



**CITY OF EL PASO DE ROBLES
COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT APPLICATION APPEAL**

RECEIVED

MAR 13 2017

(805) 237-3970

1000 Spring Street

Paso Robles, CA. 93446

GENERAL INFORMATION REQUIRED

Applicant Jeremy & Courtney Howard Phone 805 226 9984 Fax # _____
 Mailing/Billing Address 5490 Jardine Rd, PR 93446 Email jahoward@alumni.calpoly.edu
 Representative (Appeal) Jeremy + Courtney Howard Phone 805-226-9984 Fax _____
 Mailing Address 5490 Jardine Rd, Paso Robles, CA Email jahoward@alumni.calpoly.edu
cb_jh@yahoo.com
 Property Owner _____ Phone _____ Fax # _____
 Owner's Address _____ Email _____

PROJECT DESCRIPTION (APPEAL)

Assessor's Parcel Number(s) 025-436-029, 025-346-030
 Project Location: 5151 Jardine Road, Paso Robles
 Project Description: Appeal of the Cabernet Links RV Resort Project, PD 15-004, Amendment to CUP 94-004, VTM 2962 (TR 3088) and MND, requesting mitigations of safety, traffic and environmental impacts, and elimination of Commercial Lot 7. Please see attached.

OWNER / APPLICANT AUTHORIZATION

APPLICANT / REPRESENTATIVE: I have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my knowledge. I am submitting the project description, site plan, and elevations for this project on a 3.5 inch disk or IBM compatible CD with all graphics/illustrations in PDF or JPEG format. I understand the city might not approve what I am applying for, or might set conditions of approval.

PROPERTY OWNER / AUTHORIZED AGENT: I certify that I am presently the legal owner of the above described property. Further, I acknowledge the filing of this application and certify that all of the above information is true and accurate. I understand that I am responsible for ensuring compliance with conditions of approval. (If the undersigned is different from the legal property owner, a letter of authorization must accompany this form). I hereby authorize the City of Paso Robles and/or its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements, including compliance with applicable City code requirements.

Jeremy Howard 3/12/17
 Signed Date

Courtney Howard 3/12/17
 Signed Date

BELOW AREA FOR OFFICE USE ONLY

Notes to File / Staff Notes:

Action / Body / Date:

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THIS AREA FOR OFFICE USE ONLY

DEPOSIT APPLICATIONS

- General Plan Amend.
- Rezone
- Conditional Use Permit
- Development Plan
- Tentative Tract Map
- Tentative Parcel Map
- Lot Line Adjustment
- _____

APPLICATION NO.

FEE APPLICATIONS

- Site Plan Rev. Major (\$600)
- Plot Plan Rev. Minor (\$200)
- Sign Review (\$20)
- _____
- _____

APPLICATION NO.

Total Deposit Paid (G.L. # 406-000-2304-209)

\$ _____

Total Fees Paid (G.L. # 100-000-4704)

\$ _____

Application Received By: _____

Date: _____

AGREEMENT TO PAY ALL DEVELOPMENT APPLICATION FEES

In accordance with City Council Resolution 96-75, the City collects fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I am aware that if greater than 75 percent of the application deposit amount is depleted prior to completion of the project, staff will notify the undersigned, in writing, of the amount of additional deposit required to complete processing of the application, based on staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the City within 15 days from the date of the letter, staff may stop processing of the application and/or not schedule the project for action by the Planning Commission or City Council. Any remaining deposit will be refunded to me at the time of closeout after I have submitted the approved project plans and forms electronically, or upon my written request to formally withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual time spent processing this application will be paid to the City of El Paso de Robles.

