

**CITY OF BUENA PARK  
MINUTES OF CITY PLANNING COMMISSION  
September 10, 2014**

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on September 10, 2014, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Chung presiding.

**PRESENT:** COMMISSIONERS: Barstow, Capelle, Diep, Gonzales, Schoales, and Chung

**ABSENT:** COMMISSIONER: McGuire

**ALSO PRESENT:**

Joel W. Rosen, AICP, Community Development Director  
Jay Saltzberg, Planning Manager  
Michael Ressler, Senior Planner  
Monique Schwartz, Assistant 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

- 1. APPROVAL OF MINUTES Meeting of August 13, 2014  
Adjourned Meeting of August 27, 2014**

**RECOMMENDED ACTION: Approve**

Commissioner Barstow moved and Commissioner Gonzales seconded the motion to approve this item.

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

**PUBLIC HEARING:**

**NEW BUSINESS:**

- 2. CONDITIONAL USE PERMIT NO. CU14-006**

A request to establish the sale of beer and wine for on-site consumption at an existing full service restaurant located at 6084 Orangethorpe Avenue within the CG (Commercial General) zone. This project is Class 1, Section 15301, categorically exempt from CEQA.

PROPERTY OWNER: Carlo and Marie Christine Luetto  
4 Wickland  
Irvine, CA 92620

APPLICANT: Spencer's Bistro LLC  
6084 Orangethorpe Avenue  
Buena Park, CA 90620

RECOMMENDED ACTION: Adopt Resolution of Approval

In reply to Chair Chung, Ms. Santos stated that staff distributed a memo with a recommendation from the Police Department to add a condition requiring the front windows of the suite remain sufficiently uncovered to allow unobstructed view into the restaurant from the exterior, except that mini-blinds or shades may be used during daytime hours for sun shielding.

The staff report was presented by Michael Ressler, Senior Planner. The subject property is zoned CG (Commercial General) and is developed with a multi-tenant commercial retail center. The properties to the north, across Orangethorpe Avenue, are zoned CM (Commercial Manufacturing) and are developed with a four story office building and a Firestone Tire facility. The property to the south is zoned CG and is developed with a commercial warehouse building with vacant land at the rear of the site. The property to the east is zoned CG and is developed with a small multi-tenant retail center. The properties to the west are zoned CG and are developed with a Shakey's Pizza restaurant and Del Taco fast food restaurant.

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU14-006 with findings of fact and conditions.

The property under application is located on the south side of Orangethorpe Avenue, east of Valley View Street, with a street frontage of 264 ft. The 1.64 acre site is developed with a retail center which was originally approved by the Planning Commission in 1962 under Variance No. V-295. The site maintains two multi-tenant commercial buildings totaling 14,000 sq. ft. of floor area as well as parking lot and other site improvements.

The applicant has submitted an application and plans, requesting Planning Commission approval to establish the sale of beer and wine for on-site consumption ancillary to the operation of the 1,450 sq. ft. restaurant, which has operated since August 2013. Spencer's Bistro is a full service restaurant serving fine European cuisine. According to the submitted business plan, specific types of beer and wine will be served to complement the dishes on the menu as an amenity to food service. The beer and wine will only be sold in bottles, as selected by the restaurant operator. The hours of operation for Spencer's Bistro are 11:00 a.m. to 9:00 p.m. Monday through Friday and 10:00 a.m. to 9:00 p.m. Saturday and Sunday. No interior modifications are being proposed.

Section 19.512.010 of the City Code requires the applicant to gain Planning Commission approval for the proposed sale of beer and wine for on-site consumption in conjunction with a restaurant via the Conditional Use Permit process. In reviewing the applicant's request, staff reviewed plans and visited the property and is of the opinion that the facility and site are adequate to support the establishment of the sale of beer and wine for on-site

consumption. Staff believes that on-site sale and consumption of alcoholic beverages will be appropriate within the context of the restaurant and will not negatively impact the subject and surrounding properties.

Adequate separation is provided between the restaurant location and the adjacent residential properties located approximately 160 ft. to the southeast. In addition, the existing 5 ft. tall block wall along the south and east property lines provide buffering between the subject suite and the adjacent residential neighborhood. The only rear access to the restaurant suite is a maintenance and delivery door which connects to the kitchen/storage area. No patron access or egress through this door is permitted, except during emergencies.

As conditioned, the on-site sale and consumption of beer and wine will be incidental to the restaurant use. To reaffirm the incidental use, staff is recommending a condition that requires gross food sales receipts to exceed gross receipts of alcoholic beverages and those alcoholic beverages be served only in conjunction with food sales. In order to create consistency with approvals of restaurants of similar size and operational characteristics in the area, including sale and service of beer and wine for on-site consumption, and in order to assure compatibility with adjacent residential uses, staff has included a condition limiting the hours of operation from 10:00 a.m. to 12:00 a.m. daily. The Buena Park Police Department reviewed the proposal and has no objections to the sale of beer and wine as an incidental use to the existing full service restaurant.

