Bush, represented by
David Buster of Meridian Property Management
611 W. 17th Street
Santa Ana, CA 92706

PROJECT PROPONENT: Calvary Fellowship of Buena Park
P.O. Box 6449
Buena Park, CA 90622

RECOMMENDED ACTION: Request for Continuance to July 11, 2018

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.

There being no one wishing to speak on the matter, Chair Diep advised that the item requires a Minute Action to approve continuance to the Planning Commission meeting of July 11, 2018.

The MOTION CARRIED unanimously.

AYES: 5 **COMMISSIONERS:** Capelle, Schoales, Chung, McGuire, and Diep

NOES: 0 **COMMISSIONER:**

ABSENT: 1 **COMMISSIONER:** Barstow

ABSTAINED: 0 **COMMISSIONER:**

3. CONDITIONAL USE PERMIT NO. CU18-31187

A request to construct a single story detached 997 sq. ft., two-bedroom accessory dwelling unit located at 8372 Bonnie Brae Drive within the RS-16 (Select Estate Residential) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Categorical Exemption Section 15332, Class 32 (In-fill Development).

PROPERTY OWNER: Hwa H. Lee
8372 Bonnie Brae Drive
Buena Park, CA 90621

APPLICANT: Cyrus Park
3660 Wilshire Boulevard, Suite 514
Los Angeles, CA 90010

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 Brady M. Woods, Planning Manager.

The property under application is located on the east side of Bonnie Brae Drive, south of Waverly Circle. The property maintains a street frontage of 122 feet and a total land area of approximately 0.49 acres (21,344 square feet). It carries a General Plan designation of Low Density Residential, a Zoning classification of RS-16 (Select Estate Residential), and is currently developed with a 3,483 square foot 4–bedroom, 2-story single family residence with attached dual 450 square foot two-car garages and related residential site improvements.

SURROUNDING LAND USE CHARACTERISTICS:

	GENERAL PLAN	ZONING	EXISTING LAND USE
North	Low Density Residential	RS-16	Single Family Residential
South	Low Density Residential	RS-16	Single Family Residential
East	Low Density Residential	RS-16	Single Family Residential
West	Low Density Residential	RS-16	Single Family Residential

Staff recommends that the Planning Commission adopt a Resolution approving Conditional Use Permit No. CU18-31187.

On May 8, 2018, City Council adopted Ordinance No. 1642 which amended Title 19 of the Buena Park Municipal Code (BPMC) for compliance with recently updated California Government Code Section 65852.2, containing standards regulating the establishment and maintenance of accessory dwelling units (ADU) in specified single and multi-family zones within the city.

The submitted application and plans propose the construction of a single story, detached 997 sq. ft. accessory dwelling unit. The ADU will include two bedrooms, two full bathrooms, living room, and kitchen. The applicant intends to utilize space within the existing dual two-car garage to provide one parking space for the ADU. The new ADU will be stuccoed and painted to match the existing primary residence, with roofing material consisting of Bel Air/Artesian Tile. The ADU will be designed to be compatible with the existing primary residence as well as with the existing character of the residential neighborhood.

Section 19.348.101 of the Buena Park Municipal Code requires discretionary review pursuant via the Conditional Use Permit process for an accessory dwelling unit that does not meet all applicable development standards, which includes a 1-bedroom and 600 square foot maximum floor area limitation. The applicant's request includes development of a 997 square foot, 2-bedroom ADU; therefore, the proposed project requires Conditional Use Permit review based on the criteria. The goal of the Conditional Use Permit review process is to ensure that the project meets all development standards of the zoning code, and to also establish that the project is in harmony with the existing architectural character of the area and not harmful to the existing and intended character of the surrounding neighborhood.

With the exception of two bedrooms and the 600 square foot unit size, the proposed ADU will meet all criteria for development including height of structure, building coverage, setbacks, 30% maximum size ratio, off-street parking, access, infrastructure, and architectural compatibility.

