

**PLANNING COMMISSION**  
**Minutes of Regular Meeting**  
**Westminster Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**July 13, 2006**  
**6:30 p.m.**

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<b>Call to Order</b>	The Planning Commission of the City of Westminster met in a regular session on Thursday, July 13, 2006 called to order in the Westminster Council Chambers, at 6:30 p.m. by Chairman Turro.
<b>Roll Call</b>	Commissioners present: Bertels, Cruz, Krippner, Nguyen, Turro Commissioner absent: None
<b>Staff Attendance</b>	Art Bashmakian, Planning Manager; Maria Moya, Department Secretary; and Christian Bettenhausen, Deputy City Attorney
<b>Salute to the Flag</b>	All persons present joined in the Salute to the Flag, conducted by Commissioner Cruz.
<b>Approval of Minutes</b>	The minutes of the regular meeting of June 21, 2006 were approved on motion of Commissioner Bertels, seconded by Commissioner Cruz, and carried 5-0.
<b>Oral Communications</b>	<p>Mr. Art Bashmakian informed the Commission that Case 2006-43 was withdrawn because the applicant's mother recently passed away, and the applicant did not need the proposed second residential unit which was intended for the deceased mother. The Commission allowed the applicant, Mrs. Geraldine Kohut of 5092 Vallecito Avenue, to speak.</p> <p>Mrs. Kohut thanked Mr. Bashmakian for his professional assistance to their case. She expressed, however, her impression that the Planning Department could not adequately decide on her proposal even if in mid-2003, the State of California Chapter 1062 clearly stated that an elderly or disabled person be provided a home to the extent that the City's Planning department can accommodate that request and make it easier. She stated that during the four-month application process, her totally disabled mother was displaced. Mrs. Kohut stated that a similar request was granted to her neighbor. She appealed to the Commission to check how these additional residential needs</p>

for the elderly and disabled people could be adequately addressed so that the system would improve and become more efficient in the future. She stated that they paid \$900 for the application and \$1,560 to appeal. She believed a disservice was done to her family although she felt it was not intentional.

Chairman Turro thanked Mrs. Kohut and advised that she attend the Council meeting to express the same. Chairman Turro sympathized with Mrs. Kohut and explained that the Commission does not allow additions as there are some residents whose sole purpose is to rent these additions. Mrs. Kohut assured the Commission she never had any other intention but to provide a home for her mother and although people will always find a way to abuse the law, she would never have done it.

**Written  
Communications**

There were no Written Communications received.

**Public Hearing**

- A. Case 2006-43, Administrative Adjustment.** Located at 5092 Vallecito Avenue. Consideration of an Appeal of a Denial of an Administrative Adjustment to Allow a Reduced Side Yard Setback for a Garage required for a Second Residential Unit. The applicant proposes a Second Residential Unit to be located on the westerly side of the existing residence. The Municipal Code requires a ten (10) foot wide garage for the Second Residential Unit. The side yard setback for the proposed garage would be 4'2" from the westerly property line.

STAFF RECOMMENDATION: Planning staff recommends that the Planning Commission uphold the Planning Director's Denial of Case No. 2006-43 (Administrative Adjustment).

The proposal was withdrawn.

- B. Proposed Capital Improvement Projects Fiscal Year 2006-07.** Under the terms of Section 65401 of the Government Code, the Planning Agency of each city or county is required to review any Capital Improvement Projects (CIP) of agencies within that jurisdiction as to conformance with that Agency's adopted General Plan.

STAFF RECOMMENDATION: That the Planning Commission find that the proposed Capital Improvement Projects are consistent with the Westminster Comprehensive General Plan.

Mr. Jake Ngo, Associate Civil Engineer of the Public Works Department, was available to answer any questions.

**Motion** On motion of Commissioner Cruz, seconded by Commissioner Nguyen, and carried 5-0, the Commission found that the proposed Capital Improvement Projects are consistent with the General Plan.

**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 on the item becomes final unless such decision is appealed to the Planning Commission or the Planning Commission requests further review.

- A. Case 2006-41, Administrative Adjustment.** Located at 5272 Clark Avenue. The applicant is requesting a 16-foot rear yard setback for a one-story, 247-square-foot family room addition, whereas a 20-foot setback is required in accordance with section 17.10.020(E) of the Westminster Municipal Code. In the R1 district, a request for a reduced rear yard setback of 16 feet must be reviewed by the Planning Manager.

DECISION: APPROVED

The Commission by a vote of 5-0, received and filed above item.

### Reports and Comments:

**Planning Manager** Mr. Bashmakian informed the Commission that as requested by the Commission in their last meeting, Ms. Vicki Morgan, Code Enforcement Manager, will attend the next scheduled meeting of August 2 to answer any questions.

**City Attorney** None

**Planning Commissioners** Commissioner Krippner informed the Commission that he spoke with Mrs. Kohut shortly after her mother passed away. He stated that instead of adding a second residential unit, a chairlift should also have been considered.

Commissioner Cruz reported overgrown vegetation at the southeast corner of Hazard and Beach. Mr. Ngo explained that the private lot is under development and he will inform the development manager to start cleaning the area. Mr. Bashmakian added that this complaint will be passed on to Code Enforcement.

Commissioner Bertels reported that the illegal signs are still up in the corner of Bolsa Avenue and Brookhurst Street. He stated that the Mayor is sympathetic to the Commission's concerns and it is the Commission's responsibility to be well-informed about what is going on in the City and bring any concerns to the forum. He was upset that the illegal palm trees are still up and City ordinances are not being complied with.

Commissioner Cruz reported that the sign "No parking on second and fourth Monday..." on Jennrich and Newland Streets is completely blocked by trees.

Mr. Bashmakian noted the complaints will be forward to Code Enforcement and Public Works.

Chairman Turro announced that this is the last meeting of Commissioner Nguyen who is resigning as Planning Commissioner. He thanked and complimented Commissioner Nguyen for his service to the Commission.

Commissioner Nguyen indicated that he values his experience with the Commission and will miss everyone.

## **Adjournment**

In memory of Mrs. Kohut's deceased mother, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Maria Moya  
Department Secretary