

December 6, 2017

THE WALNUT CITY PLANNING COMMISSION

A Regular Meeting of the Walnut City Planning Commission was held on the above-referenced date. Chairperson Fernandez called the meeting to order at 7:03 p.m.

FLAG SALUTE: Commissioner: Dy

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

ALSO PRESENT: Community Development Director Weiner; City Planner Carlson; Assistant City Attorney Mann; City Engineer Gilbertson; Associate Planner Yang; Associate Planner Vasquez; Associate Planner Guerra; Community Development Technician Munoz; Planning Intern Sanchez.

ORAL COMMUNICATIONS:

C/Fernandez opened Oral Communications for Public Comment.

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

APPROVAL OF MINUTES:

1. November 1, 2017 (Regular Minutes).

C/Fernandez moved to approve the minutes of November 1, 2017. PC/Perez seconded. Motion passed 5-0.

PUBLIC HEARING:

2. **Conditional Use Permit (CUP) 2017-003 (Atapattu)** – A request to establish and operate a day care for children known as “Creekside Montessori Day Care,” which will be conducted from an existing commercial building at 18790 Amar Road.

AP/Guerra presented the Staff Report.

C/Fernandez opened the Public Hearing for Public Comment.

C/Fernandez motioned to close Public Hearing. VC/Wu seconded. Without objection motion passed 5-0.

PC/Perez noted that this establishment will be positive for the City and is glad to see the vacant building be utilized.

PC/Dy asked if an environmental study will be conducted due to the previous auto repair shop use.

CDD/Weiner clarified that the previous establishment was for tires and custom cars only, with no heavy machinery or mechanic work.

C/Fernandez asked if the existing Montessori School located off of Francesca Drive is connected to the subject school being presented.

AP/Guerra mentioned that the two (2) schools have no relation and are two (2) separate sites.

C/Fernandez inquired about the leasing details.

Applicant/Deshan Atapattu stated that a 20-year lease was signed.

C/Fernandez mentioned the City is currently in the process of updating the Zoning of that area and is thinking long term and the future of the area.

PC/Dy asked if all the existing garage doors will be removed.

Mr. Atapattu indicated that all the existing garage doors will be removed as part of the project tenant improvements.

MOTION ON ITEM 2

VC/Wu motioned to adopt PC Resolution No. 17-09, approving CUP 2017-003, subject to the attached Conditions of Approval (COA). PC/Perez seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

3. Conditional Use Permit (CUP) 2017-004 (Migliaccio) – A request to establish and operate a Jiu Jitsu martial arts studio/child related business (Sampa Brazilian Jiu Jitsu) in an existing leasehold space located at 355 S. Lemon Avenue, Suite L.

AP/Guerra presented the Staff Report.

PC/Perez asked if the subject business is the current Jiu Jitsu establishment off Amar Road.

AP/Guerra confirmed that it is the same Jiu Jitsu establishment.

C/Fernandez opened the Public Hearing for Public Comment.

C/Fernandez motioned to close Public Hearing. PC/Koo seconded. Without objection motion passed 5-0.

The Commission thanked the Applicant for staying within the City of Walnut.

MOTION ON ITEM 3

C/Fernandez motioned to adopt PC Resolution No. 17-10, approving CUP 2017-004, subject to the attached COA. PC/Dy seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

4. Conditional Use Permit (CUP) 2017-005 (Taco Bell) – A request to construct a 2,000 square-foot food establishment with drive-thru and related site improvements on an existing lot located on the northwesterly corner of Valley Boulevard and Suzanne Road within the Specific Plan No. 3 Zoning District (APN: 8720-047-016).

AP/Vasquez presented the Staff Report.

C/Fernandez asked if the establishment will be operated 24-hours a day.

AP/Vasquez stated that the establishment will operate similar to the existing Taco Bell at the westerly end of the City, with drive-thru hours closing around 1:00 a.m. and the dining area closing no later than 11:00 p.m.

