

TO: JAMES L. APP, CITY MANAGER  
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: GENERAL PLAN AMENDMENT: APPLICATION PROCESSING REQUEST FOR RIVER OAKS II AND COLLEGE STATION (ESTRELLA ASSOCIATES)  
DATE: FEBRUARY 5, 2008

Needs: For the City Council to consider a request by Estrella Associates to process an application for amendment of the Land Use Element of the General Plan to facilitate development of an extension of the River Oaks master planned community.

Facts: 1. Estrella Associates has submitted an application for several entitlements prerequisite to expanding the River Oaks master-planned community including the following major components:

- River Oaks II: 1,055 residential units of a variety of densities and types and recreation facilities on 249 acres within the Hansen Farming Trust and Kiessig Annexations on the west side of Buena Vista Road, north of River Oaks I.
- College Station: 295 single family attached and multi-family residential units in a variety of densities and types on 21 acres to be annexed. The site is located on the east side of Buena Vista Road, between Cuesta College and Circle B Road. The site backs up to lots that front onto Rafter Way.

2. At its meeting of November 20, 2007, the City Council considered this request but continued the item so that major issues associated with the request could be clarified and that the statuses of major studies and efforts affecting this request could be updated.

3. City staff met with the applicant on December 14, 2007 to discuss the issues associated with the request. Clarifications and updated information will be addressed in the analysis section of this report.

4. In order to pursue this project, the following “legislative” applications need to be processed:

- General Plan Amendment;
- Amendment to the Borkey Area Specific Plan;
- Rezone;
- Annexation (the College Station area east of Buena Vista Road).

5. The general plan amendment would consist of the following components:

a. Redesignate 249 acres located on the west side of Buena Vista Road (River Oaks II site) from Agriculture (AG) to a variety of residential and mixed use designations;

b. Redesignate and prezone 21 acres located on the east side of Buena Vista Road (College Station site) from Residential Rural (City General Plan and County General Plan/Zoning) to appropriate single and/or multiple family residential designations; \*

\* The properties are subject to conditions, covenants and restrictions (CC&Rs) that would require modification to accommodate requested changes.

- c. Address and/or adjust the planning threshold population of 44,000 for the year 2025 (which assumes build-out of all city properties in accordance with the current General Plan by that year) to account for a potential population increase of nearly 3,600 persons (1,350 increase in dwelling units x 2.663 persons per unit). This component of the general plan amendment would need to make assumptions about the year in which the higher population (47,600) would be attained.
5. Approval of the “legislative” applications would be a necessary prerequisite to approval of “quasi-judicial” applications for subdivision maps and development plans (PDs), which would also be necessary to pursue this project.
6. California Government Code Section 65358(a) provides that, “If it deems it to be in the public interest, the legislative body may amend all or part of an adopted general plan.”
7. Sections 65860 and 65359 of the Government Code require zoning codes and specific plans to be in conformance with the General Plan.
8. With their application, Estrella Associates’ submitted an extensive set of environmental studies, which conclude that all potentially significant impacts can be mitigated.
9. Compliance with the California Environmental Quality Act (CEQA) will be required for consideration of the necessary applications. Generally, for a project of the magnitude and complexity proposed, an Environmental Impact Report (EIR) is prepared.

Analysis &  
Conclusion:

The City has no statutory obligation to consider applications for general plan amendments. However, if the City Council does choose to consider them, there are statutory obligations to consider both the environmental effects and the internal policy consistency effects of any proposed amendment.

The greater the scope and complexity of proposed changes, the greater the expense (time and funds) for applicants and the City to conduct the necessary environmental and policy review. At the conclusion of any review of a general plan amendment, the Council could take the following actions:

- a. Approve the request as proposed with no conditions;
- b. Approve the request with special conditions to address policy issues, which could be more costly to applicants than they anticipated when they filed the application;
- c. Approve a request for a less-intense change of land use, which may or may not be acceptable to the applicants;
- d. Reject a request but indicate that they may reconsider it after certain events have occurred;
- e. Reject the request.

To date, it has been the City’s practice to allow applications for general plan amendments to proceed without pre-screening to public hearings by the Planning Commission and City Council. Applications are accompanied with the appropriate environmental document completed at the expense of the applicant. Not all general plan amendment requests have been approved.

Since this request raises several policy issues of significance, staff is seeking early Council feedback regarding the processing of this request.

The objectives of pre-authorizing the processing of general plan amendment application are: (a) to screen out amendments that the Council would not support, either in the short or long run and (b), to establish a list of policy issues and expectations that must be met prior to approval of a general plan amendment. Answers to these questions would allow the applicants to consider if they should continue to invest time and funds to pursue the application.

The scope and complexity of Estrella Associates proposal is significant. It is suggested that the City Council consider whether to consider the application, and if so, to establish any conditions and expectations to be addressed by the applicant.

### Major Policy Issues Associated with the Proposal

#### 1. Environmental Review Process:

If it can be demonstrated that any and all potentially significant environmental impacts caused by the project can be mitigated to a point of being less than significant, then a Mitigated Negative Declaration may be approved in lieu of an EIR. The applicant has prepared a detailed analysis of expected impacts. However, the analysis lacks a complete CEQA level analysis including mitigation strategies and does not fully address issues of traffic, water supply, and agricultural land conversion. CEQA would, therefore, require the preparation of an EIR.

The applicant's extensive studies can be used as the basis for an EIR and potentially save what would otherwise be duplicative work.

#### 2. Conversion of Agriculturally-Designated Land:

The River Oaks II site is composed of two properties: The southern 131 acres were annexed in 1998; this site was designated by the General Plan for Agriculture as part of approval of the Kiessig Hot Springs Resort (PD 01019) in 2002. The northern 118 acres were annexed in 2000 and were also designated for Agriculture.\* At the time that the northern 118 acres were annexed, the City represented to the Local Agency Formation Commission (LAFCO) that the property would only be used for agricultural purposes (which includes resort uses) and would not be redesignated for residential uses.

\* LAFCO's Initial Study recommending approval of a Negative Declaration for the Annexation indicated that the property would remain in an Agricultural Preserve (i.e., under Williamson Act Contract) for the next 9 years (i.e., until 2008). That fact, however, was not an indication on the part of LAFCO, the County, or the City, that alternative land uses would be considered or approved if and when the Agricultural Preserve Contract terminated.

