PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
December 7, 2011
6:30 p.m.

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

PRESENT: Bertels, Turro, Vo
ABSENT: Ho, Oh

2. SALUTE TO FLAG:

Commissioner Turro

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

None

4. EX PARTE COMMUNICATIONS

None

5. SPECIAL PRESENTATIONS

None

6. ORAL COMMUNICATIONS

None

7. APPROVAL OF MINUTES – Regular Meeting November 16, 2011

The minutes of the regular meeting of November 16, 2011 were approved on motion of Commissioner Bertels, seconded by Chairman Vo, and carried 3-0.

8. PUBLIC HEARINGS

8.1 Case 2010-43 Review of existing Conditional Use Permit
Location: 15380 Beach Blvd (Assessor's Parcel Number 107-161-04)

Consideration of extending the hours of operation and an evaluation of compliance with the conditions of approval specified in a conditional use permit granted to an existing restaurant/nightclub offering the on-site sale of alcoholic beverages and entertainment.

RECOMMENDATION: Staff recommends that the Planning Commission approve the applicant's request to extend the hours of operation.

Chris Wong made a brief presentation on the applicant's request to extend the hours of operation of an existing restaurant/nightclub. Based on staff analysis and findings, he recommended that the Planning Commission approve this request.

The public hearing was opened.

Speaking in favor was Darwin Nguyen, 9466 Honeysuckle Drive, Fountain Valley, who thanked staff and the Commission for the opportunity of working with them.

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

Commissioner Bertels found no reason to disapprove the request considering the good review from the Police Department. He moved that the Planning Commission approve Case 2010-43 Review of existing Conditional Use Permit (Resolution No. 11-039) to extend the hours of operation based on staff findings and analysis and subject to the conditions listed in the draft resolution. Chairman Vo seconded and the motion carried 3-0.

8.2 Case 2011-48 Development Review – Level II and Variances
Location: 16388 Beach Blvd (Assessor's Parcel Number 107-220-75)

An application to demolish an existing 2,700 square-foot Popeye's restaurant and construct a new 3,752 square-foot, one-story, Chick-fil-A restaurant. Three variances are requested in association with the proposed development: a reduced front yard building setback, a reduced front yard canopy setback, and a reduced drive through aisle width.

RECOMMENDATION: Staff recommends that the Planning Commission approve the development review and variances subject to recommended conditions of approval.

Chris Wong presented a brief overview of the proposed demolition of an existing drive-through restaurant and replacing with a new drive-through Chick-Fil-A restaurant. Subject to the conditions of approval and based on staff analysis, he recommended that the Planning Commission approve the request.

The public hearing was opened.

The Development/Consulting Manager for Chick-Fil-A, Deborah Kerr, of 4655 Cass St. No. 200, San Diego, was agreeable with the conditions imposed by staff and was available to answer any questions. She thanked staff for their assistance during the application process.

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

Commissioner Bertels commented that reducing the setbacks for the landscaping would work out as it would not require too much maintenance.

Commissioner Turro stated that he received two calls from residents who supported the proposal, and although he has never heard of the new restaurant, Chic-Fil-A, he did not have any objections to the requests. Chairman Vo concurred.

Chairman Vo moved that the Planning Commission approve the development review and variances for Case 2011-48 Development Review – Level II and Variances (Resolution No. 11-040) subject to recommended conditions of approval. Commissioner Bertels seconded and the motion carried 3-0.

8.3 Case 2011-57 Conditional Use Permit
Location: 14560 Magnolia St, Suite 101 (Assessor's Parcel Number 098-039-121)

An application for a proposed religious meditation and yoga establishment (Thien Duong May Tu) within an existing 2,654 square-foot office suite.

RECOMMENDATION: Staff recommends that the Planning Commission approve the conditional use permit subject to recommended conditions of approval.

Fenn Moun introduced Case 2011-57 Conditional Use Permit, providing a brief description and analysis of the proposed religious meditation and yoga establishment. Based on its findings, he recommended approval of the conditional use permit subject to recommended conditions of approval.

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

Neil Nguyen of 14550 Magnolia St. No. 201-203, President of the Buddhist Association of Orange County had frequented the meditation center since 2006. He contended that there had been no noise complaints about the business and they feel very safe in the meditation center.

Le Hoa Pham of 10025 Montecito Plaza, Garden Grove, indicated that meditation helped her to relax better and improve her physical awareness. She highly recommended this practice to the Vietnamese community. In response to

Commissioner Turro, she confirmed that there is no charge to attend the yoga and meditation services.

Chi Kim Luu of 11741 Daniel Ave., Garden Gove, supported the proposal because she believes that meditation brings balance to life which she felt is always on the fast track; it reduces stress; and brings harmony to life to everyone of all ages who wants to have a happy life and contribute to society.

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

On motion of Chairman Vo seconded by Commissioner Bertels and carried 3-0, the Planning Commission approved Case 2011-57 Conditional Use Permit (Resolution No. 11-041) subject to recommended conditions of approval.

9. REGULAR BUSINESS

Art Bashmakian mentioned that someone from the audience wants to speak on an item not on the agenda. He stated that it was up to the Planning Commission's discretion if they wanted to reopen the opportunity for Oral Communications.

The Planning Commission allowed Ms. Natalie L. McKee of 4120 Concours, Ontario to speak. Ms. McKee spoke on behalf of two nonprofit organizations, Westminster Elks and 1st Samoan Church of Westminster. She requested that the City adopt a remote caller bingo ordinance in order to raise funds for the nonprofits.

Art Bashmakian invited Ms. McKee to come by City Hall and provide information to staff so that she can be given appropriate direction related to an adoption of a bingo ordinance. Ms. Mckee responded that she has already contacted City officials and Code Enforcement and her communication is for Planning Commission and staff information only.

9.1 Discussion Regarding Cancellation of 12/21/2011 and 1/4/2012 Meeting Dates

Art Bashmakian mentioned there are no items for the December 21 meeting and since the first meeting of the year is usually cancelled, the January 4 meeting will be cancelled, unless the Planning Commission decides otherwise. The Planning Commission agreed to cancel the meetings of December 21 and January 4, 2012. The meeting will be adjourned to the meeting of January 18, 2012.

10. REPORTS – None

11. MATTERS FROM THE PLANNING COMMISSION

11.1 Case 2011-63 Study Session – Large Size Single Family Residences Location: Citywide

Study Session regarding the possibility of limiting the size of single-family dwelling units.

RECOMMENDATION: Should the Planning Commission desire to initiate a Zone Text Amendment to limit the size of single-family residences, staff recommends that the Planning Commission request that the Mayor and City Council initiate such an amendment.

Art Bashmakian indicated that this was an opportunity for the Planning Commission to discuss and ask staff any questions or issues pertaining to this matter. Chairman Vo recommended moving Case 2011-63 to January 18, 2012. Commissioner Bertels seconded. The motion carried 3-0.

11.2 AB 1234 Reports None

12. ADJOURNMENT:

The Planning Commission thanked staff for its work and for the Christmas gifts. Likewise, Art thanked the Planning Commission and staff for its efforts and work on making the presentations of the projects easy to understand for the Planning Commission.

At 7:15 p.m., Chairman Vo adjourned the meeting to a regular meeting on Wednesday, January 18, 2012 at 6:30 p.m. in the Council Chambers.

Dave Vo
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

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Administrative Assistant