



**PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
February 4, 2015
6:30 p.m.**

1. ROLL CALL: ANDERSON, LIEBERG, MANZO, NGUYEN, AND VO

PRESENT: Anderson, Lieberg, Manzo, Nguyen, and Vo
ABSENT: None

2. SALUTE TO FLAG:

Commissioner Lieberg led the salute to the flag.

3. ELECTION OF CHAIR AND VICE CHAIR

Planning Commission Secretary Art Bashmakian declared the position of Chair to the Planning Commission, vacant, and called for nominations.

Commissioner Lieberg nominated Commissioner Anderson for the position of Chair to the Planning Commission. Commissioner Manzo seconded the nomination.

There being no further nominations, nominations were closed.

Commissioner Anderson was declared, Chair, unanimously, took his place on the dais and took over control of the meeting.

Chair Anderson declared the position of Vice Chair to the Planning Commission, vacant, and called for nominations.

Commissioner Lieberg nominated Commissioner Manzo for the position of Vice Chair to the Planning Commission. Chair Anderson seconded the nomination.

There being no further nominations, nominations were closed.

Commissioner Manzo was declared Vice Chair, unanimously, and took his place on the dais.

4. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS – None.

5. EX PARTE COMMUNICATIONS

Commissioner Lieberg and Vice Chair Manzo reported visiting the sites for Items No. 9.1 and 9.2. Commissioner Vo reported visiting all sites listed on the agenda for consideration.

6. SPECIAL PRESENTATIONS – None.

7. ORAL COMMUNICATIONS – None.

8. APPROVAL OF MINUTES – December 17, 2014

Motion: It was moved by Manzo, and seconded by Lieberg, to approve the Planning Commission meeting minutes of December 17, 2014, as submitted. The motion carried (3-0) by the following vote:

AYES: Anderson, Lieberg, Manzo
NOES: None
ABSENT: None
ABSTAIN: Nguyen, Vo

9. PUBLIC HEARINGS

Planning Commission Secretary Art Bashmakian reviewed the Public Hearing process for the benefit of those in attendance.

- 9.1 Case No. 2014-91 (Conditional Use Permit)**
Location: 15761 Newland Street (Assessor's Parcel Number 107-821-31)
Applicant: Verizon Wireless

An amendment to an existing Conditional Use Permit (CUP) to allow the expansion of an existing wireless communication facility on a Southern California Edison (SCE) transmission tower.

RECOMMENDATION: To approve subject to conditions of approval.

CEQA COMPLIANCE: The proposed matter is exempt from CEQA pursuant to Class 1, Section 15301 pertaining to exemption for existing facilities.

Assistant Planner Christopher Wong provided details of the staff report addressing location, a brief description of the project, surrounding properties and land uses, location of the subject tower, existing wireless communication facility with stacked antennas, replacement and new antennas, expansion of equipment building, height of the facility, findings, compatibility with the surrounding community and recommendation. Mr. Wong reported that staff received one communication from a nearby resident in response to the Notice of Public Hearing, complaining of disturbances due to maintenance of the facility. He referenced project-specific Conditions of Approval, including one limiting the hours in which maintenance can occur.

Discussion followed regarding safety standards related to wireless telecommunications facilities. It was noted that safety is regulated by the FCC. Ensuing discussion pertained to the height of the facility and the maximum height limit and responsibility of inspection.

Chair Anderson opened the Public Hearing.

Lindsay Ortega, Verizon Care Development Services, 2749 Saturn Street, Brea, California, 92821, spoke in support of the application and offered to respond to questions from the Commission.

In response to an inquiry from Commissioner Nguyen, Ms. Ortega addressed the reason for installation of additional antennas to the facility noting that they will allow Verizon to provide better wireless coverage and additional capacity.

Ms. Ortega reported that Verizon is requesting elimination of Condition of Approval No. 9 as their equipment is screened and a rod iron fence would not mitigate the impact of the facility. Additionally, she requested adding language to Condition of Approval No. 10 that "upon notification from the City that the nursery has vacated the premises".

In response to an inquiry by Chair Anderson, Ms. Ortega addressed the owner of the existing chain-link fence.

Chair Anderson referenced a letter from Maree Hoeger regarding a generator and Ms. Ortega reported that refers to an emergency generator located in the facility which was previously approved. It will only operate in the event of a power outage.

Chair Anderson addressed the addition of a permanent generator and asked regarding its status. Ms. Ortega stated that may have been a typographical error as there is a permanent generator already on site and the addition of another is not foreseen. Chair Anderson noted that the letter indicates that the appearance of the facility will be improved significantly and asked how this would be accomplished. Ms. Ortega stated that consolidating the antennas would improve the aesthetics.

Chair Anderson noted that adding antennas increases the massing on the tower and questioned whether that will improve the appearance.

