

October 4, 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: Commissioner: Perez

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

EXCUSED: Commissioner: Fernandez

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

ORAL COMMUNICATIONS:

VC/Wu opened Oral Communications for Public Comment.

VC/Wu moved to close Oral Communications. PC/Perez seconded. Without objection motion passed 4-0.

APPROVAL OF MINUTES:

1. September 6, 2017 (Regular Minutes)

PC/Dy moved to approve the minutes of September 6, 2017. PC/Koo seconded. Motion passed 4-0.

PUBLIC HEARING:

None

OLD BUSINESS:

2. Continuance: Site Plan Case/Architectural Review (SPC/AR) 2017-029 (Yang) – A request to construct a 3,770 square-foot, two (2) story home with 718 square-feet of garage space on an existing lot located off of a private driveway on Gartel Drive (APN: 8709-012-053).

AP/Guerra presented the Staff Report.

VC/Wu opened the item for Public Comment.

Applicant/Michael Fox discussed the design of the proposed home and the future of the proposed Accessory Dwelling Unit (ADU). Mr. Fox further requested a tentative approval for the location of the ADU.

Laurie Bleick, resident, stated her opposition to the proposed project and her concern for the use of the ADU. Ms. Bleick mentioned that her home is the most impacted by the project and hopes that the subject lot will only be used for one (1) dwelling unit.

Applicant/Juintow Lin clarified that the purpose of the ADU is for the owner's immediate family, and not allowing for an ADU is illegal. Ms. Lin explained the reason why a guesthouse was not pursued versus an ADU.

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

VC/Wu asked for clarification in regards to the definition of guesthouse versus an ADU.

CDD/Weiner stated that there are clear provisions for a guesthouse in the Walnut Municipal Code (WMC) which have been in place for several years that address parking, location, setbacks, etc. CDD/Weiner mentioned that the new State Legislation (that passed at the beginning of 2017) is not as restrictive when it comes to ADUs. Staff is currently working on an Ordinance that meets the new State guidelines. CDD/Weiner further specified that an accessory structure cannot be built when there is no existing main residence. Once the main residence is built, it is at that point that an ADU can then be pursued.

Ms. Lin stated that a recorded phone call was made to Staff, where it had been discussed that if the ADU were to be submitted for Staff review in eighteen (18) months, Staff would not support it in the proposed location. Ms. Lin indicated that the Applicant's goal for the meeting was to get conditional approval for the ADU location, pending the construction of the main home. Ms. Lin commented on changing the guesthouse to an ADU because Staff would not support a guesthouse at the location chosen by the home owner.

CDD/Weiner stated that if the owner and/or applicant want to call the accessory structure a guesthouse, they can do so. CDD/Weiner noted that the plans presented at the meeting shows an ADU, and if the applicant wants to pursue a guesthouse, the Commission can continue this item so the plans can be modified. Lastly, CDD/Weiner stated, that Staff has spent a lot of time on this project with phone calls, meetings, and emails, and the goal was to get approval on the main, single-family residence so that the project can move forward.

The Applicant and Staff further discussed the review of the guesthouse versus an ADU.

VC/Wu noted that the Commission is strictly reviewing the approval of the main single-family residence and not the ADU.

Ms. Bleick stated that the Commission does not review ADUs and that the owner knew the lot had a unique orientation.

VC/Wu reminded the public that Public Comment is closed.

PC/Koo clarified that the Commission is not making any decisions on the ADU and asked Staff when a single-family home would be considered completed.

CDD/Weiner responded that when the permits for the single-family residence receives final building approval and Certificate of Occupancy.

PC/Dy commented on the State Legislation which allows for an expedited process for an ADU and that the Commission cannot review an ADU application. PC/Dy asked the applicant and the owner if they would like to pursue the approval for the single-family home or withdraw their application.

VC/Wu further directed PC/Dy's question to the applicant and owner.

The Applicant further inquired about the location of the ADU.

VC/Wu reminded the applicant that the Commission cannot act on the ADU and asked if they would like to withdraw or continue the item to a future meeting.

CDD/Weiner reminded the applicant, owner, and the public to please focus on the recommended approval of the single-family home.

PC/Perez made note that the home is well designed but asked if the applicant and owner are withdrawing their application.

The Applicant, Commission, and Staff further discussed the future ADU.

Mr. Fox stated that the owner is withdrawing his application.

