



AGENDA
REGULAR CITY COUNCIL /
REDEVELOPMENT AGENCY MEETING
TUESDAY, MARCH 1, 2011, 7:00 P. M.
SENIOR CITIZEN/COMMUNITY CENTER
MULTI-PURPOSE ROOM, 201 E. BONITA AVE.

CITY COUNCIL:

Mayor Curtis W Morris
Mayor Pro Tem John Ebiner
Councilmember Emmett Badar
Councilmember Denis Bertone
Councilmember Jeff Templeman

1. CALL TO ORDER AND FLAG SALUTE

2. RECOGNITIONS

- San Dimas Community Volunteers, Athletes for Autism Group

3. ANNOUNCEMENTS

- a. Pui-Ching Ho, Librarian, San Dimas Library

4. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

- a. Members of the Audience

5. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

- a. Approval of minutes for regular meeting of January 11, 2011
- b. Award of contract to MGO Certified Public Accountants for a Transit Occupancy Tax audit of Hotels in San Dimas

END OF CONSENT CALENDAR

6. DEVELOPMENT SERVICES/PLANNING

- a. DPRB 10-33 A request to construct two 25-foot monocypress wireless communication facilities located at 1087 Via Verde (APN 8395-025-024).

1) RESOLUTION NO. 2011-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING DEVELOPMENT PLAN REVIEW BOARD CASE NO 10-33, A REQUEST TO CONSTRUCT TWO 25-FOOT MONOCYPRESS WIRELESS COMMUNICATION FACILITIES LOCATED AT 1057-1087 VIA VERDE (APN 8395-025-024)

- b. Consider Appeal of DPRB Case No 10-07, a request to grade the rear portion of a single-family residence into terraces, approximately 190 feet long by 90 feet wide, for the purpose of planting fruit trees located at 523 Puddingstone Drive.

7. OTHER MATTERS

- a. Consider for Approval the Farmers Market's revised proposal as submitted by Advocates for Healthy Living.

8. SAN DIMAS REDEVELOPMENT AGENCY

- a. Oral Communications (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)
- b. Approval of minutes for meeting of February 22, 2011
- c. Executive Director
- d. Members of the Agency

9. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair)
- b. City Manager
 - 1) Select a date for the Spring City Council- Staff Retreat
- c. City Attorney
- d. Members of the City Council
 - 1) Councilmembers' report on meetings attended at the expense of the local agency

- 2) Individual Members' comments and updates.
- 3) Request from the H.E.R.O.E.S. organization to place an off-site fund raising sign at Bonita and Arrow for the month of March 2011

10. CLOSED SESSION

Recess to a City Council closed session pursuant to Government Code Section 54956.9(c):

- a. Pursuant to the provisions of Government Code section 54956.9 (c) a closed session will be held with the city attorney to discuss potential litigation involving a dispute with the contractor arising out of the reconstruction/paving of Foothill Blvd.
- b. Report on closed session items.

11. ADJOURNMENT

The next meeting is Tuesday, March 22, 2011, 6:00 p.m. for Ceremony to Swear In New Council. The regular meeting commences at 7:00 p.m.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET <http://cityofsandimas.com>
SUPPLEMENTAL REPORTS: AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 186 VILLAGE COURT DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

HEARING ASSISTANCE: THE CITY OF SAN DIMAS CITY COUNCIL CHAMBERS ARE EQUIPPED WITH A HEARING ASSISTANCE SYSTEM. PLEASE CONTACT THE CITY CLERK AT 909/394-6216 TO CHECK OUT A RECEIVER.

POSTING STATEMENT ON FEBRUARY 25, 2011, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 201 EAST BONITA AVENUE (SAN DIMAS SENIOR CITIZENS/COMMUNITY CENTER BY NORTHERN SLIDING DOORS), 186 VILLAGE COURT (TEMPORARY CITY HALL), 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE) AND AS A CONVENIENCE, AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT www.cityofsandimas.com.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of March 1st 2011

FROM: Blaine Michaelis, City Manager

INITIATED BY: Ken Duran, Assistant City Manger

SUBJECT: Award of Contract to MGO Certified Public Accountants for the TOT audit of Hotels/Motels in San Dimas

SUMMARY

The request is for the award of contract to MGO Certified Public Accountants in the amount of \$10,280 to perform a TOT audit on the six hotel/motels in the city limits.

BACKGROUND

The City of San Dimas has not performed a TOT audit on its hotel/motels for quite some time. It is felt that now would be a good time to assure that the proper amount of revenue that the city should be receiving, matches with the amount that we actually are receiving. We feel that the money spent on the audit will be money well spent and will result in either recovering back the money spent or allowing us to know that we have the proper amount of money coming in. To perform this audit we solicited two proposals from local accounting firms

The total bids including all the alternates were as follows.

MGO CPAs	\$10,280
LSL CPAs	\$12,000

ANALYSIS

This being a service contract staff evaluated other factors in addition to the bid amount. Staff evaluated the completeness of the proposal, the dollar amount as well as checked references. MGO provided a long list of cities in which they have

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done a wide variety of work for, including TOT audits, and the cities we contacted provided good references. With all other aspects being equal, the city recommends awarding the contract to MGO certified public accountants. There are sufficient funds in the professional services budget to cover this expense even if we do not recover additional TOT revenue.

RECOMMENDATION

Staff recommends awarding the contract for the TOT audit on hotels/motels in the city to MGO certified public accountants. Their long history working on TOT audits, Experience with city governments, and good referrals, leads us to believe they are the best overall choice

Attachments. MGO bid proposal



February 15, 2011

Mr Adam Carr
City of San Dimas
245 East Bonita Avenue
San Dimas, CA 91773

Mr Carr:

In accordance with your request, we are pleased to present our proposal to perform agreed-upon procedures related to receipt of Transient Occupancy Taxes by the City of San Dimas (City), California, from thirty hotels/motels located within the City. We believe our approach and workplan will achieve all of your objectives of the City.

Firm Credentials

MGO is California’s leader in serving large and mid-size local governments. In addition to providing annual audit services we have been engaged to perform numerous special projects including agreed-upon procedures in connections with Transient Occupancy Tax compliance. We have provided this service to the following agencies:

- | | |
|-------------------------|--------------------------|
| City of Bell Gardens | City of Monterey Park |
| City of Big Bear Lake | City of Newport Beach |
| City of Burbank | City of Pomona |
| City of Calistoga | City of Richmond |
| City of Costa Mesa | City of San Diego |
| City of Cypress | City of Santa Ana |
| City of Downey | City of Santa Clara |
| City of Encinitas | City of Santa Fe Springs |
| City of Escondido | City of San Mateo |
| City of Hawthorne | City of Santee |
| City of Healdsburg | City of Solana Beach |
| City of Laguna Beach | City of Solvang |
| City of Laguna Hills | City of Sunnyvale |
| City of Lawndale | City of Temecula |
| City of Long Beach | City of Tustin |
| City of Manhattan Beach | City of Westminster |
| City of Mission Viejo | City of Yuba |
| City of Monrovia | County of San Diego. |

MGO was recently awarded a TOT engagement by the City of Lake Forest to begin later this month.

Our Audit Team

The engagement team will be organized under the direction of Linda Hurley who will assume overall responsibility for services provided to the City. Linda will be supported by Kevin Shirah who will be responsible for managing the day-to-day execution of the service activities and direct task accomplishments, monitor progress, and ensure schedule compliance. Jack Ponvanit is proposed as the senior associate in charge of the field work and will be responsible for supervising assigned associates. Caroline Walsh will serve as the quality control/technical reviewer.

Linda Hurley, Partner, has over fourteen years of experience in the CPA profession. Her years of experience include auditing, accounting and management services. Areas of expertise include financial audits, management audits, compliance audits and single audits, as well as assessing internal controls and management systems in governmental and nonprofit accounting.

Kevin Shirah, Manager, has seven years' experience in governmental auditing, accounting and management services. Prior to joining the firm, Kevin was a supervisor at Moreland & Associates, Inc. His areas of expertise include financial audits, compliance audits, single audits, as well as assessing internal controls and management systems.

Jack Ponvanit, Senior Auditor, has three years' experience in governmental auditing, training, accounting and management services. Prior to joining Macias Gini & O'Connell LLP, May was a staff auditor with Moreland & Associates.

Caroline Walsh, Technical Review Director, has over thirty years of specialized experience in auditing and consulting for local governments and nonprofit, insurance, healthcare, and corporate enterprises. Caroline is MGO's quality assurance partner, responsible for ensuring that MGO is in compliance with all professional standards. Prior to joining MGO, she spent thirteen years with the Los Angeles office of Deloitte & Touche LLP where she was the lead government senior manager.

The engagement team selected to serve the City represents the strong, balanced blend of talent, professional skills, and industry experience that is most critical to working effectively with you.

Work Plan

Summary

This project will involve the application of agreed-upon procedures to determine compliance with Chapter 3.20 of the San Dimas Municipal Code (Code) relating to the payment of Transient Occupancy Taxes by the hotels/motels located within the City. We will determine compliance with the City's TOT requirements with regards to the amounts paid to the City during a twelve month period to be determined by the City. The procedures will be performed solely to assist management of the City in its evaluation of the City's receipt of Transient Occupancy Taxes from the specified hotels/motels located within the City. The engagement will be performed in accordance with attestation standards established by the American Institute of Certified Public Accountants. Individual letter reports describing the procedures performed and the related results will be issued following the completion of each application of agreed-upon procedures.

Agreed-Upon Procedures

Listed below are suggested agreed-upon procedures to be performed on this project. We have successfully applied these procedures to hundreds of hotels/motels throughout California. These procedures can be modified to meet any additional requirements you may have. The suggested agreed-upon procedures are as follows:

- 1 Obtain an understanding of the hotel/motel's system for the collection, accounting, reporting, and payment of Transient Occupancy Taxes (TOT).

2. Verify, by recalculation, the mathematical accuracy of the monthly Transient Occupancy Tax Returns for the previous twelve months.
3. Agree the tax rate used in calculating the Transient Occupancy Tax in the Transient Occupancy Tax returns to the tax rate stated in the Code.
4. Compare the rental revenues in the Transient Occupancy Tax returns for the previous twelve months to rental revenues recorded in the monthly revenue summaries and the general ledger
5. Reconcile bank deposits for the previous twelve months to reported monthly revenues.
6. Reconcile annual rental revenues from the monthly revenue summary to the Federal Income Tax return, if available.
7. Trace ten randomly selected registration cards to the daily revenue summary or other comparable document.
8. Select up to ten exemptions claimed during the previous twelve months and verify that there is documentary support authorized by the City's Code for the exemption.
9. Prepare a written report for each hotel/motel describing the procedures performed and our findings.

Planning and Scheduling

Planning is a very important part of this project and in preparation of this proposal, we have already read the Code. Shortly after our selection to perform this project, we will meet with the City's contract coordinator for this project. We will review the suggested agreed-upon procedures above and revise the procedures to meet the City's specific needs. Once we have developed the agreed-upon procedures, we will finalize the format of a basic report.

Next, we will provide the City's project coordinator with an information letter to be sent to all selected hotels/motels informing them that our firm has been selected to apply agreed-upon procedures to test compliance with the City's Transient Occupancy Tax requirements. The letter will be modified to meet your specific needs. We will also provide you a questionnaire and document list to be attached to the letter indicating items each hotel/motel will need to complete and/or have ready prior to our arrival. In addition we will do the following:

- Inquire about specific situations which may alter our approach to specific hotels/motels. For example, are meals or other services included in the room rate? Are some rooms provided at no cost when other facilities are rented?
- Inquire about the number of rooms available in each hotel/motel, allowing us to schedule our visits based on the size of the hotel/motel.
- Develop a detailed work plan schedule with fieldwork and draft reports dates, with the anticipation of reviewing four to five hotels/motels each week.
- Prepare weekly status reports for management.

We anticipate that the City's project coordinator will be available to us during the course of the engagement to quickly respond to questions regarding interpretation of the Code.

We will begin the planning process in mid-March and deliver all reports by May 31, 2010. Upon award of the contract we will work with the City's project coordinator on a specific timeline on when work will be conducted and final reports issued.

As our reports are issued, it will be the responsibility of City staff to initiate the collection process relating to any additional taxes, interest or penalties that may be due the City. Also, it will be the responsibility of City staff to follow up on internal control weaknesses or other exceptions that may be included in our reports.

Sometimes, the application of agreed-upon procedures during a twelve-month period, lead us to conclude that expanding the procedures to an additional twenty-four month period would probably result in additional income for the City, significantly in excess of the cost of additional procedures. If we

encounter instances in which we believe expanding the procedures would be to the advantage of the City we will notify the City of the reasons for our conclusion and provide the City with an estimate of the cost of the expanded services. We will not perform any additional services without the advanced approval of the City's project coordinator, the contract coordinator

Fees for Our Services

Fees for our services will be approximately \$1,680 per hotel/motel, plus expenses, which are computed as follows:

	<u>Rates</u>	<u>Hours</u>	<u>Amount</u>
Partner	\$ 304.00	4.00	\$ 1,216.00
Technical review	304.00	3.00	912.00
Manager	184.00	8.00	1,472.00
Senior	120.00	52.00	6,240.00
Clerical	80.00	3.00	240.00
		<u>70.00</u>	<u>10,080.00</u>
Plus out-of-pocket expenses			<u>200.00</u>
			<u>\$ 10,280.00</u>

Fees for any additional services that may be requested will be at the hourly rates above, plus any necessary out-of-pocket expenses.

We appreciate this opportunity to present our proposal to serve the City of San Dimas. As a Partner, I am authorized to represent the firm as well as to sign for and obligate the firm contractually. If you have any questions, or if we can be of assistance to you in any way during your proposal or selection process, please do not hesitate to call or me (949.296.4340).

Sincerely,

MACIAS GINI & O'CONNELL LLP
Certified Public Accountants



Linda C. Hurley, CPA
Partner



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of March 1, 2011

FROM: Blaine Michaelis, City Manager

INITIATED BY: Community Development Department

SUBJECT: **CONSIDERATION OF DPRB CASE NO. 10-33** - A request to construct two 25-foot monocyprress wireless communication facilities located at 1057-1087 Via Verde (APN: 8395-025-024)

SUMMARY

DPRB 10-33 is a request to construct two 25-foot monocyprress wireless communication facilities located at 1057-1087 Via Verde in the Administration Professional (A-P) Zone. The Development Plan Review Board reviewed this project on January 13, 2011 and recommended approval of this project with conditions.

BACKGROUND:

This is a proposal to construct two 25-foot monocyprress wireless communication facilities at the small shopping center located on the northeast corner of Via Verde and Puente Street within the Administration Professional (A-P) Zone

In the past, monotree facilities were not approved or encouraged due to the negative visual impact. In 2009, the Development Plan Review Board reviewed and approved a monopine to be installed at the Wesleyan Church on Gladstone. It was approved on the basis of the site having an adequate amount of mature trees, with a few trees taller than the proposed monopine, which would allow it to blend in with the surrounding area. The location of the monopine was not directly adjacent to the street and was only partially visible to the public-right-of-way

This current proposal is for two 25-foot tall monocyprress trees located in two different locations on-site that will house a total of six antennas for wireless coverage. One of the monocyprress trees will be located on the northwest corner of the lot 51 feet away from Puente Street. The other monocyprress will be located on the southeast corner of the lot 35 feet away from Via Verde. The

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subject site currently has 23 mature trees (Eucalyptus and Pine) located on-site. The applicant is proposing to install four 24" box live Cypress trees to add to the existing vegetation.

The proposed features on the monocypress trees will allow them to appear more realistic. These features include texture on the trunk to appear like bark and there will be thick, dense branches. The antennas will be concealed within the branches and are located at 14 feet and 20 feet from ground level.

The applicant is proposing to construct an enclosure that will house the equipment cabinet. The shortest height of the wall on the enclosure is eight feet adjacent to the parking lot; however, the applicant is also proposing to construct a five-foot wide and two-foot tall planter box to help alleviate the massing of the eight-foot wall. The tallest portion is proposed at 11 feet due to retaining the hillside located just north of this structure. The applicant is proposing that the walls have stucco covering to match the existing walls of the commercial/office building.

At the January 13, 2011 Development Plan Review Board Meeting, this proposal was reviewed and the Board voted to recommend approval to the City Council. There were also comments expressed by a few Board Members that it was refreshing to see a new design for wireless communication facilities verses the water towers that are located throughout the City

FINDINGS FOR DEVELOPMENT PLAN REVIEW BOARD APPLICATION:

1 The development of the site in accordance with the development plan is suitable for the use or development intended.

The proposed stealth wireless facilities designed as monocypresses meet the intent of the Office/Professional General Plan Land Use designation and Administrative Professional (A-P) zoning standards, in addition to the City's Wireless Communication Facilities zoning regulations, Chapter 18.150

2. The total development is so arranged as to avoid traffic congestion, ensure public health, safety and general welfare and prevent adverse effects on neighboring property

The proposed stealth wireless facilities designed as monocypresses will not create additional traffic concerns or negatively affect the general welfare of the neighbors. After construction of the cell facility, the carrier will visit the site on a periodic basis for routine maintenance of the equipment and site

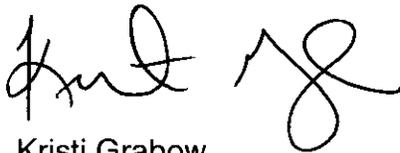
3. The development is in general accord with all elements of the general plan, zoning ordinance and all other ordinances and regulations of the city

The proposed stealth wireless facilities designed as monocypresses meet the intent of the General Plan and complies with all zoning standards of the Administrative Professional (AP) zone and the Wireless Communication Facilities regulations.

RECOMMENDATION

Staff recommends approval of Resolution Number 2011-10 for DPRB Case No 10-33.

Respectfully Submitted,



Kristi Grabow
Associate Planner

- Attachments:
- Exhibit A – Resolution 2011-10
 - Exhibit B – Aerial of Subject Site
 - Exhibit C – Photos of Subject Site and from Public-Right-of Way
 - Exhibit D – Project Description from the Applicant
 - Exhibit E – Photo Simulation and Coverage Map Submitted from Applicant
 - Exhibit F – Photos of Monocypress Constructed by Applicant

RESOLUTION NO. 2011-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING DEVELOPMENT PLAN REVIEW BOARD CASE NO 10-33, A REQUEST TO CONSTRUCT TWO 25-FOOT MONOCYPRESS WIRELESS COMMUNICATION FACILITIES LOCATED AT 1057-1087 VIA VERDE (APN: 8395-025-024)

WHEREAS, an application for a Development Plan Review Board Application has been duly filed by:

Ryan Young
Delta Groups Engineering
2362 McGaw Avenue
Irvine, CA 92614

WHEREAS, Development Plan Review Board Case No 10-33 is described as:

A request to construct two 25-foot monocypress wireless communication facilities located at 1057-1087 Via Verde (APN: 8395-025-024).

WHEREAS, this approval applies to the following described real property:

1057-1087 Via Verde (APN: 8395-025-024)

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment. A master environmental review was previously prepared for all future wireless telecommunication facilities with a Negative Declaration.

NOW, THEREFORE, in consideration of the evidence received at the Development Plan Review Board and City Council hearings, and for the reasons discussed by the Council Members at the hearing, and subject to the Conditions attached as "Exhibit A", the City Council now finds as follows:

- 1 The development of the site in accordance with the development plan is suitable for the use or development intended.

The proposed stealth wireless facilities designed as monocypresses meet the intent of the Office/Professional General Plan Land Use designation and Administrative Professional (A-P) zoning standards, in addition to the City's Wireless Communication Facilities zoning regulations, Chapter 18.150

2. The total development is so arranged as to avoid traffic congestion, ensure public health, safety and general welfare and prevent adverse effects on neighboring property

The proposed stealth wireless facilities designed as monocypresses will not create additional traffic concerns or negatively affect the general welfare of the neighbors. After construction of the cell facility, the carrier will visit the site on a periodic basis for routine maintenance of the equipment and site.

3. The development is in general accord with all elements of the general plan, zoning ordinance and all other ordinances and regulations of the city

The proposed stealth wireless facilities designed as monocypresses meet the intent of the General Plan and complies with all zoning standards of the Administrative Professional (AP) zone and the Wireless Communication Facilities regulations.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the City Council hereby approves DPRB CASE NO 10-33. A copy of this Resolution shall be mailed to the applicant.

The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 1ST DAY OF MARCH, 2011.

Curt Morris, Mayor of the City of San Dimas

Ina Rios, City Clerk

I, INA RIOS, CITY CLERK of the City of San Dimas, do hereby certify that Resolution No. 2011-09 was passed and adopted at the regular meeting of the City Council held on the 1ST day of March, by the following vote-to-wit:

AYES:

NOES

ABSENT

ABSTAIN:

EXHIBIT A

CONDITIONS OF APPROVAL DPRB Case No. 10-33

- 1 The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
2. Copies of the signed Conditions shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
3. The developer shall comply with all requirements of Administration Professional (A-P) Zone and the Wireless Facility Ordinance.
- 4 The building permits for this project must be issued within one year from the date of approval from City Council or the approval will become invalid. A time extension may be granted under the provisions set forth in Chapter 18.12.070.F
5. The applicant shall sign an affidavit accepting all Conditions and all Standard Conditions before issuance of building permits.
6. The applicant shall comply with all City of San Dimas Business License requirements and shall provide a list of all contractors and subcontractors that are subject to business license requirements.

DESIGN

- 7 The applicant shall install a trellis feature on top of the equipment structure for additional architectural enhancement and the final design to be approved by the Planning Department.
8. All exterior colors and materials shall match material board on file with the Planning Division.
- 9 Install all utilities underground.

LANDSCAPE

10. The developer shall submit to the Planning Division, prior to the issuance of building permits, detailed landscaping and automatic irrigation plan prepared by a State registered Landscape Architect. All landscaping and automatic irrigation shall be

installed and functional prior to occupancy of the building(s), in accordance with the plans approved by the Planning Division.

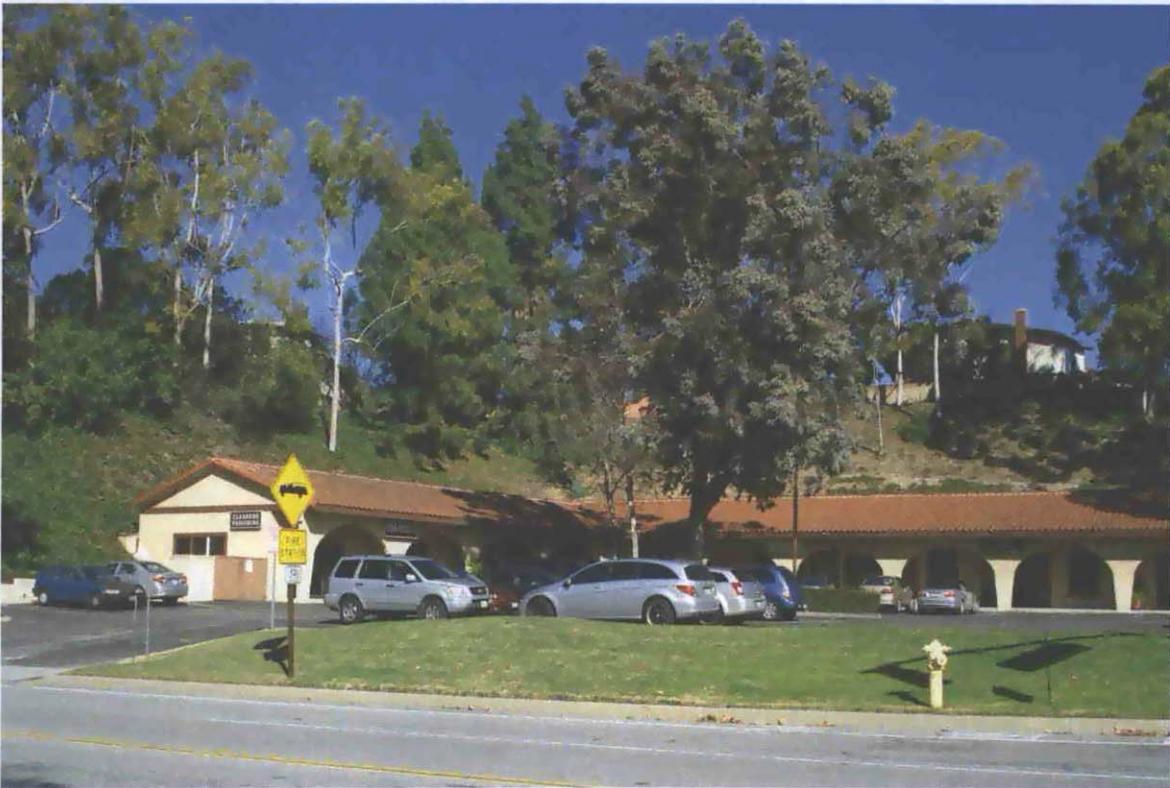
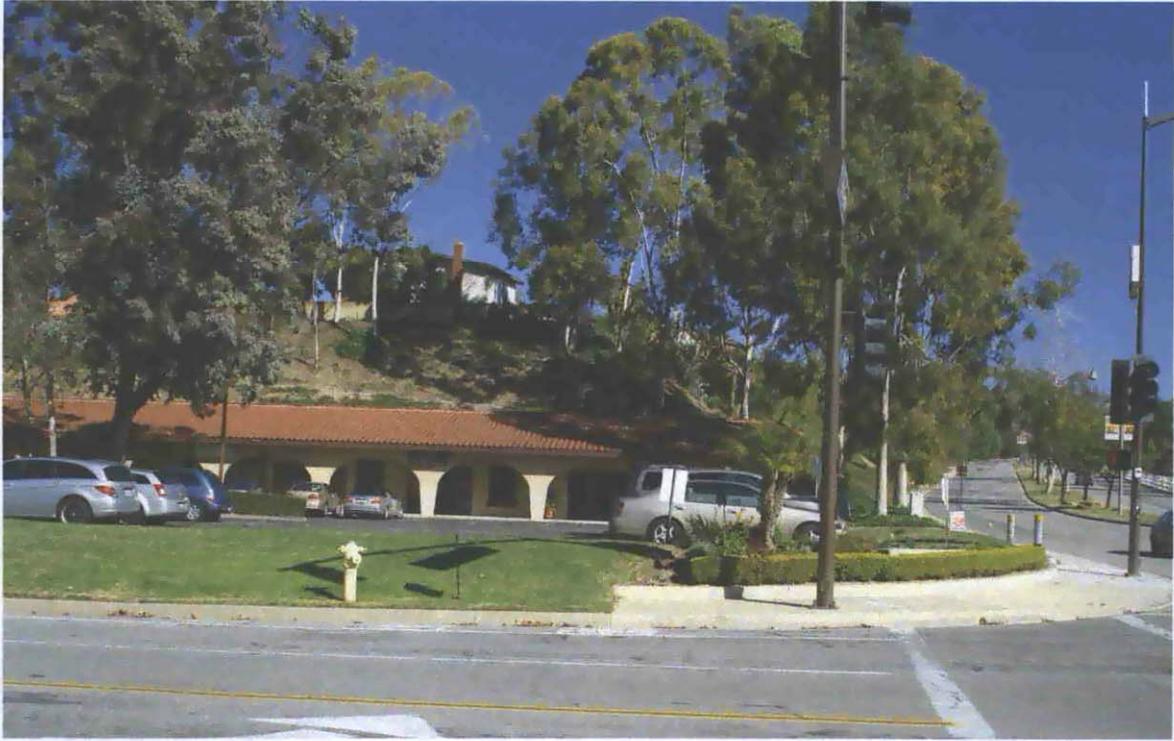
BUILDING DIVISION – (909) 394-6260

