

**CITY OF SAN DIMAS
DEVELOPMENT PLAN REVIEW BOARD
MINUTES**

**September 13, 2007 at 8:30 A.M.
245 EAST BONITA AVENUE
COUNCIL CHAMBERS CONFERENCE ROOM**

PRESENT

*Eric Beilstein, Building and Safety Superintendent
Denis Bertone, Councilman
Dan Coleman, Director of Development Services
Scott Dilley, Chamber of Commerce (Arrived at 8:32AM)
Ken Duran, Assistant City Manager
Jim Schoonover, Planning Commission
Larry Stevens, Assistant City Manager of Community Development*

ABSENT

John Sorcinelli

CALL TO ORDER

Denis Bertone called the regular meeting of the Development Plan Review Board to order at 8:30 a.m. so as to conduct regular business in the Council Chambers Conference room.

APPROVAL OF MINUTES

MOTION: Jim Schoonover moved, second by Dan Coleman, to approve minutes of August 23, 2007. Motion carried 4.0.2.1. (Eric Beilstein abstain. Scott Dilley and John Sorcinelli absent.)

HEARING ITEMS

DPRB Case No. 06-60

Continued from October 12, 2006 and August 9, 2007.

Request to construct a new 3,337 sq. ft. single family residence located adjacent to 1619 North San Dimas Canyon Road. APN# 8665-010-063. Zone: SFA-10,000

Steve Eide, architect, was present.

Mr. & Ms. Mansoor, property owners, were present.

Planning Manager Hensley stated that house has been redesigned since the last DPRB meeting in response to Board comments. The new house will be Spanish Colonial style. Issues to be addressed were:

- Openings along park should be plastered to eliminate access from the park to property;
- Garage door on rock house to be replaced with wood garage door;
- Final decision of the interior of the rock house shall be part of landscape plan;
- Clay barrel tile should be added to the main structure to tie in with the historic structure;
- Tree removal permit required for any tree removal.

Also, Mr. Hensley stated that under condition 23, section *“Note that although the slab is intended to be reused, building elements and associated infrastructure will need to comply with the latest adopted codes (anchor bolts, holddowns, underslab utilities etc.)”* and condition 26 under Building Division need to be removed.

In response to Board questions, Manager Hensley stated that the rock house will not be attached to the new house. They are separated by a 12' courtyard. The wood garage door on the rock house has been added to match the garage door on the new house. No further comments were received from Mr. Sorcinelli.

MOTION: Dan Coleman moved, second by Scott Dilley, to approve subject to standard conditions.

Motion carried 6.0.1.0. (John Sorcinelli absent)

DPRB Case No. 07-46

Request to construct a 3,248 sq.ft. single family residence and 604 sq.ft. detached garage located at 807 Klamath Court. APN#: 8665-002-041. Zone: SF-H

Assistant Planner Grabow stated that a previously built residence at this location was damaged by a fire that resulted in demolition of the structure. The proposal calls for construction on the remaining foundation with some alterations to bring it up to code and to accommodate for the new structure. House is well designed and blends with the neighborhood.

MOTION: Jim Schoonover moved, second by Ken Duran, to approve subject to standard conditions.

Motion carried 6.0.1.0. (John Sorcinelli absent)

DPRB Case No. 07-49

Request for approval of a retaining wall and landscaping within Specific Plan 4, Area 1 located at 1172 Edinburgh Road. APN: 8462-034-013.

Assistant City Manager of Community Development, Larry Stevens, was present as a voting member of the Board for this item.

Dawn de Leon, property owner, was present.

Director of Development Services Coleman distributed copies of, and explained, the following supplemental information:

Section A – Excerpts from Specific Plan No. 4

Section B – Photographs

Section C - Verdura block manufacturer's brochure

Section D - Revised Letter from applicant

Section E - Landscape Planting Guidelines for Specific Plan No. 4

Section F - Slope Gradient Calculation

Section G - Information submitted by Mr. Rauseo to City Council at their September 11, 2007 meeting:

- Excerpts from CC&Rs and Specific Plan No. 4
- Analysis of retaining wall
- Verdura Retaining Wall Standard Design for Verdura block by manufacturer
- Verdura retaining wall systems report on the 1997 Uniform Building Code published by ICC Evaluation Service Legacy Report ER-5515
- Plot Plan sketch of retaining wall location

Director of Development Services Coleman stated that property was purchased by the De Leon family in 2005. A permitted infinity pool was constructed at the site. The design features a 4 foot high wall on the downhill side that is visible to adjacent properties. An existing switchback path down the rear slope was modified with the installation of retaining walls within the scenic easement without permits. The swimming pool, retaining wall and removal of native landscaping were subject of complaint lodged by Mr. Rauseo of 1172 Edinburgh Road.

These complaints along with others within Specific Plan No. 4 were investigated by an independent attorney hired by the City, William Holt. A series of special City Council meetings were conducted over the past several months on this topic.

Improvements the De Leon's propose to complete their project were:

- Stain pool wall with a medium brown color, Behr semi-transparent concrete stain tinted with red oxide and raw umber;
- Plant seven 5-gallon size Morning Glory vines along pool wall;
- Plant Myosporum or Monkey flower ground cover in the area within 50 feet below the pool.

Mr. Coleman presented findings for Specific Plan No. 4 §18.504.040.B for DPRB consideration. The improvements have already been installed and we are dealing with an “after the fact situation”.

