

**DON ANDERSON**  
Chair

**NGUYET PHAM**  
Vice Chair

**ANDY NGUYEN**  
Commissioner

**QUYNH-GIAO NGUYEN**  
Commissioner

**TERI VU-NGUYEN**  
Commissioner



## **AGENDA** **PLANNING COMMISSION**

### **Regular Meeting**

**November 2, 2022, at 6:30 p.m.**

Public Access In-Person and Via Teleconference/Web Conference  
8200 WESTMINSTER BOULEVARD  
WESTMINSTER, CALIFORNIA 92683

In an effort to protect public health and prevent the spread of coronavirus (COVID-19), the City of Westminster encourages the public to view this Planning Commission meeting on the television or online. Members of the public wishing to attend the meeting in person should adhere to CDC guidelines that include practicing safe social distancing and wearing a face mask for individuals who are unvaccinated.

If you need special assistance to participate in this meeting, including interpretation, please contact the Planning Division at (714) 548-3247. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda are available for public inspection on the City's website at <https://www.westminster-ca.gov/departments/community-development/planning-division/planning-commission/late-communication-written-comments>

# **AGENDA**

November 2, 2022

## **SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On September 17, 2021, Governor Newsom signed AB 361 related to the Brown Act and remote meetings during the state of emergency. AB 361 allows local agencies to continue to conduct remote or “Zoom” meetings during a declared State of Emergency. The City Council adopted Resolution No. 5153 on September 28, 2022, determining as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees. The City Council shall make this determination every 30 days. Pursuant to AB 361, please be advised that some or all of the Westminster Planning Commission Members will participate in meetings via teleconference/web conference.

### **MEETINGS**

Regular Meetings of the Planning Commission are held the first and third Wednesday of each month at the hour of 6:30 p.m. Agenda items that are not in process by 10:30 p.m. may be carried over to the next regular meeting of the Planning Commission.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. The agenda and supporting documentation are available for public review no later than 72 hours prior to the meeting. The agenda can be accessed on the City’s web site at <https://www.westminster-ca.gov/departments/community-development/planning-division/planning-commission/agendas-minutes>.

### **CONDUCT AND DECORUM AT PUBLIC MEETINGS**

In an effort to conduct orderly business of the Planning Commission and all in attendance at a public meeting the following conduct and decorum are expected and appreciated.

- Treat others courteously.
- Listen to others respectfully.
- No use of profane language.
- Please do not interrupt other speakers.
- Please remain seated or quiet when asked to.
- Please do not obstruct the visibility for others in attendance.
- Signs shall not be larger than 8 ½ X 11 in size.
- No signs on sticks are allowed, for your safety and the safety of others in the City Council Chambers.

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## ATTENDANCE AND PARTICIPATION BY THE PUBLIC

**MEMBERS OF THE PUBLIC MAY VIEW THE MEETING LIVE IN ONE OF THE FOLLOWING WAYS:**

- In Person
- [City of Westminster Streaming Video Online](#)
- Westminster WTV: Spectrum Channel 3, Frontier FiOS Channel 42, and AT&T U-Verse Channel 99
- Zoom

**To view the meeting via Zoom, please visit: <https://us02web.zoom.us/j/84594356079>**  
Or sign in with: **Webinar ID: 845 9435 6079**

Or iPhone one-tap:

US: +16699009128,,84594356079# or +16694449171,,84594356079#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 669 444 9171 or +1 253 215 8782 or +1 346 248 7799  
or +1 719 359 4580 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623  
or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860  
or +1 301 715 8592

International numbers available: <https://us02web.zoom.us/u/kdBAwJ0QjK>

**MEMBERS OF THE PUBLIC MAY SUBMIT COMMENTS IN WRITING UP TO 24 HOURS PRIOR TO THE MEETING:**

- Please submit the e-mails to [WMPCcomments@westminster-ca.gov](mailto:WMPCcomments@westminster-ca.gov)
- Comments received via e-mail will be provided to the Planning Commission and reflected in the minutes. Comments will not be read verbally at the meeting.
- Your comments will become part of the official meeting record. You must provide your full name, but do not provide any other personal information (i.e. phone numbers, addresses, etc.) that you do not want to be published.

**TO SPEAK IN PERSON:**

- Complete a blue request to speak form that is provided at the entrance of the council chambers and submit the completed form to the Planning Commission Clerk.
- When your name is called, step up to the podium and state your name and City of residence for the record.

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## TO SPEAK VIA ZOOM:

- **TO REQUEST TO SPEAK IN ADVANCE:**
  - Use the following form to request to speak: [Request to Speak Form](#) (Click the link to access this form).
  - Once you have filled out the above form. Please submit the form to the following email address: [WMPCcomments@westminster-ca.gov](mailto:WMPCcomments@westminster-ca.gov)
  - Make sure you are logged into Zoom prior to the start of Oral Communications or Public Hearings (if applicable).
  - Those who request to speak in advance will be called first and in the order in which the requests were received. Please raise your hand by clicking on the option or pressing \*9 on your phone.
  - When your name is called, the Planning Commission Clerk will enable your microphone and you must press the “unmute” button to unmute yourself. If calling from a telephone, press \*6 to unmute yourself.
  - Once your microphone is active, please state your name and city of residence for the record.
  
- **TO SPEAK WITHOUT A REQUEST IN ADVANCE:**
  - Speakers must attend the Planning Commission meeting via Zoom in order to speak to the Commission virtually.
  - The Planning Commission Chair will announce the start of Oral Communications or Public Hearing. The Planning Commission Clerk will ask speakers to press the “Raise your hand” button if you wish to speak. If you are using a telephone and have dialed in, press \*9 to raise your hand.
  - When your name is called, the Planning Commission Clerk will enable your microphone and you must press the “unmute” button to unmute yourself. If calling from a telephone, press \*6 to unmute yourself.
  - Once your microphone is active, please state your name and city of residence for the record.

All meetings of the Planning Commission shall be open and public. Agendas for the Planning Commission meetings provide the public an opportunity to directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law.

## WEBSITE/TELEVISED MEETING SCHEDULE

Regular Planning Commission meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Tuesday at 7:00 p.m. and Thursday at 7:00 p.m. The City’s Website provides information about viewing live and archived Planning Commission meetings. If you have internet access, you can follow the meeting live with a video stream on your computer at the following link: [Meeting Broadcast](#)

# AGENDA

November 2, 2022

6:30 P.M.

## CONVENE PLANNING COMMISSION MEETING AND CALL MEETING TO ORDER

1. ROLL CALL – ANDERSON, A. NGUYEN, Q. NGUYEN, PHAM, VU-NGUYEN
2. SALUTE TO FLAG
3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS
4. EX PARTE COMMUNICATIONS

THIS SECTION IS INTENDED TO ALLOW ALL OFFICIALS THE OPPORTUNITY TO REVEAL ANY DISCLOSURE REGARDING SITE VISITS OR EX PARTE COMMUNICATION ABOUT THE PUBLIC HEARING AND REGULAR BUSINESS ITEMS.

5. SPECIAL PRESENTATIONS - None
6. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION ON MATTERS OF PUBLIC INTEREST, WHICH PERTAIN TO THE CITY AND ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE PLANNING COMMISSION. MEMBERS OF THE PUBLIC WISHING TO ADDRESS PUBLIC HEARING ITEMS SHALL DO SO AT THE TIME OF THE PUBLIC HEARING. UNLESS EXTENDED BY A MAJORITY VOTE OF THE PLANNING COMMISSION, COMMENTS SHALL BE LIMITED TO FIVE (5) MINUTES PER SPEAKER.

TO ADDRESS THE PLANNING COMMISSION IN PERSON, PLEASE COMPLETE A BLUE REQUEST TO SPEAK FORM THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS AND SUBMIT THE FORM TO THE PLANNING COMMISSION CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME\* AND CITY OF RESIDENCE\* (\*OPTIONAL) FOR THE RECORD.

TO ADDRESS THE PLANNING COMMISSION VIA ZOOM, PLEASE PRESS THE "RAISE YOUR HAND" BUTTON. WHEN YOUR NAME IS CALLED, THE PLANNING COMMISSION CLERK WILL ENABLE YOUR MICROPHONE AND YOU MUST PRESS THE "UNMUTE" BUTTON TO UNMUTE YOURSELF. IF YOU ARE USING A TELEPHONE, PRESS \*9 TO RAISE YOUR HAND; AND, PRESS \*6 TO UNMUTE. ONCE YOUR MICROPHONE IS ACTIVE, PLEASE STATE YOUR NAME\* AND CITY OF RESIDENCE\* (\*OPTIONAL) FOR THE RECORD.

7. APPROVAL OF MINUTES – [October 19, 2022](#)

# AGENDA

November 2, 2022

## 8. PUBLIC HEARINGS

ANYONE WISHING TO COMMENT ON AN OPEN PUBLIC HEARING MAY SPEAK IN PERSON OR VIA ZOOM. EACH ATTENDEE WILL HAVE FIVE (5) MINUTES TO COMMENT ON EACH PUBLIC HEARING ITEM. THE APPLICANT OR THEIR DESIGNEE WILL HAVE TWELVE (12) MINUTES TO SPEAK AND WILL ALSO BE PROVIDED A FIVE (5) MINUTE REBUTTAL. WITH EXCEPTION OF THE APPLICANT OR DESIGNEE ALL ATTENDEES MAY ONLY SPEAK ONCE. THE PLANNING COMMISSION MAY USE ITS DISCRETION TO ALLOW A SPEAKER TO EXCEED THE ALLOTTED TIME OR MAY ASK A SPEAKER TO RETURN TO ANSWER ADDITIONAL QUESTIONS.

TO ADDRESS THE PLANNING COMMISSION IN PERSON, PLEASE COMPLETE A BLUE REQUEST TO SPEAK FORM THAT IS PROVIDED AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND SUBMIT THE FORM TO THE PLANNING COMMISSION CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AND STATE YOUR NAME\* AND CITY OF RESIDENCE\* (\*OPTIONAL) FOR THE RECORD.

TO ADDRESS THE PLANNING COMMISSION VIA ZOOM, PLEASE PRESS THE "RAISE YOUR HAND" BUTTON. WHEN YOUR NAME IS CALLED, THE PLANNING COMMISSION CLERK WILL ENABLE YOUR MICROPHONE AND YOU MUST PRESS THE "UNMUTE" BUTTON TO UNMUTE YOURSELF. IF YOU ARE USING A TELEPHONE, PRESS \*9 TO RAISE YOUR HAND; AND, PRESS \*6 TO UNMUTE. ONCE YOUR MICROPHONE IS ACTIVE, PLEASE STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

### 8.1 2019-201 (General Plan Amendment, Specific Plan, Environmental Impact Report)

**Location:** Westminster Mall Site

**Assessor's Parcel Numbers:** 195-373-08, 195-373-09, 195-373-10, 195-373-11, 195-373-15, 195-373-16, 195-373-18, 195-373-19, 195-373-20, 195-373-34, 195-373-35; 195-462-01, 195-462-02

**Applicant:** City of Westminster

**Property Owner(s):**

Name	Assessor's Parcel Number
Westminster Mall LLC (Strategic Value Partners Global / Washington Prime)	195-373-08, -11, -16, -18, -19, -20, -34, -35; 195-462-02
Westminster Village Owner LLC (Shopoff)	195-373-09, -10
Kaiser Foundation Health Plan Inc.	195-462-01
Connie L Sillen Trust	195-373-15

**Project Planner:** Debra Kurita, Interim Community Development Director; Steve Ratkay, AICP, Planning Manager; Christopher Wong, Senior Planner

# AGENDA

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## Staff Report

### Attachment 1-3 (Draft Resolutions)

### Attachment 4 (Assessor's Parcel Map)

### Attachment 5 (Public Comments Matrix)

### Attachment 6 (Draft Westminster Mall Specific Plan)

### **Attachment 7 (Final Environmental Impact Report)**

- Part 1 of 4
- Part 2 of 4
- Part 3 of 4
- Part 4 of 4

### **Attachment 7.1 (Draft Environmental Impact Report)**

- Part 1 of 2
- Part 2 of 2

### Attachment 7.2 (Draft Environmental Impact Report Appendix A)

### Attachment 7.3 (Statement of Overriding Consideration)

**PROJECT DESCRIPTION:** Consideration of the proposed Westminster Mall Specific Plan (WMSP), which includes development standards and guidelines for mixed commercial, professional office, hotel, and residential development (varying in housing type and affordability). The development standards and guidelines would apply to future development within the WMSP area. No development projects are proposed at this time. The Planning Commission must consider the WMSP, and formulate recommendations to the City Council on the following actions:

- General Plan Amendment: An amendment to the text in the Westminster General Plan to accommodate the Westminster Mall Specific Plan.
- Specific Plan: Adoption of the Westminster Mall Specific Plan, which will include development standards, architectural guidelines, and development review processes for future projects within the Specific Plan area.
- Adoption of an Environmental Impact Report and Mitigation Monitoring Plan.

**CEQA COMPLIANCE:** In compliance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared for the project. The Draft EIR identifies significant and unavoidable adverse project-related impacts in the following environmental impact categories: Air Quality, Greenhouse Gas Emissions, Noise, and Transportation.

Staff report

Planning Commission Questions for Staff

Public Comments

Planning Commission Discussion

Planning Commission Action

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**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions:

- 1) Adopt a resolution entitled, “A Resolution of the Planning Commission of the City of Westminster, Recommending that the Mayor and City Council Certify Environmental Impact Report (State Clearing House #2019100444) Associated with Case No. 2019-201 Prepared for the Westminster Mall Specific Plan”;
- 2) Adopt a resolution entitled, “A Resolution of the Planning Commission of the City of Westminster, Recommending that the Mayor and City Council Approve an Amendment to the General Plan Regarding the Westminster Mall Specific Plan (Mixed-Use Residential and Commercial Development)”;
- 3) Adopt a resolution entitled, “A Resolution of the Planning Commission of the City of Westminster, Recommending that the Mayor and City Council Adopt the Westminster Mall Specific Plan (Mixed-Use Residential and Commercial Development).”

**9. REGULAR BUSINESS – None**

**10. REPORTS – None**

**11. MATTERS FROM STAFF**

**12. MATTERS FROM THE PLANNING COMMISSION – INCLUDING AB1234 REPORTS WHEN REQUIRED**

**13. ADJOURNMENT – TO A REGULAR MEETING ON WEDNESDAY, NOVEMBER 16, 2022, AT 6:30 PM.**

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the Planning Commission meeting.

/S/Shelley Stevens, Senior Administrative Assistant