11. Comply with the latest codes as adopted by reference by the City of San Dimas: California Building Code, with San Dimas Amendments, California Mechanical Code, California Plumbing Code, and California Electrical Code. Note that new codes will be in effect for projects submitted after Jan 1st, 2011
12. Comply with the latest disabled access regulations as found in Title 24 of the CA Code of Regulations and the Americans with Disabilities Act (parking, access) as required in proportion to the scope of work
13. Final approval in the area of remodel shall not be granted until all improvements required as part of the approval have been completed in full, and approved or finalized by the appropriate department.
14. A drainage plan shall be required for the area of alteration.
15. Provide structural calculations for wall and antenna structures for review

Exhibit A
Aerial of Subject Site



Exhibit B







PROJECT DESCRIPTION

Verizon Wireless requests Development Plan Review Board (DPRB) Approval for the proposed "Brookhill" site to provide improved wireless communication service to the City of San Dimas. The project site is located at 1057 -1087 Via Verde, San Dimas, CA 91773, and consists of installation and operation of antennas and associated equipment. A total of six (6) antennas will be hidden inside two structures disguised as a Cypress Trees (Monocypress). The associated equipment to operate the antennas will be located at grade adjacent to the existing building and backed up against the existing hill to minimize visual impacts. The equipment will be further screened by a CMU wall with stucco finish and additional landscaping.

The monocypress, located closer to Puente Street, will hide two (2) antennas inside and the tip of the structure will be twenty five (25). The monocypress, located closer to Via Verde Street, will hide four (4) antennas inside, and the tip of the structure will also be twenty five feet (25). If the structure were to be lowered, all rad centers (antenna centerlines) will be adversely impacted and Verizon will not be able to meet its coverage objectives.

Monocypress structures will be located in the rear of the building, which will help minimize visual impacts to the wireless facility. In addition, both monocypress structures will blend with the existing backdrop of the hillside and the surrounding vegetation that surrounds this property. The proposed location is ideal because there is a significant amount of landscaping on the property that exists that provides natural screening to the proposed use. Further, Verizon Wireless will plant an additional four (4) live Cypress trees that will be added to all the other existing trees on the property. Please reference attached **Zoning Drawings** and **Photosimulations** for additional detail of the project.

PROJECT PURPOSE

The proposed Verizon Wireless "Brookhill" site has several objectives, all of which are designed to address a significant gap in service coverage to Via Verde and Puente Street and the residential community in this area of San Dimas. The area Verizon Wireless is attempting to provide coverage to is comprised of small commercially developed properties and single family residences. There are many issues in this area, including no service, high drop call rate, and a high incidence of customer complaints. The objectives are:

- 1 To provide new LTE (4G) radio frequency service in the 700 MHz frequency;
2. To provide safe, effective and reliable levels of service coverage along Via Verde and Puente Street.
- 3 To increase RF signal quality and reliability to the residential neighborhoods surrounding the intersection of Via Verde and Puente Streets.

The **RF Propagation Maps** that are enclosed with this application depict the general geographic area of Verizon Wireless coverage objectives. Just as radio waves do not stop at an arbitrary physical boundary, the general geographic area in which coverage is sought cannot be bounded. Moreover, RF coverage is not static, and is subject to fading as result of the morphology and topography of the area. There a number of objectives that this site is designed to fill. Although there will be new coverage added in the 700 MHz frequency range over a physical area, a “significant gap” in service coverage can exist for a variety of other reasons, including lack of sufficient capacity for all calls and data routing through the cell sites in the area, or insufficient reliability of RF signal in the area due to interference or other issues. For the reasons noted above, these “significant gaps” in service coverage may not necessarily be depicted on a propagation plot.

Other than stating that a “significant gap” in service coverage exists when Verizon Wireless cannot provide safe, adequate and reliable levels of service coverage to its users, the definition of what constitutes a “significant gap” is site specific.

Although limited by the above factors, propagation plots provide important information regarding the level of signal, and therefore the anticipated coverage provided by a cell site. For a cellular system to work properly, each cell site must provide areas of discrete coverage as well as overlapping coverage with neighboring sites. Coverage exists when there is sufficient radio frequency (“RF”) signal strength to provide safe, effective and reliable levels of coverage in a particular geographic area. That means that a user is able to count on being able to make, receive and maintain calls when needed, including in cases of emergency. As a user travels between the discrete coverage areas of two or more sites, a handoff is triggered within the zone of overlapping coverage. If the handoff is successful, it is transparent to the user and results in seamless coverage. If the handoff is not successful, the call is lost and must be reestablished once the user gets within range of the next site. Moreover, capacity issues may prevent users from making or receiving calls during periods of high usage. Without adequate RF signal, there is no reliability in the ability to make or receive voice calls, and data throughput speed is limited. This is especially significant in that Verizon Wireless, as an FCC licensee, is mandated to provide enhanced 911 services to its users. The strength of RF signal coverage is measured in decibel level and is noted as a dBm level. As decibel level is degraded (i.e. signal level is weakened), it is reflected in increasingly larger negative numbers. Hence, -75dBm is a stronger signal than -85dBm, which in turn is stronger than -95dBm.

In order to identify a potential site to fill this gap in coverage, Verizon Wireless engineers have created a search ring that represents an area in which a potential cell site can be located to begin the process of identifying and evaluating potential locations for a site. The specific requirements for this site are captured in the document called a Search Area Review Form (SARF). The SARF depicts the area in which a site needs to be located in order to obtain the needed coverage. As previously mentioned, the goal for this particular site has several coverage objectives mentioned above.

ALTERNATIVES ANALYSIS

Verizon Wireless had originally proposed a site at the Via Verde Park across the street on Via Verde. The City was originally open to a site at this park, but after further investigation and receiving input from the community, the project would not be supported. Verizon Wireless was asked to consider other alternatives, and the City suggested that Verizon Wireless consider the current subject property for a wireless site, as an option. As a result, Verizon Wireless submitted a Preliminary Plan submittal for a 50' tall clock tower structure fronting Puente Street on December 2, 2009

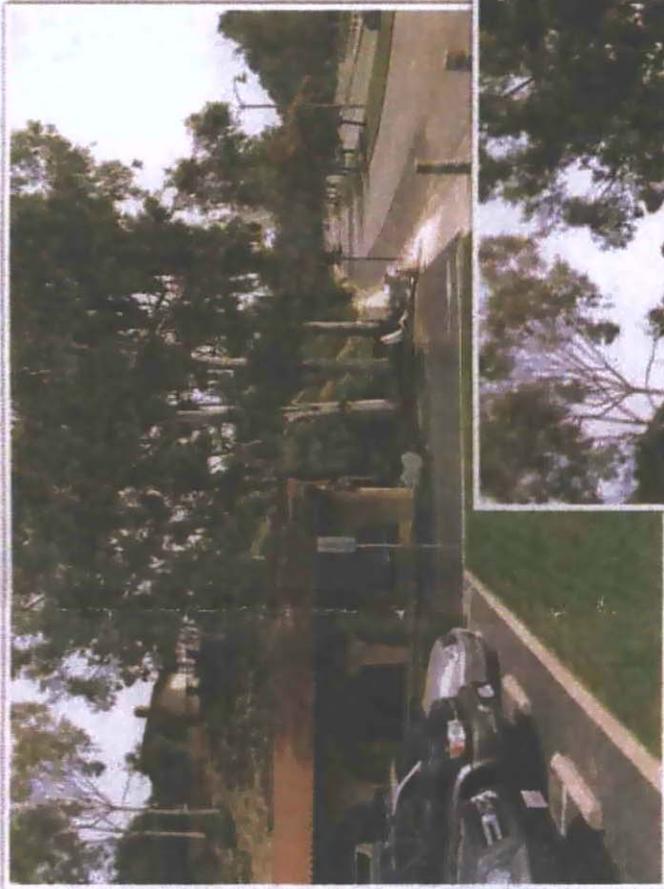
Other candidates were also considered, such as the building across the street (Century 21 building), but this building would not meet RF coverage objectives. The RF engineer expressed concerns that signals would also be impacted by the existing trees in front of the building. In addition, there was not sufficient space for Verizon's associated equipment cabinets at this location. The property directly across the street on Puente Street (single story medical related offices) was also considered, but this site was not ideal from an RF coverage perspective, or a from a design perspective.

The proposed site location at 1057-1087 Via Verde is ideal to both Verizon Wireless and the City because it meets Verizon's coverage objectives, given the limited circumstances, and due to the stealth design, it also results in the best screening with the hillside and existing landscaping that surrounds the property. The stealth design that is proposed and additional landscaping that will be added, helps further minimize visual impacts to the community. Even though the 50' clock tower was not supported by Planning, Verizon Wireless has continued to work diligently with the City Planning Department, after several redesigns that were proposed and discussed with staff, and finally secure a design that is supported by Planning.