C/Fernandez inquired if there is any delineation between the north and west property lines, such as a fence or wall.

AP/Vasquez confirmed that there is a block wall that separates the adjacent townhomes and the proposed development to the westerly portion of the site, which was approved as part of the Shea Development (known as Cornerstone), in 2015.

PC/Dy asked the size of the outdoor seating/eating area of the proposed development and if the area can be increased in size with added water features.

Applicant/Dan Osran confirmed that the outdoor area is set for about 12 seats and is willing to work with the City on increasing the size, which can include a water feature.

VC/Wu asked if the access on Valley Boulevard will create potential conflicts with the intersection and if the access was approved as part of the Tract Map.

CE/Gilbertson stated that the access on Valley Boulevard will be a right-in/right-out only, which should not create conflict with the intersection. Additionally, the overall circulation was not determined during the environmental phase, but access on both Suzanne and Valley Boulevard will have a drive-in portion.

VC/Wu asked how essential the access is to the proposed restaurant off Valley Boulevard.

Mr. Osran specified that the access off Valley Boulevard is critical for the daily operations of Taco Bell.

PC/Fernandez asked if Taco Bell signed a long-term lease with Shea Homes for this development.

AP/Vasquez indicated that Taco Bell does have a long-term lease and that Shea Development will turn over ownership to the original owner of the property once the development is completed.

PC/Dy inquired about the height of the proposed development compared to the existing adjacent townhomes.

AP/Vasquez noted that the tower element is about ten (10') feet higher than the parapet wall which makes the difference in height to the adjacent townhomes four (4') feet. AP/Vasquez mentioned that the adjacent townhomes are thirty-four (34') feet in height and that the proposed building was kept lower than the existing townhomes to limit the high visibility on a corner lot.

The Commission, Staff, and Applicant further discuss the height of the proposed building and the parapet screening.

VC/Wu mentioned that the pad was envisioned for a mixed-use development and inquired about the future development for the pad.

PC/Dy reiterated VC/Wu's concern for the future of the existing pad for mixed-use development.

Mr. Osran mentioned the research that took place for the subject site and all the considerations that were reviewed to make the development work.

C/Fernandez commented on the possibility of the building being relocated to the southeast corner of the lot.

Mr. Osran stated that the building can be shifted away from the residences, but to relocate the building on the corner of the lot may cause issues of mobility, circulation, and safety.

C/Fernandez opened the Public Hearing for Public Comment.

Steve Lekutis, resident, stated his concern for the development in regards to the drive-thru, noise, safety, traffic, trash, hours of operation, and location of the proposed building.

Randal Quan, resident, stated his opposition of the proposed development and mentioned that this type of restaurant will attract people late at night to socialize in the outdoor seating area. Mr. Quan noted that the Taco Bell establishment will draw gangs and the selling of narcotics as well as the possibility of an increase in crime in that area.

Jay McGill, resident, indicated his background in the food industry and the issues that come with restaurants in residential neighborhoods. Mr. McGill discussed the issues of parking for employees and customers and having to limit business parking in the neighboring residential area.

Vijay Vakil, resident, stated his support for Taco Bell and mentioned the revenue that the establishment will be bringing into the City. Lastly, Mr. Vakil mentioned that the building should be shifted closer to the street, rather than adjacent to the neighboring townhomes.

Alan Mikesell, resident, stated his support for a business occupying the vacant lot, but would like to see a business that may not cause a significant amount of traffic, noise, and parking in the nearby residential areas.

Mr. Mikesell requested that business related deliveries should be limited to certain hours of the day and if the restaurant can close their operation hours earlier in the evening.

C/Fernandez motioned to close Public Hearing. VC/Wu seconded. Without objection motion passed 5-0.

PC/Koo asked for clarification on the delivery schedule and adjusting the hours of operation.

