



PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
December 8, 2010
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, December 8, 2010, called to order in the City Council Chambers at 6:30 p.m. by Chairman Tran.
- Roll Call** Commissioners present: Bertels, Vo, Tran, Turro,
Commissioner absent: Ho
- Staff Attendance** Doug McIsaac, Community Development Director; Art Bashmakian, Planning Manager; Alexis Oropeza, Associate Planner; Christopher Wong, Assistant Planner; Michael Patterson, Assistant Planner; Fenn Moun, Planning Technician; and Maria Moya, Administrative Assistant
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Turro.
- Approval of Minutes** The minutes of the regular meeting of November 17, 2010 were approved on motion of Commissioner Bertels, seconded by Commissioner Vo, and carried 4-0, Commissioner Ho absent.
- Oral Communications** None
- Report from the Secretary on Late Communications Items** None
- Ex Parte Communications** None
- Public Hearing A.** Case 2009-72 Variance, Development Review – Level 3, and Administrative Adjustment (Continued from 11/17/2010)
Location: 13800-13822 Manor Drive
(Assessor’s Parcel Numbers 096-313-09 and 096-313-10)

A request to allow the construction of a new three-story, 40-foot tall, office building. The building will consist of two floors of office space (4,141 square feet each) located above a parking garage level (5,827 square feet) on the first floor.

STAFF RECOMMENDATION: That the Planning Commission approve the project subject to conditions.

Ms. Alexis Oropeza indicated that this item was heard by the Planning Commission last November 19 and continued to allow the applicant to work with staff in complying with City's standards. Subsequently, applicant made revisions to the Site Plan, reduced building setbacks, added landscaping, reduced the drive aisle, and provided 28 parking spaces. Based on the findings and analysis, staff believed that as revised, the project now conforms more closely to City codes and recommended its approval subject to the conditions of approval.

Commissioner Ho arrived at 6:40 p.m.

The public hearing was opened and speaking in favor was Mr. Ariel Valli of Valli Architectural Group, 12 Journey No. 270, Aliso Viejo. He stated that they are in agreement with the conditions of approval.

No one spoke in opposition and the public hearing was closed.

Commissioner Vo and Chairman Tran were glad that staff and the applicant were able to compromise and bring the project into better conformance.

Motion

On motion of Commissioner Vo, seconded by Commissioner Ho, and carried 5-0, the Planning Commission approved Case 2009-72 (Resolution 10-034) based on the findings and recommendation by staff.

B. Case 2010-33 Conditional Use Permit
Location: 14180 Beach Boulevard #120
(Assessor's Parcel Number 097-080-46)
Church of Christ

The applicant is seeking approval to establish a religious place of worship within an existing office building. The tenant is proposing to occupy the first floor suite of the two story building and be utilizing approximately 2,500 square feet of floor area.

STAFF RECOMMENDATION: That the Planning Commission approve the conditional use permit.

Mr. Fenn Moun made a brief overview of the proposed conditional use permit in the first floor of a two-story building. Based on the findings and analysis, staff recommended that the Planning Commission approve the proposed use.

The public hearing was open. The agent for the owner, Mr. Don Johnson, of 5761 Los Arcos, Long Beach, stated that he was available to answer any questions.

No one spoke in opposition and the public hearing was closed.

Commissioner Turro had no objection to the proposal.

Motion

Commissioner Turro moved that the Planning Commission approve Case 2010-33 (Resolution No. 10-035) subject to the conditions set forth in the draft resolution. Commissioner Bertels seconded and the motion carried 5-0.

C. Case 2010-74 Conditional Use Permit
Location: 10161 Bolsa Ave #109A
(Assessor's Parcel Number 099-554-23)
Sodam Restaurant

The applicant is requesting a conditional use permit to allow sales of beer and wine for on-site consumption [Alcoholic Beverage Control (ABC) type 41 license in conjunction with an existing restaurant.

STAFF RECOMMENDATION: That the Planning Commission approve the conditional use permit.

Mr. Chris Wong provided the background and analysis of the proposed conditional use permit. Based on staff's review, staff has determined that the proposed entitlement meets the City's development standards and recommended that the Planning Commission approve the conditional use permit subject to the conditions imposed by staff.

The public hearing was opened. Speaking in favor, Ms. Rachel Kim of 32 Mount Vernon, Irvine, owner of the restaurant, stated that she was available to answer any questions.

No one spoke in opposition and the public hearing was closed.