1. Whether the proposed improvements will maintain or enhance the exiting character and purpose of SP-4;
2. Whether the proposed improvements are in conformity with the view shed area from the Walnut Creek Wilderness Park;
3. Whether the house and appurtenances are sited in a manner that minimizes visual impact and disturbance to the natural terrain;
4. The architectural character, style and use of materials harmonize with the natural setting.

Eric Beilstein, Building Superintendent, presented his findings regarding the Verdura retaining wall systems in response to the specific questions raised by Mr. Rauseo in the information he submitted on September 11, 2007. He noted that normally structural engineering is something that is addressed during the plan check phase. He indicated that two previous soils reports had been prepared that are on file with the Building Division: first when the original house was built, and second when the swimming pool was built. Both reports document that soil type is appropriate backfill material for a retaining wall. He said that he had spoken with Darien Osborne, P.E. at Soil Retention Products, the manufacturer of the Verdura product. He stated that he had sent Mr. Osborne photographs of the retaining wall construction. He indicated that Mr. Osborne provided the following recommendations:

- Retaining wall constructed at 1172 Edinburgh Road was non-structural; therefore, Mr. Rauseo’s engineering design comments were not relevant
- Drainage swale is needed at top of retaining wall, 18-24 inches wide, to prevent water from cascading over top. The swale is not required to be concrete and can be an earthen swale.
- Path cross-slope needs to be reversed to drain away from retaining wall
- First course of block needs to be imbedded below grade
- Geosynthetic reinforcement is not required
- Friction angle is appropriate (minimum 27 degrees required)
- “Butt” installation used (i.e., “closed course” with no planting gaps between Verdura block) provides a stronger installation than “open course”

Mr. Beilstein indicated that a grading permit was not required, but a building permit is required, for construction of the retaining wall. He said that another course of Verdura block could be added, if necessary, to create swale.

Richard Rauseo, 1184 Edinburgh Road, was present. Mr. Rauseo stated that he objects what has been done to the slope and feels that it should never have been cut. He stated that the real issue is the CC&Rs and scenic easement rights. He indicated that area cut is in scenic easement and subject to CC&R’s and that he has rights to the De Leon property that have been taken away from him by the construction of the walkway and wall and removal of native landscape. He acknowledged the conflict between the provisions of Specific Plan No. 4 and the

CC&Rs. He requested that the Board's decision be two-fold: 1) review process with this proposal as if there was nothing built yet, then 2) decide what to do with existing improvement.

Sid Maksoudian, 1156 Camino Del Sur, was present. He stated that he was here to enlighten himself and that if the Board has weight, it should exercise it.

Dawn de Leon stated that the retaining wall is never higher than 36 inches.

Mr. Stevens stated that the pool is pending final inspection only and DPRB may not impose staining of the pool wall, although it is appropriate to require installation of vegetation to help screen the wall. The pool is not item for discussion at this meeting as recommended by independent attorney, William Holt.

Mr. Beilstein stated in response to Mr. Stevens that the walkway cross slope angle needs to be adjusted (backfilled) to address drainage issues that could potentially cause failure to the wall. He indicated that the backfill could also accomplish imbedding the first course of block. He also stated he discussed the proposal and photographs with Darien Osborne of Soil Retention Designs, Inc. who stated that the wall could be "non-structural" and therefore the use of their requirements found in the wall evaluation report is not required. Preliminary assessment is being conducted with building and safety determining when a foundation investigation needs to be done as part of the plan review process. The slope appears to stable and the installation of the wall does not negatively impact its stability. Any potential failure of the wall or slope would be contained within the subject property and repaired as necessary.

Mr. Stevens stated that only job of the Board is to determine if the wall and walkway comply with Specific Plan 4. The CC&R's are silent regarding walkway and walls in scenic easement. He stated that a complaint was submitted, reviewed by Staff. Initial conclusion was that a permit was not required, with Mr. Rauseo continuing to object. RKA Civil Engineers was consulted and determined that it was erroneous that permit was not required. Four City Council study sessions regarding Specific Plan 4 have been conducted as well.

Dawn de Leon stated that she had to leave by 10:10 a.m.

Mr. Duran stated that the City does not enforce CC&R's. Mr. Coleman concurred, stating that the City has no obligation to enforce CC&R's.

In response to Mr. Bertone, Mr. Stevens stated that in review of the CC&R's, they do not allow any improvements in the scenic easement; however, CC&R's do say if any modification is desired, approvals may be given by the Development Plan Review Board. The DPRB has authority to make modifications per reference made in the CC&R's.

Mr. Dilley stated that the material chosen for the wall blends in well into slope. Mr. Duran concurred.

Mr. Schoonover stated that he went out to site and had a hard time locating the wall as it was not clearly visible. He added that walkway and wall are appropriate for the property.

MOTION: Larry Stevens moved, second by Jim Schoonover, to approve subject to standard conditions and the following:

1. Building permits to be obtained within sixty (60) days. Any requests for extensions to be approved by Director of Development Services;
2. Submittal of work schedule to ensure modifications done in a timely manner;
3. Landscape plan to be reviewed and approved by Staff;
4. Bring back to Board for review if engineering analysis and field associate require substantive design changes

Motion carried 5.0.1.1. (John Sorcinelli absent. Denis Bertone abstained.)

Mr. Bertone stated that he assumed that Mr. Rauseo would appeal the decision and offered to appeal item to save Mr. Rauseo the appeal fee.

It was noted that retaining walls around trampoline should be brought back for further review if necessary.

ADJOURNMENT

There being no further business the meeting was adjourned at 10:48 a.m. to the meeting of September 27, 2007 at 8:30 a.m.