



**REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL
ARCHITECTURAL CONTROLS AND STANDARDS COMMITTEE**

**Monday, May 8, 2023 – 1:30 p.m.
Laguna Woods Village Board Room/Virtual Meeting
24351 El Toro Road, Laguna Woods, CA 92637**

ADDENDUM TO THE AGENDA

The following agenda item was available after the agenda packet was printed. Please include the following item in your agenda packet:

OPEN AGENDA

- 9. Revised Variance Request - 5516-C: Variance to Retain White Garage Door
- 10b. Revision to Architectural Standard 4: Air Conditioning Units/Heat Pumps
- 10c. Recordable Common Area Exclusive Use Revocable License Legal Fee

Jim Cook, Chair
Michael Horton, Manor Alterations Manager
Telephone: 949-597-4616

Third ACSC – May 8, 2023

Variance Requests

Agenda Item #9	Manor Address	Description of Request	Summary of Request and Staff Recommendation (*)
A	5516-C	Retain White Garage Door Color	<p>1. 5516-C is at the end of a three-manor building.</p> <p>2. Variance is to retain a white garage door.</p> <p>3. Mutual Consent 22-1959 was submitted November, 2022 to replace the garage door. It was noted on the MC to "Please match existing color of adjoining manors". Member installed a white garage door instead of the building approved color Khaki Green.</p> <p>4. A Correction notice was issued 3/2/23 to match the existing Khaki Green color per Standard 16.2.3 "All garage doors in multi-unit buildings shall be selected and/or painted to maintain an appearance that conforms to the approved paint color criteria as dictated by the Mutual's Policy on Exterior Paint Colors and Procedures.</p> <p style="text-align: right;">Staff Recommendation: Approval</p>

(*) The following attachments are included for your review and reference.

1. Variance Request Form
2. Photos
3. Location Map
4. Plan(s)
5. Draft Conditions of Approval
6. Draft Resolution



STAFF REPORT

DATE: May 8, 2023
FOR: Architectural Controls and Standards Committee
SUBJECT: Revision to Standard 4: Air Conditioning Units/Heat Pumps

RECOMMENDATION

Recommend that the Board of Directors approve a resolution to revise Standard 4: Air Conditioning Units/Heat Pumps.

BACKGROUND

The Architectural Controls and Standards Committee (ACSC) initiated a review of the current Standard 4: Air Conditioning Units/Heat Pumps (Attachment 1) and proposed revisions to the Standard to Standard 4 was last revised in March 2023, via Resolution 03-23-23 (Attachment 2).

DISCUSSION

On April 10, 2023, the Third ACSC directed staff to revise the Standard (Attachment 3).

Staff is presenting the proposed revised Standard (Attachment 4) and accompanying resolution (Attachment 5) to the ACSC for additional consideration before presenting the matter again to the full board. The proposed standard is intended to reflect the current Building Codes, Municipal Codes, or mutual policies to allow for the removal of the wall mounted sleeve and replacement with a wall mounted mini-split condenser.

FINANCIAL ANALYSIS

The removal and repair of the wall mounted wall sleeve will be the responsibility of the requesting mutual member. The cost to repair any damage to the mutual property resulting from the removal and replacement of the wall sleeve with a wall mounted mini-split will also be the responsibility of the member.

Prepared By: Michael Horton, Manor Alterations Manager

Reviewed By: Baltazar Mejia, Maintenance & Construction Assistant Director
Gavin Fogg, Manor Alterations Supervisor

ATTACHMENT(S)

Attachment 1 – Current Standard 4: Air Conditioning Units/Heat Pumps
Attachment 2 – Current Resolution 03-23-23
Attachment 3 – Redlined Revised Standard 4: Air Conditioning Units/Heat Pumps
Attachment 4 – Final Draft Standard 4: Air Conditioning Units/Heat Pumps
Attachment 5 – Revised Resolution 03-23-XX

ATTACHMENT 1 - CURRENT STANDARD 4



STANDARD 4: AIR CONDITIONING UNITS/HEAT PUMPS

REVISED SEPTEMBER 2005, RESOLUTION 03-05-20
REVISED FEBRUARY 2006, RESOLUTION 03-06-09
REVISED SEPTEMBER 2006, RESOLUTION 03-06-40
REVISED JULY 2010, RESOLUTION 03-10-100
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REVISED JULY 2015, RESOLUTION 03-15-101
REVISED JANUARY 2018, RESOLUTION 03-18-13
REVISED JULY 2019, RESOLUTION 03-19-71
REVISED MARCH 2023, RESOLUTION 03-23-23

