

**MEMORANDUM**

**TO:** PLANNING COMMISSION

**FROM:** TERESA McCLISH, COMMUNITY DEVELOPMENT DIRECTOR

**BY:** MATTHEW DOWNING, <sup>MD</sup> PLANNING MANAGER

**SUBJECT:** CONSIDERATION OF LOT LINE ADJUSTMENT 16-001; LOCATION – 1271 JAMES WAY (APNs 007-771-053, -062, AND -076); APPLICANT – RUSS SHEPPEL; REPRESENTATIVE - TIM CRAWFORD, AXIS ENGINEERING GROUP

**DATE:** JULY 5, 2016

**RECOMMENDATION:**

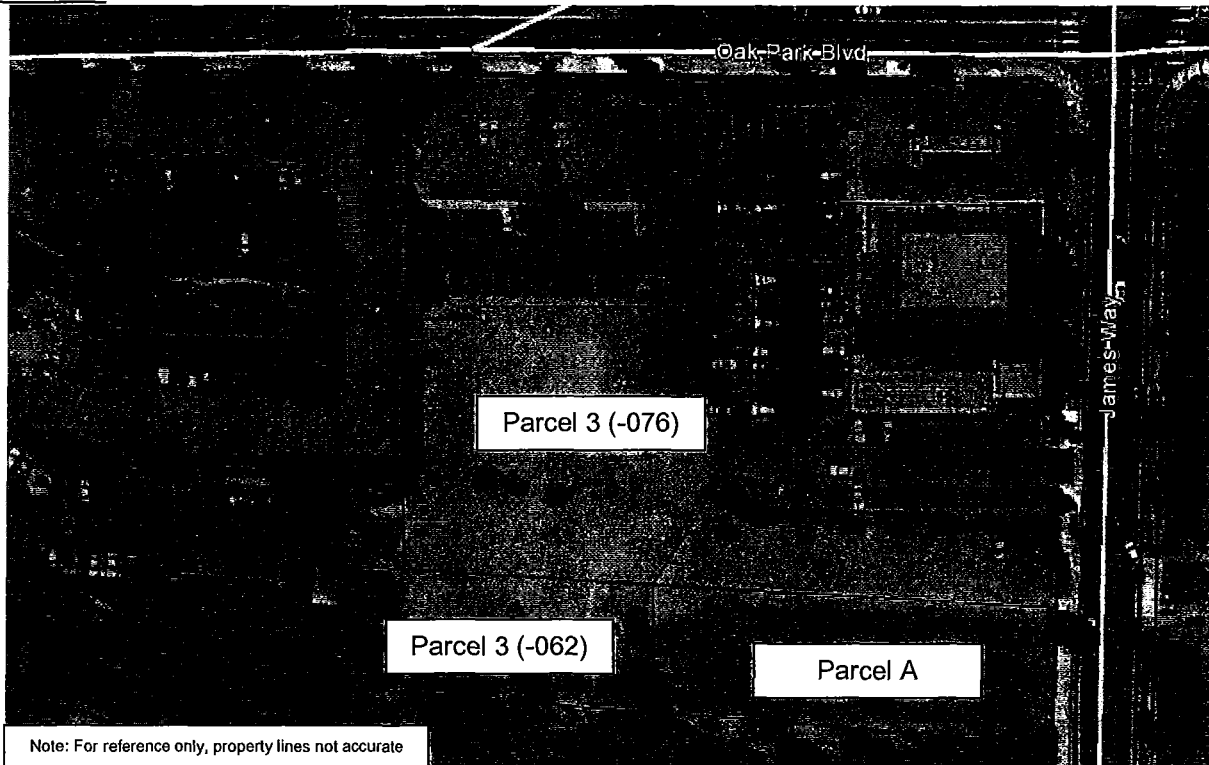
It is recommended that the Planning Commission adopt a Resolution recommending the City Council approve the proposed project.

**IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

None.

**BACKGROUND:**

Location



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This project is an integral part of a prior Planned Development (PD-1.1) area, and therefore requires City Council action to amend the previously approved plan.

