

May 5, 2021

THE WALNUT CITY PLANNING COMMISSION

A regular Meeting of the Walnut Planning Commission (PC) was held on the above-referenced date. Chairperson Koo called the Meeting to order at 7:04 p.m.

FLAG SALUTE: Commissioner Fernandez

ROLL CALL: Commissioner(s): Dy, Koo, Fernandez, Perez, Wang

ALSO PRESENT: Assistant City Manager – Development Services Tom Weiner; City Planner Justin Carlson; Assistant City Attorney David Mann; City Engineer Dave Gilbertson; Senior Planner Chris Vasquez; Senior Management Analyst Joelle Guerra; Associate Planner Chun-Chien Yang; Assistant Planner Corinne Munoz; Community Development Technician Gabriel Katigbak.

CORONAVIRUS DISEASE (COVID-19) ADVISORY:

C/Koo presented information regarding the California State Department of Health Services' guidance and the County of Los Angeles Public Health Officer's Order for the control of COVID-19. Additionally, C/Koo informed all attendees of the necessary procedures to be taken when submitting comments.

ORAL COMMUNICATIONS:

C/Koo opened Oral Communications for Public Comment(s).

C/Koo closed Oral Communications for Public Comment(s).

APPROVAL OF MINUTES:

1. April 7, 2021 (Regular Meeting Minutes).

MOTION ON ITEM 1

PC/Perez moved to approve the Minutes of the regularly scheduled PC Meeting of April 7, 2021. VC/Fernandez seconded.

ROLL CALL:

AYES: Koo, Fernandez, Dy, Perez, Wang

NOES: None

ABSTAIN: None

ABSENT: None

Motion passed 5-0.

PUBLIC HEARINGS:

2. **CONTINUANCE: West Valley Loft Mixed-Use Project** - Development Agreement (DA) 2021-001; Vesting Tentative Tract Map (VTTM) 82985; Site Plan Case/Architectural Review (SPC/AR) 2020-011.

AP/Yang presented the Staff Report.

C/Koo questioned the Assistant City Attorney about the Project not satisfying the development standards of the West Valley Specific Plan (WVSP).

ACA/Mann and ACM/Weiner noted that an analysis will be provided within the Staff Report when the Project comes back for the Commission's review of the next regularly scheduled PC Meeting.

MOTION ON ITEM 2

PC/Perez motioned to continue the West Valley Loft Mixed-Use Project to the regularly scheduled June 2, 2021 PC Meeting. PC/Dy seconded.

ROLL CALL:

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

Motion passed 5-0.

3. CONTINUANCE: Conditional Use Permit (CUP) 2021-003 (Tai Ji Men Qigong Academy) - A request to operate a meditation center/child-related business located at 20793 Valley Boulevard #C (APN: 8720-026-033).

CDT/Katigbak presented the Staff Report.

MOTION ON ITEM 3

VC/Fernandez motioned to continue CUP 2021-003 to the next regularly scheduled June 2, 2021 PC Meeting. PC/Perez seconded.

ROLL CALL:

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

Motion passed 5-0.

OLD BUSINESS:

None Scheduled

NEW BUSINESS:

4. Site Plan Case/Architectural Review (SPC/AR) 2020-054 (Zhang) - A request to construct an 814 square-foot addition to an existing single-family home located at 821 Margaret Lane (APN: 8735-042-026).

AP/Yang presented the Staff Report.

The Commission and Staff discussed color schemes for the Project.

C/Koo opened the Item for Public Comment(s).

Applicant/Fernandand Patam thanked the Commission and indicated he is available for questions.

C/Koo and PC/Dy inquired about the layout of the proposed roofline.

AP/Yang noted that the roof of the proposed addition was designed to be compatible with the roof of the existing home.

ACM/Weiner noted the inconsistency between the roof plan and elevations.

AP/Yang added that during the Building Plan Check process, the plans will be checked for accuracy.

The Commission and Staff further discussed the proposed roofline(s).

C/Koo closed the Item for Public Comment(s).

MOTION ON ITEM 4

C/Koo motioned to approve SPC/AR 2020-054, subject to the attached COAs, with the additional COA that the Applicant work with Staff to modify the roof plan. PC/Dy seconded.