Brookhill - 107VW023B

1057 -1087 Via Verde, San Dimas, CA 91773

(View Looking North East To Site)



EXISTING



Brookill - 107VW023B

1057 -1087 Via Verde, San Dimas, CA 91773

(View Looking North To Site)



EXISTING



Brookhill - 107VW023B

1057 -1087 Via Verde, San Dimas, CA 91773



EXISTING



(View Looking North West To Site)



Proposed Equipment Area

Proposed Equipment Area

Brookhill - 107VW023B

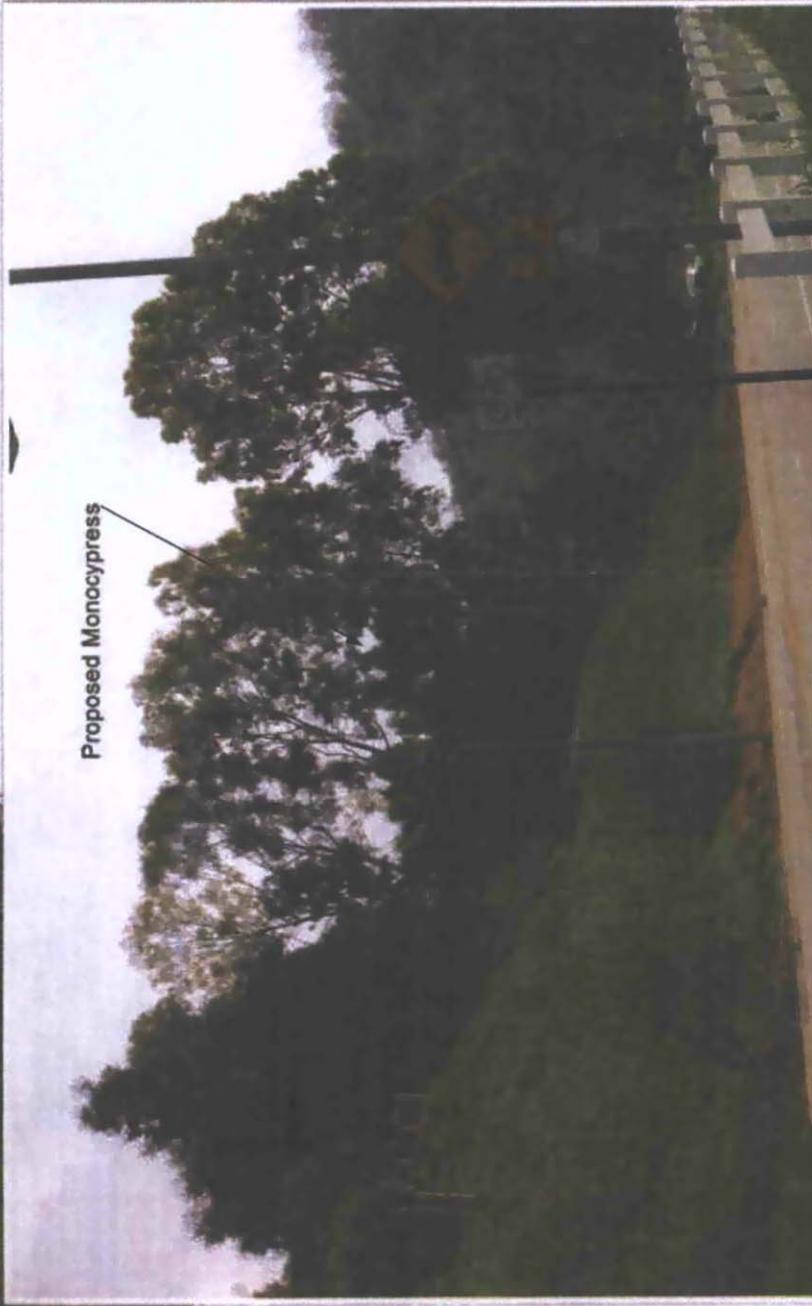
1057 -1087 Via Verde, San Dimas, CA 91773



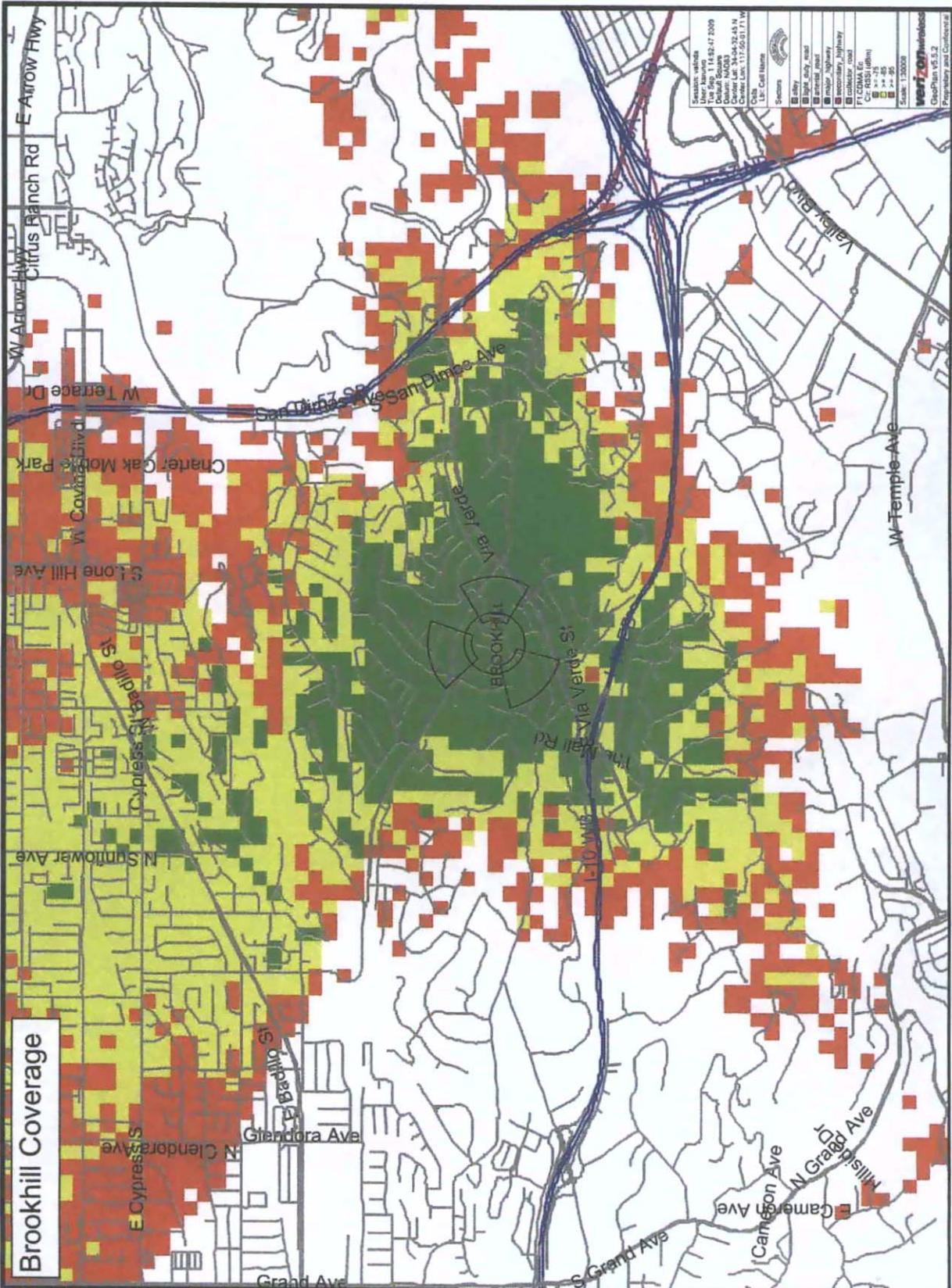
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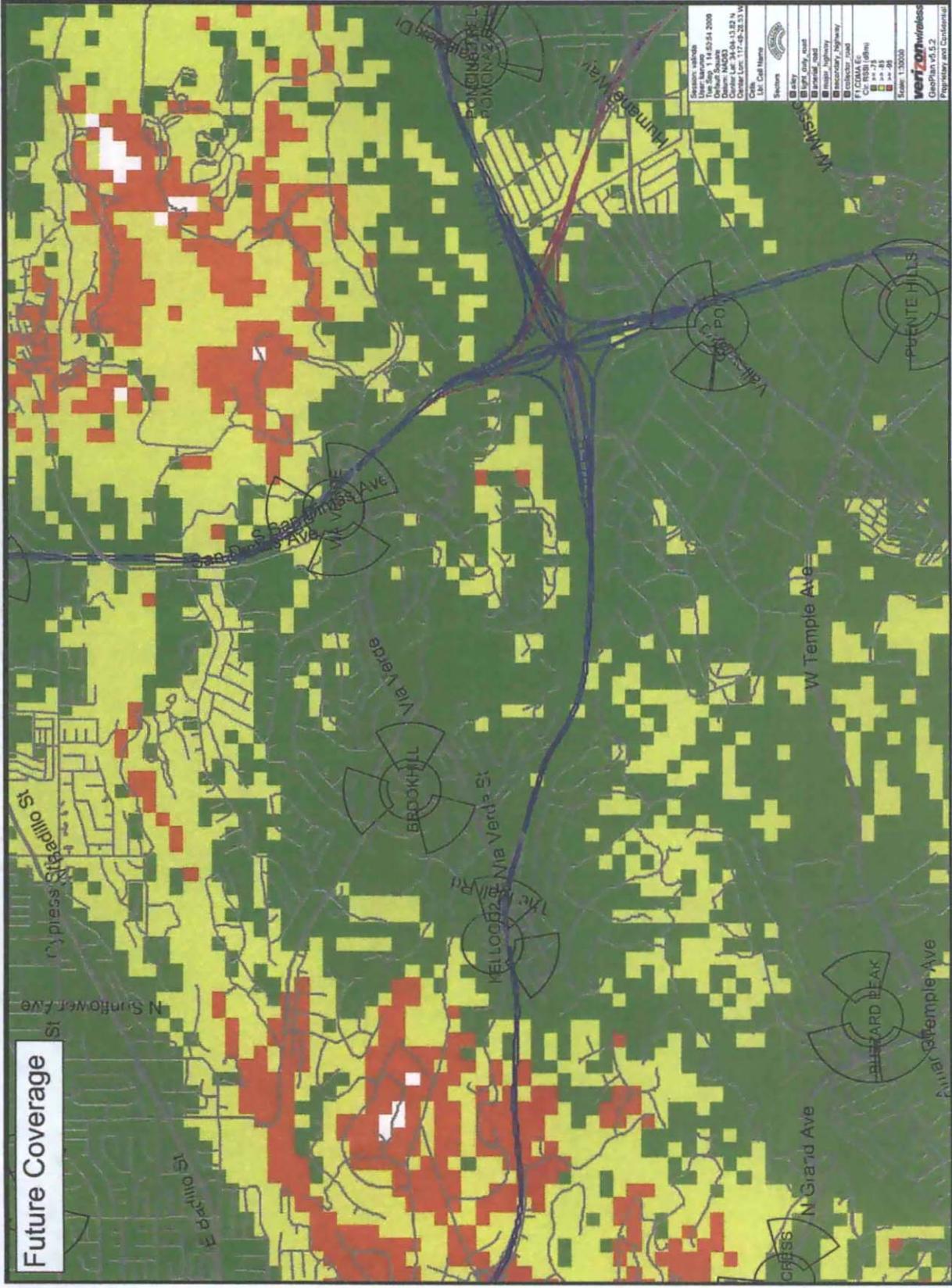
(View Looking East To Site)



Proposed Monocypress



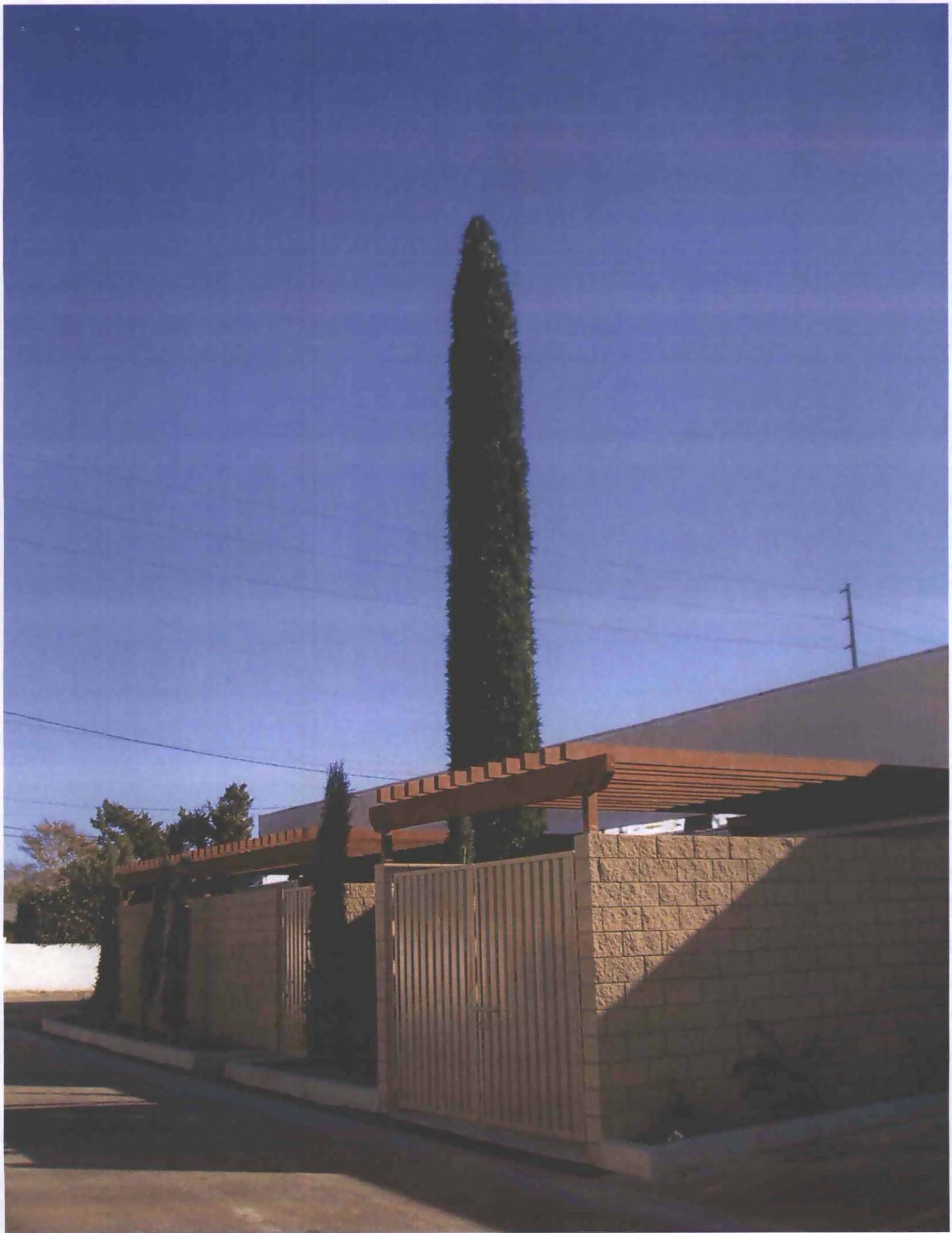
Future Coverage















PROJECT DESCRIPTION

Verizon Wireless requests Development Plan Review Board (DPRB) Approval for the proposed "Brookhill" site to provide improved wireless communication service to the City of San Dimas. The project site is located at 1057 -1087 Via Verde, San Dimas, CA 91773, and consists of installation and operation of antennas and associated equipment. A total of six (6) antennas will be hidden inside two structures disguised as a Cypress Trees (Monocypress). The associated equipment to operate the antennas will be located at grade, adjacent to the existing building and backed up against the existing hill to minimize visual impacts. The equipment will be further screened by a CMU wall with stucco finish and additional landscaping.

