



## Legislation Details (With Text)

**File #:** 17-245      **Version:** 1      **Name:**  
**Type:** Hillside      **Status:** Agenda Ready  
**File created:** 6/22/2017      **In control:** Hillside Building Committee  
**On agenda:** 6/26/2017      **Final action:**  
**Title:** Combined review for retaining walls, pool remodel, and spa addition located at 5631 N. 52nd Place (APN: 172-47-037B).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity & Aerial, 2. Report, 3. Retaining Wall Plans, 4. Application, 5. Narrative, 6. Hardscape, Landscape & Lighting Plan, 7. Material Samples, 8. 3 Light Fixtures, 9. Drainage Memo, 10. Pool Narrative, Photos & Material Samples, 11. Pool Plans, 12. Noticing Materials, 13. Hillside Minutes 06 14 17

Date	Ver.	Action By	Action	Result
6/26/2017	1	Hillside Building Committee		

**TO:** Hillside Building Committee

**DATE:** June 26, 2017

**FROM:** George Burton, Planner

**SUBJECT:** Combined Review for Mady Residence - 5631 N. 52<sup>nd</sup> Place (APN: 172-47-037B). Application for retaining walls, pool remodel, and new spa.

The owner of the property located at 5631 N. 52<sup>nd</sup> Place submitted an application for the addition of new retaining walls, a pool remodel, and new spa.

### History/Background

The Town received a complaint regarding the addition of retaining walls on the subject property. Staff visited the site and informed the owner that the improvements require hillside approval and permits. Two of the retaining walls are located on the property and are subject to Hillside Committee review.

Also, four retaining walls were placed in the right-of-way. One of the retaining walls will be removed and the applicant is working with the Town on obtaining an encroachment permit for the other retaining walls. The retaining walls located in the right-of-way are not subject to Hillside Committee review.

The Hillside Committee discussed this application at the June 14<sup>th</sup> meeting. During the meeting, the Committee expressed concern that the retaining walls do not blend in with the hillside, concerns regarding the structural soundness of the retaining walls, and concern about the finish of the metal guard rail. The Committee continued the application to Monday, June 26<sup>th</sup> at 9:00 am to allow the applicant to provide a sample board with veneers, drawings showing the revised plans, a 3/16" bushed stainless steel guard rail, and plans with structural

details. A copy of the draft June 14, 2017 meeting minutes is enclosed for reference.

### Site Improvements

- *Retaining Walls.* Based upon input from the June 14<sup>th</sup> meeting, the applicant updated the submittal to modify the retaining walls. The applicant also expanded the scope of work to include landscape, hardscape, and lighting improvements.

The retaining walls were constructed to prevent erosion of the property. The first retaining wall (retaining wall #1 on Sheet S1) is located near the existing carport. This wall is setback 5' from the north property line, is 3'6" tall, and 26' long. The original design consisted of masonry block with a stone veneer. In order to improve the aesthetics of this wall, the stone veneer will be replaced with a stucco finish. It will be painted a brown color (Tanbark 6061 SW) which has a light reflective value (LRV) of 15%. A flagstone walking surface will be placed between the retaining wall and the carport. Due to fall potential, a 36" guard will be placed on top of the retaining wall. The applicant noted that an uncoated stainless steel will be used for the guard rail.

The second retaining wall (retaining wall #2 on Sheet S1) is setback 1' from the north property line, is 6' tall, and 76' long. The original design consisted of three different materials: cinder block, masonry block with stone, and rip-rap. In order to improve the aesthetics of this wall, the applicant is proposing to construct a "double wall," in which a concrete wall will be placed in front of the existing retaining wall. The existing retaining wall will be lowered and covered with fill. The new concrete wall will be placed in front of existing retaining wall and will have an extended footing in the front of it that will act as a pathway/walking surface. The concrete retaining wall will have a smooth surface and will be painted a brown color (Tanbark 6061 SW - which has a light reflective value of 15%). The maximum allowable LRV is 38%.

