

**CITY OF SAN DIMAS  
DEVELOPMENT PLAN REVIEW BOARD  
MINUTES  
March 24, 2011 at 8:30 A.M.  
186 VILLAGE COURT  
PUBLIC CONFERENCE ROOM, TEMPORARY CITY HALL**

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**PRESENT**

*Emmett Badar, City Council  
Dan Coleman, Director of Development Services  
Scott Dilley, Chamber of Commerce  
Blaine Michaelis, City Manager  
Jim Schoonover, Planning Commission*

**ABSENT**

*Krishna Patel, Director of Public Works  
John Sorcinelli, Public Member at Large*

**CALL TO ORDER**

Jim Schoonover called the regular meeting of the Development Plan Review Board to order at 8:36 a.m. so as to conduct regular business in the Public Conference room.

**APPROVAL OF MINUTES**

**MOTION:** Scott Dilley moved, second by Blaine Michaelis, to approve the minutes of January 27, 2011. Motion carried 4.0.0.1 (Badar Abstain)

**MOTION:** Jim Schoonover moved, second by Dan Coleman, to approve the minutes of February 24, 2011. Motion carried 5.0.0.0

**DPRB Case No. 10-07**

Continued from April 22, 2010. 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.

APN: 8382-017-007

Zone: Specific Plan No. 8

Perry Youssefy, Applicant, was present  
Gil Aguirre, Resident, 476 Cannon Ave, was present

Associate Planner Marco Espinoza provided background information on the project. He explained that the case was reviewed and denied by the Development Plan Review Board on April 22, 2010, appealed to the City Council on March 1, 2011, which was filed timely, and has been sent back today to the Development Plan Review Board at the recommendation of the City Attorney. He pointed out that the applicant conducted a soil and geologic report, which was reviewed by the City Engineer and the Building Department, which provides proper evaluation of the item for the Board to better assess.

Associate Planner Espinoza noted that the applicant is proposing 6 terraces to be used to cultivate fruit trees, which is permitted; however there are issues with the contour grading and preservation of the hillside. He noted that the geologic report discusses stability but added that with 6 terraces, there needs to be further compaction along the edges of the terraces. He pointed out that the Code does not define how many terraces are permitted, but Staff is recommending that only 5 terraces be made with the additional contour grading. He also recommended the following: the depth and width of the terraces be decreased, restoration of the hillside to 2:1, replanting of vegetation and install an irrigation system. In addition, revise the grading plan and landscape plan to be consistent with each other. He noted a modification should be made to Condition No. 5, which currently reads "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, and no time extension may be granted." He recommended that it now read "the applicant shall submit the necessary plans for the proposed project within 30 days from the date of Board approval for plan check to the Building Division. Any required correction shall be performed within three weeks from date of issuance. The plan check process should not exceed three months." He noted that the applicant is concerned with his current financial state which may impact the moving forward of the project which would then require a time extension request. He also informed the Board replied that the applicant has been made aware of the recommendations and modifications including the rewording of Condition No. 5 prior to the meeting.

Perry Youssefy, Applicant, stated that the highest terrace, which is the 6<sup>th</sup> terrace, will not be designated for vegetation/planters but instead designated as an area for tables and chairs for lounging purposes. He noted that there are 5 terraces with 6 holes which total 30 new trees.

Associate Planner Espinoza noted that each terrace is considered a terrace whether it has planters or not and emphasized his recommendation that the 6<sup>th</sup> terrace be removed.

Mr. Youssefy commented that he has no objection to the items proposed and is aware of the modification requests; however if Staff is asking for additional renovation, then it will require more funding which is not readily available. He added that he would like to plant the trees as soon as possible and remediate any outstanding violations.

Gil Aguirre, neighbor, argued that it is not appropriate for this item to be permitted and reviewed before the Development Plan Review Board. He commented that the Municipal Code set forth by the City of San Dimas states that if an item is denied, which it was at the April 22, 2011 DPRB meeting, and appealed to City Council, which it was on March 1, 2011, it should not be heard for at least a year. He commented that to call this item a continuance is preposterous and added that this item was brought forth as an item for the DPRB because it was an ongoing Code Enforcement abatement case. He

explained that Mr. Youssefy starting grading (terracing) the rear portion of the lot without approval and permits from the City and continued to do so when approached by the City to stop work. He stated that the intent of Zoning is to maintain the natural look of the area and explained that no other surrounding neighbors have conducted this type of landscaping. He commented that the City is rewarding Mr. Youssefy's behavior and added that no corrections have yet to be made and the neighbors are the ones suffering with the unsightly view of the unpermitted work being done on that property. He noted that the problem with this project is that Mr. Youssefy is removing the natural vegetation and wildlife to replace with trees that are not consistent within the area.

Mr. Youssefy confirmed that no other neighboring properties have proposed terraces but that does not mean it's not permitted because it has not been proposed. He confirmed that they started grading without permits because he was told by City Staff that no permit was needed to plant trees. He explained that in order to plant trees, digging of holes would be required as well as the use of heavy machinery. He expressed that he did nothing that was illegal.

