



## **RESOLUTION NO. 2536**

**APPLICATION NUMBER: CUP2018-0014**

**A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 4,375-SQUARE FOOT PUBLIC CHARTER SCHOOL WITHIN AN EXISTING COMMERCIAL BUILDING LOCATED AT 700 NORTH MAIN STREET IN THE CR (COMMERCIAL RETAIL) DISTRICT OF THE NORTH MAIN STREET SPECIFIC PLAN (SP99-01) (APPLICANT: BILL CALLEJA OF PIVOT CHARTER SCHOOL).**

**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 and operate a 4,375-square foot public charter school within an existing commercial building located at 700 North Main Street, has been duly submitted to said City's Planning and Housing Commission;

**WHEREAS**, on July 22<sup>nd</sup>, 2019, the Planning and Housing Commission conducted a duly noticed public hearing on the Project, and continued the public hearing on the project to August 12<sup>th</sup>, 2019;

**WHEREAS**, on August 12<sup>th</sup>, 2019, the Planning and Housing Commission at the applicant's request continued the public hearing to August 26<sup>th</sup>, 2019, and on August 26<sup>th</sup>, 2019 continued the public hearing to September 9<sup>th</sup>, 2019;

**WHEREAS**, on September 9<sup>th</sup>, 2019, the Planning and Housing Commission conducted a continued 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 CUP2018-0014 based on the evidence presented to the Commission during said hearing; and

**WHEREAS**, the Planning and Housing Commission finds that this project is exempt from CEQA and falls within a class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) 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.

**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 1 categorical exemption under CEQA per Section 15301 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 only establish the right to operate a public charter school within an existing commercial building located in a commercial center that is fully developed. Furthermore, the public charter school will not require an expansion to the building as it is capable of accommodating the proposed use. Therefore, there is no possibility that the proposal 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. 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 1 categorical exemption under CEQA per Section 15301 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 only establish the right to operate a public charter school within an existing commercial building located in a commercial center that is fully developed. Furthermore, the public charter school will not require an expansion to the building as it is capable of accommodating the proposed use. Therefore, there is no possibility that the proposal will have any significant effects on the environment.
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 CUP2018-0014 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 use will be conducted solely within an existing commercial building which met all the*

*applicable development standards that existed at the time the property was initially developed. Furthermore, the applicant will be required to demonstrate compliance with all current building and fire codes that are applicable to the proposed use of the building through the city's plan check process.*

- b. The proposed use is not detrimental to other existing and permitted uses in the general area of the project site and relates properly to the surrounding roadways because the*

*public charter school will be located entirely inside an existing commercial building. The subject property is adjacent to and is otherwise surrounded by other similar uses and properties located in similar zones. Furthermore, the public charter school has sufficient access from Main Street and Parkridge Avenue.*

- c. Reasonable conditions as necessary are being imposed to protect the public health, safety, and welfare and to establish full compliance with the applicable development standards of the CR (Commercial Retail) District of the North Main Street Specific Plan (SP99-01) and Corona Municipal Code in terms of building setbacks, building height, parking, and landscaping.*

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. The proposed school will help support the needs by offering educational services that will provide a high quality of life for Corona's residents.*
- b. CUP2018-0014 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 school as allowed by CUP2018-0014 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. CUP2018-0014 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 school will fill a gap by providing a use that provides educational services to the City's residents.*

4. The proposal is consistent with CR (Commercial Retail) District of the North Main Street Specific Plan (SP99-01) for the following reason:

- a. The proposed use complies with the CR (Commercial Retail) District of the North Main Street Specific Plan (SP99-01) as public charter schools are permitted by a conditional use permit. Also, the proposed use is in harmony with the other existing uses within the commercial building 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 9<sup>th</sup> day of September, 2019.

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

**ATTEST:**

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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 9<sup>th</sup> day of September, 2019, and was duly passed and adopted by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

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