



AGENDA ITEM 3

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

WALNUT PLANNING COMMISSION **AGENDA DATE: MARCH 4, 2020**

TO: Chairperson Dy 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 public input on this item;
4. Planning Commission discussion;
5. Close the Public Hearing; and
6. Per the Planning Commission's June 5, 2019 direction related to the use of a CUP to reduce Lot sizes, recommend to the Walnut City Council (CC) the following actions:
 - a. Certification of the Final Environmental Impact Report (FEIR), which includes the Draft Environmental Impact Report (DEIR).
 - b. Approval of Tentative Tract Map (TTM) 72798 with Conditional Use Permit (CUP) 2015-006, as presented.
 - c. Approval of Development Agreement (DA) 2019-02

Alternate Commission Action

The PC may also recommend the following action to the CC:

- a. Certification of the Final Environmental Impact Report (FEIR), which includes the Draft Environmental Impact Report (DEIR), and selecting as the Project, Alternative 1 of the DEIR with minimum Lot sizes of 28,500 square feet, with direction to City staff to proceed with preparation of a tentative tract map consistent with Alternative 1.

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. All existing improvements and uses are currently located on private property.

On June 5, 2019, the Planning Commission held a Public Hearing to consider the Brookside Project and receive input. Staff recommended the Brookside project adhere to Alternative 1 of the DEIR, which provides for minimum 28,500 square-foot Lot sizes.

The Planning Commission was also presented an alternative project with a CUP allowing for a reduction in Lot sizes as allowed within the RPD Zone. Based on input provided during the Hearing, the Commission continued the project to a regularly scheduled meeting in September. The continuance was provided in order to give the Applicant additional time to design the project based on Planning Commission feedback and direction during the June 5th meeting, which included the following:

- Permit the development of a residential planned development with lots sizes of less than 28,500 square-feet pursuant to a CUP.
- Permit the Applicant to move forward with a total of twenty-eight (28) residential lots (not to include all applicable lettered and/or open space lots).
- Time to continue working with staff on project refinements.
- Update the draft Environmental Impact Report (DEIR) for consistency with prepared exhibits and technical reports, such as the Tree Preservation Report/Plan.

A copy of the Meeting Minutes is provided for the Commission's reference (Attachment 1 – PC Meeting Minutes).

The Planning Commission provided a subsequent continuance of the project on September 18, 2019, November 6, 2019, and January 15, 2020 (Attachment 1 – PC

Meeting Minutes). During the January 15, 2020 PC meeting, the Commission received public testimony related to the project and was provided with a brief update from the Applicant as it related to the project status and most current proposal of a new project Alternative 3 to the Draft Environmental Impact Report (DEIR) that eliminated the preservation of the “Cottage” house with stables. The project was continued to the February 5, 2020 PC meeting so that details and technical reports could be finalized and incorporated into the DEIR reflecting not only the information requested by the Commission in June 2019, but to also include updated information related to the new project Alternative 3.

February 5, 2020 PC Meeting

Subsequent to the publishing of the February 5, 2020 PC meeting staff report and prior to the Public Hearing, the Applicant advised that the most recently introduced Alternative 3 would be taken off the table and instead, a revision to the project would be pursued. This revision, which is the current proposal being presented for consideration, reintroduced the “Cottage” house with stables to remain as part of the project as either a retrofit or entirely reconstructed structure to be included as part of a new Open Space Lot K. The PC provided a continuance of the project to March 4, 2020 so that the project revisions could be made and appropriate updates to the environmental reports could be cross-referenced for consistency with the new plan.

Project Description

The proposed project for PC consideration is comprised of the following:

- Tentative Tract Map (TTM) 72798 for the subdivision of 25.8-acres of land into twenty-eight (28) residential Lots, eleven (11) Open Space Lots (Lots A-K), one (1) public street (Street A), one (1) private street (Street B), and related site improvements such as infrastructure and grading.
- Conditional Use Permit (CUP) 2015-006 for the reduction of minimum Lot sizes in accordance with the Residential Planned Development (RPD) Zoning provisions.
- Development Agreement (DA) 2019-02 establishing the provisions and manner in which Open Space Lot K with “Cottage” house and stables will be offered for dedication and accepted by the City in a fully improved turnkey condition.
- Establishing of easements to allow, in perpetuity, public access throughout the trails within the project.

A Draft Environmental Impact Report (DEIR) has been prepared for the project and is also being presented for consideration consistent with the California Environmental Quality Act (CEQA).

Tentative Tract Map 72798

TTM 72798 is proposed to facilitate the subdivision of 25.8-acres of land into twenty-eight (28) residential Lots, eleven (11) Open Space Lots (Lots A-K), one (1) public street (Street A), one (1) private street (Street B), and related site improvements such as infrastructure and grading. Residential Lot sizes range between 14,476 square-feet and 32,900 square-feet. A summary of the Lot sizes are provided in Table 1.

Table 1. Lot Sizes

Lot Number	Lot Area (SF)	Lot Number	Lot Area (SF)
1	24,693	15	19,900
2	21,466	16	17,550
3	21,429	17	14,955
4	32,900	18	14,904
5	16,510	19	16,325
6	19,758	20	17,384
7	21,728	21	16,618
8	17,616	22	15,907
9	15,243	23	15,772
10	15,975	24	20,386
11	16,336	25	14,997
12	14,476	26	14,969
13	15,100	27	15,705
14	15,100	28	15,706

The project proposes eleven (11) Open Space Lots (Lots A-K), which range in size between 361 square-feet to 240,016 square-feet. A total of 10.84-acres of Open Space is proposed for the project. Lot K totals 40,470 square-feet, and includes the proposed “Cottage” house with stables, which will be offered for dedication to the City with provisions for acceptance provided within the Development Agreement. A summary of the proposed Open Space is provided in Table 2, below.

One (1) public street is proposed (Street A), which provides access to the development from Meadow Pass Road. An interior private street (Street B) is also proposed and provides access through the development. An emergency vehicle access (EVA) point is provided at the southerly end of the development and is accessible from La Puente Road adjacent to Los Angeles County Fire Department Station No. 61. Access to and from the development has been reviewed by emergency and public safety services, such as the Los Angeles County Fire Department and Los Angeles County Sherriff's Department.

Table 2. Open Space Summary

Lot Number	Lot Area (SF)	Lot Area (acres)
A	361	0.01
B	26,670	0.61
C	2,863	0.06
D	45,050	1.03
E	9,950	0.23
F	52,382	1.21
G	39,314	0.9
H	240,016	5.51
I	9,668	0.22
J	5,618	0.13
K	40,470	0.93
Total	472362	10.84

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

In conjunction with the TTM, the applicant is also requesting approval of a CUP which is required for a residential planned development that will include lot sizes of less than 28,500 square feet. The TTM proposes twenty-eight Lots ranging between 14,476 square-feet and 32,900 square-feet. The CUP mechanism was previously used in the early 1990's for the development of Tract 48286 (Meadow Pass Heights) to reduce minimum lot sizes within the development, the Three-Oaks Community, and similar types of development within various RPD Zones.

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.”

Reducing the lot size is allowed under the WMC to provide opportunities to better and further improve development within the RPD Zone(s) to increase areas designed for common Open Space, recreational areas, trails, landscaping adjacent to right-of-ways, and the opportunity to incorporate the “Cottage” house with stables into a newly created Open Space Lot K for future dedication to the City.

During the June 5, 2019 PC Meeting, the PC provided feedback to the Applicant that it would be appropriate to use the CUP mechanism to reduce Lot sizes and that the project may proceed with it. As currently proposed, and including Open Space Lot K, the project proposes to provide 40% of Open Space within the project boundary.

Development Agreement (DA) 2019-02

A DA is also proposed alongside the project entitlements to vest the rights of the development, if approved, and to provide provisions in which any and all public benefits (e.g. Trails, Open Space, Lot K with “Cottage” house and stables, etc.) will be offered for dedication, along with the timeline and manner in which such improvements will be accepted by the City (e.g. turnkey). The following points are highlights of the DA as proposed:

- A development fee of \$3.50 per square-foot of approved residential square-footage for each Lot.
- Dedication of Lot K with turnkey improvements for the “Cottage” house and stable(s) restoration/rebuild along with full site improvements prior to the issuance of occupancy for any residential unit, and no later than five (5) years from the DA effective date, whichever is to occur first.
- Creation of easements that will, in perpetuity, provide public access throughout the trail network(s) within the project boundary and preservation of Open Space within the project. This includes HOA maintained areas.
- Improvement fees that would be used towards future improvements on City property adjacent to the southerly end of the project site along Lemon Avenue (behind the Los Angeles County Fire Station).

