



**PLANNING COMMISSION**  
**Minutes of the Regular Meeting**  
**Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**August 21, 2019**  
**6:30 p.m.**

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**1. PLANNING COMMISSION ROLL CALL:**

**MANZO, M.NGUYEN, Q.NGUYEN, PHAM, SEID**

PRESENT: MANZO, M.NGUYEN, PHAM, SEID

ABSENT: Q. NGUYEN

**STAFF PRESENT:**

Steven Ratkay, Planning Manager; Christopher Wong, Senior Planner; Memnon "Meme" Torio, Planning Technician; Westminster Police Detective Kyle Seasock; Westminster Police Detective Bryan Cramer; Richard Adams II, Deputy City Attorney; Ivan Reyes-Garay, Planning Technician; Michael Son, Administrative Assistant II; Shelley Dolney, Senior Administrative Assistant.

**2. SALUTE TO FLAG:**

Commissioner Pham led the salute to the flag.

**3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS**

Planning Manager Steven Ratkay reported there was one late communication related to item 8.1.

**4. EX PARTE COMMUNICATIONS**

Commissioner Manzo reported visiting the site for item 8.1. Commissioner Pham reported visiting the sites for both items 8.1 and 8.2.

**5. SPECIAL PRESENTATIONS- None**

**6. ORAL COMMUNICATIONS- None**

**7. APPROVAL OF MINUTES – July 3, 2019**

**Motion:** It was moved by **Commissioner Manzo**, and seconded by Vice Chair Seid, to approve the Planning Commission meeting minutes of July 3, 2019, as presented. The motion carried (4-0) with the following vote:

AYES: MANZO, M.NGUYEN, PHAM, SEID  
NOES: NONE  
ABSENT: Q. NGUYEN

## 8. PUBLIC HEARINGS

### 8.1 Case No. 2018-70 (Conditional Use Permit Amendments, Conditional Use Permit, Development Review, and Variances)

**Location:** 13741 Beach Boulevard (Assessor's Parcel Number 096-313-11)

**Applicant:** Travis Companies, Inc

**Project Planner:** Christopher Wong, Senior Planner

**PROJECT DESCRIPTION:** A proposal to demolish an existing service station convenience store and reconstruct a new 1,421-square-foot convenience store that will continue to sell beer and wine and operate 24-hours per day. Variances are requested from the minimum required street side yard setback and the minimum required number of parking spaces to accommodate the proposed reconstruction.

**CEQA COMPLIANCE:** The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and requirements of the City and has been found to be exempt per Class 2 (Section 15302 Replacement or Reconstruction of the CEQA Guidelines), since the project involves replacement of a commercial structure with a new structure of substantially the same size located on the same site as the structure replaced.

**RECOMMENDATION:** That the Planning Commission adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Approving Case No. 2018-70 involving Conditional Use Permit (C-583) Amendments, Conditional Use Permit, Development Review, and Variances for the Reconstruction of a Service Station Convenience Store on Property Located at 13741 Beach Boulevard (Assessor's Parcel Number 096-313-11)."

Senior Planner Christopher Wong provided a presentation to the Commission. He stated that there was no public comments received in response to the public notice and offered that the City Attorney had noticed a typographical error in the proposed resolution which has been corrected.

Commissioner Manzo inquired why there were no plans provided relating to the proposed canopy. Senior Planner Wong stated that the applicant did not propose a remodel to their canopy and that is why plans were not included.

Discussion ensued about a 24-hour operation and the sale of alcoholic beverages during the hours of 2:00 AM to 6:00 AM.

Vice Chair Seid inquired if the reduction of parking spaces was due to the increase

in landscaping. Senior Planner Wong stated there simply was not enough space on the site plan to accommodate the additional parking space. Planning Manager Ratkay explained how the site layout with the setbacks from three street frontages made the development of the site challenging. He offered that the applicant may be able to better explain the why the reduction in parking spaces was necessary.

VICE CHAIR SEID OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Carl Huy, project applicant with Travis Companies, stated G&M Oil plans to renovate all seven sites within the City of Westminster. The operation will comply with all with all Police Department and Public Works conditions. He explained that the existing site features a mechanism that magnetically locks the cooler doors at 2:00 AM, which then will not allow the sale of alcoholic beverages during the prohibited hours. He stated there were concerns about the following two conditions in the proposed resolution:

Condition No. 36, redesigning the canopy, to incorporate consistency with the architecture and design of the building. He offered that from day one, the redesign of the canopy was not part of the project and this condition has been recent addition, hence the reason why there are no plans drawn up for the modification. He further explained that the canopy was designed in the 1980s under a different building code with different seismic and earthquake provisions. He offered that neither the canopy nor the deck can be modified without sacrificing the structural components or triggering compliance with the current building code. He stated that one option would be modifying the canopy columns that support the deck and wrapping it with the cultured stone without changing the structural integrity of the canopy.

