

TO: James L. App, City Manager
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Street Abandonment SA 08-004 (Hawk)
DATE: November 18, 2008

Needs: For the City Council to consider adopting a resolution for a summary vacation of an un-named public right-of-way along the east side of Golden Hill Road, south of Gilead Lane.

Facts:

1. The applicant, Bill Hawk has requested the abandonment of a sixty-foot offer of dedication of public right-of-way in order to accommodate development of age restricted apartments and an assisted living facility on his property at 1450 Golden Hill Road (see site plan, Attachment 1).
2. At their meeting of October 14, 2008, the Planning Commission on a 3-2 vote found that the proposed street abandonment is consistent with the General Plan and recommended approval of the request.
3. The subject un-named right-of-way was originally dedicated by the applicant as a condition of approval of a General Amendment releasing his property from the Chandler Ranch Specific Plan overlay zone. The reason behind the condition was to ensure adequate access to the Chandler Ranch in advance of a Specific Plan being prepared for the area.
4. The right-of-way proposed for abandonment is not specifically shown in the City's Circulation element of the General Plan. A connection from Golden Hill Road to the future extension of Airport Road is shown. In draft Chandler plans, this connection has been accomplished by the easterly extension of Gilead Lane.
5. The right-of-way proposed for abandonment has never been made passable for vehicle travel.
6. No public money has been expended for maintenance of this right-of-way.
7. Pursuant to the Streets and Highways Code, the subject right-of-way may be considered for summary vacation.
8. The centerline of the subject right-of-way is 330 feet south of the centerline of Gilead Lane. A new intersection with Golden Hill Road could be established in accordance with City standards. None of the most recent development concepts for the Chandler Ranch have included this right-of-way as an access option.

9. The subject right-of-way follows a natural drainage course. A pedestrian-bike path has been established along this same drainage course west of Golden Hill Road. Extension of the path along this right-of-way to the Chandler Ranch would appear to be a natural and valuable amenity to the community and consistent with General Plan goals and policies calling for improved access for pedestrians and bikes (Policies CE-1A and CE-1F).

**Analysis
and**

Conclusion: The proposal to abandon the subject right-of-way was presented to the Planning Commission on October 14, 2008. On a 3-2 vote the Commission recommends abandonment to the Council. The right-of-way proposed for abandonment has not been developed by the City since its dedication, nor has it been the subject of any plan for development.

The plans for the Golden Hill Retirement Community indicate that the right-of-way is needed to accommodate public sewer and water lines that will be extended to the boundary of the Chandler Ranch. The City will need to access these utilities. The construction of a maintenance road could double as a public access path. There are many examples in the City of public paths built over sanitary sewer alignments in remote areas.

The subject right-of-way provides the opportunity for a very attractive bike and pedestrian path into the Chandler Ranch. This path provides a connection to the site of the future Montebello Elementary School and public park that avoids arterial roads and other surface streets. It appears prudent to maintain this important link and doing so would be consistent with Council policies (Circulation Element of the General Plan).

