

**PLANNING COMMISSION**  
**Minutes of Regular Meeting**  
**Westminster Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**December 7, 2005**  
**6:30 p.m.**

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- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, December 7, 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, Contract Planner; 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 Cruz.
- Approval of Minutes** Referring to Page 2, last paragraph, third line, Chairman Turro clarified that although he agreed with Commissioner Cruz to end the operating hours at 7 p.m. on Sunday, he wanted to limit the operating hours to 7 p.m. for repair services only.
- Commissioner Krippner requested clarification of the motion on Page 4 regarding the "5ft. depth or a false balcony". Chairman Turro explained that the applicant could have a balcony if he meets the legal standard for a 5 ft. depth, but if he does not, he would have to build a false balcony instead. Mr. Art Bashmakian concurred, leaving the design to the applicant to meet the requirements. Mr. Christian Bettenhausen suggested that the minutes be modified to reflect that the balcony will not encroach on the setback.
- The minutes of the regular meeting of November 16, 2005 were approved with the clarifications as noted, on motion of Commissioner Bertels, seconded by Commissioner Cruz, and carried 5-0.
- Oral Communications** There were no Oral Communications received.

**Written  
Communications**

There were no Written Communications received.

**Public Hearing** A. Case 2005-45 - Conditional Use Permit, Site Plan Review and Design Review. Located at 15081-15111 Beach Boulevard, the project consists of a 3,092 square-foot addition to an existing restaurant building (now closed) and the establishment of a wedding reception hall which will incorporate the new addition and a former cocktail lounge area associated with the closed restaurant. The dining portion of the former restaurant will be converted to a retail shop specializing in wedding accessories. The project also entails renovation of an existing retail building adjacent to the subject building but on the same property.

STAFF RECOMMENDATION: Planning staff recommends that the Planning Commission approve Case No. 2005-45 subject to the conditions in the draft resolution.

Mr. Richard Zimmer summarized the application briefly, noting that Conditions Nos. 2, 9, and 14 of the draft resolution were revised upon the request of the applicant. However, he indicated that the phrase "for profit" be deleted in line No. 5 of the revised Condition No. 2. Based on staff findings, and analysis, he recommended that the Commission approve Case No. 2005-45 subject to the conditions in the draft resolution including the revisions on Conditions Nos. 2, 9, and 14.

In order to accurately reflect the American New Year holiday from the Vietnamese New Year, Chairman Turro pointed out that "New Year's Day" on revised Condition No. 9 be changed to "January 1". Staff agreed to the change.

Commissioner Krippner commented the relocation of the south gate that would be attached to a parking area would not be doable since it will not be contained by any border. Mr. Zimmer affirmed indicating the gate would have to be redesigned to provide a structure to connect the gate. Also, Commissioner Krippner pointed out that the elimination of the two handicapped spaces for adequate circulation would make it difficult to contain the area if the south gate is relocated. Mr. Zimmer stated that it would be up to the applicant to address this concern by either leaving the gate opened during business hours or opening a third gate.

Mr. Zimmer confirmed with Commissioner Bertels that the proposed project will provide on-sale alcoholic beverages on a temporary movable bar.

Chairman Turro observed that the north driveway is very narrow and the curb cut is too close to the adjacent motel.

The public hearing was opened.

Ms. Stacie Tran of 15081 Beach Boulevard requested approval of the proposal based on staff recommendations. She was available to answer any questions.

The architect and contact person of the proposed project, Mr. Lam Nguyen of 11770 Warner Avenue, No. 205, Fountain Valley, stated that his clients purchased the property that used to have many problems and plans to turn it into a nice and profitable project. He indicated that he worked with the Planning staff to comply with code requirements. He was available to answer any questions.

Ms. Tran clarified that the owners of the proposed business are her husband, Trong Goh, and her sister/operator of the business, Mai Tran.

After reviewing the plans, Commissioner Nguyen concluded the project is a good proposal.

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

Commissioner Krippner inquired if there was access from the back entry parking lot to the new addition of the proposed site as he felt there should be an emergency exit or an entrance. Mr. Lam stated that he will work on the design to address Commissioner Krippner's concerns, and when the plans are submitted, he will ensure the plans comply with Building and OCFA regulations. Relating to the two fountains, Mr. Lam stated the fountains will be incorporated in the landscaping plans.

With regards to Chairman Turro's concern about the alcohol beverage consumption in the proposed site, staff explained that it would be served in the reception area which would include the addition and portions of the existing building. For clarification, Mr. Bettenhausen suggested that the word "only" be added at the end of the sentence in Condition No. 13. In addition, Commissioner Krippner suggested that "reception area" be changed to "banquet area". Incorporating the changes, Mr. Bettenhausen stated that Condition No. 13 will read as follows, "Alcoholic beverages shall only be served and consumed within the banquet area of the banquet facility".

Chairman Turro was bothered about renting the facility to disorderly activities such as bachelor/bachelorette parties and similar functions and ending up as a nightclub. Ms. Tran informed the Commission that in their 15 years of operation of their Garden Grove facility, there was never any fights or police problems.

In summary, Mr. Bettenhausen proposed the following changes as discussed: Condition No. 2 to read, "...live entertainment, concerts, loud music, bachelor or bachelorette parties, and/or dancing events that functions similar to the nightclub are prohibited..."; Condition No. 13 to read, "Alcoholic beverages shall only be served and consumed within the banquet area of the banquet facility"; and Condition No. 14, "facility" shall be changed to "banquet area". Ms. Tran confirmed that she was in agreement with the conditions as modified.

Commissioner Bertels stated that he wants the facility to cater to everyone, not exclusively to the Vietnamese. Ms. Tran agreed. Mr. Bettenhausen indicated that federal law prohibits discrimination in the operation of any business.

**Motion** Commissioner Bertels moved that the Commission approve Case No. 2005-45 subject to the conditions in the draft resolution, including the revisions on Condition Nos. 2, 9, 13, and 14 as discussed. Commissioner Nguyen 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 mentioned this is the last meeting of the year and wished everyone a Merry Christmas and Happy New Year.

**City Attorney** Mr. Bettenhausen greeted everyone a Merry Christmas and Happy New Year.

**Planning Commissioners** The Commissioners wished everyone a Merry Christmas and Happy New Year.

Discussion on size of new homes and additions:

Chairman Turro recommended that the Commission come up to City Council for their opinion concerning mansion-sized homes which are incompatible with some neighborhoods in the City. Commissioner Bertels believed that most of the Council members are also concerned and recommended that the Commission get a copy of the City of Fountain Valley's Ordinance related to this issue. As the Commission had advised, Mr. Bashmakian indicated that staff will address this nationwide issue for City Council direction.

**Adjournment**

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Maria Moya  
Department Secretary