

**TO:** James L. App, City Manager  
**FROM:** Robert A. Lata, Community Development Director  
**SUBJECT:** Street Abandonment 03-002 (Bernstein-Bell)  
Portion of Leland Street  
**DATE:** February 3, 2004

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**Needs:** For the City Council to consider adopting a "Resolution of Intent" to abandon an unimproved 40-foot wide portion of Leland Street right-of-way from Blackburn Street to 150 feet southwest of Blackburn Street as shown on the attached exhibit "A".

**Facts:**

1. The Planning Commission at their meeting of January 13, 2004 recommended approval of the abandonment request subject to conditions of approval.
2. The abandonment request was submitted by Mel Bernstein and Robert Bell. The purpose of the request is to make private residential use of the area within the abandoned right-of-way in accordance with the City Council adopted Master Plan of the Blackburn Area Study.

**Analysis  
and**

**Conclusion**

The request was found to be consistent with the Streets and Highway Code, the City's General Plan and the Blackburn Area Study. Emergency Services Staff has not raised any concerns regarding the proposed abandonment.

The Planning Commission recommends approval of the proposed street abandonment.

**Policy**

**Reference:** Streets and Highway Code

**Fiscal**

**Impact:** None

**Options:**

- a. Adopt Resolution of Intent No. 04-xx to abandon a portion of Leland Street from Blackburn Street to 150 feet southwest of Blackburn Street as shown on the Exhibit "A"; and set March 2, 2004, in the Paso Robles City Hall, 1000 Spring Street, for a public hearing for all persons interested in or having objection to the proposed closing.
- b. Amend, modify or reject the above option.

Attachments: (3)

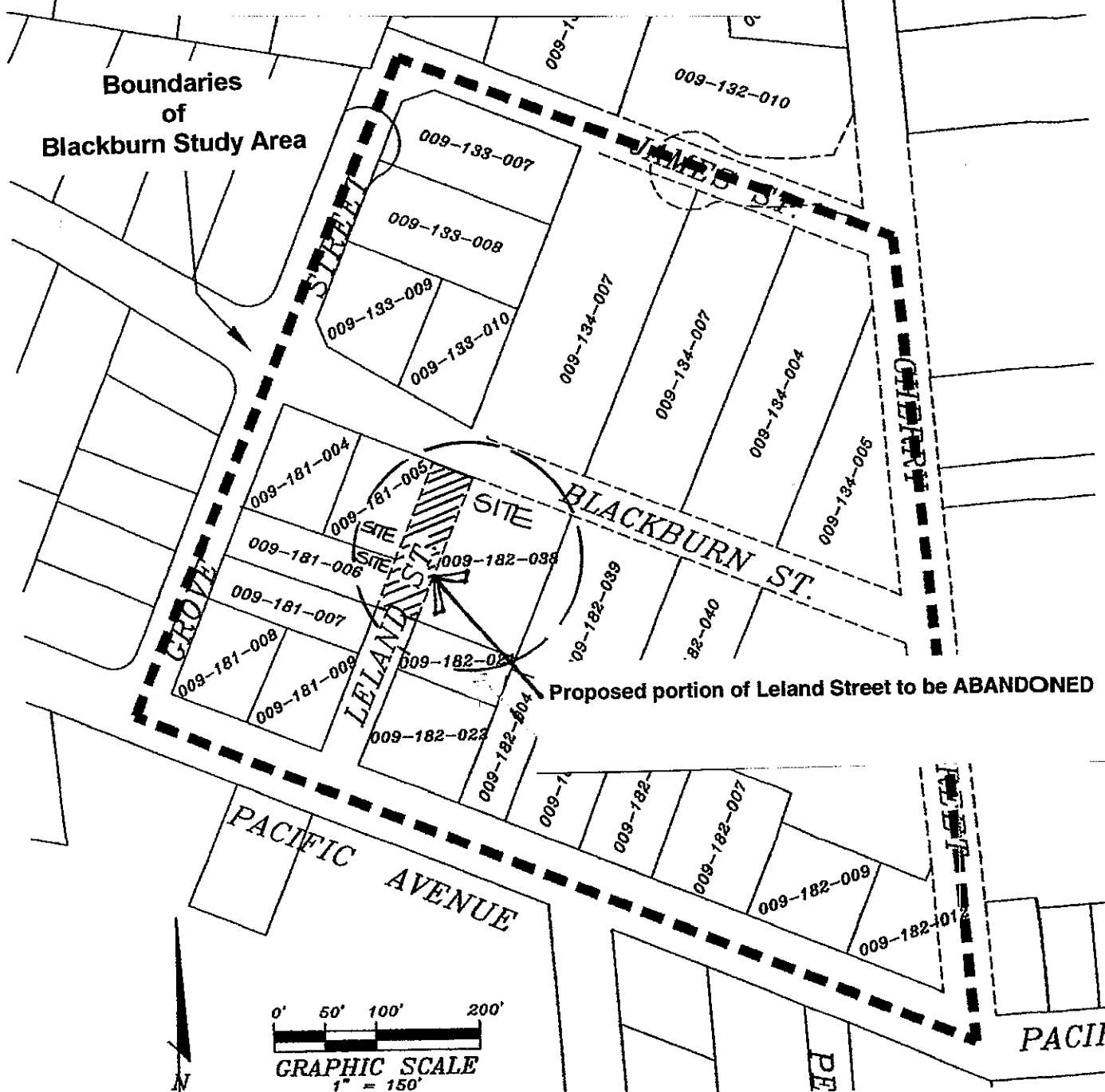
1. Resolution of Intent
2. Exhibit "A"
3. Mail and News Noticing Affidavits

