

# Staff Report City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF JULY 6, 2011

TO: PLANNING COMMISSION  
FROM: KONRAD BOLOWICH, DIRECTOR   
SUBJECT: PRECISE PLAN OF DESIGN NO. 11-58

### SUMMARY

The applicant is requesting 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 located at 25004 Court Street. The lot contains an existing single-family residence that will remain as is. The project is located within a Multiple-Family Residence (R-3) Zone. (See Attachment A, Site Location Map)

### RECOMMENDATION

The recommendation is that the Planning Commission approve Precise Plan Design (PPD) No. 11-58 based on the Findings and subject to the attached Conditions of Approval (Attachment B).

### PERTINENT DATA

Property Owner/Applicant:	Mr. Patrick Hsu
General Plan	Medium Density Residential (0 to 9 DU per acre)
Zoning:	Multiple-Family Residence (R-3)
Site:	0.32 acres
Topography:	Relatively flat
Vegetation:	Existing landscaping throughout with mature trees

## **BACKGROUND AND EXISTING SETTING**

### **Background**

The application was submitted to the Community Development Department on April 26, 2011. The project was reviewed and deemed complete by the Administrative Review Committee (ARC) on May 5, 2011.

### **Existing Setting**

Currently, the site contains one single-family residence located on the northern portion of the property. The structure was built in 1900 and has approximately 2,000 square feet of living space. Additionally, there are existing trees at the center of the property and along the east perimeter.

The properties to the south, east and west are zoned Multiple-Family Residence (R-3) and are developed with residential uses. The property to the north is zoned East Valley Specific Plan/General Commercial (EVSP/CG).

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS**

The construction of the new duplex is exempt from CEQA pursuant to the CEQA Guidelines § 15303(b), which provides a Class 3 Categorical Exemption for new construction of up to six dwelling units in urbanized areas.

## **ANALYSIS**

### **Project Description**

As previously stated, the project is a request to construct a new duplex on an existing 0.32 acre site that currently contains a single-family residence. The construction will also involve the related on-site improvements such as parking, landscaping and lighting.

### **Public Comments**

As of writing of this report, staff has not received any comments in favor or in opposition to the proposed project.

### **Analysis**

The project site is a rectangular shaped lot with dimensions of approximately 85 feet by 150 feet. The project will have a front yard building setback of 25 feet. The side-yard setbacks are identified at five feet to the west property line and 27 feet to the east property line. The rear-yard setback (distance between the proposed units and the existing single-family residence) is identified at 16 feet. The Loma Linda Municipal Code Section 17.38.060 through 17.38.090 requires a minimum 20 foot front-yard setback,

five foot side-yard setback with an additional five feet for each story above the first floor and 15 foot rear-yard setback. As indicated above, this project meets the minimum setback requirements.

The site plan indicates one point of ingress and egress from Court Street. The access points will direct vehicular traffic to the small pockets of parking areas. The site plan indicates that there are five open parking spaces, two covered parking spaces and three garage spaces at a total of 10 parking spaces. The code requires 1.5 parking spaces per one-bedroom unit plus 0.5 parking spaces per each additional bedroom and 0.25 parking spaces per bedroom for guest parking for a total of eight parking spaces (including parking for the existing residence). Therefore, the proposed project meets the City's minimum parking requirements.

The site plan shows that the open space is provided throughout the property. As noted on the plan, the project will provide approximately 5,000 square feet of common usable open space which exceeds the minimum open space requirements of 800 square feet for units with three or more-bedroom (for a project total of 1,600 square feet). Additionally, each unit will have a designated private yard area totaling 550 square feet for the whole project.

The landscape plan indicates the use of grass, shrubs and trees throughout the project site. There are existing trees (Palm, Pecan, Pomegranate, Oak and Citrus trees) that will remain on the site. The addition of Desert Museum and Japanese Maple trees are proposed on the north end of the property. Hibiscus, Lantana, and Ice Plants will also be incorporated in the landscaping. The landscape area along the perimeter of the property will provide additional screening to the proposed development.

### **Architecture Analysis**

The surrounding neighborhood has an eclectic architectural style with a mix of Craftsman and Ranch style structures. The applicant is proposing a post-war residential design that incorporates gabled roofs and wood siding. The applicant is also proposing a second floor deck area on the east and west side of the building. Warm earth tones and a beige composition roof will compliment the style of the structure.

Each unit will have approximately 1,250 square feet of living area with three bedrooms and two and one half bathrooms each. The units provide a living room, kitchen, dining room, living room floor bathroom, and attached garages. The proposed design includes the living room area and kitchen on the first floor with the bedrooms and the majority of the bathrooms on the second floor.

### **Development Agreement**

The proposed project is located in the City's Redevelopment Project Area. As a result, the developer is required to provide fifteen percent of the units (two units) as affordable. Due to the small size and scope of the project, the applicant has agreed to pay a

housing in-lieu fee. The applicant is in the process of finalizing the Development Agreement with the Redevelopment Agency.

## **FINDINGS**

### **Precise Plan of Design Findings**

According to LLMC Section 17.30.290, Precise Plan of Design (PPD), Application Procedure, PPD applications shall be processed using the procedure for a variance (as outlined in LLMC Section 17.30.030 through 17.30.060) but excluding the grounds (or findings). As such, no specific findings are required. However, LLMC Section 17.30.280, states the following:

“If a PPD would substantially depreciate property values in the vicinity or would unreasonably interfere with the use or enjoyment of property in the vicinity by the occupants thereof for lawful purposes or would adversely affect the public peace, health, safety or general welfare to a degree greater than that generally permitted by this title, such plan shall be rejected or shall be so modified or conditioned before adoption as to remove the said objections.”

In an effort to ensure that the foregoing project is consistent with the General Plan, compliant with the zoning and other City requirements, compatible with the surrounding area, and appropriate for the site, staff and the City Attorney have opted to apply the Conditional Use Permit Findings in LLMC §17.30.210 to this project, as follows:”

1. *That the use applied for at the location set forth in the application is properly one for which a precise plan of design is authorized by this title.*

As previously mentioned, the proposed residential development meets the development requirements of the Multiple-Family Residence (R-3) Zone. All public utilities are available to the site. Additionally, the proposed project will provide development and amenities to the existing neighborhood.

2. *That the said use is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the general plan, and is not detrimental to existing uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed use is consistent with the existing General Plan Goal No. 1 that states that a diversity of housing opportunities is required to enhance the City's living environment and to satisfy the housing needs of Loma Linda residents. Additionally, Goal No. 2 of the General Plan states that provision of housing that is affordable to all economic segments of the community is necessary. Policy 2.1 of the General Plan emphasizes the need to assist and cooperate with nonprofit,

private, and public entities to maximize opportunities to develop affordable housing.

3. *That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls, or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood.*

The subject parcel is adequate in size and shape to accommodate the proposed use. The project will be developed on an existing 0.32-acre site. The lot coverage of the new facility will be approximately 22 percent (R-3 Zone allows up to 60 percent of lot coverage) of the overall site. And as previously stated the project meets the development requirements for R-3 Zones. Therefore, the project site can accommodate the proposed use which will be compatible with the existing and future land uses.

4. *That the site or the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic generated or that will be generated by the proposed use.*

The project site has access from Court Street, which can accommodate the type and quantity of traffic generated by this use. A total of 10 parking spaces are provided to accommodate the parking requirements for the new duplex and the existing single-family development. The proposed project and related on- and off-site improvements would not conflict with other uses immediately adjacent to the project site.

5. *That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare.*

The public health, safety and general welfare will be protected through the implementation of the Conditions of Approval for this Precise Plan of Design to insure compatibility with the neighborhood.

## **CONCLUSION**

All elements of the project are consistent with the General Plan. The project is also in compliance with the R-3 zoning regulations, and findings have been made to support staff's recommendation for approval. The applicant has worked closely with staff and has made every effort possible to provide the most appropriate layout, design, and architecture for this project. The multi-family residential use is compatible with the existing and future uses in the surrounding area. The construction of the new duplex is exempt from CEQA pursuant to the CEQA Guidelines § 15303(b).

Report prepared by:



Allan Penaflores  
Assistant Planner

### **ATTACHMENTS**

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

# **Attachment A**

**Vicinity Map**

**PPD No. 11-58**

**July 6, 2011**

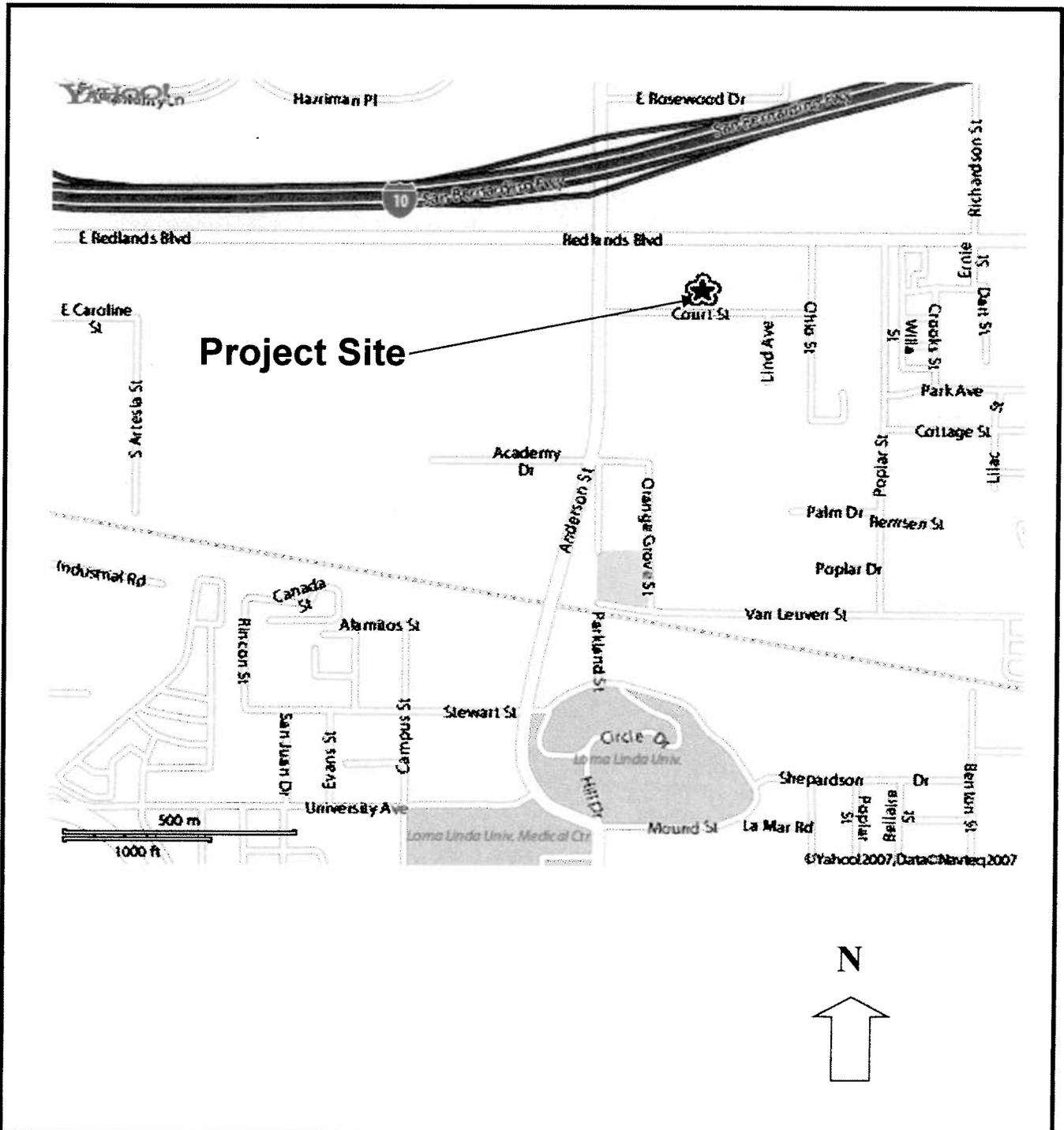


# City of Loma Linda

## Community Development Department

25541 Barton Road, Loma Linda, CA 92354

(909) 799-2830; Fax (909) 799-2894



Vicinity Map

PPD No. 11-58

# **Attachment B**

**Project Plans**

**PPD No. 11-58**

**July 6, 2011**







# **Attachment C**

## **Conditions of Approval**

**PPD No. 11-58**

**July 6, 2011**

**CONDITIONS OF APPROVAL  
PRECISE PLAN OF DESIGN (PPD) NO. 11-58**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**General**

1. Within one year of this approval, the Precise Plan of Design 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.

PROJECT:

PPD NO. 11-58

EXPIRATION DATE:

July 6, 2012

2. 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.
3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, Redevelopment Agency (RDA), their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City and RDA of any costs and attorneys fees, which the City or RDA may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. 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 refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
  - 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.
5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to

the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.

6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
7. The applicant shall comply with all of the Public Works Department requirements for recycling prior to issuance of a Certificate of Occupancy.
8. 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.
9. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of any Building and/or Construction Permits.
10. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit to the Community Development Department proof of payment or waiver from both the City of San Bernardino for sewer capacity fees and Redlands Unified School District for school impact fees.
11. The applicant to pay all required development impact fees to cover 100 percent of the pro rata share of the estimated cost of public infrastructure, facilities, and services.
12. To meet the City's affordable housing requirement, the proposed project is subject to an approved Development Agreement between the applicant and the Loma Linda Redevelopment Agency. Please contact Pam O'Camb, City Clerk and Redevelopment Agency Secretary at (909) 799-2819 for further information.
13. The developer 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.

14. The project shall comply with the City Art in Public Places Ordinance (LLMC Chapter 17.26), which establishes grounds for compliance for new enterprises to facilitate public art. The establishment of artistic assets will be financed and/or constructed by the development community as part of the development requirements.
15. The project shall comply with all non-exempt provisions of Measure V and shall pay the full amount or any recalculated development impact fees, including traffic impact fees, prior to occupancy.

### **Landscaping**

16. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. Any and all fencing shall be illustrated on the final landscape plan.
17. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.
18. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.

### **FIRE DEPARTMENT**

19. All construction shall meet the requirements of the editions of the 2010 California Building Code (CBC) and the 2010 California Fire Code (CFC)/International Fire Code (IFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
20. Pursuant to CFC Section 903, as amended in Loma Linda Municipal Code (LLMC) Sections 15.28.230-450, the building(s) shall be equipped with automatic fire sprinkler system(s). Pursuant to CFC Section 901.2, plans and specifications for the fire sprinkler system(s) shall be submitted to Fire Prevention for review and approval prior to installation. Fire flow test data for fire sprinkler calculations must be current within the last 6 months. Request flow test data from Loma Linda Fire Prevention at (909) 799-2859.
21. Fire Department Impact Fees shall be assessed according to the rate legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by the City manager's Executive Order.

**PUBLIC WORKS DEPARTMENT**

22. The developer shall submit an engineered grading plan for proposed project.
23. All utilities shall be underground. The City of Loma Linda shall be the sewer purveyor.
24. All public improvement plans shall be submitted to the Public Works Department for review and approval.
25. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
26. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.
27. All site drainage shall be handled on-site and shall not be permitted to drain onto adjacent properties. An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage construction and operation.
28. All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters or blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.

\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner signature

End of Conditions