

**PLANNING COMMISSION**  
**Minutes of Regular Meeting**  
**Westminster Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**May 25, 2005**  
**6:30 p.m.**

---

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, May 25, 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; Alice Lau, Assistant Planner; Jennifer Mansur, Planning Technician; Deanne Baptista, 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 Cruz.
- Approval of Minutes** The minutes of the regular meeting of April 27, 2005 were approved on motion of Commissioner Bertels, seconded by Commissioner Cruz, and carried 5-0.
- Oral Communications** Mr. Brian Keene of 16320 Jupiter Circle requested to speak in opposition to staff's decision denying Administrative Review Agenda Item Case No. 2005-23. Ms. Bonny Lay asked Mr. Bettenhausen's advise if it was appropriate to allow Mr. Keene to speak or let him wait until the item is taken up in the agenda. Mr. Bettenhausen stated that Mr. Keene could choose to speak now or later as scheduled in the agenda if the Planning Commission would permit him. The Commission allowed Mr. Keene to speak.
- Mr. Keene stated that he is very disappointed with staff's denial and the review process involved, since not all the issues were addressed. He indicated that the proposed room addition to be built over the existing structure is within the required setbacks, and pointed out there were six other two-story homes in the neighborhood that had less than ten feet setbacks. He stated he received staff's report only last Monday concerning tonight's meeting although a letter he received previously stated his proposal would be taken up on June 6. Further, Mr. Keene

indicated that he did not receive any public notice as of last Monday and was told by staff that the notices will be mailed out. He requested that the Commission reconsider staff's denial.

**Written  
Communications**

There was no Written Communications received.

**Public Hearing** A. Case No. 2005-13 (Variance), an application filed by Kathy Buchoz, authorized agent for JW Bolsa West LLC, property owner of record for property located at 9039 Bolsa Avenue. The applicant proposes a sign variance to allow two can signs on an architectural tower at a commercial building. The signs identify tenants in spaces that are not visible from the parking lot and do not have sign band areas.

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2005-13 subject to conditions in the draft resolution.

Based on staff's analysis of the proposal, Ms. Jennifer Mansur recommended that the Planning Commission approve Case NO. 2005-13 subject to the conditions stated in the draft resolution.

Commissioner Cruz inquired if the banner in the picture was permitted. Staff was unsure since the photo was provided by the applicant but assured the Commission the matter will be referred to Code Enforcement.

For clarification of Nos. 3 and 5, Page 2 of the draft resolution, Chairman Turro wanted to know if 90% of the tenant spaces that have wall signs are actually visible from the parking lot and/or street. Ms. Mansur accepted Chairman Turro's correction that Nos. 3 and 5 should be changed from "and" to "and/or".

The public hearing was opened.

The applicant and representing the property owner, Ms. Kathy Buchoz of 8907 Warner Avenue, Huntington Beach, spoke in favor of the proposal. She stated Bolsa Furniture has been their major lessor since 1990 and in 1994, the business was allowed to put up the existing sign on the architectural tower. A few years later, they allowed another tenant, CenMaxx Financial, to put their existing sign right above the Bolsa Furniture sign. Concerning Commissioner Cruz's concern if the banner in the picture was permitted, Ms. Buchoz informed the Commission that the banner has an annual permit.

Ms. Cynthia Li and Ms. Betsy Hsia, co-owners of Cenmaxx Financial Services, 9039 Bolsa Avenue No. 210 and 211, stated that due to the hidden location of their business, it was necessary to advertise the company.

William Luu of Bolsa Furniture, 9039 Bolsa Avenue No. 110, stated that he would appreciate if the Commission allow him to keep the banners since his business is hidden inside the corner and people cannot see the business.

Mr. Ryan Bryan of 8907 Warner Avenue, Huntington Beach, concurred with those who spoke in favor of the project.

No one spoke in opposition.

The public hearing was closed.

Chairman Turro understood the necessity of the banners and indicated that he was in favor of the proposal within the terms and conditions set by staff.

Mr. Bettenhausen pointed a correction on No. 3 of the draft resolution, to state, "...only s tenant..." should be corrected to "...only tenants..."

Motion

On motion of Chairman Turro, seconded by Commissioner Cruz, and carried 5-0, the Commission approved Case No. 2005-14 subject to the conditions stated in the draft resolution.

- B. Case No. 2005-19 (Variance) an application filed by Colby Northridge, authorized agent for Westminster Housing Partners, L.P. property owner of record for property located at 8144-8156 13<sup>th</sup> Street. The applicant proposes to install an additional monument sign at the intergenerational housing project. 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. 2005-19 subject to conditions in the draft resolution.

Ms. Alice Lau made a brief presentation on the background and justification for granting a variance. Because of the unique use and site configuration, staff supports the variance and recommended modifications on the design.

The public hearing was opened.

Speaking in favor of the proposal was Mr. Rick Westberg of The Related Companies, 18201 Von Karman Avenue, Suite 900, Irvine. Mr. Westberg indicated that they were chosen to develop the site because of their creative solution to combine a senior and multi-family housing in one site. Since there are two names for each housing facility, he stated it was important to have two signs to assist the public. He added that the surface area of the two signs is still below the City's acceptable area for one sign.

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

Taking into advisement, the Chairman Turro felt it was appropriate to have two signs and stated the project is an asset to the City.

**Motion** On motion of Commissioner Krippner, seconded by Commissioner Bertels, and carried 5-0, the Commission approved Case No. 2005-19 subject to the conditions stated in the draft resolution.

**New Business** There was no New Business scheduled for review.

**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.

The Planning Commission has the authority to require public hearings to reconsider decisions made by the Planning Director regarding the following item(s):

- A. Case No. 2005-15 (Administrative Site Plan), an application filed by Martha Ohara, authorized agent for Southern California Edison, property owners of record for property located at 8995 Heil Avenue. The applicant proposes a wholesale nursery in the Edison right-of-way on Heil Street, just south of the 405 Freeway. The project includes planting areas, a gravel road, and a parking area but no permanent structures. The operation of the business will include only wholesale sales.

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

The Commission received and filed the proposal on motion of Commissioner Bertels, seconded by Chairman Turro. The motion carried 5-0.

- B Case No. 2005-17 (Administrative Adjustment), an application filed by John Viet Quoc Vo, property owner of record located at 14681 Wakefield Street. The applicant proposes to construct a patio cover attached to a new home 6 feet from the rear property line. The patio cover has a solid roof with a solid wall along the westerly property line. A 2<sup>nd</sup> story balcony will be atop the patio 15 feet from the rear property line. An administrative adjustment is required to allow the patio to encroach into the required 10-foot setback.

DECISION: The decision was to deny the project.

The Commission received and filed the proposal on motion of Chairman Turro, seconded by Commission Cruz. The motion carried 5-0.

- C. Case No. 2005-23 (Administrative Adjustment), an application filed by Brian Keene, property owner of record located at 16320 Jupiter Circle in the R1 (Single Family Residence) district. The applicant proposes a 1,663 square foot second story addition to an existing single family residence consisting of a second family room with a full bathroom, a large master bedroom with a full bathroom and walk-in closet and an additional bedroom. The proposed addition will be constructed 12 feet 4 inches from the rear property line. A 20-foot rear yard setback is required in the R1 (Single-Family Residence) district. An administrative adjustment is required to allow the reduced rear yard setback.

DECISION: The decision was to deny the project.

The Commission received and filed the proposal on motion of Commissioner Bertels, seconded by Commissioner Krippner. The motion carried 5-0. Ms. Lay explained that since the Commission did not call up the item for review, the applicant has the right to appeal and request a public hearing to the Planning Commission. Mr. Bettenhausen clarified that the Commission can hear the appeal and if the Commission's decision is not in agreement with the applicant, the applicant could appeal to the City Council. If this was to happen, Commissioner Bertels stated that he would prefer to call up the item instead of denying the project. Upon the advice of Mr. Bettenhausen, Commissioner Bertels moved that the Commission reconsider Administrative Approval Case No.

2005-23. Commissioner Krippner seconded and the motion was carried 5-0.

**Reports and Comments:**

**Planning Director**

**Consideration of Alternative Meeting Dates and Locations**

Ms. Lay asked the Commission for alternative meeting dates as the City Council has changed their meeting dates from first and second Wednesday of the month beginning June 2005. She indicated that June 8 is scheduled for a mixed-use study session, and for the second meeting of June, the Commission could either choose June 15 or June 22. The Commission decided to meet on June 22 at Rooms A & B. For the meetings thereafter, Chairman Turro moved that the Commission meet on the first and third Wednesdays of each month beginning July 2005. Commissioner Nguyen seconded and the motion carried 5-0.

Ms. Lay mentioned that Ms. Deanne Baptista, Planning Technician, is leaving the City for employment at the City of Newport Beach. The Commission wished her luck and commended her for her excellent job.

**Council Review Items**

The following item was reviewed by City Council on the May 4, 2005 agenda:

Case No. 2005-09 (Code Amendment), City of Westminster code amendment to allow wholesale offices as a permitted use in the C1 (Local Business) District.

**City Attorney**

None

**Planning Commissioners**

Commissioner Bertels requested for a new agenda folder to replace his worn-out folder. He mentioned that the Commissioners deserve a pay hike for their work.

Chairman Turro wished Ms. Baptista good luck and thanked staff for the wonderful presentations.

**Adjournment**

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Maria Moya  
Department Secretary