



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

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, July 16, 2008 called to order in the Westminster Council Chambers at 6:30 p.m. by Chairman Turro.
- Roll Call** Commissioners present: Bertels, Chow, Krippner, Tran, Turro
Commissioner absent: None
- Staff Attendance** Art Bashmakian, Planning Manager; Kelvin Parker, Senior Planner; Steve Ratkay, Associate Planner; Fenn Moun, Planning Technician; Maria Moya, Administrative Assistant; Ivy Tsai, Deputy City Attorney;
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Bertels.
- Approval of Minutes** The minutes of the regular meeting of July 2, 2008 were approved on motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 5-0.
- Oral Communications** None
- Written Communications** None
- Public Hearing A. Case 2007-83 Site Plan and Design Review Level - 3.**
Location: 14452 Goldenwest Street (Assessor's Parcel Number 096-171-43 and 096-171-44)
- The application involves a Site Plan Review and Design Review for a new recreational clubhouse and leasing office that is approximately 1,440 square-feet in area.
- STAFF RECOMMENDATION:** That the Planning Commission approve the site plan and design review.

Mr. Kelvin Parker made a brief presentation on the proposed new community clubhouse and leasing office that will serve the residents of a gated apartment complex. Based on staff findings and conditions, Mr. Parker indicated that staff supports the project and recommended its approval.

The public hearing was opened and speaking in favor of the proposal was the applicant representing Carmel Partners, Mr. Dan Byrd, of 2153 Michelson Drive, Irvine. He was available to answer any questions.

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

Commissioner Chow believed it is a good project as it will provide special amenities to the residents of the apartment complex.

Motion

On motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 5-0, the Planning Commission approved the site plan and design review subject to the conditions listed in the resolution.

B. Case 2008-33 Tentative Parcel Map and Variance.

Location: Northeast Corner of Beach Boulevard and Edinger Avenue (Assessor's Parcel Number 107-212-06)

The application involves a Tentative Parcel map to split a 2.2 acre site into two parcels and three variance requests pertaining to the development standards for self storage uses in the C1 (Local Business) Zoning District, including: 1) a request to create a lot with an average depth of approximately 300 feet, whereas chapter 17.22.010(D)(b) requires a minimum lot depth of 500 feet for parcels developed with self storage uses; 2) a request not to provide retail uses along the street frontage of the parcel sited with a self storage use, whereas, Chapter 17.22.010(D)(f) requires that the frontage of the site be developed with retail uses; and 3) a request to provide separate parcels for the self storage and retail portions of the development, whereas Chapter 17.22.010(D)(j) requires that the self storage facilities shall be located on the same parcel as the commercial development along the frontage.

STAFF RECOMMENDATION: That the Planning Commission approve the parcel map and variances.

Mr. Steve Ratkay presented the applicant's request to subdivide the subject property into two parcels and the request for three variances pertaining to self storage uses. He stated that staff

supports the requests subject to the conditions of approval in the draft resolution.

The public hearing was opened.

Mr. Brett Blanchard of Makena Great America (co-owner of the property site), 1450 El Camino Real, Tustin, spoke in favor. He stated that in the process of developing the project, they found out that a separate financier for retail and a separate financier for storage uses was required. In order to finance the projects separately, the parcel has to be divided into two parcels. He felt that although it has been a lengthy and difficult project, they are finally over the hump and the project is coming along. He mentioned that the engineer for the project is available to answer any questions.

Commissioner Chow informed the Planning Commission that an offer by Yogurtland to Makena Great America to lease a retail space was done through NAI, the company where she serves as Vice President. Although she did not have any financial interest in the transaction, Commissioner Chow wanted to know if there was any conflict of interest. Ms. Ivy Tsai advised there was none.

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

Commissioner Chow indicated she had been looking forward to the development of the vacant land and felt this will be a good project.

Motion

Commissioner Bertels moved that the Planning Commission approve the parcel map and variances. Commissioner Chow seconded and the motion carried 5-0.

C. Case 2008-27 Code Amendment.

Location: Citywide

City initiated code amendment to Title 16, §16.12 (Dedication for Park or Recreation Purposes) of the Westminster Municipal Code to establish procedures to require park in-lieu fees to be paid prior to the issuance of building permit(s).

STAFF RECOMMENDATION: That the Planning Commission adopt resolution 2008-27, recommending that the City Council adopt an ordinance amending Title 16 (Subdivision Ordinance) of the Westminster Municipal Code establishing requirements for park in lieu fees to be paid prior to the issuance of building permit(s).

Mr. Fenn Moun provided a brief overview and analysis of the proposed code amendment that will ensure the City collects park in-lieu fees to benefit future residents of subdivision and make it consistent with the purpose of Title 16 of the Municipal Code.

Commissioner Krippner commented that the City should have adopted this amendment all along and he intends to vote for it. Chairman Turro concurred with Commissioner Krippner.

Motion On motion of Commissioner Bertels, seconded by Commissioner Krippner, and carried 5-0, the Planning Commission adopted Resolution 2008-27, recommending that the City Council adopt an ordinance amending Title 16 (Subdivision Ordinance) of the Westminster Municipal Code establishing requirements for park in lieu fees to be paid prior to the issuance of building permit(s).

Reports None

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

A. Case 2008-28 Administrative Adjustment.

Location: 9612 Hazard Avenue (Assessor's Parcel Number 098-442-50)

Approval of a 970 square-foot covered patio encroaching 14 feet into the 20 foot required rear yard setback.

The Planning Commission received and filed above item.

Items from the Planning Commission None

Comments: Planning Commissioners Commissioner Bertels pointed out an email from Code Enforcement Manager Vicki Morgan to Mr. Bashmakian relating to 15701 and 15711 Candlewood. Commissioner Bertels stated he had seen trucks dropped off window installation materials in the residence during weekdays which he presumes are stored in the garage before they are installed the next day. He requested Code Enforcement to closely monitor the residence to verify if these materials are being stored in the garage. Mr. Bashmakian assured Commissioner Bertels that he will notify his concern to Ms. Morgan.

Commissioner Bertels requested for a copy of the Tree Ordinance. Mr. Bashmakian stated that a copy will be provided to Commissioner Bertels, and if he had access to the internet, the Code is also available online.

Planning Manager None

City Attorney None

**Reporting on
AB 1234** None

Adjournment The meeting was adjourned at 7:15 p.m. to the Planning Commission meeting of August 6, 2008 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Administrative Assistant