



Legislation Text

---

File #: 18-2146, Version: 1

---

**PLANNING AND HOUSING COMMISSION  
STAFF REPORT**

DATE: 10/8/2018

TO: Honorable Chair and Commissioners

FROM: Community Development Department

**APPLICATION REQUEST:**

**V17-001:** Application for 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).

**RECOMMENDED ACTION:**

That the Planning and Housing Commission recommend adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan and Resolution No. 2520 GRANTING V17-001, based on the findings contained in the staff report and conditions of approval.

**PROJECT SITE SUMMARY**

**Area of Property:** 4.98 acres

**Existing Zoning:** Agricultural (A)

**Existing General Plan:** Estate Residential (ER)

**Existing Land Use:** Vacant (formerly contained a single-family home)

**Proposed Land Use:** Tennis center for recreational purposes

**Surrounding Zoning / Land Uses:** Residential

**N:** R-1A / Single-family homes

**E:** R-A-20000 (Riverside County Unincorporated) / Single-family homes

**S:** Agricultural / Single-family homes

**NW:** ER-1 (Estate Residential 1) within the Cherokee Specific Plan (SP-90-03) / Single-family residential homes

**SW:** SFR (Single Family Residential) Designation within the Chase Ranch Specific Plan (SP-89-02) / Citrus orchards

## **BACKGROUND**

The project site is 4.98 acres and located in a residential area near the intersection of Foothill Parkway and State Street. The site previously contained a single-family home which was demolished in 2006. An existing accessory building, tennis court, and concrete driveways remain on the southern portions of the site. The northern and eastern portions are vacant. Existing block walls are located along the sites two street frontages.

The property owners and applicant of V17-001 are Rudolfo and Maria Franco, who are proposing to develop the site into a tennis center for recreational purposes. The center will include a 4,633 square foot recreation building, 686 square foot restroom/classroom building, 11 practice tennis courts, and one grandstand tennis court for tournaments. The facility will also have a parking lot on site containing 60 parking spaces which is required by the Corona Municipal Code to serve the facility.

The site is zoned Agricultural and governed by the development standards prescribed by Chapter 17.06 (Agricultural Zone) of the Corona Municipal Code. The zoning requires a minimum front yard setback of 25 feet. Buildings and parking lots are not permitted within this area which must be landscaped. The site's location, existing topography, an MWD easement that bisects the site, and unique lot shape have created challenges for the applicant in designing a site that can accommodate the necessary parking, buildings, and facilities. Therefore, the applicant is seeking to eliminate the entire 25-foot front yard setback in order to develop the site as proposed. It is also worth noting, a concrete block garden wall with pilasters exists on the front property line of the property facing Foothill Parkway.

The variance is being reviewed concurrently with two other applications which are necessary for the development. CUP17-003 is a conditional use permit that reviews the site plan, architecture, landscaping, and other details of the development. PM 37334 is a parcel map that is intended to consolidate the site's existing four lots into one lot to accommodate the development. All three applications are to be reviewed concurrently for approval.

The project was initially reviewed by staff as DPR16-027 and DPR17-007. It was also discussed at the Infrastructure Committee meeting held on August 3, 2016. The Committee raised concerns regarding the site's capability to provide sufficient parking, particularly during tournament events (involving off-site/shuttle provisions discussed in detail under CUP17-003). Overall, the Committee was receptive to the proposal, but emphasized the applicant's need to reach out to adjoining neighbors.

Staff has received letters from the adjacent property owners to the north at 2791 State Street and to the west at 1675 Heartland Way supporting the applicant's development. Copies of the letters can be found with CUP17-003 under Exhibit L1-L2. The applicant has also indicated to staff that he reached out to the other surrounding property owners regarding the development and has positive feedback.

## **PROJECT DESCRIPTION**

As shown in Exhibit A, the proposed tennis center fronts Foothill Parkway to the southwest. The recreation building and parking occupy the area nearest to Foothill Parkway, and the tennis courts occupy the northern and eastern portions of the site. Section 17.06.100(B)(1) of the CMC requires a 25-foot front yard setback for properties located in the Agricultural Zone. The site's street frontage along Foothill Parkway is considered to be the front yard. The applicant is requesting a variance

from this standard in order to provide necessary parking spaces within the setback area. The applicant's justification for the variance is based on the site's physical constraints which are discussed below.

- 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.
- The site's existing topography creates challenges in the site's design. Presently, the site 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 is level with Foothill Parkway and is the same pad where the former home on the site was previously constructed before it was demolished. The pad 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. This change in grade is depicted in Exhibit C which shows a cross-section of the pad area. The cross-section is identified as Section D. 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.
- 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.
- 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.

With the parameters described above, the proposed site layout is the most efficient use of space that still allows the site to be functional, organized, and attractive. Eliminating the 25-foot landscaped setback in front of the site will not negatively impact the site's aesthetics or cause a degradation to the area as there is an existing landscaped parkway and sidewalk in front of the site that measures a depth of approximately 36 feet from the curb to the parking lot screen wall. The parkway is depicted on the applicant's conceptual landscape plan attached as Exhibit D. Photographs of the parkway and surrounding areas are attached as Exhibit E.

Other than the front yard setback, all other aspects of the project will meet the development standards of the zone. The variance will not affect the surrounding properties as the project is still capable of complying with other development standards imposed by the Corona Municipal Code.

## ENVIRONMENTAL ANALYSIS

Per Section 15070 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 6.02 of the City's Local Guidelines, a Mitigated Negative Declaration was

prepared for the project because the initial study identified that the project's potentially significant effects to the environment are capable of being mitigated to less than significant. Therefore, based on the project mitigation identified in the Mitigated Negative Declaration, there is no substantial evidence, in light of the whole record before the City, that the project may have a significant effect on the environment. The Initial Study and Mitigated Negative Declaration prepared for the project are attached as Exhibit G.

## **FISCAL IMPACT**

The applicant has paid all the required application processing fees

## **PUBLIC NOTICE AND COMMENTS**

A 20-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 newspaper and posted at the project site. As of the preparation of this report staff has received written responses from a resident expressing concerns regarding the project's potential parking impacts to the surrounding neighborhood. A copy of the correspondence is attached to CUP17-003 as Exhibit M.

## **STAFF ANALYSIS**

Corona Municipal Code Section 17.96.020 establishes that special circumstances applicable to the property, such as size, shape, topography, location or surroundings must exist in order for the Planning and Housing Commission to grant a variance. As demonstrated by the applicant's site plan, special circumstances do exist for the project site. The site is physically constrained by existing surrounding developments, uneven terrain, an existing 40-foot wide WMD easement that bisects the site, and industry standard tennis court orientation.

The variance 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. The variance is not 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. Therefore, V17-001 is recommended for approval based on the following findings and conditions of approval attached as Exhibit B.

## **FINDINGS FOR APPROVAL OF V17-001**

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:

- a. *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.*

**PREPARED BY:** SANDRA YANG, SENIOR PLANNER

**REVIEWED BY:** TERRI MANUEL, PLANNING MANAGER

**SUBMITTED BY:** JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

**EXHIBITS**

1. Resolution No. 2520
2. Locational and Zoning Map.
3. Exhibit A - Site Plan
4. Exhibit B - Conditions of Approval
5. Exhibit C - Section D of Conceptual Grading Pan
6. Exhibit D - Landscape Plan
7. Exhibit E - Photographs of the site and vicinity
8. Exhibit F - Applicant's letter dated December 13, 2017
9. Exhibit G - Environmental Documentation
10. Exhibit H - GIS Aerial Map

Case Planner: Sandra Yang (951) 736-2262