

CITY OF BUENA PARK
MINUTES OF CITY PLANNING COMMISSION
April 8, 2015

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on April 8, 2015, in the City Council Chamber, 6650 Beach Boulevard, Buena Park, California with Chair Chung presiding.

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

ABSENT: COMMISSIONER: Capelle

ALSO PRESENT:

Joel W. Rosen, AICP, Community Development Director
Jay Saltzberg, Planning Manager
Nabil S. Henein, Assistant City Engineer
Craig Fox, Deputy City Attorney
Ruth Santos, Senior Administrative Assistant

CONSENT CALENDAR: (Items 1 and 2)

1. APPROVAL OF MINUTES Meeting of March 25, 2015

RECOMMENDED ACTION: Approve

Chair Chung abstained from voting on this item due to his absence at the Planning Commission meeting of March 11, 2015.

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

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Capelle

ABSTAIN: 1 COMMISSIONER: Chung

2. GENERAL PLAN FINDING OF CONFORMANCE NO. CGP15-001

A request for determination of conformity with the City of Buena Park General Plan for proposed use of the existing office building at 6752 Beach Blvd. to serve as a temporary contractor office with associated construction access and staging during the construction period for improvements to the Fullerton Creek Flood Control Channel. This project is Section 15061(b)3, categorically exempt from CEQA.

APPLICANT: County of Orange Public Works Department
300 N. Flower Street
Santa Ana, CA 92702

RECOMMENDED ACTION: Adopt Resolution of Approval

Staff recommends that the Planning Commission adopt the attached Resolution finding that the proposed Project is in conformance with the General Plan.

The Planning Commission has previously approved General Plan Findings of Conformance regarding upgrade of deteriorated Fullerton Creek trapezoidal channel segments to rectangular channels to include reconstruction of the segments with increased carrying capacity. The Orange County Flood Control District is scheduled to begin construction of Fullerton Creek Flood Control channel improvements west of Beach Boulevard in 2016.

As described in a letter dated March 17, 2015, the Orange County Flood Control District (OCFCD) is acquiring fee interest in the property located at 6752 Beach Boulevard (see attached location map and aerial exhibit). In order to support a project scheduled to begin construction in 2017 to improve the Fullerton Creek Channel, between Beach Blvd. and the I-5 Freeway, OCFCD is requesting a General Plan Finding of Conformance to allow temporary use of the property located at 6752 Beach Boulevard for a construction office within the existing building, with construction access and staging associated with the flood control channel improvement project. Construction to upgrade the channel segment is estimated to take approximately 15 months. After completion of the project, the property will be sold.

The OCFCD is acquiring the property in order to use the existing office building as a temporary construction office for the project contractor. The contractor will also use the property to provide direct access to the channel via a temporary ramp from the site parking area down into the flood control channel to provide access for construction vehicles and equipment. Vehicle parking as well as equipment and materials staging and storage will also occur at the location.

In order to assure that the interim use of the site is compatible with current and anticipated development projects in the area, a traffic control/hauling plan will be required to be provided to the City for review and approval. As required, the traffic control/hauling plan will include information to substantiate that truck access/egress to the site will be sufficient to meet City requirements.

Pursuant to State of California Government Code Section No. 65402, a local agency such as the County of Orange Public Works Department shall not construct public works projects in any city until the location, purpose, and extent of such activities have been submitted to the planning agency having jurisdiction and the conformity to the City's adopted General Plan is reported. Therefore, the Planning Commission is required to make findings that the proposed associated activities supporting the project improvements to the Fullerton Creek Flood Control Channel are in conformance with the provisions of the General Plan before construction of the improvements begins.

The City's General Plan Community Facilities Element describes provisions for storm drain and water quality, with the goal of maintaining and/or improving storm drain service levels throughout the City. The proposed temporary use of the existing office building for a

contractor office and use of the site for construction access and staging supports the pending improvements to the Fullerton Creek Flood Control facility. The temporary project will not negatively affect the permanent use of the surrounding properties and will assist in improving infrastructure essential for the City's flood control and storm drain system. Staff has reviewed the proposal and feels that the proposed temporary activities will be in conformance with the General Plan and recommends Planning Commission approval of the attached resolution.

The project is Section 15061(b)3, exempt from CEQA.

No public hearing notice is required for this application.

