



RESOLUTION NO. 2596

APPLICATION NUMBER: CUPM2020-0004

A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA DENYING AN APPLICATION TO MODIFY CONDITIONAL USE PERMIT (CUP) 15-005 TO INCREASE THE HEIGHT OF AN EXISTING WIRELESS TELECOMMUNICATIONS FACILITY DESIGNED AS A MONO-PINE FROM 60 FEET TO 75 FEET, LOCATED AT 638 COLLETT AVENUE (CRESTA VERDE PARK) IN THE P (PARK) DESIGNATION OF THE NORTHEAST CORONA SPECIFIC PLAN (SP81-2). (APPLICANT: ELIEZER ACEVEDO, SMARTLINK, LLC. ON BEHALF OF AT&T WIRELESS).

WHEREAS, the application to the City of Corona, California, for a Conditional Use Permit Modification under the provisions of Chapter 17.92 of the Corona Municipal Code, to modify Conditional Use Permit (CUP) 15-005, to increase the height of an existing telecommunications facility designed as a mono-pine from 60 feet to 75 feet, located at 638 Collett Avenue (Cresta Verde Park) in the Park (P) district within the Northeast Corona Specific Plan (“CUPM2020-0004”) has been duly submitted to the City’s Planning and Housing Commission (“Commission”);

WHEREAS, the Commission held a duly noticed public hearing for CUPM2020-0004 on April 12, 2021, May 10, 2021, May 24, 2021, February 7, 2022, October 10, 2022, and November 7, 2022 as required by law, at which all persons wishing to testify in connection with CUPM2020-0004 were heard and CUPM2020-0004 was comprehensively reviewed; and

WHEREAS, after close of said hearing, the Commission by formal action, found that all the conditions necessary to approve CUPM2020-0004, as set forth in Corona Municipal Code Section 17.92.110, cannot be made based on the evidence presented to the Commission during said hearing; and

EXHIBIT 3

WHEREAS, the Commission based its decision to deny CUPM2020-0004 on 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. In accordance with Section 21080(b)(5) of the California Public Resources Code, the California Environmental Quality Act (CEQA) does not apply to projects that a public agency rejects or disapproves, and thus, the City is not required to prepare an initial study or adopt a negative declaration or EIR.

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

1. The findings necessary for the approval of CUPM2020-0004, as set forth in Section 17.92.110 of the Corona Municipal Code, cannot be made for the following reasons:
 - a. *The proposal would be detrimental to public health, safety, convenience, and general welfare because the tower height extension associated with CUPM2020-0004 would result in a negative visual impact to the residential neighborhood surrounding the project site. The existing tower is already highly visible from Collett Avenue and nearby residential properties, and has not been regularly maintained. Increasing the height of the tower would exacerbate the negative visual impact the tower currently has on the neighborhood.*
 - b. *The increased tower height proposed by CUPM2020-0004 would be detrimental to the existing single-family residential properties in the immediate area to the north and east of the project site. The existing tower is approximately 51 feet from the public right-of-way on Collett Avenue and is not screened behind any vegetation, buildings, or structures. Increasing the height to the tower by 15 feet, as proposed by CUPM2020-0004, would further intensify negative visual impacts to the surrounding residential neighborhoods.*
2. CUPM2020-0004 is not consistent with the City’s General Plan for the following reasons:
 - a. *The General Plan land use designation of the project site is Park and the surrounding properties are Low Density Residential. The proposal associated with CUPM2020-0004 needs to demonstrate compatibility with the Park designation and surrounding land uses to protect public health, safety, convenience and general welfare in order not to diminish the quality of life for the residents. The tower is currently designed to resemble a pine tree so that it is indistinguishable from its surrounding environment and does not create a*

negative visual impact to the surrounding residential land uses. Increasing the height of the tower by 15 feet would make the tower more prominent and distinguishable from its surroundings, and would make its fake appearance more noticeable. The negative visual impact of the increased tower height would degrade the natural and aesthetically pleasing appearance of Creste Verde Park and would negatively impact the quality of life for those visiting the park and the residents who live in the immediate area.

- b. General Plan Policy LU-8 assures the integrity, quality and livability of Corona's existing residential neighborhoods by preserving those elements that give them character, cohesion and quality of life. The proposal associated with CUPM2020-0004 would create a negative aesthetic impact to the neighborhood because residents would have a direct line of sight from their outdoor and interior living spaces to the 75-foot tower. The inability to completely screen the tower with trees or buildings would make it stand out from its surroundings and would contradict the residential character and quality of the surrounding neighborhoods.*
- c. General Plan Policy LU-15.4 ensures that City sites and any infrastructure installed thereon are designed to be compatible in scale, mass, character and architecture with the district and neighborhood in which they are located, as well as applicable design and development characteristics specified by the General Plan. CUPM2020-0004 is not in harmony with the stated objective of the General Plan to ensure that City sites and infrastructure are compatible with the character of the park and neighborhood, since the increased height will create unsightly views from neighborhood streets and adjacent properties.*

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 Modification.

Adopted this 7th day of November, 2022.

Craig Siqueland, 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 7th day of November, 2022, 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