Redesignation of the northern 118 acres to residential and commercial uses would be contrary to the representations made by the City to LAFCO in 2000. The applicant may be able to provide an alternative means to honor the spirit/intent of the City's commitment. One possible means of doing so may be by obtaining permanent agricultural preserve easements of an appropriate acreage on adjacent or properties to be located in the Purple Belt. Such a measure would also be consistent with Purple Belt concepts envisioned by the General Plan and Economic Strategy. A definition of "appropriate" acreage would be developed in the course of an EIR by analyzing the

quality of soils and other factors, recognizing that perhaps not all 118 acres have value as an agricultural resource.

There may be other alternative means of honoring the spirit/intent of the City's commitment, which could be studied as part of the EIR.

3. Purple Belt

The Land Use Element calls for the City to "create a distinct 'purple belt' surrounding the City by taking actions to retain the rural, open space, and agricultural areas." The City has initiated a "Purple Belt Plan" to define the geographical scope of the Purple Belt and establish policies and actions to help bring it into reality. This plan is presently in an "administrative draft" status, meaning that it is not ready for public review. It is anticipated that a public review draft plan will be ready for distribution in March or April of 2008. In advance of release of the public review draft, it would be premature to discuss the role that the project site would play in the Purple Belt Plan. However, the role could be addressed in the EIR.

4. Population Planning Threshold:

The Land Use Element has established a planning threshold of 44,000 population by the year 2025. This figure assumes that, as of 2025, residentially-designated properties in the City would be built-out to the maximum density allowed under the general plan and occupied with 2.663 persons per dwelling unit. It also assumes that the Chandler Ranch Area Specific Plan will be developed with 1,439 units and that the Olsen-Beechwood Specific Plan will be developed with 1,347 units. The River Oaks II project proposes to add about 1,350 units, which could add as many as 3,600 population to the build-out of the City. However, the addition of 1,350 units and their associated population to the build-out does not necessarily indicate that the higher build-out population (47,600) would occur by 2025.

This issue will arise in other areas of the City when/if it considers requests/proposals to increase density in the Olsen-Beechwood Specific Plan Area (under the "density plus" and "density plus plus" options) and in the Uptown and Town Centre Specific Plan areas. Of note, the Economic Strategy calls for the City to "increase labor force resident in the City" as part of developing a compact urban form, more-intensive use of land, a hard urban edge, and preventing sprawl.

One approach would be to consider the desired city form and density envisioned in the Economic Strategy. Under this approach, the City would accommodate a population larger than 44,000. The general plan could be amended to designated land uses consistent with the principles of the Economic Strategy, allowing the population to grow on the free market's schedule (assuming that all infrastructure needs are met so that environmental impacts would not occur).

Another approach would be to take all or a portion of the units that are reserved by the General Plan for other areas (i.e., Chandler Ranch and/or Olsen Ranch/Beechwood) and reallocate them to this area.

In addition to the approaches discussed above, it should be noted that State Law requires that the Housing Element be updated by September 2009. This update will include an assessment of the City's share of the Regional Housing Need for four income categories. State Law also defines minimum densities and type of housing (generally rental) that are considered to be affordable to the lower two income categories. The

River Oaks II project would need to be evaluated in terms of how it would help the City meet its share of the Regional Housing Need.

5. Traffic Impacts:

The proposed project will generate a large number of vehicular trips that will be distributed on Buena Vista Road, Dallons/River Oaks Drive, Highway 46 East, and other streets. Several intersections along Highway 46 East presently operate at Level of Service (LOS) "F" on Fridays. Recent traffic studies for projects located in the Highway 46 corridor and discussions with CalTrans have indicated that interim improvements may assist the flow of traffic while longer term solutions are pursued. These corridor improvements may include construction of double left turn pockets at intersections of Highway 46 with arterial streets, a dual left turn pocket at Highways 46 East and 101, and possible widening of Highway 46 East to six lanes, and others to be identified as part of the upcoming Fehr & Peers Alternative Routes Study.

It is important to note that if the proposed project is approved, the point (date) at which the Highway 46 East traffic capacity threshold is breached would likely be accelerated.

On November 6, 2007, the City Council authorized the hiring of Fehr and Peers to prepare an Alternative Routes Study, an update of the City's traffic model, and an update of the Circulation Element. The Alternative Routes Study is expected to be completed by April 2008. However, the other two components could take 1-2 years.

Completion of the Alternative Routes Study, traffic model update, and Circulation Element update prior to approving the proposed general plan amendment would allow the project's impacts to segments of the City's circulation system outside of the scope of the Alternative Routes Study to be evaluated. Such a postponement, however, could extend application consideration for up to two years.

Should the City Council agree to allow the proposed general plan amendment to proceed without delay, the scope of off-site traffic system improvements may largely be limited to those to be identified in the Alternative Routes Study. Important options which will be studied as part of the project EIR will likely go beyond fair share contributions and may require significant off-site circulation improvements.

6. Nacimiento Water and Reclaimed Water:

The City's General Plan calls for new development to be fiscally neutral in its impact on City services. If the City Council wishes to consider this general plan amendment, it is suggested that its adoption be accompanied by a development agreement, to be executed prior to adoption of the general plan amendment, in which the applicant would commit to:

- a. Purchasing potable water from the Nacimiento Water Project. The appropriate amount of capacity would be addressed via the EIR, and could take into account water conserving features being proposed by the applicant.
- b. Accepting Reclaimed Water for irrigating the proposed expansion of the River Oaks course and large active open space areas.
- c. Extending mains for transport of reclaimed water (aka "purple pipe") to the project site at the time of development and in accordance with a reclaimed water master plan to be developed by the City.

Policy  
Reference: General Plan, Economic Strategy, California Government Code, California Environmental Quality Act

Fiscal  
Impact: The City's General Plan calls for new development to be fiscally neutral in its impact on City services. To ensure that a project of the magnitude being proposed achieves this objective, full mitigation of environmental impacts, participation in the Nacimiento Water Project, acceptance of Reclaimed Water, and major off-site traffic system improvements will be key matters.

