DEVELOPMENT PLAN REVIEW BOARD
MINUTES
January 23, 2014 at 8:30 A.M.
245 EAST BONITA AVENUE
CITY COUNCIL CONFERENCE ROOM, CITY HALL

PRESENT

Emmett Badar, City Council
Blaine Michaelis, City Manager
Krishna Patel, Director of Public Works
Jim Schoonover, Planning Commission
Larry Stevens, Assistant City Manager of Community Development

ABSENT

Scott Dilley, Chamber of Commerce
John Sorcinelli, Public Member at Large

CALL TO ORDER

Jim Schoonover called the regular meeting of the Development Plan Review Board to order at 8:30 a.m. so as to conduct regular business in the City Council Conference Room.

APPROVAL OF MINUTES

MOTION: Jim Schoonover moved, seconded by Larry Stevens to approve the December 12, 2013 minutes. Motion carried 4-0-2-1 (Dilley and Sorcinelli Absent and Patel Abstain).

DPRB Case No. 12-07

Previously reviewed on April 11, 2013. A request to construct a 94,949 sq. ft. enclosed RV storage facility consisting of eight structures on a 4.39 acre site at 638 E. Baseline road at the southwest corner of Baseline Road and San Dimas Canyon Road.

Associated Cases: Conditional Use Permit 12-05, Modification to Development Standards 12-01 and Lot Combination 12-01

Environmental: Mitigated Negative Declaration

APN's: 8661-016-004, 030, 031 & 032

Zone: Light Agricultural (AL)

Ken Hatch, was present.
Rudy Lopez, property owner of 548 Cheyenne Dr., was present.
Steve Miccicle, WF Construction, was present.
Pat Niebla, property owner of 1080 Kiowa Way, was present.
Ariel L. Valli, architect and applicant, was present.

Senior Planner Espinoza stated that the project was heard by the Board previously on two separate occasions. He explained that the building design and square footages have remained the same and that the discussion today was regarding the west property line modifications. He stated that the neighbors were in agreement with the setbacks with the original design. At one of the previous meetings, the original submittal had a 12 ft. setback at the west property line; however, Staff's concern is with the no man's land. During the meeting, the Board recommended the building be shifted to the east to get rid of that no man's land. At that point, the neighbors were not aware of the determination. The Board directed Staff to notify the neighbors of the change. The neighbors were not in agreement with the revisions. Staff placed the project on hold until the applicant and the neighbors came to an agreement. Instead of moving the building back 12 ft., faux setback was created to the adjacent neighbors, do improvements to the rear of the properties for the three neighbors and create a new property line and have a signed document requiring a Lot Line Adjustment. The proposed change would include setting the building 3 ft. away from the new property line. The additional 3 ft. will result in the neighbors gaining 15 ft. of usable land. At the last meeting, the applicant submitted a cross section that shows the existing and new property lines and shows the building height reduction. The applicant also submitted an agreement that discusses the individual properties and what will occur at the rear of the properties, allowing an easement and a new setback. He concluded that all the neighbors are now in agreement.

Mr. Stevens asked if there were any changes to the Conditional Use Permit at the last meeting.

Senior Planner Espinoza responded yes and that the applicant will need to comply with agreements in the letters to the three property owners.

Mr. Patel inquired about the Lot Line Adjustment and Lot Merger.

Senior Planner responded they will be included in the application process.

Mr. Stevens stated that the requirement for the Lot Line Adjustment needs to be added to the agreements and the Conditions of Approval since they cannot be added to the actual Lot Line Adjustment document.

Senior Planner Espinoza commented that Condition No.'s 14-16 describe the maintenance agreements.

Mr. Stevens commented that he does not see the Lot Line Adjustment discussed in the conditions of approval and noted there needs to be something in writing to reflect that information.

Mr. Patel interjected that the Lot Merger information also needs to be documented.

Mr. Stevens commented that the Lot Merger application has already been filed, Lot Combo 12-01. He asked what the reason is for the 3 ft. faux setback.

Senior Planner Espinoza stated that at the corner of the building, there is an eave overhang that needs to be completely within their property line. He noted that the applicant has discussed this with their legal team and it is better to have all eave overhangs and footings on their property.

Mr. Stevens asked if they will have a right of access to maintain improvements along the west property line.

Senior Planner Espinoza replied that Condition No. 16 reflects this information and it is also written out in the agreement letters to the three property owners.

Ariel L. Valli, architect and applicant, stated that the information is in the letters written to the property owners.

Mr. Stevens recommended making the revisions to the letters and updating Condition No. 14. He stated that there needs to be requirements and that the Lot Line Adjustment is included in the agreement either in Condition No. 14 or 16. He asked what will occur at the south property line parcel that is owned by the Water Company.

Senior Planner Espinoza responded a condition will be added to do improvements along the back of the property including a new block wall.

Mr. Stevens asked what the landscape setback is on San Dimas Canyon Rd.

Senior Planner Espinoza responded 15 ft. and 10 ft. of parkway.

Mr. Schoonover pointed out Condition No. 15 which includes the curbs and gutters. He noted that it discusses Baseline Rd. and the Water Company as abstaining for the west end. He noted that the curb at the end of the property does not depict the 12 ft. on the plans.

Mr. Stevens inquired about the curb and gutter improvements.

Senior Planner Espinoza responded there will be full curb and gutter improvements.

Mr. Schoonover stated that the RV gate can be moved to the new 12 ft. area. He noted that currently there is no curb cut at the gate at 1088 Kiowa Way along the north property line.

Senior Planner Espinoza stated that he needs to verify with Public Works if it is allowed.

Mr. Badar stated that John Sorcinelli, a board member who is not in attendance today; stated at the last meeting providing an additional area that is equivalent to the yard space area.

Senior Planner Espinoza stated that the Board vote was to not increase that additional area, it was a comment from one Board member but no motion was made.

Mr. Valli stated that the only item that changed from the previous application is the property line. He noted that documentation was assembled for the neighbors.

Mr. Patel pointed out the easement on the northeast corner is 40 ft. wide. He asked what could be built on the Metropolitan Water District property.

Mr. Valli stated that they are ok with gates but no permanent structures.

Rudy Lopez, property owner of 548 Cheyenne Dr., stated that his property is the pie shaped lot. He commented that he supports the project; however, his concern is with the height of the wall. Originally the wall was proposed to be 11 ft. high but now the staff report reads that it will be up 3 ft. which would be a 14 ft. high wall. He stated that his concern is that the view of the mountains will be lost. He noted that currently there are utility lines/string poles situated outside to demonstrate the height of the wall.

Mr. Badar asked what the height was originally presented as.

Mr. Lopez responded 11 ft.; however, that will change because of the grade that will be an additional 4 ft.

Mr. Valli stated that the story poles and string lines are set as the designed plans are today. He added that the confusion of the different heights of the walls is due to the fact that all three properties are different in heights. He noted that some of the walls slope down towards the freeway. He noted that the utility poles/string lines were correct and will not be higher than that.

Mr. Stevens inquired about the small retaining wall at the rear property line of the neighbors. The actual building is 12 ft. high. He noted the elevations for the floor and storage unit and pointed out there are ways to lower the heights of the building.

Mr. Valli responded that RV storage facilities are required to have certain heights for doors and noted it is 10 ft.

Mr. Stevens stated that there is fill in that area along the property line on the westerly portion of the property. He noted that the drainage is going towards the freeway.

Mr. Valli stated that there is a difference of floor heights and noted some houses step up slightly.

Senior Planner Espinoza stated that the utility line/string poles currently out on the property include the grade. He noted that the wall will not be higher than the existing line.

Mr. Lopez stated that the utility line/string poles will be the height of the wall. He stated that the wall is 11 ft. high and with the fill, it would be an additional 3 ft. taller. He commented that he does not know if the current utility line/string poles are 14 ft. high and if so, it is way too high.

Mr. Badar asked if the line is at where the height is recommended for.

Mr. Stevens noted the grading plan and stated that he is trying to understand drainage at the east to west that leads to the sump into the corner on the freeway at the property line. He noted that there is a drainage acceptance letter from Cal Trans that can be looked at.

Mr. Patel stated that the plans do not reflect changes in terms of adjusting the property line.

Mr. Stevens noted that we should do everything to minimize the height by adjusting the grading or parapet or interior height a little bit. Six inches of this reduction will reduce the height of each. Staff can add a condition to do everything which includes: lower interior building, lower the parapet height and minimize the grade to lower the wall on the west property line.

Mr. Lopez stated that he is hoping for a 3 ft. reduction in height.

Mr. Stevens stated that they could lower some of the interior of the building for the RV storage.

Mr. Valli stated that the reduction would allow for a small RV to park in that particular garage. He stated that he could possibly reverse the slope which will take out one foot. The new Green Code requires runoff and dust are treated. He stated that they need to revise the grading plan and underground tanks.

Pat Niebla, property owner of 1080 Kiowa Way, agreed on all the details on the contract. He requested that she receive a signed contract.

Mr. Stevens stated that the City services as a middle man and will verify that there is a written agreement provided and signed to the all affected property owners.

Mr. Badar commended Staff on bringing the homeowners and developers together.

MOTION: Emmett Badar moved, second by Blaine Michaelis to approve, subject to the following conditions: update either Condition No.'s 14 – 16 to incorporate the requirement of a Lot Line Adjustment application with the association of the maintenance agreement and improvements to the adjacent properties at 1076, 1080 or 1088 Kiowa Way, update Condition No. 59 to include additional street improvements on the west portion adjacent to the property at 1088 Kiowa Way and add a condition to require the applicant to try to reduce the interior building height, the parapet wall and/or minimize the grade in order to reduce the height of the west property line wall.

Motion carried 4-1-2-0 (Stevens No and Dilley and Sorcinelli Absent)

Mr. Schoonover stated that the item is scheduled to be heard at Planning Commission in February 2014.

DPRB Case No. 13-37

A request to construct a 4,909 square foot two-story single-family residence with a 512 square foot attached two-car garage located on a vacant hillside parcel on De Anza Heights Drive.

APN: 8382-011-019

Zone: Single-Family Hillside (SF-H) with a Private Horse Overlay

Mona Albouz, 2049 Terrebonne Ave, was present.
Abdel Alomar, designer, was present.

Associate Planner Torrico commented that the vacant property currently has no designated address. The zone is Single-Family Hillside and noted the majority of the site is sloped. The proposed 2-story house will also have an attached 2 car garage. He stated that they are proposing to do extensive grading to create a flat pad and access will be taken from the western portion of the site. He stated that he has worked with the applicant for several months to comply with the code requirements and to have the building be compatible with the surrounding uses but concerns still exist. He stated that the concern is with the grading since hillside lots are discouraged from extensive grading to create flat pads. The Code requires that the design conform to the natural form of the slope and emphasized that the project requires extensive grading. The applicant has made no attempt to design the house into the hillside. There are issues with the design and massing of the structure. He stated that once the house is redesigned and an attempt is made to build into a hillside, issues will be addressed.

Associate Planner Torrico reviewed the project with John Sorcinelli, Board member, prior to today's meeting because he was not able to attend. Mr. Sorcinelli expressed his concerns with project, which include: that the grading is too extensive and not feasible as proposed, split level design should be used. Mr. Sorcinelli also stated that the design does not relate to the site and the plans do not match the rendering. Also, the back of the property will drain into the home and added that the way the house is situated, the garage could be relocated to where the driveway is located thus not that much grading will be required. He stated that the plans are not a clear representation of what will actually be built. Mr. Sorcinelli also commented that the balcony will not comply with the Building Code as drawn. He also expressed his concerns with the roof eaves will actually be constructed.

