



**PLANNING COMMISSION**  
**Minutes of the Regular Meeting**  
**Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**February 19, 2014**  
**6:30 p.m.**

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**1. ROLL CALL: NGUYEN, ANDERSON, HO, LIEBERG, MANZO**

PRESENT: NGUYEN, ANDERSON, HO, LIEBERG, MANZO

ABSENT: None

**2. SALUTE TO FLAG:**

Commissioner Lieberg led the salute to the flag.

Chair Nguyen welcomed Commissioner Lieberg to the Commission.

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

Associate Planner Steve Ratkay stated that there are two items: a letter received yesterday from individuals regarding Item No. 8.1 and a letter from the applicant, also regarding Item No. 8.1.

**4. EX PARTE COMMUNICATIONS – None**

Commissioner Lieberg noted that he has driven past both of the sites and has familiarized himself with the locations that are on the agenda.

Chair Nguyen stated that he contacted the applicant regarding Item No. 8.1 to clarify a question.

**5. SPECIAL PRESENTATIONS – None**

**6. ORAL COMMUNICATIONS – None**

**7. APPROVAL OF MINUTES**

Commissioner Ho asked that page three reflect the speaker as Chair Nguyen and not Commissioner Ho.

Chair Nguyen responded that the correction has been made.

**Motion was made by Vice Chair Anderson, and seconded by Commissioner**

Manzo to approve the minutes of the regular meeting of the Planning Commission of December 18, 2013 as amended.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, HO, MANZO  
NOES: None  
ABSTAIN: LIEBERG  
ABSENT: None

8.1. Chair Nguyen stated that Item No. 9.1 would be heard first, followed by Item No.

The following item was heard prior to Item 8 (PUBLIC HEARINGS).

**9. REGULAR BUSINESS**

**9.1 Case No. Case No. 2013-48 (Appeal of Director's Determination)**  
**Location: 7474 Garden Grove Blvd. (APN 096-201-14)**  
**Applicant: Darshan Shah**

An appeal of the Director's determination that the operation of a heat treat oven is not permitted unless within an entirely enclosed building. It has been determined that this project is categorically exempt from the California Environmental Quality Act.

RECOMMENDATION: Recommend the Planning Commission uphold the Director's action.

Associate Planner Oropeza presented the item and provided information on the location and industrial zoning code requirements. If the applicant were to construct a site, additional parking would be required and there is not adequate space for more parking. Aerial photographs were displayed and outlined, noting the location of the proposed canopy.

Commissioner Lieberg clarified the staff report, noting that the recommendation is to uphold the Director's action.

Commissioner Lieberg requested more information regarding the safety of outdoor heat treat ovens, which was deferred to the applicant, Mr. Darshan Shah.

Gabriel Roca, Operations Manager of Bodycote, spoke in favor of the proposed installation and provided a history of the company and layout of site. Heat treatment techniques were described, as well as the equipment that is used. The company headquarters is in Wichita, Kansas and has been in operation since 2001.

Darshan Shah, Architect and Structural Engineer for the project, spoke in favor of the item and explained the type of furnace that is proposed and the location that has been deemed best. There is no room for the proposed heat treat oven in the existing structures, as they are filled with equipment. They believe there is no danger or obstruction to citizens by placing this furnace under a canopy, and photographs were displayed and the site plan was discussed.

Commissioner Lieberg discussed the height of the walls, both the block wall and the metal panel wall, and their abilities to completely screen the equipment. It is an efficient use of space, will improve business, increase job opportunities within Westminster, and improve the existing site.

Mr. Shah stated that a steel roof would be installed on the canopy, minimizing the noise from the furnace and making environmental issues exempt. Photographs were attached to the appeal letter, as well as a letter from the manufacturer in favor of outdoor installation.

Discussion regarding the process of heat treatment, hours of operation and the parts involved ensued, noting other operations that are currently in use.

Ms. Oropeza noted that the zoning code has no definition of what constitutes a wall and encouraged the Commission to refer to building codes and Webster's dictionary for better definition.

**Motion was made by Commissioner Anderson**, and seconded by Chair Nguyen to grant the appeal and have the applicant work with staff on the design of the wall of Case No. 2013-48 modifying the conditions of approval. Appeal of Director's Determination.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, HO, MANZO, LIEBERG

NOES: None

ABSENT: None

Chair Nguyen called for a brief recess at 7:12 p.m. The Commission reconvened at 7:17 p.m. with all members, present.