Options: After consideration of any public testimony, by voice vote (minute action):

- A. Defer consideration/processing of this request until the City has completed the Alternative Routes Feasibility Study, Purple Belt Plan, traffic model update, and/or Circulation Element update.
- B. Defer consideration/processing of this request until the City completes its next Housing Element Update in 2009 to determine if additional residential development is needed.
- C. Defer consideration/processing of this request until the applicant submits a revised proposal to develop a project with a reduced scope that leaves the northern 118 acres under the Agricultural land use designation.
- D. Authorize the applicant to proceed with processing of the proposed general plan amendment. Under this option, the applicant would be advised that the City expects to require execution of a development agreement prior to adoption of a general plan amendment under which the applicant would:
  1. Purchase potable water from the Nacimiento Water Project; the amount will be determined in an Environmental Impact Report, but may range up to 1,000 acre feet;
  2. Accept Reclaimed Water for irrigating the proposed expansion of the River Oaks course and large active open space areas; and
  3. Extend mains for transport of reclaimed water (aka "purple pipe") to the project site at the time of development and in accordance with a reclaimed water master plan to be developed by the City.
  4. Provide an offset to the loss of agricultural land within the northern 118 acres. The amount of acreage and method of offset shall be determined as part of the EIR and will consider soil quality and other factors. Offset may be achieved via acquisition of a permanent agricultural easement over [agricultural land of similar agricultural quality within the City's Purple Belt and near the subject property.](#)
  5. Applicant shall help fund a portion of the Alternative Routes Study and a reasonable share of the Highways 46 East/101 dual left turn pocket project.
  6. Finance major off-site traffic system improvements to be identified in the Fehr & Peers Alternative Routes Study.
- E. Reject the proposed general plan amendment.

F. Amend, modify or reject the above options.

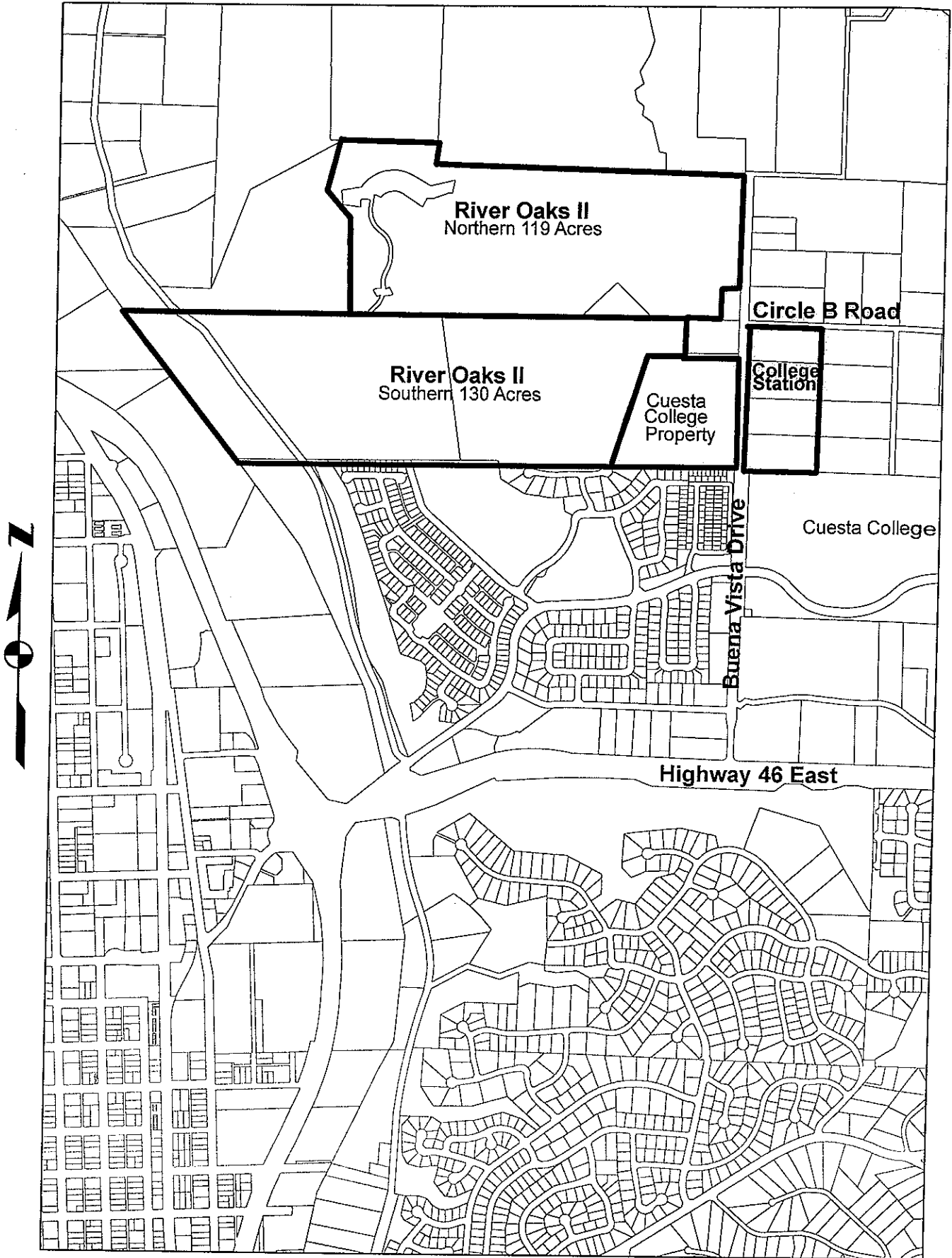
Prepared by: Ed Gallagher, City Planner

Attachments:

1. Location Map
2. Excerpts from Applicant's Project Description (tables and maps)

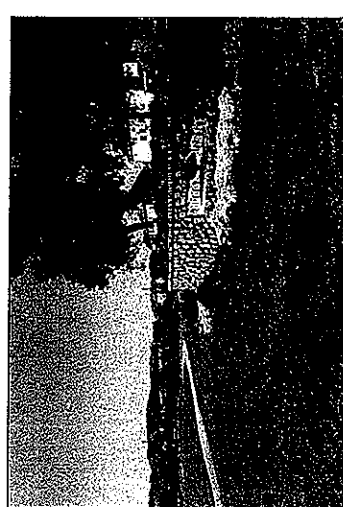
ED\RIVER OAKS 2\GPA AUTHORIZATION CCR 020508

