

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
November 14, 2018

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on November 14, 2018, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair McGuire presiding.

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

ABSENT: COMMISSIONER: Desai

Joel W. Rosen, AICP, Director of Community Development
Brady M. Woods, Planning Manager
Swati Meshram, Ph D, AICP, LEED AP, Senior Planner
Braulio M. Moreno, Assistant Planner
Amir Modarressi, Interim Assistant City Engineer
John W. Lam, Assistant City Attorney
Ruth Santos, Senior Administrative Assistant

1. APPROVAL OF MINUTES October 24, 2018

RECOMMENDED ACTION: Approve

The MOTION CARRIED unanimously.

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAIN: 0 COMMISSIONER:

NEW BUSINESS:

2. EXTENSION OF TIME APPROVAL NO. EXT. 18-33780

A request for a one (1) year extension of time to complete construction of the Butterfly Palladium project located at 7711 and 7733 Beach Boulevard within the ECSP (Entertainment Corridor Specific Plan) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (In-Fill Development).

PROPERTY OWNER: Butterfly Pavillion, LLC
7700 E. Sunset Cove, Unit 126
Scottsdale, AZ 85258

PROJECT PROPONENT: Butterfly Pavillion, LLC
c/o Jay Schuette
2813 Domingo Road
Fullerton, CA 92835

RECOMMENDED ACTION: Adopt Resolution of Denial

Chair McGuire advised that staff is recommending continuance to the next regularly scheduled Planning Commission meeting of November 28, 2018, with the inclusion of a condition requiring the applicant to submit to the City the requested documents listed in Mr. Rosen's letter to the applicant dated October 26, 2018, for Planning Commission review, no later than November 19, 2018 at 5:30 p.m.

Chair McGuire advised that the item requires a Minute Action to approve continuance to the Planning Commission meeting of November 28, 2018.

The MOTION CARRIED unanimously.

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAINED: 0 COMMISSIONER:

PUBLIC HEARING:

OLD BUSINESS:

3. SITE PLAN NO. SP18-33568/VARIANCE NO. V18-32970/PARCEL MAP NO. PM18-32972

A request to construct a new two-story single family home with Variance from Section 19.308.050 of the Zoning Code for required minimum street frontage in conjunction with a request to subdivide one lot into two separate lots located at 9162 Holder Street within the RS-6 (One-Family Residential) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (In-Fill Development).

PROPERTY OWNER: Cashflow Investments, LLC
126 Calderon
Irvine, CA 92618

APPLICANT: JWY Design, Inc.
12803 Schabarum Avenue
Irwindale, CA 91706

RECOMMENDED ACTION: Continue to a date uncertain

Chair McGuire announced that staff is requesting continuance to a date uncertain.

Chair McGuire advised that the item requires a Minute Action to approve continuance to a date uncertain.

The MOTION CARRIED unanimously.

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAINED: 0 COMMISSIONER:

NEW BUSINESS:

4. SITE PLAN NO. SP18-30575/CONDITIONAL USE PERMIT NO. CU18-30576

A Site Plan application request to develop 80 residential condominium units, new tennis courts and associated facilities, new guardhouse and entry features, and related parking and site improvements for compliance with the previously-approved Development Agreement DA14-002 and a Conditional Use Permit application to modify previously approved Development Agreement DA14-002 to allow the relocation of existing administrative offices and construction of a new one story 4,022 sq. ft. of administrative office building and related parking at the Los Coyotes Country Club located at 8888 Los Coyotes Drive. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (In-Fill Development).

PROPERTY OWNER: McAuley LCX Corporation
8888 Los Coyotes Drive
Buena Park, CA 90621

APPLICANT: William Lyon Homes, Inc.
4695 MacArthur Court, 8th Floor
Newport Beach, CA 92660

RECOMMENDED ACTION: Adopt Resolutions 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 Brady M. Woods, Planning Manager.

The property under application is located within the 210-acre Los Coyotes Country Club which is a private country club featuring three, nine-hole golf courses, a 55,000 sq. ft. clubhouse, practice facilities, maintenance area, and associated improvements. The country

club property is zoned OR (Recreational Open Space) and carries a General Plan designation of Open Space. The 7.90-acre project site is currently developed with a vacant 10,000 sq. ft. administrative office building, former swimming pool, tennis facilities, and related parking areas.

SURROUNDING LAND USE CHARACTERISTICS:

	GENERAL PLAN	ZONING	EXISTING LAND USE
North	Open Space	OR	Golf Course
South	Open Space	OR	Golf Course
East	Open Space	OR	Golf Course
West	Open Space	OR	Golf Course

Staff recommends that the Planning Commission adopt the attached Resolutions approving Site Plan SP18-30575 and Conditional Use Permit CU18-30576.

On November 16, 2016, City Council adopted ordinances and resolutions approving General Plan Amendment GP15-002 adding development criteria in the Land Use & Community Design Element of the Buena Park General Plan specific to the Los Coyotes Country Club; Text Amendment C14-001 amending the Buena Park Zoning Ordinance to allow golf course-oriented dwelling units in the OR (Recreational Open Space) zone, in conjunction with a Development Agreement DA14-002; Tentative Tract Map TT14-002 approving a two-lot subdivision; and Environmental Impact Report EIR14-001 for the Los Coyotes Country Club Development Plan which includes demolition of six tennis courts and construction of up to 125 golf course-oriented residential dwelling units, new tennis facilities, enhancements to the existing guardhouse, and minor remedial grading to the driving range area within the Los Coyotes Country Club.

On April 9, 2018, staff held a community meeting to discuss the applicant’s site plan, architecture, and landscaping proposal. Staff mailed meeting notices to residents and property owners within a 750 ft. radius of the project site. Sixteen members of the public (including nine nearby residents) attended the meeting. During the meeting, staff explained that the approved Development Agreement requires the developer to apply for review and approval of the site plan, architecture, and landscaping for consistency with the Los Coyotes Country Club Development Plan Development Standards and Design Guidelines via the Site Plan review process. The purpose of the community meeting was to introduce and seek public input of the proposed project design prior to the start of the Site Plan review process. Bryan Bergeron, William Lyon Homes Vice President of Land Development, described the proposal which includes the development of 80 residential condominium units (one 49 ft. building and four 62 ft. tall buildings), new tennis court facilities, new guardhouse and entry features (signage and landscaping), and relocated country club administrative offices with associated parking.

There was no opposition expressed during the meeting with regard to the proposed Santa Barbara architectural design of the buildings or the site layout. However, members of the public did express concerns regarding off-site drainage, hours of construction, and increased traffic generated by the project. Mr. Bergeron responded to off-site drainage concerns by referencing mitigation measures included in the Water Quality Management Plan. He also stated that construction hours would be consistent with City standards and that traffic impact

and mitigation was analyzed as part of the Environmental Impact Report certified by City Council in 2016.

