PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
October 19, 2011
6:33 p.m.

---

1. ROLL CALL: BERTELS, HO, OH, TURRO, VO

PRESENT: Bertels, Ho, Oh, Turro, Vo
ABSENT: None

2. SALUTE TO FLAG:

Commissioner Ho

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Art Bashmakian mentioned that a memo from staff was provided to the Commission related to Item 8.1. Case 2010-76 with information on the dancing studio's website advertising banquet opportunities. This item will be discussed during the public hearing.

4. EX PARTE COMMUNICATIONS

Chairman Vo, Commissioners Turro and Ho mentioned that they visited the Sensation Dance Studio.

5. SPECIAL PRESENTATIONS

None

6. ORAL COMMUNICATIONS

None

7. APPROVAL OF MINUTES – Regular Meeting October 5, 2011

The minutes of the regular meeting of October 5, 2011 were approved on motion of Commissioner Bertels, seconded by Chairman Vo, and carried 5-0.

8. PUBLIC HEARINGS

8.1 Case 2010-76 Conditional Use Permit and Administrative Use Permit Location: 7697 Westminster Blvd (Assessor's Parcel No. 096-230-67) Sensation Dance Ballroom Studio

(Public Hearing Continued from October 5, 2011) The Planning Commission conducted a public hearing on this matter on October 5, 2011 and continued the public hearing to the October 19, 2011 meeting date. At the October 5, 2011 meeting, the Planning Commission received public testimony from supporters of the project and from opponents.

The project consists of a request for a Conditional Use permit to allow the on-site consumption of beer and wine (Type 42) and approval to operate a night club in conjunction with an existing dance studio (sensation Dance Ballroom Studio); and a request for an Administrative Use Permit to allow shared parking throughout the multi-tenant commercial building site located on Westminster Boulevard between Jasperson way and Arizona Street. The proposed business hours of operation are 10:00am to 1:00am Friday and Saturday and 10:00am to midnight Sunday through Thursday.

The applicant's request to operate a nightclub includes: Social (non-instruction based) dancing, incidental broadcasting of sporting events on four television screens, along with live entertainment. The applicant is proposing a variety of live entertainment which includes a deejay, karaoke accompanied by a keyboard player, or three performers (two musicians and one singer). The applicant's proposal also includes a request to hold special showcase events, incidental to the business, where admission may be charged.

The applicant's request for shared parking includes: An allowance to operate with 79 parking spaces where 97 parking spaces are required for the entire center. Parking analysis, prepared by a licensed traffic engineer, demonstrates that there is adequate parking for the proposed use.

RECOMMENDATION: Staff recommends that the Planning Commission deny the application based on the required findings.

Art Bashmakian indicated that this item was continued from the meeting of October 5 so that the Commission could further investigate the concerns expressed in the last public hearing. As mentioned earlier, he referred to the staff memo provided to the Commission as a late communication item relating to the dance studio's websites advertising banquet opportunities. He explained that these old websites which had been closed, continue to be accessed due to some technicalities, however, they can be removed. He stated that the new website does not mention banquets and added that the applicant has offered conditions that would prevent such activities. He suggested that the Commission continue to hear any new information relating to the proposal.

Chairman Vo indicated that since the Commission received testimony from last meeting, only those with new information will be allowed to speak.

The public hearing was opened.

Representing the applicant, Bruce Adams of 426 Culver Blvd., Playa del Rey, indicated that they do not have any no new information and assured the Commission that they will comply with all the conditions of approval. Further, to ease the parking concern, he stated that free parking stubs will be offered to the patrons of the business.

Speaking in opposition, Roger Wiley of 14101 Milan Street stressed that the location was not appropriate for a night club.

The public hearing was closed.

Having visited the site, Chairman Vo observed that the business is not a traditional night club but a place strictly for ballroom dancing. He felt that those who assumed that the beer cans and bottles around the church ground came from the dancing studio did not consider the liquor store across the dance studio.

Commissioner Turro was against karaoke (but was agreeable to allow two musicians and a singer) and parking along Jasperson Street as he preferred the use of the back parking lot.

Commissioner Ho preferred that the business provide free valet service instead of parking stubs as this can be confusing to the patrons. She agreed with Commissioner Turro that karaoke may cause loud music. She believed that the business is a bona fide ballroom dancing place.

Chairman Vo suggested that the business employ a parking attendant to direct its patrons to parking areas. He recommended a six-month review if the proposal is approved.

Commissioner Oh was concerned about the saturation of alcoholic beverages licenses in the area due to the beer bottles and cans left in surrounding neighborhoods. However, Art Bashmakian confirmed that the location is not over saturated.

Commissioner Bertels believed that the business is strictly a dance studio and not a night club. However, he wanted to review the conditions before the Commission makes a decision. Mr. Bashmakian explained that staff has recommended conditions addressing hours of operation, noise, karaoke, parking and all other issues of concern.

