



Legislation Text

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File #: 18-2165, Version: 2

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**AGENDA REPORT  
REQUEST FOR CITY COUNCIL ACTION**

DATE: 10/17/2018

TO: Honorable Mayor and City Council Members

FROM: Community Development Department

**SUBJECT:**

City Council consideration of V2018-0002 a variance from Section 17.44.040 of the Corona Municipal Code to eliminate the front yard setback of 15 feet for an electric energy substation on 0.1 acres located at 1138 West Rincon Street in the M-2 (General Manufacturing) Zone (Applicant: City of Corona, Department of Water and Power [DWP]).

**RECOMMENDED ACTION:**

That the City Council:

1. Take no action, thereby affirming the Planning and Housing Commission's action granting V2018-0002, based on the findings contained in the staff report and conditions of approval.

-OR-

2. Set the item for review at a subsequent meeting.

**ANALYSIS:**

Variance 2018-0002 is an application by Corona Department of Water and Power (DWP) to eliminate the 15-foot landscaped front yard setback for a 4,360 square foot concrete interceptor pad that will accommodate an electric substation in the M-2 (General Manufacturing) zone. The precise location of the electric substation is on the south side of Rincon Street approximately 1,500 feet west of Lincoln Avenue. The electric substation is allowed pursuant to CUP2018-0008, which is being reviewed concurrently with this variance request.

In order for the facility to be constructed in a manner that maximizes the development potential of the greater industrial project site, it is designed to be situated at grade with Rincon Street at the base of an 8.5-foot high slump stone retaining wall along the south perimeter of the installation. The public right-of-way along Rincon Street will continue to have a parkway width of 12 feet in front of the proposed substation. The parkway will consist of a 6-foot wide sidewalk adjacent to curb and a 6-

foot wide landscape parkway adjacent to the interceptor pad. The front yard setback prescribed by the M-2 zone in this location is 15 feet. Adherence to this standard would have a deleterious horizontal impact on the adjacent developing industrial site by encroaching into the required parking area and fire lane access around the northwest corner of the building being constructed in that location. The finish grade of the site being higher than the Rincon Street grade would result in a significantly higher retaining wall in order to accommodate a 15-foot setback plus the facility itself. With the reduction in the required setback, the retaining wall can be kept at a more reasonable height. The six-foot wide landscape parkway adjacent to the substation will also soften the appearance of the tubular steel fence.

The Planning and Housing Commission at a scheduled public hearing on September 24, 2018, made the findings pursuant to Section 17.96.020 of the Corona Municipal Code and adopted Resolution 2517 granting the variance under the criteria 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, does not constitute the granting of special privilege inconsistent with the limitations upon other properties in the vicinity and zone, and the variance does not adversely affect property and the use thereof in the vicinity of subject property or the public health, safety and general welfare.

**COMMITTEE ACTION:**

The Infrastructure Committee at its meeting on June 6, 2018 discussed the proposal and had no objection to staff moving forward with the application.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

The applicant is the city; therefore, no fees are associated with this application.

**ENVIRONMENTAL ANALYSIS:**

Per Section 15303 of the State Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 3.20 of the Local Guidelines for Implementing CEQA, a Notice of Exemption has been prepared for the project because the electric substation qualifies as a Class 3 Categorical Exemption for *new construction of small structures*.

**PLANNING AND HOUSING COMMISSION ACTION:**

At its meeting of September 24, 2018, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Ruscigno/Dunn) and carried unanimously with Commissioner Carrillo absent, that the Planning and Housing Commission adopt Resolution No. 2517 granting V2018-0002 based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

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

**REVIEWED BY:** KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

**REVIEWED BY:** MICHELE NISSEN, ASSISTANT CITY MANAGER

**REVIEWED BY:** DARRELL TALBERT, CITY MANAGER

**EXHIBITS**

1. Locational and Zoning Map.
2. Site Plan for V2018-0002.
3. Planning and Housing Commission Staff Report
4. Draft Minutes of the Planning and Housing Commission meeting of September 24, 2018.

**APPLICANT INFORMATION**

*Department of Water & Power, 755 Corporation Yard Way, Corona, CA 92880*