The submitted application and plans propose construction of 80 residential condominium units within 5 individual buildings located wholly within Lot 1 of the approved Subdivision Map. One building will be 49 ft. tall and contain 8 units ranging from 1,640 sq. ft to 3,152 sq. ft. The remaining four buildings will be 62 ft. tall and contain 18 units ranging from 1,623 sq. ft to 2,676 sq. ft. All units will maintain a two car garage in either standard or tandem configuration. The residential project site will include outdoor common use courtyards located west of Building 1 and east of Building 5, and will feature firepit lounges, dining areas with outdoor kitchens, game court, and shade trellises.

The existing tennis courts will be demolished and replaced with 2 new relocated tennis courts, a new 1,481 sq. ft. tennis pavilion with associated parking within Lot 2 of the approved Subdivision Map.

The existing guardhouse at the entry gate will be replaced with a new 140 sq. ft. guardhouse, designed to be architectural consistent with the existing clubhouse.

The existing vacant 10,000 sq. ft. administrative office building will be relocated and rebuilt within a new one story 4,022 sq. ft. building. The new building will contain 3 office spaces, conference room, waiting area, and an integrated 6-car 1,200 sq. ft. garage.

The residential buildings will be setback a minimum of 200 ft. from the nearest single family residential zone, consistent with conditions of Development Agreement DA14-002. The residential buildings will maintain a setback of 273 ft. from the residential property line to the west, and 309 ft. from the residential property line to the north. Additionally, the 5 residential buildings will maintain a minimum separation of 25 ft. from each other to allow for driveway access to residential garages.

Vehicular access to the country club will be maintained from Los Coyotes Drive. Upon entering the country club via the guardhouse security gate, resident and guest access to the condominiums will be through a 4.5 ft. tall decorative residential entry gate. Each residential unit will maintain an integrated 2 car garage in either side-by-side or tandem configuration. Guest parking will be supplied with 82 open spaces, including 5 ADA-accessible stalls. Employees and patrons will be able to access the administrative offices and tennis pavilion via the country club's internal drive aisles without having to access the residential area. Parking for the administrative offices will be supplied with 6 garage spaces. The tennis pavilion will be supplied with 142 open parking spaces.

Architecturally, the proposed buildings including the residential condominiums, tennis pavilion, administrative offices, and guardhouse will exhibit the Santa Barbara design style which has its roots in the Spanish Colonial Revival style. Front elevations are simply articulated and detailed with clean lines. Details such as arches, roof tiles, smooth stucco walls, detailed wooden doors, and ironwork provide simple yet quality architectural elements. Courtyards, patios and colonnades create strong indoor-outdoor connections. Facades are enhanced by balconies with wood details, shutters, and pot shelves.

Pursuant to Development Agreement DA14-002 and the Los Coyotes Country Club Development Plan Development Standards and Design Guidelines, review and approval of the project site plan, architecture, and landscaping shall occur through the Site Plan review

process including a noticed public hearing before the Planning Commission. The goal of the Site Plan Review process is to ensure that the project meets all development standards, and to also establish that the project is in harmony with the existing architectural character of the area and is not harmful to the existing and intended character of the surrounding neighborhood.

In reviewing the application and development plans, staff is of the opinion that the proposal is consistent with criteria set forth within the Los Coyotes Country Club Development Plan Development Standards and Design Guidelines with regard to Luxury Attached Homes, Lighting, Site Design Guidelines, Building Interiors, Residential Architectural Style, Parking, Sustainability Design Features, and Signage.

Luxury Attached Homes:

- Design of the proposed buildings, including the residential condominiums, tennis pavilion, administrative offices, and guardhouse are consistent with a defined architectural style and incorporates several compatible architectural embellishments.
- Windows are of appropriate scale to support the architectural theme, and include ornamental details such as trim surrounds, awning, and pot shelves.
- Enhanced building entries with arches, tile, and other accents for added detail and visual interest are provided. Use of archways to define passageways into common courtyards, parking areas, and other spaces within the buildings are provided
- Garage door styles and treatments compatible with the architectural theme are provided.
- Garages and parking spaces are distributed throughout a development so that each unit's assigned parking is accessible to the unit. Guest parking is distributed within the development and will be clearly identified.
- Two (2) residential common areas are provided which are easily accessible to residents and include adequate separation from vehicular circulatory routes. Common area amenities will include dining areas with outdoor kitchens, firepit lounge with seating, shade trellises, and game court.
- Large balconies to serve as outdoor living spaces, with railings and supports designed to reinforce the architectural style of the building are provided.
- Building materials, finishes and colors are appropriate to the selected architectural style, as well as compatible with the design of the existing country club facilities.
- Site lighting will meet lighting standards set forth within the City code.

Site Design Guidelines

- Residential units have been clustered to define community passive recreation and activity areas.
- Buildings have been placed with sensitivity to the nearby existing homes by maintaining a minimum 200 ft. distance from residential zones.
- Project landscaping will provided a distinct visual impression and community identity. Plant material shall be compliant with the Los Coyotes Country Club Development Plan Development Standards and Design Guidelines and City code for water conservation and non-invasive species.
- Landscape plan shall include a tree re-placement/re-planting plan for preservation of trees, to the extent possible.
- Landscaping and gateway features have been provided to define the entryways into the project.

- Retaining walls have been designed to reflect the overall architectural character of the development.
- Adequate vehicular access to the site, internal circulation, and parking has been provided.

Building Interiors

- Residences are proposed to have single-story floor plans, with access provided from semi-private elevators.
- Residential units will maintain various luxury finishes and amenities as standard features including minimum 9 ft. tall ceilings, high-quality windows and doors, crown moulding, hardwood or other high-quality flooring materials, fireplaces, exposed ceiling beams, built-in cabinetry and bookshelves, wine storage, kitchens featuring stone countertops, and gourmet appliances. Master suites will include large walk-in closets, fireplaces, dual sink vanities, large spa tubs, large showers, and high-quality plumbing fixtures.

Residential Architectural Style

- Design of the proposed buildings, including the residential condominiums, tennis pavilion, administrative offices, and guardhouse incorporate elements of the Santa Barbara design style to create a unified architectural theme that compliments the existing clubhouse.
- The key elements of Santa Barbara design style include full "S" concrete tile roofing, stuccoed exterior walls with off-white/light sand finish, full round arched arcades and openings, ornate wrought iron accents, recessed windows, vertical proportioned openings, and full and Juliette balconies.

