



## CITY of YORBA LINDA

---

### PLANNING COMMISSION MEETING MINUTES

June 11, 2025, 6:30 p.m.  
Council Chambers  
4845 Casa Loma Avenue

Commissioners Present: Bernstein, Goldfarb, Chavez Marquez, Masterson

Commissioners Absent: Behura

Staff Present: Choi, Diaz, Dominguez, Farnsworth, Valdez

---

#### 1. **CALL TO ORDER**

The Yorba Linda Planning Commission convened at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda, California.

**Note:** No new items will be considered after 11:00 p.m.

#### 2. **PLEDGE OF ALLEGIANCE**

Led by Chair Pro Tem Masterson

#### 3. **ROLL CALL**

#### 4. **APPROVAL OF THE MINUTES**

#### 5. **PUBLIC COMMENTS**

#### 6. **WAIVE READING IN FULL OF ALL RESOLUTIONS ON THE AGENDA**

Approval of reading by title all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

**Moved by** Masterson

**Seconded by** Goldfarb

Approved waiving readings in full of all resolutions.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura

**CARRIED (4 to 0)**

## **7. PUBLIC HEARINGS**

### **7.1    CONDITIONAL USE PERMIT 2025-02 AND ADMINISTRATIVE ADJUSTMENT 2025-04 WEISSENBAACH**

Gabe Diaz, Associate Planner provided a visual presentation and explained that the applicant is requesting to construct a new 4,540 square foot two-story single-family residence and a 937 square foot attached garage on a vacant lot. The prior home was demolished in 2015 as part of a plan to build a new home on the property that was never pursued to completion. The proposed home is approximately 70 feet from the closest home on the east, therefore requires a conditional use permit. The applicant is also asking for An administrative adjustment to allow a reduction in the front yard setback from 30 feet to 25 feet 6 inches to facilitate the construction of the first-floor laundry room and attached garage.

Existing single-family residences are situated on each side and there is an existing private road easement on the south. The proposal meets all of the property development standards and architectural compatibility with the neighborhood.

There is a total of 10 second-story windows with two dormers that are only for decorative purposes and do not provide views into the neighbors. Staff has no privacy impact concerns due to ample distances of the neighboring homes and filtered views or angle of the property. Staff is able to implement mitigation measures should any privacy impacts arise during public comment. All neighbors within a 300-foot radius were noticed and staff did not receive any comments or concerns from any of them.

Staff is supportive of the administrative adjustment request to reduce the required front yard setback from 30 feet to 25 feet 6 inches due to the unique shape of the lot and composition. A significant portion of the lot contains the private street easement (Vallecito Drive) and it reduces their usable lot frontage. In addition, there is a sewer easement along the western property line which shifts the structure to the east which prohibits them from building in that area due to the restrictions.

Staff is recommending that the Planning Commission adopt the resolution approving the conditional use permit and the administrative adjustment subject to the attached conditions of approval.

Chair Bernstein invited the applicant to step forward and asked if they agreed with all the conditions of approval.

Katelyn and Jared Weissenbach approached and stated they agreed with all the conditions of approval.

Chair Bernstein opened the public hearing.

Richard Kovich resides on Vallecito Drive and stated in 2004 he had completed construction and at that time the front setback was 50 feet from the property line; why is it now 30 feet? This property has been owned by several people in the last 10 years, and the previous applicants had agreed to pave the street after construction and asked if the current owners would agree to that as well.

Mr. Diaz explained the 50-foot setback is in reference to the distance from the property line to the street center line. This is comprised of 20 feet from the edge of the street easement and there is an additional 30 feet from there. Staff will monitor the project and send out inspectors for noise, standard construction hours, and dust. If neighbors have any concerns, they can reach out to code enforcement or the building division to address any concerns that arise.

Chair Bernstein asked about damage to the private street due to construction.

Director Farnsworth explained that a condition can be added whereby photos are taken of the street condition before and after construction. If it is determined that there is significant damage to the street as a result of the construction, then the property owner could be held responsible for repairing that damage.

Chair Bernstein asked if the current owners are held to the agreement that the prior owners made with their neighbors regarding the street.

Mr. Farnsworth stated they would not be held to the same conditions as the previous owner; staff is not aware of the prior agreement that was made with the neighbors.

Steve Knapp approached and stated he resides on Vallecito Drive. Approximately 5 or 6 years ago he attempted to get the street repaved because the street slopes down to the bottom and there is a large drain where their house is situated, therefore all the road is rubble. He was willing to put a coating on it, but was told it would have to be replaced. The upper portion of the street it's still good but needs a paving coat and they don't know what will happen after the construction vehicles ride over it.

