

**TO:** Planning Commission

**FROM:** Warren Frace, Community Development Director

**SUBJECT:** Time Extension for Planned Development 01-025 and Conditional Use Permit 01-017 for Entrada de Paso Robles – APNs 025-431-044, -045, and – 049; 3830 State Route 46 East, Applicant – Ken Hunter

**DATE:** March 22, 2016

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**Needs:** For the Planning Commission to consider an application submitted by Ken Hunter on behalf of Entrada de Paso Robles, LLC, requesting a two-year time extension for PD 01-025 and CUP 01-017.

- Facts:**
1. The project is located at 3830 Highway 46 East. The area is bounded by Hwy 46 East on the South, Dry Creek Road on the North, and Airport Road on the East. See attached Vicinity Map.
  2. The Entrada de Paso Robles project includes the development of a resort complex that includes 200 hotel rooms and 80 casitas, an outdoor destination garden-themed attraction, “Discovery Gardens”, and other ancillary uses.
  3. The original entitlements were approved for a previous project referred to as the Black Ranch Resort in February 2004.
  4. The Planning Commission has approved multiple time extension requests for the project, most recently on December 10, 2013. As noted above, the Project was amended on May 13, 2014 which extended the entitlements to May 13, 2016.
  5. This request for a time extension was filed on February 22, 2016, prior to the May 13, 2016 deadline. With the approval of this 2-year time extension the entitlements would be extended to May 13, 2018.

**Analysis  
and  
Conclusion:**

Staff has reviewed the time extension request and has determined that no changes to the project are necessary. There have been no changes in the General Plan or Zoning Regulations since the original approval in 2004, or the amended entitlements in 2013 that would impact the prior approvals of this project or the conditions that were imposed with it.

Mr. Hunter has been in negotiation with the California Department of Fish and Wildlife (CDFW) and the City on implementation of the mitigation strategy for potential impacts to the San Joaquin Kit Fox (SJKF), (an endangered species regulated by CDFW), since the project amendments were approved in May 2014. The applicants submitted a final SJKF mitigation strategy to CDFW in February 2016. Staff is coordinating with CDFW on the

final mitigation requirements so that the project can move forward. The strategy includes a land conservation agreement and offsite mitigation for SJKF. Execution of the conservation agreement will take additional time to prepare and approve. Therefore, additional time is needed for the applicant to complete this part of the process, and to complete the City's review and approval process for site grading and development plans.

**Policy**

**Reference:** General Plan Land Use Element, Zoning Code.

**Fiscal**

**Impact:** There are no specific fiscal impacts associated with approval of this time extension.

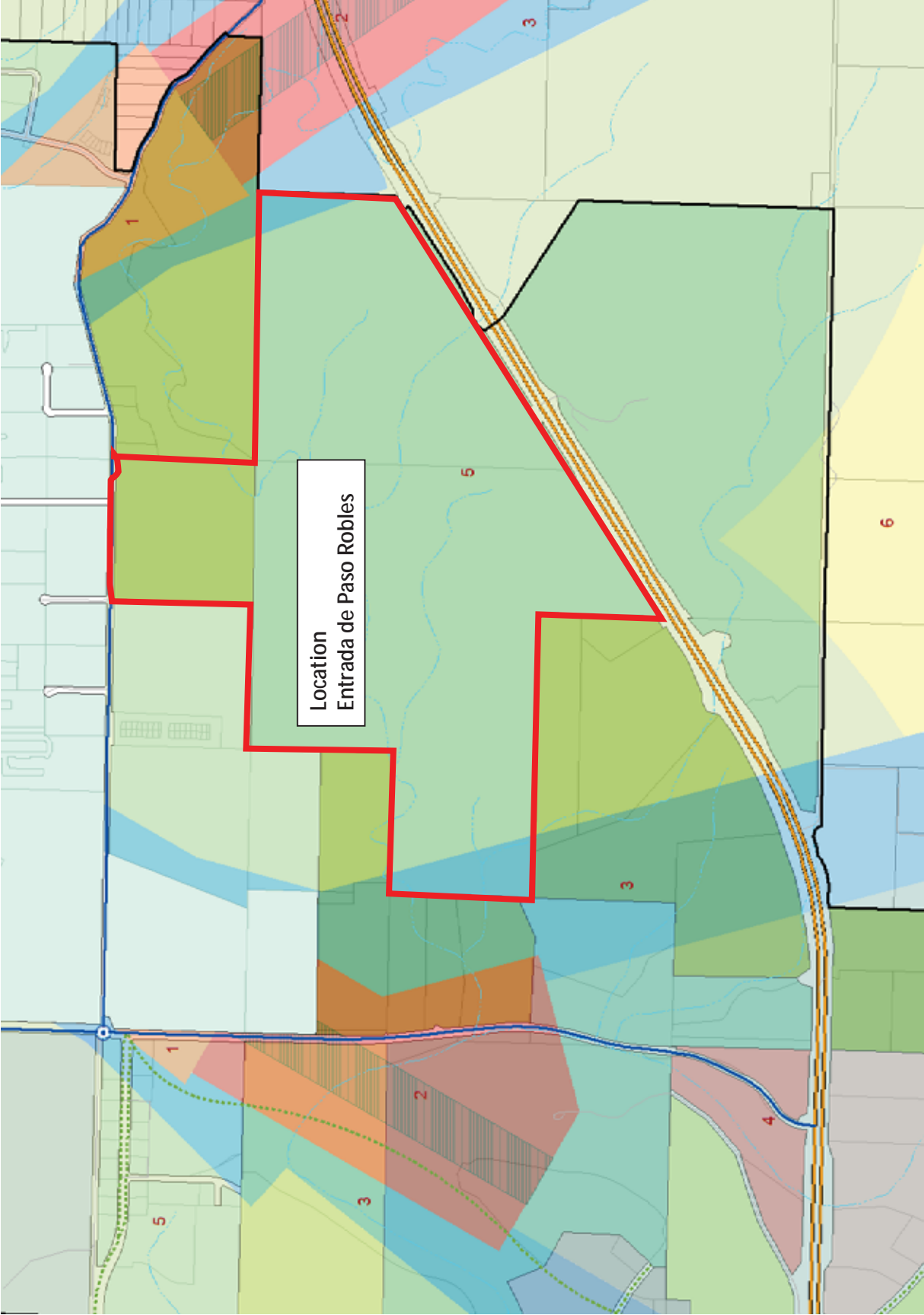
**Options:**

After consideration of the staff report and public testimony, the Planning Commission should consider one of the following options:

- a. Adopt a resolution granting a two-year time extension for PD 01-025, CUP 01-017, extending the entitlements to May 13, 2018; or
- b. Amend, modify or reject the above noted options.

**Attachments:**

- 1. Location Map
- 2. Site Plan
- 3. Draft Resolution granting a two-year time extension
- 4. Mail and Newspaper Affidavits





RESOLUTION NO:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT A TWO-YEAR TIME EXTENSION  
FOR PLANNED DEVELOPMENT 01-025 & CONDITIONAL USE PERMIT 01-017  
ENTRADA DE PASO ROBLES, 3830 STATE ROUTE 46 EAST  
APNs: 025-436-011 & 040 & 004

WHEREAS, a two-year time extension request for Planned Development 01-025 & CUP 01-017, has been filed by Ken Hunter on behalf of Entrada de Paso Robles, LLC; and

WHEREAS, the site is located at 3830 Highway 46 East (386-acre area bounded by Hwy 46 East on the South, Dry Creek Road on the North, and Airport Road on the West); and

WHEREAS, the original project, Black Ranch Resort, was originally approved by the Planning Commission in February 2004, and subsequent time extensions have been approved since that time; and

WHEREAS, the Planning Commission approved an amendment of the original project entitlements (PD 01-025 & CUP 01-017) on May 13, 2014, and the project is now referred to as “Entrada de Paso Robles”; and

WHEREAS, the Entrada de Paso Robles project consists of the development of a resort complex with 200 hotel rooms and 80 casitas, an outdoor destination garden-themed attraction, “Discovery Gardens”, and other ancillary uses; and

WHEREAS, the amended project entitlements will expire on May 13, 2016, unless the applicant initiates construction or a time extension is approved by the Planning Commission; and

WHEREAS, the applicant is diligently working with the California Department of Fish and Wildlife (CDFW) to implement a required mitigation strategy for potential impacts to the San Joaquin Kit Fox; and

WHEREAS, the Planning Commission is empowered through the Zoning Code to approve development plans and their related Time Extension requests; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 22, 2016 to consider facts as presented in the staff report prepared for this time extension request, and to accept public testimony regarding the extension; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant a two-year time extension for PD 01-025 & CUP 01-017 (APNs: 025-431-044 & 045 & 049), subject to the following conditions:

1. All conditions adopted and applicable to PD 01-025 & CUP 01-017 for the project, as amended, shall remain in full force and effect (on file in the Community Development Department).
2. Planned Development 01-025 and CUP 01-017 shall expire on March 22, 2018, unless construction of the project has commenced, or a time extension request is filed prior to that date.

PASSED AND ADOPTED THIS 22nd day of March 2016 by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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BOB ROLLINS, CHAIRMAN

ATTEST:

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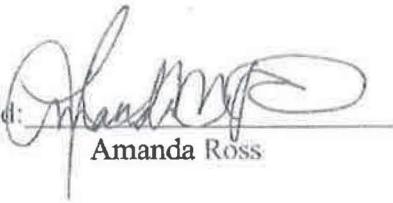
WARREN FRACE, PLANNING COMMISSION SECRETARY

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Amanda Ross, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for the Two-Year Time Extension for amendments to the previously approved project, the Black Ranch Resort, located at 38930 State Route 46 East, on this 9th day of March, 2016.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_

  
Amanda Ross

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION  
PROJECT NOTICING

Newspaper: The Tribune

Date of Publication: 03/11/16

Meeting Date: 03/22/16  
Planning Commission

Project: Planned Development Amendment – PD 01-025, CUP 01-017, PR 13-0102 and OTR 14-003

I, Monica C Hollenbeck, employee of the Community Development Department, Engineering Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: Monica C Hollenbeck  
Monica C Hollenbeck

CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARING  
FOR A TIME EXTENSION REQUEST

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider a request for a 2-year time extension for the following project:

Planned Development Amendment (PD 01-025), Conditional Use Permit Amendment (CUP 01-017), Lot Line Adjustment (PR 13-0102), and Oak Tree Removal Permit (OTR 14-003), for "Entrada de Paso Robles, APNs: 025-431-044, -045, -049, located at 3830 State Route 46 East, Applicant - Ken Hunter.

Development of a 200-room hotel, 80 casitas guest units, conference center and ancillary uses, and an outdoor garden-themed exhibition park attraction - the "Discovery Gardens", a wine center, and a 3-hole "golf academy".

The prior approved project included a 27-hole golf course. The golf course is proposed to be eliminated, and replaced with a "garden-themed" destination park attraction. The garden park would have a reduced development footprint than the prior golf course.

The Planning Commission meeting will be held on March 22, 2016 at 6:30 pm, in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at [planning@prcity.com](mailto:planning@prcity.com). Comments on the proposed Time Extension may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to [planning@prcity.com](mailto:planning@prcity.com) provided that such comments are received prior to the time of the hearing.

If you challenge the time extension in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Susan DeCarli, City Planner  
March 11, 2016

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