1.0 GENERAL REQUIREMENTS

SEE STANDARD SECTION 1: GENERAL REQUIREMENTS

2.0 THROUGH THE WALL A/C-H/P UNITS

- 2.1** Units must be installed in knock-out panel areas, under windows, or as determined by the Alterations office, with due consideration given to the effect on adjoining manors.
- 2.2** No condensing unit may be located in or project into any walkway, breezeway, or interior court of a three-story building
- 2.3** Window mounted units are prohibited.
- 2.4** Condensing units must not be located more than 12" above grade, unless otherwise approved by the Alterations office due to site conditions.
- 2.5** Sleeves must be painted to match the color of the wall.
- 2.6** Above grade installation of heat pumps require condensation drain line connection to an approved discharge location. Mutual Member assumes all responsibilities for any damage that may occur from condensation.
- 2.7** In the absence of an approved alternate heat source, removal of the through-the-wall AC/Heat pump and wall condensing units is prohibited.

2.8 Removal of sleeves in stucco walls:

- a. Removal of sleeves in three-story buildings is prohibited.
- b. Removal of sleeves in stucco walls of one and two story buildings shall be evaluated on a case-by-case basis. A variance may be required.
- c. When permitted, removal of sleeves in stucco walls require that the patch must be made in accordance with standard construction practices to maintain the water proof integrity of the wall. The texture and color must match the existing wall. On balconies, the spacing between the wrought iron and exterior of the building will be required to meet Code regulations. Lead samples may be requested by the Alterations Division.
- d. Removal of sleeves in walls with wood siding must be made In accordance with standard construction practices to maintain the water proof integrity of the wall. The entire section of wood siding under a window, from trim to trim, must be replaced and the texture and color must match the existing wood siding.

3.0 CENTRAL AND DUCTLESS UNITS

- 3.1** Only one condensing unit per manor is permitted.
- 3.2** Roof-mounted self-contained package units are prohibited.
- 3.3** Outdoor condensing units must be sized to be the most compact unit appropriate for the manor.
- 3.4** Outdoor condensing units for single level manors shall be installed at ground level only. Outdoor condensing unit locations for two and three story buildings are as follows: second and third floor manors shall be installed at ground level unless not feasible. Outdoor condensing unit locations unfeasible for ground level installations for two and three story buildings may be installed on flat roofs directly above the manor.
- 3.5** The location of outdoor condensing units must be approved by the Alterations office. Prior to issuance of a Mutual consent, consideration will be given to any affected or adjoining manors. Manor Alterations will distribute Neighbor Awareness notices as deemed necessary.

- 3.6** All landscape and irrigation revisions required to accommodate the location of an outdoor condensing unit must be performed by the Mutual at the Mutual Member's expense.
- 3.7** Ground level outdoor condensing units must be located within 24" of the building wall and mounted on a manufactured non-metallic and/or concrete pad.
- 3.8** All exterior wiring, condensate, and coolant lines must be encased in a single, square or rectangular sheet metal two-piece chaseway painted to match the color of the wall to which it is attached. Roof mounted chases or ducts are prohibited.
- 3.9** The chaseway must be made rodent proof by installing wire mesh at the bottom of the chaseway. The use of steel wool is not allowed; but, pest control expanding foam may be installed in addition to the wire mesh as long as it is properly trimmed to remove visible overflow.
- 3.10** Watertight seals must be provided around all penetrations.
- 3.11** Each installation on a building's elevation that faces another building or heavily traveled common area will be limited to one run and the length must be kept to a minimum and as unobtrusive as possible.
- 3.12** Each installation on a building's elevation that does not face another building or heavily traveled common area will be limited to three runs, and the lengths must be kept to a minimum and be as unobtrusive as possible.
- 3.13** Cutting of a cornice molding to accommodate a chaseway shall be performed by removing the affected section of molding, cutting the metal flashing at both ends, applying sealant under the metal flashing, bending the metal flashing to be flush with the wall and fastening the metal flashing in place using screws. Sealant shall be applied as needed and the cut ends of the cornice molding shall be sealed.
- 3.14** Roof-mounted condensing units must be mounted on a raised platform constructed per Mutual approved Standard Plan drawings. All tie-ins to a PVC Cool Roof must be performed by a certified roofing contractor. A Roofing Contractor Verification form will be required prior to the issuance of a permit.
- 3.15** Cutting or altering of roof trusses for the installation of air handlers in attic spaces must be designed and stamped by a licensed architect or engineer.
- 3.16** When air handlers are installed in water heater closets, sufficient space must be provided above and around the water heater for repair and replacement of the water heater.

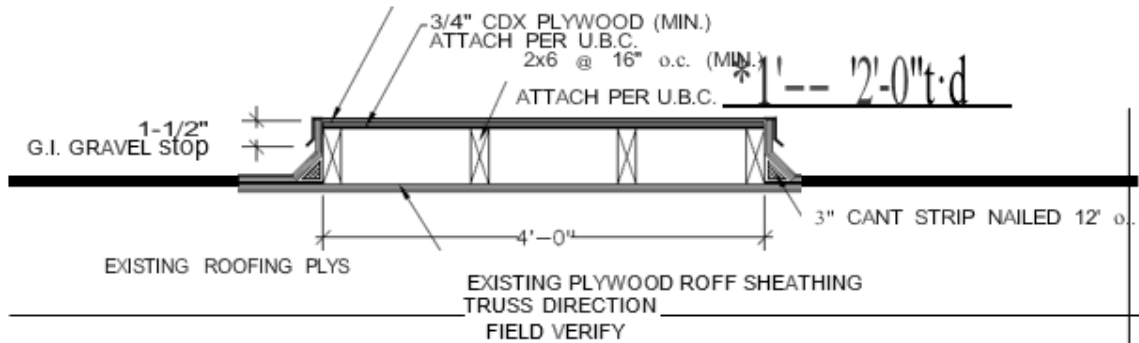
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SPUD EXISTING ROOF AREA AROUND PLATFORM A
 MINIMUM OF 2 FEET AWAY FROM EACH SIDE.
 PRIMER PLATFORM SIDES, CANT STRIP, AND
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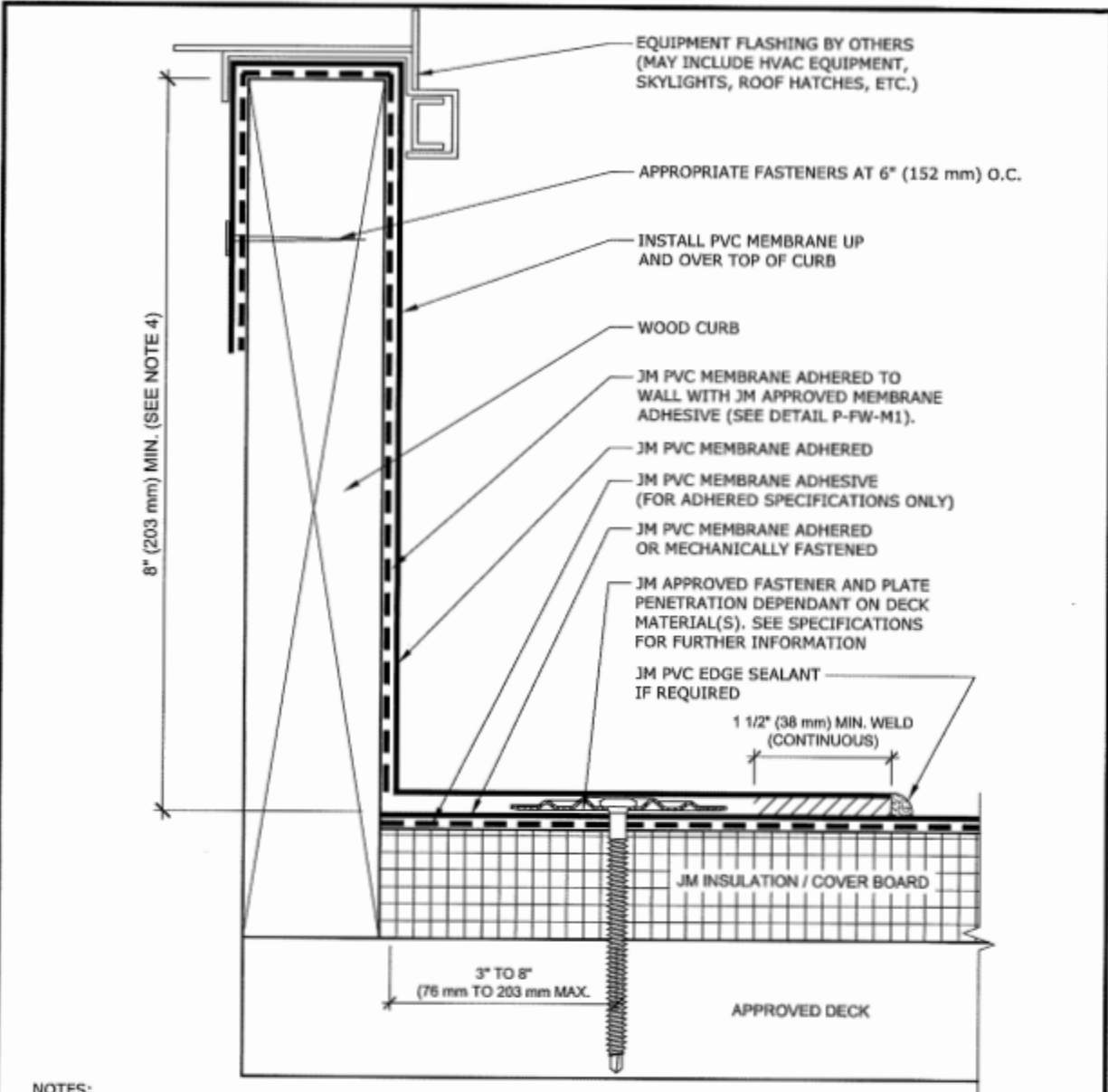
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 ATTACH TO PLATFORM W/ CONST. ADHESIVE, NO NAILS OR SCREWS




HVAC ROOFTOP PLATFORM SCALE: 1" = 1'-0"

HVAC.DWG REV. 12/05



NOTES:

1. REFER TO JOHNS MANVILLE WEBSITE (www.jm.com) FOR MOST UP-TO-DATE INFORMATION.
2. PLEASE SEE SINGLE PLY FLASHING SPECIFICATIONS FOR A FULL DESCRIPTION OF INSTALLATION INSTRUCTIONS AND REQUIREMENTS WHICH ARE CONSIDERED A PART OF THIS DETAIL.
3. ANY CARPENTRY OR METAL WORK SHOULD BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH LOCAL CODE REQUIREMENTS AND/OR PROJECT SPECIFICATIONS. THESE COMPONENTS SHOULD BE REVIEWED AND APPROVED BY A LICENSED DESIGN PROFESSIONAL.
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5. PVC EDGE SEALANT IS OPTIONAL ON ALL CUT AND NON ENCAPSULATED EDGES OF REINFORCED MEMBRANE. THIS INCLUDES FACTORY CUT MEMBRANE (SEE DETAIL P-MS-01).
6. SEE P-FW-B DETAILS FOR JM APPROVED BASE FLASHING TIE IN TERMINATION METHODS.

DRAWING NO.		WOOD CURB BASE FLASHING		 <p>Agenda Item #10a Johns Manville</p>
P-FC-05				
CURB & CORNER		MEMBRANE TYPE:	<small>Johns Manville is a manufacturer of commercial roofing products and offers this general conceptual information to you as a courtesy. This complimentary assistance is not to be used or relied upon by anyone as a substitute for professional engineering design and documentation required by building code, contract, or applicable law. By accepting these comments you agree they do not constitute any representation, endorsement of, or an assumption by Johns Manville of any liability for either the adequacy of the design of this building or any other material not supplied by Johns Manville.</small>	
SCALE	ISSUE DATE	MEMBRANE TYPE:		
N.T.S.	08-07-19	JM PVC		
		MAXIMUM GUARANTEE TERM:		
		30 YEAR		

ATTACHMENT 2 – CURRENT RESOLUTION

RESOLUTION 03-23-23
STANDARD 4:
AIR CONDITIONING UNITS/HEAT PUMPS

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to amend Standards and create new Standards as necessary; and

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Standard 4: Air Conditioning Units/Heat Pumps;

NOW THEREFORE BE IT RESOLVED, March 21, 2023, that the Board of Directors of this Corporation hereby adopts Standard 4: Air Conditioning Units/Heat Pumps as attached to the official meeting minutes; and

RESOLVED FURTHER, that Resolution 03-19-71 adopted July 16, 2019, is hereby superseded in its entirety and no longer in effect; and

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized, on behalf of the Corporation, to carry out this resolution as written.

ATTACHMENT 3 – REDLINED REVISED
STANDARD 4: AIR CONDITIONING UNITS/
HEAT PUMPS



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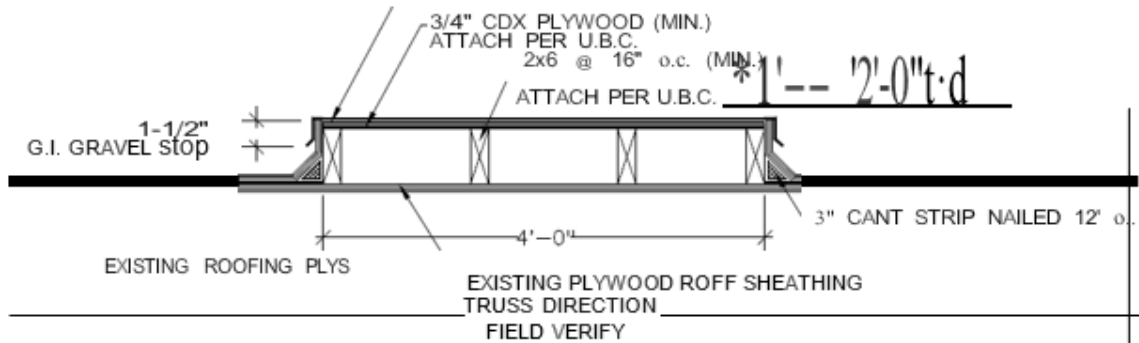
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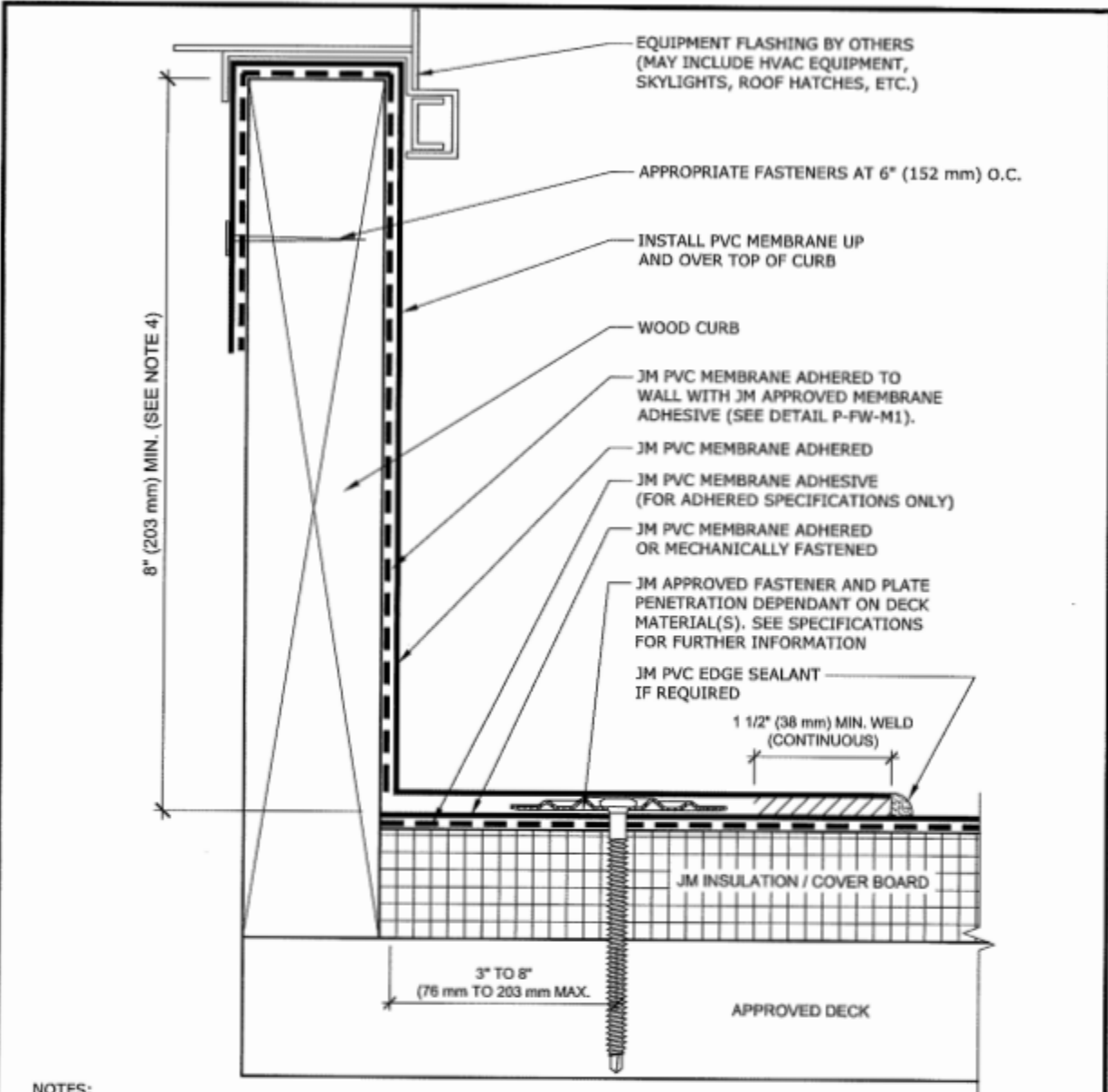
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ATTACHMENT 4 – FINAL DRAFT
STANDARD 4: AIR CONDITIONING UNITS/ HEAT PUMPS



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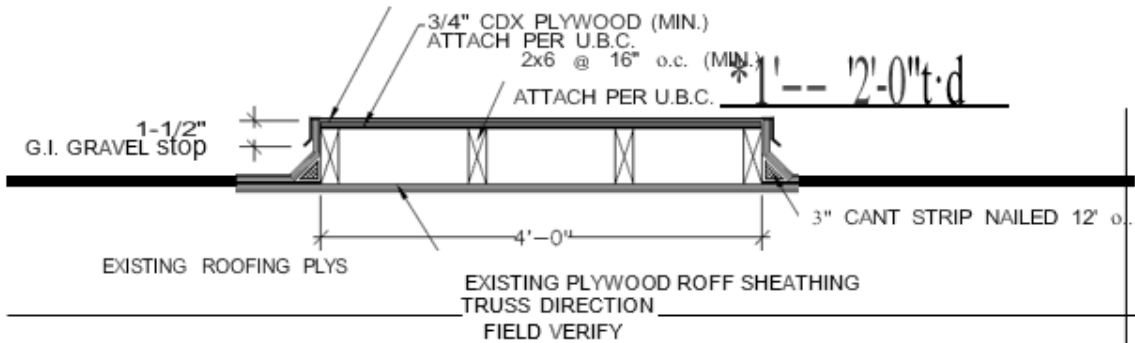
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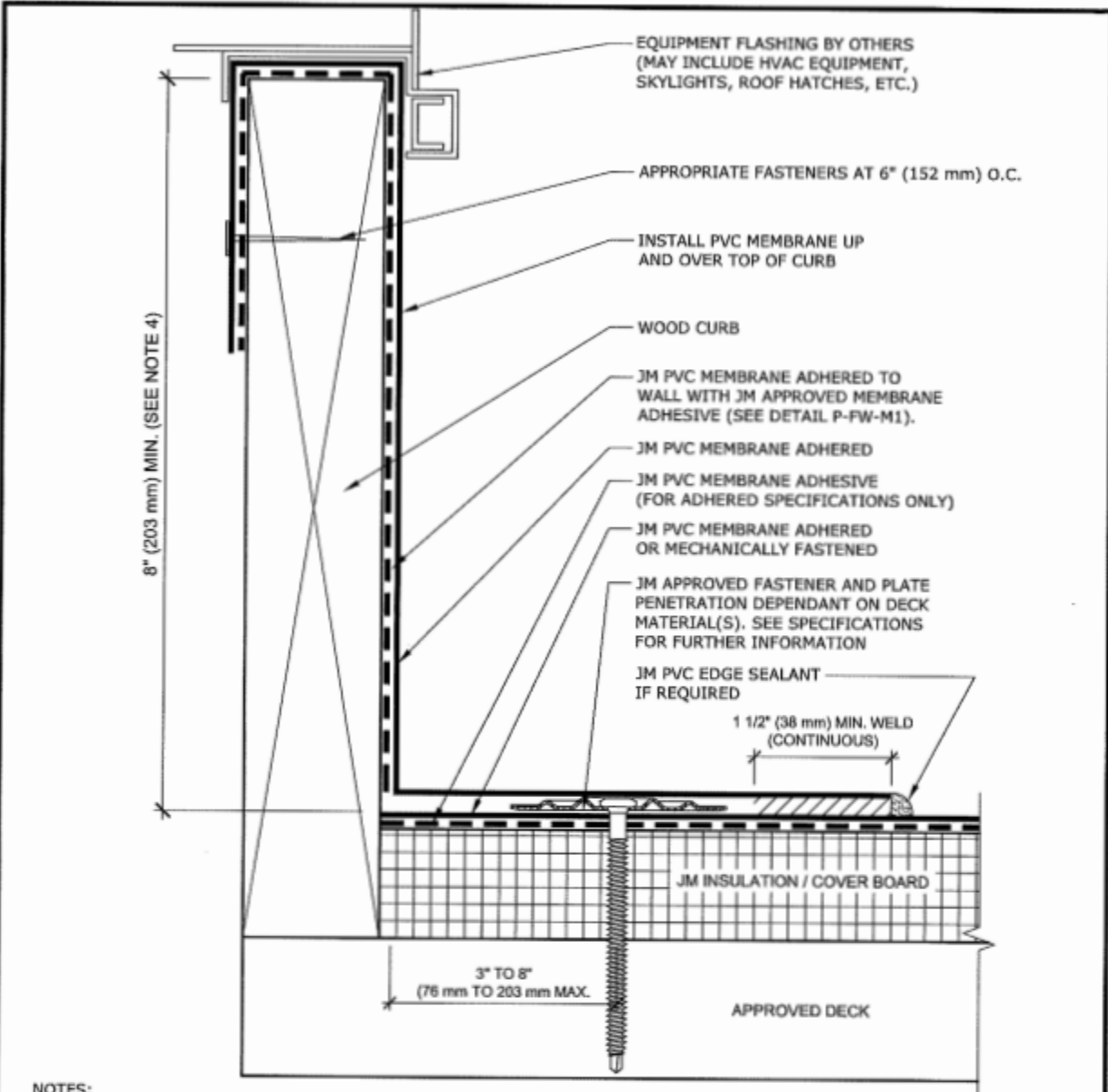
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HMP ASPHALT (SURFACE).	25lbs	PER 100 SQ.FT.
GRAVEL (1/4" - 1/2")	400lbs	PER 100 SQ.FT.

26 GAUGE SEAMLESS GALV. METAL CAP (MIN.)
 ATTACH TO PLATFORM W/ CONST. ADHESIVE, NO NAILS OR SCREWS




HVAC ROOFTOP PLATFORM SCALE: 1" = 1'-0"

HVAC.DWG REV. 12/05



NOTES:

1. REFER TO JOHNS MANVILLE WEBSITE (www.jm.com) FOR MOST UP-TO-DATE INFORMATION.
2. PLEASE SEE SINGLE PLY FLASHING SPECIFICATIONS FOR A FULL DESCRIPTION OF INSTALLATION INSTRUCTIONS AND REQUIREMENTS WHICH ARE CONSIDERED A PART OF THIS DETAIL.
3. ANY CARPENTRY OR METAL WORK SHOULD BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH LOCAL CODE REQUIREMENTS AND/OR PROJECT SPECIFICATIONS. THESE COMPONENTS SHOULD BE REVIEWED AND APPROVED BY A LICENSED DESIGN PROFESSIONAL.
4. HEIGHT OF CURB TO BE ADJUSTED WITH NAILERS. IT IS PREFERRED TO RAISE CURB ONTO NAILERS TO EXTEND FLASHING HEIGHT.
5. PVC EDGE SEALANT IS OPTIONAL ON ALL CUT AND NON ENCAPSULATED EDGES OF REINFORCED MEMBRANE. THIS INCLUDES FACTORY CUT MEMBRANE (SEE DETAIL P-MS-01).
6. SEE P-FW-B DETAILS FOR JM APPROVED BASE FLASHING TIE IN TERMINATION METHODS.

