

TO: JAMES L. APP, CITY MANAGER

FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT OF THE CIRCULATION ELEMENT;
SPECIFIC PLAN AMENDMENT 03-003 OF THE UNION/46 SPECIFIC
PLAN AND AMENDMENT OF TENTATIVE TRACT 2369 AND PD 00-
003 CONDITIONS OF APPROVAL, PROPOSING TO ELIMINATE THE
PLANNED CONNECTION OF STREET 'A' TO NORTH RIVER ROAD
(APPLICANT'S REPRESENTATIVE - NORTH COAST ENGINEERING
FOR FRANK ARCIERO)

DATE: APRIL 19, 2005

Needs: For the City Council to *reconsider* the applicant's request that the Circulation Element, Figure CE-1 and the Union/46 Specific Plan, Map 3.2 be amended to eliminate the planned connection of 'A' Street (Montebello Oaks Drive) to North River Road, and other associated planning amendments. Four alternative locations for 'A' Street to connect to North Rive Road are provided and analyzed as to feasibility.

Facts:

1. The Union/46 Specific Plan was approved by the City Council on March 1, 1988 (Resolution No. 88-12). This Plan includes a circulation system map that identifies the extension location of 'A' Street (Montebello Oaks Drive) to North River Road.
2. On February 15, 2005, the applicant requested the City Council approve of modifications to the Circulation Element and Circulation System of the Union/46 Specific Plan to delete the planned connection of 'A' Street (Montebello Oaks Drive) to North River Road, and Conditions of Approval that pertain to it.
3. The City Council denied the applicant's request to eliminate 'A' Street, and requested the applicant conduct a more thorough evaluation of alternative street connections.
4. The applicant analyzed four additional alternative locations to accommodate the 'A' Street connection. The alternatives analysis is provided in Attachment 1.

Analysis
and

Conclusion: Pursuant to the City Council's request, the applicant has conducted an analysis of other locations where a road could potentially connect the west side of Tract 2369 to North River Road. The Council should note that the applicant did not analyze alternatives that would connect to roads north or east, since connections in those directions would not meet the objectives of moving traffic flow toward activity areas of the city. Furthermore, the traffic studies that accompanied the environmental analysis of this proposal indicate that redirected traffic flow in those directions would be minimal.

In general, the alternatives include:

- 1) aligning the road on the north side of the canyon where 'A' Street is currently planned to be located;
- 2) providing a connection from the west end of Kleck Road across the O'Kelly and Requa properties;
- 3) an extension from the end of Kleck Road north, through O'Kelly's property and down through the Cary and Pacheco properties;
- 4) and also from the end of Vista Oaks Drive extending down to North River Road across the Cary and Pacheco properties.

All of the alternatives would avoid the need for individual Army Corp permits, however they also would require condemnation of private property, require significant cut and fill slopes to accommodate a minimum 15 percent slope, and significantly necessitate oak tree removals.

The Planning Commission recommended approval of this request to the City Council on January 25, 2005, on a 5 to 1 vote, with one Commissioner abstaining.

Policy

Reference: General Plan; Union/46 Specific Plan; Municipal / Zoning Code.

Fiscal

Impact: No direct fiscal impacts have been identified.

Options: After considering the public testimony received, the City Council will be asked to select one of the following options:

- a. (1) Adopt Resolution No. 05-xx approving a Negative Declaration for Amendments to the Circulation Element Figure CE-1, Specific Plan 03-003 Map 3.2, Tentative Tract 2369 and PD 00-003 Conditions of Approval.
- (2) Adopt Resolution No. 05-xx approving an amendment to the Circulation Element modifying Figure CE-1 eliminating the 'A' Street connection to North River Road, Specific Plan Amendment 03-003 modifying Map 3.2, and amending the associated Conditions of Approval Tentative Tract 2369 and PD 00-003.
- b. Deny the Applicant's request.
- c. Amend, modify, or reject the above options.

