

RESOLUTION NO.: 01-039
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE A ONE YEAR EXTENSION OF TIME TO THE
APPROVALS FOR PLANNED DEVELOPMENT 96002
AND CONDITIONAL USE PERMIT 96004
(HUERHUERO GOLF COURSE PROJECT)
(APPLICANT: RICHARD J. WOODLAND)

WHEREAS, Richard J. Woodland has filed a request to extend the current approvals for Planned Development 96002 and Conditional Use Permit 96004 that would otherwise expire on June 8, 2001, and

WHEREAS, by way of background: on July of 1995, Kenneth H. Hunter had filed the original applications for the development of approximately 221 acres of land as an 18 hole championship golf course with driving range, parking lot, clubhouse/pro-shop, snackbar/restaurant, man-made lake, and maintenance/caretaker's facility, and

WHEREAS, the project is located to the west of Airport Road, to the north of Highway 46 East and straddles the Huerhuero River, and

WHEREAS, a Draft Environmental Impact Report was prepared in 1996 to address potential project impacts and that document was circulated for public comment, and responses to public comments were generated, and a Final Environmental Impact Report was subsequently certified by both the Planning Commission and City Council for this project on November 12, 1996 and December 6, 1996, respectively, and

WHEREAS, at those hearings the Planning Commission and City Council adopted findings in accordance with the California Environmental Quality Act and adopted a statement of overriding consideration based on benefits of the proposed project, and

WHEREAS, the Planning Commission held a public hearing on November 12, 1996 and at that meeting adopted Resolutions granting approval to Planned Development 96002 and Conditional Use Permit 96004 along with an environmental mitigation monitoring program, and

WHEREAS, the City Council held a public hearing on December 6, 1996 and at that meeting approved the General Plan and Rezone applications that established the Parks and Open space land use and zoning designations necessary to conditionally allow the golf course development and operation, and

WHEREAS, the Planned Development and Conditional Use Permit entitlements were approved for a two year period of time, and

WHEREAS, the applicant at the time did not exercise the entitlements within the initially approved two year time frame and the project approvals expired, and

WHEREAS, the applicant at the time, Kenneth H. Hunter, Jr., filed an application requesting to reactivate the original Planned Development and Conditional Use Permit entitlements for the aforementioned golf course project (with no changes to the original project description), and

WHEREAS, at that time, there were no significant changes to the City's codes, to the environmental setting, or to the project itself, that would warrant new environmental analysis or change and/or additions to previously established environmental mitigation measures and project conditions, and

WHEREAS, a public hearing was conducted by the Planning Commission on June 8, 1999 which resulted in an action to adopt Resolution 99-039 approving the reactivation of the entitlements for Planned Development 96002 and Conditional Use Permit 96004, and

WHEREAS, these application approvals will expire on June 8, 2001 unless an extension of time is granted by the Planning Commission in accordance with the zoning code provisions, and

WHEREAS, the current owner of the property, Mr. Richard J. Woodland filed a formal request for time extension on March 21, 2001 for an extension of time to the current entitlements, and

WHEREAS, there have been no changes in the physical environment, project setting, or the project itself since June 8, 1999, but there have been changes to City policies as they relate to projects being required to more fully cover project-related infrastructure impacts, and

WHEREAS, the City staff has analyzed the applicant's time extension request in the context of changes in policies and standards that have occurred within the City since the June 8, 1999 project approval, and

WHEREAS, with the addition of conditions that require the applicant to participate in Airport Road frontage improvements, proportional share of Airport Road improvements (off-site), and proportional share of future sewer construction costs, the extension of the project entitlements could be found consistent with current city standards and policies, and

WHEREAS, on April 24, 2001 the Planning Commission held a public hearing to consider this time extension request, and to accept public testimony regarding these proposed development plan and conditional use permit applications, and

WHEREAS, based upon the facts and analysis presented in the staff reports and public testimony received, the Planning Commission makes the following findings:

1. There have been no significant changes to the project description or the environmental setting of the project that would affect the accuracy and adequacy of the certified Environmental Impact Report previously prepared for this project, and therefore no additional or supplemental environmental documentation is required in conjunction with the project reactivation request.
2. All findings contained in the attached resolutions 96-068, 96-069 and 96-070 are still appropriate and applicable for this project.

3. There have been changes to City policy and standards since June 8, 1999 relating to new development's participation in infrastructure responsibilities. Such changes would necessitate the addition of new specific conditions to this project, requiring the development to off-set its portion of impacts to City infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve an extension of entitlements of approval for Planned Development 96002 and Conditional Use Permit 96004 subject to the following conditions:

1. The approval of time extension for Planned Development 96002 and Conditional Use Permit 96004 authorizes the project entitlements to be valid through June 8, 2002. The entitlements shall expire on that date unless a time extension is filed with the Community Development Department prior to expiration.
2. Prior to occupancy, the developer shall bond for the construction of Airport Road improvements for the length of the parcel frontage based on an arterial road half street section. In the event the City Council approves an alternative street section for Airport Road, the construction bond shall then be based on the alternative arterial road street section.
3. Once there is a completed conceptual design for Airport Road, the City will notify the applicant in writing, who will then have 12 months to complete the installation of the Airport Road improvements along the project frontage. Final design of said improvements, along with appropriate tapers, striping, and turning geometry, shall be subject to approval by the City Engineer.
4. Prior to issuance of building permits, the developer shall enter into an agreement to not protest the future formation of an assessment district for the installation of sewer related facilities in Airport Road to serve this and adjoining properties. The agreement shall be in a form approved by the City Attorney. The applicant shall pay his pro-rata share based on benefit to the project.
5. Prior to issuance of building permits, the developer shall enter into an agreement to not protest the formation of an assessment district to construct future improvements on Airport Road (off-site). The agreement shall be in a form approved by the City Attorney. The applicant shall pay his pro-rata share based on benefit to the project.
6. The applicant shall comply with all environmental mitigation measures contained in Planning Commission Resolution 96-068, attached as exhibit "A" to this resolution.
7. The applicant shall comply with all standard and site specific conditions contained in Planning Commission Resolution 96-069, attached as exhibit "B" to this resolution.
8. The applicant shall comply with all standard and site specific conditions contained in Planning Commission Resolution 96-070, attached as exhibit "C" to this resolution.

PASSED AND ADOPTED THIS 24th day of April, 2001 by the following Roll Call Vote:

AYES: CALLOWAY, JOHNSON, MCCARTHY, NICKLAS, STEINBECK,
TASCONA, WARNKE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CHAIRMAN, RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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