



**PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
February 5, 2014
6:30 p.m.**

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

PRESENT: NGUYEN, ANDERSON, MANZO, HO
ABSENT:

2. SALUTE TO FLAG:

Commissioner Ho led the salute to the flag.

Chair Nguyen asked for a moment of silence in honor of Commissioner Lopez's recent passing.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Mr. Art Bashmakian, Planning Commission Secretary, stated that he placed a note on the special advertising permit item on the agenda. Also, there is a revised planning resolution for the public hearing on the front yard driveway ordinance. A modification is attached to show changes and provisions to the non-conforming section of the code.

4. EX PARTE COMMUNICATIONS – None

5. SPECIAL PRESENTATIONS – None

6. ORAL COMMUNICATIONS – None

7. APPROVAL OF MINUTES – None

8. PUBLIC HEARINGS

- 8.1 Case No. 2013-104 (Special Advertising Permit)
Location: 5400 Garden Grove Boulevard (Assessor's Parcel Number 203-102-01, 203-102-02, 203-071-22)
Applicant: Paul Schilperoort, McMahon's RV**

RECOMMENDATION: Deny.

Chris Wong, Associate Planner, provided a report on the item, stating that it is a proposal to display a helium-inflated balloon to be flown approximately 100-150 feet above a recreational vehicle sale and service facility.

Commissioner Manzo asked if there was a waiver attached to this project and there is none on file.

Chair Nguyen discussed the notice requirements and the request to fly the balloon at 150 feet in regards to it being approved by the FAA. Code of Federal Regulations states that notice must be provided and staff did not have any further information regarding regulations, however it would not be City staff who would enforce FAA rules.

Chair Nguyen opened the hearing.

Joe Gonzalez, representing the applicant and McMahon's RV, stated that the company is trying to bring back a company icon that was around for twenty years. It was noted that the balloon would never fly higher than 150 feet, as there is not enough cable in the rope to do so. If it were to fly any higher, they would adjust the cables to stay under the 150-foot regulation.

Commissioner Manzo asked for McMahon RV's long-term plans and Mr. Gonzalez responded that the company sees themselves staying in Orange County indefinitely.

Mark Groh, resident of Westminster, spoke in opposition of the project, noting that the balloon has been flying every weekend for several months. It is an eyesore to residents and is a disturbance and nuisance to neighbors.

Mr. Gonzalez stated that the vegetation on the nearest off ramp has been noted as a concern and they have tried to work with Cal-Trans to mitigate the situation. It affects the business' visibility but Cal-Trans has not removed the blockage.

Chair Nguyen closed the public hearing.

Vice Chair Anderson noted that McMahon RV is an asset to the City, but there are issues with the proposed permit, as only one of the six criteria are being met. The proposal cannot be approved until at least two conditions are met, and the advertising especially does not promote a distinctive icon for the City.

Motion was made by Vice Chair Anderson, and seconded by Commissioner Manzo to deny the special advertising permit of Case No. 2013-104, Special Advertising Permit.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, MANZO, HO

NOES:
ABSENT:

- 8.2 Case No. Case No. 2007-85, Zone Text Amendment**
Location: Citywide
Applicant: City of Westminster

Establishing development standards to regulate the parking of vehicles within front and street side yards of residential properties including standards regulating the size of driveways and paved areas within front and street side yards of residential properties.

RECOMMENDATION: Recommending that the Planning Commission recommend that Mayor and City Council adopt an ordinance establishing development standards to regulate the parking of vehicles within front and street side yards of residential properties including standards regulating the size of driveways and paved areas within front and street side yards of residential properties including thresholds that require conformity with the new standards at time of substantial remodel.

Art Bashmakian, Planning Manager, presented the item, noting that it was originally heard at the December Planning Commission meeting. Staff has taken the recommendations of the public and the Commission and modified standards and requirements, which have now been reviewed and approved by the City Attorney. The resolution shows the changes requested by the Planning Commission and provides clarification to the modifications. Staff recommends approval to the City Council, as it reflects the concerns that were raised.

Chair Nguyen opened the public hearing.

Seeing no comments, Chair Nguyen closed the public hearing.

Motion was made by Chair Nguyen, and seconded by Vice Chair Anderson to recommend adoption of the Zone Text Amendment Case No. 2007-85 by the City Council.

The motion carried by the following vote:

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

9. REGULAR BUSINESS - NONE

- 9.1 Case No. Case No. 2009-63, Zone Text Amendment**

Location: Citywide
Applicant: City of Westminster

To table (retire) Case No. 2009-63 – A proposed Zoning Text Amendment (ZTA) to the Westminster Municipal Code to establish procedures and standards for considering and allowing signs within qualifying developments or areas within the City that vary from sign standards.

RECOMMENDATION: Recommend the Planning Commission table (retire) the zone text amendment (ZTA).

Art Bashmakian, Planning Manger, presented the item and recommended that Case No. 2009-63 be retired as this issue is already being considered in another arena.

Motion was made by Chair Nguyen, and seconded by Vice Chair Anderson to table (retire) the zone text amendment of Case No. 2009-63.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, MANZO, HO

NOES:

ABSENT:

10. REPORTS

10.1 Case No. 2012-48 – Review of Applicant’s Compliance with Temporary Use Permit Conditions of Approval.

Location: 8500 Bolsa Avenue (Assessor’s Parcel Number 107-201-02)

Applicant: Young Min Eom

RECOMMENDATION: Receive and File

Art Bashmakian, Planning Manager, presented a status report on the progress of the conditional use permit application for the development of the permanent structures at the subject site of 8500 Bolsa Avenue. This is the second status report and the project is moving forward at a typical pace and staff recommended the Commission receive and file the report.

Motion was made by Chair Nguyen, and seconded by Commissioner Ho to receive and file the report.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, MANZO, HO

NOES:

ABSENT:

11. MATTERS FROM THE PLANNING COMMISSION – NONE

11.1 AB 1234 Reports – NONE

12. ADJOURNMENT: At 7:23 pm to a Regular Meeting on Wednesday, February 19, 2014 at 6:30 p.m.

NGUYEN
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

Art Bashmakian
Planning Commission Secretary