

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
May 27, 2015

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on May 27, 2015, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Chung presiding.

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

ABSENT: COMMISSIONER: Diep

ALSO PRESENT:

Joel W. Rosen, AICP, Community Development Director
Jay Saltzberg, Planning Manager
Monique Schwartz, Assistant Planner
Nabil Henein, Acting Director of Public Works
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

1. APPROVAL OF MINUTES Meeting of May 13, 2015

RECOMMENDED ACTION: Approve

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

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Diep

ABSTAIN: 0 COMMISSIONER:

PUBLIC HEARING:

OLD BUSINESS:

2. CONDITIONAL USE PERMIT NO. CU-392M3

A request to establish the sale of beer and wine for off-site consumption within an approved 1,996 sq. ft. convenience store to be constructed at an existing gasoline service station located at 6971 Orangethorpe Avenue within the CG (Commercial General) zone.

PROPERTY OWNER/APPLICANT: Northwest Dealerco Holdings, LLC
Western Fuel Group
29501 Canwood Street, Suite 200
Agoura Hills, CA 91801

RECOMMENDED ACTION: Adopt Resolution of Approval

Chair Chung informed the Planning Commission and staff of the applicant's decision to withdraw the application.

NEW BUSINESS:

3. CONDITIONAL USE PERMIT NO. CU15-001/TENTATIVE TRACE MAP NO. TT15-001/MITIGATED NEGATIVE DECLARATION NO. MND15-01

A request to demolish an existing elementary school and construct a residential subdivision on 9.6 acres of land with 67 single-family detached homes including associated site, street, and recreation area improvements located at 10051 Bernadette Avenue within the RS-6 (One-Family Residential) zone.

PROPERTY OWNER: Cypress School District of Orange County
9470 Moody Street
Cypress, CA 90630

APPLICANT: William Lyon Homes
4695 MacArthur Court
Newport Beach, CA 92660

RECOMMENDED ACTION: Adopt Resolutions of Approval

In reply to Chair Chung, Ms. Santos stated that staff had received and distributed letters of support from Virginia and Frank Graham and Laurie and Sable Cantus, and inquiry letters from Pham Hung and Laurie Cantus, with copies of staff's responses.

The staff report was presented by Joel Rosen, Community Development Director. The subject site is zoned RS-6 (One-Family Residential) and is developed with the Elizabeth Dickerson Elementary School which was previously closed by the Cypress School District. The properties to the east, west, and south are zoned RS-6 and are developed with single-family homes. The properties to the north, across Ball Road, are located in the City of Cypress and are developed with a church, small inline retail center, and single-family homes.

Staff recommends that the Planning Commission adopt the attached Resolutions approving Conditional Use Permit No. CU15-001, Tentative Tract Map No. TT15-001, and associated Mitigated Negative Declaration No. MND15-01 with findings of fact and conditions.

The property under application is located on the southwest corner of Ball Road and Bernadette Avenue. The approximately 9.53 acre site maintains street frontages of 621.53 ft. along Ball Road and 611.98 ft. along Bernadette Avenue. The site is developed with the Elizabeth Dickerson Elementary School. Due to decreasing student enrollment in the

Cypress School District, the District has closed the school and is in the process of selling the site to William Lyon Homes.

On September 18, 2014, City Staff held a community information meeting at Elizabeth Dickerson Elementary School regarding the proposed single-family residential development. Notice of the meeting was mailed to approximately 450 adjacent property owners in a modified 700 ft. radius of the school property; approximately 46 residents signed the guest list. The developer presented an informal project overview with preliminary site plan, elevations, and aerial photo presentation boards. Concerns were expressed regarding potential effects of the new homes on the existing adjacent neighborhood. However, at the conclusion of the meeting, the majority of attendees expressed support for the project. On October 14, 2014, the City Council held a Study Session to review William Lyon Homes' preliminary plans for the proposed site and expressed general support for the project concept.

The submitted application and plans propose demolition of all existing school improvements and construction of a 67 single-family home cluster housing development with associated site, street, and recreation area improvements. In conjunction with the proposed residential development, the applicant is requesting consideration of a Tentative Tract Map for the subdivision of the existing school parcel totaling approximately 9.53 acres into 68 numbered lots (with Lot 68 being a centrally located .56 acre private open space park to be held in common by the future Home Owners Association (HOA)). The conceptual landscape plan for the common open space area includes walkways, picnic areas with picnic tables and shade structures, barbeques, and benches.

