



RESOLUTION NO. 2537

APPLICATION NUMBER: CUP2019-0001

A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT A 2,243 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH SERVICES ON A VACANT 0.39 ACRE PAD WITHIN AN EXISTING COMMERCIAL CENTER LOCATED ON THE SOUTH SIDE OF GREEN RIVER ROAD, EAST OF DOMINGUEZ RANCH ROAD (4300 GREEN RIVER ROAD) IN THE NCD (NEIGHBORHOOD COMMERCIAL DISTRICT) DESIGNATION OF THE SIERRA DEL ORO SPECIFIC PLAN (SP85-02) (APPLICANT: MILTON ECONOMY).

WHEREAS, the application to the City of Corona, California, for a conditional use permit under the provisions of Chapter 17.92, Title 17, of the Corona Municipal Code, to establish 2,243-square-foot restaurant with drive-through services on a vacant 0.39-acre pad within an existing commercial center located on the south side of Green River Road, east of Dominguez Ranch Road (4300 Green River Road) in the NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02), has been duly submitted to said City's Planning and Housing Commission;

WHEREAS, on August 12, 2019, the Planning and Housing Commission conducted a duly noticed public hearing regarding the Project, at which all persons wishing to testify in connection with the Conditional Use Permit were heard and the Conditional Use Permit was comprehensively reviewed.

WHEREAS, after close of said hearing, the Planning and Housing Commission by formal action, found that all the conditions necessary to grant a conditional use permit as set forth in Corona Municipal Code Section 17.92.110 do exist in reference to CUP2019-0001 based on the evidence presented to the Commission during said hearing; and

WHEREAS, the Planning and Housing Commission finds that this project is categorically exempt from CEQA pursuant to Section 15303 of the State CEQA Guidelines and

Section 3.22 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, the Planning Commission based its recommendation to approve the Conditional Use Permit 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 Conditional Use Permit, the Planning and Housing Commission has determined that this project does not require further environmental assessment because the project qualifies as a Class 3 categorical exemption under CEQA per Section 15303 of the State Guidelines and Section 3.22 of the City of Corona adopted Local Guidelines for implementing CEQA. The proposed conditional use permit will establish the right to operate a restaurant with drive-through services not exceeding 2,243 square feet on a vacant pad within an existing commercial center that is fully developed. 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:

FINDINGS OF APPROVAL FOR CUP2019-0001

1. A preliminary exemption assessment has been conducted by the City of Corona and it has shown that this project does not require further environmental assessment because the project qualifies as a Class 3 categorical exemption under CEQA per Section 15303 of the State Guidelines and Section 3.22 of the City of Corona adopted Local Guidelines for implementing CEQA. The proposed conditional use permit will consist of constructing and operating a 2,243-square-foot restaurant with drive-through services within an existing commercial center that is fully developed with adequate parking and access.
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 CUP2019-0001 for the following reasons:
 - a. *The proposed use will not be detrimental to the public health, safety, convenience and general welfare and is in harmony with the goals and policies of the City’s General Plan, as the proposal supports the diverse needs of the Corona’s residents. The proposed project meets or exceeds the development standards of the Corona Municipal Code and the Sierra Del Oro Specific Plan for the Neighborhood Commercial District in terms of setbacks, building height limitation, parking, landscaping, and overall site design. The*

project also meets the city's established development standards in the Corona Municipal Code for drive-through establishments. Furthermore, the project has adequate vehicular access from Green River Road and Dominguez Ranch Road from established driveways into the commercial center.

- b. The proposed use is not detrimental to other existing and permitted uses in the general area because the project site is capable of accommodating the proposed restaurant with drive-through services as depicted in Exhibit A-2. The project also has adequate vehicular access from the adjacent streets which are fully improved and capable of handling the traffic associated with the use.*
 - c. The proposed project complies with the development standards of the Neighborhood Commercial District resulting in orderly development of the site. The project will not be detrimental to other existing and permitted uses in the area as the surrounding uses consist primarily of commercial and business office park development, which is similar in nature to the other types of uses in the center.*
3. The proposal is consistent with the General Plan for the following reasons:
 - a. The proposed project contributes to the achievement of General Plan Goal 1.11, which encourages a diversity of viable commercial districts and corridors that contain uses supporting residents, business, and visitor needs and contribute revenue to the City to fund external services. Development of the restaurant proposed by CUP2019-0001 will help provide goods and services to Corona residents without having to travel outside of the city to obtain such goods and services.*
 - b. CUP2019-0001 fulfills General Plan Policy 1.11.1, which encourages having a comprehensive range of uses in the city that provide services to meet the diverse needs of Corona's residents. The proposed restaurant as allowed by CUP2019-0001 will help promote the commercial center and attract a variety of quality commercial tenants to the center to meet and support the diverse needs of Corona's residents, visitors, and businesses.*
 - c. CUP2019-0001 fulfills General Plan Policy 1.11.3, which promotes and pro-actively recruits new businesses that fill gaps in the range of goods and services currently available and are needed by the City's residents and act as a catalyst for attracting other retailers to the City. The proposed restaurant will fill a gap by providing a use that provides food services to the City's residents.*
4. The proposal is consistent with NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02) for the following reason:
 - a. The proposed use complies with the NCD (Neighborhood Commercial District)*

designation of the Sierra Del Oro Specific Plan (SP85-02) as restaurants with drive-through services are permitted by a conditional use permit. Also, the proposed use is in harmony with the other existing uses within the commercial building of the center and surrounding properties. The property is in compliance with the development standards that were in place at the time of development with respect to setbacks, minimum parking requirements and access.

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 12 day of August, 2019.

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

ATTEST:

Jennifer Killman
Secretary, Planning and Housing Commission
City of Corona, California

I, Jennifer Killman, 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 an adjourned regular session of said Planning and Housing Commission duly called and held on the 12th day of August, 2019, and was duly passed and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Jennifer Killman
Secretary, Planning and Housing Commission
City of Corona, California