Commissioner Barstow asked how the proposal will affect traffic on Beach Boulevard.

Mr. Saltzberg said one of the conditions is a traffic control plan which includes full and thorough analysis of the anticipated traffic to be generated.

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

**RESOLUTION NO. 5954
GENERAL FINDING OF CONFORMANCE NO. CGP15-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK FINDING THAT THE PROPOSED PROJECT TO INCLUDE TEMPORARY USE OF PROPERTY LOCATED AT 6752 BEACH BOULEVARD FOR A TEMPORARY CONTRACTOR'S OFFICE AND CONSTRUCTION ACCESS AND STAGING IN SUPPORT OF THE FULLERTON CREEK CHANNEL IMPROVEMENT PROJECT IS IN CONFORMANCE WITH THE GENERAL PLAN

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Capelle

ABSTAIN: 0 COMMISSIONER:

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

PUBLIC HEARING:**NEW BUSINESS:****3. ZONE CHANGE NO. Z15-001/DEVELOPMENT AGREEMENT NO. DA15-001**

A request to consider a recommendation to the City Council for zone classification change and a Development Agreement to establish a five-story mixed-use development to include 60 senior apartments and 45,000 sq. ft. of medical office and retail stores located at 5742 Beach Boulevard within the CO (Commercial Office) zone. This project is Section 15168, categorically exempt from CEQA.

PROPERTY OWNER/APPLICANT: FEGI, LLC
3920 Wilshire Boulevard
Los Angeles, CA 90010

RECOMMENDED ACTION: Adopt Resolutions of Approval

In reply to Chair Chung, Ms. Santos stated that staff received and distributed copies of correspondence from Marlis Mirabile of 7801 Franklin Street, Buena Park, CA 90621 and responses from staff; and a memo from staff adding a Public Works condition requiring the Developer to adhere to the comments stated in Caltrans' letter dated April 6, 2015.

The staff report was presented by Joel Rosen, Community Development Director. The 2.31 acre site contains eight parcels zoned CO (Commercial Office) and is developed with a hospital facility, two nonconforming residential structures, and associated parking lots. The subject site surrounds four properties located along Homewood Avenue which are zone CO and are developed with nonconforming single-family homes. The properties to the north, across Franklin Street, are zoned CO and are developed with a two-story office building and two nonconforming single-family homes. The properties to the east, across Homewood Avenue, are zoned RS-6 (One-Family Residential) and are developed with single-family homes. The properties to the south, across Holt Street, are zoned CO and are developed with a church and an associated parking lot. The properties to the west, across Beach Boulevard, are zoned CO and are developed with small retail/office buildings and nonconforming single-family homes.

Staff recommends that the Planning Commission adopt the attached Resolutions recommending the City Council adopt Ordinances approving Zone Change No. Z15-001 and Development Agreement No. DA15-001.

Located on the east side of Beach Boulevard, between Franklin Street and Holt Street, the site maintains street frontages of the approximately 500 ft. along Beach Boulevard, 270 ft. along Franklin Street, 300 ft. along Homewood Avenue, and 270 ft. along Holt Street. The site includes eight parcels developed with the former Anaheim General Hospital, associated parking lots, and two nonconforming single-family homes, and is bisected by a public alley that ranges from 15 to 20 ft. in width. The four nonconforming single-family homes surrounded by the site along Homewood Avenue are not a part of this application.

In December 2010, the City Council approved the comprehensive 2035 General Plan update to reflect the current conditions of the City and establish the vision for future growth. The 2035 General Plan identifies 10 key focus areas within the City as those with the most potential for growth and change. The subject site is located in the Central Buena Park Focus Area. Historically defined as the heart of the City, the Central Buena Park Focus Area is envisioned as a complementary mix of retail, high-density residential, and office. A primary design characteristic for this focus area includes street-oriented buildings with ground level retail and dining and residential units above. Although the focus area encourages high density mixed-use development, future redevelopment within this area must be compatible with the surrounding single-family neighborhood.

On March 25, 2014, the City Council held a Study Session to review the "OnBeach Mixed-Use Project" preliminary plans for the subject site and supported the project concept. On October 29, 2014, City Staff held a community information meeting at City Hall regarding the proposed mixed-use development. Notice of the meeting was mailed to approximately 196 adjacent property owners in the surrounding neighborhood; approximately 14 residents signed the guest list. Staff presented an informal project overview with preliminary site plan, elevations, and aerial photo presentation. Concerns were expressed regarding potential effects of the new mixed-use development on existing neighborhood. However, at the conclusion of the meeting, the majority of attendees express support for the project.

