



PLANNING COMMISSION
Minutes of the Regular Meeting
East/West Room
8200 Westminster Boulevard
Westminster, CA 92683
March 2, 2011
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, March 2, 2011, called to order in the East/West Room of the Community Services Building at 6:35 p.m. by Chairman Vo.
- Roll Call** Commissioners present: Ho, Oh, Turro, Vo
Commissioner absent: Bertels
- Staff Attendance** Art Bashmakian, Planning Manager; Alexis Oropeza, Associate Planner; Michael Patterson, Assistant Planner; Shelley Dolney, Administrative Assistant; and Baron Bettenhausen, Deputy City Attorney
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Ho.
- Approval of Minutes** The minutes of the regular meeting of February 2, 2011 were approved on motion of Commissioner Turro, seconded by Chairman Vo, and carried 4-0-1, Commissioner Bertels was absent.
- Oral Communications** None
- Report from the Secretary on Late Communications Items** Mr. Art Bashmakian mentioned that the draft Resolution to adopt the Mitigated Negative Declaration for Case 2010 was provided to the Planning Commission since it was not included with the agenda packets when they were delivered.
- Ex Parte Communication** None
- Public Hearing A.** **Case 2010-12 Conditional Use Permit, Development Review, and Administrative Adjustment**
Location: 5948 Westminster Boulevard
(Assessor's Parcel Number 195-141-05)

Request for a Conditional Use Permit, Development Review, and Administrative Adjustment to allow the expansion to an existing 7,000 square-foot Goodwill retail store by adding a 2,153 square-foot, single-story, (16-foot tall) addition at the rear of the building. Approximately 243 square feet of the addition would be used for office; the balance of the addition will be used for the processing of merchandise and collection of donations including electronic waste. The applicant is also requesting approval of an administrative adjustment to allow 12 fewer parking spaces than required.

STAFF RECOMMENDATION: That the Planning Commission approve the application based on the required findings and subject to the conditions of approval.

Ms. Alexis Oropeza made a brief overview of the proposed expansion to the Goodwill Store including an approval to allow 12 fewer parking spaces required by code. Based on staff analysis and conditions, she recommended that the Planning Commission approve the request for a Conditional Use Permit, Development Review, and Administrative Adjustment.

Commissioner Bertels arrived at 6:43 p.m.

The public hearing was opened.

Representing Goodwill Industries, Mr. Mike Easton of 1900 E. Warner Ave. Ste. M, Santa Ana, stated that the business had been operating since 1981 and contended that with the conditions imposed by staff, noise concerns will be mitigated.

Mr. Chris Mastorton of 5901 Lancashire Avenue concurred with Mr. Easton that noise will be significantly reduced. He was confident that they will be able to restore faith and bring a level of sanity to the community.

Mr. Jerry Hereford, 5891 Lancashire Avenue, was originally opposed to the project as he was concerned about the floodlight directly reflecting onto his backyard. However, after the presentation and the conditions imposed by staff, he was satisfied and supported the project.

Mr. Fred Samimi of PO Box 9131, Newport Beach, owns the shop beside Goodwill. He expressed concern about the limited turnaround space for the loading and unloading area of Goodwill's delivery trucks and was concerned that parking for his tenants may be taken away.

In rebuttal Mr. Mastorton stated that there is ample parking since the parking lot is not currently used except for the vehicles that do a turnaround.

The public hearing was closed.

In response to Commissioner Turro, Mr. Easton stated that their recycling center is clean and consistent with other recycling centers and does not contain any hazardous materials. Regarding Mr. Samimi's concern about the limited turning radius for the trucks, Mr. Easton stated that because they only use bobtail trucks, the space for turning would not be a problem. He confirmed that they agree with all of staff conditions.

Ms. Oropeza confirmed with Chairman Vo that the addition would not affect vehicular access to the site as the setbacks are within City's requirement for loading docks. In addition, she indicated that Condition No. 23 addresses the concern that potential light may shine directly to the residential areas as shields will be installed to prevent light from shining into adjacent properties.

