

KHANH NGUYEN
Chairperson

DON ANDERSON
Vice Chairperson

KIMBERLY HO
Commissioner

LEO LOPEZ
Commissioner

CARLOS MANZO
Commissioner



AGENDA

PLANNING COMMISSION

REGULAR MEETING

August 7, 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 – [May 15, 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. 2012-49 Conditional Use Permit (CUP) & Administrative Adjustment (AA)**
Location: 13750 Beach Boulevard (APN: 097-051-30 and 097-051-24)
Applicant: Shawn Naeemy, DBA OC Auto Expo Group

A request to allow auto repair for minor car repairs and auto detailing as an accessory use to an existing used car sales and a request to allow auto repair use to operate as a separate business on the same lot. The proposed operating hours would be Monday through Saturday from 9:00 a.m. to 6:00 p.m. In addition, the applicant is seeking an administrative adjustment to provide 23 parking stalls where 25 parking stalls are required.

[Staff Report](#)

RECOMMENDATION: Approve the Conditional Use Permit and Administrative Adjustment.

- 8.2 Case No. 2012-70 (Tentative Parcel Map, Conditional Use Permit, Development Review)**
Location: 5981 Westminster Boulevard (Assessor's Parcel Number 203-291-13, 14, 16)
Applicant: Mark Kooklani, C.S.K. Petroleum, Inc.

A request to merge lots, (totaling 27,755 square feet (0.63 acre)), and develop a 2,700 square foot convenience store, a twelve pump gasoline station, and a 748 square foot automated car wash to operate 24 hours a day and to allow the off-sale of beer and wine.

Staff Report: [Part I](#) and [Part II](#)

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RECOMMENDATION: Adopt a Mitigated Negative Declaration and approve the requested entitlements and the project.

8.3 Case No. 2013-49 (Conditional Use Permit) **Location: 1025 Westminster Mall**

To establish a 17,781-square foot health/fitness facility inside the Westminster Mall by converting a number of vacant tenant spaces and combining the spaces to facilitate the establishment of the new fitness facility. The hours of operation are proposed 5:00 AM to 11:00 PM, daily.

[Staff Report](#)

RECOMMENDATION: Approve the Conditional Use Permit.

8.4 Case No. 2013-71 (Special Advertising Permit) **Location: 1025 Westminster Mall, edge of mall parking lot adjacent to the 405 Freeway on the existing 85-foot high freestanding sign**

The request is to add a new tenant sign cabinet (5'11" x 14' 7.5"), approximately 77 sq. ft. in area, on the existing 85-foot high freestanding sign located at the edge of the parking lot adjacent to the 405 Freeway. The new sign cabinet will be placed below the existing sign cabinets that currently identify JCPenney and Sears. The new cabinet will allow the identification of a new restaurant – TGI Fridays

[Staff Report](#)

RECOMMENDATION: Approve the Special Advertising Permit.

9. REGULAR BUSINESS –

9.1 Proposed Capital Improvement Projects for Fiscal Year 2013/2014

Government Code Section 65401 mandates that a list of proposed public works projects ("CIP") recommended for planning, initiation, or construction during the ensuing fiscal year be submitted to the City's planning agency as a coordinate program for review and report as to conformity with the General Plan.

Staff Report

RECOMMENDATION: Staff recommends that the Planning Commission find the projects identified within the proposed Capital Improvement Projects for fiscal year 2013/2014 conform to the City's General Plan

[Staff Report](#)

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10. **REPORTS – None**
11. **MATTERS FROM THE PLANNING COMMISSION**
 - 11.1 **AB 1234 Reports**
12. **ADJOURNMENT: To a Regular Meeting on Wednesday, August 21, 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