

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
November 16, 2015

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on November 16, 2015, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Capelle presiding.

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

ALSO PRESENT:

Joel W. Rosen, AICP, Community Development Director
Jay Saltzberg, Planning Manager
Brady M. Woods, Senior Planner
David Jacobs, Assistant City Engineer
Craig Fox, Deputy City Attorney
Suzanne Davis, Administrative Assistant

1. APPROVAL OF MINUTES Meeting of October 28, 2015

RECOMMENDED ACTION: Approve

AYES: 7 COMMISSIONERS: Gonzales, Diep, Barstow, Chung, McGuire, Schoales and Capelle

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

PUBLIC HEARING:

NEW BUSINESS:

2. DEVELOPMENT AGREEMENT NO. DA15-002

A request to consider a recommendation to the City Council for a Development Agreement, to construct and operate an approximately 24,350 sq. ft. bakery and an approximately 5,500 sq. ft. full service restaurant including the sale of alcoholic beverages for on-site consumption as well as parking lot and site improvements including a future 108 space parking deck for property located at 7620 and 7640 Beach Boulevard within the ECSP (Entertainment Corridor Specific Plan) zone. This project is Class 32, Section 15332 categorically exempt from CEQA.

PROPERTY OWNER: City of Buena Park
6650 Beach Boulevard
Buena Park, CA 90620

PROJECT PROPONENT: Buena Beach, LLC
3614 W. Magnolia Boulevard
Burbank, CA 91505

RECOMMENDED ACTION: Adopt Resolution recommending Approval

In reply to Chair Capelle, Ms. Davis stated that they had received no written communication on the item.

The staff report was presented by Brady Woods, Senior Planner.

The subject property is zoned ECSP (Entertainment Corridor Specific Plan) and is vacant. The property to the north is zoned ECSP and is developed with Pirate's Dinner Adventure Restaurant. The property to the south is zoned ECSP and is developed with the Medieval Times Restaurant. The property to the west, across Beach Boulevard, is zoned ECSP and is developed with the Courtyard by Marriott hotel. The properties to the east are zoned RS-6 (One-Family Residential) and are developed with single family homes.

Staff recommends that the Planning Commission adopt the attached Resolution recommending the City Council adopt an Ordinance approving Development Agreement No. DA15-002.

The property under application is located on the east side of Beach Boulevard, with street frontage of 290 ft. and land area of 3.12 acres. The property is currently owned by the City of Buena Park and was previously developed with two motels.

On April 10, 2012, the City Council approved Specific Plan Amendment No. SPC12-002 which established four new Sub-Districts within the Entertainment Corridor Specific Plan in order to accommodate the properties owned by the former Redevelopment Agency. Uses permitted for these Sub-Districts include entertainment venues, lodging, and restaurant uses subject to the Development Agreement process. The proposed Specific Plan Amendment was designed to guide future development of the properties previously owned by the City's former Redevelopment Agency in order to comply with the long term vision for the Entertainment Corridor as identified in the City's General Plan.

The submitted application and plans propose to construct and operate an approximately 24,350 sq. ft. bakery/cafe and an approximately 5,500 sq. ft. restaurant including the sale of alcoholic beverages for on-site consumption as well as parking and site improvements including a future 108 space parking deck. The bakery floor plan has been configured to accommodate two kitchens, six coolers, baking area, deli, baked goods/ pastries display area, restrooms, as well as interior and exterior dining areas. The restaurant is proposed as a shell building only since no tenant has been designated at this time. It is anticipated that the floor plan will include a kitchen, bar and dining area, waiting area, and restrooms. The restaurant will also include a 365 sq. ft. outdoor dining patio located in front of the restaurant building facing Beach Boulevard. The bakery/café and restaurant buildings will maintain

front setbacks along Beach Boulevard of approximately 23 ft. and 46 ft. respectively. In addition, the patio areas proposed for the identified buildings will maintain a setback of approximately 20 ft. along Beach Boulevard.

Proposed hours of operation for the bakery/cafe are 6:30 a.m. to 8:30 p.m. Monday through Saturday and 7:00 a.m. to 7:00 p.m. on Sunday. Hours of operation for the restaurant will be determined once a tenant is selected. It should be noted that only the proposed restaurant will include on-site sale and consumption of alcoholic beverages. Should the bakery/ café desire to sell beer, wine and/or spirits for on-premises consumption, the request will be presented to the Planning Commission for review of a Conditional Use Permit per the Zoning Code. In addition, no live entertainment will be permitted within the bakery or restaurant without obtaining an Entertainment Permit approved by the Community Development Department and Police Department detailing permissible entertainment types.