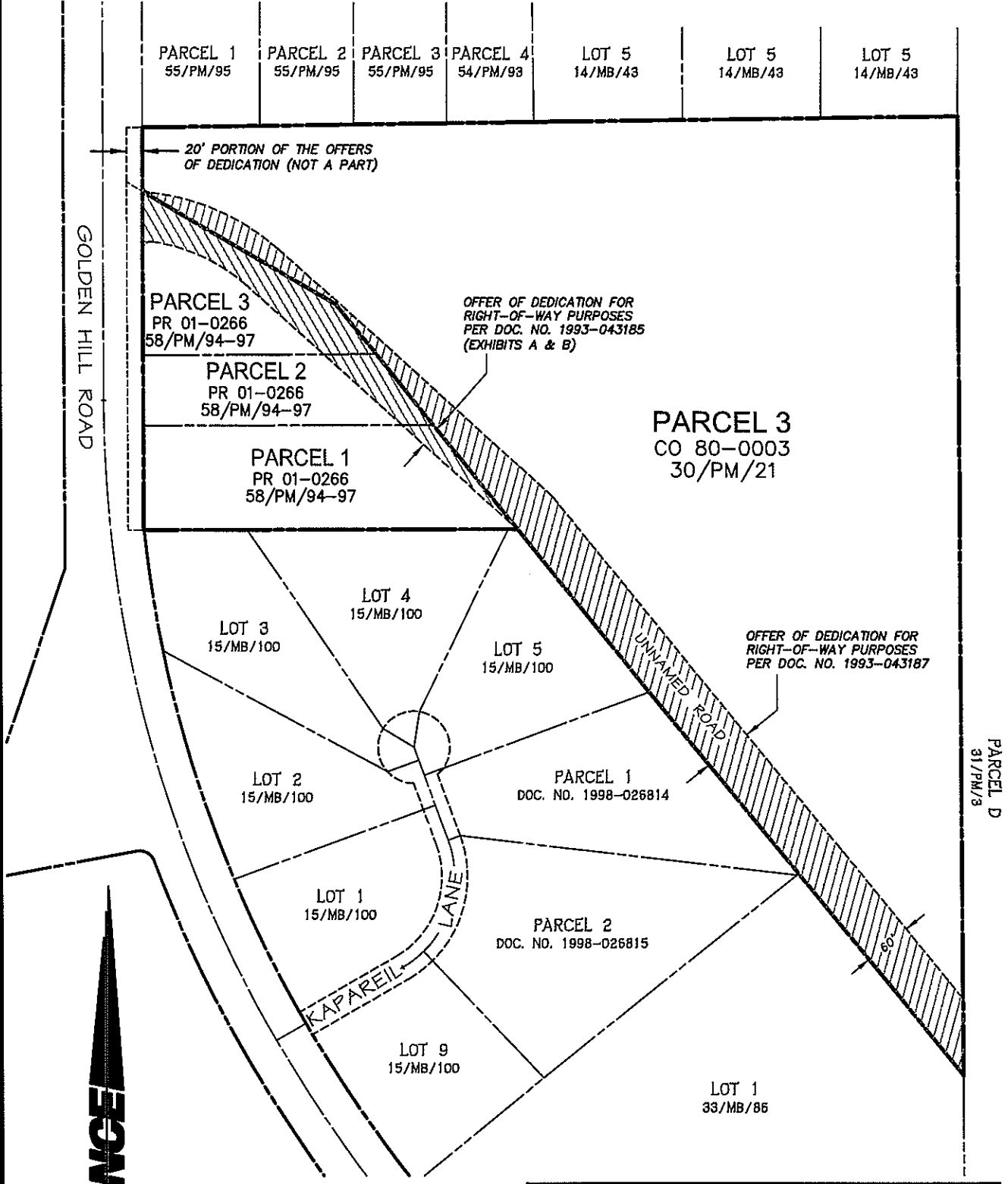
It is conceivable that the plans for the development of the Golden Hill Retirement Center could be altered to accommodate a pedestrian-bike path to the east. The plan for the path may or may not follow the existing offer of dedication. Approval of abandonment of the existing public right-of-way subject to the condition to dedicate and construct a utility easement and pedestrian-bike path to the east would preserve a valuable amenity to the community and the Chandler Ranch Specific Plan.

Policy

Reference:

- Streets and Highways Code
- Circulation Element Goal CE-1 “establish a safe, balanced and efficient circulation and pedestrian system serving all segments of the community”
- Circulation Element Policy CE-1A “Revise/update the City’s Circulation Master Plan to address the existing and projected needs, including;
 - a) Providing safe, efficient, and effective traffic and pedestrian flow within the City...
 - g) Establishing safe paths to school for pedestrian and bicycle traffic”

EXHIBIT A



NO SCALE

JOB NUMBER: 04149

NCE NORTH COAST ENGINEERING INC.
 725 Creston Rd Suite B, Paso Robles, 239-3127

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
CITY ENGINEER
COMMUNITY DEVELOPMENT DEPT.
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

RESOLUTION NO. 08-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
VACATING AN UN-NAMED RIGHT-OF-WAY (HAWK)

WHEREAS, the Planning Commission at their meeting of October 14, 2008, found the abandonment of an un-named right-of-way east of Golden Hill Road and south of Gilead Lane as shown on the plans for Planned Development PD 07-014, Golden Hill Retirement Community, consistent with the General Plan and recommended approval of the request; and

WHEREAS, the un-named right-of-way was dedicated by the applicant Bill Hawk in 1993 in consideration of a General Plan amendment releasing his property from the Chandler Ranch Specific Plan overlay zone; and

WHEREAS, the un-named right-of-way is not specifically shown in the Circulation Element of the General Plan; and

WHEREAS, while the Circulation Element of the General Plan does not specifically show the need for a vehicular connection at this location, policies do call for improved pedestrian and bike connection within the City and linking new neighborhoods and schools; and

WHEREAS, the un-named right-of-way has not been shown as necessary for access to the Chandler Ranch Specific Plan on any recent draft plans; and

WHEREAS, the un-named right-of-way has not been made passable for vehicle travel; and

WHEREAS, no public money has been expended for maintenance of the subject un-named right-of-way; and

WHEREAS, pursuant to Streets and Highways Code 8331, the subject un-named right-of-way may be considered for summary vacation; and

WHEREAS, based on the staff report, staff presentation and having heard all evidence offered by any person interested in the proposed vacation, the City Council of the City of El Paso de Robles finds that the un-named right-of-way east of Golden Hill Road and south of Gilead Lane as described in Exhibit "A" attached to this Resolution, is unnecessary for present or prospective public use.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF EL PASO de ROBLES AS FOLLOWS:

SECTION 1: The un-named right-of-way east of Golden Hill Road and south of Gilead Lane more particularly described in Exhibit "A" be vacated for public purposes.

SECTION 2: The City shall retain easements for public sewer, water lines and for public bicycle and pedestrian access, satisfactory to the City Engineer.

SECTION 3: That the City Clerk of the City of El Paso de Robles is authorized to cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.

SECTION 4: The above Recitals are incorporated into this Resolution.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 18th day of November, 2008 by the following vote:

AYES:

NOES:

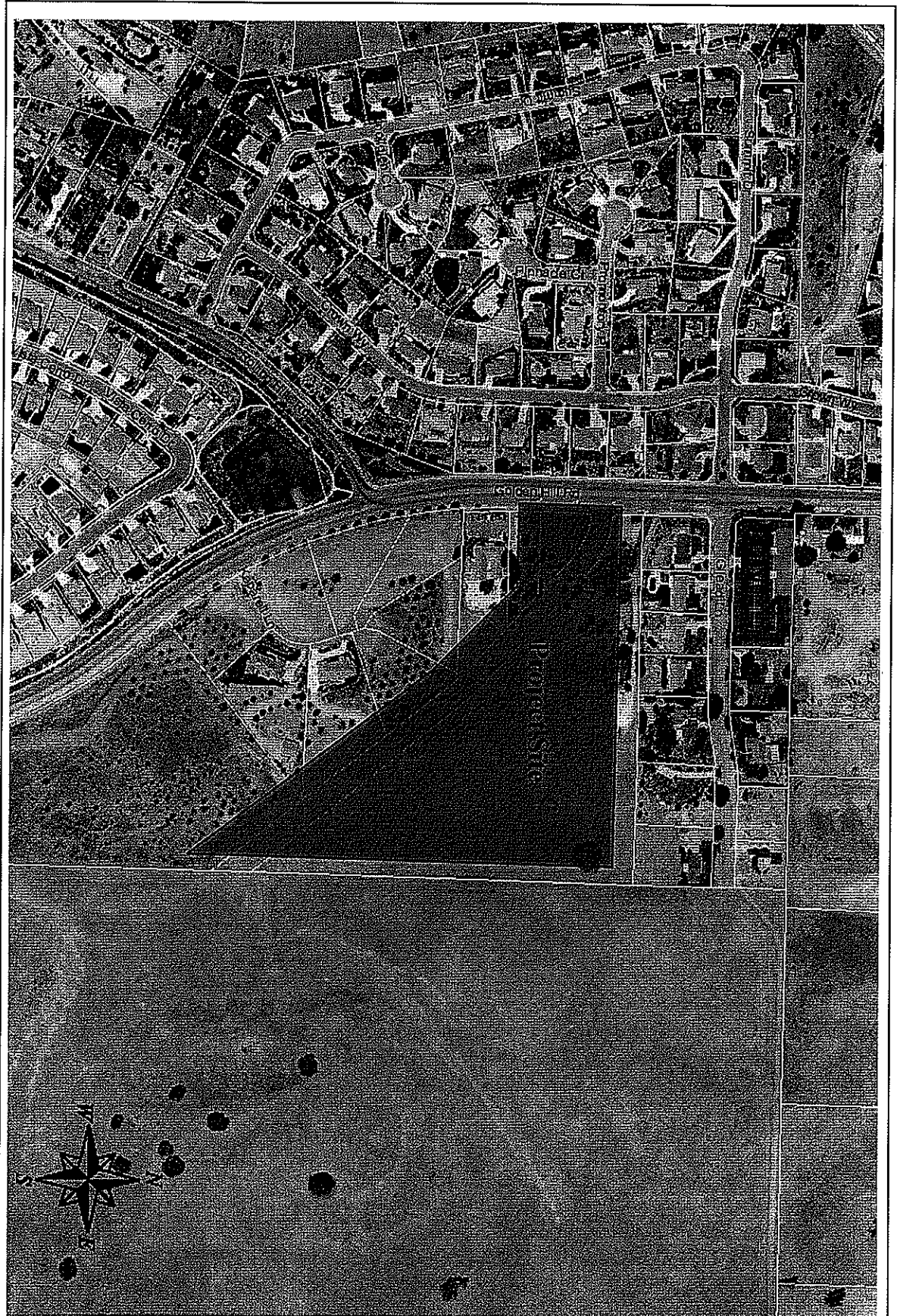
ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk



Vicinity Map
PD 07-014
(Golden Hill Retirement)

- Circulation Element Policy CE-1F “Provide safe and convenient pedestrian access to all areas of the city”

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Impact: None.

- Options:**
- a.** Adopt Resolution No. 08-xxx approving the request to abandon an un-named right-of-way east of Golden Hill Road and south of Gilead Lane subject to conditions to retain easements for the extension of public sewer and water mains and subject to the dedication of a public access easement providing a connection from Golden Hill Road to the Chandler Ranch Specific Plan.
 - b.** Amend, modify or reject the above option.

Attachments: (4)

- 1) Vicinity/Reduced size tract map
- 2) Resolution of Abandonment
- 3) Abandonment Exhibit
- 4) Public Notices

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

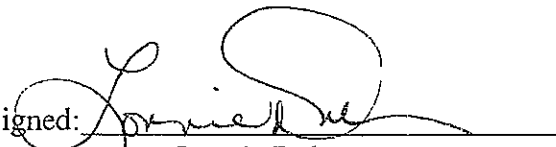
Newspaper: Tribune

Date of Publication: October 22, 2008

Hearing Date: November 18, 2008
City Council

Project: Planned Development 07-014,
et al (Golden Hills Retirement)

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

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE
DECLARATION AND GPA 07-003, REZONE 07-003,
PR 06-0272, PD 07-014, SA 08-004 & CUP 07-020**

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, November 18, 2008. The meeting will be held 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 consider approving the project described below and to consider a Mitigated Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

- **Tentative Parcel Map PR 06-0272:** Request to subdivide the 13.9 acre site into two parcels, where Parcel 1 would be 2.1 acres; the existing church/pre-school would remain on Parcel 1. Parcel 2 would include the 11.8 acre site where the new senior retirement project would be built.
- **General Plan Amendment 07-003(a):** a request to amend the land use designation from Residential Single Family (RSF-2) to Residential Multiple Family, 12 units per acre (RMF-12) for the 13.9-acre site.
- **Rezone 07-003:** a request to change the zoning district from R-1B3, single-family residential, 2 units per acre to Multiple-Family Residential, 12 units per acre (R-3, PD) for the 13.9-acre site. It is also requested that the property have P.D. Overlay Zoning in order to restrict the uses on the property to senior housing/residential care type projects.
- **Planned Development 07-014 & Conditional Use Permit 07-020:** a request to construct a 125-unit Golden Hill Senior Community on Parcel 2.
- **Abandonment 08-004:** a request to abandon a portion of the "unnamed road" that runs along the southern boundary of the site.

The existing church/pre-school is included in the parcel map, rezone and general plan amendment portion of the project, and besides the re-orientation of the driveway access to the church/pre-school parking lot once the new driveway is installed, no development or expansion of the facility is proposed at this time.

The public review period for the Mitigated Negative Declaration (MND) was September 2, 2008 through October 14, 2008, but with this notice will be extended to the City Council meeting scheduled for November 18, 2008. The proposed MND 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 project and corresponding MND 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 Darren Nash at (805) 237-3970.

If you challenge this application 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 in written correspondence delivered to the City Council at or prior to the public hearing.

Darren Nash, Associate Planner
October 22, 2008

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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 08-004 (Hawk/Golden Hill Retirement/Basila on this 1st day of October 2008.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

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