

**CITY OF BUENA PARK  
MINUTES OF CITY PLANNING COMMISSION  
July 11, 2018**

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on July 11, 2018, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Vice Chair McGuire presiding.

**PRESENT:** COMMISSIONERS: Capelle, Chung, Schoales, and McGuire

**ABSENT:** COMMISSIONERS Barstow and Diep

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

**1. ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR**

Vice Chair McGuire declared the offices of Chair and Vice Chair of the Planning Commission vacant and turned the meeting over to Ms. Santos for the election of new officers.

Ms. Santos opened the nominations for Chair of the Planning Commission. Commissioner Capelle nominated Commissioner McGuire as Chair, which was seconded by Commissioner Schoales. There being no other nominations, Ms. Santos declared the nominations closed and called for a voice vote.

Ms. Santos announced that the MOTION CARRIED unanimously and Commissioner Richard McGuire is the new Chair.

Chair McGuire opened the nominations for Vice Chair. Commissioner Capelle nominated Commissioner Barstow as Vice Chair, which was seconded by Commissioner Schoales. There being no further nominations, Chair McGuire called for a voice vote. The MOTION CARRIED unanimously and Chair McGuire announced that Commissioner Barstow is the new Vice Chair.

**2. APPROVAL OF MINUTES** June 27, 2018

**RECOMMENDED ACTION:** Approve

Commissioner Schoales moved and Commissioner Chung seconded the motion to approve the minutes of the June 27, 2018, meeting.

<b>AYES:</b>	<b>4</b>	<b>COMMISSIONERS:</b>	Schoales, Chung, Capelle, and McGuire
<b>NOES:</b>	<b>0</b>	<b>COMMISSIONER:</b>	
<b>ABSENT:</b>	<b>2</b>	<b>COMMISSIONERS:</b>	Barstow and Diep
<b>ABSTAIN:</b>	<b>0</b>	<b>COMMISSIONER:</b>	

**PUBLIC HEARING:****NEW BUSINESS:****2. CONDITIONAL USE PERMIT NO. CU18-31223**

A request for a religious use within an existing commercial building located at 7430 Orangethorpe Avenue within the Commercial General (CG) Zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15301, Class 1 (Existing Facilities).

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

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

RECOMMENDED ACTION: Adopt Resolution of Approval

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

The staff report was presented by Swati Meshram, Associate Planner.

The site is zoned CG (Commercial General). General Plan designation of the property is Commercial and the property is within the Orangethorpe Corridor West Focus Area.

**SURROUNDING LAND USE CHARACTERISTICS:**

	General Plan	Zoning	Existing land use
<b>North</b>	Commercial	Auto Center Specific Plan (ACSP)	Autoshopper car sales
<b>South</b>	Light Industrial	ML (Light Industrial)	J&H Drilling Co.
<b>East</b>	Commercial	CM (Commercial Manufacturing)	Dentist Office
<b>West</b>	Commercial	CM (Commercial Manufacturing)	Century Motel

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU18-31223.

The property under application is located on the south side of Orangethorpe Avenue, west of Western Avenue, with street frontage of 143 ft., The total site area the is 35,956 sq. ft. The property is developed with an integrated commercial development, consisting of a 2,500 sq. ft. restaurant building and a 3,500 sq. ft. multi-tenant commercial building, and a storage building.

The site is accessed by two driveways along Orangethorpe Avenue and parking is provided both in front of the building and behind the buildings at the rear of the property. The site

development is nonconforming to current Zoning standards for front yard landscaping and signage.

In 2003, Resolution No. 1330 approved a full-service restaurant with outdoor dining and sale of beer and wine for on-site consumption within an existing building.

The submitted application and plans propose change of use in one of three tenant spaces within the 3,500 sq. ft. commercial building to establish a religious facility, Calvary Fellowship of Buena Park. The proposal includes interior renovations to the 1,166 sq. ft. tenant space as well as providing ADA compliant parking.

The submitted plans indicate a total tenant space of 1,166 sq. ft. within a 3,500 sq. ft. single story commercial building. Within the space, is a 56.3 sq. ft. hospitality area, an 85 sq. ft. classroom and a 681 sq. ft. assembly room with 43 fixed seats.

No change to exterior of the building is proposed with this change of use request.

There is existing landscaping on the property which will be unaffected by the change of use. Per the plans provided, 17.5 percent of total lot area is currently landscaped and will continue to be landscaped. Although the front parking encroaches into the required front yard setback, per Code Section 19.204.200 B. any non-conforming encroachment into required yards and open spaces may continue since there is no expansion in floor area being requested.

The applicant is requesting approval of shared parking arrangement among the various tenants. If all the required parking for the individual uses on the property are combined, total required parking would be 53 spaces. After ADA compliant parking is provided, there will be 42 parking spaces onsite creating a deficiency of 11 spaces. Parking spaces are located in the front as well as in the back of the property.

Tenant	Parking Spaces required per Zoning Code
Restaurant	25
Proposed church	16
Commercial tenants	12
<b>Total spaces required</b>	<b>53</b>
<b>Total on-site spaces provided</b>	<b>42</b>
<b>Total deficient</b>	<b>11</b>

However, the applicant's proposed hours of operation do not overlap with the hours of operation of the other two tenants in the commercial building, thereby allowing shared parking between the 3 tenants. Below are the hours of operation of the tenants who have agreed to share parking.

