

Planning Commission

Regular Meeting of December 4, 2013

A regular meeting of the Planning Commission was called to order by Vice Chairman Rojas at 7:00 p.m., Wednesday, December 4, 2013, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: Miguel Rojas, Vice Chairman
Nikan Khatibi
Ryan Gallant

Commissioners Absent: John Nichols, Chairman
Carolyn Palmieri

Staff Present: Konrad Bolowich, Assistant City Manager
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 Vice Chairman.

PC 13-25 – Time Extension For Precise Plan Of Design No. PPD 11-58 – (Public Hearing) – The applicant is requesting a one year time extension for the previously approved Precise Plan of Design (PPD) No. 11-58 to construct a new 2,500 square-foot duplex with a 630 square-foot attached garage and an attached 360 square-foot carport area on a 0.32 acre lot. The lot contains an existing single-family residence that will remain as is. The project is located at 25004 Court Street within the Multiple-Family Residence (R-3) Zone

Vice Chairman Rojas opened the public hearing. Assistant City Manager Bolowich indicated the applicant was not able to attend and requested that if the Commission had questions for him that the item be continued. Bolowich stated the reason for the time extension request was primarily financial. No comments were offered from the public.

Vice Chairman Rojas closed the public hearing.

Motion by Khatibi, seconded by Gallant and carried to approve the one year time extension. Nichols and Palmieri absent.

PC-13-26 – Development Code Amendment No. 13-114 – (Public Hearing) A City initiated amendment to the Loma Linda Municipal Code (LLMC), Chapter 17.44 (C-1, Neighborhood Business Zone), Section 17.44.030 – Conditional Uses, and Chapter 17.46 (C-2, General Business Zone), Section 17.46.030 – Conditional Uses, Title 17 (Zoning), to amend the current regulations relating to the on-site sale and consumption of beer and wine in conjunction with a primary restaurant use, and for hotels with a minimum of 50 rooms, in the Neighborhood Business (C-1) and General Business (C-2) zones in the City of Loma Linda

Vice Chairman Rojas opened the public hearing and Assistant City Manager Bolowich presented the staff report into evidence, indicating that the Development Code Amendment related to the consumption of alcohol (beer and wine) in the C- and C-2 zones. Current City Code limited the sale for on-site consumption of beer and wine to restaurants that serve food as a matter of complete table service and had a 2,000 sq. ft. minimum. Currently evolving are restaurant models in the mid-range dining experience that do not offer a true complete table service environment, but do have the sale of on-site beer and wine as part of their business model. Removing the complete table service requirement from the code would allow the City to attract more diverse restaurants. In the C-2 zone, the code amendment would allow hotels with over 50 rooms to offer beer and wine for on-site consumption such as lounge area, but not through room service. He also indicated that the proposed amendments could be considered independently one from the other, recommending approval of one or the other or both options.

City Attorney Holdaway provided some suggested language modifications – specifically to Section 17.44.030 C. 9.b. to add “Restaurant Service” to the beginning and c. to remove “and spirits”; and similar changes to 17.46.030 R. to add ...use of a restaurant “or hotel”, provided:..., R.b. add “Restaurant Service” to the beginning and R.c. delete “and spirits” and the addition of “no room service of beer and wine is permitted”.

Dick Wiley addressed the Commission and asked if there were any controls recommended regarding hotel meeting rooms and those patrons that were there only attending a meeting. Staff responded that the sale was limited by the number of rooms only.

Vice Chairman Rojas asked about controls regarding rental of banquet rooms and alcohol consumption. Bolowich responded that if the banquet room is part of the restaurant, there are no additional controls.

Discussion ensued regarding the original intent of the current alcohol restrictions and the modifications thereto over the years; that the current proposed amendments were not that alcohol sales made a restaurant more successful, rather that it was a part of their business model in choosing possible locations.

Vice Chairman Rojas indicated that what made the City unique was its health message, which was contradictory to the consumption of alcohol. He indicated he had difficulty accepting the eroding of the community standards; questioned why restaurants could not do well without serving alcohol; and if they did not want to build in Loma Linda because of alcohol restrictions, it was their prerogative. To allow alcohol consumption only for the increased revenue to the city was in his opinion the wrong reason and not in the best interest of the community.

Commissioner Khatibi asked specifically regarding Native Foods being satisfied with only beer and wine and, in regards to the health message, was caffeine ever an issue when Starbucks looked to locate in Loma Linda.

Assistant City Manager Bolowich indicated that yes, it was the business model for Native Foods, and that there are no regulations limiting caffeine.

Dick Wiley addressed the Commission, voicing his opinion regarding the freedom of choice and limiting the choices of others because of another's beliefs, eluding it may be religious in nature.

Vice Chairman Rojas responded that his objections were not necessarily religious based, but were related to health and where one's decisions may infringe upon another's ability to live a healthy life.

Commissioner Gallant asked about guidance for a business to ensure consumption is on-site; that perhaps signage that limits the beer and wine to certain areas or prohibits the alcohol from going outside.

Assistant City Manager indicated that the amendment could dictate that consumption must be done indoors; typically presumed that it is part of the restaurant service, consumed on-site and not provided "to go"; and that it needs to be enforceable.

Motion by Khatibi, seconded by Gallant and carried to recommend approval to the City Council with corrections as recommended above by the City Attorney; Rojas opposed. Nichols and Palmieri absent.

Assistant City Manager Bolowich indicated that this item should go before the City Council at their January 2014 meeting.

PC-13-27 – Approval of Minutes of November 6, 2013

Motion by Khatibi, seconded by Rojas and carried to approve the minutes of November 6, 2013 as presented. Nichols and Palmieri absent.

REPORTS BY PLANNING COMMISSIONERS

Vice Chairman Rojas asked about the timing of traffic lights, specifically Anderson and Barton as he had a friend hit by a car, that perhaps the pedestrian crossing light should be longer or the crosswalk lighted. In addition, he noted the light at Benton and Barton was worse. City Attorney Holdaway indicated that the timing is typically based upon models and engineering studies and must be followed to minimize liability. Assistant City Manager Bolowich indicated it would be a matter for the Traffic Advisory Committee and he would forward to the appropriate City staff.

Commissioner Khatibi spoke about the Loma Linda Holiday Classic, that it was well organized, had a great turnout and was a good event.

REPORTS BY STAFF

Assistant City Manager Bolowich introduced and welcomed new Commissioner Ryan Gallant.

He updated the Commissioners on the following:

- VA project – contracted with consultant for environmental studies; should come before the Commission soon.

- The Campus Transformation project – going directly to City Council as the Planning Commission was conflicted; environmental should be on the January meeting; may be able to provide informational presentation with no discussion or comments from the Commissioners. City Attorney cautioned the Commission as to potential influence regarding a project on which they are conflicted.

Vice Chairman Rojas welcomed Ryan to the Planning Commission.

The meeting adjourned at 7:56 p.m.

Minutes approved at the meeting of January 15, 2014.



Barbara Nicholson
Deputy City Clerk