PC/Koo asked if the Commission is voting on the item.

CDD/Weiner mentioned that the Commission can continue the application off calendar to give the applicant and owner ample time to modify the plans if they wish.

MOTION ON ITEM 2

PC/Dy motioned to continue SPC/AR 2017-029 off calendar. PC/Perez seconded.

ROLL CALL:

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

Motion to continue passed 4-0.

NEW BUSINESS:

3. Site Plan Case/Architectural Review (SPC/AR) 2017-015 (Ji) – A request to construct a new two (2) story, 4,043 square-foot single-family home located on Avenida Deleitante (APN: 8722-019-042).

CDT/Munoz presented the Staff Report.

VC/Wu opened the item for Public Comment.

Applicant/Ricky Huang stated that he is available for any questions.

PC/Koo inquired about the improvements to the thirty (30') foot wide common driveway.

Mr. Huang referenced Condition of Approval (COA) #27 that requires for the reconstruction of the common driveway.

PC/Koo asked exactly what will be reconstructed.

Mr. Huang indicated that the driveway off Camino de Teodoro which reaches the portion of the existing driveway easement will be reconstructed as well as the easement.

CE/Gilbertson confirmed that there is a Condition of Approval (COA) for the driveway to be improved, but also mentioned that on the plans, there are private improvements that are encroaching in the right-of-way. Staff will work with the neighboring resident, applicant, and Fire Department to make sure there is adequate access and minimal disruption to the adjacent properties. CE/Gilbertson further stated that the existing driveway will need to be constructed and will be worked out during the Building Department plan check process.

PC/Koo asked if the neighbors have been contacted to address their wall that encroaches on the driveway.

CDT/Munoz stated that Staff has not reached out to the neighboring property owner, but will do so to when the project receives approval from the Planning Commission.

PC/Koo asked if the north westerly corner of the proposed wall can be softened and/or landscaped.

Mr. Huang stated that the plans can be revised to soften the corner wall with either landscaping or a different type of material.

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

PC/Dy stated his concern for the driveway easement as well as the corner of the north westerly portion of the property.

MOTION ON ITEM 3

PC/Koo motioned to approve SPC/AR 2017-015, subject to the attached COA, with the additional COA that the north westerly corner of the proposed wall be softened with landscaping or modified with a rounded corner. PC/Dy seconded.

ROLL CALL:

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

Motion to approve passed 4-0.

4. Site Plan Case/ Architectural Review (SPC/AR) 2017-069 (Kim) – A request to construct a 1,928 square-foot two (2) story addition at 21222 Stockton Pass Road (APN: 8710-030-003).

AP/Guerra presented the Staff Report.

Li Chen, resident, stated her opposition for the proposed project as it relates to the overall size.

David Chun, resident, stated his concerns for the proposed project in terms of views.

VC/Wu reminded the public that the recommendation is that proposed project be continued to the November 2017 Planning Commission meeting.

CDD/Weiner requested that the item can be continued off calendar in order for public notification to be done.

PC/Perez reiterated to the public that the item will be brought back to the Commission in November and encouraged all present in the audience to come back when the item is re-noticed.

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

MOTION ON ITEM 4

PC/Koo motioned to continue SPC/AR 2017-069. PC/Perez seconded.

ROLL CALL:

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

Motion to continue passed 4-0.

5. Site Plan Case/ Architectural Review (SPC/AR) 2017-049 (Sun) – A request to construct a 2, 071 square-foot two (2) story addition and a 430 square-foot two (2) car garage expansion, located at 1408 Shade Tree Place (APN: 8735-072-017).

AP/Guerra presented the staff report.

VC/Wu opened the item for Public Comment.

Applicant/Daniel Zaragoza stated that the subject lot is 28,000 square-feet with a 5,000 square-foot existing residence and noted that the proposed design was done to blend into the existing house.

VC/Wu mentioned the addition being large in size, with the proposed ten (10) bedrooms, and asked if any homes in the City of Walnut are similar to the proposed project in terms of size.

AP/Guerra stated that there are a few homes, mainly in the Snow Creek area, that may possibly be similar in size but mentioned that in the subject neighborhood, the proposed residence would be the largest.

Mr. Zaragoza noted that 1419 Shade Tree Place is roughly 7,000 square-feet in living space on an 18,000 square-foot lot.

PC/Dy asked if all off-street parking requirements are met.

AP/Guerra stated that the proposed residence meets requirements of the off-street parking Code.

