



PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
May 17, 2023
6:30 p.m.

1. PLANNING COMMISSION ROLL CALL:

ANDERSON, BUI, HAMADE, POWER, WOLBERT

PRESENT: ANDERSON, BUI, HAMADE, WOLBERT

ABSENT: POWER

STAFF PRESENT:

Christopher Wong, Senior Planner; Memnon Torio, Assistant Planner; Michael Son, Housing Specialist; Russell Miyahira, Assistant City Attorney; Shelley Stevens, Senior Administrative Assistant.

2. SALUTE TO FLAG

Vice Chair Hamade led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Senior Planner Wong reported that there were no late communications.

4. EX PARTE COMMUNICATIONS

Commissioner Anderson reported visiting the site of item 8.1. Chair Bui also reported visiting the site of item 8.1 and taking pictures of the site, which he wished to display during the public hearing.

5. SPECIAL PRESENTATIONS - None

6. ORAL COMMUNICATIONS

There were no speakers wishing to address the Planning Commission for Oral Communications.

7. APPROVAL OF MINUTES – None

8. PUBLIC HEARINGS

(6:40 p.m.) Vice Chair Hamade recused himself from the upcoming public hearing, due to his residence being within 500 feet of the requested Variance.

8.1 2020-1158 (Variance)

Location: 7811 & 7813 11th Street

Assessor's Parcel Number: 096-353-20

Applicant: Peter Tran

Project Planner: Memnon Torio, Assistant Planner

PROJECT DESCRIPTION: An application involving a request for a Variance to allow for a five-foot side yard setback on the first floor of the westerly interior side yard of a proposed two-story residential duplex, whereas the Westminster Municipal Code (WMC) requires a seven-foot side yard setback for two-story structures.

CEQA COMPLIANCE: This Project, as proposed, is categorically exempt per Class 3, Section 15303 New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) (such as a duplex or similar multi-family residential structures designed for not more than six dwelling units in an urbanized area). The proposed residential Project involves the construction of a duplex (two multi-family residential units) and is deemed exempt from CEQA per Class 3.

RECOMMENDATION: Staff recommends that the Planning Commission adopt a resolution entitled: "A Resolution of the Planning Commission of the City of Westminster Approving Case No. 2020-1158, an application involving a request for a Variance to allow for a five-foot side yard setback on the first floor of the westerly interior side yard of a proposed two-story residential duplex, whereas the Westminster Municipal Code (WMC) Section 17.210.015 requires a seven-foot side yard setback for two-story structures."

Assistant Planner Memnon Torio provided a PowerPoint presentation to the Commission.

CHAIR BUI OPENED THE PUBLIC HEARING.

Chair Bui shared some pictures he took while visiting the project location. He showed four pictures in total; two were of the back unit depicting the driveway to the back unit and two were of the neighbor's property to the west depicting the fencing and distance between the properties.

Peter Tran, project applicant, thanked the Planning Commission for considering his project. He offered that it had taken him three years for his variance request to come before the Commission, and he felt that his variance request was compatible with the surrounding neighborhood.

Commissioner Wolbert felt the location of the electrical facilities may impede the trash can movement, he offered that the electrical meters may be moved to the side of the garage allowing more room for the trashcans to pass by. He opined that the short two-foot from overhang could create a drainage issue after the project was built. He stated he would want gutters to be installed and proper drainage on the site to avoid pooling.

Mr. Tran stated that he agreed with Commissioner Wolbert's concerns about the electrical equipment and he would look into some options to move it. He added that he didn't feel site drainage was a concern because the site had a 20 percent slope on the grade; and, he stated he would also install a drainage pipe out to the street that will direct water away from the house to avoid any water pooling.

THERE BEING NO OTHER SPEAKERS AND NO NEED FOR REBUTTAL, CHAIR BUI CLOSED THE PUBLIC HEARING.

Commissioner Anderson stated the west side of the property going from a seven-foot setback to a five-foot setback variance won't really affect the adjacent property because it abuts a driveway. He opined that this project would be a great addition to the neighborhood.

Commissioner Wolbert agreed with Commissioner Anderson that he saw little impact to the adjacent neighbor to the west.

Motion: It was moved by Commissioner Wolbert, and seconded by Commissioner Anderson, to adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Approving Case No. 2020-1158, an application involving a request for a Variance to allow for a five-foot side yard setback on the first floor of the westerly interior side yard of a proposed two-story residential duplex, whereas the Westminster Municipal Code (WMC) Section 17.210.015 requires a seven-foot side yard setback for two-story structures;" with the addition of three conditions: 1) the approved five-foot side yard shall not be used for trash receptacles and must remain clear of obstructions, 2) the electrical meters must be relocated to the side of the garage, and 3) rain gutters shall be installed to ensure proper drainage is maintained on site. The motion carried (3-0) with the following vote:

AYES:	ANDERSON, BUI, WOLBERT
NOES:	NONE
ABSENT:	POWER, HAMADE
ABSTAIN:	NONE

(7:10 p.m.) Vice Chair Hamade returned to the meeting.

9. REGULAR BUSINESS - None

10. REPORTS – None

11. MATTERS FROM STAFF

There were no matters from staff.

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

There were no matters from the Planning Commission.

13. ADJOURNMENT

The meeting was adjourned at 7:12 p.m. to a regular meeting on Wednesday, June 7, 2023 at 6:30 p.m.



Tony Bui
Planning Commission Chair



Steven Ratkay
Planning Commission Secretary

Prepared by:



Shelley Stevens
Senior Administrative Assistant