Motion Commissioner Turro moved that the Planning Commission adopt the Mitigated Negative Declaration for Case 2010-12 (Resolution 11-007). Chairman Vo seconded and the motion carried 5-0.

Motion Commissioner Turro, seconded by Commissioner Oh, and carried 5-0, moved that the Planning Commission approve Case 2010-12 (Resolution No. 11-006) based on the required findings and subject to the conditions of approval.

Regular Business

**A. Case 2010-36 Appeal of Director's Action (Continued from 12/8/2010)
Location: 14421 Beach Boulevard
(Assessor's Parcel Number 096-363-26)**

Appeal of Director's denial of sign program. The proposed sign program is for an existing two-story building (Heritage Building) and consists of 20 wall mounted signs (12 signs facing Beach Boulevard and 6 signs facing 10th Street).

STAFF RECOMMENDATION: Affirm the Director's determination and deny the appeal.

Mr. Michael Patterson presented the project's background and description to install 20 wall-mounted signs on the building's east, south and north elevations. Based on staff's analysis of the Sign Program, the proposed project does not adhere to the City's Code and the Director denied it

despite the applicant's appeal. He recommended that the Planning Commission deny the appeal and adhere to the Director's action.

The Commission allowed the applicant, Mr. Stephen Nguyen of 14441 Beach Blvd. No. 220, to speak. Mr. Nguyen stated that his building has a 50% vacancy and in order to keep his tenants, he needs additional signs for them. He contended that he is only requesting for four additional signs instead of 18 signs as earlier proposed.

Mr. Bashmakian noted that store fronts of a retail building typically have signs, but with Mr. Nguyen's requests, Mr. Nguyen wants the office building to function like a retail building. Commissioner Turro made a comment that if a professional office building has lots of sign, the building would look more like a circus.

Commissioner Ho was concerned that if the proposal is approved, it may set as a precedent for other future businesses.

Motion

Commissioner Turro moved that the Planning Commission adhere to the Director's action for Case 2010-36 (Resolution No. 11-008) and deny the appeal. Commissioner Bertels seconded and the motion carried 5-0.

B. Case 2009-76 Zoning Text Amendment Initiation – Required Parking for Restaurants
Location: Citywide

Initiation of Zoning Text Amendment (ZTA) to Section 17.320.020 (Number of Parking Spaces Required) of the Westminster Municipal Code, to establish a tiered parking standard for eating and drinking establishments/ restaurants located within retail shopping centers.

STAFF RECOMMENDATION: Adopt the attached Resolution initiating a ZTA to Section 17.320.020 (Number of Parking Spaces Required) of the Westminster Municipal Code, to establish a tiered parking standard for eating and drinking establishments/ restaurants located within retail shopping centers.

Mr. Bashmakian explained that in order to analyze the pros and cons of reducing the number of required parking spaces for restaurants within retail shopping centers, a zoning text amendment needs to be initiated. He recommended that the Planning Commission adopt the draft Resolution initiating a Zoning Text Amendment.

Motion	On motion of Commissioner Bertels, seconded by Chairman Vo, and carried 5-0, the Planning Commission adopted the draft Resolution initiating a Zone Text Amendment for Case 2009-76 (Resolution No. 11-009)
Reports	None
Administrative Use Permits And Adjustments	None
Items from the Planning Commission	Commissioner Bertels inquired about why Westminster has a watering standard for residential lawns whereas nearby cities do not. Mr. Bashmakian will let Commissioner Bertels know after checking with Public Works.
Comments: Planning Commissioners	None
Planning Manager	None
City Attorney	None
Reporting on AB 1234	None
Adjournment	The meeting was adjourned at 7:48 p.m. to the Planning Commission meeting on Wednesday, March 16, 2011, at 6:30 p.m. in the Council Chambers.

Respectfully submitted,

MARIA MOYA
Administrative Assistant