Parking

- Minimum residential parking spaces required = 2 covered spaces per unit. Residential parking proposed = 2 garage spaces per unit.
- Minimum guest parking spaces required = 1 spaces per unit or 80 spaces. Guest parking proposed = 82 spaces.
- Minimum office parking spaces required = 4/1,000 sq. ft. or 5 spaces. Office parking proposed = 6 spaces

Sustainability Design Features

- Approved preliminary Water Quality Management Plan indicates that grading and drainage plans for the project have been designed to include no net increase in stormwater flows beyond the Country Club boundaries.
- Infiltration basins, swales, and other stormwater management features will be designed to meet the goals of both stormwater collection and aesthetics.
- Secure bicycle parking will be incorporated into the design.
- Designated parking will be provided for low-emitting, fuel-efficient, and carpool vehicles
- Low-flow water fixtures will be used throughout the development.
- Roof areas with more than 2,000 square feet will be designed to be solar-ready, to allow for installation of solar panels.

Signage

- Signs will be designed compatible with the architectural design, style, and materials of structures at the Country Club.

- Illuminated signage will be fixed, directed and controlled to prevent glare on streets, walkways, and residential property.

Additionally, in accordance with DA14-002 Section 15, substantial changes to the Development Plans are required to be processed through a Conditional Use Permit pursuant to the City Zoning Ordinance. The applicant's request will modify DA14-002 Development Plans to include the relocation of the country club administrative offices. The new 4,022 sq. ft. office building will replace the former 10,000 sq. ft. office building on the site. It will maintain appropriate separation from existing single family residential neighborhood, and will not negatively impact the subject and surrounding properties.

Finally, in order to insure the highest quality of development, Staff has included conditions related to site design, architecture, landscaping, and common usable open space amenities.

The Site Plan application has been reviewed and found to be within the scope of the previously certified Program Environmental Impact Report EIR14-001 (SCH #2013031081) and the previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines. The Conditional Use Permit application is Class 32, Section 15332 (In-fill Development), categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Event Center on November 1, 2018, and 95 notices were mailed to property owners within a 750 ft. radius of the project site as well as interested citizens on November 1, 2018.

Chair McGuire asked if there were any questions for staff.

Commissioner Barstow noted that the start and end times of construction activities are not part of the report. He said that it is important for the neighbors to know that construction activities are done during reasonable hours.

Mr. Woods said the hours of construction - 7:00 am to 8:00 p.m., are included within the conditions of approval for the Site Plan and Conditional Use Permit.

Chair McGuire asked if the 82 parking spaces for guests include those located nearest the proposed tennis pavilion.

Mr. Woods said the 82 parking spaces for guests do not include those located nearest the proposed tennis pavilion.

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.

Bryan Bergeron, applicant representative, Vice President, William Lyon Homes, Inc., 4695 MacArthur Court, 8th Floor, Newport Beach, CA 92660, described William Lyon Homes as one of the largest builders in the West, with more than 60 years of experience. He said the founder of the company is 95 years old and is actively involved in the operations. Mr. Bergeron said their most recent project, built in 2017 in the City - the old Dickerson School site, was well-received by surrounding neighbors and the community. He said the design of the proposed project complements the existing golf course. Mr. Bergeron

presented a video taking the viewer on a virtual tour of the proposed design, from the main gate through the grounds and interior of homes in the development.

Val Sadowinski, 8746 Los Coyotes Drive, Buena Park, CA, stated his concerns as quoted verbatim from a copy of his formal address at this Public Hearing, which he handed to the Planning Secretary:

"Honorable Chair, Commissioners,

My name is Val Sadowinski. I reside at 8746 Los Coyotes Drive.

At the onset, let me state that the Notice of Public Hearing was mailed and posted November 1st, 2018, in compliance with the law. The Santa Ana post office posted it November 5th and it arrived at my home November 7 (Wednesday) and the staff report was not available for review until Friday November 9. Monday, November 12, was a holiday. Now my concerns about the Los Coyotes Country Club Development. Some of my statements are verbatim snippets from the EIR.

Hydrology/Hydraulics

The storm drain system shall be designed and constructed for at minimum a 25 years flood. The new development will add 1.3 acres of impervious surface and the construction of an infiltration basin at its West end and swales at the base of the North slope will mitigate flooding during heavy rain and to what extent, God knows! Orange County's rainfall annual average is 13 inches not to mention our current droughts. Since 1973 until 2011 we have had seven years of rainfall over 24 inches annually with two years of 30-31 inches when flooding in the golf course approached a few inches from my property line. The following properties 8740, 8746, 8760, and 8772 are exposed to flooding if the proposed mitigation measures are inadequate.

Traffic and Transportation

The May 2016, final EIR revealed the project increases the existing queue beyond the turn pocket storage at the Rosecrans Ave. Northbound left turn and Los Coyotes Drive Southbound left turn. The recirculated final EIR provides an improvement concept to relieve the existing turn pocket storage deficiencies and the project fair share at those two locations under existing conditions in 2015. The project share of the cost will be conditions of approval imposed on the project by the City should the project be approved, since the condition stemmed from existing, plus growth, plus project.

The City will require the project applicant to pay its fair share of 9.2% and 29.7% towards the construction cost to improve the turn capacity of the pockets according to CalTrans, and 1.5% and 2.6% according to the Project Applicant, the Environmental Consultant Phil Martin and Associates.

A final comment: In the final EIR, 'With the removal of the event meeting space, private meeting space, and office space the project will reduce traffic.' The construction of a new 4,022 square foot administrative office building is now requested. Moreover, now November, 2018, three years after the last traffic study, the traffic has markedly increased with many new apartments and condominiums on Beach Blvd and the future closure of the Westridge Golf Course with the addition of hundreds of new condominiums. Therefore there is a need

to improve the turn capacity of the pockets at Beach Blvd, Los Coyotes Dr, and Rosecrans Ave before grading and construction permits are granted.”

Chair McGuire recalled that traffic concerns were discussed when the original application of up to 125 golf-course-oriented residential dwelling units was considered. Since then, he noted, the proposal has been reduced to 80 residential condominium units.

Mr. Rosen reiterated that the Environmental Impact Report (EIR) was certified by City Council, including Traffic Impact and mitigation measures, with a condition that the applicant pays a proportional share of traffic improvements, as assessed, with all traffic fees to be paid by the applicant prior to occupancy.

Chair McGuire asked if the condition includes payment by applicant of their proportional share of traffic improvements in the general areas of Rosecrans and Beach.

Mr. Rosen said the improvements along Rosecrans and Beach will take place within a number of years; thus, not specified on the conditions.

Commissioner Diep asked if the applicant would still be asked to pay a portion of the improvements.

