

CARLOS MANZO
Chair

ANITA RICE
Vice Chair

TONY BUI
Commissioner

ANDREW NGUYEN
Commissioner

QUYNH-GIAO NGUYEN
Commissioner



AGENDA

PLANNING COMMISSION

Regular Meeting

Wednesday, May 3, 2017

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

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

May 3, 2017

6:30 P.M.

CONVENE PLANNING COMMISSION MEETING

1. ROLL CALL – BUI, MANZO, A. NGUYEN, Q. NGUYEN, RICE

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 FROM STAFF, 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 FIVE MINUTES.

7. APPROVAL OF MINUTES – April 19, 2017

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

AGENDA

May 3, 2017

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.

8.1 Case No. 2016-58 – Continued from 4/5/2017 Planning Commission Meeting; and, a deferral is requested until June 7, 2017.

(Two Conditional Use Permits and a Variance for a reduction of required parking spaces)

Location: 14190 Beach Boulevard (APN # 097-080-36)

Viet My Magazine & Newspaper Venue

Applicant: David Vo

Staff Report

A request to defer the matter until June 7, 2017.

The proposed project involves two (2) Conditional Use Permits (CUP); 1) to operate a venue for entertainment (i.e. wedding banquets, concerts, dancing, marketing, and assembly uses), and 2) to serve on-site consumption of alcoholic beverages; and a Variance (V) to have reduced number of parking spaces for the proposed uses.

CEQA COMPLIANCE: The proposed matter is exempt from CEQA pursuant to Class 1; Section 15301 pertaining to issuance of conditional use permits involving negligible expansion of an existing use.

RECOMMENDATION: That the Planning Commission grant the applicant's request to defer the item to a future Planning Commission meeting.

8.2 Case No. 2016-48 (Variance and Reasonable Accommodation)

Location: 5191 Vallecito Avenue (APN # 203-022-09)

Applicant: Lee Oliver

Staff Report

AGENDA

May 3, 2017

Reconsideration of a variance request to maintain a two-car garage, whereas the Westminster Municipal Code (WMC) requires three garage spaces for a single-family dwelling with five or more bedrooms and a Reasonable Accommodation, in the form of the proposed variance request. Federal and State housing law requires cities to consider waving development standards in order to accommodate the needs of a disabled individual.

CEQA COMPLIANCE: The proposed matter is exempt from CEQA pursuant to Section 15301 (Existing Facilities) Class 1 which consists of the minor alterations of existing structures and negligible changes to existing uses, such as the proposed parking variance associated with the interior changes to an existing residential care facility for the elderly.

RECOMMENDATION: That the Planning Commission:

- 1) Adopt a resolution approving the variance, subject to the recommended conditions of approval; and,
- 2) Evaluate the Reasonable Accommodations request and determine if a Reasonable Accommodation should be granted.

9. REGULAR BUSINESS - None

10. REPORTS - None

11. MATTERS FROM THE PLANNING COMMISSION

11.1 AB 1234 Reports

11.2 MATTERS FROM STAFF

12. ADJOURNMENT – To a Regular Meeting on Wednesday, May 17, 2017 at 6:30 p.m.

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 Agenda Posted Outside City Council Chambers

Shelley Dolney

Community Development Administrative Assistant