Mr. Osran noted that the delivery schedule and the hours of operation can have flexibility.

PC/Koo asked if an existing Taco Bell has a similar design/layout to the proposed project.

Mr. Osran stated that Taco Bell Corporate dictates the building footprint of the structure.

PC/Koo commented on the orientation of the subject site and echoed the idea of moving the building closer to the southeast corner of the site.

Mr. Osran indicated that different scenarios were reviewed for the placement of the building with the drive-thru on the subject lot, but problems and issues arose. Mr. Osran further stated that the building can be shifted away from the adjacent townhomes with an increased landscaped buffer area.

PC/Dy asked why the drive-thru cannot be placed on the southeast corner instead of the northwest side with the balcony facing the north.

Mr. Osran explained that the front of the building would normally face the intersection which will mean the outdoor eating area would be located on the same end. Mr. Osran further stated that the drive-thru was placed on the site along the northwest corner, in order to keep the stacking of cars contained within the lot.

The Commission, Staff, and Applicant further discuss the orientation of the building and drive-thru on the subject lot.

CDD/Weiner stated that shifting the building over (parallel to Suzanne Road) was reviewed, however the circulation was an issue. CDD/Weiner further stated that different concepts were reviewed extensively.

PC/Perez indicated that the core customers will be the students in that area and increasing the outdoor space is suitable. PC/Perez reiterated that sixty-five (65) businesses were contacted for the potential use of the subject site and explained the tax revenue that Taco Bell will bring to the City. PC/Perez lastly stated that if the concerns for parking, hours of operation and so forth are addressed, then Taco Bell would be an accredited tenant.

VC/Wu stated that his concern is more towards the type of business, specifically a drive-thru operation. VC/Wu specified that the vision for the subject site was a sit-down restaurant with mixed-use.

C/Fernandez asked how essential the right-in from Valley Boulevard is.

Mr. Osran indicated that if no entry-way connects from Valley Boulevard, then customers would have to drive around the building to enter the site. Mr. Osran further explained that the proximity to the traffic light will be helpful for a safe traffic flow.

C/Fernandez explained the orientation of the site and asked if a dedicated drive-thru lane was explored.

Mr. Osran specified that the three (3) parking spaces near the drive-thru lane would be employee parking but also explained that having curbs on both sides of the drive-thru lane would be difficult due to the size limitations of the lot.

The Commission, Staff, and Applicant further discussed the project in regards to traffic, design, the speaker box, the orientation of the building, the right-in/right-out, hours of operation, parking, and the outdoor seating area.

MOTION ON ITEM 4

PC/Dy motioned to continue CUP 2017-005 off calendar. C/Fernandez seconded.

ROLL CALL:

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

Motion to continue passed 5-0.

5. Time Extension Request – A second request for a time extension for Tentative Parcel Map (TPM) 60604 located at 20867 Fuerte Drive.

AP/Yang presented the Staff Report.

C/Fernandez opened the Public Hearing for Public Comment.

Applicant/Huang thanked the Commission and Staff and stated that minor changes need to be done.

PC/Perez asked if the owner will finish the design within the time requested.

Ms. Huang confirmed that the design will be completed within the time requested.

C/Fernandez motioned to close Public Hearing. PC/Dy seconded. Without objection motion passed 5-0.

MOTION ON ITEM 5

PC/Perez motioned to approve the twelve (12) month time extension for TPM 60604, subject to the previously approved COA. VC/Wu seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

OLD BUSINESS:

6. CONTINUED: Site Plan Case/Architectural Review (SPC/AR) 2016-108 (Xu) – A request to construct four (4) new single-family residences with attached four (4) car garages and related site improvements located on Gartel Drive (APNs 8709-010-032, 035, 036, 037).

AP/Vasquez presented the Staff Report.

C/Fernandez asked how much the height was reduced on the proposed homes and how much further south the homes were moved.

