



Legislation Text

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**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 2/25/2019

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

PPM2018-0011: Precise plan application to construct a 4,462 sq. ft. restaurant with drive-through services for Raising Cane's on 1.46 acres in the proposed C-3 (General Commercial) Zone located at 1215 E. Ontario Avenue (Applicant: Ruben Gonzalez, PM Design Group, 38 Executive Park, Suite 310, Irvine, CA 92614).

RECOMMENDED ACTION:

That the Planning and Housing Commission adopt the Negative Declaration and adopt Resolution No. 2529 **GRANTING** PPM2018-0011 based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY

Area of Property: 1.46 acres

Existing Zoning: C-2 (Restricted Commercial)

Proposed Zoning: C-3 (General Commercial)

Existing General Plan: GC (General Commercial)

Existing Land Use: Vacant commercial building (formerly occupied by Fresh & Easy)

Proposed Land Use: Drive-through restaurant for Raising Cane's

Surrounding Zoning/Land Uses:

N: Park (Rimpau Park)/Public park

E: C-3/Del Taco drive-through restaurant

S: Commercial designation of the Corona Vista Specific Plan/Commercial center

W: Park (Rimpau Park)/Public park

BACKGROUND

The 1.46-acre property is part of a larger 2.17-acre commercial center that was originally constructed in 2008 (Exhibit 1). The overall center was reviewed and entitled under Precise Plan 07-003. Under the original entitlement, the western portion of the center which is where the current project is proposed was developed with a 13,969 square foot Fresh & Easy market while the eastern portion

was undeveloped. In 2013, the eastern portion underwent a change of zone from C-2 to C-3 (General Commercial) to allow for the development of a 2,200 square foot Del Taco drive-through restaurant. The change of zone was necessary because the C-2 zone does not permit drive-through establishments while the C-3 zone does allow for drive-through establishments by right. The western portion of the center (Fresh & Easy) remained under the C-2 zone. In 2015, Fresh & Easy vacated the site and its building has remained unoccupied ever since.

The current proposal is for a Raising Cane's restaurant which will replace the building formerly occupied by Fresh & Easy. The project would require the demolition of the existing building and the pad would be reconstructed with a smaller 4,462 square foot building that will include an outdoor dining patio and drive-through service lane. Site improvements will also include a new parking lot and new landscaping throughout the site. Since the applicant is proposing to make substantive changes to the original entitled precise plan, the changes require approval by the Planning and Housing Commission.

The project also requires a change of zone as the site's current C-2 (Restricted Commercial) zone does not allow for drive-through establishments. As such, the applicant is requesting to change the zoning of the site to C-3 (General Commercial) which would allow the restaurant to have drive-through services. The change of zone is being reviewed as CZ2018-0002. The applicant is requesting concurrent approvals for the change of zone and precise plan modification.

The Infrastructure Committee at its meeting on January 3, 2018, discussed the land use change. The Committee expressed no objection to having an additional restaurant with drive-through services on the site but inquired about potential noise from the drive-through lane being located on the north side of the building and the proximity to the residents located north of the park site. Noise was addressed in the Negative Declaration and the noise analysis prepared for the project determined operational noise from the restaurant would be within the city's acceptable thresholds for sound during day time and evening hours.

The project was initially reviewed by city staff at the Development Plan Review meeting on September 20, 2018. The applicant submitted official applications for the change of zone and precise plan modification to the city on November 20, 2018, which were reviewed by the Project and Environmental Review Committee on December 13, 2018 and determined to be incomplete. The applicant over time submitted the required application materials to staff with the applications finally considered complete on January 25, 2019, and cleared for public hearing before the Planning and Housing Commission on February 25, 2019.

PROJECT DESCRIPTION

Site Plan

As shown in Exhibit A, the commercial center is comprised of two parcels. The western parcel is where the Raising Cane's restaurant is proposed. The restaurant has a floor area of 4,462 square feet with a 764 square foot outdoor dining patio. The patio is comprised of a covered and uncovered area. The covered portion is 625 square feet and attached to the south side of the building while the uncovered area is located farther south. The restaurant's main entrance is located on the east side of the building facing the parking lot. The dual drive-through lane entrance is located on the north side of the building and extends along the west side of the building and exits onto the south parking lot. A

trash enclosure is located at the northeast corner of the building. To the east of the project site is the existing Del Taco drive-through restaurant. No changes are proposed to the Del Taco restaurant or parking areas that are located to the north and south of the Del Taco pad.

