

February 1, 2017

THE WALNUT CITY PLANNING COMMISSION

A Regular Meeting of the Walnut City Planning Commission was held on the above-referenced date. Vice-Chairperson Wu called the meeting to order at 7:00 p.m.

**FLAG SALUTE:** Vice-Chairperson: Wu

**ROLL CALL:** Vice-Chairperson: Wu  
Commissioners: Fernandez, Koo, Dy

Absent: Chairperson Natividad

**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.

**ORAL COMMUNICATIONS:**

**VC/Wu opened Oral Communications for public comments.**

**PC/Fernandez moved to close Oral Communications. Without objection motion passed 4-0.**

**APPROVAL OF MINUTES:**

**1. January 18, 2017 (Regular Minutes)**

**PC/Dy moved to approve the minutes of January 18, 2017. Motion passed 4-0.**

**PUBLIC HEARING:**

**2. Conditional Use Permit (CUP) 2016-006 (Shi)** – A request to establish and operate an education learning facility (Aspiring International College) which will be conducted within an existing 2,141 square-foot leasehold space located at 20633 Amar Road, Suite #1 (APN: 8712-033-017).

AP/Yang presented the staff report.

VC/Wu opened the Public Hearing for Public Comment.

Applicant/Penny Uy introduced the proposed learning facility to the Commission.

Pat Whalen, resident, asked where the proposed learning facility is going to be located.

AP/Yang stated that the proposed learning facility is within an existing Stater Bros. shopping center, located off Amar Road.

Valerie Chou, resident, stated her concern for the proposed learning facility in regards to noise, parking, traffic, number of students, class/course schedules, and the age of the students that will be attending. Ms. Chou noted that these are her neighbor's concerns as well.

VC/Wu responded and mentioned that the operation of the proposed business is Monday through Friday, 9:00 a.m. to 5:00 p.m.

AP/Yang further clarified that the applicant is proposing twenty-one (21) students and four (4) staff members for the proposed business. AP/Yang further stated that the applicant meets the parking requirements set forth in the Walnut Municipal Code (WMC).

Applicant/Uy stated that the students attending the proposed learning facility are short-term students that are over the age of eighteen (18), and who will be dropped off by a host family. Ms. Uy further stated that the class/course schedule is only three (3) hours a day and each student can attend up to a maximum of eighteen (18) hours a week. Ms. Uy explained that the hours of operation are from 9:00 a.m. to 5:00 p.m. with classes being conducted in the morning and afternoon. Ms. Uy further confirmed that the facility closes at 5:00 p.m. with no classes on the weekends.

PC/Dy inquired about student visas.

The Commission and applicant further discuss student visas.

PC/Koo asked about the typical profile of the students who the learning facility is targeting as well as who will be arranging the students with a host family and exactly how many students will be at the facility at a time.

Applicant/Uy mentioned that the facility is targeting international students who just graduated high school and who speak/understand English as a second language. Ms. Uy explained that the facility also offers teacher/instructor training to students. Ms. Uy mentioned that the facility is going to work with a Homestay Organization in Walnut. Moreover, the facility will have a morning class, an hour break/lunch, and an afternoon class.

VC/Wu asked about outdoor events and if the nine (9) parking spaces that are allocated to the facility will be sufficient.

Applicant/Uy confirmed that no outdoor events will take place or be held.

CDD/Weiner mentioned that if there are any concerns regarding the proposed Conditional Use Permit (CUP), a ninety (90) day or six (6) month provision can be placed for the CUP to come back for Planning Commission review. CDD/Weiner further stated that if parking is a strong concern for the Commission, a parking study can be requested, however staff did not feel a parking study was necessary.

The Commission and staff further discuss parking.

Valerie Chou asked if a bus will be used for or by the facility.

Applicant/Uy asked staff if there are any restrictions are for buses.

CDD/Weiner stated that if a bus for transportation is part of the operation, staff needs to be aware and address it appropriately.

Applicant/Uy stated that a bus will not be used as part of the CUP.

**PC/Fernandez motioned to close Public Comment. PC/Koo seconded. Without objection motion passed 4-0.**

PC/Koo commented on whether there is currently a lack of available parking within the Stater Bros. shopping center. PC/Koo further asked about the number of students that will be going in and out of the facility and agreed with a three (3) to six (6) month provision to be added to the CUP.

PC/Dy asked if there are any existing similar uses that target international students in the City of Walnut.

AP/Yang stated she is unaware of any other uses that operate fully with an adult program, but more of a child-related business.

PC/Dy stated that because this is the first business to target international students, he would like to see a three (3) to six (6) month monitoring on the proposed CUP. PC/Dy further stated that in the application, the listed class time is two (2) hours, however the applicant is stating three (3) hour class times.

PC/Fernandez stated that he has no concern with the use or parking within the commercial center and further stated that an additional Condition of Approval (COA) should be listed that no shuttle or bus service shall be provided by the learning facility. PC/Fernandez mentioned that requiring a sixty (60) to ninety (90) day review period is unnecessary.

#### **MOTION ON ITEM 2**

**PC/Fernandez motioned to adopt PC Resolution No. 17-02 approving CUP 2016-006, subject to the attached COA with the additional condition that no bus or shuttle service shall be provided on site for the education learning facility. PC/Dy amended the motion to include a three (3) month provision for staff to review and monitor. PC/Koo seconded.**

#### **ROLL CALL:**

**AYES: Wu, Fernandez, Koo, Dy**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: Natividad**

**Motion to approve passed 4-0.**

**3. Tentative Parcel Map (TPM) 73650 and Site Plan Case/Architectural Review (SPC/AR) 2015-110 (Joy Ventures, LLC.)** – A request to subdivide three (3) lots totaling 74,316 square-feet into four (4) single-family lots (Parcel 1, Parcel 2, Parcel 3, and Parcel 4) and to construct four (4) new single-family residential homes on each lot, located at 360 Camino De Teodoro (APN: 8722-021-035, 8722-021-040, 8722-021-041).

AP/Guerra presented the staff report.

VC/Wu commented on the concern from residents on the proposed driveway not having an easement.

AP/Guerra stated that the concern is with the existing easement adjacent to the property and it being used to access the subject site. AP/Guerra further stated that access will not be allowed to the subject site from the easement adjacent to the property.

CE/Gilbertson stated that the applicant will only use access from the proposed driveway and that retaining walls are being proposed at the boundary line, adjacent to the easement from the subject site.

VC/Wu opened the Public Hearing for Public Comment.

Applicant/Tony Zeng thanked staff and the Planning Commission for reviewing the proposed project and introduced the project architect Justin Kao, and the Civil Engineer Charlie Liu. Applicant/Zeng also stated his previous projects in the City of Walnut and how he plans to minimize any inconvenience for the surrounding neighbors.

Doyle Whalen, resident, commented on the easement adjacent to the subject property and how there is another project that has been previously approved off Camino De Rosa that will be starting construction work. Mr. Doyle stated that he hopes the two (2) projects can work together to minimize access off of the adjacent easement.

CE/Gilbertson stated that there is a combination retaining/boundary wall on the tract boundary line that will completely separate the adjacent easement access. CE/Gilbertson further stated that the proposed lots are significantly lowered that separate the proposed site from the adjacent sites.

PC/Koo mentioned that the proposed project only has access off Camino De Teodoro, while the concerned easement only has access through Camino De Gloria.

CE/Gilbertson stated that the previously approved project off Camino De Gloria has not been submitted for plan check and the construction starting date is unknown. CE/Gilbertson mentioned that he will have both superintendents of the projects work together so both projects do not conflict with one another.

PC/Fernandez asked for clarification on why the proposed project does not have access from Camino De Gloria.

CE/Gilbertson indicated that the applicant does not have rights to the Camino De Gloria access.

Jim Dixon, resident stated his opposition for the proposed project as well as his concerns for the amount and the location of the dirt that will be exported from the subject site. Mr. Dixon also inquired about sidewalks, mailboxes, trash cans, and the responsibility for the ongoing maintenance of the restricted areas within the subject site. Mr. Dixon further questioned how the COA for the proposed project will be enforced for a private driveway.

CE/Gilbertson stated that the grading cannot be reduced by steepening the driveway and mentioned that COA's #59 and #60 clearly outline the requirements for the export of fill. CE/Gilbertson mentioned that once the applicant submits for a grading plan, timing and location will then be determined. CE/Gilbertson further noted that staff feels that the COA listed, which are straight out of the newly adopted Grading Ordinance, will protect the City.

CDD/Weiner commented that on COA #14(a), which references the City of Walnut's Overnight Parking Ordinance, should be stricken due to the proposed driveway access being private.

Charlie Liu, project engineer, stated that the adjacent project located off of Camino De Gloria is not related to this project and the applicant will not use that easement for construction access. Mr. Liu mentioned that with the removal of dirt, a dumping site has not been found at the moment; however it is required before a grading permit is obtained. Mr. Liu further noted that the impact to the surrounding neighbors will be eliminated as much as possible and that an HOA will be incorporated for the property owners to maintain the subject site.

CE/Gilbertson stated that COA #60 requires the applicant to come back to the Planning Commission for review with the haul route plan in which the surrounding neighbors, within a three hundred (300') foot radius, will be notified.

PC/Fernandez asked if staff knows how much cubic yards of dirt was moved for the Shea development off of Valley Boulevard.

CE/Gilbertson mentioned that the amount was minimal because the site was already flat.

The Commission and staff further discuss the Shea development.

PC/Dy asked if the proposed driveway has any easements recorded or a separate parcel and also asked if the lot sizes for the four (4) proposed parcels include the future driveway.

Mr. Liu stated that under the final map, the proposed driveway will have an easement for egress/ingress and utilities.

CDD/Weiner and AP/Guerra stated that the gross lot size for the four (4) proposed parcels includes the driveway.

Mr. Liu mentioned that the net lots sizes, not including the proposed driveway, range from 10,400 square-feet to 25,100 square-feet between the four (4) parcels.

CDD/Weiner clarified that the subject site will not have an HOA but easements will be placed on the final maps. CDD/Weiner further explained that the applicant originally proposed property lines traversing the driveway as well as the landscape area located north of the property. CDD/Weiner mentioned the issues that can result with four (4) different property owners maintaining four (4) different areas of one (1) slope. CDD/Weiner lastly noted that staff recommended to the applicant to have parcel one (1), two (2) and three (3) property lines stop at the road and parcel four (4) have a backwards "L" shape. Parcel four (4) will thus be the sole owner and will maintain that restricted area.

PC/Koo asked if the restricted use area and the proposed driveway are included in the gross area.

CE/Gilbertson stated that the restricted use area and the proposed driveway are including in the gross area and not in the net area.

PC/Koo verified that because the restricted use area and the proposed driveway are included in the gross area of each parcel, the net sizes are smaller than the minimum lot size required which is fifteen thousand (15,000) square-feet. PC/Koo further asked if there would be an HOA on the subject property and if not, who would maintain the restricted use area.

CDD/Weiner stated that no HOA will be used and that the property lines indicate the sections of the restricted use area that will be maintained by each property owner. CDD/Weiner further mentioned that an HOA with four (4) property owners can become problematic.

CE/Gilbertson stated that there are COA in place that read that all four (4) parties need to maintain the proposed driveway that will ultimately get recorded on each parcel.

The Commission and staff further discuss the recording of the maintenance agreement, the proposed driveway and parking.

VC/Wu asked if there is a proposed sidewalk on the easement area.

Justin Kao, project architect, stated there is no sidewalk proposal and that the post office determines where the mailbox will be placed. Mr. Kao further stated that the subject site will have a trash enclosure which will be maintained by the parcel owners.

CDD/Weiner clarified that no trash enclosures are proposed or required.

The Commission and staff discuss the curb area and trash pick-up.

PC/Koo stated that if the driveway is excluded from the lot size, only one (1) lot meets the minimum lot size requirement.

CDD/Weiner mentioned that to minimize the amount of grading, it was more suited to have the lot sizes include the private driveway; however the Commission can require the private drive not be included in gross lot sizes.

CDD/Weiner further stated that if the applicant eliminates one (1) lot, then the three (3) lots will meet the lot size requirement without the driveway being included.

PC/Koo asked if the applicant considered proposing three (3) lots.

Mr. Liu stated that the number of lots will not make a difference to the amount of dirt being moved.

The Commission and applicant further discuss the number of lots and the lot sizes being proposed.

Jim Dixon, resident, agreed that reducing the number of lots will minimize the amount of dirt that will be exported.

**PC/Fernandez motioned to close Public Comment. PC/Dy seconded. Without objection motion passed 4-0.**

PC/Koo questioned that if the private driveway is excluded from the lot sizes, then the minimum lot size requirement of 15,000 is not met.

PC/Dy agreed with PC/Koo and suggested the applicant determine if the number of lots are reduced, will the amount of the dirt export be less.

PC/Fernandez stated that there are surrounding properties that are similar to the proposed project in regards to use and design. PC/Fernandez further mentioned that the export of dirt and the noise of construction are short-term and that the overall development of the project is well-designed.

VC/Wu commented that if the amount of exported dirt can be minimized, then that should be considered closely.

**MOTION ON ITEM 3**

**PC/Fernandez motioned to continue TPM 73650 and SPC/AR 2015-110 off calendar. PC/Dy seconded.**

**ROLL CALL:**

**AYES: Wu, Fernandez, Koo, Dy**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: Natividad**

**Motion to continue passed 4-0.**

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**REPORTS AND COMMENTS:**


- CDD/Weiner mentioned that at the March Planning Commission (PC) Meeting, staff will bring a full report on Accessory Structures and Boarding Home regulations.
- CDD/Weiner thanked the Commissioners who attended the Community Workshop that was held in January and reminded the Commission that the next Joint CC/PC Workshop is Monday, March 6<sup>th</sup>, 2017 at 7:00 p.m.
- PC/Fernandez and PC/Dy stated that they both will be unable to attend the March 6<sup>th</sup>, 2017 Workshop.
- PC/Fernandez asked if staff is working on City design guidelines.
- CDD/Weiner noted that staff will bring a report on design guidelines in the month of April.
- PC/Dy inquired about a possible View Ordinance within the City.
- PC/Koo commented on the informational meeting that was held for the site 49 acres as being very informative.

- VC/Wu asked for the status on the San Jose Hills Road Project and the corner lot off Grand and La Puente Road.
- CDD/Weiner mentioned that the lot off Grand Avenue and La Puente Road is quiet at the moment with no resubmittal.
- The Commission and staff further discuss the lot off Grand Avenue and La Puente Road.

**ADJOURNMENT:**

**This meeting adjourned at 8:41 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday, March 1, 2017, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)**

**Passed and Approved on this 1<sup>st</sup> day of March 2017.**

  
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Vice Chairperson, Danny Wu

  
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Tom Weiner, Community Development Director