

RESOLUTION NO. 10-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A REQUEST TO ESTABLISH A GATED COMMUNITY
FOR TRACT 2529 (MINEO)**

WHEREAS, Tentative Tract 2529, a 21-lot residential subdivision located off of Caballo Place, west of the intersection of Vine and 36th Streets, was approved by Planning Commission Resolution No. 03-054 on June 24, 2003; and

WHEREAS, the Planning Commission adopted a condition deferring to the City Council the proposal of a gate controlling access to the private streets in Tract 2529; and

WHEREAS, at their meeting of September 7, 2004, the City Council adopted Resolution No. 199 which outlines policies regarding gated communities, and

WHEREAS, in a letter dated May 7, 2010, Frank Mineo, has requested the placement of a gate controlling access to Tract 2529 citing the remote location, street noise, litter and safety concerns; and

WHEREAS, Council Resolution No. 199 establishes a policy that projects with private streets and gated public access shall be the sole purview of the City Council and shall be critically reviewed in terms of public safety and convenience and if approved shall be required to provide automated systems for public safety access; and

WHEREAS, all streets in Tract 2529 are privately maintained; and

WHEREAS, due to steep grades and no sidewalks, Tract 2529 is not a desirable route for bikes and pedestrians, nor does Tract 2529 provide any connection to public destinations favorable to autos, bikes and pedestrians; and

WHEREAS, the City Council finds that the placement of a gate at Tract 2529 will not negatively impact the community due to its remote location.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve the request of Frank Mineo to construct a gate on private property at the entrance to Tract 2529, subject to the following:

SECTION 1: The approval of a gate for Tract 2529 is made in exception to and in consideration of the discretion outlined in City Council Resolution No. 199, adopted September 7, 2004, and does not set a precedent for use in consideration of future proposals for gated communities.

SECTION 2: The gate shall not interfere with utility easements held by the City and other public utility companies.

SECTION 3: The gate shall be constructed in accordance with plans approved by the Emergency Services, Police, and the City Building Departments.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 6th day of July 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Dennis Fansler, City Clerk