

KHANH NGUYEN
Chairperson

DON ANDERSON
Vice Chairperson

KIMBERLY HO
Commissioner

LEO LOPEZ
Commissioner

CARLOS MANZO
Commissioner



AGENDA

PLANNING COMMISSION

REGULAR MEETING

May 15, 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.

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6:30 P.M.

CONVENE PLANNING COMMISSION MEETING

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

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 – [March 20, 2013](#)**

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 No. 2012-60 Conditional Use Permit

Location: 13602 Milton Street

Applicant: Alison M. Nguyen

The project involves the establishment of a short recovery (repossession) business, which operates 24-hours a day and involves the retrieval of collaterals (i.e. cars, motorcycles, boats, etc.) on behalf of lending institutions. Collateral is brought to the site for approximately three days, before it is transported to an auction facility.

[Staff Report](#)

RECOMMENDATION: Approve the Conditional Use Permit subject to conditions.

9. REGULAR BUSINESS

9.1 Determination if the design of an addition is consistent with the design of the surrounding neighborhood.

Location: 15802 Clarendon Drive

The matter of a proposed roof cover over an existing second floor deck of a single family dwelling unit is before the Planning Commission in order to determine if the design of the addition (roof cover) is consistent with the design of the surrounding neighborhood.

[Staff Report](#)

RECOMMENDATION: Determine that the proposed addition is not consistent with the design of the surrounding neighborhood.

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9.2 Case No. 2012-48 – Approval of a Resolution regarding a Temporary Use Permit to allow two existing trailers to remain on site for an additional 18 months.

Location: 8500 Bolsa Avenue

On April 17, 2013, the Planning Commission voted to grant an appeal thereby overturning the Director's denial of an extension request for a Temporary Use Permit. At this meeting, the Planning Commission will review and accept said resolution memorializing the action of April 17, 2013.

Staff Report

RECOMMENDATION: Accept Resolution No. 2013-007.

9.3 Consideration to Adopt New Meeting time for Planning Commission Meetings

On June 20, 2012, the Commission voted 4-1 (Turro No) and adopted a new meeting schedule by moving its meeting starting time to 4:00 p.m. As required by the Municipal Code, any adoption of rules for the transaction of the Commission's business is subject to City Council approval.

For a variety of reasons, the placement of the Commission's action on the Council's agenda was delayed. By the time the City held elections and new Council Members and a Mayor were elected, the make-up of the Planning Commission also changed. As such, staff decided not to take the matter to the City Council but instead bring it back to the new Commission and request that the Commission consider the matter again.

As was reported last time, the two clerical positions that supported the Planning Division were eliminated as part of the layoffs that occurred last July 2012. Among other duties, these positions were responsible for the preparation of minutes and for clerical duties at public meetings. Moving the meeting starting time from 6:30 pm to 4:00 pm would facilitate other staff members to assist the Planning Division in handling such clerical duties (facilitating public meetings and the preparation of minutes).

Westminster Municipal Code, Chapter 2.44 states that the Planning Commission has the power to adopt rules for the transaction of its business, subject to approval of the City Council.

RECOMMENDATION: Staff recommends that the Planning Commission adopt a new meeting schedule by moving its meeting starting time to 4:00 p.m. from the current starting time of 6:30 p.m.

10. REPORTS – None

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11. MATTERS FROM THE PLANNING COMMISSION -

11.1 AB 1234 Reports

12. ADJOURNMENT: To a Regular Meeting on Wednesday, June 5, 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 City Hall

Art Bashmakian
Planning Manager