Vince Sato approached and stated he would like to reflect in the record that in 2017 the Planning Commission denied the permit and they required the previous applicant to repave the road once the construction was completed; it was not an agreement that was made by the applicant but it was a finding made by the Planning Commission. He doesn't feel it is their place to ask the applicant to do anything other than what is in the private road agreement in the grant deed. He added he spoke with the neighbor who would be impacted by the 15-foot tall motorhome garage and the administrative adjustment who could not be here this evening due to his age. He does not have any objections to the height of the motorhome garage because there is a wall that will filter the view, nor does he have any objection to the administrative adjustment.

Chair Bernstein closed the public hearing and brought it back to the Commission for a motion.

Chair Pro Tem Masterson stated he does not have any concerns with the administrative adjustment and feels it is fair for the Planning Commission to impose a condition for any damage to the road; however, he is not supportive of having the new owners paved the entire road. With private streets, neighbors often disagree with who should pay for pavement of the streets.

Commissioner Goldfarb agreed with Commissioner Masterson.

Commissioner Chavez Marquez stated the repaving responsibility falls on everyone, therefore the project works as -is.

Director Farnsworth stated private streets functions similarly to CC & R's where it's a third-party private agreement amongst those homeowners that take access off those streets. He is not sure if there is a written agreement that was put in place at the time the area was developed; it should be on the title but it is not something the city places as a condition of approval.

Chair Bernstein stated if their street needed to be repaved in 2017, it still needs to be repaved and he is reticent to place it on the new owner and it is a shared responsibility in the first place. For the record, he drove to the property and did not notice that the street was undrivable.

Chair Bernstein asked Chair Pro Tem Masterson if that included a condition for the street. Commissioner Masterson stated no because if the street is already damaged, and may be further damage, it will continue to deteriorate.

Commissioner Goldfarb stated he is not in favor of any additional conditions because he doesn't think it is fair to require the new owners to repair and already damaged street, also, the Commission has always treated CC&R's as private matters for the people to resolve.

Chair Bernstein asked for a vote; motion passed 4 to 0. Behura is absent.

Director Farnsworth stated this application is approved unless appealed to the City Council within 10 days.

**Moved by** Masterson

**Seconded by** Goldfarb

The Planning Commission adopted **Resolution No. 5642** approving Conditional Use Permit 2025-02 – Weissenbach, subject to the attached conditions of approval.

The Planning Commission approved, by minute motion, Administrative Adjustment 2025-04 – Weissenbach, with findings.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura

**CARRIED (4 to 0)**

## 7.2 CONDITIONAL USE PERMIT 2025-13 AND ADMINISTRATIVE ADJUSTMENT 2025-06 - MOSELEY

Eva Choi, Senior Planner explained that the request is for an 800 square-foot second-story addition above the garage to an existing 2,222 square-foot single-story residence within seventy feet of another single-family residence, and a request to reduce the side yard setback from ten feet to eight feet six inches.

Staff does not anticipate any privacy impacts as there are no direct sight lines into adjacent buildings; however, if there are concerns post constructions, the owner will need to provide opaque treatments on the windows. The project is architecturally compatible with the neighborhood; however, there is a condition requesting that the homeowner provide siding material to wrap around the corner of the building to provide architectural continuity.

The request for the administrative adjustment is to allow the property owner to provide a second story addition that aligns with the first floor. The applicant is asking for an 8'6" side yard setback which is similar to a prior approval that was granted to this property in 2017 for the first-floor addition. The property has a nonconforming lot width; therefore, staff feels the reduced setback is warranted.

Staff recommends approval of the project subject to the conditions of approval.

Chair Bernstein asked about the condition that was applied regarding the windows.

Miss Choi stated it allows the neighbors to raise their concerns and allow the homeowner to change out the glass or place a material on top of the window to create an opaque buffer. Staff does not expect the homeowner to replace the windows altogether.

Chair Goldfarb asked who would make that decision?

Miss Choi stated the opaqueness will be provided to the satisfaction of the Community Development Director.

Director Farnsworth stated it would be to the discretion of the director and as usual any decision is appealable. He asked Ms. Choi to make sure there is a timeline in the condition stating that it be prior to the final sign off of the building permit.

Ms. Choi's stated condition 26 will be amended to include that if the neighbor submits a privacy concern to the city post construction, the

applicant shall install opaque treatments on all second story windows facing that property to the satisfaction of the Community Development Director.

