

October 3, 2018

THE WALNUT CITY PLANNING COMMISSION

A Regular Meeting of the Walnut City Planning Commission (PC) was held on the above-referenced date. Chairperson Perez called the meeting to order at 7:03 p.m.

**FLAG SALUTE:** Commissioner: Koo

**ROLL CALL:** Commissioners: Perez, Dy, Koo

**ABSENT:** Commissioners: Fernandez, Wu

**ALSO PRESENT:** Assistant City Manager – Development Services Weiner; Assistant City Attorney Mann; City Planner Carlson; City Engineer Gilbertson; Senior Planner Vasquez; Associate Planner Yang; Community Development Technician Munoz; Community Development Intern Ramos.

**ORAL COMMUNICATIONS:**

**C/Perez opened Oral Communications for Public Comment.**

**C/Perez moved to close Oral Communications. VC/Dy seconded. Without objection motion passed 3-0.**

**APPROVAL OF MINUTES:**

**1. September 5, 2018 (Regular Meeting Minutes).**

**VC/Dy moved to approve the minutes of September 5, 2018. C/Perez seconded. Motion passed 3-0.**

**PUBLIC HEARING:**

**2. Conditional Use Permit (CUP) 2018-004 (You)** – A request to establish and operate a child related business as an indoor playground facility (Little Elephants Kids Place) within an existing 6,480 square-foot commercial unit at the Walnut Hills Plaza Center located at 18718 Amar Road.

CDT/Munoz presented the Staff Report.

VC/Dy asked if the proposed business will run as a daycare and asked for confirmation on the closing hours.

CDT/Munoz noted that the proposed business is not a daycare facility and will close at 6:00 p.m. on the weekdays, and 7:30 p.m. on the weekends.

PC/Koo asked if the business will serve food.

CDT/Munoz stated that the business will not serve food; however, the individuals who reserve the party rooms, can bring in their personal food for their specific event.

VC/Dy asked what the projected maximum occupancy for the proposed business would be.

CDT/Munoz mentioned that the maximum occupancy indicated by the owner is one hundred (100) people, fifty (50) of them being children and fifty (50) occupants being adults.

VC/Dy inquired about the parking spaces that are allocated for each unit within the existing center (Walnut Hills Plaza) and whether there would be sufficient parking.

CDT/Munoz stated that for this specific project, Staff examined the parking spaces directly in front and west of the unit in which fifty (50) parking spaces are available. CDT/Munoz further explained that the number of required parking spaces is thirty-two (32) which will result in a surplus of seventeen (17) available spaces.

VC/Dy asked how long a CUP is a good for.

ACM/Weiner indicated that a CUP runs with the property and can only end if the CUP is revoked.

VC/Dy shared his concern with the individuals who utilize the business, and mentioned a possible Condition of Approval (COA) to restrict parking within the neighboring Residential Zones.

ACM/Weiner noted that parking will only be allowed within the Walnut Hills Plaza Center, but a COA would be appropriate and can be placed and enforced if complaints arise.

**C/Perez opened the Public Hearing for Public Comment.**

Applicant/Heejung You introduced herself as the business owner and explained the proposed business in regards to the business name, the everyday operation, and being a good fit for the City of Walnut.

VC/Dy asked the Applicant if she is ok with COA restricting parking within the Walnut Hills Plaza Commercial Center only.

Mrs. You noted that she is ok with the added COA.

C/Perez thanked the Applicant for bringing her business to Walnut and asked if the hours of operation can be extended earlier to allow parents to drop their children off.

Mrs. You clarified that since the business is not a daycare, parents cannot drop of their children and have to be present at all times.

PC/Koo asked if there will be play equipment in the party rooms and how the children will be separated by age.

Mrs. You mentioned that there will be no play equipment in the party rooms, only tables and chairs. Mrs. You further specified that there will be a toddler room for the younger children and different equipment that are age specific.

Yaya Guo, resident, shared her support for the proposed business.

**C/Perez motioned to close the Public Hearing for Public Comment. VC/Dy seconded. Without objection motion passed 3-0.**

**MOTION ON ITEM 2**

**VC/Dy motioned to adopt PC Resolution No. 18-14, approving CUP 2018-004, subject to the attached COA with the additional COA restricting parking within the Walnut Hills Plaza Center only and prohibiting parking within the abutting Residential/Commercial Zones. PC/Koo seconded.**

**ROLL CALL:**

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

**Motion to approve passed 3-0.**

**3. Conditional Use Permit (CUP) 2018-003** – A request to establish and operate a professional massage therapy business located at 18800 Amar Road, Suite #C-13.

