



**PLANNING COMMISSION**  
**Minutes of the Regular Meeting**  
**Council Chambers**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**February 18, 2015**  
**6:30 p.m.**

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**1. ROLL CALL: ANDERSON, LIEBERG, MANZO, NGUYEN, AND VO**

PRESENT: Anderson, Lieberg, Manzo, Nguyen, and Vo  
ABSENT: None

**2. SALUTE TO FLAG:**

Planning Commission Secretary Art Bashmakian led the salute to the flag.

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

Planning Commission Secretary Art Bashmakian reported that he had received numerous letters in regards to Item 8.1, both in support and in opposition.

**4. EX PARTE COMMUNICATIONS**

Chair Anderson stated that Bill Hollman reached out to him a couple of times and offered to meet, but they did not meet. He stated he did visit the proposed project site.

Commissioner Lieberg reported that he had coffee with Bill Hollman on January 21, 2015. On January 24, 2015 he attended a grand opening and on January 29, 2015 he attended the community meeting at Willow and Maple.

Vice Chair Manzo reported visiting the proposed site and attended a grand opening of the other development on Brookhurst Street by the same developer on January 24, 2015.

Commissioner Vo reported that he spoke with the developer and visited the proposed site.

Commissioner Nguyen reported that he visited the site on Monday and spoke to Bill Hollman.

**5. SPECIAL PRESENTATIONS – None.**

6. **ORAL COMMUNICATIONS – None.**

7. **APPROVAL OF MINUTES – None.**

8. **PUBLIC HEARINGS**

Planning Commission Secretary Art Bashmakian reviewed the Public Hearing process for the benefit of those in attendance.

8.1 **Case No. Case No. 2014-69**  
**Location: 14260, 14292, 14302, and 14362 Willow Lane and 6411 Maple Avenue (Assessor's Parcel Numbers 195-292-02,-03,-04,-05,-06)**  
**Applicant: Christopher Homes**

An application requesting approval of a General Plan Amendment (GPA), Zone Map Amendment (ZMA), Comprehensive Plan (CP), and Tentative Tract Map (TTM) to:

- 1) Amend the General Plan land use designation for 2 of the 5 parcels specified above from "Public/Semi-Public" and "Industrial" to "Residential Medium Density";
- 2) Amend the zoning district designation for all 5 parcels specified above from R1 (Single-Family Residential) and M1 (Light Industrial) to R3-PD (Multiple-Family Residential 13 to 14 Units/Acre – Planned Development); and
- 3) Consolidate and subdivide the 5 parcels specified above; and
- 4) Develop the subdivided parcels with 79 detached single-family residences.

**RECOMMENDATION:**

- 1) Recommend to the Mayor and City Council the adoption of a Mitigated Negative Declaration for the Westgate Residential Project; and
- 2) Recommend to the Mayor and City Council one of the following options:
  - Option 1) Approval of the requested GPA, ZMA, CP and TTM, as proposed;  
or
  - Option 2) Approval of the requested GPA, ZMA, CP and TTM, subject to recommended conditions of approval, including a condition to orient units towards Willow Lane without a 6-foot high wall; or
  - Option 3) Other appropriate action.

Assistant Planner Chris Wong presented an overview of the project explaining that the applicant is proposing a gated community with 79 detached tow-story single-family residences. Chris also presented that the project involves a General Plan Amendment and a Zone Map Amendment among other entitlements.

In response to an inquiry from Vice Chair Manzo, Planning Commission Secretary Bashmakian responded that staff makes sure that conditions have been met. He said if they are non-compliant then it would go through the building department and

code enforcement.

Chair Anderson opened the Public Hearing and asked for comments in favor of project.

Bill Hollman, Applicant Christopher Homes, requested Planning Commission approval of the proposed project explaining there is a demand for housing and this seven acre site is a good opportunity. He explained the Westgate project are detached single family homes, 1739-2365 square feet, three different floor plans, a courtyard that is shared by seven units, Spanish colonial style, and gated entries. He stated incorporated elements include tile roofs, light colored stucco, common areas maintained by the HOA, and landscaping along Willow and Maple compatible with the surrounding neighborhood. He explained that the project will not take parking from Willow and Maple as the proposed parking exceeds the City requirement. He said parking will be enforced and violators will be subject to towing and fines. He also addressed the traffic concerns stating they studied traffic and determined there were 41 outbound trips during morning hours and 48 trips during afternoon hours, with a number of ways out of the neighborhood which should have no significant impacts. He provided information on onsite and offsite storm drains, contamination treatment, and groundwater monitoring wells.

Discussion ensued regarding front yard landscaping, handicap access, trees, pedestrian gate at common area on Maple, existing street conditions on Willow, Commissioner Lieberg's preference that construction be off of Maple and that streets be repaired once the project is complete.

