

**DEVELOPMENT PLAN REVIEW BOARD  
MINUTES  
December 12, 2013 at 8:30 A.M.  
245 EAST BONITA AVENUE  
CITY COUNCIL CONFERENCE ROOM, CITY HALL**

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**PRESENT**

Emmett Badar, City Council (*Arrived at 8:34 a.m.*)  
Scott Dilley, Chamber of Commerce  
Shari Garwick, Senior Engineer  
Blaine Michaelis, City Manager  
Jim Schoonover, Planning Commission  
John Sorcinelli, Public Member at Large  
Larry Stevens, Assistant City Manager of Community Development

**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:** Larry Stevens moved, seconded by Jim Schoonover to approve the November 21, 2013 minutes. Motion carried 5-0-1-1 (Badar Absent and Garwick Abstain).

**DPRB Case No. 12-19**

A request to demolish the existing 1,568 sq. ft. gas station attendant building / convenience store and construct a new 2,561 sq. ft. attendant building and convenience store with a take – out restaurant. The gas pump canopy will be remodeled but remain in the same location. The rest of the site will be completely remodeled and re-landscaped located at 105 E. Arrow Highway.

Associated Cases: Municipal Code Text Amendment 13-07 & Conditional Use Permit(s) 12-06 & 12-07

APN: 8390-018-023

Zone: Creative Growth 3 (CG-3)

Hari Alipuria, property owner and application of 105 East Arrow Highway, was present.  
Cris Klingerman, applicant's attorney, was present.

Senior Planner Espinoza stated that the project was reviewed by the Board on October 11, 2012 and May 9, 2013. He noted that the Board recommended denial because the proposal did not meet the intent of the Specific Plan.

Emmett Badar arrived at 8:34 a.m.

Senior Planner Espinoza stated that the decision was appealed to the City Council and was heard at the September 24, 2013 meeting. The Council determined that they would consider amending the requirements for setbacks for the Creative Growth, Area 3A & C along Arrow Highway from 25 feet to 15 feet. The reduced setback would allow for the applicant to comply with a complete remodel of the site and property building proportion of the gas island canopy. The new canopy design would cover all four drive aisles. He noted that there are additional applications associated to this project. The applicant has made the recommendations requested by City Council such as submitting an alternative exit design at the northern property line. The Council felt it warranted Staff to have the applicant return to the alternative design reviewed by the Traffic Safety Committee. The applicant submitted six different proposals for alternative drive aisles for the Committee they decided an "exit only" was the best alternative. The applicant also meets the ADA access and has been relocated further north to create a better circulation pattern than previously designed. He noted that there is no issue with the overall scale and size of the proposed building and added that the materials are the same as previously proposed. Staff recommends approval to the Planning Commission and City Council.

Mr. Stevens asked if the trash enclosure and propane facility are located in the same areas.

Senior Planner Espinoza responded they are both in the same originally proposed locations.

Mr. Stevens inquired about the driveway that has an "exit only" sign. He asked how the sign will prevent drivers from entering.

Senior Planner Espinoza responded drivers cannot be monitored but added; hopefully the sign will deter them from entering.

Mr. Stevens asked if the applicant worked with the adjacent property owner for the right of access.

Senior Planner Espinoza responded that the adjacent property owner did not want to give access.

Cris Klingerman, applicant's attorney, stated he has made two requests for a reciprocal easement and they both have been denied.

Mr. Stevens asked if the request was made during a conversation or in a written document.

Mr. Klingerman responded it was through written communication.

Mr. Stevens recommended that he provide a copy of that written communication to Staff. The store has a two-story appearance; however, the second story in the attic is not usable area.

Senior Planner Espinoza responded it can be conditioned that the second floor not be used as storage space.

Mr. Stevens asked for a detailed description of the revisions to the canopy.

Senior Planner Espinoza replied that the canopy has increased in size and covers four drive aisles.

Mr. Stevens discussed the canopy and asked if the intention is to utilize the existing canopy and install a new roof. He added that it will make a difference but asked if the columns are being redone or going to be designed to fit into the existing columns.

