



PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
March 6, 2013
6:30 p.m.

1. ROLL CALL: HO, ANDERSON, MANZO, NGUYEN

PRESENT: ANDERSON, MANZO, NGUYEN,
ABSENT: HO

2. SALUTE TO FLAG:

Commissioner Anderson

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS:
None

4. EX PARTE COMMUNICATIONS: The Commissioners mentioned that they visited sites on the agenda.

5. SPECIAL PRESENTATIONS: None

6. ORAL COMMUNICATIONS: None

7. APPROVAL OF MINUTES: Regular Meeting of February 6, 2013.

The minutes of the regular meeting of February 6, 2013 were approved on motion of Vice Chair Anderson, seconded by Chairman Nguyen with a minor edit on page 1 and carried 3-0 (Ho absent).

8. PUBLIC HEARINGS -

8.1 Case No. 2012-72 Variance (V). An application to replace an existing 7-foot high wall with a 14-foot high wall along a 53-foot section of the west property line where the maximum allowed height is 8-feet.

Location: 9200 Bolsa Avenue (Asian Garden Mall)

Applicant: Asian Garden Limited

RECOMMENDATION: Staff recommends that the Planning Commission grant the Variance.

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

Commissioners asked questions for clarification.

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

Julie Newell, representing the applicant spoke in support of the project.

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

No one spoke in opposition.

THE CHAIR CLOSED THE PUBLIC HEARING

Chair Nguyen asked about any code enforcement cases.

Mr. Parker informed that code enforcement is aware of the billboard on the side of the building.

The Commissioners stated that the wall is acceptable.

CHAIR NGUYEN REOPENED THE PUBLIC HEARING

Chair Nguyen suggested a condition that the property comply with code relative to any violations related to signage along the east wall of the Asian Garden Mall.

The applicant concurred with the condition.

CHAIR NGUYEN CLOSED THE PUBLIC HEARING

Motion was made by Chair Nguyen, and seconded by Vice Chair Anderson, to approve the project and adopt Resolution No. 13-003 entitled, "A Resolution of the Planning Commission of the City of Westminster approving a variance to extend the height of an existing seven foot high wall to 14 feet along an approximately 53-foot section of the west property line at 9200 Bolsa Avenue with an added condition that any code violations be eliminated"

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, MANZO,
NOES:
ABSENT: HO

9. REGULAR BUSINESS:

- 9.1 Case No. 2012-16. A request from subject property owner for clarification regarding unpermitted nonconforming signage related to a previous decision by the Planning Commission when it approved a Conditional Use Permit for late night operation of a convenience store (7-Eleven).
(Continued from the February 6, 2012 meeting to this date)
Location: 8501 Heil Avenue

RECOMMENDATION: Staff recommends that the Planning Commission clarify its decision that said signs cannot remain.

Chair Nguyen asked the City Attorney if the Commission can consider this matter since the applicant is not present.

The City Attorney stated that the Commission can proceed with the matter.

Vice Chair Anderson mentioned that this matter was already continued once at the request of the applicant, to this date.

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

Chair Nguyen read conditions from the Planning Commission Resolution (related to approved the 7-11 project) making the point that the record was clear that said signs were to be removed.

Vice Chair Anderson mentioned that said signs are banners and that they constantly change. As such, the subject signs could not have been approved 30 or more years ago since the signs keep changing.

Commissioner Manzo mentioned about possible code violation related to storage of materials and mentioned that the wood frames have deteriorated.

Commissioner Manzo suggested that the existing freestanding sign could be used to advertise other businesses.

Motion was made by Vice Chair Anderson, and seconded by Chair Nguyen, that the Planning Commission finds that the signs are unpermitted and nonconforming and therefore should be removed and that if the property owners so chooses, he may apply for a variance for signage to replace said signs.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, MANZO,
NOES:
ABSENT: HO

10. REPORTS: None

11. MATTERS FROM THE PLANNING COMMISSION

11.1 Request from Chair Nguyen to discuss the possible implementation of an awards program for quality development.

Chair Nguyen asked that staff discuss with the City Manager regarding an awards program to incentivize and promote high quality project in the City for the purpose of encouraging quality development including green projects. It will involve the Planning Commission completing a nomination form for a project the Commission feels is a good representation of what the community wants and forward the nomination to the Mayor and City Council. The award would be presented to the applicant during Council meetings. Projects receiving the awards would be showcased on the City's website.

Commissioners Anderson and Manzo agreed with Chair Nguyen that the program is a good idea.

Kelvin Parker, Senior Planner, mentioned that Planning Manager, Art Bashmakian, is to discuss the matter with the City Manager and if formal motion is required, staff will place the item on the Commission's agenda again so the Commission can take formal action recommending to the Mayor and City Council that they approve said program.

Motion was made by Chair Nguyen, and seconded by Vice Chair Anderson, to move forward with the awards program for quality and green projects.

The motion carried by the following vote:

AYES:	NGUYEN, ANDERSON, MANZO,
NOES:	
ABSENT:	HO

11.2 AB 1234 Reports:

Chair Nguyen mentioned that he completed his ethics training by attending a workshop in Costa Mesa.

Vice Chair Anderson mentioned that he also completed his ethics training held in the Council Chambers of the City of Westminster.

Commissioner Manzo mentioned that he completed this ethics training in Pasadena as part of the Planning Commissioner's Academy organized by the League of California Cities that he attended from February 27 to March 1, 2013.

12. **ADJOURNMENT:** At 7:07 p.m., Chairman Nguyen adjourned the meeting to a regular meeting on Wednesday, March 20, 2013 at 6:30 p.m. in the Council Chambers.


NGUYEN
Chairman


Art Bashmakian
Planning Commission Secretary

Prepared by:


Art Bashmakian
Planning Commission Secretary