



Staff Report

File #: 24-0298

PLANNING AND HOUSING COMMISSION STAFF REPORT

DATE: 04/08/2024

TO: Honorable Chair and Commissioners

FROM: Planning & Development Department

APPLICATION REQUEST:

SPA2023-0001 (CONTINUED): Specific Plan Amendment to the El Cerrito Specific Plan (SP91-2), Section 12.8, to allow educational schools in the Commercial (C) District by a conditional use permit. (Applicant: River Springs Charter Schools, 2774 Jefferson Avenue, Temecula, CA 92590)

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend to the City Council APPROVAL OF SPA2023-0001, based on the findings contained in the staff report and conditions of approval, and that SPA2023-0001 be exempted from the California Environmental Quality (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3).

BACKGROUND

The El Cerrito Specific Plan (SP91-2) includes various residential and commercial land use districts and corresponding development standards. The Commercial (C) District in the specific plan permits various commercial services and retail uses listed in Section 12.8.2 and additional uses allowed by a Conditional Use Permit (CUP) listed in Section 12.8.3. SP91-2 permits schools for business and professional development including art, barber, beauty, dance, drama, music and swimming but does not specifically list schools for general education. Dance academies and halls are also permitted but require a CUP.

The applicant, River Springs Charter Schools, is proposing to amend SP91-2 to establish a school for general education as a use permitted by a CUP in the C District, which is the reason for SPA2023-0001. Additionally, the applicant is concurrently processing a CUP to occupy an existing building located at 2115 Compton Avenue in the C District to operate a charter school.

A CUP is governed by Chapter 17.92 of the Corona Municipal Code (CMC). The CUP is a discretionary permit reviewed by the Planning Commission for certain land uses in certain zones that may require specific conditions associated with the operation of the use to minimize certain impacts

to the adjacent or surrounding area.

Staff reviewed the initial request for the specific plan amendment at the Development Plan Review on October 20, 2022. An official application was submitted by the applicant on March 7, 2023, and reviewed by the city's Project and Environmental Review Committee meeting on March 30, 2023. The applicant's CUP application was submitted on September 13, 2023, after SPA2023-0001. The specific plan amendment application was cleared for review on February 6, 2024, at the same time as the CUP application and scheduled for the Planning and Housing Commission meeting on March 11, 2024.

Planning and Housing Commission Meeting March 11, 2024.

The project's initial public hearing by the Planning and Housing Commission was on March 11, 2024. The Commission was requesting additional information associated with CUP2023-0017, which is being reviewed in conjunction with SPA2023-0001. CUP2023-0017 was continued to the public hearing on April 8, 2024, which resulted in SPA2023-0001 being continued to the same date.

CODE REQUIREMENTS

The authority for amendment of Specific Plans is embodied in Section 65453 of the California Government Code, Corona Municipal Code Section 17.53.110, and in Section 14.5 of the El Cerrito Specific Plan. Section 14.5 reads, in part:

It should be understood that while this document attempts to be comprehensive, not all things can be envisioned in its preparation. Applications for specific plan amendments shall be made to the Community Development Director pursuant to Corona Municipal Code Section 17.53.110. Applications shall be considered by the Planning Commission and City Council.

PROPOSED SPECIFIC PLAN AMENDMENT

SPA2023-0001 proposes to amend Section 12.8.3 of the El Cerrito Specific Plan to allow educational schools in the C District by a major CUP pursuant to Chapter 17.92 of the Corona Municipal Code.

Exhibit 2 contains the proposed amendment to Section 12.8.3, with new text shown as redline edits as follows:

"SEC. 12.8.3 *CONDITIONALLY PERMITTED USES:*

- A. Major conditional use permit (CUP)
 - Animal hospitals.
 - Automobile, marine and recreational vehicle repair garages, body shops, spray painting shops.
 - Bakery goods, wholesale and distribution.
 - Car washes.
 - Ceramic sales and manufacturing for on-site sales, provided the total volume of the kiln does not exceed 16 cubic feet.
 - Churches.
 - Commercial Recreation uses and facilities
 - Congregate care residential facilities per Corona Municipal Code Section 17.04.148.

Convenience stores, including the sale of motor vehicle fuel.
Dance academies and halls.
Drive-thru restaurants.

Educational Schools.

Gasoline service stations, with the concurrent sale of beer and wine for off-premises consumption. and accessory uses pursuant to C.M.C. Chapter 17.72.030, and Section G of this Chapter.

