

TO: James L. App, City Manager
FROM: Robert A. Lata, Community Development Director
SUBJECT: Street Abandonment 03-002 (Wyatt)
Portion of 12th Street at Paso Robles Street
DATE: September 16, 2003

Needs: For the City Council to consider adopting a "Resolution of Intent" to abandon an unimproved 80-foot wide portion of 12th Street right-of-way between Paso Robles Street and State Highway 101 as shown on the attached exhibit "A".

Facts:

1. The Planning Commission at their meeting of August 26, 2003 recommended approval of the abandonment request subject to conditions of approval.
2. The abandonment request was submitted by Gregg Wyatt. The purpose of the request is to eliminate the requirement for street improvements on this portion of 12th Street as conditioned by the Planning Commission in their approval of Conditional Use Permit (CUP) 02-001 and to provide parking for his building on Paso Robles Street (Assessor Parcel Number 009-111-005).

**Analysis
and
Conclusion**

The request was found to be consistent with the Streets and Highway Code and the City's General Plan. Emergency Services Staff has not raised any concerns regarding the proposed abandonment.

The Streets and Utility Committee has recommended approval.

The Planning Commission recommends approval of the proposed street abandonment subject to revising the conditions of approval of CUP 02-001 to delete improvements to 12th Street and to require the applicant to construct improvements to Paso Robles Street across the frontage of the right-of-way to be abandoned.

The entire 80-foot wide portion of right-of-way proposed for abandonment will be retained as an easement for City sewer and water lines and for other public services.

**Policy
Reference:** Streets and Highway Code

**Fiscal
Impact:** None

Options:

- a. Adopt Resolution of Intent No. 03-xx abandoning a portion of 12th Street between Paso Robles Street and State Highway 101 as shown on the Exhibit "A" and setting October 21, 2003, in the Paso Robles City Hall, 1000 Spring Street, for public hearing for all persons interested or having objection to the proposed closing.
- b. Amend, modify or reject the above option.

Attachments: (2)

1. Resolution of Intent
2. Exhibit "A"
3. Mail and News Noticing Affidavits

RESOLUTION NO. 03-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
PROVIDING NOTICE OF INTENTION FOR VACATING AN UNIMPROVED PORTION
OF 12th STREET AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING
(WYATT)

WHEREAS, The Street and Utilities Committee has recommended approval; and

WHEREAS, The Planning Commission at their meeting of August 26, 2003 recommended approval of the abandonment request subject to conditions; and

WHEREAS, the abandonment request was submitted by the applicant to eliminate the requirement to construct street improvements on this portion of 12th Street and to provide parking for their building on adjacent property; and

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That it is the intention of the City Council of the City of Paso Robles to close and vacate an 80-foot wide portion of 12th Street right-of-way more particularly described as:

SEE EXHIBIT "A"
2. For further particulars as to the proposed vacation, reference is thereby made to a map and plan now on file in the office of the City Clerk of the City of Paso Robles.
3. That October 21, 2003, at the hour of 7:30 P. M., on said date in the Paso Robles City Hall, 1000 Spring Street, Paso Robles, California, is the time and place set forth for hearing all persons interested or having objection to the proposed closing.
4. That the City Engineer of the City of Paso Robles be and is hereby directed to cause a copy of this Resolution of Intention to be published fifteen (15) days prior to the date set herein for hearing in a newspaper of general circulation, published and circulated in the City of Paso Robles, California.
5. The City Engineer of the City of Paso Robles be and is hereby directed to cause a notice of the passage of this Resolution of Intention and the time and place for hearing hereon by conspicuously posting notices thereof along the line of the right-of-way to be vacated.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16th day of September 2003 by the following vote:

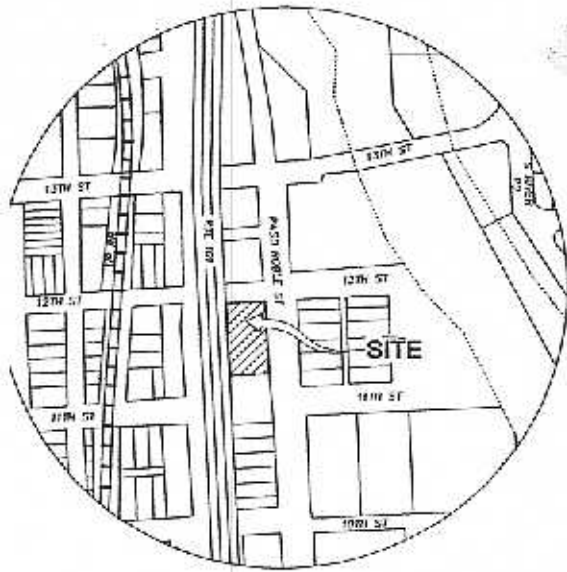
AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

