

**DEVELOPMENT PLAN REVIEW BOARD
MINUTES
April 28, 2011 at 8:30 A.M.
245 EAST BONITA AVENUE
CITY COUNCIL CONFERENCE ROOM, CITY HALL**

PRESENT

*Dan Coleman, Director of Development Services
Scott Dilley, Chamber of Commerce
Shari Garwick, Senior Engineer
Blaine Michaelis, City Manager
Jim Schoonover, Planning Commission
John Sorcinelli, Public Member at Large*

ABSENT

Emmett Badar, City Council

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 City Council Conference Room.

APPROVAL OF MINUTES

MOTION: The minutes for March 10, 2011 could not be approved due to the lack of quorum to vote. Minutes will be sent through mail for approval.

MOTION: Dan Coleman moved, second by Blaine Michaelis, to approve minutes of April 14, 2011. Motion carried 5.0.1.1 (Badar Absent, Garwick Abstained)

HEARING ITEMS

DPRB Case No. 10-04

Continued from March 10, 2011. A request to add 5,200 sq. ft. auto repair shop (for their own vehicles) to the existing main storage/office building and enclose portions of the north and south elevation of the building, in addition to adding 1,500 sq. ft. of open storage to another existing building. The additions and enclosures have already been constructed without City approval and permits located at 155 N Eucla Avenue.

APN: 8386-006-010

Zone: Specific Plan No. 11

Ray Morales Sr., Applicant, was present
Ray Morales Jr., Applicant, was present

Associate Planner Espinoza reiterated background information of the property. He discussed the issues with the applicant which included: removing the unpermitted 5,200 sq. ft. auto repair shop which is attached to the rear (west) of the main office/storage building (Building E), remove the unpermitted 1,500 sq. ft. addition to a covered storage building that is open on one side (Building F) and keeping 2,800 sq. ft. of the main office/storage building that was enclosed which is used for storage (Building A). He also noted outstanding code enforcement issues that were required to be completed by previous owners, Henkels & McCoy which included: removing the chain-link fence from the front of the property and replace it with a decorative block wall (Staff is requesting direction on an appropriate height), install landscaping with an irrigation system and a sidewalk, submit plans for a new wall sign and remove unpermitted sign at entrance, submit a lighting plan for unpermitted light poles and submit a letter of authorization from the LA County Fire Department for the dispensing and storage of gasoline and propane on-site. He pointed out Staff's request for removal of the nonconforming circular driveway within the front yard setback since it is not used for its purpose but instead as a parking lot, the area should be landscaped. He noted that Staff is asking that the corrections be made within 6 months but emphasized that no other additional extensions can be made due to this being a code enforcement case.

Ms. Garwick asked if the north side of the property has a sewer easement and if so, requested that it be kept clear of any buildings/structures and keep manholes free for accessibility. She pointed out that there are two manholes near the property line.

Mr. Michaelis asked how much space is required for clearance around the sewer easement.

Ms. Garwick replied that a five foot clearance will suffice. She added that Condition #26 should read like Condition #13 and include the words "The Developer shall be responsible for installation of improvements and any repairs within the limits of the development, including streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer."

Associate Planner Espinoza explained that Condition #13 points out that the sidewalk is required and Condition #26 states if the curb is damaged then they will have to fix it.

Ms. Garwick stated that the drainage at the railroad tracks is ponding and added that the business needs to get rid of excess water. She inquired if street trees would be planted as a required condition.

Associate Planner Espinoza responded that the owner will plant a number of 24-inch box trees on the property that will screen the storage area and the building.

Mr. Coleman asked if a condition was written for street trees to be designated at the south driveway.

Associate Planner Espinoza replied no.

Ms. Garwick stated that a condition should be written stating that street trees should be required every 40 feet with the species and gallon size approved by the City Arborist.

Associate Planner Espinoza stated that nearby neighbors notified Staff that caged roosters were on the property. He requested that a condition be included that the roosters are removed within a week.

Ray Morales Sr., Applicant stated that the roosters will be removed in a week. He explained that he owns a traffic signal and street lighting contractor business. He explained that Building A, an enclosed structure, was built to provide a shaded area for employees to work. He stated that the conditions are too great for the current state of the economy. He explained that they have agreed to the proposed landscaping, the inclusion of a sidewalk and the removal of the wall sign; however, he stated his concern is with Condition No. 8 and 10. He stated that the time frame set in Condition No. 8 of 6 months is unattainable. He added that he has contacted the LA County Fire Department to meet Condition 10 but has not succeeded in receiving the required correspondence authorizing the dispensing and storing of gasoline and propane tanks on-site.

