

RESOLUTION NO. PC2024-025

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO, CALIFORNIA, APPROVING PL23-0140 (SITE APPROVAL) AND PL23-0141 (SPECIAL CONDITIONAL USE PERMIT) TO CONSTRUCT A 46,300 SQUARE FOOT BUILDING FOR THE OPERATION OF A PRIVATE SCHOOL LOCATED ON THE CALVARY CHAPEL CHINO HILLS CAMPUS AND A FIVE-STORY, 558 SPACE PARKING STRUCTURE TO SERVE THE SCHOOL AND EXISTING CHURCH. THE REQUEST INCLUDES A SPECIAL CONDITIONAL USE PERMIT TO ESTABLISH THE PRIVATE SCHOOL USE, LOCATED WITHIN THE COMMERCIAL (C) LAND USE DESIGNATION OF THE EUCALYPTUS BUSINESS PARK SPECIFIC PLAN (EBPSP) AT 4201 EUCALYPTUS AVENUE (APN: 1025-101-10).

WHEREAS, Bergman Development Services (the "Applicant"), has filed an application with the City of Chino (the "City") for approval of PL23-0140 (Site Approval) and PL23-0141 (Special Conditional Use Permit) (the "Project") to construct a 46,300 square foot building for the operation of a private school located on the Calvary Chapel Chino Hills campus and a five-story, 558 space parking structure to serve the school and existing church. The request includes a Special Conditional Uses Permit to establish the private school use, located within the Commercial (C) land use designation of the Eucalyptus Business Park Specific Plan (EBPSP) at 4201 Eucalyptus Avenue (APN 1025-101-10); and

WHEREAS, the Eucalyptus Business Park Specific Plan (EBPSP) was approved by the City of Chino Planning Commission on September 17, 1990, and subsequently by the City Council on December 18, 1990; and

WHEREAS, on September 17, 2001, the Planning Commission approved Site Approval No. 2000-15 and Special Conditional Use Permit No. 2000-09 to construct a 120,449 square foot church facility and conditionally permit the operation of the church use and private school for kindergarten through 12<sup>th</sup> grade; and

WHEREAS, the Planning Commission of the City of Chino has completed its study of the proposed Project; and

WHEREAS, on November 20, 2024, the Planning Commission held a duly noticed public hearing for the Project in compliance with law, including compliance with the relevant provisions of the California Government Code and Chino Municipal Code, entertained the written and oral report of staff, and took public testimony on the Project, and

NOW, THEREFORE, the Planning Commission of the City of Chino, California, does hereby FIND, DETERMINE, and RESOLVE as follows:

- A. The foregoing recitals are true and correct and incorporated herein.

B. Based on substantial evidence, both written and oral, from the public hearing, the Planning Commission makes the following findings and takes the following actions on PL23-0140 (Site Approval) and PL23-0141 (Special Conditional Use Permit):

1. *PL23-0140 (Site Approval):*

- a. The proposed Project is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s), as the project site is designated as Commercial (C). Land Use Objective 2A-3 of the EBPSP encourages development that will strengthen the diversity of Chino's employment base. The proposed development will bring forth a mix of administrative and professional teaching jobs to the City. In addition, General Plan Objective LU-1.3 encourages commercial development that will support and enhance vibrant commercial areas and serve existing neighborhoods. Constructing a private school and a parking structure at this location will serve residents within the City as well as support the existing commercial areas within the vicinity of the project site;
- b. The proposed Project is permitted within the zoning district in which it is proposed and complies with all applicable provisions of the City's Zoning Code. The school building and parking structure are designed to meet the provisions for the C land use designation as outlined in the City's Zoning Code and EBPSP. In addition, the proposed school use is a conditionally permitted use with the approval of the Planning Commission;
- c. The subject site is physically suitable, including but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of development proposed, as all minimum zoning requirements governing parcel size, shape, access, type and intensity of development have been met or exceeded. The proposed Project is located within an area designated for commercial, in which a parking structure is permitted and a private school is conditionally permitted;
- d. The subject site relates to streets and highways property designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed Project, in that Eucalyptus Avenue is designed as a primary arterial street and access to the project site is provided from two driveway approaches that have been designed to carry the amount of traffic expected generated by the Project;
- e. The proposed Project is compatible with those on abutting properties and in the surrounding neighborhood in that the project site is currently developed with the Calvary Chapel Chino Hills church campus. Surrounding uses include LA Fitness gym to the west, Heights Christian School and Verve City Church to the south, industrial development to the

north and the 71 Freeway to the west. Also, conditions of approval have been placed on the Project that regulate the Project in a manner that will ensure compatibility with adjacent uses;

- f. The proposed location, size, and operating characteristics of the proposed Project will not be detrimental to the public interest, health, safety or general welfare, as the Project is consistent with the C land use designation of the EBSP and has been designed and located to meet all minimum City requirements. In addition, certain safeguards have been required of the proposed Project which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (conditions of approval) are attached to this resolution, and are described herein;
- g. The proposed Project will not have a significant adverse impact on the environment as the project is exempt from the California Environmental Quality Act (CEQA) per Section 15332 – Infill Development. This exemption applies to infill projects that are consistent with the General Plan and Zoning Requirements; are located on a project site of no more than 5 acres substantially surrounded by urban uses; are located on a site that has no value for habitat for endangered, rare, or threatened species; will not result in significant effects relating to traffic, noise, air quality, or water quality; and are located on a site that can be adequately served by utilities and public services;
- h. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed Project and have been imposed as conditions of project approval by the Chino Planning Commission.

