

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
May 14, 2014

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on May 14, 2014, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Vice Chair Chung presiding.

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

ABSENT: COMMISSIONER: Barstow

ALSO PRESENT:

Jay Saltzberg, Planning Manager
Michael Ressler, Senior Planner
Nabil S. Henein, Assistant City Engineer
Dennis Barnes, Traffic and Transportation Manager
Scott Riordan, Economic Development Manager
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

CONSENT CALENDAR: (Item 1)

1. APPROVAL OF MINUTES Meeting of April 9, 2014

RECOMMENDED ACTION: Approve

The MOTION CARRIED.

===== END OF CONSENT CALENDAR=====

PUBLIC HEARING:

NEW BUSINESS:

2. DEVELOPMENT AGREEMENT NO. DA14-003/TENTATIVE TRACT MAP NO. TT14-004

A request to consider a recommendation to the City Council for a Development Agreement, Tentative Tract Map, and certification of an Environmental Evaluation for Subsequent Activity Under a Program Environmental Impact Report, to demolish all existing site improvements and construct a 128-unit townhome development including open space and site improvements on an approximately 8-acre site generally located at the southeast corner of Orangethorpe and Stanton Avenues at 8062 to 8162 Orangethorpe Avenue and 7052 to 7102 Stanton Avenue within the GMU (General Mixed-Use) zone.

PROPERTY OWNER: City of Buena Park as
Successor Housing Agency
to the former Community
Redevelopment Agency
6650 Beach Boulevard
Buena Park, CA 90620

PROJECT PROPONENT: City Ventures
1900 Quail Street
Newport Beach, CA 92660

RECOMMENDED ACTION: Adopt Resolutions of Approval

In reply to Vice Chair Chung, Ms. Santos stated that staff had received and distributed two memos from Public Works adding 11 conditions.

The staff report was introduced by Michael Ressler, Senior Planner. The subject site is zoned GMU (General Mixed-Use) and is developed with the former City of Buena Park Public Works maintenance yard, nonconforming single-family homes, contractor's storage yard, and a variety of nonconforming industrial properties which are owned by the City of Buena Park as Successor Housing Agency to the former Community Redevelopment Agency. All existing site improvements will be demolished prior to development of the proposed project. The properties to the north, across Orangethorpe Avenue, are zoned CM (Commercial Manufacturing) and RS-6 (One-Family Residential) and are developed with an auto repair facility, a multi-tenant commercial/industrial development, Tires 4U, and single-family homes. The properties to the east are zoned GMU, RS-6, and RM-20 (Medium Density Multifamily Residential) and are developed with an apartment complex and single-family homes. The properties to the south, across the SR-91 Freeway, are zoned RS-6 and are developed with single-family residences. The properties to the west, across Stanton Avenue, are zoned CG (Commercial General) and CO (Commercial Office) and are developed with a multi-tenant office building, the Salvation Army Thrift Store, and the Mabel Pendleton Elementary School. The properties located adjacent to the southwest corner of the site are zoned GMU and are developed with an apartment complex and single-family homes.

Staff recommends that the Planning Commission adopt the attached Resolutions recommending the City Council adopt an Ordinance approving Development Agreement No. DA14-003 and a Resolution approving Tentative Tract Map No. TT14-004.

The 8.18 acre site is located at the southeast corner of Orangethorpe Avenue and Stanton Avenue. The site is divided into two areas. The main area includes 6.98 acres and maintains public street frontages of approximately 185 ft. along Orangethorpe Avenue, approximately 209 ft. along Stanton Avenue, and approximately 313 ft. along Page Street. The second area is 1.2 acres and maintains street frontages of approximately 231 ft. along Orangethorpe Avenue and approximately 192 ft. along Indiana Avenue. The site includes 15 parcels of land that are developed with the former City of Buena Park Public Works maintenance yard, nonconforming single-family homes, contractor's storage yard, and nonconforming industrial developments. The subject properties are owned by the City of Buena Park as Successor Housing Agency to the former Community Redevelopment Agency.