The submitted application and plans propose construction of the 5-story OnBeach mixed-use development to include 60 age-restricted (55 plus) senior apartments, approximately 45,000 sq. ft. of medical office/retail space, subterranean parking, and other associated parking lot and site improvements on the approximately 2.31 acres site. The proposed development will occur in a two-phase process. First, the two existing structures located on the southerly portion of the site along Beach Boulevard will be demolished to allow for the construction of the proposed 5-story building. Once the new building has been constructed, the existing hospital building will be demolished to allow for the development of the remaining surface parking for the development.

The proposal includes construction of a 5-story building with subterranean parking located at the southwest corner of the site. According to the plan, the ground floor has been configured to provide seven retail/office tenant spaces totaling 22,915 sq. ft., a 638 sq. ft. lobby for the senior apartments, pedestrian corridors, and common restrooms facilities. Although specific tenant have not been identified, the ownership has received interest from restaurants, coffee shops, pharmacy, and spa uses. The second floor has been configured to provide thirteen medical/profession office spaces with common corridor access and common restroom facilities. The top three floors will provide a total of 60 age-restricted (55 plus) senior apartments and associated open space area. Entrances into the building will be provided on all four elevations of the building. Once in the building, two public elevators and one stairway will provide access between the first two floors. Access to the senior apartments located on the top three floors will be provided by separate private elevator and stairway. The design of the building has been configured with adequate integration and separation between uses.

The 60 apartment units on the top three floors will be restricted to 55 years plus senior residents. The floor plan options for the apartments range from a 503 sq. ft. one bedroom and one bathroom unit to a 1,054 sq. ft. two bedroom and two bathroom unit. Each unit also includes private kitchens and living space, while a select number of apartments will feature outdoor patios and private decks. Common open space for the apartment complex

will be provided on the third floor via an outdoor deck area. The 4,085 sq. ft. deck area will feature a putting green, barbeque area, cabana, vegetable garden, rain curtain, and other outdoor amenities. The outdoor deck area will also include 1,474 sq. ft. of landscape material. Other interior amenities include a fitness room, community room, and multipurpose room.

The building has been designed with contemporary urban architecture incorporating eclectic features and a variety of forms and textures. All four elevations will feature varying planes and building heights enhanced with multiple colors and materials such as plaster exterior finishes, polished porcelain tile, and cement siding accents. Other enhancements include architectural corrugated metal panels, decorative aluminum louvers, and balconies with metal and frosted glass railing. The exterior storefront for the ground level retail/office tenant spaces will include aluminum window storefront systems. The building will also feature metal framed super graphics on the north and south elevation designed to provide community and on-site advertisement. When completed, the overall height of both buildings will range in height from 64 ft. along Beach Boulevard to 28 ft. along the rear elevation. The building will be developed with an "urban" edge including a sidewalk/landscaped area ranging from 19 to 22 feet from curb line to building face along Beach Boulevard, 13 to 19 feet. along Holt Street, and no setback along the alley.

Parking facilities for the development will be provided in four locations on the site. The proposed building will maintain a 70 stall subterranean parking lot that will be accessed from Holt Street. A new 89 stall parking lot will be constructed at the northwest corner of the site along Beach Boulevard. Access to the new parking lot will be provided by a new 25 ft. wide driveway along Franklin Street. The existing parking lot at the northeast corner of the site will be restriped to accommodate 58 parking spaces and access will continue to be provided by two existing 25 ft. wide driveways along Franklin Street. The existing parking lot at the southeast corner of the site will be expanded to maintain 55 parking spaces and access will continue to be provided by two existing 25 ft. wide driveways along Holt Street. Once completed, the entire site will maintain a total of 272 parking stalls. Other site improvements include a new vehicular drop off area along the north elevation of the proposed building, decorative concrete surrounding the building, strategic landscape improvements along Beach Boulevard, and rehabilitation of existing parking lot landscape areas.

In conjunction with the development proposal, the applicant is requesting consideration of a Zone Change to allow for the development to move forward. The current zoning for the site is CO (Commercial Office). The proposed Zone Change would change the zoning of the site to GMU (General Mixed-Use) which is consistent with the current Central Buena Park General Plan land use designation for the site.