Attachments:

- 1 – 'A' Street Alternative Analysis (Public review copy on file with the City Clerk)
- 2 – Resolution 05- and 05-
- 3 – Public Mail Affidavit and News Notice

RESOLUTION NO:
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR AMENDMENTS TO THE GENERAL
PLAN CIRCULATION ELEMENT, THE UNION/46 SPECIFIC PLAN, AND THE CONDITIONS OF
APPROVAL OF TENTATIVE TRACT 2369 AND PD 00-003
(NORTH COAST ENGINEERING FOR FRANK ARCIERO)

WHEREAS, an application requesting amendments to the Circulation Element, Figure CE-1 and Map 3.2, Circulation System Streets and Trails, of the Union/46 Specific Plan to delete the planned connection of "A" Street to North River Road and conditions of approval pertaining to this change in Tentative Tract 2369 and PD 00-003; has been filed by North Coast Engineering for Frank Arciero; and

WHEREAS, the reasons for the applicant's request is to avoid having a significant impact on the existing topography, the oak woodlands area, the blueline stream, grading, and aesthetics; and

WHEREAS, Specific Plan Amendment 03-003 covers properties in the Union/46 Specific Plan area including properties located south of Highway 46 East, west of Prospect Avenue, north of Union Road, and east of North River Road; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, at its meetings on August 13, 2003 and January 25, 2005 meeting, the Planning Commission held a duly noticed public hearings and on February 15, 2005 the City Council held a duly noticed public hearing to accept public testimony on this project and the environmental determination thereof; and

WHEREAS, public notice of intent to adopt a Mitigated Negative Declaration was distributed as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information and analysis contained in the Initial Study and the attachments thereto, a determination has been made that amendments to the Circulation Element, Figure CE-1 and Map 3.2, Circulation System Streets and Trails, of the Union/46 Specific Plan to delete the planned connection of "A" Street to North River Road and conditions of approval pertaining to this change in Tentative Tract 2369 and PD 00-003 qualifies for adoption of a Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, based on its independent judgment, that it does hereby adopt a Mitigated Negative Declaration and Mitigation Measures in Exhibit A, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA , based on the following finding:

The amendments to the Circulation Element, Figure CE-1 and Map 3.2, Circulation System Streets and Trails, of the Union/46 Specific Plan to delete the planned connection of "A" Street to North River Road and conditions of approval pertaining to this change in Tentative Tract 2369 and PD 00-003 will not result in a significant impact on the environment. This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the City Council (including the Initial Study, the Staff Report and attachments thereto, and any public comments or testimony received thereon).

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of April 2005 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

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 Amendments to the Union/46 Specific Plan, General Plan, Tract 2369 and Planned Development 00-003 -- Elimination of the 'A' Street West Connection (Arciero/North Coast Engineering) on this 7th day of April 2005.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

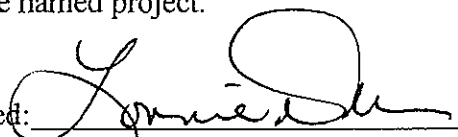
Date of Publication: April 6, 2005

Meeting Date: April 19, 2005
(City Council)

Project: Amendment to U/46 Specific
Plan, General Plan Circulation
Element and Conditions of
Approval for Tract 2369 and
Planned Development 03-003
(Arciero/NCE - "A" Street)

**CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING**
NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, April 19, 2005, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to reconsider the following project:
Amendments to the Union/46 Specific Plan, General Plan Circulation Element, and Conditions of Approval for Tract 2369 and Planned Development 03-003. A request filed by North Coast Engineering for Frank Arciero, to eliminate the "A" Street planned west connection to North River Road.
The staff report regarding the proposed amendments may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.
Written comments on the proposed Amendments may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan Zaleschuk at (805) 237-3970.
If you challenge the Amendments 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 to written correspondence delivered to the City Council at or prior to the public hearing.
Susan Zaleschuk, AICP
City Planner
April 6, 2005 6162930

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

**ALL ATTACHMENTS TO THIS STAFF REPORT MAY NOT BE AVAILABLE
IN DIGITAL FORMAT FOR VIEWING ON-LINE.**

A hard-copy of the complete agenda packet, along with all staff reports, exhibits and attachments, is available for review in the City Clerk's Office.