Mr. Rosen said the applicant would still be required to pay a portion of improvement fees as the improvements occur.

Mr. Rosen said Hydrology/Hydraulics was addressed in the EIR.

Chair McGuire commented that that design/construction for 25 years flood is standard.

Mr. Modaressi further explained that all storm water resulting from the development has to be retained onsite and confirmed that the flow out of this project will be less or equal to what it was before.

Commissioner Diep asked if there is a turnaround point before the guardhouse at the main entrance to the project.

Mr. Woods said there is a turnaround point before the guardhouse at the main entrance to the project.

Mr. Lam advised that typically, when a proposal has substantial comments, the applicant may be asked to return to the podium to address the comments.

Chair McGuire called on the applicant.

Mr. Bergeron confirmed that the proposed project will retain water flow on site; thus, an improvement on the area as far as drainage. He also confirmed that the applicant will pay the fair share of traffic improvement fees, including for future years, and there is a turnaround before the guardhouse.

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

Commissioner Capelle moved, and Commissioner Diep seconded, the motion to adopt the Resolutions approving Site Plan No. SP18-30575/Conditional Use Permit No. CU18-30576 with findings of fact and conditions therein.

**RESOLUTION NO. 6130
SITE PLAN NO. SP18-30575**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR REVIEW OF PROPOSED SITE PLAN, ARCHITECTURE, AND LANDSCAPING FOR 80 RESIDENTIAL CONDOMINIUM UNITS, NEW TENNIS COURTS AND ASSOCIATED FACILITIES, NEW GUARDHOUSE AND ENTRY FEATURES, AND RELATED PARKING AND SITE IMPROVEMENTS FOR COMPLIANCE WITH THE APPROVED LOS COYOTES COUNTRY CLUB DEVELOPMENT PLAN DEVELOPMENT STANDARDS AND DESIGN GUIDELINES AND DEVELOPMENT AGREEMENT DA14-002 LOCATED AT THE LOS COYOTES COUNTRY CLUB 8888 LOS COYOTES DRIVE WITHIN THE OR (RECREATIONAL OPEN SPACE) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

**RESOLUTION NO. 6131
CONDITIONAL USE PERMIT NO. CU18-30576**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING AN AMENDMENT TO THE DEVELOPMENT PLANS OF PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT NO. DA14-002 ALLOWING FOR RELOCATION OF EXISTING ADMINISTRATIVE OFFICES AND CONSTRUCTION OF A NEW 4,022 SQ. FT. ADMINISTRATIVE OFFICE BUILDING WITH RELATED PARKING LOS COYOTES COUNTRY CLUB LOCATED AT 8888 LOS COYOTES DRIVE WITHIN THE OR (RECREATIONAL OPEN SPACE) ZONE

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAINED: 0 COMMISSIONER:

5. MODIFICATION OF CONDITIONAL USE PERMIT NO. MCU18-32669

A request to replace existing church and classroom building with a new church and parking area improvements at 5600 Crescent Avenue in the RS-6 (One Family Residential) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 (In-Fill Development)

PROPERTY OWNER: Guidestone Church
5600 Crescent Avenue
Buena Park, CA 90620

APPLICANT: J7 Architecture, Inc.
20361 Irvine Avenue, Studio B2
Newport Beach, CA 92660

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 Brady M. Woods, Planning Manager.

The property under application is located on the south side of Crescent Avenue approximately 193 ft. west of Los Altos Drive with street frontage of 460 ft and a land area of 2.80 acres. Existing improvements on the property consist of a church sanctuary, fellowship hall, classroom building used by the church, and a separate pre-school/day-care center. The remainder of the property is development with parking and playground area. Primary vehicular access is provided via a 30 ft. driveway leading from the Crescent area service road. The property is zoned RS-6 (One Family Residential) and carries a General Plan designation of Low-Density Residential.

SURROUNDING LAND USE CHARACTERISTICS:

	GENERAL PLAN	ZONING	EXISTING LAND USE
North	Low-Density Residential	RS-6	Single Family Residential
South	City of Cypress	City of Cypress	Single Family Residential
East	Low-Density Residential	RS-6	Church
West	City of Cypress	City of Cypress	Single and Multi-Family Residential

Staff recommends that the Planning Commission adopt the attached Resolution approving Modification of Conditions MCU18-32669 (modifying Use Permit U-149).

On February 15, 1956, the Planning Commission adopted Resolution No. 161 (Use Permit No. U-149) approving the construction of a church, elementary school building, and related parking and site improvements on a 101,930 sq. ft. site.

On October 12, 1988, the Planning Commission adopted Resolution No. 161 (Conditional Use Permit No. CU-999) approving the construction of 3,600 sq. ft. preschool and day-care center in conjunction with the existing church on a 20,473 sq. ft. site located immediately to the east.

The submitted application and plans propose the demolition of the existing 13,453 sq. ft. two story church and associated one-story 5,965 sq. ft. classroom building, and construction of a new two-story 19,975 sq. ft. church with reconfigured site access, parking areas, and related site improvements including a 1,205 sq. ft. maintenance and storage building located at the

rear of property. The existing 3,600 sq. ft. preschool and day-care center will remain and is not included in the applicant's request.

The newly constructed church facility will contain a sanctuary with non-fixed seating, fellowship hall and kitchen, children worship room, classrooms, storage areas, and restrooms on the 13,600 sq. ft. first floor. The 6,375 sq. ft. second floor will contain classroom, offices, a conference room, storage areas, and restrooms. Once complete, the new two-story church facility will maintain 19,757 sq. ft.

The building has been designed in a contemporary architectural style featuring plaster finish, architectural metal panels, store front windows, decorative canopies, and metallic accent including louvers and a cross extending beyond the roofline. The exterior will maintain a gray and white color scheme. The entry will feature a plaza and courtyard area to be used for outdoor gather. This area will have decorative landscaping, enhanced concrete pavers, and an ornamental rock and water feature that may be used a baptism pool in the future.

The proposed building will be set back 118 ft. from the front property line along Crescent Avenue, as well as a 79 ft. from the rear line and 59 ft. from the side property line abutting existing residential properties. The storage and maintenance building will be setback a compliant 5 ft. from the rear property line. The property will maintain a 6 ft tall decorative masonry along the perimeter to buffer from abutting existing residential properties.

Landscaping along the project street frontage of Crescent Avenue will include 24 in. box trees and low accent ground cover. The perimeter of the site will be lined with 15 gallon Brisbane Box trees to provide a buffer between the proposed project and adjacent residential uses. The parking areas abutting residential uses will maintain compliant 5 ft. landscaped setbacks along the west and south property lines. Landscaping for the interior parking areas will include 15 gallon shade trees. The entry plaza and courtyard will include decorative landscape and hardscape to enhance visual interest of the primary façades. Landscaping associated with the existing preschool will remain as is.

