



**PLANNING COMMISSION**  
**Minutes of the Regular Meeting**  
**Westminster Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**November 5, 2008**  
**6:30 p.m.**

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- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, November 5, 2008 called to order in the Westminster Council Chambers at 6:30 p.m. by Chairman Turro.
- Roll Call** Commissioners present: Bertels, Krippner, Tran, Turro  
Commissioner absent: Chow
- Staff Attendance** Doug McIsaac, Community Development Director; Art Bashmakian, Planning Manager; Fenn Moun, Planning Technician; Maria Moya, Administrative Assistant; and, Ivy Tsai, 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 October 15, 2008 were approved on motion of Commissioner Bertels, seconded by Commissioner Tran, and carried 4-1, Commissioner Chow absent.
- Oral Communication** Mr. Darrell Nolta, a Westminster resident, spoke about the maintenance of the Little Saigon area. He stated that after meeting with City Manager Ray Silver about the area's trash and debris problem, City staff cleaned up the problematic commercial center in Brookhurst and trimmed the landscaping by the city's boundary. He strongly encouraged the City Council and Planning Commission to enforce cleaning streets and business areas city-wide.
- Written Communications** Mr. Art Bashmakian mentioned that the following written communications were provided to the Commission: letter relating to Case 2006-56 (Public Hearing Item A) from the applicant's representative requesting continuance to the December 3, 2008 Planning Commission meeting and staff recommends that the Planning Commission take such action; and information on the changes in the resolution related to Case 2008-19 (Reports Item A).

**Public Hearing A. Case 2006-56 Conditional Use Permit, Site Plan, and Design Review.**

**Location: 7185-7195 Westminster Boulevard (Assessor's Parcel Numbers 096-084-15 and 096-084-27)**

The application involves a request to establish and operate a used automobile, truck and recreational vehicle (RV) sales, leasing and rental business which will include the construction of a 495 square foot sales building on the subject site.

STAFF RECOMMENDATION: That the Planning Commission deny the Conditional Use Permit, Site Plan, and Design Review.

Mr. Art Bashmakian stated that the applicant had requested to continue this item to December 3, 2008 as indicated in the letter provided to the Commission. Staff supports the applicant's request and recommends that the Planning Commission take that action.

Motion

Chairman Turro moved that the Planning Commission continue Case 2005-56 to December 3, 2008 as recommended by staff. Commissioner Bob seconded and the motion carried 4-1, Commissioner Chow absent.

**B. Case 2008-15 Site Plan and Design Review.**

**Location: 7801 Bolsa Avenue (Assessor's Parcel Number 096-370-10)**

The application involves a request to demolish an existing chapel and replace it with a new single story chapel building at Westminster Memorial Park.

STAFF RECOMMENDATION: That the Planning Commission approve the Site Plan and Design Review.

Mr. Fenn Moun made a brief overview of the proposed project. Based on staff's analysis and findings, Mr. Moun recommended approval of Case 2008-15 subject to the conditions listed in the draft resolution.

Commissioner Chow arrived at 6:42 p.m.

The public hearing was opened.

Speaking in favor was the architect of the project, Mr. Bill Reseigh of HMR Architect, 221 Main Street, Huntington Beach. Mr. Reseigh requested that the design improvements such as the fanlight and dormers recommended by staff be eliminated due to budget constraints. He believed it was unnecessary to put additional architectural elements in the east side of the building since it faces a fenced area which will be developed into a cemetery.

Requesting for the Commission's approval, Mr. Bob Dawson of Westminster Memorial Park indicated that their ultimate goal is to serve their clientele better.

Mr. Darrell Nolta supported the proposal as he believes that Westminster Memorial Park will construct a facility of finest quality within their budget. He felt that it was absurd that staff should require the applicant to put additional design features on the project.

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

Chairman Turro detested Mr. Nolta's statement about staff contending that staff was only trying to ensure conformance with the codes.

Commissioner Chow shared the same sentiments, indicating that staff's recommendation is based on City Council's vision for the future. She stated that she has received many compliments for staff from the public. She suggested that the applicant and staff find the middle ground wherein the building could slightly be enhanced within the applicant's budget.

Commissioner Tran concurred with Commissioner Chow.

Mr. Reseigh was agreeable to Commissioner Chow's suggestion. He and staff agreed to eliminate Conditions 4b, 4c, and 4d.

Motion

Commissioner Chow moved that the Planning Commission approve Case 2008-15 based on the findings and conditions listed in Resolution No. 2008-15 with modifications eliminating Condition No. 4b, 4c, and 4d. Commissioner Tran seconded and the motion carried 5-0.

