

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: STREET ABANDONMENT 08-004 (HAWK)

DATE: OCTOBER 14, 2008

Needs: For the Planning Commission to consider a request to abandon public right of way, and determine that the proposed abandonment is consistent with the General Plan, and to make a recommendation to the City Council to approve the abandonment.

Facts:

1. The abandonment request has been filed by North Coast Engineering on behalf of William B. Hawk in conjunction with the Golden Hill Retirement project (PD 07-014).
2. The project site is located at 1450 Golden Hill Road, the subject right of way is along the southern boundary of the site (See attached Exhibit A).
3. John Falkenstien, City Engineer has reviewed the proposed abandonment and has prepared a memorandum (Attachment 2) concluding that the right of way is not conducive to be developed as a public street.
4. The City Engineer indicates that while the existing right of way is not needed as a public street, it is essential that a public path be constructed in the easement area to connect Golden Hill Road to the Chandler Ranch Specific Plan area.

Analysis
And

Conclusion: The General Plan Land Use Element does not provide for this right of way as being necessary as a public street and based on the City Engineer's analysis indicating that the proximity of street at this location would conflict with the existing Gilead Lane intersection, abandonment of the right of way as a public street seems reasonable.

Retaining a portion of the easement for the construction of a pedestrian and bicycle path would meet the intent of the City's Economic Strategy, since it would "create streetscapes, pathways, and public spaces of beauty, interest, and functional benefit to pedestrians". Furthermore, the creation of the pedestrian path would meet Policy CE-1A of Goal 1.0 of the Circulation Element since it would help establish safe paths to school for pedestrian and bike traffic.

The Streets and Highway Code establishes that a Municipality must be able to make the following findings to abandon a street:

- There will be a public advantage arising from the requested abandonment;
- The right of way is unnecessary for present or future uses as a street;
- The abandonment is for the convenience of general public and their safety and welfare.

Abandoning the right of way as a public street and retaining the area necessary for a public pedestrian/bike path would meet the goals and objectives of the General Plan and Economic Strategy, and based on that would meet the above listed findings of the Street and Highway Code.

Policy

Reference: State of California Streets and Highways Code.

Fiscal

Impact: None identified.

Options:

After consideration of public testimony, that the Planning Commission:

- a) Recommend approval of the abandonment request and direct the Public Works Department to request that the City Council schedule a public hearing to consider Street Abandonment 08-004;
- b) Amend, modify or reject the above noted option.

Attachments:

1. Location Map
2. City Engineer Memo
3. News and Mail Notice Affidavits

PARCEL 1
55/PM/95

PARCEL 2
55/PM/95

PARCEL 3
55/PM/95

PARCEL 4
54/PM/93

LOT 5
14/MB/43

LOT 5
14/MB/43

LOT 5
14/MB/43

GOLDEN HILL ROAD

PARCEL 3
PR 01-0266
58/PM/94-97

PARCEL 2
PR 01-0266
58/PM/94-97

PARCEL 1
PR 01-0266
58/PM/94-97

OFFER OF DEDICATION FOR
RIGHT-OF-WAY PURPOSES
PER DOC. NO. 1993-043185
(EXHIBITS A & B)

PARCEL 3
CO 80-0003
30/PM/21

LOT 3
15/MB/100

LOT 4
15/MB/100

LOT 5
15/MB/100

OFFER OF DEDICATION FOR
RIGHT-OF-WAY PURPOSES
PER DOC. NO. 1993-043187

LOT 2
15/MB/100

PARCEL 1
DOC. NO. 1998-026814

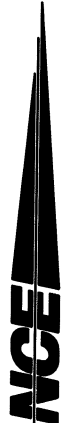
LOT 1
15/MB/100

PARCEL 2
DOC. NO. 1998-026815

LOT 9
15/MB/100

LOT 1
33/MB/86

PARCEL D
31/PM/3



NO SCALE

JOB NUMBER: 04149

Vicinity Map
Street Abandonment 08-004
1450 & 1402 Golden Hill Road
(Hawk)

H COAST ENGINEERING INC.

Station Rd Suite B, Paso Robles, 239-3127

MEMORANDUM

TO: Darren Nash
FROM: John Falkenstien
SUBJECT: SA 08-004; Golden Hill Senior Community
DATE: October 1, 2008

The Golden Hill Senior Community application includes the proposed abandonment of public right-of-way along the southwest boundary of the site. The existing right-of-way is not conducive to development as a public street due to its proximity to Gilead Lane. The development of the Chandler Ranch Specific Plan will include establishment of control at the intersection of Gilead and Golden Hill Roads (either roundabout or traffic signal). That intersection improvement will preclude left turn access from the project to Golden Hill Road.

The existing right-of-way does, however, follow a significant natural drainage course that extends from the proposed Montebello Elementary School and park site easterly into the Chandler Ranch area. Downstream areas of this drainage course have been reserved as open space and portions of a continuous bike and pedestrian path have been completed. It is essential that this public path be extended easterly from Golden Hill Road into the Chandler Ranch Specific Plan.

Recommended Conditions of Abandonment

A pedestrian-bicycle path and public access easement into the Chandler Ranch Specific Plan shall be provided prior to recordation of the right-of-way abandonment.

Prior to occupancy of the project, the property owner shall enter into an agreement with the City advising all successors in interest that upon improvement of the intersection of Golden Hill Road and Gilead Lane; access to the property from Golden Hill Road will be restricted to right turns only.

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

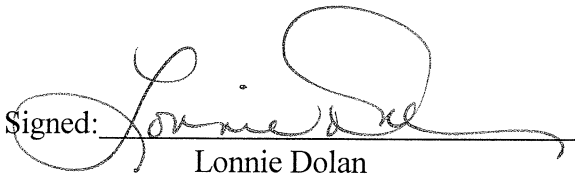
Newspaper: Tribune

Date of Publication: October 3, 2008

Hearing Date: October 14, 2008
Planning Commission

Project: Street Abandonment 08-004
(Hawk – Golden Hill 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

forms/newsaffi.691

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Planning Commission & City Council of the City of El Paso de Robles will hold Public Hearings to consider Street Abandonment 08-004, an application filed by North Coast Engineering on behalf of William B. Hawk, to abandon a portion of the existing street right of way (unnamed road). The subject right of way is on portions of the properties located at 1450 & 1402 Golden Hill Road. (APNs: 025-366-012, 016, 017 & 018) See attached vicinity map.

The Planning Commission hearing will take place at the hour of 7:30 PM on Tuesday, October 14, 2008, and the City Council hearing will take place at the hour of 7:30 PM on Tuesday, November 18, 2008.

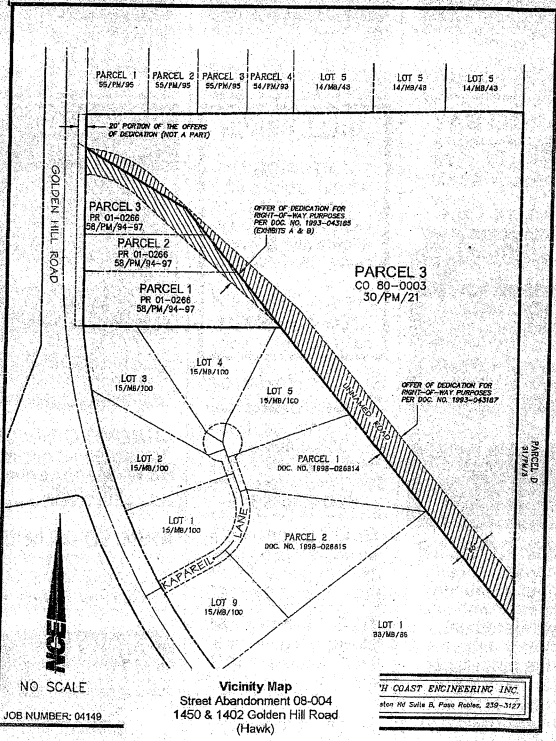
Both meetings will be held in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at which time all interested parties may appear and be heard.

This application is Exempt from environmental review per Section 15378 (no project) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

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 Darren Nash at (805) 237-3970.

The proposed Street Abandonment 08-004 will be available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, on the Thursday before the scheduled date of this hearing.

If you challenge the street abandonment 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 or City Council at, or prior to, the public hearing.



Vicinity Map
Street Abandonment 08-004
1450 & 1402 Golden Hill Road
(Hawk)

DARREN R. NASH, Associate Planner
October 3, 2008

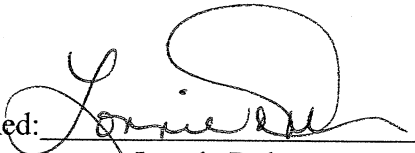
6767149

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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