

RESOLUTION NO. 14-017

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT AMENDMENT 01-017
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER
ENTRADA DE PASO ROBLES**

WHEREAS, an amendment to Conditional Use Permit 01-017 has been filed by Ken Hunter; and

WHEREAS, this application includes a proposal to modify the previously approved Master Site Plan and certain land uses. The proposal includes maintaining the entitlement of a 200-room hotel, 80 casitas guest units, conference center, hotel restaurant, and wine center. Specific modifications include eliminating the 27-hole golf course and replacing it with a destination garden-themed attraction “Discovery Gardens”, café at the gardens, ornamental landscaping production area, 18-acre vineyard, and a 3-hole golf academy; and

WHEREAS, the project is consistent with the General Plan land use designation and Zoning of Parks and Open Space (POS) and Agriculture (AG), the Paso Robles Airport Land Use Plan, Economic Strategy, and the Gateway Design Standards; and

WHEREAS, an amendment to Planned Development 01-025 has been filed in conjunction with this Conditional Use Permit Amendment to allow establishment of the Discovery Gardens, golf academy, hotel, conference center and ancillary uses; and

WHEREAS, applications for a Lot Line Adjustment (PR 13-0102) and an Oak Tree Removal Permit (OTR 14-003) have been submitted concurrently with amendments to the Planned Development (PD 01-025 and Conditional Use Permit (CUP 01-017); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 13, 2014 on this project to accept public testimony on the proposed amendments to PD 01-025 and CUP 01-017, and LLA PR 13-0102, and OTR 14-003; and

WHEREAS, any oak tree removals requested to accommodate the proposed development site plan shall be approved by the City Council, and oak tree replacements shall be established in compliance with the City’s Oak Tree Preservation Ordinance; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City’s Procedures for Implementing CEQA, an Addendum to the adopted Mitigated Negative Declaration was prepared and has been added to the Mitigated Negative Declaration environmental document of record, which is considered under a separate resolution; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established in this resolution:
2. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall

first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public health, safety and welfare, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.

3. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
4. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
5. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDTIONS

6. The applicant shall comply with all applicable noise and nuisance regulations, including the General Plan Noise Element standards and the Municipal Code.
7. The project proponent shall connect to the City's recycled water system for non-potable water supply for site irrigation when it becomes available and is offered to the applicant.
8. Consistent with Table 5 in the Airport Land Use Plan, project operations may not exceed the maximum non-residential land use densities and minimum required open space. For property in Airport Safety Zone 3, no more than 60 persons (average) per acre may be permitted, with a maximum of 120 persons per single acre of land. For property in Airport Safety Zone 5, no more than 150 persons (average) per acre may be permitted, with a maximum of 450 persons per single acre of land.

PASSED AND ADOPTED THIS 13th day of May, 2014 by the following Roll Call Vote:

AYES:
NOES:
ABSENT:
ABSTAIN:



CHAIRMAN DOUG BARTH

ATTEST:



ED GALLAGHER, PLANNING COMMISSION SECRETARY