



PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
April 17, 2013
6:30 p.m.

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

PRESENT: NGUYEN, ANDERSON, LOPEZ, MANZO,
ABSENT: HO

2. SALUTE TO FLAG:

Commissioner Manzo

Chair Nguyen requested a moment of silence in memory of the victims of the Boston Marathon bombing.

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

4. EX PARTE COMMUNICATIONS: Chair Nguyen stated that he visited the site for item No. 8.1

5. SPECIAL PRESENTATIONS: None

6. ORAL COMMUNICATIONS: None

7. APPROVAL OF MINUTES: Regular Meetings of February 20, 2013 and March 6, 2013.

Regarding the minutes of February 20, 2013, Commissioner Manzo expressed that his statement regarding his concern for possible traffic conflict near the exit of the drive-through lane of the proposed Starbucks and the main driveway of the center, was not in the minutes. Planning Manager Art Bashmakian stated that the minutes will be corrected to reflect Commissioner Manzo's comments. With the noted correction, the minutes of the regular meeting of February 20, 2013 were approved on motion of Vice Chair Anderson, seconded by Chairman Nguyen carried 4-0 (Ho absent).

The minutes of the regular meeting of March 6, 2013, were approved on motion of Vice Chair Anderson, seconded by Commissioner Manzo carried 4-0 (Ho absent).

8. PUBLIC HEARINGS -

8.1 Case No. 2012-51 Sign Variance.

Location: 14731 Goldenwest Street

Applicant: TNT Electric Signs

A request to add a second and third wall sign totaling 137-square feet in total sign area (5'x17'9", 88.75-square feet in area & 3'x16', 48-square feet in area) to an existing two tenant commercial building. The primary tenant (99 Cent Store) has two existing wall signs on the northeast and east elevation facing its frontage along Sowell Avenue and Goldenwest Street. The second tenant space in the building is currently vacant, only has frontage along Sowell Avenue and does not have existing signage.

RECOMMENDATION: Approve the Variance subject to the conditions of approval.

Commissioner Lopez recused himself from participating on item 8.1 and stepped out of the chamber as he lives within 500 feet of the subject site.

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

Commissioners asked Mr. Parker a few questions for clarification.

THE CHAIR OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK ON THE SUBJECT MATTER.

Ron Hart, representing the applicant, described the project and mentioned the justification for the variance.

Commissioner Manzo asked what time the sign is turned off.

Mr. Hart mentioned 10 pm but he needed to confirm.

Bill Henigsmann, representing the sign company, spoke in favor.

Daniel Bani-Esraili, owner of the property spoke in favor.

THE CHAIR ASKED IF THERE WERE ANY OTHER SPEAKERS WISHING TO SPEAK ON THE SUBJECT MATTER.

No one else spoke.

THE CHAIR CLOSED THE PUBLIC HEARING

Commissioner Manzo agreed with Staff's assessment and recommendation and found the need for the sign variance.

Vice Chair Anderson agreed with Commissioner Manzo and expressed his pleasure with the development of the site.

Chair Nguyen concurred with his colleagues.

Motion was made by Vice Chair Anderson, and seconded by Chair Nguyen, to allow a second and third wall sign totaling 137-square feet in total sign area (5'x17'9", 88.75-square feet in area & 3'x16', 48-square feet in area) to an existing two tenant commercial building"

The motion carried by the following vote:

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

Commissioner Lopez returned to the chamber and took a seat at the dais.

8.2 Case No. 2013-31. Sign Variance

Location: 6777 Westminster Boulevard, Suite A (Chipotle at Westminster Center)

Applicant: Advertising Concepts, Inc. dba Adcon Signs

A request to add a third wall sign (2'8" x 13'8", 36.4 square feet in area) to an existing business with two existing wall signs. Chapter 17.330 (Signs) of the Zoning Ordinance allows for a maximum of two walls signs where a business faces two streets. A variance is requested to exceed the maximum number of signs

RECOMMENDATION: Approve the Variance subject to the conditions of approval

Art Bashmakian, Planning Manager, gave a brief presentation.

