



## Agenda Report

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**File #:** 20-0499

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### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 07/01/2020

**TO:** Honorable Mayor and City Council Members

**FROM:** Community Development Department

**SUBJECT:**

City Council consideration of PM 37763, a Parcel Map to subdivide an existing 4.47-acre commercial parcel located at 2410 Wardlow Road in the Industrial Commercial Development District (ICDD) of the Westgate Specific Plan (SP87-01) into two parcels for commercial condominium purposes. (Applicant: Alan Dibartolomeo with Press Companies, Inc.)

**RECOMMENDED ACTION:**

**That the City Council** approve PM 37763 subject to the findings and conditions of approval as recommended by the Planning and Housing Commission.

**ANALYSIS:**

The 4.47-acre project site is located on the south side of Wardlow Road, east of Auto Center Drive, and north of State Route 91. The site is located within the Westgate Specific Plan and has a zoning of Industrial Commercial Development District (ICDD) and a General Plan designation of General Commercial (GC). The project site contains a 68,340 square foot commercial building that houses multiple in-line tenants, a parking lot and landscaped areas. The site also contains a 70-foot high pylon sign facing State Route 91.

Parcel Map 37763 proposes to subdivide the 4.47 acres into two numbered lots and one lettered lot. The parcel map is designed as a condominium map which will allow the property owner to sell the individual tenant spaces to separate owners. Parcel 1 covers 4.46 acres which includes the entire commercial building, parking lot, and landscaping. Parcel 2 is 0.004 acres and contains the existing 70-foot high pylon sign located at the south perimeter of the property adjacent to State Route 91. Lot A is 0.43 acres (18,730 square feet) and contains the south half right-of-way width of Wardlow Road.

The Westgate Specific Plan does not have a minimum lot size, width, or depth requirement for newly

created lots within the ICDD designation. Instead, it allows new commercial lots to vary in size, provided that the commercial development to be developed on the lot meets the parking and landscaping requirements of the specific plan. Since the site contains an existing development which was constructed under the ICDD development standards and meets the applicable parking and landscaping requirements of the specific plan, proposed Parcel 1 complies with the specific plan's subdivision requirements. Proposed Parcel 2 contains the freeway pylon sign which does not generate parking and therefore, also complies with the subdivision requirements.

PM 37763 will simply subdivide the property into two lots for condominium purposes and no changes to the building or parking lot are proposed as part of this application. However, the applicant will be replacing the existing turf within the property's frontage along Wardlow Road with drought tolerant plant materials. Additionally, the property owner intends to keep Parcel 2 which contains the existing 70-foot high electronic message center which will continue to advertise only the tenants in the center. Although the sign will be on its own separate parcel, the sign is still part of the commercial condominium site and cannot advertise off-site businesses, which is prohibited under Corona Municipal Code Section 17.74.070.

#### ACCESS AND PUBLIC IMPROVEMENTS

The existing commercial center has two access driveways from Wardlow Road. The access driveways are shared among the commercial building's tenants. Additionally, the driveway on the northwest corner of the site is a shared driveway between the existing commercial development and the existing restaurant located directly to the west. Per the General Plan, Wardlow Road is classified as a collector street and has an overall right-of-way width of 55 feet. The portion of Wardlow Road adjacent to the project site is currently improved with roadway, curb and gutter, and parkway landscaping within a five-foot wide landscape easement. There is currently no sidewalk adjacent to the site. As such, the applicant is required to install a sidewalk along the project frontage and convert the existing turf within the landscape easement to drought tolerant plant materials. The applicant is also required to reconstruct both driveways per current commercial standard and grind and overlay the south-half street width of Wardlow Road plus ten additional feet within the north-half width of the street.

#### EASEMENTS

PM 37763 protects several existing easements on the property. The easements are for public utilities, such as water and electricity, mutual access, reciprocal maintenance purposes and wall footings associated with the freeway off-ramp in the area.

PM 37763 will also establish new easements on the property for new public utility facilities, the public sidewalk along Wardlow Road and a blanket access easement to Parcel 2.

#### AIRPORT LAND USE COMPATIBILITY PLAN

The project site is located in Zone D of the Riverside County Airport Land Use Compatibility Plan (ALUCP). In order to determine whether the proposed project is compatible with the nearest airport, which is the Corona Municipal Airport, the project must meet the compatibility criteria listed under Table 2A of the ALUCP for Zone D. The ALUCP criteria are outlined below.

- Nonresidential properties located in Zone D of the ALUCP are subject to a maximum intensity limit of 100 persons per average acre.
- Highly noise-sensitive outdoor nonresidential uses are prohibited in Zone D of the ALUCP.
- Projects that may result in hazards to flight including physical, visual, and electronic forms of interference with the safety of aircraft operations are prohibited in Zone D of the ALUCP.
- Objects or structures over 70 feet in height require airspace review by the ALUCP.
- Children's schools, hospitals, and nursing homes are discouraged in Zone D of the ALUCP.
- A deed notice shall be recorded for each parcel associated with any discretionary and use action affecting any property within Zone D of the ALUCP.

The project meets all the criteria except for the maximum allowable intensity limit of 100 persons per average acre. The project site's intensity limit was determined by taking the building's square footage (67,360 square feet) and dividing it by 60 for building occupancy type M (Mercantile) which equals a maximum occupancy limit of 1,122. The occupancy limit of 1,122 divided by 4.47 acres equals 251 persons per acre which exceeds ALUCP's maximum allowable intensity limit of 100 persons per acre. Since the project meets all the ALUCP criteria except for the allowable intensity limit of 100 persons per average acre, the project site does not conform to the ALUCP adopted in 2004.

However, per Section 3.3.2(b) *Nonconforming Uses* of the ALUCP, a nonconforming nonresidential development may be continued, leased, or sold provided that the nonconforming use is not expanded, and the usage intensity (number of people per acre) is not increased above the levels existing at the time of adoption of the ALUCP. The ALUCP was adopted October 2004. The 4.47-acre project site was created under PM 24150 which was recorded September 7, 1989 and the existing building was constructed in 1992. Since the project site existed prior to the adoption of the 2004 ALUCP, and the condominium parcel map is strictly for resale purposes and does not expand beyond the property limits of the existing parcel (Parcel 3, PM 24150) and does not increase the size of the existing building or usage intensity, the city has determined that this request qualifies as a nonconforming use under ALUCP. The applicant is simply remapping the property for financial purposes to allow each unit to be sold separately, which is allowed under the nonconforming uses provision of the ALUCP.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

The applicant paid \$6,926.00 in application processing fees for the Parcel Map.

**ENVIRONMENTAL ANALYSIS:**

A Notice of Exemption was prepared for the project because the proposed subdivision qualifies as a Minor Land Division under Section 15315 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 3.21 of the City's Local CEQA Guidelines. Parcel Map

37763 will subdivide an existing 4.47-acre commercial development into two parcels for commercial condominium purposes. The existing development is a permitted use under the property's zoning and General Plan designation. No variances are associated with the subdivision. All services and access to the proposed parcels are available and designed per local standards. The property has not been involved in another subdivision within the previous two years, and there are no slopes on the property.

**PLANNING AND HOUSING COMMISSION ACTION:**

At its meeting of June 8, 2020, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Jones/Mesa) and carried unanimously, that the Planning and Housing Commission recommend approval of PM 37763 to the City Council, based on the findings contained in the staff report and subject to the conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

**PREPARED BY:** JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

**SUBMITTED BY:** JACOB ELLIS, CITY MANAGER

**Attachments:**

1. Exhibit 1 - Locational and Zoning Map
2. Exhibit 2 - Site Plan for PM 37763
3. Exhibit 3 - Planning and Housing Commission Staff Report
4. Exhibit 4 - Minutes of the Planning and Housing Commission meeting of June 8, 2020

**APPLICANT INFORMATION**

*Alan Dibartolomeo with Press Companies, Inc., 19782 MacArthur Blvd., Suite 100, Irvine, CA 92612*