

January 16, 2019

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 7:01 p.m.

FLAG SALUTE: Commissioner Koo

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

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

ORAL COMMUNICATIONS:

C/Perez opened Oral Communications for Public Comment.

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

APPROVAL OF MINUTES:

1. December 5, 2018 (Regular Meeting Minutes).

PC/Fernandez abstained due to his absence at the December 5, 2018 PC Meeting.

C/Perez moved to approve the minutes of December 5, 2018. PC/Wu seconded. Motion passed 4-0.

PUBLIC HEARING:

None

OLD BUSINESS:

None scheduled

NEW BUSINESS:

2. Recommended Continuance: Site Plan and Architectural Review (SPC/AR) 2016-056 and (SPC/AR) 2018-120: A request to develop a Master Plan for the existing City Blessing Church and permit the temporary modular buildings located on the subject property at 18091 Amar Road (APN: 8735-003-039).

AP/Yang presented the staff report.

C/Perez opened the item for Public Comment.

C/Perez motioned to close the item for Public Comment.

VC/Dy questioned why the item was placed on the Agenda if the Applicant was not ready.

ACM/Weiner explained that the item was placed on the Agenda months ago; however, due to the complexities of the project modifications were still needed.

C/Perez questioned if there were any expired permits on the property or if anything is not up to Code requirements on the original plans.

AP/Yang explained that the permits were not expired, but that the project consists of new modular buildings which will be temporary while the Master Plan is reviewed.

C/Perez referenced changes that affected project ADA compliance.

AP/Yang clarified that there have been changes to the project regarding ADA compliance.

MOTION ON ITEM 2

VC/Dy motioned to continue the item off calendar. C/Perez seconded. Without objection motion passed 5-0.

ROLL CALL:

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

Motion to continue passed 5-0.

3. Site Plan and Architectural Review (SPC/AR) 2018-45: A request to construct a 993 square-foot, two-story addition, a 215 square-foot third-car garage, and a 78 square-foot porch at 20648 Deloraine Drive (APN: 8720-020-002).

AP/Munoz presented the staff report.

C/Perez clarified that there was one (1) neighboring concern.

AP/Munoz clarified that Staff received one (1) written correspondence with a different resident visiting Staff at City Hall.

VC/Dy asked if there were any existing violations on the property regarding any type of multi-family use.

AP/Munoz clarified that the subject property has no current violations regarding multi-family rental.

C/Perez opened the item for Public Comment.

C/Perez motioned to close the item for Public Comment.

VC/Dy questioned and referenced the colored rendering regarding the short roofline along the first-story that is disconnected at the corner.

AP/Munoz elaborated that a Condition of Approval (COA) can be placed for the first-story roofline, in order to wrap around and meet at the proposed roofline facing Deloraine Avenue.

ACM/Weiner elaborated on implementing single-story elements, however, due to the nature of the project, the rooflines should be at the same level and can be conditioned to connect.

PC/Fernandez questioned the gable roof facing Carbonia Avenue and why it is the only roof that is designed as a hip roof.

AP/Munoz stated that the Architect was not present, but Staff can work with the Architect to incorporate these elements into the roof.

The Commission and Staff further discussed the roof plan and design.

VC/Dy stated that since the property has not had previous violations regarding multi-family residential use, there should be no concern of any kind. VC/Dy further noted the specific architectural elements that he would like changed regarding the single-story roof connectivity needed along the front elevation.

MOTION ON ITEM 3

C/Perez motioned to approve SPC/AR 2018-045 subject to the attached Conditions of Approval (COA) with the additional Conditions of the single-story roof element on Deloraine Drive to be continued on the front elevation of the residence, the existing gable roof to be redesigned to a hip roof, and a new window to be installed on the easterly side of the second-story addition. PC/Fernandez seconded.

ROLL CALL:

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

Motion to approved passed 5-0.

4. Site Plan and Architectural Review (SPC/AR) 2018-056: A request to construct a 6,201 square-foot two (2) story residence with an attached 840 square-foot garage located on a recently subdivided lot at 711 Gartel Drive (APN: 8709-018-020).

SP/Vasquez presented the staff report.

C/Perez asked if this project is located on the neighboring vacant lot that received architectural approval(s) back in September of 2018.

SP/Vasquez stated that it is part two of that project.

PC/Koo questioned the distance between the back of the home in relation to Gartel Drive.

SP/Vasquez stated that the minimum rear yard setback of the home in relation to Gartel Drive is thirty (30') feet; however, depending on the architectural footprint of the home it can vary in differing cases. SP/Vasquez further noted that the added grade difference from Gartel Drive, will assist in providing additional screening.

PC/Koo asked what the height of the house is in regards to the grade level of Gartel Drive.

SP/Vasquez stated that there is roughly a ten (10') foot grade difference between the finished pad of the home and Gartel Drive.

CE/Gilbertson further added that the property is about seventeen feet (17') higher than Gartel Drive.

VC/Dy inquired about a potential Junior Accessory Dwelling Unit (J-ADU) setup along the North side of the residence.

SP/Vasquez clarified that the portion of the addition was identified on the floor plan as a living room, however, it is acting more as a seating area.

VC/Dy inquired if this portion could be labeled as a J-ADU and explained that by doing so, there cannot be another Accessory Dwelling Unit (ADU) on the property.

SP/Vasquez stated that the Applicant is aware that they are capable of developing an ADU, however, it is not the Applicant's intent to create an ADU at this time.

C/Perez opened the item for Public Comment.

Applicant/Jonathan Ma introduced himself as the designer and clarified that the owner has no intentions to create an ADU. Mr. Ma further stated that if the PC decides to Condition the property to not obtain an ADU in the future, the property owner would comply.

The Commission, Staff, and Applicant further discussed designating said portion of the residence as a J-ADU.

Matthew Rzonka, resident, explained that the project resides in the Rural Overlay Zone and asked if the Applicant can provide elevations that may give residents a true perspective of how the home will look after construction. Mr. Rzonka further explained that existing residents in the area have installed 10,000 candlelight LEDs that do not illuminate downwards. He requested that the Applicant submit a lighting plan in addition to any proposed water features or swimming pools.

Eric Lim, resident, stated that he had spoken to SP/Vasquez regarding his concerns of the proposed retaining wall adjacent to his property, which may cause drainage issues to his front yard.

The Commission and Staff further discussed the adjacent property drainage.

CE/Gilbertson explained that Mr. Lim's concern was regarding the construction of the retaining wall and how it will prevent the flow of runoff and possibly flood his property. CE/Gilbertson added that they spoke to Mr. Lim prior to the meeting and will address the drainage concerns. CE/Gilbertson further implied that improvements to Gartel Drive ultimately may be the better solution.

C/Perez motioned to close the item for Public Comment. VC/Dy seconded.

VC/Dy reiterated the concerns made by Mr. Rzonka in terms of lighting.

ACM/Weiner stated that Code Enforcement assists in dealing with issues such as exterior lighting and that Conditions of Approval can be placed on the project.

VC/Dy questioned the measurement of decibels within the City.

ACM/Weiner stated that there are different levels allowed during the day time versus the evening and commercial and industrial Zones are allowed to be higher than residential areas. ACM/Weiner further specified that within the residential area the Code allows a decibel reading of no more than forty-five (45) decibels.

SP/Vasquez verified the information stating that the forty-five (45) decibel reading applies for the residential regions after 10:00 PM.

PC/Fernandez questioned Staff what the specifics are in regards to the Rural Overlay Zones regulations for curbs and sidewalks.

ACM/Weiner replied that curbs, sidewalks, and streetlights are not present in the Rural Overlay and that equipment and lights are issues that can be addressed.

PC/Fernandez suggested that projects within the Rural Overlay Zone provide a photometric plan that identifies the foot-candle brightness.

ACM/Weiner responded that a photometric plan may not be appropriate for certain projects, such as single family residential and staff can address this when needed.

PC/Fernandez asked if the Commission can place a limit on foot-candles.

ACM/Weiner confirmed that the Applicant would need a photometric engineer and explained the impact on other residents who wish to have a light in their backyard. ACM/Weiner further noted that the Commission can place Conditions of Approval on projects when needed.

The Commission and Staff further discussed lighting impacts.

PC/Koo questioned if there are any block walls being built along Gartel Drive.

SP/Vasquez explained that there are no proposals for perimeter fencing, and referenced a Condition of Approval that requires a Wall and Fence Plan be submitted before obtaining a permit. SP/Vasquez further noted that the walls and fences must be decorative in nature and will be checked as far as safety and visibility are concerned.

PC/Koo inquired about the possibility of placing more trees on the subject property.

SP/Vasquez responded that Condition #28 requires the Applicant to submit a final landscape plan that must be compatible with the landscape of the Rural Overlay Zone.

PC/Koo discussed that the location of larger trees should be placed along the rear towards Gartel Drive.

MOTION ON ITEM 4

VC/DY motioned to approve SPC/AR 2018-056 subject to the attached Condition's of Approval with the additional Condition that the structure be labeled as a J-ADU. C/Perez added a Condition of Approval that there be an enhanced effort on landscaping so that it stays consistent with the surrounding neighborhood. PC/Koo seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

5. Site Plan and Architectural Review (SPC/AR) 2018-117: A request to demolish an existing home and construct a new 6,953 square-foot, two (2)-story, single-family home at 1730 Crystal Peak Circle (APN: 8712-024-002).

AP/Yang presented the staff report.

PC/Koo questioned if the front gate was built with or without permits.

AP/Yang confirmed that there were no permits for the existing over-height fence.

The Commission and Staff further discussed the proposed project.

C/Perez opened the item for Public Comment.

Hay Yun, resident, had concerns regarding the time of construction, dust, parking requirements, and the height of the proposed residence.

C/Perez clarified Ms. Yun's concern regarding parking and further noted the hours that are allowed for construction activity in the City.

Applicant/Rick Yeh introduced himself as the project architect and noted that during construction, the vehicles will park on site due to the large front-yard area. Mr. Yeh added that the second story's floor area is actually smaller in size compared to the existing home and that the height is based on the pitch of the roof.

C/Perez mentioned that this project is a symptom of good property values in Walnut; where residents can demolish a 4,300 square-foot home and construct a 6,300 square-foot home.

PC/Koo commented that the plan and design is exceptional; however, he does not understand a compelling reason for the request for an over-height fence. PC/Koo noted the Code section for heights of walls, fences, etc. and how it is a standard that must be followed and not violated.

The Commission and Staff further discussed the fence and wall heights in terms of development standards.

VC/Dy agreed with the concerns regarding the proposed over-height fence and if the fence can be setback thirty (30') feet from the front property line.

C/Perez asked if there were any concerns on the height of the fence.

AP/Yang stated that no concerns were received regarding the over-height fence and the request for the over-height fence is part of the approval.

CE/Gilbertson explained that when properties are located on a through-street, the City requests a twenty (20') foot setback from the curb line to the gate so that vehicles may ingress/egress the street while the gate opens. CE/Gilbertson further explained that the subject property is located on a cul-de-sac wherein the concern of the gate location is not so critical.

AP/Yang confirmed that the existing gate will be the gate to remain.

VC/Dy questioned if the gate swings out or inwards.

CE/Gilbertson responded that the gate swings inwards.

The Commission further discussed the proposed over-height gate and alternative options for the location.

ACM/Weiner explained that all property owners have the right and opportunity to bring forward an over-height fence request and that all applications undergo the same process when submitting to the Planning Department.

ACA/Mann added that Commissions change from time to time and what may have been allowed at one point may not be allowed during the duration of another Commission. ACA/Mann further elaborated that the Commission still has project discretion.

VC/Dy questioned how the approval and disapproval process works.

ACM/Weiner explained that the project is defined as a Site Plan and Architectural Review case and refers to the Planning Commission for approval. ACM/Weiner further noted that the approval and disapproval of specific aspects of a project is solely up to the majority of the Commission.

VC/Dy stated that he may place a motion to approve the demolition and construction of the new home but not include the over-height fence. VC/Dy indicated that he may want to continue the item as it relates to the fence/gate.

ACM/Weiner recommended the Commission to either approve or disapprove portions of the project but not to continue the item(s).

PC/Fernandez further suggested that the Commission stay consistent with previous decisions regarding over-height fences. PC/Fernandez then stated that he believes the over-height fence should remain.

MOTION ON ITEM

PC/Koo motioned to approve SPC/AR 2018-117, except for the over-height fence/gate which will need to be brought up to Code. VC/Dy seconded. Without objection motion carries 3-2.

ROLL CALL:

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

Motion to approve carries 3-2.

ACM/Weiner stated that the Applicant has the opportunity to appeal any decision that the Planning Commission has made to the City Council within fifteen (15) days.

VC/Dy clarified that the Applicant is approved to demolish and construct the proposed home, but will need to bring the existing over-height fence/gate up to Code requirements.

REPORTS AND COMMENTS:

- C/Perez thanked the applicants and residents for attending the meeting.
- ACM/Weiner stated that long time Staff Member Derrick Womble left in November to work for the City of Ontario and Senior Management Analyst Joelle Guerra is spending time with her new born. ACM/Weiner further welcomed Gabriel Katigbak as the new Community Development Technician.
- ACM/Weiner stated that there are forthcoming City Council Study Session items that will be presented to the City Council. One being, that the Planning Commission actions are to be reported to the City Council for possible Council review.
- The Commission and City Staff further discussed the Study Session item and its process.

ADJOURNMENT:

This meeting was adjourned at 8:40 p.m. The next Planning Commission Meeting is set for a regular meeting on Wednesday February 6, 2019, at 7:00 p.m. in the City Council Chambers at Walnut City Hall (21201 La Puente Road).

Passed and Approved on this 6th day of February, 2019.



Tom Weiner, Assistant City Manager – Development Services


Chairperson, Fernando Perez