The single family detached homes will be constructed on lots typically 45 feet wide with varying depths ranging from 82 to 92 feet with typical lot sizes of 3,690, 3,825, and 4,140 sq. ft. The larger lots are situated on the perimeter of the project site while the smaller lots are situated within the interior of the development. The residential development will be served by a 36 ft. wide private loop street with access from a new signalized intersection at Ball Road. Ten homes on the east side of the development will front on and take access via individual driveways from Bernadette Avenue. Bernadette Avenue public improvements will include sidewalk and parkway with street trees.

The looped private street will provide sidewalks, parkway with trees, and parking on both sides of the street. The project has been designed to exceed the City's 5.2 parking spaces per dwelling unit Cluster Housing subdivision parking standard. Consistent with the City's Cluster Housing provisions, the project includes reduced lot areas and setbacks within the front and rear setbacks. The average home will maintain a 10 ft. front yard setback, 20 ft. front setback to the garage, 15 ft. rear yard setback, and 3 ft. to 5 ft. side yard setbacks. The rear yard setbacks for the properties along the south and west edge of the site abutting the existing neighborhood have been increased to 25 ft.

The proposed Cluster Housing Development has been designed to maintain two-story single-family homes with three floor plan options and a total of eight architectural style variations, including distinct architectural features. The homes range from 2,377 sq. ft. to 2,615 sq. ft. featuring four bedrooms, three bathrooms, kitchen, dining room, and great room. All three models will maintain a minimum 440 sq. ft. two-car garage with a 16 ft. wide sectional roll-up garage door and driveway parking. The homes will maintain stucco exterior finishes and concrete tile roofs. The homes will be enhanced with a variety of architectural features including grid pattern windows, brick and stone veneer, wood siding, shutters, trim

molding, wood corbels, decorative wrought iron pot-shelves, accent tiles, and other architectural details.

The proposed Cluster Housing Development and Tentative Tract Map require Planning Commission review and approval. Staff believes that the project is consistent with the RS-6 (One-Family Residential) zoning designation as well as the General Plan which encourages single family cluster housing developments. The site and architectural design of the homes complies with applicable standards of the City's Zoning Code Cluster Housing development criteria, including density, massing, open space, parking, and vehicular/pedestrian access and circulation. Additionally, the developer has provided a quality architectural design, optimum site layout, and amenities that are consistent with other small lot subdivisions within the City and Orange County region.

The proposed Cluster Housing Development has been designed to complement the existing adjacent single-family residential neighborhood to the south, east, and west while creating a high quality development. The development continues the fabric of the neighborhood street pattern along Bernadette Avenue with homes fronting the street and consistent sidewalk and parkway system. Proposed homes along the south and west edges of the development have also been set back 25 ft. to better integrate with the existing adjacent single family homes. A central common open space is provided with picnic and walkway amenities. Ball Road improvements will include the addition of a westbound left turn pocket and a 6-foot landscaped setback along the project frontage. A new approximately 6-foot block wall will be provided along the entire project perimeter except for the area where homes front on Bernadette Avenue.

Staff has reviewed the proposed Tentative Tract Map for consistency with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and the State Subdivision Map Act. The project design and configuration is consistent with applicable subdivision criteria for cluster housing projects and complies with the goals and policies of the General Plan. The proposed division of property will maintain efficient traffic flow for ingress and egress as well as emergency access. Based on the traffic study, a new traffic signal will be installed as part of the project at the Ball Road access point to align with Anita Street and on the north side of Ball Road. Pedestrian access is also provided directly to Bernadette Avenue at the southeast corner of the site.

The development is also in compliance with General Plan Housing goals. Pursuant to General Plan Policy LU-6.6, the proposed project provides additional housing options for Buena Park residents, consisting of compact detached single family residences. The proposed residential development has been designed to provide an integrated community through neighborhood sidewalks, enhanced recreation amenities and an efficient site layout. The project is also consistent with General Plan Policy LU-24.3, by designing the neighborhood with uniform street trees that will ultimately provide shade canopies and provide inviting and walkable parkways. Although the General Plan and Zoning Ordinance allows for a maximum cluster housing density of 8.6 units per acre, the proposed development is 7.03 dwelling units per acre.

