

HILLSIDE REVIEW BOARD AGENDA REPORT: 11/30/2022
HILLSIDE REVIEW BOARD AGENDA REPORT: 02/08/2023

150 N. Donlee Drive Hillside Development Permit (Case No. 2022-HS-018)		
Request:	A Hillside Development Permit to mitigate the placement of a block wall in the hillside development overlay zone.	
Applicant:	Ryan and Martina Davis	
Representative:	same	
Location:	150 N. Donlee Drive	
General Plan:	Low Density Residential (LDR), Open Space (OS)	
Existing Zoning:	R-1-8 (Single Family Residential, minimum lot size 8,000 sf)	
Surrounding Zoning:	North	R-1-8
	South	R-1-8
	East	OS (Open Space
	West	R-1-8
Land Area:	Approximately 0.26 acres	



UPDATE

This item was continued on 11/30/2022 to give the applicant time to address the issues brought up. The Concrete Block Wall Letter has been updated to address the concerns brought up in the Hillside Meeting in November (Please see Exhibit "D"). Below are the comments provided by Kent Nelson, P.E. on the updated letter:

1. The factors of safety I state in the report are what the readouts attached to the report give for the entire wall. Item 1 from the email points out a factor safety shown on the printout that's not for the entire wall.
2. I provided analyses for 3 different compaction levels. Very poor compaction/The compaction measured in our site visit/and the "ideal" compaction of 96% compaction. I felt that using a dry density of 132 pcf was unreasonable.
3. The walls still look fine after the weeks of light rain we've had. Drainage issues are fairly clearly discussed in the report and the owner has plans for drainage for the walls.

BACKGROUND

This is a request to obtain a hillside permit for the property located at 150 N. Donlee Drive, Lot 201, Valley View Heights Phase 2 (see Exhibit A, Final Plat). The applicant has put in a retaining wall along their rear property line, which is along the ridgeline above Bluff Street, to build up the property to make the yard more usable. The retaining wall was built without a hillside or building permit. After the retaining wall was built, the applicant hired a third-party engineer to evaluate the stability of the retaining wall. Please refer to Exhibit B to view the entire report

This hillside item has two purposes. The first is to determine if the retaining wall that was installed is structural sound, and if this Board agrees with the submitted engineering report found in Exhibit A. The second purpose is to mitigate the ridgeline setback issue. This property was subdivided before the hillside ordinance went into effect. According to the Ridgeline Map, this property is not located within the Cuesta (100' setback) or Plateau Ridge Line (50' setback); therefore, the ridgeline setback for this location is 30'. The location of the ridgeline has not been determined for this location. Please refer to the photos provided in Exhibit C.

APPLICABLE ORDINANCE(S) (Selected portions)

10-13A-6: Building Setbacks and Additional Design Standards:

- A. *Setbacks:* All setbacks shall conform to the underlying zone criteria except as provided herein. No structure or accessory structure shall be constructed within the setback area as defined below. However, a see-through wrought

iron fence with at least fifty percent (50%) of the fence open, landscaping, and a nonvertical swimming pool are permitted in the setback area.

1. *Ridgelines*: All ridgelines as shown on the ridgeline map shall be subject to the setback provisions contained herein. Setbacks from ridgelines not identified on the ridgeline map shall be a minimum of thirty feet (30'), or greater if recommended in the geotechnical reports.
 2. *Plateaus*: On plateaus, the setback from the ridgeline shall be a minimum of fifty feet (50') unless a greater setback is recommended in the geotechnical reports.
- C. *Cuesta*: Where a ridgeline occurs on a cuesta, the minimum setback shall be one hundred feet (100') measured normal (perpendicular) to the closest point of the ridge, unless a greater setback is recommended in the geotechnical report.
- D. *Additional Design Standards*:
1. Retaining walls shall be colored to blend into the surrounding natural geology.
 2. Retaining wall height is limited to the heights set forth in chapter 18 of this title and the standards for rock wall construction.
 3. Building exterior colors shall be earth tone and blend with the surrounding natural landscape.
 4. In residential zones, "no disturbance" areas shall be held as the "common area" of a project. Common areas shall be owned and maintained by the homeowners' association or may be deeded to the city when accepted by the city.
 5. In nonresidential zones, any "no disturbance" area shall be identified on the final site plan or final plat.
 6. Any required no disturbance area shall be identified on the ground with temporary fencing or other approved means to prevent accidental disturbance of the area during construction and such fencing shall be installed prior to issuance of a grading permit.
 7. The building site shall be located on the flattest portion of the parcel.
 8. No structure shall extend over any natural ridgeline. The structure shall be in contact with the ground at all edges. (Ord. 2019-10-002, 10-10-2019)

EXHIBITS PROVIDED

1. Exhibit A – Valley View Heights Phase 2 Final Plat
“Exhibit A” shows lot 201 of the final plat of Valley View Heights Phase 2
2. Exhibit B – Engineering Report
“Exhibit B” is a report made by Landmark engineers of the structural stability of the existing retaining wall
3. Exhibit C – Photos of the property before and after
“Exhibit C” are a collection of photos showing the location before and after the building of the retaining wall
4. Exhibit D – UPDATED Engineering Report
“Exhibit D” is an updated report (updated on 1/24/2023) by Landmark engineers to address the concerns that came up during the last hillside meeting

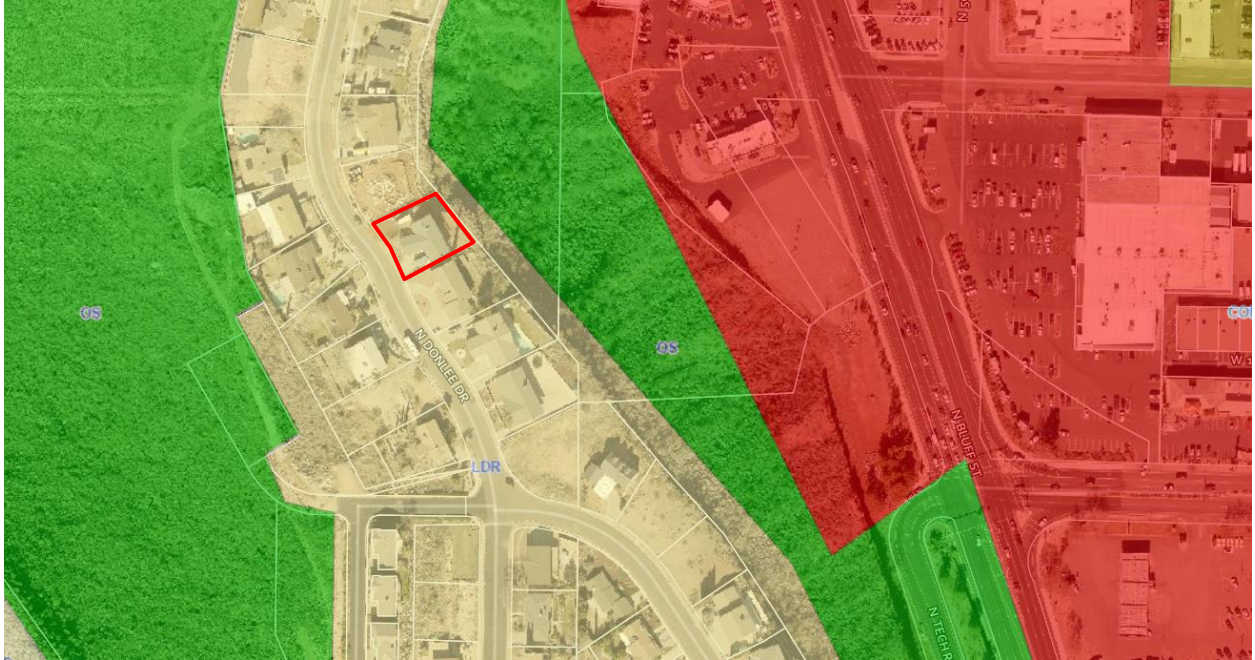
RECOMMENDATION

Staff suggests the following recommendation:

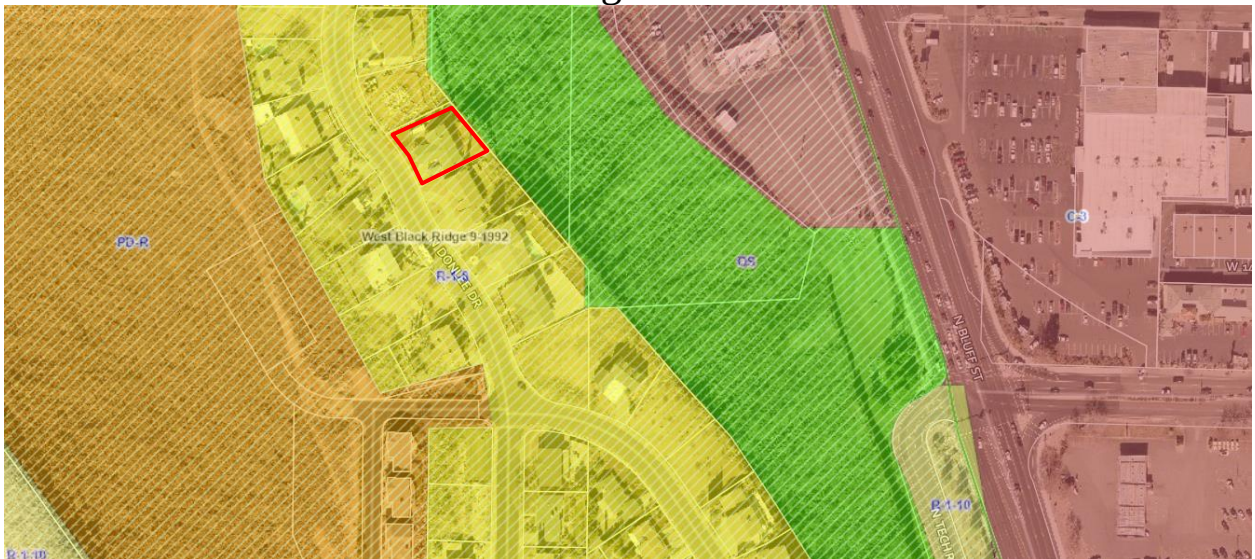
The Hillside Review Board recommends approval of this hillside permit with the following acknowledgements and conditions:

1. The Hillside Review Board acknowledges that no ridgeline existed at this location and that the owner has created a ridgeline by placing a retaining wall between two existing ridgelines.
2. The Hillside Review Board acknowledges that the retaining wall is approximately 10’ tall which exceeds the maximum allowed height by 2’ and that the applicant did have plans to bury 2’ of the retaining wall, but that the Hillside Review Board would prefer that the applicant does not disturb any more of the hillside.
3. A Notice of Noncompliance letter shall be recorded against the property so that future owners will know that this retaining wall was erected prior to obtaining a hillside and building permit and that no compaction tests were taken during construction nor any observation of the construction by a geotechnical engineer.
4. The retaining wall shall be colored to blend into the surrounding natural geology.

General Plan - COM



Zoning - R-1-8



[illegible]

Exhibit B

Retaining Wall Engineering Report

Exhibit C

Before and After Photos of the Project



Rear of House – Before



Rear of House - Before



Rear of House – Before Rear of House – Google Earth





Rear of House – 11/21/2022



Rear of House – 11/21/2022



Rear of House – 11/21/2022



Rear of House – 11/21/2022

Exhibit D
UPDATED Retaining Wall Engineering Report