

**CARLOS MANZO**  
Chair

**ANITA RICE**  
Vice Chair

**TONY BUI**  
Commissioner

**ANDREW NGUYEN**  
Commissioner

**QUYNH-GIAO NGUYEN**  
Commissioner



# **AGENDA**

## **PLANNING COMMISSION**

### **Regular Meeting**

**Wednesday, September 6, 2017**

**6:30 p.m. – Council Chambers**

**8200 WESTMINSTER BOULEVARD  
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the Planning Division at (714) 548-3247. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

## **AGENDA INFORMATION**

### **MEETINGS**

Regular Meetings of the Planning Commission are held the first and third Wednesday of each month at the hour of 6:30 p.m. While in the City Council Chamber, please *turn off* all cellular phones and pagers.

Agenda items that are not in process by 10:30 p.m. may be carried over to the next regular meeting of the Planning Commission.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. The agenda and supporting documentation is available for public review at the rear entryway of the Council Chambers prior to the meeting. On the Friday prior to the meeting, the agenda can be accessed on the City's web site at <http://www.westminster-ca.gov>.

### **ATTENDANCE AND PARTICIPATION BY THE PUBLIC**

Except as specifically provided by law for closed sessions, all meetings of the Planning Commission shall be open and public. Every agenda for regular meetings of the Planning Commission provides the public an opportunity to directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission or on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law. Unless otherwise extended by the Planning Commission, the amount of time for each individual speaker shall not exceed five (5) minutes.

### **PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT**

All computer presentations must be e-mailed or provided on a CD-ROM to the Planning Manager at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the Planning Manager for review by staff to verify appropriateness for general audiences by noon on the day of the meeting and prior to the use of the equipment.

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6:30 P.M.

## CONVENE PLANNING COMMISSION MEETING

**1. ROLL CALL – BUI, MANZO, A. NGUYEN, Q. NGUYEN, RICE**

PRESENT:

ABSENT:

**2. SALUTE TO FLAG**

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

**4. EX PARTE COMMUNICATIONS**

THIS SECTION IS INTENDED TO ALLOW ALL OFFICIALS THE OPPORTUNITY TO REVEAL ANY DISCLOSURE REGARDING SITE VISITS OR EX PARTE COMMUNICATION ABOUT THE PUBLIC HEARING AND REGULAR BUSINESS ITEMS.

**5. SPECIAL PRESENTATIONS – None**

**6. ORAL COMMUNICATIONS**

MEMBERS OF THE AUDIENCE MAY ADDRESS THE COMMISSION ON MATTERS OF PUBLIC INTEREST, WHICH PERTAIN TO THE CITY AND ARE NOT OTHERWISE ON THE AGENDA. MEMBERS OF THE PUBLIC WISHING TO ADDRESS PUBLIC HEARING ITEMS SHALL DO SO AT THE TIME OF THE PUBLIC HEARING. IF YOU WISH TO SPEAK, PLEASE COMPLETE A “REQUEST TO SPEAK” FORM AVAILABLE FROM STAFF, AND SUBMIT IT TO THE CLERK. WHEN CALLED, PLEASE STEP FORWARD TO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS. PLEASE LIMIT YOUR REMARKS TO FIVE MINUTES.

**7. APPROVAL OF MINUTES – June 7, 2017 and July 19, 2017**

**8. PUBLIC HEARINGS**

ANYONE WISHING TO SPEAK ON AN OPEN PUBLIC HEARING IS REQUESTED TO COMPLETE A BLUE SPEAKER SLIP THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS. PLEASE SUBMIT THE SPEAKER SLIP TO THE CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

AFTER THE PUBLIC HEARING IS OPENED, PERSONS SPEAKING IN FAVOR WILL BE HEARD FIRST, FOLLOWED BY THOSE PERSONS SPEAKING IN

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OPPOSITION; AND THEN PERSONS SPEAKING IN REBUTTAL. ONLY THOSE PERSONS WHO HAVE SPOKEN IN FAVOR WILL BE PERMITTED TO SPEAK IN REBUTTAL. SPOKESPERSON(S) DESIGNATED TO SPEAK IN FAVOR OR IN OPPOSITION WILL HAVE TWELVE (12) MINUTES TO SPEAK. THEREAFTER, EACH PERSON SPEAKING IN FAVOR OR IN OPPOSITION WILL HAVE THREE (3) MINUTES. THE TOTAL TIME FOR SPEAKING IN FAVOR OR IN OPPOSITION SHALL NOT EXCEED 30 MINUTES. THOSE PERSONS SPEAKING IN REBUTTAL WILL HAVE THREE (3) MINUTES EACH, OR A TOTAL OF 20 MINUTES. THE PLANNING COMMISSION MAY USE ITS DISCRETION TO ALLOW A SPEAKER TO EXCEED THE TIME LIMITS.