Vehicular access to the site will be provided via two 26 ft. wide driveways along the Crescent Avenue service road. Total parking required is 168 spaces. One hundred and seventy-eight (178) parking spaces, including 6 ADA compliant spaces, are proposed and therefore will meet the parking requirement. Parking spaces adjacent to walking paths will have wheel stops for pedestrian safety. Stalls along the perimeter will measure 16 ft. with 2 ft. overhangs into the landscape buffer for a compliant 18 ft. in length.

Parking Required			
Sanctuary (non-fixed seating):	3487 sq. ft./40	=	87 spaces
Fellowship Hall:	1983 sq. ft./40	=	50 spaces
Office:	2399 sq. ft./250	=	10 spaces
<u>Preschool/Day-care Center</u>	<u>1/empl. + 1/6 child.</u>	<u>=</u>	<u>21 spaces</u>
TOTAL			168 spaces

Per Section 19.312.010 of the code, a church is an allowable use within a RS-6 (One Family Residential) zone if permitted through a Conditional Use Permit. The Planning Commission previously approved the church use at this location via Use Permit U-149.

In reviewing the applicant's request, staff reviewed plans and visited the site and surrounding area and is of the opinion that the site is adequate to support the proposed development

without negatively impacting the subject and surrounding properties. The rebuilt church will be compatible with the intended and existing character of the area based on operating characteristics, site layout, access, parking, and compliance with applicable development standards. Site utilization will remain consistent as the new development will be of the same intensity as the existing development. The design of the building is contemporary in style, and adequate infrastructure exists to support the new church on this site and surrounding area.

The project is Class 32, Section 15332 (Infill Development), categorically exempt from CEQA Guidelines and is also found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026).

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Event Center on November 1, 2018, and 37 notices were mailed to property owners within a 300 ft. radius of the project site on November 1, 2018.

Chair McGuire asked if there were any questions for staff.

Commissioner Diep said the plans do not clearly show the number of bathrooms.

Mr. Woods said restrooms are shown in the far northwest corner of the building on the first floor and in the center of the building on the second floor.

Commissioner Diep asked if bike racks are required for churches, and if so, what is the number of bike racks required for this type of church.

Mr. Rosen said bike racks are required under the Green Building Code, in conformance with a certain formula, and deferred further explanation to the applicant.

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.

Doug Gunsalus, Lead Pastor, 5600 Crescent Avenue, Buena Park, CA 90620, said the church has been in existence for about 70 years; two churches merged to form a new church; and the current structure is in need of update and maintenance. He said he is new to the area and is just starting to meet the neighbors; he went door-to-door, to about 75 homes, handed out his personal information, and discussed the proposed project.

Terry Jacobson, project architect, 20361 Irvine Avenue, B2, Newport Beach, CA 92660, described the plan as a new facility that will consolidate church activities in one building rather than split out. He said the existing building is almost unusable, and this proposal will have features that will provide improved circulation, better accessibility and parking which will exceed Code requirements.

Commissioner Capelle asked about the duration of construction.

Mr. Jacobson said construction will take about nine to ten months. He also confirmed that the Green Building Code requires bike racks, but he does not have the number from memory. He said he will have to research the Code.

Chair McGuire asked if the architect has previously done a baptismal water feature such as what is being proposed.

Mr. Jacobson said he has designed baptismal water features. He described the proposed design as a shallow water feature consisting of boulders, emanating water from the top portion of the boulder, cascading down – the recirculating kind. He said their future plan is to install a baptistry, with a grate of 12 inches below the level of water to prevent issues with depth.

Rodney Lineweber, 8562 Cypress Avenue, Cypress, CA 90630, said he has resided in the area, by the back of the church, for about 41 years, and he was also speaking in behalf of a neighbor. He expressed the first of their two concerns - possible light intrusion into their property. Mr. Lineweber said when they had a problem with the school lighting directly behind their properties, they raised their fences from five to seven feet, but the problem returned when the school - Headstart, took over and changed their lighting. He said their second problem is noise, which was not solved by the eucalyptus trees that were planted (he commented that they “have no say about the type of trees planted by the City”) which grew to 70 ft., with bushes in need of maintenance. Mr. Lineweber said he found the literature from the Pastor in his mailbox but did not get a chance to talk with him when he made his rounds. He concluded by saying that he would be pleased to meet with the Pastor to discuss his concerns and find some resolutions.

Pastor Gunsalus said the church’s objective is to be a good neighbor and they will have remedial measures to mitigate noise and lighting concerns.

Chair McGuire asked if a fence is being proposed.

Mr. Jacobson said there is an existing CMU wall around the existing property that can shield the noise; however, they can add additional trees that will grow up to a certain height, as necessary. He described the proposed lighting fixtures as consisting of shields that will mitigate light intrusion into adjacent residential properties.

Chair McGuire asked about the nature and schedule of church services and activities.

Mr. Jacobson said church activities involve youth, young adult, and children’s groups, AA meetings, 12-step programs, etc., with services, meetings, and other activities ending at 8:30 p.m. at the latest.

Commissioner Capelle commented that in certain past projects, outside of the City, the applicant was required to submit specs for lighting. She asked if the City has the same requirement.

Mr. Woods said the requirement is submitted for review in the plan check process.

Commissioner Capelle asked what is the more effective step to be taken if noise and/or lighting problems persist - talk to the applicant or contact Code Enforcement?

Mr. Woods said both can be done.

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 Barstow moved, and Commissioner Schoales seconded, the motion to adopt the Resolution approving Modification of Conditional Use Permit No. MCU18-32669 with findings of fact and conditions therein.

**RESOLUTION NO. 6132
MODIFICATION OF CONDITIONS NO. MCU18-32669
(MODIFYING USE PERMIT NO. U-149)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF MODIFICATION OF CONDITIONS NO. MCU18-32669 TO DEMOLISH AN EXISTING 13,453 SQ. FT. TWO STORY CHURCH AND ASSOCIATED ONE-STORY 5,965 SQ. FT. CLASSROOM BUILDING, AND CONSTRUCT A NEW TWO-STORY 19,975 SQ. FT. CHURCH WITH RECONFIGURED SITE ACCESS, PARKING AREAS, AND RELATED SITE IMPROVEMENTS INCLUDING A 1,205 SQ. FT. MAINTENANCE AND STORAGE BUILDING LOCATED AT 5600 CRESCENT AVENUE WITHIN THE RS-6 (ONE FAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAINED: 0 COMMISSIONER:

Chair McGuire recessed the meeting at 8:06 p.m.

