

PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
December 18, 2006
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Monday, December 18, 2006 called to order in the Westminster Council Chambers, at 6:30 p.m. by Chairman Turro.
- Roll Call** Commissioners present: Bertels, Chow, Cruz, Krippner, Turro
Commissioner absent: None
- Staff Attendance** Steve Ratkay, Associate Planner; Chris Wong, Assistant 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 Krippner.
- Approval of Minutes** The minutes of the regular meeting of December 4, 2006 were approved on motion of Commissioner Bertels, seconded by Commissioner Chow, and carried 3-0-2, Commissioners Cruz and Krippner abstained.
- Oral Communications** None
- Written Communications** Mr. Steve Ratkay stated that the Commissioners were provided an updated photo simulation of the proposed project (Case 2006-06) that is scheduled for hearing that evening. He pointed out two corrections in the Commissioners' packets, as follows: incorrect location in Fig.3-F3 of the draft Environmental Impact Report (EIR); and the word "not" was missing in Section 2-11 of the final EIR.
- Public Hearing A.** Case 2006-06 Variance, Conditional Use Permit, Site Plan, Design Review. Location: Northeast Corner of Beach Boulevard & Edinger Street (Assessor's Parcel Number 107-212-06).

Application for Variances, a Conditional Use Permit, Site Plan and Design Review to allow the construction of two single-story retail buildings totaling 6,777 square feet and a three story (including one basement level) self storage building totaling 135,100 square feet.

STAFF RECOMMENDATION: That the Planning Commission 1.) Adopt Resolution 2006-06 (A), certifying the Environmental Impact Report (EIR) pertaining to Case 2006-06; and 2.) Approve Case No 2006-06 based on the findings and conditions found in Resolution Number 2006-06 (B).

Mr. Ratkay provided a brief presentation on the background of the applicant's request to develop the northeast corner of Beach Boulevard and Edinger Street with two retail buildings and a self-storage building. He stated that the EIR prepared for the project indicated that the potential environmental impacts were either less than significant or could be mitigated to less than significant. He indicated that staff supports the request based upon staff's analysis and findings and conditions in the draft resolution, and recommended that the Commission certify the EIR. Mr. Ratkay informed the Commission that Mr. Jake Ngo of the City's Engineering Division; Chad Beckstrom of Jones & Stokes, planning consulting firm that prepared the EIR; and Mr. Scott Sato of Urban Crossroads, traffic consultant that assisted in the preparation of the environmental report, were available to answer any questions related to traffic impacts and circulation.

The public hearing was opened.

Speaking in favor of the application was the co-owner of the property, Mr. Brett Blanchard of Makena Great American, Edinger LLC, 26242 Oso Parkway, Mission Viejo. He introduced the other members of his team.

Another co-owner of the property, Mr. Don Robertson of 26242 Oso Parkway, Mission Viejo, told the Commission that they brought a miniature model of the project that is currently displayed, and he was available to answer any questions.

Mr. Tim Bundy of Bundy-Finkel Architects, 20331 Irvine Boulevard, Santa Ana Heights, complimented staff for its assistance to the project.

Mr. Av+9iel Valli of Valli Architectural Group, 81 Columbia Ste. 200, Aliso Viejo, architect for the storage building and Mr. Lynn Mutch of Pfeiler & Associates, 14181 Fern Drive, Chino, civil

engineers of the project site, were available to answer any questions.

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

Chairman Turro was concerned about some of the significant potential impacts of the project specifically the hazardous traffic condition at the intersection of Edinger Avenue and Beach Boulevard. Mr. Ratkay responded that although there are some impacts, these have been brought to the level of insignificance as addressed in the EIR.

Commissioner Krippner sympathized with the city of Huntington Beach because he felt that it probably did not believe the project is a very attractive proposal. He stated that the Bella Terra development has produced traffic congestion in the intersection and accidents are likely to happen anytime. Commissioner Krippner clarified that the City of Westminster does not control the Midway Sanitary District as it is a separate entity that is responsible for the City's sanitation and waste disposal. Further, he mentioned that he does not have any information if this project has "fog" (fuel, oil, and grease) clearance.

Pertaining to traffic concerns, Mr. Ratkay explained that Mr. Ngo and Mr. Sato are available to answer any traffic-related questions although this issue has been addressed in the EIR. As far as the aesthetic quality of the building, Mr. Ratkay stated that it is consistent with the Bella Terra development. He added that if the Planning Commission approves the project, Midway Sanitary District will conduct its own review procedures.

The public hearing was reopened.

Speaking in favor was Mr. Scott Sato of Urban Crossroads, 41 Corporate Park, No. 300, Irvine. He stated that the draft study they prepared that analyzed the impacts of the proposed project concluded that the project would not add a significant traffic impact at the Edinger Avenue/Beach Boulevard intersection. Considering the conditions imposed, he indicated the project will even improve that intersection westbound approach (Beach Boulevard and Edinger) as a second left turn lane will be added as well as a third through lane.

Mr. Jake Ngo explained the left lane turn already exists in westbound Edinger Avenue and southbound Beach Boulevard and

the developer is dedicating the right turn lane only westbound on Edinger Avenue northbound on Beach Boulevard.