ROLL CALL:

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

Motion passed 5-0.

5. Site Plan Case/Architectural Review (SPC/AR) 2020-077 (Kurera) - A request to construct a 2,079 square-foot addition located at 651 Pierre Road (APN: 8709-003-021).

SP/Vasquez presented the Staff Report.

PC/Wang asked if the chain-link fence and wrought-iron fence (shown on the site plan) are existing or proposed.

SP/Vasquez stated that the chain-link fence is existing, surrounding the rear yard area of the Property; the wrought-iron fence is proposed along the front of the Property and will not exceed three (3') feet.

C/Koo opened the Item for Public Comment(s).

Applicant/Walt Patroske noted he is available for questions.

C/Koo asked if the existing Pepper trees will remain.

Mr. Patroske stated that only the trees within the area of the proposed addition are to be removed.

PC/Wang asked if a window or shutters are proposed for the interior wall of the new office/loft area on the second floor.

Mr. Patroske indicated that there is no window, only shutters to look below onto the first floor.

C/Koo closed the Item for Public Comment(s).

The Commission mentioned their support for the Project with no major concerns.

MOTION ON ITEM 5

PC/Dy motioned to approve SPC/AR 2020-077, subject to the attached COAs. PC/Wang seconded.

ROLL CALL:

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

Motion passed 5-0.

6. Site Plan Case/Architectural Review (SPC/AR) 2021-004 - A request to demolish an existing home and construct a new single-family home at 22178 Roundup Drive (APN: 8709-082-018).

AP/Yang presented the Staff Report.

C/Koo asked if the Project consists of importing dirt.

AP/Yang noted that no soil is to be imported or exported for the Project.

C/Koo opened the Item for Public Comment(s).

Applicant/Nick Wang briefly described the Project.

The Commission and Applicant discuss the design of the Residence, the roof pitch, and adding more aesthetics material to the proposed frontage.

C/Koo closed the Item for Public Comment(s).

MOTION ON ITEM 6

VC/Fernandez motioned to approve SPC/AR 2021-004 (subject to the attached COAs) with the additional COA that the Applicant work with Staff on a more compatible roof pitch and to add at least one (1) additional decorative material to the frontage. PC/Dy seconded.

ROLL CALL:

AYES: Koo, Fernandez, Dy, Perez, Wang

NOES: None

ABSTAIN: None

ABSENT: None

Motion passed 5-0.

7. Site Plan Case/Architectural Review (SPC/AR) 2021-050 (Santos) - A request to approve a 927 square-foot concrete platform and a 362 square-foot barbecue area with over-height retaining walls at 952 Monica Way (APN: 8709-047-021).

SMA/Guerra presented the Staff Report.

PC/Perez asked at what stage (currently) is the Project in terms of completion.

SMA/Guerra stated that after a "Stop Work" was issued, construction still resumed and the Project was completed.

PC/Dy inquired about the recommendation from Staff for denial.

SMA/Guerra mentioned the structure being constructed without the proper permits and inspections and further indicated that Staff has concerns with approving an illegal structure within a Los Angeles (LA) County Flood Control Easement.

PC/Dy asked if the Applicant should go through LA County for review and approval versus the City.

ACM/Weiner noted that the Applicant recently reached out to LA County for approval, but for the City to approve construction on a LA County Flood Easement would not be considered best practices.

ACA/Mann explained how an Easement cannot be used in an inconsistent way.

PC/Dy recommended to continue the Project until the Applicant receives feedback from LA County regarding the Easement.

CE/Gilbertson reiterated that the Easement is a retention flood control basin that collects the run-off from the natural canyon east of the Property.

The Commission and Staff further discussed the LA County Flood Easement and the structure.

C/Koo asked what kind of inspections would be conducted for the proposed structure.

SMA/Guerra noted at a minimum, a rough inspection for the foundation.

PC/Perez asked if a licensed contractor did the work on the Property.

SMA/Guerra indicated that because the Applicant did not apply for permits, the City is cannot confirm who did the work.

C/Koo opened the Item for Public Comment(s).