Chair Pro Tem Masterson stated there should be a timeline included.

Ms. Choi stated it can be revised to at time of final building inspection and prior to release of occupancy.

Director Farnsworth stated that is an appropriate period of time and by that time the adjacent neighbor should be able to have a clear line of sight of what is being designed and give them an opportunity to raise their concerns.

Chair Bernstein invited the applicant to step forward and asked if they approved with all the conditions of approval.

Cheryl and Pete Moseley stated they agree with all the conditions of approval. They have also spoken to the neighbors who are agreeable with the proposal. They do not anticipate the window placement will be a privacy problem for the neighbors.

Chair Bernstein ask if the neighbors are aware of where the windows would be.

Mrs. Mosley responded that the neighbors do not know where the windows are, the neighbor was supposed get back to Mrs. Moseley, but she has not done so. Mr. Moseley also Informed the neighbor that they were adding a second floor to the home and the neighbor responded that was good and great and the Moseley's have not heard from them since.

Chair Bernstein opened the public hearing; seeing no one approach, the public hearing was closed.

Commissioner Goldfarb **CONVERSATION ILLEGIBLE**. He stated he is against adding the condition and doesn't feel it is right for it to be decided by a neighbor.

Commissioner Chavez Marquez added that he is in agreement with the condition as written in the resolution; it clarifies that the windows will be treated with some kind of opaque treatment to preserve the privacy. He asked staff what continues to make it nonconforming?

Director Farnsworth explained that in certain situations, staff allows the nonconformity that was created to be further extended beyond where it exists. Expanding 8 feet 6 inches is not considered to be further increasing the nonconformity.

In reference to Commissioner Chavez-Marquez' comment, part of the reason condition 26 was added is because it essentially requires that the windows be frosted or have opaque treatment to preserve privacy. The applicant is requesting to not necessarily have to have opaque windows to allow for more light. The condition was written in such a way because there could be a misunderstanding by an adjacent neighbor if they reviewed the application and conditions. It could appear that the applicant does not want non-treated windows; however, the applicant's intention is to omit treatment, but if needed, they are willing to do so. He suggested rewriting the condition and staff can allow for the appeal period to serve as a time frame for the neighbor if they have privacy issues. They could appeal the application and reach out to staff with their concerns. Staff can revise the condition in such a way that it grants the ability to obtain approval for the windows before issuance of a building permit.

Chair Pro Tem Masterson opined that many people look at plans but don't fully understand them and they don't realize there is an issue until it has been constructed. He is satisfied with the way it is written, but he wants to provide credence to the neighbor and place a time period on final inspection. The neighbors have already been notified and they have chosen not to comment.

Chair Bernstein agreed with Chair Pro Tem Masterson that the neighbors have been properly noticed and the applicant has attempted to speak to the neighbors, therefore he prefers to entirely strike the condition. However, if the Commission chooses to keep the condition, it should be prior to construction.

Commissioners Chavez Marquez and Goldfarb stated they prefer to strike out the condition.

**Moved by** Chavez Marquez

**Seconded by** Goldfarb

The Planning Commission adopted **Resolution No. 5643** approving Conditional Use Permit 2025-13 - Moseley, subject to the attached conditions of approval removing condition no. 26.

The Planning Commission approved, by minute motion, Administrative Adjustment 2025-06 – Moseley, with findings.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura



**CARRIED (4 to 0)**

**8. NEW BUSINESS**

**9. OLD BUSINESS**

**10. DIRECTOR'S REPORT**

Director Farnsworth ask the Commissioners to reach out to Kelly with the Parks Department if they would like a parking pass for the 4th of July.

The June 25th Planning Commission will be cancelled due to a lack of items.

He reminded the Commissioners to contact staff if they want the tour of Main Street.

**11. COMMISSIONER COMMENTS**

Chair Pro Tem Masterson asked if there are any large projects coming to the city in the next 12 months.

Director Farnsworth stated staff has received an application from the Olsen Company for the development of 40 housing units at the Messiah Lutheran site off of Yorba Linda Boulevard and an application for a 60-unit development next to the Kabat Center off of Yorba Linda Boulevard. Friends Church has submitted for a new recreation center.

**12. CORRESPONDENCE RECEIVED**

**13. ADJOURNMENT**

7:42 p.m.

The next Planning Commission meeting is scheduled for July 9, 2025, beginning at 6:30 p.m.

---

NATE FARNSWORTH  
DIRECTOR OF COMMUNITY DEVELOPMENT