In 2007, the former Redevelopment Agency began assembling property southeast of Orangethorpe and Stanton Avenues. The assembled properties, centered around the former location of the City Maintenance Yard, contain small substandard and blighted structures with irregular lot configurations. Redevelopment housing set-aside funds were utilized for acquisition costs related to the 10 acre site with the intent of revitalizing the area with new, modern, affordable housing.

In 2011, the former Redevelopment Agency entered into an Exclusive Negotiation Agreement with home builder City Ventures to develop the site with single-family townhomes. In an effort to provide a quality affordable rental housing project within the site, non-profit developer Jamboree Housing was selected to partner with City Ventures and master plan the project. Jamboree Housing recently completed the successful *Park Landing* project in Buena Park in 2013. During the planning process for the overall project site, state law abolished redevelopment agencies and changed the requirements for former agencies to utilize housing funds. . The area plan has evolved in order to meet these new requirements, resulting in a proposed plan that now includes approximately 150 townhomes to be developed by City Ventures on approximately 8 acres, and a 70-unit affordable rental apartment project to be developed by Jamboree Housing on approximately 2 acres of the site.

In order to apply for State tax credits to assist in the development of the project, the Jamboree Housing 70-unit affordable rental apartment project was entitled prior to the entitlement of the remaining 8 acres within the planned area.

On March 31, the Planning Division hosted a community meeting regarding the proposed 128-unit townhome development on the remaining 8 acres of the former City Yard development area. Staff mailed a total of 66 meeting notices to the adjacent residential neighborhood. Four residents attended the meeting and engaged in dialogue regarding the project details including site layout, access, and architecture. At the conclusion of the meeting, the attendees expressed support for the project.

The submitted application and plans propose construction of a 128-unit townhome development including open space and other site improvements. The approximately eight acre site is divided into two separate areas. The main area consists of approximately seven acres and will be developed with 100 three-story attached townhomes. The second area, located northeast of the main site, is approximately one acre and will be developed with 28 three-story attached townhomes. The entire development will maintain 22 buildings containing four to seven townhomes. The project also includes a request for approval of a Tentative Tract Map, which provides for consolidation of 15 parcels into three parcels for townhome purposes with the common areas held in joint ownership by the 128 townhome owners.

The project provides a three story townhome design consisting of a garage and living space on the ground level with the main living area on the second and third floors. The development contains three different product types. The main project area includes a "Brownstone" model and a "Court Towns" model. The Brownstone product features three floor plan options ranging from a 1,458 sq. ft. three bedroom and three bathroom model to a 2,048 sq. ft. four bedroom and four bathroom model. The Court Towns product features five floor plan options ranging from a 1,172 sq. ft. two bedroom and two and one half bathroom model to a 1,808 sq. ft. four bedroom and three and one half bathroom model. The second area within the development includes the "Industrial Loft" model, featuring two floor plans including a 1,301 sq. ft. three bedroom and three bathroom model and a 1,618

sq. ft. three bedroom and three and one half bathroom model. Each townhouse within the development maintains a two-car garage and 200 cubic feet of storage. The townhome garages include conventional and tandem configuration.

The townhome buildings maintain setbacks of 10 ft. along Stanton Avenue, 8 ft. to 12 ft. along Orangethorpe Avenue, and 9.5 ft. to 10.3 ft. along Page Street. In order to integrate the proposed development with the existing single-family neighborhood to the east, the building setbacks along Indiana Avenue were increased to 18 ft. to 20 ft. Common usable open space areas with amenities are provided within three centrally located recreation areas, as well as other open space areas dispersed throughout the development. The proposed park maintains approximately .8 acres to include a tot lot with play equipment and soft play surface, multi-purpose turf area, benches and game tables, barbecues, seating plaza, and decorative walkways. The proposed .25 acre recreation center features a lap pool, children's pool, pool house with restrooms and showers, shade structure, and decorative walkways. The proposed .20 acre linear park includes a dog park and multi-purpose turf area. The landscape greenbelt system and courtyard areas will maintain 4 to 5 ft. wide sidewalks which will provide pedestrian access throughout the development.

