



**PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
April 16, 2008
6:30 p.m.**

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, April 16, 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; Chris Wong, Assistant Planner; Fenn Moun, Planning Technician; Maria Moya, Administrative Assistant; Christian Bettenhausen, Deputy City Attorney; Jake Ngo, Civil Engineering Principal
- 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 March 19, 2008 were approved on motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 4-0, Commissioner Chow absent.
- Oral Communications** Mr. Darrel Nolta, a Westminster resident, commended staff and its consultant for its great presentation on the future of the Moran and Westate Street business area project during a recent community meeting. Related to this, he stated that traffic and environmental impacts should be taken into consideration and he would oppose any use of public funds for the parking garages and would not support the two archways proposed. Mr. Nolta believed that the proposed \$2.5 pedestrian bridge would not abate traffic, reminding staff about liability and maintenance issues. He preferred that the funds be expended to abate true traffic problems within the City.
- Written Communications** None
- Public Hearing A.** Case 2007-80 Variance, Site Plan Review, and Design Review.
Location: 8201 Westminster Boulevard (Assessor's Parcel Numbers 097-063-14, 097-063-33, and 097-063-34)

The project involves a proposal to develop a two-story, 7,500-square-foot commercial building incorporating a contemporary/modern design. As the proposed site layout provides a 33-foot-deep vehicular entry drive, and a 40-foot-deep drive is required in accordance with the City's design standards, a variance is also requested to deviate from this standard.

STAFF RECOMMENDATION: That the Planning Commission approve the variance, site plan, and design review application.

Mr. Chris Wong made a brief presentation on the applicant's proposal to develop a two-story commercial building at 8201 Westminster Boulevard. Based on staff findings and analysis, Mr. Wong recommended that the Planning Commission approve the variance, site plan, and design review application (Case No. 2008-09) subject to conditions of approval.

The public hearing was opened.

Speaking in favor was the applicant and owner of the property, Mr. Liem Do of 8231 Westminster Boulevard, who stated that he has lived and worked in the City for 20 years. He thanked staff for its assistance on the project and indicated it is his intent to develop the site into a beautiful commercial building which remains to be an eyesore and a nuisance to the surrounding neighborhoods. He added that unlike the previous owner, he has never violated any city regulations since purchasing the property last year. He mentioned that he owns and works in the adjacent building which was awarded by the City for being an exemplary building.

Commissioner Chow arrived at 6:55 p.m.

Committed to producing an excellent design, the architect and designer of the project, Mr. Hieu Phan, indicated he considered two major issues in the design, namely: the exterior of the building and the layout of the development including traffic and pedestrian safety. He described the design of the building which incorporates contemporary and the English theme of the City.

Mr. Darrel Nolta stated that he personally knows Mr. Do whom he regards as a distinguished resident in the community. He commended Mr. Do and Mr. Phan for the good project, and was pleased there will be no underground parking and the public alley will not be used as access to parking. He suggested to Mr. Do and Mr. Phan to plant more trees and use solar energy for their project.

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

Chairman Turro and Commissioner Krippner supported the project.

Commissioner Bertels expressed concern that in the event one of the properties is sold (there are two separate properties adjacent to each other), an easement would be necessary. Mr. Bettenhausen indicated that a reciprocal access agreement shall be recorded with the County of Orange between the subject parcel and the adjoining parcel as stated in Condition No. 8 of the draft resolution.

Motion

On motion of Commissioner Krippner, seconded by Commissioner Chow, and carried 5-0, the Planning Commission adopted Resolution No. 2007-80 approving Case No. 2007-80 involving a variance, site plan and design review.

B. Case 2008-09 Design Review.

Location: 15553 Brookhurst Street (Assessor's Parcel Number 143-142-07)

The applicant is requesting a Design Review for the exterior architectural modifications to an existing Kentucky Fried Chicken (KFC) restaurant situated within Westhaven Shopping Center located south-west of the intersection of Brookhurst Street and McFadden Avenue.

STAFF RECOMMENDATION: That the Planning Commission approve the design review application.

