



RESOLUTION NO. 2544

APPLICATION NUMBER: CUP2019-0007

A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH A 3,761 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH SERVICES FOR RAISING CANE'S PROPOSED ON 1.29 ACRES LOCATED ON THE NORTH SIDE OF PARKRIDGE AVENUE AND WEST OF MAIN STREET IN THE COMMERCIAL RETAIL (CR) DISTRICT OF THE NORTH MAIN STREET SPECIFIC PLAN (SP-99-01). (APPLICANT: COSTANZO INVESTMENTS, LLC).

WHEREAS, the application to the City of Corona, California, for a CUP2019-0007 under the provisions of Chapter 17.92 in the Corona Municipal Code, has been duly submitted to said City's Planning and Housing Commission for the review of a 3,761 square foot restaurant with drive-through services for Raising Cane's proposed on 1.29 acres located on the north side of Parkridge Avenue and west of Main Street in the Commercial Retail (CR) District of the North Main Street Specific Plan (SP-99-01).

WHEREAS, the Conditional Use Permit was submitted in conjunction with Parcel Map 37747 (PM2019-0003).

WHEREAS, the Planning and Housing Commission held a noticed public hearing for PM 37747 (PM2019-0003) and CUP2019-0007, on July 6, 2020, as required by law; and

WHEREAS, the Planning and Housing Commission finds that this project is exempt from CEQA pursuant to Section 15183 and Section 15332 of the State CEQA Guidelines and Section 3.22 (Class 32: Infill Development Projects) of the City of Corona Local Guidelines for Implementing CEQA because there is no possibility that the activity may have a significant effect of the environment.

WHEREAS, after close of said hearing, the Commission by formal action, found that all the conditions necessary to granting CUP2019-0007 as set forth in Corona

Municipal Code Section 17.92.110 do exist in reference to CUP2019-0007 based on the evidence presented to the Commission during said hearing; and

WHEREAS, the Planning and Housing Commission based its recommendation to approve the CUP2019-0007 on certain conditions of approval and the findings set forth below.

NOW, THEREFORE, THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Findings. As the decision-making body for this CUP2019-0007, the Planning and Housing Commission has determined that this project does not require further environmental assessment because the project qualifies as an exemption under CEQA per Section 15332 and Section 15183 of the State Guidelines and Section 3.22 (Class 32: Infill Development Projects) of the City of Corona adopted Local Guidelines for implementing CEQA. There is no evidence presented to the city that the project will have any significant effects on the environment.

SECTION 2. Conditional Use Permit Findings. Pursuant to Corona Municipal Code (“CMC”) section 17.92.110 and based on the entire record before the Planning and Housing Commission, including all written and oral evidence presented to the Commission, the Commission hereby makes and adopts the following findings:

1. Per Section § 15183 of the State CEQA Guidelines, a project which is a consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not be required additional environmental review, except as might be necessary to examine whether there are project specific significant effects which are peculiar to the project or its site. The project site is part of the North Main Street Specific Plan in which an EIR was certified by the City Council on January 5, 2000 for the North Main Street District Specific Plan and Corona Entertainment Center. The North Main Street Specific Plan designated the project site Commercial Retail and the General Plan designation was General Commercial at the time the EIR was certified.

Subsequently, an amendment to the North Main Street Specific Plan was approved to change certain land uses within the specific plan to accommodate Urban Density Residential Development and Mixed Use (residential/commercial) land uses on certain properties. An EIR for the North Main Street Specific Plan Amendment was prepared and certified by the City on November 5, 2008. The project site at the time was designated Commercial Retail by the specific plan and General Commercial by the General Plan.

Furthermore, the project is categorically exempted from CEQA as a Class 32 in-fill development under Section 15332 of the CEQA Guidelines. The project is consistent with the zoning and General Plan designation of the project site. The project is less than five acres in size and located in an urbanized area surrounded by development. The site

has no value as habitat for endangered, threaten, or rare species. Approval of the project would not result in any significant impacts relating to traffic, air, water quality, and noise, and the site can be adequately served by all required utilities and public services.

2. All the conditions necessary for granting a Conditional Use Permit as set forth in Section 17.92.110 of the Corona Municipal Code do exist in reference to CUP2019-0007 for the following reasons:
 - a. *The proposal will not be detrimental to the public health, safety, convenience or general welfare, and will be in harmony with the various elements and objectives of the City's General Plan because the project meets or exceeds the development standards for properties in the Commercial Retail designation of the North Main Street Specific Plan and provides adequate vehicular access from Main Street and Parkridge Avenue.*
 - b. *The proposed use would not detrimental to other existing and permitted uses in the general area of the project site because the use would be surrounded by other commercial uses that are similar or compatible with the proposed restaurant use. Furthermore, the project is designed in accordance with the development standards prescribed by the North Main Street Specific Plan for commercial areas and relates properly to the streets and highways as it designed with access from Main Street and Parkridge Avenue, both of which will be improved with the development of the proposed project.*
 - c. *The proposed use as conditioned complies with the development standards of the Commercial Retail designation of the North Main Street Specific Plan which allows restaurants with drive-through services by a conditional use permit.*
3. The proposal is consistent with the General Plan for the following reasons:
 - a. *The proposed commercial land use is consistent with the General Commercial designation of the General Plan that is established on the project site.*
 - b. *Development of the proposed use is consistent with the General Plan land use goal and policies established for the North Main Street area because it contributes to the revitalization and enhancement of the North Main Street corridor as a vital center for professional offices, entertainment, and retail activity with supportive commercial uses.*
4. The proposal is consistent with the North Main Street Specific Plan for the following reasons:
 - a. *The proposed use is permitted in the Commercial Retail designation by a conditional use permit per Section 4.3 of the North Main Street Specific Plan.*
 - b. *The proposed use and overall project site comply with the development standards of the North Main Street Specific Plan as demonstrated by the project plans in Exhibits A through G.*

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to the City Clerk of said City and a copy thereof be sent to the applicant therefore at the address of said applicant as set forth in the application for said conditional use permit.

Adopted this 6th day of July, 2020.

Karen Alexander, Chair
Planning and Housing Commission
City of Corona, California

ATTEST:

Olivia Sanchez
Secretary, Planning and Housing Commission
City of Corona, California

I, Olivia Sanchez, Secretary to the Planning and Housing Commission of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly introduced and adopted in a regular session of said Planning and Housing Commission duly called and held on the 6th day of July, 2020, and was duly passed and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Olivia Sanchez
Secretary, Planning and Housing Commission
City of Corona, California