



Legislation Text

File #: 19-0434, Version: 1

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 5/15/2019

TO: Honorable Mayor and City Council Members

FROM: Community Development Department

SUBJECT:

Public Hearing for City Council consideration of Ordinance No. 3297, first reading of an Ordinance of the City of Corona, California for CZ2018-0002, an application to change the zone on 1.46 acres (located at 1215 E. Ontario Avenue) from C-2 (Restricted Commercial) to C-3 (General Commercial) to facilitate the development of a 4,462 sq. ft. restaurant with drive-through service. (Applicant: Ruben Gonzalez, PM Design Group)

RECOMMENDED ACTION:

That the City Council:

1. Adopt the Negative Declaration and approve CZ2018-0002 as recommended by the Planning and Housing Commission.
2. Introduce by title only and waive full reading for consideration of Ordinance No. 3297, first reading of an ordinance approving a change of zone on 1.46 acres from C-2 (Restricted Commercial) to C-3 (General Commercial) on property located at 1215 E. Ontario Avenue. (CZ2018-0002)

ANALYSIS:

Change of Zone 2018-0002 is an application to change the zone on 1.46 acres located at 1215 E. Ontario Avenue from C-2 (Restricted Commercial) to C-3 (General Commercial). The project site contains a vacant commercial building that was occupied by the Fresh and Easy Market. The applicant proposes to demolish the existing building and construct a new 4,462 square foot restaurant with a drive-through service for Raising Cane's. To accommodate a drive-through service on the site, the zoning of the property needs to be changed to the C-3 zone, which allows drive-through establishments unlike the C-2 zone.

The C-3 zone is appropriate for the site and is compatible with the surrounding zoning and land uses. To the north and west of the subject site is Rimpau Park which is zoned Park. To the east is a Del

Taco restaurant which has a zone of C-3, and to the south beyond Ontario Avenue is a commercial center that is designated Commercial by the Corona Vista Specific Plan.

Per the city's General Plan Land Use Map, the property has a General Plan designation of GC (General Commercial). The C-3 zone maintains consistency with the GC designation therefore the zone change does not require an amendment to the General Plan. The change of zone also fulfills 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 zone change is also consistent with General Plan Policy 1.4.4 which encourages the adaptive re-use of economically underutilized commercial sites that are within existing urbanized areas.

COMMITTEE ACTION:

The Infrastructure Committee at its meeting on January 3, 2018, discussed the potential land use change on the project site and the possibility of having a Raising Cane's restaurant occupy the site, which is a business not currently located in the city. Since the closing of the Fresh and Easy Market in 2015, the property owner has had difficulty securing another market tenant for the site or another retail use that would fit in the building. Finally, in 2017, the owner was able to secure a letter of intent from Raising Cane's to construct a new restaurant on the property. The Committee was not opposed to the land use change.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

The applicant paid \$4,892.00 in application processing fees for the change of zone.

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 effect on the environment.

PLANNING AND HOUSING COMMISSION ACTION:

The Planning and Housing Commission at its meeting on April 22, 2019, the continued public hearing for CZ2018-0002, considered the subject matter and took the following action:

Motion was made, seconded (Shah/Norton) and carried unanimously, that the Planning and Housing Commission adopt the Negative Declaration and approval of CZ2018-0002 to the City Council, based on the findings contained in the staff report. The minutes of the Planning and Housing Commission meeting are included as Exhibit 5.

PREPARED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: MITCHELL LANSDELL, ACTING CITY MANAGER

Attachments:

1. Exhibit 1 - City Ordinance No. 3297.
2. Exhibit 2 - Locational and Zoning Map.
3. Exhibit 3 - Proposed Change of Zone.
4. Exhibit 4 - Planning and Housing Commission Staff Report.
5. Exhibit 5 - Draft Minutes of the Planning and Housing Commission meeting of April 22, 2019.

APPLICANT INFORMATION

Ruben Gonzalez, PM Design Group, 38 Executive Park, Suite 310, Irvine, CA 92614