



PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
January 23, 2008
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, January 23, 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** Art Bashmakian, Planning Manager; Alexis Schopp, Associate Planner; Fenn Moun, Planning Technician; 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 Commissioner Krippner.
- Approval of Minutes** The minutes of the regular meeting of December 5, 2007 were approved on motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 4-0, Commissioner Chow absent.
- Oral Communications** None
- Written Communications** None
- Public Hearing** A. Case 2007-50 Variance. Location: 9950 Bolsa Street, A and B (Assessor's Parcel Number 143-041-30).

The application involves a Variance to provide nine parking spaces where 11 spaces are required by the Westminster Municipal Code.

STAFF RECOMMENDATION: That the Planning Commission deny Case No. 2007-50.

Mr. Art Bashmakian introduced Ms. Alexis Schopp, the new Associate Planner, who would give the presentation.

Ms. Schopp made a brief presentation on the proposed application. Based on staff findings and analysis, Ms. Schopp recommended denial of Case 2007-50 Variance.

The public hearing was opened and speaking in favor of the proposal was the business owner and applicant, Mr. Calvin Le of 3400 Geranium Street, Costa Mesa. He felt that parking within the shopping center is adequate since most of the businesses in the center are professional offices. He added that the restaurant's busy hours are lunch time (12 p.m. – 1 p.m.) and dinner time (6 p.m. – 8 p.m.) when most of the offices in the shopping center are closed so that there is no significant impact on the parking situation. Mr. Le indicated that they want to continue providing service after 12 years in the business, and their request to expand the restaurant and obtain a parking variance would provide a better and spacious place for their customers and employees. He contended that the lack of two parking spaces would be negligible as there are 67 parking spaces available in the center. Lastly, Mr. Le pointed out that the property owner and the nearby businesses are in favor of their expansion.

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

Commissioner Bertels expressed concern that the restaurant was expanded without valid building permits. He stated that he would vote to deny the variance request as he detests approving an illegal expansion to make it right.

Commissioner Tran concurred with Commissioner Bertels because he was also against justifying an illegal act.

Chairman Turro pointed out that the parking is getting to be horrendous in the shopping center and the ingress and egress of traffic in the shopping center corner is dangerous. He will vote against the variance request.

Commissioner Krippner is also against the variance on the basis that issues relating to health, safety, correct taxation, etc. should be addressed before a permit is granted, and anyone who intends to spend for labor and materials for his business should know all the costs involved.

Motion On motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 4-0 (Commissioner Chow absent), the Commission denied Case No. 2007-50 based on the findings listed 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 A. Planning Commission Meeting of February 6, 2008, to be held at the Community Services Building East/West Room.

Mr. Bashmakian reminded the Commissioners that the next scheduled meeting on February 6, will be held in a different location, Community Services Building East/West Room.

B. Registration for 2008 Planners Institute; March 26-28 in Sacramento.

The four Commissioners confirmed with Mr. Bashmakian that they will not attend the 2008 Planners Institute; March 26-28 in Sacramento.

Mr. Bashmakian informed the Commission that the February 20 Planning Commission meeting may be postponed or cancelled because City Council may hold a meeting on the same day.

**Comments:
Planning
Commissioner**

Chairman Turro welcomed Ms. Schopp to the City.

Planning Manager None

City Attorney None

**Reporting on
AB 1234** None

Adjournment The meeting was adjourned at 7:00 p.m. to the Planning Commission meeting of February 6, 2008 at 6:30 p.m. to be held in the East/West Rooms of the Community Services building.

Respectfully submitted,

MARIA MOYA
Administrative Assistant