The proposal will allow the site to transition into a mixed-use development designed to complement newer commercial/office development along Beach Boulevard while preserving the character of the adjacent residential neighborhood as envisioned within the General Plan. The subject site is located within the Central Buena Park Focus Area in the General Plan. The Central Buena Park Focus Area is envisioned as a complementary mix of retail, high-density residential, and office providing local residents the opportunity to shop, work, and live in the historical heart of Buena Park. The key design and form characteristics include mixed-use ground level retail with residential units above. The design features for this focus area include "Street Oriented Buildings" with outdoor gathering spaces and rear parking lot opportunities. The General Plan allows a floor area ratio (FAR) building to lot area of 1 (one) and maximum 45 dwelling units per acre. The proposed development is at a

FAR of .45 and at a density of 26 dwellings units per acre. Based on the scope of the project, architectural design, and massing of the development, Staff feels that the proposed project fulfills the expectations identified for this area within the General Plan.

Staff is of the opinion that the proposed development has been designed to complement the existing single-family neighborhood to the east. The Central Buena Park Focus Area includes a specific design characteristic which ensures compatibility between future mixed-use development along Beach Boulevard and the adjacent neighborhood. The proposed building will be located at the southwest corner of the site which provides a 200 ft. separation from the nearest conforming single-family home. The proposed building height has been designed to transition from 64 ft. high along Beach Boulevard and Holt Street to 28 ft. high along the rear elevation which faces the existing neighborhood. The project also includes new landscape material within the existing parking lot areas. The combination of the building location, building height, and new parking lot landscaping will promote appropriate compatibility between the proposed project and the adjacent neighborhood.

The site and architectural design of the proposed mixed-use development provides appropriate development standards for density, setbacks, massing, open space, parking, and vehicular and pedestrian access, as conditioned. The project incorporates enhanced design, including diverse textures and materials which give the development a unique and appealing quality. Additionally, the developer has provided a quality architectural design, optimum site layout, and amenities that are consistent with other newer mixed-use development within the Orange County region. The proposed development design has been configured to integrate with the existing single-family neighborhood while creating a high quality mixed-use development on a predominant corner in the City.

Staff has reviewed the proposed landscaping, as well as private and common useable open space for the development and feels that the proposed development provides ample open space area. The project provides over 4,000 sq. ft. of outdoor open space area in addition to the other interior residential amenities and individual private deck open space for select units. The outdoor deck will be programmed with a variety of recreation amenities catering to the senior residents. The combination of private and common useable open space will provide appropriate recreation opportunities of the future senior residents of this development.

Finally, in order to insure the highest quality of development, Staff has included conditions related to landscaping, architectural enhancements, and common usable open space amenities.

The proposed project has been reviewed and found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026) and the previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines. In addition, an independent Traffic Impact Study and Parking Analysis have been prepared by DKS Associates to confirm the existing circulation system can accommodate the proposed project. The conclusions and findings of the report reveal that the project could cause traffic congestion on the surrounding streets and appropriate mitigation measures have been prescribed to alleviate the impacts. In regard to parking, the report indicates that adequate parking will be provided on-site to accommodate the proposed mix of uses.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on March 26, 2015, and 196 notices were mailed to property owners and residents within a 300 ft. radius of the subject property on March 26, 2015.

Mr. Rosen added that page 22, line 1 of the proposed Development Agreement, should read, "Beach Boulevard and Holt Street include a hierarchy of trees ..."

Chair Chung asked if there were any questions of staff.

Commissioner Diep asked about the setback to the building along Beach Boulevard.

Mr. Rosen said the building setback ranges between 15 ft. to 20 ft.

Commissioner Diep asked if the proposed project will be cohesive with the City's vision to have protected walkways, with palm trees, along Beach Boulevard.

Mr. Rosen said that part of the proposal is to widen the sidewalk and add new landscape buffers along Beach Boulevard.

Commissioner Barstow asked about the maximum allowable height of the proposed project, Federal Aviation Authority clearance requirements, and if the proposed project includes water-conservation measures.

Mr. Rosen said the height of the proposed project will range from 28 ft. to 64 ft., which does not require FAA clearance. He said the architect/applicant will respond to other questions, including incorporation of water conservation measures in the architect's design, which will be submitted with the construction plans.