# River Oaks II/College Station Location Map





PROJECT OVERVIEW



River Oaks II Facts

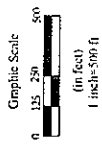
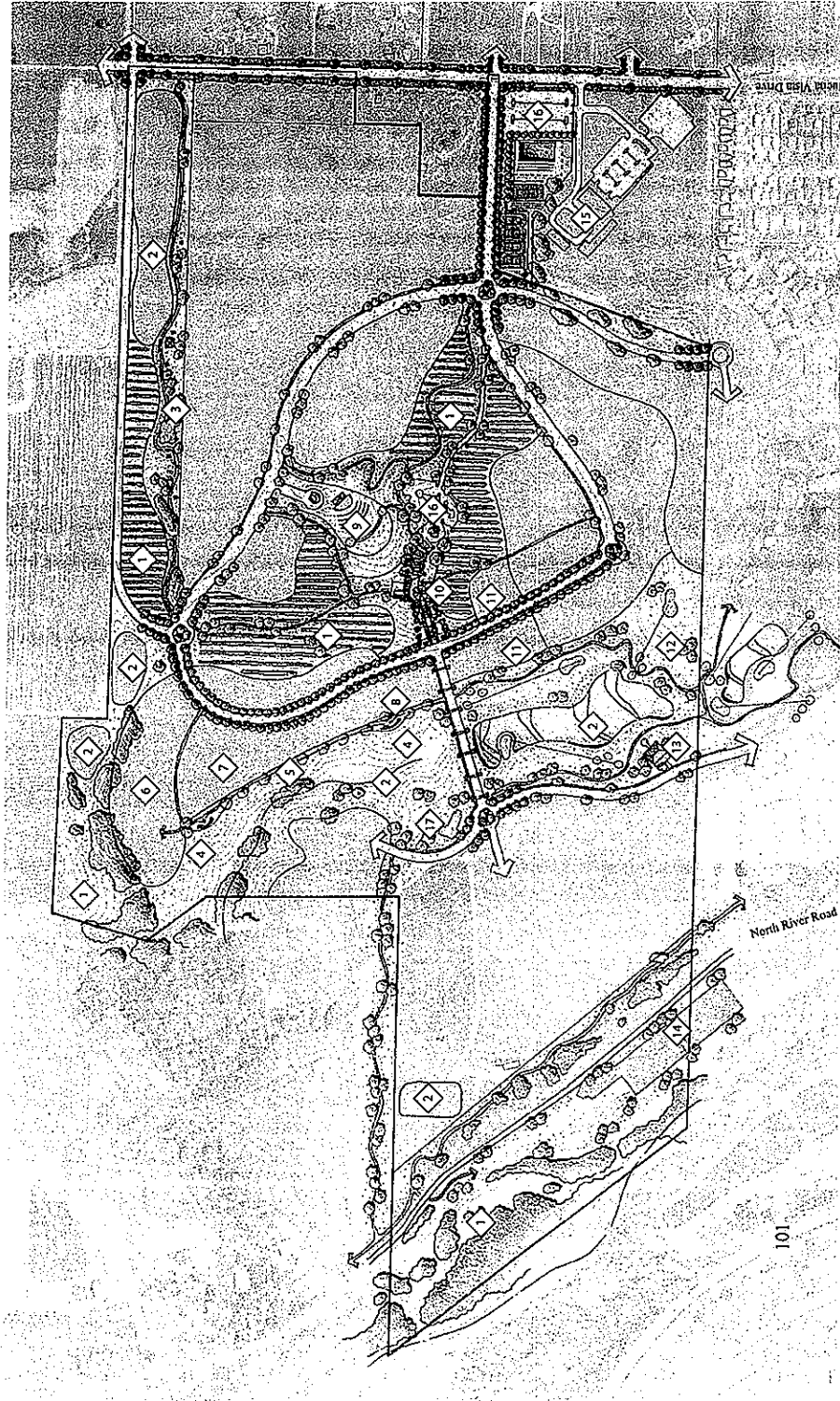
- 270 Acres
- Located just off Highway 46, east of Highway 101
- 15 Residential Villages including single-family homes, ranging from estate lots to an active adult community, and a variety of attached housing types, ranging from lofts to condos to townhomes
- 4.5 miles Hiking and Recreational Trails
- 2.2 miles Pedestrian Trails adjacent to Primary Roads
- 64 acres Open Space
- 31 acres Recreation (Practice Fields, Golf Course and Parcours)
- 3 acres Private Neighborhood Recreation (Parks, Lap and Social Pools, Children's Water Park, Volleyball and Multi-Sport Courts)
- 2 Hot Mineral Wells
- 8,000 square foot Spa with Natural Hot Mineral soaking waters
- 15,000 square foot Health and Wellness and Fitness Center
- 130 room Lodge Resort
- Restaurant, Lounge and Golf Shop
- 9-Hole Executive Golf Course
- 4,000 square foot commercial building between the third and fourth fairways of the golf course
- 25 acre Sustainable Vineyard
- Natural Outdoor Amphitheater including a stage and dressing rooms
- 10,000 square foot Community Conference Center, including a stage, dressing rooms and meeting rooms for up to 400 people, equipped with the latest audio/visual technology
- Natural Outdoor Amphitheater including a stage and dressing rooms
- Competition Aquatic and Racquet Complex
- 2.9 miles Primary Roads
- LEED \* and Low Impact Development Inspired Community

Adjacent Amenities

- Kermit King Elementary School
- Cuesta College North Campus (including Trade and Technology Center)
- The Marketplace with 50,000 square feet of office, shopping and retail services (Construction to begin in Summer 2007; The Marketplace is slated to open in Summer 2008)

