File #: 21-0905

PLANNING AND HOUSING COMMISSION
STAFF REPORT

DATE: 10/11/2021

TO: Honorable Chair and Commissioners

FROM: Planning and Development Department

APPLICATION REQUEST:
V2021-0001: A variance application from Corona Municipal Code Section 17.66.015 to eliminate the minimum five-foot street side yard setback to accommodate a 380 square-foot patio cover at the Harrison Emergency Shelter property, located at 420 W. Harrison Street. (Applicant: Ralph Cervantes of Pettit Engineering, 1787 Pomona Road Suite D, Corona, CA 92878)

RECOMMENDED ACTION:
That the Planning and Housing Commission adopt Resolution No. 2577 GRANTING V2021-0001, based on the findings contained in the staff report and conditions of approval.

PROJECT SITE SUMMARY
Area of Property: 29,077 square feet (0.67 acres)
Existing Zoning: M-1 (Light Manufacturing)
Existing General Plan: LI (Light Industrial)
Existing Land Use: Emergency homeless shelter
Proposed Land Use: Emergency homeless Shelter
Surrounding Zoning/Land Use:
N: M-1 (Light Manufacturing) zone / W. Harrison Street and industrial buildings
E: I (Industrial) designation within the North Main Street Specific Plan / N. Sheridan Street and industrial buildings
S: M-1 (Light Manufacturing) zone / Industrial buildings
W: M-1 (Light Manufacturing) zone / Industrial building with lumber yard

BACKGROUND
The Harrison Emergency Shelter is a City-owned homeless shelter located at 420 W. Sheridan Street. The property is currently undergoing Phase II improvements, which were approved by the City Council on June 2, 2021. Phase II includes interior improvements of the existing shelter, upgrades to

the security system, and the addition of a new 380-square-foot patio cover for a dog run. The improvements are part of the City's Homeless Strategic Plan to create a facility that will provide homeless individuals (clients) emergency shelter and necessary services, such as medical, behavioral health, dental, workforce development, etc.

V2021-0001 is a variance application that seeks to eliminate the proposed patio cover's five-foot setback requirement. The setback requirement can only be eliminated with approval of a variance by the Planning and Housing Commission. Corona Municipal Code (CMC) section 17.96.020 requires the Planning Commission to makes the following finding:

Section 17.96.020

(A) Neither the Commission nor the Council may grant a variance from the terms of this title, including any requirement provided therein, unless it has first found from the evidence admitted during the hearing before the Commission or Council that because of special circumstances, applicable to the subject property, including size, shape, topography, location or surroundings, 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.

PROJECT DESCRIPTION

As shown on the applicant's plans in Exhibit 3.A, the property is currently developed with a building and parking lot. An outdoor recreation area is located on the western portion of the property. A dog run is located at the northwest corner of the property, near Harrison Street. The proposed patio cover will shade a portion of the dog run and the recreation area. It is anticipated that some clients of the shelter will have pets and service animals, and the patio cover is intended to provide their pets shade and protection from inclement weather.

The patio structure is comprised of four posts and a solid roof constructed of duralumin, a material similar to aluminum. The overall height of the structure is 9 feet, with a cover measuring 18 feet by 20 feet.

CMC Section 17.66.015 requires patio covers to be set back a minimum of five feet from side and rear lot lines adjacent to a street. Although the shelter's entrance faces north, Harrison is a side street because the Code determines the front street based on a property's narrowest frontage (e.g., N. Sheridan Street is the project's frontage). V2021-0001 seeks to eliminate the required five-foot setback required by CMC Section 17.66.015 and allow a zero street-side setback for the patio cover, as reflected in the submitted plans.

ENVIRONMENTAL ANALYSIS

Per Section 15305(a) of the State Guidelines for the California Environmental Quality Act (CEQA), a Notice of Exemption has been prepared for the project because the project qualifies as a Class 5 (Minor Alteration in Land Use Limitations including variances) categorical exemption. The variance consists of eliminating the required side-yard setback requirement for patio covers and will not change the site's land use or density, and does not result in the creation of a new parcel (Exhibit 4).

FISCAL IMPACT
There is no fiscal impact to the city associated with this application.

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 Planning and Development Department has not received any response from the public regarding the proposal.

STAFF ANALYSIS
Per CMC Section 17.96.020, a variance can only be granted by the Planning and Housing Commission if there are special circumstances applicable to the property that deprive the property of privileges otherwise enjoyed by other properties in the vicinity that have identical zoning. Per state law, the special circumstances applicable to the property would include the size, shape, topography, location or surroundings.

Staff supports the variance because the property has a long rectangular shape, which offers limited flexibility in terms of site design and layout. Furthermore, the property is developed with a building and parking lot, which cannot be relocated or reduced in area without impacting project feasibility, utilities, setbacks, or necessary improvements. Additionally, the existing recreation area next to the patio cannot be relocated or reduced in area without diminishing the areas where clients enjoy the outdoors and time with their pets. Any reduction to the recreation area would impact its functionality and useability.

Aside from the setback along Harrison Street, the patio structure complies with all other setbacks applicable to the patio. Also, the patio has been reviewed by staff to ensure that its location will not impact or impair vehicle or pedestrian visibility at the driveway on Harrison Street. The variance will not adversely affect the property or uses in the vicinity of the project site.

The proposed patio cover encroaches into an existing six-foot wide city utility easement that extends along the north perimeter of the property. The applicant is aware that the patio structure may be removed if the city needs to access the underground utilities.

Approval of the variance contributes to the Harrison Emergency Homeless Shelter and helps fulfill the City's Homeless Strategic Plan. It also supports General Plan Policy H-2.4, which states:

> *Provide emergency shelter with transitional support for city residents, including disadvantage groups.*

The Planning Division recommends approval of V2021-0001 based on the findings listed below and staff's recommended conditions of approval.

FINDINGS FOR APPROVAL OF V2021-0001

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 5 Categorical Exemption under the CEQA Section 15305 (Minor Alterations in Land Use Limitations including setback variances), as the project consists of a variance to eliminate the side-yard setback for a proposed patio cover.

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 of the following special circumstances applicable to the property related to size, shape, topography, location or surroundings.

    a. *The property is constrained by its shape and the existing improvements on-site. The property is long and rectangular-shaped, which offers little flexibility in terms of site design and layout. The property is developed with an existing building and parking lot, which cannot be relocated or reduced in area without impacting other necessary and existing improvements. The existing recreation area next to the dog run and patio cover also cannot be relocated or reduced without impacting its functionality and useability. The use of the property is unique as there are no other emergency shelters in the area. All of the components of the property including the shelter, parking lot, recreation area, dog run, and patio are necessary for the shelter to operate effectively.*

3. Approval of V2021-0001 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. *Approval of the variance would not be a granting of special privileges because the applicant has demonstrated that the physical characteristics of the property pose special circumstances that apply to the subject site.*

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 will not adversely affect the property or uses in the vicinity of the project site, because no portions of the patio structure will extend beyond the property lines of the property. The patio structure will not impair vehicular or pedestrian visibility at the project entrance on Harrison Street.*

PREPARED BY: RAFAEL TORRES, ASSISTANT PLANNER

REVIEWED BY: SANDRA YANG, SENIOR PLANNER

REVIEWED BY: JAY EASTMAN, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

EXHIBITS

1. Resolution No. 2577
2. Locational and Zoning Map

3.A - Site Plan and Patio Details
3.B - Conditions of Approval
3.C - Photographs of the site and vicinity
3.D - Applicant's letter dated September 20, 2021

4. Environmental Documentation

Case Planner: Rafael Torres (951) 736-2262