# LOCATION MAP

## LELAND STREET ABANDONMENT

AGENT: R THOMPSON CONSULTING, INC.  
7600 MORRO ROAD, ATASCADERO, CA 93422  
(805) 462-1375

Boundaries  
of  
Blackburn Study Area



Proposed portion of Leland Street to be ABANDONED

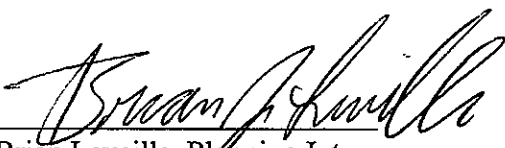
**PROPOSED LELAND STREET ABANDONMENT**

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Brian Leveille, 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 03-003 (Leland Street), on this 18th day of December, 2003.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_

  
Brian Leveille, Planning Intern

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
CORRECTED PROJECT NOTICING

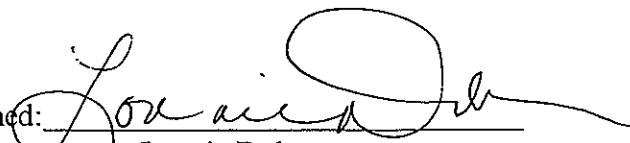
Newspaper: Press

Date of Publication: January 3, 2004

Meeting Date: January 13, 2004  
(Planning Commission)

Project: Street Abandonment 03-003  
(R. Thompson Consulting on  
behalf of Bernstein, Bell, Ames  
and Biara)

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

CITY OF EL PASO DE ROBLES  
**CORRECTED** NOTICE OF PUBLIC HEARING  
PROPOSED STREET ABANDONMENT  
NOTICE IS HEREBY GIVEN that the City of El Paso de Robles will be holding a public hearing of the Planning Commission on Tuesday - January 13, 2004, to consider the proposed Street Abandonment 03-003, filed by R. Thompson Consulting on behalf of the property owners (Mel Bernstein, Robert Bell, Timothy and Karen Ames, and Chaullet A. Biara), seeking to abandon Leland Street in the area north of existing improvements, generally north of Pacific Street, and south of Blackburn Avenue.  
The Commission's January 13th public hearing on the proposed street abandonment will be held beginning at the hour of 7:30 p.m. in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, CA 93446. Background information may be reviewed in the Community Development Department at Paso Robles Library/City Hall. Copies of the staff report on this matter will be available for review on the Thursday preceding the hearing. Per Section 15308 of the California Environmental Quality Act, the proposed street abandonment has been found to be categorically exempt.  
All interested persons are invited to comment by written response prior to the public hearing or by oral testimony at the hearing. If you challenge any aspect of this proposal in court, the challenge may be limited to those issues you or someone else raised at the public hearing described in this Notice, or in written correspondence delivered at, or prior to, the public hearing. Following this hearing, the Commission's action will be forwarded to the City Council for review/consideration as a consent calendar item at its public meeting on Tuesday - February 3, 2004.  
For additional information, call Tina Ryder at (805) 237-3970.  
/s/ Tina Ryder, City Planner  
January 3, 2004 5940123

RESOLUTION NO. 04-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
PROVIDING NOTICE OF INTENTION FOR VACATING AN UNIMPROVED PORTION  
OF LELAND STREET AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING  
(BERNSTEIN-BELL)

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WHEREAS, the Planning Commission at their meeting of January 13, 2004 recommended approval of the abandonment request subject to conditions; and

WHEREAS, the abandonment request was submitted by the applicant to provide additional area for residential development in accordance with the Blackburn Study Area as adopted by the City Council; and

WHEREAS, the City Council determines that the abandonment and vacation of the 40-foot wide portion of Leland Street right-of-way is, from all evidence submitted, unnecessary for present or prospective public use.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the above findings are true and correct.
2. That it is the intention of the City Council of the City of Paso Robles to close and vacate a 40-foot wide portion of Leland Street right-of-way more particularly described as (See Exhibit "A")
3. For further particulars as to the proposed vacation, reference is thereby made to a map and plan now on file in the office of the City Clerk of the City of Paso Robles.
4. That March 2, 2004, at the hour of 7:30 P. M., on said date in the Paso Robles City Hall, 1000 Spring Street, Paso Robles, California, is the time and place set forth for hearing all persons interested or having objection to the proposed closing.
5. That the City Engineer of the City of Paso Robles be and is hereby directed to cause a copy of this Resolution of Intention to be published fifteen (15) days prior to the date set herein for hearing in a newspaper of general circulation, published and circulated in the City of Paso Robles, California.
6. The City Engineer of the City of Paso Robles be and is hereby directed to cause a notice of the passage of this Resolution of Intention and the time and place for hearing hereon by conspicuously posting notices thereof along the line of the right-of-way to be vacated.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 3rd day of February 2004 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk