

DAVE VO
Chairperson

KIMBERLY HO
Vice Chairperson

MICHAEL TURRO
Commissioner

ROBERT BERTELS
Commissioner

SAMUEL OH
Commissioner



AGENDA

PLANNING COMMISSION

REGULAR MEETING

October 19, 2011

6:30 p.m. – Council Chambers

**8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the Planning Division at (714) 548-3247. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the Planning Commission are held the first and third Wednesday of each month at the hour of 6:30 p.m. While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. The agenda and supporting documentation is available for public review at the rear entryway of the Council Chambers prior to the meeting. On the Friday prior to the meeting, the agenda can be accessed on the City's web site at <http://www.westminster-ca.gov>.

ATTENDANCE AND PARTICIPATION BY THE PUBLIC

Except as specifically provided by law for closed sessions, all meetings of the Planning Commission shall be open and public. Every agenda for regular meetings of the Planning Commission provides the public an opportunity to directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission or on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law. Unless otherwise extended by the Planning Commission, the amount of time for each individual speaker shall not exceed five (5) minutes.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the Planning Manager at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the Planning Manager for review by staff to verify appropriateness for general audiences by noon on the day of the meeting and prior to the use of the equipment.

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6:30 P.M.

CONVENE PLANNING COMMISSION MEETING

1. ROLL CALL: VO, HO, OH, TURRO, BERTELS

PRESENT:

ABSENT:

2. SALUTE TO FLAG:

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

4. EX PARTE COMMUNICATIONS

THIS SECTION IS INTENDED TO ALLOW ALL OFFICIALS THE OPPORTUNITY TO REVEAL ANY DISCLOSURE REGARDING SITE VISITS OR EX PARTE COMMUNICATION ABOUT THE PUBLIC HEARING AND REGULAR BUSINESS ITEMS.

5. SPECIAL PRESENTATIONS – None

6. 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 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.

7. APPROVAL OF MINUTES – Regular Meeting October 5, 2011

8. PUBLIC HEARINGS

ANYONE WISHING TO SPEAK ON AN OPEN PUBLIC HEARING IS REQUESTED TO COMPLETE A BLUE SPEAKER SLIP THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS. PLEASE SUBMIT THE SPEAKER SLIP 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

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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 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 (3) MINUTES EACH, OR A TOTAL OF 20 MINUTES. THE PLANNING COMMISSION MAY USE ITS DISCRETION TO ALLOW A SPEAKER TO EXCEED THE 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 DELIVERED AT THE PUBLIC HEARING OR PRIOR THERETO.

8.1 **Case 2010-76 Conditional Use Permit and Administrative Use Permit** **Location: 7697 Westminster Blvd (Assessor's Parcel No. 096-230-67)** **Sensation Dance Ballroom Studio**

[Staff Report](#)

(Public Hearing Continued from October 5, 2011) The Planning Commission conducted a public hearing on this matter on October 5, 2011 and continued the public hearing to the October 19, 2011 meeting date. At the October 5, 2011 meeting, the Planning Commission received public testimony from supporters of the project and from opponents.

The project consists of a request for a Conditional Use permit to allow the on-site consumption of beer and wine (Type 42) and approval to operate a night club in conjunction with an existing dance studio (Sensation Dance Ballroom Studio); and a request for an Administrative Use Permit to allow shared parking throughout the multi-tenant commercial building site located on Westminster Boulevard between Jasperson Way and Arizona Street. The proposed business hours of operation are 10:00am to 1:00am Friday and Saturday and 10:00am to midnight Sunday through Thursday.

The applicant's request to operate a nightclub includes: Social (non-instruction based) dancing, incidental broadcasting of sporting events on four television screens, along with live entertainment. The applicant is proposing a variety of live entertainment which includes a deejay, karaoke accompanied by a keyboard player, or three performers (two musicians and one singer). The applicant's proposal also includes a request to hold special showcase events, incidental to the business, where admission may be charged.

The applicant's request for shared parking includes: An allowance to operate with 79 parking spaces where 97 parking spaces are required for the entire center. Parking analysis, prepared by a licensed traffic engineer, demonstrates that there is adequate parking for the proposed use.

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RECOMMENDATION: Staff recommends that the Planning Commission deny the application based on the required findings.

8.2 Case 2010-84 Conditional Use Permit and Development Review – Level 3

Location: 14472 Chestnut Street (Assessor's Parcel No. 096-152-15)

Dieu Ngu Temple

[Staff Report](#)

[Initial Study & Mitigated Negative Declaration](#)

The project site is located on the northwest corner of Hazard Avenue and Chestnut Street. The proposal includes the demolition of an existing approximately 5,000 square foot structure, which currently serves as a Temple (Dieu Ngu Temple), and the construction of a new two story 13,014 square foot Buddhist Temple with 60 parking spaces. A total of 57 parking spaces will be located within a semi-subterranean garage secured with a roll-up door and three spaces will be provided at grade level. Vehicular access to the site will be provided by two entry driveways, one off Chestnut Street and one off Hazard Avenue with access to the 60 parking spaces.

The architectural style of the building is reflective of the traditional Buddhist Temples of Southeast Asia, consisting of curved cornices, use of spires and a tile roof. The proposed Temple will vary in height, reaching 32 feet to the roof over the main assembly hall. A spire atop the tallest tower reaches 47 feet, 5 inches.

Weekday activities at the Temple focus primarily on drop-by visits from 8:00 a.m. to 10:00 p.m. Some organized activities may occur in the evening ending at 10:00 p.m. Weekend services at the Temple occur in the morning, afternoon and evening on Saturday or Sunday. Worship typically includes 75 to 100 persons. Special events including the Lunar New year, Buddha's Birthday, and up to six other special events may occur during the year.

RECOMMENDATION: Staff recommends that the Planning Commission approve the Conditional Use Permit and Development Review based on the required findings and subject to the conditions of approval.

8.3 Case 2011-53 Zoning Text Amendment – Public Noticing Requirements

Location: Citywide

[Staff Report](#)

Staff requests the Planning Commission move this item to the Commission's next regular meeting of November 2, 2011 as staff needs additional time to complete the staff report.

RECOMMENDATION: Staff recommends that the Planning Commission continue this item to the Commission's next regular meeting of November 2, 2011.

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- 9. **REGULAR BUSINESS - None**
- 10. **REPORTS - None**
- 11. **MATTERS FROM THE PLANNING COMMISSION**
- 11.2 **AB 1234 Reports**
- 12. **ADJOURNMENT: To a Regular Meeting on Wednesday, November 2, 2011 at 6:30 p.m. in the Council Chambers.**

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the Planning Commission meeting.

Shelley Dolney
Administrative Assistant I