Mr. Mutch stated that the street intersections will be widened at Beach Boulevard and Edinger Avenue by providing two left turn lanes, two through lanes, and additional right turn lane. He added that eastbound Edinger Avenue will be widened so that after the bridge, there will be a separate lane to go into the project and coming out, there will be an island that will prevent vehicles from turning left onto Edinger Avenue, from the site. All these improvements will be installed by the applicant. Mr. Mutch stated that Caltrans allowed access to Beach Boulevard from the project for emergency purposes.

Commissioner Bertels liked and approved of the project.

Commissioner Krippner indicated that he could not imagine the traffic impact that would be caused by a trailer coming in and out of the project site. Mr. Sato responded that they have already taken that kind of situation into consideration, adding that the traffic design was modeled from "auto turn" program that demonstrates a typical box truck going into the site.

The public hearing was closed.

Although she wanted the site to be developed, Commissioner Chow felt that a storage facility will not make the site very attractive. She contends the storage units will aggravate the traffic which is currently very congested. Considering the location of the property, Chairman Turro asserted that there are not enough options available for that property. However, he reiterated that the potential traffic impact still bothered him. Commissioner Krippner suggested a communication tower facility would be appropriate for that site. On the other hand, Chairman Turro felt that a storage project use will generate the least amount of traffic.

Commissioner Cruz wanted to know why the developer was requesting an additional 33,100 square feet more to the 100,000 square feet for the rental units allowed by the City. Mr. Aviel Valli explained that the intensity of the storage project is really less than 100,000 square feet in terms of net leasable spaces, and the rest are not rentable such as elevators, stairwells which does not increase the intensity of the use.

Commissioner Krippner stated that since the project would increase the dangerous conditions of traffic within the intersection, it has to be restudied and a new proposal be made.

Chairman Turro concurred with Commissioner Krippner regarding the potential increase in traffic hazards, but he emphasized that the property needs to be developed. He believed the proposal is not going to degrade the area and personally felt that a sit down restaurant would not be conducive to the area.

The public hearing was reopened.

Mr. Robertson clarified that they had been working with staff for several years on this site and this was not the first project they proposed. He stated that they went into great detail and analysis on the proposed project with a retail component that benefits the City. He indicated there is a tremendous financing associated with this project as they will have to drill water lines under the freeway to connect these water lines to Westminster since Huntington Beach would not allow them to tap into their city's water lines. He agreed with Chairman Turro that this site was not designed for a sit down restaurant. Mr. Robertson further explained that because they were denied by Caltrans to install a signal at Edinger Avenue, they came up with a traffic program that would work with everybody by providing a right ingress/right egress only from the proposed site. He claimed that they tried to make the project consistent with the Bella Terra development. He was hopeful that the Commission would consider everything and give them its approval.

The public hearing was closed.

Commissioner Krippner believed that a well-planned City will not allow this proposal since access to the property is difficult and may be hazardous. An appropriate use would be one that generates little traffic such as a cellular tower. He stated that Westminster should not be a dumping ground for bad proposals that other cities may not accept.

Motion Commissioner Bertels moved that the Commission adopt Resolution 2006-06(A), certifying the Environmental Impact Report (EIR) pertaining to Case 2006-06. Chairman Turro seconded and the motion carried 5-0.

Motion Commissioner Bertels, seconded by Chairman Turro, moved that the Commission approve Case No 2006-06 based on the findings and conditions found in Resolution Number 2006-06 (B).

Commissioner Chow was still uncomfortable allowing a self-storage building on the site and Commissioner Krippner reiterated the dangerous traffic conditions in the intersection.

The motion failed 2-3, Commissioners Chow, Cruz, and Krippner dissented.

New Business A. Case 2005-93 Design Review Level 2. Location: 9930 Bolsa Avenue (Assessor's Parcel Number 143-031-32) Application for a level 2 Design Review to allow the establishment of an unmanned, wireless communications facility (including 6 panel antennas, a GPS antenna, a 2-foot-diameter microwave dish, power and Telco box, and 4 radio equipment cabinets) on the rooftop of an existing two-story commercial building within the Liberty Square retail shopping center.

STAFF RECOMMENDATION: That the Planning Commission approve the design based on the findings and conditions included in the proposed resolution.

Mr. Chris Wong said that staff supports the applicant's request to allow the establishment and operation of an unmanned wireless communications facility based upon the project's compliance with the Municipal Code and comments received from applicable City departments.

Motion Commissioner Cruz, seconded by Commissioner Chow, and carried 5-0, moved that the Planning Commission approve Case 2005-93 based on the findings and conditions included in the proposed resolution

Old Business There was no Old Business scheduled for review.

Administrative Approvals The Planning Commission received notification that there was no Administrative Approval item that was reviewed by the Planning Manager.

Reports and Comments:

Planning Manager Mr. Ratkay informed the Commission that the January 3, 2007 meeting has been cancelled.

Follow up to Commissioner's Comments None

City Attorney	None
Planning Commissioner's Comments	The Commissioners greeted everyone a Merry Christmas and a Happy New Year.
Reporting on AB 1234	None
Adjournment	The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Maria Moya
Department Secretary