Deposit Paid: \$ 200

Applicant's Signature Jeremy and Courtney Howard Date: 3/12/17

Applicant's Name (Please Print) Jeremy and Courtney Howard

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To: Paso Robles City Council
Cc: Community Development Department
From: Jardine Community Residents
Date: March 12, 2017
Subject: **APPEAL OF CABERNET LINKS RV RESORT AND GOLF COURSE PROJECT**

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On March 8, 2017, Jardine community residents held an open-forum meeting¹ to voice concerns about changing the development allowed on the Links Golf Course from light industrial to a 290 space RV resort with related commercial establishments (the Project). Though the majority of the attendees were against the Project completely, we as a community understand that the location of the land is in Paso Robles City limits. We discussed concerns and voted on those concerns that were of the greatest importance to the residents of the Jardine community. We ask that the Paso Robles City Council, and property owner/developer as applicable, consider these concerns and modify the Planning Commission's actions from February 28, 2017 concerning the Project accordingly. Our concerns and appeal are as follows:

1. Water, Sanitation, and Environmental Impact

- a. The Jardine community asks that **water service from the City to the Project be completed** and verified publicly with both Paso Robles City and County residents surrounding the proposed development.
 - i. Does the Project plan to utilize city water or well water, and will the Project increase demand on City wells? If the Project utilizes well water, the Jardine community requests that impacts be mitigated. This may require a well interference analysis prior to Project development, and participation in a monitoring program. The existing concentrated demand on the shared aquifer in this area cannot be exacerbated by new development and risk the Jardine community's economic ability to access the water for domestic use.
- b. The Jardine community asks that **sewer service from the City to the Project be completed** and verified publicly with both Paso Robles City and County residents surrounding the proposed development.
 - i. If a septic system is placed we ask that a comprehensive analysis and design be done to ensure it will not contaminate wells by exceeding the

¹ Approximately 65 community members were in attendance; meeting materials available upon request.

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capacity of the soils to treat the leachate and/or contribute to the salt and nutrient loading in the groundwater basin. We also ask that City Public Works staff be involved to ensure the City's Wastewater Facility can accommodate waste production from the resort and/or the pumped septage.

2. Safety and Traffic

- a. The traffic issue is one of the greatest concerns for the Jardine residents. The Jardine community asks that a **comprehensive, multi-party safety and traffic evaluation be performed** involving Cal Trans, the CHP, the County, the City, the School District, the Project owner and the Jardine community to address the following issues (also see Attachment 1):
 - i. Jardine Rd and Dry Creek Rd Safety and Level of Service. This intersection was not evaluated in accordance with standard practice for the main traffic route for the Project. The ability of oversized vehicles to utilize this intersection is of concern and has a direct impact on the residents in the area.
 - ii. Highway 46 and Dry Creek Road Safety and Level of Service. Cal Trans issued a letter on 02/28/2017 (see Attachment 1) regarding the inadequacy of the traffic study and corrections needed, including the need to address the cumulative impact with other approved developments. Safety was also not addressed for this intersection.
 - iii. Jardine Road Project Access Location Safety. As many of us have children that live in the area and are transported into the City of Paso Robles for education via bus, the behavior of oversize vehicle traffic on Jardine Road becomes of even greater concern at bus stop locations. Our rural road has mixed uses, including bicycles, equestrians and pedestrians and oversized vehicles mixed with existing traffic would increase the risk of accidents. Safety and appropriate ingress and egress design mitigations (turn lanes, merging lanes, shoulder width, delineators, signage, etc.) need to be evaluated and included in the conditions for the Project.
 - iv. Project Access Point/Circulation Alternatives. The previously approved light industrial development ingress and egress point was Aerotech Center Way. This and other traffic flow alternatives should be evaluated to mitigate impacts identified in the comprehensive analysis.
 - v. Ongoing Maintenance. Before approving additional load on the roads, a collaborative solution to fund and provide maintenance for Jardine and Dry Creek Roads over time needs to be in place as there are no current

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plans to provide adequate maintenance for Dry Creek Road or Jardine Road.

3. Pollution and Operations Mitigation

- a. The Jardine Community asks that **mitigations and/or conditions to address operations impacts** of the Project (including commercial activities) be required. We as a community living in the Jardine area all agree we moved to the area for many reasons, including a quiet country side and stars at night. Our concerns are with 1) the noise pollution from special events, 2) light pollution from lighting of the resort and special events, and 3) smoke pollution from BBQs and the potential for 290 campfires. We believe that these types of pollution are an impediment on our rights as neighboring residents of the Project to the peaceful enjoyment of our homes established in the area before the proposed Project. Additionally, neither campfires nor BBQs were analyzed as part of the CEQA initial study.