**Packets are also available for loan from the City Library,
beginning on the Friday before each Council meeting.**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING AMENDMENTS TO THE GENERAL PLAN CIRCULATION ELEMENT,
UNION/46 SPECIFIC PLAN, AND CONDITIONS OF APPROVAL FOR TENTATIVE
TRACT 2369 AND PLANNED DEVELOPMENT 00-003, TO ELIMINATE THE PLANNED
WEST CONNECTION OF "A" STREET TO NORTH RIVER ROAD
(APPLICANT'S REPRESENTATIVE – NORTH COAST ENGINEERING
FOR FRANK ARCIERO)

WHEREAS, an application requesting amendments to the Circulation Element, Figure CE-1 and Map 3.2, Circulation System Streets and Trails, of the Union/46 Specific Plan to delete the planned connection of "A" Street to North River Road and conditions of approval pertaining to this change in Tentative Tract 2369 and PD 00-003; has been filed by North Coast Engineering for Frank Arciero; and

WHEREAS, elimination of the planned west connection of "A" Street will be an environmentally superior alternative to installing this road, and will lessen site impacts and not require the removal of over 100 oak trees, or result in impacts to an oak woodland and wildlife habitat; and

WHEREAS, elimination of the planned west connection of "A" Street would be a benefit to potential storm water quality impacts and erosion, would not require impacting a blueline stream, and would not result in negative aesthetic impacts from grading and construction of retaining walls, than if the road were to be constructed; and

WHEREAS, two independent traffic studies evaluated potential traffic impacts from elimination of the west connection of "A" Street, and determined that it would not result in significant traffic impacts on the surrounding neighborhood circulation and safety; and

WHEREAS, this Resolution deletes the following Conditions of Approval from Tentative Tract Map 2369 as follows: Engineering Site Specific Conditions 26, 34, 44, 45, and 46; and Standard Condition of Approval, Condition 5 regarding *offer to dedicate and improve "A" Street on-site and off-site*, shall be "null and void".

WHEREAS, new conditions of approval are added to Tentative Tract Map 2369, which are included in Engineering Site Specific Conditions; and

WHEREAS, mitigation measures are incorporated into the environmental document that requires payment of the pro rata share of road improvement fees to Union Road that will result from the elimination of "A" Street, and the development, implementation and construction of a traffic calming program on Skyview Drive; and

WHEREAS, the City of Paso Robles Emergency Services Department does not oppose the elimination of the "A" Street connection to North River Road; and

WHEREAS, the Planning Commission held a duly noticed public hearings on August 13, 2003 and January 25, 2005, and City Council held a duly noticed public hearing February 15, 2005 on these amendments, to accept public testimony on this application and associated environmental review and recommended approval of the applicant's request; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed project will not result in significant environmental impacts and it is appropriate for the City Council to adopt a Mitigated Negative Declaration, which is included in 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 City Council makes the following findings:

1. The project, including amendments to the General Plan and Union/46 Specific Plan, is consistent with the adopted codes, policies, standards and plans of the City; and
2. The project will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and
3. The project accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; and
4. The project is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
5. The project is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
6. The project contributes to the orderly development of the City as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve of this project, subject to the following conditions:

ENGINEERING SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

1. The applicant shall provide a study of options for traffic calming on Skyview Drive prior to issuance of building permits. The applicant shall also provide a bond in an amount subject to approval by the City Engineer for the installation of traffic calming measures prior to recording the Final Map for Tract 2369, Phase 4. Said traffic calming measures required by City Council shall be constructed prior to occupancy of the first dwelling unit in Phases 4 of Tract 2369.
2. Prior to recording of the Final Map for Tract 2369, Phase 4 the applicant shall participate in a share of the cost of improvements to Union Road from North River Road to Skyview Drive as mitigation for increased traffic as a result of the elimination of "A" Street. This share shall be over and above the Union-46 specific plan fees. The amount of the shares shall be determined by the volume of increased traffic on Union Road in a methodology approved by the City Engineer.
3. The applicant shall extend the 12-inch water main in Tract 2369 to North River Road via Phases 4 and 5.

4. The applicant shall construct a storm water detention basin to mitigate the impacts of the development of Tract 2369 on the natural drainage course in the original alignment of "A" Street. The detention basin shall be designed to retain dry season landscape irrigation runoff.
5. All other existing conditions of approval included in Resolution Nos. 00-207, 00-208, and 00-209 shall remain in effect and shall continue to apply to development of Tract 2369.

PLANNING SITE SPECIFIC CONDITIONS:

6. Prior to recording the Final Map for Tract 2369, Phase 4, the applicant shall provide design details of a trail connection extending from the detention basin access road to North River Road, and construct the trail connection within the existing 'A' Street right-of-way (exact alignment to be approved by the City Engineer and Community Development Director), extending from the detention basin access road around the south side of the proposed drainage basin, to the west tract boundary. The design parameters shall adhere to industry standard hiking trail guidelines.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of April 2005 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk