

CARLOS MANZO
Chair

ANITA RICE
Vice Chair

TONY BUI
Commissioner

QUYNH-GIAO NGUYEN
Commissioner

VACANT
Commissioner



AGENDA

PLANNING COMMISSION

Special Meeting

Wednesday, January 23, 2019

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)

Note: Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda is available for public inspection at the public counter at City Hall located at 8200 Westminster Boulevard, Westminister, CA during normal business hours, except any documents which are exempt from disclosure under applicable law. These writings are also available for review in the public access binder located in the entryway to the Council Chambers.

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

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6:30 P.M.

CONVENE PLANNING COMMISSION MEETING

1. ROLL CALL – BUI, MANZO, 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 – December 5, 2018

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.

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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.

8.1 Case No. 2018-169 – Zone Text Amendment

Location: Citywide

Applicant: City of Westminster

Project Planner: Sandie Kim, Associate Planner

Staff Report and Attachments

PROJECT DESCRIPTION: An ordinance amending the Westminster Municipal Code to regulate Wireless Telecommunications Facilities within the public right-of-way.

CEQA COMPLIANCE: The proposed project is found to be exempt from the California Environmental Quality Act (CEQA) as the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Furthermore, the FCC ruling limits the local jurisdiction review of wireless facilities within the public right of way. It is expected that CEQA review for such applications would be no different than for other wireless communication applications processed by the City. For current applications, the ministerial review action is exempt from environmental review under CEQA Guidelines Section 15268. If the current applications require discretionary review, the action is typically exempt from review under CEQA Guidelines Sections 15301 (Existing Facilities) or 15303 (New Small Facilities).

Staff Report

Planning Commission Discussion

Open Public Hearing

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Speaking in Favor
Speaking in Opposition
Speaking in Rebuttal (only those who spoke in favor can speak in rebuttal)
Close Public Hearing
Planning Commission Comments
Planning Commission Action

RECOMMENDATION: That the Planning Commission take the following actions:

- 1) Adopt a resolution entitled, “A Resolution of the Planning Commission of the City of Westminster Recommending that the Mayor and City Council Adopt an Ordinance Amending Sections 12.38.040, 17.400.175, and 17.630.010 of the Westminster Municipal Code and Adding Section 17.400.177 entitled “Wireless Telecommunications Facilities in the Public Right of Way” to the Westminster Municipal Code”; and
- 2) Adopt a resolution entitled, “A Resolution of the Planning Commission of the City of Westminster Recommending that the Mayor and City Council Adopt Design Standards Diagrams for Small Wireless Telecommunications Facilities in the Public Right of Way”

8.2 Case No. 2018-172 – Zoning Map Amendment, Comprehensive Plan, Development Review

Location: 7122-7140 Westminster Blvd. (Assessor’s Parcel Number 096-111-41)

Applicant: Meta Housing Corporation

Project Planner: Christopher Wong, Senior Planner

Staff Report and Attachments 1-5

Project Plans – Attachment 6

Draft Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program – Attachment 7

PROJECT DESCRIPTION: A proposed mixed use residential and commercial development involving the following entitlements:

- 1) Zoning Map Amendment (ZMA) to add the Planned Development (PD) Overlay zoning district atop the base C2 (General Commercial) zoning district;
- 2) Comprehensive Plan (CP) to establish the permitted mix of land uses and development standards for the proposed PD Overlay zoning district; and
- 3) Development Review (DR) to develop the site with mixed-use development consisting of 65 affordable residential rental units and commercial land uses on an 86,928-square-foot lot.

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CEQA COMPLIANCE: The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State of California Implementation Guidelines, and the requirements of the City for any potential environmental impacts associated with the project. These potential impacts were evaluated in an Initial Study (IS), which discusses in detail the various environmental impacts. As a result, a Mitigated Negative Declaration (MND) was prepared by Hodge and Associates and is recommended for consideration by the Planning Commission. The IS/MND identified the following environmental factors to be potentially affected: air quality, hazards and hazardous materials, hydrology and water quality, noise, public services, and tribal cultural resources. A copy of the IS/MND is included as Attachment No. 7. The MND was made available for public review and comment beginning on January 14, 2019 and will end on February 4, 2019. No comments regarding the MND were received prior to completion of this report.

In addition, a conceptual Water Quality Management Plan was reviewed and approved by the City's Public Works and Engineering Department on January 7, 2019.

Staff Report

Planning Commission Discussion

Open Public Hearing

Speaking in Favor

Speaking in Opposition

Speaking in Rebuttal (only those who spoke in favor can speak in rebuttal)

Close Public Hearing

Planning Commission Comments

Planning Commission Action

RECOMMENDATION: That the Planning Commission take the following actions:

- 1) Adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Recommending that the Mayor and City Council Adopt a Mitigated Negative Declaration Associated with Case No. 2018-172 Involving a Zoning Map Amendment, Comprehensive Plan, and Development Review for a Mixed-Use Development with Commercial Land Uses and 65 Affordable Residential Rental Units on Property Located at 7122-7140 Westminster Boulevard (Assessor's Parcel number 096-111-41)"; and
- 2) Adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Recommending that the Mayor and City Council Approve Case No. 2018-172 Involving a Zoning Map Amendment, Comprehensive Plan, and Development Review for a Mixed-Use Development with Commercial Land Uses and 65 Affordable Residential Rental Units on Property Located at 7122-7140 Westminster Boulevard (Assessor's Parcel Number 096-111-41)."

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8.3 Case No. 2018-184 – Conditional Use Permit

Location: 7722, 7724, 7732 Garden Grove Boulevard (Assessor's Parcel Number 096-491-07)

Applicant: Thomson Dang

Project Planner: Christopher Wong, Senior Planner

Staff Report and Attachments

PROJECT DESCRIPTION: A request for a Conditional Use Permit (CUP) to (1) expand a banquet facility; (2) allow on-site sales and consumption of beer, wine and distilled spirits; and (3) allow live entertainment. A request for an Administrative Use Permit (AUP) to allow the expanded banquet facility to meet the required number of parking spaces through a shared parking agreement with adjoining parcels.

CEQA COMPLIANCE: The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and the requirements of the City of Westminster and has been deemed to be Categorical Exempt per Class 1, Section 15301 of the California Environmental Quality Act (CEQA) because the project consists of the operation, permitting, licensing, and minor alteration of an existing private structure and facilities involving negligible or no expansion of an existing use.

Staff Report

Planning Commission Discussion

Open Public Hearing

Speaking in Favor

Speaking in Opposition

Speaking in Rebuttal (only those who spoke in favor can speak in rebuttal)

Close Public Hearing

Planning Commission Comments

Planning Commission Action

RECOMMENDATION: That the Planning Commission adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Approving Case No. 2018-184 Involving a Conditional Use Permit to Expand a Banquet Facility, Allow On-Sale Alcohol, and Allow Live Entertainment; and an Administrative Use Permit to Allow the Expanded Banquet Facility to Meet the Required Number of Parking Spaces Through a Shared Parking Agreement on Property Located at 7722, 7724, and 7732 Garden Grove Boulevard (Assessor's Parcel Number 096-491-07)."

9. REGULAR BUSINESS - None

10. REPORTS - None

11. MATTERS FROM THE PLANNING COMMISSION

11.1 AB 1234 Reports

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11.2 MATTERS FROM STAFF

12. **ADJOURNMENT – To a Regular Meeting on Wednesday, February 6, 2019, 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
Community Development Senior Administrative Assistant