PC/Dy inquired about the proposed roof line and possible issues with water sitting on-top.

Mr. Zaragoza commented on the proposed entertainment room having a gabled design roof.

The Commission and applicant further discussed the roof and styles.

PC/Koo and Mr. Zaragoza discussed the design of the floor plan and office.

PC/Perez inquired if the 7,000 square-feet of living arear at 1419 Shade Tree was the original size of the home.

AP/Guerra stated that an addition was done in 2014 at 1419 Shade Tree Place and also noted that the size comparison of the two (2) homes are similar, however, the floor plan only consists of five (5) bedrooms and a three (3) car garage.

PC/Perez stated that the floor plan is his main concern and making it more conforming to the existing Tract.

Applicant/Zhuochao Niu mentioned that the original floor plan only has five (5) bedrooms, four (4) upstairs and one (1) downstairs. Mr. Niu stated that the family is larger in size and needs the space with only two (2) additional bedrooms being proposed, which makes the total number of bedrooms seven (7).

Mr. Zaragoza mentioned that the office can be reconfigured and shifted more into the existing home with only a single door instead of double doors leading to the office.

PC/Koo stated his concern of the proposed addition not being integrated into the existing house, not only from the roof line stand point but also the front elevation.

Mr. Niu noted that the residence is located on a hill so there are no street views and that the elevations are not an issue for this property.

Mr. Zaragoza asked whether the Commission has an issue with the square-footage or the design.

PC/Koo stated that for himself, the square footage is not an issue but the overall design of the structure.

PC/Perez agreed that a better design is needed to better conform with the existing Tract.

The Commission and the applicant further discussed the design of the residence.

PC/Dy shared his concern for the number of bedrooms and the overall design.

Mr. Niu stated the family wants the proposed number of bedrooms and addition.

The Commission and the applicant further discussed the number of bedrooms being proposed.

AP/Guerra verified that eight (8) traditional bedrooms are proposed with one (1) office space and one (1) entertainment room. AP/Guerra explained that since the residence currently has one (1) living room and one (1) family room/great room, the entertainment room is counted as a specialty room, as well as the office space.

CDD/Weiner noted that the applicant can withdraw their application or a continuance can be requested to redesign the residence. CDD/Weiner further stated that the Commission can approve or deny the project in which the applicant can appeal the decision to the City Council.

Mr. Zaragoza stated that they would like to keep the proposed project as is.

PC/Dy asked the applicant if he would like the Commission to take action on the item as presented.

Mr. Niu replied yes.

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

PC/Perez noted that he does not have an issue with the size but the design of the home.

PC/Dy shared his concerns with how the roof lines tie together with the existing residence, and the number of bedrooms.

PC/Koo stated his concerns with the design of the proposed office.

VC/Wu echoed the same concerns made by the Commissioners.

MOTION ON ITEM 5

PC/Koo motioned to deny SPC/AR 2017-049. PC/Perez seconded.

ROLL CALL:

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

Motion to deny passed 4-0.

CDD/Weiner advised the Applicant that a fifteen (15) day appeal period is available to anyone wishing to appeal the Commission's decision to the City Council.

DISCUSSION/TRANSACTION:

None

REPORTS AND COMMENTS:

- CDD/Weiner made note that the Walnut Family Festival is on October 7th, 2017 in which the Community Development Department will have a booth with information related to Planning and Code Enforcement.
- CDD/Weiner informed the Commission of the study session that took place with City Council for Accessory Dwelling Units (ADUs) and Staff will bring a Code Amendment to the Planning Commission within the next few months.

- CDD/Weiner noted that a petition came through the City Clerk's office requesting a View Preservation Ordinance, which was forwarded to the City Council. CDD/Weiner informed the Commission that Staff is now waiting for direction from the City Council.
- PC/Koo asked when the ADU Ordinance will be presented to the Commission.
- AP/Vasquez indicated that the ADU Ordinance is tentatively scheduled for the November 1, 2017 meeting.
- CDD/Weiner noted the Scoping Meeting for the Environmental Impact Report for the General Plan Update that is taking place on Monday, October 16, 2017 at the Walnut Senior Center.

ADJOURNMENT:

This meeting adjourned at 8:44 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday, November 1th, 2017, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)

Passed and Approved on this 1st day of November 2017.


Chairperson, Mark Fernandez


Tom Weiner, Community Development Director