Store	Hours of operation
Alka Water	9:00 a.m. - 6:30 p.m. Monday - Friday and 9:00 a.m. - 5:00 p.m. Saturday, closed Sunday
Mimi Nail and Hair	9:30 a.m. - 7:00 p.m. Monday, Wednesday, Thursday, Friday and 9:00

	a.m. - 6:30 p.m. Saturday, closed Sunday
Proposed Church	9:00 A.M. - 10:30 A.M. Sunday 7:00 P.M. - 8:30 P.M. Wednesday .

The restaurant is open 10:00 a.m. - 10:00 p.m. Wednesday - Monday, closed Tuesday.

Vehicular access to the site is provided via two driveways. Pedestrian access is provided via a four-foot sidewalk on Orangethorpe Avenue.

Per Section 19.512.010 of the Municipal Code, a church is a permitted use within a Commercial General zone if permitted through a Conditional Use Permit. No change to the architecture or building exterior is being proposed, other than site improvements to comply with ADA parking requirement.

While other non-conformities may continue, per Section 19.204 of the Municipal Code, the change of use requires that the parking be brought into compliance with current requirements. The applicant has provided a letter from the other two tenants, as well as the property owner which support the shared parking between the three commercial tenants. Further, staff is recommending a condition of approval such that if at any point in time the hours of operation of any of the tenants conflict with those of the church such as to cause a deficiency in parking on the site, the church shall adjust its hours of operation so as not to be in conflict or find alternative additional off-site parking.

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 website, the Buena Park Library, and Ehlers Event Center on June 16, 2018, and 27 notices were mailed to property owners within a 300 ft. radius of the subject property on June 16, 2018.

Chair McGuire asked if there were any questions for staff.

There were no questions for staff.

Chair McGuire 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.

Pastor Scott Erystrom, representing the project proponent, Calvary Fellowship of Buena Park, 16348 Silverbirch Road, Moreno Valley, CA 92551, thanked staff and Planning Commission for hearing this item. He said it is the Church's desire to serve the community and that he and the property owner are present to answer any questions.

David H. Buster, Meridian Property Management, representing the property owner, stated that Meridian Property Management has been the management agent for the subject property for about 17 years, and the proposed project will be a welcome addition to the site.

Commissioner Capelle said that she is not opposed to the project; however, she is concerned that contingencies such as change in operating hours for other tenants, may lead to parking problems. She asked if the applicant has discussed remedial measures with the adjoining restaurant should contingencies occur.

Mr. Buster said the owner of the adjoining restaurant has agreed with the shared parking arrangement, and although there is no formal letter of agreement regarding shared parking, the contract with the applicant stipulates that should there be parking problems that cannot be resolved, the lease will be terminated, with a 90-day notice. Mr. Buster reiterated that the applicant's proposed hours of operation do not overlap with the hours of operation of the other tenants. He also said that as property managers, Meridian advocates for its tenants, especially long-term tenants.

Commissioner Capelle thanked Mr. Buster for the clarification.

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

Commissioner Schoales moved, and Commissioner Chung seconded, the motion to adopt the Resolution approving Conditional Use Permit No. CU18-31223 with findings of fact and conditions therein.

**RESOLUTION NO. 6108  
CONDITIONAL USE PERMIT NO. CU18-31223**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU18-31223 TO PERMIT CHANGE OF USE FROM A RETAIL STORE TO A RELIGIOUS USE AT AN EXISTING BUILDING LOCATED AT 7430 ORANGETHORPE AVENUE WITHIN AN INTEGRATED DEVELOPMENT WITH MASTER ADDRESS 7442 ORANGETHORPE AVENUE WITHIN CG (COMMERCIAL GENERAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

**AYES: 4 COMMISSIONERS: Schoales, Chung, Capelle and McGuire**

**NOES: 0 COMMISSIONER:**

**ABSENT: 2 COMMISSIONERS: Barstow and Diep**

**ABSTAIN: 0 COMMISSIONER:**

**ORAL COMMUNICATIONS:**

None

**AGENDA FORECAST:**

Mr. Woods announced that the following items will be considered at the Planning Commission meeting of July 25, 2018: 1) Site Plan for a new five-unit, two-story apartment complex at Burnham Avenue; 2) Site Plan to remodel commercial/residential building at Beach Boulevard; 3) Conditional Use Permit to allow a laundry industrial cleaner business at Whitaker Street.

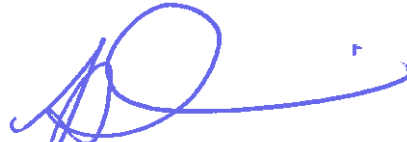
**STAFF REPORTS:**

None

**COMMISSION REPORTS:**

None


**ADJOURNMENT:** At 7:19 p.m., Chair McGuire adjourned to the to the regularly scheduled Planning Commission meeting on Wednesday, July 25, 2018, at 7:00 p.m. in the City Council Chamber.



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Richard McGuire  
Chair

ATTEST:



Joel W. Rosen, AICP  
Secretary