The architecture theme of the townhomes reflects a contemporary urban design incorporating three different architectural styles. The Brownstone buildings will reflect a traditional brownstone style featuring a variety of forms and textures including stucco exterior finishes, brick veneer enhancements, standing seam roof pop-outs, wood columns, canvas awnings, and metal fascia with suspension cables. The Court Town buildings have been designed to frame individual courtyard areas and will feature stucco exterior finishes, brick veneer and siding enhancements, standing seam roof pop-outs, wood columns, decorative rail balconies, and metal fascia with suspension cables. The Industrial Lofts reflect a strong contemporary design including bold geometric building features enhanced with such features as stucco exterior finishes, decorative corrugated metal enhancements, metal trellis details, siding, and metal fascia with suspension cables.

Vehicular access to the main site will be provided by 36 ft. wide private streets accessed from Stanton Avenue and Page Street. The second area will be accessed from Indiana Avenue via a 32 ft. wide private street. The site will be enhanced with decorative pavement within the driveway areas and throughout the development. A total of 128 guest parking spaces have been provided throughout the site. In order to provide a buffer between the proposed project and the surrounding land uses, the proposal includes strategic landscaping and a 6 ft. high masonry wall.

California Government Code Section 65865 et. seq. allows the City to enter into Development Agreements, which in effect become contractual agreements between the City and property owners regarding development rights and performance standards. They allow the City and property owner to achieve certain comfort levels so that current and future projects can go forward in a reasonably orderly fashion without creating potentially chaotic or conflicting land uses and improvements. The Development Agreement process also requires the Planning Commission to make a recommendation to the City Council prior to Council action. The Buena Park Zoning Ordinance requires a regulatory plan or Development Agreement be established and/or executed to allow for development within the General Mixed-Use zone. The Development Agreement procedure was chosen because it is felt that it allows the property owners and the City a mechanism to attain respective goals while providing assurance, in contractual form, that property redevelopment will evolve with suitable provisions to alleviate detrimental effects. Pursuant

to City Code, the proposed development also requires Planning Commission review and recommendation to City Council via the Tentative Tract Map process.

In reviewing the application, Staff visited the site and surrounding area as well as reviewed the submitted plans and similar developments in Buena Park. Based on this review, Staff is of the opinion that the proposed housing development will allow the subject site to transition into a residential development that properly integrates with the surrounding residential neighborhood to the north, east, and south as well as nearby commercial developments as envisioned within General Plan. The City Yard development area including the subject site is located within the Orangethorpe Corridor East focus area in the General Plan. The Orangethorpe Corridor East Focus Area is envisioned as the eastern gateway into the City. The design features for this focus area include "Street Oriented Buildings" with rear parking opportunities. Based on the scope of the project, architectural design, and massing of the development, Staff feels that the proposed project fulfills the expectations identified for this area within the General Plan. In regards to the affordable housing, the proposed residential land use of the site will assist the City in meeting the housing goals of the City's recently certified General Plan Housing Element as well as State RHNA (Regional Housing Needs Allocation) requirements. As proposed, the project will maintain 26 affordable units designated for moderate income level families. When completed, the project will provide a high quality affordable housing project that meets the long term vision for the area as identified in the General Plan.

Staff is of the opinion that the site and architectural design of the project is appropriate of density, setbacks, massing, open space, parking, and vehicular and pedestrian access. The project incorporates enhanced design, including diverse textures and materials which give the development a unique and appealing quality. Additionally, the developer has provided a quality architectural design, optimum site layout, and amenities that are consistent with other newer residential developments within the City and Orange County region. The proposed development design has been configured to integrate with the previously approved 70 unit apartment complex within the City Yard development area while creating a high quality multi-family housing development on a predominant corner in the City.