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 August 28, 2014, and 29 notices were mailed to property owners within 300 ft. radius of the subject property on August 28, 2014.

Chair Chung asked if there were any questions of staff.

Commissioner Schoales referred to the plans and noted that the customers must pass through the kitchen in order to go to the restroom. He asked if the current plan has been approved by the Health Department and the Building Division.

Mr. Rosen said that the floor plan is "grandfathered," and is a legal non-conforming condition which has the approval of the Health Department which conducts regular inspections.

Mr. Schoales said he is not in favor of having customers walk through the kitchen to go to the restrooms.

Commissioner Gonzales noted that there will be no tap beer and wine in the location and asked if that is the applicant's preference or if it is required by the Conditional Use Permit.

Mr. Ressler said it is the applicant's preference. The applicant, a culinary chef, will individually select each beer or wine to complement the menu items.

Chair Chung 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.

Spencer Kim, applicant, said the menu will change seasonally, with a variety of high-quality foods prepared from scratch. The alcohol is meant to enhance the meal; thus, he will limit the serving of alcohol to guests.

Commissioner Gonzales asked for background information on the business, including sales.

Mr. Kim said the business opened last November 20 and that clientele has increased, mostly from business establishments in the surrounding area.

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

Commissioner Capelle moved and Commissioner Gonzales seconded the motion to adopt the following titled Resolution recommending Conditional Use Permit No. CU14-006 with findings of fact and conditions therein, including the added condition requiring the front windows of the suite remain sufficiently uncovered to allow unobstructed view into the restaurant from the exterior, except that mini-blinds or shades may be used during daytime hours for sun shielding.

**RESOLUTION NO. 5916  
CONDITIONAL USE PERMIT NO. CU14-006**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU14-006, TO ESTABLISH THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION AT AN EXISTING FULL SERVICE RESTAURANT WITHIN AN INTEGRATED SHOPPING CENTER LOCATED AT 6084 ORANGETHORPE AVENUE IN THE CG (COMMERCIAL GENERAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

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

**3. CONDITIONAL USE PERMIT NO. CU14-005/PARCEL MAP NO. PM14-001**

A request to demolish two existing single-family homes and develop a cluster housing development to include three single-family homes and associated site improvements as well as to subdivide two existing parcels into three individual lots, located at 8232 Fourth Street and 6131 Indiana Street in the RM-20 (Medium Density Multifamily Residential) zone. This project is Class 3, Section 15303, categorically exempt from CEQA.

PROPERTY OWNER: SCEL Properties LLC  
620 Newport Center Drive, 12<sup>th</sup> Floor  
Newport Beach, CA 92660

APPLICANT: Land Co Development, Inc.  
8001 Irvine Center Drive, 4<sup>th</sup> Floor  
Irvine, CA 92618

RECOMMENDED ACTION: Adopt Resolutions of Approval

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

The staff report was presented by Monique Schwartz, Assistant Planner. The subject properties are located at the southwest corner of 4<sup>th</sup> Street and Indiana Avenue. The property to the north, across 4<sup>th</sup> Street, is zoned RS-6 (One Family Residential) and is developed with a single family home. The property to the south is zoned RM-20 (Medium Density Multifamily Residential) and is developed with a single family home. The property to the east is zoned RS-6 (One Family Residential) and is developed with an apartment complex. The property to the west is zoned RM-20 (Medium Density Multifamily Residential) and is developed with a single family home.

Staff recommends that the Planning Commission adopt the attached Resolutions approving Conditional Use Permit No. CU14-005 and Tentative Parcel Map No. PM14-001 with findings of fact and conditions.

The properties under application were previously developed with two single family homes built in the early 1950's. In anticipation of the proposed development, the houses have been demolished and the sites are currently vacant. The project site has a street frontage of approximately 105 ft. along 4<sup>th</sup> Street and 125 ft. along Indiana Avenue, with a combined land area of approximately .30 acres or 13,076 sq. ft.

The submitted Tentative Parcel Map and Conditional Use Permit applications and plans propose a small lot subdivision for construction of three, two-story single family homes, with lot sizes ranging from approximately 4,162 to 4,722 sq. ft. Two of the homes will be 1,643 sq. ft. with a family room, dining room, kitchen, three bedrooms, two bathrooms, powder room, laundry area, and 473 sq. ft. attached two-car garage. The third home will be 1,988 sq. ft. with a family room, great room, kitchen, four bedrooms, three bathrooms, laundry room and 473 sq. ft. attached two-car garage. The homes will maintain front yard setbacks that range from 14 ft. to 20 ft., side yard setbacks that range from 5 ft. to 21 ft., and rear yard setbacks that range from 10 ft. to 28 ft. In addition, each home will have private open space that will be enclosed with a 6 ft. high vinyl fence and gate.