DRAWING NO.		WOOD CURB BASE FLASHING		 <p>Agenda Item #10a Johns Manville</p>
P-FC-05				
CURB & CORNER		MEMBRANE TYPE:	<small>Johns Manville is a manufacturer of commercial roofing products and offers this general conceptual information to you as a courtesy. This complimentary assistance is not to be used or relied upon by anyone as a substitute for professional engineering design and documentation required by building code, contract, or applicable law. By accepting these comments you agree they do not constitute any representation, endorsement of, or an assumption by Johns Manville of any liability for either the adequacy of the design of this building or any other material not supplied by Johns Manville.</small>	
SCALE	ISSUE DATE	MEMBRANE TYPE:		
N.T.S.	08-07-19	JM PVC	MAXIMUM GUARANTEE TERM:	
			30 YEAR	

ATTACHMENT 5 – REVISED RESOLUTION

RESOLUTION 03-23-XX
STANDARD 4:
AIR CONDITIONING UNITS/HEAT PUMPS

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to amend Standards and create new Standards as necessary; and

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Standard 4: Air Conditioning Units/Heat Pumps;

NOW THEREFORE BE IT RESOLVED, [DATE], that the Board of Directors of this Corporation hereby adopts Standard 4: Air Conditioning Units/Heat Pumps as attached to the official meeting minutes; and

RESOLVED FURTHER, that Resolution 03-23-23 adopted March 21, 2023, is hereby superseded in its entirety and no longer in effect; and

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized, on behalf of the Corporation, to carry out this resolution as written.



STAFF REPORT

DATE: May 8, 2023
FOR: Architectural Controls and Standards Committee
SUBJECT: Recordable Common Area Exclusive Use Revocable License Legal Fee

RECOMMENDATION

Recommend that the Board of Directors approve a resolution to establish a pass-through legal fee of \$750 for the preparation of Recordable Common Area Exclusive Use Revocable License agreements for approved variances.

BACKGROUND

Third mutual current practice is to require a Common Area Exclusive Use License Agreement to be recorded for variances that allow members to use portions of common areas outside the manor floorplan. The Third Mutual legal team (Roseman Law, APC) recommends that the recordable agreements be prepared individually to ensure all aspects of law are properly included. Roseman Law has agreed to a flat rate of \$750 for each agreement.

DISCUSSION

The variance approvals granted by the Third board must be in strict compliance with Civil Code Section 4600, and in accordance with current laws, regulations and policies. Roseman Law is qualified to provide these services and, as a legal representative of Third Mutual, will ensure the proper language is incorporated to protect the mutual's interest.

FINANCIAL ANALYSIS

The adoption of the proposed resolution will not result in a fiscal impact to the mutual as it is a pass-through legal fee.

Prepared By: Baltazar Mejia, Maintenance & Construction Assistant Director

Reviewed By: Michael Horton, Manor Alterations Manager
Manuel Gomez, Maintenance & Construction Director

ATTACHMENT(S)

Attachment 1 – Resolution 03-23-XX



RESOLUTION 03-23-XX

Recordable Common Area Exclusive Use Revocable License Legal Fee

WHEREAS, approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Common Area Exclusive Use Revocable License agreement; and

WHEREAS, the required agreement can only be prepared by the Mutual's legal counsel to ensure protection of the mutual's interests;

NOW THEREFORE BE IT RESOLVED, [Date] that the Board hereby adopts a flat legal fee of \$750 for the preparation of these agreements as a pass-through charge to the Mutual's legal team; and

RESOLVED FURTHER, the processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel-prepared and approved boilerplate form at no additional charge to the member; and

RESOLVED FURTHER, the current Variance Application fee, which includes the preparation of the boilerplate agreement, remains as adopted under the most current Alteration Fee Schedule; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the resolution.