Associate Planner Torrico stated that after several meetings with the applicant, they were unsuccessful in reaching an option that works.

Mr. Stevens pointed out Section AA of the grading plan and asked if the 4 terrace walls being added are adjacent to the street is because the existing topography is shown. He asked if will now gradually come out to the right –of-way.

Mr. Patel stated that there is a considerably steep drop.

Mr. Stevens asked if the cross section is an accurate representation. He stated that the length is approximately 150 ft. and the site rises 46 ft., which is 30% slope. He asked if the lot was created by a parcel map or some other way.

Associate Planner Torrico responded he was not sure.

Mr. Badar asked in planning terms, what is some other way.

Mr. Stevens responded it could have been written in a Grant Deed prior to 1960 when the County required parcel lots. Parcel lots get improvement requirements beyond the lot size. The Grant Deed could have been written by two property owners without considering other factors. He asked that an investigation be conducted to verify if a Grant Deed has been created on the parcel dated prior to when required. The Certificate of Compliance can put new requirements on the certificate.

Mr. Patel stated that there are currently two projects nearby that will install new curbs and gutters.

Mr. Stevens stated that there should be a new curb and gutter installed for this project. He stated that by knowing how it is created, it may change the opportunity for those types of improvements and dedications. The applicant needs to verify when the lot was created and the chain of title then it needs to be reviewed by the City Engineer in order to be a legal lot. There needs to be a different strategy to develop the site based on cross sections and noted that 18% is a steep slope for a driveway. The house needs to be stepped to match the hillside. He stated that the plan proposed today is not ready to be an approvable plan.

Mr. Michaelis asked if there is a Code in place that puts a maximum on grading.

Mr. Torrico responded that this zone does not have a maximum grading. He stated that other specific plans have limitations.

Mr. Stevens responded that Single-Family Hillside is the oldest hillside zone in the City and derives from the 70's. He added that most areas in the Specific Plan zones started as Single-Family Hillside zones. He added that developers negotiated Specific Plan's to give them more flexibility.

Mr. Patel asked if this project triggers a rendering or model to be submitted.

Associate Planner Torrico responded yes for hillside zones; however, since the proposed project is not ready, a rendering or model was unnecessary.

Mr. Stevens commented that Staff encourages the applicant to submit something that fits the topography better.

Abdel Alomar, designer, stated that they had design issues. The owner wants the house the way it is being proposed and has been trying to fight for it. He stated, as the designer, he wants to hear the changes to give the applicant the feedback that is necessary to make a better design.

Mr. Patel stated that Associate Planner Torrico mentioned a street right-of-way that existed before. He stated that there may be underground utilities that should be made aware.

Mr. Alomar commented that he could not find anything in the title report or county recorders.

Mr. Patel asked if he could recall if the property was recorded.

Mr. Alomar responded no.

Mr. Stevens inquired about the sewer.

Mr. Patel responded they are required to connect to a sewer.

MOTION: Larry Stevens moved, second by Emmett Badar to refer this project back to Staff level in order to make the necessary changes to reduce the proposed grading, revise the house design so that it steps into the hillside and verify how the parcel was created.

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

Mona Albouz, 2049 Terrebonne Ave, stated that she resides at the house next door and asked if the driveway will be as steep as proposed and if it will be coming into her driveway.

Mr. Stevens responded no and added it will not be an issue.

ORAL COMMUNICATIONS

Mr. Steven discussed not requiring 24x36 plans be distributed to the Board members, but instead, providing 11x17 plans. He noted that Staff needs the larger size plans for review and to present at the meetings. He asked if any Board members had any objection and there was no objection. He suggested the applicant provide 4 sets of the 24x36 and the rest be 11x17.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:31 a.m. to the meeting of February 13, 2014 at 8:30 a.m.

Jim Schoonover, Chairman
San Dimas Development Plan Review Board

ATTEST:

Jessica Mejia
Development Plan Review Board
Departmental Assistant

Approved: March 13, 2014