

PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
March 1, 2006
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, March 1, 2006 called to order in the Westminster Council Chambers, at 6:35 p.m. by Chairman Turro.
- Roll Call** Commissioners present: Bertels, Cruz, Krippner, Nguyen, Turro
Commissioner absent: None
- Staff Attendance** Art Bashmakian, Interim Planning Manager; Sam Rake, Contract Planner; Maria Moya, Department Secretary; and Tom Duarte, 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 February 15, 2006 were approved 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 No. 2005-76 – Tentative Parcel Map. Located at 13872 Cherry Street. Condominium Conversion. The applicant seeks approval to convert an existing duplex to condominium ownership.

STAFF RECOMMENDATION: Planning staff recommends that the Planning Commission approve Case No. 2005-76 (TPM) subject to conditions.

Mr. Art Bashmakian stated that the conversion of the existing duplex into a two-unit condominium development did not involve physical changes to the property and conforms to the General Plan and zoning regulations for residential uses in the R5 zoning. He

recommended that the Planning Commission approve Case No. 2005-76 (TPM) subject to conditions in the draft resolution.

Commissioner Kirppner pointed out that Case No. 2005-76 differs with Case No. 2004-58 on page 4, first paragraph, first line of the staff report. Mr. Bashmakian stated that Case No. 2005-76 is correct and Case No. 2004-58 was a typographical error.

The public hearing was opened and closed as no one wished to speak neither in favor nor against the proposal.

Motion

On motion of Commissioner Cruz, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission approved Case 2005-76 based on staff findings and subject to the conditions in the draft resolution.

- B. Case No. 2005-59 – Site Plan Review, Design Review, Variance. Located at 14502 Beach Boulevard. *New Retail Building.* The applicant seeks approval of a new, 5,535-square-foot retail building on a 20,563-square-foot lot at the southeast corner of Beach Boulevard and Hazard Avenue. The building is divided into four separate tenant spaces for three proposed retail uses and a single retail food and beverage service business.

The request also involves a variance from the required building setback along Beach Boulevard, to allow a 10 foot setback lieu of the required 26 foot setback. The applicant also seeks the approval of two variances related to on-site signage. Specifically, the applicant requests one variance to permit a second freestanding sign (defined in the zoning code as either a pylon or monument sign), and a second variance to increase the sign area of the proposed pylon sign from 100 to 228 square feet per face. This project was previously considered and approved by the Planning Commission on January 4, 2006 without the required Mitigated Negative Declaration. However, that decision was vacated by Council requiring that the Planning Commission reconsider the matter along with a proposed Mitigated Negative Declaration.

STAFF RECOMMENDATION: That the Planning Commission adopt the proposed Mitigated Negative Declaration and approve Case No. 2004-59 subject to conditions.

Commissioner Krippner pointed out that Case No. 2005-59 is different with Case No. 2004-59 on page 7, second paragraph, second line. Mr. Rake stated that Case No. 2005-59 is correct and Case No. 2004-59 was a typographical error.

Mr. Sam Rake indicated that this project was previously approved by the Planning Commission which City Council subsequently remanded back to the Planning Commission based upon the need

to prepare an Initial Study since the site was a former gas station site. He stated that a Mitigated Negative Declaration has been prepared and recommended its approval.

The public hearing was opened and closed as no one wished to speak neither in favor nor against the proposal.

Motion

On motion of Commissioner Krippner moved that the Planning Commission adopt the proposed Mitigated Negative Declaration and approve Case No. 2005-59 based on staff findings and subject to the conditions in the draft resolution. Commissioner Bertels seconded and the motion carried 5-0.

- C. Case No. 2005-20 – Site Plan Review/Design Review/Negative Declaration. Located at 15420 Brookhurst Street. Demolition of a portion of an existing commercial building and construction of a new detached commercial building in the rear of the same triangular-shaped lot. The new building would be two stories in height and comprise a total of 23,409 square feet. The first floor will be occupied by retail uses and the second story will contain professional office uses.

STAFF RECOMMENDATION: Planning staff recommends that the Planning Commission adopt the proposed Mitigated Negative Declaration and approve Case No. 2005-20.

Mr. Rake made a brief presentation on the background of the proposed project. Based on staff findings and analysis, Mr. Rake recommended that the Planning Commission adopt the proposed Mitigated Negative Declaration and approve Case No. 2005-20 subject to the conditions in the draft resolution.

The public hearing was opened and closed as no one wished to speak neither in favor nor against the proposal.

Commissioner Krippner indicated that the proposed development is an improvement for the City and anyone willing to invest in this kind of change should be complimented and he intends to vote for it. Commissioner Nguyen concurred with Commissioner Krippner and indicated he has no problem approving the proposal since it's providing more parking spaces than required by Code. Chairman Turro was ready to approve the proposal as it would improve the area. Commissioner Cruz added it is a very good project.

Motion

On motion of Commissioner Krippner, seconded by Commissioner Nguyen, and carried 5-0, the Commission moved to adopt the proposed Mitigated Negative Declaration and approve Case No. 2005-20 subject to the conditions 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 Planning Commission received notification that the following item was reviewed by the Planning Manager. The decision of the item becomes final unless such decision is appealed to the Planning Commission or the Planning Commission requests further review.

- A. Case No. 2006-08 (Administrative Adjustment). The Planning Manager conditionally approved an Administrative Adjustment allowing an addition to the back of the home to encroach ten feet into the required 20-foot rear-yard setback. The approval is conditioned to require demolition of the existing rear-yard patio cover prior to construction of the addition.

The Commission received and filed above item.

Reports and Comments:

Planning Manager Mr. Bashmakian mentioned there will be three or four items in the next Planning Commission meeting scheduled on March 15 which will mostly be requests for alcohol and beer licenses.

City Attorney Mr. Tom Duarte was glad to see everyone again.

Planning Commissioners Commissioner Bertels mentioned that the illegal banners along Bolsa Avenue and Brookhurst Street are increasing despite his reporting the violations numerous times. The Commissioners expressed concern and frustration over these ongoing violations as nothing has been done. Mr. Bashmakian stated that he will pass this information along to the proper division. Commissioner Krippner urged his fellow Commissioners to take a more proactive role to resolve these violations. Commissioner Nguyen concurred with Commissioner Krippner.

Chairman Turro mentioned that the palm fronds are still laying on McFadden Street off Poinsettia Street.

Adjournment The meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Maria Moya
Department Secretary