Eric Beilstein, Building Official, stated that a stop work notice was issued at the property because the grading on the hillside exceeded 50 cubic yards. He stated that significant engineering review is required to obtain a grading plan for a hillside to ensure stability. He added that the soils report and conditions of approval need to be adhered to and added that the Building Code requires a civil and soils engineering report.

Mr. Coleman stated that the geologic report recommends removal of uncertified fills. He asked if it is possible to commence with that work if the trees were planted in existing holes.

Mr. Beilstein stated it would change the type of equipment that can be used and require more land work.

In response to Mr. Michaelis, he added that the grading plan has not been prepared; however the amount removed exceeds 50 cubic yards, and engineering will be needed.

Mr. Coleman stated that the grading plan provided by the applicant does not provide the quantity. He added that if the Board denies the application, the grading without permits needs to be abated and restored to its original condition.

Mr. Beilstein stated that it will require a permit from a licensed civil engineer to commence with grading. He added that the slope will also need to be certified.

Mr. Michaelis reiterated that the issue today is not about the planting of trees but instead the unpermitted and unapproved grading.

Mr. Badar asked if Mr. Youssefy has conversed with the Building Department about pulling permits.

Mr. Beilstein replied that a stop work notice was issued to Mr. Youssefy and added that since the beginning he has been made aware that he needs to work with the Building Department; however he has yet to do so.

Associate Planner Espinoza has had multiple conversations with the applicant and explained that a preliminary investigation and clarification of the plans needs to occur.

Mr. Youssefy stated that on hillside areas, trees are usually planted for stability purposes. He explained that nothing has been changed except the flattening of the area and added that the terraces have not been touched.

Mr. Beilstein stated that there is an obvious need for an erosion control plan along with the soils report and engineering. He explained that Mr. Youssefy has been made aware of the outstanding concerns and added that it is not about the trees but instead the safety precautions.

Mr. Coleman commented that the problem is that Mr. Youssefy may have questioned Staff about planting a tree, but did not specify he would perform extensive grading.

Mr. Schoonover added that the Board has visited the site in the past and seen the unpermitted grading that exceeded 50 cubic yards.

Mr. Michaelis agreed and commended Staff's modifications in the Staff Report which included: reducing the amount of terraces to 5; reduce the depth of the terraces at their deepest point to 10 feet or less; reduce the width of the staircases to five feet maximum, restore the other non-approved terrace(s) to a 2:1 or greater slope; replant the slope areas with natural vegetation and submit a professional level landscape and irrigation plan with the correct terrace location and sizes. He felt the recommendation respects the property owner's desire while meeting building and planning requirements.

Motion carried 4-1-2-0 (Schoonover No, Patel and Sorcinelli Absent)

Mr. Schoonover asked if the applicant can meet all the requirements.

Mr. Beilstein replied that the geologic report has been conducted but a plan needs to be prepared and reports submitted before issuance of a building permit. He explained whether the project is approved or not, there is still an active Code Enforcement case and the slope needs to be stabilized in the near future.

**MOTION:** Moved by Blaine Michaelis, seconded by Scott Dilley to approve Staff's recommendation and the modified Condition of Approval No. 5.

**DPRB Case No. 10-37**

**Continued from January 27, 2011.** A request to construct a 2,498 sq. ft. two-story addition to a single-family residence, located at 309 West Fifth Street.

APN: 8386-001-034

Zone: Specific Plan No. 3  
Lolita Santiago, Applicant, was present

Assistant Planner Michael Concepcion explained that the item was continued from a previous meeting because the Board wanted to further review mock-ups of proposed Hardie-Board with vertical battens, elevation concepts showing hung/casement windows

or sliding windows, and 12-inch or 16-inch batten spacing. He noted that the existing house is a Craftsman Bungalow with a proposed 2-story addition at the rear. He explained that the proposal includes: removing a non-permitted addition at the rear of the property, relocating an existing driveway along the east property line to the west property line leading to a proposed attached 2-car garage. He presented 4 different elevation studies which include: 12-inch batten spacing with sliding windows, 12-inch batten spacing with hung windows, 16-inch batten spacing with sliding windows and 16-inch batten spacing with hung windows. He noted that the applicant and Staff prefer the 16-inch batten spacing with sliding windows be used. He noted that although hung windows would be consistent with the Town Core Design Guidelines, it would result in an assortment of window types on the house. He noted that since the house is not historic, and since the house currently has existing sliding windows approved through 2007 building permit for window change outs, sliding windows for the addition may be appropriate in this instance instead of requiring hung windows.

Mr. Schoonover asked how many windows are currently sliding.