Commissioner Gonzales asked about future ownership of the public alley and responsibility for the fence lines on adjacent private properties.

Mr. Rosen and Mr. Henein said the alleys will be City-owned and City-maintained. All or part of the alley, including the fence lines, may have to be refurbished as part of the project.

Commissioners Diep and Schoales asked about undergrounding utilities and whether the existing power poles along the alley will be undergrounded as part of the project. They said they are aware that it is a very expensive process, which may disrupt homeowners where the lines are connected, but undergrounding will enhance the aesthetics of the proposed project. Commissioner Diep commented that perhaps undergrounding can be done in collaboration with the developers.

Mr. Henein confirmed that undergrounding of utilities is a very expensive and laborious process, but there are no specific conditions included to underground the utilities.

Commissioner Schoales asked if the height of the landscaping in the parking lots along Homewood Avenue and Holt Street can be increased in height to shield the homes from car headlights.

Commissioner McGuire asked if the proposed murals/super graphics will include advertisements.

Mr. Rosen said the murals/super graphics will be community-focused, decorative, and will not include advertisements.

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.

David Kim, project architect, Corbel Architects, Inc., 3450 Wilshire Boulevard, Suite 1000, Los Angeles, CA 90010, said the proposed project was conceptualized in accordance with the City's 2035 General Plan, including the design envisioned for the focus area where the project is located. He said the design of the proposed project is compatible with the surrounding areas, with transitional heights - the lowest possible on the single-family side and highest possible to be consistent with the allowable building heights along Beach Boulevard. Mr. Kim clarified that the power poles shown on the slides serve the existing single-family homes and are not for the proposed project. He said Southern California Edison is responsible for power poles. Mr. Kim said landscaping and other aesthetic designs will be drought-tolerant. He also added that landscaping along Homewood Avenue will increase in height to block glare from car headlights.

Dan Vincent, 5741 Darlington Avenue, Buena Park, CA 90621, said he is concerned about the lack of parking spaces provided for the development. He said he does not want the City to require area residents to obtain special City parking permits to park on public streets. Mr. Vincent said the height of the proposed building will block sunlight from the neighboring properties.

Violet Chen, 5801 Homewood Avenue, Buena Park, CA 90621, expressed concerns about loss of privacy due to her home's proximity to the proposed 64-ft. tall building; lack of parking spaces; possible construction-related damages to surrounding homes, including damages to sewer and water lines, and dust and hazardous materials such as asbestos. Ms. Chen said she has not seen a soils report for the proposed construction. She added that 35 parking spaces are not sufficient for the 60 units proposed, especially with the restaurant and medical offices.

Ymelda Jimenez, 5191 Homewood Avenue, Buena Park, CA 90621, introduced herself as a single mother who struggled for many years to purchase her present home. She said she needs assurance that the developer will compensate residents for damages caused by the construction of the proposed project.

Marlis Mirabile, 7801 Franklin Street, Buena Park, CA 90621, discussed her observations and objections to the proposed development, as further described in correspondence distributed to the Planning Commission, including lack of need in Buena Park for additional senior housing, office space, or cafes; incompatibility of the development with the adjacent single family homes; increase in traffic; and construction impacts on nearby properties.

Ms. Mirabile concluded by reiterating her opposition to the proposed project.

Miguel, 5942 Homewood Avenue, Buena Park, CA 90621, expressed concerns about traffic and possible damage to his home as a result of utilities undergrounding. Miguel said he understands that power poles are the responsibility of Southern California Edison but hopes the developer would have the capability to underground all existing power poles. He said the proposed project will block the sunlight from his home, which is one of four homes across the alley from the proposed project, and will negatively affect his quality of life.

Sally Riggs, 5912 Homewood Avenue, Buena Park, CA 90621, said she has resided in the area for about 51 years and is concerned about lack of space for children who have to walk to Eighth Street and Beatty for the nearest park. Ms. Riggs said two area schools, including Montgomery School, have closed, and numerous children walk to the nearest school, and need more space to play. She said most of the tract homes in the area have old sewer and water lines and expressed concern about resulting damage from the construction, including undergrounding of utilities. Ms. Riggs said the proposed project should be relocated to Malvern where there are newer homes.

