



**PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
August 7, 2013
6:30 p.m.**

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

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

2. SALUTE TO FLAG:

Commissioner Ho led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Planning Manager Art Bashmakian reported that item number 8.2 on the agenda, case number 2012-70, included old plans, however the new and current plans are now available. Additionally, there is an updated and revised map for item 9.1 now available and includes a list of available projects.

4. EX PARTE COMMUNICATIONS

Vice Chair Anderson noted the upcoming discussion of two items. Items 8.2 is the tentative parcel map, conditional use permit, and development review to build a convenience store and car wash and 8.3 is the conditional use permit to establish a health and fitness facility inside the Westminster Mall, both to be covered with staff reports.

5. SPECIAL PRESENTATIONS – None

6. ORAL COMMUNICATIONS – None

7. APPROVAL OF MINUTES

Motion was made by Vice Chair Anderson, and seconded by Chair Nguyen to approve the minutes of the regular meeting of the Planning Commission on May 15, 2013.

The motion carried by the following vote:

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

8. PUBLIC HEARINGS

**8.1 Case No. 2012-49 Conditional Use Permit (CUP) & Administrative Adjustment (AA)
Location: 13750 Beach Boulevard (APN: 097-051-30 and 097-051-24))
Applicant: Shawn Naeemy, DBA OC Auto Expo Group**

A request to allow auto repair for minor car repairs and auto detailing as an accessory use to an existing used car sales and a request to allow auto repair use to operate as a separate business on

the same lot. The proposed operating hours would be Monday through Saturday from 9:00 a.m. to 6:00 p.m. In addition, the applicant is seeking an administrative adjustment to provide 23 parking stalls where 25 parking stalls are required.

RECOMMENDATION: Approve the Conditional Use Permit and Administrative Adjustment.

Associate Planner Alexis Oropeza gave a presentation on this item, noting that the current business is asking for an adjustment in the business, as it seeks to add auto detailing and minor auto repair to the current establishment. Also, the request includes the addition of a second auto detailing business on the site.

It was noted that an existing canopy must be removed to accommodate the needed space. Given the existing configuration, staff does not believe there would be any changes to residents or residential usage. Additionally, no further landscaping is required as they are not adjusting the physical structures.

Mr. Steve Wearsaolaller, representing the owners of the OC Auto Expo, spoke on the importance of adding the detailing and service aspects to the existing business, bringing it back to what it originally was. He discussed the point of adding more landscaping, taking into consideration the cost aspect of doing so.

Ms. Star Qurashi, part owner of the existing business, OC Auto Expo, noted that improvements to attract more customers will be accomplished through more greenery and landscaping. Also, any incorrect wiring will be brought up to code. The current canopy will be updated and the best quality materials will be chosen.

Mr. Shawli Naeemy, the other part owner of OC Auto Expo, assured that all partners will take everything into consideration and vow to perform only quality work and continue to update the establishment, making it appealing and accessible to customers and neighboring residents.

Motion was made by Commissioner Manzo, and seconded by Vice Chair Anderson to approve the Conditional Use Permit and Administrative Adjustment with the recommendation to closely look at landscaping and canopy choice, as presented under Case No. 2012-49 Conditional Use Permit (CUP) & Administrative Adjustment (AA).

The motion carried by the following vote:

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

**8.2 Case No. 2012-70 (Tentative Parcel Map, Conditional Use Permit, Development Review)
Location: 5981 Westminster Boulevard (Assessor's Parcel Number 203-291-13, 14, 16)
Applicant: Mark Kooklani, C.S.K. Petroleum, Inc.**

A request to merge lots, (totaling 27,755 square feet (0.63 acre)), and develop a 2,700 square foot convenience store, a twelve pump gasoline station, and a 748 square foot automated car wash to operate 24 hours a day and to allow the off-sale of beer and wine.

RECOMMENDATION: Adopt a Mitigated Negative Declaration and approve the requested entitlements and the project.

Planning Manager Art Bashmakian noted that the elevation drawings have been updated from the old plans. Additionally the police department has reviewed the plans with no objections, aside from the hours of beer and wine sale to comply with state law, the age of employees on duty being

twenty one and older, and the hours of operation of the car wash being changed from 6am to 7am.

Architect Gregory S. Hann, representing the owner of the property, noted compliance and acceptance with all recommendations from staff. To minimize noise from the blowers in the car wash, more expensive machines can be considered for purchase. Also, hours of operation can be adjusted to a later opening time to better accommodate the residents backing up to the car wash.

