

Chairperson

KIMBERLY HO
Vice Chairperson

DON ANDERSON
Commissioner

CARLOS MANZO
Commissioner

KHANH NGUYEN
Commissioner



AGENDA

PLANNING COMMISSION

REGULAR MEETING

February 6, 2013

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.

AGENDA

February 6, 2013

6:30 P.M.

CONVENE PLANNING COMMISSION MEETING

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

PRESENT:

ABSENT:

2. SALUTE TO FLAG:

3. ELECTION OF CHAIR AND VICE CHAIR

4. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

5. 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.

6. SPECIAL PRESENTATIONS – Presentation by the City Attorney on the roles and responsibility of the Planning Commission.

7. 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.

8. APPROVAL OF MINUTES – Minutes of the regular meeting of January 16, 2013.

9. 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.

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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 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.

- 9.1 **Case No. 2012-25. An application for a Conditional Use Permit (CUP) to operate a 5,400 square-foot health/fitness facility which would operate 24 hours - seven days a week and a Variance to construct a 50.5-foot high freestanding sign (maximum height 25 feet) with a sign face area of 378 square feet (maximum area 100 square feet) with a support base less than half the width of the sign face area.**
Location: 524 Westminster Mall

Staff Report

RECOMMENDATION: Staff recommends that the Planning Commission grant the Conditional Use Permit and Variance.

10. REGULAR BUSINESS –

- 10.1 **Case No. 2012-16. A request from subject property owner for clarification regarding unpermitted nonconforming signage related to a previous decision by the Planning Commission when it approved a Conditional Use Permit for late night operation of a convenience store (7-Eleven).**
Location: 8501 Heil Avenue

Staff Report

RECOMMENDATION: Staff recommends that the Planning Commission clarify its decision that said signs cannot remain.

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- 10.2 Case No. 2012-48 – Appeal of the Director’s denial of a Temporary Use Permit to allow two existing trailers to remain on site for an additional 18 months.
Location: 8500 Bolsa Avenue**

Staff Report

RECOMMENDATION: Staff recommends that the Planning Commission uphold the Director’s denial of the Temporary Use Permit application for an extension of time.

- 11. REPORTS – None**

- 12. MATTERS FROM THE PLANNING COMMISSION**

- 12.1 AB 1234 Reports**

- 13. ADJOURNMENT: To a Regular Meeting on Wednesday, February 20, 2013 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.

Signed Copy Posted Outside of the City Council Chambers

Art Bashmakian
Planning Manager