



Legislation Text

File #: 18-1587, Version: 1

**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 4/9/2018

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

CUP2017-0104: Conditional Use Permit application to establish and operate a 6,200 square-foot religious facility within an existing 20,573 square-foot commercial building located at 1138 East Sixth Street #C in the GC (General Commercial) designation of the Downtown Corona Revitalization Specific Plan (SP98-01) (Applicant: Jeeun (Joshua) Lee of Jesus Baptist U.S.A. Conference Corona Baptist Church, 1138 East Sixth Street #C, Corona, CA 92879).

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend adoption of Resolution No. 2509 GRANTING CUP2017-0104, based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY

Area of Property:	0.79 acre
Existing Zoning:	GC (General Commercial) designation of the Downtown Corona Revitalization Specific Plan (SP98-01)
Existing General Plan:	MU2 (Mixed Use: Industrial/Commercial)
Existing Land Use:	20,573 square foot (multiple-tenant) commercial building
Proposed Land Use:	Religious facility (Suite C)

Surrounding Zoning/Land Uses:

N: GC (General Commercial) designation of the Downtown Corona Revitalization Specific Plan (SP98-01)/Commercial office
E: GC (General Commercial) designation of the Downtown Corona Revitalization Specific Plan (SP98-01)/Cleveland National Forest Fire Station
S: R-3 (High Density Multi-Family Residential)/Parking lot
W: GC (General Commercial) designation of the Downtown Corona Revitalization Specific Plan (SP98-01)/Commercial office

BACKGROUND

In May of 2017, it was brought to the city's attention that a religious facility (Jesus Baptist U.S.A. Conference Corona Baptist Church) was operating within an existing commercial building located at 1138 East Sixth Street, #C without an approved conditional use permit through the Planning and Housing Commission. The subject site is located in the GC (General Commercial) designation of the Downtown Corona Revitalization Specific Plan (SP98-01) which requires religious facilities to obtain approval of a conditional use permit (CUP) in order to operate within this zone.

On May 8, 2017, the Community Development Department issued a letter to inform the property owner of the subject property that the tenant in question was in violation of the zoning regulations for the GC designation and would have to cease operating immediately and vacate the premise by June 7, 2017. The property owner was also informed that the tenant had the option to relocate or apply for a conditional use permit by June 7, 2017 should the tenant decide to remain on the subject property.

The applicant, Jeeun (Joshua) Lee of Jesus Baptist U.S.A Conference Corona Baptist Church, submitted a letter dated June 5, 2017 to the city requesting to extend their deadline to submit the CUP application from June 7 to June 30, 2017 to allow the tenant time to prepare the application materials. The tenant also requested permission to continue to occupy the building as a satellite branch office for their local members for weekly Bible studies and seminars to support the main church located in Santa Ana, California during the entitlement process. The tenant's requests was granted by staff because the tenant space would not be used for religious assembly, but only for Bible study. Subsequently, on June 27, 2017, the applicant's representative, Areal Park of Areal Architect and Associates, was retained by the tenant and requested another extension to submit their CUP application by July 28, 2017, which staff agreed to.

On July 30, 2017, the applicant submitted a CUP application to the city requesting to operate a religious facility in an existing 6,200 square-foot suite within the subject building. The remaining portions of the building are currently occupied by a 7,452 square-foot indoor swimming facility called Aquatic Zone and approximately 6,256 square feet of vacant tenant space.

On August 17, 2017, the application was discussed at the Project and Environmental Review Committee (PRC). At the meeting that PRC provided comments to the applicant related to off-street parking, handicap access, and building occupancy requirements.

PROJECT DESCRIPTION

CUP2017-0104 is an application to establish and operate a 6,200 square-foot religious facility within an existing commercial building located at 1138 East Sixth Street, Suite C (Exhibit A).

Site plan

The subject site is a flat and fully developed 0.79-acre parcel located on the south side of East Sixth Street and east of Rimpau Avenue. There is one building (20,573 square feet) constructed on the subject parcel along with landscaping and 15 on-site parking spaces. Additional parking for the site is located to the south directly across Seventh Street on two separate parcels totaling 0.03 acres. The parking lot contains 34 parking spaces. The project site is accessible from a driveway off East Sixth Street and a driveway off East Seventh Street. The separate parking lot is accessible from two driveways off East Seventh Street. As shown in Exhibit A, the tenant space to be occupied by Jesus Baptist U.S.A Conference Corona Baptist Church is in the northern portion of the commercial building. No changes are proposed to the exterior of the building. Only improvements will be made

to the interior of the building which will be reviewed by city staff through the city's plan check process.

Floor Plan

The floor plan for the religious facility is depicted in Exhibit C. The floor plan will consist of a pastor's office, multiple Bible study rooms, a server room, a warming pantry room, separate restrooms for men and women, fellowship hall, and the main sanctuary. The main sanctuary will include a stage with four fixed seats, 15 pews that allows up to five persons per pew (75 seats), for a total of 79 fixed seats and two designated wheel chair spaces. The main sanctuary will also include a preparation room and an audio control room.

The subject tenant space will be used for office, Bible study and worship services in the evenings from Monday through Friday, and Saturday through Sunday during the day and evenings. The following tables describe the intended use of the building and the hours of operation.

**Table 1
Religious Facility Activities**

Day	Activity	Hours
Monday - Friday	Office	8:00 p.m. - 10:00 p.m.
Wednesday	Worship services	8:00 p.m. - 9:30 p.m.
Once per month	Bible academy	8:00 p.m. - 9:30 p.m.
Saturday	Office/Young adult fellowship	6:30 p.m. - 9:00 p.m.
Sunday	Office/Worship services/ Bible study	10:30 a.m. - 3:00 p.m.

**Table 2
Aquatic Zone**

Day	Hours
Monday - Friday	8:30 a.m. - 8:00 p.m.
Saturday	7:30 a.m. - 1:00 p.m.

**Table 3
Unoccupied Office Area**

Day	Hours
Monday - Friday	9:00 a.m. - 6:00 p.m.

Access, Circulation, and Parking

The project site is provided with two points of access from the surrounding streets. One entrance is located on East Sixth Street, and one on East Seventh Street. The separate parking lot has two separate driveways for ingress and egress off East Seventh Street. All access points and parking spaces are shared among the tenants within the commercial building at the subject property. In order to facilitate and provide a safe path of travel for the customers who will be using the separate parking lot area to the south of the subject property, the Public Works Department required the applicant to install a new pedestrian crosswalk across East Seventh Street.

Based on the parking requirements of the Corona Municipal Code, religious facilities are required to

provide parking based on a ratio of one space for every 3.5 fixed seats or one space per 25 square feet of assembly area. Since the applicant's religious facility is proposing to have fixed seats within the sanctuary, the one parking space for every 3.5 fixed seats parking ratio is the applicable parking requirement for this facility, which will have 79 fixed seats and two designated wheel chair spaces in the main sanctuary for a total of 81 seats; therefore, 23 parking spaces are required. Aquatic Zone occupies 7,452 square feet of floor area and is required to provide parking at a ratio of one space per 250 square feet of floor area. Therefore, 30 spaces are required for Aquatic Zone. The remaining 6,256 square feet of unoccupied tenant space, which can be potentially be used as offices, is permitted to utilize the city's parking ratio for office at the time the building was constructed which was one space per 375 square feet of floor area. Therefore, 17 spaces are required for the unoccupied office area. In total 70 spaces are required for the building.

The site currently has 49 existing parking spaces of which 15 spaces are currently located on the same parcel as the building, and 34 spaces are located on the separate parking lot to the south, although the applicant's site plan erroneously depicts 38 spaces within the separate parking lot. Staff is requiring the applicant to provide an additional four spaces on the separate parking lot to match the 38 spaces depicted on the site plan. Therefore, a total of 53 spaces will be provided to serve the building, which is less than the 70 spaces required among the three tenants. However, the religious facility's operating hours do not occur at the same time as Aquatic Zone's operating hours, and future intended tenants of the vacant commercial space will be limited to day uses that operate opposite from the religious facility. As such, the 53 parking spaces proposed for the site are sufficient to accommodate the religious facility's primary day of worship.

A parking analysis (Kunzman Associates, Inc., July 26, 2017) was prepared for the project to analyze the applicant's shared parking proposal. The parking analysis concluded that the site contains sufficient parking spaces for the religious facility based on the applicant's proposed hours of operation. Note that at the time the parking analysis was prepared, the applicant initially proposed to operate with either worship services or Bible studies on Wednesdays from 7:30 p.m. to 9:30 p.m., and Sundays from 10:00 a.m. to 4:00 p.m. Because the operations slightly overlapped Aquatic Zone's hours of operation, the applicant chose to revise their hours as shown in Table 1 of this report to eliminate parking conflicts with Aquatic Zone.

ENVIRONMENTAL ANALYSIS

Per Article 19 Categorical Exemptions, Section 15301 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 3.20 of the City's Local CEQA Guidelines, a Notice of Exemption has been prepared for the project because the project consists of establishing and operating a religious facility within an existing commercial building. The religious facility will be contained entirely inside the building, and no expansion is proposed to the commercial building. Therefore, there is no possibility that the proposal will have a significant effect on the environment. The Notice of Exemption is attached as Exhibit E.

FISCAL IMPACT

The applicant has paid all the required application processing fees.

PUBLIC NOTICE AND COMMENTS

A 10-day public notice was mailed to all property owners within a 500-foot radius of the project site, as well as advertised in The Sentinel Weekly News and posted at the project site. As of the preparation of this report, the Community Development Department has not received any response

from the public regarding the proposal.

STAFF ANALYSIS

The project site is fully developed with a commercial multiple-tenant space building, landscaping and parking lot. No changes are proposed to the exterior of the building that is to be occupied by the religious facility, and only interior improvements will be conducted inside the building. The religious facility's intended use and hours of operation will be during off-peak hours from other tenants that share the building. Because of the staggered hours of operation, the project site is capable of accommodating the number of parking spaces required by the Corona Municipal Code for the new religious facility and the existing commercial uses at the project site. The subject property also has sufficient access from the surrounding roadways. Therefore, based on the following findings and conditions of approval attached as Exhibit B, CUP2017-0104 is recommended for approval.

FINDINGS OF APPROVAL FOR CUP2017-0104

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 categorical exemption under CEQA per Section 15301 of the State Guidelines and Section 3.20 of the City of Corona adopted Local Guidelines for Implementing CEQA. The proposed conditional use permit will only establish the right to operate a religious facility within an existing commercial building. Furthermore, the religious facility 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 CUP2017-0104 for the following reasons:
 - a. *The proposal will not be detrimental to the public health, safety convenience and general welfare, and is in harmony with 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 the other existing and permitted uses in the general area of the project site and related property to the surrounding roadways because the subject property is adjacent to and is otherwise surrounded by other similar uses and properties located in similar zones. Furthermore, the religious facility has sufficient access from Sixth Street and Seventh Street.*
 - 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 Downtown Corona Revitalization Specific Plan and Corona Municipal*

Code.

3. The proposal is consistent with the General Plan for the following reasons:

- a. *The proposed project contributes to the achievement of 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.*
- b. *Allowing for the continued use of the existing commercial building at 1138 East Sixth Street contributes to the achievement of General Plan Policy 1.19.8 which encourages the renovation, rehabilitation, or continuing use of existing buildings and sites located along the East Sixth Street Corridor within the GC designation of the Downtown Corona Revitalization Specific Plan.*

4. The proposal is consistent with the GC (General Commercial) Designation of the Downtown Corona Revitalization Specific Plan (SP98-01) for the following reason:

- a. *The proposed project complies with the uses allowed in the GC designation of the Downtown Corona Revitalization Specific Plan (SP98-01) as religious facilities are permitted with 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.*

PREPARED BY: HARALD LUNA, ASSOCIATE PLANNER

REVIEWED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: TERRI MANUEL, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

1. Resolution No. 2509
2. Locational and zoning map
3. Exhibit A - Site Plan
4. Exhibit B - Conditions of Approval
5. Exhibit C - Floor Plan
6. Exhibit D - Applicant's letter
7. Exhibit E - Environmental Documentation

Case Planner: Harald Luna (951) 736-2268