



City Council Agenda Report

From: David Athey, City Engineer

Subject: Street Abandonment 17-001 (City of Paso Robles)
Stratus Lane north of Dry Creek Road / APNs 025-471-008, -009, -012 and -013
Applicant – City of El Paso de Robles

A request from the City of Paso Robles to summarily abandon Stratus Lane from the intersection of Dry Creek Road to the end of the cul-de-sac, approximately 750 feet of paper road. A 10-foot wide portion of the right-of-way will be reserved on the eastern property boundary as a public utility easement.

Date: June 20, 2017

Facts

1. The applicant, City of Paso Robles, owns parcels on each side of the right-of-way proposed for abandonment as shown on Attachment 1, Vicinity Map.
2. Abandonment of this right-of-way will enable the expansion of the Estrella Warbirds Museum.
3. The proposed right-of-way abandonment and public utility easement reservation are indicated on Exhibit B included in Attachment 2.
4. The right-of-way is not shown in the General Plan for future circulation purposes.
5. The City will record a lot merger to create two lots that both have frontage on Dry Creek Rd.
6. Section 65402(a) of the Government Code provides that "...no street shall be vacated or abandoned, ... if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such... street vacation or abandonment... have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof."
7. The Planning Commission held a public hearing on June 13, 2017, and is recommending the City Council approve the abandonment as conditioned.

Options

1. Approve the Street Abandonment 17-001, a 749.56 foot right-of-way of Stratus Lane, and reserving a 10 foot wide portion of the right-of-way for public utility purposes.
2. Deny the Stratus Lane right-of-way abandonment request based on findings.
3. Refer the item back to staff or the Planning Commission for additional analysis.

