



PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
July 20, 2011
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, July 20, 2011, called to order in the City Council Chambers at 6:35 p.m. by Chairman Vo.
- Roll Call** Commissioners present: Bertels, Turro, Vo
Commissioner absent: Ho, Oh
- Staff Attendance** Doug McIsaac, Community Development Director; Art Bashmakian, Planning Manager; Chris Wong, Assistant Planner; Christian Bettenhausen, Deputy City Attorney; and Maria Moya, Administrative Assistant
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Chairman Vo.
- Approval of Minutes** The minutes of the regular meeting of July 6, 2011 were approved on motion of Commissioner Bertels, seconded by Chairman Vo, and carried 3-0, Commissioners Ho and Oh absent.
- Oral Communications** None
- Report from the Secretary on Late Communications Items** None
- Ex Parte Communication** None
- Public Hearing A.** Case 2011-30 Conditional Use Permit, Development Review, Administrative Use Permit, Lot Line Adjustment, and Amendment of Site Plan (SP-139)
Location: 6491 Westminster Blvd (Assessor's Parcel No. 203-562-17) Westminster Lanes

An application to develop a drive-through, self-service, car wash; and an amendment to Site Plan SP-139 to modify conditions of approval relating to an existing bowling alley (Westminster Lanes).

STAFF RECOMMENDATION: That the Planning Commission approve the project and related applications subject to recommended conditions.

Mr. Chris Wong made the presentation to consider an application to develop a drive-through, self-service, car wash; and an amendment to Site Plan SP-139 to modify conditions of approval relating to an existing bowling alley. Based on staff analysis and findings, he recommended that the Planning Commission approve the project and related applications subject to recommended conditions.

Commissioner Oh arrived at 6:39 p.m.

Mr. Art Bashmakian informed the Planning Commission that just before the meeting, staff met with the applicant and Mr. Christian Bettenhausen and drafted language to amend Conditions No. 13 and 14, as follows:

Condition No. 13 – This condition will be removed but will be included in Section 5 of the findings related to parking study, with the following language to be added within the paragraph, “the parking demand study’s findings satisfy the requirements of conditions of approval Condition No. 3 of Site Plan 139 approved in 1970”.

Condition No. 14 – Will read (but can be adjusted), “...or other similar type functions during peak operating hours of the bowling area to ensure parking demand...”

The public hearing was opened.

Speaking in favor was Green N. Clean representative Mr. Steven Blanchard of 3216 Idaho Place, Costa Mesa, who stated that their proposal was a necessary use as there is a shortage of express car washes in Southern California and due to environmental issues, more of them are needed.

Mr. Clyde Sweet Jr. of 2459 Conejo Drive, San Bernardino, traffic engineer who prepared the parking study, was available to answer any questions.

Mr. Jeff Bergsma of 221 Main St. Ste. H, Huntington Beach, architect for the project and co-partner of the car wash company indicated that this was the second car wash they are attempting to build this year. He described the car wash service as a tunnel type, automated, and ATM style kiosk fast track service which does not scratch the car and use less water. He explained that this is different from the nearby existing full service car wash, Westminster Car Wash, as this is a modern and innovative way that will provide the fastest service in three to eleven minutes.

Another co-applicant, Mr. Brett Blanchard, indicated that this was his third development project in Westminster and he would not like to develop anything in the city that is controversial and does not look good.

Mr. Steve Jacoby of 6471 Westminster Blvd., managing member of the Westminster Lanes LLC (property owner of the project site) clarified SP 139 applied to the whole shopping center and not for the bowling center only. Under the Lot Line Adjustment, he indicated they tried to increase more rectangular parking in the front so that the neighboring parking lot is less impacted. He thanked staff and Mr. Bettenhausen for their assistance on amending Condition Nos. 13 and 14.

Mr. Mike Jacoby of 6471 Westminster Blvd., contended that the proposed development will enhance the appearance of the shopping center and bring traffic to the shopping center which remains to have vacant spaces.

The following spoke in opposition:

Mr. Jonathan Dibiasi of 328 22nd Street, Huntington Beach, manager and consultant of Westminster Car Wash, stated that he has built and sold many car washes and currently owns a car wash in Foothill Ranch. He believed it did not make sense to have two car washes side to side. He contended that Westminster Car Wash is a full service car wash service, and the owner plans to make it a flex car wash that would provide a full service car wash and an express car wash. Although he personally knows the owner and managers of the proposed car wash, he stated that he tried his best to be honest about his opposition.

Mr. Jose Luis Cobias, speaking through translator, Mr. Adolfo Ozaeta, City Traffic Engineer, works at the adjacent car wash and was opposed to the proposal no matter what type of car wash service it provides.

Mr. Alfonso Hernandez of Cedar and Wyoming Streets, Westminster, also works in the Westminster Car Wash and expressed concern that their business will go down by 40% if the proposal is approved. He stated that he had worked with the previous owner of Westminster Car Wash (which closed until it was taken over by the current owner) because there was no business due to the competition among the number of car washes in the surrounding area. He stated that there are currently 20 employees but the business may lay off employees if the proposed car wash is approved.

Representing the family-owned Westminster Car Wash, Mr. Joe Cho of 6695 Westminster Blvd. indicated that their biggest concern is losing their customers for many of them would prefer an express car wash which is cheap and fast. He contended that his parents have invested all their money on this business and is the only source of revenue for the family and they don't want to lose it.

Speaking through his son, Mr. Joe Cho, as the interpreter, Mr. Jung Cho, property owner/operator of Westminster Car Wash stated that the proposal would result in more competition for their business as there are currently three car washes in the surrounding area. Due to economic hard times, he is afraid he will not be able to sustain the business. He indicated that they plan to provide an express car wash service in the future.

As the attorney for the adjoining parcel, Kim Ji Properties, Ms. Mary Gin of 5318 E. 2nd Street No. 108, Long Beach, stated that her clients have owned the property since the late 1970s and have maintained long-term tenants who care about the community. She expressed concerns about the traffic ingress from Westminster Blvd. and traffic egress into Edwards Street; and the reduced parking in the shopping center brought about by the overflow parking from the bowling alley to their property and negatively impact the entire retail center. This could cause the property owners to lose their tenants' lease and their employees. She further stated that overflow parking may increase the wear and tear of the parking lot; increase potential liability; and create adverse impacts such as noise and trash from the car wash. She suggested that further study of the impacts not only on the shopping center but the entire corridor of Westminster Blvd. should be done.

Mr. Ken Lee of 1831 W. 213th Street Torrance, stated that he is the President of the Car Wash Association of Southern California. He

contended that the proposed car wash would cause too much competition as there are already nine car washes within a five mile distance from the project site and negatively impact Westminster Car Wash considering the very slow economy. He felt that the City should consider the current economic situation.

In rebuttal, Mr. Steve Blanchard stated that they can be good neighbors with Westminster Car Wash. He shared an example when a Starbucks in Santa Monica wanted to move in a neighborhood but surrounding coffee shops were opposed to it. However, after it was built, the neighboring coffee shops even doubled their business revenue. He believed the effect would be the same with the car wash competition. Relating to parking concerns, he explained that car washers will access through Westminster Blvd. and would not affect the adjoining neighbor's parking lot. The access from Edwards Street to the shopping center would be wider and would provide better access to Edwards Street.

The public hearing was closed.

Commissioner Turro remarked that most of the time competition is healthy and added that he observed most people patronize the same business as long as the business remains satisfactory for them.

Chairman Vo reopened the public hearing as Commissioner Bertels had more questions for the applicant.

In response to Commissioner Bertels, Mr. Steve Blanchard explained that they will not hire employees to provide any detailing service since the car is dried almost completely (although not 100% dry as offered by the full service) after going through the tunnel. He stated that their business targets those who are in a hurry and want service completed right away. In response to Commissioner Turro, Mr. Blanchard stated that there will only be two attendants at the site, one at the beginning of the tunnel that will direct the customer to the car wash tunnel and another attendant at the end of the car wash who will remind the driver to put the car in neutral/drive.

