

July 18, 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 7:02 p.m.

FLAG SALUTE: Commissioner: Perez

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

ALSO PRESENT: City Planner Carlson; Assistant City Attorney Mann; City Engineer Gilbertson; Senior Planner Vasquez; Associate Planner Guerra; Community Development Intern Ramos.

ORAL COMMUNICATIONS:

C/Fernandez opened Oral Communications for Public Comment.

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

PLANNING COMMISSION REORGANIZATION

1. Planning Commission Reorganization

RECOMMENDATION:

Staff recommended that the Planning Commission elect a Chairperson and Vice-Chairperson to serve through June 2019.

Planning Commission Reorganization:

ACA/Mann opened nominations for Chairperson.

PC/Wu nominated PC/Perez for Chairperson. ACA/Mann moved to close nominations. Without objection motion passed 5-0.

ACA/Mann opened nominations for Vice-Chairperson.

PC/Perez nominated PC/Dy for Vice-Chairperson. ACA/Mann moved to close nominations. Without objection motion passed 5-0.

ACA/Mann announced a short recess to allow the Commission to move seats appropriately.

APPROVAL OF MINUTES:

2. June 6, 2018 (Special Meeting Minutes).

PC/Fernandez moved to approve the minutes of June 6, 2018. PC/Koo seconded. Motion passed 5-0.

PUBLIC HEARING:

3. Conditional Use Permit (CUP) 2018-002 (Liao) – A request to establish and operate an art studio (Vibrant Art Studio), which will operate from an existing office space located at 20277 Valley Boulevard, Suite B.

SP/Vasquez presented the Staff Report.

Applicant/June Liao stated she is available for any questions.

C/Perez inquired about the details of the art studio.

Ms. Liao informed the Commission that it is an art studio that will focus on visual arts, such as drawing, painting and clay sculpting.

VC/Dy inquired if the space will be utilized as a classroom space, rather than a gallery studio, and if there would be events to show off the art to large audiences.

Ms. Liao responded that it will be setup as a classroom space and that the art completed by the students will be showcased on the wall with no gallery functions.

PC/Fernandez asked the age range for the attending students.

Ms. Liao noted that the youngest students for the art classes will be in kindergarten.

PC/Fernandez inquired about the security protocols for the students' safety.

Ms. Liao indicated that all drop-offs and pick-ups will be done by the parents coming into the building with a staff member being located at the front desk.

PC/Wu commented on the assurance of Condition #6 which states that students shall be placed in classes with children in similar age groups and no minors shall be placed in a classroom with an adult.

Ms. Liao stated that the classes will be separated by age due to the different skill levels of the children.

C/Perez opened the Public Hearing for Public Comment.

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

VC/Dy inquired about the parking for the center and where the business is proposed.

SP/Vasquez answered that the parking is shared with other businesses within that center which is all under one (1) ownership who monitors the parking, and businesses closely. SP/Vasquez ensured the Commission that the neighboring businesses are industrial type uses that close at an earlier time than the proposed business' start time.

VC/Dy asked if there have been any safety concerns within that center in the past.

SP/Vasquez noted that with the other two (2) existing child related businesses operating in that center, no safety concerns have been brought to Staff's attention.

MOTIONS ON ITEM 3

PC/Wu motioned to adopt PC Resolution No. 18-11, approving CUP 2018-002, subject to the attached COA. VC/Dy seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

4. Vesting Tentative Tract Map (VTTM) 78266 – Site Plan Case/Architectural Review (SPC/AR) 2017-013 – Development Agreement (DA) – A request to construct a Mixed-Use Development on the property located at 19901 Valley Boulevard, within the West Valley Specific Plan (WVSP).

AP/Guerra presented the Staff Report.

Applicant/Byung Song reflected on the hard work that had been made with Staff for the proposal, and added that the lot had been vacant for an extensive amount of time.

VC/Dy asked the vision for the ideal commercial use of the subject project.

Mr. Song stated that a portion of the commercial property would be utilized by the owner for his current business in, Unit B, and the other suite for office use.

VC/Dy asked if the residential portion would be rented out as apartments or condos.

Mr. Song identified that the residential portion would be condominiums.

CE/Gilbertson clarified that the VTTM is a one (1) lot tract map with 3-D air spaces being subdivided and sold, and will be prepared for the Department of Real Estate for review.

PC/Koo noted that there are five (5) units, three (3) residential and two (2) commercial, with each being able to be independently sold.

CE/Gilbertson confirmed that the intent is for five (5) separate air space units.

PC/Koo asked if there is a common interest association.

AP/Guerra stated that there is a Condition that the owner must establish a Home Owners' Association (HOA).

The Commission and Staff further discussed the HOA and Covenants, Conditions & Restrictions (CC&Rs).

VC/Dy asked if the parking spaces would be associated to each unit space or shared spaces. VC/Dy additionally inquired how the trash would be allocated between the commercial and residential units.

ACA/Mann reiterated that the developer would establish requirements for the parking spaces and trash through the HOA and the CC&Rs.

VC/Dy expressed that some parking spaces to be assigned to the residential property owners.

CP/Carlson stated that Staff can work with the Applicant during the CC&R process.

The Commission, Staff and Applicant further discussed the parking spaces for the commercial and residential units.

C/Perez asked if the CC&Rs can include language to restrict the conversion of the commercial portion to residential.

ACA/Mann indicated that the conversion of the commercial units to residential units cannot be done due to the land use.

VC/Dy asked for clarification of the parking requirements for the different commercial uses.

AP/Guerra outlined that the Walnut Municipal Code (WMC) states, for every 250 square feet, one (1) parking space shall be provided, and the newly adopted WVSP states that same requirement. AP/Guerra further explained that the ratio for parking will change if the commercial use is for a restaurant.

PC/Koo noted that if a sandwich shop were to occupy one of the commercial units, what would be the process and the requirements for parking.

AP/Guerra stated that a business license would be required and tenant improvements would be submitted to the Building and Safety Department to remodel the interior of the commercial space. AP/Guerra further reiterated that the WVSP states that there shall be one (1) parking space for every 250 square feet of leasehold space.

The Commission and Staff further discussed the possibility of a restaurant utilizing one of the commercial spaces for this development.

PC/Koo asked what material is used on the large parking surface.

Mr. Song noted that the material is most likely asphalt paving.

AP/Guerra specified that there is a Condition that the driveway from Valley Boulevard into the development be decorative material, such as, stamped concrete, to the satisfaction of the Assistant City Manager of Development Services.

The Commission and Staff further discussed the parking and landscaping.

C/Perez opened the Public Hearing for Public Comment.

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

PC/Fernandez asked if there would be an opportunity for street-side parking on Valley Boulevard.

CE/Gilbertson mentioned that parking is restricted due to a future third lane going west bound on Valley Boulevard.

The Commission and Staff further discussed parking on Valley Boulevard and future bus stops along the WVSP area.

PC/Fernandez asked if the utilities will be underground.

CE/Gilbertson confirmed that the utilities will be underground with the exception of the major lines along Valley Boulevard that are cost prohibited.

PC/Fernandez further commented on the box meters shown on the site plan.

CE/Gilbertson stated that Staff will work with Edison and other utility companies to place the utilities underground or to be less intrusive.

The Commission and Staff further discussed the utilities.

PC/Fernandez asked if the DA can include allocation to the undergrounding of the existing power lines in the WVSP area.

The Commission and Staff further discussed the money that would be needed to allocate the existing power lines underground.

PC/Fernandez recommended that Staff look into the possibility of undergrounding the existing power lines in the WVSP area by the DA or other potential ways.

VC/Dy asked what the ceiling heights are for the units.

Mr. Song stated ten (10') feet.

VC/Dy asked if the first-floor can be fourteen (14') feet in height.

Mr. Song stated that a problem may occur with the staircase.

CP/Carlson stated that Staff will work with the Applicant to explore the options of increasing the height of the first floor, if it is feasible.

MOTION ON ITEM 4

PC/Fernandez motioned to approve PC Resolution No. 18-09, approving VTTM 78266, subject to the attached COAs. PC/Koo seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

PC/Fernandez motioned to approve SPC/AR 2017-013, subject to the attached COAs, with the additional Conditions that the CC&Rs include the reservation of parking spaces for specified units and the increase of the ceiling heights on the first floor of the commercial units if feasible. PC/Koo seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

PC/Fernandez motioned to approve PC Resolution No. 18-10, recommending City Council approve the proposed DA, and include the COA to reallocate a percentage of the development fees to go towards underground utilities. VC/Dy seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

5. Site Plan Case/Architectural Review (SPC/AR) 2018-046 (Lee) – A request to construct a 2,004 square-foot, two (2) story addition, and a 664 square-foot, two (2) car garage with an additional driveway approach at an existing residence located at 1501 Walnut Vista Way within the R.P.D. – 61,700; Residential Planned Development Zoning District.

AP/Guerra presented the Staff Report.

PC/Fernandez asked if the parcel is one complete parcel.

AP/Guerra confirmed that it is one (1) parcel.

PC/Koo asked which driveway is Conditioned to be removed.

AP/Guerra confirmed that the proposed driveway approach at the right side of the property is Conditioned to be removed.

PC/Fernandez asked why Staff is recommending the removal of the proposed driveway approach.

CE/Gilbertson stated that roughly all the homes within that development have one single driveway cut and being that the second driveway approach is to showcase cars within the proposed garage space, the driveway will not be used everyday.

PC/Koo mentioned that the only access to the new proposed addition and garage from the main home is through a hallway on the second floor.

AP/Guerra confirmed that was correct.

PC/Wu asked if the gate to the right side of the property is proposed or existing.

AP/Guerra stated that the gate on the right side of the property is proposed.

PC/Wu asked if the proposed gate meets all the Code requirements.

AP/Guerra suggested that the gate may not exceed six (6') feet in height, but a Condition can be placed on the gate if necessary.

C/Perez opened the item for Public Comment.

Applicant/Fred Hoffman explained that without the secondary driveway, it will be difficult to turn the cars into the newly proposed garage and the landscape will be comprised.

PC/Koo asked for clarification on the landscaping.

Mr. Hoffman explained that if the driveway were to be removed, the existing driveway would widen to help the cars move into the proposed garage.

VC/Dy inquired about the need of a second stairway into the proposed bedroom on the second floor.

Mr. Hoffman mentioned that the stairway is for emergency exiting.

C/Perez asked if the stairway meets all Code requirements.

AP/Guerra confirmed that the stairway meets design requirements.

The Commission and Staff further discussed the stairway within the addition.

Applicant/Ying Kai thanked the Staff for working with them on the proposed project and, continued to explain the need for the second driveway approach.

PC/Koo asked if the proposed driveway approach were to remain, would the strip of driveway that connects the two (2) garages be removed.

Ms. Kai stated that the connecting driveway area would remain.

VC/Dy asked for clarification on the sliding door that is connecting the garage to the gym.

Ms. Kai mentioned that it is proposed as a personal necessity.

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

PC/Wu explained his agreement with the Applicant on the need for the second driveway approach.

VC/Dy agreed with allowing the second driveway approach.

PC/Fernandez asked if the addition would be considered as an Accessory Dwelling Unit (ADU).

AP/Guerra mentioned that the project is being proposed as an addition, not an ADU.

PC/Fernandez explained his reasoning for not restricting the second driveway approach.

The Commission and Staff further discussed the design of the proposed project.

MOTIONS ON ITEM 5

PC/Wu motioned to approve SPC/AR 2018-046, subject to the attached COA, with Condition #3 to be removed. C/Perez seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

6. Site Plan Case/Architectural Review (SPC/AR) 2018-078 (Wang) – A request to construct two (2), six (6') foot tall pilasters within the front yard setback area at an existing residence located at 19512 Walnut Peak Drive within the R.P.D. – 61,700; Residential Planned Development Zoning District.

AP/Guerra presented the Staff Report.

C/Perez inquired for clarification that the six (6') foot pilasters are already built, however, Staff is recommending that the pilasters be reduced to three (3') feet to meet the WMC requirements.

AP/Guerra confirmed that was correct.

VC/Dy asked if the minimum requirement for fencing within any area of a property is four (4') feet.

AP/Guerra confirmed that the requirement for any fencing, wall, pilasters, or hedge within the front yard setback is three (3') feet and that beyond the front yard setback it is six (6') feet.

C/Perez asked for the background on the project.

AP/Guerra explained that the owner received a stop work notice for the pilasters that were previously built and were told Planning Commission approval was needed to keep the over height pilasters.

VC/Dy asked the distance from the front property line to the pilasters.

AP/Guerra mentioned that the distance between the front property line and the pilasters is fourteen (14') feet.

VC/Dy explained how the pilasters can affect the view of cars or pedestrians when pulling out of the driveway.

PC/Koo asked for clarification on what the Commission is approving with the proposed project, specifically the six (6') foot gate that is shown on the plans.

AP/Guerra specified that the approval tonight is for the over height pilasters and any other over height fence or gate within the front yard setback must meet the WMC requirements.

VC/Dy asked if the approval entails a Variance.

AP/Guerra indicated that the approval is not for a Variance, but that the Commission has the authority to approve over height fences, gates, pilasters, etc., within the front yard setback through a SPC/AR.

C/Perez opened the item for Public Comment.

Applicant/Danny Wang explained that the over height pilasters and gate are for privacy. Mr. Wang also noted that there should be no future concerns for the safety of pedestrians.

C/Perez clarified with the Applicant that the WMC states that any walls, fences, hedges, pilasters, etc. within the front yard setback cannot exceed three (3') feet in height.

PC/Fernandez noted that on the elevations, six (6') feet is shown from the bottom of the stairs, so from actual ground level, it is higher than six (6') feet.

Mr. Wang indicated that the property slopes within the front yard so the height of the gate would be roughly six (6') feet.

Applicant/Jacquelin Wang explained that the pilasters will be used for privacy reasons.

The Commission and Applicant further discussed the privacy reasoning for the over height pilasters.

VC/Dy asked if the Applicant would be willing to relocate the pilasters further back to meet Code.

Ms. Wang stated that there is a Zen garden that would be disrupted if the pilasters were to be relocated.

The Commission and Applicant further discussed the project in terms of privacy, other residential properties having over height gates within the front yard setback, and options for the proposed project to meet the WMC requirements.

C/Perez asked if the maximum height for the pilasters is three (3') feet, could the door remain at six (6') feet.

AP/Guerra commented that any wall, fence, hedge, or door, cannot exceed three (3') feet in height within the front yard setback without the approval from Commission. AP/Guerra further asked if the Applicant is willing to place a gate closing off the courtyard and the screening directly in front of the door. AP/Guerra noted that the gate will be out of the front yard setback so the height of the gate can be six (6') feet.

Mr. Wang reiterated that relocating the gate closer would not work due to the owner's personal reasons.

PC/Koo suggested for the Applicant to continue to work with Staff on the project.

Mr. Wang noted that he is willing to work with Staff to meet compliance.

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

PC/Wu reiterated that the Applicant is willing to work with Staff to revise the plans to meet compliance.

PC/Fernandez explained the options that are available, and encouraged the Applicant to work with Staff.

VC/Dy echoed the Commission's comments and concerns.

MOTION ON ITEM 6

VC/Dy motioned to continue SPC/AR 2018-078 allowing the Applicant to work with Staff to revise the project to meet the WMC requirements. PC/Koo seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

DISCUSSION/TRANSACTION:

None

REPORTS AND COMMENTS:

- ACA/Mann thanked Commissioner Perez for serving as Chairman and recognized Commissioner Fernandez for his services as Chairman.

ADJOURNMENT:

This meeting adjourned at 9:05 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday, August 1st, 2018, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)

Passed and Approved on this 1st day of August 2018.



Tom Weiner, Assistant City Manager – Development Services



Chairperson, Fernando Perez