



PLANNING COMMISSION
Minutes of Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
June 18, 2008
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, June 18, 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; Kelvin Parker, Senior Planner; Alexis Schopp, Associate Planner; 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 Chairman Turro.
- Approval of Minutes** The minutes of the regular meeting of June 4, 2008 were approved on motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 4-0-1, Commissioner Chow absent.
- Oral Communications** None
- Written Communications** None
- Public Hearing A. Case 2008-39 Site Plan, Design Review – Level 3.**
Location: 14471 Beach Boulevard (Assessor’s Parcel Number 096-363-18)
- The proposed project will redevelop the existing Heritage Park located at the northwest corner of Hazard Avenue and Beach Boulevard with a new single-story 4,885 square-foot public building. The proposed building will serve as the home to the Westminster Chamber of Commerce and will also provide a joint use community meeting room for the City of Westminster. The existing 1,400 square-foot chamber of Commerce building will be demolished.

STAFF RECOMMENDATION: That the Planning Commission approve the site plan and proposed design.

Ms. Alexis Schopp made a brief presentation on the proposed project that will redevelop the Heritage Park with a new public building for joint use of the Westminster Chamber of Commerce and community room for the City of Westminster. Based on staff findings and analysis, she recommended that the Planning Commission approve the proposal subject to the conditions in the draft resolution.

The public hearing was opened and the Executive Director for the Chamber of Commerce, Ms. Crystal Wadsworth, spoke in favor and acknowledged the presence of the Chamber's Board of Directors. She indicated that the Chamber has been involved with the project from the beginning and they are looking forward to the completion of the building and continue even more as the voice of business for the City. She was available to answer any questions.

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

Based on the proposed plans, Commissioner Krippner expressed concern that the proposed steel trellis could rust and inquired if aluminum should be used instead. Mr. John James of Dougherty & Dougherty Architects explained that steel lasts longer and requires less maintenance as long as they are treated and painted properly.

Motion

On motion of Chairman Turro, seconded by Commissioner Krippner, and carried 4-0-1, Commissioner Chow absent, the Planning Commission approved the site plan and design review based on the conditions imposed by staff.

B. Case 2007-85 and 2007-86 Zone Text Amendment.
Location: Citywide

City initiated code amendment to establish development standards which will regulate the use and placement of canopies and tarps, as well as, limit the amount of paving within the front and side yard setbacks on residential properties.

STAFF RECOMMENDATION: That the Planning Commission adopt Resolution 2007-85, recommending that the City Council adopt an ordinance amending Sections 17.08.020(I) and 17.46.080 of Title 17 (Land Use Ordinance) of the Westminster Municipal Code to establish development standards that will regulate the use and placement of canopies and tarps, as well as, limit the amount

of paving within the front and side yard setbacks on residential properties

Mr. Kelvin Parker indicated that in order to address complaints from residents concerning canopies, tarps, and front and street side yard driveways, the City initiated to establish development standards that will regulate the use and placement of canopies and tarps in the single family residential district and limit the amount of paving within the front and street side yard setback on residential properties. He recommended that the Planning Commission adopt the draft resolution recommending that the City Council adopt an ordinance amending Sections 17.08.020 and 17.46080 of the Code.

The public hearing was opened.

Speaking neither for nor in opposition of the proposed text amendment, Mr. Owen Eames of 5852 Lancashire Avenue inquired how much paving will be allowed and if fences under three feet will be permitted. Mr. Parker explained that only the paved garage driveway and walkways from the front to the garage will be allowed. He added that the text amendment does not affect fences.

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

Motion

Commissioner Krippner moved that the Planning Commission adopt Resolution 2007-85, recommending that the City Council adopt an ordinance amending Sections 17.08.020(I) and 17.46.080 of Title 17 (Land Use Ordinance) of the Westminster Municipal Code to establish development standards that will regulate the use and placement of canopies and tarps, as well as, limit the amount of paving within the front and side yard setbacks on residential properties. Commissioner Bertels and the motion carried 4-0-1, Commissioner Chow absent.

Reports

A. Case 2005-58 Substantial Conformance Review.

Location: 14072 Goldenwest Street (Assessor's Parcel Number 096-101-52)

The applicant requests that the Planning Commission review changes to the architectural design of a two unit condominium development and determine if they are in substantial conformance with the previously approved design.

