



PLANNING COMMISSION
Minutes of the Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
November 19, 2008
6:30 p.m.

Call to Order The Planning Commission of the City of Westminster met in a regular session on Wednesday, November 19, 2008 called to order in the Westminster Council Chambers at 6:30 p.m. by Chairman Turro.

Roll Call Commissioners present: Bertels, Chow, Tran, Turro
Commissioner absent: Krippner

Staff Attendance Doug McIsaac, Community Development Director; Art Bashmakian, Planning Manager; Maria Moya, Administrative Assistant; Christian Bettenhausen, Deputy City Attorney

Salute to the Flag All persons present joined in the Salute to the Flag, conducted by Mr. Christian Bettenhausen.

Approval of Minutes The minutes of the regular meeting of November 5, 2008 were approved on motion of Commissioner Bertels, seconded by Commissioner Chow, and carried 4-1, Commissioner Krippner absent.

Oral Communication None

Written Communications None

Public Hearing A. Case 2008-63 Variance.
Location: 16496 Beach Boulevard (Assessor's Parcel Number 107-220-73)

The application involves a variance request to add a third exterior wall sign on the south facing wall of an existing retail business.

STAFF RECOMMENDATION: Since the applicant has withdrawn this application, no further action is required by the Planning Commission.

Mr. Art Bashmakian pointed out a typographical error on Page 2, Section VI. A of the agenda which should have indicated Case 2008-63 instead of Case 2008-83. He informed the Planning Commission that the applicant was able to modify his project without requesting a variance and no action was necessary.

B. Case 2008-82 Appeal of Determination.

Location: 6351 Klamath Drive (Assessor's Parcel Number 203-403-16)

Appeal of Planning Manager's Determination that the proposed addition is inconsistent with Westminster Municipal Code Section 17.08.020 (H)(13).

STAFF RECOMMENDATION: That the Planning Commission uphold the Planning Manager's determination.

Mr. Bashmakian indicated that this was an appeal of the Planning Manager's determination on Case 2008-82. He made a brief overview of the proposed project which involves expansion of a single family residence exceeding the total allowed for a single garage. Based on staff analysis and findings, Mr. Bashmakian recommended that the Planning Commission uphold the Planning Manager's determination that the proposed addition is inconsistent with the Code.

The public hearing was opened.

Speaking in favor of the proposal was the homeowner, Mr. Perry Vellanoweth. He stated that they are only trying to upgrade their home to make it more livable. He explained that the proposed additions will be pathways in the living room and will provide more storage spaces for the bedrooms. He contended that there is no space for a second garage because of the pool at the rear property and the trees and fire hydrant on the side of the property. In order to add a second garage, Mr. Vellanoweth indicated that the dining room and kitchen had to be torn down including the tree, leaving no play area for his children. Lastly, he stated it will be very cost prohibitive.

Mrs. Kim Vellanoweth reiterated her husband's statements stressing that the additions were necessary for their growing family.

The architect Mr. Matt Lacy of 6052 Ivory Circle, Huntington Beach, stated that they constructed the first addition in 2003.

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

Chairman Turro sympathized with the homeowners but was concerned that the proposal could set a precedent if the Commission approved it.

Commissioner Bertels shared Chairman Turro's concern, but felt there was anything alarming about the proposal.

Mr. Bettenhausen explained that the decision was up to the Commission but in general, the ordinance should be enforced.

Commissioner Chow suggested that the applicant modify his design to accommodate a two-car garage by expanding the living room to the opposite side, leaving the front area for the garages.

Chairman Turro reopened the public hearing to allow Mr. Vellanoweth to speak. Mr. Vellanoweth was aware of nearby residences that have expanded and are renting out rooms, but he indicated that he has no plans to do the same.

The public hearing was closed.

Although he understood the Vellanoweth's family situation, Commissioner Tran pointed out that he does not want to start a precedent and would abide by staff's recommendation.

Motion

Commissioner Bertels moved that the Planning Commission reverse the Planning Manager's determination and allow the applicant to retain one car garage. Chairman Turro seconded.

Commissioner Chow further explained that considering the City's foremost plan is to improve its neighborhood, the City's codes and ordinances have to be enforced. Since the future is unpredictable, Commissioner Chow believed that the situation should be dealt now, and she will support staff recommendation. She requested to make a substitute motion.

Mr. Bashmakian informed the Commission that the zoning code which is currently being updated, will be more comprehensive and will address situations such as this proposal.

After all the discussions, Commissioner Bertels was convinced to uphold the Planning Manager's determination, changed his stand, and withdrew his original motion with the approval of the second.

Motion	Commissioner Chow moved that the Planning Commission uphold the Planning Manager's determination. Commissioner Tran seconded, and the motion carried 3-1-1, Chairman Turro dissented, Commissioner Krippner absent.
Reports	A. None
Administrative Adjustments	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	None
Planning Manager	<ol style="list-style-type: none"> 1. Determine if the Planning Commission desires to cancel the December 3, 2008 meeting. 2. Determine if the Planning Commission desires to cancel the January 7, 2009 meeting. <p>The Planning Commission unanimously agreed to cancel the December 3, 2008 and January 7, 2009 meetings.</p>
City Attorney	None
Reporting on AB 1234	None
Adjournment	The meeting was adjourned at 7:30 p.m. to the Planning Commission meeting of December 17, 2008 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Administrative Assistant