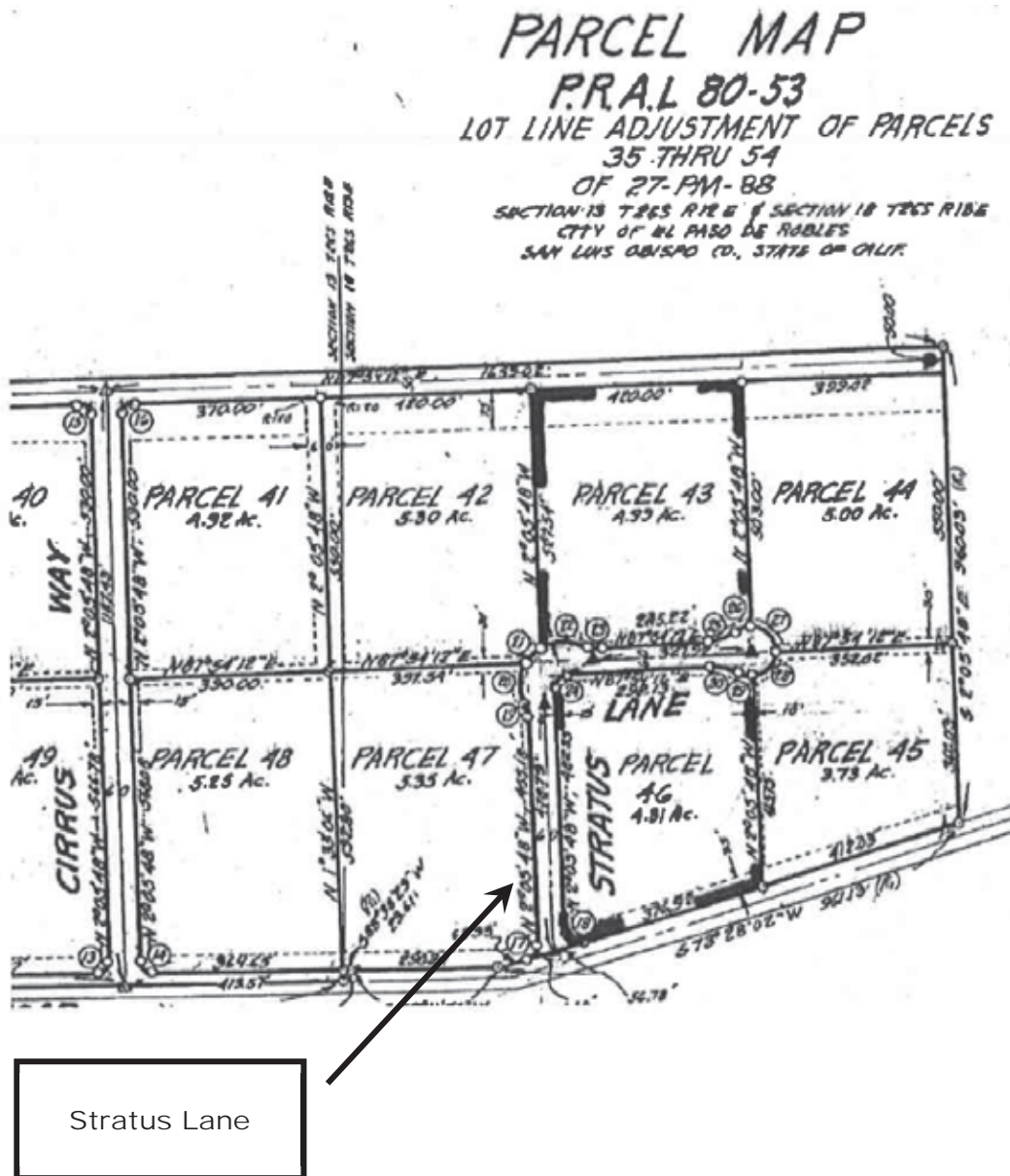
Analysis and Conclusions

Project Summary.

The request is to summarily abandon Stratus Lane to allow the expansion of the Estrella Warbirds Museum. The abandonment will not impact area circulation as Stratus Lane is a paper road and has not been constructed. In addition, Stratus Lane is not listed in the Circulation element as being needed for future circulation purposes. The City plans to retain a small portion of the right-of-way as a public utility easement on the eastern property boundary. Reservation of the public Utility easement will allow the existing 10' public utility easement on the east property line to connect to the existing 30 foot public utility easement running along the northern property boundary.

Section 8334 of the State Streets and Highways Code provides that the City Council may "summarily" vacate a right-of-way of a street not required for street purposes and/or a portion of a street that lies within property under one ownership and that does not continue through such ownership or end touching property of another.

The proposed abandonment complies with all of the above terms.



General Plan / Zoning Consistency.

The right-of-way proposed for abandonment serves no current or future purpose as a public street.

Neighborhood Compatibility / Site Design Issues.

This road abandonment request will allow for the expansion of the Estrella Warbirds Museum, which is currently operating next to the properties affected by this abandonment. The City will be performing a lot merger to ensure the properties affected by this abandonment take access off of Dry Creek Road. The merger will be complete concurrently with the road abandonment.

Public Safety.

Abandonment of Stratus Lane does not increase emergency response times or create emergency access issues.

Utilities. There are no City water or sewer facilities affected by the proposed abandonment. However, the area proposed for abandonment is planned for future use as a utility easement. Therefore, a portion of the area proposed for abandonment must be retained as a public utility easement. These retained areas are shown on Attachment 2, Exhibit B. In addition, there is a 15 foot public utility and setback easement that is contiguous with the street to be abandoned (see Attachment 2, Exhibit B). The remaining 15 foot public utility and setback easement will be extinguished by a separate action in conformance with the Map Act.

CEQA issues. This application is exempt from environmental review per Section 15061 (General Rule) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Fiscal Impact

There is no fiscal impact as a result of this abandonment.

Recommendation

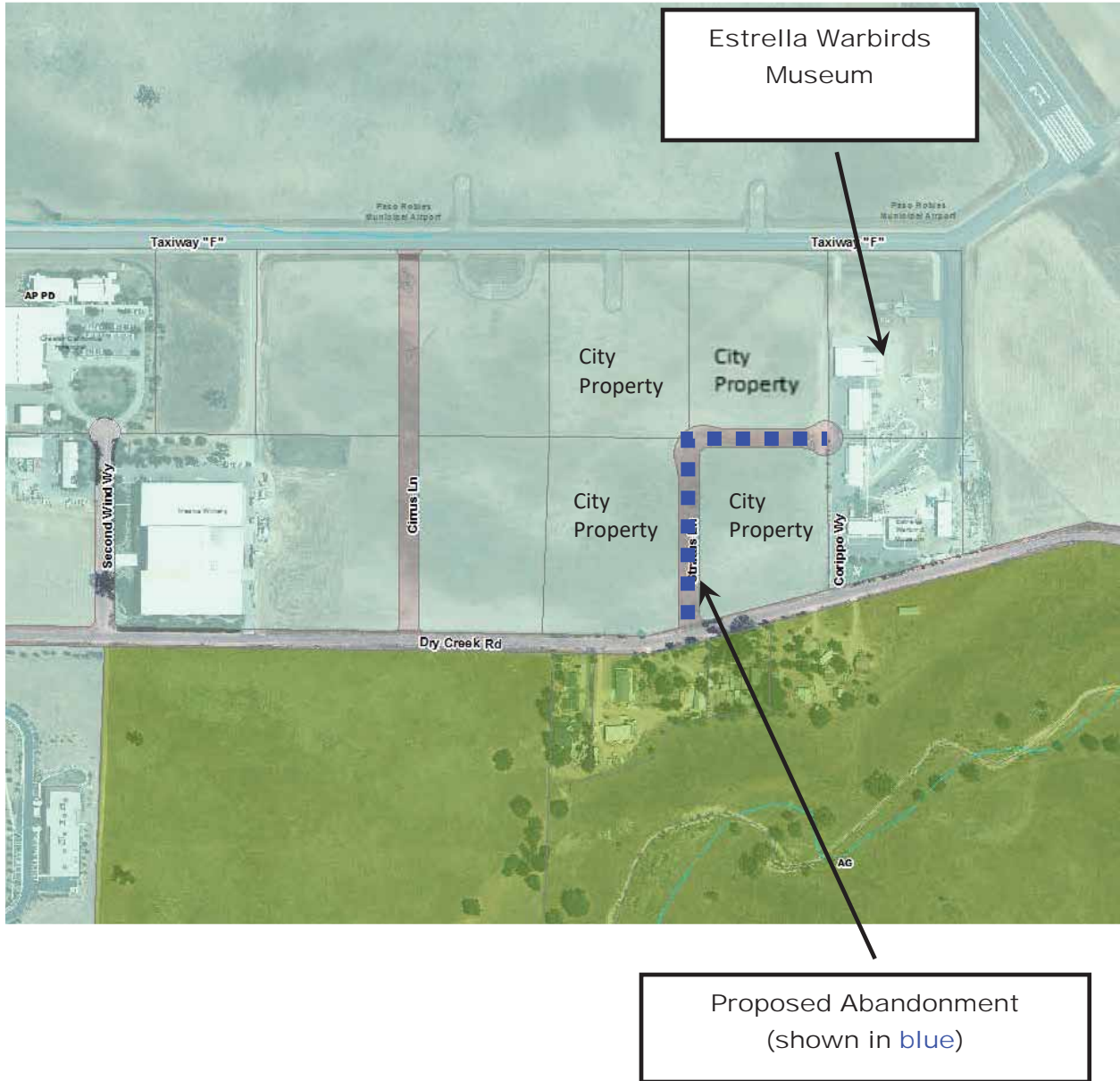
Approve Draft Resolution 17-XXX, approving the Street Abandonment 17-001, a 749.56 foot right-of-way of Stratus Lane, and reserving a 10 foot wide portion of the right-of-way for public utility purposes.