The three homes will display a French Normandy or Spanish exterior design. The French Normandy design has a projecting front entry with stucco trim surround and decorative keystone, decorative stone veneer on the lower front façade, decorative shutters, stucco trim around windows and doors, decorative roll-up garage door, and gable paneling, decorative wrought iron accent below a front window, and concrete tile roofing. The Spanish design proposes a recessed entry porch with arched openings, stucco trim around

doors and windows, decorative shutters, decorative roll-up garage doors, and concrete "S" style tile roofing.

The applicant, Land Co Development Inc. proposes to utilize RSI Homes for the construction of the proposed housing structures. RSI specializes in a "precision built" system of construction, in which the structural components, such as wall panels, floor systems and roof trusses, are prepared in advance and off-site in a precisely controlled environment, using kiln-dried lumber and optical-guided milling techniques. According to the applicant, this type of construction eliminates unnecessary labor, waste, and reduces construction time, which will enable RSI to efficiently and economically deliver the new homes.

The Buena Park Zoning Ordinance requires Planning Commission review and approval for the proposed residential subdivision via the Conditional Use Permit and Tentative Parcel Map processes. In reviewing the request, Staff reviewed the plans and visited the properties and feels that the proposed use, design, scale, layout of the site, and homes are appropriate for the subject properties, as conditioned. The proposed small lot single family home concept is consistent with the City's General Plan, Section 19.448.035, Single-Family Cluster Housing of the Buena Park Zoning Code and the RM-20 Zone requirements, which permits the creation of small lot subdivisions contributing to such community objectives as open space and architectural harmony. The proposed development meets the requirements of the City Code for setbacks, open space, building massing, and parking. The permitted density for all lots combined is 20 units per acre, which would allow for up to six units. The applicant is proposing three units, which is below the single family cluster housing density limit. Furthermore, the homes have been designed to conform to the single family residential pattern in the surrounding neighborhood. In order to further enhance the exterior of the homes, Staff included a Condition of Approval requiring additional architectural details for all elevations to include decorative finishes, paint colors, stone veneers, tile accents, decorative trims, or equivalent design features to the satisfaction of the Planning Division.

The associated street frontages along 4<sup>th</sup> Street and Indiana Avenue are currently not improved with public sidewalks or parkways. Public Works Conditions of Approval have been included that require improvements within the public right-of-way, including sidewalks and parkways

In reviewing the request for the Conditional Use Permit and Tentative Parcel Map, Staff is of the opinion that the proposed project, as conditioned, including the site layout, massing of the homes, parking, private yards, and access is compatible with the surrounding properties and applicable development standards. The proposed new homes, as conditioned to include enhanced architectural design, can be developed without negatively affecting the subject and adjacent properties. The homes have been configured to provide ample individual private open space. In staff's opinion, the project will be an enhancement to the area and will provide additional opportunities for affordable home ownership within the City while furthering the housing goals of the City.

The project is Class 3, Section 15303, categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on August 28, 2014, and 31 notices were mailed to property owners within 300 ft. radius of the subject property on August 28, 2014.

Chair Chung asked if there were any questions of staff.

Commissioner Gonzales noted that the floor plans are reversed.

Ms. Schwartz said the floor plans are from RSI and are standard plans. Corrected plans will be submitted by RSI.

Chair Chung 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.

Billy Chen, applicant representative, said the applicant is happy to again be doing business in the City.

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

Commissioner Barstow moved and Commissioner Gonzales seconded the motion to adopt the following titled Resolutions recommending Conditional Use Permit No. CU14-005/Parcel Map No. PM14-001 with findings of fact and conditions therein.

**RESOLUTION NO. 5917  
CONDITIONAL USE PERMIT NO. CU14-005**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU14-005, TO DEVELOP A SMALL LOT SUBDIVISION TO INCLUDE THREE (3) SINGLE FAMILY HOMES IN CONJUNCTION WITH A REQUEST TO RECONFIGURE TWO (2) LOTS INTO THREE (3) SEPARATE PROPERTIES LOCATED AT 8232 4<sup>TH</sup> STREET AND 6131 INDIANA AVENUE IN THE RM-20 (MEDIUM DENSITY MULTIFAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

**RESOLUTION NO. 5918  
TENTATIVE PARCEL MAP NO. PM14-001**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A TENTATIVE PARCEL MAP FOR THE RECONFIGURATION OF TWO (2) PARCELS INTO THREE (3) SEPARATE PARCELS IN CONJUNCTION WITH A REQUEST TO CONSTRUCT THREE (3) SINGLE FAMILY HOMES AT 8232 4<sup>TH</sup> STREET AND 6131 INDIANA AVENUE IN THE RM-20 (MEDIUM DENSITY MULTIFAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