- *Hardscape.* Hardscape, landscape, and lighting improvements were not part of the original application and have been added to the updated submittal. A pathway will be placed along low side of the second retaining wall (retaining wall #2 on Sheet S1). The pathway is a 4' wide concrete path with steps. The pathway will be painted or stained to match the retaining wall. Another set of steps have also been added to the west side of retaining wall #2. These steps will be painted or stained to match the retaining wall. Lastly, a v-shaped drainage swale will be placed next to the pathway to help mitigate water from the new hardscape/pathway.
- *Landscape & Lighting.* 7 Queen of the Night cactus and 6 Aloe plants will be placed between the retaining walls. Also, 9 new up-lights and 6 downlights will be placed around retaining wall #2. The applicant provided details on 3 different up-lights. However, the fixtures are not compliant with code. The two of the up-lights exceed the output of 150 lumens and the third up-light is a multi-colored light that is prohibited by Section 2208.G of the Zoning Ordinance. Also, the applicant has not provided a detail on the down-light. As result, a stipulation has been added requiring the light fixtures to be reviewed and approved by the Chair and staff prior to issuance of a building permit.
- *Pool Remodel & Spa Addition.* The pool area is located along the east side of the house and is setback approximately 70' away from the north property line. The pool area is situated within an existing retaining wall that varies in height from approximately 6' tall to 20' tall. A new spa will be placed next to the existing pool and a new travertine tile surface will be placed around the pool area. Also, a 3'6" tall glass panel guard will be placed round the pool area. The glass panels are supported with an unpolished metal frame. The glass panel guard is compliant with the hillside ordinance, which requires a minimum openness of 80%.

Also, a 3'6" tall masonry screen wall will be placed around the pool equipment. The screen wall will have a stucco finish and will be painted a red color to match the existing retaining wall. The LRV of the screen wall is approximately 7%.

#### Disturbance

The subject property is 5.83 acres in size and has a building site slope of 28.5%. According to the plans, the allowable disturbed area is 28,164 square feet and the proposed disturbance is 9,770 square feet.

#### Public Comment

Prior to the June 14th meeting, a neighbor expressed concern regarding the ascetics of the wall and the guard rail. The neighbor was concerned that the retaining walls do not blend in with the hillside and was concerned about the unpolished metal used for the pool guard. During the meeting, a neighbor stated that he would like to see this application move forward as quickly as possible.

The table below lists the pertinent development information:

<b>Description</b>	<b>Quantities</b>
Area of Lot	5.83 acres or 253,962 Sq. Ft.
Area Under Roof	Existing
Proposed Floor Area Ratio	Existing
Building Site Slope	28.5%
Allowable Disturbed Area	28,164 Sq. Ft. (11.09%)
Existing Disturbed Area	Existing
Proposed Disturbed Area	9,770Sq. Ft. (3.84%)
Volume of Cut/Fill	40 CY
Hillside Assurance	\$1,000
Number of Retaining Walls	2 new
Length of all Retaining Walls	102 lineal feet
Maximum Building Height	Existing
Overall Height	27 feet 6 inches

Should the Hillside Committee wish to approve this application, staff suggests the following stipulations:

1. A signed and sealed letter from a registered structural engineer must be provided to the Town certifying that the retaining walls are structurally sound. This letter must be provided to the Town prior to issuance of a building permit.
2. The v-shaped drainage swale must be reviewed and approved by the Town Engineering Department prior to issuance of a building permit.
3. The proposed up-lights and down-lights must be reviewed by the Hillside Committee Chair and staff for code compliance prior to issuance of a building permit.
4. Prior to issuance of a building permit, the applicant shall submit a hillside assurance in the amount of

\$1,000.00;

5. All construction parking shall be located on the property as much as possible. Any offsite parking shall be confined to the south side of 52<sup>nd</sup> Place. No construction materials will be allowed to be stored on the Town's right-of-way;
6. No final approval or certificate of occupancy shall be issued until all hillside stipulations and all Town Code requirements are complied with, including, but not limited to, landscaping, fire flow, fire safety and all onsite and offsite improvements;
7. The limits of construction and proposed disturbed areas shall be clearly staked in the field, with visible roping, prior to and during construction and shall conform to the approved individual site analysis plan.
8. Noise from construction that can be heard off-site, including, but not limited to, hydraulic ram hammers, equipment used to cut through rock, machinery with audible back-up warning devices, powered machinery, truck delivery and idling, constant and persistent hammering, shall comply with Article 8-10, Nuisance Noise, as set forth in the Town Code. Heavy Equipment and construction-related deliveries are generally limited between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday; no work on Saturday, Sunday or legal holidays. Exceptions include a one hour early start time in summer, time exceptions granted by the Town Manager, and construction not defined as Heavy Equipment or deliveries that can occur outside the 7:00 a.m. to 5:00 p.m., Monday through Friday, time frame.

CC: Atila Mady, Najib Monsif, Kenneth Maule, Applicant