



AGENDA ITEM 3

- ☒ Public Hearing
- ☐ Old Business
- ☐ New Business
- ☐ Discussion

WALNUT PLANNING COMMISSION

AGENDA DATE: JUNE 5, 2019

TO: Chairperson Perez and Planning Commissioners

VIA: Tom Weiner, Assistant City Manager – Development Services *Tw*
Justin Carlson, City Planner *Jc*

FROM: Chris Vasquez, Senior Planner *CV*

SUBJECT: Brookside Equestrian Center (Brookside): A proposal to subdivide a 25.8-acre property into twenty-eight (28) single-family residential lots and other on-site improvements at 800 Meadowpass Road (APN: 8709-093-001, 002, & 003).

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Open the Public Hearing;
2. Hear the Staff Report;
3. Solicit input on this item;
4. Close the Public Hearing; and
5. Recommend to the Walnut City Council the following:
 - a. Approval of the Draft Environmental Impact Report (DEIR) to include Alternative 1 of the DEIR; which requires the subdivision of the project to comply with minimum lot size provisions of the RPD 28,500 – 1.3 DU Zone.
 - b. Approval of TTM 72798 with modification of minimum lot sizes that will comply with the RPD 28,500 – 1.3 Zone and be consistent with Alternative 1 of the DEIR.
 - c. Direct staff to prepare and bring back at a later date the appropriate Resolutions and Conditions of Approval (COA) for the project, consistent with Alternative 1 of the DEIR.

APPLICANT/ PROPONENT:

Property Owner: Spring Meadows Homes LLC/Meadow Pass Estates LLC
Attn: Mr. Jack Su
18217 Gale Avenue, Suite A
City of Industry, CA 91748

BACKGROUND:

The subject property is a 25.8-acre site formerly known as Brookside Equestrian Center (Brookside) located at 800 Meadow Pass Road within the R.P.D. 28,500 – 1.3 DU; Residential Planned Development Zoning District. The subject property is located east of Lemon Avenue, with Meadow Pass Road and La Puente Road located to the north and south, respectively. Lemon Creek flows south through the central portion of the subject site with equestrian/hiking trails along the easterly portion of the site and Lemon Creek. Various existing equestrian facilities, which include horse barns, stables, fenced corals, feed sheds, and a covered riding arena, are located throughout the subject site.

PROJECT TIMELINE:

The following is a general overview of the project timeline, thus far:

MAY 20, 2014: Original Application Submittal

Initially, the Applicant submitted the following entitlement requests pertaining to the development the subject property:

- TTM 72798
- Specific Plan (SP)
- Site Plan Case and Architectural Review (SPC/AR)
- General Plan Amendment (GPA) and Zone Change (ZC)

The original proposal was to subdivide the 25.8-acre property and develop it into forty-six (46) detached single-family residential lots (with homes), one (1) recreation center, six (6) open space areas, two (2) private streets, and one (1) public street.

The Applicant held two (2) outreach meetings on August 14, 2014 and March 10, 2015 to inform the public of the project and to receive community input. In addition to these meetings, the Applicant also met with local stakeholder groups, such as the Walnut Historical Preservation Committee (WHPC) and the Walnut Valley Riders Club (WVRC), in order to address any concerns they may have.

In response to community output, the Applicant worked to address concerns related to the site design/use of the development, and preservation of the unique qualities of the site (e.g. Lemon Creek).

JUNE 1, 2015: *Project Revision*

The revised proposal comprised of a residential unit reduction to thirty-three (33) lots, nine (9) open space lots, one (1) ingress/egress outlet from Meadow Pass Road, and a twenty-six (26') foot wide emergency vehicle access (EVA) point at the southern portion of the site. Furthermore, the preservation of the existing main barn and stable(s), located on the northeast section of the property, was first proposed in an effort to protect a portion community significant structures existing on the Brookside property.

AUGUST 5, 2015: *PC Review*

The June 1 revision to the project was presented to the Commission on August 5, 2015.

At the meeting, the Planning Commission (PC) expressed appreciation for the efforts by the Applicant to further refine and design the project to address community concerns and reducing the overall intensity of the development, while preserving key components of the site. However, it was noted that due to the fact that the proposed lot sizes did not meet the minimum lot size, as required by the Walnut Municipal Code (WMC) in the R.P.D. – 28,500 Zoning District, the PC continued the project for ninety (90) days in order to allow the Applicant sufficient time to address Code related shortcomings.

This continuance also allowed the Applicant time to continue working with community concerns received and presented at said meeting.

DECEMBER 16, 2015: *PC Review and Amended Entitlement Request*

On December 16, 2015, the PC was presented with a third revision to the project for discussion purposes, where no action to approve or deny the project was up for consideration. This review was subsequent to the ninety (90) day time extension, and included the following revisions to the project:

- A reduction in density from thirty-three (33) lots to twenty-eight (28) lots;
- An increase in open space lots from nine (9) to ten (10) lots;
- Increased lot sizes ranging from 14,904 square-feet to 75,773 square-feet, with an average lot size of 19,611 square-feet (excluding open space areas);
- Ingress/egress onto Meadow Pass Road via a public street (Street A) that transitions into a private street (Street B);
- Preservation of the primary barn and stable(s) and thus incorporated into the design of the subdivision as Lot 4 of TTM 72798;
- Removal of the originally proposed gated community design concept;

- The proposal of a twenty-six (26') foot wide emergency vehicle access point from La Puente Road.

The Applicant also amended the proposed entitlements to withdraw the SP, SPC/AR, GPA, and ZC. Entitlements requested, as presented to the PC, included only the Conditional Use Permit (CUP 2015-006) and TTM 72798.

The item was continued off-calendar, allowing the project to move forward and the Applicant to begin working on the California Environmental Quality Act (CEQA) required studies based on the defined project (as presented above).

CURRENT STATUS: *Post December 16, 2015 PC Meeting*

Since the PC's continuance of the project (off-calendar), staff and the City's contracted third-party CEQA consultant started work to prepare the Draft Environmental Impact Report (DEIR). The DEIR includes a comprehensive Tree Survey and Arborist Report, which addresses the Lemon Creek and other unique environmental qualities that traverse the site.

Further refinements have also been made to the proposed subdivision, such as the inclusion of landscape easements along the rear yard(s) of proposed lots abutting the public right-of-way. The total number of lots and layout of the subdivision, however, remains the same as previously presented to the PC.

For reference, a copy of the August 5, 2015 and December 16, 2015 PC meeting minutes are provided to this report as Attachment 1.

STAFF ANALYSIS:

A. Project Description

The applicant is proposing a subdivision of an existing 25.8-acre property into single-family residential lots with open space, access, and related infrastructure. The proposal also includes CUP 2015-006 to request lot sizes that are less than the prescribed RPD Zone (28,500 – 1.3 DU).

A DEIR has also been prepared in accordance with CEQA and has been circulated for public review and comment. The DEIR analyzes the most recently proposed project in relationship to CEQA. An analysis related to the DEIR is provided in the subsequent section(s) for the PC's consideration.

The TTM is proposing to create twenty-eight (28) residential lots, ten (10) open space lots, one (1) public street (Street A) that transitions into a private street (Street B), one (1) emergency vehicle access point at the southerly project boundary, and related infrastructure improvements. The design of the

subdivision is such that it takes into consideration the topography of the site in order to limit the use of retaining walls and instead incorporates 2:1 slope(s) to separate the lots. The Applicant is proposing lot sizes that range between 14,409 square-feet to 75,773 square-feet, which is less than the minimum lot size prescribed by the RPD Zone, which requires 28,500 square-feet for minimum lot sizes.

B. Conditional Use Permit (CUP 2015-006) – Lot Size Reduction

In conjunction with the TTM, the applicant is also requesting approval of a CUP to deviate from the minimum lot size requirement within the RPD Zone. The TTM proposes twenty-seven (27) lots to be deficient in lot area, where only one (1) lot (Lot 4) is consistent with Zoning guidelines. The CUP mechanism was previously used in the early 1990's for the development of Tract 48286 (Meadow Pass Heights) to reduce the lot sizes within the development.

As outlined within WMC 6.24.030(O):

“...Where the proposed division would create one or more lots or parcels of land having an area of less than that specified if developed as provided in subsection (A)(1) of this section, such map shall also delineate the relationship between such lots or parcels of land and open space provided as required in subsection F of this section. The conditional use permit shall consider whether the proposed separation provides as well or better for planned development within the intent of this section.”

Deviation from the minimum lot size provision is afforded within the WMC to provide opportunities to better and further improve development within the RPD Zone(s) by reducing lot sizes to increase areas designed for common open space, recreational areas, trails, and landscaping adjacent to right-of-ways. However, as discussed in the subsequent section, the proposed project with the CUP request does not result in a better planned development.

Alternative 1 (DEIR) – Environmentally Superior

The DEIR takes into consideration a project Alternative (Alternative 1 or the “No CUP” alternative), where minimum lot sizes are 28,500 square-feet, as required by the RPD Zone.

The Analysis provided within the DEIR for this alternative indicates that with lot sizes at 28,500 square-feet (minimum), the density would be decreased from twenty-eight (28) to twenty-four (24) lots. Additionally, key structures will also be preserved as part of Lot 4. Most importantly, the “No CUP” alternative will

not only result in a reduction of four (4) lots, it will also result in 9.55 acres (37%) of open space.

Therefore, the request to reduce lot sizes via a CUP will not result in an increase in open space or result in a better designed planned development, and will only result in an increase in the number of lots. The amount of open space and manner in which the development is designed will remain the same.

Table 1 is provided below comparing TTM 72798 as presented with a CUP request to reduce lot sizes, and Alternative 1 of the DEIR (Existing Zoning – “No CUP”), which requires lot sizes to comply with existing Zoning. It should also be noted that Alternative 1 is the environmentally superior alternative.

Table 1. Proposed Project and Alternative 1 (No CUP) Comparison

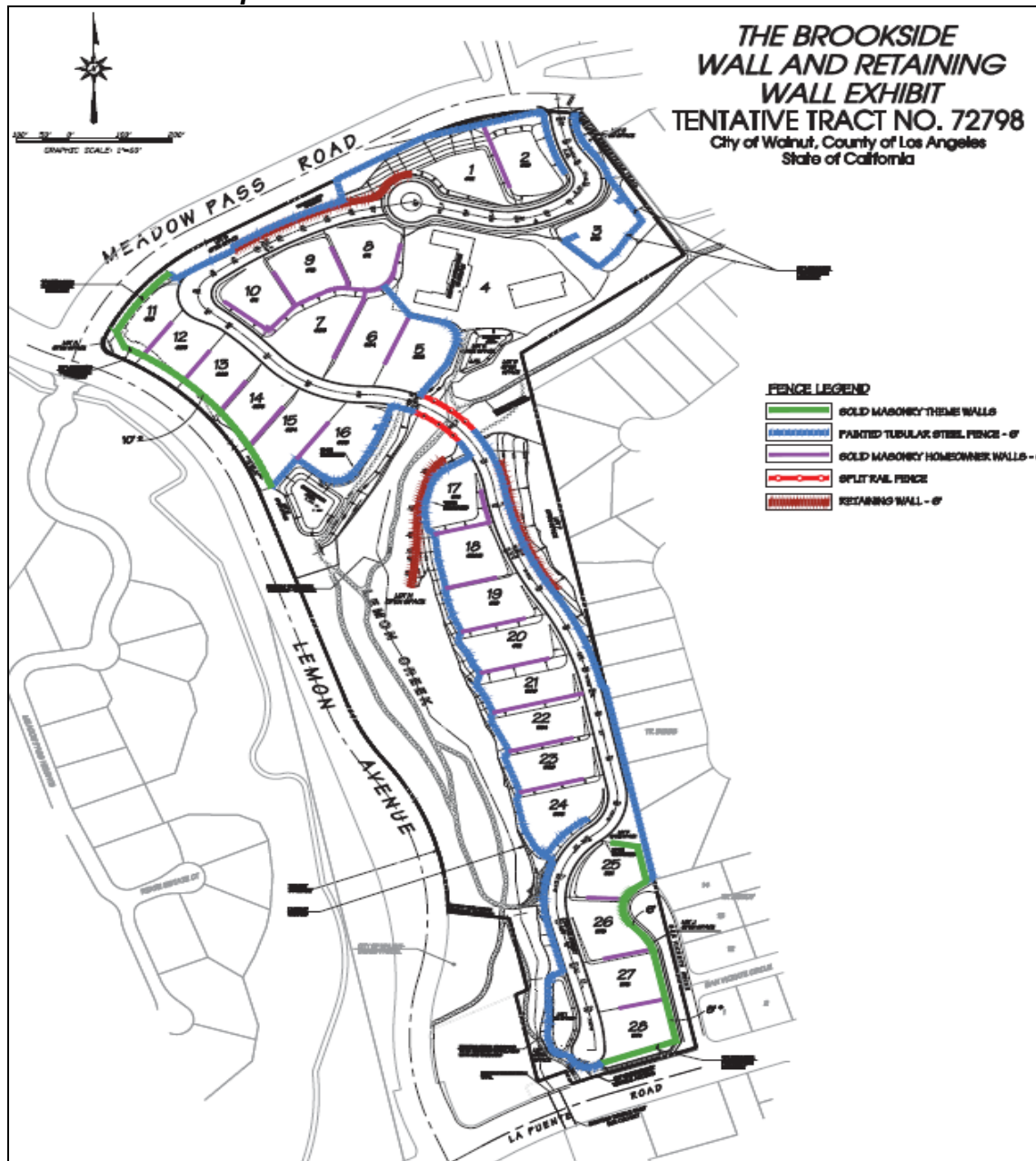
Use	Proposed Project		Alternative 1: Existing Zoning – “No CUP”	
	Acres	Lot/Dwelling Unit	Acres	Lot/Dwelling Unit
Single-Family Residential (includes Lot 4)	12.69	28 Lots/ 28 Dwelling Units	12.69	24 Lots/ 24 Dwelling Units
Open Space	9.55	10 Lots/ 0 Dwelling Units	9.55	10 Lots/ 0 Dwelling Units
Public and Private Streets	3.60	--	3.60	--
Total	25.84	28 Lots/ 28 Dwelling Units 10 Open Space Lots	25.84	24 Lots/ 24 Dwelling Units 10 Open Space Lots

C. Wall Plan/Grading

Three (3) retaining walls are proposed as part of the overall site grading. One (1) six (6') foot high wall along the northerly side of the Street A and Street B approximately forty (40') feet from Meadow Pass Road, and two (2) retaining walls each totaling six (6') feet located south of proposed vehicular bridge located east of the private street and west of the proposed lots. Approximately 55,000 cubic yards of cut/fill are proposed in order to create the development.

Details such as the finish material(s), color(s), and precise locations are not included as part of this submittal; however, should the PC recommend approval of the project to the City Council, staff will prepare COA's which will include the requirement to obtain additional entitlement approvals before a grading permit is issued.

Exhibit 1. Development Wall Plan



The above referenced exhibit illustrates the proposed retaining and freestanding walls/fencing within the development. Illustrated in red are the proposed retaining walls and six (6') foot high maximum homeowner/private property masonry walls are shown in purple, and walls that face or abut a public right-of-way are shown in green. Tubular steel fencing is also proposed and illustrated on the plan (blue dash) in addition to split rail fencing (red dash with circles).

D. California Environmental Quality Act (CEQA) – DEIR

The City of Walnut is the Lead Agency under the *California Environmental Quality Act (CEQA)*, and is responsible for preparing the Draft Environmental Impact Report (DEIR) for The Brookside Project (State Clearinghouse No. 2016051030). A DEIR has been prepared in conformance with *CEQA (California Public Resources Code [PRC] Section 21000 et seq.)*; *CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.)*; and the rules, regulations, and procedures for implementation of CEQA, as adopted by the City of Walnut. The principal *CEQA Guidelines* section(s) governing content of this document are Sections 15120 through 15132 (Content of an EIR), and Section 15161 (Project EIR).

CEQA requires the preparation of an objective, full disclosure document which informs agency decision-makers and the public of the direct/indirect environmental effects of the proposed action. The main purposes of a DEIR are further clarified in *CEQA Guidelines* Section 15121:

- Provide decision-makers and the public with specific information regarding the environmental effects associated with the proposed project.
- Identify ways to minimize the significant effects of the proposed project.
- Describe reasonable alternatives to the proposed project.

A copy of the Draft Environmental Impact Report (DEIR) is included with this report for the Commission's reference (Attachment 3). The purpose of this DEIR is to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures and alternatives to avoid or lessen potentially significant effects of the proposed Brookside Project. Mitigation measures are provided that may be adopted as COA's in order to avoid or minimize the significance of impacts resulting from the project. In addition, this DEIR is the primary reference document in the formulation and implementation of a mitigation monitoring program for the proposed project, and are included as part of the DEIR (Attachment 3 – DEIR).

Though the DEIR fully assesses the environmental impacts (if any), the below discussion is an overview of the key components which comprise the DEIR analysis.

Biological Resources (Habitat Assessment)

The Biological Resource (Habitat Assessment) Analysis assesses the natural habitat on the subject property that is of significant importance, including the manner in which the project interacts/impacts said habitat. This assessment takes into consideration environmental qualities on the site that consists of

vegetation, wildlife, and jurisdictional “waters of the United States” and “waters of the State”, such as creeks and streams.

Vegetation

The existing site is comprised of a mix of natural and ornamental plant material/vegetation, and has been previously disturbed through the activities associated with the development and use of the site for equestrian purposes (Brookside Equestrian Center). As such, the project would not result in an impact to any special-status plant species, which have been found to occur within the region.

However, there is one (1) special-status species tree (California walnut (*Juglans California*) that exists on-site and located generally near the riparian corridor of Lemon Creek. Although impacts will be less than significant, a comprehensive tree survey and arborists report has been prepared and included as Attachment 4 to this report. Within the report and incorporated as part of the environmental documents is a tree preservation and replacement plan, for which the Applicant is proposing to preserve existing California Walnut and Oak trees that may exist on the subject property. In addition, existing mature trees have also been taken into consideration and are going to be protected to the extent reasonably possible, and if necessary, replaced within the development if removal is necessary.

Wildlife

Special-status wildlife species that have been recorded in the region and could possibly occur on site include the following wildlife species: Cooper’s hawk, merlin, hoary bat, wester yellow bat, arroyo chub, mastiff bat, coastal whiptail, western mastiff bat, yellow-breasted chat, pocketed free-tailed bat, big free-tailed bat, coast horned lizard, bank swallow, western yellow-billed cuckoo, coastal California gnatcatcher, and least Bell’s vireo.

In an effort to ensure that there are no impact(s) to any of the listed species, mitigation measures have been incorporated into the DEIR and Mitigation Monitoring Program (MMP) to ensure there will be less than significant impacts to these species after mitigation. Such mitigation includes provisions to conduct site surveys for these special-status species during the breeding (April 10 through July 31) and nesting seasons (generally from February 1 through August 31).

Jurisdictional Waters

The Lemon Creek water feature traverses the site beginning at the northeasterly boundary and flows southerly toward La Puente Road. In addition, a drainage channel that enters the site towards the westerly boundary is also taken into consideration. These waters are identified as both State and Federal jurisdictional areas as illustrated in Table 2, below.

Table 2. On-Site Jurisdictional Areas Summary

Jurisdictional Feature	Corps	Regional Water Board	CDFW	
	Acreage	Acreage	Vegetated Streambed Acreage	Associated Riparian Vegetation
Lemon Creek	0.49	0.49	1.75	0.83
Drainage A	0.01	0.01	0.01	0.00
Total	0.50	0.50	0.50	0.83

With the presence of Federal and State jurisdictional waters on site, the development has been designed to mitigate impacts to existing water way(s) by preserving the areas adjacent to these water features and limiting development within these area(s). Further, the project is required to obtain the following Agency approvals and permit(s) prior to development of the site:

- United States Corps of Engineers CWA Section 404 Permit.
- Regional Board CWA Section 401 Water Quality Certification.
- California Department of Fish and Wildlife Section 1602 Streambed Alteration Agreement (SAA).

In addition, the DEIR assesses impacts such as noise, traffic, aesthetics, etc. These impacts are fully analyzed within the CEQA report and any impacts that may be significant and require mitigation have been incorporated into the MMP (Attachment 3 – DEIR).

Alternative 1

The DEIR assesses not only the project that is presented, but also includes an analysis for alternatives to the project that may result in lesser impacts. The CEQA document notes that Alternative 1 to the project is to develop the lot in conformance with the RPD Zone requirements, such as lot size and density. As such, this Alternative assumes development of the site with lots that provide the minimum required 28,500 square-feet, and remain within the allowable density (1.3 DU).

The DEIR indicates that Alternative 1 is the environmentally superior Alternative to the proposed project as it will not result in an impact to Land Use. This Alternative will produce twenty-four (24) residential lots, which is four (4) less than the Applicant's proposed project. However, Alternative 1 will also retain the equal amount of Open Space (9.55 acres at 10-lots) with less density.

PUBLIC NOTICE:

On May 21, 2019, A Public Hearing Notice was prepared informing the public of the June 5, 2019 PC meeting in which the project would be considered. The notice was published within the San Gabriel Valley Tribune and posted at the Walnut City Hall, Walnut Senior Center, Walnut Library, and Walnut Post Office ten (10) days prior to the Public Hearing.

Furthermore, the notice was mailed to 208-residents whom reside within three-hundred (300') feet of the project site, and whom have requested to be notified of future meetings related to the project. A copy of the Public Hearing Notice and mailing labels has been included as Attachment 5 (Brookside Notice of Public Hearing and Mailing Labels). As of the writing of this report, no correspondence has been received concerning the project.

RECOMMENDATION:

Based on the information presented within this report, the project has been designed in such a way as to minimize impacts to the natural terrain and address community concerns related to development and use of the site. However, the development as proposed is not consistent with the existing Zoning designation in that lot sizes do not achieve the minimum required 28,500 square-feet. As discussed within the report the proposed CUP does not offer a project that is different from the Alternative 1 as discussed in the CEQA report. Therefore, it is recommended that the Commission take the following action(s):

Recommend to the Walnut City Council the following:

- a. Approval of the Draft Environmental Impact Report (DEIR) to include Alternative 1 of the DEIR; which requires the subdivision of the project to comply with minimum lot size provisions of the RPD 28,500 – 1.3 DU Zone.
- b. Approval of TTM 72798 with modification of minimum lot sizes that will comply with the RPD 28,500 – 1.3 Zone and be consistent with Alternative 1 of the DEIR.
- c. Direct staff to prepare and bring back at a later date the appropriate Resolutions and Conditions of Approval (COA) for the project, consistent with Alternative 1 of the DEIR.

PC Meeting
Brookside Equestrian Center
June 5, 2019
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Attachments:

1. [August 5, 2015 and December 16, 2015 Planning Commission Minutes](#)
2. [TTM 72798 and Associated Development Exhibits](#)
3. Draft Final Environmental Impact Report
[Part A](#) – [Part B](#) – [Part C](#) – [Part D](#) – [Part E](#)
4. [Tree Survey and Arborist Report](#)
5. [Brookside Notice of Public Hearing and Mailing Labels](#)