



**PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
October 18, 2017
6:30 p.m.**

1. PLANNING COMMISSION ROLL CALL:

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

PRESENT: BUI, A.NGUYEN, Q.NGUYEN

ABSENT: MANZO, RICE

STAFF PRESENT:

Steven Ratkay, Planning Manager; Christina Michaelis, Assistant Planner; Tina Do Tran, Community Development Intern; Shelley Dolney, Administrative Assistant; Baron Bettenhausen, Deputy City Attorney.

Commissioner Andrew Nguyen served as acting chair for this meeting.

2. SALUTE TO FLAG:

Commissioner Bui led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Planning Manager Steven Ratkay reported there were two letters received as late communication items. The first letter was from the Kennedy Commission and the second was from the Legal Aid Society of Orange County, and both letters pertain to item 9.1 on the agenda.

4. EX PARTE COMMUNICATIONS - None

5. SPECIAL PRESENTATIONS - None

6. ORAL COMMUNICATIONS

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

7. APPROVAL OF MINUTES – October 4, 2017

Motion: It was moved by Acting Chair A. Nguyen, and seconded by Commissioner Bui, to approve the Planning Commission meeting minutes of October 4, 2017, as presented. The motion carried (3-0) with the following vote:

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

8. PUBLIC HEARINGS

8.1 Case No. 2017-52 – Conditional Use Permit (CUP) to establish a religious place of Worship at the Westminster Mall

Applicant Location: 1025 Westminster Mall, Suite 2010 (Assessor's Parcel Number 195-373-17)

Applicant: Calvary Open Door Ministries

Project Planner: Christina Michaelis, Assistant Planner

The proposed project involves a request for a request for a Conditional Use Permit to operate a 1,877 square foot church facility in a unit formerly occupied by a fitness studio.

CEQA COMPLIANCE: The proposed matter is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1; Section 15301 pertaining to operation within an existing facility with negligible expansion of an existing use.

RECOMMENDATION: That the Planning Commission approve Conditional Use Permit 2017-52 to allow for a place of worship to be established at the Westminster Mall, subject to conditions of approval.

Assistant Planner Christina Michaels provided a presentation to the Commission.

ACTING CHAIR A.NGUYEN OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Reverend Ronald Wilkinson, project applicant, stated he was in favor of the project and was present to answer any questions.

Discussion ensued about Mall leasing, worship hours, and if cooking facilities were present on the site.

Reverend Deborah Windham, representing the applicant, stated she lived in Westminster and she is one of the volunteer reverends at the proposed location.

She added that she provides chaplain services to the elderly at the Westminster Terrace located in Westminster.

Vinh Tran, Westminster resident, stated he was Deborah Windham's neighbor and wished to attest to her character, adding that she truly cares about people. He felt that a church like this would make a big difference in Westminster.

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

Motion: It was moved by Acting Chair A. Nguyen, and seconded by Commissioner Q. Nguyen, to approve Case No. 2017-52, a conditional use permit to allow for a place of worship to be established at the Westminster Mall. The motion carried (3-0) with the following vote:

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

9. REGULAR BUSINESS

- 9.1 **Case No. 2017-19** – Extension of Conversion Impact Report Filing Deadline
Applicant Location: 14352 Beach Boulevard (Assessor's Parcel Numbers 091-090-18, 091-090-26, and 091-090-27)
Applicant: Dane McDougall, Authorized Agent for Walsh Properties, LLC
Project Planner: Steven Ratkay, Planning Manager

The applicant has applied for a conditional use permit proposing to close the Green Lantern Mobile Home Park under the provisions of Section 17.400.090, et. seq. (Mobile Home Park Conversions) of the Westminster Code (WMC). As part of the application process, the applicant is required to prepare and submit a Conversion Impact Report. Section 17.400.090(F)(4) allows the applicant to request an extension of the deadline for filing the Conversion Impact Report. The Planning Commission has the authority to grant an extension of time. An extension of 90 days has been requested.

CEQA COMPLIANCE: The extension of a deadline is not considered a project as defined by the California Environmental Quality Act (CEQA) and therefore no environmental analysis is required for this request

RECOMMENDATION: That the Planning Commission grant the applicant's extension request for the submittal of a Conversion Impact Report for Case No. 2017-19, and provide direction to staff concerning the processing of the conversion application.

Planning Manager Steven Ratkay provided a presentation to the Commission. He mentioned the letters received in late communications.

Discussion ensued about the purpose of the extension, the lack of project details available at present, the consequences if the extension is not approved, and the consequences if the applicant does not meet the conversion Impact Report deadline.

Planning Manager Steven Ratkay read staff's recommendation into the record for the Planning Commission's consideration. He further stated it was staff's recommendation to provide more time for the Conversion Impact Report so that they can work with the community prior to the submittal of the report.

Motion: It was moved by Commissioner Bui, and seconded by Commissioner Q. Nguyen, to follow the recommendations of staff:

1. Approve a ninety (90) day extension of the deadline for the submittal of a complete Conversion Impact Report, this extension being until January 17, 2018.
2. Determine that as a condition of granting the 90 day extension:
 - a. The Conversion Impact Report must be deemed to be complete by the City no later than January 17, 2018.
 - b. The applicant shall be required to work with City staff to ensure that the Conversion Impact Report is submitted with sufficient time so that the public hearing, required by the WMC Section 17.400.090(G), will not be held during the periods immediately before, during or after the December/January holidays. The purpose of this requirement is to allow the public sufficient opportunity to comment on the report.
3. Affirm that the process proposed to be followed by City staff is consistent with the requirements of WMC Section 17.400.090. Specifically, once the Conversion Impact Report is deemed to be complete a public hearing will be scheduled to be held within 30 days, subject to the conditions above. Pursuant to Section 17.400.090(G), the sole purpose of the hearing will be to receive public testimony on the Conversion Impact Report. No final action will be taken at that hearing with respect to the conditional use permit itself. Thereafter, on a future date yet to be determined once all of the legally required conditions of Section 17.400.090 have been met (including completion of any required environmental review), a second public hearing will be scheduled. The purpose of the second public hearing will be to hear public testimony and make a decision whether to grant or deny the conditional use permit being requested by the applicant.
4. Instruct staff to meet with the Kennedy Commission and Legal Aid Society and to also provide the Planning Commission with an assessment, of the two late communication items received, at the meeting of November 15, 2017.

The motion carried (3-0) with the following vote:

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

10. REPORTS – None

11. MATTERS FROM THE PLANNING COMMISSION

Commissioner Q. Nguyen and Acting Chair A. Nguyen thanked staff for all their hard work.

11.1 AB 1234 REPORTS - None

11.2 MATTERS FROM STAFF

Acting Planning Manger Steven Ratkay stated there was a small typographical error in the adjournment section of the agenda, confirming the next meeting will be held on November 1, 2017. He also thanked staff for all their hard work.

12. ADJOURNMENT – The meeting was adjourned at 7:10 p.m. to a regular meeting on Wednesday, November 1, 2017 at 6:30 p.m. in the City Council Chambers.



Steven Ratkay
Planning Commission Secretary



Anita Rice
Vice Chair

Prepared by:



Shelley Dolney
Administrative Assistant II