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

A Mitigated Negative Declaration (MND15-01) for the proposed development was prepared and circulated. The public review period ended on May 26, 2015. Key issues addressed in the Mitigated Negative Declaration were:

- Aesthetics
- Air Quality
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Noise
- Transportation and Traffic
- Utilities and Service Systems

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, sewer improvements, construction techniques, and construction restrictions.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on May 6, 2015. One thousand eighty nine (1,089) notices were mailed to property owners and residents, exceeding the required 300 ft. notice radius of the subject property on 10051 Bernadette Avenue.

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.

Kenneth Coulter, representing William Lyon Homes, 4695 MacArthur Court, Newport Beach, CA 92660, said that, from the initial stages of this application, the applicant has met with City staff and residents, toured the neighborhood to seek input from the residents, and provided the residents with contact information for questions and/or concerns. In response to comments from the residents, Mr. Coulter said the proposed project, consisting of single-family detached homes facing the street, with parkways and sidewalks, is consistent with the surrounding neighborhood. He said that, should the project be approved, the applicant will continue to conduct community meetings to apprise the residents of the progress of the development.

Commissioner Barstow referred to the 176 new trees on the proposed plan and said it will be difficult for him to approve the proposed project unless the applicant can submit alternative landscape plans that are drought resistant.

Mr. Coulter said that detailed landscape plans will be submitted in accordance with the strict guidelines under the Governor's executive order addressing the drought problem. The plans will include drip irrigated micro-sprayed parkways with drought tolerant groundcover.

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 Schoales moved, and Commissioner Capelle seconded, the motion to adopt the Resolutions approving Conditional Use Permit No. CU15-001, Tentative Tract Map No.

TT15-001, and associated Mitigated Negative Declaration No. MND15-01 with findings of fact and conditions therein.

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Diep

ABSTAIN: 0 COMMISSIONER:

**RESOLUTION NO. 5960
CONDITIONAL USE PERMIT NO. CU15-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU15-001, TO CONSTRUCT 67 SINGLE-FAMILY HOMES WITH ASSOCIATED SITE, STREET, AND RECREATION AREA IMPROVEMENTS ON APPROXIMATELY 9.53 ACRES OF LAND LOCATED AT 10051 BERNADETTE AVENUE (APN: 134-301-24), WITHIN THE RS-6 (ONE-FAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

**RESOLUTION NO. 5961
TENTATIVE TRACT MAP NO. TT15-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A TENTATIVE TRACT MAP TO SUBDIVIDE 1 PARCEL TOTALING APPROXIMATELY 9.53 ACRES INTO 68 LOTS FOR THE CONSTRUCTION OF 67 SINGLE-FAMILY HOMES WITH ASSOCIATED SITE, STREET AND RECREATIONAL AREA IMPROVEMENTS LOCATED AT 10051 BERNADETTE AVENUE (APN: 136-301-24), WITHIN THE RS-6 (ONE-FAMILY RESIDENTIAL) ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

None

STAFF REPORTS:

Mr. Rosen announced City Council approval, on May 26, of the second reading of the ordinance on the proposed OnBeach project.

Mr. Rosen announced the retirement of Mr. Henein, Assistant City Engineer. David Jacobs will be the new Assistant City Engineer.

COMMISSION REPORTS:

Commissioner Barstow inquired about the status of the proposed Los Coyotes Country Club development project.

Mr. Rosen said the proposed Los Coyotes development project will be scheduled for Planning Commission second meeting in June or the first or second meeting in July.

Commissioner Barstow said he will be unable to attend the first meeting in July.

Commissioner Barstow reminded staff to review closely the Traffic Study on the proposed Los Coyotes development project.

In response to Commissioner Schoales, Mr. Rosen gave an update on the Buena Park Mall.


Commissioners Capelle and Schoales asked about the schedule of the Ethics Training. Ms. Santos will inquire from the City Clerk's office and inform the Planning Commissioners.

ADJOURNMENT:

At 7:35 p.m., Chair Chung adjourned the meeting to the Planning Commission meeting on Wednesday, June 10, 2015, in the City Council Chamber.


Jae Joon Chung
Chair

ATTEST:


Joel W. Rosen, AICP
Secretary