



Planning Commission Agenda Report

From: John Falkenstien, City Engineer

Subject: Planning Commission Finding to Council Regarding Determination of Consistency with General Plan for Property Acquisition of parcel 025-367-022 – Lot 22 Tract 2373 (1800 block of Union Rd. - Butz Const., Inc. property owner)

Date: December 13, 2016

Facts

1. Tract 2373, a 22-lot subdivision located in the triangular southwest corner of Union and Golden Hill Roads, was recorded on June 13, 2002.
2. Lot 22 of Tract 2373 (APN 025-367-022), comprising 5.15 acres, was dedicated to the City as an easement for open space purposes. The underlying fee title (property ownership) of Lot 22 remained with the owners of the subdivision, Butz Construction, Inc.
3. To date, the open space Lot 22 has been maintained by the Landscape and Lighting District.
4. Tract 2373 is served by a sewer lift station that pumps effluent in a pressure sewer line through Almendra Court to the gravity sewer in Golden Hill Road (see sewer line exhibit).
5. The Wastewater Division desires to abandon the lift station and extend gravity sewer westerly to a gravity sewer in Arciero Court, west of Union Road.
6. The open space easement over Lot 22 is not an appropriate right of access for the extension of the sewer line. It is necessary to purchase the underlying fee title to gain the right of access for the sewer extension.
7. Pursuant to Government Code Section 65402, prior to the acquisition of property, the Planning Commission must determine whether the proposed acquisition is consistent with the General Plan.
8. Section 21151.2 of the Public Resources Code also calls for the Planning Commission to provide a report and recommendation regarding the proposed use of the subject site.
9. The General Plan designation is RSF (Residential Single Family) with an Open Space PD designation. The property is currently used as open space.
10. The determination that the property acquisition is consistent with the City's General Plan is exempt from environmental review under the California Environmental Quality Act, per Section 15061(b)(3), no possibility of environmental impact.

Agenda Item 5

Options

1. Approve Resolution A which would report findings to the City Council that the subject acquisition of property identified as Lot 22 of Tract 2373, APN 025-367-022 is consistent with the General Plan.
2. Refer back to staff for additional analysis.
3. Amend the above noted options.

Analysis & Conclusion

The Planning Commission's role is to determine whether the property proposed for purchase by the City is consistent with the City's General Plan. Tract 2373, a 22-lot subdivision located in the triangular southwest corner of Union and Golden Hill Roads, was recorded on June 13, 2002. Lot 22 of Tract 2373, comprising 5.15 acres, was dedicated to the City as an easement for open space. The underlying fee title of Lot 22 remained with the owners of the subdivision, Butz Construction, Inc.

Tract 2373 is served by a sewer lift station that pumps effluent through a pressure sewer line in Almendra Court out to a gravity sewer line in Golden Hill Road. The Wastewater Division desires to abandon the lift station and extend gravity sewer westerly to a gravity sewer line in Aciero Court, west of Union Road.

The open space easement over Lot 22 is not an appropriate right of access for construction of a sewer main. It is necessary to purchase the underlying fee title to gain the right of access for the sewer extension.

Butz Construction, Inc. has accepted the City's offer to purchase the property. Council's approval of the Purchase Agreement will clear any obstacle towards the Wastewater Division's goal of constructing a sewer extension to eliminate the Almendra Court lift station.

Fiscal Impact

\$26,000 to the Sewer Enterprise Fund

Recommendation

Option 1: Approve Resolution A reporting findings to the City Council that the subject acquisition of property identified as Lot 22 of Tract 2373, APN 025-367-022 is consistent with the General Plan.

Attachments

1. Draft Resolution A reporting on consistency with the General Plan

Attachment 1

Draft Resolution A

RESOLUTION 16-xxx

RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF EL PASO DE ROBLES FINDING CONSISTENCY
WITH THE GENERAL PLAN REGARDING PROPERTY PURCHASE
(Lot 22 of Tract 2373, APN 025-367-022)

WHEREAS, Tract 2373, a 22-lot subdivision located in the triangular southwest corner of Union and Golden Hill Roads, was recorded on June 13, 2002; and

WHEREAS, Lot 22 of Tract 2373, comprising 5.15 acres, was dedicated to the City as an easement for open space. The underlying fee title of Lot 22 remains with the original owners of the subdivision, Butz Construction, Inc; and

WHEREAS, Section 65402 of the Government Code (Planning and Zoning Laws) provides that the Planning Commission must be requested to report on whether or not a proposed purchase of property would be in conflict with the City's General Plan; and

WHEREAS, Section 21151.2 of the Public Resources Code calls for the Planning Commission to provide a report and recommendation regarding the proposed use of the subject site; and

WHEREAS, the subject property is shown in the City's General Plan as "Single Family Residential"; and

WHEREAS, the current zoning is Single Family; and

WHEREAS, the property is constrained with an open space easement and therefore cannot be developed for any use other than open space.

NOW, THEREFORE, THE PLANNING COMMISSION 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. Based on the information contained in the staff report dated December 13, 2016, the Planning Commission reports that purchase of the property known as Lot 22 of Tract 2373, APN 025-367-022, by the City of Paso Robles would, in the judgement of the Planning Commission, not be in conflict with the City's General Plan and would be a reasonable and prudent use of the subject property for open space and utility use.

Agenda Item 5

APPROVED this 13th day of December, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bob Rollins, Chairman

ATTEST:



Warren Frace, Secretary of the Planning
Commission

Exhibit A: Location Map

Exhibit A

Location Map



- manhole
- 
- Lift_Station_SCADA
- 

Property Location
Lot 22, Tract 2272