The proposed Porto's Bakery is a bakery/restaurant chain with three current locations in Burbank, Downey and Glendale. Porto's Bakery is a unique family-owned and operated bakery specializing in baked goods and Cuban food.

The architectural design of the buildings features a contemporary architectural theme, with varying rooflines, undulating elevations, and tower elements. The buildings will maintain a combination of stucco, wood louvers, metal/wood beams, metal cladding, green neon accent lighting along the roof parapet, stone, brick, storefront glazing and warehouse style windows. The buildings will include enhancements on all four elevations of the building. The roof design includes varying parapet heights as well as tower elements. The roof parapets will include varying heights and lengths to provide visual interest. Roof elements will include steel with decorative beams, green neon at designated locations, metal cladding and a stucco finish at the tower elements. The bakery/café west elevation (facing Beach Boulevard) will include a variety of materials, including wood louvers, stone, brick, metal I-beam wood patio and storefront glass, further complementing a variety of enhanced architecture along Beach Boulevard. The front patio will be surrounded by warehouse windows and metal/wood beams. In order to complement the new streetscape plan for Beach Boulevard, the site has been designed to seamlessly connect the public sidewalk onto the site and adjacent patio areas. A decorative 10 ft wide public sidewalk will be constructed and enhanced with landscaping along the front of the building and the landscaped parkway adjacent to Beach Boulevard will also be widened.

Vehicular ingress and egress to the site is proposed via two new driveways located adjacent to the north and south property lines along Beach Boulevard. The City Traffic Engineer has conditioned that the southern driveway be modified to a width of 25 feet wide for the first 40 feet entering the site to accommodate higher speed automobile turning and truck movements from Beach Boulevard. This can easily be accommodated with minor changes to the adjacent landscaped areas

The proposed parking lot has been configured to accommodate 216 parking spaces, which exceed the 212 parking stalls required by Code. The applicant is also requesting review and approval of a future parking deck at the rear portion of the site. The parking deck will be developed as a future phase of the project if warranted by demand. The parking deck will include 108 spaces and will be approximately 16 feet in height. A 10 foot wide landscape setback, including screening trees, will be provided along the eastern project boundary adjacent to the existing single family residences, as well as a new minimum 6 ft. tall block wall. The design of the structure will be similar to the Pirates Dinner Adventure Restaurant

parking structure located to the north. With the addition of the proposed parking structure, Porto's Bakery and Restaurant site will ultimately have a total of 317 parking spaces.

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. Pursuant to the Entertainment Corridor Specific Plan, development of a bakery/cafe and a full service restaurant on the subject property requires a Development Agreement. The Development Agreement process requires the Planning Commission to make a recommendation to the City Council prior to Council action.

In reviewing the applicant's request, staff reviewed plans and visited the site and surrounding area and is of the opinion that the site is adequate to support the proposed bakery/cafe and full service restaurant with the sale of alcohol for on-site consumption without negatively impacting the subject and surrounding properties. The sale of alcohol for on-site consumption is considered to be a typical amenity for a restaurant of the anticipated character. The proposed bakery/café, restaurant and parking deck will be appropriately separated from the adjacent residential neighborhood to the east by a 10 ft. wide landscape buffer with screening trees and min. 6 ft. tall block wall. Therefore, staff feels that there will be adequate buffering and separation for adjacent residential development. Staff feels that, as conditioned, the sale of alcoholic beverages will be compatible with on-site and surrounding commercial development as well as nearby residential uses based on limited scale and scope of proposed and anticipated business operations. The proposal has been reviewed by the City's Police Department which has no comments or concerns about the project.

The proposed restaurant building and associated site improvements, as conditioned, comply with the Zoning Ordinance requirements for circulation, access, landscaping, parking, and building design. Once completed, the site will have 216 available parking spaces (future parking structure will have a total of 317 spaces), exceeding the Code prescribed 212 parking spaces. Regarding building architecture, the proposed restaurant building will complement the surrounding entertainment related uses within the specific plan area and fulfill land use and economic expectations of the Entertainment Corridor.

The proposed Porto's Bakery/Café and restaurant will assist in advancing the long term vision for this area along Beach Boulevard as identified in the City's General Plan. The property is located in the heart of the Entertainment Corridor Focus Area which is envisioned as a pedestrian-friendly and tourist-oriented destination that connects Knott's Berry Farm to the Mall and other visitor serving uses a long Beach Boulevard. The mix of entertainment, world-class shopping, excellent dining, and high quality civic spaces are intended to create a regional destination where visitors can patronize local attractions without leaving the Entertainment Corridor. The proposed Porto's Bakery/Café and restaurant will complement the vision for this area by providing a high quality dining opportunity along Beach Boulevard. In addition, both the bakery/café and restaurant will include outdoor dining patio areas along

Beach Boulevard, creating a high quality dining experience for customers along the Entertainment Corridor. Further, the site will include an open plaza area between the buildings for gathering and assembly. The plaza area will be enhanced with landscaping, a water feature and a unique landscape "green wall" along the restaurant's south elevation

Based on the high quality operation, design features, and limited number of locations, Porto's Bakery/café Buena Park will become a regional destination for tourists as well as residents.

