

PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
August 17, 2005
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, August 17, 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** Steve Ratkay and Judy Kollar, Associate Planners; 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 Krippner.
- Approval of Minutes** The minutes of the regular meeting of August 3, 2005 were approved on motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 5-0.
- Oral Communications** There were no Oral Communications received.
- Written Communications** There were no Written Communications received.
- Public Hearing** A. Case No. 2005-29 – New Wireless Communications Facility on Property Located at 9800 McFadden Avenue. The project involves a proposal to construct a new wireless communications facility consisting of a 50-foot-high monopine with 12 panel antennas divided equally among 3 sectors. The monopine will be located near existing pine trees at the existing Southern California Edison substation facility. Equipment cabinets will be placed behind a decorative block wall and not be visible to the public. 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: Planning staff recommends that the Planning Commission approve Case No. 2005-29 (Conditional Use Permit, Site Plan Review, Design Review) subject to the conditions stated in the draft resolution.

Mr. Chris Wong made a brief presentation on the proposal to construct a new wireless communications facility at 9800 McFadden Avenue. Based on staff's findings and analysis, the Commission received staff's recommendation to approve Case No. 2005-29 (Conditional Use Permit, Site Plan Review, Design Review) subject to the conditions stated in the draft resolution.

The public hearing was opened.

Speaking on behalf of Cingular was Ms. Kerri Simmons of Infranext, Inc., 150 Paularino Suite A-166, Costa Mesa. She informed the Commission that since Cingular lost coverage for this particular site when it sold its former network to T-Mobile, the proposed facility would definitely increase Cingular coverage in the area. She added that the proposed monopine cellular facility would blend well with the existing pine trees around it.

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

Chairman Turro mentioned that he did not have any problem with the proposal and that he intends to vote for it.

Motion

On motion of Commissioner Krippner, seconded by Commissioner Bertels, and carried 5-0, the Commission approved Case No. 2005-29 (Conditional Use Permit, Site Plan Review, Design Review) subject to the conditions stated in the draft resolution.

- B. Case No. 2005-38 – Home Business Permit Application for a Business Located at 5572 Norma Drive. The project involves a home business permit application to operate a travel agency at the above noted residence located in the R1 (Single-Family Residence) district. The applicant proposes to use the residence for administrative office purposes only. No clients would visit the residence. 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: Planning staff recommends that the Planning Commission approve Case No. 2005-38 (Home Business Permit) subject to the conditions stated in the draft resolution.

Ms. Judy Kollar indicated that this proposal was denied by the Home Business Committee (HBC) based on potential negative impacts on the surrounding neighborhood. However, the applicant submitted a detailed business plan that addressed HBC's concerns, and after staff analysis, it was recommended that the Planning Commission approve Case No. 2005-38 (Home Business Permit) subject to the conditions stated in the draft resolution.

The public hearing was opened and speaking in favor of the application was Mr. Herbert Sato, applicant and property owner, 5572 Norma Drive. He stated that he will abide by all City, state, and federal requirements and all business operations will be done outside of his home.

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

Mr. Sato confirmed to Commissioner Bertels that he will operate his business through a post office box. He assured Commissioner Krippner that he would pay income taxes and required fees.

Chairman Turro stated that as long as there is no frequent in and out of clients in the home, he did not find anything wrong with it.

Motion Commissioner Cruz moved that the Commission approve Case No. 2005-38 (Home Business Permit) subject to the conditions stated in the draft resolution, seconded by Commissioner Krippner. The motion carried 4-1, Commissioner Bertels dissented.

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 were no items reviewed by the Planning staff.

Reports and Comments:

Planning Director Mr. Steve Ratkay requested the Commission to let staff know by Friday, August 19, if they will attend the annual Planning Official's Forum sponsored by the Planning Directors' Association of Orange County scheduled on September 15, 2005 at the Embassy Suites in Brea. Commissioner Nguyen informed Mr. Ratkay that he will not be able to attend and the four Commissioners will inform staff later. He mentioned there will be two items in the next Planning Commission meeting scheduled on September 7, namely: Case 2005-34, 5952 Westminster Boulevard – modification of CUP to

change ABC license type; and Case 2005-29, 6312 Garden Grove Blvd. – variance for sign area.

City Attorney None

Planning Commissioners Commissioner Bertels wanted to know if the Home Business Committee has been dissolved. Ms. Kollar responded staff is continuing to accept applications as they have not been instructed by City Council to do so otherwise. Commissioner Bertels believed that home business permit applications should be considered by the Planning Commission instead of the Home Business Committee.

In response to Commissioner Nguyen's request for an update on the Planning Director recruitment, staff informed him that the recruitment closed on the 8th of this month, however, an Interim Planning Director may be hired on September 1.

Chairman Turro concurred with Commissioner Bertels that Home Business Permit applications should be considered by the Planning Commission but commended staff for the good presentation on Case 2005-29. Although he was not totally against home businesses, but felt it would depend upon the nature of the business. He stated that he still prefers to receive input from Planning, Building, and Code Enforcement divisions.

Adjournment The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Maria Moya
Department Secretary