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

**4. GENERAL PLAN NO. GP14-001/SPECIFIC PLAN AMENDMENT NO. SPC14-001/DEVELOPMENT AGREEMENT NO. DA14-004/CONDITIONAL USE PERMIT NO. CU14-007/TENTATIVE TRACT MAP NO. TT14-005/MITIGATED NEGATIVE DECLARATION NO. MND14-01**

A request to consider a recommendation to the City Council for a General Plan Amendment, Specific Plan Amendment, Development Agreement, Conditional Use Permit, Tentative Tract Map, and Mitigated Negative Declaration regarding development of a 149-unit townhome complex, a 102-room Hampton Inn & Suites Hotel, and a future auto dealership on 14.5 acres of land located at 7301 Artesia Boulevard.

PROPERTY OWNER: 7301 Artesia LLC  
1 Town Square # 1913  
Southfield, MI 48076

APPLICANTS: City Ventures Homebuilding, LLC  
1900 Quail Street  
Newport Beach, CA 92660

Flores Design Group  
23348 Ridgeway  
Mission Viejo, CA 92692

RECOMMENDED ACTION: Adopt Resolutions of Approval

In reply to Chair Chung, Ms. Santos stated that staff had received and distributed three memos from Public Works: 1) modifying Public Works Condition No. 2 to read "A 4-foot strip of land along the Rostrata Avenue frontage per revised tentative tract map."; 2) deleting Public Works Condition No. 4G that currently reads, "Stripe the centerline and southbound lane line with thermoplastic on Rostrata Avenue frontage to the satisfaction of the City Traffic Engineer" in its entirety; and 3) commenting on the Mitigated Negative Declaration for the proposed mixed-use redevelopment.

The staff report was presented by Michael Ressler, Senior Planner. The subject property is zoned ACSP (Auto Center Specific Plan) and is vacant land which was previously developed with the former Nabisco Food Processing Plant. The property to the north is zoned ML (Light Industrial) and is developed with a multi-tenant industrial development. The properties to the south are zoned ACSP and are developed with a Chevron gasoline station, industrial buildings, as well as vacant land. The properties to the east are zoned RM-20 (Medium Density Multifamily Residential) and are developed with multifamily



residential development. The property to the west is zoned ACSP and is developed with the Carpenters Union Regional Headquarters and training facility.

Staff recommends that the Planning Commission adopt the attached Resolutions recommending the City Council adopt a Resolution approving General Plan Amendment No. GP14-001, an Ordinance approving Specific Plan Amendment No. SPC14-001, an Ordinance approving Development Agreement No. DA14-004, a Resolution approving Conditional Use Permit No. CU14-007, a Resolution approving Tentative Tract Map No. TT14-005 and a resolution adopting Mitigated Negative Declaration No. MND14-01.

The 14.5 acre site has street frontages of approximately 267 feet along Firestone Boulevard, 650 feet along Artesia Boulevard, and 780 feet along Rostrata Avenue. The site was originally part of 23 acres of land developed with the 453,000 sq. ft. Nabisco Food Processing Plant which ceased operations in 2005. During the closure of the facility, the City's Redevelopment Agency conducted a Market Study identifying potential commercial opportunities for the site based on geographic location and property size.

On June 27, 2006, the City Council approved General Plan Amendment No. GP04-003, Zone Change No. Z04-001, and Specific Plan Amendment No. SPC04-002 for the reuse of the former Nabisco Foods property. The approved General Plan Amendment changed the land use designation of the site from "Light Industrial/Open Space" to "Commercial." The approved Zone Change changed the zoning of the property from "Light Manufacturing" to "Auto Center Specific Plan." The approved Specific Plan Amendment was an addendum to the Auto Center Specific Plan in order to encompass the subject property into the Specific Plan area resulting in the creation of Sub-District No. 4 within the Auto Center Specific Plan which regulates future development and use of the subject site.

In conjunction with the three legislative actions, the City Council also certified Environmental Impact Report No. EIR05-003 which analyzed and disclosed the potential environmental impacts associated with three potential commercial oriented redevelopment scenarios for the subject site. The maximum probable impact scenario analyzed included a regional commercial shopping center featuring a major retail store, in-line retail shops, retail pad buildings, and fast food restaurants totaling 262,125 sq. ft. of gross leasable area. The major issues addressed in the Environmental Impact Report include Traffic, Circulation, Air Quality, Hazardous Materials, and Land Use. In order to mitigate potential environmental impacts associated with the redevelopment of the site, mitigation measures were included within the certified Environmental Impact Report. However, a Statement of Overriding Considerations was adopted to address unavoidable impacts associated with Traffic and Air Quality.

