



**RESOLUTION NO. 2520**

**APPLICATION NUMBER: V17-001**

**A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING A VARIANCE FROM SECTION 17.06.100(B)(1) OF THE CORONA MUNICIPAL CODE TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM 25 FEET TO ZERO TO ACCOMMODATE A TENNIS CENTER PROPOSED UNDER CONCURRENT CUP17-003 ON 4.98 ACRES LOCATED NORTH OF FOOTHILL PARKWAY AND WEST OF STATE STREET IN THE A (AGRICULTURE) ZONE (APPLICANT: PHX ARCHITECTURE FOR RUDOLFO & MARIA FRANCO, 15990 N. GREENWAY-HAYDEN LOOP, SUITE C-100, SCOTTSDALE, AZ 85260).**

**WHEREAS**, the application to the City of Corona, California, for a variance from Corona Municipal Code Section 17.06.100(B)(1) has been made by PHX Architecture for Rudolfo & Maria Franco, duly submitted to said City's Planning and Housing Commission for decision after public hearing, for which proper notice was given, held on October 8<sup>th</sup>, 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 Section 17.06.100(B)(1) 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 adopted the Mitigated Negative Declaration prepared for the project in compliance with the California Environmental Quality Act.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning and Housing Commission of the City of Corona, California, in a regular session assembled this 8<sup>th</sup> day of October 2018, that the aforesaid application for a variance per Section 17.06.100(B)(1) is hereby granted in accordance with Exhibit A and approved for the following reasons:

1. An initial study (environmental assessment) has been conducted by the City of Corona so as to evaluate the potential for adverse environmental impacts. The environmental assessment identifies potentially significant environmental effects on the environment, but:
  - a. *The project applicant has agreed to revise the project to avoid these significant effects or to mitigate the effects to a point where it is clear that no significant effects would occur, as reflected in the Conditions of Approval attached as Exhibit B.*
  - b. *There is no substantial evidence before the City that the revised project may have a significant environmental effect.*
  
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 classification because of the following special circumstances applicable to the property related to size, shape, topography, location or surroundings:
  - a. *The site is an infill site as it is bordered by Foothill Parkway to the southwest, State Street to the east, and residential properties to the north, west, and southeast. The site's infill location does not allow for any expansion to the site.*
  - b. *The site's existing topography slopes downward from south to north. Due to the uneven grade on the site, the only area conducive for the establishment of the recreation building and parking lot is the southwest portion of the site. This area makes up only 21 percent of the total site area. The balance of the site, which is over 79 percent, falls steeply from the pad sloping toward the northern property line. The lower portion of the site is where the tennis courts are proposed. There is an approximate eight-foot drop from the grade of the pad to the area immediately behind the pad. As the site slopes to the north the grade continues to drop. Practice courts #3, #4, #5, and #6 are approximately 17 to 21 feet lower than the pad. Practice courts #7, #8, #9, and #10 are approximately 22 to 24 feet lower than the pad.*
  - c. *The site is also constrained by an existing 40-foot wide MWD (Metropolitan Water District) easement that bisects the middle of the site from east to west. No buildings, tennis courts, fencing, or structures may be constructed over the easement which limits where the recreation building and tennis courts can be placed on the site. The easement takes up 16,472 square feet of site area which is a loss of usable land to the tennis center.*

*d. By industry standards, tennis courts are to be oriented in the north-south direction as rigidly as possible to minimize the effects of sun on the courts as the sun moves from east to west during the day.*

3. Pursuant to Corona Municipal Code Section 17.96.020, the approval of V17-001 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 for the following reasons:

*a. Approval of V17-001 would not be a granting of special privileges as the applicant has demonstrated that the physical characteristics of the project site and surrounding area pose special circumstances that apply to the subject site. Also, the subject variance will enable the development of a tennis center that will serve the 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 subject property or the public health, safety and general welfare for the following reasons:

*Approval of V17-001 will not adversely affect the property or the use thereof in the vicinity of the project site because the elimination of the 25-foot landscape setback will be offset by an existing landscaped parkway and sidewalk that has an overall depth of approximately 36 feet in front of the project site. The parkway contains existing mature landscaping which will provide the necessary street buffering and visual enhancements to the site. Also, the property is capable of meeting all other applicable development standards imposed by the Corona Municipal Code.*

**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 8<sup>th</sup> day of October 2018.

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Mitchell Norton, Chair  
Planning and Housing Commission  
City of Corona, California

**ATTEST:**

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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 8<sup>th</sup> day of October 2018, and was duly passed and adopted by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

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

Adopted this 8<sup>th</sup> day of October 2018.

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Mitchell Norton, Chair  
Planning and Housing Commission  
City of Corona, California

**ATTEST:**

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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 8<sup>th</sup> day of October 2018, and was duly passed and adopted by the following vote, to wit:

**AYES:** Norton, Jones, Carrillo, Dunn, and Ruscigno

**NOES:** None

**ABSENT:** None

**ABSTAINED:** None

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