The plotting of the new restaurant complies with the building setback requirements prescribed by the C-3 zone, which requires a minimum front yard setback of 10 feet and no setback requirements from interior lot lines. As proposed, the building is set back approximately 65 feet from the front property line adjacent to Ontario Avenue. It is also set back approximately 65 feet from the north (rear) property line and 21.5 feet from the west (side) property line. It is worth noting, the project site is approximately 170 feet from the closest residents located north of Rimpau Park. Additionally, the north property line of the project site contains a seven-foot high block wall.

Floor Plan

The restaurant's floor plan is shown in Exhibit C. The restaurant features indoor and outdoor dining areas. The indoor dining area has a seating capacity for 95 seats. The outdoor dining area has a seating capacity for 56 seats. The customer entrance is located on the east and south sides of the building. A service entrance is located on the north side of the building for employees, deliveries, and shipments.

Operating Hours

The restaurant's operating hours for walk-in and drive-through service will be from 9:00 a.m. to 1:00 a.m. Monday through Thursday, and 9:00 a.m. to 3:00 a.m. Friday, Saturday, and Sunday.

Architecture

The new building is a single-story structure with contemporary architecture that features a combination of stucco and plaster walls with brick and standing seam metal awnings. The roofline incorporates tower elements and parapet walls that alternate in height to help delineate and enhance entrances and screen rooftop mechanical equipment from view at ground level. The primary colors of the building are brick red and brown with white and black accent colors. The height of the building is 23.5 feet which is below the 30-foot height limit established by the C-3 zone. The overall look of the building is compatible with the Del Taco restaurant which has a similar contemporary design that features stucco walls with stone and tile accent materials and dark trim along the edges of the rooftop and around the windows and doors. The applicant's elevation plans are shown in Exhibits D1, D2, E1 and E2.

Access, Circulation, And Parking

Access into the project site is currently taken from an existing shared 35-foot wide driveway located on Ontario Avenue. Due to a raised median that exists on Ontario Avenue, the center's driveway is limited to right-in and right-out only turn movements. Ontario Avenue has an eastbound left-turn pocket in front of the project site that allows for vehicles to turn left into the center from the eastbound lanes.

The section of Ontario Avenue adjacent to the project site is fully improved with curb, gutter, parkway, and sidewalk and has an overall right-of-way width of 106 feet. Therefore, no additional

improvements or street widening is required with this project.

The on-site circulation consists of a 30-foot wide main drive aisle located between the two pads and 25-foot wide drive aisles that provide access to parking spaces within the center. Entrance into the Raising Cane's drive-through lane will be located at the north perimeter of the site. The drive-through lane is designed as dual lanes that merge into a single lane after the menu boards. The lane extends along the east side of the building and exits onto the southerly parking lot. Each lane at the entrance provides six vehicle stacking spaces from the menu board for a total of 12 vehicles overall. The design exceeds the Corona Municipal Code's minimum stacking space requirement of six vehicles for drive-through lanes.

Per Section 17.76.030 of the Corona Municipal Code, restaurants are required to provide parking at a ratio of one parking space for every 100 square feet of building area (1:100). Based on the combined uses of the center, a total of 75 parking spaces are required. The center is providing 80 parking spaces which will be shared between the tenants. Table A depicts the parking requirements for the center.

Table A
Parking Summary

Use	Square Footage	Parking Ratio	Parking Required	Parking Provided
Raising Cane's	4,462 sq. ft. 764 sq. ft. (patio)	1:100	52	---
Del Taco	2,220 sq. ft.	1:100	22	---
Total Required and Provided			74	80

Easements

The parcels have reciprocal ingress, egress, and parking rights over all common areas which include the center's driveway, drive aisles, and parking spaces. The shared use of the common areas is established through an express grant of easement under the center's CCRs.

The property has an existing 20-foot wide public utility easement located in the middle of the site that extends in a northerly and southerly direction. The easement is dedicated to the City and will remain on the property.

Landscaping

The applicant is proposing a building that has been reduced in size from the original existing building and, therefore, will be increasing the amount of landscaping around the building pad. As shown in Exhibits F1 and F2, the applicant's landscape plan illustrates landscaping around the building, parking lot, and along the north and west perimeters of the pad. The plant palette features a variety of drought tolerant materials including two types of trees, flowering shrubs and green hedges, perennials, succulents, groundcover, and ornamental grasses. The main entrance on Ontario Avenue and the restaurant's drive-through entry and exit points will be enhanced with 36-inch box flowering trees. The parking lot will be installed with 24-inch box evergreen shade trees.

In order for the center to have a cohesive appearance, the applicant is also proposing to replace the existing hedge along the center's entire frontage adjacent to Ontario Avenue with new plant materials to match the landscaping proposed for the Raising Cane's pad. Based on the plant legend on the landscape plan, the plant materials that are proposed along the site's frontage will reach a height of three feet at full maturity which is necessary in order to provide adequate headlight buffering for the parking spaces that are perpendicular to Ontario Avenue. The existing trees along the frontage will be protected in place. No changes are proposed to the Del Taco pad which is on its own separate parcel.

In addition to the on-site upgrades, the existing landscaping within the parkway in the public right-of-way on Ontario Avenue will be replaced with vibrant red yucca succulents and green groundcover to match the landscaping proposed on site. The existing street trees within the parkway will be protected in place. The new landscaping will enhance and update with the center's overall appearance. Prior to issuance of building permits for this project, the applicant's landscape plans will be reviewed by the Community Development Department for compliance with the Corona Municipal Code and the landscape design guidelines for commercial properties.

Fences And Walls

The applicant will construct a new six-foot high block wall along the west perimeter of the site to separate the drive-through lane from the park site to the west. The block wall is required to be constructed of decorative block to match the walls on site. The standard requirement for anti-graffiti coating is secured in the conditions of approval.

An existing seven-foot high perimeter block wall is located along the commercial center's north property line which separates the commercial center from the adjacent park site to the north and the residences beyond. The block wall was originally constructed as a sound wall for the Fresh & Easy loading dock which was oriented towards the park site and residences which are located approximately 170 feet north of the commercial center. The block wall will remain to attenuate noise from the drive-through activities located at the north perimeter of the site. Based on the noise study (Kimley Horn, November 2018) that was conducted for the project, sound attenuation over distance and from the wall would reduce drive-through activity noise levels at the nearest residences to 37 decibels (dBA). This is below the city's exterior noise standards for residential land uses, which is 50 dBA from 10:00 p.m. to 7:00 a.m., and 55 dBA from 7:00 a.m. to 10:00 p.m. As such, the noise study did not require additional noise mitigation. Additional discussions regarding noise is included in the Negative Declaration attached as Exhibit H.

Signage

Exterior wall signs are conceptual shown on the south, west, and east elevations of the building (Exhibits E1 and E2). Wall signs are required to comply with the sign standards under Chapter 17.74 of the Corona Municipal Code in terms of allowable square footage, height, and location and will be reviewed under a separate permit by the Community Development Department prior to installation.

No monument sign is proposed for Raising Cane's as the center already has an existing 13-foot high pylon sign located on Ontario Avenue which has two tenant panels - one for each tenant within the center.

ENVIRONMENTAL ANALYSIS

Per Section 15070 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 6.01 of the City's Local Guidelines, a Negative Declaration was prepared for the project because the Initial Study showed that there is no substantial evidence, in light of the whole record before the City, that the project may have a significant or potentially significant adverse effect on the environment. Therefore, a Negative Declaration is recommended for adoption (Exhibit H).

FISCAL IMPACT

The applicant paid \$11,001.75 in application processing fees for the precise plan modification.

PUBLIC NOTICE AND COMMENTS

A 20-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 proposed project will result in the development of a 4,462 square foot drive-through restaurant on a property that has been vacant and underutilized since 2015. The proposed use is permitted in the C-3 zone which is being established on the site through a change of zone. As demonstrated by the applicant's plans, the project is capable of complying with the development standard of the C-3 zone in terms of setbacks, parking, landscaping, and building height restriction. The architecture and color scheme proposed for the building are compatible with the existing Del Taco restaurant located within the same commercial center. The applicant will be replacing the existing landscaping on western pad and along the center's entire frontage adjacent to Ontario Avenue with a new plant palette to update and enhance the center. Potential noise impacts from the drive-through activities have been analyzed and no mitigation measures were warranted.

Development of the proposed project would fulfill several General Plan policies including Policies 1.1.1, 1.1.2, 1.1.3 and 1.11.1 which all encourage and emphasize having a community that contains a diversity of land uses that supports the needs of Corona's residents and help maintain Corona as a self-sustaining city. The project also fulfills General Plan Policy 1.4.4 which encourages the adaptive re-use of economically underutilized commercial sites that are within existing urbanized areas. Therefore, PPM2018-0011 is recommended for approval based on the following findings.

FINDINGS OF APPROVAL FOR PPM2018-0011

1. An initial study (environmental assessment) has been conducted by the City of Corona so as to evaluate the potential for adverse environmental impacts. The environmental assessment shows that there is no substantial evidence that the project may have a significant or potentially significant adverse effect on the environment.
2. All the conditions necessary to granting a Precise Plan as set forth in Section 17.91.070 of the Corona Municipal Code do exist in reference to PPM2018-0011 for the following reasons:
 - a. *The proposal is consistent with the General Commercial land use designation of the General Plan because this land use is intended for a broad range of commercial uses,*

including drive-through restaurants.

- b. The proposal complies with the C-3 zone because the proposal is a drive-through restaurant which is permitted under the C-3 zone. The C-3 zone will be established on the 1.46 acres within the commercial center where the restaurant is proposed through a change of zone under CZ2018-0002.*
- c. The proposal has been reviewed in compliance with the California Environmental Quality Act and all applicable requirements and procedures of the act have been followed. As justified in Finding # 1, a Negative Declaration is recommended for adoption as the Initial Study has shown that there is no substantial evidence that the project may have a significant or potentially adverse effect on the environment.*
- d. The site is of a sufficient size and configuration to accommodate the design and scale of proposed development, including buildings and elevations, landscaping, parking and other physical features of the proposal, as demonstrated in Exhibit A of this report.*
- e. The design, scale and layout of the proposed development will not unreasonably interfere with the use and enjoyment of neighboring existing or future developments, will not create traffic or pedestrian hazards, and will not otherwise have a negative impact on the aesthetics, health, safety or welfare of neighboring uses because the proposal complies with the City's development standards for the C-3 zone and other applicable development standards governed by the Corona Municipal Code.*
- f. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood, will enhance the visual character of the neighborhood by improving an underutilized infill property, and will provide for harmonious, orderly and attractive development of the site.*
- g. The design of the proposed development will provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color that is aesthetically appealing and will retain a reasonably adequate level of maintenance. As shown by the applicant's plans, the architecture of the building features construction materials that are commonly used in commercial buildings and are quality in nature. The color scheme is visually appealing and the new landscaping will update and enhance the overall look of the commercial center.*
- h. The proposed development is compatible with and enhances the design of existing commercial center and other physical features of the site. The proposed drive-through restaurant is compatible with the adjacent Del Taco drive-through restaurant and with the commercial uses to the south beyond Ontario Avenue. Also, the applicant is proposing a building that has been reduced in size from the original building and the amount of landscaping is being increased around the building pad which will improve the site overall.*

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

- a. *PPM2018-0011 conforms to General Plan Policies 1.1.1, 1.1.2, 1.1.3 and 1.11.1 which all encourage and emphasize having a community that contains a diversity of land uses that supports the needs of Corona's residents and help maintain Corona as a self-sustaining city, because the C-3 zone provides more flexibility on the types of commercial land uses allowed on the property.*
 - b. *PPM2018-0011 fulfills General Plan Policy 1.4.4 which encourages the adaptive re-use of economically underutilized commercial sites that are within existing urbanized areas because the C-3 zone will allow the site to be redeveloped with commercial land uses based on market demand.*
4. The proposal is consistent with the C-3 (General Commercial) Zone for the following reason:
 - a. *The project is consistent with the C-3 zone because the proposed drive-through restaurant is a permitted use in the C-3 zone. The project is also capable of complying with the development standards of the C-3 zone in terms of building setbacks, building height, parking, and landscaping.*

PREPARED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: TERRI MANUEL, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

1. Resolution No. 2529
2. Locational and Zoning Map
3. Exhibit A - Site Plan.
4. Exhibit B - Conditions of Approval.
5. Exhibit C - Floor Plan.
6. Exhibits D1 & D2 - Detailed Elevation Plans.
7. Exhibits E1 & E2 - Colored Elevation Plans.
8. Exhibit F1 & F2 - Landscape Plan.
9. Exhibit G - Applicant's letter dated November 20, 2018 addressing the scope of the project.
10. Exhibit H - Environmental Documentation.

Case Planner: Sandra Yang (951) 736-2262