**C. 2008-48 Conditional Use Permit, Site Plan, and Design Review.  
Location: 16421 Magnolia Street (Assessor's Parcel Number 107-634-43)**

The application involves a request to expand Magnolia Animal Hospital in order to accommodate a new boarding room, employee lounge, and an indoor kennel

STAFF RECOMMENDATION: That the Planning Commission approve the Conditional Use Permit, Site Plan, and Design Review.

Mr. Moun made the presentation on the applicant's request to expand Magnolia Animal Hospital. He recommended that the Planning Commission approve the requests subject to the condition in the draft resolution.

The public hearing was opened.

Speaking in favor was the owner's representative, Mr. George Behnam of 1150 E. Orangethorpe Ave. No. 109, Placentia, who informed the Commission that the owner could not attend the meeting due to a recent surgery. He requested the Commission to allow them to work with staff concerning the existing non-conforming pole sign.

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

Mr. Behnam stated that replacing the pole sign with a monument sign will provide limited exposure for the business and will cost more. However, he stated that the owner is willing to improve the existing pole sign. Mr. Bashmakian stated that staff was not opposed to the improvement of the existing pole sign.

Commissioner Chow did not mind retaining the pole sign as she likes the design of the building.

Commissioner Krippner stated that the improvements are very good especially the proposed exercise yard for the animals.

The applicant consented to work with staff to improve the existing pole sign.

Motion

On motion of Commissioner Chow, seconded by Commissioner Tran, and carried 5-0, the Planning Commission approved Case No. 2008-48 based on the findings and conditions recommended by staff.

Reports

A. **Case 2008-19 Conditional Use Permit, Site Plan and Design Review.**

**Location: 6491 Maple Avenue (Assessor's Parcel Number 195-292-10)**

Review of Resolution No. 2008-19 memorializing the action of the Planning Commission it approving a billboard adjacent to the San Diego Freeway on property containing a self storage business (U-Store it).

STAFF RECOMMENDATION: Review the resolution of approval and adopt said resolution if it is determined that the findings reflect the Commission's action.

Mr. Bashmakian recommended that the Planning Commission review and sign the revised Resolution 2008-19 to reflect the Commission's action in its prior meeting of October 15, 2008. He added, however, that Condition No. 6 had been changed to reflect the code as follows, "At least one of the two advertising faces of the billboard must be oriented towards and visible only from the freeway per Section 15.4011(C)(2) of WMC".

The representative of the applicant, Mr. Bart Kasperowicz, was available to answer any questions.

Commissioner Bertels felt that the Planning Commission went beyond what was required when it approved the proposal based on the fact that City Council will have to do something in order to make the Planning Commission's action useful and worthwhile. Ms. Ivy Tsai clarified that the Planning Commission has the authority as a body to impose the conditions of approval.

Motion

Chairman Turro, seconded by Commissioner Chow, moved that the Planning Commission approve the revised resolution. The motion carried 4-1, Commissioner Bertels dissented.

**B. Case 2007-05 Conditional Use Permit – Six Month Review.**

**Location: 15380 Beach Boulevard (Assessor's Parcel Number 107-161-04)(L8 Restaurant)**

Six Month Review of Case 2007-05.

STAFF RECOMMENDATION: That the Planning Commission receive and file the report.

Mr. Bashmakian indicated that the business had violated many of the conditions of approval, and the owners have met with the Police Department, admitting their mistakes and promised to conform. Soon after the meeting, the business closed on October 15, 2008 and staff was unable to review if the restaurant is in compliance

with the conditions of approval. He recommended that the Commission receive and file this report.

**Motion** On motion of Chairman Turro, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission received and filed the report.

**Administrative Adjustments** The Planning Commission received notification that the following Administrative Approval item was reviewed by the Planning Manager.

**A. Case 2008-72 Administrative Adjustment.**

**Location: 5252 Cornell Avenue (Assessor's Parcel Number 203-027-06)**

The Planning Commission received and filed the item.

**Items from the Planning Commission** None

**Comments: Planning Commissioner** Commissioner Bertels mentioned that the City of Newport Beach has a similar problem as the 9533 Woodmere Circle property which it is considering as a public nuisance. He wanted to know if the City can do the same.

Mr. Doug Mclsaac explained that he was aware of the situation in 9533 Woodmere Circle and advised it was possible to consider a property a public nuisance. If the Commission wants to adopt a more restrictive approach, Mr. Mclsaac stated it may pursue a recommendation for a code amendment to address the concern. He was available to meet and discuss this matter with the Commission.

Chairman Turro congratulated Commissioner Krippner for being reelected in the Midway City Sanitary District Board.

**Planning Manager** Determine if the Planning Commission Meeting January 7, 2009 will be held.

**City Attorney** None

**Reporting on AB 1234** None

**Adjournment**

The meeting was adjourned at 7:55 p.m. to the Planning Commission meeting of November 19, 2008 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA  
Administrative Assistant