Chairman Vo asked Mr. Joe Cho if his father was planning to add express car wash service to his business. Mr. Cho responded they plan to have a flex car wash with the option for a full service or a quick car wash. Because of labor costs for a full service, it would be \$5 more in price.

On the other hand, Mr. Blanchard informed Chairman Vo that they will charge approximately \$5-\$6 in the beginning and raise it up to \$7-\$11 depending on the cost of the supplies and upgrade in service.

The public hearing was closed.

Chairman Vo acknowledged that he welcomes fair competition in this economy. He believes that if Westminster Car Wash develops a flex car wash service, its established clientele will still continue to patronize their service as they are accustomed to the service regardless of other car washes in the surrounding area. Only the customers who prefer fast and convenience service will go to the proposed car wash so it may not have a negative impact on Westminster Car Wash. He did not have any objection with this project.

Commissioner Turro stated that he had no reason to deny the project as long as the proposal complies with City codes. Mr. Bashmakian confirmed that the project meets all code requirements including the parking requirements. Mr. Bashmakian further explained that the bowling alley did not have sufficient parking after the property owners terminated their parking agreement. However, the shared parking study deemed there could be adequate parking for the bowling alley and the car wash based on the new code that recognizes that there are situations that a parking standard or requirement may not be true for the needs of the particular parcel so that on a case to case basis, parking could be met and it can become the correct number of parking spaces. The parking study was done by a consultant hired by the applicant and reviewed by the City Engineering staff and deemed to be accurate.

Motion

Commissioner Turro moved that the Planning Commission approve Case 2011-30 (Resolution 11-028) subject to the recommended conditions including the amendments in Condition Nos. 13 and 14 agreed upon by the owner of the bowling alley, Mr. Bettenhausen and staff. Commissioner Bertels seconded and the motion carried 3-1, Commissioner Oh dissented.

**Regular
Business**

**Proposed Capital Improvement Projects for Fiscal Year
2011/2012**

General Plan Conformance finding regarding the proposed Capital Improvement Projects (CIP) for Fiscal Year 2011/2012

STAFF RECOMMENDATION: That the Planning Commission find the projects identified within the proposed Capital Improvement Projects for fiscal year 2011/2012 conform to the City's General Plan.

Mr. Bashmakian indicated that every year, the Planning Commission is mandated by Code to determine a list of proposed public works projects conform to the General Plan. Based on staff review and determination, he recommended that the Planning Commission find the projects identified within the proposed Capital Improvement Projects for fiscal year 2011/2012 conform to the City's General Plan.

Motion On motion of Chairman Vo, seconded by Commissioner Bertels, and carried 4-0, the Planning Commission made the determination that the projects identified within the proposed Capital Improvement Projects for fiscal year 2011/2012 conform to the City's General Plan (Resolution 11-029).

Reports None

Administrative Use Permits and Adjustments None

Items from the Planning Commission None

Comments: Planning Commissioners Commissioner Turro stated that although the Commissioners are not required to provide the reason for their decisions, it would be good to put it in record. Mr. Bettenhausen agreed especially when the result of the voting is not a majority or if the proposed item is rejected.

Planning Manager Regarding Commissioner Bertels' concern about the banners at the northeast corner of Magnolia Street and McFadden Avenue, Mr. Bashmakian informed him that Code Enforcement has issued Notice of Violations last Friday and the compliance date was today. He will check with Code Enforcement if the violators met the deadline and will update Commissioner Bertels.

City Attorney Mr. Bettenhausen advised the Planning Commission that as much as possible, it was best to ask all their questions during the public hearing to avoid reopening and reclosing the public hearing.

**Reporting on
AB 1234**

None

Adjournment

The meeting was adjourned at 8:00 p.m. to the Planning Commission meeting on Wednesday, August 3, 2011, at 6:30 p.m. in the Council Chambers.

Respectfully submitted,

MARIA MOYA
Administrative Assistant