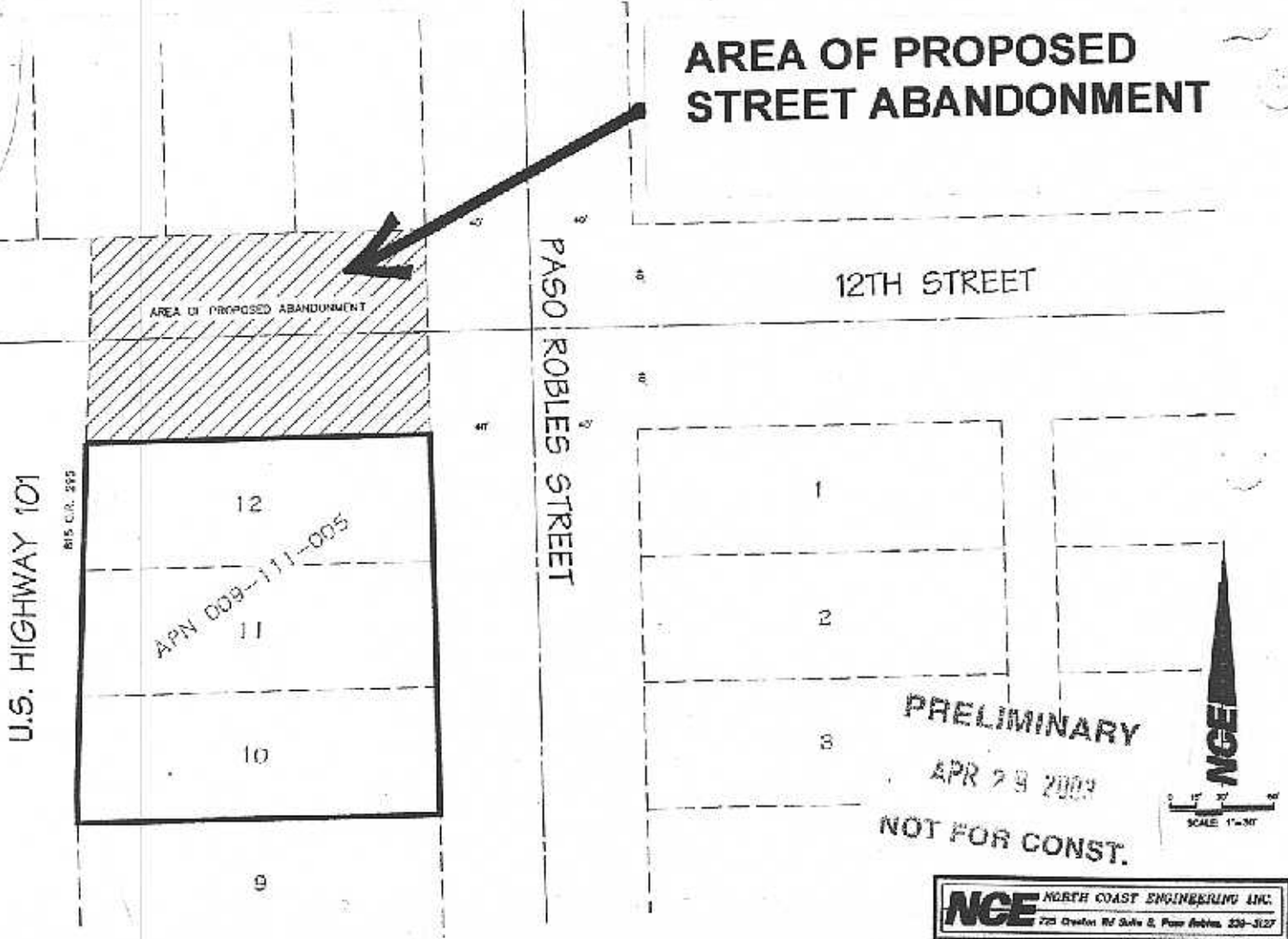
Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT "A"
FOR
RESOLUTION OF INTENT



VICINITY MAP

AREA OF PROPOSED
STREET ABANDONMENT



PRELIMINARY
APR 29 2003
NOT FOR CONST.

NCE NORTH COAST ENGINEERING INC.
725 Ocean Rd Suite 2, Paso Robles, 239-5127

**AFFIDAVIT
OF MAIL NOTICES**

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Street Abandonment 03-002 and Amendment to Conditional Use Permit 02-001 (Wyatt) on this 12th day of August 2003.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____



Lonnie Dolan

Legal Notice

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Paso Robles Press

Date of Publication: August 13, 2003

Meeting Date: August 26, 2003
(Planning Commission)
September 16, 2003
(City Council)

Project: Street Abandonment 03-002
Conditional Use Permit 02-001
Amendment (Wyatt)

I, Lonnie Dolan, employee of the Community Development Department, Planning 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: 
Lonnie Dolan

City of El Paso De Robles
Notice of Public Hearing
NOTICE IS HEREBY GIVEN
that the City of El Paso de Robles will be holding a public hearing of the Planning Commission and the City Council on Tuesday, August 26, 2003 and Tuesday, September 16, 2003 respectively, to consider: Street Abandonment 03-002, filed by Mr. Greg Wyatt, seeking to abandon 12th Street from Paso Robles Street to U.S. Highway 101 right-of-way.
Amendment of Conditional Use Permit 02-001 for an Automotive Repair Shop at 1123 12th Street, filed by Mr. Greg Wyatt, seeking removal of Standard Condition F6 requiring the dedication and improvement of 12th Street and Site Specific Condition No. 7 requiring construction of a City Standard handicap ramp at the intersection of Paso Robles Street and 12th Street. (If 12th Street is abandoned, the required street improvements will not be necessary; the area of the abandonment will continue to be used for on-site parking.)
Each public hearing on the proposal will be held beginning at the hour of 7:30 p.m. in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, CA 92446. Background information may be reviewed in the Community Development Department at Paso Robles Library/City Hall. Copies of the staff report on this matter will be available for review on the Thursday preceding each hearing.
All interested persons are invited to comment by written response prior to the public hearings or by oral testimony at the hearings. If you challenge any aspect of this proposal in court, the challenge may be limited to those issues you or someone else raised at the public hearings described in this Notice, or in written correspondence delivered at, or prior to, the public hearings. For additional information, call Tina Ryder at (805) 237-3970.