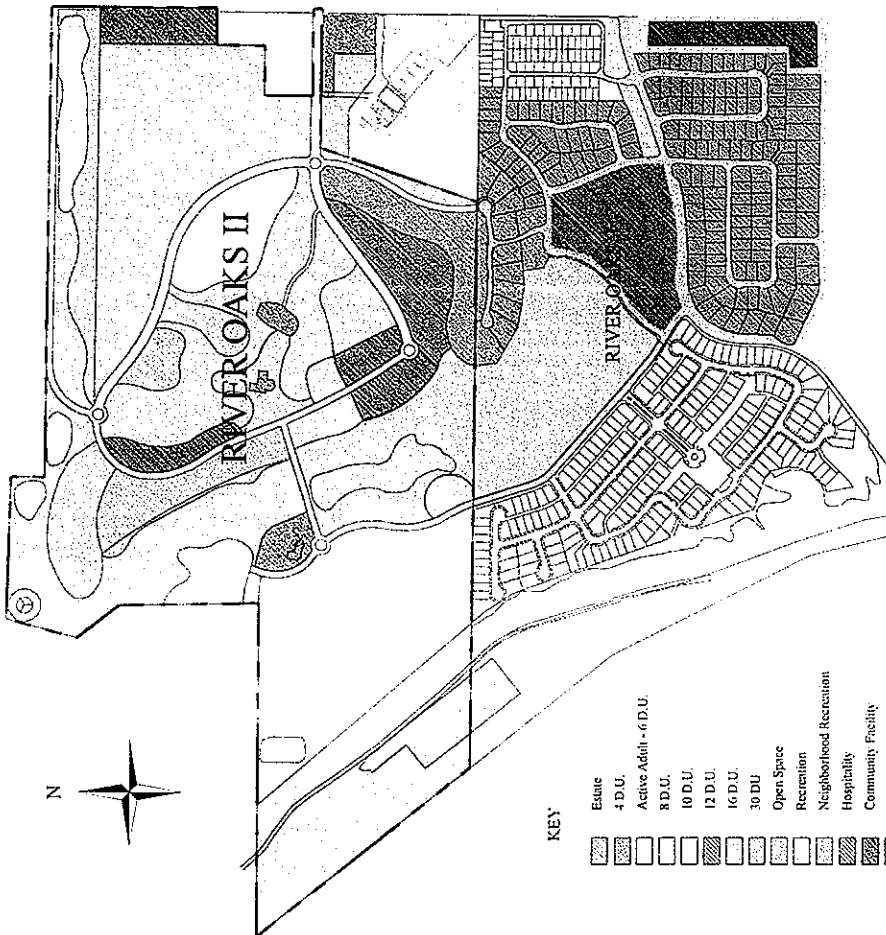
Conveniently located midway between San Francisco and Los Angeles, and in close proximity to Fresno and Bakersfield, as well as the coastal communities of Cambria, Cayucos, Morro Bay and Pismo Beach.

ILLUSTRATIVE MASTER PLAN



Legend	
1	Open Space
2	Basin
3	Par Course
4	View Overlook
5	Promenade
6	Spa & Wellness
7	Hospitality
8	Golf Shop & Restaurant
9	Amphitheater
10	Community Building & Plaza
11	Neighborhood Recreation
12	Golf Course
13	AAC Center
14	Sports Field
15	Tennis & Aquatics Facility
16	Parking
17	Maintenance

LAND USE PLAN SUMMARY



- KEY
- Estate
  - 4 D.U.
  - Active Adult - 6 D.U.
  - 8 D.U.
  - 10 D.U.
  - 12 D.U.
  - 16 D.U.
  - 30 DU
  - Open Space
  - Recreation
  - Neighborhood Recreation
  - Hospitality
  - Community Facility
  - School
  - Detention Basin

River Oaks II - Master Planned Community										
River Oaks Land Use	Total Average Per Land Use	Project Concept	Developable Acreage	15% for Roads	Average Per Concept	City General Plan Proposed Land Use	City Proposed Zoning	TRMBC Insect Zoning	Mln. Units per Acre	Mln. # of Units
Estate	3.1	Custom Lot - Neighborhood Estate	6.3	1.1	2.3	R1-1	R-1	STD	2.0	12
4 DU	3.4	Large Lot Neighborhood	7.4	1.1	2.3	R1-1	R-1	STD	4.0	15
Active Adult	32.4	Active Adult Single Family Home	32.4	4.9	2.4	RH-4	R-1	STD	6.0	165
8 DU	3.5	Medium Density Residential	3.5	0.5	3.0	RH-10	R-2	STD - Single	8.0	24
10 DU	11.5	Medium Density Residential	11.5	1.7	9.8	RH-10	R-2	STD	10.0	98
12 DU	11.0	Medium Density Residential	11.0	1.7	9.4	RH-12	R-2	Terminator Code	12.0	112
16 DU	33.6	Medium-High Density Residential	33.6	5.0	28.6	RH-12	R-2	Terminator Code	16.0	431
30 DU	2.1	High Density Residential	2.1	0.2	2.0	RH-16	R-3	Terminator Code	16	31
Hospitality	6.6	Hotel, Restaurant, Look & Leave Urban	7.3	1.1	6.3	RC or RC Overlay	RC	Terminator Code	20.0	132
Recreation	5.3	Big Spring Spa - Wellness Center	5.9	0.9	5.0					
	3.4	Swamp Sports Facility	3.3	0.4	4.3					
	12.1	Golf Course	12.1	1.8	10.3					
	3.0	Neighborhood Recreation	3.0	0.5	2.6					
	7.8	Other Recreation	7.8	1.2	6.6					
Community Facility	2.1	LAFC Center	2.1	0.3	1.8					
	3.9	Community Conference Ctr. & Plaza	3.9	0.5	3.0	RA	RA		0.0	0
Open Space and Parks	4.9	Detention Basin	6.3	0	0.6	POS	OS		0.0	0
	20.2	Neighborhood Hill	4.9	0	0.6	POS	OS		0.0	0
	29.2	Open Open Space	20.2	0	0.6	POS	OS		0.0	0
Primary Road	14.6	Primary Road	14.6	0	0.0	POS	OS		0.0	0
Parking	0.8	Parking	0.8	0.0	0.4					
<b>River Oaks II Total</b>	<b>249.0</b>		<b>249.0</b>	<b>24.0</b>	<b>142.9</b>					<b>1085</b>
<b>River Oaks - College Station</b>										
4 DU	4.5	Project Home (AMH)	4.5	0.7	4.2	RH-12	R-3	STD	10.0	65
8 DU	5.3	The Cove	5.3	1.0	5.7	RH-16	R-4	STD	10.0	112
Open Space	1.1	Neighborhood Hill	1.1	0.0	2.8	RH-16	R-4	Terminator Code	10.0	118
Primary Road	1.6	Primary Road	1.6	0.0	0.6	POS	OS		0.0	0
College Station TOTAL	20.5		20.5	4.3	14.7					295