Jenelle Bader, Southern California Edison, 7333 Bolsa, Westminster, addressed the replacement of vegetation on the nursery property and noted that this is Edison's property and that the nursery is licensed to operate at the location. If the nursery was to vacate the property and the City would require Verizon to add vegetation, she asked that the associated condition indicate that it would be subject to Edison's approval in accordance with Southern California Edison's policies. Additionally, she asked that the Commission allow Edison time to review who owns the existing fence. If Edison owns it, she added that Edison would not be supportive of a condition to replace it.

Discussion followed regarding replacing the chain-link fence with a rod-iron fence.

There were no others wishing to address the Commission on this item and Chair Anderson closed the Public Hearing.

Vice Chair Manzo commented on the fence and on taking advantage of opportunities to improve the City, aesthetically. He acknowledged the increased costs of rod iron fences and suggested the possibility of adding a vinyl fence with a tight mesh.

Chair Anderson referenced the existing chain-link fence and clarified that if it were to be removed by the vacation of the nursery, a rod-iron fence would replace it around the tower.

It was noted that the condition is to place the rod-iron fence along Newland.

Commissioner Lieberg noted that the chain-link fence is in good condition, questioned installing a vinyl fence and stated he would prefer a rod-iron fence.

Chair Anderson addressed costs and the revenue realized by Verizon Wireless, last year. He added that Verizon could afford to install an attractive fence along Newland, if Edison approved it. He addressed the existing and proposed antennas and expressed concerns that the proposed is not an improvement in appearance. He indicated that the industry needs to take a look at this issue in order to increase capacity without affecting aesthetics. Additionally, Chair Anderson commented on additional hardware to support the added antennas noting that the proposed increases the size of the overall tower and the display area. Instead of increasing stealth, the facility is becoming more obvious. He suggested the possibility of lining up the antennas, vertically, along the spine of the tower. He indicated that the matter needs to be studied further, by Verizon, and have them return with a presentation that is more compatible with the community.

Chair Anderson invited the applicant to comment on continuation of the matter.

Ms. Ortega stated that SCE would have to approve the redesign and stated it would take approximately six weeks.

Discussion followed regarding needing to re-notice the matter if it is not continued to a date, specific.

Ms. Bader indicated that SCE is willing to work with the City and Verizon to resolve this matter and come to a mutually-acceptable agreement. She reiterated her comments regarding removing Condition No. 9 and amending Condition No. 10.

Motion: It was moved by Anderson, and seconded by Manzo, to continue this matter to the Planning Commission's meeting of April 1, 2015. The motion carried (5-0) by the following vote:

AYES:	Anderson, Lieberg, Manzo, Nguyen, Vo
NOES:	None
ABSENT:	None
ABSTAIN:	None

9.2 Case No. 2014-102 (Conditional Use Permit)
Location: 14452-14472 Chestnut Street (Assessor's Parcel Number 096-152-15 and 096-152-16)
Applicant: Thang Le

An amendment to a Conditional Use Permit (CUP) to expand the size of a previously approved place of religious worship.

RECOMMENDATION: 1) Adopt an addendum to the mitigated negative declaration; and 2) Approve the project subject to the recommended conditions of approval.

CEQA COMPLIANCE: An addendum to a previously adopted Mitigated Negative Declaration was prepared in accordance with Section 15164 of the California Environmental Quality Act.

Associate Planner Alexis Oropeza presented details of the staff report addressing location, surrounding properties and land uses, background, elimination of a subterranean parking lot, details of the proposed amendment, architectural features, change in building height, site plan, additional parking to meet the Zoning Code and

CEQA review. She reported receiving a phone call from a resident, in response to the Notice of Public Hearing, with concerns regarding parking issues. Ms. Oropeza addressed the Conditions of Approval and presented recommendations.

Discussion followed regarding storm-water retention measures, screening the trash enclosures, removing the existing tarps on the roof, recording a covenant restricting the use of the assembly area and addressing special events, and related enforcement and penalty for violation.

Chair Anderson opened the Public Hearing.

Bryan Scoville-Pope, 311 E. Mission Road, San Gabriel, spoke in favor of the proposed project. He reported that the expansion is not to accommodate more congregants, but to accommodate an expanded altar area so that the temple will function properly.

Vice Chair Manzo expressed concerns with overflow parking on the surface streets affecting surrounding businesses.

In response to Chair Anderson's inquiry, Mr. Scoville-Pope reported that the new area will not be used as seating for the congregation.

Antonio Vu, 311 E. Mission Road, San Gabriel, stated that the goal of the group is to focus on building the community and building leadership skills in order to contribute to the community for its betterment. The proposed space will make-up for the space lost in expanding the altar.

In response to Commissioner Lieberg's question regarding parking, Mr. Vu reported having informal agreements with nearby businesses and schools to accommodate overflow parking.

Tran Pham, 12312 Epsilon, Garden Grove, spoke in support of the project and urged the Planning Commission to approve the application.

Giep Van Le, 2971 Randolph Street, Huntington Park, architect for the original project, spoke in favor of the project and urged the Planning Commission to approve it. He added that it will serve as a beautiful landmark for the City.

