

**DEVELOPMENT PLAN REVIEW BOARD
MINUTES
April 12, 2012 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
Blaine Michaelis, City Manager
Krishna Patel, Director of Public Works
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 8:31 a.m. so as to conduct regular business in the City Council Conference Room.

APPROVAL OF MINUTES

MOTION: Scott Dilley moved, second by Dan Coleman, to approve the minutes of March 22, 2012. Motion carried 5.0.1.1 (Badar Absent and Patel Abstain)

Tree Permit No. 12-05

A request to remove four (4) trees within the Common Area at Tiburon Puddingstone Homeowners Association.

Zone: Single-Family 10,000 (RPD-10)

Joshua Behnke, property owner of 739 Smokewood Ln, was present

Tree #	Common Area Location adjacent to	Species	Trunk Diameter	Reason for Removal
1	709 Knollwood	Liquidambar	12"	Roots Causing Damage
2	617 Briarwood in Arroyo Area	Acacia	22"	Main Trunk Split
3	619 Briarwood in Arroyo Area	Pine	16"	Leaning
4	739 Smokewood	Liquidambar	12"	Roots Causing Damage

Assistant Planner Concepcion stated that Ron Edwards of Brooker Associates representing Tiburon Puddingstone HOA is requesting to remove four (4) trees located within the Common Area at the Tiburon Puddingstone Homeowners Association Complex. Tree 1, the liquidambar tree is in close proximity to existing hardscape. The root system is starting to cause damage by uplifting the concrete. Root trimming was considered; however it may jeopardize the structural integrity of the tree. Tree 2, the Acacia tree main trunk has split into two and has an overall poor structure. Tree 3, the Pine tree grows at an angle and leans into the slope area. Tree 4, the Liquidambar tree is in close proximity to the existing patio area and is uplifting the concrete and damaging fencing. The replacement trees would be planted in the general vicinity as the trees proposed for removal with the exception of one tree to be planted in a common area near 717 Briarwood. The applicant will be planting four (4) Gingko Boloba trees and is requesting to reduce the replacement ratio from 2:1 to 1:1. Staff visited the site and verified there is a significant amount of mature trees and landscaping throughout the development and believes that this is a sufficient finding to approve and recommend the reduced ratio to 1:1.

Joshua Behnke, property owner, stated he does not want to remove Tree No. 4 adjacent to his property anymore. He explained that adjacent to the patio, there is damaged caused by the tree. He will redo the patio and funding may be provided by the Tiburon HOA. He added the root barrier would be placed when the patio is reconditioned

Mr. Dilley asked if a different type of tree could be replaced since Liquidambar are a maintenance nuisance.

Mr. Behnke agreed with that concern; however, replacing a 30 year old tree does not seem appropriate, since the City thrives on tree preservation. The community is proud of its trees to maintain shade and increase property value. The HOA believes the tree is a nuisance but he would prefer to put a root barrier in order to keep the tree. He reiterated he does not feel the removal of the tree would be necessary.

Mr. Patel explained that Liquidambar trees require a lot of maintenance and the nature of the tree is aggressive and may cause patio damage in 4-5 years.

Mr. Michaelis asked who maintains the Common Area.

Mr. Behnke responded the HOA and added he tried contacting them in regards to saving the tree but has not heard a response.

Mr. Michaelis asked if the HOA will install and pay for the root barrier.

Mr. Behnke stated that he is unclear of who will take care of the expenses but added if the HOA does not take care of costs for the root barrier, he will pay for it himself.

Mr. Sorcinelli asked if the patio is being redone.

Mr. Behnke responded yes, because of the damage from the tree's root system. He added that the HOA will pay and split the patio reconditioning fees.

Mr. Michaelis asked if the Board can reconsider the removal of Tree No. 4 and if it can be put aside until the issues are resolved between the neighbor and the HOA.