The potential noise and disturbance to neighbors backing up to the car wash was discussed. While the current plans are up to code, possibly either a higher wall or landscaping growing against the wall, may reduce the noise impact, should the commission so desire to amend the plans.

Motion was made by Commissioner Nguyen, and seconded by Vice Chair Anderson to adopt a mitigated negative declaration and approve the requested entitlements and the project, as presented under Case No. 2012-70 Tentative Parcel Map, Conditional Use Permit, and Development Review.

The motion carried by the following vote:

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

A second motion was made by Commissioner Nguyen, and seconded by Vice Chair Anderson to approve case No. 2012-70, which includes the development of a 2,700 square foot convenience store, a twelve pump gasoline station, and a 748 square foot automated car wash.

The motion carried by the following vote:

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

8.3 Case No. 2013-49 (Conditional Use Permit)
Location: 1025 Westminster Mall

To establish a 17,781-square foot health/fitness facility inside the Westminster Mall by converting a number of vacant tenant spaces and combining the spaces to facilitate the establishment of the new fitness facility. The hours of operation are proposed 5:00 AM to 11:00 PM, daily.

RECOMMENDATION: Approve the Conditional Use Permit.

Senior Planner Kelvin Parker, noted that the project site is zoned as commercial and the proposed health/fitness center would fill vacant spaces within the mall, but would have hours that extend beyond normal mall hours.

Mr. James Douthit with Chuze Fitness shared that this would be their 13th location within California and they are a value concept establishment, meaning different two different prices provide the customer with varied services, operating on a month to month basis instead of customer membership contracts. All equipment will be brand new, the facility will be spotless, and it will be a nice addition to the mall.

Motion was made by Commissioner Manzo, and seconded by Chair Nguyen to approve case number 2013-49 of the conditional use permit to establish a 17,781-square foot health/fitness facility inside the Westminster Mall by converting a number of vacant tenant spaces and combining the spaces to facilitate the establishment of the new fitness facility, subject to condition approval.

The motion carried by the following vote:

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

8.4 Case No. 2013-71 (Special Advertising Permit)

Location: 1025 Westminster Mall, edge of mall parking lot adjacent to the 405 Freeway on the existing 85-foot high freestanding sign

The request is to add a new tenant sign cabinet (5'11" x 14' 7.5"), approximately 77 sq. ft. in area, on the existing 85-foot high freestanding sign located at the edge of the parking lot adjacent to the 405 Freeway. The new sign cabinet will be placed below the existing sign cabinets that currently identify JCPenney and Sears. The new cabinet will allow the identification of a new restaurant – TGI Fridays

RECOMMENDATION: Approve the Special Advertising Permit.

Mr. Tony Rector, representing the sign contractor Wellington Signs, noted the importance of signage for a restaurant such as TGI Fridays because it increases visibility and customer interest.

Motion was made by Vice Chair Anderson, and seconded by Chair Nguyen to approve case number 2013-71 of the special advertising permit to add a new tenant sign cabinet on the edge of the mall parking lot adjacent to the 405 freeway on the existing 85-foot high freestanding sign. The new cabinet will allow the identification of the new restaurant TGI Fridays, subject to condition approval.

The motion carried by the following vote:

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

9. REGULAR BUSINESS -

9.1 Proposed Capital Improvement Projects for Fiscal Year 2013/2014

Government Code Section 65401 mandates that a list of proposed public works projects ("CIP") recommended for planning, initiation, or construction during the ensuring fiscal year be submitted to the City's planning agency as a coordinate program for review and report as to conformity with the General Plan.

RECOMMENDATION: Staff recommends that the Planning Commission find the projects identified within the proposed Capital Improvement Projects for fiscal year 2013/2014 conform to the City's General Plan

Motion was made by Chair Nguyen, and seconded by Commissioner Manzo to adopt the projects identified in the proposed Capital Improvements Projects for the fiscal year 2013/2014 plans and conform to the city's general plan.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, HO, MANZO

NOES:
ABSENT: LOPEZ

10. REPORTS – None

11. MATTERS FROM THE PLANNING COMMISSION

Commissioner Manzo requested an item for discussion for council to consider proceeding with the Hoover Bike Trail.

11.1 AB 1234 Reports - NONE

12. ADJOURNMENT: At 7:43 pm, Chair Nguyen adjourned the meeting to a Regular Meeting on Wednesday, August 21, 2013 at 6:30 p.m. in the Council Chambers.

NGUYEN
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

Art Bashmakian
Planning Commission Secretary