Attachments

1. Vicinity Map
2. Draft Resolution A - City Council Approval of Stratus Lane Street Vacation
3. Mail Affidavit
4. Newspaper Affidavit

Attachment 1

Vicinity Map



Attachment 2

Draft Resolution A

RESOLUTION NO: 17-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING STREET ABANDONMENT 17-001, THE ABANDONMENT OF 749 FEET OF UNIMPROVED PUBLIC STREET KNOW AS STRATUS LANE

APNs: 025-471-008, -009, -012 and -013

WHEREAS, the applicant, the City of Paso Robles, has filed a Street Abandonment (SA) application for a summary vacation of the portion of Stratus Lane north of Dry Creek Road; and

WHEREAS, Stratus Lane is an unimproved right-of-way (paper road) and the adjoining properties are all owned by the City of Paso Robles; and

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

WHEREAS, pursuant to Streets and Highways Code 8334, the subject right-of-way may be considered for summary vacation; and

WHEREAS, Section 65402(a) of the Government Code provides that "...no street shall be vacated or abandoned, ... if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such... street vacation or abandonment... has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof"; and

WHEREAS, the Planning Commission finds consistent with the Land Use and Circulation Elements of the General Plan, that the Stratus Lane right-of-way north of Dry Creek Road is an excess right-of-way not required for existing or future street purposes; and

WHEREAS, the Stratus Lane right-of-way north of Dry Creek Road lies within property of one ownership and does not continue through such ownership or end touching property of another; and

WHEREAS, this application is exempt from environmental review per Section 15061 (General Rule) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on June 13, 2017, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this street abandonment request and recommended approval to the City Council ; and

WHEREAS, a duly noticed public hearing was conducted by the City Council on June 20, 2017, to consider the facts as presented in the staff report prepared for this project, the Planning Commission's recommendation, and to accept public testimony regarding this street abandonment request; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 - Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings:

1. The proposed vacation of the Stratus Lane right-of-way shown on Exhibit "A" is consistent with the General Plan for the City of El Paso de Robles because the street is not identified for future circulation purposes; and
2. The subject right-of-way qualifies for a summary vacation because Stratus Lane is an unimproved right-of-way (paper road) has never been made passable for vehicle travel; and
3. The subject portion of street right-of-way described on Exhibit "A" be vacated for public purposes; and
4. The subject portion of street right-of-way described on Exhibit "A" shall retain a Public Utility Easement; and

Section 3 - Environmental Determination: This application is exempt from environmental review per Section 15061 (General Rule) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Section 4 – Approval of Street Abandonment: the City Council approvals Street Abandonment 17-001 approval subject to the following exhibits and conditions:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Conditions
B	Street Abandonment Exhibit Map

APPROVED this 20th day of June, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

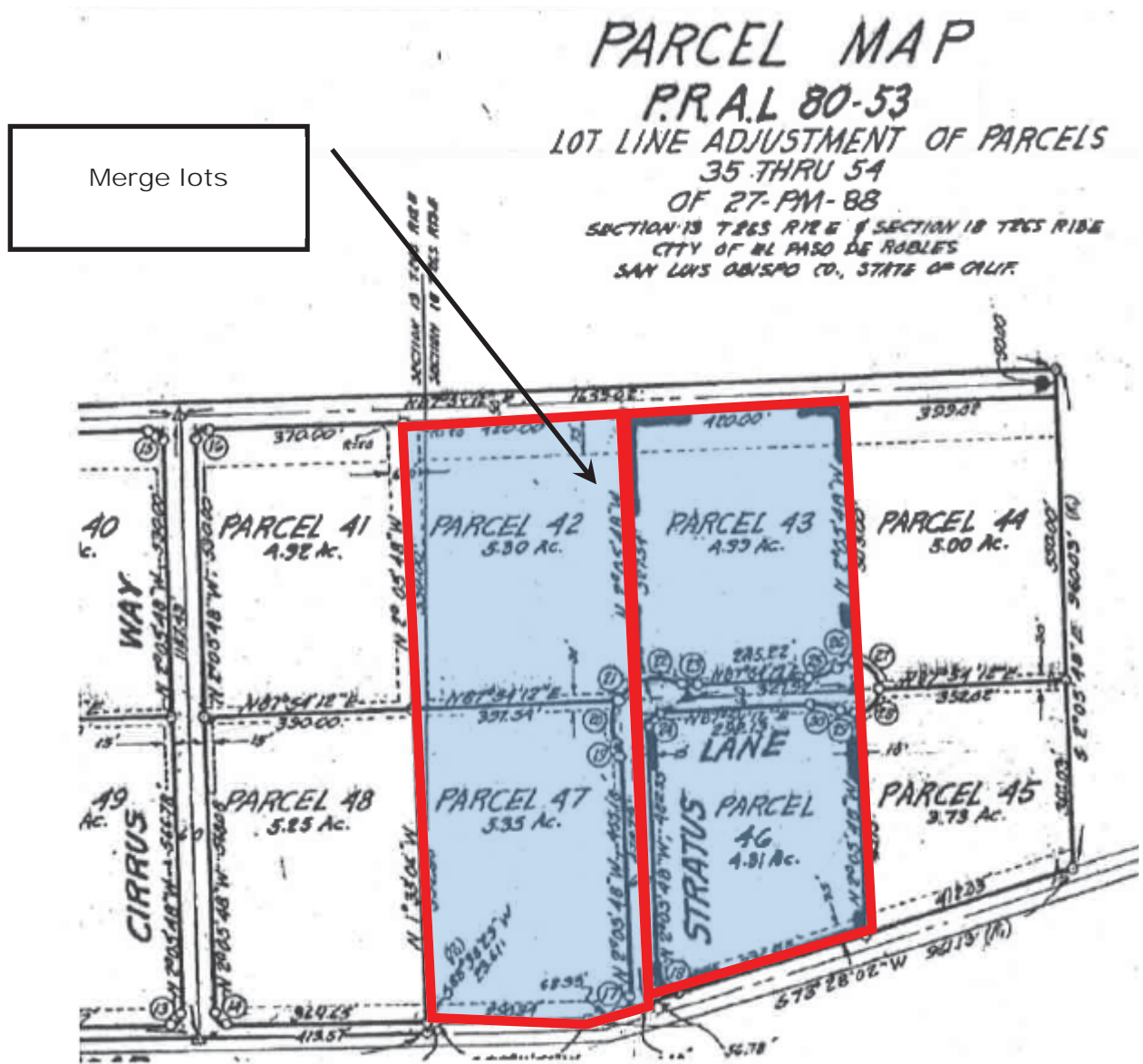
Steven W. Martin, Mayor

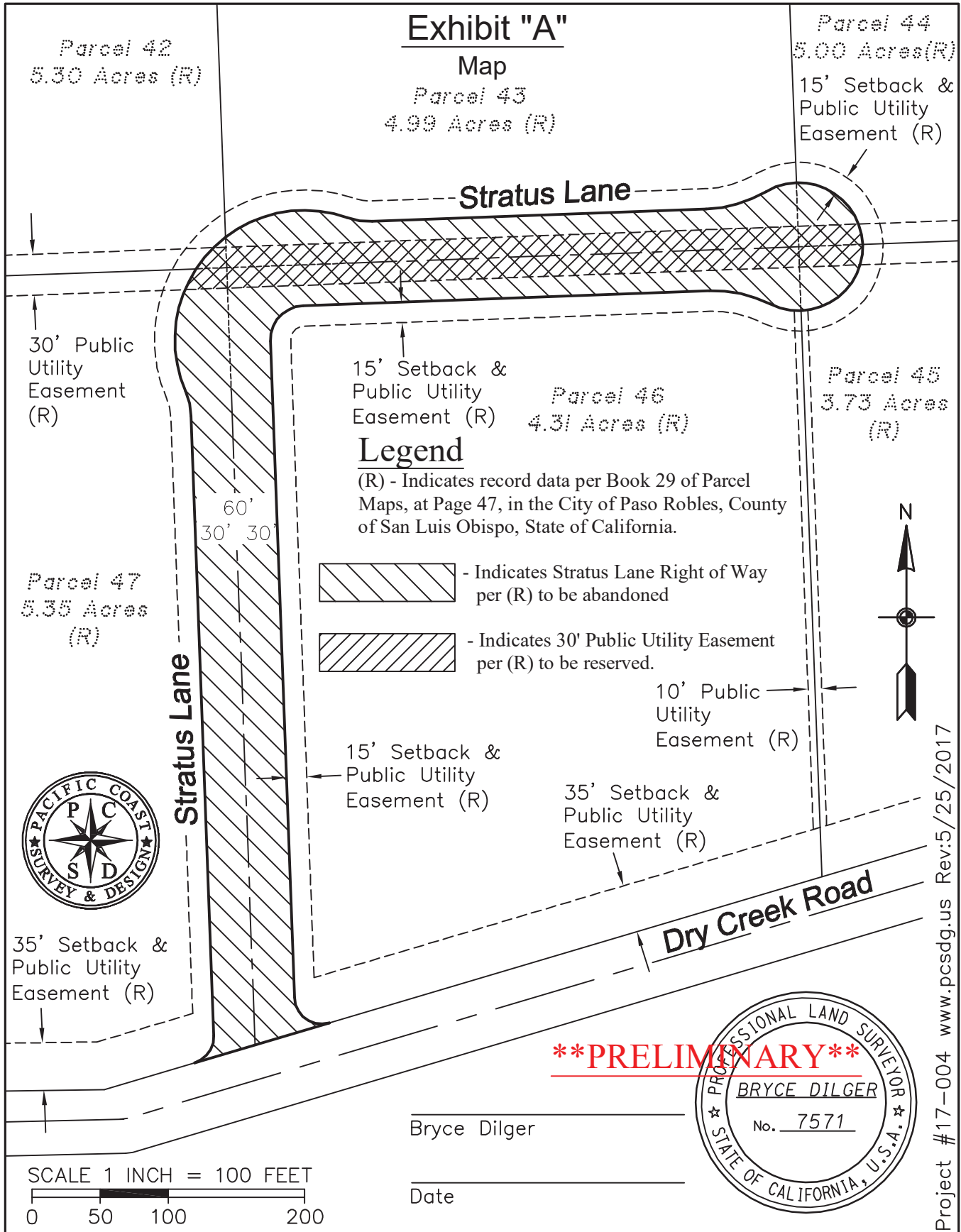
Kristen L. Buxkemper, Deputy City Clerk

Exhibit A

Conditions of Street Abandonment

1. The City Clerk of the City of El Paso de Robles shall 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.
2. The City Engineer shall prepare and record a parcel map extinguishing Stratus Lane and its frontage PUE and merging Lot 42 with Lot 47, and merging Lot 43 with Lot 46 so all remain lots have frontage on Dry Creek Rd.







AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Darcy Delgado, 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 17-001 on this 2nd day of June, 2017.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Darcy Delgado
Darcy Delgado

RECEIVED

JUN 05 2017

City of Paso Robles
Community Development Dept

THE Newspaper of the Central Coast
TRIBUNE

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In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 3092106
CITY OF PASO ROBLES

STATE OF CALIFORNIA

ss.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; JUNE 2, 2017 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



(Signature of Principal Clerk)

DATE: JUNE 2, 2017

AD COST: \$217.80

**CITY OF PASO ROBLES
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Public Hearing to consider the following project:

APPLICATION: Street Abandonment (SA 17-001), a request filed by the City of Paso Robles for a summary vacation of the portion of Stratus Lane north of Dry Creek Road. Stratus Lane is an unimproved right-of-way (paper road) and the adjoining properties are all owned by the City of Paso Robles.

APPLICANT: City of Paso Robles

LOCATION: Assessor's Parcel Numbers 025-471-008, -009, -012 and -013

ENVIRONMENTAL DETERMINATION: This application is exempt from environmental review per Section 15061 (General Rule) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

HEARING: The Planning Commission will hold a Public Hearing on Tuesday, June 13, 2017, at 6:30 p.m. at the Library Conference Center, 1000 Spring Street, Paso Robles, California.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning@prcity.com. Comments on the proposed application may be mailed to the Community Development Department, or emailed to planning@prcity.com provided that such comments are received prior to the time of the hearing.

If you challenge the application in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the Planning Commission or City Council at, or prior to, the public hearings.

Copies of the staff report pertaining to this project will be available for review at the Community Development Department on the Thursday preceding each hearing (copies are available for purchase for the cost of reproduction). If you have any questions, please contact the Community Development Department at (805) 237-3970.

Darcy Delgado
Assistant Planner
June 2, 2017

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