Commissioner Turro moved that the Planning Commission approve Case 2010-76 Conditional Use Permit and Administrative Use Permit (Resolution 11-033) based on staff findings and analysis subject to staff conditions including the following conditions: limit a 99-person room capacity; no karaoke but may include a DJ and up to three musicians; and employ two security guards. Chairman Vo seconded.

Commissioner Turro agreed with Chairman Vo's suggestion to include all the conditions proposed by the applicant.

The motion carried 4-1, Commissioner Oh dissented.

The Commission observed a recess at 7:30 p.m. and reconvened at 7:40 p.m.

8.2 Case 2010-84 Conditional Use Permit and Development Review – Level 3 Location: 14472 Chestnut Street (Assessor's Parcel No. 096-152-15) Dieu Ngu Temple

The project site is located on the northwest corner of Hazard Avenue and Chestnut Street. The proposal includes the demolition of an existing approximately 5,000 square foot structure, which currently serves as a Temple (Dieu Ngu Temple), and the construction of a new two story 13,014 square foot Buddhist Temple with 60 parking spaces. A total of 57 parking spaces will be located within a semi-subterranean garage secured with a roll-up door and three spaces will be provided at grade level. Vehicular access to the site will be provided by two entry driveways, one off Chestnut Street and one off Hazard Avenue with access to the 60 parking spaces.

The architectural style of the building is reflective of the traditional Buddhist Temples of Southeast Asia, consisting of curved cornices, use of spires and a tile roof. The proposed Temple will vary in height, reaching 32 feet to the roof over the main assembly hall. A spire atop the tallest tower reaches 47 feet, 5 inches.

Weekday activities at the Temple focus primarily on drop-by visits from 8:00 a.m. to 10:00 p.m. Some organized activities may occur in the evening ending at 10:00 p.m. Weekend services at the Temple occur in the morning, afternoon and evening on Saturday or Sunday. Worship typically includes 75 to 100 persons. Special events including the Lunar New year, Buddha's Birthday, and up to six other special events may occur during the year.

RECOMMENDATION: Staff recommends that the Planning Commission approve the Conditional Use Permit and Development Review based on the required findings and subject to the conditions of approval.

Kelvin Parker made a brief presentation on the proposed application to allow the demolition of an existing temple and the construction of a new two story 13,014 square foot Buddhist Temple with 60 parking spaces. Based on staff findings

and analysis, he recommended that the Planning Commission approve the proposed entitlement and adopt the Mitigated Negative Declaration subject to conditions listed in the draft resolution.

The public hearing was opened and the following spoke in favor:

Designer Giep Van Le of 2971 Randolph Street, Huntington Park, stated that the design will create a gateway to the City and a landmark serving not only the Vietnamese community but the visitors of the temple as it will be rich in cultural artifacts. He stated that funding for the temple is all from donations with no cost to the City.

Designer Tim Vo of 3325 Myrtle Ave., Signal Hills stated that the temple with its pagoda, will reflect the Vietnamese tradition to the Vietnamese Americans who have immigrated to the United States.

Ven. Suhita Dharma also known as Thich An Duc of 14472 Chestnut is a member of the Unified Buddhist Church of America since 1969 and lives in the temple, but travels to many places. He stated that this temple will be a strong and beautiful symbol of peace.

Living close to the temple, Coni Kohan of 7211 Santee supports the proposal, but expressed concern about noise during construction and the visibility of the subterranean garage from the street. She preferred that the garage be used exclusively for the temple members as children may want to get into the garage.

Van Bank, a member of the temple, stated that it will be a cultural and religious center not only for the residents but to all its visitors.

While other temples are far, Trong Doan stated this temple will be close to their residents which makes them proud of Westminster.

No one spoke in opposition and the public hearing was closed.

Chairman Vo indicated that the aesthetic design of the temple and its cultural heritage will benefit the City. Commissioner Bertels agreed adding that it was good to see this beautiful place of worship instead of the existing house which he opposed.

On motion of Commissioner Ho, seconded by Commissioner Bertels, and carried 5-0, the Planning Commission approved Case 2010-84 Conditional Use Permit (Resolution No. 11-034) and Development Review – Level 3 (Resolution No. 11-035) based on the required findings and subject to the conditions of approval.

8.3 Case 2011-53 Zoning Text Amendment – Public Noticing Requirements Location: Citywide

Staff requests the Planning Commission move this item to the Commission's next regular meeting of November 2, 2011 as staff needs additional time to complete the staff report.

RECOMMENDATION: Staff recommends that the Planning Commission continue this item to the Commission's next regular meeting of November 2, 2011.

Chairman Vo moved that the Planning Commission continue this item to the Commission's next regular meeting of November 2, 2011. Commissioner Oh seconded and the motion carried 5-0.

9. REGULAR BUSINESS - None

10. REPORTS - None

11. MATTERS FROM THE PLANNING COMMISSION

11.2 AB 1234 Reports

12. ADJOURNMENT:

At 8:10 p.m., Chairman Vo adjourned the meeting to a regular meeting on Wednesday, November 2, 2011 at 6:30 p.m. in the Council Chambers.

Dave Vo
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

MARIA MOYA
Administrative Assistant