The meeting was reconvened at 8:14 p.m.

6. MODIFICATION OF CONDITIONAL USE PERMIT NO. MCU18-32665/ADJUSTMENT NO. ADJ18-32666

A request to modify previously-approved Conditional Use Permit No. CU-105, Conditional Use Permit No. CU-734, and Site Plan No. SP-789, to replace an existing 3,892 sq. ft. fast food restaurant with drive-through with a new 4,412 sq. ft. fast food restaurant with drive-through, reconfigure site access and existing parking areas and related site improvements and Adjustment to reduce required on-site parking by two-parking spaces located at 5900 Beach Boulevard within the CO (Office) zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15332 Class 32 (In-fill Development).

PROPERTY OWNER: McDonald's Corporation
Attn: Christine Cho
3800 Kilroy Airport Way, Suite 200
Long Beach, CA 90806

APPLICANT: Bickel Group Architecture
 Attn: Jessica Steiner
 3600 Birch Street, Suite 120
 Newport Beach, CA 92660

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 Brady M. Woods, Planning Manager.

The property under application is located east of Beach Boulevard approximately 140 ft. north of Artesia Boulevard with a 255 ft. street frontage and a land area 30,600 sq. ft. The property is developed with a ±3,892 sq. ft. sit-down, drive-through McDonald’s fast food restaurant with an approximately ±765 sq. ft. playground area located at the northwest corner of the building along Beach Boulevard. The development also support a separate 13,068 sq. ft., 24-stall parking lot located across the alley to the east which maintains a 100 ft. street frontage along Homewood Avenue. The property is zoned CO (Office) and carries a General Plan designation of Central Buena Park Mixed Use.

SURROUNDING LAND USE CHARACTERISTICS:

	GENERAL PLAN	ZONING	EXISTING LAND USE
North	Central Buena Park Mixed Use	CO	Church; Single Family Residential
South	Central Buena Park Mixed Use	CO	Medical office; Single Family Home
East	Low-Density Residential	RS-6	Single Family Residential
West	Central Buena Park Mixed Use	CO	Commercial

Staff recommends that the Planning Commission adopt the attached Resolutions approving Modification of Conditions MCU18-32665 (modifying Conditional Use Permit Nos. CU-105 and CU-734, and Site Plan No. SP-789) and Adjustment ADJ18-32666

On March 10, 1965, the Planning Commission adopted Resolution No. 1568 (Conditional Use Permit No. 105) approving the construction of a new McDonald’s carry-out only restaurant with freestanding sign on the property located at 5900 Beach Boulevard.

On March 4 1981, the Planning Commission adopted Resolution No. 3235 (Conditional use Permit No. 734) establishing a drive-through service to be operated in conjunction with the existing McDonald’s Restaurant and to provide a children’s playground area.

On April 6, 1983, the Planning Commission adopted Resolution No. 3421 (Site Plan No. 789) establishing a surface parking lot to be used in conjunction with the existing McDonald’s Restaurant on the property located at 5941 Homewood Avenue.

The submitted application and plans propose the demolition of the existing ±3,892 sq. ft. McDonald’s restaurant with drive-through and children’s playground area and the construction of a new 4,412 sq. ft. McDonald’s restaurant with drive-through, reconfigured site access and parking areas, and related site improvements. The new restaurant building

will contain a dining area, restrooms, customer service counter, kitchen and prep area, storage area, manager's office, and crew room. The ±765 sq. ft. children's playground area will not be replaced. The fast food restaurant will maintain the existing operating hours of 24 hours daily.

Architecturally, the new restaurant building will be designed in a contemporary style to reflect a refreshed theme consistent with newly constructed McDonald's restaurants worldwide. The new restaurant building will incorporate a variety of forms and materials such as stucco, hardwood, and metallic finishes. There will be a canopy structure over the cashier and pick-up windows on the west side of the restaurant which will serve to buffer the queuing vehicles from Beach Boulevard. The existing McDonald's ground sign will be removed and new wall signage is proposed which will require separate review and approval by the Planning Division.

The development plans show the restaurant building in the middle of the site with drive through lanes surrounding the building. The restaurant building meets all setback requirements including 37.5 ft. front yard, 35 ft. rear yard, and 35 ft. and 121 ft. side yards. The canopy structure will encroach 15% into the front yard setback; however, code allows for such an encroachment not to exceed 33%.

The site will retain primary vehicular access from Beach Boulevard via a 30 ft. wide driveway. Two existing active driveways along Beach Boulevard will be eliminated to accommodate the re-configured site circulation. The existing single drive-through lane located on the northern portion of the site will be replaced with dual drive-through lanes. Dual drive-through lanes are becoming a standard feature at most newly renovated McDonald's restaurants to increase customer service capacity. Menu order boards will be relocated to accommodate the dual drive-through lane configuration. Per the applicant, the menu order boards will incorporate volume modulating technology to reduce the amount of sound generated by the drive-through intercom system.

Landscaping along the project street frontage (Beach Boulevard) will include flowering shrubs and low accent ground cover for visibility of the restaurant. To provide a buffer between the project and the adjacent properties, the project landscaping includes a combination 24 in. box trees and shrubs along the north, south, and east property lines. Upon completion, the project will include approximately 11,323 sq. ft. of landscape area for the restaurant and the separate parking lot.

Total on-site parking required is 44 spaces. The proposed plans show 15 spaces nearest the restaurant and 28 spaces within the separate parking lot along Homewood Avenue, for a total of 43 spaces. After discussions with Staff, the applicant seeks to eliminate one additional stall in order to enhance pedestrian safety near the drive-through which is not shown on the submitted plans. Therefore, the applicant is requesting an Adjustment to reduce required parking by 2 spaces. Once completed, the project will maintain 42 parking spaces, including 2 ADA-accessible stalls. Parking lot lighting will be installed to adequately illuminate the parking areas without creating glare or excess illumination on right-of-ways and neighboring residential properties in accordance with code.

The City of Buena Park Zoning Ordinance requires Planning Commission review and approval via the Conditional Use Permit process for renovation of the existing fast food restaurant with drive through, including architectural and site modifications. Review of modifications to existing Conditional Use Permits and Site Plans are required to assess any potential impact on the site and surrounding area as well as to ensure continued land use compatibility. Additionally, the Zoning Ordinance requires Planning Commission review and

approval via the Adjustment process to allow a parking requirement reduction of up to two parking spaces.

In reviewing the applicant's request, staff reviewed the submitted plans, visited the site, and is of the opinion that the property can adequately accommodate the proposed fast food restaurant renovation and site modifications, as conditioned. The site has been developed with a fast food restaurant since 1965 and will continue to operate at a similar scale and with similar business operations. Staff is cognizant of the restaurant's proximity to existing single family residential located across the alley, and feels that appropriate conditions of approval to minimizing potential nuisances have been included to ensure neighborhood compatibility.