Mr. Fenn Moun presented the applicant's request for exterior architectural modifications of a KFC restaurant. He stated that staff supports the design review application subject to the conditions of approval listed in the draft resolution and recommends that the Planning Commission approves it.

The public hearing was opened.

Mr. Jeff Holmes of Cumming Signs, 1495 Columbia Avenue, Riverside, spoke in favor and was available to answer any questions.

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

Commissioner Chow stated the proposal was an improvement to the existing image of the restaurant, and Commissioner Tran liked the project as it would improve the building.

Motion Commissioner Chow moved that the Planning Commission approve Case No. 2008-09 – Design Review based on the findings and conditions outlined in the draft resolution. Commissioner Tran seconded and the motion carried 5-0.

Reports **A. Case 2008-21 General Plan Conformity.**
Location: Bedford Lane (Assessor's Parcel Number 098-271-25)

This is a City initiated request for General Plan Conformity for the proposed sale or disposition of City-owned property.

STAFF RECOMMENDATION: That the Planning Commission adopt Resolution No. 2008-21 finding that the proposed sale or disposal of said property by the City of Westminster conforms to the City's adopted General Plan.

Mr. Moun provided a brief overview and analysis of the City's request to determine if the proposed sale or disposal of an abandoned City-owned well site located across two residential properties is in conformity with the General Plan. He indicated that staff supports and recommends that the Planning Commission adopt Resolution No. 2008-21 affirming that the sale or disposal of aforementioned property is in conformity with the adopted General Plan.

No one spoke in favor nor in opposition of the proposal.

Motion On motion of Chairman Turro, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission adopted Resolution No. 2008-21 finding that the proposed sale or disposal of said property by the City of Westminster conforms to the City's adopted General Plan.

B. Case 2008-23 General Plan Conformity.
Location: Westminster Channel (Facility No. C04)

Orange County Flood Control District requests that the City determine if the proposed Westminster Channel (C04) improvements conform with the City's General Plan. The improvements are necessary to protect properties from 100-year (heavy rain events).

STAFF RECOMMENDATION: That the Planning Commission adopt Resolution No. 2008-23 finding that the proposed

Westminster Channel (C04) Improvement Project by the County of Orange conforms to the City's adopted General Plan.

Mr. Art Bashmakian stated that this proposed improvements is part of the ultimate channel improvements to the Westminster Channel to be constructed by the County of Orange Flood Control District with the confirmation of the Public Works Department. Staff's findings concluded that this project conforms with the General Plan. He mentioned that Mr. Jake Ngo from the Engineering Division is available to answer any questions.

The Commission allowed Mr. Darrel Nolta to speak. Mr. Nolta was supportive of the project but expressed concern that construction on the proposed improvements could negatively impact the existing water tanks. Commissioner Chow inquired about the safety concerns and Mr. Jake Ngo explained that the project's major improvements from Beach Boulevard to east of Hoover Street is outside the water tank areas. Furthermore, Mr. Ngo assured the Commission that the County and City will take all precautionary measures during the construction to secure the existing water tanks.

Motion Commissioner Bertels moved that the Planning Commission adopt Resolution No. 2008-23 finding that the proposed Westminster Channel (C04) Improvement Project by the County of Orange conforms to the City's adopted General Plan. Commissioner Krippner seconded and the motion carried 5-0.

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

- A. **Case 2008-07 Zoning Review.**
Location: 8500 Bolsa Avenue (Assessor's Parcel Number 107-201-02)
First Presbyterian Church of Orange County

Motion Chairman Turro, seconded by Commissioner Bertels, and carried 5-0, moved that the Planning Commission receive and file above item.

Items from the Planning Commission None

**Comments:
Planning
Commissioner**

Commissioner Bertels stated that the junk business continues to operate at 9533 Woodmere Circle. Mr. Bashmakian informed the Commission that Code Enforcement could not cite the parked vehicles along the street since the City has no control on the number of vehicles parked along the street and there has been no evidence that any violation has occurred. Commissioner Bertels stated he will bring more pictures.

Planning Manager None

City Attorney None

**Reporting on
AB 1234** None

Adjournment The meeting was adjourned at 8:00 p.m. to the Planning Commission meeting of May 7, 2008 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Administrative Assistant