

PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
October 13, 2005
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, October 13, 2005 called to order in the Westminster Council Chambers, at 6:30 p.m. by Chairman Turro.
- Roll Call** Commissioners present: Bertels, Cruz, Krippner, Nguyen, Turro
Commissioner absent: None
- Staff Attendance** Art Bashmakian, Interim Planning Director; Richard Zimmer, Planning Consultant; Chris Wong, Planning Technician; and Christian Bettenhausen, Deputy City Attorney
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Nguyen.
- Approval of Minutes** There were no Minutes for approval.
- Oral Communications** There were no Oral Communications received.
- Written Communications** As previously mentioned in the Planning Commission September 21 meeting, Mr. Art Bashmakian stated that a letter relating to Case No. 2005-40 and 2005-49 was received which opposed the height of the project.
- Public Hearing** A. Case No. 2005-40 and 2005-49 (Mitigated Negative Declaration, Zone Change, Conditional Use Permit, Tentative Tract Map, Amendment to Tentative Tract Map, Site Plan, Design Review, Five Variances). Located at 15088-15238 Moran Street, the project is a proposal for construction of a five-story, 144 unit senior citizen residential condominium complex including 390 public parking spaces to serve surrounding commercial uses. The project requires approval of rezoning from C-M (Commercial-Industrial) to R5P (multiple residential units 19-24 units/acre with parking overlay district); Conditional Use Permit (CUP) to allow a senior housing development with a density bonus; tentative tract map for the

development of sixty-four (64) condominium units; an amendment to a previously approved tentative tract map (TT16700) allowing eighty (80) condominium units; site plan and design review for a five-story senior citizen condominium project; and variances dealing with building height, lot coverage, enclosed retail parking, the use of tandem parking and the reduction in parking stall length and drive aisle width.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend to the City Council approval of all actions required for the amendment of the previously approved 80 unit senior condominium project and the current proposal to expand the previously approved project with the addition of 64 senior citizen condominium units including the variance for parking stall size and aisle width as well as for amendment to two of the previously approved conditions.

Mr. Richard Zimmer, Planning Consultant, apologized for having overlooked the mailing of the public hearing notice to all property owners within the required 500-foot radius and thanked everyone for coming back the second time to consider the additional variance for parking stall size and aisle width. He addressed these two variance requests and after review and analysis, recommended its approval. He indicated the applicant had requested some minor modifications in Resolutions No. 2005-40 and 2005-49 approved by the Commission at its September 21 meeting, namely: Conditions No. 13p and 12 d. Staff believes these are legitimate requests and provide no significant impact. Mr. Zimmer pointed out a typographical error in Resolution 2005-49, Page 13, Condition No.1, which should read, "...the City Council does **not** approve the rezoning..."

The public hearing was opened.

Speaking in favor were architect Mr. Louis Marinelli of Danielan Associates, 60 Corporate Park, Irvine; Mr. Mark Nakagawa of International Parking Design, 2 Faraday No. 101, Irvine; and Mr. John Doung representing the owners of the project, 8907 Warner Avenue, Ste. 108, Huntington Beach. They were available to answer any questions.

Ms. Kathy Buchoz of Bridgecreek Realty, 8907 Warner Avenue, Huntington Beach, stated she recently learned that staff is working on code amendments for the City which includes changing the parking stall length requirement from 19 feet to 18 feet. She was available to answer any questions.

Ms. Sally Bartfay of 9156 El Azul Circle, Fountain Valley, was concerned that narrowing and shortening the parking spaces may cause problems for the senior resident drivers and visitors not familiar with the area when they maneuver their cars in the parking structure. Chairman Turro explained that since most of the residents who will live in the project are very familiar with the area, most of them will walk to do their normal activities.

Speaking in rebuttal, Mr. Nakagawa stated that the enclosed garages would have a 24-foot drive aisle while visitors' outside parking would have a 30-foot drive aisle. Mr. Marinelli added a series of landscape tiers on the building would provide a two-story structure effect instead of a four-story building as shown in the exhibit model.

The public hearing was closed.

The Commission was supportive of the proposed project. Chairman Turro felt the height of the building was necessary as the City continues to grow. Being familiar with the area, he added that it would not block anything, but beautify the area.

Motion

Commissioner Cruz moved that the Planning Commission approve the proposed project and adopt the two proposed resolutions: A resolution of the Planning Commission of the City of Westminster recommending the City Council amend the conditions incorporated in City Council Resolutions No. 3875 and 3888; adoption of a Mitigated Negative Declaration; approving a Conditional Use Permit; authorizing staff to prepare and execute a density bonus agreement; amending approval of Tentative Tract Map No. 16700; approving of the Site Plan; approving of the design; approving of six variances dealing with building height, lot coverage, enclosed commercial parking, the use of tandem parking and a reduction in parking stall length and drive aisle width for construction of an eighty (80) unit senior condominium project with one level of commercial parking at 15152-15238 Moran Street; and a resolution of the Planning Commission of the City of Westminster recommending the City Council adoption of a Mitigated Negative Declaration; approval of a rezoning from C-M to R5-P; approval of a Conditional Use Permit authorizing staff to prepare and execute a density bonus agreement; approval of Tentative Tract Map No. 16701; approval of the Site Plan; approval of the design; approval of six variances dealing with building height, lot coverage, enclosed commercial parking, the use of tandem parking and the reduction in parking stall length and drive aisle width for construction of a sixty-

four (64) unit senior condominium project with one level of commercial parking at 15088-15122 Moran Street. Commissioner Bertels seconded and the motion carried 5-0.

New Business There was no New Business scheduled for review.

Old Business There was no Old Business scheduled for review.

Administrative Approvals The Planning Commission received notification that there was no administrative approvals during this reporting period.

Reports and Comments:

Planning Director Mr. Art Bashmakian indicated there will be one item in the next Planning Commission meeting scheduled on October 19, 2005, Case No. 2005-53 – Design Review and Site Plan of a new wireless communications facility. Chairman Turro mentioned he heard City Council has scheduled to meet on the same day at the Council Chambers so he requested Mr. Bashmakian to verify this information and let the Commission know.

City Attorney None

Planning Commissioners Commissioner Linh requested for an update on his report about the business harassment by homeless persons in a shopping center at Dillow Street near the Post Office. Mr. Bashmakian responded that he spoke with Ms. Vicki Morgan, Code Enforcement Manager, who had contacted the Police Department as this was a police issue, and that Ms. Morgan had prepared a memo relating to this. He explained similar violations have ongoing issues requiring constant vigilance.

Chairman Turro reported strayed shopping carts at the east curve of Poinsettia Way north of Asbury Circle.

Adjournment The meeting was adjourned at 8:15 p.m. to the Planning Commission regular meeting on October 19, 2005.

Respectfully submitted,

Maria Moya
Department Secretary