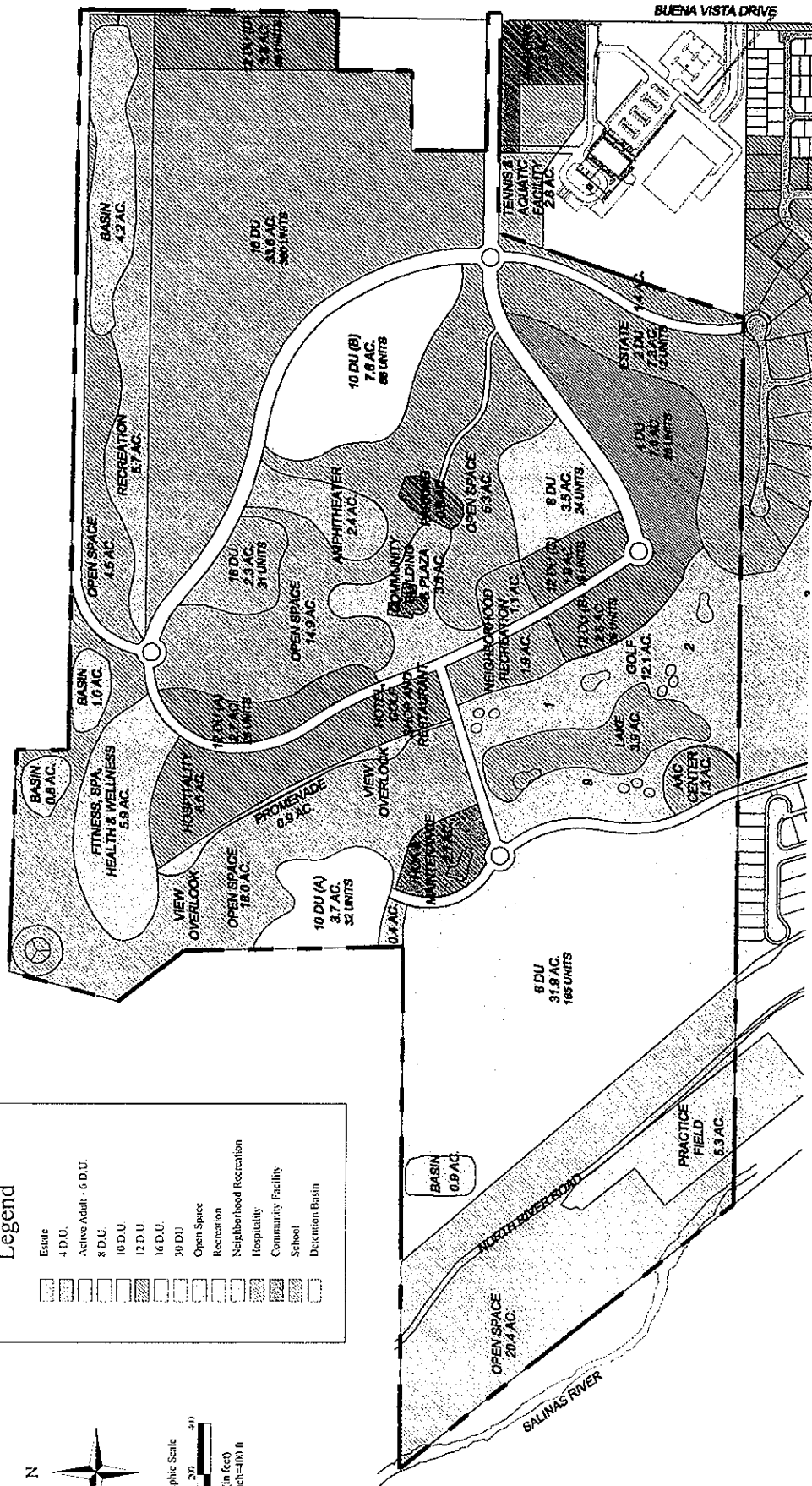
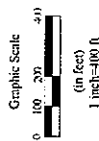
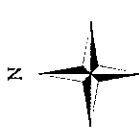
Disclaimer Statement: This document is conceptual in nature and is designed to identify land planning goals and opportunities, illustrate potential benefits to the City of Paso Robles and neighboring land owners and encourage creativity in architectural design. It has not had any formal review nor been granted any approvals by the City of Paso Robles.

