

CITY OF WESTMINSTER

**PLANNING COMMISSION AGENDA
WEDNESDAY, MARCH 18, 2009 – 6:30 P.M.
CITY COUNCIL CHAMBERS
8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

This agenda contains a summary of each item of business that the Planning Commission may discuss or act on at this meeting. The complete staff report and all other written documentation relating to each item on this agenda are on file and are available for public inspection and review in the Planning Division of the Community Development Department. If you have any questions about any matter on the agenda, please call the Planning Division at (714) 898-3311, extension 255.

Any writings or documents provided to a majority of the City of Westminster Planning Commission regarding any item on this agenda will be made available for public inspection at the public counter of City Hall located at 8200 Westminister Blvd., Westminister, CA during normal business hours.

Agenda items that are not in process by 10:30 p.m. may be carried over to the next regular meeting of the Planning Commission.

PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the Planning Commission during each item on the agenda as called. No action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

- I. ROLL CALL: Commissioners Bertels, Ho, Tran, Turro, Vo**
- II. SALUTE TO THE FLAG**
- III. APPROVAL OF MINUTES – Regular Meeting March 4, 2009**
- IV. ORAL COMMUNICATIONS**

Members of the audience may address the Commission on matters of public interest, which pertain to the City and are not otherwise on the agenda. Members of the public wishing to address public hearing item items shall do so at the time of the public hearing. If you wish to speak, please complete a “Request to Speak” form available in the lobby of the Council Chambers, and submit it to the Clerk. When called, please step forward to the microphone and state your name and address. Please limit your remarks to three minutes.

V. REPORT FROM THE SECRETARY ON LATE COMMUNICATION ITEMS

VI. PUBLIC HEARINGS

ANYONE WISHING TO SPEAK ON AN OPEN PUBLIC HEARING IS REQUESTED TO COMPLETE THE "REQUEST TO SPEAK" FORM AND GIVE IT TO THE CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

AFTER THE PUBLIC HEARING IS OPENED, PERSONS SPEAKING IN FAVOR WILL BE HEARD FIRST, FOLLOWED BY THOSE PERSONS SPEAKING IN OPPOSITION; AND THEN PERSONS SPEAKING IN REBUTTAL. ONLY THOSE PERSONS WHO HAVE SPOKEN IN FAVOR WILL BE PERMITTED TO SPEAK IN REBUTTAL. SPOKESPERSON(S) DESIGNATED TO SPEAK IN FAVOR OR IN OPPOSITION WILL HAVE A TOTAL OF TWELVE (12) MINUTES TO SPEAK. THEREAFTER, EACH PERSON SPEAKING IN FAVOR OR IN OPPOSITION WILL HAVE THREE (3) MINUTES. THE TOTAL TIME FOR SPEAKING IN FAVOR OR IN OPPOSITION SHALL NOT EXCEED 30 MINUTES. THOSE PERSONS SPEAKING IN REBUTTAL WILL HAVE THREE MINUTES EACH, OR A TOTAL OF 20 MINUTES. THE PLANNING COMMISSION MAY USE ITS DISCRETION TO ALLOW A SPEAKER TO EXCEED TIME LIMITS.

NOTE: IF A CHALLENGE IS MADE BY ANY PARTY IN COURT FROM ACTIONS ARISING OUT OF A PUBLIC HEARING, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE OR IN WRITTEN CORRESPONDENCE

**A. [Case 2009-05 Zone Change, Tentative Parcel Map, Site Plan, Design Review](#)
[Location: 13931 Cedar Street \(Assessor Parcel Number 096-083-17\)](#)**

An application for a Zone Change, Variance, Tentative Parcel Map, Site Plan, and Design Review to develop two attached residential dwelling units. The proposed units will be two stories, approximately 23 feet high. The first unit will feature three bedrooms, two bathrooms at 1,157 square feet and the second unit will feature four bedrooms, two bathrooms at 1,261 square feet in size. A Tentative Parcel Map is proposed to create two units for condominium ownership.

The applicant is seeking to rezone the property from C-2 Commercial-General to R-5 Residential-Multiple Units (19 to 24 units per acre) consistent with the General Plan. A variance is requested to deviate from the code required second-story side setback of ten feet and minimum condominium unit size, and requirements for fencing in the front yard.

STAFF RECOMMENDATION: That the Planning Commission recommend that the City Council adopt an ordinance implementing a Zone Change from C-2, Commercial-General Business to R-5, Residential Multiple Units (19 to 24 units per acre), approve the proposed Tentative Parcel Map, Variances, Site Plan and Design Review to construct two attached affordable condominium units.

VII. REPORTS

A. Case 2009-12 Initiation of a Zoning Text Amendment Location: Citywide

Initiation of Zoning Text Amendment (ZTA) to require one parking space for each 250 square feet of gross floor area for small (12 or fewer seats) food and beverage service businesses offering patron seating or no seating.

STAFF RECOMMENDATION: That the Planning Commission adopt the Resolution initiating the ZTA

B. Case 2009-14 Initiation of a Zoning Text Amendment Location: Citywide

Initiation of Zoning Text Amendment (ZTA) to allow limited entertainment in conjunction with a restaurant, bar, lounge, club, coffee shop or any other similar establishment by right subject to development and performance standards.

STAFF RECOMMENDATION: That the Planning Commission adopt the Resolution initiating the ZTA

C. Clarification of past Planning Commission Action Location: 7185-7195 Westminster Boulevard (Assessor Parcel Number 096-084-15 and 096-084-27)

Requested amendments to the conditions of approval of Planning Commission Resolution No. 2006-56 approving a Conditional Use Permit (CUP), Site Plan (SP), and Design Review (DR), to allow the establishment and operation of a pre-owned automobile, truck and recreational vehicle (RV) sales, leasing and rental business, including the construction of a 496-square foot sales building on the subject site.

STAFF RECOMMENDATION: That the Planning Commission deny the applicant's request to amend the conditions of approval regarding Resolution No. 2006-56.

VIII. ADMINISTRATIVE ADJUSTMENTS/APPROVALS - None

IX. ITEMS FROM THE PLANNING COMMISSION

Planning Commission Members may introduce new items for discussion, but no action may take place except to place the item on a future agenda at this time.

X. COMMENTS

- A. Planning Commissioner
- B. Planning Manager
- C. City Attorney
- D. Reporting on AB 1234 - None

XI. ADJOURNMENT TO THE JOINT MEETING WITH CITY COUNCIL AND PLANNING COMMISSION FOR THE DATE OF APRIL 1, 2009 TO BEGIN AT 6:00PM IN THE ADMINISTRATIVE CONFERENCE ROOM OF CITY HALL. THE REGULAR SCHEDULED PLANNING COMMISSION MEETING WILL BE ON WEDNESDAY, APRIL 8, 2009 AT 6:30 PM IN THE COUNCIL CHAMBERS.

Pursuant to the amended Brown Act, this agenda was posted on the bulletin board next to the rear door of the Council Chambers, 8200 Westminster Boulevard, Westminster, California, at least 72 hours prior to the meeting for public review.

Posted by	Date	Time
<hr/> Shelley Dolney, Administrative Assistant I	<hr/>	<hr/>