

CITY OF BUENA PARK
 MINUTES OF CITY PLANNING COMMISSION
 April 13, 2016

The regular meeting of the Planning Commission of the City of Buena Park convened at 7:00 p.m. on April 13, 2016, 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
 Brady Woods, Senior Planner
 Kirt Coury, Planner
 Craig Fox, Deputy City Attorney
 Ruth Santos, Senior Administrative Assistant

CONSENT CALENDAR:

1. **APPROVAL OF MINUTES** February 10, 2016
 Adjourned Meeting of February 24, 2016
 Adjourned Meeting of March 9, 2016
 Adjourned Meeting of March 23, 2016

RECOMMENDED ACTION: Approve

Commissioner Barstow made the following correction to the minutes of February 10, 2016, Item No. 3:

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

Commissioner Gonzales moved and Commissioner Diep seconded the motion to approve the minutes, with the correction stated by Commissioner Barstow.

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

2. GENERAL PLAN FINDING OF CONFORMANCE NO. CGP15-002

A request to determine that the proposed Fullerton Creek Channel North Wall Improvement Project will conform with the City of Buena Park General Plan.

APPLICANT: County of Orange Public Works Department
300 N. Flower Street
Santa Ana, CA 92703

RECOMMENDED ACTION: Adopt Resolution of Approval

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

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

**RESOLUTION NO. 5995
GENERAL PLAN FINDING OF CONFORMANCE NO. CGP15-002**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
BUENA PARK FINDING THE PROPOSED FULLERTON CREEK
CHANNEL, NORTH WALL IMPROVEMENT PROJECT IS IN
CONFORMANCE WITH THE GENERAL PLAN**

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

PUBLIC HEARING:

NEW BUSINESS:

3. CONDITIONAL USE PERMIT NO. CU16-001

A request to establish the sale of beer and wine for on-site consumption within a 5,433 sq. ft. restaurant at 5350 Beach Boulevard in the CS (Commercial Shopping) zone. The project is Class 1 Section 15301, categorically exempt from CEQA.

PROPERTY OWNER: A & EE, LLC
3435 Wilshire Boulevard, Suite 1710
Los Angeles, CA 90010

APPLICANT: Adam Cho
5350 Beach Boulevard
Buena Park, CA 90621

RECOMMENDED ACTION: Adopt Resolution of Approval

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

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

The subject property is zoned CS (Community Shopping) and developed with a 5,433 sq. ft. restaurant building, formerly operated as Mr. 6, which is currently vacant. A new restaurant operator has submitted construction plans for interior modifications to the existing restaurant building, to be operated as Hamji Park. The properties to the north, south, east, and west are zoned CS and are developed commercially. The nearest residential development is zoned RM-20 and developed with apartments, located approximately 220 ft. to the east of the restaurant building.

Staff recommends that the Planning Commission adopt the attached Resolution approving Conditional Use Permit No. CU16-001 with findings of fact and conditions.

The property is located on the east side of Beach Boulevard, between Malvern Avenue and Cascade Way, with street frontage of 188 ft. along Beach Boulevard and an area of .79 acres. The site was originally developed with a Denny's restaurant in 1977, including City Council approval of an Alcoholic Beverage Application for an inter-county transfer of a Type "47" license, with sale of beer, wine, and distilled spirits for on-site consumption. A Conditional Use Permit (CUP) was not required at that time and the restaurant continued operation as a "legal non-conforming" use. The restaurant was considered "legal non-conforming" to the Zoning Code in that there was no CUP for the on-site consumption of alcohol as currently required.

In 2013, "Mr. 6" restaurant obtained a business license for a full service restaurant, as a continuation of the legal non-conforming operation of the existing restaurant with sale of beer, wine, and distilled spirits. The Mr. 6 restaurant closed in April 2015. The building has been vacant since the restaurant closure and pursuant to the Buena Park Zoning Code has lost their legal non-conforming status and must now comply with the Zoning Code requirement to obtain a CUP for on-site consumption of alcohol. The applicant has submitted construction plans for modification of the existing floor plan and a Conditional Use Permit to allow service of beer and wine for on-site consumption as an amenity to food service.

The proposed 5,433 sq. ft. full service Hamji Park restaurant is a family operated business that will serve Korean style barbeque food and other specialty dishes. The restaurant has two other locations in Los Angeles, and the proposed restaurant will be their first location within Orange County.

The restaurant floor plan will be reconfigured to accommodate an open dining area, five banquet rooms, four food preparation areas, kitchen with walk-in freezer and coolers, restrooms, and a waiting area at the restaurant entrance. The restaurant will offer Korean cuisine with the sale of beer and wine for on-site consumption. As proposed, the restaurant will serve lunch and dinner between 11:00 a.m. to 11:00 p.m. on weekdays and 11:00 a.m. to

12:00 a.m. on weekends. The restaurant will require 10-15 employees. Architecturally, the exterior of the building will remain the same and will continue to complement the surrounding commercial developments within the area.

