



Legislation Text

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**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 8/12/2019

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

CUP2019-0001: Conditional Use Permit application to construct a 2,243-square-foot restaurant with drive-through services on a vacant 0.39-acre pad within an existing commercial center located on the south side of Green River Road, east of Dominguez Ranch Road (4300 Green River Road) in the NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02) (Applicant: Milton Economy, 1052 Flager Ranch Road, Corona, CA 92881).

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend adoption of Resolution No. 2537 **GRANTING CUP2019-0001**, based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY

Area of Property (Pad Area): 0.39 acres

Existing Zoning: NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02)

Existing General Plan: GC (General Commercial)

Existing Land Use: Undeveloped, but mass graded

Proposed Land Use: Restaurant with drive-through

Surrounding Zoning/Land Uses from Pad Area:

N: Green River Road and Railroad Right-of-Way/BNSF Railway beyond.

E: NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02)/ Commercial center.

S: NCD of SP85-02/Commercial center

W: NCD of SP85-02/Automobile service station.

BACKGROUND

The project site is a vacant commercial pad located within an existing 6.5-acre commercial center

that was originally developed in the early 1990s under Precise Plan 91-08. The existing commercial center and adjacent office park are depicted in Exhibit A1. At the time the commercial center was developed, only the main building located on the southerly portion of the site was built. In 2004, the adjacent office park to the east of the commercial center was developed. In 2014, the westerly standalone pad on the corner of Green River Road and Dominguez Ranch Road was developed with an automobile service station and convenience store.

The subject pad, which is located near Green River Road directly north of the main commercial building for the center, was shown as a 3,500 square-foot retail building on the 1991 site plan; however, at that time the pad was not developed and remains unimproved. A second commercial pad also remains to be developed within the commercial center and is located east of the subject site.

In January 2018, the applicant, Milton Economy, submitted a Development Plan Review application (DPR2018-0001) to the city for the development of a drive-through restaurant on the subject pad. In February 2019, the applicant formally submitted to the city a conditional use permit application (CUP2019-0001), which was reviewed by city staff at the Project Review Committee (PRC) meeting on March 14, 2019. The applicant was issued an application incomplete letter due to missing information that was required to complete the application. The applicant over time submitted the required items to staff with the application finally considered complete on July 25, 2019 and cleared for public hearing before the Planning and Housing Commission on August 12, 2019.

For informational purposes, the applicant's restaurant is not a franchise operation but a family owned business. Therefore, this restaurant would be a new user and businesses in the city.

PROJECT DESCRIPTION

CUP2019-0001 is an application to construct and operate a 2,243-square-foot restaurant with a drive-through within an existing commercial center located at 4300 Green River Road in the NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (Exhibit A-1). The NDC designation allows restaurants with a drive-through service with the approval of a conditional use permit which is the reason for CUP2019-0001.

Site plan

Restaurants with drive-throughs are regulated by the city's development standards for drive-through establishments under Section 17.33.110 of the Corona Municipal Code (CMC) and other applicable requirements throughout the CMC. The project is also subject to the development standards in the NCD designation of the Sierra Del Oro Specific Plan. As shown in Exhibit A-1, the project site is a 0.39-acre (17,324 square feet) vacant pad located within the commercial center. The southernmost portion of the site contains the commercial center's main building. To the east are the 11 office buildings, and to the west is an automobile service station with convenience store. The commercial center's common parking lot area is situated primarily in the central portion of the site.

As shown in Exhibits A-2 and A-3, the subject building pad is situated near the front of the property adjacent to Green River Road. The restaurant proposed is 2,243 square feet and will accommodate both dine-in and drive-through services. The drive-through lane entrance is located at the northeast corner of the building and circulates around the northerly and westerly perimeters of the pad with the drive-through lane exiting to the south of the building. The drive-through pick-up window is located on the west building elevation. The drive-through lane is 12 feet wide and will accommodate six (6) stacking spaces from the menu order board to the entrance of the drive-through, meeting the

minimum requirement of the Corona Municipal Code (CMC). Overall, the lane can accommodate eight vehicles from the pick-up window to the drive-through entrance. To accommodate the stacking for the drive-through lane three parking spaces located near the drive-through entrance are being removed and replaced with a landscaped planter.

