



Agenda Report

File #: 18-1499

**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 2/12/2018

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

V2017-0102: A variance application to reduce the minimum required rear yard setback of 10 feet to 6.48 feet for an existing single family dwelling located at 404 S. Merrill Street to enable a potential future lot split in the SF (Single Family) designation of the Downtown Corona Revitalization Specific Plan (SP98-01) (Applicant: George Landry, 404 S. Merrill Street, Corona, 92882).

RECOMMENDED ACTION:

That the Planning and Housing Commission adopt Resolution No. 2507 GRANTING V2017-0102, based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY

Area of Property: 0.34 acres (14,810 square feet)

Existing Zoning: SF (Single Family), Downtown Corona Revitalization Specific Plan

Existing Land Use: Single family residential

Proposed Land Use: Single family residential

Surrounding Zoning / Land Use:

N: SF / Single family residential

E: SF / Single family residential

S: SF / Single family residential

W: SF / Single family residential

BACKGROUND

Mr. George Landry is the owner of an approximately 14,800 square foot residential property located at 404 S. Merrill Street, which contains an existing single family dwelling where Mr. Landry currently resides. The property is within the Downtown Corona Revitalization Specific Plan (SP98-01) and zoned SF (Single Family). The property is comprised of two lots that are oriented in an east-west direction with the home constructed across the adjoining property line as shown in Exhibit A. The home occupies the eastern portion of both lots and fronts Merrill Street which is the current lot frontage. The western portion of both lots contains the rear yard of the existing residence and is currently undeveloped.

Mr. Landry is currently processing a lot line adjustment application with the city to adjust the adjoining lot line of the two lots to reconfigure it to be oriented in a north-south direction where both lots would front Fourth Street which runs along the north side of the subject property. Exhibit A depicts the revised layout of the lots which are shown as Parcel A and Parcel B. Parcel A will contain the existing home and Parcel B will be the undeveloped portion previously described. The purpose of the variance and lot line adjustment is to enable the owner to sell the undeveloped portion of his property. The zoning of the site requires a minimum lot area of 7,200 square feet for newly created lots. Each new lot proposed by the owner is 7,405 square feet. Parcel B could potentially be developed with a single family dwelling which is a permitted use in the SF designation. Furthermore, the minimum lot width of 50 feet and depth of 100 feet would be met with the resultant two future lots.

This proposed variance was presented to the Infrastructure Committee at its meeting of November 1, 2017, and the Committee expressed no objection to the Variance provided that the resultant lots still met all other minimum requirements of the SF designation.

PROJECT DESCRIPTION

The specific variance request relates to the 6.48 foot setback dimension that currently serves as the side setback for the home built on the eastern portion of the subject site. With the historic orientation of the home toward Merrill Street to the east and Merrill Street constituting the lot frontage, the 6.48 feet is sufficient to meet the side setback requirement of five feet. When the lot line is re-oriented north-south through a lot line adjustment, the frontage will become Fourth Street as that will be by definition the shortest lot line along a public street for both of the resultant lots. Consequently, what is now the subject side yard setback will become the rear yard setback which is required to be ten feet in this zone designation. The variance will recognize the 6.48 foot setback as the rear setback. The amount of reduction slightly exceeds what would be a minor variance through Zoning Administrator action (20% reduction), and therefore, is subject to review through the major variance process before the Planning and Housing Commission.

The findings for the approval of a variance are outlined in detail further below. In essence, the subject property must be considered to be deprived of privileges enjoyed by other properties in the vicinity in the same SF designation in order for the variance to be approved. It can be seen that the properties in the vicinity accommodate single family residences. The vacant portion of the project site is at a distinct disadvantage to be able to accommodate a single family residence unless the reconfiguration of the lot line can be executed, and that necessitates the consideration of the subject variance for the rear yard setback on the occupied portion of the project site.

It should be noted that after a lot line adjustment, the resultant lots will meet the minimum lot area, width and depth standards of the SF designation.

ENVIRONMENTAL ANALYSIS

The project qualifies as a Class 5 Categorical Exemption under the CEQA Section 15305 (Minor Alternations in Land Use Limitations including setback variances) because the project consists of reducing the rear yard setback for an existing single family dwelling from 10 feet to 6.48 feet. The reduction of the setback will enable the property owner to re-orient an existing east-west lot line to a north-south configuration freeing up a substantial vacant portion of the site to be constructed with a single family residence. Since the property is originally comprised of two lots, the setback variance would not result in the creation of any new parcel as the lot line adjustment would result in the same

number of lots (two) that are existing on the property. Also, the variance will not change the physical location of the existing residence.

FISCAL IMPACT

The applicant has paid all applicable 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 staff has received no response from the public regarding the proposal.

STAFF ANALYSIS

V2017-0102 essentially applies to the technical definition for a setback that pertains to an existing structure that has been in the subject location for decades. The existing setback of 6.48 feet is not a new circumstance, but rather one that has existed historically without detriment. The Variance is necessary to establish that the existing 6.48 foot setback for the existing structure be defined as a rear setback as opposed to its historic side setback and that it may be less than the required ten feet. This definition will enable the reorientation of the east-west property line across the site to that of a north-south orientation providing for the vacant portion of the site to accommodate a single family home just as do the properties in the surrounding vicinity.

The approval of V2017-0102 does not constitute the granting of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is located because the Variance will enable the construction of a single family home on a vacant portion of land which is in keeping with the surrounding properties which already are able to accommodate existing single family homes. The Variance will not be a special privilege but rather will bring parity between the subject site and the surrounding community.

FINDINGS FOR APPROVAL OF V2017-0102:

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 5 Categorical Exemption under the CEQA Section 15305 (Minor Alternations in Land Use Limitations including setback variances) as the project consists of reducing the rear yard setback for an existing single family dwelling from 10 feet to 6.48 feet.
2. Pursuant to Corona Municipal Code Section 17.96.020 the strict application of the terms of the zoning regulations from which the Variance is being sought deprives the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications because the following special circumstances applicable to the property.
 - a. The current configuration of the lot lines precludes the development of a single family home on a vacant portion of the subject site, and the Variance is necessary to establish that an existing structure may have a defined rear setback of less than the required ten feet to enable the reorientation of the east-west property line to that of a north-south orientation.
3. Pursuant to Corona Municipal Code Section 17.96.020 the approval of V2017-0102 does not

constitute the granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is located for the following reason:

- a. The Variance will enable the construction of a single family home on a vacant portion of land which is in keeping with the surrounding properties which already are able to accommodate existing single family homes. The Variance will not be a special privilege but rather will bring parity between the subject site and the surrounding community.
4. Pursuant to Corona Municipal Code Section 17.96.020 the Variance will not adversely affect property and the use thereof in the vicinity of the subject property or the public health, safety and general welfare for the following reason:
- a. The subject setback applies to an existing home with the established setback of 6.48 feet as a side yard for decades without consequence, and this physical condition would remain. The Variance simply applies to the technical definition of rear yard as opposed to side yard that applies to the subject setback dependent only on the orientation of lot lines.

PREPARED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: TERRI MANUEL, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

1. Resolution No. 2507
2. Locational and Zoning Aerial Map
3. Exhibit A - Site Plan
4. Exhibit B - Applicant's letter dated December 7, 2017
5. Exhibit C1 & C2 - Photographs of the site and vicinity
6. Exhibit D - Environmental Documentation

Case Planner: Sandra Yang (951) 736-2434



RESOLUTION NO. 2507

APPLICATION NUMBER: V2017-0102

A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING A VARIANCE FROM THE PROVISIONS OF TABLE 111.3, DEVELOPMENT STANDARDS MATRIX, OF THE DOWNTOWN REVITALIZATION SPECIFIC PLAN (SP98-01) TO ALLOW A VARIANCE APPLICATION TO REDUCE THE MINIMUM REQUIRED REAR YARD SETBACK TO 6.48 FEET FROM 10 FEET FOR AN EXISTING SINGLE-FAMILY DWELLING LOCATED AT 404 S. MERRILL STREET TO ENABLE A POTENTIAL FUTURE LOT SPLIT IN THE SF (SINGLE FAMILY) DESIGNATION OF THE DOWNTOWN CORONA REVITALIZATION SPECIFIC PLAN (SP98-01). (APPLICANT: GEORGE LANDRY, 404 S. MERRILL STREET, CORONA, 92882).

WHEREAS, the application to the City of Corona, California, for a variance from Table 111.3, Development Standards Matrix of SP98-01 has been made by George Landry, duly submitted to said City's Planning and Housing Commission for decision after public hearing, for which proper notice was given, held on February 12, 2018, as required by law; and

WHEREAS, after close of said Hearing, the Commission by formal action, found that because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of Table 111.3 of SP98-01 for the Single-Family designation deprives subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification, based on the evidence presented to the Commission during said hearing;

WHEREAS, at the conclusion of said hearing the Planning and Housing Commission found the project to be exempt from further review under the California Environmental Quality Act and a Notice of Exemption was prepared and will be filed at the County Clerk's office.

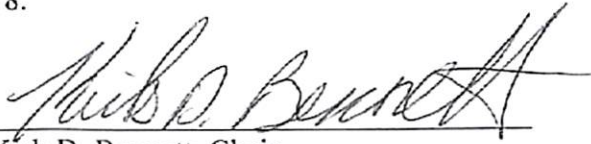
NOW, THEREFORE, BE IT RESOLVED by the Planning and Housing Commission of the City of Corona, California, in a regular session assembled this 12th day of

February, 2018, that the aforesaid application for a variance per Section 17.96.020 of the Corona Municipal Code is hereby granted in accordance with Exhibit A and approved for the following reasons:

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 5 Categorical Exemption under the CEQA Section 15305 (Minor Alternations in Land Use Limitations including setback variances) as the project consists of reducing the rear yard setback for an existing single family dwelling from 10 feet to 6.48 feet.
2. The strict application of the terms of the zoning regulations from which the Variance is being sought deprives the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications because the following special circumstances applicable to the property:
 - a. *The current configuration of the lot lines precludes the development of a single family home on a vacant portion of the subject site, and the Variance is necessary to establish that an existing structure may have a defined rear setback of less than the required ten feet to enable the reorientation of the east-west property line to that of a north-south orientation.*
3. The approval of V2017-0102 does not constitute the granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is located for the following reason:
 - a. *The Variance will enable the construction of a single family home on a vacant portion of land which is in keeping with the surrounding properties which already are able to accommodate existing single family homes. The Variance will not be a special privilege but rather will bring parity between the subject site and the surrounding community.*
4. The Variance will not adversely affect property and the use thereof in the vicinity of the subject property or the public health, safety and general welfare for the following reason:
 - a. *The subject setback applies to an existing home with the established setback of 6.48 feet as a side yard for decades without consequence, and this physical condition would remain. The Variance simply applies to the technical definition of rear yard as opposed to side yard that applies to the subject setback dependent only on the orientation of lot lines.*

BE IT FURTHER RESOLVED that a copy of this resolution be delivered to the City Clerk of said City and a copy thereof be sent to the applicant therefore at the address of said applicant as set forth in the application for said variance.

Adopted this 12th day of February, 2018.



Kirk D. Bennett, Chair
Planning and Housing Commission
City of Corona, California

ATTEST:



Olivia Sanchez
Secretary, Planning and Housing Commission
City of Corona, California

I, Olivia Sanchez, Secretary to the Planning and Housing Commission of the City of Corona, California, do hereby certify that the foregoing resolution was regularly introduced and adopted in a regular session of said Planning and Housing Commission duly called and held on the 12th day of February, 2018, and was duly passed and adopted by the following vote, to wit:

AYES: Bennett, Jones, Carrillo, and Ruscigno

NOES: None

ABSENT: Norton

ABSTAINED: None



Olivia Sanchez
Secretary, Planning and Housing Commission
City of Corona, California

LOCATIONAL & ZONING MAP



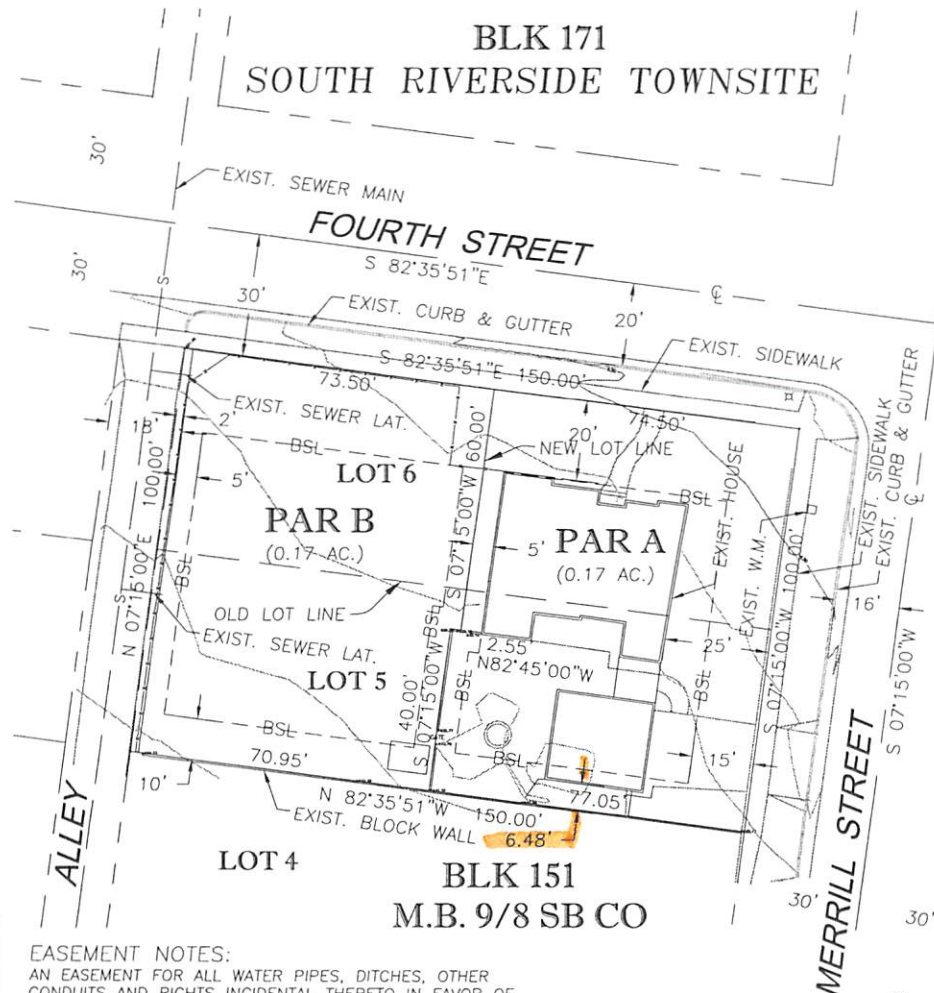
Date: 01/29/2018

V2017-0102

Location: 404 S. Merrill Street



SOUTH RIVERSIDE TOWNSITE



VICINITY MAP
NTS

OWNERS:

GEORGE ALBERT LAUNDRY
404 S. MERRILL STREET,
CORONA, CA 92882
CELL: (951) 258-1622

SAKE ENGINEERS, INC.
www.sakeengineers.com
 ENGINEERING • SURVEYING • LAND DEVELOPMENT
 400 S. RAMONA AVE., STE. 202
 CORONA, CALIFORNIA 92729
 (951) 279-4041 FAX: (951) 279-2830

EASEMENT NOTES:

AN EASEMENT FOR ALL WATER PIPES, DITCHES, OTHER
CONDUITS AND RIGHTS INCIDENTAL THERETO IN FAVOR OF
RIVERSIDE WATER COMPANY, A CORPORATION AS SET
FORTH IN A DOCUMENT RECORDED AUGUST 14, 1885 IN
BOOK 42 PAGE 294 AND 296 OF DEEDS.
CAN NOT BE PLOTTED.

CAN NOT BE PLOTTED.

SHEET 1 OF 3

George Laundry
404 S. Merrill Street
Corona CA 92882
951 258 1622

December 7, 2017

City of Corona

Planning Department

400 S. Vicentia Ave

Corona CA 92882

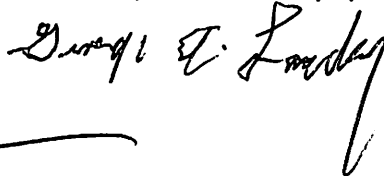
Ref: 404 S. Merrill Street

In reference to the above project we are in process of doing a lot line adjustment and have determined that the existing garage is about 7' from the property line that is going to be our new backyard per proposed LLA.

Existing zoning of the site is R1-7.2 and adjacent properties are in compliance of the existing zoning of R1-7.2, as result of our finding we are processing a major variance to bring this application into compliance with the city code for existing garage.

Please feel free to call if you have any question.

With Regards



George Laundry



EAST



NORTH



CITY OF CORONA

PRELIMINARY EXEMPTION ASSESSMENT (Certificate of Determination When attached to Notice of Exemption)

Name, Description and Location of Project: V2017-0102: A variance application to reduce the minimum required rear yard setback of 10 feet to 6.48 feet for an existing single family dwelling located at 404 South Merrill Street to enable a potential future lot split in the SF (Single Family) designation of the Downtown Revitalization Specific Plan (SP-98-01).

Entity or Person Undertaking Project:

☐ A. Public Agency:

☐ B. Other (private)

Name: Mr. George Landry
Address: 404 S. Merrill Street, Corona CA 92882
Telephone No. 951-279-4041

Staff Determination:

The City's staff, having undertaken and completed a preliminary review of this project in accordance with the City's Resolution entitled "Local Guidelines of the City of Corona Implementing the California Environmental Quality Act (CEQA)" has concluded that this project does not require further environmental assessment because:

- ☐ A. The proposed action does not constitute a project under CEQA.
☐ B. The project is a Ministerial Project.
☐ C. The project is an Emergency Project.
☐ D. The project constitutes a feasibility or planning study.
☒ E. The project is categorically exempt:
Applicable Exemption Class: *Class 5, CEQA Section 15305*
☐ F. The project is a statutory exemption. Code section number:
☐ G. The project is otherwise exempt on the following basis:
☐ H. The project involves another public agency which constitutes the lead agency. Name of Lead Agency:

Date: _____

Lead Agency Representative



NOTICE OF EXEMPTION

TO: CLERK OF THE BOARD OF
SUPERVISORS COUNTY OF RIVERSIDE

FROM: CITY OF CORONA
COMMUNITY DEVELOPMENT DEPARTMENT
400 S. VICENTIA AVE, SUITE 120
CORONA, CA 92882

1. Project title: **V2017-0102**
2. Project location (specific): **404 S. Merrill Street, Corona, CA 92882**
3.
 - a. Project location - City of Corona
 - b. Project location - County of Riverside
4. Description of nature, purpose and beneficiaries of project:
A variance application to reduce the minimum required rear yard setback of 10 feet to 6.48 feet for an existing single family dwelling located at 404 South Merrill Street to enable a potential future north-south lot split in the SF (Single Family) designation of the Downtown Revitalization Specific Plan (SP-98-01).
5. Name of public agency approving project: **City of Corona**
6. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:
Applicant, George Landry, Owner.
7. Exempt Status (check one):
 - a. ☐ Ministerial Project (Pub. Res. Code § 21080(b)(1); State CEQA Guidelines § 15268).
 - b. ☐ Not a project.
 - c. ☐ Emergency project (Pub. Res. Code § 21080(b)(4); State CEQA Guidelines § 15269(b),(c)).
 - d. ☒ **X** Categorical Exemption. State type and class number: **Class 5; CEQA Section 15305.**
 - e. ☐ Declared Emergency (Pub. Res. Code § 21080(b)(3); State CEQA Guidelines § 15269(a)).
 - f. ☐ Statutory Exemption. State code section number
 - g. ☐ Other: Explain:
8. Reasons why the project is exempt: *The project qualifies as a Class 5 Categorical Exemption under the CEQA Section 15305 (Minor Alterations in Land Use Limitations including setback variances) because the project consists of reducing the required rear yard setback of ten feet to 6.48 feet for an existing single family dwelling to enable the property owner to re-orient an existing east-west property line to north-south property line in order that a vacant portion of the property can be constructed with a single family residence.*
9. Contact Person/Telephone No.: **Sandra Yang, Senior Planner**
10. Attach Preliminary Exemption Assessment (Form "A") before filing:
11. Was a public hearing held by the lead agency to consider the exemption?
If yes, the date of the public hearing was: **February 12, 2018**

Date received for filing: _____

Signature: _____