Senior Planner Espinoza responded that Mr. Eide, designer, has not done a structural analysis and is unaware if they are in the same location.

Mr. Sorcinelli commented that he has a big issue with the landscaping at the front of the property. He asked how the proposed changes affect the landscaping.

Senior Planner Espinoza stated that the setback has been reduced to 15 ft. and added that the drive aisle is now being used. He stated that the landscaping will be refurbished.

Mr. Sorcinelli pointed out the windows on the second floor and noted they are obscure.

Senior Planner Espinoza commented that the windows will have black or tan spandrel glass because the mullions are a dark color.

Mr. Sorcinelli stated he prefers clear glass versus spandrel.

Mr. Stevens questioned the door that leads to the area that the applicant has not received access to. He noted his concern with the landscaping outside the door and added the plans need to call out that information in detail.

Mr. Sorcinelli asked if the door could be moved to the West.

Mr. Stevens commented that if the door is not needed, then why have it. He suggested that the building be on the property line. He asked if there is a grade difference.

Senior Planner Espinoza responded yes there is a grade difference and added that it is higher at the top and lower toward the bottom.

Mr. Stevens asked if the landscaping will be below the existing driveway by a few inches or by a foot.

Senior Planner Espinoza responded it will be greater than a foot.

Mr. Klingerman addressed the elevation and open area. He stated that if they proposed a single-story, it would not have looked appropriate when the building abuts two-story structures. He emphasized that is why a second story appearance was proposed. He stated that the second story will store the mechanical equipment. He added that the safety doors can be eliminated and noted that concrete is better to include versus installing the landscaping. He noted that an "exit only" area was created since the attempt to gain reciprocal easement was denied and noted that there will be a sign reflecting "Exit Only."

Mr. Michaelis asked if the City's requirements are acceptable for the applicant.

Mr. Klingerman answered on behalf of the applicant yes.

Mr. Stevens requested the Board suggest the windows be changed from spandrel to clear glass.

Mr. Klingerman stated that it will be ok.

Mr. Dilley asked if there is an elevation difference from the propane tank to the trash enclosure.

Mr. Klingerman responded that the elevation is almost the same.

Mr. Stevens stated that there is a venting requirement for Healy tanks that go above grade.

Senior Planner Espinoza pointed out the Healy tanks near the trash enclosure. He stated that they are difficult to see because of the trees.

Mr. Stevens stated that the Healy tanks are older and the requirement has changed and they have been retrofitted a few times.

Senior Planner Espinoza recommended they be placed inside the trash enclosures and noted it has been done before.

Mr. Stevens stated that they cannot be constructed too high.

Senior Planner Espinoza noted that the Mobil gas station on Arrow Highway used trellis and added most of the tanks are screened.

Mr. Sorcinelli asked if there is an enclosure around the propane tank.

Mr. Klingerman responded yes.

Senior Planner Espinoza stated that there is a short wall that matches the building.

Mr. Sorcinelli stated that it is not labeled on the drawings.

Senior Planner Espinoza stated that when the plans are submitted they will be cleaned up and reflect these changes.

Mr. Sorcinelli asked for alternatives for the propane tank enclosure. He noted that it is not a great idea to have the trash enclosure and the propane tank at the front of the property. He asked if there is some way to modify the area and screen it. He stated that the wall can come out further from the tank as well.

Mr. Klingerman stated that the applicant intends to screen the areas.

Mr. Stevens pointed out the conditions of approval and stated the Condition No. 32 needed to be updated to reflect the 2013 year change. He added that the conditions given at the Traffic Safety Committee should also be included.

Mr. Sorcinelli pointed out the "Exit Only" area and noted that it is very close to the intersection.

Senior Planner Espinoza stated that it has decreased in size and was previously closer.

Mr. Sorcinelli asked why an "Exit Only" sign was decided over an "Enter Only."

Senior Planner Espinoza responded yes. He commented that all the Traffic Safety Committee conditions will be included with the Conditions of Approval. Also, to change the windows from spandrel to clear glass.

Mr. Stevens stated that a master sign program is required since there are two tenants.

Mr. Sorcinelli inquired about digital signs.

Senior Planner Espinoza stated that digital signs are permitted at gas stations.

Mr. Stevens stated that they do not have digital price panels in the City yet.

Eric Beilstein, Building Official, discussed the 2<sup>nd</sup> floor and the possible use of storage in the future. He stated that he does not see a condition prohibiting storage.

Senior Planner Espinoza stated that the applicant would need to provide additional parking if they were to have a storage area.

Mr. Beilstein asked how Staff prevents the applicant from using the 2<sup>nd</sup> floor as storage space.

Senior Planner Espinoza stated that Steve Eide, the designer, noted there is a minimum height requirement for usable space.

Mr. Beilstein restated there is no condition reflecting that information.

Mr. Stevens commented that it can be less readily usable by changing the stairway to a ladder. He added that someone could eventually make the second level a storage area.

Senior Planner Espinoza stated that a ladder can be recommended versus a stairway.

Mr. Stevens stated switching from a stairway to a ladder will allow for more usable square footage on the 1<sup>st</sup> floor.

Mr. Dilley stated that the additional square footage can be used for the mechanical equipment by providing a ladder vs. stairs.

Mr. Beilstein stated that the Code requires a walkway to a storage area. He recommended removing the plywood so that storage would be difficult.

Mr. Klingerman stated that switching from a stairway to a ladder is fine.

Mr. Badar recommended adding a condition to reflect this information.

Mr. Sorcinelli pointed out the height of the attic area and noted the tower is taller than the building.

Mr. Stevens stated the problem is proportionality.

Mr. Sorcinelli stated that the building is too high.

Senior Planner Espinoza stated that it mimics the proportions of Grove Station, to the North.

Mr. Stevens explained he is not convinced the two-story appearance is the best proposal for the site.

Mr. Sorcinelli asked if the bottom of the building will be stucco.

Senior Planner Espinoza stated no, it would be precast stone like Grove Station.

Mr. Klingerman stated on the behalf of the applicant, he does not want to get rid of the two-story appearance and wants to be similar to Grove Station.

**MOTION:** Blaine Michaelis moved, second by Emmett Badar to approve, subject to the following conditions: change the windows on the second floor from spandrel to clear glass, address the height of the screening wall for the propane tank area when plans are submitted; preferably with the use of brick and cement, update Condition No. 32 to reflect the 2013 edition, include conditions recommended by the Traffic & Safety Committee, remove the proposed stairway that leads to the attic and replace with a ladder with the option to enclose in a closet, and to provide flexibility for the heights to remain as a proposed two-story tower with an option to lower the windows or parapet height by a foot or two.

Motion carried 6-1-0-0 (Stevens No)

Mr. Badar explained that the Board should be open minded to the heights and added the lowering of the tower seems to be brand new information suggested to the applicant today.

Mr. Sorcinelli recommended that any trash or propane enclosure should have brick or cement finish.

Mr. Stevens commented that he is against the motion and added is not happy with the trash and propane enclosure at the front of the property, the "Exit Only" alley. He posed the question that, in the long run, will a gas station be an appropriate use for this piece of property in the future. He added that he understands that today's vote is for the design and not the use.

### **DPRB Case No. 12-15**

A request to construct several accessory structures consisting of a barn, horse corrals, storage sheds, detached bathroom, patio cover, glass gazebo, and trellis colonnades; concrete walkways and a stair platform in the scenic easement area; and request to install a tubular steel fence along the existing equestrian easement trail at 1136 Edinburgh Road.

APN: 8426-034-032

Zone: Specific Plan No. 4

Ed Segura, designer, was present.

Dr. Mojtaba and Ziba Arbab Moghadam, property owners of 1136 Edinburgh Road, were present.