The proposed townhome development will maintain efficient flow of traffic as well as ingress and egress with appropriate emergency access, circulation, and parking. In regards to parking, the proposed development will meet the parking demand for a townhome project of this type and scale. Staff feels that the proposed project will provide ample open space opportunities for future residents within the development. The site has been designed to accommodate approximately 1.37 acres of recreation space including a main park, recreation center, and linear dog park.

In regards to the Tentative Tract Map request, Staff has reviewed the proposed subdivision of the subject properties for consistency with the City's General Plan, development standards, Subdivision Ordinance, and the State Subdivision Map Act. The project design and configuration are generally consistent with applicable development criteria for multi-family residential housing projects and complies with the goals of the General Plan.

Finally, in order to insure the highest quality of development, Staff has included conditions related to landscaping, architectural enhancements, common usable open space amenities, and the creation of Conditions, Covenants, and Restrictions (CC&R's).

The proposed project has been reviewed and found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026) and the previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines. In addition, an independent Traffic Impact Study update has been prepared by Kimley-Horn and Associates to confirm the existing circulation system can accommodate the proposed project. The conclusions and findings of the report reveal that the project will not cause traffic congestion on the surrounding streets, and will include adequate on-site circulation.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on May 1, 2014, and 74 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on May 1, 2014.

Vice Chair Chung asked if there were any questions of staff.

Commissioner Schoales asked for clarification of the affordable housing component of the proposed project.

Mr. Riordan said that 20% of the total number of units will be available to moderate income families.

Commissioner Schoales asked if parking will be allowed along Orangethorpe Avenue.

Mr. Barnes said there has been no final determination about parking on Orangethorpe. Parking may be allowed along Orangethorpe Avenue in front of the proposed development once the street is widened. There is also the possibility of parking east of Indiana Avenue on the south side of Orangethorpe after widening.

Mr. Henein added that the south side of Orangethorpe Avenue has not been completely widened.

Commissioner Schoales asked who will determine if parking will be allowed on Orangethorpe Avenue.

Mr. Barnes said the Director of Public Works will make the final determination regarding parking on Orangethorpe Avenue.

Commissioner Schoales commented that allowing parking on Orangethorpe Avenue will take the burden off the parking area adjacent to the proposed new city park on-site.

Mr. Ressler said the park is privately owned by the development.

Commissioner McGuire asked if residents from outside the development can use the park.

Mr. Ressler said the park is an amenity that is open to nearby residents as well.

Commissioner Schoales said he was under the impression that the largest open area was to be a City park. He added that children who live in the neighborhood will most likely frequent the park and asked if nearby residents can drive in and park their cars.

Mr. Ressler said the site and park will not be gated but there is a recommendation by Public Works to install a fence around the park for security.

Commissioner Diep asked if the residents along Indiana Avenue will be required to access the site from Stanton Avenue in order to enter the park after the fence is installed.

Mr. Barnes said Public Works will assure that the fence will allow pedestrian ingress and egress.

Vice Chair Chung said 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.

Kim Prijatel, representing project proponent City Ventures, 1900 Quail Street, Newport Beach, California 92660, said representatives from City Ventures are available for any questions. She said the park will not be gated, but there will be security fencing with pedestrian access from Indiana Avenue, and the swimming pools will be secured to comply with Code.

Gerald Zirschky, 8112 Orangethorpe Avenue, Buena Park, California 90621, said he has written several letters expressing opposition to the project to the City Clerk and has attended all meetings related to the proposed project, except for the March 31 community meeting because he did not receive notification in the mail. He opposes the project because of serious concerns about potential impacts on adjacent future residents, including noise and diesel fumes, from his adjacent auto and truck repair business. Mr. Zirschky said his business has been in existence for 60 years and he will not be relocating or closing the business unless someone buys him out. Since the proposed three-story townhome buildings will overlook his business location, he expressed privacy concerns as a result of the classic cars being restored that are usually parked in the yard to the rear of his service building.