On September 10, 2008, the Planning Commission approved Conditional Use Permit No. CU08-009 for construction of a new commercial retail center consisting of approximately 274,000 sq. ft. of retail/commercial uses as well as site improvements to include parking, circulation, access, and landscaping on the 22.37 acres of land formerly developed with Nabisco Food Processing Plant. The proposed center was designed to be developed in two phases. The first phase includes three major tenants and five pad buildings totaling approximately 174,000 sq. ft. The second phase consists of one 100,000 sq. ft. major tenant space. The proposal also included an integrated sign program featuring a 70 ft. tall freeway oriented ground sign, shared parking facilities, two establishments with drive-through facilities, as well as the sale of alcoholic beverages for on-site and off-site consumption for future tenants. The project also included site improvements consisting of

access, circulation, parking, and landscaping improvements as well as an integrated sign program. Due to economic difficulties, the approved commercial retail center and associated improvements were never constructed.

On November 9, 2010, the developer of the former Nabisco Food Processing Plant site entered into a Development Agreement with the City to develop the site with a new commercial retail center consisting of approximately 274,000 sq. ft. of retail/commercial uses to include a 94,000 sq. ft. Carpenters Union offices and training facility and a 32,300 sq. ft. 83-room hotel as well as site improvements to include parking, circulation, access, and landscaping primarily consistent with the original Conditional Use Permit. In order for the proposed hotel component of the development to move forward, the City Council approved an amendment to the City's Auto Center Specific Plan. Since entering into the Development Agreement, the 94,000 sq. ft. Carpenters Union facility was constructed on 7.6 acres located on the westerly portion of the site. However, the commercial retail center and hotel were not constructed and the remaining 14.5 acres are vacant.

Since purchasing the property, ownership has experienced difficulties in developing the site commercially due to market timing and site suitability for large box retail. In 2012, the City Council was presented a conceptual proposal by City Ventures Homebuilding, LLC to develop the site with a high quality mixed-use development including residential, retail, and a hotel. At the conclusion of the discussion, Council expressed support for this type of development as long as the future uses achieved the economic expectations for the site.

The submitted application and plans propose mixed-use development on the remaining 14.5 acres of land previously developed with Nabisco Food Processing Plant located at the northwest corner of Artesia Boulevard and Rostrata Avenue. The proposal includes a 149-unit townhome complex on approximately 8.57 acres located on the northerly portion of site; a 102-room Hampton Inn & Suites hotel on approximately 2 acres located at the southeast corner of the site; and a future auto dealership on approximately 3.95 acres located at the southwest corner of the site. The project also includes a Tentative Tract Map for subdivision of the two existing parcels into three parcels for purposes of developing each component of the project.

#### 149-Unit Townhomes Complex

The proposed townhome development will maintain 24 buildings containing six or eight townhomes. The project will feature a three story attached townhome design with three floor plan options. Plan 1 maintains 1,470 sq. ft. of floor area providing three bedrooms, three bathrooms, kitchen, dining room, great room, entry, and deck. Plan 2 maintains 1,788 sq. ft. of floor area providing four bedrooms, four bathrooms, kitchen, dining room, living room, entry, porch, and deck. Plan 3 maintains 2,043 sq. ft. of floor area providing four bedrooms, three and one half bathrooms, kitchen, dining room, living room, family room, entry, porch, and deck. Each townhouse will also maintain a two-car garage and 200 cubic feet of storage.

The buildings and private patio areas maintain 15 ft. setbacks along Rostrata Avenue and 30 ft. separation between buildings. A common usable open space area with amenities is provided within a centrally located recreation area, as well as other open space areas dispersed throughout the development. The central recreation area will maintain 21,700 sq. ft. to include a pool, restroom building, cabanas, synthetic turf area, plaza area with fireplace and lounge seating, multipurpose turf area, and tot lot. The landscape greenbelt

system and plaza 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 style incorporating a variety of forms and textures. The building elevations are enhanced with such features as earth tone stucco exteriors, concrete tile roof projections, precast columns, wood trim and cement board, accent tiles, and canvas awnings. Other enhancements include stuccoed front porch entries and second story balconies with wrought iron railing.

Access to the townhome site will be via a 45 ft. wide driveway along Rostrata Avenue which leads to a semi-circular entry with a vehicular security gates. The complex will also maintain a 25 ft. wide emergency vehicle driveway accessed from the main driveway from the entire development located at the intersection of Botryoides Avenue and Artesia Boulevard. The site will be enhanced with decorative pavement within the main access driveway and throughout the development. A total of 149 guest parking spaces have been provided throughout the site. In order to provide a buffer between the proposed townhomes and the surrounding land uses, the proposal includes strategic landscaping and a 6 ft. high masonry wall.

#### 102-Room Hampton Inn & Suites Hotel

The 102-room Hampton Inn & Suites hotel is proposed to be developed on approximately 2 acres located at the northwest corner of Artesia Boulevard and Rostrata Avenue. The submitted plans indicate the four story hotel building will be centrally located on the site with a porte-cochere entry at the front of the building and pool/spa amenities area at the rear of the building. The hotel will provide a total of 102 rooms, ranging from standard rooms to upgraded suites, as well as a lobby area, breakfast area, meeting room, and fitness area. Hampton Inn & Suites is a national hotel chain catering to business travelers and family vacationers.

The architecture theme of the hotel reflects the Hampton Inn & Suites corporate image featuring earth tone stucco exteriors, curved standing seam roof elements, stacked stone enhancements, wood siding, anodized brushed aluminum trellis, sloped standing seam window awnings, and dimensional parapet and building trim. Other exterior enhancements include an arched standing seam metal roof porte-cochere with ledger stacked stone columns, enhanced light fixtures, and a brushed stainless steel floating canopy over the rear doors within the pool/spa area.

Access to the hotel site will be provided by a 25 ft. wide driveway along Rostrata Avenue at the northeast corner of the site and two driveways along the main driveway from the overall development located at the intersection of Botryoides Avenue and Artesia Boulevard. The site will be enhanced with decorative pavement at each access driveway and within the front porte-cochere entry. A total of 104 parking spaces have been provided throughout the site. Other site amenities include the rear pool area featuring a rectangular shaped pool, spa, umbrellas, outdoor furniture, as well as enhanced landscaping and a remote smoking shelter at the northwest corner of the site.

#### Future Auto Dealership Site

The remaining 3.95 acres of the site will be preserved for the future development of an automobile dealership. The future auto dealership will be located at the southwest corner of

the site. Access to the dealership site will be provided by a 40 ft. wide main driveway improved with a 5 ft. wide median located at the intersection of Botryoides Avenue and Artesia Boulevard. This main driveway will provide shared access to the hotel and the auto dealer as well as emergency access to the townhomes. The proposed location of the future auto dealership offers exceptional freeway visibility and helps fulfill the development and economic vision of the Auto Center Specific Plan. The attached Development Agreement includes a separate Option Agreement which provides the City with the opportunity to control the 3.95 acre site to assure future development of an Auto Dealership. The Option Agreement confirms the long term commitment for development of an auto dealership for the site.

In conjunction with the development proposal, the applicant is requesting consideration of a General Plan Amendment and an amendment to the Auto Center Specific Plan to allow the development to move forward. The proposed General Plan Amendment will insert a new policy within the Land Use and Community Design Element to allow limited residential uses in Sub-District A4 of the Auto Center Specific Plan in order to facilitate economic development in the Sub-District. The applicant is also requesting a Specific Plan Amendment to the Auto Center Specific Plan to include townhomes as a use permitted subject to a Development Agreement within Sub-District A4.

California Government Code Section 65865 et. seq. allows the City to enter into Development Agreements, which become contractual agreements between the City and property owners regarding development rights and performance standards. Development Agreements allow the City and property owner longer-term assurances in contractual form that current and future projects will meet the respective goals of both parties. The Development Agreement also allows phasing of future development to ensure an orderly development process and to reduce the potential for conflicting land uses and improvements. The Development Agreement process requires the Planning Commission to make a recommendation to the City Council prior to Council action.

Pursuant to City Code, the proposed development also requires Planning Commission review and recommendation of City Council approval via the Tentative Tract Map and Conditional Use Permit processes. In order to allow the residential component of the project to forward, a General Plan Amendment and Specific Plan Amendment are also required subject to Planning Commission review and recommendation of City Council approval.

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 General Plan Amendment and Specific Plan Amendment will allow the redevelopment of the former Nabisco Food Processing Plant site with a high quality mixed-use development including residential, retail, and a hotel. The residential component of the project will allow the proposed development to successfully integrate with the adjacent residential neighborhood to the east. The proposed residential land use of the property will assist the City in meeting the housing goals of the City's General Plan. The site is located within the Auto Center Specific Plan zone. The proposed residential development will help facilitate the long term economic vision for the ACSP Sub-District A4 by creating the economic foundation to accommodate the hotel and auto dealership components of the project.

The site and architectural design of the townhomes complex provides appropriate development standards for density, setbacks, massing, open space, parking, and vehicular and pedestrian access, as conditioned. The proposed Hampton Inn & Suites hotel development has been designed to comply with Sub-District A4 of the Auto Center Specific Plan and applicable commercial development standards including building height, setbacks, parking, vehicular and pedestrian access, and architectural design. Furthermore, the proposed uses, design, scale, and layout of the each component of the site are appropriate for the subject property. The proposed townhome development has been designed to integrate with the adjacent residential neighborhood to the east while creating a high quality multi-family housing development. The hotel and future auto dealership will complement the surrounding auto related uses within the specific plan area and fulfill the land use and economic expectations of the Sub-District A4 of the Auto Center Specific Plan.

