



PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
April 16, 2014
6:30 p.m.

1. ROLL CALL: NGUYEN, ANDERSON, HO, MANZO, LIEBERG

PRESENT: NGUYEN, ANDERSON, HO, LIEBERG, MANZO
ABSENT:

2. SALUTE TO FLAG:

Vice Chair Anderson led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

– Mr. Bashmakian noted receiving one (1) email regarding Case No. 2013-110 which expressed concern pertaining to the request for an Administrative Adjustment. He stated that Chris Wong, Associate Planner will elaborate on this matter during the presentation of the item.

4. EX PARTE COMMUNICATIONS

It was noted that each Commissioner except Commissioner Manzo had visited the site pertaining to Item No. 8.1.

5. SPECIAL PRESENTATIONS – None

6. ORAL COMMUNICATIONS – None

7. APPROVAL OF MINUTES

Motion was made by Commissioner Manzo, and seconded by Chair Nguyen, to approve the March 19, 2014 Planning Commission Minutes.

The motion carried by the following vote:

AYES: NGUYEN, HO, MANZO, LIEBERG
NOES: NONE
ABSENT: NONE
ABSTAIN: ANDERSON

8. PUBLIC HEARINGS

8.1 Case No. 2013-110 (Administrative Adjustment)
Location: 15550-15640 Brookhurst Street (Assessor's Parcel Numbers 108-441-15,-16,-17,-18)
Applicant: Brookhurst Town Center, LLC

Appeal of the Community Development Director's denial of an Administrative Adjustment to allow parking spaces to be less than 9 feet wide in an existing shopping center.

RECOMMENDATION: That the Planning Commission uphold the Director's denial of an Administrative Adjustment.

CEQA COMPLIANCE: The proposed matter is found to be Statutorily Exempt from further environmental assessment under the provisions of CEQA Section 15270, since CEQA does not apply to projects which a public agency rejects or disapproves.

If approved, the project is still found to be exempt per Class 5 (Section 15305 Minor Alterations in Land Use Limitations of the CEQA Guidelines), since the project involves a request for parking spaces that are less than the minimum required width of 9 feet, and the project would not result in any change in land use or density.

Mr. Art Bashmakian, Planning Commission Secretary, introduced the item.

Chris Wong, Associate Planner, provided a report on the item explaining that the applicant wants reduced width parking spaces in a shopping center to gain approximately 9 spaces to accommodate a new restaurant. He noted the previous vote for denial made by the Community Development Director and the reasons for such, including:

- 1) Similar variance was already approved in 1986 granting 25% of the spaces to be reduced in size.
- 2) Approval will result in the majority of spaces being reduced (from 25% to 64% total reduced).
- 3) Director believes there is the opportunity for additional spaces in other areas of the existing lot and this has been discussed with the applicant. Slides were shown to point out the areas.
- 4) Staff feels the reduction will negatively impact the shopping center since the proposed reduced sites will be spaces directly in front of existing store fronts.
- 5) The proposed size is smaller than the 8.75 feet in width recommended by industry experts for uses that generate a high turnover such as retail.
- 6) Westminster Municipal Code specifically states that compact parking spaces are not allowed.
- 7) And lastly, staff believes that approval will result in damaged vehicles and spaces being rendered unusable due to one (1) vehicle parking in two (2)

spaces.

Mr. Wong stated he was available to answer any questions and noted that the applicant was present and also available to answer any questions.

Chair Nguyen asked for clarification from Mr. Wong as to which spots are proposed to be reduced. Additionally he asked if the reason for the request by the applicant was to build the restaurant.

Mr. Wong used the slides presented to clarify which spots were proposed for reduction and confirmed that 5 additional parking spaces were required for the new restaurant.

Commissioner Manzo inquired if the potential area for new parking spaces would accommodate 9 to 11 spaces to which Mr. Wong responded affirmatively.

Vice Chair Anderson inquired as to the location of the new proposed restaurant and Mr. Wong used slides to show the location.

Discussion ensued regarding the number of existing restaurants currently in the center and it was noted that this additional restaurant would be the seventh (7th).

Mr. Bashmakian explained what findings the Commission needed to make in order for the current denial to be overturned. He discussed that this was an unusual situation because the site was originally developed with the adjoining parcel as a single development but now the adjacent parcel has been cordoned off resulting in parking and traffic circulation impacts.

Mr. Bashmakian requested that the Chair or Commissioner speaking could state their name in order to expedite the minute process.

