



## Legislation Text

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**File #:** 17-223, **Version:** 1

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**TO:** Hillside Building Committee

**DATE:** June 14, 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 three retaining walls. The retaining walls located in the right-of-way are not subject to Hillside Committee review. Also, the remodel of the existing pool and addition of a new spa has been included in this application.

### Site Improvements

- *Retaining Walls.* The retaining walls were constructed to prevent erosion of the property. The first retaining wall is setback 2' from the north property line, is 6' tall, and 76' long. This retaining wall is comprised of three different materials: cinder block, masonry block with stone, and rip-rap. The cinder block is a brown color that has a light reflective value (LRV) of 18%, the masonry block is a reddish color with an LRV of 7%, and the rip-rap portion of the wall is a brown color with an LRV of 26%. The maximum allowable LRV is 38%.

The second retaining wall is located near the existing carport. The second wall is setback 5' from the north property line, is 3'6" tall, and 26' long. This retaining wall is made of masonry block with stone. It is a reddish color and has an LRV of 7%. A flagstone walking surface will be placed between the retaining wall and the carport. Due to fall potential, a 30" guard will be placed on top of the retaining wall. The guard is an unpolished metal rail.

There is no lighting or landscaping associated with the new retaining walls.

- *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

A neighbor expressed concern regarding the aesthetics 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.

The table below lists the pertinent development information:

Description	Quantities
Area of Lot	2.83 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	9,770 Sq. 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. Prior to issuance of a building permit, the applicant shall submit a hillside assurance in the amount of

\$1,000.00;

3. 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;
4. 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;
5. 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.
6. 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