# LAND USE PLAN

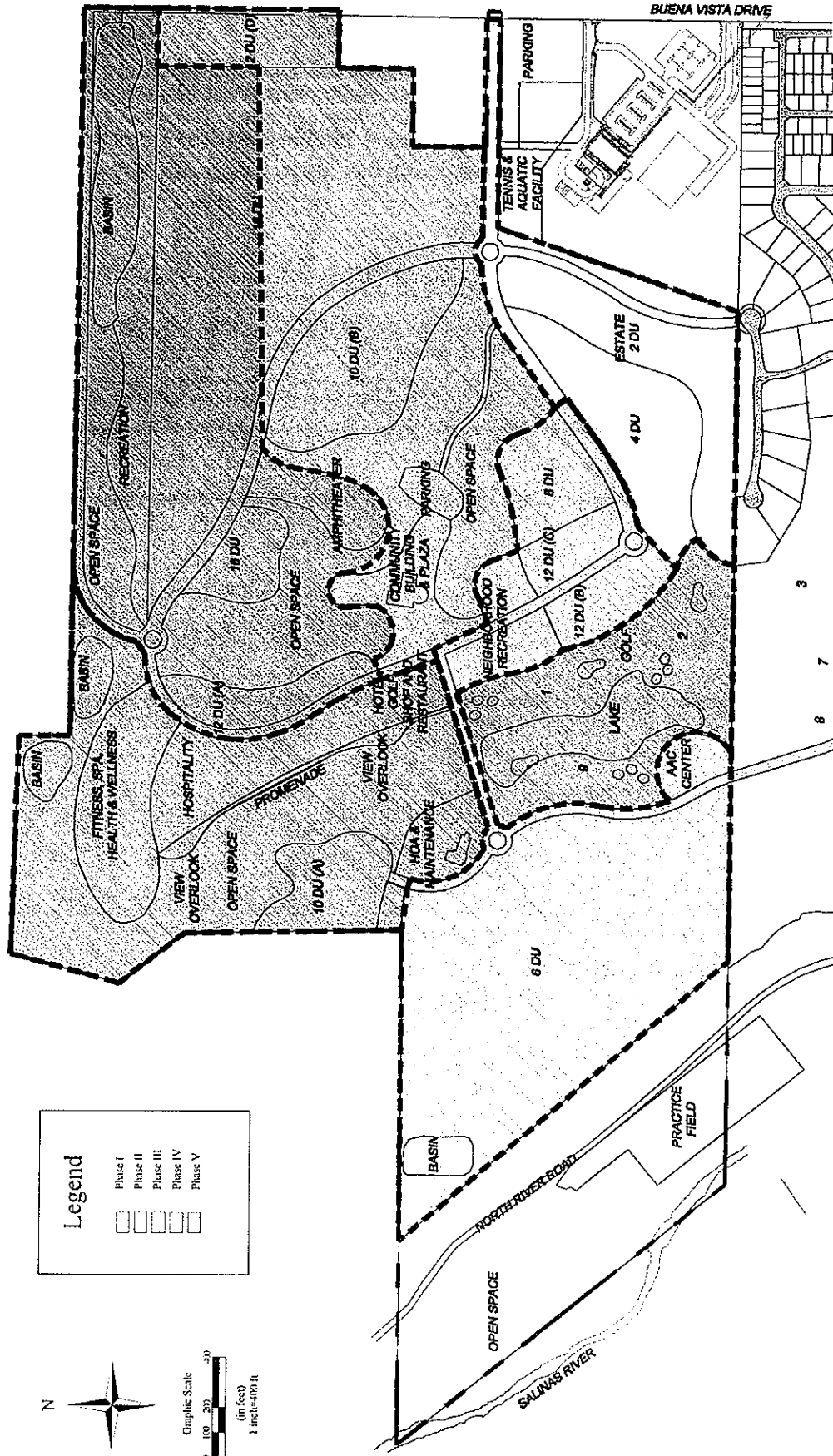


**Legend**

	Estate
	4 D.U.
	Active Adult - 6 D.U.
	8 D.U.
	10 D.U.
	12 D.U.
	16 D.U.
	30 D.U.
	Open Space
	Recreation
	Neighborhood Recreation
	Hospitality
	Community Facility
	School
	Detention Basin



# PHASING PLAN



**Legend**

- Phase I
- Phase II
- Phase III
- Phase IV
- Phase V

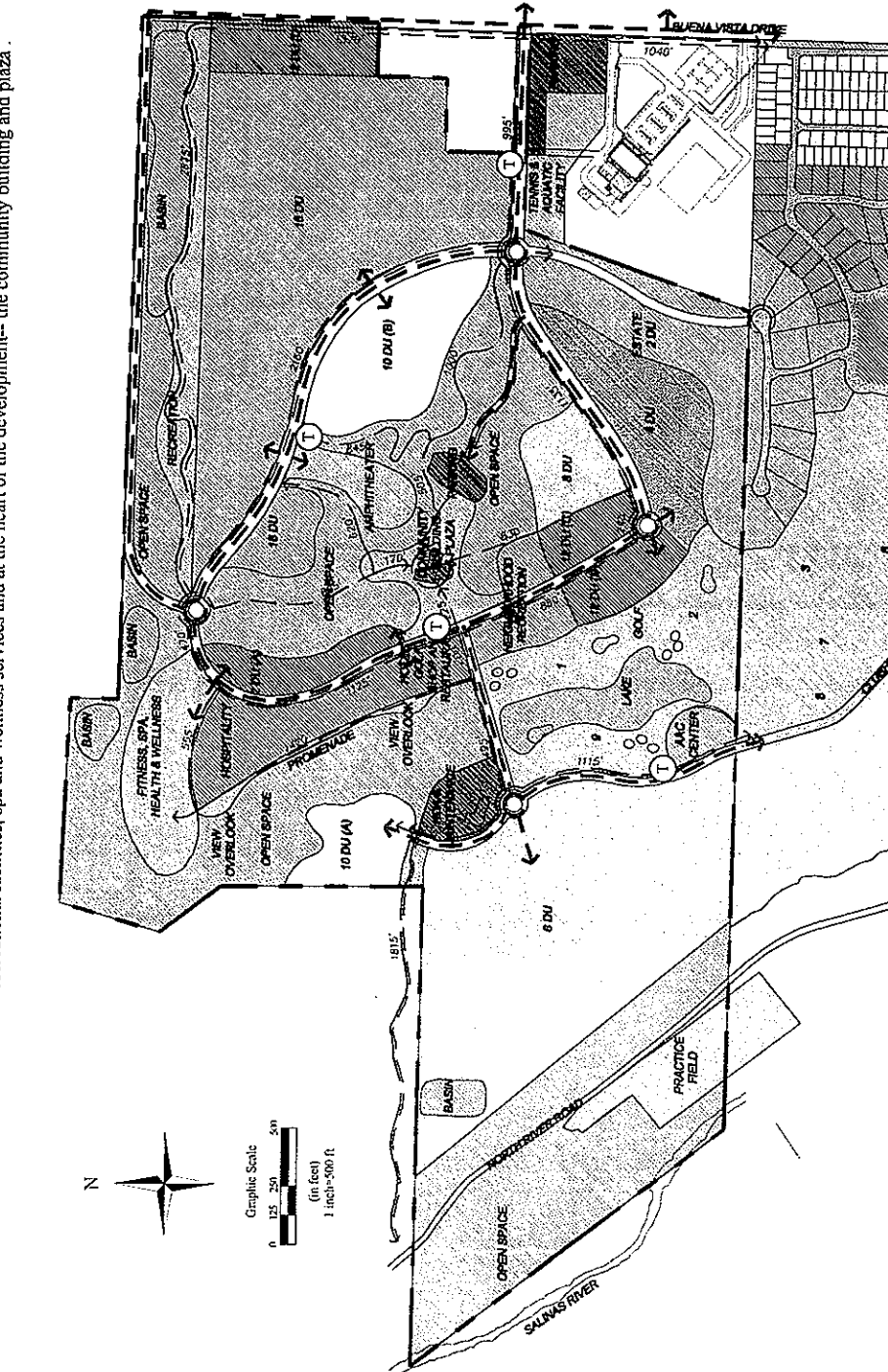
**Graphic Scale**  
 0 100 200 300  
 (in feet)  
 1 inch = 100 ft