AP/Yang presented the Staff Report.

VC/Dy asked why the proposed business is going through the CUP entitlement process.

ACM/Weiner noted that proposals for a massage therapy business go through the CUP entitlement process to allow Staff to place safeguards and regulations for the duration of the business.

The Commission and Staff further discussed other types of businesses going through the CUP entitlement process.

PC/Koo asked where the viewing window will be located inside the business.

AP/Yang indicated that the viewing windows will be located on the door of each treatment room and will also need to be shown on the Plans submitted to the Building and Safety Department.

C/Perez asked for clarification on the business operating hours from 10:00 am – 9:00 pm daily.

AP/Yang confirmed that the indicated hours are correct.

**C/Perez opened the Public Hearing for Public Comment.**

PC/Koo asked the Applicant if he is currently operating a similar business in or outside the City of Walnut and if not, has he run a similar business before.

Applicant/Mark Matteke stated that he currently is not running a similar business but has done so before.

The Commission and Applicant further discussed the operation of his previous business.

C/Perez asked the surrounding business types within that center.

AP/Yang stated that there is a barber shop and income tax office adjacent to the proposed business.

**C/Perez motioned to close the Public Hearing for Public Comment. VC/Dy seconded. Without objection motion passed 3-0.**

PC/Koo inquired about placing a review period on the proposed business.

ACM/Weiner indicated a COA can be placed to allow for a six (6) month review of the CUP; however, the review is only to see how the business is operating.

The Commission and Staff discussed the review process.

C/Perez asked if a background check is done by the owner operating the business.

ACA/Mann specified that Municipalities, according to State Law, cannot require Applicants to do a background check if the Applicant is currently licensed under the State.

VC/Dy asked for clarification on the purpose of a specific wall that is located towards the front of the unit, near the sitting area.

AP/Yang stated that it may provide screening and/or privacy from the customers waiting in the sitting area.

The Commission and Staff further discussed the wall located to the front of unit near the sitting area.

### **MOTION ON ITEM 3**

**C/Perez motioned to adopt PC Resolution No. 18-15, approving CUP 2018-003, subject to the attached COA, with the added Conditions: (1) For Staff to perform a six (6) month review of the operation of the business from the date of certificate of occupancy issuance. The results will then be presented to the Planning Commission. (2) The wall shall also be removed separating the sitting area from the rest of the subject unit. PC/Koo seconded.**

### **ROLL CALL:**

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

**Motion to approve passed 3-0.**

**4. Tentative Parcel Map (TPM) 82198 (Pacheco) – A request to subdivide a 39,756 square-foot parcel into two (2) single-family Lots (Lot 1 and 2) located at 20485 Fuerte Drive within the R1-15,000; Single-Family Residential and Rural Overlay Zoning Districts (APN: 8709-012-028).**

CDT/Munoz presented the Staff Report.

C/Perez asked for clarification on whether the existing single-family residence will remain on the proposed Lot 1, which is 23,340 square-feet.

CDT/Munoz confirmed that the information is correct.

VC/Dy asked for clarification on the Zoning requirement for the minimum Lot size of the subject location and if the Lot sizes include the shared easement.

CDT/Munoz stated that the Zoning requirement is 15,000 square-feet, and that half of the easement belongs to Lot 1 and the other half of the easement belongs to Lot 2.

VC/Dy asked the size of Lot 2 without the calculation of the shared easement.

CDT/Munoz explained that the net size of the Lot 2 is 12,175 square-feet.

C/Perez asked if there will be a covenant for the maintenance of the shared easement.

CDT/Munoz indicated that before the Final Map is recorded, a Maintenance Agreement will need to be established.

CE/Gilbertson further explained that the Maintenance Agreement will be a COA before the Final Map is recorded.

VC/Dy asked why Lot 2 does not have its own access off of Fuerte Drive.

CE/Gilbertson explained that both Lots are sharing the access for traffic safety purposes, and the preservation of the slope easement.

**C/Perez opened the Public Hearing for Public Comment.**

Applicant/Annabelle Pacheco explained the benefits of the proposed subdivision and stated she is available for questions.

**C/Perez motioned to close the Public Hearing for Public Comment. Without objection motion passed 3-0.**

**MOTION ON ITEM 4**

**C/Perez motioned to adopt PC Resolution No. 18-13, approving TPM 82198, subject to the attached COA. PC/Koo seconded.**

**ROLL CALL:**

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

**Motion to approve passed 3-0.**

**OLD BUSINESS:**

None scheduled.

**NEW BUSINESS:**

**5. Site Plan Case/Architectural Review (SPC/AR) 2018-107 (Zhou)** – A request to approve the original application of SPC/AR 2015-035 to construct two new two (2) – story single family homes with attached garages on 19915 and 19919 Camino De Rosa (APN: 8722-014-040 and 041).

AP/Yang presented the Staff Report.

PC/Koo asked for confirmation that the project has no changes from the previous November 2015 approval, and there are no current Code changes that will affect the subject project.

AP/Yang confirmed that no changes have been made and the project meets the current Walnut Municipal Code (WMC).

ACM/Weiner noted that changes may need to be made in regards to the Building Code but the projects meets all WMC requirements.

VC/Dy asked if the shared driveway is needed.

CE/Gilbertson noted a grade difference from the pad to the street and shared that an additional driveway will not work on-site.

The Commission and Staff further discussed the shared driveway.

PC/Koo asked why an extension is not being requested.

AP/Yang indicated that the project entitlement expired, which is why a new case number was given and still referencing the old plan. AP/Yang further explained that an updated structural plan will need to be resubmitted to the Building and Safety Department for review.

**C/Perez opened the item for Public Comment.**

Applicant/Jou, through a translator, explained that the construction on the proposed homes began right away, but delays had risen due to lack of experience and issues with the contractor.

**C/Perez motioned to close Public Comment. VC/Dy seconded. Without objection motion passed 3-0.**

VC/Dy shared his concern with shared driveways in general; however, noted that the project was previously approved with the shared driveway.

C/Perez asked if there were any issues or problems with the project while it was under construction.

CE/Gilbertson mentioned that there were no issues with the construction of the homes and that the grading of the site was well done.

The Commission and Applicant further discussed the delays of the project due to the contractor.

**MOTION ON ITEM 5**

**VC/Dy motioned to approve SPC/AR 2018-107, subject to the attached COA. C/Perez seconded.**

**ROLL CALL:**

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

**Motion to approve passed 3-0.**

**6. Site Plan Case/Architectural Review (SPC/AR) 2017-084 (Zhou)** – A request to construct a 1,694 square-foot, second floor addition located at 19650 Chalina Drive (APN: 8734-011-009).

AP/Yang presented the Staff Report.

PC/Koo asked if Staff can clarify the landscape easement on the subject site with respect to the lot coverage calculation.

AP/Yang indicated that the landscape easement located on the east and south side of the subject site is deducted from the lot coverage, which is calculated at thirty-nine (39%) percent.

VC/Dy asked for clarification on the Code requirement for Off-Street parking.

AP/Yang explained that the Code requirement for Off-Street parking excludes the kitchen area when calculating the living area to determine the number of spaces needed in an enclosed garage.

**C/Perez opened the item for Public Comment.**

Applicant/Frank Hernandez stated his past experience in real estate and explained the design of the proposed project.

VC/Dy inquired about an area on the second floor that is outside of the master bedroom that can possibly be converted to a bedroom in the future.

The Commission, Staff, and Applicant further discussed revising the second-story floor plan.

VC/Dy suggested for the area outside of the master bedroom area to be incorporated within the master bedroom or open to below to the first floor.

Mr. Hernandez introduced his Architect Zion and mentioned that a balcony can be proposed in that front area. VC/Dy confirmed that revising the floor plan with a deck will work.

C/Perez asked if Staff is ok with the revision to the second-floor.

AP/Yang noted that staff is open to a COA that requires a change to the design.

**C/Perez motioned to close Public Comment. Without objection motion passed 3-0.**

**MOTION ON ITEM 6**

**VC/Dy motioned to approve SPC/AR 2017-084, subject to the attached COA with the additional Condition to increase the open to below area and incorporate the rest of the loft area as the master-wing. C/Perez seconded.**

**ROLL CALL:**

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

**Motion to approve passed 3-0.**

**DISCUSSION/TRANSACTION:**

None

**REPORTS AND COMMENTS:**

ACM/Weiner reminded the Commission of the Walnut Family Festival that will be held on Saturday, October 13, 2018 and encouraged them to stop by the Community Development booth.

**ADJOURNMENT:**

**This meeting adjourned at 8:29 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday November 7<sup>th</sup>, 2018, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)**

**Passed and Approved on this 7<sup>th</sup> day of November 2018.**



**Tom Weiner, Assistant City Manager – Development Services**



**Chairperson, Fernando Perez**