Mr. Hollman responded to Vice Chair Manzo's inquiry about the applicant's opposition to certain conditions of approval. He stated that staff had suggested wood carved doors and the applicant feels the wooden doors would not hold up to the weathering. He addressed concerns about exposed walls, condition number 22, and private courts. Vice Chair Manzo requested that something more inviting be placed at entrances.

Discussion ensued regarding graffiti, recommendation 2 option 2, the Hebrew Academy's concerns regarding traffic and parking, and trash placement.

Dr. Thuyen Nguyen, volunteer for Westminster Police Department, spoke in favor of the project stating she feels that the old unutilized property should be utilized. She said it will add much needed infrastructure to local neighborhoods, increase value to existing homes, attract local businesses and potential revenues.

Ricco Ruiz, Pastor at Westminster Good Samaritan Church and resident of Willow Lane, spoke in favor of the item. He stated he feels that this development would be a huge advantage to the community by adding security to the neighborhood. 79 homes for families would add a higher level of security since it's so dark in that area.

Shannon Royes, Westminster resident, spoke in favor of the item. She stated surrounding schools would benefit from this new development because annual property taxes would go to the school system. As an Officer on the PTA at Clegg Elementary School, she said additional taxes would provide more staffing and offer improvements to the campus. She stated this development would assist the school district in achieving these goals.

Darrell Lynch, Community Director at Westminster Good Samaritan Church, spoke in favor of the proposed project. He informed the Commission that the church serves the community and feeds families and that the proposed project would help enhance the church and their programs.

Tai Nguyen, stated he supports the proposed project and the sale of the church.

Alex Royes, Westminster Good Samaritan Church, spoke in favor of the proposed project stating he feels this project is a great start for them to get a new location for their church. He said they have had over 20 offers to sell but decided to go with Christopher Homes. He stated that the church wants to stay in the community and they support the City and Chamber of Commerce.

Barbara Eames, Westminster resident, spoke in favor of the proposed project. She stated that she has been a resident since 1975 and lives right next to a large and small apartment complex and they all get along. She said she feels that Christopher Homes is proposing a great project which is 30% less of what the General Plan states. She stated that traffic issues can be easily resolved as long as they come up with a plan. She said it's a great asset to the City of Westminster and she encourages improvement.

Chair Anderson asked for comments in opposition to the project.

Mark Rothererg, speaking on behalf of the Board of Directors for Hebrew Academy, requested a month continuance. He stated the City is required to perform an EIR and only a 500 foot radius was used. He said that residents only received a notice from the developer. He also stated the review period was done during holidays and during furlough. He asked that the City give the neighbors and school time to work with the developer. He spoke on the density issues, illegal spot zoning, 3-4 units per acre in the surrounding area, traffic being dumped out onto private streets, under parked development, no guarantee that the HOA will enforce parking. He stated the traffic study was done at the lowest traffic point for the school due to the Jewish holiday.

In response to Commissioner Nguyen and Vice Mayor Manzo inquiries, Mr. Rotherberg stated that there are 300 students ranging in age from 3 to 17 and the younger children must be escorted into the school. He said there are 70 pre-school children.

Jime Pisz, Westminster resident, stated that he is not necessarily opposed to the development but seeks modifications. He said he is opposed to the proposed density and has concerns regarding parking, traffic, infrastructure, and that 74 of 79 homes are 5 feet from wall to street. He stated that only 25% of garages in middle class homes are used for vehicle storage. He requested that the parking standards be studied and feels more time is needed to review this project.

Dusty Shenett, CEO Carr Towing Inc., stated he feels it will greatly impact his business and he has never had to worry about neighbors. He said there is noise from his business 24/7 and he will not change his operation.

Mehdi Mardi, Westminster resident, spoke in opposition to the development. He expressed his concerns regarding traffic and suggested signal lights be added on Edwards as well as Springdale. He explained that he is okay with development but feels this is too much because it will change the environment.

Margaret Burdeno, Westminster resident, spoke in opposition to the project. She thanked the City for listening to the residents. She said multi-density homes are becoming a problem and she is afraid of what it will bring to the neighborhood. She stated that she never saw anyone conducting a study. She pointed out the landscaping and the drought and also stated there are no solar panels and that will impact the neighborhood environmentally. She said flooding does exist on Springdale.

Joseph Newman, Head Master of Hebrew Academy, stated he loves the development but does not like the density and potential of increased traffic. He feels the main entrance and exit of the development should be on Maple and suggested a signal on Edwards. He requested a continuance and a full EIR be done.

Miriam Geiswisky, Senior at Hebrew Academy, expressed her concerns about the development bringing traffic.

