

PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
February 9, 2005
6:30 p.m.

Call to Order The Planning Commission of the City of Westminster met in a regular session on Wednesday, February 9, 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 Bonny Lay, Planning Director; Jennifer Mansur, Planning Technician; Chris Wong, Planning Technician; Maria Moya, Department Secretary; 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 The minutes of the regular meeting of January 26, 2005 were approved on motion of Commissioner Cruz, seconded by Commissioner Krippner, and carried 4-0-1, Commissioner Bertels abstained.

Election of Planning Commission Officers for 2005 The floor was opened to nominations for Chairman of the Planning Commission for 2005. Commissioner Krippner moved to nominate Commissioner Turro for Chairman, seconded by Commissioner Cruz. Having no further nominations, the nominations for Chairman was closed. A voting was made and the Commission voted as follows: Commissioner Turro 5-0. Commissioner Turro was elected Chairman.

The floor was opened to nominations for Vice-Chairman of the Planning Commission for 2005. Commissioner Krippner nominated Commissioner Cruz, seconded by Chairman Turro. There were no other nominations and Commissioner Cruz was elected Vice Chairman, 5-0.

**Oral
Communications**

There was no Oral Communications received.

**Written
Communications**

There was no Written Communications received.

Public Hearing A. Case No. 2004-71 (Conditional Use Permit), The applicant is requesting a conditional use permit for the on-site sale and consumption of beer, wine and distilled spirits (Alcoholic Beverage Control Type 47 license) at an existing restaurant known as "The Great Wall" located at 6731 Westminster Boulevard. The hours of operation at the restaurant are 11:30 a.m. to 10:00 p.m. Monday through Thursday and 11:00 a.m. to 11:00 p.m. Friday through Sunday. No live entertainment is being proposed. If the application is approved, a Notice of Exemption will be filed to fulfill the mandates of the California Environmental Quality Act (CEQA).

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2004-71 subject to the conditions in the draft resolution.

The Commission received staff recommendation to approve Case No. 2004-71 subject to the conditions in the draft resolution.

The public hearing was opened and Mr. Simon Wong, assistant manager of Great Wall Buffet, 6731 Westminster Blvd., Westminster spoke in favor. He stated that like nearby restaurants, they would like to sell beer and wine to enhance their business.

No one spoke in opposition and the public hearing was closed.

Since there is no over-saturation of alcohol sales in the area, Commissioner Krippner indicated he would accept the proposal.

Commissioner Cruz pointed out that the No. 4 of the draft resolution did not distinguish that all servers of alcohol should be 21 years of age. Ms. Bonny Lay explained that Alcoholic Beverage Control Office imposes that condition, but staff can include it as one of the conditions.

Chairman Turro indicated that he does not see any problem since the beer and wine will complement the food and he intends to vote for it.

Motion

Commissioner Cruz moved that the Commission approve Case No. 2004-71 subject to the conditions in the draft resolution incorporating a condition to state that all servers should be 21 years of age or over. Commissioner Krippner seconded and the motion carried 5-0.

Ms. Lay mentioned that there is a 15-day appeal period and the City Council could call up this item for further review at their meeting on February 16.

- B. Case No. 2004-67 (Tentative Parcel Map), an application filed by Lam Nguyen, authorized agent for Danh Thanh Huynh and Thanh Tam Pham, property owner of record for property at 7921 10th Street. The applicant is proposing to convert two recently constructed detached units to condominium ownership. No physical improvements are proposed. The units are not currently occupied as a Certificate of Occupancy has not been issued. If the application is approved, a Notice of Exemption will be filed to fulfill the mandates of the California Environmental Quality Act (CEQA).

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2004-67 subject to the conditions in the draft resolution.

Mr. Chris Wong indicated that staff supports the proposed conversion since the project conforms to the General Plan and zoning regulations for condominiums, and all services and access to the parcels are provided.

The public hearing was opened.

Speaking in favor was Mr. Lam Nguyen, architect for the project, 11770 Warner Avenue, Fountain Valley. He thanked staff for supporting their project, and stated that the conversion would provide more flexibility to his client's investments.

No one spoke in opposition and the public hearing was closed.

Taking into advisement, Commissioner Krippner stated that the proposal and entitlements comply with the City's codes and he intends to vote for it. Chairman Turro and Commissioner Nguyen concurred with Commissioner Krippner.

Motion

On motion of Commissioner Krippner, seconded by Commissioner Nguyen, and carried, 5-0, the Commission approved Case No. 2004-67 subject to the conditions in the draft resolution

Ms. Lay mentioned that there is a 15-day appeal period and the City Council could call up this item for further review at their meeting on February 16.

New Business A. Case No. 2004-73 (Design Review), an application filed by Charles Ramm, authorized agent for Pan Pacific Properties, owner of record for property located at 16390 Beach Boulevard in the C2 (General Commercial) district. The applicant is proposing exterior Façade Changes to Marie Callender's. A proposal to modify the exterior elevations of Marie Callender's. No new building area is proposed to be added. If the application is approved, a Notice of Exemption will be filed to fulfill the mandates of the California Environmental Quality (CEQA).

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2004-73 subject to the conditions in the draft resolution.

The Commission received staff recommendation to approve Case No. 2004-73 subject to the conditions in the draft resolution.

The Commission allowed Mr. Charles Ramm, project architect, 27111 Aliso Creek Road No. 195, Aliso Viejo, to speak in favor of the project. He stated that their only concern is the height of the tower which would be a major design element of all Marie Callendar's restaurants. He explained that this will be first design application they plan to put up on a national level and considering its location on Beach Boulevard, the entrance is not very visible in the entrance. Regarding the narrowness of the tower, he indicated that they were willing to increase the depth of the tower to 15 feet instead of 10 feet to look more square. Mr. Jim Vicar of 27111 Aliso Creek Road No. 195, Aliso Viejo, Vice President for Marie Callender's concurred with Mr. Ramm. He added that this proposal is a huge step for their company on their plans to update, renaming the restaurant Marie Callender's Grill. He stated that they feel strongly of this design as this is the beginning of all other prototypes.

Commissioner Krippner had no problem with the height of the tower.

To reach a wider market, Commissioner Bertels felt that the tower needed three signs. However, Chairman Turro indicated that the Commission had previously turned down another restaurant's request in the center to have three signs, and felt the front sign as proposed would suffice. Ms. Lay explained that if the applicant decides to have more than two signs, he would have to apply for a sign variance. Further, Ms. Lay stated that the tower's height will not block the other buildings and staff was mainly concern with making the design more proportional to the building. Mr. Ramm indicated that they were willing to change the dimensions of the tower but maintain that height.

Motion

Commissioner Krippner moved that the Commission approve Case No. 2004-73 subject to the conditions in the draft resolution. Commissioner Cruz seconded.

Commissioner Nguyen recommended that staff include a condition requiring the applicant change the tower's dimensions to make it proportional to the building. Ms. Lay responded that the option is already included in the conditions of approval and staff will work with the applicant specifically on the size of the tower.

The motion carried 5-0.

Old Business

There was no Old Business scheduled for review.

Administrative Approvals

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

Reports and Comments:

Planning Director

Agenda Sheet Update

Ms. Lay mentioned there will be one item in the next Planning Commission meeting scheduled February 23, 2005, Case 2005-01 13590 Beach Boulevard – Remodel of Lexus dealership.

Council Review Items

The following item was reviewed by City Council on the February 2, 2005 meeting:

Review of Planning Commission's approval of Case No. 2004-56 (Conditional Use Permit) Continued from January 10, 2005 to operate a motorcycle dealership with motorcycle servicing at 6172-6182 Garden Grove Boulevard.

The City Council voted to uphold the Planning Commission's decision to approve Case No. 2004-56.

City Attorney

None

**Planning
Commissioners**

Chairman Turro, Commissioners Cruz, Krippner, and Nguyen welcomed Commissioner Bertels to the Commission.

Adjournment

The meeting was adjourned at 7:25 p.m.