PLANNING COMMISSION
Minutes of the Regular Meeting
City Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
March 7, 2012
6:30 p.m.

---

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

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

2. SALUTE TO FLAG:

Chairman Vo

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 February 15, 2012

The minutes of the regular meeting of February 15, 2012 were approved on motion of Commissioner Turro, seconded by Chairman Vo, and carried 4-0, Commissioner Bertels was absent.

8. PUBLIC HEARINGS

8.1 Case 2011-70 Conditional Use Permit
Location: 7681 Westminster Blvd (Assessor's Parcel Number 096-230-67)
Seafood Shack

A request for a Conditional Use Permit (CUP) to allow sales of beer and wine for consumption at an existing restaurant (Seafood Shack).

RECOMMENDATION: Staff recommends that the Planning Commission approve the Conditional Use Permit.

Art Bashmakian made a brief presentation on the proposed request for a conditional use permit to sell beer and wine for on-site consumption at a full-service restaurant. Based on staff findings and analysis, he recommended that the Planning Commission approve the Conditional Use Permit.

The public hearing was opened and the applicant, Robert Tran of 7681 Westminster Blvd., was allowed to speak. He stated that his business has been slow and does not have many repeat customers because of the lack of alcoholic beverages during their meals. Because of this, he indicated that he would like to provide beer and wine for his customers during their meal.

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

Commissioner Turro had no objections but inquired why the operating hours indicated by the Police Department (12 p.m. – 11 p.m.) differed from staff's operating hours (10 a.m. – 10 p.m.). Art referred the question to the applicant, but stated that it is typical for a customer to come in just before closing time of 10 p.m., be served food and wine, and leave by 11 p.m.

On motion of Commissioner Turro, seconded by Commissioner Oh, and carried 4-0, the Planning Commission approved Case 2011-70 Conditional Use Permit (Resolution No. 12-010) based on staff findings and analysis and subject to the conditions in the draft resolution.

8.2 Case 2012-02 Zoning Text Amendment – Development Review
Location: Citywide

A Zoning Text Amendment to streamline the land use entitlement process.

RECOMMENDATION: Staff recommends that the Planning Commission recommend that the Mayor and City Council adopt an ordinance amending the current zoning regulations to streamline the land use entitlement process.

Art provided the description of the proposed measures to streamline the land use entitlement process that would involve changes to the Municipal Code necessitated by the anticipated significant reduction in staffing levels in the Planning Division. He discussed these changes to the three areas of the code, namely: list of uses permitted by right, permitted subject to an Administrative Use Permit or permitted subject to a CUP; list of development projects that require action by the Community Development Director or the Planning Commission; and noticing requirements. He recommended

that the Planning Commission recommend that the Mayor and City Council adopt an ordinance amending the current zoning regulations to streamline the land use entitlement process.

The public hearing was opened and closed as no one wished to speak in favor or in opposition.

Commissioner Turro commented that public notification should include renters and/or occupants. Chairman Vo and Commissioner Oh concurred with Commissioner Turro. However, Commissioner Ho contended it was unnecessary to notify the renters and/or occupants, since she felt that notifying the property owners was sufficient because they are always concerned about their land or real estate.

Commissioner Turro added that he preferred that the noticing requirements cover 500 feet radius instead of 300 feet radius. Commissioner Ho concurred with Commissioner Turro. If the radius is to be reduced to 300 feet, Chairman Vo believed it was appropriate to send public notices to the property owners, renters, and/or occupants. Art explained that staff recommended the 300 feet radius requirement as this is state's mandated minimum and would reduce staff time and costs for the City.

Commissioner Turro objected to eliminating the on-site posting and the other Commissioners concurred with him. However, as most cities do, Art recommended that instead of eliminating on-site posting, that the Planning Commission require the applicant to be responsible for their project's on-site posting. The Commissioners favored the recommendation.

Chairman Vo moved that the Planning Commission recommend that the Mayor and City Council adopt an ordinance amending the current zoning regulations to streamline the land use entitlement process for Case 2012-02 Zoning Text Amendment (Resolution No. 12-011) with the amended condition to include that noticing requirements for on-site posting will be done by the applicant. Commissioner Ho seconded and the motion carried 4-0.

9. REGULAR BUSINESS

None

10. REPORTS

None

11. MATTERS FROM THE PLANNING COMMISSION

Commissioner Turro inquired about the massage business at the corner of McFadden and Magnolia. Art informed him that after review by Code Enforcement and Police Department, it was determined that there was no code violation.

Commissioner Ho asked about Commissioner Bertels' health condition. Art stated that he was doing better and was transferred to a convalescent home, but relapsed and is back in the hospital.

Anticipating that this was an election year, Commissioner Oh wanted to know if staff had already reviewed or planned to make recommendations concerning Political Sign Ordinance. Art responded that this specific issue was addressed in the draft Sign Ordinance, however, staff might take it up separately so that it is not held up with the rest of the Sign Ordinance.

11.2 AB 1234 Reports

None

12. ADJOURNMENT:

At 7:30 p.m., Chairman Vo adjourned the meeting to a regular meeting on Wednesday, March 21, 2012 at 6:30 p.m. in the Council Chambers.

Dave Vo
Chairman

Art Bashmakian
Planning Commission Secretary

Prepared by:

Maria Moya
Administrative Assistant