Staff has reviewed the submitted 'Parking and Drive-thru Evaluation Update' report and finds that the conclusions reached by Urban Crossroads with regard to drive-thru queuing is adequate. Additionally, the report's findings regarding parking capacity states that the estimated peak parking demand of 37 spaces should not exceed the proposed parking supply. However, as the report also states that "it is unclear if the remodel will increase the parking demand due to the reduction in overall seating capacity", Staff feels the provision of 5 additional spaces for a total parking supply of 42 spaces, as proposed and conditioned, is appropriate to service the development on site.

The proposed restaurant renovation and associated site improvements, as conditioned, comply with the Zoning Ordinance requirements for setbacks, coverage, access, circulation, landscaping, and architectural design. Staff believes that the reduction in parking by two spaces will not negatively affect the subject property or adjacent properties. The existing driveways along Beach Boulevard and Homewood Avenue will continue to provide appropriate access to the site. Regarding the new building design, staff feels the new restaurant building will exhibit an enhanced high quality exterior design, with diverse materials and textures and unique architectural character contributing to the General Plan goals for the Central Buena Park Mixed Use district.

Finally, the approval of the subject application will conserve property values, will not impair circulation and use of the property, and will not be in conflict with the objectives of the City's General Plan and intent of the Zoning Ordinance.

The project is Class 32, Section 15332 (Infill Development), categorically exempt from CEQA Guidelines and is also found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026).

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Event Center on November 1, 2018, and 50 notices were mailed to property owners within a 300 ft. radius of the project site on November 1, 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.

Carlos Madrigal, applicant, 3800 Kilroy Airport Way, Suite 200, Long Beach, CA 90806, said the franchisee will speak at this meeting. He described the restaurant as old and in need of

upgrades to bring it up to new standards - with new equipment, new kitchen, new technology, landscaping, architecture and style, and with ADA compliance. He asked staff's assistance on how Public Works conditions 1 and 6, as listed below, can be done within the shortest time frame.

- "1. The existing parcels (APN 066-181-27, 29, 30) encompassed by the project shall be joined under a recorded 'Lot Tie Agreement' in accordance with the City Code and Subdivision Map Act. Plat map and legal description shall be prepared by registered civil engineer or licensed surveyor. All cost associated with preparation of these documents and County recording shall be responsible by applicant.
6. Provide recorded documents that show reciprocal access and parking easement between the two parcels."

Mr. Woods said there is a process in place for Public Works Condition No. 1 and asked the applicant to coordinate with staff.

Commissioner Capelle noted that the free-standing McDonalds sign will not be retained. She asked where the sign will be stored.

Mr. Madrigal said their instruction, in cases of demolition, is to destroy.

Peter Horner, franchisee, 626 N. Eckhoft St., Orange, CA 92868, said the structure, built in 1965, has been owned by his family since 1980. He described the improvements made in 1986, including the expansion of the dining room which doubled the size. He said typically, a restaurant is rebuilt after 40 years, and his restaurant is 55 years old, so it needs the upgrades. Mr. Horner said he is rebuilding instead of relocating, which was his original plan when the Caltrans project caused a 15% reduction in the restaurant's sales.

Commissioner Capelle commented that time is money, and asked how long the proposed project will take.

Mr. Horner said it will take 120 days from the time the restaurant closes.

Commissioner Diep said she does not remember hearing any reference to signage and noted that there are none to adequately warn the customer that the restaurant is within a certain distance, allowing the customer to slow down before turning into the driveway.

Mr. Woods confirmed that there is no ground sign before the driveway into the property. He said the large golden arches that will be removed will not be replaced.

Mr. Rosen said the applicant sometimes submits the application for signage, including directional signs and other signs in addition to the monument sign, etc., at a later date.

Chair McGuire asked if the applicant would like to apply for signage.

Mr. Madrigal said they will apply for signage at a later date.

Mr. Rosen announced that after conferring with Mr. Modaressi, staff is recommending the elimination of Public Works Condition No. 6.

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

Commissioner Capelle moved, and Commissioner Diep seconded, the motion to adopt the Resolution approving Modification of Conditional Use Permit No. MCU18-32665/Adjustment No. ADJ18-32666 with the elimination of Public Works Condition No. 6 and with findings of fact and conditions therein.

**RESOLUTION NO. 6133
MODIFICATION OF CONDITIONS NO. MCU18-32665
ADJUSTMENT NO. ADJ18-32666**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR MODIFICATION OF CONDITIONS NO. MCU18-32665 (MODIFYING PREVIOUSLY APPROVED CONDITIONAL USE PERMIT NOS. CU-105 AND CU-734, AND SITE PLAN NO. SP-789)/ADJUSTMENT NO. ADJ18-32666 TO REPLACE AN EXISTING 3,892 SQ. FT. MCDONALD'S FAST FOOD RESTAURANT WITH DRIVE-THROUGH WITH A NEW 4,412 SQ. FT. MCDONALD'S FAST FOOD RESTAURANT WITH DRIVE-THROUGH, RECONFIGURED SITE ACCESS/CIRCULATION AND PARKING AREAS, AND RELATED SITE IMPROVEMENTS, AS WELL AS ALLOW A PARKING REQUIREMENT REDUCTION OF UP TO TWO PARKING SPACES AT 5900 BEACH BOULEVARD AND 5941 HOMEWOOD AVENUE WITHIN THE CO (OFFICE) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAINED: 0 COMMISSIONER:

7. CONDITIONAL USE PERMIT NO. CU18-33419/ADJ18-33420

A request to demolish existing garage and construct a new 1,746 sq. ft., 18 ft. high garage located on a lot developed with an existing single-family dwelling located at 7612 Haldor Place within the RS-6A Agricultural Overlay zone. The project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Section 15303(e) New construction or conversion of small facilities; Accessory structures including garages.

PROPERTY OWNERS: Donald and Karen Schaffer
7612 Haldor Place
Buena Park, CA 90620

APPLICANTS: Donald Schaffer and Jonathan Matson
 13271 South Street
 Cerritos, CA 90703

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, Senior Planner.

The site is 0.34 acres in size and is located on the south side of Haldor Place where it dead-ends in a cul-de-sac.

SURROUNDING LAND USE CHARACTERISTICS:

	General Plan	Zoning	Existing land use
North	LDR	RS6-A	Parking lot for church
South	HDR	RM-20	Multifamily residences
East	Light Industrial	CG (Commercial General)	Single family residences
West	HDR	RM-20	Church and multifamily residences

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU18-33419 and Adjustment No. ADJ18-33420 with the findings of fact and conditions listed herein.