Eric Beilstein, Building Official, stated that the applicant has been made aware of the corrections from the LA County Fire Department and still has not provided permits to dispense fuel.

Mr. Morales Sr. commented that he was not aware that a permit was required for dispensing fuel.

Ms. Garwick informed Mr. Morales Sr. that a permit is a requirement of the State.

Mr. Morales Sr. asked for an explanation of Condition No. 18.

Associate Planner Espinoza responded that it explains that the developer should install underground all new electrical lines from buildings and from the street.

Mr. Morales Sr. asked if Condition No. 22 can be removed and added that the building should not have to meet the latest edition Uniform Codes because the building is over 40 years old.

Associate Planner Espinoza responded that it only applies to the new enclosed addition on Building "A."

Mr. Sorcinelli commented that if they are putting siding on the existing structure, then it may not comply with the latest edition Uniform Codes.

Mr. Beilstein stated that the building has to meet the wind requirement of the code, so the lateral of the original building has to meet current code.

Mr. Sorcinelli asked if the new wall in the enclosed structure is being supported by the existing building.

Mr. Morales Sr. responded that the new wall is not being supported by the existing building but instead by a fence. He pointed out that plans have been submitted to the Planning and Building Divisions for review which meets Condition No. 22. He stated that

currently they are removing Building "E" and Building "F" to meet the requirements for Condition No. 24; however objects to removing Building "A" because that structure benefits employees against poor weather conditions. He added that for Condition No. 26, he will build a new wall, tear out the asphalt and proceed with new landscaping. He reiterated a need a 6 month extension.

Mr. Coleman asked if 9 months is a sufficient amount of time to comply with conditions of approval.

Mr. Morales Sr. replied that a 1 year timeframe would be sufficient so that they may hire a landscape architect and submit plans back to the City for review. He emphasized that he would like to keep Building "A" for his employees to have a shaded area to work.

Mr. Beilstein clarified that a stop work notice was issued in December 2007, which relates to Condition No. 15, installation of unpermitted light poles on the property. He added that the structures have been up for over 2 years. He commented that an additional 6 months extension is preposterous since these are outstanding Code Enforcement and Building & Safety issues, which are life and safety issues. He added that for Condition No. 10, should delete "and/or letter" and add wording "and other applicable requirements" as this involves more than just dispensing fuel.

Mr. Coleman stated that LA County Fire Department has been notified but a correction list was never submitted from the applicant.

Mr. Beilstein expressed his concerns with the dispensing of fuel and gas and emphasized that permits are required. He recommended adding a condition that requires compliance with applicable State and Federal Americans with Disability Act.

Mr. Coleman suggested amending Condition No. 8 in regards to a timeframe stating the plans should be revised and demolition completed within 6 months and the remainder of the work within 12 months.

Mr. Beilstein pointed out concerns with the enclosure of Building "A," structurally, especially since it was built without permits.

Mr. Morales Sr. stated that an engineer can determine if the building is structurally secured. He stated that he walked with the LA County Fire Department through the property but did not receive anything in writing. He indicated that they did see the fuel tanks but did not mention a permit was required.

Mr. Beilstein explained the local station conducted a walk-thru but the Petrochem Division would need to review for permitting the tanks.

Mr. Michaelis asked if the issue with Building "E" and Building "F" is that they were built without a permit or that they cannot be built at all.

Associate Planner Espinoza replied that the buildings do not meet design guidelines and were built without permits. He added that a change of design was discussed with the applicant; however the applicant would need to revert to the Conditional Use Permit and update for the expansion and the applicant did not want to comply and it would require a

new Conditional Use Permit which would increase the cost of the project as discussed previously.

Mr. Morales Sr. stated that Building "A" cannot be seen by surrounding neighbors. Mr. Coleman stated that there are nine homes north of the site that have visibility of the subject property, as well as the 3-story hotels to the south.

Mr. Coleman asked the applicant again if 12 months was a sufficient amount of time to addresses outstanding issues.

Mr. Beilstein interceded and indicated that regular improvements can be extended to 12 months but life and safety issues need to be addressed sooner.