Commissioner Diep asked for a description of the proposed landscaping, specifically the height and type of trees to ensure buffer and/or separation.

Mr. Ressler said the trees will exceed 6 ft. in height with sufficient canopy and other specifications in accordance with the Zoning Ordinance and conditions of approval and will be verified during the plan check process.

Mr. Ressler said there is an industrial building in the yard that is used by a carpet supply company which separates the townhomes from the rear of Mr. Zirschky's service yard. Between that are a 15-ft. wide alley and a 6-ft. tall block wall. Between the townhomes and yard, there is a relatively large industrial warehouse. There is adequate separation and buffering between Mr. Zirschky's business and the proposed park.

Commissioner McGuire referred to the conceptual site plan and asked about the width of the alley between the units facing the yard and if two cars can pass simultaneously through that alley.

Mr. Ressler said the alley is 16 ft. wide and can accommodate two cars during passing. The trees will be on the east side of the alley, on the side of the homes.

Commissioner McGuire asked if there will be room for planting in between.

Mr. Ressler said the trees will be inside the new development, adjacent to the new perimeter wall.

Commissioner Diep asked if the homes will have mini-patios.

Mr. Ressler said there will be no patios.

There being no one else wishing to speak on the matter, Vice Chair Chung advised that the item requires Resolutions for approval or denial with findings.

Commissioner Capelle moved and Commissioner McGuire seconded the motion to adopt the following titled Resolutions recommending the City Council adopt an Ordinance approving Development Agreement No. DA14-003 and a Resolution approving Tentative Tract Map No. TT14-004, with the 11 conditions added by Public Works.

**RESOLUTION NO. 5904
DEVELOPMENT AGREEMENT NO. DA14-003**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVE DEVELOPMENT AGREEMENT NO. DA14-003 TO DEMOLISH ALL EXISTING SITE IMPROVEMENTS AND CONTRUCT A 128-UNIT TOWNHOME DEVELOPMENT INCLUDING OPEN SPACE AND SITE IMPROVEMENTS ON APPROXIMATELY 8 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ORANGETHORPE AVENUE AND STANTON AVENUE AT 8062 TO 8162 ORANGETHORPE AVENUE AND 7052 TO 7102 STANTON AVENUE IN THE GMU (GENERAL MIXED-USE) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

**RESOLUTION NO. 5906
TENTATIVE TRACT MAP NO. TT14-004 (17765)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL APPROVE A TENTATIVE TRACT MAP TO CONSOLIDATE 15 PARCELS TOTALING APPROXIMATELY 8 ACRES INTO 3 LOTS FOR THE CONSTRUCTION OF 128 TOWNHOMES INCLUDING OPEN SPACE AND SITE IMPROVEMENTS AT 8062 TO 8162 ORANGETHORPE AVENUE AND 7052 TO 7102 STANTON AVENUE IN THE GMU (GENERAL MIXED-USE) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

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

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

None

STAFF REPORT:


Mr. Saltzberg reported that at the City Council meeting of May 13, 2104, Council accepted an Affordable Housing Award for innovation associated with the Park Landing Apartment project. The award was accepted by Mr. Riordan and Community Development Director Joel Rosen on behalf of the City of Buena Park.

COMMISSION REPORTS:

None.


ADJOURNMENT:

At 7:40 p.m., Vice Chair Chung adjourned the meeting to the Planning Commission meeting on Wednesday, May 28, 2014, in the City Council Chamber.



Jay Joon Chung
Vice Chair

ATTEST:



Jay Saltzberg, Planning Manager
For: Joel W. Rosen, AICP
Secretary