The project is Class 32, Section 15332, categorically exempt from CEQA.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on November 4, 2015, and 32 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on November 4, 2015.

Chair Capelle asked if there were any questions for staff.

Commissioner Diep inquired whether there have been any complaints from the residents on the east regarding the lighting.

Mr. Woods stated that the four immediately adjacent properties were sent notices and only one resident responded with questions regarding lighting, drainage and the parking deck. He also stated that Porto's parking deck will be required to mimic the lighting atop the Pirate's Dinner Theater parking deck.

Commissioner Diep also inquired whether the building signage would require approval by the Planning Commission or go straight to the Planning Division.

Mr. Rosen stated that the signage package will go directly to the Planning Division for review and approval.

Commissioner Gonzales referred to page 3 of the Staff Report and inquired regarding the driveway being on the southern side 25 feet wide for the first 40 feet and not on the northern end per the drawings.

Mr. Rosen verified that that was correct per Public Works conditions on the southern end to accommodate car and truck movement and maneuvering.

Commissioner Gonzales asked what the purpose was for the elevator centralized in the building.

Mr. Rosen stated that this elevator was to move people and equipment up and down as there as a special wash room for the bakery racks on the second floor.

Commissioner Gonzales also inquired as to who the tenant would be for the restaurant.

Mr. Rosen referred this to the applicant to answer.

Chair Capelle 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.

Raul Porto, President of Porto's Bakery expressed gratitude to staff. In regard to the restaurant, they have not decided who will it will be, however they are looking and have many interested parties. They are looking for someone unique who will work well, complement them and fit in the environment they have created. They do not want a chain restaurant. All the fixtures are being designed and built in Italy. It is going to be very spectacular.

Commissioner Barstow inquired as to why the Porto's chose not to operate the restaurant.

Mr. Porto stated they are in the bakery business not the restaurant business.

Commissioner Barstow also stated that if they are as busy as the Downey store, that they may want to build a 108 parking structure and that regarding signage, they probably don't need an elaborate sign as it is easy to find.

Commissioner Gonzales asked how the Cuban influence came about.

Mr. Porto explained the history of Porto's and the pastries they produce. He mentioned that they see about 5,000 people a day in the Downey store and between the three stores they see more people than Dodger Stadium in one season. Mr. Porto believes this store may be even busier with the tourism in Buena Park.

Seeing no one else that wish to speak on the matter, Chair Capelle closed the public hearing and advised that the item requires a Resolution for approval or denial with findings.

Commissioner Barstow moved, and Commissioner Diep seconded, the motion to adopt the Resolution recommending the City Council adopt an Ordinance approving Development Agreement No. DA15-002.

AYES:	7	COMMISSIONERS:	Barstow, Diep, Chung, Gonzales, McGuire, Schoales and Capelle
NOES:	0	COMMISSIONER:	
ABSENT:	0	COMMISSIONER:	
ABSTAIN:	0	COMMISSIONER:	

ORAL COMMUNICATIONS:

None.

AGENDA FORECAST:

- Conditional Use Permit modification to remodel an existing 7,842 sq. ft. restaurant (formerly Sagan) on 7801 Beach
- Zone Change, Conditional Use Permit, and Tentative Tract Map for the construction of 18 condominium units as an extension of the Aldea Walk project located at 7069 - 7071 Thomas Street
- Text Amendment for the proposed new city regulations for massage establishments
- Tentative Parcel Map to subdivide existing one parcel commercial property into two-parcel commercial property on 8850 Valley View.

STAFF REPORTS:

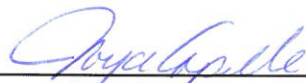
Mr. Rosen stated that at the City Council meeting on November 10, 2015 there was a continuation of the discussion regarding voting districts. A resolution was not attained due to additional proposals and district maps submitted regarding how the city should be divided up.

COMMISSION REPORTS:

None.

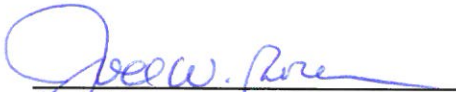
ADJOURNMENT:

At 7:37 p.m., Chair Capelle adjourned the meeting to the Planning Commission meeting on Wednesday, December 16, 2015, in the City Council Chamber.



Joyce Capelle
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary