

Planning Commission

Regular Meeting of August 7, 2013

A regular meeting of the Planning Commission was called to order by Vice Chairman Rojas at 7:20 p.m., Wednesday, August 7, 2013, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: Miguel Rojas, Vice Chairman
Carolyn Palmieri
Fred Khosrowabadi

Commissioners Absent: John Nichols, Chairman
Nikan Khatibi

Staff Present: Konrad Bolowich, Assistant City Manager
Guillermo Arreola, Associate Planner
Jeffrey Peterson, Associate Engineer
Richard Holdaway, City Attorney

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

PC-13-18 – Public Hearing - Precise Plan of Design (PPD) No. 13-07, Tentative Parcel Map 13-32 (No. 19452), Variance No. 13-067 – A request to develop an 87-Unit apartment project for property at 25259-25303 Van Leuven Street, located in the R-3 High Density Zone. The project includes a request for a Variance to reduce to the rear yard setback requirement and allow a wall that exceeds 6-feet in height along the rear property line and a request to consolidate seven parcels into one parcel. The property has a General Plan Land Use Designation of Very High Density Residential (0-20 du/ac) and is located in the R-3 High Density Zone

Vice Chairman Rojas introduced the item and opened the public hearing.

Associate Planner Guillermo presented the staff report into evidence. He indicated that Hogle-Ireland, Inc. prepared the Initial Study Mitigated Negative Declaration and also reviewed the Noise Study, Traffic Study and Air Quality Study for inclusion in the Initial Study. Christopher Brown, Director of Environmental Services with Hogle-Ireland was available to answer any questions.

Planning Commission congratulated staff and applicant for presenting an attractive and well-thought out project and on the copious use of trees and landscaping. Staff clarified that the rear set back variance request was for 0' rear set back, moving the handicap parking closer to the building was not possible as the parking nearer the buildings was enclosed garages, that the basketball court hoop was already against the back of a garage unit not a walkway, and that garages were of sufficient size to accommodate storage of bicycles rather than providing outdoor bike racks.

Applicant was agreeable to the use of stamped or colored concrete to delineate pedestrian path of travel where sidewalks from Van Leuven cross the interior driveway, as well as the addition of benches near the walkways under the trees.

In response to questions regarding the AC units, Terry Adkins with the Atlas Group noted that the AC units were located on the deck area of each unit.

No comments were offered by the public and Vice Chairman Rojas closed the public hearing.

Motion by Palmieri, seconded by Khosrowabadi and carried to approve staff recommendation to recommend that City Council adopt the Mitigated Negative Declaration, and approve Precise Plan of Design No. 13-78, Tentative Parcel Map No. 13-32 and Variance No. 13-67, based on the Findings and subject to the Conditions of Approval. Nichols and Khatibi absent.

PC-13-19 – Public Hearing - Development Code Amendment (DCA) No. 13-080 – A city initiated request to add to the Loma Linda Municipal Code (LLMC), Chapter 17.105 – Formula-Based Fast Food Restaurant and Section 17.105.010 to Title 17 (Zoning), and Section 17.02.205 – Formula-Based Fast Food Restaurants to Chapter 17.02 (Introduction and Definitions), to define and add specific provisions and regulations relating to formula based fast food restaurants in the City of Loma Linda

Vice Chairman Rojas introduced the item and opened the public hearing.

Assistant City Manager Bolowich presented the staff report into evidence, indicating that both Planning Commission and City Council have had discussions regarding drive through businesses, along with extensive citizen input over the last year or so. Working closely with the Loma Linda University Public Health Department, staff has developed the proposed Development Code Amendment which reflects the desires of the community but is still fair and clearly enforceable. This proposed Development Code Amendment limits the drive through component only and does not limit walk-in, sit down fast food type restaurants. It does limit new or replacement of existing fast food restaurants with a drive through, but with the attempt to not penalize existing restaurants.

He continued, indicating there are three parts – 1) defining Formula-Based Fast Food, (proposed LLMC Section 17.02.205); 2) clarifying that existing Formula-Based Fast Food drive through restaurants are existing, non-conforming and will be allowed to continue to operate, can be bought and sold, will be allowed to remodel with no increase in square footage, and can be replaced as it currently exists; and 3) existing establishments must stay in continuous operation.

Dick Wiley addressed the Planning Commission regarding the definition of a franchise and possible future economic loss to the City.

Vice Chairman Rojas responded that in his opinion the proposed DCA does not deter businesses but rather attracts the kinds of restaurants that make the city distinctive.

Commissioner Palmieri felt that rather than deterring businesses from locating in Loma Linda, it would attract more sit-down type restaurants.

No additional public comments were offered by the public and Vice Chairman Rojas closed the public hearing.

Motion by Khosrowabadi, seconded by Palmieri and carried to approve staff recommendation to recommend that City Council adopt Development Code Amendment (DCA) No. 13-080 – Regulations Relating to Formula Based Fast Food Restaurants. Nichols and Khatibi absent.

PC-13-20 – Approval of Minutes of July 17, 2013

Motion by Rojas, seconded by Palmieri and carried to approve the minutes of July 17, 2013 as presented. Nichols and Khatibi absent.

REPORTS BY PLANNING COMMISSIONERS

None.

REPORTS BY STAFF

Assistant City Manager Bolowich indicated that the Memory Care facility at New Jersey and Orange Streets was close to obtaining their Certificate of Occupancy and would like to start the September 4, 2013 meeting of the Planning Commission at 6:00 p.m. to facilitate a walk-thru of the facility.

The meeting adjourned at 8:23 p.m. to 6:00 p.m., September 4, 2013.

Minutes approved at the meeting of November 6, 2013.



Barbara Nicholson
Deputy City Clerk