Associate Planner Espinoza agreed that the 6 month timeframe is sufficient for outstanding Code Enforcement issues and added that is the standard timeframe for violations.

Mr. Coleman asked if 6 months is a sufficient amount of time for the applicant to submit for plan check.

Mr. Beilstein replied if they are dealing only with life safety issues relative to demolishing the unpermitted structures and permitting the new walls on the enclosure, this could typically be accomplished in six months. He disagreed with granting a 12-month extension today; however, if the applicant is moving forward in good faith, Staff can work with them on the timeframe for completion. He re-emphasized that the property has been in code enforcement on various issues for more than four years.

Mr. Dilley asked for clarification of the concern with Building "E," if the main issue was the roof design.

Associate Planner Espinoza replied that the applicant wanted to enclose the building; however a Conditional Use Permit to be approved by the Planning Commission for expanding the existing use is required, if that occurs and creates an added cost for the applicant to bring the site into conformance to code requirements.

Mr. Sorcinelli commented that a Conditional Use Permit would trigger additional expenses. He stated that buildings need to meet the current building codes when there is a change to the use of business or occupancy. He felt the changes made are minor and did not need a revised CUP.

Mr. Beilstein commented that there was a change of occupancy because the area was an open patio to work and now it is an enclosed area.

Mr. Sorcinelli argued that the occupancy has not changed.

MOTION: Moved by Dan Coleman, seconded by Jim Schoonover to approve with the following conditions: read "The developer shall install all new utilities underground." Add new Condition under Landscaping to read: "Plant street trees every 40 feet". Add new Condition under Building Division to read: "Comply with applicable State and Federal Americans with Disability Act requirements." Modify Condition No. 26 to read as "The Developer shall be responsible for installation of improvements and any repairs within the limits of the development, including

streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer.” Add condition clarifying that the new walls match the height of the existing wall. Motion carried 6-0-1 (Badar Absent)

DPRB Case No. 11-13

A request to add an additional 276 sq. ft. to a 6,863 sq. ft. multi-story garage under construction at 1539 Calle Cristina..

APN: 8448-0038-055

Zone: Specific Plan No. 11

John Begin, Applicant, was present

Chairman Schoonover noted that the Board went on a site visit to 1539 Calle Cristina at 7:30 a.m. prior to the Development Plan Review Board meeting.

Associate Planner Espinoza stated that on April 24, 2008, the applicant was advised to move the entire building five feet up the hill (south) and move a portion of the first floor 10 feet further south. He noted that there was a discussion to add a terraced and/or retaining wall down slope in order to reduce the visual height of the building. He stated that on May 8, 2008, the Board reviewed and approved the plans based on the comments made on April 24, 2008; however the concern today is with the massing and scale concerns. He added that the applicant complied and moved the building five feet up the hill (south); however only moved the first floor 5 feet instead of the directed 10 feet. He noted that the applicant visited Staff asking for modifications to approval of the design to extend the area that was already pushed back for additional storage, which requires an additional 7 feet extension. He emphasized that this request contradicts the previous approval and creates massing and scaling issues. He explained that 267 sq. ft. does not seem like a large increase in square footage; however the location of the addition significantly modifies the appearance of the building. He explained that the applicant has not received approval from their Homeowners Association and recommended it be added as a condition of approval it is received prior to submittal for plan check.

Associate Planner Espinoza stated a letter was submitted by the neighbors to the west stating they did not have an issue with the proposed change to the garage.

Mr. Coleman, in accordance with the Brown Act, disclosed to the Board that he and Associate Planner Espinoza met with the applicant a few weeks ago to discuss revising this project and added that no revisions were approved at that meeting in order to present them to the Development Plan Review Board for approval today.

Associate Planner Espinoza stated that there was no issue in extending the addition to the front of the property to meet the requested additional square footage.

Mr. Coleman commented that during the site visit, he was surprised with the visibility of the structure from Paseo Susana.

John Begin, Applicant, stated that there had been concern in the past because the garage faces the canyon and the back of the property went straight down the hill, but it is only visible to properties located 1,500 feet away. While other homeowners constructed structures that went straight down the hill, he designed stepped structures. He felt this small addition maintained the stepped effect and doesn't think it should be a problem. Originally he was going to add the workshop to the lower level of the garage but was concerned about the dust from the workshop getting the RV's stored below dirt. By moving the workshop to this addition, it will keep everything on the main floor clean. He noted the landscaping has not been installed yet, and they will help to screen the view of the building.