Assistant Planner Concepcion replied that there are 6 sliding windows on the front and sides of the existing house. He presented the mockups to the Board which included batten spacing with 12-inch versus 16-inch as well as the batten size of 2 ¼ inches wide by ¾ inches thick (wood) and 3 ½ inches wide by 1 inch thick (Hardie-Trim). He added that the applicant is proposing a smooth finish and 16-inch batten spacing with 3 ½ inches wide by 1 inch thick Hardie Trim battens. He added that the battens for the existing house are spaced irregularly, thus as part of Staff's recommendation, the battens on the existing portion of the house should be reapplied so that 16-inch spacing would be consistent throughout the existing house and proposed.

Mr. Badar asked if there is a preference between smooth versus wood-grain textures in relation to houses with board and batten.

Assistant Planner Concepcion replied that DPRB member John Sorcinelli specified the preference of a smooth texture for board and batten in the last DPRB meeting.

Assistant Planner Concepcion noted that a retaining wall is being proposed on the west property line; however Staff recommended at the last meeting that they did not want grading to effect neighboring property to the west and recommended moving the retaining wall at least 1 foot to the east, which the applicant has done. He added that as a result, the driveway needs to be 12-ft but instead is now 11-ft which does not meet Code. He recommended moving the retaining wall but also providing a 12-ft driveway which may affect the house plans by at least one foot.

Mr. Coleman explained that the house will be affected by a foot because the kitchen will shift by 12-inches but added that no interior space will be lost.

Assistant Planner Concepcion recommends approval of the project and conditions of approval which include: Window Concept A (sliding windows for new addition); Smooth Hardie-Panel Vertical Siding for the new addition with Smooth Hardie-Plank Horizontal 5.5 inch underneath the gables; Vertical Battens (for new addition and existing house) spaced 16-inches apart; Batten Size of 3 ½ inches wide by 1 inch thick for new addition (Hardie-Trim); Driveway along western property line be a minimum width of 12-feet along with the modified location of retaining wall a minimum of 1 foot away from property line; and retaining wall located at north portion of

property be increased to 8-feet in height. He added that RKA Engineering has reviewed the project and stated that a 6-ft wall is not sufficient in height to accommodate the topography shown on the provided site plan. Staff agrees with RKA's assessment.

Ms. Santiago stated that topography on the sides of the property and at the rear is not as steep as represented in the plans. She commented that the 12-ft driveway is not a problem since a portion of the kitchen can be adjusted.

Mr. Michaelis questioned if having smooth versus wood-grain texture was a cost difference and if so, the option should be granted to the applicant to choose either one based on their financial preference.

Assistant Planner Concepcion responded that a smooth texture may be more expensive if it is a special order.

Lolita Santiago, Applicant, commented that she did not investigate the price difference.

Associate Planner Espinoza commented that the consistency and tradition with using sliding windows does not coincide with the Town Core Design Guidelines; however he wanted to clarify that the findings that were made today depicted that the majority of the windows on the property are already sliding, thus the use of sliding windows is appropriate. He added that this project is being presented and approved so that it remains consistent with the other windows; and should not be used as a precedent to allow sliding windows in the Town Core.

**MOTION:** Moved by Dan Coleman, seconded by Blaine Michaelis to approve with the modification to the conditions to allow the applicant to choose between either wood-grain or smooth finish for Hardie-Board texture, depending on which one is more affordable and preferred, and the findings to specify why sliding windows are being allowed in this case.

Motion carried 5-0-2 (Patel and Sorcinelli Absent)

#### **DPRB Case No. 11-04**

A request to revise the master sign program for the Canyon Trail Plaza located at 333-433 East Foothill Blvd.

Related Case: DPRB Case No. 07-61

APN: 8665-008-013, 8665-008-033

Zone: Specific Plan No. 9

Eric Simison, Applicant, was present

Associate Planner Marco Espinoza stated that the Master Sign Program was reviewed and approved by the Board on November 20, 2007. He explained that two modifications are currently being proposed which include walls signs and directional signs. He explained that the Master Sign Program will be modified to allow for the option of having a maximum of two wall signs on each of the four buildings. The primary sign will be larger in size, and a second smaller sign can be used by one of the tenants in the building (excluding the tenant identified by the primary wall sign). However, the tenants

in the building may choose to utilize directional signs to identify their business instead of the wall signs. He explained that currently directional signs need to be installed with a decorative iron arm and placed on the façade of the building but explained that the applicant is proposing to allow an additional option for the sign to be installed with a decorative chain and be placed under arches, parallel to the building façade which will allow for more visibility.

Eric Simison, Applicant, stated that they have been working diligently to bring tenants into the business park and noted that it is vital to have recognition to establish a business. He explained that the visibility is currently tough because the Master Sign Program calls for conservative wall signs. He stated that he feels this revision is appropriate and compatible.

**MOTION:** Moved by Emmett Badar, seconded by Scott Dilley to approve the request to revise the Master Sign Program.

Motion carried 5-0-2 (Patel and Sorcinelli Absent)

### **ADJOURNMENT**

There being no further business the meeting was adjourned at 9:49 a.m. to the meeting of April 14, 2011 at 8:30 a.m.