Associate Planner Torrico stated that the property measures 70,000 sq. ft. (1.6 acres) in lot area and is within Specific Plan No. 4, Area 1. The lot is classified as an equestrian lot with a scenic easement. The property has an 11,919 sq. ft. single-family residence with attached garage. The applicant would like to construct several accessory structures on different parts of the lot that are limited to the type of development based on their land use designation. There are four different land use classification for the subject property are as follows: Residential Use, Equestrian Area, Equestrian Trail & Service Road and Scenic Easement. To simplify the applicant's request, Staff has categorized the proposed accessory structures based on the designation of the lot's land use.

He explained what is being proposed. For the residential area, there is a proposal for a 160 sq. ft. detached bathroom, a 130 sq. ft. glass gazebo, a 272 sq. ft. patio cover and two unpermitted trellis colonnades. In the equestrian easement, there is a 1,750 sq. ft. two-story barn being proposed, unpermitted horse corrals, a 6 ft. high black tubular fence and three unpermitted storage sheds. In the Scenic Easement area there are two unpermitted paved concrete walkways and unpermitted stairs and platform.

For the residential area, the proposed detached bathroom is outside of the front yard setback, 20 ft., and will be screened from the public right-of-way by a 6' high decorative block wall. The glass gazebo

will be constructed out of tempered glass including the roof and will include decorative columns. The patio cover will be over the BBQ area adjacent to the swimming pool. The flat roof will be supported with four decorative columns. As for the two unpermitted trellis colonnades, one is in the front yard setback of the property. Typically, no structures may be constructed or fences greater than 42 inches in height may be permitted within the front yard setback. When the house was built, a 6 ft. high fence was constructed and approved within the front yard setback. He noted that it is compatible with other properties in the neighborhood. He noted that the 1<sup>st</sup> trellis is like a fence, which is ok. He noted that the existing fence is wrought iron. He stated that the Board can make the determination that the height and location of colonnade # 1 is appropriate.

For the equestrian easement area, a 1,750 sq. ft. two-story barn will be located at the rear of the property within the equestrian easement. Barns are permitted and there is no size limitation. The barn, as proposed, seems like a two-story garage rather than a typical barn. Staff has worked with the applicant to incorporate architectural details that are in-line with barns but they were not incorporated into the current design. The unpermitted horse corrals are permitted uses in the equestrian area. It consists of two enclosed areas and an open stable area measuring a total of 1,989 sq. ft. in area. The applicant would like to replace the metal fence with a black tubular steel fence along the equestrian trail. There are currently three unpermitted storage sheds that measure a combined total of 649 sq. ft. in area. The sheds are not permitted in the equestrian easement.

There are two unpermitted paved concrete walkways which are permitted in the Scenic Easement; however, they cannot be greater than 48 inches in width. Walkway #1 measures 36 inches in width and walkway #2 measures 48 inches in width. He recommended that Staff review the retaining walls by the walkways.

Mr. Stevens asked what material is used for the walkway.

Associate Planner Torrico responded paved concrete.

Mr. Stevens stated that he remembers a discussion that took place on another property.

Mr. Beilstein interjected saying it was for gravity block walls that were previously approved.

Mr. Stevens stated that the challenge is whether these changes are consistent with the intent of the Specific Plan.

Mr. Beilstein commented that the City was sued over that issue.

Mr. Stevens asked what the Code says about walkways.

Associate Planner Torrico read the code section aloud to the Board and it indicates paved or non-paved for walkways. He noted for the record, the existing issues on the property are: two unpermitted trellis colonnades, horse corrals, three unpermitted storage sheds, two unpermitted paved concrete walkways and unpermitted stairs and platform.

Mr. Stevens asked if the corrals are covered.

Associate Planner Torrico responded that the applicant is proposing a two-story barn with corrals and a stable area; however, the storage sheds are not permitted and need to be removed. He stated that the two-story barn resembles a garage and noted a condition has been added that will replace the standard doors and replace with horizontal siding with board batten on the 2<sup>nd</sup> story. Also, replace the non-grid windows with multi-panel grid windows.

Mr. Stevens asked if there is existing fencing.

Associate Planner Torrico responded there is an open wrought iron fence. Staff recommends the board approve the detached bathroom, glass gazebo, patio cover, trellis colonnades, barn, horse corrals, tubular fence, and walkways. The storage sheds; stairs and platform are not permitted under the requirements of Specific Plan No. 4 and will be removed as part of the project.

Mr. Stevens inquired about the three storage sheds and asked if they are stick built or like tuff shed.

Associate Planner Torrico replied that one is a tuff shed and the other two are stick built.

Mr. Stevens inquired about the square footage of the sheds.

Associate Planner Torrico responded that the stand along shed is 80 sq. ft. and the combined total of the two attached sheds are 569 sq. ft. with a grand combined total of 649 sq. ft.

Mr. Stevens asked what the sheds will be used for.

Dr. Mojtaba Moghadam, property owner of 1136 Edinburgh Road, responded the smaller shed is used to store hay and grain for the horses.

Mr. Stevens asked how many horses are on the property.

Dr. Mojtaba Moghadam replied they have one horse but are looking at purchasing two more horses.

Mr. Stevens inquired about the equestrian and scenic easement areas. He noted that the scenic easement area was redrawn in 2002. The tradeoff was to merge the two lots together.

Mrs. Garwick asked Associate Planner Torrico to summarize the intent of the scenic easement.

Associate Planner Torrico responded the scenic easement's intent is to maintain the natural landscape of the lot and natural vegetation.

Dr. Mojtaba Moghadam stated that the platform and walkway at the very top of the slope and platform extends far South. He noted that the neighbor has hardscape that is parallel to the platform.

Associate Planner Torrico commented that the platform is in the scenic easement area.

Mr. Sorcinelli stated that the barn is built on rough grade.

Associate Planner Torrico validated that it is built on rough grade and added that the applicant needs to maintain open equestrian use.

Mr. Sorcinelli asked if there is vehicular access to the barn.

Associate Planner Torrico responded that there is a service road that is not intended for vehicles but can be used to deliver hay.

Mr. Sorcinelli stated that there is concrete in front of the barn.

Ed Segura, designer, asked about the storage structures by the equestrian area.

Associate Planner Torrico responded that storage structures are not allowed in the equestrian area and added that the proposed barn could be used to store the items that are in the storage structures.

Mr. Stevens stated that the scenic easement was located and designated in 2002. He noted that it was recorded in some type of form.

Associate Planner Torrico commented that the scenic easement was loosely drawn and there were no dimensions called out.

Mr. Stevens stated that the equestrian areas are specifically delineated. He noted that he would like the opportunity to revisit it with Staff to see what conclusion can be reached. He noted his concern with the walkway versus the platform. He noted that if the sheds were called something else and not a shed, could they then be a permitted use as part of the equestrian area. Mr. Stevens suggested continuing the item so that Staff can address a couple of questions and return to the Board in January 2014.

Mr. Sorcinelli commented that the proposed barn does not look like a barn. He commented that the barn is the weakest element of the proposal. He noted that instead of having a two-story barn, the design should include a larger first floor that will give a more barn appearance.

Mr. Segura stated that it is elongated on the eaves and the garage door can be removed from the proposed barn and replaced with a carriage door.

Mr. Sorcinelli pointed out that photos provided by Staff that shows various barns and noted that there is an outdoor covered area which assists which is a feature that suits barns well.

Mr. Beilstein asked if the deck would be allowed to cantilever on the property line.

Mr. Stevens stated that Staff has to review in order to determine the scenic easement.

**MOTION:** Larry Stevens moved, second by Emmett Badar to continue the item until the DPRB meeting in January 2014 to further investigate: the scenic easement, review the Specific Plan No. 4 and understand the formal walkways that connect the development areas located at the rear of the property; further research to see what types are allowed, determine if the sheds might be considered ancillary to horsekeeping and finalize the barn design.

Motion carried 7-0

**ADJOURNMENT**

There being no further business the meeting was adjourned at 10:17 a.m. to the meeting of December 26, 2013 at 8:30 a.m.

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Jim Schoonover, Chairman  
San Dimas Development Plan Review Board

ATTEST:

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Jessica Mejia  
Development Plan Review Board  
Departmental Assistant

Approved: January 23, 2014