



PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
November 7, 2018
6:30 p.m.

1. PLANNING COMMISSION ROLL CALL:

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

PRESENT: MANZO, A.NGUYEN, Q.NGUYEN, RICE

ABSENT: BUI

STAFF PRESENT:

Steven Ratkay, Planning Manager; Sandie Kim, Associate Planner; Baron Bettenhausen, Deputy City Attorney; Shelley Dolney, Administrative Assistant.

2. SALUTE TO FLAG:

Commissioner A. Nguyen led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

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

4. EX PARTE COMMUNICATIONS - None

5. SPECIAL PRESENTATIONS - None

6. ORAL COMMUNICATIONS - None

7. APPROVAL OF MINUTES – February 12, 2018; February 26, 2018; and July 18, 2018.

Motion: It was moved by Commissioner Vice Chair Rice, and seconded by Chair Manzo, to approve the Planning Commission meeting minutes of February 12, 2018, as presented. The motion carried (4-0) with the following vote:

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

Motion: It was moved by Vice Chair Rice, and seconded by Chair Manzo, to approve the Planning Commission meeting minutes of February 28, 2018, as presented. The motion carried (4-0) with the following vote:

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

Motion: It was moved by Commissioner A. Nguyen, and seconded by Commissioner Q. Nguyen, to approve the Planning Commission meeting minutes of July 18, 2018, as presented. The motion carried (4-0) with the following vote:

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

8. PUBLIC HEARINGS

- 8.1 Case No. 2017-25 – Tentative Parcel Map, Conditional Use Permit, Variance**
Location: 14108 and 14110 Locust Street (Assessor's Parcel Number 096-121-13)
Applicant: Hung Vu and Amy Tran
Project Planner: Sandie Kim, Associate Planner

PROJECT DESCRIPTION: a request for a Tentative Parcel Map (TPM) and Conditional Use Permit (CUP) to convert two existing detached multi-family rental units into two condominium units for sale, and a Variance (V) for rear yard setback of 15-feet in lieu of the required minimum 20-foot setback.

CEQA COMPLIANCE: The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and the requirements of the City of Westminster and has been deemed to be exempt from CEQA per Section 15301 (Existing Facilities) and 15315 (Minor Land Division) which includes an exemption for permitting and minor land divisions of existing facilities.

RECOMMENDATION: That the Planning Commission adopt a resolution entitled, "A resolution of the Planning Commission of the City of Westminster approving Case No. 2017-25, a Tentative Parcel Map and Conditional Use Permit to allow for the conversion of two detached multi-family units into two for-sale condominiums, and the granting of a Variance for a reduced rear yard setback located at 14108 and 14110 Locust Street (Assessor's Parcel Numbers 096-121-13)."

Associate Planner Sandie Kim provided a presentation to the Commission.

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

Cach Nguyen, Civil engineer representing the property owner, stated the subject property was originally approved with two (2) homes on one lot and the owner now wants to separate the lot so that he may offer the homes as condominiums for sale. He answered Commissioner Q. Nguyen's question about the reason for the variance, stating that there is a discrepancy about the property line and it was discovered that the neighbor's house currently sits on the property line. He offered that in order to resolve the dispute about the property line, the owner is dedicating five (5) feet of property to his neighbor and that that only leaves a 15 foot setback which is the reason for the variance.

Hung Vu, property owner for both 14108 and 14110 Locust Street, confirmed that he will dedicate five (5) feet of property to his neighbor to avoid a legal battle. He added that he and his neighbor mutually agreed to build a block wall prior to ascertaining where the property line was located.

CHAIR MANZO ASKED THOSE IN OPOSITION TO SPEAK.

Rosalind Rawlings, Westminster resident representing Brentwood Lane Home Owners Association, stated she was very concerned about more condominiums going into the area due to potential congestion. She added that these unites would be in addition to the 50 unit apartment building currently under construction adjacent to Brentwood Lane. In response to Ms. Rawlings question, Chair Manzo clarified that the units are currently rentals, but is proposed to be condominiums for sale.

CHAIR MANZO ASKED THOSE WHO SPOKE IN FAVOR TO SPEAK IN REBUTTAL, HOWEVER, THE APPLICANT AND PROPERTY OWNER CHOSE NOT TO REBUT ANY COMMENTS. CHAIR MANZO CLOSED THE PUBLIC HEARING.

Chair Manzo commented that the request seemed pretty clear since the buildings are already built and will be transitioning to condominiums. There would be no additional impact to the surrounding area.

The Commission asked Planning Manager, Steven Ratkay, to please respond to some questions from those present in the audience. There was concern that the existing homes were single family homes and not apartments as referenced earlier. Mr. Ratkay stated the existing units are considered apartments because there is one owner for both units. He further explained that the proposal is to convert those two rental units into ownership units so that each unit could be owned separately.

Motion: It was moved by Commissioner A. Nguyen, and seconded by Vice Chair Rice to adopt a resolution entitled, "A resolution of the Planning Commission of the City of Westminster approving Case No. 2017-25, a Tentative Parcel Map and

Conditional Use Permit to allow for the conversion of two detached multi-family units into two for-sale condominiums, and the granting of a Variance for a reduced rear yard setback located at 14108 and 14110 Locust Street (Assessor's Parcel Numbers 096-121-13)." The motion carried (4-0) with the following vote:

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

9. REGULAR BUSINESS - None

10. REPORTS - None

10.1 SCHEDULED MEETING CANCELLATIONS

There was a consensus among the Commissioners to cancel various regularly scheduled meeting dates as recommended due to challenges experienced over the holiday season and a lack of business. The following Planning Commission meetings have been cancelled: November 21, 2018, December 19, 2018, January 2, 2019, and January 16, 2019.

10.2 CONSIDERATION OF A SPECIAL MEETING DATE OF JANUARY 23, 2019

There was a consensus among the Commissioners that a special meeting will be held on January 23, 2019.


11. MATTERS FROM THE PLANNING COMMISSION

11.1 AB 1234 Reports

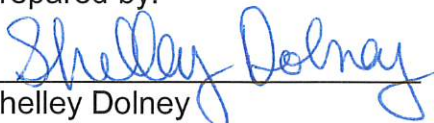
11.2 MATTERS FROM STAFF - None

11. ADJOURNMENT – The meeting was adjourned at 7:10 p.m. to a regular meeting on Wednesday, December 5, 2018 at 6:30 p.m. in the City Council Chambers.


Steven Ratkay
Planning Commission Secretary


Carlos Manzo
Chairman

Prepared by:


Shelley Dolney
Senior Administrative Assistant