



**PLANNING COMMISSION**  
**Minutes of the Regular Meeting**  
**City Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**June 16, 2010**  
**6:30 p.m.**

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- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, June 16, 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
- Chairman Tran explained that Commissioner Ho has recused herself from the first case (2009-77) and that is why she is not present at this time.
- Staff Attendance** Art Bashmakian, Planning Manager; Steve Ratkay, Associate Planner; Christopher Wong, Assistant Planner; Shelley Dolney, Administrative Assistant
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Vo.
- Approval of Minutes** The minutes of the regular meeting of June 2, 2010 were approved on motion of Commissioner Bertels, seconded by Commissioner Turro, and carried 4-0 (Commissioner Ho absent).
- Oral Communication** None
- Report from the Secretary on Late Communication Items** Mr. Bashmakian explained that there were two late communication items. Case number 2010-41, the applicant has submitted an item which will be presented to you when Chris Wong makes his presentation for that case. Case number 2010-42, the applicant has submitted an email requesting the case be continued to the next meeting date of July 7, 2010.

**Public Hearing**

**A. Case 2009-77 Conditional Use Permit**

**Location: 15342 Beach Boulevard (Assessor's Parcel Number 107-161-02)**

An application for a Conditional Use Permit (CUP) requesting the on-site sale of beer and wine, live entertainment (consisting of live bands with a maximum of four performers, karaoke, dancing, DJ, and keyboard player) and banquets, all in conjunction with and incidental to an existing restaurant (Lang Ngon Seafood).

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

Mr. Steve Ratkay made a brief presentation. He stated that based on Staff's review, staff is recommending that the Commission approve the request based on the findings and conditions of approval in the draft resolution.

Commissioner Vo questioned the close proximity of this restaurant to another restaurant (Q Lounge). Mr. Bashmakian explained that staff does not see a conflict with the use.

Commissioner Bertels inquired how the previous restaurant (Hof's Hut) was able to operate without possessing a CUP. Mr. Ratkay explained that Hof's Hut was in existence from the mid-sixties which pre-dates the Cities requirement for a CUP so it was grandfathered in without a CUP. However, the restaurant did possess an alcohol license from the Alcohol Beverage Control.

The Public Hearing was opened.

Diane Le, co-owner of the restaurant located at 15342 Beach Boulevard spoke in favor. She stated that she did not see that her restaurant would be conflicting with the adjacent business as her restaurant is more into food and banquet, while the other business seems to be more into alcohol and appetizers. She confirmed that the entertainment request would be periodic as needed for the banquet operation. She stated their current hours of operation are 10:00 a.m. to 12:00 a.m., but they are requesting to be open from 7:00 a.m. to 12:00 a.m.

There was no opposition. The Public Hearing was closed.

Chairman Tran stated that he was in favor the case as it would encourage more business in the community. The alcohol licenses in the area are not over saturated and the Police Department has no objection for this case.

There were no additional comments by the Commissioners.

Motion

Chairman Tran moved that the Planning Commission approve Case Number 2009-77 (Resolution Number 10-012) requesting on-site sale of beer and wine, live entertainment, and banquets in conjunction with and incidental to an existing restaurant and subject to conditions of approval. Seconded by Commissioner Bertels, and carried 4-0 (Commissioner Ho absent).

Commissioner Ho entered the chambers and joined the Commission at the dais.

**B. Case 2010-23 Conditional Use Permit**

**Location: 6731 Westminster Boulevard (Assessor's Parcel Number 203-541-19)**

An application for a conditional use permit (CUP) to allow live entertainment and banquets; and to amend an existing CUP related to hours of operation and number of amusement devices associated with a proposed restaurant (Seafood Palace) in the Westminster Center.

STAFF RECOMMENDATION: That the Planning Commission approve the conditional use permit for live entertainment and banquets, and approve amendments to an existing conditional use permit for on-site sales and consumption of beer, wine, and distilled spirits.

Mr. Christopher Wong made a brief presentation. He stated that based on Staff's review, staff is recommending that the Commission approve the request based on the conditions of approval in the draft resolution.

Commissioner Vo inquired about the proximity of this restaurant to a previously approved restaurant (MK the restaurant). Mr. Wong explained that although the CUP for that restaurant was granted, it appears that the restaurant will not open as it is currently for sale. However, if another restaurant decides to purchase that location the CUP would be valid for their use.

Commissioner Turro and Commissioner Ho asked for clarification regarding number and use of video devices. Mr. Wong confirms that the existing Conditional Use Permit allows four video devices and the applicant is requesting to amend that condition to have six video devices. The video devices would primarily be used for banquets. Mr. Bashmakian further clarified that four video devices are allowed by right and any additional devices require an approval.