The project site is located within the Oak Park Professional Plaza (the "Plaza") on the southeast corner of James Way and Oak Park Boulevard in the Office Mixed-Use (OMU) zoning district. The 3.74-acre Plaza is developed with two medical office buildings and a health club (Kennedy Club Fitness). Surrounding the Plaza is a church to the North, the Best Western Casa Grande Inn to the South, Meadow Creek and Leisure Gardens condominiums to the East, and commercial development within the City of Pismo Beach to the West.

On March 24, 2015 the City Council adopted Resolution No. 4651 approving Amended Conditional Use Permit 15-001, Variance 15-001, and Lot Merger 15-001 to allow the construction of a 55,000 square-foot memory care facility and sixteen (16) assisted living units. In working toward compliance with all conditions of approval for the proposed project, the applicant has run into an issue with financing constraints regarding the Lot Merger, as the independent living parcel is financed by a separate institution than the assisted living parcels. In order to accommodate the approved development, the applicant has requested to utilize a lot line adjustment in place of the lot merger.

Staff Advisory Committee

The Staff Advisory Committee (SAC) reviewed the proposed project on June 22, 2016. Members of the SAC discussed items related to the project, including continuity of previously identified conditions of approval and ensuring all necessary easements for the approved development are obtained. Overall, members of the SAC were in support of the project and developed conditions of approval to specifically address the items discussed.

**ANALYSIS OF ISSUES:**

Lot Line Adjustment

The proposed lot line adjustment will consolidate three lots into two (2) lots while additionally adjusting an interior lot line adjacent to the approved independent living facility. The need to address the property line adjacent to the independent living facility arises from the structure containing operable windows that will cross the property line, which is not allowed under the California Building Code. The existing parcels are as follows:

**Table 1. Existing Parcel Sizes**

Parcel Number	Lot Area	Lot Width	Lot Depth	Zoning
Parcel A	30,957.6 sq. ft.	122.17'	257'	OMU
Parcel 3 (-062)	22,170 sq. ft.	122.17'	178.45'	OMU
Parcel 3 (-076)	25,795 sq. ft.	~127.08'	~206.16'	OMU

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The parcels resulting from the proposed lot line adjustment are as follows:

**Table 2. Proposed Parcel Sizes**

<b>Parcel Number</b>	<b>Lot Area</b>	<b>Lot Width</b>	<b>Lot Depth</b>	<b>Zoning</b>
Parcel 1	48,518.7 sq. ft.	122.17'	435.45'	OMU
Parcel 2	30,403.8 sq. ft.	152.08'	~206.16'	OMU

The proposed parcels meet requirements of the Development Code for their zoning district, including lot area, lot width, and lot depth. Additionally, the merger of Parcel A and Parcel 3 (-062), will continue to address the lot merger need for the approved development.

Access

The parcels within The Plaza are accessed from James Way, and reciprocal access agreements to ensure access between the properties is accommodated. As part of the approved development on the subject property, the applicant was required to provide through access and emergency access to the hotel property to the south. All required and necessary easements will be included on the final recorded document.

**ALTERNATIVES:**

The following alternatives are provided for the Planning Commission's consideration:

- Adopt the attached Resolution recommending the City Council approve Lot Line Adjustment 16-001;
- Modify and adopt the attached Resolution recommending the City Council approve Lot Line Adjustment 16-001;
- Do not adopt the attached Resolution, provide specific findings and direct staff to return with a Resolution recommending the City Council deny the project; or
- Provide direction to staff.

**ADVANTAGES:**

The proposed project will allow for the previously approved development project to move forward, providing a much needed health care service and housing option to elderly residents and those in need of special medical care in the area.

**DISADVANTAGES:**

None identified.

**ENVIRONMENTAL REVIEW:**

The project was review in accordance with the California Environmental Quality Act (CEQA) and determined to be categorically exempt per Section 15305(a) of the CEQA Guidelines regarding minor lot line adjustments not resulting in the creation of any new parcel.

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**PUBLIC NOTICE AND COMMENT:**

Per Municipal Code Subsection 16.12.030.B, a public hearing is not required for approval of a lot line adjustment.

