

**MINUTES OF THE CITY OF DIAMOND BAR
MEETING OF THE PLANNING COMMISSION
NOVEMBER 25, 2014**

CALL TO ORDER:

Chairman Frank Farago called the meeting to order at 7:00 p.m. in the City Hall Windmill Room, 21810 Copley Drive, Diamond Bar, CA 91765.

PLEDGE OF ALLEGIANCE: Commissioner Pirritano led the Pledge of Allegiance.

1. ROLL CALL:

Present: Commissioners Ruth Low, Jennifer “Fred” Mahlke, Peter Pirritano, and Chairman Frank Farago

Absent: Vice Chairman Jimmy Lin was excused.

Also present: Greg Gubman, Community Development Director; Grace Lee, Senior Planner; Josue Espino, Assistant Planner; Stella Marquez, Administrative Coordinator

2. MATTERS FROM THE AUDIENCE/PUBLIC COMMENTS: None

3. APPROVAL OF AGENDA: As presented

4. CONSENT CALENDAR:

4.1 Minutes of the October 28, 2014, Regular Meeting.

C/Pirritano moved, C/Low seconded, to approve the October 28, 2014, regular meeting minutes as presented. Motion carried by the following Roll Call vote:

AYES:	COMMISSIONERS:	Low, Mahlke, Pirritano, Chair/Farago
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	VC/Lin

5. OLD BUSINESS: None

6. NEW BUSINESS:

6.1 Conditional Use Permit and Development Review No. PL2014-515 – Under

the authority of Diamond Bar Municipal Code Sections 22.48 and 22.58, the applicant requested Conditional Use Permit and Development Review approval to construct a new 592 square foot automated drive-thru car wash and 140 square foot equipment room to an existing 2,232 square foot food mart building used in conjunction with an existing service station on a 22,651 gross square foot (0.52 gross acre) lot. The subject property is zoned Commercial Office (CO) with a consistent underlying General Plan land use designation of Commercial Office (CO).

PROJECT ADDRESS: 221324 Pathfinder Road
Diamond Bar, CA 91765

PROPERTY OWNER/
APPLICANT: Mohamad R. Salimnia
500 Topside Place
Diamond Bar, CA 91765

AP/Espino stated that because this item was not properly posted for tonight's meeting, staff is requesting that the Planning Commission table the matter for the December 9, 2014, Planning Commission meeting.

Chair/Farago moved, C/Mahlke seconded, to table Conditional Use Permit and Development Review No. PL2014-515 to the Planning Commission's regular meeting of December 9, 2014. Motion carried by the following Roll Call vote:

AYES:	COMMISSIONERS:	Low, Mahlke, Pirritano, Chair/Farago
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	VC/Lin

7. PUBLIC HEARING(S):

- 7.1 **Development Review and Tree Permit No. PL2014-238** - Under the authority of Diamond Bar Municipal Code Section 22.48, the applicant and property owner, requested Development Review to construct a new 11,295 square foot three-level single family residence with an attached 1,074 square foot, five-car garage on a 49,223 gross square foot (1.13 gross acres) lot, and Tree Permit to remove one protected multiple-trunk Black Walnut tree and replace it at a minimum 3:1 ratio. The subject property is zoned Rural Residential (RR) with a consistent underlying General Plan land use designation of Rural Residential (RR).

PROJECT ADDRESS: 2112 Rocky View Road
Diamond Bar, CA 91765

PROPERTY OWNER: Chacko C. Jacob
14311 Newport Avenue #G-513
Tustin, CA 92780

APPLICANT: Pete Volbeda
180 N. Benson Avenue #D
Upland, CA 91786

AP/Espino presented staff's report and recommended Planning Commission approval of Development Review and Tree Permit No. PL2014-5238, based on the Findings of Fact, and subject to the conditions of approval as listed within the resolution.

C/Low asked what would happen if The Country Estates Homeowners Association chose not to approve or requested additional conditions not listed in the resolution. AP/Espino responded that any conditions that result through the association's approval will have to be in substantial conformance to the plans approved this evening, and if staff feels those conditions substantially modify the conditions to the point of inconsistency it would be brought back to the Planning Commission for further review. If the association elects to disapprove the project altogether, the project entitlements will run with the expiration indicated in the conditions and if the applicant does not pull building permits within two years of date of approval, the entitlement expires.

C/Low asked if the approval includes the swimming pool and landscaping plan and AP/Espino responded that C/Low was correct.

C/Pirritano asked if the project had been approved by The Country Estates Architectural Committee and AP/Espino stated that his understanding was at the time of staff's review of the project, it was not approved by the association.

Chair/Farago opened the public hearing.

Pete Volbeda, architect, stated that a home was approved to be built on this lot about seven years ago but because of the recession it did not move forward to issuance of permits. This project is very similar in design except that there are fewer retaining walls that will be installed for the 25 foot usable rear yard. In addition, the Mediterranean design was eliminated in favor of the Prairie style design. The project intends to meet all of the Planning Commission conditions.

Chair/Farago closed the public hearing.

C/Pirritano moved, C/Mahlke seconded, to approve Development Review and Tree Permit No. PL2014-238, based on the Findings of Fact, and subject to the conditions of approval as listed within the resolution. Motion carried by the following Roll Call vote:

AYES:	COMMISSIONERS:	Low, Mahlke, Pirritano, Chair/Farago
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	VC/Lin

8. PLANNING COMMISSIONER COMMENTS/INFORMATIONAL ITEMS:

C/Low thanked staff for a great job and wished everyone a very Happy Thanksgiving.

C/Pirritano thanked staff for their support.

C/Mahlke agreed that staff has been very supportive. She has been on the Commission for a few weeks and when she receives the agenda packet it is like opening a box of new information. The more she learns the more she understands how difficult and time-consuming staff's job is to make it look easy for the Commission. She wished everyone a Happy Thanksgiving.

Chair/Farago wished everyone a happy and safe holiday.

9. STAFF COMMENTS/INFORMATIONAL ITEMS:

9.1 Public Hearing dates for future projects.

CDD/Gubman stated the next Planning Commission meeting is scheduled for December 9, 2014. In addition to the Chevron Station's proposed addition of the drive-through car wash, staff will be presenting to the Commission the new proposed 5,000 square foot three-tenant retail commercial building on the presently vacant pad across the parking lot from Chili's.

CDD/Gubman wished the Commissioners a Happy Thanksgiving on behalf of staff.

10. SCHEDULE OF FUTURE EVENTS:

As listed in tonight's agenda.

ADJOURNMENT: With no further business before the Planning Commission, Chair/Farago adjourned the regular meeting at 7:13 p.m.

The foregoing minutes are hereby approved this 9th day of December, 2014.

Attest:
Respectfully Submitted,

Greg Gubman
Community Development Director

Jimmy Lin, Vice Chairman