Thang Le, 155 El Molino, Pasadena, representing the design team spoke in favor of the proposed project and addressed rain water retention efforts.

Discussion followed regarding the average number of people attending special events and the location of parking for buses transporting them and the possibility of entering into agreements for bus parking.

Mr. Le invited members of the Planning Commission to visit the temple during the upcoming Lunar New Year celebrations.

In response to an inquiry from Vice Chair Manzo, Mr. Le addressed trash enclosures.

There were no others wishing to address the Commission on this item and Chair Anderson closed the Public Hearing.

Vice Chair Manzo expressed concerns with parking and noted the need to ensure that

surrounding residents, businesses, and schools are not negatively impacted and suggested monitoring by Code Enforcement at the beginning of operations to ensure there are no negative impacts related to parking. He commented positively on the aesthetics of the building.

Commissioner Lieberg noted that parking is problematic in the entire town.

Chair Anderson suggested having a clear delineation that the additional space will not increase the number of congregants.

Associate Planner Oropeza noted that as to the design, there will be no additional fixed seating. She added that the Building Code determines building occupancy.

Chair Anderson recommended adding a condition that will require the applicant to make alternate parking arrangements during special events.

City Attorney Bettenhausen recommended a condition that the assembly area be approved as it is depicted on the plans.

Motion: It was moved by Anderson, and seconded by Nguyen, to adopt an addendum to the mitigated negative declaration. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo
NOES: None
ABSENT: None
ABSTAIN: None

Motion: It was moved by Manzo, and seconded by Lieberg, to approve the project subject to the recommended Conditions of Approval. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo
NOES: None
ABSENT: None
ABSTAIN: None

RECESS/RECONVENE

Chair Anderson called for a recess at 8:00 pm. The assembly reconvened at 8:05 p.m. with all members, present.

10. REGULAR BUSINESS

10.1 Public Convenience or Necessity

Case No.: 2012-70

Location: 5981 Westminster Boulevard
(Assessor's Parcel Number 203-291-13, 14, and 16)

Applicant: Empire Design Group Inc.

A determination regarding whether the issuance of an ABC (Alcoholic Beverage Control) license for off-sale of beer and wine would serve a Public Convenience or Necessity.

RECOMMENDATION: Determine that Public Convenience would be served by the Issuance of the ABC License.

Planning Commission Secretary Art Bashmakian provided details of the staff report addressing prior approval of the project by the Planning Commission, status of the project, existing alcohol licenses in the census track, findings and recommendations.

Chair Anderson opened public comments.

Chair Anderson closed public comments.

Members of the Commission commented on the item as providing a convenience for residents. It was noted that the area is not a high-crime area and that there is no opposition from the Police Department.

Motion: It was moved by Lieberg, and seconded by Nguyen, to determine that Public Convenience would be served by the issuance of an ABC license. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo
NOES: None
ABSENT: None
ABSTAIN: None

10.2 Zone Text Amendment

Case No. 2014-88
Location: Citywide
Applicant: City of Westminster

Initiation of a Zone Text Amendment (ZTA) related to miscellaneous minor changes (Zoning Code Tune-Up) to Title 17 (Zoning Code).

RECOMMENDATION: Adopt a Resolution to initiate a Zone Text Amendment

Associate Planner Steve Ratkay provided details of the report and noted the need to make changes to the Zoning Code to be in conformance with and reflect current Federal and State regulations. He added that staff is in the first phase of the process and that once a final draft is generated, it will be presented to the Planning Commission and then to City Council.

Brief discussion followed regarding the opportunity to address the issue of compatibility of homes within surrounding neighborhoods.

Motion: It was moved by Lieberg, and seconded by Manzo, to adopt a resolution to initiate a Zone Text Amendment. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo
NOES: None
ABSENT: None
ABSTAIN: None

11. REPORTS –

Planning Commission Secretary Art Bashmakian listed items that will be on the Planning Commission's agenda for its next meeting. He added that one of the items is controversial so that it may be a long meeting.

Brief discussion followed regarding FPPC 700 forms due to the City Clerk's office and an upcoming Planning Commissioner Academy Conference.

12.1 MATTERS FROM THE PLANNING COMMISSION

Vice Chair Manzo requested to place an item on the next agenda to discuss the possibility of initiating a zone text amendment to limit the size of new single-family houses and remodels and/or control the design and architecture of new single-family houses and remodels.

Members of the Commission concurred with Vice Chair Manzo's request.

12.2 AB 1234 Reports

Commissioner Manzo reported attending the grand opening of the Christopher Homes, 80 unit project on Brookhurst.

13. ADJOURNMENT: At 8:20 p.m. Chair Anderson adjourned the meeting to a Regular Meeting on Wednesday, February 18, 2015 at 6:30 p.m.



Don Anderson
Chairman



Art Bashmakian
Planning Commission Secretary

Prepared by:



Art Bashmakian
Planning Commission Secretary