Applicant/Gani Dino indicated that pictures can be provided to verify the integrity of the platform and retaining wall(s). Mr. Dino further noted that the Owner is in contact with LA County and that it is unclear if the County maintains the Easement.

C/Koo asked the state of the Project when the City issued a Stop Work.

Mr. Dino mentioned that when he got involved with the Project, the structure was already built.

Staff indicated that two (2) stop work notices were issued for the Project, and after the second stop work, the Project was completed. It was further noted that when Staff went out the first time, the Project was mostly completed.

Owner/Eugenio Santos explained the following:

- After the first stop work was issued, the only work that continued was landscaping. Subsequently, a second stop work order was issued.
- Mr. Santos reached out to the City to inquire if a three (3') foot high platform would be allowed on his property and was told there would be no issues.
- Mr. Santos confirmed that the Easement is owner maintained and no work has been done by the County to the Easement since he has lived at the Property.
- The Contractor who completed the work was licensed.

The Commission and Staff discussed the Project and the need for permits.

VC/Fernandez asked if the platform and BBQ area meet setback(s) requirements.

SMA/Guerra noted that walls are allowed to be within the setback(s) with the allowed height of no more than six (6') feet, but accessory structures are required to be fifteen (15') to twenty (20') feet from the rear property line.

VC/Fernandez shared his thoughts on the Project and his support for Staff's recommendation.

PC/Dy questioned that if the platform was not retaining, then it would not require the City's approval.

CE/Gilbertson stated that the City has a responsibility to protect the surrounding property owners by ensuring no obstructions to the Easement; in any case, a platform/structure would still need approval from the City and LA County.

The Commission and Staff discussed which jurisdiction (City or County) should be reviewing the Project and what the Commission can approve.

PC/Perez shared his thoughts on the Project and if an approval was given (although the work was done without the proper steps being taken), would a precedence will be placed for similar, future Projects.

PC/Wang agreed with Staff's recommendation since the City has no information on the structure(s) that are existing because the correct procedures were not followed.

C/Koo closed the Item for Public Comment(s).

The Commission and Staff further discussed the recommendation from Staff.

C/Koo re-opened the Item for Public Comment(s).

Owner/Mr. Santos asked if the platform would be approved if it was lower than three (3') feet.

C/Koo reiterated that the platform is still within the LA County Flood Control Easement.

Mr. Santos asked if he can have the opportunity to work with LA County.

C/Koo closed the Item for Public Comment(s).

The Commission discussed continuing or denying the Item.

MOTION(S) ON ITEM 7

- 1. VC/Fernandez motioned to approve SPC/AR 2021-050 with the COA that the walls for the BBQ pit be reduced to six (6') feet in height and the proper permits (which include building inspections) be pulled within ninety - (90) days. Due to public safety, the thirty-nine (39") inch platform shall be denied and the Property restored to its original condition within ninety-(90) days. C/Koo seconded.**
- 2. PC/Dy motioned to approve the walls of the BBQ pit to be lowered to six (6') feet in height and to continue the proposed platform to allow the Applicant to work with Staff, pending review from LA County. Motion failed to receive a second and therefore the Planning Commission did not vote on the motion.**

ROLL CALL:

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

Motion passed 4-1.

DISCUSSION/TRANSACTION:

None Scheduled

REPORTS AND COMMENTS:

- ACM/Weiner thanked the Commission for their time and consideration for Item 7.
- PC/Perez inquired about in-person PC Meetings.
- ACM/Weiner noted that after the month of June, the PC meetings will follow the direction of the City Council Meetings.
- C/Koo asked when the Brookside Project will be presented to the City Council.
- ACM/Weiner mentioned Brookside Project is agendized for the May 26, 2021 City Council meeting.

ADJOURNMENT:

The Meeting adjourned at 9:28 p.m. The next regularly scheduled Planning Commission Meeting is set for Wednesday, June 2, 2021, at 7:00 p.m., via teleconference. The Agenda will be posted on the City's website and at City related public facilities, including Walnut City Hall (21201 La Puente Road).

Passed and Approved on this 2nd day of June, 2021.



Chairperson, Tony Koo



Tom Weiner, Assistant City Manager – Development Services