There will be no site modifications. Site ingress and egress will continue to be provided via the existing driveway along Beach Boulevard and the parking configuration will remain the same. A total of 54 parking spaces are provided, with 23 standard stalls, 27 compact parking spaces, 2 handicap accessible, and 2 loading stalls; 54 spaces are required by Code. Proposed sign plans will be submitted separately, subject to the approval of the Planning Division.

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 the full service restaurant via the Conditional Use Permit process since the alcohol license that was previously granted for Denny's restaurant in 1977 has lapsed. Previously, the Mr. 6 restaurant operated as a continuing use, serving beer, wine, and distilled spirits, without a CUP or associated conditions. The current proposal allows for conditions of approval to assure operation compatible with adjacent businesses and nearby residences.

In reviewing the applicant's request, staff reviewed plans and visited the property and is of the opinion that the facility and site continue to be adequate to support the sale of beer and wine for on-site consumption at the restaurant. Staff believes that on-site sale and consumption of alcoholic beverages will continue to be appropriate within the context of the full-service restaurant. Adequate separation is provided between the restaurant location and the closest residential property located approximately 220 ft. to the east. Based on compliance with conditions of approval, staff believes that beer and wine sales for on-site consumption at the restaurant will not negatively impact the existing shopping center or surrounding properties.

The site was originally developed with a full service restaurant that included the sale of alcohol and will continue to operate at a similar scale and with similar business operations. As conditioned, the on-site sale and consumption of beer and wine will be incidental to the restaurant use, with alcohol sales only in conjunction with food service. The proposed hours of operation from 11:00 a.m. to 11:00 p.m. on weekdays and 11:00 a.m. to 12:00 a.m. on weekends are consistent with similar hours of operation for other restaurants in the vicinity. To ensure the incidental use, conditions of approval will require that gross food sales receipts exceed gross receipts of alcoholic beverages and those alcoholic beverages be served only in conjunction with food sales. The Buena Park Police Department reviewed the proposal and hours of operation and has no objection to the sale of beer and wine for on-site consumption as an incidental use to the full service restaurant, as proposed.

The proposed restaurant with on-site sale and consumption of beer and wine, as conditioned, will continue to comply with the Zoning Ordinance requirements for access circulation, landscaping, parking, and architectural design. The site will maintain the Code prescribed amount of 54 parking spaces. The existing driveway will continue to provide appropriate access to the site. As proposed, the full service restaurant with on-site sale and consumption of beer and wine will contribute to the long term vision to create a mix of compatible uses in the Commercial Office Mixed-Use area, as identified in the General Plan land use map.

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 April 1, 2016, and 11 notices were mailed to property owners within 300 ft. radius of the subject property on April 1, 2016.

Chair Capelle asked if there were any questions of staff.

Commissioner Gonzales asked what the color scheme is for the exterior of the building.

Chair Capelle said that this is a public hearing. If there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

Adam Cho, applicant, 5350 Beach Boulevard, Buena Park, CA 90621, said the color scheme of the exterior of the building is black.

Keith Gardner, representing property owner A & EE, LLC, 3435 Wilshire Boulevard, Suite 1710, Los Angeles, CA 90010, said the property owner is agreeable to all conditions of approval.

There being no one else wishing 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 Gonzales seconded the motion to adopt the following titled Resolution recommending Conditional Use Permit No. CU16-001 with findings of fact and conditions therein.

**RESOLUTION NO. 5996
CONDITIONAL USE PERMIT NO. CU16-001**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUENA PARK APPROVING A REQUEST FOR ISSUANCE OF CONDITIONAL USE PERMIT NO. CU16-001, TO ESTABLISH THE SALE OF BEER AND WINE FOR ON SITE CONSUMPTION AT A FULL SERVICE RESTAURANT AT 5350 BEACH BOULEVARD WITHIN THE CS (COMMUNITY SHOPPING) ZONE

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

NOES: 1 COMMISSIONER: Gonzales

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

4. DEVELOPMENT AGREEMENT NO. DA16-001

A request to consider a recommendation to the City Council for a Development Agreement to construct and operate a 10-story hotel with 150 rooms, to include a five (5) level parking structure, restaurant with outdoor dining, conference/banquet space, roof top restaurant/bar, hotel guest amenities and related site improvements as well as the sale of alcoholic

beverages for on-site consumption on 1.45 acres of land located at 7860 Beach Boulevard. The project is Class 32 Section 15332, categorically exempt from CEQA.

PROPERTY OWNER: City of Buena Park as Successor Agency to the former Community Redevelopment Agency
6650 Beach Boulevard
Buena Park, CA 90620

PROJECT PROPONENTS: Stanford Buena Park, LLC
5659 Mansfield Way
Bell, CA 90201

Fore Architects, Inc.
3550 Wilshire Boulevard, Suite 1777
Los Angeles, CA 90010
Buena Park, CA 90621

RECOMMENDED ACTION: Adopt Resolution recommending
City Council Approval

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

The staff report was introduced by Kirt Coury, Planner.