Health care facilities pursuant to Corona Municipal Code Chapter 17.73.

Mixed-Use Commercial/Office and Residential projects (subject to the development standards in Chapter 12.13, Mixed Use)

Senior Citizen Housing (subject to the development standards of Chapter 17.24 of the C.M.C.).

Small equipment rental services.

Tire sales and services (no outdoor storage).”

ENVIRONMENTAL ANALYSIS:

A Notice of Exemption has been prepared for the project pursuant to Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempted from CEQA when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (Common Sense Exemption). This amendment is solely a text revision to allow educational schools by a conditional use permit. The proposed text revision will not result in a significant effect on the environment. The Notice of Exemption is attached as Exhibit 5.

FISCAL IMPACT

The applicant has paid the applicable application processing fees to cover the cost of the Specific Plan Amendment application.

PUBLIC NOTICE AND COMMENTS

A 10-day public notice was mailed to all property owners within a 500-foot radius of the project site, as well as advertised in the Sentinel Weekly News and posted at the project site. As of the preparation of this report, the Planning and Development Department has not received any responses from the public regarding the proposed specific plan amendment.

STAFF ANALYSIS:

The amendment provides a path for the adaptive re-use of traditional office and commercial retail buildings or other underutilized buildings that no longer serve the need of an on-site workforce. The amendment allows for a case-by-case review of a school for general education by a CUP in the C District of SP91-2. The CUP allows city staff to determine if specific conditions are required for the operation of the use to minimize potential impacts on nearby land uses.

Exhibit 1 shows three commercial land use districts within the El Cerrito Specific Plan (SP 91-2) located within the City's limits. The districts are identified as Commercial (C), Office Professional (OP), and Commercial Center (CC). All three districts currently allow for some type of educational

instruction as summarized in the table below.

Districts:	Permitted Uses:	Uses require a CUP:
Commercial (C)	School, business and professional including art, barber, beauty, dance, drama, music and swimming	None
Office Professional (OP)	Language schools, modeling schools, secretarial or clerical school or service	Vocational schools that are not allowed by right in the OP District
Commercial Center (CC)	School or studio for art, design, music, dance, gymnastics, or atrial arts	None

Due to the limited locations of the C District in SP91-2 and its adjacency to low-density residential neighborhoods in certain areas, which are mostly in the unincorporated area of Riverside County, it was determined that a CUP should be required for a school of general education because it can include elementary and middle-aged school children requiring the drop-off and pick-up by parents and buses. Depending on the capacity of the school, specific conditions of approval associated with the on-site circulation may be necessary to minimize impacts on adjacent streets.

The amendment provides a defined path for a general education school in the C District of SP 91-2 while ensuring compatibility with nearby uses with the requirement of a CUP. The Planning and Development Department recommends approval of SPA2023-0001 subject to the recommended Conditions of Approval in Exhibit 4 and the following findings.

FINDINGS OF APPROVAL FOR SPA2023-0001

1. A Notice of exemption has been prepared for the project pursuant to Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempted from CEQA when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (Common Sense Exemption). This amendment is solely a text revision to permit educational school use by a conditional use permit. The proposed text revision will not result in significant effect on the environment.
2. Pursuant to CMC Section 17.53.090(B)(1)(a), the plan systemically implements and is consistent with the General Plan for the following reasons:
 - a. *The amendment to Section 12.8.3 of the El Cerrito Specific Plan (SP-91-2) is consistent with Land Use Policy LU-4.4 to promote the adaptive re-use and infill of economically underutilized, obsolete, and dilapidated commercial and industrial sites within existing urbanized areas, in consideration of the uses, scale, and character of adjoining uses. The amendment proposes to conditionally allow educational schools, in the Commercial District of the El Cerrito Specific Plan by a CUP which promotes the*

likelihood for the re-use of an underutilized or vacant commercial building that may have experienced extended vacancies due to market conditions.

- b. The amendment to Section 12.8.3 of the El Cerrito Specific Plan (SP 91-2) supports Land Use Policy LU-15.2 to allow for the development of new schools, parks, government, fire and police facilities, utilities, and infrastructure uses in any location of the City, regardless of the land use plan's designation, provided the use is environmentally suitable and compatible with adjoining land uses, and adequate infrastructure can be provided. The proposed amendment allows consideration of educational schools in the Commercial District that also allows, by right, similar establishments such as business or professional schools that provide instruction on dance, barber, music, and art. The proposed amendment provides the opportunity to review each proposed school for general education by a CUP to determine its compatibility with adjacent uses based on the school's operations.*
3. Pursuant to CMC Section 17.53.030(B)(1)(b), the plan provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning classifications for the following reason:
 - a. SPA2023-0001 provides opportunities for an educational school in the Commercial District by a CUP, which allows for site specific consideration related to the proposed operation, site conditions, and adjoining land uses.*
4. Pursuant to CMC Section 17.53.090(B)(1)(c), the plan provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long-term needs of the project and/or other area residents, and complements the orderly development of the City beyond the project's boundaries for the following reason:
 - a. SPA2023-0001 would allow an educational school by a CUP in the C District, which would allow a site to be evaluated on a case-by-case basis to ensure the site and its surroundings, including the infrastructure, are capable of supporting the operations associated with the use.*
5. Pursuant to CMC Section 17.53.090(B)(1)(d), the plan provides for the appropriate orientation and relationship between land use within and adjacent to the project for the following reason:
 - a. The El Cerrito Specific Plan will continue to provide for the appropriate orientation and relationship between land use within and adjacent to the Commercial District because SPA2023-0001 does not directly result in any zone change that would impact existing uses. SPA2023-0001 will require a school of general education by a CUP in the C District which will require a site to be evaluated on a case-by-case basis to ensure compatibility with nearby land uses.*
6. SPA2023-0001 is consistent with the findings required under Section 14.5 of the El Cerrito Specific Plan:

a. The proposed amendment is consistent with the City of Corona General Plan for the following reasons:

- i. SPA2023-0001 is consistent with Land Use Policy LU-4.4 to promote the adaptive re-use and infill of economically underutilized, obsolete, and dilapidated commercial and industrial sites within existing urbanized areas, in consideration of the uses, scale, and character of adjoining uses. The amendment proposes to conditionally allow educational schools, in the Commercial District of the El Cerrito Specific Plan by a CUP which promotes the likelihood for the re-use of an underutilized or vacant commercial building that may have experienced extended vacancies due to market conditions.
- ii. SPA2023-0001 is consistent with Land Use Policy LU-15.2 to allow for the development of new schools, parks, government, fire and police facilities, utilities, and infrastructure uses in any location of the City, regardless of the land use plan's designation, provided the use is environmentally suitable and compatible with adjoining land uses, and adequate infrastructure can be provided. The proposed amendment allows consideration of educational schools in the Commercial District that also allows, by right, similar establishments such as business or professional schools that provide instruction on dance, barber, music, and art. The proposed amendment provides the opportunity to review each proposed school for general education by a CUP to determine its compatibility with adjacent uses based on the school's operations.

b. The proposed amendment is consistent with the intent of the El Cerrito Specific Plan for the following reason:

- i. SPA2023-0001 aligns with one of the specific plan's objectives, as stated in Section 2.2, to maintain compatibility between land uses within the specific plan area. SPA2023-0001 allows an educational school by a CUP in the C District, which allows a site to be evaluated on a case-by-case basis to ensure compatibility between land uses within the specific plan and minimize potential impacts by requiring specific conditions of approval for operation.

c. The proposed amendment is consistent with the Preannexation Policy for El Cerrito as set out in Section 2.3 of the El Cerrito Specific Plan for the following reason:

- i. SPA2023-0001 does not conflict with the Preannexation Policy for El Cerrito as set out in Section 2.3 of the El Cerrito Specific Plan, because the land use amendment does not change the zoning and land use designations regarding density, lot sizes, and the keeping of animals previously permitted for certain properties under the County's zoning ordinance.

d. The proposed amendment provides for adequate circulation to, from and within the El Cerrito area because SPA2023-0001 is solely a text amendment to expand the

conditionally permitted uses in the Commercial District and does not change the existing circulation within the El Cerrito Specific Plan area.

- e. The proposal provides public service levels capable of adequately serving the Specific Plan area because SPA2023-0001 would allow an educational school by a CUP in the C District, which would allow a site to be evaluated on a case-by-case basis to ensure the site and its surroundings, including the infrastructure, are capable of supporting the operations associated with the use.*
- f. The public and private open space system is neither disrupted nor depleted because SPA2023-0001 does not result in changes to the plan's public or private open space because the text amendment affects only the Commercial District within the Specific Plan area.*
- g. The proposed amendment is compatible with surrounding designations, will not create future land use incompatibility, and provides adequate buffers, because SPA2023-0001 helps to maintain land use compatibility by requiring a CUP for the establishment of an educational school in the Commercial District.*

PREPARED BY: EVA CHOI, SENIOR PLANNER

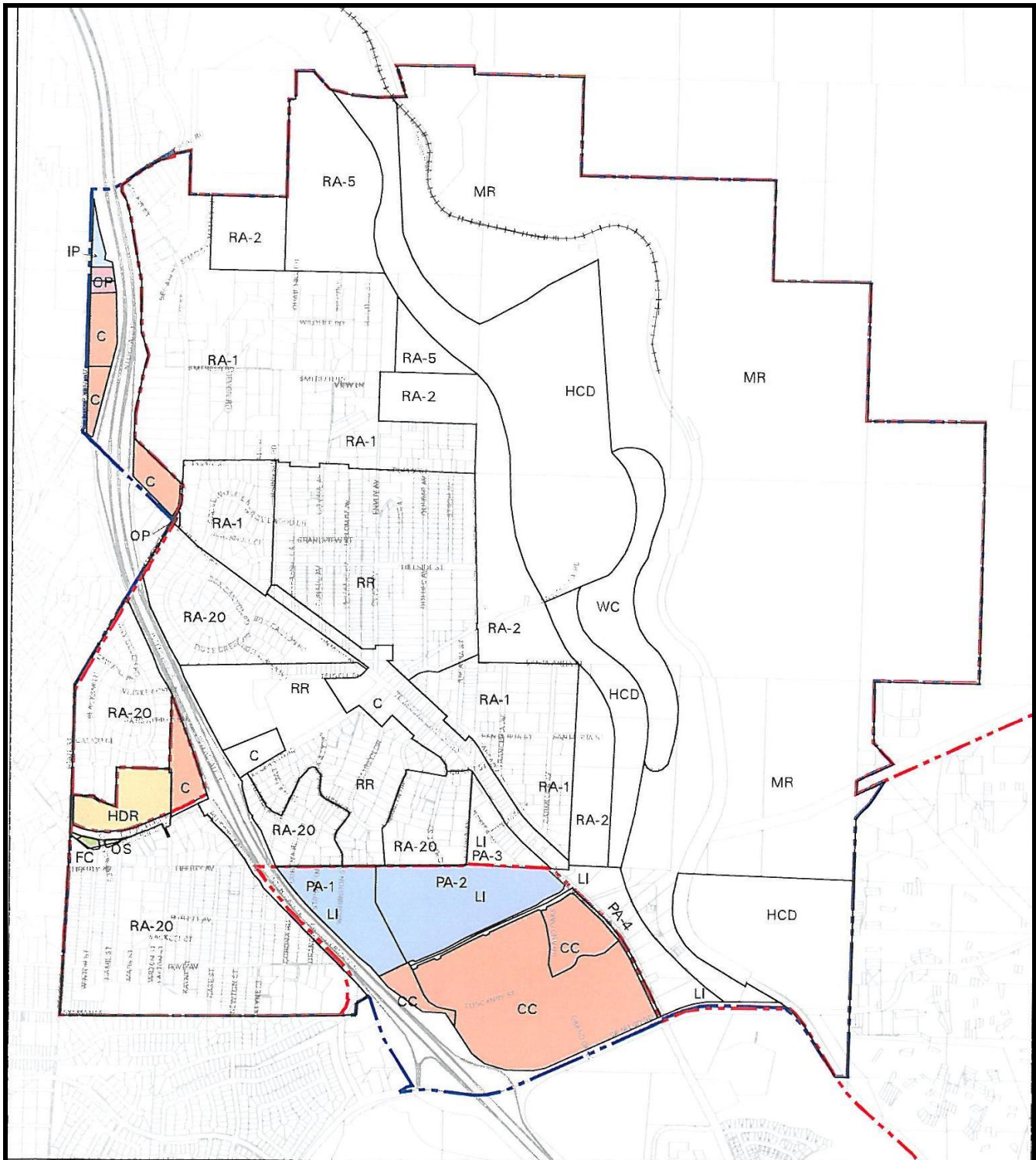
REVIEWED BY: SANDRA VANIAN, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

EXHIBITS

1. Land Use Plan for El Cerrito Specific Plan
2. Proposed Amendment
3. Conditions of Approval
4. Environmental Documentation

Case Planner: Eva Choi (951) 736-2262



City of Corona
El Cerrito
Specific Plan

Proposed Landuse Plan
Exhibit 11

- C Commercial
- CC Commercial Center (Planning Area 1-2)
- HCD Hillside Controlled Development
- IP Industrial Park
- LI Light Industrial
- MR Mineral Resource
- OP Office Professional
- RA-1 Residential Agricultural - 1 Acre Lot
- RA-2 Residential Agricultural - 2 Acre Lot
- RA-5 Residential Agricultural - 5 Acre Lot
- RA-20 Residential Agricultural - 1/2 Acre Lot
- RR Rural Residential (1/2 Acre lot)
- HDR High Density Residential
- FC Flood Control

- OS Open Space
- WC Watercourse
- City of Corona
- SP91-2

This map is intended for general information and planning purposes. The City of Corona is not responsible for any errors or omissions.

City of Corona
Geographic Information Services
Last Updated On: 11/24/2008
Updates through SPA 08-003 Project:08-1108

Proposed Amendment to Section 12.8.3 noted in red

SEC. 12.8.3 CONDITIONALLY PERMITTED USES:

A. Major conditional use permit (CUP)

Animal hospitals.

Automobile, marine and recreational vehicle repair garages, body shops, spray painting shops.

Bakery goods, wholesale and distribution.

Car washes.

Ceramic sales and manufacturing for on-site sales, provided the total volume of the kiln does not exceed 16 cubic feet.

Churches.

Commercial Recreation uses and facilities

Congregate care residential facilities per Corona Municipal Code Section 17.04.148.

Convenience stores, including the sale of motor vehicle fuel.

Dance academies and halls.

Drive-thru restaurants.

Educational Schools.

Gasoline service stations, with the concurrent sale of beer and wine for off-premises consumption. and accessory uses pursuant to C.M.C. Chapter 17.72.030, and Section G of this Chapter.

Health care facilities pursuant to Corona Municipal Code Chapter 17.73.

Mixed-Use Commercial/Office and Residential projects (subject to the development standards in Chapter 12.13, Mixed Use)

Senior Citizen Housing (subject to the development standards of Chapter 17.24 of the C.M.C.).

Small equipment rental services.

Tire sales and services (no outdoor storage).

EXHIBIT 2



Project Conditions

City of Corona

Project Number: SPA2023-0001

Description: Amend SP 91-2 to allow Educational Schools with CUP

Applied: 3/7/2023

Approved:

Site Address: 2115 COMPTON CORONA, CA 92882

Closed:

Expired:

Status: RECEIVED

Applicant: RIVER SPRINGS CHARTER SCHOOL

Parent Project: DPR2022-0028

27740 JEFFERSON AVE TEMECULA , 92590

Details:

LIST OF CONDITIONS

DEPARTMENT	CONTACT
PLANNING	Eva Choi
<p>1. To the fullest extent permitted by law, the applicant shall defend, indemnify and hold the City of Corona and its directors, officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, proceedings, costs, expenses, liabilities, losses, damages or injuries of any kind, in law or equity, in any manner arising out of, pertaining to, or incident to any attack against or attempt to challenge, set aside, void or annul any approval, decision or other action of the City of Corona, whether such approval, decision or other action was by its City Council, Planning and Housing Commission or other board, director, official, officer, employee, volunteer or agent. To the extent that Government Code Section 66474.9 applies, the City will promptly notify the applicant of any claim, action or proceeding made known to the City to which Government Code Section 66474.9 applies and the City will fully cooperate in the defense. The Applicant's obligations hereunder shall include, without limitation, the payment of any and all damages, consultant and expert fees, and attorney's fees and other related costs and expenses. The City shall have the right to retain such legal counsel as the City deems necessary and appropriate.</p> <p>2. Nothing herein shall be construed to require City to defend any attack against or attempt to challenge, set aside, void or annul any such City approval, decision or other action. If at any time Applicant chooses not to defend (or continue to defend) any attack against or attempt to challenge, set aside, void or annul any such City approval, decision or other action, the City may choose, in its sole discretion, to defend or not defend any such action. In the event that the City decides not to defend or continue the defense, Applicant shall be obligated to reimburse City for any and all costs, fees, penalties or damages associated with dismissing the action or proceeding. If at any time both the Applicant and the City choose not to defend (or continue to defend) any action noted herein, all subject City approvals, decisions or other actions shall be null and void. The Applicant shall be required to enter into any reimbursement agreement deemed necessary by the City to effectuate the terms of this condition.</p> <p>3. The project is required to be in compliance with all applicable codes and ordinances.</p>	

EXHIBIT 3



NOTICE OF EXEMPTION

<p>TO:</p> <p><input type="checkbox"/> Office of Planning and Research P. O. Box 3044, Room 113 Sacramento, CA 95812-3044</p>	<p>FROM: Name: City of Corona (Public Agency) Address: Planning & Development Dept. 400 S. Vicentia Ave., Suite 120 Corona, CA 92882 Telephone: 951-736-2434</p>
<p><input checked="" type="checkbox"/> Clerk of the Board of Supervisors County of Riverside Address: 4080 Lemon Street, Riverside, CA 92501</p>	

<p>1. Project Title:</p>	<p>Specific Plan Amendment 2023-0001 and Conditional Use Permit 2023-0017</p>
<p>2. Project Applicant:</p>	<p>River Springs Charter Schools 2774 Jefferson Avenue, Temecula, CA 92590</p>
<p>3. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name):</p>	<p>Specific Plan Amendment 2023-0001 (SPA2023-0001) affects the Commercial District within the El Cerrito Specific Plan in the City of Corona, CA., the general location is along the west side of the Interstate 15 between north of Sampson Avenue between California Avenue to the north and Taber Road to the south.</p> <p>Conditional Use Permit 2023-0017 (CUP2023-0017) pertains to 2115 Compton Avenue Street, Corona, CA. (APN: 278-060-035)</p>
<p>4. (a) Project Location – City: Corona</p>	<p>(b) Project Location – County: Riverside</p>
<p>5. Description of nature, purpose, and beneficiaries of Project:</p>	<p>SPA2023-0001 is a Specific Plan Amendment to amend Section 12.8.3 of the El Cerrito Specific Plan (SP91-2) to allow educational school use in the Commercial (C) District subject to conditional use permit review.</p> <p>CUP2023-0017 is an application to establish and operate an education school serving kindergarten through 12th grade students within an existing 3-story commercial building with outdoor play areas located on a 2.7 acres site in the Commercial (C) designation of the El Cerrito Specific Plan (SP 91-2).</p>
<p>6. Name of Public Agency approving project:</p>	<p>City of Corona</p>
<p>7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:</p>	<p>River Springs Charter Schools 2774 Jefferson Avenue, Temecula, CA 92590</p>
<p>8. Exempt status: (check one)</p>	
<p>(a) <input type="checkbox"/> Ministerial project.</p>	<p>(Pub. Resources Code § 21080(b)(1); State CEQA Guidelines § 15268)</p>

(b) <input type="checkbox"/> Not a project.	
(c) <input type="checkbox"/> Emergency Project.	(Pub. Resources Code § 21080(b)(4); State CEQA Guidelines § 15269(b),(c))
(d) <input checked="" type="checkbox"/> Categorical Exemption. State type and section number:	CUP2023-0017 is covered by Section 15301 of the State Guidelines for the California Environmental Quality Act (CEQA), the project qualifies as a Class 1 (Existing Facilities) categorical exemption.
(e) <input type="checkbox"/> Declared Emergency.	(Pub. Resources Code § 21080(b)(3); State CEQA Guidelines § 15269(a))
(f) <input type="checkbox"/> Statutory Exemption. State Code section number:	
(g) <input checked="" type="checkbox"/> Other. Explanation:	SPA2023-0001 is covered by the Common Sense Exemption under Section 15061(b)(3) of the State Guidelines for CEQA.
9. Reason why project was exempt:	SPA2023-0001 consists of a text revision to a specific plan to allow educational school use subject to conditional use permit review. Therefore, there is no possibility that the proposed text revision will have a significant effect on the environment. CUP2023-0017 is a request to establish and operate an educational school within an existing commercial building, the school instructions will be contained entirely inside the building and no expansion is proposed to the existing commercial building, outdoor recreation areas are proposed for lunch and recess breaks, the project requires tenant improvement and grading permits therefore the project qualifies as a Class 1 (Existing Facilities) categorical exemption.

10. Lead Agency Contact Person:	Eva Choi, Senior Planner
Telephone:	951-736-2437
11. If filed by applicant: Attach Preliminary Exemption Assessment (Form "A") before filing.	
12. Has a Notice of Exemption been filed by the public agency approving the project? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
13. Was a public hearing held by the Lead Agency to consider the exemption? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, the date of the public hearing was: April 8, 2024	

Signature

Date: [Click to enter date](#)

Name

Title: [Click to enter title](#)

Signed by Lead Agency

Signed by Applicant

Date Received for Filing: [Click to enter date](#)

(Clerk Stamp Here)

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.