

RESOLUTION NO. 2018-002

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, DENYING (1) GENERAL PLAN AMENDMENT 17-001 TO CHANGE THE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (6-15 DWELLING UNITS/ACRE) TO HIGH DENSITY RESIDENTIAL (15-36 DWELLING UNITS/ACRE) ON 2.14 ACRES; (2) CHANGE OF ZONE 17-002 TO CHANGE THE ZONE TO R-3 (MULTIPLE FAMILY RESIDENTIAL) FROM R-1-7.2 (SINGLE FAMILY RESIDENTIAL) ON 1.9 ACRES AND R-2 (LOW DENSITY MULTIPLE FAMILY RESIDENTIAL) ON .24 ACRES; AND (3) CUP17-004 TO ESTABLISH SENIOR HOUSING APARTMENTS CONSISTING OF 64 UNITS ON 2.14 ACRES LOCATED ON THE EAST SIDE OF BUENA VISTA AVENUE APPROXIMATELY 480 FEET NORTH OF BOLLERO PLACE AND NORTH OF STATE ROUTE 91

WHEREAS, an application was made by Rowdy Williamson, on behalf of Peter Nyiri ("Applicant") for the following: (1) a General Plan amendment ("GPA17-001") to amend the City's General Plan to change the land use designation on 2.14 acres of real property generally located on the east side of Buena Vista Avenue approximately 480 feet north of Bollero Place and north of State Route 91 ("Project Site") from Medium Density Residential (6-15 du/ac) to High Density Residential (15-36 du/ac); (2) a change of zone ("CZ17-002") under the provisions of Chapter 17.104 of the Corona Municipal Code ("CMC") to change the zoning of 1.9 acres on the Project Site from R-1-7.2 Zone (Single Family Residential, 7,200 sq. ft. minimum lot size) to R-3 (Multi-Family Residential) and to change the zoning on 0.24 acres on the Project Site from R-2 (Low Density Multi-Family Residential) to R-3 (Multi-Family Residential); and (3) a conditional use permit ("CUP17-004") under the provisions of Chapter 17.92 of the CMC to establish senior housing apartments consisting of 64 units ("Project") on the Project Site; and

WHEREAS, GPA17-001, CZ17-002 and CUP17-004 shall be collectively referred to herein as the "Project Approvals"; and

WHEREAS, on November 6, 2017, the Planning and Housing Commission of the City of Corona ("Planning Commission") conducted a duly noticed public hearing and recommended that the City Council of the City of Corona ("City Council") approve GPA17-001, CZ17-002, and CUP17-004; and

WHEREAS, the applications for GPA17-001, CZ17-002, and CUP17-004 were duly submitted to the City Council and a public hearing was properly noticed and held for GPA17-001 and CZ17-002 during the regularly scheduled meetings of the City Council on

December 6, 2017 and December 20, 2017 as required by law; and

WHEREAS, the City Council subsequently held public meetings on January 17, 2018 and March 21, 2018 to consider this Resolution; and

WHEREAS, the City Council heard and considered all information in the record concerning GPA17-001, CZ17-002, and CUP17-004, including, without limitation, all oral and written testimony presented to the City Council, such as staff reports, the Applicant testimony and public testimony and City Council deliberations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corona, California, as follows:

SECTION 1. Denial of GPA17-001, CZ17-002, and CUP17-004. Based on the entire record before the City Council, including, without limitation, all written and oral testimony presented to the City Council, such as staff reports, Applicant testimony and public testimony, City Council deliberations and the findings set forth in this Resolution, the City Council hereby denies GPA17-001, CZ17-002, and CUP17-004.

SECTION 2. Findings for Denial of General Plan Amendment. The City Council hereby finds that GPA17-001 is not consistent with the elements of the General Plan, including the goals and policies stated therein, for the following reasons:

A. GPA17-001 is inconsistent with Policy 1.8.1 of the General Plan as it would not conserve existing residential neighborhoods and would permit the infill of housing in an existing residential neighborhood that is not compatible in density and scale. GPA17-001, in conjunction with the other Project Approvals, would facilitate development of a 64-unit senior housing project, consisting of a three-story, 38.5-foot building, immediately adjacent to single-story, single-family residential uses. GPA17-001, in conjunction with the other Project Approvals, would compromise, rather than conserve, the existing adjacent residential neighborhood by allowing a development that is more intensive and larger in scale than the existing residential neighborhood.

B. GPA17-001 is inconsistent with Policy 1.8.10 of the General Plan as it would permit alterations to the Project Site that are not compatible in scale and design with the existing homes and neighborhood character. GPA17-001, in conjunction with the other Project Approvals, would facilitate the development of a three-story, 38.5-foot structure immediately adjacent to two existing single-story residential homes, and would create a situation where the two existing residential homes would be surrounded by the new 64-unit senior housing apartment development.

SECTION 3. Findings for Denial of Change of Zone. The City Council hereby finds that the findings necessary for the approval of a change of zone pursuant to Corona

Municipal Code ("CMC") section 17.104.120 cannot be made for CZ17-002 for the following reasons:

A. Without the approval of GPA17-001, CZ17-002 is not in conformity with the General Plan Map or text for the following reasons:

(i) The R-3 Zone that is proposed for the Project Site by CZ17-002, in conjunction with the other Project Approvals, would enable the Project Site to be developed with units for senior citizen housing with a density of 29.9 du/ac, which is inconsistent with the existing Medium Density Residential (6-15 du/ac) land use designation for the Project Site.

(ii) CZ17-002 is inconsistent with Policy 1.8.1 of the General Plan as it would not conserve existing residential neighborhoods and would permit the infill of housing in an existing residential neighborhood that is not compatible in density and scale. CZ17-002, in conjunction with the other Project Approvals, would facilitate development of a 64-unit senior housing project, consisting of a three-story, 38.5-foot building, immediately adjacent to single-story, single-family residential uses. CZ17-002, in conjunction with the other Project Approvals, would compromise, rather than conserve, the existing adjacent residential neighborhood by allowing a development that is more intensive and larger in scale than the existing residential neighborhood.

(iii) CZ17-002 is inconsistent with Policy 1.8.10 of the General Plan as it would permit alterations to the Project Site that are not compatible in scale and design with the existing homes and neighborhood character. CZ17-002, in conjunction with the other Project Approvals, would facilitate the development of a three-story, 38.5-foot structure immediately adjacent to two existing single-story residential homes, and would create a situation where the two existing residential homes would be bounded by the new 64-unit senior housing apartment development.

B. The Project Site is not suitable for the uses permitted in the R-3 Zone in terms of access, size of parcel, relationship to similar or related uses, for the following reasons:

(i) CZ17-002, in conjunction with the other Project Approvals, would facilitate a development that is inconsistent with the existing adjacent single-family residential uses. CZ17-002, in conjunction with the other Project Approvals, would allow construction of a three-story, 38.5-foot building immediately adjacent to two existing single-story, single-family homes. The existing zoning for the Project Site would only permit a two-story or 30-foot structure. Thus, the Project is not suitable in relation to the adjacent single-family residential uses.

(ii) Because of the odd shape of the Project Site, the Project would include two driveways with automated gates located on either side of the two existing single-family homes located immediately adjacent to the Project Site, with the 64-unit senior housing apartment complex located immediately behind the single-family homes. CZ17-002, in

conjunction with the other Project Approvals, would result in such homes being effectively surrounded by the new 64-unit senior housing apartment development.

C. CZ17-002 is not necessary and proper at this time, and is likely to be detrimental to the adjacent property or residents, because CZ17-002, in conjunction with the other Project Approvals, would facilitate the development of a building with a height that is not consistent with the scale of the immediately adjacent single-story, single-family uses.

D. CZ17-002 is not in the interest of the public health, safety, necessity, convenience and general welfare and not in accordance with good zoning practice because the R-3 Zone would allow a building to be constructed on the Project Site that is not consistent with the scale of the immediately adjacent single-story, single-family uses. CZ17-002, in conjunction with the other Project Approvals, would allow a higher-density and more intensive use to be developed on all sides of existing single-family residential homes.

SECTION 4. Findings for Denial of Conditional Use Permit. The City Council hereby finds that the findings necessary for the approval of a conditional use permit pursuant to Corona Municipal Code (“CMC”) section 17.92.110 cannot be made for CUP17-004 for the following reasons:

A. CUP17-004 will be detrimental to the public health, safety, convenience and general welfare because the use associated with CUP17-004, in conjunction with the other Project Approvals, does not comply with the R-1-7.2 Zone in that senior citizen housing is not a permitted use in the R-1-7.2 Zone pursuant to CMC Section 17.18.020.

B. The proposed land use associated with CUP17-004 would be detrimental to other existing and permitted uses in the general area of the Project Site because the Project Site is immediately adjacent to existing single-family residential uses and CUP17-004, in conjunction with the other Project Approvals, would permit the development of a three-story, 38.5-foot building immediately adjacent to two existing single-story, single-family homes. Additionally, because of the odd shape of the Project Site, the Project would include two driveways with automated gates located on either side of the two existing single-family homes located immediately adjacent to the Project Site, with the 64-unit senior housing apartment complex located immediately behind the single-family homes. CUP17-004, in conjunction with the other Project Approvals, would result in such homes being surrounded by the new 64-unit senior housing apartment development. For these reasons, CUP17-004, in conjunction with the other Project Approvals, would be detrimental to the adjacent single-family residential uses.

C. In accordance with CMC Section 17.18.020, senior citizen housing is not a permitted use in the R-1-7.2 Zone, which is the existing zoning on a majority of the Project Site; therefore, CUP17-004 is not consistent with the zoning of the Project Site.

D. CUP17-004 is not consistent with the City’s General Plan for the following

reasons:

(i) CUP17-004 is inconsistent with Policy 1.8.1 of the General Plan as it would not conserve existing residential neighborhoods and would permit the infill of housing in an existing residential neighborhood that is not compatible in density and scale. CUP17-004, in conjunction with the other Project Approvals, would facilitate development of a 64-unit senior housing project, consisting of a three-story, 38.5-foot building, immediately adjacent to single-story, single-family residential uses. CUP17-004, in conjunction with the other Project Approvals, would compromise, rather than conserve, the existing adjacent residential neighborhood by allowing a development that is more intensive and larger in scale than the existing residential neighborhood.

(ii) CUP17-004 is inconsistent with Policy 1.8.10 of the General Plan as it would permit alterations to the Project Site that are not compatible in scale and design with the existing homes and neighborhood character. CUP17-004, in conjunction with the other Project Approvals, would facilitate the development of a three-story, 38.5-foot structure immediately adjacent to two existing single-story residential homes, and would create a situation where the two existing residential homes would be surrounded by the new 64-unit senior housing apartment development.

SECTION 5. Distribution and Effective Date. The Mayor shall sign this Resolution, and the City Clerk shall attest thereto, and thereafter shall distribute a copy of this Resolution to the Applicant. This Resolution shall take effect and be in force on the date of its adoption.

PASSED, APPROVED AND ADOPTED this 21st day of March 2018.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, PATTY RODRIGUEZ, Interim City Clerk of the City of Corona, certify that the foregoing resolution was adopted by the City Council of the City of Corona at a regular meeting held on the 21st day of March 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona this 21st day of March 2018.

City Clerk of the City of Corona