The subject property is zoned ECSP (Entertainment Corridor Specific Plan) and is vacant land that was previously developed with the Best Inn & Suites Hotel. Properties to the north and south are zoned ECSP and RM-20 (Medium Density Multifamily Residential) and are developed with the Amaya and Cho Sun Ok restaurants. An apartment complex accessed from Oleander Circle to the east of the subject site which also extends to a portion of the north side of the subject property. The properties across Beach Boulevard to the west, are zoned ECSP and include an undeveloped parcel formerly occupied by the Pioneer Motel and the now closed former Sagan restaurant.

Staff recommends that the Planning Commission adopt the attached Resolution recommending the City Council adopt an Ordinance approving Development Agreement No. DA16-001.

The project site under application is located on the east side of Beach Boulevard, north of La Palma Avenue, with a street frontage of 140 ft. and land area of 1.45 acres. The site was previously developed with the 33-room Best Inn and Suites. In December 2008, the property was purchased by the Buena Park Redevelopment Agency with site improvements demolished in 2010 to allow for future redevelopment. The long term vision for the property included entertainment venues, lodging, and restaurant uses. The property is currently owned by the City of Buena Park as Successor Agency to the former Community Redevelopment Agency and is being acquired by an international hotelier for development and operation of a "Hotel Stanford".

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 regulate development of 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 formerly 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.

Hotel Stanford is an expanding boutique hotel chain with locations in Seoul, Korea, Panama City, Panama, Santiago, Chile, New York City, and Tukwila, Washington. It is owned by Seoul Trading USA Co, which is the leading distributor of Asian food products in the U.S., Canada, Korea, China and Southeast Asia. In addition, Seoul Trading USA Company is the owner of the H-Mart chain and New Bank.

The submitted application and plans propose construction and operation of a 10-story hotel with 150 rooms, to include a five (5) level parking structure, restaurant with outdoor dining, conference/banquet space, rooftop restaurant/bar, hotel guest amenities and related site improvements as well as sale of alcoholic beverages for on-site consumption on a 1.45 acre site.

The submitted plans indicate a 123,138 sq. ft., 10-story 136 ft. tall hotel building with an attached five level parking structure located toward the rear of the property. The main hotel entrance/lobby will be accessed via a covered entry on the south side of the building and via a double door entry from the first floor of the parking structure. The lobby/concierge area includes a coffee/snack bar with seating, elevator lobby, restroom facilities, a 1,352 sq. ft. meeting room, and service rooms. Adjacent to the entrance lobby is a 1,832 sq. ft. restaurant with seating for approximately 126 persons, with associated 507 sq. ft. banquet meeting room, bar, reception area, restrooms, kitchen, storage, loading/trash room, and a 492 sq. ft. enclosed outdoor dining patio. Floor two is configured with two banquet rooms totaling 5,409 sq. ft., a pre-function lobby, rooms for special occasion preparation and photo opportunities, storage, restroom facilities and a 2,780 sq. ft. outdoor deck. Floor three is configured with a 1,740 sq. ft. fitness room and outdoor deck, spa, swimming pool, and housekeeping/laundry services. There will be a total of 150 guest rooms, including standard rooms (340 – 400 sq. ft.), suites (440 – 600 sq. ft.), and executive suites (680 sq. ft.) located on floors four through nine. Floor 10 (Penthouse) is configured with a 2,573 sq. ft. restaurant and bar, food preparation room with cooler, restrooms, and outdoor patio.

The proposed five level parking structure is approximately 88,010 sq. ft. and will provide a total of 204 parking spaces, with 10 additional spaces immediately adjacent to the hotel building, for a total of 214 parking spaces. The primary entrance to the structure is from the main drive aisle located on the west side of the building. Interior drive aisles will be 25 ft. wide and there will be two stairwells, located on the northwest and southwest corners of the structure. There is also a guest elevator located adjacent to the stairwell at the southwest corner of the structure. Direct access to the parking structure from the hotel building is provided on floors one, two and three.

The hotel building will be approximately 10 ft. from the north property line, 55 ft. from the south property line, and 64 ft. from the west Beach Boulevard property line, with the parking structure attached on the east side of the main hotel building. A 10 ft. wide landscape setback buffer, including densely planted trees and a garden pathway, will be provided along the north, south and east property line, adjacent to the parking structure, shared with the adjacent multi-family apartment complex, as well as a 10 ft. tall decorative masonry wall. The parking structure will be set back 25 ft. to 55 ft. from the adjacent multifamily apartment

buildings. A 6-ft. tall architectural green mesh fence with climbing vines will separate the site from the rear parking area of the adjacent commercial property to the north.

Architecturally, the building has a sleek, modern design, emphasizing decorative metal and glass with a rectangular building, including metal clad geometric shaped porte cochere, angled support columns, varied window sizes, wrap-around corner view windows, grid and hexagonal patterned metal siding, metal accent paneling on the east and west sides, and smooth textured stucco. The restaurant dining patio located on the west side of the building will be surrounded by a low wall approximately 42 in. tall. The hotel building exterior finishes and materials will have a gray and white color scheme. The proposed parking structure will be constructed of concrete and is designed for required ventilation, emergency and disability access to be partially enclosed on the south, north, and west sides and substantially enclosed on the east side, facing toward the adjacent garage of the multi-family apartment complex. The exterior of the structure will be painted white with orange accents to coordinate with the modern design of the main hotel building. Signage for the hotel is proposed on the building frontage and/or on the new digital way-finding sign to be located along Beach Boulevard.

Vehicular access to the site is provided along Beach Boulevard, via two right-turn in/right-turn out only driveways, with shared access and internal connections between the property to the north at 7850 Beach Boulevard and the property to the south at 7880 Beach Boulevard. The main entrance to the site is at the southern driveway with a 34 ft. wide main drive aisle that narrows to 22.5 ft. at a circular roundabout adjacent to the entrance of the parking structure and the loading area in front of the lobby entrance to the hotel. This drive aisle will be delineated with enhanced concrete paving in a decorative pattern. The proposed at-grade front parking area has been configured to accommodate 10 parking spaces, one loading space at the northwest corner of the building, three loading spaces adjacent to the proposed entry cover, with 204 parking spaces within the proposed parking structure. Valet parking service will also be provided. The existing on-site vehicle connections with the commercial properties to the north and south will be retained.

An independent Parking Demand Analysis has been prepared by Linscott Law & Greenspan, Engineers based on the methodology outlined in Urban Land Institute's (ULI) Shared Parking, 2nd Edition to confirm that the proposed parking can accommodate the hotel project. The conclusions and findings of the report substantiate that the proposed parking supply of 214 spaces is sufficient and can accommodate the project parking demand, including peak weekday and peak weekend conditions.

Landscaping along the Beach Boulevard street frontage will include 24 in. and 36 in. box trees, flowering shrubs and low accent ground cover. In addition, palm trees will be planted within the 7 ft. wide public right-of-way frontage as well as a new 10 ft. wide public sidewalk dedication, per the adopted AECOM Beach Boulevard Street Improvement Plan. The project will include 4,655 sq. ft. of landscaping with parking lot and landscape planters along the north, south and east property lines, a circular planter in the center of the main drive aisle roundabout, and decorative potted plants and in-ground planters adjacent to the main entrance lobby. In order to provide a buffer between the proposed project and the adjacent apartment complex, the applicant is proposing a 10 ft. wide setback, with garden walkway and landscape, along the north, south and east sides of the proposed parking structure to include densely planted Italian Cypress trees, with a new 10 ft. tall decorative masonry perimeter wall, adjacent to the apartment complex. In addition, 6 ft. tall architectural green

mesh fencing with climbing vines is proposed to be adjacent to the parking area of the commercial property to the north.

Accent landscaping will also be provided along the perimeter of the second floor deck and the penthouse roof deck landscaping will consist of a combination trees, shrubs accent ground cover and potted plants.

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 the proposed hotel with full service restaurant serving alcoholic beverages on the subject property requires an executed 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 hotel without negatively impacting the subject and surrounding properties. Since the sale of alcohol is considered typical within hotel full-service restaurants, and since the proposed hotel building will maintain a 105 ft. separation from the apartment complex to the east, which includes a five level parking structure and a 10 ft. wide separation with screen tree buffer and new 10 ft. tall block perimeter wall, staff feels that there will be adequate buffering and separation from the adjacent apartment complex.

The proposed hotel building with parking structure and associated site improvements, as conditioned, comply with the applicable Zoning Ordinance requirements for circulation, access, landscaping, parking, and architectural design. Once completed, the site will have 214 parking spaces, which according to the independent Parking Demand Analysis prepared by Linscott Law & Greenspan, Engineers is sufficient to accommodate the project parking demand, including peak weekday and peak weekend conditions. The primary southern driveway along Beach Boulevard will provide appropriate vehicular access to and from the site. The shared driveway along the north property line will provide additional access and encourage continued direct connection with the adjacent properties. Regarding building architecture, the proposed hotel building will complement the design of existing and intended entertainment related uses within the Specific Plan area and fulfill the land use and economic development expectations for the Entertainment Corridor.

The proposed Hotel Stanford project will assist in advancing the long term vision for this area along Beach Boulevard as identified in the City's General Plan and Entertainment Corridor Specific Plan, consistent with the AECOM Beach Boulevard Street Improvement Plan. The property is located in the heart of the Entertainment Corridor Focus Area and is envisioned as a pedestrian-friendly tourist-oriented destination connecting Knott's Berry Farm to the Mall and other visitor serving uses on 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 patronize local attractions without leaving the Entertainment Corridor. The proposed hotel will complement the vision for this area by providing a premier lodging opportunity along Beach Boulevard.

The project is Class 32, Section 15332, categorically exempt from CEQA and is also found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026). The previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on April 1, 2016, and 26 notices were mailed to property owners within a 300 ft. radius of the subject property on April 1, 2016.

Chair Capelle asked if there were any questions of staff.

Commissioner Gonzales asked if the height of the proposed hotel is compatible with the height of the surrounding buildings in The Source project, including the Hilton Hotel.

Mr. Rosen said the height of the proposed project is compatible with the height of the Hilton Hotel and other structures on The Source.

Commissioners Diep and Barstow asked about cameras, security guards, lighting and other measures to ensure security along the U-shaped area, with landscaping, around the parking structure. Commissioner Diep also asked staff to describe the green mesh fence adjacent to the parking area, for an assurance that the fence described is not chain link that trespassers can go through. Commissioner Diep also asked about access to the various floors.

Mr. Rosen said the ground level of the parking structure will be covered, and the details on cameras, lighting, and other security measures for pedestrians around the parking structure will be included in the final review of the plans. He added that the applicant can expound on this, as well as answer other questions during the public hearing portion of this meeting.

Mr. Coury said the green mesh fence is not chain link. He described it as architectural, with climbing vines, and not meant for people to go through.

Commissioner Schoales asked about plans for the sidewalk parkway along Beach Boulevard, which has a fire hydrant in the center and a 2 ft. high structure that looks like an Edison vault.

Mr. Rosen said the fire hydrant and other structures in the middle of the sidewalk will either be modified or relocated by Public Works, with the permission of the respective property owners.

Commissioner Schoales asked if it would be necessary to include a condition requiring the modification or removal of such structures from the middle of the sidewalk.

Mr. Rosen said it would not be necessary to add a condition because it will be covered by the requirement to dedicate the appropriate sidewalk area, and will be part of the review process of all street improvement plans.

Commissioner Barstow asked if the proposed landscaping plans will comply with the water-saving measures of the City. He also asked about signage on the building.

Mr. Coury said the proposed landscape will comply with the City's water-saving measures.

Mr. Rosen said staff is currently in discussion with the applicant regarding the location of the signs.

Commissioners McGuire and Schoales asked about egress along Beach Boulevard.

Mr. Rosen said vehicles can access the site from Beach Boulevard through two right-turn in/right turn out only driveways, with shared access and internal connections between the property to the north and the property to the south.

Chair Capelle said that this is a public hearing. If there is anyone wishing to speak on the item, please come forward and state their name and address for the record.

Ryan Taesik Chun, representing the applicant, Fore Architects, Inc., 3550 Wilshire Boulevard, Suite 17777, Los Angeles, CA 90010, said the existing traffic plan on the proposed project was pre-established by the City traffic engineer prior to their submittal of this application. Mr. Chun said there is open access to the second floor which has banquet rooms and other public function rooms, while the third floor which has a fitness room, outdoor deck, spa, and swimming pool will have key access.

Lynda Luistro, 7777 Gardenia Drive, Buena Park, expressed concerns about security, noise, parking, and privacy due to the height of the proposed hotel. Ms. Luistro mentioned current cases of buses idling at the nearby Radisson Hotel. She also said the proposed project would mean more water usage which may conflict with the City's water conservation efforts.

Mr. Chun said there will be a 24-hour security guard and sufficient lighting. He added that the proposed 10-ft. wide setback and landscape along the north, south, and east sides of the proposed parking structure, including trees, a new 10 ft. tall perimeter wall adjacent to the apartment complex, and a 6 ft. tall architectural green mesh fencing adjacent to the parking area of the commercial property to the north, are all designed to provide a buffer between the proposed project and the surrounding properties. Mr. Chun said the proposed project, including landscaping, will adhere to the water-saving measures of the City.

Commissioner Gonzales asked about bus parking spaces for guests.

Mr. Chun said there will be three parallel parking spaces reserved for guest buses and limousines in front of the hotel.

Commissioner Diep asked about the wall to the west of the green mesh fence. She said it looks like the wall ends toward the middle of the property. She also suggested a mural on the wall by the parking lot.

Mr. Chun said the opening is for emergency services access.

Commissioner McGuire asked about the planned room rates.

Mr. Chun said the room rates will be in the range of \$150 to \$160 a night.

There being no one else wishing 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 Gonzales moved and Commissioner Barstow seconded the motion to adopt the following titled Resolution recommending approval to the City Council with findings.

**RESOLUTION NO. 5997
DEVELOPMENT AGREEMENT NO. DA16-001**

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. DA16-001 TO CONSTRUCT AND OPERATE A 10-STORY HOTEL WITH 150 ROOMS, TO INCLUDE A FIVE (5) LEVEL PARKING STRUCTURE, RESTAURANT WITH OUTDOOR DINING, CONFERENCE/BANQUET SPACE, ROOF TOP RESTAURANT/BAR, HOTEL GUEST AMENITIES AND RELATED SITE IMPROVEMENTS AS WELL AS THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION ON 1.45 ACRES OF LAND LOCATED AT 7860 BEACH BOULEVARD IN THE ECSP (ENTERTAINMENT CORRIDOR SPECIFIC PLAN) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

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

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

5. DEVELOPMENT AGREEMENT NO. DA16-002

A request to consider a recommendation to the City Council for a Development Agreement to construct and operate a 5-story hotel with 149 rooms, to include two (2) restaurants with outdoor dining, conference/banquet space, hotel guest amenities and related site improvements as well as the sale of alcoholic beverages for on-site consumption on 2.25 acres of land located at 7851 Beach Boulevard. The project is Class 32 Section 15332, categorically exempt from CEQA.

PROPERTY OWNER: City of Buena Park as Successor Agency to the former Community Redevelopment Agency
6650 Beach Boulevard
Buena Park, CA 90620

PROJECT PROPONENTS: BA Hotel & Resort, LLC
1141 Beach Street
Cerritos, CA 90703

Sohn Architects
1071 W 190th Street
Los Angeles, CA 90248

RECOMMENDED ACTION: Adopt Resolution recommending City Council Approval

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

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

The subject site is zoned ECSP (Entertainment Corridor Specific Plan) and is vacant land that was previously developed with the former Pioneer Motel. The properties to the north are zoned ECSP and RS-6 (One Family Residential) and are developed with the former Sagan Restaurant building and single family residential, respectively. The property to the south is zoned ECSP is developed with McDonalds restaurant. The property to the east, across Beach Boulevard, is zoned ECSP and is undeveloped, but formerly occupied by the Best Inn & Suites Hotel. The property to the west is zoned ECSP and is currently undeveloped.

Staff recommends that the Planning Commission adopt the attached Resolution recommending the City Council adopt an Ordinance approving Development Agreement No. DA16-002.

The project site under application is comprised of two parcels located on the west side of Beach Boulevard, north of La Palma Avenue, with a street frontage of 147 ft. and land area of 2.25 acres. In December 2008, the property was purchased by the Buena Park Redevelopment Agency and all site improvements were demolished in 2010 to allow for future redevelopment. The long term vision for the property included entertainment venues, lodging, and restaurant uses. The subject property is currently owned by the City of Buena Park as Successor Agency to the former Community Redevelopment Agency.

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 regulate development of the properties formerly 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 formerly 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.

Aloft Hotels is a mid-scale, urban-style business/boutique hotel chain with locations in the United States, Canada, Europe, and Asia. It is owned by Starwood Hotels & Resorts Worldwide.

The submitted application and plans propose construction and operation of a five (5) story, 103,344 sq. ft. hotel with 149 guest rooms, two restaurants with outdoor dining, conference/banquet space, hotel guest amenities, and related parking/site improvements as well as the sale of alcoholic beverages for on-site consumption on a 2.25 acre site.

The submitted plans indicate a 103,344 sq. ft., five (5) story, 65 ft. tall hotel building with an adjacent surface parking lot located to the west of the hotel. The main hotel entrance/lobby will be accessed via a covered entry on the south side of the building. The lobby/reception

area includes a 59-seat dining area with bar/lounge, 1,167 sq. ft. open-air social gathering space, elevator lobby, restroom facilities, two meeting rooms totaling 972 sq. ft., and service rooms. The first floor also includes 6,959 sq. ft. for two restaurants, a 1,091 sq. ft. beauty salon, and a 5,250 sq. ft. banquet room. The second floor is configured with a 1,393 sq. ft. fitness center, outdoor deck, spa, swimming pool, and guest laundry services in addition to standard guest rooms (327 – 419 sq. ft.) and a VIP suite (1,083 sq. ft.). Floors 3 through 5 are configured with standard guest rooms (327 – 419 sq. ft.) and one VIP suite (1,083 sq. ft.) per floor. There will be a total of 149 guest rooms.

The hotel building will be approximately 20 ft. from the east property line fronting Beach Boulevard, 41 ft. from the south property line and 275 ft. from the west property line. The main (65 ft. tall) portion of the building (guest rooms on floors 2 through 5) will be setback approximately 81 ft. and the lower portions of the building (less than 15 ft. tall) are setback 10 ft. from the north property line adjacent to single family residential development. A 10 ft. wide landscape setback to include screening trees will be provided along the north property line adjacent to the single family residences for added buffering. In addition, the existing 5 ft. to 7 ft. tall concrete block wall along the north property line will be replaced with an 8 ft. tall decorative masonry wall.

Architecturally, the building will have a contemporary streamlined design, including a rectangular shape, varied window sizes, balconies with glass guardrails, metal siding with accent paneling, and stucco, tile, aluminum, and concrete wall finishes. The restaurant dining patio located on the front side of the building will be surrounded by a decorative low wall approximately 54 in. tall. The hotel building exterior finishes and materials will have a gray and white scheme with yellow and blue accents. The identifying roof element will feature multicolored racing stripes on the fascia and soffit, consistent with the hotel branding. Signage for the hotel is proposed on the building frontage, as well as a new monument sign.

Vehicular access to the site is provided from Beach Boulevard, via an access drive shared with the property to the south at 7861 Beach Boulevard (McDonalds Restaurant). The developer will enter into a reciprocal access easement with the property owner(s) of this adjacent parcel, immediately abutting the project site, to construct a joint-access driveway in substantial compliance with plans stamped "RECEIVED MAR 28 2016 PLNG. DIV." to service both properties as recommended by the City's Public Works Department (Traffic Division) before Certificate of Occupancy is issued.

The proposed parking lot has been configured to accommodate 123 on-site parking spaces, including 16 tandem parking spaces. Valet parking service will be provided to accommodate the tandem parking. An independent Parking Demand Analysis Report has been prepared by Linscott Law & Greenspan Engineers (Attachment 3) based on the methodology outlined in Urban Land Institute's (ULI) Shared Parking, 2nd Edition to analyze the parking requirements necessary to accommodate the hotel project. The conclusions and findings of the report reveal that the proposed parking supply of 123 on-site parking spaces will not sufficiently accommodate the project's parking demand. The report states that a total of 209 parking spaces will be needed to adequately fulfill the project parking demand, including peak weekday and peak weekend conditions.

To address the parking deficiency as stated in the Parking Demand Analysis Report, the applicant shall demonstrate the ability to provide the additional 86 required parking spaces on adjacent properties via a lease agreement, Purchase and Sale Agreement, or off-site parking agreement/easement. The City cannot issue building permits for the hotel

development until the requisite number of parking spaces for the hotel development is provided, as conditioned within Development Agreement DA16-002. The applicant is currently in negotiations with the City and the adjacent property owner to acquire the property needed for the additional parking.

Landscaping along the project street frontage of Beach Boulevard will include 24 in. and 36 in. box trees, flowering shrubs and low accent ground cover. In addition, palm trees will be planted within the 7 ft. wide public right-of-way frontage, with a new 10 ft. wide public sidewalk, per the adopted AECOM Beach Boulevard Street Improvement Plan. The project includes approximately 14,145 sq. ft. of landscaping, to include entry drive and parking lot landscaping. In order to provide a buffer between the proposed project and the adjacent residential area, the project includes a 10 ft. wide landscape setback along the north property line with screening trees for added buffering. Accent landscaping will also be provided along the perimeter of the second floor outdoor pool deck for screening and will consist of a combination planter beds, trees, and potted plants.

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 full service hotel with restaurants serving alcoholic beverages on the subject property requires an executed 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 hotel without negatively impacting the subject and surrounding properties. Since the sale of alcohol is considered typical within hotel full-service restaurants, and since the proposed hotel will maintain appropriate separation from the single family residential neighborhood to the north, including a 10 ft. wide landscape buffer, 8 ft. tall decorative perimeter wall, and increased hotel building setback above the first story, staff feels that there will be adequate buffering and separation from adjacent single family residences.

The proposed hotel building and associated site improvements, as conditioned, comply with the Zoning Ordinance requirements for circulation, access, landscaping, parking, and building design. To address the parking deficiency detailed in the Parking Demand Analysis by Linscott Law & Greenspan Engineers, the Development Agreement includes a condition of approval stating that the applicant shall substantiate a total of 209 parking spaces as required to accommodate the project parking demand prior to issuance of building permits. As determined, the access driveway from Beach Boulevard will provide appropriate vehicular access to and from the site. Regarding building architecture, the proposed hotel building will complement the design of existing and intended entertainment related uses within the Specific Plan area and fulfill the land use and economic development expectations or the Entertainment Corridor.

The proposed Aloft Hotel project will assist in advancing the long term vision for this area along Beach Boulevard as identified in the City's General Plan, Entertainment Corridor Specific Plan, and AECOM Beach Boulevard Street Improvement Plan. The property is located in the heart of the Entertainment Corridor Focus Area which is envisioned as a

pedestrian-friendly tourist-oriented destination connecting Knott's Berry Farm to the Mall and other visitor serving uses on Beach Boulevard. The mix of entertainment, world-class shopping, excellent dining, and high quality civic spaces is intended to create a regional destination where visitors patronize local attractions without leaving the Entertainment Corridor. The proposed hotel will complement the vision for this area by providing a premier lodging opportunity along Beach Boulevard.

The project is Class 32, Section 15332, categorically exempt from CEQA and is found to be within the scope of the previously certified Program EIR for the Buena Park 2035 General Plan Update (SCH #2009111026). The previously certified Program EIR adequately describes for the purposes of CEQA the proposed project as required by Section 15168 of CEQA Guidelines.

Notice of public hearing was posted at City Hall, the Buena Park Library, and Ehlers Community Recreation Center on April 1, 2016, and 17 notices were mailed to property owners within a 300 ft. radius of the subject property on April 1, 2016.

Chair Capelle asked if there were any questions for staff.

Commissioners Gonzales and Chung expressed their concern that parking may be insufficient. Commissioner Gonzales said he does not think the parking spaces provided are adequate for the seating capacity of the restaurant.

Commissioner Schoales asked for information on the properties surrounding the proposed project. He asked about plans for the fire hydrant in front of the proposed site.

Mr. Rosen described the parcels surrounding the proposed project and said the City plans to purchase certain surrounding properties to be used for additional parking. He said relocation or modification of the fire hydrant will be part of the street improvement plan process.

Commissioner Barstow asked if requiring the applicant to build a parking structure would be more beneficial than the City purchasing properties for additional parking.

Mr. Rosen said the properties that the City is planning to purchase will be used not just for additional parking but for additional attractions as well. He added that negotiating on City-owned lots for additional parking will be easier than the applicant having to file a separate application for the construction of a parking structure.

Commissioner Barstow asked if the proposed landscape will be drought resistant.

Mr. Woods said that the proposed project, like all other Planning applications, will be required to comply with the City's water-saving measures.

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.

Steven Sohn, architect representing project proponent BA Hotel & Resort, LLC, 1071 W. 190th Street, Los Angeles, CA 90248, said the proposed project is designed to mitigate possible negative impacts to the surrounding neighbors.

Commissioner McGuire expressed his concern that the proposed 6 ft. tall fence screening the pool area is not high enough and that the height of the proposed project will be a privacy concern to residents in the surrounding homes.

Commissioner Gonzales asked if people can see through the proposed 6 ft. tall fence screening the pool area.

Mr. Sohn said the proposed 6 ft. tall fence screening the pool area will be designed not just for aesthetics but for visual blocking.

Eva Pettijohn, 7630 El Escorial Way, Buena Park, CA 90620, said she has been a resident of the area adjacent to the proposed project since she was a third grade student. She said she and her neighbors are often awakened by noise coming from cars and big trucks coming in and out of the nearby McDonalds parking lot at 2 a.m.; Ms. Pettijohn added that problems in her neighborhood include loitering by homeless individuals and vandalism. She said she is worried about the negative impacts of the seeming "urban overload" to her neighborhood.

Commissioner Diep asked if the existing 5 ft. to 7 ft. tall concrete block wall along the north property line will be replaced with an 8 ft. tall decorative masonry wall or if a new wall will be built adjacent to it.

Mr. Woods said the existing wall will be replaced if consent is obtained from the adjacent residential property owners. If consent is not received, a wall will be built parallel to the existing wall.

There being no one else wishing 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 Gonzales moved, and Commissioner Schoales seconded, the motion to adopt the Resolution recommending approval to the City Council with findings.

**RESOLUTION NO. 5998
DEVELOPMENT AGREEMENT NO. DA16-002**

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. DA16-002 TO CONSTRUCT AND OPERATE A FIVE (5) STORY HOTEL WITH 149 ROOMS, TO INCLUDE A TWO (2) RESTAURANTS WITH OUTDOOR DINING, CONFERENCE/BANQUET SPACE, HOTEL GUEST AMENITIES, AND RELATED PARKING/SITE IMPROVEMENTS AS WELL AS THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION ON 2.25 ACRES OF LAND LOCATED AT 7851 BEACH BOULEVARD IN THE ECSP (ENTERTAINMENT CORRIDOR SPECIFIC PLAN) ZONE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

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

NOES: 0 COMMISSIONER:

ABSENT: 0 COMMISSIONER:

ABSTAIN: 0 COMMISSIONER:

ORAL COMMUNICATIONS:

None

AGENDA FORECAST:

None

STAFF REPORTS:

Mr. Rosen reported on items discussed during the City Council meeting of April 12, 2016, such as red curbs codification in the City, Tourism and Marketing Districts, and the Complete Streets Master Plan by Kimley-Horn.

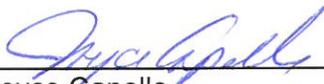
Mr. Fox gave an update on his research regarding the possibility of the City imposing stricter ADA requirements for development projects, as requested by the Planning Commission. He said he will meet with other land use attorneys, ADA attorneys, and with staff to solicit comments and find creative solutions, after which he will advise staff to schedule a Planning Commission Study Session on the subject.

COMMISSION REPORTS:

None

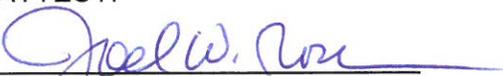
ADJOURNMENT:

At 8:40 p.m., Chair Capelle adjourned the meeting to the Planning Commission meeting on Wednesday, April 27, 2016, in the City Council Chamber.



Joyce Capelle
Chair

ATTEST:



Joel W. Rosen, AICP
Secretary