The agenda and staff report were posted at City Hall and on the City's website on June 30, 2016. No comments have been received.

**ATTACHMENTS**

1. Lot Line Adjustment Map

## RESOLUTION NO.

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE RECOMMENDING THE CITY COUNCIL APPROVE LOT LINE ADJUSTMENT NO. 16-001; LOCATED AT 1271 JAMES WAY; APPLIED FOR BY RUSS SHEPPEL

**WHEREAS**, on March 24, 2015, the City Council adopted Resolution No. 4651 approving Amended Conditional Use Permit 15-001, Variance 15-001 and Lot Merger 15-001 for the development of 1.8 acres for an approximately 55,000 square-foot, 70-bed assisted living/memory care facility and sixteen (16) independent living units on real property, located at 1271 James Way, Arroyo Grande, CA (the "subject property"); and

**WHEREAS**, Russ Sheppel (the "applicant") has filed Lot Line Adjustment 16-001 to modify property lines to allow for the approved development in place of Lot Merger 15-001 due to financing constraints associated with the merger; and

**WHEREAS**, the Planning Commission of the City of Arroyo Grande has reviewed the project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for implementation of CEQA and finds the project to be categorically exempt per Section 15.05(a) of the CEQA Guidelines regarding minor lot line adjustments not resulting in the creation of any new parcel; and

**WHEREAS**, the Planning Commission has reviewed and considered the project at its meeting on July 5, 2016; and

**WHEREAS**, the Planning Commission finds, after due study and deliberation, the proposed lot line adjustment does not:

1. Create any new lots;

*The proposed lot line adjustment will merge two lots and adjust the lot line of a third lot, but no new lots will be created.*

2. Include any lots or parcels created illegally;

*All lots associated with Lot Line Adjustment 16-001 were legally created and therefore the project will not include any lots created illegally.*

3. Impair any existing access or create a need for access to any adjacent lots or parcels;

*Access to the property exists from James Way and no new access is required.*

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4. Impair any existing easements or create a need for any new easements serving adjacent lots or parcels;

*The proposed lot line adjustment does not impair existing easements or create a need for any new easements serving adjacent lots. While the subsequent development will result in the need for new easements to be recorded, they are not required as part of the proposed project and are conditioned to be recorded with the lot line adjustment.*

5. Constitute poor land planning or undesirable lot configurations due to existing environmental conditions or current zoning development standards;

*The proposed lot line adjustment will not constitute poor land planning or undesirable lot configurations.*

6. Require substantial alteration of any existing improvements or create a need for any new improvements;

*The proposed lot line adjustment does not require the alteration of any existing improvements nor create a need for any new improvements.*

7. Create a nonconforming lot in the development district in which it exists, except as allowed in Municipal Code Section 16.48.110

*The lots resulting from the proposed lot line adjustment will meet all applicable development standards for the Office Mixed Use zoning district.*

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Arroyo Grande hereby recommends the City Council adopt a Resolution approving Lot Line Adjustment 16-001, as presented to the Planning Commission on July 5, 2016 and as shown in Exhibit "B", attached hereto and incorporated herein by this reference, with the above findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and by the following roll call vote, to wit:

**AYES:**  
**NOES:**  
**ABSENT:**

the foregoing Resolution was adopted this 5<sup>th</sup> day of July, 2016.

**RESOLUTION NO.  
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**LAN GEORGE, CHAIR**

**ATTEST:**

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**DEBBIE WEICHINGER,  
SECRETARY TO THE COMMISSION**

**AS TO CONTENT:**

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**TERESA MCCLISH,  
COMMUNITY DEVELOPMENT DIRECTOR**

**EXHIBIT "A"  
CONDITIONS OF APPROVAL  
LOT LINE ADJUSTMENT CASE NO. 16-001  
1271 JAMES WAY**

This approval authorizes the adjustment of interior lot lines between parcels in order to accommodate entitled development.