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 2 – FEIR/DEIR). 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 Final Environmental Impact Report (FEIR), which is also provided as Attachment 2. (FEIR/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 2 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, western 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 3, below.

Table 3. 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 2 – FEIR/DEIR).

Tree Survey/Arborist Report and Preservation Plan

The previously prepared tree survey and arborist report has been updated to reflect the changes to the proposed project. In particular, to identify the changes in the layout of the Lots to incorporate the new Open Space Lot K, which will include the “Cottage” house and stables. The report/plan identifies 1,876 existing trees that exists throughout the site/project boundary. In total, 446 trees are proposed to be removed as these trees are located within the grading limit(s), have been identified by the Arborist as being unsafe, or are diseased/dead. A total of 518 trees will be replaced within the project boundary including the grading limits, resulting in a minimum net increase of 72 trees. Table 4 provides a summary of the trees to be removed and replanted as part of the project.

Table 4. Tree Replacement Schedule

Tree Type	Removed No.	Replacement Ratio	Replacement Tree	Minimum Size	Quantity
Valley Oak	5	3 to 1	Valley Oak	24" Box	15
Black Walnut	1	3 to 1	Black Walnut	24" Box	3
CA Native	30	3 to 1	CA Native	24" Box	90
Non Native	410	1 to 1	CA Native	15 Gallon	410
Total	446	-	-	-	518

PUBLIC NOTICE

The project was previously presented at a duly noticed, February 5, 2020 PC Meeting date and continued to a date certain on March 4, 2020. Although scheduled to a date certain, Public Hearing Notices were mailed to all property owners within a five-hundred (500') foot radius of the project boundary, and to all interested parties whom have requested to be notified of any meetings related to the Brookside project. In total, 208-notices were mailed to property owners in addition to posting of the meeting notice on the City's website, Walnut City Hall, Walnut Senior Center, Walnut Post Office, and Walnut Library.

Staff has also created a dedicated Brookside Webpage in which project information, including the meeting notice, CEQA documents, project materials, and other related information is published for public review. The Brookside dedicated webpage was

created in response to request by residents to remain informed and ease of sourcing Brookside materials on the City website. A direct link was also created on the City's homepage and the page updated as new information becomes available. For reference, the webpage can be found at: <https://www.cityofwalnut.org/for-residents/departments/community-development/brookside-project>.

Public Correspondence

Prior public correspondence has been provided during prior Commission meetings that have been made part of the public record for the project. In summary, public comments include in the following:

- Lot sizes within the development should not be less than 28,500 square-feet.
- The proposed private street should be a public street.
- Preservation of buildings should include the "Cottage" house with stables and minor structure (Barn) to the rear and become City owned.
- Secondary public access should be provided at the southerly end of the site to La Puente Road.
- The main site entrance should be aligned with Colt Lane and signalized for traffic control.
- The creek and other natural open space and unique environmental qualities must be preserved.
- Public access to trails and open space should be provided.

As of the writing of this report, and subsequent to the February 5, 2020 PC meeting, staff has received written correspondence that is included as Attachment 4 to this report.

Conclusion

As presented within this report, the Applicant is proposing to subdivide 28.5-acres of land into twenty-eight (28) residential Lots with reduced Lot sizes using the CUP mechanism. The Planning Commission's action(s) related to this entitlement request will serve as a recommendation to the City Council. A subsequent duly noticed Public Hearing will be agendized with the City Council.

Attachments:

1. [PC Meeting Minutes](#)
2. FEIR with DEIR
 - FEIR: [Part 1](#) – [Part 2](#) – [Part 3](#)
 - DEIR: [Part 1](#) – [Part 2](#) – [Part 3](#) – [Part 4](#)
3. PC Resolutions
 - a. [20-02: Recommend City Council Certification of FEIR](#)
 - b. [20-03: Recommend City Council Approval of Project](#)
 - c. [20-04: Recommend City Council Approval of DA](#)

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4. [Public Hearing Notice and Correspondence Received](#)
5. [Draft Development Agreement](#)
6. Development Plans
 - [TTM 72798](#)
 - [Conceptual Illustrative](#)
 - [TM with Limits of Grading](#)
 - [Proposed Open Space](#)
 - [Tree Replacement Plan](#)
 - [Conceptual Trails](#)