THE CHAIR OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY SPEAKERS WISHING TO SPEAK ON THE SUBJECT MATTER.

Lorenzo Reyes, representing the applicant, spoke in favor and stated his agreement with staff's recommended conditions.

Denise Kasper, assistant to the applicant presented photos to demonstrate the justification for a third wall sign.

THE CHAIR ASKED IF THERE WERE ANY OTHER SPEAKERS WISHING TO SPEAK ON THE SUBJECT MATTER.

No one else spoke.

Commissioner Manzo was able to make the findings that the business lacked visibility and the third sign is warranted.

Commissioner Lopez concurred that there is justification for the variance.

Motion was made by Commissioner Manzo, and seconded by Commissioner Lopez, to add a third wall sign (2'8" x 13'8", 36.4 square feet in area) to an existing business with two existing wall signs.

The motion carried by the following vote:

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

9. REGULAR BUSINESS:

**9.1 Case No. 2012-48 – Appeal of the Director’s denial of a Temporary Use Permit to allow two existing trailers to remain on site for an additional 18 months.
Location: 8500 Bolsa Avenue**

(Continued from February 6, 2013 and March 20, 2013 meetings)

RECOMMENDATION: Staff recommends that the Planning Commission uphold the Director’s denial of the Temporary Use Permit application for an extension of time.

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

Commissioners asked questions to clarify the responsibility of the applicant relative to their long term proposal for the new buildings

Myung Chung, representing the applicant spoke on the matter and mentioned that the church has submitted a complete application for their conditional use permit demonstrating that they are serious about moving forward with the project.

Vice Chair Anderson asked about the requested time period for the trailers.

Mr. Chung recognized the limit is 18 months and stated if they need additional time they will request an extension near the end of the 18 month period.

Commissioner Manzo expressed his concern with the request and stated that the applicant can move forward with the project without the need for the trailers to stay on site for such a long period of time particularly when they are also rented out to outside groups.

Commissioner Lopez concurred with Commissioner Manzo and believed that the existence of the trailers will hinder the development of the permanent buildings.

Vice Chair Anderson clarified the location of the trailers relative to the location of the proposed permanent buildings by receiving a response from Mr. Bashmakian that structures (the trailers and the proposed buildings) don't occupy the same location on the site.

Vice Chair Anderson suggested painting the trailers and requiring that all banners conform to code should the Commission grant the appeal.

Chair Nguyen asked the applicant if he concurred with Vice Chair Anderson's proposal.

The applicant concurred.

Commissioner Manzo mentioned that wires on the trailers should be inspected for safety if the trailers are to remain as the electrical wires could pose a danger and that should the Commission grant the appeal, the approval should contain the various suggested conditions suggested by staff.

Mr. Bashmakian stated that should the Commission vote to grant the appeal, that staff will return with a resolution articulating the correct dates and all suggested conditions by the Commission.

Motion was made by Vice Chair Anderson, and seconded by Chair Nguyen, to allow the two existing trailers to remain on site an additional 18 months as long as the applicant continues to make progress and in accordance with the timeline shown on page 2 of the staff report dated March 20, 2013, items A through E, and that the trailers are painted in an attractive manner and that the existing banners be removed and that the applicant apply for code conforming banners.

Chair Nguyen added to the motion that an inspector conduct an inspection regarding the electrical wires.

The motion carried by the following vote:

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

10. **REPORTS:** None

11. **MATTERS FROM THE PLANNING COMMISSION**

11.2 **AB 1234 Reports:**

12. **ADJOURNMENT:** At 7:26 p.m., Chairman Nguyen adjourned the meeting to a regular meeting on Wednesday, May 1, 2013 at 6:30 p.m. in the Council Chambers.

NGUYEN
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

Art Bashmakian
Planning Commission Secretary