The proposed ADU will be one story with a total building height of 13'-6"; the existing primary residence is two stories. Once complete, development on the property including the existing

primary residence and the new ADU will maintain a building coverage of 26%; 40% is permitted in the RS-16 zone. The plans demonstrate that ADU will comply with all required setbacks, including a 25 foot rear yard setback, 10 foot side setback, and a 10 foot setback from the existing primary residence. The proposed ADU will encroach into the 25 ft. rear-yard area with coverage of 5.3%; 30% is permitted. The ADU will contain 997 square feet which is 28% of the existing 3,483 square foot primary residence; 30% maximum is allowed by code. The proposed ADU is within ½ mile of a transit stop and if all development standards were met, no off-street parking would be required. Since in this case a Conditional Use Permit is required to exceed the 600 square foot maximum unit size and 1-bedroom maximums, parking for the ADU can be required. The applicant is proposing one garage parking space within the existing dual two-car garage as well as and one tandem driveway parking space for the ADU; the existing 4-bedroom primary residence will retain compliant off-street parking. The ADU will maintain similar access from the street as the existing primary residence. The existing right-of-way width of Bonnie Brae Drive is sixty (60) feet which is compliant with minimum street width standards. And upon completion, the new ADU will remain consistent with the architectural design of the existing primary residence including materials and color.

Staff reviewed the submittal plans, visited the site and surrounding area, and is of the opinion that the property can accommodate the proposed ADU in compliance with applicable development standards. As proposed, the ADU will impose no adverse impacts on adjacent properties, and complies with all development standards for accessory dwelling units within the RS-16 zone, including height of structure, building coverage, setbacks, dwelling size, off-street parking, access, infrastructure, and architectural compatibility.

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) has been deemed to be exempt from CEQA per Section 15332, Class 32 (In-fill Development)

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Event Center on June 14, 2018, and 24 notices were mailed to property owners within a 300 ft. radius of the subject property on June 14, 2018.

Chair Diep asked if there were any questions for staff.

Commissioner McGuire asked if utilities for the proposed ADU will be hooked up to the main house or remain separate.

Mr. Woods said either connection type is allowed; however, the applicant has not relayed his intent with regard to utilities connection type at this time.

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.

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 Resolution approving Conditional Use Permit No. CU18-31187 with findings of fact and conditions therein.

**RESOLUTION NO. 6103
CONDITIONAL USE PERMIT NO. CU18-31187**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU18-31187, TO CONSTRUCT A SINGLE STORY DETACHED 997 SQUARE FOOT, TWO-BEDROOM ACCESSORY DWELLING UNIT AT 8372 BONNIE BRAE DRIVE (APN: 289-022-02), WITHIN THE RS-16 (SELECT ESTATE RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

AYES: 5 COMMISSIONERS: Capelle, Schoales, Chung, McGuire, and Diep

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Barstow

ABSTAINED: 0 COMMISSIONER

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Woods announced that the following items are scheduled for the July 11 Planning Commission meeting: the continued item from tonight's meeting; a Site Plan to remodel and existing commercial/residential building on Beach Boulevard; a Site Plan to construct a new five-unit apartment at Burnham Avenue.

STAFF REPORTS:

Mr. Rosen informed the Commissioners that the following Planning projects were approved at the City Council meeting of June 26, 2018: 1) Development of 54 residential townhouse units at 8281 Page Street, by Olson; and 2) Mixed-Use Development with 34 multi-family apartment units at 6555 Beach Boulevard (with added conditions by City Council).


COMMISSION REPORTS:

Chair Diep reminded Commissioners and staff that she and Commissioner Barstow will not be at the July 11, 2018 Planning Commission meeting. She asked the Planning Commissioners if there will be any other absences on that day. The rest of the Commissioners said they will be present.

Chair Diep and Commissioner Schoales said the digital distribution of the agenda packets is efficient; however, for notation purposes and easy reference during discussions, they requested staff to provide Commissioners with hard copies of the agenda packet on the night of the meeting.


Mr. Rosen said staff is also looking into providing the Commissioners with the "Reader" app.

ADJOURNMENT: At 7:15 p.m., Chair Diep adjourned to the to the regularly scheduled Planning Commission meeting on Wednesday, July 11, 2018, at 7:00 p.m. in the City Council Chamber.



Deborah Diep
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary