

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: AMENDMENT TO PLANNED DEVELOPMENT 02-002 (VINA ROBLES)
DATE: NOVEMBER 28, 2006

Needs: To consider an application, filed by Vina Robles, Inc., to amend PD 02-002 to eliminate requirements for sidewalks and street lights on Mill Road and to construct the road in conjunction with the phases of development.

- Facts:
1. The subject site is located on Mill Road, south of Highway 46 and west of the Hunter Ranch Golf Course (see attached Vicinity Map).
 2. PD 02-002 was approved by the Planning Commission on March 11, 2003 by Resolution 03-023. Condition No. 66 states that "Mill Road shall be designed and constructed in accordance with City Standard A-5 along the frontage of the property".
 3. In a letter dated September 18, 2006, the applicant's representative has requested that sidewalks and street lights be removed from the project conditions in order to maintain a "rural ambiance".
 4. City Local Rural Street Standard A-7 may be approved for use by the Planning Commission. City Standard A-7 provides for Planning Commission discretion with regard to sidewalks.

Analysis and
Conclusion:

Consideration of a road standard for Mill Road should be based upon the potential use of the road in the context of the General Plan. Mill Road is currently not recorded as a private easement, let alone a public road. Today, it is merely a well used path to various private properties in the County. One could assume that prescriptive rights for its use exist. In the context of the City General Plan, Mill Road would have use only for Vina Robles, and potentially for secondary use by the Hunter Ranch golf course. Due to its potential to serve the Hunter Ranch property, Mill Road is conditioned to be offered for dedication to the public by Vina Robles, Inc. (Condition No. 67).

Given the rural nature of the project, City Local Rural Street Standard A-7 would appear to be a good fit. There are, however, issues associated with Standard A-7 that need to be addressed. A-7 provides a 32-foot wide road which accommodates parking. There appears to be no reason to provide parking adjacent to the Vina Robles resort. The applicants are proposing to reduce the half-width street section to 14 feet from curb face to centerline.

City Standard A-7 does not require concrete curbs. It is recommended that City Standard concrete curbs and gutters be installed for long term maintenance purposes.

In accordance with the applicant's request, it would appear that sidewalks serve no useful purpose along Mill Road.

With regard to the applicant's request to eliminate street lights, it would appear that City Standard street lights are not a good fit for Mill Road. It would seem, however, that some type of lighting, comparable with the rural character of the area, would be appropriate. It is recommended that the applicant submit a private lighting plan for Mill Road for DRC review and approval.

The applicants had applied for removal of an oak tree just east of the main entrance to the Phase 1 hospitality center. Mill Road avoids the oak tree today, so it appears unnecessary to remove it. It is recommended that improvements to Mill Road be constructed on a phase by phase basis. This will avoid the tree for now. The applicants will have from now until the development of the hotel in Phase 2 to gain the right to improve Mill Road around the oak tree. By eliminating the parking, the required road is no wider than what exists today. It is expected that the property owner to the south will be cooperative and that Mill Road will be improved within its existing path, thereby saving the oak tree with the next phase of development.

Policy

Reference: California Environmental Quality Act (CEQA); General Plan Land Use and Circulation Elements; Zoning Ordinance.

Fiscal

Impact: None.

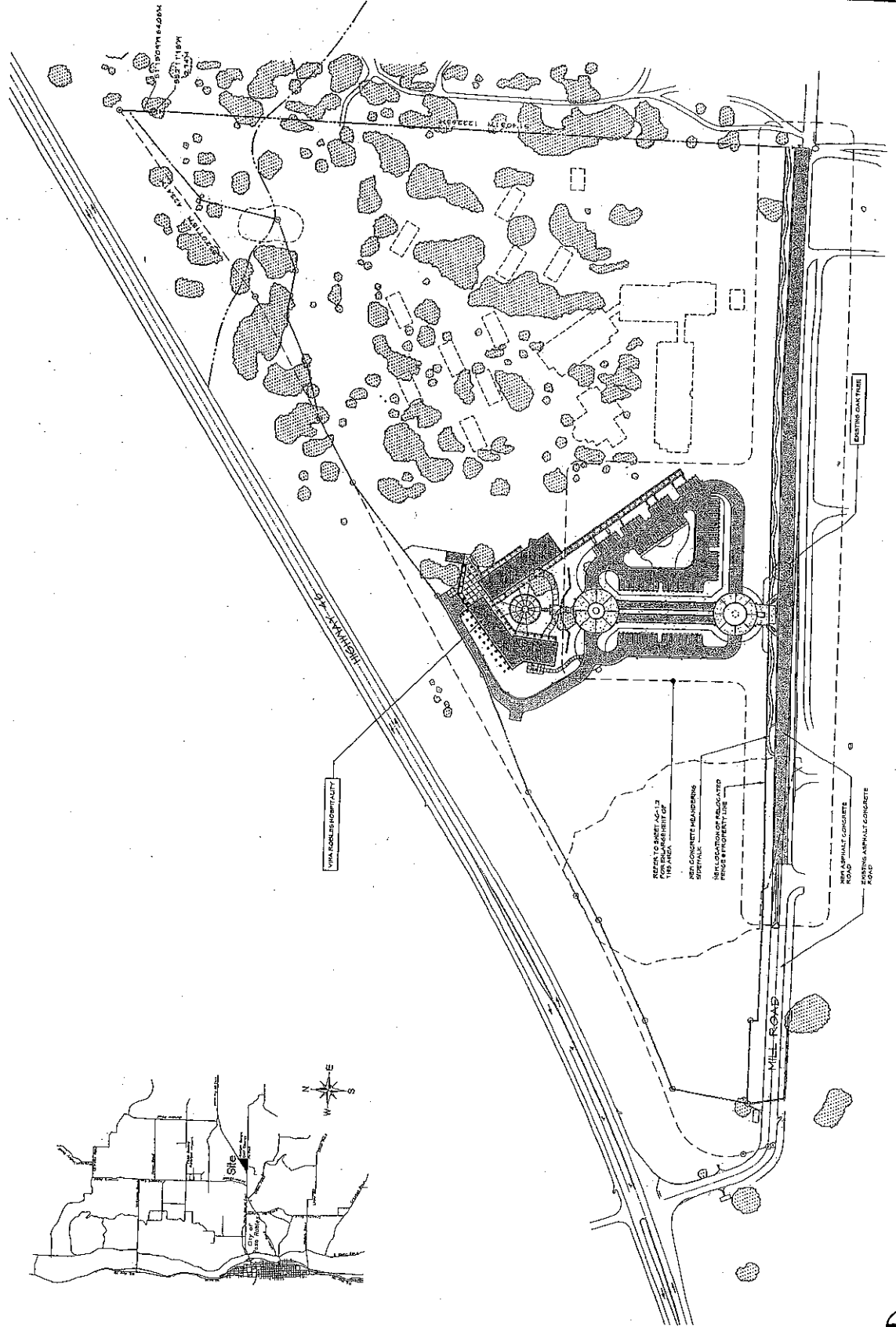
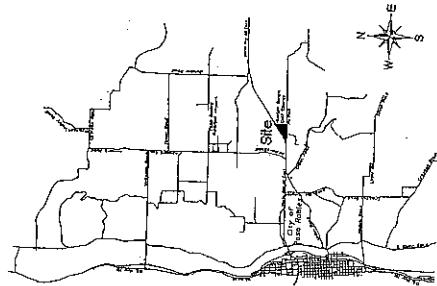
Options: After consideration of all public testimony, that the Planning Commission consider the following options:

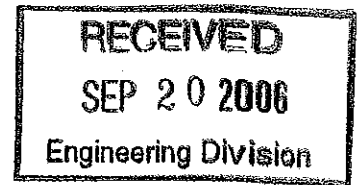
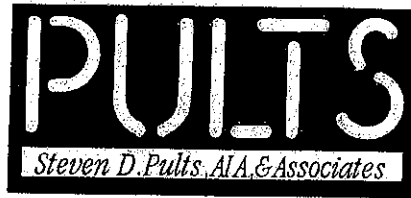
- A. Approve the request by the applicant and modify condition No. 66 of PD 02-002 as follows: "Prior to occupancy of each phase, Mill Road will be constructed in accordance with City Local Rural Standard A-7, without provisions for parking or sidewalks, and with the provision of City Standard concrete curbs and gutters. The south side of Mill Road shall be constructed with a 12-foot travel lane and an 8-foot graded shoulder. Private street lights will be provided as approved by the Development Review Committee".
- B. Amend, modify or alter the foregoing options.

Attachments:

1. Vicinity Map
2. Letter from Pults & Associates dated September 18, 2006
3. Resolution approving the applicants request
4. Newspaper and Mail Notice Affidavits

Vicinity Map





September 18, 2006

John Falkenstien, City Engineer
City of Paso Robles
Engineering Division
1000 Spring Street
Paso Robles, CA 93446

Re: Vina Robles Hospitality – Mill Road Improvements
Planned Development 02-002

Dear John,

Per the conditions of approval for the above referenced project we are required to design the Mill Road improvements per City standard A-5. We would like to appeal this condition to the City Council to get a variance from the standard to eliminate the required streetlights and sidewalk. The Vina Robles Hospitality project is located on a rural site, has limited pedestrian traffic and we are therefore requesting the elimination of the paved sidewalk. The required street lighting would in our estimation severely detract from the rural ambiance in the form of nighttime light pollution.

We have attached the following drawings for your use in our appeal to the City Council.

1. Eight half size sets of the Architectural overall site plan AC1.1 and enlarged site plan AC1.2 showing the new alignment of Mill Road, and
2. Eight half size sets of the Wallace Group Mill Road improvement drawings.

If you need any further information please let me know. Thank you for all of your assistance on this project.

Sincerely,

Laurel Hieatt, Project Architect

Enclosures

Cc: Hans – R. Michel, Vina Robles

Architecture, Planning & Graphics
3450 Broad Street – Suite 106
San Luis Obispo, CA 93401
(805) 541-5604
Fax (805) 541-4371

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES TO GRANT AN AMENDMENT
TO APPROVAL OF PLANNED DEVELOPMENT 02-002 (VINA ROBLES)
APN: 025-371-020**

WHEREAS, the subject site is located on Mill Road, south of Highway 46 and west of the Hunter Ranch Golf Course; and

WHEREAS, Planned Development 02-002 was approved by the Planning Commission on March 11, 2003, subject to Condition No. 66 stating that “Mill Road shall be designed and constructed in accordance with City Standard A-5 along the frontage of the property”; and

WHEREAS, in a letter dated September 18, 2006, the applicant’s representative has requested that sidewalks and street lights be removed from the project conditions in order to maintain a “rural ambiance”; and

WHEREAS, City Local Rural Street Standard A-7 may be approved for use by the Planning Commission. City Standard A-7 provides for Planning Commission discretion with regard to sidewalks; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 28, 2006 to consider facts as presented in the staff report prepared for the tentative tract map amendment, and to accept public testimony regarding the application, and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received, the Planning Commission makes the following findings:

1. City Rural Street Standard A-7, without provision of parking or sidewalks, is an appropriate application at Mill Road adjacent to the Vina Robles Resort, PD 02-002, and more consistent with the character of the neighborhood; and
2. Street lights on Mill Road designed by the applicant would be more consistent with the character of the neighborhood than the City Standard street lights.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby amend approval of Planned Development 02-002 subject to the revision of Condition Number 66 as follows:

Prior to occupancy of each phase, Mill Road will be constructed in accordance with City Local Rural Standard A-7, without provisions for parking or sidewalks, and with the provision of City Standard concrete curbs and gutters. The south side of Mill Road shall be constructed with a 12-foot travel lane and an 8-foot graded shoulder. Private street lights will be provided as approved by the Development Review Committee.

PASSED AND ADOPTED THIS 28th day of November, 2006 by the following Roll Call Vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRMAN, JOHN HAMON

ATTEST:

RONALD WHISENAND, SECRETARY OF THE PLANNING COMMISSION

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

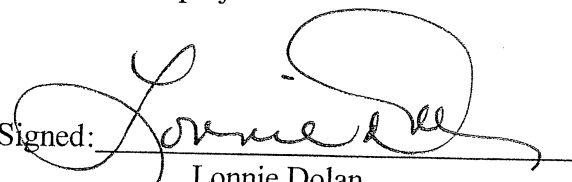
Newspaper: Tribune

Date of Publication: November 3, 2006

Meeting Date: November 14, 2006
(Planning Commission)

Project: Planned Development 02-002
Amendment (Vina Robles - Mill Road)

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

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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider a request by Vina Robles, Inc., to amend Planned Development 02-002 to **modify street improvement requirements** on Mill Road and to construct the road in conjunction with the phases of development.

The subject site is located on Mill Road, south of Highway 46 and west of the Hunter Ranch Golf Course.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, November 14, 2006, at which time all interested parties may appear and be heard.

Comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing. Should you have any questions regarding this application, please call John Falkenstien at (805) 237-3860.

If you challenge the amendment 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 Planning Commission at, or prior to, the public hearing.

John Falkenstien, City Engineer
November 3, 2006

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AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Talin Shahbazian, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Amendment to Plan Development 02-002, to modify street improvement requirements on Mill Road and to construct the road in conjunction with the phases of development (Applicant: Vina Robles, Inc. / Pults & Associates) on this 15th day of November, 2006.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 

Talin Shahbazian

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