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 within the Zoning Ordinance, Auto Center Specific Plan, Subdivision Ordinance, and the State Subdivision Map Act. The project design and configuration are consistent with applicable development criteria for a mixed-use development including multi-family residential housing, hotel, and future auto dealership and complies with the goals of the General Plan. All three components of the project will maintain efficient flow of traffic for ingress and egress as well as provisions for emergency access, circulation, and parking.

Finally, in order to insure the highest quality of development, Staff has included conditions related to landscaping, architectural enhancements, and the creation of Conditions, Covenants, and Restrictions (CC&R's) for the townhome complex. Since the future auto dealership site will be developed at a later date, staff has included a condition requiring the developer to provide weed abatement on the 3.95 acre site as well as durable temporary fencing surrounding the property.

#### Environmental Report:

The City of Buena Park prepared and circulated a Mitigated Negative Declaration for the proposed development. The public review period will end on September 8, 2014. The issues addressed in the Mitigated Negative Declaration are as follows:

- Aesthetics
- Air Quality
- Cultural Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Noise
- Transportation and Traffic

The Mitigated Negative Declaration concludes that all potentially significant environmental impacts can be reduced to a level of environmental insignificance. The final project design will be modified and include the mitigation measures proposed within the Mitigated Negative Declaration to address potential environmental impacts including minor street improvements, sound attenuation, construction techniques, and construction restrictions.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on August 18, 2014, and 38 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on August 18, 2014.

Chair Chung asked if there were any questions of staff.

Commissioner Barstow asked if the landscape plans include drought-resistant measures.

Mr. Ressler said there are conditions requiring compliance with the Green Code and the Water Conservation Ordinance.

Commissioner Barstow asked about traffic mitigation measures.

Serene Ciandella, Kimley-Horn and Associates, Inc. Traffic Consultant, said the traffic study and analysis provides two options to mitigate the project's impact on traffic.

Commissioner Diep asked who will determine which option to choose on the mitigation measures.

Mr. Barnes said he will coordinate selection with Caltrans. However, Mr. Barnes pointed out that the traffic study documents did not include the diagram that was requested from Kimley-Horn and that the document should be included in the text of the report.

Commissioner Schoales asked if the proposal to build a Hampton Inn & Suites is definite and added that it might turn into another low-budget motel. He also asked if there are building height limitations restricting allowable height at the site and whether the planned four-story Hampton Inn complies with the height limitations.

Mr. Rosen said the project will be considered by the Airport Land Use Committee for confirmation and that the plan does not exceed the height limit.

Commissioner Schoales asked about anticipated auto dealerships at the location and expressed concern about site development with lesser quality retail.

Scott Riordan, Economic Development Manager, said that part of the incentive in considering the entire master plan is the economic development function. The City has the option to buy the four-acre site and an auto dealership would provide significant sales tax. Several auto dealerships have expressed interest about the site.

Mr. Rosen suggested that lesser quality retail would not be feasible in the four-acre area.

Commissioner Schoales said he does not think the proposed housing development is high-quality. Larger units are preferable to the small units proposed. He is concerned that the proposed units might turn into rental properties.

Commissioner Diep said the property owner usually decides what is economically feasible within the zoning requirements.

Commissioner Diep noted that on the east side, there are homes adjacent to the auto dealership with a minimum distance between the wall and the home of 30 plus feet.

Mr. Ressler said the distance is about 35 to 38 feet.

Commissioner Diep said the southernmost homes are about nine feet away from the wall, maybe ten feet with the landscape setback.

Mr. Ressler said there is a minor walkway along the edge of the unit, which maintains a tree edge.

Commissioner Diep asked about noise mitigation measures.

Mr. Ressler said the proposed project will comply with the Noise Ordinance of the City.

Commissioner Diep asked if there are measures in place to let the residents know of potential auto dealerships in the area.

Mr. Fox said disclosures are usually part of the CC&Rs but Planning Commission can also direct staff to ensure that such disclosures are included in the CC&Rs.

Commissioner Diep said that perimeter walls adjacent to the auto dealership should be eight feet to ten feet in height.

Chair Chung 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.

Kim Prijatel, City Ventures, applicant, said the proposed mixed-use development project is beneficial to the City and complements the residential uses to the area. The auto dealership is consistent with the Auto Center Specific Plan. Ms. Prijatel added that they will include the auto dealership in the CC&R disclosures.

Frankie Flores, architect/designer, Hampton Inn & Suites, confirmed that the proposed design is for Hampton Inn & Suites.

Don Phelps, 7280 Artesia Boulevard, Buena Park 90620, said he is in support of the project but hopes for an improvement of the current traffic situation.

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

Commissioner Capelle moved and Commissioner Barstow seconded the motion to adopt the following titled Resolutions recommending General Plan No. GP14-001/Specific Plan Amendment No. SPC14-001/Development Agreement No. DA14-004/Conditional Use Permit No. CU14-007/Tentative Tract Map No. TT14-005/Mitigated Negative Declaration No. MND14-01, with the recommended changes from Public Works and a requirement to increase the height of the required wall to 8 ft. between the commercial and residential sites.