Associate Planner Espinoza indicated that there have not been any complaints received since the start of construction.

Mr. Michaelis asked how the two foot cantilevered extension would be constructed.

Mr. Begin responded with wood and corbels matching those on the garage structure and reemphasized that once landscaping is planted, the visibility will be minimal.

Mr. Michaelis commended Staff with presenting this item to the Board again and not approving at Staff level. He stated that the structure is very large and the impact has already been made and this change will not make it any worse. He felt the stepped design will break up the mass.

Mr. Sorcinelli commented that the original approval of this project should have not been granted. He stated there are three neighboring properties whose viewshed has been negatively impacted by construction of this garage, and the house most negatively impacted is the one on site. He stated steep lots like this were never meant to have this type of accessory structure constructed and expressed concern with the stability of the slope. He felt it should not be used as a precedent for future homes.

Ms. Garwick left the meeting at 10:01 a.m.

MOTION: Moved by Blaine Michaelis, seconded by Scott Dilley to approve.

Motion carried 3-2-2 (Sorcinelli and Coleman No, Badar Absent and Garwick left meeting at 10:01 a.m.)

DPRB Case No. 11-12

A request to change the exterior brick veneer to slate tile veneer on a 22,877 sq. ft. industrial building located at 320 Covina Blvd.

APN: 8382-002-037

Zone: Light Manufacturing (M-1)

Tien Chu, Applicant, was present

Chairman Schoonover noted that the Board drove by the location at 320 Covina Blvd at 7:30 a.m. prior to the Development Plan Review Board meeting.

Associate Planner Kristi Grabow informed the Board that the green slate tile was installed instead of the previously approved brick. She indicated that there are no zoning codes or design guidelines that restrict what type of material to be used and added that no other surrounding business uses slate. She noted that in 2003, river rock material was approved which was consistent with the Early California architectural style. She stated that in 2005, the applicant submitted brick material instead of rock. She added that in 2008, the applicant wanted to use brick material all the way to the top of the tower. She explained that brick is more traditional in keeping with the Early California architecture whereas the green slate tile is more contemporary and modern. She stated that the Building Department issued a stop work notice about halfway through the construction. She recommended approval since there are no zoning requirements that brick material has to be used.

Mr. Coleman stated that in earlier submittals, the applicant presented versions of river rock and brick to be used across the base of the building and not used for the full height of the tower.

Planner Grabow stated that in 2008 the applicant requested and received approval to use brick on the entire tower.

Mr. Dilley asked if the building will be painted entirely.

Planner Grabow replied that some parts of the building are painted and a few walls are up.

Mr. Beilstein commented that Staff never approved the green slate tile being installed and added that the applicant should have approached Staff for approval first.

Associate Planner Grabow stated that the applicant did approach Staff to inquire if the green slate tile was appropriate to use. She advised the applicant that Staff could consider a material change; however the applicant misconstrued that statement as approval for changing the material.

Tien Chu, Applicant, explained that the project was scheduled to start in April when they decided to propose a change of material to match the other colors on the building better.

Mr. Michaelis asked about the quality of workmanship of the installation.

Mr. Chu responded that the workmanship can be improved according to Staff's guidelines.

Mr. Beilstein pointed out that today's approval is for something that has already been installed. He asked if there was a reason why the applicant did not originally propose the green slate tile material.

Mr. Chu responded there may have been a misunderstanding when working with Staff and felt that slate was more compatible.

Mr. Sorcinelli stated the workmanship appears poor in the photos only because slate has a rough-cut surface and proper grouting will help. He stated the discussion about using brick occurred at the same time as the review of the buildings being proposed near the

Town Core, which were brick, and it was felt this would make the buildings more compatible. He stated he was not opposed to using slate and that it would blend better with the other buildings along Covina Boulevard.

Mr. Dilley concurred that he liked the slate material, but hopes the paint colors on the building will accent the tile and not blend it away.

MOTION: Moved by Dan Coleman, seconded by John Sorcinelli to approve with the condition that the grouting is raked out.

Motion carried 5-0-2 (Badar Absent and Garwick left meeting at 10:01 a.m.)

ADJOURNMENT

There being no further business the meeting was adjourned at 10:19 a.m. to the meeting of May 12, 2011 at 8:30 a.m.