



PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
July 7, 2010
6:30 p.m.

Call to Order The Planning Commission of the City of Westminster met in a regular session on Wednesday, July 7, 2010, called to order in the City Council Chambers at 6:30 p.m. by Chairman Tran.

Roll Call Commissioners present: Ho, Vo Tran, Turro,
Commissioner absent: Bertels

Staff Attendance Art Bashmakian, Planning Manager; Alexis Oropeza and Kelvin Parker, Associate Planners; Chris Wong, Assistant Planner; and Maria Moya, Administrative Assistant

Salute to the Flag All persons present joined in the Salute to the Flag, conducted by Commissioner Ho.

Approval of Minutes The minutes of the regular meeting of June 16, 2010 were approved on motion of Commissioner Turro, seconded by Commissioner Vo, and carried 4-0, Commissioner Bertels absent.

Oral Communication None

Report from the Secretary on Late Communication Items Mr. Bashmakian stated that staff received three late communication items, namely: technical information about wireless facility (Case 2009-46); letter of support from the property owner (Case 2009-69); and revised sign design with a change in color from yellow glow to gold (Case 2010-42). These information will be discussed when the items are presented and considered by the Commission.

Public Hearing A. Case 2009-46 Development Review – Level 3
Location: 9039 Bolsa Avenue (Assessor’s Parcel Number 098-303-23)

An application for a development review (level 3) and amendment to an existing conditional use permit for proposed modifications to an existing rooftop wireless telecommunications facility. Proposed

modifications include the replacement of antennas, addition of equipment to existing antenna arrays, and addition of ground-mounted equipment.

STAFF RECOMMENDATION: That the Planning Commission approve the development review.

Mr. Chris Wong provided a brief overview of the proposed modifications to an existing wireless telecommunication facility. Based on staff findings and analysis, he recommended its approval subject to conditions in the draft resolution, including conformance to the wireless communications facility ordinance requiring the applicant to construct a screen around the rooftop as the applicant proposes only partial screening on some portions of the roof that is only visible in the intersection of Bolsa and Magnolia. He mentioned that staff received a late communication item relating to technical information about antenna facility.

The public hearing was opened and speaking in favor of the proposal was the representative for Sprint and Core Communications, Mr. John Moreland of 2903 Saturn Street, Unit D, Brea. He stated that the cost to upgrade the wireless facility from 3g to 4g access broadband is approximately \$3,000-\$4,000. However, it will cost \$49,000 or ten times more to comply with staff requirement to fully screen the rooftop excluding unnecessary upgrade costs. Mr. Moreland indicated that they understand and are willing to comply with the wireless ordinance code as they agreed that screening the south and west elevations will be in keeping with the design and architecture of the building. However, the north and east elevations face the residential area and screening these plain solid walls will not be in keeping with the scale of the building since the red banding will look odd with a four-foot separation when all the elevations have eight to nine-foot separation. Mr. Moreland also proposed that the height of the antenna's digital access points be mounted within 6 feet at the base of the roof floor so that it will not be visible even if the walls are raised in the entire rooftop area.

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

Commissioner Vo believed that the applicant's partial screening proposal meets the Code as it will minimize the visibility of the antenna on the south and west sides. He felt the additional cost to screen the north and west elevations was unnecessary since these sides are not in public view but face the residential area, and no

one opposed the project. He noted that even with full screening, the antennas will remain visible.

Commissioner Ho concurred with Commissioner Vo. She pointed out that the back of the building will look bulky with the additional raised wall as she prefers that the center of the parapet lines up with the roof line.

Motion

On motion of Commissioner Vo, seconded by Commissioner Ho, and carried 4-0, Commissioner Bertels absent, the Planning Commission approved Case No. 2009-46 (Resolution No. 10-15) based on the applicant's recommendation and staff findings.

B. Case 2009-69 General Plan Amendment

Location: 6411 Maple Avenue (Assessor's Parcel Number 195-292-06)

Initial Study

An application for a General Plan Amendment to change the General Plan Land Use Designation from Residential Medium Density to Industrial where the existing zoning is "M-1" Light Industrial.

STAFF RECOMMENDATION: That the Planning Commission recommend the City Council adopt a Resolution amending the General Plan to change the land use designation of 6411 Maple Avenue and adopt the related initial study and negative declaration.

