

**PLANNING COMMISSION – September 10, 2025
REQUIRED FINDINGS & CONSIDERATIONS FOR:**

**15860-15894 Winchester Boulevard and 17484 Shelburne Way
Architecture and Site Application S-25-034
Conditional Use Permit Application U-25-004
Variance Application V-25-001
Subdivision Application M-25-007**

Consider a Request for Approval of a One-Year Time Extension for the Existing Architecture and Site (S-21-008), Conditional Use Permit (U-21-010), Variance (V-21-003), and Lot Merger (M-22-008) Applications to Demolish One Existing Office and Four Residential Buildings, Construct an Assisted Living and Memory Care Facility, a Variance from the Maximum Height and Lot Coverage of the Zone, Merger of Four Lots Into One, and Removal of Large Protected Trees on Property Zoned O. APN 529-11-013, -038, -039, and -040. A Mitigated Negative Declaration (ND-22-001) was Adopted for this Project.

Applicant/Property Owner: Green Valley Corp. d.b.a. Swenson.

FINDINGS

Required findings for CEQA:

- A Mitigated Negative Declaration (ND-22-001) was adopted for this project by the Town Council on September 19, 2023. No further environmental analysis is required.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) except for the height and lot coverage variances requested.

Required finding for the demolition of existing structures:

- As required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures:
 1. The Town's housing stock will be maintained as the proposed project contains more dwelling units than the number of residential buildings proposed to be demolished.
 2. The existing structures have no architectural or historical significance.
 3. The property owner does not desire to maintain the structures as they exist.
 4. The economic utility of the structures is diminished because of age.

Required findings for granting a Variance application:

- As required by Section 29.20.170 of the Town Code for granting a Variance application:
 - (1) Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zone; and
 - (2) The granting of a variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

Required Findings for a Conditional Use Permit:

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:
 1. The proposed uses of the property are essential or desirable to the public convenience or welfare in that the assisted living and memory care facility would provide necessary services and activities for seniors in the community;
 2. The proposed uses will not impair the integrity and character of the zone as the proposed residential care facility use would generate less traffic than an office use previously proposed for the site and meet the development standards of the zone except for the requested variances described below;
 3. The proposed uses would not be detrimental to public health, safety or general welfare; and
 4. The proposed uses of the property are in harmony with the various elements or objectives of the General Plan and the purposes of this chapter.

Required findings to deny a Subdivision application:

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the parcel map application.**

Instead, the Planning Commission makes the following affirmative findings:

- a. That the proposed map is consistent with all elements of the General Plan.
- b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
- c. That the site is physically suitable for the type of development.
- d. That the site is physically suitable for the proposed density of development.
- e. That the design of the subdivision and the proposed improvements are not likely to

cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

- f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
- g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Commercial Design Guidelines:

- The proposed building is consistent with applicable provisions of the Commercial Design Guidelines.

Required Findings for One-Year Time Extension

- There would be no legal impediment to granting a new application for the same approval as required by Section 29.20.325(b) of the Town Code for granting a one-year time extension.
- The conditions originally applied or new conditions to be applied as part of the extension approval are adopted to any new facts concerning the proposed project as required by Section 29.20.325(b) of the Town Code for granting a one-year time extension.

CONSIDERATIONS

Considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

***This Page
Intentionally
Left Blank***