

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF MARCH 7, 2012

TO: PLANNING COMMISSION

FROM: KONRAD BOLOWICH, ASSISTANT CITY MANAGER,
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT (GPA) NO. 11-165, ZONE CHANGE (ZC) NO. 11-166, PRECISE PLAN OF DESIGN (PPD) NO. 11-164 – A PROPOSAL TO AMEND THE GENERAL PLAN LAND USE PLAN AND ZONING MAPS FROM HIGH DENSITY TO HEALTH CARE AND MULTI FAMILY RESIDENCE (R-3) TO INSTITUTIONAL (I) TO ACCOMMODATE THE CONSTRUCTION OF A 37,873 SQUARE FOOT, 66-BED MEMORY CARE FACILITY ON 2.7 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND NEW JERSEY STREET.

SUMMARY

The Applicant is requesting a change to the General Plan Land Use Element and Zoning Maps from High Density to Healthcare and from Multi Family Residence to Institutional to accommodate a 37,873 square foot memory care facility on 2.7 acres of land located at the southwest corner of Orange Avenue and New Jersey Street. Additionally, the project involves demolishing the existing residence and accessory structures at 26657 Orange Avenue (see Attachment A, Site Location Map).

Copies of the Proposed Plans are included in Attachments B.

RECOMMENDATION

Staff recommends that the Planning Commission recommend the following actions to the City Council:

1. Adopt the Mitigated Negative Declaration (Attachment E);
2. Approve and adopt General Plan Amendment No. 11-165 and Zone Change No. 11-166, based on the Findings;

ATTACHMENT – A

3. Approve Precise Plan of Design No. 11-164 based on the Findings, and subject to the attached Conditions of Approval (Attachment F);

PERTINENT DATA

Owner/Applicant: Loma Linda Mission Grove LLC

Current General Plan: High Density Residential (0-13 d.u. per acre)

Current Zoning: Multi Family Residence

Site: The rectangular, 2.7-acre project site is located on the southwest corner of Orange Avenue at New Jersey Street.

Topography: Relatively flat

Vegetation: No natural vegetation

Special Features: Existing 1952 single-family residence and wooden accessory structure, row of Canary Island Palms along New Jersey Street.

EXISTING SETTING AND BACKGROUND

Existing Setting

The project site is located on the east side of town in the Historic Mission Overlay District. In the past, the land has been used for agricultural purposes consisting mostly of citrus groves. The property contains an existing residence, addressed as 26657 Orange Avenue (circa 1952) and accessory structure. Surrounding land uses include an existing church to the south, and orange groves to the north, east and west of the project site. The surrounding uses are as follows

	General Plan	Zoning	Existing Use
North	County	Multiple Residential (R-M)	Orange Grove
South	High Density Residential	Multi Family Residence (R-3)	Church
East	High Density Residential	Multiple Residential (R-M)	Orange Grove
West	County	Multi Family Residence (R-3)	Orange Grove

Background

On November 17, 2004, the Planning Commission recommended denial to the City Council of General Plan Amendment No. 04-03 (Professional Office to Mixed Use), Zone Change No. 04-03 (Administrative Professional to Planned Community), Tentative Tract Map No. 16811, Precise Plan of Design No. 04-04, and a Development Agreement to create a 30-lot subdivision.

On April 12, 2005, the City Council, at the applicant's request, tabled the above mentioned applications. The project was never brought back for Council consideration.

On December 5, 2011, the project was presented to the Historic Commission in a public meeting to consider the Certificate of Appropriateness for the project. The Historic Commission recommended approval of the Certificate of Appropriateness to the City Council for the demolition of the existing structures.

ENVIRONMENTAL EVALUATION

On February 10, 2012, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration and Initial Study were prepared and released for public review. The California Environmental Quality Act (CEQA) mandatory 30-day public review began on February 10, 2012 and ends on March 10, 2012. The Initial Study evaluates the potential impacts of the project and identifies appropriate mitigation measures. All of the potential impacts that were identified in the Initial Study can be mitigated to below a level of significance. The mitigation measures are included as project Conditions of Approval. Therefore, the project can be approved with a Mitigated Negative Declaration in accordance with the requirements of CEQA.

Public Comment

Public notices for this project were posted and mailed to parcel owners and occupants within 300 feet of the project site on February 27, 2012. As of the writing of this report, there have been no written or oral comments received in opposition or in favor of the proposal.

ANALYSIS

Project Description

The General Plan and Zoning Map amendments are required to accommodate the 31,992 square foot, 66-bed memory care facility on 2.7 acres. The site design includes approximately 25,000 square feet of driveway and parking area for 42 parking spaces, and approximately 43,000 square feet of landscaping/open space. The development will provide access off Orange Avenue and New Jersey Street. A majority of the existing row of Canary Fan Palms located along New Jersey Street will be maintained and incorporated into the project design, except for a limited number of palms that must be removed in order to accommodate the proposed driveway entrance off New Jersey Street.

The operational characteristics of the facility are as follows:

- 66 bed, 24-hour residential facility
- Community living/dining areas

- Therapeutic Activities, daily exercise, outings, interaction with children and pets, music therapy, etc.
- Staffing: Daily staffing includes a full time administrator, an RN Health Services Director, 24-hours of licensed nursing staff, and eight to one care giver (nursing assistant) ratio on days and evenings, two care givers on nights, dietary service manager, cooks, dietary aides, 2-3 housekeeping and laundry personnel, a program director.
- Shifts: Three shifts spanning 24 hours
- 38 resident rooms, of which 10 are private and 28 are double occupancy
- Commercial kitchen and laundry service
- Security and Communications system throughout the facility

General Plan and Zoning Map Amendments

The project includes a request to amend the General Plan and Zoning Maps from High Density Residential (0-13 d.u. per acre) to Health Care and from Multi Family Residence (R-3) to Institutional (I), respectively. The project as proposed, complies with the Health Care Guiding Policy 2.2.4.3 in promoting health care facilities that are conveniently located and well designed to aid patients and to make a positive visual contribution to the community in general. The properties located north and east of the subject site are located in the unincorporated San Bernardino County areas, and are zoned Multiple Family Residential (R-M). The proposed zone change from R-3 to Institutional will comply with the new General Plan Land Use designation of Health Care, and will allow for the construction of a development, which will serve as a transition between institutional uses (church, hospital) located south of the subject site, and the residentially zoned properties located north, east and west of the subject site.

FINDINGS

General Plan Text and Map Amendment Findings

An amendment to the General Plan may be adopted only if all of the following findings are made:

1. *The proposed amendment is internally consistent with the General Plan;*

The proposed 66-bed memory care facility on 2.7 acres of land is consistent with the proposed Health Care Land Use Designation, and more specifically, with Health Care Guiding Policy 2.2.4.3, which promotes health care facilities that are conveniently located and well designed to aid patients and to make a positive visual contribution to the community in general.

The project, as conditioned, also complies with Principle Six of Measure V, which states that "traffic levels of service throughout the City of Loma Linda shall be

maintained at current levels and new development shall be required to fully mitigate any impact on traffic resulting from that development.

- 2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;*

The proposed amendment and associated development project would not be detrimental to the public in that the proposed 66-bed memory care facility complies with all of the development requirements of the Institutional Zone, including, but not limited to parking, landscaping, and design. Furthermore, the proposed use of the site will serve as a transition between the residential uses located to the west of the subject site, the institutional uses located to the south of the subject site, and the County's residentially zoned properties to the north and east.

- 3. The proposed amendment would maintain the appropriate balance of land uses within the City; and,*

The proposed General Plan Amendment from High Density Residential to Health Care would not significantly or negatively impact the existing balance between High Density Residential properties and those designated as Health Care. The 2.7 acre parcel is relatively small. In terms of acreage, the total amount of land dedicated to Multi Family Residential is 262.74 acres, approximately 4.5% of the planning area (City and Sphere of Influence). The Health Care land use designation is approximately 103.85 acres, 1.7% of the total planning area (City and Sphere of Influence).

- 4. In the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.*

The project site is physically suitable for a memory care facility. The adjacent properties in the area are a combination of institutional and residential uses. All public utilities are available to the site and can be provided for future site occupants.

Zone Change Findings

Changes to the zoning ordinance and map are considered legislative acts and do not require findings. State law does require that the zoning be consistent with the General Plan. The proposed Institutional (I) zone is consistent with the proposed Health Care land use designation. As stated above, the site is suitable for a memory care facility development under the Institutional zone and would not cause substantial environmental damage or be detrimental to the public welfare.

Precise Plan of Design (PPD)

According to LLMC Section 17.30.290, Precise Plan of Design (PPD), Application Procedure, PPD applications shall be processed using the procedure (but not the grounds) for a variance (as outlined in LLMC Section 17.30.030 through 17.30.060). 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.”

The project is consistent with the General Plan Land Use designation (Health Care) and in compliance with the “I” Zone, which permits institutional uses including medical facilities, health centers, clinics, and hospitals, pursuant to Loma Linda Municipal Code. The proposed institutional use is compatible with the existing and future land uses in the surrounding area. Furthermore, the project is not anticipated to depreciate property values in the vicinity as the development will not create a significant increase in traffic or long term noise impacts. The project is well designed, and includes sufficient parking and landscaping.

The project will provide improvements in the form of a new 37,873 square-foot, 66-bed Alzheimer’s memory care facility with on-site improvements including parking, lighting, landscaping and other related improvements. Staff recommends approval of the project to further facilitate the development of medical facilities and improve human and social services. The project will not adversely affect the public peace, health, safety or general welfare of the community.

Development Standards

Institutional (I) Zone Development Standards

	Required	Proposed	Complies
Front	25-feet	57’ 7”	Yes
Side	20-feet when adjacent to a residential zone, and in no event shall any side yard be less than 10 feet.	48’ 7”	Yes
Rear	20-feet when adjacent to a residential zone, and in no event shall any side yard be less than 10-feet.	40’2”	Yes
Maximum building coverage	59,692.5 sq.ft. 50%	37,873 sq.ft. 31.73%	Yes

Parking	1 parking space for each two beds 33	42	Yes
Open Area Landscaping	Not less than 4% of the off-street parking area 1,014.16 sq.ft.	36.4% 43,443 sq.ft.	Yes
Walls/Fencing	6-foot high, masonry block wall required when adjacent to residential zone	None proposed	No

The applicant will be required to construct a 6-foot high perimeter masonry block wall along the rear and interior side property line, except within the front and side yard setbacks. The wall should match the building in color and finish. A condition of approval has been added into the Conditions of Approval to address this issue.

Site Design

The subject site is located at the southwest corner of Orange Avenue and New Jersey Street. The project will take vehicular access off both Orange Avenue and New Jersey Street. The main entrance off New Jersey Street leads to a majority of the parking area, including the four (4) handicapped accessibility spaces. A secondary entrance is located off Orange Avenue, which will provide access to additional parking spaces, the service entrance, and the refuse enclosure. Landscaping is provided throughout the property, including in a courtyard within the building, which includes a water feature.

The Public Works Department is requiring the developer to dedicate a 45-degree cutoff at the intersection of Orange Avenue and New Jersey Street, which has been made a condition of approval.

The developer will also be required to comply with the Loma Linda Fire Department requirement for emergency accessibility. The Fire Department has since notified staff that an emergency entrance will be required off New Jersey Street, at the southeast corner of the property. The entrance will be for emergency access only. It is anticipated that the required emergency entrance will not require the removal of an additional palm tree. As shown in the table above, the project complies with the landscaping requirement for properties located in the Institutional zone. Once the emergency only access is incorporated into the site design, it is anticipated that the project will continue to comply with the required landscaping requirement.

Architectural Design

The 37,873 square foot, single-story building incorporates a modest, residential design, and includes architectural elements such as the use of stucco as the primary exterior building material, clay s-tile roofing, stone face veneer finishes along the gable portion of the building, and a dual column porte-cochere with stone veneer at the base of each porch column. The building's mass is broken up by various gabled roofs along the

building façades facing the streets. The building measures 17'7" in height at the main ridgeline, and a roof peak of approximately 22 feet.

The modest, residential design of the facility will help serve as a transition between the institutional type uses located south/southeast of the subject site, and the multifamily residential development located to the west, and to the residentially zoned properties located north/northeast of the subject site. A color/material sample will be provided at the meeting for the Commission's convenience.

Landscape Design

The project includes 43,443 square feet of landscaping/open space (36.4% of the project site). The project includes landscaping along the streets, along the side and rear property lines, and within an interior courtyard. The most significant landscape feature is the row of Canary Island Palms located within the public right-of-way along New Jersey Street. The applicant has indicated that they plan on protecting as many as possible. However, in order to accommodate the proposed driveway off New Jersey Street, at minimum, one palm tree will have to be removed. According to the Cultural Resources Assessment prepared by Michael Brandman Associates, "the aging palms cannot be saved or moved due to their size". Therefore, a condition of approval has been added that requires the applicant to protect as many palm trees as possible.

The applicant is also proposing to keep many of the existing trees located along the west corner of the property. Those trees include a redwood, avocados, and two palms. The larger tree species mentioned on the landscape plans include Australian Willows, Crape Myrtles, Fruitless Olive Trees, Camphor Trees, Pink Melaleuca, Sweetshade, and a Mediterranean Fan Palm. With the exception of the Sweetshade, all trees will measure a minimum 24-inch box. The landscape plan includes a mixture of shrubs, perennials, and ground cover.

Furthermore, the developer will be required to improve the public right-of-ways in front of the subject site, along Orange Avenue and New Jersey Street with sidewalk, curb and gutter, to the specifications of the Public Works Department.

Traffic

Transportation for social and recreational activities is provided in a 14-passenger, wheelchair accessible van which is owned by the facility. The van will be driven by designated staff members who meet the licensing requirements and residents will always be accompanied by activity and/or care staff.

Public Works Department has reviewed the Focused Traffic Analysis prepared by Kunzman Associates (October 22, 2011) and concurs with the recommended mitigation measures, which includes contributing to the fair share costs for the focused intersection of Orange Avenue and New Jersey Street to improve future year 2035 traffic under peak hours.

The project is not anticipated to significantly exceed the current Levels of Service (LOS) at the intersection of Orange Avenue and New Jersey Street during opening year 2013. The current LOS at the New Jersey Street and Orange Avenue intersection is LOS A. At an Unsignalized intersection, the Average Total Delay per Vehicle (Seconds) is 0-10.00. The Orange Avenue and New Jersey Street intersection currently operates at 4.6 and 4.1 during the morning and evening peak hours, respectively. The Average Total Delay per Vehicle (Seconds) is anticipated to increase to 4.7 and 4.2 during the morning and evening peak hours, respectively. Therefore, the LOS for the Orange Avenue and New Jersey Street intersections will not be negatively impacted by the proposed development.

The project, as conditioned, complies with Principle Six of Measure V, which states that "traffic levels of service throughout the City of Loma Linda shall be maintained at current levels and new development shall be required to fully mitigate any impact on traffic resulting from that development.

Loma Linda Connected Communities Program (LLCCP)

A Condition of Approval includes the requirement that the proposed project be pre-wired for coaxial, cable, and fiber optic installation per the LLCCP policy. The LLCCP ensures that all new development projects are equipped with links to meet the latest communications/technological advances.

Historic Preservation Issues

The Cultural Resources Assessment prepared by Michael Brandman Associates, dated October 10, 2011 indicates that neither the Orange Avenue residence nor the accessory structure is historically significant. As such, the two structures may be demolished. However, the Report does recommend that the palm trees along New Jersey Street be incorporated into the project design. As stated previously, a historically significant run of palm trees are located along New Jersey Street, planted some time before 1938. The Historical Commission approved a Certificate of Appropriateness for the demolition of the existing dwelling unit and accessory structures, but recommended that the palms be protected and incorporated into the proposed development. The applicant has incorporated the row of palm trees in to the project, but will be required to remove one of the palm trees in order to accommodate the proposed driveway entrance off New Jersey Street.

Due to the location of the subject site within the Historical Mission Overlay District, the Cultural Resources Assessment also recommended the following mitigation measures:

- A qualified archaeologist inspector shall be present once project-related excavations reach 4-feet below current grade. Should any cultural resources be discovered by the inspector during project-related earthmoving, all earthmoving in the immediate areas of the discovery shall cease. The inspector shall examine the find and make recommendations to the lead agency (City of Loma Linda) on the measures that shall be implemented to protect to the discovered resources,

including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines.

- If during the implementation of Mitigation Measure 4, the resources are determined to be “unique historic resources” as these terms are defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in greenspace, parks or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.
- Should paleontological resources be uncovered during grading, a qualified vertebrate paleontologist shall be contracted to perform a field survey to determine and record any nonrenewable paleontological resources found on-site. The paleontologist will determine the significance, and make recommendations to the City of Loma Linda for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act.
- If human remains of any kind are found during excavation and construction activities, all activities must cease immediately and the San Bernardino County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission. The Native American Heritage Commission will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contractor shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

These mitigation measures are typical of projects located within the Historic Mission Overlay District and have been included as conditions of approval.

COMMENTS

Public notices for this project were posted and mailed to parcel owners within 300 feet of the project site on February 8, 2012. To date, the department received comments from the following agency:

Department of Toxic Substances Control (DTSC)

The Department of Toxic Substances Control has recommended that the following mitigation measures/conditions of approval be included for the project:

1. The applicant shall perform a Phase I Environmental Site Assessment to determine if the project site includes any contamination.
2. The applicant shall prepare a study for the presence of hazardous chemicals, mercury, and asbestos containing materials (ACM) as a result of the demolition of the existing on-site structures. If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
3. Should future project construction require soil excavation or filling in certain areas, soil sampling may be required. If soil is contaminated, it must be properly disposed. Land Disposal Restrictions (LDRs) may be applicable to such soils. Soil sampling should also be conducted of any imported soil.
4. The applicant shall have a qualified firm test for pesticides, agricultural chemical, organic wastes and other related residues, as the previous use of the property was an orange grove. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of an approved by a government agency at the site prior to project construction.
5. If it is determined that hazardous wastes are, or will be generated by the proposed operation of the facility, the wastes must be managed in accordance with the California Hazardous Waste Control Law and the Hazardous Waste Control Regulations. If it is determined that hazardous wastes will be generated, the facility must obtain a United States Environmental Protection Agency Identification Number. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA).
6. If clean up oversight is required of the project, the applicant shall be required to obtain an Environmental Oversight Agreement with the DTSC.

These concerns and mitigation measures have also been made conditions of approval.

No other comments have been received as of the writing of this report.

CONCLUSION

The proposed project, as conditioned will add value to the subject site and the general area. The project will blend with the institutional and residential type uses found in the general area and future development of the properties to the north. Based on the analysis, the proposed project is consistent with the General Plan. The project complies with Health Care Guiding Policy 2.2.4.3, which promotes health care facilities that are conveniently located and well designed to aid patients and to make a positive visual contribution to the community in general.

Furthermore, the project complies with Principle Six of Measure V, which states that "traffic levels of service throughout the City of Loma Linda shall be maintained at current levels and new development shall be required to fully mitigate any impact on traffic resulting from that development.

The Historical Commission voted to recommend to the City Council the approval of the Certificate of Appropriateness for the project, and the demolition of the existing residence and accessory structures, as they were found not to be historically significant, however, the Commission recommended that the applicant incorporate the historic row of palms located within the public right-of-way, along New Jersey Street, into the site design to respect the historical significance of the area.

The project is in compliance with CEQA and the Mitigation Measures listed in the Initial Study (Attachment E) will reduce any potential environmental impacts to below a level of significance. The Mitigation Measures have been made part of the Conditions of Approval (Attachment F).

Report prepared by:

Guillermo Arreola,
Associate Planner

ATTACHMENTS

- A. Site Location Map
- B. Proposed Plans
 - A-1 – Proposed Site Plan
 - A-2 – Preliminary Landscape Plan
 - A-3 – Floor Plan
 - A-4 – Building Elevations
 - A-5 – Preliminary Grading Plan 1/2
 - A-6 – Preliminary Grading Plan 2/2
- C. General Plan Land Use Map (Proposed)
- D. Zoning Map (Proposed)
- E. Mitigated Negative Declaration (NOI/Initial Study)
- F. Conditions of Approval