



PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
December 19, 2012
6:30 p.m.

1. **ROLL CALL: VO, HO, ANDERSON, OH, TURRO,**

PRESENT: VO, HO, ANDERSON, OH, TURRO,
ABSENT:
2. **SALUTE TO FLAG:**

Commissioner Vo
3. **REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS:**
None
4. **EX PARTE COMMUNICATIONS:** None
5. **SPECIAL PRESENTATIONS:** None
6. **ORAL COMMUNICATIONS:** None
7. **APPROVAL OF MINUTES: Regular Meeting of December 19, 2012.**

The minutes of the regular meeting of December 19, 2012 were approved on motion of Commissioner Anderson, seconded by Chairman Vo and carried 5-0.

8. **PUBLIC HEARINGS**
 - 8.1 **Case No. 2012-33. An application for a Conditional Use Permit and Development Review to construct and operate a 2,051 square foot, 25-foot high, drive through restaurant to operate 24 hours a day (Del Taco) at 15456 Goldenwest Street.**

RECOMMENDATION: Staff recommends that the Planning Commission grant the Conditional Use Permit and Development Review.

Kelvin Parker, Senior Planner, gave a presentation on the item.

THE CHAIR OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK IN FAVOR OF THE ITEM.

George Ewing, and Dale Jordan, related to the project applicants, made themselves available for questions.

THE CHAIR ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK IN OPPOSITION OF THE ITEM.

John Kemp spoke in opposition and raised concerns about late night impact as the use would be open 24 hours a day.

Karen Carr spoke in opposition and raised concerns regarding the landlord raising rent on the current tenant and forcing the current tenant to leave so the new tenant can be establishment.

Daryl Jordan spoke in rebuttal and mentioned that the use would not impact negatively as only the driveway would be open 24/7 and the dining area will close at 11:00 pm. He also mentioned that Del Taco has no involvement with the business practice of the property owner.

THE CHAIR CLOSED THE PUBLIC HEARING

Motion was made by Commissioner Anderson, and seconded by Commissioner Turro, to adopt Resolution No. 12-031 entitled, "A Resolution of the Planning Commission of the City of Westminster approving a Conditional Use Permit and Development Review to construct and operate a new 2,498 square-foot drive through facility (Del Taco) operating 24-Hours a day located at 15456 Goldenwest Street (APN 142-401-61)."

The motion carried by the following vote:

AYES: VO, HO, ANDERSON, OH, TURRO,
NOES:
ABSENT:

8.2 Case No. 2012-47 (Administrative Use Permit) Request to allow for 357 square-feet, 15-foot high accessory structure, located in the rear yard of a single-family residence.

RECOMMENDATION: Staff recommends that the Planning Commission approve the Administrative Use Permit.

Steve Ratkay, Associate Planner, gave a presentation on the item.

THE CHAIR OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK IN FAVOR OF THE ITEM.

Stephen Phillips, applicant, spoke in favor.

Commissioners asked about the use of the structure and asked if bathrooms will be included.

The applicant stated bathrooms are not proposed.

THE CHAIR ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK IN OPPOSITION OF THE ITEM.

No one spoke in opposition.

THE CHAIR CLOSED THE PUBLIC HEARING

Commissioner Anderson asked if the applicant would be in agreement with a requirement to record a covenant stating clearly that the structure cannot be used for habitation so future buyers will know about the allowed use for the structure.

The applicant agreed with the added condition for the covenant.

Motion was made by chairman Vo, and seconded by Commissioner Anderson, to adopt Resolution No. 12-032 entitled, "A Resolution of the Planning Commission of the City of Westminster approving an Administrative Use Permit for a 357 square-foot detached accessory structure located at 5092 Vallecitio Avenue," with the added condition requiring the recordation of said covenant.

The motion carried by the following vote:

AYES: VO, HO, ANDERSON, OH, TURRO,
NOES:
ABSENT:

9. REGULAR BUSINESS:

**9.1 Case No. 2012-64. Initiation of a Zoning Text Amendment
Location: City wide**

To authorize staff to work on an amendment to the home-based business standards. Specifically, the proposed amendment would amend the code to allow for a commercial vehicle to be parked on subject property in conjunction with a home-based business subject to compliance with certain parking location conditions and standards. Currently, Section 17.400.075.B.4 of the Westminster Municipal Code prohibits any commercial vehicle engaged in the operation of a home-based business from being parked on-site.

RECOMMENDATION: Staff recommends that the Planning Commission adopt the Resolution to initiate the Zoning Text Amendment.

Art Bashmakian, AICP, Planning Manager, gave a presentation on the item.

THE CHAIR ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK ON THE ITEM.

No one spoke.

Motion was made by chairman Vo, and seconded by Commissioner Anderson, to adopt Resolution No. 12-033 entitled, "A Resolution of the Planning Commission of the City of Westminster declaring its intention to consider an amendment to the text of the City of Westminster Zoning Ordinance."

The motion carried by the following vote:

AYES: VO, HO, ANDERSON, OH, TURRO,
NOES:
ABSENT:

9.2 Case No. 2012-65. Initiation of a Zoning Text Amendment
Location: City wide

Initiation of a Zone Text Amendment (ZTA) to amend the standards pertaining to temporary signs (specifically banners).

RECOMMENDATION: Staff recommends that the Planning Commission adopt the Resolution to initiate the Zoning Text Amendment.

Art Bashmakian, AICP, Planning Manager, gave a presentation on the item.

THE CHAIR ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK ON THE ITEM.

No one spoke.

Motion was made by chairman Vo, and seconded by Commissioner Ho, to adopt Resolution No. 12-034 entitled, "A Resolution of the Planning Commission of the City of Westminster declaring its intention to consider an amendment to the text of the City of Westminster Zoning Ordinance."

The motion carried by the following vote:

AYES: VO, HO, ANDERSON, OH, TURRO,
NOES:
ABSENT:

10. REPORTS: None

11. MATTERS FROM THE PLANNING COMMISSION

Commissioner Anderson asked about the status of the enforcement matter related to the building at 13961 Willow Lane.

Mr. Bashmakian stated that construction to rehabilitate the building must start by January 3, 2013.


Commissioner Anderson acknowledged staff for their hard work wished everyone a Merry Christmas and happy holidays.

The remaining Commissioner's echoed Commissioner Anderson.

Commissioner Turro stated that he will not apply to be a Commissioner again.

11.3 AB 1234 Reports: None

12. ADJOURNMENT: At 6:47 p.m., Chairman Vo adjourned the meeting to a regular meeting on Wednesday, January 16, 2013 at 6:30 p.m. in the Council Chambers.



Dave Vo
Chairman



Art Bashmakian
Planning Commission Secretary

Prepared by:



Art Bashmakian
Planning Commission Secretary