Ramon G. Geda, 5742 Homewood Avenue, Buena Park, CA 90621, said the proposed project will block ventilation/fresh air coming from the west, and he is concerned about the noise from ambulances serving the hospital, especially at night.

Jesus Garcia, 5771 Homewood Avenue, Buena Park, CA 90621, said he lives in one of the four homes closest to the proposed project. He said his house was built about 50 years ago, and, as a construction worker, he is familiar with the possible resulting damages to nearby homes during the construction process. He said he needs assurance that he will be compensated for damages to his home caused by the proposed construction.

Mary Pennington, 6411 Stanton Avenue, Buena Park, CA 90621, said she respects the area residents' concerns about the proposed project; however, she has lived in the City for 44 years and believes that the existing structures on the proposed site, which were built approximately 40 years ago, are strongly in need of upgrades. She emphasized that the proposed project includes medical offices, not a hospital.

Flora Chen, 5882 Beach Boulevard, Buena Park, CA 90621, said she represents the church referred to in the staff report in relation to plans for shared parking. Ms. Chen clarified that she is not aware of any shared parking agreement with the church.

Paul Chang, representing the applicant, FEGI, LLC, 3920 Wilshire Boulevard, Los Angeles, CA 90010, said he understands the concerns raised by the neighbors, including residents of the four non-conforming single-family homes along Homewood; however, there are mitigation measures in place to address those concerns. Dr. Chang reiterated that the proposed project will provide the needed upgrade to the site by allowing transition to a mixed-use development that will complement newer commercial/office development along Beach Boulevard while ensuring compatibility of character with the adjacent residential neighborhood as envisioned in the General Plan.

Dr. Chang said the 60 age-restricted (minimum 55 years old) senior apartments and the medical offices within the complex will respond to the needs of the growing community of seniors in the City. He concluded by saying that the neighbors' comments are well-taken and the applicant will make sure that the proposed project will provide the much-needed upgrades to the proposed site, turning it into a much safer area.

In response to traffic and parking concerns, Dr. Chang said there will be sufficient parking, as described in the staff report; the proposed medical offices will have designated hours when patients can be seen, such as from 9 am to 3 pm; and the medical offices will be closed during the anticipated peak hours of restaurants, which are in the evening and on week-ends.

David Kim, applicant representative, CORBEL Architects, 3450 Wilshire Boulevard, Suite 1000, Los Angeles, CA 90010, said undergrounding will be for a depth of 10 ft., with the architectural and structural load bearing to be angled, so no damages from shoring are expected. He also said that only earth/wooden drilling will be used, without any power-impact equipment. Mr. Kim said that during the construction process, water and sewer lines will not be affected; there will be no power interruptions; and sunlight will not be blocked entirely from neighboring residents, who are welcome to enjoy the sunlight from the proposed building's open rooftop. In response to the residents' concern about possible construction-related damages to their homes, he said that, as required, the developers will have liability insurance.

Commissioner Barstow said that one of the speakers mentioned possible exposure to asbestos resulting from demolition of old buildings during the construction process. He asked about the probability of such exposure.

Mr. Kim said that during Phase I of the demolition permit process, the applicant is required to have an asbestos abatement company investigate and remove any hazardous materials.

Commissioner Schoales commented that the ratio of 35 parking spaces for a 60-unit senior apartment does not seem accurate. He then asked for clarification on the parking study.

Mr. Rosen responded that the 35 parking spaces referred to in the study were for the shared parking analysis not the total number of spaces assigned to the senior housing.. There are 70 parking spaces in the subterranean parking area.

Mr. Rosen said there will be sufficient parking, including subterranean parking, with additional parking at the northeast and southeast corners of the site, and a new vehicular drop-off area along the north elevation of the proposed building. He said Planning Commission may consider adding conditions prohibiting the use of driven piles as part of the construction, requiring the developer to submit their liability insurance certificate prior to start of construction, and requiring removal of all unneeded utility poles along the alley. Mr. Rosen also clarified that the statement about shared parking in the parking study refers to an alternative should parking not be sufficient. However, this will not be necessary because once completed, the entire site will maintain a total of 272 parking stalls.

In response to concerns raised about offsite improvement and sidewalk dedications, Mr. Rosen said the design of the proposed project provides appropriate development standards for density, setbacks, massing, open space, parking and vehicular and pedestrian access, as conditioned. He said staff has also included conditions related to landscaping, architectural enhancements, and common usable open space amenities.

