

TO: Planning Commission

FROM: Warren Frace, Community Development Director

SUBJECT: Time Extension Request for Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and Mitigated Negative Declaration for the Marriott Residence Inn at 121 Wilmar Place, APN: 009-631-011, Applicant: Cenco/Excel LLC

DATE: May 10, 2016

Needs: For the Planning Commission to consider an application submitted by Steve Sahadi on behalf of Cenco/Excel, LLC, requesting a two-year time extension for Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and a Mitigated Negative Declaration.

Facts:

1. The project is located at 121 Wilmar Place, Paso Robles. See Attachment 1, Vicinity Map.
2. The Marriott Residence Inn project includes development of an extended-stay, 4-story, 128-room hotel and associated uses. The approval of entitlements includes an exception to exceed the 50-foot height limit in the Commercial Highway-Planned Development (C2-PD) zoning district.
3. These entitlements were approved by the City Council on June 17, 2014.
4. The entitlements for this project have been the subject of a lawsuit, which is still on-going. Therefore, due to events beyond the applicant's control, the project has not been able to begin construction and the applicant requests a Time Extension be approved by the Planning Commission.
5. In accordance with Zoning Code, Section 21.23B.15 Time Limit on Approval, this request for a time extension was filed on April 14, 2016, prior to the date the entitlement would expire on June 17, 2016. With the approval of this 2-year time extension the entitlements would be extended to June 17, 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 entitlement approval in 2014 that would impact the prior approvals of this project or the conditions that were imposed with it.

Policy

Reference: General Plan Land Use Element, Zoning Code.

Fiscal

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

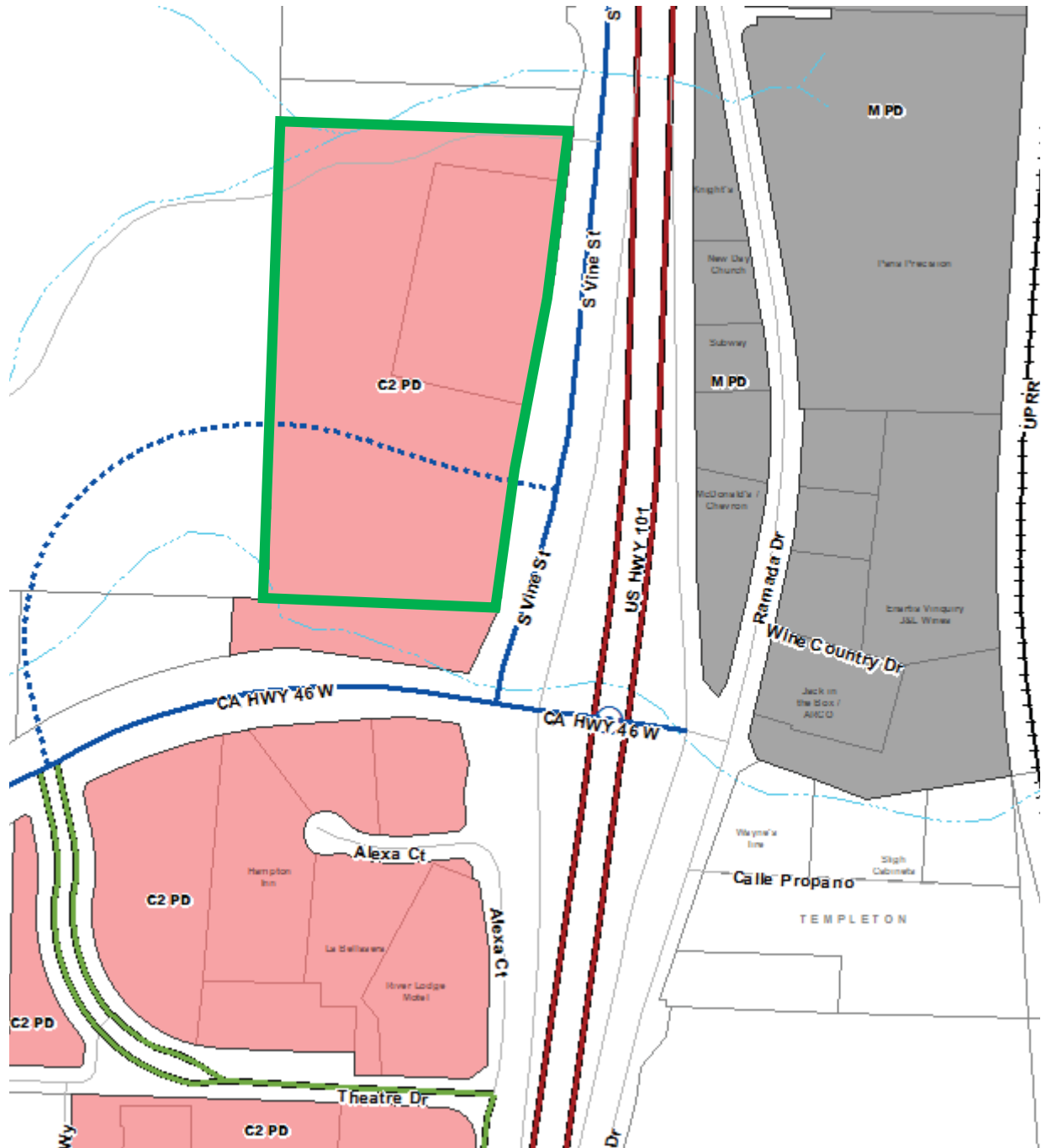
Options: After consideration of the staff report and public testimony, the Planning Commission should consider one of the following options:

- a. Adopt a resolution granting a two-year time extension for Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, extending the entitlements to June 17, 2018; or
- b. Amend, modify or reject the above noted options; or
- c. Refer this item back to staff for additional analysis; or
- d. Deny this Time Extension request.

Attachments:

- 1. Location Map
- 2. Site Plan/Elevations
- 3. Draft Resolution granting a two-year time extension
- 4. Zoning Code, Section 21.23B.15 Time Limit on Approval
- 5. Mail and Newspaper Affidavits

Vicinity Map





MARRIOTT RESIDENCE INN
PASADENAS CALIFORNIA

PERSPECTIVE VIEW



A8.0

DATE: 10/20/11
JOB NO: 1332

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 13-005, TENTATIVE PARCEL MAP PR 13-0109,
OAK TREE REMOVAL 13-008, AND MITIGATED NEGATIVE DECLARATION
FOR THE MARRIOTT RESIDENCE INN AT 121 WILMAR PLACE,
APN: 009-631-011, APPLICANT: CENCO/EXCEL LLC

WHEREAS, a two-year time extension request for Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and Mitigated Negative Declaration for the Marriott Residence Inn has been filed by Stephen Sahadi on behalf of Cenco/Excel LLC; and

WHEREAS, the site is located at 121 Wilmar Place, Paso Robles; and

WHEREAS, the Planning Commission approved of the project entitlements for Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and Mitigated Negative Declaration on June 17, 2014; and

WHEREAS, the Marriott Residence Inn project includes development of an extended-stay, 4-story, 128-room hotel and associated uses. The approval of entitlements includes an exception to exceed the 50-foot height limit in the Commercial Highway-Planned Development (C2-PD) zoning district; and

WHEREAS, the amended project entitlements will expire on June 17, 2016, unless the applicant initiates construction or a time extension is approved by the Planning Commission; and

WHEREAS, development of the project has been delayed since it has been in an ongoing lawsuit beyond the applicant's control; and

WHEREAS, the Planning Commission is empowered through Zoning Code, Section 21.23B.15 Time Limit on Approval Zoning Code, to approve development plans and their related Time Extension requests; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 10, 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 Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and Mitigated Negative Declaration, subject to the following conditions:

1. All conditions adopted and applicable to Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and Mitigated Negative Declaration for the project, shall remain in full force and effect (on file in the Community Development Department).
2. Planned Development 13-005, Tentative Parcel Map PR 13-0109, Oak Tree Removal 13-008, and Mitigated Negative Declaration shall expire on June 17, 2018, unless construction of the project has commenced, or a time extension request is filed prior to that date.

PASSED AND ADOPTED THIS 10th day of May 2016 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

BOB ROLLINS, CHAIRMAN

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

21.23B.150 - Time limit on approval.

A.

Approval of development plans, site plans and plot plans shall be valid for a period of not more than two years following the date of approval. Development plans approved concurrently with a tentative tract or parcel map shall have the same expiration time period as the tentative map. If, at the end of a two-year period, one of the situations listed below has occurred, said approval shall become invalid.

1.

A building or grading permit has not been issued; or

2.

A building or grading permit has been issued but construction or grading has not commenced within one hundred eighty days of the issuance; or

3.

A building or grading permit has been issued and construction or grading has commenced but has subsequently lapsed for a period of one hundred eighty days; or

4.

A written request for a time extension request and the applicable fee have not been received; or

5.

A tentative tract or parcel map associated with the development plan, site plan, or plot plan has expired.

B.

Time extensions, not exceeding two years per extension, may be granted by the authority (planning commission, development review committee, or community development director) that originally granted approval if a written request and applicable fee have been submitted to the community development department no later than the date of expiration of approval.

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

I, Susan DeCarli, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for the Marriott Residence Inn, PD 13-005, TPM PR 13-0109, and OTR 13-008, and MND request on this 27th day of April, 2016.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____
Susan DeCarli

RECEIVED

MAY 03 2016

City of Paso Robles
Community Development Dept.

THE *Newspaper of the Central Coast*
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 2403136
CITY OF PASO ROBLES

STATE OF CALIFORNIA

ss.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; APRIL 29, 2016, that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.


(Signature of Principal Clerk)

DATED: APRIL 29, 2016

AD COST: \$174.24

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 1-year time extension for Planned Development 13-005, Tentative Parcel map 13-0109, and Oak Tree Removal 13-008. The project location is 121 Wilmar Place, Paso Robles, APN 009-631-011. The applicant is Excel Paso Robles, LP.

Project Description:

- **Development Plan:** to establish a 128-room, 98,500 s.f., extended-stay hotel with guest breakfast dining room, business center and outdoor patio and pool facilities. The proposal includes a request to exceed the 50 foot building height limit in the C2-PD zone.
- **Tentative Parcel Map:** a lot split to subdivide the existing 12.6 acres into 1 parcel that would be 3.17 acres for the hotel site, and a "remainder" lot of 9.44 acres.
- **Oak Tree Removal Permit:** to remove 5 oaks trees.

The Planning Commission meeting will be held on May 10, 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. 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 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
April 29, 2016

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