# River Oaks II

## CIRCULATION PLAN



The communities of River Oaks I, River Oaks II and College Station will be serviced by multi-use trails and loop roads to facilitate safe and convenient pedestrian, vehicular and bicycle access. Abundant walking trails will occur throughout the community and open space areas, providing pedestrian access to the Cuesta North, Trade and Technology Campus, recreational facilities, spa and wellness services and at the heart of the development—the community building and plaza.



**Legend**

- Transit Stops
- Vehicular Circulation
- Bicycle Circulation
- Pedestrian Circulation
- Trail Length (Ft.)

### Total Lengths

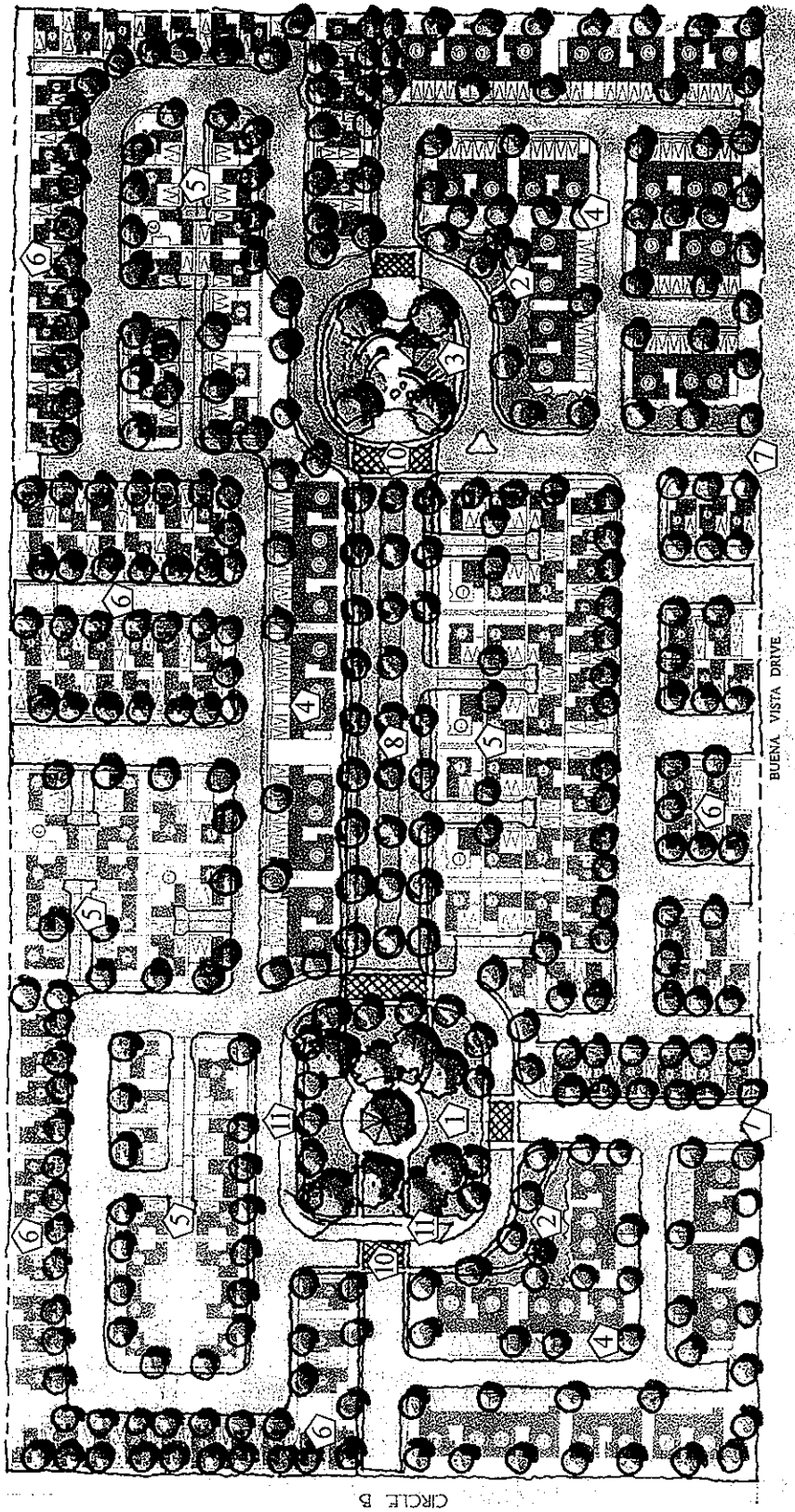
Primary Roads	2.9 miles (15,380 LF)
Pedestrian Walks adjacent Primary Roads	2.2 miles (11,740 LF)
Hiking and Recreational Trails	4.5 miles (23,800 LF)



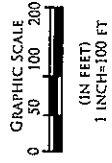
### Multi-Use Trail

Using a concrete fence and stabilized decomposed granite surfacing, this walkway will be accessible to all types of users - from students to joggers to cyclists.

# SCHEMATIC MASTER PLAN



- 1. Village Green with Pavilion
- 2. Gazebo Park
- 3. Tot Lot
- 4. Elderberry
- 5. Aldea
- 6. The Cove
- 7. Project Entry
- 8. Community Boulevard
- 9. Pasco
- 10. Enhanced Paving
- 11. Parking



# SCHEMATIC ALTERNATIVE (TRADE & TECH) MASTER PLAN



### Legend

- 1. Village Green
- 3. Elderberry
- 5. Aldea
- 6. The Cove
- 7. Project Entry
- 8. Community Boulevard
- 9. Pasco

