

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
June 11, 2014

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on June 11, 2014, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Barstow presiding.

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

ABSENT: COMMISSIONER: Capelle

ALSO PRESENT:

Joel W. Rosen, AICP, Community Development Director
Michael Ressler, Senior Planner
Nabil S. Henein, Assistant City Engineer
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

1. APPROVAL OF MINUTES Meeting of May 14, 2014

RECOMMENDED ACTION: Approve

Chair Barstow abstained from voting on this item due to his absence at the Planning Commission meeting of May 14, 2014.

Commissioner Gonzales moved and Commissioner Diep seconded the motion to approve the minutes of the Planning Commission Meeting of May 14, 2014.

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Capelle

ABSTAIN: 1 COMMISSIONER: Barstow

PUBLIC HEARING:

NEW BUSINESS:

2. CONDITIONAL USE PERMIT NO. CU-1266M1

A request to convert an existing fast food restaurant into a full service restaurant to include building and site modifications, new outdoor dining patio, and the sale of beer and wine for on-site consumption at 5491 Beach Boulevard within the CS (Community Shopping) zone. This project is Class 1, Section 15301, categorically exempt from CEQA.

PROPERTY OWNER: Fishman Holdings LLC
1860 Cottontail Creek Road
Cayucos, CA 93430

APPLICANT: Jonghwan Kim
5491 Beach Boulevard
Buena Park, CA 90621

RECOMMENDED ACTION: Adopt Resolution of Approval

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

The staff report was introduced by Michael Ressler, Senior Planner. The subject property is zoned CS (Community Shopping) and is developed with a vacant Burger King fast food restaurant with drive-through facilities. The property to the north is zoned CS and is developed with an integrated retail development including Subway restaurant, King's Garden Chinese restaurant, and a variety of small retail businesses. The property to the south, across Stage Road, is zoned ML (Light Industrial) and is developed with an industrial building. The properties to the east, across Beach Boulevard, are zoned CS and are developed with an integrated shopping center including Jack-in-the-Box restaurant, US Bank, Zion Market, and a variety of small retail businesses. The property to the west is zoned RM-20 (Medium Density Multifamily Residential) and is developed with an apartment complex.

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU-1266M1 with findings of fact and conditions.

The property under application is located on the northwest corner of Beach Boulevard and Stage Road with street frontages of 152.36 ft. along Beach Boulevard and 211.67 ft. along Stage Road, and a total land area of approximately 32,383 sq. ft. The property was originally developed with a 5,043 sq. ft. restaurant building that was part of the integrated shopping center to the north. The center was developed in 1978 as part of a master planned development that included the apartments located to the west and was approved via Conditional Use Permit No. CU-580.

In January 2001, the Planning Commission approved Conditional Use Permit No. CU-1266 to develop the site with a 3,416 sq. ft. Burger King fast food restaurant with drive-through and parking lot improvements. The existing restaurant building was demolished as part of this approval. The fast food restaurant building included 2,579 sq. ft. of dining and kitchen area as well as an 837 sq. ft. indoor play area.

The submitted application and plans propose conversion of the former Burger King fast food restaurant into a Sapporo Sushi restaurant to include building and site modifications, new outdoor dining patio, and the sale of beer and wine for on-site consumption. The restaurant floor plan will be reconfigured to accommodate a dining room seating 68 persons, sushi bar, kitchen, storage area, and restrooms. The existing drive-through window and associated canopy will be transformed into a new 700 sq. ft. outdoor dining patio area with seating for 20 people. Proposed hours of operation for the restaurant will be Sunday through Wednesday 11:00 a.m. to 11:30 p.m. and Thursday through Saturday 11:00 a.m. to 12:00

midnight. The applicant is proposing to sell beer and wine for on-site consumption as an amenity to the full service sushi restaurant.

Architecturally, the proposed building remodel has been designed to reflect a contemporary style introducing a variety of architectural enhancements. The submitted plan indicates the existing building will be painted a light grey color and the existing tile roof will be painted a dark brown. New building enhancements will include stone veneer, wood louver panels, and ornamental solid wood accents. The new outdoor patio will be surrounded by a 48 in. tall wood louvered wall with glass handrail. The existing 180 sq. ft. former drive-through cover over the new patio area will be modified to include ornamental solid wood panels and a new 520 sq. ft. wood trellis with metal roof will cover the remaining patio area. Once completed, the outdated Burger King Restaurant building will be transformed into a contemporary full service restaurant which will complement the newer retail developments within the area.