Ms. Alexis Oropeza presented the facts and analysis of the proposal to amend the General Plan that would change the land use designation of 6411 Maple Avenue. She mentioned that other than the letter from the property owner supporting this proposal, there were no other comments received by staff on this matter. Based on these, she recommended that the Planning Commission adopt a resolution recommending that the City Council adopt the resolution amending the General Plan to facilitate industrial development in Residential Medium land use designations and related Negative Declaration.

The public hearing was opened. No one spoke in favor nor in opposition and the public hearing was closed.

Motion

Commissioner Vo moved that the Planning Commission recommend to the City Council to adopt a Resolution amending the General Plan to change the land use designation of 6411 Maple Avenue and adopt the related initial study and negative declaration

for Case 2009-69 (Resolution 10-16). Chairman Tran seconded and the motion carried 4-0, Commissioner Bertels absent.

Reports

A. Case 2010-42 Appeal of Director's Denial (continued from 6/16/2010)

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 trim cap and black returns.

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

Continued from the June 16 meeting, Mr. Art Bashmakian presented the facts and analysis of the applicant's appeal to the denial of a wall sign by the Community Development Director. He displayed photos of the revised sign design with a change in color from fluorescent yellow to gold so that the Commission can determine if the applicant's proposed sign adhere to the City's Sign Code.

Commissioner Turro stated that he visited the project site.

Commissioner Ho observed a hodge podge of signs in the center.

The Commission allowed the owner and applicant, Mr. Paul Altieri of 220 Newport Center Dr. No. 11-333, Newport Beach, to speak. He provided the Commission a proposal packet that included photos of his sign proposal, alternative designs, and comparable photos of signs within the center and other reputable businesses. Describing his proposed sign, Mr. Altieri indicated that the black plate complements the design color and matches the channel letters. He contended that there is nothing in the Sign Code that prohibits background or border line channel letters. He corrected Mr. Bashmakian with regards to the size of the sign and added that they will not use any "dayglow" color that makes the sign luminescent, but their sign will be lit instead. Furthermore, he indicated that the landlord approved the sign.

Ms. Crystal Wadsworth, Executive Director of the Westminster Chamber of Commerce, stated that the proposed sign identifies the business and removing the yellow trim will take away the character

of the design and will not be as effective. She encouraged the Commission to support the proposed sign in the interest of business owners struggling in the current bad economy.

Commissioner Vo liked the sign but preferred that the yellow trim around the sign be removed since the sign will accomplish its function without it. He pointed out that the proposed sign does not complement the building and the fluorescent yellow color is distracting.

Commissioner Ho concurred with Commissioner Vo and suggested using larger font.

Commissioner Turro liked the sign and intends to vote for the proposal.

With regards to bigger font size, Mr. Bashmakian stated that there is no maximum size of the letters of the sign as long as the sign is consistent with the Sign Code.

Motion Commissioner Turro moved that the Planning Commission approve the sign as proposed by the applicant. No one seconded and the motion died.

Motion Commissioner Vo moved that the Planning Commission deny the appeal and direct the applicant to modify the design of the sign as suggested by staff to comply with the provisions of the Design Guidelines Manual for Case No. 2010-42 (Resolution 10-17). Based on his opinion, Commissioner Vo suggested that Option No. 3 will achieve the same purpose.

To simplify the motion, Mr. Bashmakian suggested that the motion be amended to deny the appeal and approve Option No. 3. Commissioner Vo agreed and amended his motion to deny the appeal and approve Option No. 3 design.

Commissioner Ho suggested that the applicant work with staff relating to the color of the letters, size of the sign, and shape of the sign. Commissioner Vo concurred and included Commissioner Ho's suggestions to his motion.

Commissioner Ho seconded and the motion carried 3-1, Commissioner Turro dissented, Commissioner Bertels absent.

B. Case 2010-22 Zoning Text Amendment Initiation
Location: Citywide

Initiation of Zoning Text Amendment (ZTA) to authorize City staff to begin an update to the City's home-based business regulations (Chapters 17.400 and 17.530 of the Westminster Municipal Code). The purpose of the amendment will be to clarify the allowed uses and operational standards for home-based businesses.

STAFF RECOMMENDATION: That the Planning Commission adopt the Resolution initiating the Zone Text Amendment.

Ms. Oropeza presented the proposed zoning text amendment that will establish new operating standards, clarify permitted uses, and possibly modify the two-tier classification and procedures for processing level two home-based businesses. Based on staff findings and analysis, Ms. Oropeza recommended that the Planning Commission adopt the Resolution initiating the Zone Text Amendment.

Motion

Commissioner Turro moved that the Planning Commission adopt the Resolution initiating the Zone Text Amendment for Case 2010-22 (Resolution 10-18). Commissioner Vo seconded and the motion carried, 4-0, Commissioner Bertels absent.

C. Case 2010-30 Zoning Text and Map Amendment Initiation
Location: Citywide

Initiation of Zoning Text Amendment (ZTA) and Zoning Map Amendment (ZMA) to change the CM (Industrial- Commercial) zoning district to commercial or industrial.

STAFF RECOMMENDATION: That the Planning Commission adopt the Resolution initiating the Zoning Text and Map Amendment.

Mr. Kelvin Parker made a brief presentation of the proposed Zone Text and Map Amendments that will authorize staff to initiate amending the Commercial Industrial Zoning District (CM) for the purpose of repealing the CM zoning district. Based on staff findings and analysis, Mr. Parker recommended that the Planning Commission adopt the Resolution initiating the Zone Text and Map Amendments.

Motion

Commissioner Vo moved that the Planning Commission adopt the Resolution initiating the Zone Text Amendment for Case 2010-30 (Resolution No. 10-19). Commissioner Turro seconded and the motion carried, 4-0, Commissioner Bertels absent.

D. Case 2010-31 Zoning Text and Map Amendment Initiation
Location: Citywide

Initiation of Zoning Text Amendment (ZTA) and Zoning Map Amendment (ZMA) to allow either certain retail uses within the CR (Restricted Commercial) zone subject to the approval of the Director of Community Development, eliminate the CR (Restricted Commercial) District, or create a new Overlay Zoning District in place of the CR District.

STAFF RECOMMENDATION: That the Planning Commission adopt the Resolution initiating the Zoning Text and Map Amendment.

Mr. Kelvin Parker indicated that this zoning text amendment will authorize staff to begin an amendment of the City's Restricted Commercial District (CR) to allow certain retail uses and eliminate the CR district or create a new overlay zoning district in place of the CR zoning district. Based on staff findings and analysis, Mr. Parker recommended that the Planning Commission adopt the Resolution initiating the Zone Text and Map Amendments.

Motion

Commissioner Vo moved that the Planning Commission adopt the Resolution initiating the Zone Text Amendment and Zoning Map Amendment for Case No. 2010-31 (Resolution No. 10-20). Chairman Tran seconded and the motion carried, 4-0, Commissioner Bertels absent.

E. Case 2010-32 Zoning Text Amendment Initiation
Location: Citywide

Initiation of Zoning Text Amendment (ZTA) to allow the limited expansion of nonconforming single family and duplex residences due to zoning and/or General Plan designation.

STAFF RECOMMENDATION: That the Planning Commission adopt the Resolution initiating the Zoning Text Amendment.

Mr. Parker presented the facts and analysis of the proposed resolution that will authorize staff to begin an update to the City's nonconforming uses, structures and parcel regulations for the purpose of establishing new operating standards that would allow for the limited expansion of nonconforming single-family and duplex residences when the zoning and/or General Plan designation is Commercial. He recommended that the Planning Commission

adopt the Resolution initiating the Zoning Text and Map Amendments.

Motion Commissioner Turro moved that the Planning Commission adopt the Resolution initiating the Zone Text Amendment for Case No. 2010-32 (Resolution No. 10-21). Commissioner Vo seconded and the motion carried, 4-0, Commissioner Bertels absent.

Administrative Adjustments None

Items from the Planning Commission Commissioner Turro indicated that he hoped everyone had a Happy 4th of July. He happily announced that his daughter's recently adopted son from Korea has arrived in the US.

Commissioner Vo mentioned that he was interested in attending the CEQA Conference scheduled in August. Mr. Bashmakian will advise him if the current budget will cover any meeting or conferences costs. Commissioner Vo mentioned he will be on vacation on August 18 and will not be able to attend the meeting.

Comments: Planning Commissioners Manager Mr. Bashmakian thanked staff for their reports and presentation. After confirming with Mr. John Moreland, Mr. Bashmakian explained that while making his presentation for Case 2009-46, Mr. Moreland referred to staff as "professional" instead of "unprofessional".

Reporting on AB 1234 None

Adjournment The meeting was adjourned at 8:30 p.m. to the Planning Commission meeting on Wednesday, July 21, at 6:30 p.m. in the Council Chambers.

Respectfully submitted,

MARIA MOYA
Administrative Assistant