The Public Hearing opened.

Mr. Anthony Nguyen, applicant for the Seafood Palace located at 6731 Westminster Boulevard #122, spoke in favor offering to answer any questions.

Commission Vo inquired when entertainment would be happening at the location. Mr. Nguyen explained that the restaurant would not be providing entertainment. Weddings generally request to have a band and the restaurant would provide a stage for the performers.

There was no opposition. The Public Hearing was closed.

Chairman Tran stated he was in favor the case because we should encourage more business in the City. He also stated there is a need for banquet facilities for weddings in the City as there is currently a shortage of such facilities. And he does not see a problem with the requested hours of operation or the liquor license since the prior business at this location also had a liquor license.

There were no additional comments by the Commissioners.

Motion

Chairman Tran moved that the Planning Commission approve Case Number 2010-23 (Resolution Number 10-013) requesting live entertainment and banquets; and approve amendments to an existing conditional use permit for on-site sales and consumption of beer, wine and distilled spirits subject to conditions of approval and Staff's recommendations in the draft resolution. Seconded by Commissioner Vo, and carried 5-0.

REPORTS

**B. Case 2010-42 Appeal of Director's Denial**

**Location: 15182 Goldenwest Street (Assessor's Parcel Number 142-383-13)**

An appeal of Director's denial of a wall sign. Proposed sign (Cash 4 Gold) would be 24 feet long and 38 inches high consisting of white channel letters on a black aluminum background encased by a 5.5 inch thick channel border with yellow Plexiglas face, black trimcap and black returns.

STAFF RECOMMENDATION: That the Planning Commission uphold the Director's action.

The Commissioner's agreed to take case number 2010-42 out of order to vote on the continuance requested by the applicant.

Motion

On motion of Commissioner Turro, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission approved the request to continue case number 2010-42 until the next meeting date of July 7, 2010.

**A. Case 2010-41 Appeal of Director's Denial**

**Location: 16480 Venus Drive (Assessor's Parcel Number 107-632-12)**

An appeal of Director's denial of a Home Business Permit for locksmith services. The proposed business operation included the use of materials, equipment and/or tools not commonly recognized as being necessary or convenient for domestic residential purposes or hobbies.

STAFF RECOMMENDATION: That the Planning Commission

a) Uphold the Director's determination that certain equipment related to a proposed home-based locksmith service business is inconsistent with the City's Home Business Ordinance and deny a permit; or

b) Overturn the Director's determination that certain equipment related to a proposed home-based locksmith service business is inconsistent with the City's Home Business Ordinance and approve a permit

Mr. Christopher Wong made a brief presentation. He stated that during the review, the Director determined there would be use of materials equipment and/or tools not commonly recognized as being necessary or convenient for domestic residential purposes or hobbies so therefore the application was disapproved.

Commissioner Turro and Commissioner Ho asked if there were any complaints or if Code Enforcement has been involved. Mr. Wong explained there were no complaints from neighbors or Code Enforcement violations to his knowledge. He further explained that the applicant is in the audience to answer any questions that may come up.

There were no further questions of the staff.

Chairman Tran allowed the applicant Stephanie Williams of 16480 Venus Drive to speak regarding her proposed application. The information that was given by staff is slightly misleading. This is strictly a mobile business. The office is at home and a small workstation. The machine that we use is not used for duplication. The machine at home is used for creating one original key for a lock that is produced on site. All key duplicating would be made on site at the customer's location using the mobile unit.

Commissioner Vo asked how long she had been operating the business out of the home and if she would be agreeable to conditions restricting hours of operation. Mrs. Williams stated it has been July 2009 that they have been operating as a business and they would certainly be agreeable to conditions restricting hours of operation.

There were no additional questions for the applicant.

Motion

On motion of Commissioner Vo, overturning the Director's determination for Case Number 2010-41 (Resolution Number 10-014) that certain equipment related to a proposed home-based locksmith service business is inconsistent with the City's Home Business Ordinance and approve a permit based on a condition for the time usage for the machinery to be worked out with the staff, seconded by Commissioner Ho, and carried 4-1 (Commissioner Bertels voting No).

**Administrative  
Use Permits and  
Adjustments**      None

**Items from the  
Planning  
Commission**      None

**Comments:  
Planning  
Commissioners**      None

**Planning  
Manager**      None

**City Attorney**      Not Present

**Reporting on  
AB 1234**      None

**Adjournment**      The meeting was adjourned at 7:31p.m. to the Planning Commission meeting on Wednesday, July 7, at 6:30 p.m. in the Council Chambers.

Respectfully submitted,

SHELLEY DOLNEY  
Administrative Assistant