Ingress and egress to the site will continue to be provided by one driveway along Beach Boulevard and one driveway along Stage Road. The driveway along Stage Road is shared with the adjacent apartment complex and shopping center. The existing drive-through lane will be demolished and replaced with a new outdoor dining patio, additional parking stalls, and landscaping. Once completed, the existing parking lot will be reconfigured to accommodate 43 parking stalls which exceed the minimum 41 parking stalls required by Code. The new landscape planters will maintain landscape material consistent with the existing landscaping on-site.

The City of Buena Park Zoning Ordinance requires Planning Commission review and approval via the Conditional Use Permit process to convert the existing fast food restaurant into a 4,100 sq. ft. full service restaurant to accommodate Sapporo Sushi, including building and site modifications, new outdoor dining patio, and the sale of beer and wine for on-site consumption. Modification of the Conditional Use Permit is required to assess any potential impact on the site and surrounding area as well as to ensure continued land use compatibility.

In reviewing the applicant's request, staff reviewed plans and visited the site and surrounding area and is of the opinion that the facility and site will support the proposed architectural renovation of the restaurant with the sale of beer and wine for on-site consumption, without negatively impacting the subject and surrounding properties. The site was originally developed with a full service restaurant with similar scale and business operations. The sale of beer and for on-site consumption is considered to be a typical amenity for a restaurant of the proposed character. As conditioned, the sale of alcohol for on-site consumption will be incidental to the full service restaurant use.

The proposed restaurant remodel and associated site improvements, as conditioned, comply with the Zoning Ordinance requirements for circulation, access, landscaping, parking, and building design. The site will maintain 43 parking spaces, exceeding the Code prescribed 41 parking spaces. The two existing driveways will continue to provide appropriate access to the site. Regarding building architecture, staff feels the new contemporary theme of the restaurant will integrate with the surrounding residential and commercial uses while complementing new retail development within the area. The proposed full service restaurant will assist in advancing the long term vision for this area along Beach Boulevard as identified in the City's General Plan. The proposed Sapporo Sushi restaurant will complement the vision for this area by providing an upscale dining opportunity for tourists as well as residents.

The project is Class 1, Section 15301, categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on May 29, 2014, and 11 notices were mailed to property owners within 300 ft. radius of the subject property on May 29, 2014.

Chair Barstow asked if there were any questions of staff.

Commissioner Schoales asked if there is reciprocal parking on the subject site.

Mr. Ressler said there will be adequate parking spaces for customers of the proposed business; however, as originally intended, these parking spaces can be shared with customers of the shopping center to the north of the proposed site.

Commissioner Schoales asked if the current bathroom standards for the full service restaurant could change with the proposed restaurant layout.

Mr. Rosen said the preliminary plan check process will determine the number of required restroom fixtures based on occupancy and the nature of the proposed business.

Chair Barstow 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.

Min Kim, representing Jonghwan Kim, applicant, 5491 Beach Boulevard, Buena Park, CA 90621, said the proposed occupancy is 89. The number may change based on the number of fixed and non-fixed seating within the dining room area.

Commissioner Gonzales asked if the proposed restaurant has other locations nationwide.

Ms. Kim said there are no other locations in the United States, but the applicant has plans to expand. They have various locations in South Korea.

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

Commissioner Gonzales moved and Commissioner Chung seconded the motion to adopt the following titled Resolution recommending Conditional Use Permit No. CU-1266M1 with findings of fact and conditions therein.

**RESOLUTION NO. 5910
CONDITIONAL USE PERMIT NO. CU-1266M1**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU-1266M1, TO CONVERT AN EXISTING FAST FOOD RESTAURANT INTO A FULL SERVICE RESTAURANT TO INCLUDE BUILDING AND SITE MODIFICATIONS, NEW OUTDOOR DINING PATIO, AND THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION AT 5491 BEACH BOULEVARD WITHIN THE CS (COMMUNITY SHOPPING) ZONE

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Capelle

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

None

STAFF REPORT:

Mr. Rosen announced that Steve Berry was selected as the new mayor at the City Council meeting of June 10, 2014.


Mr. Rosen reported that City Council discussed, at the June 10, 2014 Study Session, requirements for developer communication to residents on large development projects.

COMMISSION REPORTS:

None.


ADJOURNMENT:

At 7:25 p.m., Chair Barstow adjourned the meeting to the Planning Commission meeting on Wednesday, June 25, 2014, in the City Council Chamber.



Larry Barstow
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary