



MEMORANDUM

TO: Planning Commission

FROM: Brian Pedrotti, Community Development Director

BY: Andrew Perez, Planning Manager

SUBJECT: Consideration of Time Extension 24-002 for CUP 19-002 and Finding that this Action is Not a Project Under CEQA Section 15061; Location – 207 Pilgrim Way; Representative –Warren Hamrick

DATE: July 2, 2024

RECOMMENDATION:

- 1) Adopt a Resolution approving Time Extension 24-002; and
- 2) Find the action to be exempt from California Environmental Quality Act pursuant to Section 15061.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

No financial impact is projected.

BACKGROUND:

On June 16, 2020, the Planning Commission adopted Resolution 20-2338 approving Conditional Use Permit 19-002 for the construction of an assisted living facility consisting of 120 residential beds, conference room, reception area, and administrative offices. Time extensions were previously granted by the Planning Commission in 2022 and 2023. These extensions were requested due to delays related to finding a contractor with availability to perform the work. With a contractor in place, the applicant is currently working toward obtaining appropriate permits for grading and construction of the approved development but is still working through the plan review process to obtain building permits. Therefore, the applicant submitted a time extension request to extend the entitlement's approval for one year, which was due to expire on June 16, 2024. The submittal of the time extension application on May 29, 2024, prior to the expiration date, vests the entitlement until the Planning Commission acts on the subject application.

ANALYSIS OF ISSUES:

Municipal Code Subsection 16.12.140.C allows the Planning Commission to grant a project up to three (3) one-year time extensions, but only if it is found that there have been no significant changes in the General Plan, Municipal Code, or character of the area within

Item 7.b

Planning Commission

Consideration of Time Extension 24-002 for CUP 19-002 and Finding that this Action is Not a Project Under CEQA Section 15061; Location – 207 Pilgrim Way; Representative –Warren Hamrick

July 2, 2024

Page 2

which the project is located that would cause the approved project to be injurious to the public health, safety, or welfare. No such changes have been identified that would cause the proposed project to be injurious to the public health, safety, or welfare. The project has been through two rounds of plan review of the construction documents, and it is anticipated that the building permit will be issued in the near future.

This is the final one-year time extension available for this project and would extend the expiration date until June 16, 2025. If the time extension is approved, and building permits are unable to be issued prior to June 16, 2025, the entitlement will expire.

ALTERNATIVES:

The following alternatives are provided for the Commission’s consideration:

1. Adopt the attached Resolution approving Time Extension 24-002;
2. Modify and adopt the attached Resolution approving Time Extension 24-002;
3. Do not adopt the attached Resolution, provide specific findings and direct staff to return with a Resolution denying the time extension; or
4. Provide direction to staff.

ADVANTAGES:

Approving the requested time extension will maintain the viability of an approved project and will allow the applicant to continue to work toward obtaining building permits to construct the project.

DISADVANTAGES:

None identified.

ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration (MND) was adopted in conjunction with the Conditional Use Permit and the granting of a time extension will not change that determination. In accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, it has been determined that the granting of a time extension is not subject to CEQA per Section 15061(b)(3) of the Guidelines, regarding the general rule that where it can be seen with certainty that there is no possibility of a significant effect on the environment, an activity is not subject to CEQA.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City’s website in accordance with Government Code Section 54954.2.

ATTACHMENTS:

1. Resolution