



**PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
September 6, 2017
6:30 p.m.**

1. PLANNING COMMISSION ROLL CALL:

BUI, MANZO, A.NGUYEN, Q.NGUYEN, AND RICE

PRESENT: BUI, MANZO, RICE

ABSENT: A.NGUYEN, Q. NGUYEN

STAFF PRESENT:

Steven Ratkay, Acting Planning Manager; Sandie Kim, Associate Planner; Braulio Moreno, Contract Assistant Planner; Christina Michaelis, Assistant Planner; Memnon "meme" Torio, Planning Technician; Carrie Raven, Deputy City Attorney; Margie Rice, Councilwoman.

2. SALUTE TO FLAG:

Vice Chair Rice led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Acting Planning Manager Steven Ratkay reported there were no late communication items.

4. EX PARTE COMMUNICATIONS

Vice Chair Rice reported visiting the sites for item 8.1, 8.2, and 8.3, but stated she did not speak to any of the applicants. Chair Manzo and Commissioner Bui had nothing to report.

5. SPECIAL PRESENTATIONS - None

6. ORAL COMMUNICATIONS

There were no members of the public wishing to speak during oral communications.

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

Motion: It was moved by Vice Chair Rice, and seconded by Chair Manzo, to

approve the Planning Commission meeting minutes of June 7, 2017, as presented. The motion carried (3-0) with the following vote:

AYES: BUI, MANZO, RICE
NOES: NONE
ABSENT: A.NGUYEN, Q.NGUYEN
ABSTAIN: NONE

Motion: It was moved by Commissioner Bui, and seconded by Vice Chair Rice, to approve the Planning Commission meeting minutes of July 19, 2017, as presented. The motion carried (3-0) with the following vote:

AYES: BUI, MANZO, RICE
NOES: NONE
ABSENT: A.NGUYEN, Q. NGUYEN
ABSTAIN: NONE

8. PUBLIC HEARINGS

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

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.

Associate Planner Sandie Kim provided a presentation to the Commission.

CHAIR MANZO OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Thanh Dang, project applicant, stated it was challenging to build projects in California due to the various building code standards that homes must be built in compliance. He stated eight or more units trigger accessibility standards, so there was a lot of

consideration to make the project work. He urged the Commission to approve the project.

CHAIR MANZO ASKED THOSE IN OPPOSITION TO SPEAK, THERE BEING NONE
CHAIR MANZO CLOSED THE PUBLIC HEARING.

Motion: It was moved by Vice Chair Rice, and seconded by Chair Manzo, to approve Case No. 2016-58 subject to the conditions of approval in the draft resolution. The motion carried (3-0) with the following vote:

AYES: BUI, MANZO, RICE
NOES: NONE
ABSENT: A.NGUYEN, Q.NGUYEN
ABSTAIN: NONE

- 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

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.

Contract Assistant Planner Braulio Moreno provided a presentation to the Commission.

CHAIR MANZO OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Steven Sennikoff, project architect representing the applicant, stated he was here to answer any questions.

Discussion ensued about state regulations concerning accessory dwelling units and the City being prohibited from requiring additional parking when the dwelling is within a half mile from public transit. There was also discussion about the reasons for replacing the wrought iron fencing with a block wall and a letter received in opposition.

CHAIR MANZO ASKED THOSE IN OPPOSITION TO SPEAK, THERE BEING NONE
CHAIR MANZO CLOSED THE PUBLIC HEARING.

Motion: It was moved by Chair Manzo, and seconded by Commissioner Bui, to approve Case No. 2017-40 subject to the conditions of approval in the draft resolution. The motion carried (3-0) with the following vote:

AYES: BUI, MANZO, RICE
NOES: NONE
ABSENT: A.NGUYEN, Q.NGUYEN
ABSTAIN: NONE

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

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.

Contract Assistant Planner Braulio Moreno provided a presentation to the Commission.

CHAIR MANZO OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Kevin Canning, project applicant, stated he was present to answer any questions.

Discussion ensued regarding the roof pitch, safety, and age of the existing structure. Acting Planning Manager confirmed that the new structure would be required to conform to the current building standards when built.

CHAIR MANZO ASKED THOSE IN OPPOSITION TO SPEAK, THERE BEING NONE
CHAIR MANZO CLOSED THE PUBLIC HEARING.

Motion: It was moved by Vice Chair Rice, and seconded by Chair Manzo, to approve Case No. 2017-64 subject to the conditions of approval in the draft resolution. The motion carried (3-0) with the following vote:

AYES: BUI, MANZO, RICE
NOES: NONE
ABSENT: A.NGUYEN, Q.NGUYEN
ABSTAIN: NONE

9. REGULAR BUSINESS - None

10. REPORTS – None


11. MATTERS FROM THE PLANNING COMMISSION - None


11.1 AB 1234 REPORTS - None

11.2 MATTERS FROM STAFF

Acting Planning Manger stated there were items scheduled for the next regular scheduled meeting on Wednesday, September 20, 2017. Vice Chair Rice reported that she would not be at the next Planning Commission meeting as she will be attending a conference in Monterey with the Midway City Sanitary District. Chair Manzo asked staff to confirm if the next Planning Commission meeting will have a quorum.

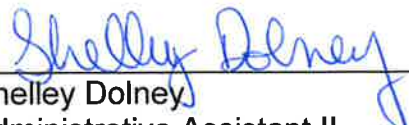
12. ADJOURNMENT – The meeting was adjourned at 7:17 p.m. to a regular meeting on Wednesday, September 20, 2017 at 6:30 p.m. in the City Council Chambers.


Carlos Manzo
Chairman



Steven Ratkay
Planning Commission Secretary

Prepared by:



Shelley Dolney
Administrative Assistant II