Chairman Tran indicated that he has visited the restaurant and commented that food goes well with beer and wine.

Motion

On motion of Commissioner Turro, seconded by Chairman Tran, and carried 5-0, the Planning Commission approved Case 2010-74 (Resolution 10-036) subject to the terms and conditions set forth by staff in the draft resolution.

D. Case 2009-63 Zoning Text Amendment – Signs
Location: Citywide

A proposed Zoning Text Amendment (ZTA) to the Westminster Municipal Code to establish procedures and standards for considering and allowing signs that vary from sign standards within qualifying retail shopping centers.

STAFF RECOMMENDATION: That the Planning Commission continue the Zoning Text Amendment to the meeting date of January 19, 2011.

Mr. Art Bashmakian recommended that the Planning Commission continue the Zoning Text Amendment to the meeting date of January 19, 2011 as staff needs additional time to complete the project.

Motion

Chairman Tran moved that the Planning Commission continue the Zoning Text Amendment to the meeting date of January 19, 2011. Commissioner Turro seconded and the motion carried 5-0.

**Regular
Business**

A. Case 2009-30 Development Review – Level 2
Location: 9461 Edinger Avenue
(Assessor's Parcel Number 143-122-34)

The applicant is requesting approval to establish and operate a small recycling collection facility at the rear of the existing Neighborhood Liquor convenience store. The collection facility will consist of two detached 176-square foot roll-off containers (8 feet wide by 22 feet long by 9 feet high) and a kiosk (or booth) to be used as an office for employees.

STAFF RECOMMENDATION: That the Planning Commission deny the Development Review.

Mr. Michael Patterson provided a brief presentation on the applicant's request to establish and operate a small recycling

collection facility at the rear of the existing Neighborhood Liquor convenience store. Based on its findings and analysis, staff recommended that the Planning Commission deny the proposal.

The Planning Commission allowed the representative of California Recycling Inc., Mr. Eugene Vortman, of 526 S. Alameda Street, Los Angeles, CA 90013, to speak. He requested to move the item to the next meeting so that he can make necessary changes to his proposal to conform to City codes.

Mr. Bashmakian supported the applicant's request and recommended that the Planning Commission continue the item so that the applicant can work with staff regarding his proposal.

Motion

Chairman Tran moved that the Planning Commission continue Case 2009-30 to the next available meeting. Commissioner Turro seconded and the motion carried 5-0.

B. Case 2010-36 Appeal of Directors Action
Location: 14421 Beach Boulevard
(Assessor's Parcel Number 096-363-26)

Appeal of Director's denial of sign program. The proposed sign program is for an existing two-story building (Heritage Building) and consists of 20 wall mounted signs (12 signs facing Beach Boulevard and 6 signs facing 10th Street).

STAFF RECOMMENDATION: Affirm the Director's determination and deny the appeal.

Mr. Patterson's brief introduction of the appeal was discontinued when Mr. Bashmakian mentioned that the appellants were not present. In order to provide an opportunity to present their case, Mr. Bashmakian recommended that the item be continued to the next meeting.

Motion

On motion of Commissioner Vo, seconded by Chairman Tran, and carried 5-0, the Planning Commission continued the item to the next meeting of Jan. 19, 2011.

Reports

None

**Administrative
Use Permits
And Adjustments**

None

**Items from the
Planning
Commission**

None

**Comments:
Planning
Commissioners**

Commissioner Bertels requested that staff drop the agenda packet delivered to his residence on the iron bench so that it does not get wet from the sprinkler and would make it easier for him to pick up as he does not have to bend over. Mr. Bashmakian assured him that staff will adhere to his request.

As this will be the last meeting for the year, Commissioner Vo thanked staff for the Christmas gifts and greeted everyone Happy Holidays. Chairman Tran wished everyone a Merry Christmas and a Happy New Year as well. Commissioner Ho thanked staff for their work.

**Planning
Manager**

Mr. Bashmakian thanked the Commission for recognizing staff's work this year. He stated that it is a team effort where everyone plays a role in providing the materials and the tools for the Commission in their decision making process. He recommended that the Commission adjourn to the meeting of January 19, 2011.

City Attorney

None

**Reporting on
AB 1234**

None

Adjournment

The meeting was adjourned at 7:30 p.m. to the Planning Commission meeting on Wednesday, January 19, 2011, at 6:30 p.m. in the Council Chambers.

Respectfully submitted,

MARIA MOYA
Administrative Assistant