

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

Call to Order The Planning Commission of the City of Westminster met in a regular session on Wednesday, April 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:

Staff Attendance Bonny Lay, Planning Director; Jennifer Mansur, Planning Technician; Maria Moya, Department Secretary; and Christian Bettenhausen, Deputy City Attorney (arrived 6:55 p.m.)

Salute to the Flag All persons present joined in the Salute to the Flag, conducted by Chairman Turro.

Approval of Minutes The minutes of the regular meeting of March 30, 2005 were approved on motion of Commissioner Cruz, seconded by Commissioner Krippner, and carried 4-0-1, Commissioner Bertels abstained.

Commissioner Cruz referred to the minutes of the study session of March 30, 2005, Page 2, last paragraph, clarifying that the meeting was adjourned to the next regular meeting on April 13, 2005 instead of March 30, 2005. The minutes of the study session of March 30, 2005 were approved with the corrections noted on motion of Commissioner Cruz, seconded by Commissioner Nguyen, and carried 4-0-1, Commissioner Bertels, abstained.

Chairman Turro changed the order of the agenda by deferring Oral Communications after the Public Hearing.

Written Communications There was no Written Communications received.

Public Hearing A. Case No. 20034-64 (Area Variance/Site Plan/Design Review), an application filed by Tuan Pham authorized agent for Chieu Le, business owner, property owner of record for property located at 9251 Bolsa Avenue. The applicant is proposing to add a total of 490 square feet to an existing building without any additional parking and to renovate the exterior of the building to a more contemporary design. If the project is approved, a Notice of Exemption (NOE) will be filed to fulfill the mandates of the California Environmental Quality Act (CEQA).

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2004-64 subject to conditions in the draft resolution.

Ms. Bonny Lay explained that after meeting with the applicant and architect earlier last week, they agreed to make the façade changes and deliver the revised plans last Thursday for the agenda packet. However, staff did not receive the plans until yesterday. Because staff and the Commission would not be able to review the revised plans due to time constraints, staff recommended to continue this item to the next meeting of April 27, 2005.

Motion Chairman Turro moved that the Commission defer this item until the meeting of April 27, 2005. At this point, Commissioner Bertels noted that the agenda reflected the wrong Case Number 2003-64 instead of Case Number 2004-64. Ms. Lay confirmed the correction. Commissioner Cruz seconded and the motion carried 5-0.

Oral Communications There was no Oral Communications received.

New Business A. Case No. 2005-03 (Site Plan/Design Review) (Continued from 3/9/05), an application filed by Dzu Pham authorized agent for Kelly Vu, property owner of record for property located at 7902 14th Street. The applicant proposes to remodel an existing single-family residence and add three new two-story rental units on an 11,475-square-foot lot. If the project is approved, a Notice of Exemption (NOE) will be filed to fulfill the mandates of the California Environmental Quality Act (CEQA).

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2005-03 subject to conditions in the draft Resolution

Ms. Jennifer Mansur indicated that this item was reviewed by the Commission on March 9, and due to concerns of possible overcrowding, it was deferred to allow staff and applicant to revise the floor plans. She provided a brief analysis of the new design which does not facilitate subdivision of the interior of the dwelling unit into smaller, independent, separate, living areas. Based on these findings, staff recommended that the Planning Commission approve Case No. 2005-03 subject to conditions in the draft resolution.

Commissioner Bertels commented that the 20-foot driveway should be restricted to "no parking" because if a car is parked along the driveway, it will block the access for fire emergency crew. He then suggested that a condition be included in the draft resolution that no parking be allowed along the driveway. Ms. Lay stated that since the driveway also serves as the turning radius for the cars to get out of the garages, cars would not be allowed to park along the driveway. However, staff would certainly include it in the resolution if the Commission chooses to do so.

Motion

Commissioner Bertels moved that the Commission approve Case No. 2005-03 subject to conditions in the draft Resolution including an additional condition that the driveway should be restricted to "no parking" to provide access of the fire lane and for the cars to turn around. Chairman Turro seconded, and the motion carried 5-0.

Old Business

There was no Old Business scheduled for review.

Administrative Approvals

The Commission received notification that the following items were reviewed by the Planning Director. The decision of the items becomes final unless such decision is appealed to the Planning Commission or the Planning Commission requests further review. administrative approvals during this reporting period.

- A. Case No. 2005-10 (Minor Modification to Approved Site Plan SP-1239), an application filed by John Mechem, authorized agent for Wal-Mart, property owner of record for property located at 1331 Beach Boulevard in the C2 (General Business) district. The applicant proposes to re-stripe the parking area to provide additional handicapped parking.

DECISION: The decision was to approve the project subject to the conditions.

Ms. Lay explained that since the subject project has a surplus of parking stalls, the proposal would not reduce parking below the commercial parking standard and will not reduce landscaping on-site. Ms. Lay stated her decision was to approve the minor modification to the site plan.

Commissioner Krippner wanted to ensure that the water fountain would not be affected by the restriping. Ms. Lay responded that she did not see any water fountain in the plan and assumed it will not be affected. However, Ms. Lay indicated that she will add a condition in the resolution to state that any existing water fountain will not be removed and if they are, they should be replaced.

The Commission received and filed the above items.

Reports and Comments:

Planning Director

Agenda Sheet Update

Ms. Lay informed the Commission that the consultant is ready to present the Mixed-Use Study to the City Council and the Commission in a joint study session. However, since it is difficult to find an appropriate time to have a joint City Council/Commission meeting, the consultant agreed to conduct separate study sessions for the Council and Commission. She suggested that the Commission schedule the study session on May 25 after the regular meeting.

Regarding the Mayor's Ad Hoc Advisory Committee, Ms. Lay stated that the first meeting will be held on May 11, 2005 at Rooms A & B, which falls at the same meeting date of the Planning Commission. Since there are two Commissioners in the Ad Hoc Committee and she will be attending the same meeting, she suggested that the Commission cancel the May 11 regular Planning Commission meeting and schedule it for another time. The Planning Commission agreed to cancel the meeting of May 11.

Council Review Items

There were no items reviewed by City Council during this reporting period.

City Attorney

Mr. Bettenhausen apologized for missing the first part of the meeting for he has not anticipated the traffic from Pasadena where he attended the Planner's Institute Conference.

**Planning
Commissioners**

Chairman Turro reported that every week a shopping cart is abandoned along Poinsettia Way north of Asbury Circle.

Commissioner Bertels mentioned that Ms. Lantry of 7885 16th Street complained of cars parking along her garage driveway. Ms. Lay assured the Commissioners that the complaints will be reported to Code Enforcement.

Regarding strayed shopping carts, Mr. Bettenhausen suggested that staff provide the Commissioners the shopping cart retrieval services telephone number for residents who want to report these abandoned shopping carts.

Adjournment

The meeting was adjourned at 7:30 p.m.

Respectfully submitted:

Maria Moya
Department Secretary