The monocypress, located closer to Puente Street, will hide two (2) antennas inside and the tip of the structure will be twenty five (25'). The monocypress, located closer to Via Verde Street, will hide four (4) antennas inside, and the tip of the structure will also be twenty five feet (25'). If the structure were to be lowered, all rad centers (antenna centerlines) will be adversely impacted and Verizon will not be able to meet its coverage objectives.

Monocypress structures will be located in the rear of the building, which will help minimize visual impacts to the wireless facility. In addition, both monocypress structures will blend with the existing backdrop of the hillside and the surrounding vegetation that surrounds this property. The proposed location is ideal because there is a significant amount of landscaping on the property that exists that provides natural screening to the proposed use. Further, Verizon Wireless will plant an additional four (4) live Cypress trees that will be added to all the other existing trees on the property. Please reference attached **Zoning Drawings** and **Photosimulations** for additional detail of the project.

PROJECT PURPOSE

The proposed Verizon Wireless "Brookhill" site has several objectives, all of which are designed to address a significant gap in service coverage to Via Verde and Puente Street and the residential community in this area of San Dimas. The area Verizon Wireless is attempting to provide coverage to is comprised of small commercially developed properties and single family residences. There are many issues in this area, including no service, high drop call rate, and a high incidence of customer complaints. The objectives are:

1. To provide new LTE (4G) radio frequency service in the 700 MHz frequency;
2. To provide safe, effective and reliable levels of service coverage along Via Verde and Puente Street.
3. To increase RF signal quality and reliability to the residential neighborhoods surrounding the intersection of Via Verde and Puente Streets.

The **RF Propagation Maps** that are enclosed with this application depict the general geographic area of Verizon Wireless coverage objectives. Just as radio waves do not stop at an arbitrary physical boundary, the general geographic area in which coverage is sought cannot be bounded. Moreover, RF coverage is not static and is subject to fading as result of the morphology and topography of the area. There a number of objectives that this site is designed to fill. Although there will be new coverage added in the 700 MHz frequency range over a physical area, a "significant gap" in service coverage can exist for a variety of other reasons, including lack of sufficient capacity for all calls and data routing through the cell sites in the area, or insufficient reliability of RF signal in the area due to interference or other issues. For the reasons noted above, these "significant gaps" in service coverage may not necessarily be depicted on a propagation plot.

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ALTERNATIVES ANALYSIS

Verizon Wireless had originally proposed a site at the Via Verde Park across the street on Via Verde. The City was originally open to a site at this park, but after further investigation and receiving input from the community, the project would not be supported. Verizon Wireless was asked to consider other alternatives, and the City suggested that Verizon Wireless consider the current subject property for a wireless site, as an option. As a result, Verizon Wireless submitted a Preliminary Plan submittal for a 50' tall clock tower structure fronting Puente Street on December 2, 2009.

Other candidates were also considered, such as the building across the street (Century 21 building), but this building would not meet RF coverage objectives. The RF engineer expressed concerns that signals would also be impacted by the existing trees in front of the building. In addition, there was not sufficient space for Verizon's associated equipment cabinets at this location. The property directly across the street on Puente Street (single story medical related offices) was also considered, but this site was not ideal from an RF coverage perspective, or a from a design perspective.

The proposed site location at 1057-1087 Via Verde is ideal to both Verizon Wireless and the City because it meets Verizon's coverage objectives, given the limited circumstances, and due to the stealth design, it also results in the best screening with the hillside and existing landscaping that surrounds the property. The stealth design that is proposed and additional landscaping that will be added, helps further minimize visual impacts to the community. Even though the 50' clock tower was not supported by Planning, Verizon Wireless has continued to work diligently with the City Planning Department, after several redesigns that were proposed and discussed with staff, and finally secure a design that is supported by Planning.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of March 1, 2011

FROM: Blaine Michaelis, City Manager

INITIATED BY: Marco A. Espinoza, Associate Planner

SUBJECT: **Appeal of DPRB Case No. 10-07**
A request to grade the rear portion of a single-family residence into terraces, approximately 190 feet long by 90 feet wide, for the purpose of planting fruit trees located at 523 Puddingstone Drive.

SUMMARY

The applicant started grading the rear portion of the lot without approval and permits from the City

After being contacted by the City, the applicant submitted a Development Plan Review Application (DPRB Case No. 10-07); a request to grade the rear portion of his property into six terraces approximately 190 feet long by 90 feet wide for the purpose of planting fruit and floral trees.

At the April 22, 2010 DPRB meeting the Board requested additional information from the applicant which could not be presented (i.e. Survey, compaction report, civil & soils report). Based on the lack of information the Board denied DPRB Case No. 10-07

The applicant appealed the Board's decision and has since submitted a soils and geological report confirming the stability of the proposed terraces.

BACKGROUND

The City received a complaint that the applicant was grading the rear portion of his property. The City investigated the complaint and informed the homeowner that City approval and building permits are required for the proposed terracing.

62

The homeowner submitted a Development Plan Review Application for City review

The applicant is proposing to terrace the rear of his lot into six terraces for the planting of fruit and floral trees. The terraced area is approximately 17,100 sq. ft. (190' long x 90" wide), the lot is 43,560 sq. ft. Each of the terrace areas are approximately 62' to 78' long and 6' to 15' wide.

Staff presented the applicant's request to the Board on April 22, 2010. After hearing Staff's and the owner's presentation, in addition to concerns from the neighbors, the Board felt that they did not have sufficient information to properly evaluate the proposed project nor would they be able to obtain it from the applicant. The applicant was unresponsive to the Board's request for the additional information regarding the stability of the hillside; therefore, the Board voted to deny the project.

At the meeting several neighbors voiced their concern about the proposed project. Their main concerns were as follows:

1. The stability of the hillside
2. The growth of mosquitos within the tree wells.

ANALYSIS

Stability of Hillside

The major concern the Board and neighbors' had was the stability of the hillside and the feasibility of the proposed project. Since the Board's denial the applicant has provided Staff with a soils and geologic engineering report verifying the stability of the hillside with the proposed terraces. The report has been reviewed by the City Engineer and the Building Superintendent; both concurred with the findings of the report.

Grading Design

Staff's concern with the project is the large amount of grading proposed in order to create the large terrace platforms. Staff understands that Specific Plan No. 8 allows for some development of the hillsides for non-commercial agricultural purposes, but Staff is concerned with the large amount of grading that is proposed. The proposed terraces will modify such a large portion of the lot (17,100 sq. ft. +/-) that it will change the visual characteristic of the hillside from natural to engineered. Staff feels the proposed grading does not meet the Intent and Purpose of the Specific Plan nor the Grading Design sections of the Code which are as follows:

The purpose of Specific Plan No. 8 is to provide guidelines for an environmentally sensitive hillside development plan, which preserves the

major topographic features, while enabling high quality, architecturally creative residential development (18.512.010);

To provide an improved hillside environment featuring aesthetic cohesiveness, harmonious siting of structures, and interfacing of open space through the utilization of superior land planning and architectural design (18.512.010).

All graded slopes are to be contoured and blended to harmonize with natural slopes (18.512.130)

Specific Plan No 8 consists of 57 custom home lots that overlook Puddingstone Lake. Most of the lots in this Specific Plan are developed and have left large portions of their lots in a natural state. Staff is not aware of any other properties within the Specific Plan that have been approved for a similar type of project.

As mentioned, Staff feels that some development is acceptable on the hillside, therefore, Staff recommends that the applicant modify the design as follows:

- Reduce the amount of terraces to four;
- Reduce the depth of the terraces to six feet.
- Reduce the length of the terraces to approximately 50 feet.
- Reduce the width of the staircases to five feet maximum.
- Restore the other non-approved terraces to a 2:1 or greater slope
- Replant the slope areas with natural vegetation.
- Submit a professional level landscape and irrigation plan with the correct terrace locations and sizes.
- Revise grading scheme to provide “contoured and blended” slopes that appear more natural (see attached examples page 2 of 4 highlighted area)
- Landscaping of the slopes should feature informal arrangement of trees and shrubs.

Staff feels that by reducing the overall size of the proposed project, the grading and terraces will be more aligned with the Intent and Purpose section of the Code, in addition to the Grading Design of the Specific Plan.

RECOMMENDATION

Even though the Board recommended denial of DPRB Case No 10-07, it was based on the fact that the Board felt it was not going to be able to acquire the necessary information to properly evaluate the project. Now that the applicant has submitted the soils and geological report which verifies the stability of the proposed project, Staff recommends the City Council approve DPRB Case No. 10-07, with the recommended modifications to the proposed plan.

Based on the City Councils determination, Staff will bring forward a resolution with the appropriate action to the next meeting.

Respectfully Submitted,

Marco A. Espinoza
Associate Planner

Attachments: Exhibit A – DPRB Fact Sheet
 Exhibit B – DPRB Minutes
 Plans

DEVELOPMENT PLAN REVIEW BOARD FACT SHEET



DATE: April 22, 2010

TO: Development Plan Review Board

FROM: Marco A. Espinoza, Associate Planner

SUBJECT: **DPRB Case No. 10-07**
A request to grade the rear portion of a single-family residence, into terraces approximately 190 feet long by 90 feet wide, for the purpose of planting fruit and floral trees at 523 Puddingstone Drive (APN: 8382-017-007)

FACTS:

- The applicant started grading the rear portion of the lot without approval and permits from the City (Note: "Existing Grading" shown on the cross-section is after illegal grading.)
- The overall area covered by the proposed terraces is approximately 17,100 sq. ft. (190' long x 90' wide), the lot is 43,560 sq. ft. Each of the terrace areas are approximately 62' to 78' long and 6' to 15' wide.
- To create the terraces, the applicant proposes to create six, 2:1 slopes, ranging from 6 to 12 feet high.
- The natural grade was 3.3:1
- The applicant is proposing to terrace the rear portion of the property that is on an uphill slope, with six flat terraces.
- The terraces will be accessed via a decomposed granite walkway on the flat portions of the terraces and concrete stairs on the slopes.
- The purpose of the terraces are for fruit trees, vegetable gardens and additional landscaping. (Note: The landscape plan is not consistent with the grading plan.)
- Specific Plan No. 8 allows for non-commercial agricultural activities (family gardens).
- The property is zoned Specific Plan No.8

ISSUES:

Staff has a concern with the large amount of grading proposed in order to create the large terrace platforms. Staff understands that Specific Plan No. 8 allows for some development of the hillsides for non-commercial agricultural purposes, but Staff is concerned with the large amount of grading that is proposed. The proposed terraces will modify such a large portion of the lot (17,100 sq. ft. +/-) that it will change the visual

characteristic of the hillside from natural to engineered. Staff feels the proposed grading does not meet the Intent and Purpose of the Specific Plan nor the Grading Design sections of the Code which are as follows:

The purpose of Specific Plan No. 8 is to provide guidelines for an environmentally sensitive hillside development plan, which preserves the major topographic features, while enabling high quality, architecturally creative residential development (18.512.010);

To provide an improved hillside environment featuring aesthetic cohesiveness, harmonious siting of structures, and interfacing of open space through the utilization of superior land planning and architectural design (18.512.010).

All graded slopes are to be contoured and blended to harmonize with natural slopes (18.512.130).

Specific Plan No. 8 consists of 57 custom home lots that overlook Puddingstone Lake. Most of the lots in this Specific Plan are developed and have left large portions of their lots in a natural state. Staff is not aware of any other properties within the Specific Plan that have been approved for a similar type of project.

As mentioned, Staff feels that some development is permitted on the hillside, therefore, Staff recommends that the applicant comply with the following items:

- Reduce the amount of terraces to three or four;
- Reduce the depth of the terraces to six feet.
- Reduce the length of the terraces to approximately 50 feet.
- Reduce the width of the staircases to five feet maximum.
- Restore the other non-approved terraces to a 2:1 or greater slope.
- Replant the slope areas with natural vegetation.
- Submit a professional level landscape and irrigation plan with the correct terrace location and sizes.

Staff further recommends that the grading scheme be altered to provide "contoured and blended" slopes that appear more natural (see attached examples). In addition the landscaping of the slopes should feature informal arrangement of trees and shrubs (see attached examples).

Staff feels that by reducing the overall size of the proposed project, the grading and terraces will be more aligned with the Intent and Purpose section of the Code, in addition to the Grading Design of the Specific Plan.

RECOMMENDATION: Approve with the recommended modification to the proposed plan

CONDITIONS: Standard conditions as presented.

Attachments: Contour Grading Code Example
Naturalistic Landscaping Code example
CityGIS Topographical Aerial of the Site

Aerial of the Site



EXHIBIT A

CONDITIONS OF APPROVAL

DPRB Case No. 10-07

PLANNING DIVISION - (909) 394-6250

GENERAL

- 1 The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
2. Copies of the signed Conditions shall be included on the plans (full size) The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
3. The developer shall comply with all requirements of Specific Plan No. 8.
- 4 All Conditions are final unless appealed to the City Council within 14 days of the issuance of the Conditions in accordance with the provisions of Chapter 18.212 of the San Dimas Zoning Code.
- 5 The building permits for this project must be issued within six months from the date of approval or the approval will become invalid due to the open code enforcement case regarding the proposal. No time extension may be granted.
6. All work must be completed and finalized within three months from the date of building permits issuance After all work has been completed and building permits have been finalized by the Building and Planning Division the open code enforcement case shall be closed regarding the grading issues.
- 7 The applicant shall sign an affidavit accepting all Conditions and all Standard Conditions before issuance of building permits.

- 8 The applicant shall comply with all City of San Dimas Business License requirements and shall provide a list of all contractors and subcontractors that are subject to business license requirements.
- 9 The developer shall comply with all conditions of approval as approved by the Development Plan Review Board on April 22, 2010

DESIGN

- 10 Location and type of any exterior lighting fixtures shall be submitted by the developer to the Planning Division for review and approval prior to installation.
- 11 Plans for all exterior design features, including, but not limited to, fountains and architectural treatments, shall be submitted to the Planning Division for review and approval before issuance of building permits.
12. Ground-mounted mechanical or electrical equipment installed by the applicant shall be inconspicuously located and screened, as approved by the Planning Division.
13. The applicant shall reduce the amount of terraces from six to ____ and shall submit revised grading and landscape plans depicting the approved terraces.
- 14 The applicant shall reduce the depth of the terraces to six feet and shall submit revised grading and landscape plans depicting the approved depths.
- 15 The applicant shall reduce the length of the terraces to approximately 50 feet and shall submit revised grading and landscape plans depicting the approved lengths.
16. The applicant shall revise the plans to show the proposed staircases at not more than five feet wide
- 17 The applicant shall restore the other non-approved terraces to a 2:1 or greater slope and shall submit revised grading and landscape plans depicting the new slopes.
- 18 The applicant shall submit a detailed fencing plan for review and approval by the Planning Division if so proposed.
- 19 All outdoor storage areas shall be oriented away from the public right-of-way and screened with fencing and/or landscaping, as approved by the Planning Division.
20. The developer shall install all utilities underground.

LANDSCAPE

- 21 The applicant shall replant the slope areas with natural vegetation and shall submit revised landscape plans depicting the new landscaping. The placement of the landscaping on the slopes shall be in an informal arrangement.
22. The applicant shall submit a professional level landscape and irrigation plan with the correct terrace location and sizes.
23. All slopes over three- (3) feet in vertical height shall be irrigated and landscaped as approved by the Planning Division.
- 24 No trees shall be removed other than those indicated on the approved set of landscape plans.
- 25 Water efficient landscapes shall be implemented in all new and rehabilitated landscaping for developer-installed landscaping in single-family and multi-family projects, and in private development projects that require a grading permit, building permit or use permit, as required by Chapter 18.14 of the San Dimas Municipal Code.

BUILDING DIVISION – (909) 394-6260

26. Prior to the issuance of any grading permits, the developer shall submit an application for a grading permit, per Appendix, Chapter 33 of the Uniform Building Code, latest Edition, accompanied by plans and specifications.
- 27 Prior to the issuance of any grading or building permits, the developer shall submit a complete Preliminary Soils Engineering Report to include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary. Include opinions and recommendations concerning the stability of the sites to be developed by the proposed grading, liquefaction and proximity to known faults.
- 28 If grading is performed or drainage facilities are not installed during the period between October 15 and April 15, a temporary erosion control plan, submitted by the developer, shall be approved by and filed with the City and shall be installed and operable at all times.
- 29 Prior to the issuance of any grading permits, the developer shall submit an Engineering Geology Report that includes an accurate description of the geology

of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development.

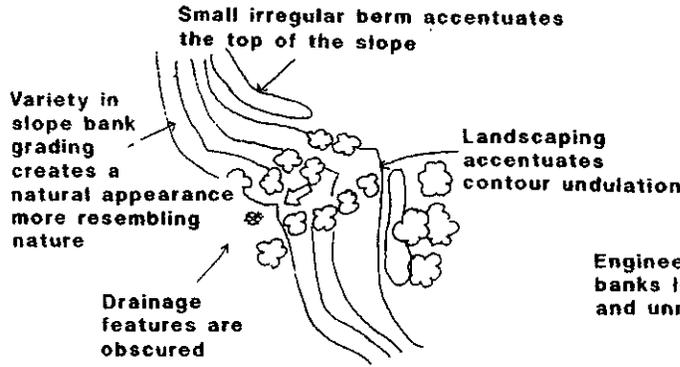
- 30 The developer/owner shall comply with the latest edition of the Uniform Codes as adopted by the City of San Dimas at the time Building Permits are issued (i.e., Uniform Building Code with San Dimas Amendments, Uniform Plumbing Code, Uniform Mechanical Code, National Electric Code)
- 31 Construction hours shall be limited in a residential zone, or within a 500 foot radius thereof, to between 7:00 a.m. and 8:00 p.m., and shall be prohibited at any time on Sundays or public holiday, per San Dimas Municipal Code Section 8.36.100.

ENGINEERING DIVISION – (909) 394-6250

32. The developer shall provide drainage facilities to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties. A Hydrology Study for the site and contributory drainage will be required.
33. For projects which disturb soil during wet season, applicant must submit a signed certification statement declaring that contractor will comply with Minimum Best Management Practices (BMPs) required by the National Pollutant Discharge Elimination System (NPDES), and also submit a Local Storm Water Pollution Prevention Plan/Wet Weather Erosion Control Plan.
- 34 All work adjacent to or within the public right-of-way shall be subject to review and approval of the Public Works Department.

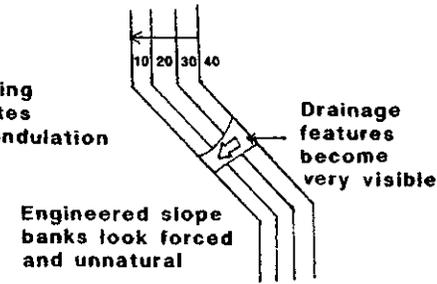
CONTOUR GRADING: A grading concept designed to result in earth forms, which resemble natural terrain characteristics. Contour grading techniques should be used to provide a variety of both slope percentage and slope direction in a three-dimensional undulating pattern similar to existing, adjacent terrain. Horizontal and vertical curve variations are often used for slope banks. Contour grading does not necessarily minimize the amount of cut and fill occurring. Hard edges left by cut and fill operations should be given a rounded appearance that closely resembles the natural contours of the land.

THIS



Use of radii and uneven slopes

NOT THIS



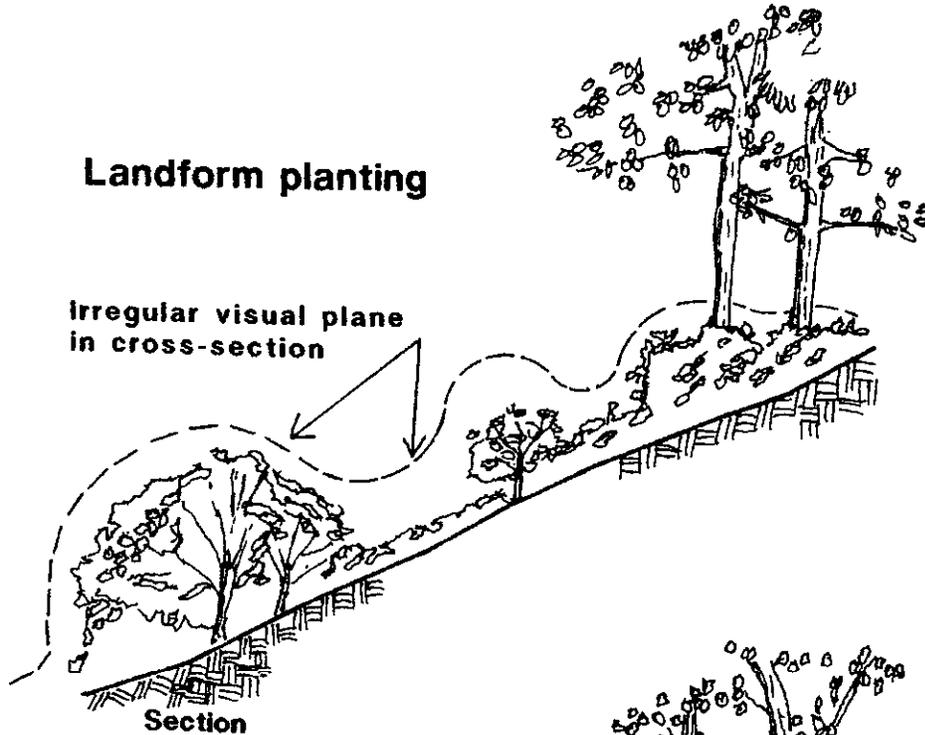
Use of angles and uniform slopes

NATURALISTIC LANDSCAPING: Natural landform planting should be used to soften manufactured slopes, reduce the impact of development on steep slopes or ridgelines, and provide erosion control. This is achieved by using informal, rather than formal, plantings.

THIS

Landform planting

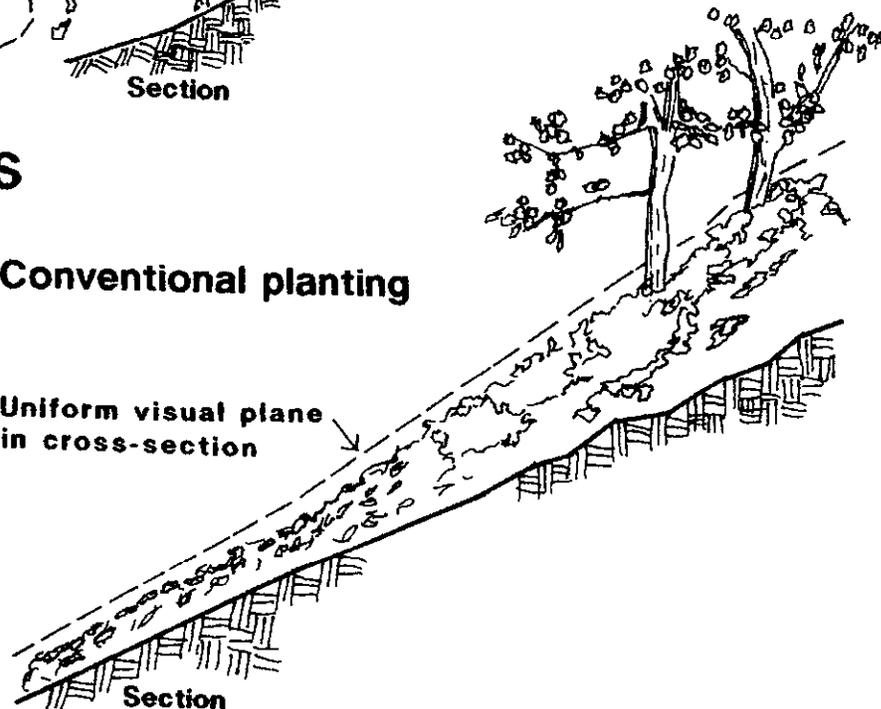
**Irregular visual plane
in cross-section**



NOT THIS

Conventional planting

**Uniform visual plane
in cross-section**

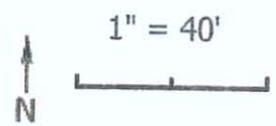




Copyright ©2010, Digital Map Products, Customer Data, County Appraiser, TeleAtlas



523 Puddingstone



CityGIS EXHIBIT A

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TOP TERRACE

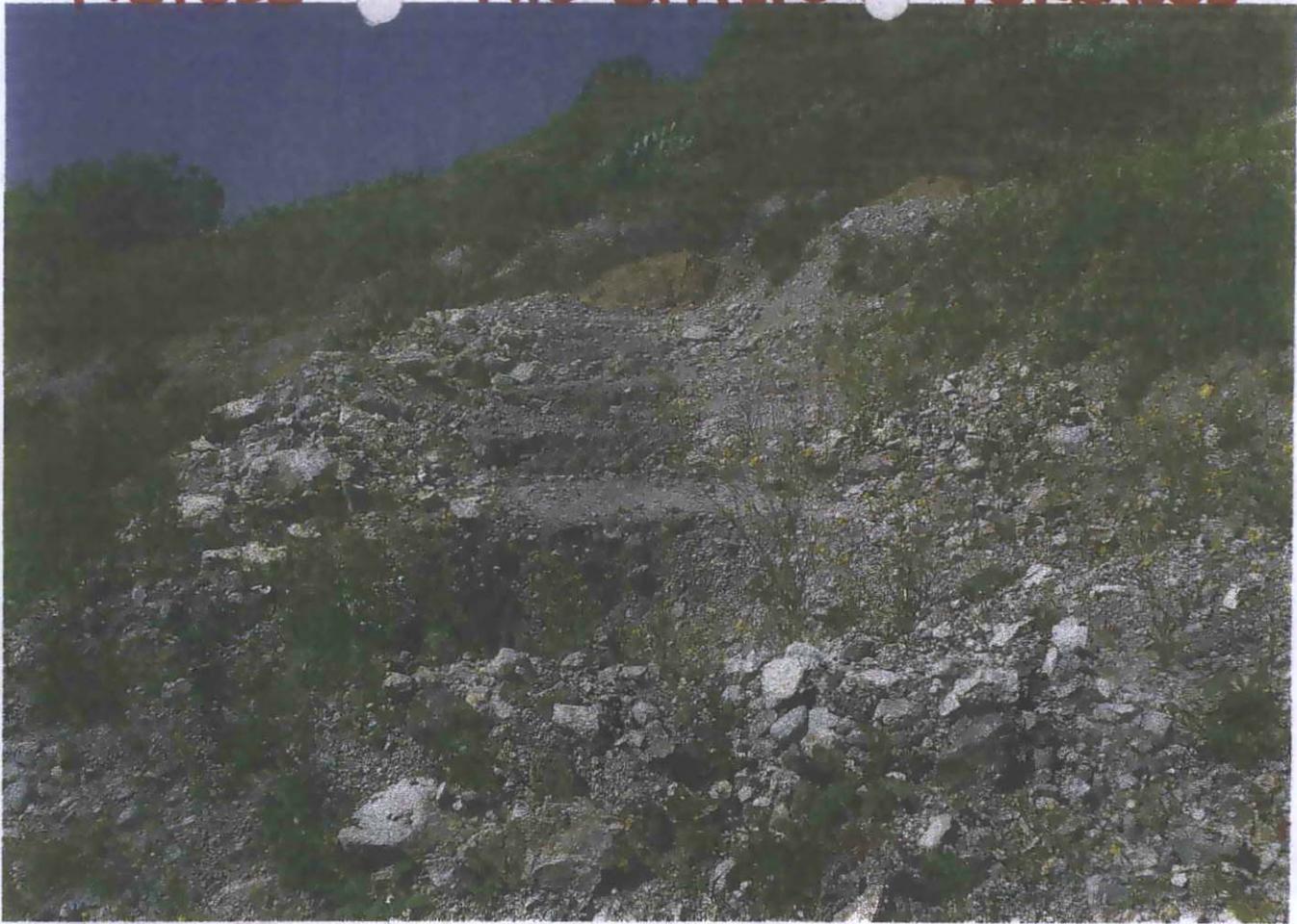


LOOKING DOWN HILL FROM THE WEST PROPERTY LINE



EXHIBIT A

PICTURE OF THE DIFFERENT TERRACES





LOOKING UP HILL FROM THE ADJACENT PROPERTY



EXHIBIT A

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

**Thursday, April 22, 2010 at 8:30 A.M.
186 VILLAGE COURT
PUBLIC CONFERENCE ROOM, TEMPORARY CITY HALL**

PRESENT

*Emmett Badar, City Council
Eric Beilstein, Building Superintendent
Dan Coleman, Director of Development Services
Scott Dilley, Chamber of Commerce
Blaine Michaelis, City Manager
Krishna Patel, Director of Public Works
Jim Schoonover, Planning Commission
John Sorcinelli, Public Member at Large*

ABSENT

CALL TO ORDER

Jim Schoonover called the regular meeting of the Development Plan Review Board to order at 8:35 a.m. so as to conduct regular business in the Council Chambers Conference room.

APPROVAL OF MINUTES

Quorum not met.

HEARING ITEMS

DPRB Case No. 10-07

Request to grade the rear portion of a single-family residence into terraces, approximately 190 feet long by 90 feet wide, for the purpose of planting fruit trees located at 523 Puddingstone Drive.

APN: 8382-017-007 Zone: Specific Plan No. 8

Perry Youssefy, applicant/property owner, was present.

EXHIBIT B

Terry Connelly, landscape designer for applicant, was present.

Residents directly north of subject property present:

Gil Aguirre, 476 Cannon Avenue

Cheryl Smola, 488 Cannon Avenue.

Associate Planner, Marco Espinoza, stated that grading of the rear portion of the lot began without building permits. Applicant has proposed six (6) flat terraces that would be accessed via a decomposed granite walkway on the flat portions of the terraces with concrete stairs on the slopes. He continued, stating that the proposed terraces would modify a large portion of the lot and change the characteristic of the hillside from natural to engineered. The proposed grading does not meet the intent and purpose of the Specific Plan nor the grading design sections of the code. In addition, he stated that Staff was not aware of any other properties within this Specific Plan that have similar approved grading.

Mr Youssefy addressed the Board. He stated that he thought he did not need a permit for the grading. He explained that the purpose of the grading was to plant trees and a garden that would be easy for he and his wife to use in retirement.

Mr Connelly addressed the Board. He stated that lessening the terracing would not improve visual impact of hillside. He stated that he would plant accordingly, rustic in appearance instead of the commercial look that is presented.

In response to Mr Coleman, Mr Connelly stated that he was not a licensed landscape architect, but one could be arranged.

Mr Coleman explained that this project requires that plans be drawn up by a licensed landscape architect to meet State of California's new Model Water Efficiency Ordinance requirements.

Ms. Smola, 488 Cannon Avenue, stated that since the recent rains, the large holes that were dug by applicant have filled up with water. She believes that this has contributed to a proliferation of mosquitoes. She made it clear that she did not call in any complaints regarding the grading work done. The visual and environmental impact to her property is of great concern to her.

Mr Aguirre, 476 Cannon Avenue, stated that work continued at subject property even after stop work notice was given. He is opposed to the

proposal and it does not comply with the intent of Specific Plan No. 8. He stated that terracing does not exist anywhere else in this zone and that the hillside needs to be protected. The "family garden" that applicant is proposing should be built on existing flat area and not on hillside. He felt that any grading undermines his property which is anchored to subject property. He also wanted run-off problems to be addressed.

Mr. Beilstein stated that the following needed to be done to obtain approvals, permits and certification:

1. Survey report.
2. Soils compaction report.
3. Grading permit and certification.
4. Access Agreement for approval of equipment encroachment on adjacent properties.

He stated that the amount of work proposed and already done exceeds threshold of code.

Mr. Coleman stated that it will be very difficult to get equipment up on hillside with the existing holes that have been dug to achieve what applicant proposes to do.

Mr. Patel stated that the hillside is bedrock and slide conditions exist when applying soil onto the top of bedrock. The property is too steep to contour. Illegal grading has triggered need for surveys and certified reports.

In response to Mr. Michaelis, Mr. Coleman explained that due to the amount of unpermitted work already done, planting trees without terracing is not an option at this point.

Mr. Badar stated that he felt that this item was before the Board prematurely and that applicant should have worked with Staff more to come up with proposal that was compatible with the specific plan.

Motion: Emmett moved to deny, second by Dan Coleman.

Motion carried 6-1-0-0. (Sorcinelli against)

Appeal process was explained to applicant. Code Enforcement action would commence next requiring that applicant restore hillside.



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of March 1, 2011

From: Blaine Michaelis, City Manager

Initiated By: Theresa Bruns, Director of Parks and Recreation 

Subject: Revised Farmers Market proposal as submitted by Advocates for Healthy Living

Summary

Consider approval of the revised Farmers Market's proposal as submitted by Advocates for Healthy Living.

BACKGROUND

Staff presented a revised proposal for a 2011 Farmer's Market from Advocates for Healthy Living at the February 22, 2011 City Council meeting. Following discussion and input from the community at that meeting, the council directed staff to prepare Conditions of Approval and final event guidelines for consideration of final City Council approval.

The Advocates for Healthy Living event proposal includes:

Event Location:

- First Street adjacent to Civic Center Park
- City Hall Parking Lot – east side
- Civic Center Park adjacent to First Street

Event Dates:

- Wednesdays, April 6 through September 28, 2011

Event Start Times and Closures:

- First Street adjacent to Civic Center Park and Civic Center Park adjacent to First Street
 - Street closure 3:00pm
 - Event start 4:00pm
- City Hall Parking Lot – east side
 - Parking lot closure 4:00pm
 - Event start 5:00pm

Event Closing Times:

- 8:00pm on school nights (street and parking lot closure to 9:00pm)

TEMPORARY USE PERMIT 11-XX

Conditions of Approval

Temporary Use Permit 11-XX; the weekly operation of a Farmer's Market within the First Street public right of way is approved subject to the following conditions:

- 1 This permit is valid for the term of April 6, 2011 – September 28, 2011 Said Temporary Use Permit shall be subject to renewal on an annual basis thereafter
- 2 T.U.P. 11-XX shall authorize the weekly use of the First Street public right of way except shall not obstruct public sidewalk, adjacent to Civic Center Park; as well as use of the easterly portion of the City Hall Municipal Parking lot, and the southerly portion of Civic Center Park adjacent to First Street, each Wednesday for a weekly Farmer's Market. Only non-food vendors and children's rides will be allowed on the Civic Center Park.
- 3 The Farmer's Market shall commence on First Street and within Civic Center Park at 4:00 p.m. and within the City Hall Municipal Parking Lot at 5:00p.m.
- 4 The Farmer's Market shall conclude at 8:00 p.m. on school nights; 8.30 p.m. on non-school nights; and 9:00 p. m. during the Music in the Park program.
- 5 The Farmer's Market shall be operated in the location pursuant to the submitted site plan on file with the Department of Development Services. Site plan shall indicate the placement of all booths, canopies, platforms, restrooms, activities and other improvements. Accessible routes shall be indicated on the plan. Restrooms will be provided by the City
- 6 The applicant shall submit plans to the Building Division to determine whether a blanket seasonal permit is required for the installation of multiple membrane structures (temporary canopies) used by vendors. Plans shall include a general site plan of proposed structures as well as specific membrane structure issues such as; size ranges of individual structures, separation/attachment of structures, and whether open or closed. The site will be subject to periodic inspection from the Building Division, and all deficiencies shall be promptly addressed.
- 7 The applicant shall provide and maintain appropriate access and services for persons with disabilities in conformance with all applicable state and federal laws.
8. The applicant shall be responsible for obtaining the appropriate Certificates of Insurance, as required by the City Manager's Office, naming the City of San Dimas as an additional insured, which shall remain in effect for the term of this event.
- 9 The applicant shall obtain a master business license pursuant to Section 5.24 070(u) of the San Dimas Municipal Code, for participating farmers and correlate the number of "employees" to the number of farmers participating in the Farmer's Market; and, shall work with the City to devise a business licensing program for the other vendors.

- 10 The applicant and vendors shall be responsible for obtaining all necessary operating permits and shall comply with the regulations of all applicable agencies, including but not limited to the Los Angeles County Department of Health Services, California Department of Food and Agriculture, Los Angeles County Fire Department, State of California Alcohol Beverage Control, and other agencies as applicable.
- 11 The traffic detour circulation plan adopted pursuant to the Traffic Safety Committee approval, shall be periodically evaluated during the duration of T U.P 11-XX. Such evaluation shall include analysis of the effectiveness of the traffic volumes and detour impacts. Alternative Farmer's Market site locations may be a component of the analysis.
12. The applicant shall be responsible for all traffic control during event, including set-up and tear-down of equipment needed for execution of traffic plan, such as traffic barricades. Applicant shall be responsible for the closing and opening of First Street and the City Hall Municipal Parking Lot for the operation of this event.
- 13 Closure of First Street shall be limited to the hours of 3:00 p.m. to 9:00 p.m. on school nights; 3:00 p.m. to 9:30 p.m. on non-school nights; and 3:00 p.m. to 10:00 p.m. during the dates of the Music in the Park program.
- 14 Closure of the City Hall Municipal Parking Lot shall be limited to the hours of 4:00 p.m. to 9:00 p.m. on school nights; 4:00 p.m. to 9:30 p.m. on non-school nights; and 4:00 p.m. to 10:00 p.m. during the dates of the Music in the Park program.
- 15 Applicant must ensure that vendors do not occupy the public right of way prior to the authorized time for street and/or parking lot closure.
16. Applicant shall provide all vendors with a vehicle placard to be clearly displayed that states "San Dimas Farmer s Market Vendor " Vendor parking shall be encouraged on the east side of Iglesia Street or in the Municipal Parking Lots on First Street and Bonita Avenue. Some parking on the east side of Iglesia Street may be reserved for performers during the Music in the Park program.
- 17 No vendor parking shall be permitted on the west side of Iglesia Street from Bonita Avenue to Second Street, nor shall vendors be permitted to park on First Street or Second Street west of Iglesia Street.
- 18 Each week the applicant shall post "Resident Parking Only" signs on stakes, barricades, delineators, or other temporary post on the west corners of Iglesia Street at First Street and Second Street and at every 300' between per vehicle code standards. Signs shall also be posted on First Street from Iglesia Street to the entry to the Municipal Parking Lot. The signs shall be placed and removed each week of the Farmer's Market event.
- 19 Applicant shall respond in a timely manner to all complaints and concerns, and shall take prompt and appropriate action to resolve such concerns.

- 20 Applicant shall be authorized for use of City electrical sources, and shall be responsible for the repair of any damage to City property which may occur as a result of the Farmer's Market event. Any electrical cords shall be located a minimum 10 feet above all walkways and 16 feet above all parking lot areas, or secured to the ground and covered on all walkway areas.
- 21 This permit shall allow the installation of a street banner to publicize the Farmer's Market.
22. The applicant shall provide sufficient waste receptacles for the duration of the Farmer's Market. The applicant shall provide containers for the collection of recyclable products.
- 23 The site shall be thoroughly cleared of all trash and material(s) associated with the temporary weekly event and returned to the original condition of the site at the conclusion of each Wednesday event. All waste generated from the event must be disposed of in the City dumpsters located in the Civic Center public parking lot.
- 24 Applicant shall patrol the surrounding neighborhood (Iglesia Street, First Street, Second Street, and Bonita Avenue) to pick up trash generated from the event.
- 25 Applicant shall be responsible for making all vendors aware of NPDES discharge requirements and responsibilities, and comply with City standards, including ensuring that all pavement inside and extended beyond the area of each food vendor booth is covered with plastic tarp and/or cardboard prior to the start of food preparation to protect the pavement surface. Grease spatters and other spills shall be absorbed with rags or absorbent material before removing tarp. All soiled materials shall be disposed of properly
26. Applicant shall be responsible for securely protecting the catch basins at the south end of the City Hall Municipal Parking Lot and on First Street with tarps and sand bags prior to the start of food preparation.
- 27 The applicant shall be responsible for the cleaning and repair of any damage to City property which may occur as a result of the Farmer's Market event.
28. Applicant shall obtain approval of a security plan from the Los Angeles County Sheriff and shall comply with any conditions established by the Sheriff and shall be subject to periodic review and updating.
- 29 Applicant must provide proof of California non-profit status.
- 30 Applicant may provide non-amplified live entertainment only during the weeks of the event when the Music in the Park and Movies in the Park Programs are not operating. Pre-recorded music is permitted at low volume.
- 31 Applicant will evaluate and consider alternative site locations during the 2011 Farmer's Market season in an effort to determine the most appropriate and acceptable available location for subsequent proposed Farmer's Markets.

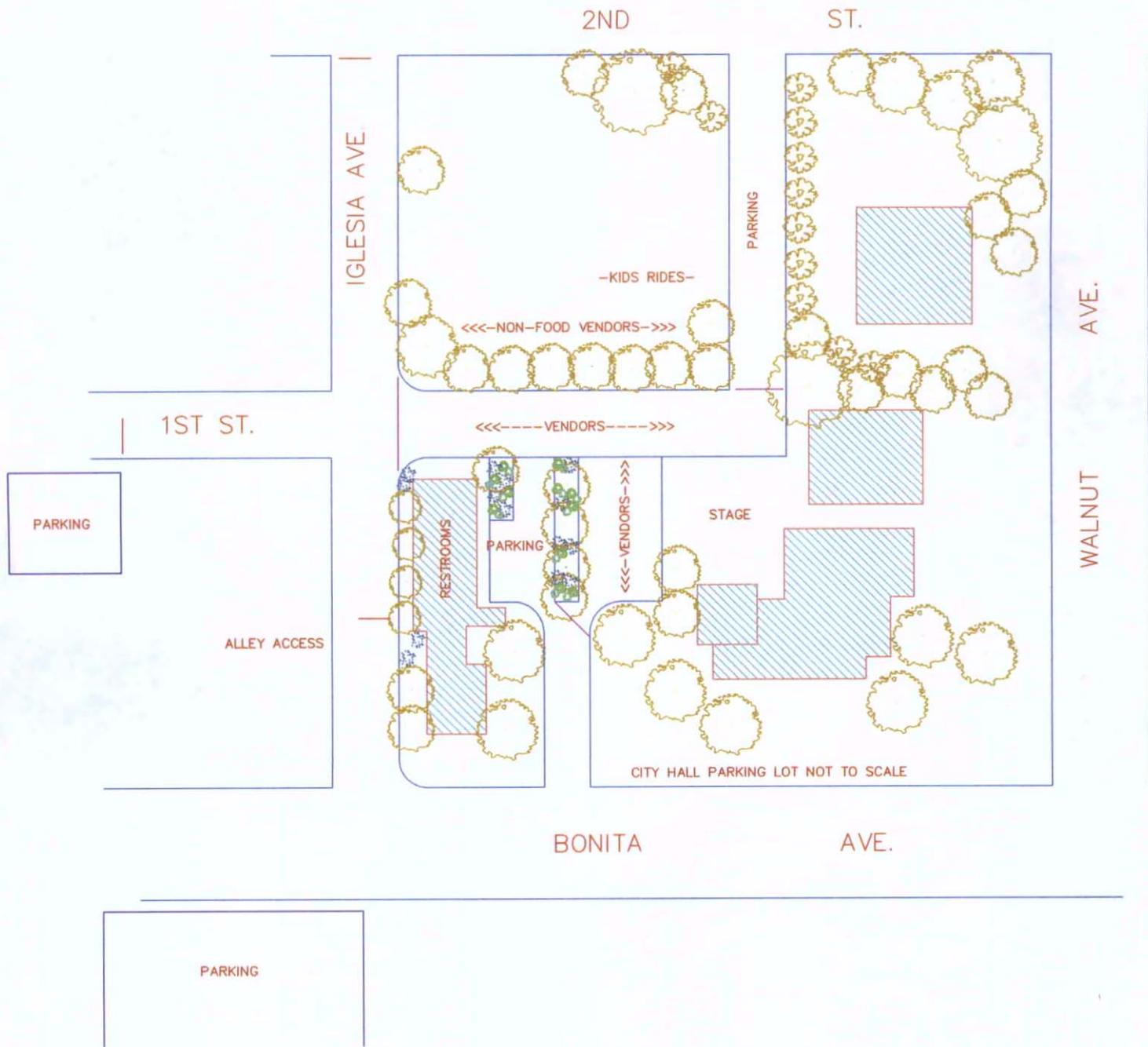
32. This permit is subject to review, revision, or revocation if the applicant does not conform to the above operating conditions, and/or if the Farmer's Market operation is deemed a nuisance by the City Council.
- 33 Copies of all written permits and/or conditions shall be maintained on site for reviewing by any public official.
- 34 Above conditions are final unless appealed, pursuant to Chapter 18.212 of the City of San Dimas Municipal Code.



Advocates For Healthy Living 2011 San Dimas Farmers Market Proposal

- Event Location
 - First Street from Dead End to Iglesia (Vendors).
City Hall Parking Lot – Entire East Side (Vendors).
City Hall Plaza (Performances and minimal non-food vendors).
Civic Center Park (overflow non-food vendors and kids rides [bouncers] on South Side of Park)
 - Last year we used over 900 linear feet of booth space not including the bouncers and the food court. 1st Street is 340 linear feet and City Hall Parking Lot has 460 linear feet. Due to width of 1st street, we can only use one side. Both sides of City Hall Parking lot will be used. Senior Center Parking Lot will not be used. Accessible routes will remain open between the Senior Center and City Hall.
- Event Times
 - Wednesdays – April 6th to September 28th, 2011
 - Split Start Times to allow for organized and sufficient time for setup and to allow City Hall to use parking lot for an additional hour
Start Time for First St. will be 4pm (3pm for setup)
Start Time for City Hall Parking will be 5pm (4pm for setup)
Closing Time will be 8pm during school days (street closure till 9pm)
Closing Time will be 8.30pm during non-school days (street closure till 9:30pm)
Closing Time will be 9pm during music in the park (street closure till 10pm)
- Vendors
 - Farmers, Pre-Packaged Foods, Prepared Foods, Arts/Crafts, Sponsors, Kids Rides, Non-Profits
- Music
 - Non-amplified music with few exceptions. Amplified music only during non-school days and where it does not affect events/meetings at City Hall, Music in the Park and neighbors.
Musicians will setup on plaza.
- Parking
 - Attendee Parking
 - Senior Center Parking Lot, Municipal Lot next to Dollar Tree and Municipal Lot on 1st Street.
 - Vendor Parking
 - East Side of Iglesia Street
 - Resident Parking
 - West Side of Iglesia Street
 - East of 1st Street Municipal Lot
 - Request Exemption to Overnight Parking Restriction on Farmers Market nights on 1st Street, 2nd Street and Iglesia St.
 - Signage, posting and barricades to be determined by staff and/or the Traffic Committee.
- Trash
 - Pickup trash at event site as well as a walk through of surrounding areas.

2011 SAN DIMAS FARMERS MARKET
WEDNESDAYS 4 to 8-8.30PM, APRIL 6 - SEPTEMBER 28





CITY OF SAN DIMAS
MINUTES
SAN DIMAS REDEVELOPMENT AGENCY MEETING
TUESDAY, FEBRUARY 22, 2011
SENIOR CITIZEN/COMMUNITY CENTER
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

PRESENT.

Chairman Curtis W. Morris
Vice Chairman John Ebner
Mr. Emmett G. Badar
Mr. Denis Bertone
Mr. Jeffrey W. Templeman
Executive Director Blaine Michaelis
Agency Attorney Ken Brown
Secretary Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

CALL TO ORDER

Chairman Morris called the meeting to order at 9:30 p.m.

ORAL COMMUNICATIONS (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)

There were no comments.

APPROVAL OF MINUTES

It was moved by Mr. Templeman, seconded by Mr. Ebner, to approve the minutes of the February 8, 2011 meeting. The motion carried unanimously.

EXECUTIVE DIRECTOR

- 1) Update on status of projects.

Executive Director Michaelis announced that the opening of the Fresh & Easy store will be held at 10:00 a.m., Wednesday, February 23, 2011, with a brief dedication ceremony at 9:45 a.m.

- 2) Executive Director Michaelis said staff is waiting for the legislative decision with respect to specific language for the Governor's proposal to eliminate Redevelopment Agencies, which is anticipated to be presented to the voters in the June 2011 election.

MEMBERS OF THE AGENCY

There were no comments.

ADJOURNMENT

Chairman Morris adjourned the meeting at 9:32 p.m.

Respectfully submitted,

Ina Rios, Secretary

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