**COMMUNITY DEVELOPMENT DEPARTMENT**

**PLANNING DIVISION**

1. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. The applicant shall comply with all conditions of approval for Lot Line Adjustment No. 16-001. Additionally, the applicant shall comply with all applicable conditions of approval for Resolution 4651, as determined by the Community Development Director.
3. Development shall occur in substantial conformance with the plans presented to the City Council at the meeting of July 26, 2016 and marked Exhibit "B".
4. The applicant shall agree to indemnify, defend and hold harmless at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of said approval, or in any way relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.

**ENGINEERING DIVISION**

5. The applicant shall submit all information required by Municipal Code Section 16.20.140.
6. The applicant shall pay processing and plan check fees at the time they are due.
7. The applicant shall have a licensed land surveyor in the State of California prepare the final documents.
8. The applicant shall complete the lot merger and lot line adjustment via map, with all necessary easements for the development of Amended Conditional Use Permit



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15-001 included at time of map recordation, to the satisfaction of the City Engineer. These easements include, but are not limited to, public utility easements, reciprocal access easements, emergency access easements, and parking easements.

9. A current (within the last six (6) months) preliminary title report shall be submitted to the Community Development Director prior to checking the final documents.
10. The applicant shall furnish a certificate from the tax collector's office indicating that there are no unpaid taxes or special assessments against the property.
11. Any review costs generated by outside consultants shall be paid by the applicant



**PROPERTY DATA**

ADDRESS: 321 N SAN JAMES WAY  
 ARROYO GRANDE, CALIFORNIA 93025  
 OWNER: RUSSELL M. SHERRILL  
 3440 SOUTH HANGOVER STREET, SUITE 130  
 SAN LUIS OBISPO, CALIFORNIA 93401  
 APPLICANT: RUSSELL M. SHERRILL  
 3440 SOUTH HANGOVER STREET, SUITE 130  
 SAN LUIS OBISPO, CALIFORNIA 93401  
 SURVEYOR: WILLIAM STELL, PLS #145  
 APRN: 08-0771-053 ORR 4-076  
 LAND USE: EXISTING: VACANT  
 PROPOSED: ASSISTED LIVING/DEPENDENT CARE  
 RESIDENTIAL PLUCH  
 OFFICE MIXED USE (OUMU)  
 UTILITIES: CITY OF AG (SEWER)  
 CITY OF AG (WATER)  
 SAN LUIS OBISPO ELECTRIC  
 PUBLIC GAS & ELECTRIC  
 SO-CAL GAS (GAS)  
 AT&T TELEPHONE

**PARCEL DATA**

Parcel 1A (Proposed)  
 31 PM 47 Parcel 1) 36,397.94 (17,947) 48,518.74 (11,114) 48  
 Area gained: 17,947 (1.8)  
 Parcel 1  
 31 PM 31 23,170.41 (1,51) 0  
 Area total: 22,170.41  
 Parcel 2 (Proposed)  
 53 PM 41 Parcel 2) 20,795.91 (1,59) 26,443.87 (1,70) 46  
 Area parcel: 4,608 (0.4)

