Minutes City of Loma Linda

Department of Community Development

Planning Commission

An adjourned regular meeting of the Planning Commission was called to order by Chair Mary Lee Rosenbaum at 7:02 p.m., **Wednesday, March 2, 2005**, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: Mary Lee Rosenbaum, Chair
Randy Neff, Vice Chair
Michael Christianson
Charles Umeda
Rene Sakala

Commissioners Absent: None

Staff Present: Richard Holdaway, City Attorney
Deborah Woldruff, Community Development Director
Rolland Crawford, Fire Marshall
Cathy Johnson, Senior Planner
Jeff Peterson, Associate Engineer, Public Works Dept.
Jim Shea, Code Enforcement Officer
Jocelyne Larabie, Administrative Secretary

ITEMS TO BE DELETED OR ADDED

There were no items to be added or deleted. However, Director Woldruff requested that the order of the items be modified slightly. She asked that Item 2, the Request for Variance be addressed first because the discussion regarding this item should be brief relative to the two other items. Then the order may be followed for items 2 and 3.

Chair Rosenbaum had no objections to the change.

ORAL REPORTS/PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Mr. Dick Wiley, 10848 Pepper Way, Loma Linda addressed the Commission to say that he was preparing a presentation to give some insight into water problems that had surfaced since the new construction began on Mission Road.

CONTINUED ITEMS

PUBLIC HEARING

PC-05-09 - VARIANCE (VAR) NO. 04-05 – The applicant requested approval of a variance to reduce the minimum garage width from 20-feet to 17.5-feet to accommodate the rebuild of a fire damaged single-family residence and a room addition for the structure located at 25154 Daisy Avenue. The property owner has submitted his own findings.

Commissioner Umeda recused himself from the discussion to avoid a conflict of interest, as his residence was located within the 500-foot radius of the project site.

Planning Technician Allan Peñaflorida presented the staff report for Variance 04-05, which was a request to approve a reduction of the minimum garage width from 20 feet to 17.5 feet. He explained that the structure was damaged in a fire in early 2001 and building permits for reconstruction and repair were obtained on June 18, 2001. He continued to say that it was later discovered that the project was not being constructed according to approved plans and that a bathroom was illegally constructed under the new stairs in the garage, and combined with the oversized water heater encroached into the interior garage space. Mr. Peñaflorida stated that allowing the deviation would create substandard parking spaces for vehicles and staff recommended that the Planning Commission deny the request for the variance because the findings did not support the approval of the request.

During the discussion regarding the new construction, Mr. Peñaflorida explained that after reviewing the new diagram for the space, staff determined that the garage was actually 16 feet 8 inches. He continued to say that as soon as the illegal construction of the bathroom was discovered, the Building Inspector issued a stop work order. He added that the Inspector's speculation at the time was that the loft over the garage might serve as another living space not as a storage area as initially stated. Director Woldruff stated that at this time the issue under consideration was strictly the substandard size of the garage that did not meet the requirement.

Chair Rosenbaum opened the public comment period at 7:15 p.m.

The applicant, Christopher Chebeleu, 25154 Daisy Avenue, Loma Linda stated to the Planning Commission that the initial plans and blueprints, which contained the stairs and the water heater, were approved along with a working bench and a refrigerator. He added that seeing that there was enough space he would replace the refrigerator and workbench with a shower, a sink and a toilet. He insisted that there were no plans to use the loft space for an additional living area and that the air conditioner he had installed was for his personal comfort when working in the garage. He requested that he be allowed to keep the construction as is.

Chair Rosenbaum closed the public comment period at 7:20 p.m.

Chair Rosenbaum asked if the garage could be downsized to a one-car garage. Director Woldruff replied that the code requires a two-car garage. Chair Rosenbaum confirmed that the Planning Commission was considering the size of the garage only and not the speculated use of the loft space. Director Woldruff concurred with the Chair's statement.

Chair Rosenbaum reopened the public comment at 7:21 p.m.

Mr. Robinson from Coloma Street wanted to know how come his neighbor had an illegal garage that he had separated into two sections without City intervention. Director Woldruff stated that staff could not address the issue at this meeting.

Chair Rosenbaum closed the public comment period at 7:22 p.m.