STAFF RECOMMENDATION: That the Planning Commission determine the changes to the architectural design of the two unit

condominium development are not in substantial conformance with the previously approved design.

When staff conducted an initial inspection of the project site, Mr. Art Bashmakian stated that staff observed selected architectural elements were omitted from the original design. He indicated that to ensure the quality design of developments in the City, staff is recommending that the Planning Commission determine the changes to the architectural design of the two unit condominium development are not in substantial conformance with the previously approved design.

General contractor and representing the owner, Mr. Long Ha of 401 Marion Boulevard, Fullerton, was allowed to speak. He explained that due to financial constraints, the quality of the development was reduced as the owner incurred additional costs to redesign the project several time and provided car wash and drainage improvements.

Commissioner Bertels felt that the high tower design was not appealing as it was too elevated from the original design. Mr. Ha concurred with Commissioner Bertels. However he clarified that they did follow the approved architectural drawings which differed from the rendering showing a shorter tower.

Motion

On motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 4-0-1, Commissioner Chow absent, the Planning Commission determined the changes to the architectural design of the two-unit condominium development are not in substantial conformance with the previously approved design.

B. Proposed Capital Improvement Projects for Fiscal Year 2008/2009.

In accordance with the applicable provisions of the State Government Code, the Planning Commission is requested to review the proposed Capital Improvement Projects that are included in the 2008/09 proposed City budget and determine if the proposed projects are consistent with the City's General Plan.

Mr. Bashmakian indicated that staff had determined that the items included in the Capital Improvement Projects are consistent with the General Plan. He stated that Mr. Jake Ngo from the Engineering Division-Public Works Department is available to answer any questions.

Motion

Chairman Turro moved that he Planning Commission determine that the proposed Capital Improvement Projects included in the 2008/09 proposed City budget are consistent with the City's General Plan. Commissioner Bertels seconded and the motion carried 4-0-1, Commissioner Chow absent.

C. Case 2006-82 Conditional Use Permit Review.

Location: 1025 Westminster Boulevard (Assessor's Parcel Number 195-373-17)

Six month review of the operations of a computer gaming arcade (Howie's Game Shack) with live disc jockey, located within the Westminster Mall.

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

In compliance with the approved conditions for the business, Mr. Bashmakian reported the six-month review indicated no code enforcement cases opened nor have there been any incident reported to the Police Department. He recommended that the Planning Commission receive and file the report.

The Commission allowed Mr. Paul Yankey of 27866 Trellis Way, Laguna Niguel, to speak. Since the business is family-oriented and had complied with all the conditions, Mr. Yankey requested that the Planning Commission waive the 6-month review and hold a review only when the business violates its conditional use permit. However, Chairman Turro felt that the conditions of approval should remain.

Commissioner Krippner pointed out a correction on the City/Agency Minutes, Page 8, 4-2, third line, Westminster Mall should be Westminster Boulevard.

Motion

Chairman Turro moved that the planning Commission receive and file the report. Commissioner Bertels seconded and the motion carried 4-0-1, Commissioner Chow absent.

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 commented that he was not sure if the text amendment in Section 17.46.080 was related to other issues such as RV parking in the yard or side yard, and requested that in cases such as the text amendment (Cases 2007-85 and 2007-86), it would be helpful if the particular section of the ordinance is provided to them for review. Mr. Bettenhausen stated that the staff report includes the exact wording of the text amendment, however, the Commission can direct staff for additional information if it wishes to do so. Mr. Bashmakian further stated that for easier understanding, the staff report provides the new text in bold and the existing code in regular type. If the Commission needs additional information, staff will provide the same.

Commissioner Bertels reported 15711 and 15701 Candlewood Street seems to be operating a window replacement business because trucks come in and out and people converge at 7:30 in the morning. In addition, he mentioned there are a number of illegal trees planted in parkways around the City which he will provide pictures and the addresses. Mr. Bashmakian will inform Code Enforcement and the Public Works relating to these concerns.

Planning Manager None

City Attorney None

**Reporting on
AB 1234** None

Adjournment The meeting was adjourned at 7:53 p.m. to the Planning Commission meeting of July 2, 2008 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Administrative Assistant