Bob Meade, Westminster resident, spoke in opposition to the project. He expressed his concerns for the safety of his children when multiple homes are being built, increasing traffic and construction. He stated he is afraid of the 200 plus cars that will be brought into the neighborhood and feels that the people that spoke in favor aren't even from Westminster and the neighborhood is being bullied. He explained he isn't against Christopher Homes, but too many homes are proposed. He requested that the Commission look at traffic.

Bill Hollman stated that he is aware of the community's concerns and that is why they held an outreach meeting. He said he knows that the Hebrew Academy is an active school and would work with them to minimize traffic going in and out. He explained that the sewer system will tie in at Willow and Chinook at a capacity of 52,000 gallons per day, however the proposed project would only add 22,000 gallons a day.

Traffic Engineer Adolfo Ozaeta explained the traffic study findings and described the number of new left and right turns on key intersection and the potential additional seconds in traffic delays. He confirmed Commissioner Nguyen's comment that in order to place a traffic signal, certain criteria must be met. Mr. Ozaeta stated that 655 trips would be generated by this project, with 328 trips during the course of day and night, 27 trips per hour.

Chair Anderson requested a visualization of what traffic may look like instead of numbers. He asked if the homes were to face Willow would that change traffic.

Traffic Engineer Adolfo Ozaeta stated multiple driveways would cause a bigger hazard. He stated that all of the issues raised during the initial study have been discussed and those issues are being mitigated.

Vice Chair Manzo stated his concern is the lack of parking and feels Condition No. 12 would cause more of an issue. He said he is not opposed to the project and feels it would be a good project for the City. He would like to make sure there is a right turn lane available at all times going out onto Springdale. He pointed out design issues to second floor elevations, would like more inviting features added on the second floor facing Willow and venting. He suggested adding acid wash concrete for driveways and iron grill work on fences.

Commissioner Lieberg agrees that changing the orientation of houses would create more of an issue. He stated Edwards and Industry is a scary intersection and more traffic will be added with more homes. He said there will always be parking issues and garages aren't used for what they are supposed to be used for and he doesn't see how that can be enforced. He suggested a condition that would mandate that garages be used only for the parking of vehicles. He stated he loves the development and it will look nice in the neighborhood.

Commissioner Vo agreed with Commissioner Lieberg adding we are a City of progress. He stated new development provides housing for the next generation and there is a need for housing in the City. He trusts that staff and the Traffic Engineer will work with the developer to settle issues.

In response to Chair Anderson's inquiry regarding enforcement, Assistant Planner Chris Wong suggested some ideas in regard to CC& R's.

Chair Anderson requested that the City Attorney's office beef up the conditions regarding parking. Assistant City Attorney said it was best if that was done now.

Planning Commission Secretary Art Bashmakian clarified Chair Anderson's request that a condition be added to mandate that garages be used for parking vehicles only and that nothing can be done to them that would prevent vehicles from parking inside of them.

Commissioner Lieberg suggested more open space parking. He stated he doesn't feel that traffic will be an issue but parking will be. He also doesn't agree with re-noticing and starting all over.

Discussion ensued regarding parking within the development. Planning Commission Secretary Art Bashmakian stated that the Commission has authority to add parking spaces.

**Motion:** It was moved by Lieberg, and seconded by Manzo to approve Recommendation No. 1, adoption of a Mitigated Negative Declaration for the Westgate Residential Project. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo  
NOES: None  
ABSENT: None  
ABSTAIN: None

Assistant Planner Chris Wong recommended that the project come back to the Commission for review if Conditions are added or modified.

Bill Hollman stated that open parking spaces can be accommodated without redesign. Chair Anderson requested 17 extra parking spaces and Mr. Hollman stated that if that's what it takes to get the project going then they would do it.

**Motion:** It was moved by Manzo, and seconded by Vo, to continue the item to the March 5, 2015 meeting with the redesign of open parking, Condition changes and modifications including eliminating Condition No. 12, adding acid wash concrete to Condition No. 22, leaving in wrought iron and high quality fiber glass doors in Condition No. 18 and enhancing the second floor units facing Maple and Willow in Condition No. 17. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### **RECESS/RECONVENE**

Chair Anderson called for a recess at 10:04 p.m. The assembly reconvened at 10:15 p.m. with all members present.

- 8.2 Case No. Case No. 2014-84**  
**Location: 6302 Maple Avenue (Assessor's Parcel Number 195-293-01)**  
**Applicant: SC Land Project 9, LLC**

An application requesting approval of a General Plan Amendment (GPA), Zone Map Amendment (ZMA), Comprehensive Plan (CP), and Tentative Tract Map (TTM), and Comprehensive Plan to:

- 1) Amend the General Plan land use designation from Industrial to Residential-High;
- 2) Amend the zoning district designation and M-1 to R-5-PD (19 to 24 units/acre);
- 3) Subdivide an existing 1.83 acre lot into two parcels with 37 live/work condominium units on one parcel; and
- 4) A comprehensive Plan for the proposed site layout and project design.