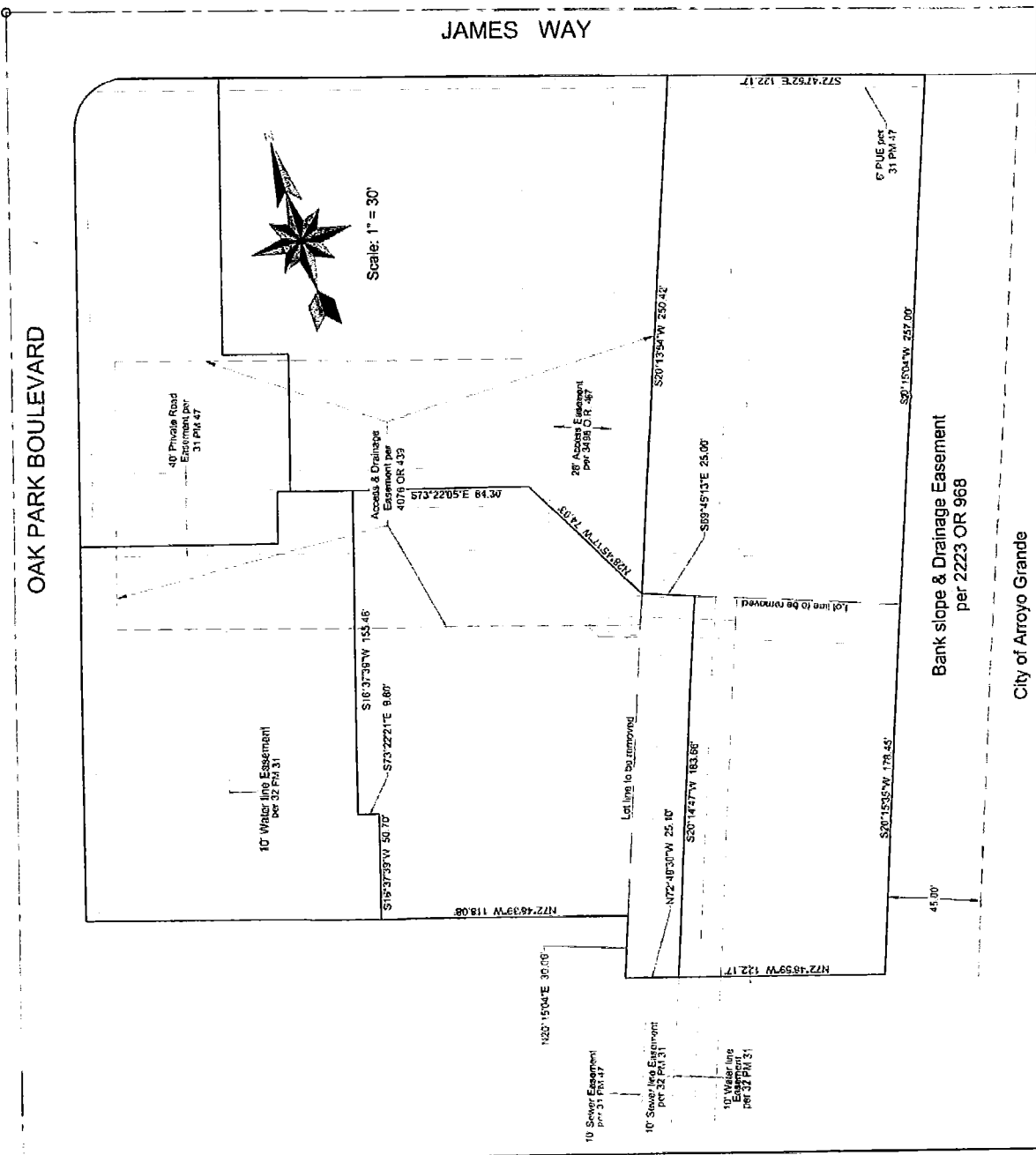
PROPOSED USES:  
 Assisted Living & Memory Care Facility  
 Proposed Parcel 1 - Independent Living Facility  
 Proposed Parcel 2 - Independent Living Facility

**EXHIBIT "B"  
 EASEMENTS**

**LOT LINE ADJUSTMENT  
 AGAL 16-0147**

BECING A LOT LINE ADJUSTMENT OF PARCEL A OF PARCEL  
 MAP AG 78-539 PARCEL 3 OF PARCEL MAP AG 23-33 AND  
 PARCEL 4 OF PARCEL MAP AG 23-33 AND PARCEL 1  
 MAPS FILED IN BOOK 31 AT PAGE 47, BOOK 32 AT PAGE 11  
 AND BOOK 33 AT PAGE 41 IN THE OFFICE OF COUNTY  
 CLERK, RECORDER IN FUE COUNTY  
 OF SAN LUIS OBISPO, STATE OF CALIFORNIA

3 JUN 2006 SHEET 2 OF 2 #13 004  
 COUNTY NATIONAL TITLE #23-51160223-88



Scale: 1" = 30'

Bank slope & Drainage Easement  
 per 2223 OR 968

City of Arroyo Grande