

Agenda

City of Loma Linda

From the Department of Community Development

**PLANNING COMMISSION
REGULAR MEETING OF
October 7, 2015
7:00 p.m.
CITY COUNCIL CHAMBERS
25541 BARTON ROAD, LOMA LINDA, CA 92354**

A. CALL TO ORDER - Persons wishing to speak on an agenda item are asked to complete an information card and present it to the secretary. The Planning Commission meeting is recorded to assist in the preparation of the minutes, and you are, therefore, asked to give your name and address prior to offering testimony. All testimony is to be given from the podium.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. ITEMS TO BE DELETED OR ADDED

E. ORAL REPORTS/PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (LIMITED TO 30 MINUTES; 3 MINUTES ALLOTTED FOR EACH SPEAKER) - This portion of the agenda provides opportunity to speak on an item, which is **NOT** on the agenda. Pursuant to the Brown Act, the Planning Commission can take no action at this time; however, the Planning Commission may refer your comments/concerns to staff, or request the item be placed on a future agenda.

F. NEW BUSINESS

G. PUBLIC HEARINGS (THREE MINUTES IS ALLOTTED FOR EACH SPEAKER PER PUBLIC HEARING ITEM)

VARIANCE NO. 15-084 AND SINGLE FAMILY RESIDENTIAL APPLICATION NO. 15-083 – A REQUEST FOR RELIEF FROM SECTION 17.34.070(A) OF THE LOMA LINDA MUNICIPAL CODE (LLMC) WHICH REQUIRES A MINIMUM 15-FOOT AND 5-FOOT SIDE YARD SETBACKS FOR RESIDENTIAL CONSTRUCTION IN THE SINGLE FAMILY RESIDENTIAL (R-1) ZONE. (FILED IN CONJUNCTION WITH SFR NO. 15-083)–

RECOMMENDATION

The recommendation is for the Planning Commission to approve Variance No. 15-084 and SFR No. 15-083, subject to the attached Conditions of Approval.

H. APPROVAL OF MINUTES

1. July 1, 2015

I. REPORTS BY THE PLANNING COMMISSIONERS

J. COMMUNITY DEVELOPMENT DIRECTOR REPORT

K. ADJOURNMENT - Reports and documents relating to each agenda item are on file in the Department of Community Development and are available for public inspection during normal business hours, Monday through Thursday, 7:00 a.m. to 5:30 p.m. The Loma Linda Branch Library can also provide an agenda packet for your convenience.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 799-2819. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible.

Staff Report City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF OCTOBER 7, 2015

TO: PLANNING COMMISSION

FROM: KONRAD BOLOWICH, ASSISTANCE CITY MANAGER

SUBJECT: VARIANCE NO. 15-084 AND SINGLE FAMILY RESIDENTIAL APPLICATION NO. 15-083 – A REQUEST FOR RELIEF FROM SECTION 17.34.070(A) OF THE LOMA LINDA MUNICIPAL CODE (LLMC) WHICH REQUIRES A MINIMUM 15-FOOT AND 5-FOOT SIDE YARD SETBACKS FOR RESIDENTIAL CONSTRUCTION IN THE SINGLE FAMILY RESIDENTIAL (R-1) ZONE. (FILED IN CONJUNCTION WITH SFR NO. 15-083)

SUMMARY

A request for relief from Section 17.34.070(A) to reduce the minimum side yard setback requirement from 15-feet to 10-feet in conjunction with the construction of a new two-story, 1,194 square foot, single-family residential dwelling unit with attached 435 square foot garage and attached 512 square foot covered patio.

RECOMMENDATION

It is recommended that the Planning Commission approve Variance No. 15-084 and Single Family Residential (SFR) No. 15-083 based on the Findings, and subject to the attached Conditions of Approval (Attachment B).

PERTINENT DATA

Owner/Applicant: Jessica Olivas/Diane Navarro
General Plan: Medium Density Residential
Zoning: Single-Family Residence (R-1)
Site: Vacant, 5,772.21 square foot lot.
Topography: Mostly flat area

EXISTING SETTING

The Project Site is presently vacant within a residential neighborhood, with the Union Pacific Railroad directly south of the subject site.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

The construction of a single family dwelling unit is exempt from CEQA pursuant to the CEQA Guidelines § 15303(a), which provides a Class 3 Categorical Exemption for new construction of single family residential units in residential zones.

PUBLIC COMMENTS

Public hearing notices for this project were mailed to property owners within 300 feet of the project site on September 24, 2015 and published in the San Bernardino Sun on September 28, 2015. As of the date of this Staff Report, the City has received no written comments on the project.

ANALYSIS

Project Description / Site Analysis

The applicant is proposing to develop the vacant 5,772.21 square foot lot with a single family residential home and attached garage. However, due the relatively small lot size, the applicant is requesting a variance to reduce the 5' and 15' minimum side yard setback requirement. The lot measures 39.8 feet in width, making it difficult to develop the lot with a house with a functional floor plan without a reduction in the side yard setback requirement.

General Plan, Zoning and Existing Land Use

	General Plan	Zoning	Existing Use
Subject Site	Medium Density (0-9)	Single-Family Residence (R-1)	Vacant
North	Medium Density (0-9)	Single-Family Residence (R-1)	Residence
South	Union Pacific Railroad	Union Pacific Railroad	Alley Union Pacific Railroad
East	Medium Density (0-9)	Single-Family Residence (R-1)	Residence
West	Medium Density (0-9)	Single-Family Residence (R-1)	Residence

R-1 Zone Development Standards

	Required/Maximum Allowed	Proposed	Complies
Front	25'	30'	Yes
Side			
- East P.L.	15'	10'	No
- West P.L.	5'	5'	
Rear	15'	36'	Yes
Lot Size, Minimum	7,200 square feet	5,772 sq.ft. (Existing)	No. Non-Conforming
Lot Width, Minimum	65'	40' (Existing)	No. Non-Conforming
Building Coverage, Maximum	For lots less than 7,200 sq.ft.: 60%	1,893 sq.ft. 33%	Yes
Maximum Building, Height	35'	17'	Yes
Parking	2-covered spaces (garage)	2-covered (garage)	Yes
Minimum Usable Open Space	1,200 square feet	2,200 sq. ft.	Yes

Architecture and Design

The two-story house will include a stucco finish with a stone veneer wainscot. The stucco will be a light “mocha” color, with a darker brown trim along the cornices, beltcourse, and window trims. The house will include brown, composition shingles. The applicant has worked with staff to add the following architectural features:

- Added stone veneer wainscot along the west elevation for the length of the garage;
- Added a stucco-covered foam belt course along the east elevation to break up the flat façade;
- Added matching stucco covered foam window trim painted to match on all second floor bedroom windows.

Site Development

- First Floor: 927 sq.ft.
- Second Floor: 1,048 sq.ft.
- Porch: 19 sq.ft.
- 2-Car Garage: 435 sq.ft.
- Covered Patio: 512 sq.ft.

Total (building footprint): 1,893 sq.ft. (32.8% Lot Coverage)

The project as proposed, with the exception of the variance request described below, complies with the development standards of the R-1 zone.

VARIANCE REQUEST

The applicant is requesting approval of a variance request of section 17.34.070(A), which requires a 5-foot and 15-foot side yard setback. This is due to the width of the lot, 25-feet less than the minimum 65-foot width requirement for newly created lots in the R-1 zone. The required setbacks would only allow for a 20-foot wide house, the approximate width of a 2-car garage. This would make it very difficult to create a functional floor plan. The extra 5-feet allows for a front door entrance and a twenty square foot porch.

Staff routed the application to the different City departments for review and comment. The Fire Department required the following conditions:

- In addition to the required automatic sprinkler system (NFPA 13D) installed by a licensed C-16 contractor, fire sprinklers will be required in every closet, and other normally unoccupied spaces such as HVAC closets, water heater closets, and all attic spaces for in the residence and the garage area. Fire sprinklers will also be required over the patio area.

FINDINGS

1. *That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.*

The existing lot of record is located in an area of the City where smaller lots were created and developed. The size and layout of the property make it difficult to construct a functional single-family dwelling unit.

2. *That such variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.*

The tract is improved with narrow lots, with many homes built with setbacks that do not comply with the current setback standards. In order to develop the lot with a functional home, and to allow the property owner the same property rights possessed by other properties in the neighborhood, a reduction in the setback from 15-feet to 10-feet is necessary.

3. *That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

The proposed relief from Sections 17.34.070(A) of the LLMC will not be detrimental to the public welfare or injurious to property and improvements in that the proposed home with reduced setback will remain on the subject site. Approval of the variance will allow the property owner to develop the constrained lot. The construction will be subject to the necessary building code requirements to ensure compatibility and safety.

4. *The granting of such variances will be consistent with the general plan for the city.*

The variance request to accommodate a setback relief from Sections 17.34.070(A) of the LLMC for minimum side yard requirements facilitates Policy No. 1.2 of the General Plan Housing Element (Chapter 5.0), which identifies the necessity to ensure the supply of safe, decent, and sound housing for all residents. The granting of the variance will allow the applicant to develop the lot with a functional home, similar to those found in the immediate neighborhood.

5. *That a public hearing was held wherein the applicant is heard and in which he substantiates all of the conditions cited in this subsection.*

The variance request is scheduled for review on the October 7, 2015 Planning Commission Meeting. The conditions to the project are included as Attachment B to this report.

CONCLUSION

Staff recommends approval of the project as it is consistent with the General Plan and the findings can be made to support the approval of the variance request. The project will allow development of a constrained, vacant lot and will improve the immediate neighborhood with a new home, which will be compatible with the future uses in the surrounding area.

Report prepared by:

Guillermo Arreola
Senior Planner

EXHIBITS

- A. Vicinity Map
- B. Conditions of Approval
- C. Project Plans

VICINITY MAP



CONDITIONS OF APPROVAL
VARIANCE NO. 15-084
SFR NO. 15-083

COMMUNITY DEVELOPMENT DEPARTMENT

1. Within forty-eight (48) hours of this approval of the subject project, the applicant shall deliver a payment of fifty dollars (made out to the ***Clerk of the Board of Supervisors***) to enable the City to file the appropriate environmental documentation for the project. If within such forty-eight (48) hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.

PROJECT:

VARIANCE NO. 15-084 and SFR NO. 15-083

EXPIRATION DATE:

OCTOBER 7, 2016

2. Within one year of this approval, the Single Family Residential Application shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of one year, the permit/approval shall become null and void.
3. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 12 months. The review authority shall ensure that the project complies with all current Development Code provisions.
4. The Owner shall indemnify, protect, defend, and hold harmless the City, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, Owner shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend such governmental entity. City shall promptly notify the Owner of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the Owner shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
5. Construction shall be in substantial conformance with the plan(s) approved by the Community Development Director. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refiling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:

EXHIBIT – B

- a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
6. During construction of the site, the project shall comply with Section 9.20 (Prohibited Noises) of the Loma Linda Municipal Code and due to sensitive receptors in the surrounding neighborhood, construction activities shall be further restricted to cease between the hours of 6:00 p.m. and 7:00 a.m.
7. All construction shall meet the requirements of the 2010 California Building Code (CBC); and the 2010 California Fire Code (CFC) and the 2006 International Fire Code (with the City of Loma Linda Amendments).
8. The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise plan of design, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.
9. The applicant shall install drought tolerant landscaping within the front yard setback.
10. The applicant shall design the plans to include a required automatic sprinkler system (NFPA 13D) to be installed by a licensed C-16 contractor. Fire sprinklers shall be required in every closet, and other normally unoccupied spaces such as HVAC closets, water heater closets, and all attic spaces for in the residence, garage area, and over the patio area.
11. The applicant shall comply with all City, County, State and Federal laws, were applicable.

NOTICE: The designs and ideas indicated by these drawings were created for the use of this project only and are the sole property of Jonathan L. Zane, Architect. These designs may not be used for any other purpose whatsoever without the written consent of Jonathan L. Zane, Architect.



BIRDSEYE VIEW OF PROPERTY



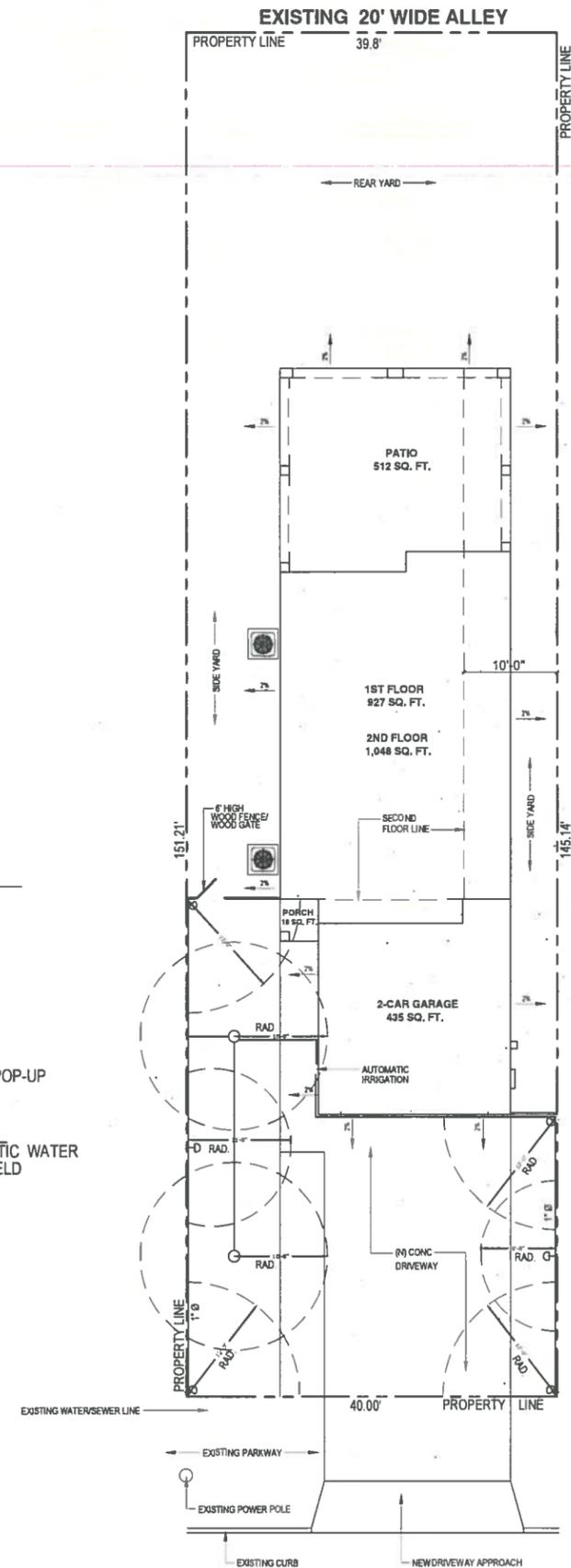
FRONT VIEW OF PROPERTY

IRRIGATION LEGEND:

- FULL HEAD 8'-0" DIA.
- ◐ HALF HEAD 8'-0" DIA.
- ◑ 3/4 HEAD 6'-0" DIA.
- LOW PRESSION HEADS
- CONTROL LOCATION

USE RAIN BIRD 1806 PLASTIC POP-UP

NOTE:
 CONNECT TO EXISTING DOMESTIC WATER SUPPLY LINE VERIFY IN THE FIELD LOCATE VALVE IN PLANTER



IRRIGATION PLAN
 W8-1-0



DESIGNER
D.Q.
 Drafting

RESIDENTIAL ADDITIONS
 REMODELS NEW HOMES &
 DRAFTING SERVICES
 DIANE NAVARRO
 2123 WEST FAIRVIEW DRIVE
 RALTO, CA 92377
 PHONE: (562) 431-6662
 FAX: (707) 452-8184

GENERAL NOTES:

- VERIFY MEASUREMENTS WITH CORRESPONDING CONSTRUCTED OR EXISTING CONDITIONS PRIOR TO PROCEEDING WITH THE WORK, AND NOTIFY THE ARCHITECT IMMEDIATELY OF SIGNIFICANT DISCREPANCIES
- FINISH ELEVATIONS REFERENCED ON ARCHITECTURAL DRAWINGS ARE DATUM ELEVATIONS ABOVE THE FINISH FLOOR ELEVATION. THE CONTRACTOR MUST COORDINATE DATUM-BASED ARCHITECTURAL ELEVATIONS SHOWN WITH SITE-SPECIFIC ELEVATIONS SHOWN ON CIVIL DRAWINGS
- WALL DIMENSIONS SHOWN ARE TO FACE OF WALL FINISH UNLESS SPECIFICALLY NOTED OTHERWISE

PROJECT
 PROPOSED 2-STORY RESIDENCE

PROJECT FOR:
 JESSICA OLIVAS

PROJECT ADDRESS
 26373 1ST STREET
 LOMA LINDA, CA 92354

#	REVISION	DATE

JONATHAN L. ZANE
 ARCHITECTURE
 JONATHAN L. ZANE, ARCHITECT - CA. LIC. #C-11,046
 958 NORTH LA CADENA DRIVE
 COLTON, CA 92324 (909) 825-7500



SCALE: AS NOTED
 DRAWN: D.N.
 DATE: 09/22/14

DRAWING NUMBER
A-1.2

Planning Commission

Regular Meeting of July 1, 2015

A regular meeting of the Planning Commission was called to order by Vice-Chairman Khatibi at 5:30 p.m., Wednesday, July 1, 2015, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: Nikan Khatibi, Vice Chairman
Ryan Gallant
Jay Nelson

Staff Present: Konrad Bolowich, Assistant City Manager
Guillermo Arreola, Associate Planner
Nataly Alvizar, Administrative Specialist I

City Survey tour started at 5:38pm, locations visited;

1. Veteran's Association Medical Clinic - 26001 Redlands Boulevard
2. Shell Gas Station – 10342 Mountain View Ave
3. Holiday Inn Express - 25222 Redlands Boulevard
4. Parking Structure – Northeast corner of Campus Drive and Barton Road

Commissioners and Staff returned to City Hall.

Vice-chairman Khatibi led the Pledge of Allegiance. No items were added or deleted; no public participation comments were offered upon invitation of the Chairman.

1. TIME EXTENSION REQUEST – PRECISE PLAN OF DEVELOPMENT (PPD) NO. 13-007, TENTATIVE PARCEL MAP NO. 13-032 (TPM 19452), AND VARIANCE NO. 13-067

Planner Arreola presented the staff report into evidence. The Applicant request a time extension request for the previously approved 87-unit apartment project located at 25259-25303 Van Leuven Street, located in the R-3 Multi-Family Zone, with a General Plan Land Use Designation of Very High Density Residential (0-20 du/ac). The project was originally approved on August 27, 2013. Due to economic turn down and financial problems the construction did not proceed.

Vice – Chairman Khatibi opened Public Hearing.

Resident Crisly Penaflorida spoke at the Public Hearing. She stated that she owns property across the street from the subject site and is concerned with the safety of her home. Since the site has been abandoned, the site has attracted transients and her home burglarized. Furthermore the owner has not kept up the maintenance of the property. She requested that the property owner establish some type of security to avoid transients or vandalism.

Vice- Chairman Khatibi thanked resident Mrs. Penaflorida for taking the time to share her concerns in regards to this development.

ACM Bolowich stated that this issue is being handled by law enforcement and City Code Enforcement. He reassured the resident that he would communicate with both owner and law enforcement to take action on the securing the site.

Discussion ensued with commissioners and staff regarding time frames on securing the site.

Vice – Chairman Khatibi closed the public hearing.

Motion by Gallant seconded by Nelson and carried unanimously to approve the TIME EXTENSION REQUEST – PRECISE PLAN OF DEVELOPMENT (PPD) NO. 13-007, TENTATIVE PARCEL MAP NO. 13-032 (TPM 19452), AND VARIANCE NO. 13-067 (Chairman Nichols absent)

1. APPROVAL OF MINUTES

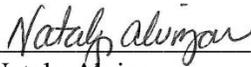
a. May 20, 2015

Motion by Gallant seconded by Nelson and carried unanimously to approve meeting minutes of May 20, 2015. (Chairman Nichols absent)

REPORTS BY STAFF

No reports by staff or Commissioners.

Meeting adjourned to August 2, 2015 at 7:18 p.m.



Nataly Alvizar
Administrative Specialist I