Commissioner Gonzales asked about the probability of occasional ambulance drop-offs and pick-ups at the medical facility.

Mr. Rosen said ambulance drop-offs and pick-ups would be periodic and not as frequent as in hospital settings.

Commissioner Barstow asked how staff can mitigate dust, noise and other construction-related problems that can arise.

Mr. Rosen said staff will regularly inspect the site during the construction process and will respond to citizen complaints.

Mr. Fox said the Air Quality Management District (AQMD) has stringent requirements for cities and counties to meet and imposes large financial penalties on violators.

Commissioner McGuire asked how the project will impact the four non-conforming single-family homes. Commissioner Schoales asked about the distance of the four homes from the proposed project.

Mr. Kim said the proposed building will provide a 200 ft. separation from the nearest conforming single-family home.

Mr. Rosen said the four non-conforming single-family homes surrounded by the site along Homewood Avenue are not a part of this application; however, the design will promote compatibility between the proposed project and the adjacent neighborhood.

Commissioner McGuire asked about the reimbursement process for construction-related damages.

Mr. Rosen said the project manager is the usual contact person but the Community Development Director may also be contacted.

Commissioner Diep said parking requirements may also be based on certain factors for various types of uses, such as number of persons per household for senior housing, etc. She asked if these statistics were considered in the parking study.

Mr. Rosen said that household size, and other information, are part of the parking study, which also includes peak demands of various uses, such as medical offices and restaurants.

Commissioner Diep commented that the proposed mixed-use project consisting of medical offices, retail/restaurant, senior housing, common usable open space amenities, and parking ratio, is compatible with the growing population of seniors in Orange County and the increase in the average person's lifespan. She added that the proposed design is as envisioned in the General Plan

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 Diep moved, and Commissioner Barstow seconded, the motion to adopt the Resolutions recommending City Council approval of Zone Change No. Z15-001 and Development Agreement No. DA15-001, with the following changes: 1) Page 22, line 1 of the proposed Development Agreement to read, "Beach Boulevard and Holt Street include a hierarchy of trees..."; 2) a condition requiring the Developer to adhere to the comments stated in Caltrans' letter dated April 6, 2014; 3) a condition prohibiting the use of driven piles during the construction process; and 4) a condition requiring the Developer to submit liability insurance to the Community Development Director prior to start of construction.

**RESOLUTION NO. 5955
ZONE CHANGE NO. Z15-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE NO. Z15-001 PERTAINING TO CERTAIN PROPERTY LOCATED AT 5742 TO 5832 BEACH BOULEVARD AND 5811, 5821, AND 5831 HOMEWOOD AVENUE WITHIN THE CITY OF BUENA PARK

**RESOLUTION NO. 5956
DEVELOPMENT AGREEMENT NO. DA15-001**

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. DA15-001 TO DEMOLISH AN EXISTING HOSPITAL FACILITY AND TWO NONCONFORMING RESIDENTIAL STRUCTURES AND CONSTRUCT A 5-STORY MIXED-USE DEVELOPMENT TO INCLUDE 60 SENIOR APARTMENTS, APPROXIMATELY 45,000 SQ. FT. OF MEDICAL OFFICE/RETAIL SPACE, SUBTERRANEAN PARKING, AND OTHER ASSOCIATED PARKING LOT AND SITE IMPROVEMENTS ON APPROXIMATELY 2.31 ACRES OF LAND LOCATED AT 5742 TO 5832 BEACH BOULEVARD AND 5811, 5821, AND 5831 HOMEWOOD AVENUE IN THE GMU (GENERAL MIXED-USE) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

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

NOES: 0 COMMISSIONER:

ABSENT: 1 COMMISSIONER: Capelle

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

None

STAFF REPORTS:

Mr. Rosen reported on the status of the proposed Tesla auto dealership.

COMMISSION REPORTS:

Commissioner Barstow reported on the successful groundbreaking ceremony for Rock & Brews.

Chair Chung reported on his recent trip to Washington DC.

ADJOURNMENT:

At 9:05 p.m., Chair Chung adjourned the meeting to the Planning Commission meeting on Wednesday, April 22, 2015, in the City Council Chamber.



Jae Joon Chung
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary