



**PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
November 7, 2007
6:30 p.m.**

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, November 7, 2007 called to order in the Westminster Council Chambers at 6:30 p.m. by Chairman Turro.
- Roll Call** Commissioners present: Bertels, Chow, Krippner , Tran, Turro
Commissioner absent: None
- Staff Attendance** Art Bashmakian, Planning Manager; Michael Patterson and Chris Wong, Assistant Planners; Fenn Moun, 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 Chairman Turro.
- Approval of Minutes** The minutes of the regular meeting of October 17, 2007 were approved on motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 5-0.
- Oral Communications** None
- Written Communications** None

Public Hearing A. Case 2007-39 Design Review – Level 3 Location: 6641 Westminster Boulevard - Kentucky Fried Chicken.

Exterior architectural modifications to an existing, 3,497 square-foot, freestanding restaurant building located within the Westminster Center, an existing commercial center located north-west of the intersection of Westminster Boulevard and Goldenwest Street.

STAFF RECOMMENDATION: That the Planning Commission approve the design review application based on the findings and conditions as outlined in the draft resolution.

Mr. Michael Patterson made a brief presentation on the proposed exterior modifications to an existing restaurant. Based on staff findings and analysis, Mr. Patterson recommended approval of Case 2007-39 subject to all the conditions listed in the draft resolution.

The public hearing was opened.

Project Manager of KFC Corporation, Mr. Ron Faris of 14841 Dallas Parkway, Dallas, TX 75254, indicated they are re-imaging the front of the building and the dining area of the restaurant and in agreement with staff conditions. He confirmed there will be no outdoor sitting and no trash or debris in the outdoor dining area.

Architect of the project, Mr. Justin Knepper of 1950 Craig Rd. Ste 300, St. Louis, MO 63146 , also spoke in favor.

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

In order to achieve a softer tone to the vacant outdoor patio area, Commissioner Krippner suggested that the applicant put potted plants within that area. This was acceptable to Mr. Faris noting that they could plant small shrubs around the area. However, Commissioner Chow felt the plants were unnecessary as they would block the front area. She indicated that she wants the decorative panels to be uniformed with all KFC Stores.

Motion

Commissioner Bertels moved that the Planning Commission approve Case 2007-39 Design Review based on the findings and conditions outlined in the draft resolution. Chairman Turro seconded. The motion carried 4-1, Commissioner Krippner dissented.

B. Case 2007-57 Conditional Use Permit, Site Plan, and Design Review. Location: 15750 Magnolia Street (east of Magnolia north of Larkspur Drive) Reformation Lutheran Church.

Application for a Conditional Use Permit, Site Plan, and Design Review to allow the construction of a new church sanctuary and demolish and remodel a portion of the existing Reformation Lutheran Church building.

STAFF RECOMMENDATION: That the Planning Commission approve Case No 2007-57 based on the findings and conditions found in the draft resolution.

Mr. Fenn Moun stated that the applicant is requesting to allow the construction of a new church sanctuary and demolish and remodel a portion of the existing church building. Staff supports the request based on its findings and analysis, and recommended approval of the application.

The public hearing was opened.

Architect Mr. Russell Lackey of 7812 Ledon Way, Midway City spoke in favor noting that the applicant accepts all the conditions imposed by staff.

Pastor James Rosenlieb of 1035 Montecito Drive, Corona, stated they need a larger building to accommodate church activities and continue to serve the community.

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

Motion

On motion of Commissioner Chow, seconded by Commissioner Tran, and carried 5-0, the Planning Commission approved Case No 2007-57 based on the findings and conditions stated in the draft resolution.

C. Case 2007-74 Conditional Use Permit, Site Plan Review, and Design Review. Location: 2010A Westminster Mall (north of Bolsa Avenue east of Edwards Street and south of the San Diego Freeway) Elephant Bar Restaurant.

The applicant is requesting site plan review and design review of a proposed 720 square foot addition to the upper floor area of the Westminster Mall that will feature a contemporary architectural design. These modifications are proposed to accommodate a new restaurant use (Elephant Bar) with a full service bar for which the applicant is also requesting a conditional use permit.

STAFF RECOMMENDATION: That the Planning Commission approve Case No. 2007-74 subject to the conditions stated in the draft resolution.

Mr. Chris Wong made a brief presentation on the applicant's request for a site plan review and design review of a building addition to accommodate a new restaurant; and a conditional use permit for onsite sale and consumption of alcohol. Based on staff findings, staff recommended approval of Case No. 2007-74 subject to the conditions stated in the draft resolution. He mentioned that staff received a letter dated November 1, 2007 from Mr. Conrad Neumann and Ms. Michelle Neumann of 15032 Rice Cir., Huntington Beach, supporting the project.

The public hearing was opened and speaking in favor was Mr. Michael Riley, representing Elephant Bar and architect of the project, 3190 Airport Loop, Costa Mesa.

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

Motion On motion of Commissioner Bertels, seconded by Commissioner Chow, and carried 5-0, the Planning Commission approve Case No. 2007-74 subject to the conditions stated in the draft resolution.

Reports None

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

Items from the Planning Commission None

Comments: Planning Commissioner Chairman Turro inquired if it was appropriate to ask an applicant about the cost of a project. Mr. Bettenhausen explained it was up to the Commission to inquire about that information from the applicant if it will be part of their decision making. However, the applicant can refuse to answer. If it has no bearing on the decision, he advised the Commission not to ask it.

Commissioner Bertels requested for an update on the illegal palm trees planted in the parkways as there had been no final resolution to the problem up to this time. Mr. Bashmakian responded that he will communicate his concern to Yard Operations Manager Jeff Howell and get an update.

Chairman Turro mentioned he has observed an increase of Hard Rock Cafe Las Vegas and other illegal signs posted on electric poles around the City. Mr. Bettenhausen informed him these signs are not allowed on City Property, but the City has limited staff to remove these signs. In order to address this issue, he suggested that the Commission bring this concern to City Council. Commissioner Chow requested Code Enforcement to deal with this matter.

Planning Manager None

City Attorney None

**Reporting on
AB 1234** None

Adjournment The meeting was adjourned at 7:50 p.m. to the Planning Commission meeting of December 5, 2007 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Department Secretary