And, Condition No. 37, placement of climbing vines and trellis on the back wall. He stated that there is no objection to the placement of vines, but he offered they had already accommodated a request from the Community Development Department to place a nice decorative split face block with multiple colors to provide a better appearance of the back wall facing residential homes. He then stated an additional accommodation was requested to provide a metal space frame mounted to the back of the building with climbing vines. However, neither the metal space frames nor root balls of the climbing vines can be placed into the public right-of-way. He offered there was no objection to adding the space frame, landscaping, and irrigation to project; but, they object to moving the building off the property line to accommodate the trellis and vines per the Public Works right-of-way requirements.

Discussion ensued about the placement of vines, the requirements of the Public Works Department, the width of the public right-of-way, the possibility of a public right-of-way exception or variance to accommodate landscaping higher than three feet, and the design issues with parcels along Manor drive. Mr. Huy offered that he could investigate the possibility of providing a 4-inch block wall versus and 8-inch block wall to provide an inset or alcove for climbing vines to grow.

Commissioner Manzo inquired why the applicant would consider rehabbing the building and leave the canopy design from the 1980s. Mr. Huy stated that G&M Oil is currently rehabbing seven sites and each site needs to be financially feasible, in which tearing down the canopy would make the project financially unfeasible. Vice-Chair Seid inquired about re-painting the canopy. Mr. Huy stated repainting would not trigger any structural consideration, but the existing canopy already has the G&M Corporate branding.

Commissioner Manzo inquired about signage. Mr. Huy explained that it is fully understood that a master sign program will return at a later date to be reviewed by staff. The signage is not part of this proposal at this time.

THERE BEING NO OTHER SPEAKERS, VICE CHAIR SEID CLOSED THE PUBLIC HEARING.

Commissioner Manzo stated that he believed the applicant would try to find a solution about the vines, but he felt that the canopy should still match the design of the building. He offered his appreciation for G&M Oil for investing in the City, but he felt that if the canopy was not updated to match the design of the building it would make the project appear unfinished. He also felt that a brick veneer is better suited than a stone veneer; offering that it matched the 76 gas station across the street and it was closer to the Old English style exhibited at the intersection of Beach Boulevard and Westminster Boulevard.

Discussion ensued about the design of the canopy and options for modifications to make the canopy and building design more cohesive.

Commissioner Manzo commented that he noticed the location also had advertisement for beer and wine on the window currently and he wanted to make sure that the applicant knew of the condition in the proposed resolution which prohibits the advertisement of beer and wine on the windows.

**Motion:** It was moved by Commissioner Manzo to approve 2018-70 with recommended conditions; amending Condition No. 36 to bring the design of the proposed canopy back to the Commission for review and adding a condition to change the materials from a stone veneer to a brick veneer on the building. The motion failed for lack of a second.

Discussion ensued about Condition No. 37, the possibility of changing the vines to some other plant, and the possibility of bringing any amendments back to the Commission for review. Ultimately the Commission determined that the vines as conditioned were the best choice.

Deputy City Attorney Adams asked to clarify the intent of the motion by asking if the motion was to have the design of the canopy to be brought back to the Commission

for review regardless of any disputes between the applicant and staff regarding design. Commissioner Manzo confirmed that his intent was to have the design of the canopy come back to the Commission.

Further discussion ensued about the possibility of continuing the item and the costs involved for continuing an item. Mr. Huy was invited to provide his thoughts regarding the discussion. He stated that he did not see the need to continue the matter and felt the desire and direction of the Commission was clear.

**Motion:** It was moved by Commissioner Manzo to approve 2018-70 with recommended conditions; staff to ensure the design of the canopy will incorporate the design features of the main building including the façade, cap, colors, shape, and signage; and, adding a condition to change the proposed materials from a stone veneer to a brick veneer. The motion failed for lack of a second.

**Motion:** It was moved by Vice Chair Seid, and seconded by Commissioner Pham to approve Case No. 2018-70 with recommended conditions of approval; staff to provide direction to the applicant regarding consistency of the canopy with the design of the building (Condition No. 36) and the placement of vines and a trellis in the rear of the property (Condition No. 37). The motion carried (4-0) with the following vote:

AYES: MANZO, M. NGUYEN, PHAM, SEID  
NOES: NONE  
ABSENT: Q. NGUYEN  
ABSTAIN: NONE

## 8.2 Case No. 2019-028 (Conditional Use Permit)

**Location:** 15358 Beach Boulevard (Assessor's Parcel Number 107-161-03)

**Applicant:** Vinh Nguyen

**Project Planner:** Memnon "Meme" Torio, Planning Technician

**PROJECT DESCRIPTION:** A request for a Conditional Use Permit (CUP) to operate a karaoke establishment in an existing multi-tenant commercial building within the Westminster Plaza shopping center.

**CEQA COMPLIANCE:** The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and requirements of the City of Westminster and has been deemed to be Categorically Exempt per Class 1, Section 15301 of the California Environmental Quality Act (CEQA) because the project consists of the operation, permitting, licensing, and minor alteration of an existing private structure and facilities involving negligible or no expansion of an existing use.

**RECOMMENDATION:** That the Planning Commission adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Approving Case No. 2019-028, a Conditional Use Permit to allow a karaoke establishment at

15358 Beach Boulevard (Assessor's Parcel number 107-161-03)"

Planning Technician Memnon "Meme" Torio provided a presentation to the Commission.

Commissioner Manzo inquired if the proposed hours of operation were typical for karaoke establishments. Planning Technician Torio stated that the proposed hours are typical of karaoke establishments and that the Commission had approved a similar karaoke establishment in December 2018 with similar hours of operation.

VICE CHAIR SEID OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Vinh Nguyen, project applicant and Chief Executive Officer (CEO), stated his proposal for a karaoke was to provide a facility to allow for a place for families and the younger generation to have a place to go without alcohol. He felt that the addition of his facility would bring the community forward and provide a better environment.

Commissioner Pham stated she was concerned about operating hours until 2:00 AM on Sunday morning. Mr. Nguyen stated he did a lot of research and other Karaoke establishments have similar operating hours.

Commissioner M. Nguyen and Commissioner Manzo inquired what kind of music would be available for patrons. Mr. Vinh Nguyen stated he would have all music available but they would cater to the Vietnamese clientele.

Commissioner Pham inquired if security would be present for patrons. Mr. Nguyen stated that he was not required to have security because his facility would not be serving alcohol. He added that his facility would have cameras to surveil the facility.

Commissioner M. Nguyen inquired how many staff members would be present during hours of operation. Mr. Vinh Nguyen stated there would be two staff members present. One would handle customers and the other would be surveying the operation.

THERE BEING NO OTHER SPEAKERS, VICE CHAIR SEID CLOSED THE PUBLIC HEARING.

Discussion ensued about the hours of operation and the possible need for security.

**Motion: It was moved by Commissioner Manzo, and seconded by Vice Chair Seid to approve Case No. 2019-028, a Conditional Use Permit to allow a karaoke establishment at 15338 Beach Boulevard, with recommended conditions of approval. The motion carried (4-0) with the following vote:**

AYES: MANZO, M. NGUYEN, PHAM, SEID  
NOES: NONE  
ABSENT: Q. NGUYEN  
ABSTAIN: NONE

**9. REGULAR BUSINESS - None**

**10. REPORTS - None**

**11. MATTERS FROM THE PLANNING COMMISSION**


Commissioner Manzo inquired about the update for the parking requirements and Design Guidelines Manual. Planning Manager Ratkay responded that the development standards, parking standards, and design guidelines or design standards will be updated through the General Plan Implementation Plan and the Zoning Code Update. He offered that it was a work in progress and it will be coming before the Commission at a later date.

**11.1 AB 1234 Reports**

**12. MATTERS FROM STAFF**

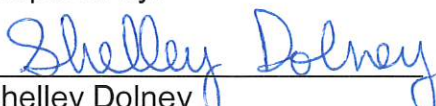
Planning Manager Ratkay thanked the Commission for all of their hard work and their contribution to the community. He provided an update on the Park Fee Ordinance that just was approved at the City Council meeting August 14, 2019.

**13. ADJOURNMENT – The meeting was adjourned at 8:23 p.m. to a regular meeting on Wednesday, September 4, 2019 at 6:30 p.m. in the City Council Chambers.**

  
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Quynh-Giao Nguyen  
Planning Commission Chair

  
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Steven Ratkay  
Planning Commission Secretary

Prepared by:

  
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Shelley Dolney  
Senior Administrative Assistant