



PLANNING COMMISSION
Minutes of the Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
February 18, 2009
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, February 18, 2009 called to order in the Westminster Council Chambers at 6:30 p.m. by Chairman Tran.
- Roll Call** Commissioners present: Bertels, Ho, Tran, Turro, Vo
Commissioner absent: None
- Staff Attendance** Art Bashmakian, Planning Manager; and Maria Moya, Administrative Assistant
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Vo.
- Approval of Minutes** The minutes of the regular meeting of February 4, 2009 were approved on motion of Commissioner Bertels, seconded by Chairman Tran, and carried 5-0.
- Oral Communication** None
- Written Communications** None
- Public Hearing** None
- Motion** Mr. Art Bashmakian recommended that the Planning Commission first consider "Item B. Case 2007-81 Time Extension Request" since it was a simple time extension request.
On motion of Commissioner Turro, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission voted unanimously to take "Case 2007-81 Time Extension Request" out of order in the agenda and consider it first.

Reports

B. Case 2007-81 Time Extension Request

Location: 14861 Dillow Street (Assessor Parcel Number 098-562-04)

Since the subject project, which involves a variance and design review for the establishment of a wireless communications facility, was not developed within one year of the Planning Commission's final authorization, the applicant is requesting a one year time extension for the approval of associated entitlements.

STAFF RECOMMENDATION: That the Planning Commission grant a one year time extension.

Mr. Bashmakian indicated this was approved by the Planning Commission last year. Because development has never commenced and the one-year approval will expire, the applicant is requesting a one-year extension of its entitlements. Since there has been no issue or changes on the approved resolution, staff recommended that the Planning Commission grant the applicant's request.

Motion

On motion of Commissioner Turro, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission granted a one-year time extension to Case 2007-81 as recommended by staff.

Mr. Christian Bettenhausen arrived at 6:48 p.m.

A. Case 2006-82 Review of a Previously Approved Conditional Use Permit

Location: 1025 Westminster Mall (Assessor Parcel Number 195-373-17)

Presentation of a summary of facts regarding the operations at Howie's Game Shack, a computer gaming arcade located within the Westminster Mall.

STAFF RECOMMENDATION: That the Planning Commission initiate a public hearing in order to consider Staff's request to amend the Conditional Use Permit to modify the operating hours and to require the business to provide a private security guard.

In compliance with the previously approved conditional use permit, Mr. Bashmakian presented the summary of facts to the Planning Commission as part of its 6-month review of the permit. According to Mr. Bashmakian, the first six months of operations did not warrant any changes to the conditions of approval, but the second

six-month period resulted in a number of police calls for service and numerous police issues relating to the use. In order to thoroughly analyze these concerns and issues, he recommended that the Planning Commission initiate a public hearing.

Before entertaining any motion from Commissioner Bertels, Mr. Bashmakian suggested that the Planning Commission allow the representative from Howie's Game Shack, Mr. Paul Yankey of 27866 Challis Way, Laguna Niguel, to speak.

Mr. Yankey stated that he was not aware of the police calls and services to the place of business until Mr. Michael Patterson informed him about Police Department's recommendation to alter the business' operating hours a week and a half ago. After reviewing the 19 police calls, he indicated that only one call (insurance call for an iPod stolen) occurred within the place of business. The rest of the 18 calls had to do with incidents that happened in the mall's parking lot, outside their area of operations. Mr. Yankey pointed out the parking lot is the mall's area of responsibility. He indicated that the business has its own security and they operate a good business such as in their three other locations in Mission Viejo, Moreno Valley and Buena Park which have reported no issues at all. Based on the nature of the business, Mr. Yankey emphasized that it is not financially feasible to operate the business if the hours of operation will be restricted.

Motion Commissioner Turro moved that the Planning Commission initiate a public hearing in order to consider staff's request to amend the Conditional Use Permit to modify the operating hours and to require the business to provide a private security guard. Commissioner Bertels seconded and the motion carried 5-0.

Administrative Adjustments None

Items from the Planning Commission None

Comments: Planning Commissioner None

Planning Manager None

**Reporting on
AB 1234**

None

Adjournment

The meeting was adjourned at 7:00 p.m. to the Planning Commission meeting of March 4, 2009 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Administrative Assistant