**RECOMMENDATION:** Adopt motion to defer the item to the Planning Commission's March 18, 2015 meeting.

Art Bashmakian requested that the item be continued to March 18, 2015.

Jime Pisz, Westminster resident, spoke in opposition to this item because of the increased traffic.

**Motion:** It was moved by Lieberg, and seconded by Manzo, to continue the item to March 18, 2015. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo  
NOES: None  
ABSENT: None  
ABSTAIN: None

## 9. REGULAR BUSINESS

- 9.1 **Case No.: 2013-51**  
**Location: 8500 Bolsa Avenue (APN 107-201-02)**  
**Applicant: First Presbyterian Church of Orange County**

A request for determination regarding whether the proposed design changes are minor changes consistent with the original project approval and design guidelines.

**RECOMMENDATION:** Determine if the proposed design changes are consistent with the Design Guidelines.

**CEQA COMPLIANCE:** The proposed matter is exempt from the California Environmental Quality Act (CEQA) as this is review of design changes to a previously approved project. The action will simply make note of the status of the compliance with conditions of approval.

Associate Planner Alexis Oropeza provided details of the staff report and explained that the design changes will diminish the overall design. She said the Planning Commission will determine whether this will stay within design guidelines.



Discussion ensued regarding the outriggers, crown molding, concrete floor handicap issue, removal of planter box, landscape, hardscape and maintenance staff.

Vice Chair Manzo stated that crown molding is very sturdy if it is installed properly. He added that eliminating the planter will take a lot away from the building.

Chair Anderson stated this is a significant building and he feels the applicant should follow through with what they agreed to. Changes to hardscape and softscape is fine but all other conditions should remain.

Discussion ensued regarding the preference of stained concrete, screened outriggers, crown molding and keeping the planters.

Dr. Robert Ha, Elder of Church for 17 years, stated he has worked on this project for last two years and would like to save costs for church members.

**Motion:** It was moved by Manzo, and seconded by Lieberg to approve the design subject to the following:

- in-lieu of replacing the existing concrete in front of the entry of the existing building the applicant may stain it to match the color of the new stamped concrete hardscape
- provide a screen element within the frame of the outriggers
- provide raised planters around the base of the building as originally designed

The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo  
NOES: None  
ABSENT: None  
ABSTAIN: None

## **9.2 Selection of a replacement to serve on the General Plan Advisory Committee (GPAC).**

The selection process requires confirmation by the City Council.

**RECOMMENDATION:** That the Planning Commission self-select one member to serve on the GPAC.

**Motion:** It was moved by Lieberg, and seconded by Nguyen, to appoint Manzo on the GPAC. The motion carried (5-0) by the following vote:

AYES: Anderson, Lieberg, Manzo, Nguyen, Vo  
NOES: None  
ABSENT: None  
ABSTAIN: None

## 10. REPORTS

### 10.1 MATTERS FROM THE PLANNING COMMISSION

Vice Chair Manzo requested that the Planning Commission meetings be advertised on the reader board in front of community services building on Westminster and asked Planning Commission Secretary Art Bashmakian to pass the information along.

Commissioner Lieberg brought up the issue of City Council meetings conflicting with Planning Commission regular meeting dates.

Planning Commission Secretary Art Bashmakian stated that they will work around the schedule by either making sure there are no items on April 15<sup>th</sup> or holding the Planning Commission meeting at another location.

### 10.2 AB 1234 Reports - none

### 10.3 A request from Vice Chair Manzo to discuss the size of new single family houses and remodels in relationship to the existing scale and character of neighborhoods, where large houses are proposed.

Should a majority of the Commission desire to initiate a zone text amendment to direct staff to formulate new design standards that would limit the size of new single family houses and remodels, and address design and architecture issues, staff will return at the next meeting with a resolution that will memorialize the initiation of the zone text amendment.

**Motion:** It was moved by Manzo, and seconded by Vo, to bring back a resolution initiating a Zone Text Amendment. The motion carried (4-1) by the following vote:

AYES: Anderson, Lieberg, Manzo, Vo  
NOES: Nguyen  
ABSENT: None  
ABSTAIN: None

11. **ADJOURNMENT:** At 11:15 p.m. Chair Anderson adjourned the meeting to a Regular Meeting on Thursday, March 5, 2015 at 6:30 p.m.



Don Anderson  
Chairman



Art Bashmakian  
Planning Commission Secretary

Prepared by:



Art Bashmakian  
Planning Commission Secretary