The submitted application and plans propose demolition of an existing 331 sq. ft. garage and construction of a new 1746 sq. ft., 18 ft. tall garage.

The property is currently developed with a 2,250 sq. ft. single family residence and a 331 sq. ft. legal non-confirming detached garage. There is an existing 15 ft. concrete driveway that leads to the garage in the rear of the property.

Plans show the existing detached garage in the rear to be demolished and replaced by a new garage. The new garage is “T” shaped, where an 800 sq. ft. section of the garage will house a motor home and therefore requires taller than average garage height. The remaining 946 sq. ft. garage will house 3 vehicles. There is also a ‘storage/ workshop’ space within the garage for the property owner to store camping equipment, seasonal items etc. as well as space to work on cars for maintenance purposes. There is a sink in the storage/workshop area to clean camping gear and equipment associated with the motor home. There will be a total of 4 roll-up garage doors for vehicular access into the garage, and a standard door for pedestrian access.

Architecturally, the garage roof and wall finishes shall match those of the existing house.

Single family homes within the agricultural overlay area must conform to the RS-6 zone’s development standards. Parking within a garage is a permitted use however the floor area of

all non-habitable accessory structures on a lot for a single family dwelling may not exceed 50 percent of the residential floor area of the primary dwelling or 600 square feet, whichever is less. The proposed garage is 91 percent of the floor area of the dwelling, and requires an authorization via a Conditional Use Permit. Although the proposed garage is larger than typical, the site is large enough to accommodate this proposal. The lot coverage of up to 40 percent is permissible, and the proposal only seeks 28.3 percent lot coverage.

Height of an accessory structure is limited to 15 ft. at peak of roof; however the requested 18 ft. height (a 20 percent increase in allowable height) can be permitted via an Adjustment process. The applicant is proposing this height to house the motor home. This has an aesthetical benefit where a motor home is parked in a garage versus being parked uncovered in a driveway or side yard.

In reviewing the applicant's request and plans, staff visited and reviewed the site and building configuration as well as layout of the surrounding properties.

The proposed garage is located toward the south west corner of the property and is setback five ft. from the side property line and 10 ft. from rear property line. On the other side of these property lines is a carport and an internal driveway for multi-family developments. Therefore the increase in height by three ft. will not be detrimental to the properties surrounding the subject property.

Based on this review Staff feels that the design of the proposed garage will be compatible with the existing development patterns without any negative effects. As conditioned, the project meets all applicable requirements of the Buena Park Zoning Code.

The project is Class 3, 15303(e) New Construction or Conversion of small facilities; Accessory structures including garages; categorically exempt from CEQA Guidelines

Notice of public hearing was posted at City Hall, the Buena Park website, the Buena Park Library, and Ehlers Event Center on November 1, 2018, and 28 notices were mailed to property owners within a 300 ft. radius of the subject property on November 1, 2018.

Chair McGuire asked if there were any questions for staff.

There being 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.

Donald Schaffer, 7612 Haldor Place, Buena Park, CA, 90620, talked about the history of his property. He said they bought the lot on which they built their house in 1980, described the lot as narrow, and explained that, faced with the option of finding a place to park his motor home for \$500 a month or using the money to put it in the backyard so he can use his garage for his cars, he chose the latter.

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 Barstow moved, and Commissioner Diep seconded, the motion to adopt the Resolution approving Conditional Use Permit No. CU18-33419/ADJ18-33420 with findings of fact and conditions therein.

**RESOLUTION NO. 6134
CONDITIONAL USE PERMIT NO. CU18-33419 /
ADJUSTMENT ADJ18-33420**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU-33419 TO CONSTRUCT A 1,746 SQ. FT., EIGHTEEN FT. TALL GARAGE WITH AN ADJUSTMENT NO. ADJ18-33420 FROM SECTION 19.316.090 OF THE ZONING CODE FOR MAXIMUM HEIGHT OF AN ACCESSORY STRUCTURE LOCATED AT 7612 HALDOR PLACE, A LOT DEVELOPED WITH AN EXISTING SINGLE FAMILY DWELLING WITHIN THE RS-6A (AGRICULTURAL OVERLAY) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Desai

ABSTAINED: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

Mr. Woods reported that other than the item continued from tonight's meeting, Planning Commission will consider, at the meeting of November 28, 2018, a General Plan Finding of Conformance that the proposed Raytheon installation of ground water quality monitoring extraction wells and a water pipeline within the channel access road over Brea Creek Channel, along Malvern Avenue is in conformance with the City of Buena Park General Plan

STAFF REPORTS:

In response to Planning Commission condition for an update report on 6761 Stanton Avenue, SP18-31890, a request to legalize an eleven foot fence (six foot high chain-link fence installed on top of an existing five foot high concrete block wall) at 6761 Stanton Avenue, Dr. Meshram reported that the applicant failed to comply with conditions and has received citations from Code Enforcement. Dr. Meshram said staff will recommend Revocation of Site Plan approval at a future Planning Commission meeting.

COMMISSION REPORTS:

In response to Commissioner Barstow, Mr. Rosen gave status reports on Aloft and Stanford Hotels.

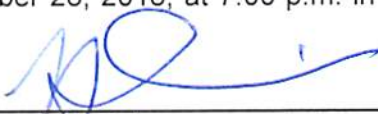
Commissioner Schoales presented staff with two photos: 1) the sidewalk fronting the proposed Butterfly Pavillion project (Commissioner Schoales said he had intended to discuss this under Item No. 2 of this agenda, but the item is being continued); and 2) the sidewalk at The Source. Both photos showed green and white boxes/structures on the public right-of-way.

Commissioner Schoales recalled discussing these boxes with staff when the old Wax Museum site was considered at a Planning Commission meeting. He described the boxes as unsightly and asked how the matter can be resolved.

Mr. Rosen said that some boxes control traffic signals others are meters, and informed the Commission that transformers cannot be located underground. He said he will verify if meter pedestals can be placed underground. Mr. Rosen said the matter will be resolved with the long-term beautification and widening of Beach Boulevard.

Chair McGuire and Commissioner Schoales expressed concern that until such time, these boxes will remain at their current locations. Commissioner Schoales asked how the situation can be precluded. Chair McGuire recommended Planning review and approval of the locations of the boxes. Mr. Rosen said he will add a condition requiring Public Works to submit plans to the Community Development Director for review and approval.

ADJOURNMENT: At 9:15 p.m., Chair McGuire adjourned to the regularly scheduled Planning Commission meeting on Wednesday, November 28, 2018, at 7:00 p.m. in the City Council Chamber



Richard McGuire
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary