

January 17, 2018

THE WALNUT CITY PLANNING COMMISSION

A Regular Meeting of the Walnut City Planning Commission was held on the above-referenced date. Chairperson Fernandez called the meeting to order at 7:00 p.m.

FLAG SALUTE: Chairperson: Fernandez

ROLL CALL: Commissioners: Fernandez, Wu, Dy, Koo, Perez

ALSO PRESENT: Community Development Director Weiner; City Planner Carlson; Assistant City Attorney Mann; City Engineer Gilbertson; Associate Planner Vasquez; Associate Planner Guerra; Community Development Technician Munoz; Community Development Intern Ramos; Planning Intern Sanchez.

ORAL COMMUNICATIONS:

C/Fernandez opened Oral Communications for Public Comment.

C/Fernandez moved to close Oral Communications. VC/Wu seconded. Without objection motion passed 5-0.

APPROVAL OF MINUTES:

1. December 6, 2017 (Regular Minutes).

VC/Wu moved to approve the minutes of December 6, 2017. PC/Dy seconded. Motion passed 5-0.

PUBLIC HEARING:

2. **Conditional Use Permit (CUP) 2017-005 (Taco Bell) continued from the December 6, 2017 Planning Commission Meeting** – A request to allow for a 2,000 square-foot food establishment with drive-thru and related site improvements on an existing Lot located on the northwesterly corner of Valley Boulevard and Suzanne Road within the Specific Plan No. 3 Zoning District (APN: 8720-047-016).

AP/Vasquez presented the Staff Report.

PC/Perez confirmed that the final reconfiguration of the proposed building is ten (10') feet closer to Suzanne Road and two (2') feet closer to Valley Boulevard.

AP/Vasquez stated that by shifting the building, it allowed an increase to the landscape buffer between the drive-thru and the adjacent townhomes, in order to mitigate any visual and potential noise impacts.

PC/Koo inquired about the location of the proposed seven and a half (7 ½') foot wall surrounding the commercial site.

AP/Vasquez confirmed that there is wall surrounding the subject site on the northerly and westerly portion of the subject site.

C/Fernandez opened the Public Hearing for Public Comment.

Lynn Glover, resident, stated his opposition for the proposed project in regards to establishing a fast-food restaurant in the City of Walnut. Mr. Glover also made mention of the multiple food establishments that already serve tacos.

Bob Yoder, representative of the Shea Development, indicated all the hard work that was done on establishing a Taco Bell in the City. Mr. Yoder also mentioned that at least fifteen (15) sit-down restaurants were contacted to potentially run their business at the subject location. Mr. Yoder lastly commented on the aesthetic tone of the proposed Taco Bell with the Spanish architecture.

Applicant/Dan Osran spoke about the “squawk box” being digital and the communication device being close to the cars, which minimizes the sound from both parties. Mr. Osran spoke about the building being shifted in order to increase the buffer between the two (2) uses.

Randal Quan, resident, stated his opposition of the proposed project in terms of a drive-thru restaurant at the subject location, the vacant townhomes that are not occupied at the moment, noise, the location being surrounded on three (3) sides by residential communities, the existing Taco Bell locations nearby, and other locations that serve tacos in the City. Mr. Quan also mentioned he would to see/allow the Shea development to build residences at the subject lot. Mr. Quan explained the potential harm to the surrounding neighborhoods in regards to safety, traffic, and the general welfare of the residences. Mr. Quan further commented on the need for an environmental document that is exempt as listed in Section 1 of the CUP 2017-005 PC Resolution.

Jennifer Quan, resident, stated her opposition of the proposed project in terms of any fast food restaurant being established at the subject location.

Rita Miguel, resident, stated her opposition of the proposed project in regards to the location being surrounded by residential homes as well as, trash, noise, crime, and traffic. Ms. Miguel also mentioned the potential accidents that may occur surrounding the right in/right out access on Valley Boulevard. Ms. Miguel lastly explained the need for the consideration of the surrounding residences.

Kathy Lekutis, resident, mentioned the effort that was used in finding a food establishment for the subject site. Ms. Lekutis stated that Taco Bell is not suitable for that location due to the residential neighborhood setting. Ms. Lekutis further noted her opposition for the proposed establishment.

Steve Lekutis, resident, echoed Mr. Quan’s concerns for a drive-thru restaurant being surrounded on three (3) sides by residential homes. Mr. Lekutis stated that the best use for the subject property is Residential Zoning.

Phyllis Kruckenberg, resident, commented on Walnut maintaining the rural character of the community and stated her opposition of the proposed project.

Michael Genaille, resident, stated his past experience in law enforcement and mentioned the potential crime impact of establishing a Taco Bell at the subject site. Mr. Djnyne further explained the potential traffic and loitering.

Kathy Hsieh, resident, stated her opposition of establishing a fast food restaurant at the subject site and a park as an alternative.

Edward Bacho, resident, stated his opposition for the proposed project and the location. Mr. Bacho mentioned the safety of the children who play at the nearby playground and the residents.

Kem Ping Lee, resident, stated his opposition for the proposed project in regards to traffic, safety, noise, and pollution.

Alan Mikesell, resident, stated his opposition for any drive-thru establishment at the subject location and also mentioned his concern for enlarging the outdoor sitting area in terms of noise; with the alternative to enclose that area. Mr. Mikesell lastly shared his concerns of the hours of operations, noise, trash, lighting, traffic, and the squawk box.

Phoenix Quan, resident, stated his opposition to the proposed project in regards to traffic, trash, noise, and the potential harm it may cause the residents.

Steven, resident, stated the concern for the right in/right out access and mentioned the narrow streets in the Cornerstone area that already exist.

Mr. Osran commented on loading hours being limited to 7:00 a.m. and 10:00 a.m. as well as Taco Bell not creating drive-thru "stacking" lines similar to In-n-Out and Chic-fil-A.

Ryan Quan, resident, echoed the comments before him in opposition of the proposed project.

Ed Chaudhry, resident, stated his opposition for the proposed project and mentioned the potential volume that will possibly occur.

James Lu, resident, mentioned the surrounding drive-thru establishments in the area; however, he indicated that the Taco Bell will not be suitable at that location.

Connie Quan, resident, stated that Taco Bell will not be suitable for that area, which is surrounded predominately by residential homes.

Mr. Bacho asked if this Taco Bell will be serving alcohol.

CDD/Weiner confirmed that no alcohol is being presented and if the project receives approval, the CUP will go through the public process if Taco bell chooses to serve alcohol.

Joshua Mikesell, resident, stated his opposition for the project and the potential trash on the site alongside of the road, and neighboring properties.

Larry Vidales, resident, mentioned his opposition to the proposed Taco Bell in regards to traffic and congestion.

C/Fernandez motioned to close Public Hearing. PC/Perez seconded. Without objection motion passed 5-0.

C/Fernandez asked for clarification that if the proposal did not include a drive-thru, a CUP would not be required.

CDD/Weiner confirmed that any project that does not pursue a drive-thru would not go through the CUP process due to the Specific Plan that was approved with the Shea Development in 2015. CDD/Weiner reminded the Commission and public of the history on the entire lot in regards to vacancy and housing. CDD/Weiner stated that the vision for the subject site during the Specific Plan entitlement process was for both residential and commercial uses with the existing commercial center, west of the site, being rehabilitated. CDD/Weiner further mentioned that if the subject site was proposed as retail and/or a commercial building, it would not require Planning Commission approval.

VC/Wu asked if the access off Valley Boulevard was approved during the Specific Plan process.

CDD/Weiner stated that the Specific Plan states that access for the subject site is off both Valley Boulevard and Suzanne Road but the right-in/right-out access is being presented for Planning Commission approval.

PC/Koo asked for clarification on the notification process and the exemption of the environmental study.

CDD/Weiner noted that the requirement by California State Law for notification is 300', plus the residents who signed-up to be notified from the previous December PC Meeting. CDD/Weiner further explained the CEQA process that was done during the entitlement of the Specific Plan.

PC/Dy asked when a Traffic Study is considered for the surrounding area.

CDD/Weiner stated that if significant impacts are identified during the CEQA process, then a Traffic Study will be needed.

PC/Koo asked the Applicant if the hours of operation can be reconsidered to close at 11:00 p.m.

Mr. Osran stated that a modification to the hours of operation can be established.

PC/Perez asked the applicant if an economical study was conducted and if any existing Taco Bell's are in proximity of residential homes, similar to the subject project.

Mr. Osran confirmed that an economic study was made and that there is an existing Taco Bell in Garden Grove close to residential homes. Mr. Osran ensured that security systems are in place to help address any crime concerns.

PC/Dy asked the Applicant if the proposed Taco Bell is considered as a community amenity or high visibility from Valley Boulevard.

Mr. Osran stated that the proposed Taco Bell would be considered a neighborhood restaurant.

C/Fernandez reiterated that the entitlement is only for the drive-thru portion of the proposed establishment and the vision for the Specific Plan was for the subject site to be a mixed-use development. C/Fernandez acknowledged the concerns of increased traffic and potential crime; however, on the west side of the Specific Plan, there is an existing liquorette store that serves alcohol. C/Fernandez mentioned that the surrounding residents within the vicinity will utilize the establishment as well as the students from local schools. C/Fernandez noted that the Walnut/Diamond Bar Sherriff's Station is located east of the subject site off Valley Boulevard, where other food establishments currently operate. C/Fernandez detailed the outreach that was made

by Staff and members of the Council for a sit-down establishment. C/Fernandez made mention of the unique architecture of the proposed Taco Bell and the uniqueness it holds compared to existing Taco Bell establishments. C/Fernandez lastly stated that the food establishment will be utilized by the community but would like the hours of operation limited from 7:00 a.m. to 11:00 p.m. Monday thru Sunday.

PC/Koo commented on the included Condition of Approval (COA) that requires the development to come back to the Commission in six (6) months for review.

CDD/Weiner confirmed that the proposed project will indeed have to come back in six (6) months to the Planning Commission for review.

The Commission and Staff further discuss the six (6) month review process.

PC/Perez reiterated the outreach that was done by Staff for the occupation of the subject site and explained the uniqueness of living in Walnut and commended the community for voicing their opinions on the proposed project.

VC/Wu shared his concerns and reiterated the comments made by the residents and the Commission and the need for a sit-down restaurant at the subject site versus a drive-thru establishment.

PC/Dy echoed the statements made by the residents and the Commission and shared his concern for the access off Valley Boulevard.

MOTION ON ITEM 2

PC/Koo motioned to adopt PC Resolution No. 17-11, approving CUP 2017-005, subject to the attached Conditions of Approval (COA) with the additional Condition that the hours of operation be 7:00 a.m. to 11:00 p.m, Monday thru Sunday. No second was given and subsequent motion died. C/Fernandez then motioned to deny PC Resolution No. 17-11, approving CUP 2017-005. PC/Perez seconded.

ROLL CALL:

AYES: Fernandez, Wu, Dy, Perez
NOES: Koo
ABSTAIN: None
ABSENT: None

Motion to deny passed 4-1.

CDD/Weiner advised the Applicant that a fifteen (15) day appeal period is available to anyone wishing to appeal the Commission's decision to the City Council.

RECESS:

A recess was called for by C/Fernandez at 8:46 p.m.

PC Meeting called to order by C/Fernandez at 8:52 p.m.

OLD BUSINESS:

3. Continuance: Site Plan Case and Architectural Review (SPC/AR) 2017-069 (Kim) – A request to construct a 2,088 square-foot two (2) story addition located at 21222 Stockton Pass Road (APN: 8710-030-003).

AP/Guerra presented the Staff Report.

C/Fernandez asked for a brief description of the revised proposal.

AP/Guerra detailed that the overall square-footage of the addition was reduced by 200 square-feet and the bedroom towards the north end of the property was reduced in length by roughly ten (10') feet.

C/Fernandez opened the item for Public Comment.

Applicant/Yong-Ju Kwon noted that the concerns raised by the surrounding neighbors were addressed by reducing the size and length of the building by about ten (10') feet. Mr. Kwon also referred to an illustration that was made to show the neighboring building lines which are similar to the proposed building footprint.

C/Fernandez thanked the Applicant for modifying the plans and addressing the Commission and neighbor concerns.

Dennis McPhillips introduced himself as the attorney to the homeowner and thanked the Commission and Staff for their hard work on the project. Mr. McPhillips explained the concerns that were raised beforehand by the Commission and neighbors were addressed and the view concerns are no longer an issue.

David Chun, resident, stated his opposition for the proposed project in terms of size and view obstruction.

Mr. Kwon reassured that no views will be blocked with the proposed addition.

Li-Man Ching, resident, stated her opposition to the proposed project and explained her concerns for the view that will be obstructed. Ms. Ching referenced a petition that was submitted to protect the view and a personal letter objecting the proposed project.

C/Fernandez reminded the public to limit the back and forth during the public comment period.

Mr. McPhillips pointed out that the owner has not seen the letter submitted by Ms. Ching and was not able to review her concerns or address them prior to the meeting. Mr. McPhillips reiterated the modifications that were made to the project.

Eleanor Anzur, resident, stated she would like for her neighbors to settle their issues with the proposed project. Ms. Anzur stated that the view from Ms. Ching's residence will be blocked from the west side due to the setback being five (5') feet. Ms. Anzur further referenced a document that was given to the homeowners in the neighborhood, from the builder, which states that the rear-yard setback shall be twenty-five (25') feet.

VC/Wu motioned to close Public Comment. C/Fernandez seconded. Without objection motion passed 5-0.

PC/Dy asked for clarification on the document that Ms. Anzur referenced.

AP/Guerra specified that the document referenced is the Specific Plan for the subject area which indicates that the rear-yard setback from the property line is twenty-five (25') feet. AP/Guerra further explained that the property line for most of the residences off Stockton Pass Road is at the bottom of the slope.

Ms. Anzur asked why the home owners cannot extend their fences if the property line is at the bottom of the slope.

CDD/Weiner reminded the Commission and Public to stay within the parameters of the item being presented.

PC/Dy asked for clarification on the property line being at the bottom of the slope.

AP/Guerra confirmed that the property line is at the bottom of the slope.

PD/Dy asked for further clarification.

CDD/Weiner stated that the Specific Plan for the subject area is no different from the R-1 (Single-Family Residential Zoning Code, WMC 25-40) in terms of setbacks as well as other requirements. CDD/Weiner further explained that the subject property has no issues in relations to setbacks and that the setback, as proposed, is 120' to the property line.

C/Fernandez reopened the item for Public Comment.

CDD/Weiner was able to confirm that the document mentioned by Ms. Anzur is part of the Specific Plan and states that a structure exceeding one-story in height cannot be within twenty-five (25') feet of the rear property line. CDD/Weiner noted that the two-story addition requires a twenty-five (25') foot setback in which the applicant has 120'.

C/Fernandez motioned to close Public Comment. PC/Perez seconded. Without objection motion passed 5-0.

PC/Perez thanked Mr. Kim for addressing the concerns that were mentioned at the previous PC Meeting and reminded the Public that there is currently no View Preservation Ordinance. PC/Perez further mentioned that the addition is to the rear of the residence with no mass increase in relation to the width of the existing residence.

C/Fernandez asked if the illustrations provided by the Applicant are to scale.

Mr. Kwon confirmed that the illustration is not to scale.

C/Fernandez asked if the rear façade will surpass the existing residence's building line to the east of the subject site.

Mr. Kwon stated that he does not believe the rear building line will exceed the neighboring residence's building line.

C/Fernandez reiterated that the City of Walnut currently has no View Preservation Ordinance and the proposed project meets the WMC requirements.

MOTION ON ITEM 3

PC/Perez motioned to approve SPC/AR 2017-069, subject to the attached COA. VC/Wu seconded.

ROLL CALL:

AYES: Fernandez, Wu, Dy, Koo, Perez
NOES: None
ABSTAIN: None
ABSENT: None

Motion to approve passed 5-0.

NEW BUSINESS:

4. Site Plan Case and Architectural Review (SPC/AR) 2017-100 (Walnut Village) – A request to perform site and building improvements consisting of ADA/pedestrian path of travel and exterior façade enhancements for an existing commercial center located at 134-154 Pierre Road within the Specific Plan No. 3 Zoning District (APN: 8720-016-016).

AP/Vasquez presented the Staff Report.

PC/Koo asked if the subject center will be able to continue to operate within normal business hours during the rehabilitation construction.

AP/Vasquez noted that no impacts are anticipated to the daily operation of the existing businesses.

C/Fernandez asked if the Applicant is updating all of the existing landscaping on site and if the parking requirement will be satisfied.

AP/Vasquez stated that the landscaping to the front of the site will be renovated and the commercial center will have a surplus of twenty-six parking spaces.

C/Fernandez inquired about the Code requirement of every ten (10) spaces allowing for one (1) landscape island.

AP/Vasquez stated that the Code requirement is for new construction and because the commercial center is existing, all existing landscaping will be revamped and/or widen slightly.

C/Fernandez asked if there is an opportunity to add more landscaping to the front of the subject site.

CDD/Weiner asked if a Condition of Approval (COA) can be placed to require half diamonds for trees to retain as much parking spaces.

The Commission, Staff, and Applicant further discuss the landscaping on site.

PC/Dy asked why the parapet walls are low in height.

CDD/Weiner stated that there is no height limit on parapet walls but architecturally if it is feasible, it can be done.

PC/Dy inquired about the brick veneer façade being changed to stack stone, similar to the design of the She Development.

CDD/Weiner noted that the Applicant and Staff wanted to maintain the retro/vintage style of the existing building.

PC/Perez praised the owner for revamping the Center.

PC/Koo asked if the above-ground utility pole can be addressed.

AP/Vasquez noted that if the electrical pole were to be undergrounded, easements may need to be re-recorded as well as the service to other surrounding properties, if any.

The Commission and Staff further discuss the existing utility pole.

VC/Wu asked if the Applicant is willing to add bicycle parking to the subject site.

CDD/Weiner mentioned that a COA can be placed for bicycle parking.

C/Fernandez opened the item for Public Comment.

Joshua Mikesell, resident, asked if sign regulations will be in place for the subject site and if new businesses need to meet the new sign requirements. Mr. Mikesell further inquired about the gooseneck lighting and if the light will shine into neighboring properties.

CDD/Weiner confirmed that the gooseneck lighting will only shine onto the wall signage. CDD/Weiner noted that an enhanced sign program will be required.

Applicant/Jonathan Matson mentioned that the parking spaces in the front area will be meant for the customers and the parking spaces in the rear area will be utilized for employees. Mr. Matson stated that landscaping at the end of the parking rows will be added and the half diamond planters can be considered, however the trees blocking vehicular/pedestrian visibility is a concern. Mr. Matson commented that they can increase the height but structurally, limitations may occur. Lastly, Mr. Matson mentioned if the utility pole is in the public right-of-way, undergrounding the utilities will be difficult to pursue and may cause more poles to be installed.

Applicant/Mindy Gellar thanked the Commission and Staff and noted that the commercial center is looking to add more restaurant spaces in the future in which the extra parking spaces will be needed.

VC/Wu asked if the applicant is open to adding bike parking to the subject site.

Ms. Gellar mentioned that one (1) or two (2) parking space(s) can be re-designed to include bike parking.

C/Fernandez motioned to close Public Comment. PC/Koo seconded. Without objection motion passed 5-0.

PC/Dy stated that he looks forward to seeing the final rehabilitation of the commercial center and recapped his preference for higher roof top parapets. PC/Dy further stated additional landscaping to the front of the property would be desired.

MOTION ON ITEM 4

PC/Perez motioned to approve SPC/AR 2017-100 subject to the attached COA. PC/Dy seconded.

ROLL CALL:

AYES: Wu, Dy, Koo, Perez
NOES: Fernandez
ABSTAIN: None
ABSENT: None

Motion to approve passed 4-1.

5. Site Plan Case and Architectural Review (SPC/AR) 2017-076 (Li) – A request to construct a 560 square-foot first floor addition, a 1,294 square-foot second floor addition and a 398 square-foot “loggia” to an existing single-story residence located at 20135 Ferndoc Street (APN: 8720-002-033).

CDT/Munoz presented the Staff Report.

PC/Koo asked if the required side-yard setback is to be consistent and continue on both sides of the residence.

CDT/Munoz confirmed that the side-yard setback should maintain the required distance on both sides.

PC/Koo inquired about one side of the garage not meeting the required twelve (12') foot setback.

CDT/Munoz stated that the garage is existing legal non-conforming but the main residence meets the required setbacks.

C/Fernandez opened the item for Public Comment.

Ling Mi Ou, resident, stated her opposition to the proposed project due to privacy and the neighborhood mainly consisting of single-story homes.

Jason Chung, resident, spoke on behalf of his mother and stated concerns with parking, traffic, and safety.

Applicant/Forrest Tsao stated that the window size on the second-floor was reduced to respect the privacy of the neighbors and the second-floor addition was kept at a minimal. Mr. Tsao mentioned that that proposed project is only a four (4) bedroom, two (2) car garage residence.

C/Fernandez motioned to close Public Comment. PC/Perez seconded. Without objection motion passed 5-0.

PC/Perez commented on the opposition stated by the residents and reassured them of the construction hours required by the City.

PC/Dy stated that the proposed project meets the WMC requirements and will remain a four (4) bedroom, two (2) car garage.

Ms. Ou asked if home owners wanted to build a second-floor addition to their residence, they can do so.

PC/Perez confirmed that a resident can submit plans to the Planning Department, and if the proposal meets all WMC requirements, the proposal can go through the proper entitlements.

The Commission and Ms. Ou further discuss the proposed project.

MOTION ON ITEM 5

VC/Wu motioned to approve SPC/AR 2017-076, subject to the attached COA. PC/Dy seconded.

ROLL CALL:

AYES: Fernandez, Wu, Dy, Koo, Perez
NOES: None
ABSTAIN: None
ABSENT: None

Motion to approve passed 5-0.

DISCUSSION/TRANSACTION:

None

REPORTS AND COMMENTS:

- CDD/Weiner thanked the Commission for tonight's meeting and introduced Alyssa Ramos, the new Community Development Intern.
- CDD/Weiner informed the Commission that staff is tentatively scheduling the General Plan Update for review on Monday, April 30th, 2018.
- PC/Dy inquired about the View Ordinance petition.
- CDD/Weiner stated that a View Ordinance petition was submitted to the City Council.
- C/Fernandez commented on the grading being conducted on the Mt. Sac West Parcel.
- CDD/Weiner informed the Commission that any grading and hauling on the site needs to be approved by the Planning Commission. CDD/Weiner noted that per the CEQA process, Biologists are on site as part of the mitigation.
- CDD/Weiner and ACA/Mann mentioned that the City has no jurisdiction over the solar project. However, the grading, hauling of dirt, and circulation related hauling routes can be controlled.

ADJOURNMENT:

This meeting adjourned at 10:15 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday, February 7th, 2018, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)

Passed and Approved on this 7th day of February 2018.



Chairperson, Mark Fernandez



Tom Weiner, Community Development Director