City Attorney Holdaway commented that the Municipal Code required that specific findings, as stated in the staff report be made for a variance to be approved. As an example he read the first finding, which stated "there were exceptional and extraordinary circumstances or conditions applicable to the property involved" and stated that the case law on this issue had to do with the unusual size, shape or topography of the land itself rather than an unusual request from a property owner.

A discussion ensued in which Mr. Peñaflorida explained that the plans, which included plans for the stairs had been stamped by a Building Inspector and later revoked by the Supervising Building Inspector, James Barrett when the illegal construction was discovered. Mr. Chebeleu stated that he had always believed that he had approval to do the construction for the stairs. Director Woldruff stated that staff was not contesting the issue of the stairs just the issue of the illegally constructed bathroom because the walls of the bathroom prevented the use of the space under the stairs and therefore making the garage substandard.

Commissioner Christianson commented that it seemed that it was a case of miscommunication between the applicant and the Building Inspector and that the applicant went forward in good faith feeling that he had approved plans. He added that he would be inclined to approve the variance.

Chair Rosenbaum asked if the variance had to make all four findings. Mr. Holdaway replied that each finding must be made to support an approval and that after consulting with staff that there was a significant likelihood that the stairs were constructed before the plans were stamped, there would be no right of the property owner to maintain an illegal construction. Director Woldruff stated that Mr. Chebeleu worked diligently and suggested that there might have been some communication problems, however, he did do some work on his own without the city's approval and because the plans had changed over time, staff felt that bringing the request for the variance before the Commission was necessary.

Mr. Chebeleu stated that he would not have spent the money for the construction if he didn't feel that he had received approval to go ahead.

Commissioner Christianson asked Mr. Chebeleu if he had constructed the stairs before the plans were approved and he replied that he had not. He continued to say that he constructed

the bathroom instead of the workbench and refrigerator after he found that he had sufficient space under the stairs.

Chair Rosenbaum reiterated that for the variance to be approved the Commission had to make all four findings. Mr. Holdaway concurred that to support a variance all the required findings must be made. Chair Rosenbaum reviewed the first finding, which stated "that there were exception and extraordinary circumstances or conditions applicable to the property involved" as it applied to the size, shape and topography of the parcel, and asked if the Commissioners felt that the finding applied.

Chair Rosenbaum determined that finding #1 could not be made and therefore was the basis for denial of the variance. The following motion was the result of that determination.

> **Motion by Christianson, seconded by Sakala and approved by a vote of 4-0, Umeda abstaining, to deny Variance (VAR) 04-05 because the findings do not support approval of the request.**

PC-05-10 - GENERAL PLAN AMENDMENT (GPA) NO. 03-02; ZONE CHANGE (ZC) NO. 03-02; TENTATIVE TRACT MAP (TTM) NO. 15738; PRECISE PLAN OF DESIGN (PPD) NO. 04-08; AND, DEVELOPMENT AGREEMENT – The project is a residential subdivision of approximately 2.5 acres into 16 lots with attached and detached single-family residential units. The proposal includes an amendment to the General Plan Land Use Map from Low Density (1 to 4 dwelling units per acre) to Medium Density (5.1-9 dwelling units per acre), and a Zone Change from Single Family Residential (R-1) to Planned Community (PC). A Planned Community document will replace the traditional zoning and development standards. The proposal also includes a Tentative Tract Map and Precise Plan of Design for the subdivision and design of the site and the residences. A Development Agreement is required to meet the Redevelopment Agency's affordable housing requirements. The project site, located in the City's North Central Neighborhood adjacent to the San Timoteo Creek Channel, can be accessed from Lilac and Lane Streets.

Commissioner Christianson recused himself from the discussion to avoid a conflict of interest because he owned property adjacent to the project site.

Assistant Planner Colunga gave the staff report and stated that the project was a continued item from the October 6, 2004 meeting and that the applicant, SGA Limited was submitting a request for a General Plan Amendment (GPA) No. 03-02, a Zone Change (ZC) No. 03-02, and a Tract Map (TTM) No. 15738 to subdivide 2.46 acres into 16 attached and detached residential units. He added that the design of the housing, landscaping and site was also proposed, as Precise Plan of Design (PPD) No. 04-08. Mr. Colunga continued to say that a Planned Community Document called out project specific residential development standards and that a Development Agreement requiring the applicant to pay an in-lieu fee to meet affordable housing regulations was also necessary. The project site is located in the North Central Neighborhood and that the surrounding land uses are a mix of single-family and multi-family residential uses.

Mr. Colunga discussed the characteristics of the development as follows:

- Gross density of 6.5 dwelling units per acre with an average lot size of approximately 5,300 square feet;
- Private driveway access for all homes off the new street connecting Lilac with Lane Streets.
- Standard streets width of 36 feet.
- Sixteen attached and detached units.
- Park space, clustering, and guest parking have been removed.
- The project falls within the Medium Density designation (5.1-9 dwelling units per acre) of the Draft General Plan for this area.

He described the housing product as follows:

- Six house plans, both 1 and 2 story;
- Eight attached and 8 detached units;
- Sizes range from 1,500 square feet to 2,800 square feet;
- Three and four bedrooms;
- Stucco exteriors, wood siding and vinyl siding walls;
- Composition roof material;
- Warm earth tones color palette;
- Project targeted first time homebuyers, smaller families, move up buyers and individuals;
- A Homeowner's Association (HOA) to maintain the front yard landscaping of each home;
- Applicant to pay an in lieu fee for the City's parkland requirements for this project.

Staff recommended changes pertaining to architectural modifications and these changes include:

- On Plan 1, the siding shown at the front elevation should be extended back to the proposed side yard fence on the garage side of the house to create an appearance that the material extends past the fence area providing four-sided architecture. Condition No.1.32 has been added to require this modification.
- On Plan 2, the siding shown at the front elevation should be extended back to the proposed side yard fence on both sides of the house for the detached Plan 2 units and the garage side of the attached Plan 2 unit to create an appearance that the material extends past the fence area providing four-sided architecture. Condition No.1.33 has been added to require this modification.
- On Plan 3, the wood siding shown at the front elevation should be extended back to the proposed side yard fence on the garage side of the house at the first floor to create an appearance that the material extends past the fence area providing four-sided architecture. Condition No.1.34 has been added to require this modification.
- On Plan 6, the siding shown at the front elevation should be extended along the front of the garage to the proposed side yard fence on the garage side of the house to create an appearance that the material extends past the fence area providing four-sided architecture. Condition No.1.35 has been added to require this modification.

Mr. Colunga added the following recommendations:

- A five-foot offset on Lots 7 & 8. Lot 7 would have a 22-foot front yard setback and Lot 8 would have a 17-foot front yard setback. Condition 1.36 was provided to address the design modification.
- The landscape architect was proposing fencing that involved cedar fencing between block pilasters for the rear yards and along the side property lines with no fencing on the interior side yards between the houses and splitface blocks required for the pilasters. Condition 1.25 was provided to address these modifications.

Mr. Colunga explained that should the Planning Commission request more windows on the exterior elevations, Condition 1.37 had been provided so the applicant could work with staff to address the design change. He added that the proposed subdivision and Precise Plan of Design were consistent with the proposed designations and met the City's goal and policy to provide residents with a variety of housing opportunities.

Mr. Colunga informed the Commission that staff had received two letters of concern both pertaining to connecting the three streets. He concluded his staff report stating that findings to approve the General Plan Amendment, Zone Change, Subdivision, and PPD have been provided for their consideration and that staff was available for questions.

Vice Chair Neff asked Mr. Colunga if the applicant had received the list of general guidelines that the Planning Commission had compiled. Mr. Colunga replied that they had been provided to the applicant. Vice Chair Neff asked that the items on the list of guidelines appear in the staff report for each project to help the Commissioners in their review of the projects.

Chair Rosenbaum opened the public comment period at 7:58 p.m.

Ms. Cindy Chrisler, 25446 Lane Street, Loma Linda stated that she and her neighbors were happy that the developer had taken the time to present his project to the North Central Neighborhood and listened to their objections and redesigned his project. She commented on the issue of maintaining Lane and Lilac Streets as cul-de-sacs stating that the city's argument that connecting the streets would improve circulation in north central portion of the city and improve access for emergency services and allow more rapid response time for police, etc., were insufficient. She suggested keeping the streets separate because the children in the neighborhood would be safer playing and riding their bikes in the street.

Ms. Chrisler added that Debbie Ingalls, had asked her to make her comments known to the Planning Commission. Ms. Chrisler explained that Ms. Ingalls' comments were requesting that the streets not be separated and that possible mitigation would be speed bumps and signage.

Mr. Jim Lewis, 25361 Mead Street, Loma Linda stated that he wanted the zoning to remain R1 as it was and not change it to Planned Community. He added that he wanted the zoning to be the same as the existing neighborhood.

Ms. Polly Lay, 25331 Mead Street, Loma Linda stated that there were too many houses being planned and suggested that the City put in a landscaped foot path and a trail along the San Timoteo Creek to allow her to take her dog for walks along the creek.

Mr. Jonathan Zirkle, 23747 Barton Road, Loma Linda stated that he did not support the change in zoning and that the Planning Commission had approved too many high density projects in the recent past. He pointed out that S. 17-36-030 of the Loma Linda Municipal Code specifically stated that no two-story structure could be built within 50 to 100 feet of the subject boundary and added that the City should abide by that code.

Chair Rosenbaum stated that she had received a request to speak from one member of the audience who would like to remain anonymous and the person's statement vehemently opposed to any change for Lane and Lilac Streets because they had bought their house because it was a cul-de-sac and therefore afforded them more security. She stated that opening the streets would make unsafe conditions, spoil the neighborhood feel and encourage more major traffic which Lane can ill support. She appealed to the Commission's reason for existence and stated that rules were made to help people live better not to encourage chaotic conditions.

Chair Rosenbaum closed the public comment period at 8:11 p.m. and stated that she would like staff to respond to some of the concerns of the audience.

Director Woldruff asked the representatives of the Public Works Department and the Fire Department to respond to comments regarding the roadway going through. Associate Engineer Peterson stated that the Public Works Department would entertain any directives provided by the Planning Commission. He added that there was an existing right-of-way that could be vacated if the Commission so desired or if the Commission would like the street to be connected, the Department would maintain the streets as requested. Chair Rosenbaum wanted to know what the benefits were for leaving the road as it was. Mr. Peterson explained that, the existing street was a dead-end not a true cul-de-sac and did not have an area for emergency vehicles to turn around.

In regards to speeding traffic, Vice Chair Neff asked about speed bumps and other mechanism to slow cars down. Mr. Peterson stated that there would be a posted 25 mph sign as required by code for residential areas. A discussion ensued regarding the use of speed bumps and humps and Mr. Peterson explained that speed bumps/humps were not precluded but that there were disadvantages such as emergency vehicles having to slow down for them and wasting precious time. Commissioner Umeda asked if the effectiveness of a speed bump or hump could be tested. Mr. Peterson replied that the Public Works Department welcomed any pilot studies as might be directed by the Planning Commission.

Commissioner Umeda asked if a stop sign was to be added where State Street met Lane Street. Mr. Peterson confirmed that there would be a stop sign. Commissioner Umeda also asked how many houses would be allowed in a R1 zone vs. the number of houses in this project. Mr. Colunga replied that there would be six more houses in this particular project.

Commissioner Neff asked to hear Public Safety's comments regarding the cul-de-sac issue. Fire Marshall Crawford replied that the Fire Department would prefer to have all the streets connecting for better circulation for emergency vehicles. He added that the streets in their current state were not cul-de-sacs because they do not conform to cul-de-sac standards. He continued to say that they had always anticipated that Lane Street and State Street would be connected and that to create the cul-de-sac would take a fair amount of land.

Chair Rosenbaum expressed her concern that children play in the streets because there was no park space and that the streets would now be connected. She continued to say that the new design did not propose park space whereas the original design did. Director Woldruff suggested that perhaps the applicant could answer the Chair's questions.

Mr. Sal Gottuso, 452 Sarra Dr., Corona Del Mar, California, stated that he had been working with staff to present the first design of 27 homes and later met with the community when the design caused severe concerns among the owners of the existing homes. He explained that he felt that that the new product was good, that it would enhance the area and bring tax revenue for the City of Loma Linda. He added that it would not have been financially feasible to make the project any smaller since the cost to install the necessary infrastructure would be the same.

Commissioner Sakala asked for alternative solutions regarding the issue of the cul-de-sac streets. Director Woldruff suggested that the design could include a knuckle where the two roads come together and a cul-de-sac on Lilac Street. She continued to say that the City of

Loma Linda had owned the right-of-way for many years with easements for utilities. Director Woldruff told the Commission that they could make that recommendation to the City Council and that the knuckle could be designed in such a way that it would leave a private drive aisle to the lots facing into the area, some open space, a footpath and a driveway.

Mr. Gottuso commented that their project had the largest lots by far of any other subdivision in the city and planned for 20-foot setbacks and therefore there would not be enough land for parks. Director Woldruff stated that the Draft General Plan proposed that the area be zoned multi-family. She added that the north central area of the city did have inherent problems related to a lack of parks in the area and that the Redevelopment Agency was aware of the problems. She continued to say that such a small project could not address all of those issues but the reduction in the number of homes would mean bigger yards that would provide more outdoor/play area for families.

During a discussion regarding street widths, the project engineer Mr. Mohammad Younces suggested that the street might be narrowed, but Fire Marshall Crawford went on the record in opposition of 28-foot wide streets but that he would agree with a cul-de-sac on Lilac Street and connecting Lane and State Streets with a wider knuckle to provide maneuverability for emergency vehicles. Mr. Younces confirmed with Director Woldruff that a cul-de-sac on Lilac Street and connecting Lane and State Streets with a wider knuckle that would include a private drive for lots 6 through 11 or 12 and lots 13 to 15 to be maintained by the HOA.

Chair Rosenbaum commented that as a future policy that staff and Planning Commission ask developers to provide colors other than earth tones for the walls, the trim and roofs in new developments. Vice Chair Neff commented that consideration for the surrounding homes would be a factor when deciding on a color scheme for new development.

A discussion ensued regarding colors for the current project and the consensus was that they were satisfactory. Mr. Cliff Hoskins, Landscape Architect commented to the Commission on the issue of colors stating that there were two sets of color combinations of body/siding/trim, two sets of body/trim combinations and three sets of siding color combination. He added that they were also proposing plenty of street trees and plant material appropriate to the style of the house.

Chair Rosenbaum commented that she had concerns regarding the long roofline and that she would like to minimize that look.

Mr. Art Martinez, Architect for the project, 2517 S. Townsend Street, Santa Ana, explained that the rooflines would be broken up with different pitches along the street and added that once the project was finished the effect of the long rooflines would be diminished because of the surrounding houses. Vice Chair Neff pointed out that the design guidelines required four-sided architecture.

Vice Chair Neff commented that because this piece of property was the last one that could be developed in the area stating he was unsure that this project was fully representative of the surrounding in regards to density.

A brief discussion ensued regarding Planned Community projects and popularity of larger homes. Vice Chair Neff pointed out that he didn't particular like Plan 2 and possibly 2R and suggested that these plans be revised. He commented that the change in the street design in regards to the cul-de-sac might change the look of this plan.

> **Motion by Sakala, seconded by Rosenbaum and carried by a vote of 4-0, Christianson recused, to continue the item to the next Regular meeting of April 6, 2005 to allow the applicant to make the changes to the street design and to Plan 2.**

Mr. Younces asked if the project could be approved with conditions to provide the cul-de-sac and knuckle as stated during the discussion and as shown on the sketch provided. It was the consensus of the Commission that a discussion was still needed for the architecture of the project. Mr. Younces wanted to know what the concerns were in regards to architecture so that the applicant could bring back revised plans.

Chair Rosenbaum stated that she had already provided her comments regarding the long roofline of Plan 2 and recommended that each Commissioner provide staff with their own comments as they apply to architecture.

Chair Rosenbaum called for a brief recess at 9:20 p.m.

Commissioner Umeda stated that he was recusing himself in order to avoid a conflict of interest because his residence at 25510 Tulip Avenue in Loma Linda was within the 500' radius allowable.

The meeting resumed at 9:25 p.m.

Commissioner Christianson rejoined the meeting for the discussion of the following item.

PC-05-11 - GENERAL PLAN AMENDMENT (GPA) NO. 04-05; ZONE CHANGE (ZC) NO. 04-05; AND CONDITIONAL USE PERMIT (CUP) NO. 05-01 – The project is a 60-unit apartment complex proposed for a 3.4-acre site. The proposal includes an amendment to the General Plan Land Use Map from Very High Density to High Density and a Zone Change from Multiple Family Residence Planned Development (R-3) to Multiple-Family Residence (R-3). A Conditional Use Permit (CUP) is required for apartment projects exceeding two stories and the maximum height of thirty-five feet. The project is located west of the Heritage Gardens Convalescent Center on the south side of Barton Road (25271 Barton Road). The project can be accessed from Daisy Avenue off of Benton Street.

Assistant Planner Colunga gave the staff report stating that the applicants, Mr. Mark Goings and ACGL Corporation were requesting a General Plan Amendment, and a Zone Change for a proposed 60-unit apartment complex. He added that a Conditional Use Permit (CUP) was required to address the height of the three-story building, which measured 39 feet. He continued his staff report citing that the subject site was a 3.39-acre parcel immediately west of Heritage Gardens at the southeast corner of Benton Street at Barton Road with access to the site off the Barton Frontage Road, which leads into Daisy Avenue.

Mr. Colunga stated that the property is zoned R3, Multiple Family and has a General Plan designation of High Density. The homes to the west were developed in the 60's and the Orange Tree Villas to the south were developed in the early 70's. He described the current project as follows:

- Five apartment buildings located towards the center of the site;
- A recreational building offering a multi-purpose room and a kitchen facility;
- A 20,000 square park space with barbecues, half basketball court, playground equipment, picnic tables and a trellis shade structure;
- One hundred and fifty-two (152) parking spaces in garages that have carriage style garage doors and open space parking, distributed throughout the project site;
- Two bedrooms apartments with four units per floor;
- Single car garages meeting minimum dimensions.

Mr. Colunga explained that a CUP was required to address the height of the three-story building, which exceeded the 35 feet height limit. He pointed out that Zoning Code Section 17.38.150 addressing multi-family buildings in excess of two stories next to R1 single-family homes had been met. He stated that the apartment buildings were plotted at a minimum distance of over 125 feet from the west property line and that a landscape plan had been provided showing trees at a minimum box size of 24 inches and shrubs in a 5 -gallon size.

Mr. Colunga stated that five letters of opposition had been submitted to the department. He added that staff had provided the findings for the General Plan Amendment, Zone Change and the Conditional Use Permit for their review. He suggested that the Planning Commission might consider making the project a gated community.

Mr. Colunga stated that staff recommended that the Planning Commission approve and adopt the Mitigated Negative Declaration, Zone Change No. 03-03, Tentative Tract Map No 16650 (03-03) and Precise Plan of Design No. 04-07. He added that staff was available for their questions.

Chair Rosenbaum opened the public comment period at 9:37 p.m.

Mr. Jon Zwart, 118370 Poplar Street, Loma Linda commented that he was greatly concerned about the increase in traffic created by adding 200 or more vehicles through Tulip Avenue to Anderson Street.

Mr. Bates D. Moses, 11399 Poplar Street, Loma Linda, stated that his yard would back up to the apartments and was concerned with noise issues because of the short setback. He added

comments on traffic, and the height of the buildings that did not fit the surrounding community. He stated that he was not opposed to development but not this type on that piece of property.

Mr. Don Hamer, 2591 Daisy Avenue, Loma Linda expressed his concerns regarding the high density of the project and stated that the project was too big for the site. He added that there were no apartments on the south side of Barton Road and that this was a strange proposal. He concluded his comment by stating that he was opposed to the project.

Ms. Meaghan Balli, 11837 Poplar Street, Loma Linda commented on inadequate road access to the development, noise and traffic that it would create, the height of the buildings and that the community was more suited for families.

Mr. Gery P. Friesen, 25118 Daisy Avenue, Loma Linda, expressed his concerns regarding the street exit on Barton Road and Benton Street because there were already many accidents and pointed out that adding such a large number of new residents would undoubtedly cause even more. He suggested that the Commission deny the plan and replace it with plans for single-family residences.

Mr. Jonathan Mthombeni, 25175 Daisy Avenue, Loma Linda stated that he was concerned about the decline of property values if the project was approved and the rise in the crime rate. He added that he was opposed to the project because of density and the comments he previously made.

Mr. V.J. Solonick, 25718 Daisy Avenue, Loma Linda stated that he was a retired anesthesiologist and gave a brief history of the neighborhood. He pointed out issues of noise, proximity to existing homes and access to Barton Road.

Dr. Daniel Welebir, 11455 Poplar Street, Loma Linda commented on the following issues:

- The R-1 zoning provides for a peaceful street with personality
- Concerned about the change to high density
- The height of the buildings, proposed at 39 feet and the fact that the buildings are three stories which was unacceptable near single family residences
- Initial study is not adequate in that it doesn't address certain issues
- Does not want residents under Section 8;

He added that the major concerns are:

- Traffic
- The impact on existing residents of an additional street light
- The need for block walls behind garages
- The devastating decline of property values
- The view of the community.

He concluded by stating that he was opposed to the project and recommended that the Planning Commission deny the project.

Mr. Henry Lamberton, 11479 Richmont Road, Loma Linda stated that he opposed the project and that traffic was a real important issue.

Mr. Eddy Parker, 11375 Poplar Street, Loma Linda stated that he echoed Dr. Welebir's comments regarding traffic, etc.

Mr. Jonathan Zirkle, 24347 Barton Road, Loma Linda commented on the issue of the increase in traffic that such a large development on that site would generate especially along Benton Street and Barton Frontage Road. He also commented that the City needed to reduce the density of the projects that they approved.

Ms. Grace Carpenter, 25071 Daisy Avenue, Loma Linda provided a written comment that Chair Rosenbaum provided to the other Commissioners and into the public record. Ms. Carpenter stated that she was distressed over the proposed apartments on her street because of the following issues:

- The height of the buildings;
- Traffic concerns;
- The decline in the property value of her home; and,
- The area south of Barton Road is considered quieter and more exclusive than the north side.

Mr. George Kopiloff, 11467 Poplar Street, Loma Linda stated that his concerns were reflected in comments from other residents that had already addressed the Commission.

Ms. Georgia Hodgkin, 24360 Lawton Avenue, Loma Linda commented on the following:

- Density – The site was not appropriate for apartments;
- Traffic – Wanted an EIR to mitigate traffic concerns;
- Zoning – Questioned the reason for the change in zoning. She advocated keeping the zoning for single family residential designation and not to accommodate developer profits; and,
- She commented that the Planning Commission should protect the interest of current residents.

Dr. Kathy Glendrange, 26551 Beaumont Avenue, Loma Linda cited from the Zoning Code, which states that zoning should be "compatible and harmonious" with the surroundings. She added that the developer should be made to comply with the standards and encouraged the Commission to deny the project.

Dr. Wayne Isaeff, 24988 Lawton Avenue, Loma Linda reported that he had been at the grass root effort for the Hillside Initiative and could again be called on to do the same for other areas of the City of Loma Linda. He recommended that the zoning not be changed for a development with such a high density.

Mr. Robert Sanholm, 25123 Daisy Avenue, Loma Linda reiterated the views of previous speakers and added that the location of the apartments would not fit in with the existing residences especially for people who have small children. He stated that the intersection at Hillcrest was very dangerous and that he saw a general trend to high-density projects and asked why these projects were being approved when residents didn't want them.

Ms. Elaine Ringoot, no address, provided a written comment that asked about the patients at the Heritage Gardens stating that it was not fair to them because of the added noise generated by such a large apartment complex.

Chair Rosenbaum closed the public comment period at 10:31 p.m.

Mr. Bob B. Tuttle, Architect acknowledged the residents' comments especially regarding traffic issues on frontage road. He added that his experience has taught him that density did not affect property values as stated by some residents. There was a brief discussion regarding the differences between R-3 Zoning and R-3 Planned Development. Mr. Tuttle commented that they could change the height but would like to keep the style and design as presented in the application.

The applicant, Mr. Mark Goings, Progressive Health Care, 25271 Barton Road, Loma Linda stated that they had designed their project to comply with the current zoning and reiterated Mr. Tuttle's comment that they could reduce the number of apartments from 60 to 40 units and reduce the buildings to two stories if that's what the Planning Commission desired. He stated that the city was in need of multi-family housing and that these apartments would be luxury apartments for professionals.

Planning Commissioner Sakala spoke in opposition to the proposed three-story height, and traffic and stated that she feared multi-family residences and asked why rental units were being proposed and not single-family residences.

Commissioner Neff commented that he was concerned about traffic and the mitigation measures the applicant was planning. He continued to say that it was important to pay more attention to surrounding traffic patterns and that the improvement should be placed on the developer's plan. He added that he would appreciate the reduction in height of the five buildings.

Mr. Goings replied that he was ready to address all of those issues. He would reduce the buildings to two stories instead of three, which would reduce the number of apartments from 60 to 40 units with no loss of amenities. Mr. Goings also stated that he would be happy to add improvements to the traffic plan and commented that a new traffic light should be added to improve circulation at the intersection of Benton Street and Barton Road.

Mr. Jim Killean, Progressive Health Care, Palm Springs addressed the Commission to state that he had not intended to upset the residents in such a manner and that they considered themselves residents of Loma Linda. He added that they would retain ownership of the

buildings and would manage the apartments to ensure that the quality did not decline after the units were rented out.

Commissioner Sakala suggested that the building could be turned into senior housing, which would probably take care of the traffic, noise and crime issues that alarmed the surrounding neighborhood.

Commissioner Neff stated that he had heard valid comments by the residents and the Planning Commission and added that he felt it was late and everyone was too tired to come to a resolution on the project. He suggested that the item be continued so that the developer could address the comments he heard. He urged staff to give the applicant insight on traffic and bring the project back before the Planning Commission.

Commissioner Sakala stated that she was appalled by the application and was personally offended. She asked Director Woldruff what steps the Commission needed to take to deny the project.

Director Woldruff explained that the Planning Commission had an obligation to give the applicant due process by reading the findings and giving reasons why the findings could not be made. City Attorney Holdaway explained that although the staff report suggested recommendations, the Planning Commission could make distinct findings with input from the Legal Counsel for a denial of the project.

Director Woldruff suggested that the Commission ask the applicant to revise his project and give him the opportunity to address the concerns of the Commission and the residents.

A discussion ensued regarding the findings as presented in the staff report and resulted in the following motion:

Motion by Christianson, seconded by Sakala, and failed by a vote of 2-2, Umeda recused, to deny the project based on the following findings:

1. **The proposed amendment was internally consistent with the Draft General Plan – Project required change in zoning, which would not be compatible and harmonious with the surrounding neighborhood;**
2. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City – Project would create noise and traffic for local residents;**
3. **The proposed amendment would maintain the appropriate balance of land uses within the City – Project would be inappropriate land use for that area of the City.**

After discussion the following motion was made:

Motion by Neff, seconded by Rosenbaum, failed by a vote of 2-2, Umeda recused to continue the project to allow the applicant the opportunity to revise and present the project at the April 6, 2005 regular meeting.

Director Woldruff commented that the Planning Commission could forward the project to the City Council without any recommendations.

Motion by Christianson, seconded by Sakala, and failed by a vote of 2-2, Umeda recused, to forward the project to the City Council without recommendations.

Commissioners Rosenbaum and Neff commented that such a recommendation would imply that the Planning Commission was incapable of fulfilling their mandate.

Further discussion resulted in the following motion:

Motion by Sakala, seconded by Christianson, and carried by a vote of 4-0, Umeda recused to continue the discussion on the item until such time as the determination of Commissioner Umeda's proximity to the project was made and to allow the applicant the opportunity to revise and present the project at the regular meeting of April 6, 2005.

PC-05-12 - APPROVAL OF MINUTES – Minutes of August 25, 2004

> **Motion by Sakala, seconded by Neff, and carried by a vote of 4-0, Umeda absent, to approve the minutes of August 25, 2004 as amended.**

REPORTS BY THE PLANNING COMMISSIONERS

No reports were presented

COMMUNITY DEVELOPMENT DIRECTOR REPORT

Director Woldruff deferred her report until the next meeting because of the late hour.

Meeting was adjourned at 11:55 p.m.

Minutes approved at the meeting of April 6, 2005

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Administrative Secretary

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