Assistant Planner Concepcion stated that today the Board may make a decision regarding Tree No. 1 - 3 and continue Tree No. 4 to allow the HOA and property owner to come into agreement whether the tree should be proposed for removal or kept.

Building Official, Eric Beilstein, stated that the Board can approve the tree removals; however, recommended final approval of Tree No. 4 at staff level versus returning to Board.

Mr. Sorcinelli pointed out if there is no agreement with Staff and the HOA, and then it may have to return to the Board.

Mr. Michaelis stated that the Liquidambar trees are sometimes problematic and understands the reasoning for the applicant's request for removal.

MOTION: Moved by Blaine Michaelis, seconded by Scott Dilley to approve the removal of Trees 1, 2 and 3; Tree No. 4 to be continued at Staff level to allow HOA and property owner to come into agreement over whether the tree shall be proposed for removal or kept.

Motion carried 6-0-1-0 (Badar Absent)

Mr. Schoonover requested that item No. 3, Tree Permit No. 12-04 be presented prior to DPRB Case No. 11-54.

Tree Permit No. 12-04

A request for the removal of six (6) mature trees located in the landscape area of 442 West Bonita Avenue.

APN: 8386-017-011

Zone: Creative Growth 2 (CG-2)

Associate Planner Grabow stated that on November 14, 2011, a complaint was filed with Code Enforcement for the removal of six trees without permits and the trees ranging in diameter size from 12.5" to 35". The property owner contacted Code Enforcement officer, Mary Salman, on December 9, 2011 claiming the trees were removed without her permission and an extension was needed to put plans together. At the end of

December, Staff was notified that the applicant would be out of the country for the holidays and need an extension by the end of January. On January 31, 2012, the applicant submitted the application for removal of four mature trees and requested to have four replacement trees (two Japanese Maples and two Yellow Pines). On March 1, 2012, Staff sent an incomplete letter to the applicant informing her to update the application to reflect the accurate number of trees removed. This would require the applicant to replace with a total of 24 trees. The City Arborist, Deborah Day recommended that a total of eight 24" box trees could thrive at the location. Staff recommends approval and requires the applicant to replace the six mature trees with eight 24" box trees throughout the landscape area along the Bonita Avenue frontage. She noted that the applicant is not in attendance today.

Mr. Coleman asked where the location of the replacement trees will be planted.

Associate Planner Grabow pointed out those 4 trees will be planted along Eucla Avenue and four trees will be planted along Bonita Avenue.

Mr. Patel pointed out that Eucla Avenue has a longer frontage.

MOTION: Moved by Blaine Michaelis, seconded by Dan Coleman to approve with the reduced ratio of replacement trees from 24 trees to 8 trees.

Motion carried 6-0-1-0 (Badar Absent)

John Sorcinelli recused himself from participating in the following item, DPRB Case No. 11-54.

DPRB Case No. 11-54

A request to reconstruct a 678 sq. ft. single-family residence at 613 N Monte Vista Ave.

Environmental Classification: Categorically Exempt under Section 15303, New Construction or Conversion of Small Structures

APN: 8387-001-035

Zone: Specific Plan No. 3 (SP-3)

Rosalio Serna, applicant and property owner, was present
Christina Morales, tenant, was present

Assistant Planner Concepcion stated that the applicant is requesting to demo the existing 84 sq. ft. front porch and construct a new 150 sq. ft. front porch; demo the existing raised pier foundation and construct a new raised pier foundation with river rock veneer around the perimeter; demo the existing roof and construct a new roof; demo 425 sq. ft. of the rear portion of the house and reconstruct the house with a revised floor plan; and demo 66 sq. ft. of non-permitted water heater room. He added that there will be no added square footage to the property. The house is located in the Town Core and is consistent with the Town Core Design Guidelines. The home will include upgrades that fall under a Craftsman style home including: wood columns, decorative brackets, exposed rafter tails, Hardie Board horizontal siding, and river rock. He added that per the request of the Engineering Department, Condition No. 21 has been added to the

Conditions of Approval stating: "The Developer shall be responsible for any repairs within the limits of the development, including streets and paving, curbs and gutters, sidewalks, and street lights, or the installation of same where not existing, as determined by the City Engineer."

Mr. Schoonover asked if the new condition was discussed with the applicant prior to today's meeting.

Assistant Planner Concepcion replied yes.

Mr. Patel stated that the existing river rock wall on Monte Vista Ave has a large fracture and leans toward the right-of-way approximately 10 to 15 inches. Mr. Patel provided photos for the Board. He asked if this can be addressed as part of the project conditions. He noted that the driveway is small, 12 ft. wide and the wall encroaches onto the driveway about 1 ft.

Mr. Beilstein asked where the right-of-way line is located.

Mr. Patel replied that the existing wall encroaches about 18 inches into the right-of-way. He added that his concern is with the leaning of the wall caused by the Ficus trees.

Ms. Morales indicated that she doesn't want the issue with the wall to halt the process and asked for a decent time frame.

Mr. Coleman asked if the Board wanted this fixed before occupancy.

Ms. Morales commented that they want to move forward with the refurbishment of the home and are concerned if the wall now needs to be addressed, they could lose the house. She added that they will replace the wall as phases of the refurbishment but cannot do so immediately.

Mr. Beilstein explained that it appears to be a stacked stoned wall and is not a true retaining wall. He added it would need to be built as a structural wall with a rock on the surface. He concluded that the wall cannot be repaired.

Mr. Schoonover asked what the time limit is for phasing of the project.

Assistant Planner Concepcion replied after DPRB approval, the approval is good for one year. An additional one year extension can be requested, totaling two years.

Mr. Coleman explained there needs to be a separate permit pulled to build the retaining wall.

Mr. Beilstein stated that a condition can be added to pull the permit prior to occupancy and from that time you have 180 days between inspections.

Assistant Planner Concepcion stated that a possible alternative to rebuilding the wall may be to remove the wall and grading the land to be a gentler slope.

Ms. Morales stated that she has considered building a lower wall in combination with a lower slope.

MOTION: Moved by Blaine Michaelis, seconded by Dan Coleman to approve with the added Condition No. 21 from the Public Works Department and to submit plans to repair/replace or remove the damaged stone retaining wall at time of plan check. Building permit for stone wall to be issued prior to occupancy of remodeled house.

Motion carried 5-0-1-1 (Badar Absent and Sorcinelli Abstain)

CALGREEN OVERVIEW

Director of Development Services Dan Coleman explained that the new CALGREEN lighting standards. The 2010 California Green Building Standards are most stringent, environmentally-friendly building code in the United States that will apply to new commercial buildings, hospitals, schools, shopping malls and homes. CALGREEN became effective on January 1, 2011 and only applies to newly constructed buildings, which, through June 30, 2012, does not apply to additions, alterations or repairs to existing buildings. Effective July 1, 2012, to apply to non-residential additions of 2,000 sq. ft. or greater and non-residential alterations that have permit valuation of \$500,000 or greater. He pointed out that usually the building updates occur every three years; however, there are more supplements being published in between.

He added that CALGREEN requires all new buildings in the state to be more energy efficient and environmentally responsible. He added that in order to assist in implementing these new CALGREEN requirements, Staff has modified the standard conditions for approval.

Mr. Patel asked if lighting is affected by CALGREEN requirements.

Mr. Beilstein stated that all fixtures will need to meet a standard light zone. He added that it won't affect things in the public right-of-way.

COMMENTS: Report received and filed.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:10 a.m. to the meeting of April 26, 2012 at 8:30 a.m.

Jim Schoonover, Chairman
San Dimas Development Plan Review Board

ATTEST:

Jessica Mejia
Development Plan Review Board
Departmental Assistant

Approved: April 26, 2012