AP/Vasquez stated the total height of the homes was reduced about eleven (11') to twelve feet (12') in total. AP/Vasquez further explained that the homes were moved six and a half feet (6½') closer, which is the closest it can move with the approved driveway grade required by the Fire Department.

PC/Perez asked if a bond was addressed in regards to the maintenance of the roads/streets if damaged during the construction.

CE/Gilbertson mentioned that prior to any construction, the grading contractor will be required to videotape the condition of the roadways and repair any damage that may result from the construction work.

PC/Perez asked if there is a common driveway maintenance agreement for the project.

AP/Vasquez noted that a shared maintenance agreement amongst the four (4) property owners will be established.

C/Fernandez opened the Public Hearing for Public Comment.

Ben Huntsman, resident, stated his concern for the amount of earthwork being hauled and the amount of trees that will be removed. Mr. Huntsman further explained his concerns for the shallow v-drain located on the subject site.

Rudolph Camacho, resident, stated his concern for the drainage.

C/Fernandez motioned to close Public Comment. PC/Perez seconded. Without objection motion passed 5-0.

CE/Gilberston stated that the drainage of the subject site is outlined in COA #20, which addresses water storage and treatment, and COA #33, which addresses drainage runoff based off a hydrology report.

The Commission and Staff further discuss drainage.

MOTION ON ITEM 6

PC/Koo motioned to approve SPC/AR 2016-108, subject to the attached COA. C/Fernandez seconded.

ROLL CALL:

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

Motion to approve passed 5-0.

NEW BUSINESS:

7. Site Plan Case/Architectural Review (SPC/AR) 2017-034 (Chen) – A request to demolish an existing 2,635 square-foot home and construct a new two (2) story, 4,730 square-foot single-family home at 832 N. White Horse Circle (APN: 8709-074-008).

AP/Yang presented the Staff Report.

C/Fernandez opened the item for Public Comment.

Carlos Lopez, resident, stated his concern for the heavy equipment, trash containers, hours of construction, noise, and the anticipated completion date.

Marilyn Caldwell, stated her concern for the potential dust caused by the demolition that may affect her pool.

C/Fernandez motioned to close Public Comment. PC/Perez seconded. Without objection motion passed 5-0.

CE/Gilbertson stated that construction hours for Walnut are 7:00 a.m. to 6:00 p.m., Monday through Friday; heavy equipment, such as a bucket excavator, may be used for the demolition of the existing residence in which the material will need to be wet to control the dust. CE/Gilbertson also mentioned that concrete trucks will be needed as well as delivery trucks for the materials. CE/Gilbertson further noted that all requirements are listed in the COA.

PC/Perez reiterated to the public that construction hours are Monday through Friday, 7:00 a.m. to 6:00 p.m. and asked the applicant the anticipated completion date.

Applicant/Alvin Shih stated the project will be finished in about six (6) to eight (8) months within which all City guidelines and requirements will be followed. Mr. Shih further stated that the demolition of the residence will take about two (2) weeks.

MOTION ON ITEM 7

C/Fernandez motioned to approve SPC/AR 2017-034, subject to the attached COA. PC/Dy seconded.

ROLL CALL:

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

Motion to continue passed 5-0.

DISCUSSION/TRANSACTION:

None

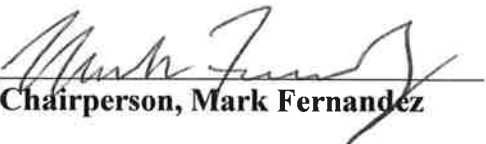
REPORTS AND COMMENTS:

- CDD/Weiner noted that the next Planning Commission (PC) Meeting will be rescheduled to January 17th, 2018.

ADJOURNMENT:

This meeting adjourned at 9:01 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday, January 17th, 2018, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)

Passed and Approved on this 17th day of January 2018.


Chairperson, Mark Fernandez


Tom Weiner, Community Development Director