2. *PL23-0141 (Special Conditional Use Permit):*

- a. The proposed use is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s), as the proposed use is for a private school for kindergarten to 12<sup>th</sup> grade, which is conditionally permitted in the C land use designation of the EBSP. General Plan Objective LU-1.3 encourages commercial development that will support and enhance vibrant commercial areas and serve existing neighborhoods. Establishing a private school at this location will serve residents within the City as well as support the existing commercial areas within the vicinity of the project site;
- b. The subject site is physically suitable, including but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of development proposed, as all minimum zoning requirements governing parcel size, shape, access, type and intensity of development have been

met or exceeded. The proposed use is located within an area designated for commercial, in which a private school is conditionally permitted within the C land use designation of the EBPSP;

- c. The subject site relates to streets and highways property designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed use, in that Eucalyptus Avenue is designed as a primary arterial street and access to the project site is provided from two driveway approaches that have been designed to carry the amount of traffic generated by the use;
- d. The proposed use is compatible with those on abutting properties and in the surrounding neighborhood, as the proposed use is located on a site developed with the Calvary Chapel Chino Hills church campus. Surrounding uses include LA Fitness gym to the west, Heights Christian School and Verve City Church to the south, industrial development to the north and the 71 Freeway to the west. Also, conditions of approval have been placed on the Project that regulate the Project in a manner that will ensure compatibility with adjacent uses;
- e. The proposed location, size, and operating characteristics of the proposed use will not be detrimental to the public interest, health, safety or general welfare, as the proposed school use will be conditionally permitted in the C land use designation of the EBPSP and has been designed and located to meet all minimum City requirements. In addition, certain safeguards have been required of the proposed use, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (conditions of approval) are attached to this resolution, and are described herein;
- f. The proposed use will not have a significant adverse impact on the environment as the project is exempt from the California Environmental Quality Act (CEQA) per Section 15332 – Infill Development. This exemption applies to infill projects that are consistent with the General Plan and Zoning Requirements; are located on a project site of no more than 5 acres substantially surrounded by urban uses; are located on a site that has no value for habitat for endangered, rare, or threatened species; will not result in significant effects relating to traffic, noise, air quality, or water quality; and are located on a site that can be adequately served by utilities and public services.
- g. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed use and have been imposed as conditions of project approval by the Chino Planning Commission.

3. *CEQA Findings.* In compliance with the California Environmental Quality Act (CEQA), Pursuant to Guideline § 15332, Infill Development, the Project qualifies as being categorically exempt from CEQA and will have no significant impact on the environment. This exemption applies to infill projects that are consistent with the General Plan and Zoning Requirements; are located on a project site of no more than 5 acres substantially surrounded by urban uses; are located on a site that has no value for habitat for endangered, rare, or threatened species; will not result in significant effects relating to traffic, noise, air quality, or water quality; and are located on a site that can be adequately served by utilities and public services. Furthermore, none of the exceptions to the categorical exemptions set forth in the CEQA Guidelines 15300.2, apply to this project.
4. *Approval of PL23-0140 (Site Approval) and PL23-0141 (Special Conditional Use Permit).* The Planning Commission hereby approves PL23-0140 (Site Approval) and PL23-0141 (Special Conditional Use Permit) subject to the Conditions of Approval attached hereto as Exhibit "A". Applicant, including its successors and assigns, shall be responsible for implementing and complying with all conditions set forth in Exhibit "A".
5. *Actions by the Planning Commission Secretary.* The Planning Commission Secretary is hereby directed to attest to the adoption of this Resolution as of the date set forth below and forthwith transmit a copy of this Resolution, by regular mail, to the Applicant at the address of record set forth in the Application.

PASSED, APPROVED, AND ADOPTED THIS 20<sup>TH</sup> DAY OF NOVEMBER 2024.

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PLANNING COMMISSION CHAIRPERSON

ATTEST:

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SECRETARY, PLANNING COMMISSION

State of California                    )  
County of San Bernardino    ) §  
City of Chino                        )

I hereby certify the foregoing Resolution was duly adopted by the Chino Planning Commission at a meeting held on the 20<sup>th</sup> day of November 2024 and entered in the minutes of said Commission.

AYES:       COMMISSIONERS:

NOES:       COMMISSIONERS:

ABSENT: COMMISSIONERS:

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SECRETARY, PLANNING COMMISSION

Attachments:

Exhibit A – Conditions of Approval