**NOTE:** IF A CHALLENGE IS MADE BY ANY PARTY IN COURT FROM ACTIONS ARISING OUT OF A PUBLIC HEARING, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE OR IN WRITTEN CORRESPONDENCE DELIVERED AT THE PUBLIC HEARING OR PRIOR THERETO.

## **8.1 Case No. 2015-45 – (Development Review/Variance/Lot Line Adjustment)**

**Location:** 13812-13822 Pine Street (APN # 096-072-24)

**Applicant:** Thanh Dang, authorized agent

**Project Planner:** Sandie Kim, Associate Planner

### **Staff Report**

The proposed project involves the consolidation of three (3) parcels to accommodate the development of 8 multi-family apartment units. Also proposed is a variance to provide four (4) open parking spaces and 12 enclosed garage spaces, whereas the WMC 17.320.020 (Number of Parking Spaces Required) requires eight (8) open parking spaces and eight (8) enclosed garage spaces.

**CEQA COMPLIANCE:** The proposed matter is exempt from CEQA pursuant to Class 32; Section 15332 pertaining an in-fill development less than 5 acres

**RECOMMENDATION:** That the Planning Commission approve Case No. 2015-45; development review for eight (8) multi-residential rental units; variance from parking standards; and lot line adjustment to consolidate three parcels into one lot located at 13812 & 13822 Pine Street, subject to conditions of approval.

## **8.2 Case No. 2017-40 – Two Variances for Front Yard Setback and Fence Height**

**Location:** 8431 Wells Road (APN # 107-522-01)

**Applicant:** Michelle Hughes

**Project Planner:** Braulio Moreno, Assistant Planner

### **Staff Report**

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The proposed project involves an addition (accessory dwelling unit as permitted by state Law) with a front yard setback of ten feet and three inches, whereas chapter 17.210.015 of the WMC requires a 20 foot front yard setback in the R1 (Single-Family Residential) zoning district. In addition the applicant is requesting a second variance to allow a proposed six foot high block wall within the front yard setback whereas chapter 17.210.015 limits the maximum height of any block wall or fence in the front setback to three feet in the R1 (Single-Family Residential) zoning district.

CEQA COMPLIANCE: The proposed matter is exempt from CEQA pursuant to Class 1; Section 15301 pertaining to issuance of conditional use permits involving negligible expansion of an existing use.

RECOMMENDATION: That the Planning Commission approve Case No. 2017-40; a variance allowing the construction of a new addition with a reduced front yard setback and a second variance to exceed the maximum wall height in the front yard setback; located at 8431 Wells Road; subject to conditions of approval.

### **8.3 Case No. 2017-64 – Variance – from rear yard setback**

**Location:** 15982 Ord Way (APN # 107-842-62)

**Applicant:** Kevin Canning

**Project Planner:** Braulio Moreno, Assistant Planner

#### **Staff Report**

The proposed project involves a request for a variance from Section 17.210.015, Table 2-3 (Residential Zoning District Development Standards) of the Westminster Municipal Code (WMC) to allow a single-story portion of the house to encroach 2.5 feet into the required 10-foot rear yard setback. The project involves the remodeling of the rear portion of the house which includes an unpermitted enclosed patio that encroaches 2.5 feet into the 10-foot rear setback.

CEQA COMPLIANCE: The proposed matter is exempt from CEQA pursuant to Class 1; Section 15301 pertaining to issuance of conditional use permits involving negligible expansion of an existing use.

RECOMMENDATION: That the Planning Commission approve Case No. 2017-64; a variance to allow a portion of a remodeled room of an existing single-family residence to encroach 2.5 feet into the required 10-foot rear yard setback; located at 15982 Ord Way; subject to conditions of approval.

### **9. REGULAR BUSINESS - None**

### **10. REPORTS**

### **11. MATTERS FROM THE PLANNING COMMISSION**

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11.1 AB 1234 Reports

11.2 MATTERS FROM STAFF

12. ADJOURNMENT – To a Regular Meeting on Wednesday, September 20, 2017,  
at 6:30 p.m.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the Planning Commission meeting.

**Signed copy posted outside City Council Chambers**

Shelley Dolney

Community Development Administrative Assistant