The applicant is proposing to construct a new 11-foot wide by 22-foot deep stand-alone trash enclosure east of the restaurant building adjacent to the entrance of the drive-through lane to serve the restaurant. The placement of the trash enclosure does not interfere with the parking spaces or with vehicles entering the drive-through lane. The trash enclosure will be constructed of decorative masonry and topped with a solid metal roof cover (Exhibit C). Staff has conditioned the exterior materials and colors of the trash enclosure structure to be consistent with the exterior materials of the restaurant building.

The building is plotted on the site to comply with the development standards of the Sierra Del Oro Specific Plan in terms of building setback. The specific plan prescribes a minimum building setback of 10 feet from the property line adjacent to Green River Road. The parcel for the subject pad is set back approximately 20 feet from the center's property line along Green River Road and is elevated 9 feet higher than the street. The setback area is a fully landscaped slope. No minimum setback is required from the interior property lines.

Floor Plan

The floor plan proposed for the restaurant is shown in Exhibit D. Customer access into the building is located on the south elevation. The floor area contains a dining area located on the south east portion of the floor plan. Additionally, there are two public restrooms, back-of-house service areas which include the cashier area, kitchen, drive-through pick-up window, refrigerator, freezer, storage room, janitorial closet, and an office. No outdoor dining is proposed for this development.

Architecture

The architectural design of the restaurant building is shown in Exhibits E-1 through E-3. As shown by the elevation plans, the exterior of the restaurant building is primarily stucco accented with stone veneer siding. The facades have a variety of pop-out walls, tower elements, storefront windows and doors with dark bronze anodized aluminum frames, stucco reveals, decorative metal and canvas awnings, and metal parapet louvers. The building is approximately 24 feet tall measured from the ground to the highest point of the roofline. Light fixtures are mounted on each elevation to illuminate the building's exterior. The light fixtures are shielded and will direct light downward to prevent spillover and glare. The roof has parapet walls in varying heights to screen rooftop mechanical equipment. A tower element with a hipped style roof is featured on the north elevation of the building. The tower is covered by "s" shaped concrete tiles in an adobe blend to match the commercial center's roof tiles.

A warm neutral palette as shown in Exhibit E-4 is proposed for the building that includes an off-white color for the walls called "Restful White" and two accent cool grey tone colors called "Billowy Gray" and "Propoise." The stone veneer "Coronado LedgeStone Chablis" will be featured on a portion of the building's south elevation that wraps around to a portion of the west building elevation. The architecture and colors of the building are consistent and compatible with the buildings located within the commercial center and office business park. The commercial building and service station have a similar roof design and neutral color palette consisting of shades of off-white, brown, and beige with a grey colored trim. The office business park located farther east also has a similar look to the

commercial center building and proposed restaurant building. The proposed building design provides a more updated and attractive look for the center. Photographs of the shopping center and office park are attached in Exhibit F.

Landscaping

The project site will be landscaped as shown in Exhibit G. A mixture of deciduous and evergreen shrubs, vines, and trees are proposed around the perimeters of the project site. Most of the trees are concentrated to north, south, and east elevations of the restaurant building to enhance the view of the project from the adjacent drive aisles within the commercial center as well as from the street view. The Jacaranda and Holly Oak trees will be 24-inch box in size at the time of installation. The landscape plan also proposes to install a variety of shrubs and vines around the perimeter of the project site to beautify the grounds. The project is required to install shrubs along the outer edge of the drive-through lane to screen vehicle headlights. The shrubs are required to be 36 inches in height at the time of installation. All new landscape plant materials proposed for the project site are required to be California-friendly, and the irrigation is required to be water efficient to meet the city's landscape guidelines for commercial projects. There are existing mature trees and landscaping located adjacent to the site's north and west perimeter which will remain in place.

Signage

Signage for the NCD designation is regulated under Section 4.9.09 of the Sierra Del Oro Specific Plan; however, this code section currently has no regulations for wall signs. Instead, the code reverts to the regulations under Chapter 17.74 of the Corona Municipal Code which regulates signage for the city's C-2, C-3 and C-P commercial zones. Under this chapter, the restaurant is permitted to have wall signs on up to three sides of the building, and the maximum allowable size for each sign is based on a ratio of one square foot of sign area per one lineal foot of building elevation up to 200 square feet maximum. As shown on the elevation plans (Exhibits E-1 and E-2), the applicant is proposing wall signs consisting of the restaurant's logo and business name on the south and north elevations of the restaurant building. Additionally, the applicant is proposing on-site drive-through directional signage to help customers identify the entrance to the restaurants drive-through lane. At the time of permitting, the project's signage will be reviewed by the applicable city departments for compliance with the CMC.

Access and Parking

Vehicular access to the project site will be taken from shared driveways located on Green River Road and Dominguez Ranch Road. There are two existing driveways located on Green River Road, and one existing driveway located on Dominguez Ranch Road. An additional driveway from Green River Road is located within the office park. All vehicular access points and parking spaces are shared among the tenants within the center's commercial building, service station, and office park buildings through an ingress/egress and parking agreement.

Green River Road is classified as a divided major arterial (six lanes) with an overall right-of-way width of 150 feet along the project site's frontage. Dominguez Ranch Road is classified as a two-lane undivided collector street with an overall right-of-way width of 68 feet. These streets are fully improved adjacent to the project site; therefore, no additional improvements are required.

The restaurant's parking requirement is based on the parking ratio in effect at the time the center was entitled and allowed by the Corona Municipal Code. The established parking ratios for the commercial center and office business park are as follows:

- General retail and office: one space per 375 square feet of floor area
- Medical office: one space per 200 square feet of floor area
- Restaurants: one space per 125 square feet of floor area

Based on the parking ratio above for restaurant use, a minimum of 18 parking spaces are required for the applicant's restaurant. Although the parcel for the subject pad contains 18 parking spaces, the center operates using reciprocal access and parking that is shared among all the tenants in the center. That means patrons are allowed parking anywhere within the parking lot. The existing uses within the commercial center currently require a total of 223 parking spaces. The gas station requires 14 parking spaces, and the adjacent office park requires 203 parking spaces. In total, 458 spaces are required, and 472 spaces are provided. Table A summarizes the parking requirements for the overall site. A detailed parking tabulation for the site is included on the site plan in Exhibit A1 and in Exhibit H. Note that the parking tabulation also includes the last vacant pad which is parked conservatively at the restaurant parking ratio of 1:125 as the property owner of the commercial center is marketing this pad for potential restaurant use.

TABLE A
Parking Summary

| Use | Building Area | Parking Ratio/Requirement | Required Parking |
|--------------------------------------|--------------------------------------|---------------------------|------------------|
| Commercial center | * | * | 223 |
| Office business park | * | * | 203 |
| Vehicle service station | Gas station: N/A | 3 spaces | 3 |
| | Convenience Store: 2,800 square feet | 1:250 | 11 |
| Restaurant | 2,243 square feet | 1:125 | 18 |
| * Refer to parking study (Exhibit H) | | Total Required | 458 |
| | | Total Provided | 472 |

Traffic Analysis

A trip generation assessment or traffic impact assessment (TIA) was prepared by Linscott Law & Greenspan Engineers (December 21, 2018) for the project and reviewed by the city's Public Works Traffic Division. The TIA outlines the traffic generation forecast potential for the proposed restaurant in comparison to the 3,500 square-foot retail building that was shown on the 1991 site plan to determine if the proposed project will create any potential traffic impacts on the surrounding transportation system.

The original 3,500 square-foot retail building would generate a total of 194 average daily trips, with approximately 7 trips in the AM peak hour, and 13 trips in the PM peak hour. The proposed restaurant with drive-through services minus pass-by trips is anticipated to generate 792 average daily trips with approximately 46 trips in the AM peak hour and 36 trips in the PM peak hour. Weekday AM and PM peak hours trips are the focus in determining a project's potential impact on the city's circulation

system. The city's Traffic Impact Study Guidelines uses a 50 trips threshold before requiring the preparation of a comprehensive TIA. As indicated by the LL&G assessment, the AM and PM peak hours trips for the project would be less than 50 trips in the peak hours and therefore did not require the preparation of a comprehensive TIA.

The project's TIA additionally evaluated the levels of service for the two driveways located on Green River Road and the driveway located on Dominguez Ranch Road using the following scenarios: 1) Existing conditions (Year 2018), and 2) with project buildout (Year 2020). The evaluations show what level of service (LOS) the three driveways are currently operating at during peak times and what level of service the driveways would be operating at in the year 2020 when the project is expected to open. The level of service rating system uses letters A through F with A being the best and F being the worst. The City's General Plan considers a LOS D or better on arterial streets as acceptable. Table B summarizes the peak hour level of service for the three existing driveways.

TABLE B
Peak Hour Intersection Capacity Analysis

| Key Intersection | Time Period | Existing (Year 2018) Traffic Conditions | Year 2020 With Project Buildout Traffic Conditions |
|----------------------------------|-------------|--|--|
| Driveway 1 at Green River Rd | AM | A | B |
| | PM | C | C |
| Driveway 2 at Green River Rd | AM | A | B |
| | PM | C | C |
| Driveway 3 at Dominguez Ranch Rd | AM | B | B |
| | PM | A | A |

In summary, the driveway intersections are expected to operate at acceptable levels of service in the AM and PM peak hours under project buildout in the year 2020 when the project is expected to be completed.

On-Site Circulation

The on-site circulation consists of several 25-foot wide minimum drive aisles located within the commercial center's parking lot areas. Entrance into the restaurants drive-through lane is located at the northeast corner of the building. Per the applicant's letter, the restaurant's drive-through is anticipated to have the most business in the early morning peak hours because of the volume of traffic on westbound Green River Road during that time. However, the majority of the businesses in the commercial center and office park are closed during the morning peak commute time. As indicated, the drive-through lane can accommodate a total of eight vehicles and meets the city's minimum required stacking spaces of six cars from the menu board. Also, due to the restaurant's orientation and distance to the existing street driveways, vehicles using the drive-through are not expected to interfere with ingress and egress movements in and out of the center.

The applicant also states the restaurant staff will utilize tablets to take orders in the drive-through

lane during their AM and PM peak hours to get orders placed in the kitchen quickly.

OTHER INFORMATION

Biological Resources

At the time the project's DPR application was submitted to the city, the site was identified by the Western Riverside County Regional Conservation Authority as being located within an area that required biological surveys for the burrowing owl and narrow endemic plant species for San Diego ambrosia, Brand's phacelia, and San Miguel savory. Since that time, the Western Riverside County Regional Conservation Authority's maps have been updated and no longer identify the site as requiring biological surveys. However, a biological survey had already been prepared for the project site by Wood Environment & Infrastructure Solutions (June 21, 2018). Per the survey, the project site does not contain habitat for any listed threatened or endangered species as the project site is surrounded by existing development. Furthermore, the project site contains very low, suitable nesting habitat for birds protected under the Migratory Bird Treaty Act (MBTA) and/or California Fish & Wildlife. However, since the project site is located immediately adjacent to slope areas with landscaped vegetation that do provide suitable nesting habitat for some urban bird species, there is potential for the project to impact nesting birds. Therefore, to ensure that project construction does not result in impacts to nesting birds, the applicant is being required to submit to the city a pre-construction bird survey prior. Evidence of such study must be submitted prior to the issuance of a grading permit for the project. This requirement is reflected in the conditions of approval in Exhibit B.

Cultural Resources

The project is subject to tribal consultation with local Native American tribes under Assembly Bill 52. The Community Development Department initiated the process by notifying seven local Native American tribes of the proposed project through the city's Letter of Transmittal dated February 20, 2019. On March 19, 2019, staff received a request from the Rincon Band of Luiseno Indian to consult on the project. Consultation was conducted on April 11, 2019 with Destiny Colocho, representative for the Rincon tribe, who requested tribal monitoring during the project's grading process. Therefore, the applicant is required to enter into an agreement with the Rincon tribe to allow a tribal monitor from the Rincon tribe to inspect the site during project grading and construction. Evidence of such agreement must be supplied to the city prior to issuing a grading permit. The conditions of approval in Exhibit B reflect this requirement.

Staff also received a request for consultation dated March 13, 2019 from the Pechanga Band of Luiseno Indians, and another request dated March 29, 2019 from the Soboba Band of Luiseno Indians. Staff responded to both tribes via email on April 1, 2019; however, no response has been received from either tribe. As such, staff ended the consultation process on August 1, 2019.

ENVIRONMENTAL ANALYSIS

Per Section Article 19 Categorical Exemptions, Section 15303 (New Construction or Conversion of Small Structures) of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 3.22 of the City's Local CEQA Guidelines, a Notice of Exemption has been prepared for the project because the project qualifies as a Class 3 categorical exemption. The project consists of constructing and operating a 2,243-square-foot restaurant with drive-through services within an existing commercial center that is fully developed with adequate parking, access, and utilities. There is no evidence presented to the city that the project would have a significant impact on the environment and is therefore exempt from further environmental review. A Notice of

Exemption has been prepared for the project and is attached as Exhibit K.

FISCAL IMPACT

The applicant paid \$7,083.00 in application processing fees for the conditional use permit.

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 staff has not received any response from the public regarding the proposal.

STAFF ANALYSIS

CUP2019-0001 is a proposal to develop a restaurant with drive-through services on a vacant pad located on the south side of Green River Road, and east of Dominguez Ranch Road. As shown by the project's plans, the project is capable of complying with the applicable development standards in the Sierra Del Oro Specific Plan for the Neighborhood Commercial District in terms of building setbacks, building height limit, parking, landscaping, and overall site layout design. The project also meets the development standards established for drive-through establishments under Section 17.33.110 in the Corona Municipal Code. The project proposes a well-designed building which utilizes colors and materials that are compatible and consistent with the adjacent commercial building as well as the office business park buildings and vehicle service station building. The landscape proposed for the project will further enhance the site and surrounding area. The project has adequate vehicular access from the shared driveways located within the commercial center. The site is an infill property with infrastructure already in place to adequately serve the project.

CUP2019-0001 helps fulfill General Plan Goal 1.11 and Policy 1.11.1, which encourage a diversity of viable commercial districts and corridors that contain uses supporting residents, business, and visitor needs. CUP2019-0001 also helps fulfill 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 catalysts for attracting other retailers to the City. Therefore, based on the following findings and conditions of approval attached as Exhibit B, CUP2019-0001 is recommended for approval.

FINDINGS OF APPROVAL FOR CUP2019-0001

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 3 categorical exemption under CEQA per Section 15303 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 consist of constructing and operating a 2,243-square-foot restaurant with drive-through services within an existing commercial center that is fully developed with adequate parking and access.
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 CUP2019-0001 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 project meets or exceeds the development standards of the Corona Municipal Code and the Sierra Del Oro Specific Plan for the Neighborhood Commercial District in terms of setbacks, building height limitation, parking, landscaping, and overall site design. The project also meets the city's established development standards in the Corona Municipal Code for drive-through establishments. Furthermore, the project has adequate vehicular access from Green River Road and Dominguez Ranch Road from established driveways into the commercial center.*
 - b. *The proposed use is not detrimental to other existing and permitted uses in the general area because the project site is capable of accommodating the proposed restaurant with drive-through services as depicted in Exhibit A-2. The project also has adequate vehicular access from the adjacent streets which are fully improved and capable of handling the traffic associated with the use.*
 - c. *The proposed project complies with the development standards of the Neighborhood Commercial District resulting in orderly development of the site. The project will not be detrimental to other existing and permitted uses in the area as the surrounding uses consist primarily of commercial and business office park development, which is similar in nature to the other types of uses in the center.*
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. Development of the restaurant proposed by CUP2019-0001 will help provide goods and services to Corona residents without having to travel outside of the city to obtain such goods and services.*
 - b. *CUP2019-0001 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 restaurant as allowed by CUP2019-0001 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. *CUP2019-0001 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 restaurant will fill a gap by providing a use that provides food services to the City's residents.*
4. The proposal is consistent with NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02) for the following reason:

- a. *The proposed use complies with the NCD (Neighborhood Commercial District) designation of the Sierra Del Oro Specific Plan (SP85-02) as restaurants with drive-through services are permitted by a conditional use permit. Also, the proposed use is in harmony with the other existing uses within the commercial building of the center 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

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

1. Resolution No. 2537
2. Locational and zoning map
3. Exhibit A-1 - Existing Overall Site Plan.
4. Exhibit A-2 - Overall Site Plan.
5. Exhibit A-3 - Focused Site Plan.
6. Exhibit B - Conditions of Approval.
7. Exhibit C - Trash Enclosure plan.
8. Exhibit D - Floor Plan.
9. Exhibits E1, E2, E-3 and E-4 - Elevation Plans, Colored Renderings and Color and Material Palette.
10. Exhibit F - Colored photographs of surrounding commercial center, office business park, and vehicle service station.
11. Exhibit G - Landscape Plan.
12. Exhibit H - Parking Study Summary.
13. Exhibit I - Traffic Impact Assessment prepared by LL&G dated December 21, 2018.
14. Exhibit J - Applicant's letter describing the operations of the restaurant with drive-through.
15. Exhibit K - Environmental Documentation.

Case Planner: Harald Luna (951) 736-2268