In response to Commissioner Ho's question, Mr. Bashmakian stated that Chase Bank was recently approved to go into the location on the adjacent parcel to the north. Parking for that business is separate from this subject site and designed to have their access blocked off from the site in question. He added that no reciprocal access has been proposed and is outside of staff's control.

Commissioner Manzo asked if the potential area for additional parking spaces posed a traffic issue. Mr. Wong responded that the area was wide enough to accommodate 2-way traffic.

Chair Nguyen opened the public hearing.

Young S. Suh, owner of Brookhurst Town Center, explained he had originally asked for an increase of 10 parking spaces but has amended that to as low as 5. He referred to the the loss of 25-80 spaces due to the closure and fencing installed

around the old Spires restaurant. He stated current issues with public safety, medical emergencies, and tenant difficulties due to the fence near their location. He stated that he has offered options to the new bank and land owner but negotiations have not been successful. He noted the reasons he was asking for the City to give an Administrative Adjustment was to help him meet the City Code, to fill a vacant location, to help with lost revenue, and to ensure the center's survival.

Chair Nguyen inquired if the applicant had completed a parking study completed as staff recommended.

Mr. Suh, the applicant, stated he had spent lots of money and the findings were to reduce the requested number of spaces from ten (10) to five (5).

Mr. Bashmakian noted that no parking study was presented to the City on the applicant's behalf.

Mr. Suh confirmed that he is requesting only one (1) spot to be reduced from 9.11 feet to 8.6 feet in size in order to meet the five (5) spots needed.

Chair Nguyen requested Mr. Suh look at the screen and proceeded to clarify that staff offered an option of six (6) stalls at the back of the location and asked if he would be open to this option.

Discussion ensued between applicant and Commission as to the exact number of parking spaces needed and where staff suggested they be placed.

Mr. Wong clarified that Mr. Suh was not willing to lose the current loading area.

Mr. Bashmakian clarified that the applicant has made a revised proposal to utilize the staff suggestion of 4 standard spaces and add 1 more compact space.

Planning Manager Art Bashmakian responded to Chair Nguyen's inquiry into the content of the late communication email received regarding this item. Mr. Bashmakian stated the writer of the email understood the application and was opposed to the granting of an Administrative Adjustment for compact parking spaces.

Chair Nguyen closed the public hearing.

Discussion ensued regarding existing adequate handicap parking spaces

Commissioner Manzo stated he agreed with Vice Chair Anderson and noted he also feels that there is a way to find the needed spaces without reducing the spot sizes.

Commissioner Anderson stated he had been at the shopping center just the previous day. He discussed watching an individual struggling to park in a designated parking spot and having so much difficulty that they gave up and drove off to find another. He too feels that five (5) spaces can be found without reducing the size.

Commissioner Ho concurred.

Commissioner Lieberg stated he also agrees with the Chair. He stated that he drove through the location the previous Monday morning and witnessed drivers having trouble parking.

Chair Nguyen re-opened public hearing.

Mr. Suh, the applicant used exhibits to explain in detail the area he wished to have the additional spots added.

Discussion ensued between Commission Members as to the possibility of removing landscaping or other options to create the five (5) needed spaces.

Jae Chung, Property Manager of Brookhurst Town Center, stated Commission's suggestion was very good, however, the location suggested has a big tree. He feels the location proposed does not have enough space and suggested the area behind the corner restaurant.

Mr. Bashmakian clarified the modified proposal by the applicant to the Commission to further help them to understand what was before them when making a decision.

Chair Nguyen closed the public hearing.

In response to Commissioner Ho's inquiry, Mr. Wong stated that it was possible to come up with 5 or more full size parking spaces, however, the issue was that not all parking spaces could be achieved immediately.

Commissioner Ho suggested making temporary approval of compact stalls due to the unusual situation before them.

Motion was made by Commissioner Lieberg, and seconded by Chair Nguyen, to uphold the Director's determination and deny the appeal. Case No. 2013-110.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, HO, LIEBERG, MANZO
NOES: NONE
ABSENT: NONE

9. REGULAR BUSINESS - None

10. REPORTS – None

11. MATTERS FROM THE PLANNING COMMISSION

Chair Nguyen stated that training of the Planning Commission will be put on the Agenda for the next meeting. Mr. Bashmakian stated that would most likely happen if the Agenda is a short one.

11.1 AB 1234 Reports – None

12. ADJOURNMENT: At 7:48 p.m., Chair Nguyen adjourned the meeting to a Regular Meeting on Wednesday, May 7, 2014 at 6:30 p.m.

NGUYEN
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

Art Bashmakian
Planning Commission Secretary