## **8. PUBLIC HEARINGS**

- 8.1 Case No. 2013-58 (Zone Change, Tentative Tract Map and Comprehensive Plan)**  
**Location: 14751 Brookhurst Street (Assessor's Parcel Number 098-651-01)**  
**Applicant: Christopher Development Group Inc.**

**RECOMMENDATION:** Recommend that the Mayor and City Council approve the Mitigated Negative Declaration and approve the Zone Change, Comprehensive Plan and Tentative Tract Map.

Associate Planner Alexis Oropeza provided a report on the item, noting the location of the project site, proposed architectural styles of the units, site setbacks of interior and corner lots, and lot coverage percentages. Staff recommends that amendments be made, including enhanced driveways, landscaping, and individual unit details, per each written condition. A condition of approval also calls for the addition of patios along the north and west property lines, with setbacks of ten (10) feet.

Vice Chair Anderson discussed the photographs displayed and it was noted that the elevations were from other Christopher Development projects.

Chair Nguyen opened the Public Hearing.

Bill Holman, Vice President of Land Development of Christopher Development Group, spoke in favor of the item, noting that the architects and engineers involved with this project were also present to answer any questions. A slideshow was presented, detailing aerial overviews, site access points, and home sizes and lots. Zone changes were noted, as well as the comprehensive plan, public benefits, and the tract map. This project seeks to improve property values, increase the City's Parks and Recreation funds, and generate fees that would benefit the school district. Architecture styles were outlined and elevations reveal individual details, as well as landscaping ideas and locations of trees. In regards to the condition requiring more trees, he noted that they feel there is a sufficient amount of trees. Regarding the condition relative to pilasters, they would like to avoid additional costs but will comply if the Commission feels it is important. The proposed concrete driveways were deemed as standard, with upgrades available, based on the buyer's choice. Regarding window treatments, staff went back and added window trims to the tops and bottoms to add depth. A traffic report shows no significant impact.

Chair Nguyen closed the Public Hearing.

Commissioner Manzo discussed the sizes of the interior lots, as well as the elevation in regards to the setbacks.

Mr. Holman clarified the setbacks, noting the height of the wall on Brookhurst and the obstruction it creates.

Vice Chair Anderson asked Ms. Oropeza about the exterior framing conditions and stucco requirements and Ms. Oropeza noted the requirements, per staff recommendations.

Mr. Holman stated that he would like to keep the plan in place, regarding the setbacks and sizes of yards. While it is at the discretion of the Commission, they would like to keep the five-foot setback of the yards for properties not on the north side of the property.

**Motion was made by Chair Nguyen**, and seconded by Commissioner Manzo to recommend that the Mayor and City Council approve the Mitigated Negative Declaration for Case No. 2013-58: Zone Change, Tentative Tract Map, and Comprehensive Plan.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, HO, MANZO, LIEBERG  
NOES: None  
ABSENT: None

**Motion was made by Vice Chair Anderson**, and seconded by Commissioner Manzo to approve the Mitigated Negative Declaration and approve the Zone Change, Comprehensive Plan, and Tentative Tract Map of Case No. 2013-58, as discussed: Zone Change, Tentative Tract Map, and Comprehensive Plan with modified conditions of approval.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, HO, MANZO, LIEBERG  
NOES: None  
ABSENT: None

**10. REPORTS – NONE**

**11. MATTERS FROM THE PLANNING COMMISSION**

Commissioner Manzo stated that Westminster should consider abolishing plastic bags in stores, and would like to see this item on a future agenda.

**Motion was made by Commissioner Manzo**, and seconded by Chair Nguyen to agendize the topic of plastic bags being to a future agenda.

The motion carried by the following vote:

AYES: NGUYEN, ANDERSON, and MANZO  
NOES: HO and LIEBERG  
ABSENT: None

**11.1 AB 1234 Reports – NONE**

12. **ADJOURNMENT:** At 8:30 p.m., Chair Nguyen adjourned the meeting to a Regular Meeting on Wednesday, March 5, 2014 at 6:30 p.m. in the Council Chambers.

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NGUYEN  
Chairman

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Art Bashmakian  
Planning Commission Secretary

Prepared by:

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Art Bashmakian  
Planning Commission Secretary