

April 3, 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 Fernandez

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

ABSENT: Commissioner: Koo

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

ORAL COMMUNICATIONS:

C/Perez opened Oral Communications for Public Comments.

C/Perez closed Oral Communications for Public Comments.

APPROVAL OF MINUTES:

1. March 6, 2019 (Regular Meeting Minutes).

C/Perez motioned to approve the minutes of March 6, 2019. VC/Dy seconded. Motion passed 4-0.

PUBLIC HEARING:

2. Zone Variance (ZA) 2018-001 and Site Plan and Architectural Review (SPC/AR) 2018-094: A request to deviate from the Walnut Municipal Code (WMC) development standards for the construction of an 1,886 square-foot, 2-story single-family home at 418 Camino De Teodoro (APN: 8722-021-008).

AP/Yang presented the Staff Report.

PC/Fernandez inquired about the adjacent vacant lot located to the south, 422 Camino De Teodoro and whether or not it is intended for access to the neighboring vacant lot.

AP/Yang confirmed that the southern lot, 422 Camino De Teodoro, is intended to be utilized as an access way to the adjacent vacant lots located to the east of the project site.

VC/Dy inquired about the proposed side-yard setbacks and inquired as to the design's compatibility with the site.

ACM/Weiner asked if the Applicant could clarify the side yard setbacks.

Applicant, Peter Fung mentioned that the initial design approval consisted of tandem parking and that tandem parking is not functional. Mr. Fung elaborated that the property actually has a two (2)-foot setback from the side property line to the proposed two (2)-car garage and that due to the topography of the lot; a majority of the garage would be subterranean.

VC/Dy mentioned that the proposed plan illustrates a five (5) foot side yard setback.

Mr. Fung clarified that the garage side yard setback that is located south of the lot is one-foot nine-inches (1'-9") from the property line and that the rest of the development will comply with the proposed five (5) foot side yard setback.

PC/Fernandez asked if there were any discussions with the property owner to the north at 414 Camino De Teodoro.

Mr. Fung stated that there were brief discussions during the preliminary designing stage.

AP/Yang confirmed that staff has not received any correspondence from the neighboring residents.

C/Perez mentioned that the proposed floor plan illustrates two (2) dining rooms.

Mr. Fung verified that it is mislabeled.

VC/Dy further discussed the previously approved Variance with tandem parking that was made in 2008 and questioned as to why the design was never constructed.

Mr. Fung stated that previous owner decided to not move forward with the project.

VC/Dy made note of the previous approval that consisted of a tandem parking two (2)-car garage and that there was another PC approval sometime after requesting for the enlargement of the tandem parking spaces.

CE/Gilbertson recalled only one (1) previous approval.

C/Perez and VC/Dy further discussed the topic of the proposed two (2') foot side yard setback from the garage to the side property line.

VC/Dy suggested the garage to be completely subterranean and construct a single-story above the garage to provide the appearance of a two (2)-story residence from the street.

Mr. Fung stated that a potential issue may occur due to the size of the lot. Moreover, Mr. Fung further elaborated that by making the garage entirely subterranean and eliminating the second-floor; it would limit the amount of floor area that the owners are requesting.

ACM/Weiner clarified to the PC that the location of the proposed retaining walls will remain and that a one (1)-car tandem does not allow the Applicant to create the base to build a two-story.

C/Perez mentioned that the discussion be unofficially entered into Public Comment.

ACA/Mann suggested C/Perez check if there is anyone in the audience that may want to speak in regards to the item.

C/Perez motioned to opened the Public Hearing for Public Comments.

Resident, Nick Bryant introduced himself as the neighbor located to the north of the subject property and indicated that he did not receive a letter regarding the project. Mr. Bryant noted that his main concern is that the proposed development would be very close to his property and may block his view.

C/Perez asked if neighboring properties were notified of the project.

AP/Yang confirmed that two (2) notices were sent out regarding the project. One (1) notice was sent out when the project was submitted and the second was sent out to notify residents of the PC meeting. AP/Yang explained that the first notice was to inform the residents that an application had been submitted to the Planning Department and the second notice informing the residents of the PC Meeting.

C/Perez asked Mr. Bryant for clarification.

Mr. Bryant confirmed that his main concern is his possible view obstruction from his house.

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

PC/Fernandez asked Mr. Bryant if he is aware that the Applicant is requesting to reduce the side yard setback.

Mr. Bryant stated that the concern would only apply to the northern side yard setback that is adjacent to his property.

The PC further discussed the project's characteristics and Mr. Bryant's opposition to the proposed Variance.

C/Perez closed the Public Hearing for Public Comments.

PC/Fernandez asked CE/Gilbertson the required minimum distance between structures.

CE/Gilbertson stated that it varies on how the structures are constructed; some commercial buildings have zero (0) foot setbacks and some may have a gap of about one (1") to two (2") inches.

PC/Fernandez noted that the main concern of granting a Variance of one-foot nine-inches (1'-9") is if the property located to the North were to redevelop then the proposed home would need to meet the minimum ten (10') foot clearance.

ACM/Weiner commented that in cases wherein lots are smaller and structures are closer to one another; a more stringent fire rating is done and more intense building codes are incorporated.

VC/Dy mentioned that the project lot is similar to the Shea townhomes located on Valley Boulevard and that the proposed development creates issues for the properties to the north and the south due to the non-conforming setbacks. VC/Dy further mentioned that the previous Variance approval granted tandem parking to deem the property developable.

ACM/Weiner stated that the proposed development shall be reviewed as a new submittal and that the previous approval shall be used as a reference.

VC/Dy further discussed the nature of the lot and its development constraints that could affect the adjacent lots located to the north and south.

PC/Fernandez also commented on the development constraints due to the lot. PC/Fernandez asked Staff to confirm that the lot to the south would only be utilized as a private drive aisle and mentioned that the parcel lot located directly east of the project site is land locked.

C/Perez stated that the two (2) lots located to the south and east of the project site are owned by the same owner.

ACM/Weiner noted that Staff would not allow a land lock situation; the findings would need to be made in order to do so.

PC/Fernandez suggested that the proposed project have a zero-lot line to the south to provide more space for the property line located to the north since the property to the south will be dedicated as a private drive-aisle. PC/Fernandez further mentioned that it will prevent potential issues for future development for the property to the north.

ACM/Weiner stated that architecturally that side will be prominent because there will be no building against the drive aisle, therefore, projecting a blank wall. ACM/Weiner noted that if the project takes this direction, a decorative treatment will need to be placed.

PC/Fernandez responded that the zero-lot line would only be applied to the garage structure because it is the only structure that encroaches more than the proposed five (5) foot setback; the rest of the building is in compliance.

ACM/Weiner stated that by shifting the garage to the south it creates more of an offset architecturally.

VC/Dy asked if the vacant property to the south has been allocated strictly as access.

CE/Gilbertson mentioned that it is a legal lot and it can be developed individually from the lot located behind, however, any development proposal must provide a fifteen (15')-foot access road to the land locked parcel behind.

The PC and Staff further discussed vacant lots east of the property in relation to the proposed project.

C/Perez re-opened the item for Public Comments.

Mr. Fung further discussed the project site's characteristics and that the project does not pose issues for future developments for the property located to the north.

VC/Dy stated that the proposed project could potentially deprive the northern property of their normal rights and asked if the property owner was interested in purchasing the vacant lot to the south in order to merge both lots.

Resident, Doyle Whalen mentioned that it would not be fair to allow the proposed project to be approved because a standard two (2) car garage is twenty (20) feet and the lot is twenty-five (25) feet in width. Mr. Whalen noted he is not opposed to the project, however, they should not be allowed to deviate even more.

VC/Dy suggested that the property owner try to negotiate to purchase five (5') to fifteen (15') feet of the property located to the south to be more in conformance with the setback and development requirements.

Mr. Fung further discussed that the property owner is willing to work with the option of the zero-lot line.

PC/Fernandez asked if any issues were to occur if the garage was subterranean and below a two (2)-story building.

CE/Gilbertson mentioned that it would be considered a three (3)-story structure.

VC/Dy suggested for the one-story to be placed above the garage and the second-story be setback further from the front so that the structure does not appear massive. VC/Dy further stated that the main concern is protecting the property rights of the neighboring properties.

PC/Fernandez agreed with VC/Dy's concerns and noted that the development will be an improvement over the existing condition. PC/Fernandez continued in full support of granting a zero-lot line setback for the garage portion of the proposed development.

ACA/Mann stated that a request for an additional zero-lot line setback would require a new application.

PC/Fernandez asked if the zero-lot line setback should be granted for a specific portion of the development.

The PC and Staff further discussed zero-lot line setback Variances, noticing, and procedures.

ACM/Weiner made note that it would be best for Staff to bring back the project to the PC for review.

PC/Fernandez agreed for the project to come back to the Commission and further noted the re-noticing of the project to allow residents to review the revised plans.

PC/Wu requested the Applicant to clarify what portion of the structure they are willing to have meet the zero-lot line setback modification.

Mr. Fung confirmed that the garage will be the only portion of the structure to meet the zero-lot line Variance; the proposed first and second-story will remain as proposed. Mr. Fung mentioned that by removing the proposed workshop area within the garage, an additional five (5')-feet will be available to meet the minimum twenty-five (25')-foot front yard setback and avoid an additional Variance.

The PC, Staff, and Applicant further discussed and clarified what modifications and actions are needed.

VC/Dy recommended a continuance rather than an approval on the item.

C/Perez mentioned that the lot located south of the property will most likely be utilized as a private drive aisle and that a continuance may not achieve much more than what the PC, Staff, and the Applicant have crafted.

MOTION ON ITEM 2

C/Perez motioned to approve ZA 2018-001 and SPC/AR 2018-094 subject to the attached COA's with the additional Conditions that the garage have a zero-lot line setback, that the front yard meet the minimum twenty-five (25')-foot setback and the proposed design remain as presented. Additionally, the wall located to the south be decorative in nature. PC/Wu seconded.

ROLL CALL:

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

Motion to approve carries 3-1.

3. Tentative Tract Map No. 53924 (Harijanto) Time Extension Request.

VC/Dy abstained from the discussion and voting of the item due to the proximity of his residence to the subject site.

SP/Vasquez presented the Staff Report.

C/Perez asked for clarification on the reasoning for the time extension request.

SP/Vasquez confirmed that the request for the time extension was to avoid the expiration of the Map.

CE/Gilbertson mentioned that Staff has performed one (1) plan check and has issued and routed the corrections back to the applicant.

C/Perez closed the item for Public Comments.

MOTION ON ITEM 3

PC/Fernandez motioned to approve a twelve (12) month time extension for TTM No. 53924 subject to the previously approved COA's. PC/Wu seconded.

ROLL CALL:

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

Motion to approve passed 3-0.

4. Site Plan Case and Architectural Review (SPC/AR) 2019-007: A request to demolish an existing home and construct a new 5,095 square-foot, two (2)-story, single-family home at 21045 Stonybrook Drive (APN: 8709-061-031).

AP/Munoz presented the Staff Report.

PC/Fernandez mentioned that the report did not illustrate any comparisons of the square-footage to the surrounding neighborhoods.

AP/Munoz presented information in regards to the square-footage of the surrounding residences.

C/Perez opened the item for Public Comments.

Applicant, Christopher Faulhammer introduced himself as the architect.

VC/Dy commended Mr. Faulhammer on the design and asked if there was a wall located at the front of the property facing the street.

Mr. Faulhammer confirmed that there are no walls being proposed to the front of the property, however, the project does propose to landscape the front yard with drought tolerant vegetation.

VC/Dy and Mr. Faulhammer further discussed the swimming pool enclosure, its proposed location and its materials.

C/Perez commended Mr. Faulhammer's design and asked the duration of complete demolition and build-out.

Mr. Faulhammer stated that the demolition would be no less than a week and that the construction would roughly be twelve (12) months.

VC/Dy mentioned that the elevations illustrate standing seamed roofs with large overhangs and asked what the slope of the proposed roof is.

Mr. Faulhammer stated that the pitch of the roof is 4:12.

C/Perez closed the item for Public Comments.

MOTION ON ITEM 4

C/Perez motioned to approve SPC/AR 2019-007. VC/Dy seconded.

ROLL CALL:

AYES: Perez, Dy, Fernandez, Wu

NOES: None

ABSTAIN: None

ABSENT: Koo

Motion to approve passed 4-0.

DISCUSSION/TRANSACTIONS:

None scheduled.

REPORTS AND COMMENTS:

- PC/Fernandez asked ACM/Weiner to confirm if the scheduled mid-April meeting is cancelled. ACM/Weiner stated that the Applicant did not meet CEQA qualifications in order to have the necessary forty-five (45) day period.
- SP/Vasquez confirmed that the meeting will be held either in May or early June.

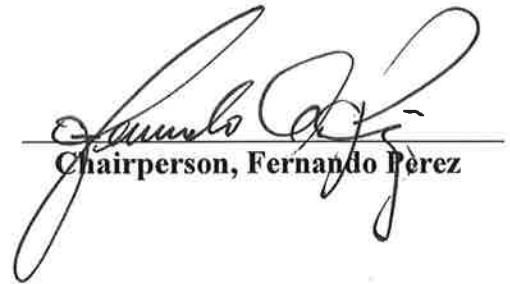
ADJOURNMENT:

This meeting was adjourned at 8:41 p.m. The next Planning Commission Meeting is set for a regular meeting on Wednesday, May 1, 2019, at 7:00 p.m. in the City Council Chambers at Walnut City Hall (21201 La Puente Road).

Passed and Approved on the 1st day of May, 2019.



Tom Weiner, Assistant City Manager – Development Services



Chairperson, Fernando Perez