

**DEVELOPMENT PLAN REVIEW BOARD
MINUTES
November 8, 2012 at 8:30 A.M.
245 EAST BONITA AVENUE
CITY COUNCIL CONFERENCE ROOM, CITY HALL**

PRESENT

*Emmett Badar, City Council
Scott Dilley, Chamber of Commerce
Krishna Patel, Director of Public Works
Jim Schoonover, Planning Commission
John Sorcinelli, Public Member at Large
Larry Stevens, Assistant City Manager of Community Development*

ABSENT

Blaine Michaelis, City Manager

CALL TO ORDER

Jim Schoonover called the regular meeting of the Development Plan Review Board to order at 8:33 a.m. so as to conduct regular business in the City Council Conference Room.

APPROVAL OF MINUTES

MOTION: Krishna Patel moved, seconded by Larry Stevens to approve the September 13, 2012 minutes. Motion carried 5-0-1-1 (Duran absent, Badar abstain).

DPRB Case No. 12-23D

Continued from the meeting of October 11, 2012. To consider a request for a “boxcar” playhouse/storage building located at 525 N Amelia Ave in Single-Family (AF-7500) Zone.

APN: 8386-004-045

Zone: Single-Family (SF-7500)

Dennis and Ginny Phillips, applicants, were present.

Assistant City Manager Larry Stevens stated that this item was previously considered at the DPRB meeting of October 11, 2012 and continued to a date uncertain to allow the applicant to meet with Staff and discuss possible revisions to the application. Staff met with Mr. Phillips on October 29, 2012 to discuss changes. The discussion involved revising the locations, changes to the boxcar exterior and use of screening. At the conclusion of the discussion, the applicant indicated that the following revisions could be acceptable:

- Relocation of the boxcar in an easterly direction approximately 30 feet so that it was close to the family room conversion as allowed by the Building Code (a minimum six feet of separation is required). It is intended to run parallel to elevation 510 shown on the site plans.
- No changes to the exterior of the boxcar.
- Adding shrubs and/or trees to screen the view from Amelia Ave.

He added that this is the alternative that the applicant is willing to bring forward to the Board. Staff feels that a boxcar in any form is still not an appropriate structure in the Single-Family 7500 Zone. Staff provided findings in the Staff Report that support the conclusion and recommends denial; however, conditions of approval were prepared for consideration if changes proposed are sufficient for the Board. He added that a utility condition needs to be added to include that if any power is provided, an electrical permit will need to be pulled.

Mr. Badar asked if there is anywhere on the property where the boxcar is acceptable.

Mr. Stevens responded there is no other location on the site that the applicant is willing to consider.

Mr. Badar asked if Staff can indicate where the boxcar would be appropriate.

Mr. Stevens responded that Staff will not present any additional alternatives. It is up to the applicant to propose the new location that is in a less visible location.

Mr. Sorcinelli asked why the findings state that the boxcar has to be screened.

Mr. Stevens responded that the boxcar is a linear shape and not the typical residential shape which does not have the opportunity to fit in the context of the property or neighborhood thus if needs screening. He added it is up to the Board to decide if it is an appropriate structure and can be screened.

Ginny Phillips, applicant and resident of 525 N Amelia Ave, stated that Staff has an issue with the boxcar not being compatible with the neighborhood; however, the property is two acres and is already an incompatible fit based on the size for the neighborhood. She stated that the only visible part on the boxcar is the tip of the domed roof. The boxcar is not being used for habitable space; if the rules are being followed then it should be permitted. The 320 sq. ft. boxcar sits on a 90,000 sq. ft. property. It is a playhouse that the kids use and if the City forces it to be removed, then they will have no choice but to buy a many storage containers from Lowe's since those are easily approved. We volunteered to move the boxcar 15 ft.; however, Mr. Stevens wants 30 ft. which will completely hide the boxcar on the property.

Dennis Phillips, applicant and resident of 525 N Amelia Ave, wanted to clarify the information stated at the meeting with Mr. Stevens. The house sits at the back of the property on the crest of the hill; it is not that we do not want to move the boxcar it is that it will not be appropriate to have on a hillside. Staff would not approve any proposal to have an accessory building on a hillside. It is not a lack of willingness, it is a practical. A temporary screening can be added as well as more shrubs; however, it currently is unseen from the public.

Mr. Stevens stated for the record that he will be abstaining from the vote.

Mr. Patel stated that the issue is with compatibility of the structure to the home. The boxcar is a large structure and added that a classroom was approved in the past and converted to a structure. He indicated he will not vote to approve structure as is today.

Mr. Badar stated that in the neighborhood there are structures that stand out more than the boxcar. He added that you cannot see it when you drive by the property; however, the decision is if the boxcar is compatible with the home. He stated that he would like to hear more discussion on this item and added there has to be a middle point where everyone can agree.

Eric Beilstein, Building Official, stated that there has been a lot said in court about the building code amendment. The amendment to the building code discusses habitability which was mimicked from the City of Montclair's Code. That code has nothing to do with zoning. Prior to this situation, there were issues with individuals living in motorhomes and that is why it seemed appropriate.

Mr. Badar stated that the applicants indicated that it is not used for residency. He stated that maybe calls were received from nearby residents who believed there were individuals living in the boxcar and that is why a code enforcement case was opened.

Mr. Beilstein stated that as a clarification to the building code, storage sheds are exempt if they do not exceed the 120 sq. ft. and do not have electrical, utilities, etc.; however, if the storage shed exceeds the 120 sq. ft. a permit is needed.

Mr. Badar asked if the boxcar currently needs a foundation.

Mr. Beilstein responded that like any other structure, non-exempt, all structures permitted require foundations. The application indicated that the box car is 20,000 pounds; soil can take 1,000 pounds for compressibility.

Mr. Stevens stated that the foundation is similar to the requirements for a mobile home.

Mr. Sorcinelli stated that the property is very unique. He stated that if the boxcar can be screened and adequately and structurally dealt with, then there is no harm in having it. He stated that if there is a concern with the boxcar, a condition can be added that when the home is sold, it will need to be removed. He recommended keeping the boxcar; however, screening can be added and even a paint job.

Mr. Patel stated that the City has standards to maintain in regards to compatibility. There are ways to do things to the structure to make it compatible with the finish since it is such a large piece of property.

Mr. Badar stated that he drove by the property prior to today's meeting and commented the boxcar does not stick out like a sore thumb. He commented that he is leaning both ways, yes it is an odd structure and not compatible but at the current location, it is not a visible eye sore and added if it is relocated, it may become an eye sore.

Mr. Dilley stated that the boxcar is viewed to him as a tuff shed. The size of the property is much larger than the surrounding properties and added that by moving it to another location may not be the right solution.

Mr. Stevens stated that the current location is in the front yard setback which is why it went to the City Prosecutor. The applicant's initial proposal was to move the boxcar and the secondary proposal is to move it back further. He emphasized that under no consideration can it be allowed in the front yard setback.

Mr. Badar asked how far the boxcar needs to be moved back.

Mr. Stevens replied, based on the current location, a minimum of 12 ft.

Mr. Schoonover asked if it can be moved to the south westerly direction.

Mr. Stevens responded yes provided it has a 20 ft. setback. He added that the alternate location is being proposed today.

Mr. Badar stated that the boxcar can be moved an additional 12 ft. and asked the applicant if they think it will be more visible at that location.

Mr. Phillips responded that by moving it back 12 ft. on the linear line, it will not change since it is currently not visible from the public right-of-way. If the boxcar is moved even farther back, it will become very visible. There is already screening in the front of the property and if the boxcar is made parallel to the room addition, it will become very visible.

Mr. Stevens stated that the boxcar needs to be moved out of the setback. He reminded the Board that the boxcar is not a typical structure within the Single Family 7500 zone. He asked the Board under what circumstances is it appropriate to approve the boxcar with proper screening, exterior improvements, etc. It can be considered in two parts, can it be adaptable but does the Board think the structure, based on the shape, is ok and how is it placed in the context of the Single-Family 7500 residence zone. The findings need to meet the characteristics.

Mr. Badar stated that the applicant is ok with pulling back the boxcar 12 ft. but added if an agreement can be reached and conditions be created, he can support the approval to be given today.

Mr. Dilley commented that the Board can make findings and conditions to no allow these types of structures in the future in other locations.

Mr. Beilstein restated what Mr. Patel mentioned earlier in regards to the portable classroom that was approved that was on a large property as well. He emphasized that it was approved because the structure matched the surrounding structures.

Mr. Patel expressed that the issue is not visibility and added that the issue is if the boxcar is appropriate and compatible to have in a single-family zone.

Mr. Sorcinelli stated that the boxcar is a historic artifact not just a tuff shed. Changing it in order to make it compatible is not appropriate because the boxcar will lose its historic status.

Mr. Schoonover asked if the house is on the City historic survey list.

Mrs. Phillips responded yes.

Mr. Stevens indicated that Amelia Ave was used as a boundary line so it is not on the survey but added that, because of age and architecture, it would be treated as a historic structure.

Mr. Stevens suggested that if the Board requires additional plants and shrubs to be planted it needs to be a condition imposed by the Board. He noted that if the boxcar is raised, there may be a need to have skirting at the bottom to minimize access at the bottom of the structure. In regards to color of the boxcar, approval is required; however, Staff is not requiring the applicant to change the color.

MOTION: Moved by Emmett Badar, second by John Sorcinelli to approve the application subject to conditions in the Staff Report and the minor modifications to the conditions regarding siting of the boxcar. Add a utility condition that if any power is provided, an electrical permit will need to be pulled. Findings to be prepared by Staff based on Board discussion and inserted into the minutes.

Motion carried 4-1-1-1 (Patel No, Michaelis Absent and Stevens Abstain)

Findings are as follows:

1. The development of the site in accordance with the development plan is suitable for the use or development intended since the subject property possesses certain characteristics including larger size and historic residential structure, built in the 1920's which make it uniquely suitable for a historic railroad boxcar from pre-World War II.
2. The total development is so arranged as to ensure public health, safety and general welfare and prevent adverse effects on neighboring property. Conditions established require use of landscaping to minimize the visibility from the public street. In addition, the revised siting should blend into the setting of the historic house and large property
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 since the proposed historic boxcar is similar to other accessory structures allowed in the single family zone.

DPRB Case No. 12-20 and Precise Plan No. 12-01

A request to construct a new 4,240 sq. ft. building for a bank to be located at 614 North Lone Hill Avenue at the Citrus Station.

Previously Approved Case: CUP 12-08

APN: 8383-009-097

Zone: Specific Plan No. 24

Robert Lewd, applicant, was present.

Dave Powell, applicant, was present.

Associate Planner Rojas stated that the proposal is to construct a 4,000 sq. ft. building for the Bank of the West and not 4,240 sq. ft. as indicated in the Staff Report. The proposed site is the currently vacant parcel located just north of the existing Olive Garden. The architectural style proposed is Early California. The building will have the same design and utilize similar materials as the existing Costco building and comply with Citrus Station Design Guidelines. Some key architectural elements of the building include: exterior cladding consisting of stucco and charcoal colored split-face block, decorative metal features within the front facing gables, standing metal seam roofing material and canvas awnings over all the windows and offset wall planes.

This project needs to be reviewed and approved by the Planning Commission for the proposed use of a financial institution, which requires a Conditional Use Permit. The proposed construction will also need to be reviewed by the Planning Commission with the final approval from the City Council. She stated that the parking requirements have been met; they are required to have 20 spaces and are proposing 25 spaces. Staff recommends that the Development Plan Review Board recommend approval to the Planning Commission for the design of the bank building per Precise Plan 12-01 and DPRB 12-20.

Mr. Sorcinelli asked if the lighting will be brighter over the actual ATM machine.

Dave Powell, applicant, responded that the lighting meets State requirements and are not any brighter. He noted the lights point downward.

Mr. Stevens asked where the ATM is located.

Associate Planner Rojas responded at the South elevation.

Mr. Stevens stated he wanted to make sure the ATM machine was not on the residential side. He noted that the State has standards for lighting that need to be followed.

Mr. Powell clarified that the site work is already built in as well as the utilities which is part of the Olive Garden area. He noted that a trash enclosure is needed which will be built to complement the building. He added that there is no drive-thru for this bank.

Mr. Patel asked if there is an ADA path from the public right-of-way.

Associate Planner Rojas replied that there is a pathway installed when Olive Garden was built.

Mr. Sorcinelli inquired about landscaping.

Associate Planner Rojas stated that there is landscaping that already exists and the newly proposed landscaping will go through plan check with the City's landscape consultant.

Mr. Patel asked if there are reserved parking spaces for bank patrons.

Mr. Powell responded no.

MOTION: Moved by Larry Stevens, second by Emmett Badar to approve subject to Staff's recommendations.

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

ADJOURNMENT

There being no further business the meeting was adjourned at 10:05 a.m. to the meeting of November 20, 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: December 13, 2012