**RESOLUTION NO. 5919  
GENERAL PLAN AMENDMENT NO. GP14-001**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVE GENERAL PLAN AMENDMENT NO. GP14-001 TO ADD A NEW POLICY TO GOAL LU-12 IN THE LAND USE AND COMMUNITY DESIGN ELEMENT OF THE GENERAL PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF**

**RESOLUTION NO. 5920  
SPECIFIC PLAN AMENDMENT NO. SPC14-001**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE AUTO CENTER SPECIFIC PLAN OF THE CITY OF BUENA PARK**

**RESOLUTION NO.  
DEVELOPMENT AGREEMENT NO. DA14-004**

**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. DA14-004 TO DEVELOP A 149-UNIT TOWNHOME COMPLEX, 102-ROOM HOTEL AND A FUTURE AUTO DEALERSHIP ON 14.5 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF ARTESIA BOULEVARD AND ROSTRATA AVENUE AT 7301 ARTESIA BOULEVARD IN SUB-DISTRICT A4 OF THE ASCP (AUTO CENTER SPECIFIC PLAN) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK**

**RESOLUTION NO. 5922  
CONDITIONAL USE PERMIT NO. CU14-007**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVE CONDITIONAL USE PERMIT NO. CU14-007, TO DEVELOP A 102-ROOM HAMPTON INN & SUITES HOTEL INCLUDING POOL, PARKING LOT, AND OTHER SITE IMPROVEMENTS ON APPROXIMATELY 2 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF ARTESIA BOULEVARD AND ROSTRATA AVENUE AT 7301 ARTESIA BOULEVARD WITHIN THE ACSP (AUTO CENTER SPECIFIC PLAN) ZONE, AND MAKING FINDINGS IN SUPPORT**



**RESOLUTION NO. 5923  
TENTATIVE TRACT MAP NO. TT14-005 (17789)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL APPROVE A TENTATIVE TRACT MAP TO SUBDIVIDE 2 PARCELS TOTALING APPROXIMATELY 14.5 ACRES INTO 3 PARCELS FOR THE DEVELOPMENT OF A 149-UNIT TOWNHOME COMPLEX, 102-ROOM HOTEL AND A FUTURE AUTO DEALERSHIP AT THE NORTHWEST CORNER OF ARTESIA BOULEVARD AND ROSTRADA AVENUE AT 7301 ARTESIA BOULEVARD IN SUB-DISTRICT A4 OF THE ASCP (AUTO CENTER SPECIFIC PLAN) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

**RESOLUTION NO. 5924  
MITIGATED NEGATIVE DECLARATION NO. MND14-01**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF BUENA PARK CERTIFY THE COMPLETION OF A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, DEVELOPMENT AGREEMENT, CONDITIONAL USE PERMIT, AND TENTATIVE TRACT MAP TO DEVELOP A 149-UNIT TOWNHOME COMPLEX, 102-ROOM HOTEL, AND A FUTURE AUTO DEALERSHIP ON 14.5 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF ARTESIA BOULEVARD AND ROSTRADA AVENUE AT 7301 ARTESIA BOULEVARD IN SUB-DISTRICT A4 OF THE ASCP (AUTO CENTER SPECIFIC PLAN) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

AYES:	5	COMMISSIONERS:	Capelle, Barstow, Diep, Gonzales and Chung
NOES:	1	COMMISSIONER:	Schoales
ABSENT:	1	COMMISSIONER:	McGuire
ABSTAIN:	0	COMMISSIONER:	

**AGENDA FORECAST:**

None

**STAFF REPORT:**

Mr. Rosen reported on City Council approval, on September 10, of the Purchase and Sale Agreement to allow for the development of a Rock and Brews restaurant at 7777 Beach Boulevard.

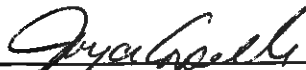
In response to Commission questions, Mr. Rosen gave updates on the new TomKat Lounge development at Knott and Younger and the new 7-11 development at Crescent and Western.

**COMMISSION REPORTS:**

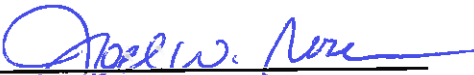
Chair Chung will be unable to attend the Planning Commission meeting on October 8 due to a trip to Korea.

**ADJOURNMENT:**

At 8:25 p.m., Chair Chung adjourned the meeting to the Planning Commission meeting on Wednesday, September 24, 2014, in the City Council Chamber.

  
\_\_\_\_\_  
For: Jae Joon Chung  
Chair

ATTEST:

  
\_\_\_\_\_  
Joel W. Rosen, AICP  
Secretary