4. Commercial Lot 7 (Convenience and Liquor Store)

- a. The Jardine community asks that **Commercial Lot 7 not be approved** by the City Council and be omitted from the development plan. The Jardine community as represented in the meeting unanimously agreed that the placement of a convenience and liquor store is unnecessary in our area and would not be utilized. We are grateful to the Project owner for agreeing to remove Commercial Lot 7 during the Planning Commission meeting, however it was not removed by the Planning Commission. Reasoning included needing the store so resort guests didn't need to travel back to town, however snacks and alcohol are already sold on the property at the clubhouse. Lot 7 and its entrance was not evaluated in the CEQA initial study, nor the traffic study. This proposed location is directly across from residents and homes where children reside. We believe the placement of this store would pose a risk to the children residing in these homes as well as increase traffic, noise, light pollution and potentially crime in very close proximity to homes as well as the greater Jardine area. Additional justification for omitting Commercial Lot 7 is included as Attachment 2.
- b. If the City Council feels that a sundries store is necessary for the resort, we ask that a compromise be reached by relocating the store to the common area inside the resort, near the other commercial activities, as none of the Jardine community residents represented in our meeting had a desire for the store's existence or use.

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5. Safety and Emergency Response

- a. The residents of Jardine ask that a study be conducted on **the impact of increased response times of Police, Fire, and EMS**. Residents are concerned about increased competition for already limited public safety services in the Jardine area. Will city public safety services be able to serve the Cabernet Links RV resort, or will this project add additional load to county emergency responders? The same ambulance that services the city of Paso Robles also services the Jardine community. We believe services that emergency responders will provide to the Resort will directly impact and impede on services rendered to our community.
- b. We as a community request that a condition be included to require any special event involving more than 100 people require a provision of separate emergency services and ambulance standby coverage for the duration of the event.

We, the Jardine community, thank you for your time and consideration of our concerns and appeal, and look forward to hearing your response to each issue identified above. We hope that compromises can be made that are in the best interest of all parties involved in the development of the Cabernet Links Golf Course property.

Concerned Citizens of the Jardine Community

Attachments

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DEPARTMENT OF TRANSPORTATION
 50 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401-5415
 PHONE (805) 549-3111



Serious Drought.
 Serious drought.
 Help save water!

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February 28, 2017

Darren Nash
 City of Paso Robles
 Planning and Building
 1000 Spring Street
 Paso Robles, CA 93446

05-SLO-46-34.6

**COMMENTS ON THE MITIGATED NEGATIVE DECLARATION FOR THE CABERNET LINKS
 GOLF & RV RESORT**

Dear Mr. Nash:

The California Department of Transportation (Caltrans) appreciates the opportunity to review and provide comments on the Mitigated Negative Declaration (MND) for the proposed Cabernet Links Golf & RV Resort in El Paso De Robles. The proposed project includes 290 RV spaces, six wine tasting/brewery sites, an 18-hole golf course, and 33.84 acres of vineyard.

This project is of great interest to Caltrans as it relates to the long term safety, mobility, and operations of State Route (SR) 46. The resort is anticipated to generate 1,791 daily weekday trips, largely by RVs and other slow moving vehicles. We believe the full breadth and depth of impact from these trips are not accurately assessed or disclosed in the Transportation Impact Analysis (TIA). Revisions to the TIA are needed in order to determine if and what mitigation measures may be necessary to address project specific or cumulative impacts to SR 46. Caltrans has observed a recent increase in development activity along this corridor that has the real potential to not only outpace necessary transportation infrastructure improvements but diminish the value of investments already made on SR 46. It is critical that sufficient infrastructure is in place for the long term benefit of the interregional network and the local community. Caltrans offers the following detailed concerns/comments pertaining to the TIA for your consideration:

The methodology used to determine the Level of Service (LOS) on the Jardine Road/SR 46 intersection incorrectly applied the Highway Capacity Manual (HCM) "weighted average" factor for the analysis. This manipulation of the findings resulted in a better operating condition than will actually exist when the 1,791 daily trips are added. The HCM states:

LOS is not defined for the intersection as a whole or for major-street approaches for three primary reasons:

- (a) Major-street through vehicles are assumed to experience zero delay;*
- (b) the disproportionate number of major-street through vehicles at a typical TWSC intersection skews the weighted average of all movements, resulting in a very low overall average delay for all vehicles, and*
- (c) the resulting low delay can mask important LOS deficiencies for the minor movements." (HCM 2010, Page 19-1)*

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Mr. Nash
02/28/2017
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The third point from the HCM quote is our primary concern; the current study does not reflect (masks) the actual impact to Jardine Road/SR 46. Caltrans cannot concur with the findings in the TIA or at this time confirm that the existing roadway environment will be able to accommodate the additional growth. Related, but separate to this development, is the recently approved Destino Paso Resort Hotel at Airport Road. Caltrans brought to the City's attention the need to make intersection improvements at Airport Road/SR 46. However, the project was approved without those recommendations and instead required the Destino project to direct traffic away from Airport Road and use Jardine Road for access to SR 46. We bring this to your attention in the context of this project because these new Destino trips were not accounted for in this current study. The intersection of Jardine Road and SR 46 currently operates deficiently, therefore it is especially critical to accurately disclose impacts at this location. This information is needed to determine what project-specific mitigation (if any) may be needed.

The TIA also identifies that the project will be required to pay traffic mitigation fees to the City to offset its cumulative effect to the SR 46 E Corridor. Caltrans supports this recommendation but requests that it specify direction of impact fees to the Union Road-Airport Road Operational Improvements project and to parallel route development. The City's Development Impact Fee Justification Study identifies that developer fees will only fund a portion of the total cost for these improvements. Caltrans requests that the City develop a strategy to close the funding gap in order to implement necessary infrastructure improvements proportionally and concurrently with new development.

Thank you for the opportunity to review and comment on this project. We appreciate the opportunity to participate in development review within the city and specifically as it relates to SR 46. Please feel welcome to contact me at Melissa.streder@dot.ca.gov or 805-549-3800 if you have any questions regarding the comments provided or as it relates other future development plans along the corridor.

Sincerely,



Melissa Streder
Planning and Development Review
Caltrans District 5

cc. Cindy Utter, John DiNunzio

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Attachment 2
Justification for Eliminating Commercial Lot 7 and Secondary Driveway

Commercial Lot 7 and the secondary driveway is requested to be eliminated and not approved should the remainder of the project be approved. The new entrance on Jardine Road and associated commercial lot (proposed to have a convenience store that presumably sells alcohol) would be inconsistent with and not supportable by the findings in Resolution C which approves the development plan for the Project.

Finding 4.

“The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood,”

Commercial Lot 7, its use and a new entrance to the project *would* have these detrimental impacts to residents - residents would be subject to the stress, discomfort and inconvenience associated with new traffic going in and out, delivery trucks, customers, lighting, potential crime, garbage, noise, odors and headlights of vehicles leaving which would directly go into residential windows. The safety and general welfare of children in the neighborhood is also a concern with the site attracting new traffic, large RVs and unknown customers.

“injurious or detrimental to property and improvements in the neighborhood”

It is reasonably likely that the value of, or ability to sell, homes impacted by Lot 7 development will decrease if the entrance and commercial lot with a liquor store goes in at the residential driveways.

“or ... since the property is not located in close proximity to other residents or neighborhoods, and it would not result in significant noise, traffic, light, glare, or other potential effects.”

This finding is inherently false with respect to Commercial Lot 7, its liquor store and the new intersection as it is on the street in close proximity to other residents and light from exiting cars would go in the windows of residents.

Finding 6.

“The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements,”

It is reasonably likely that Commercial Lot 7, its liquor store and the new intersection would be detrimental to and incompatible with nearby homes and ingress/egress.

“provides appropriate visual appearance, and contributes to the mitigation of any environmental and social (e.g., privacy) impacts, since it is proposed to be a low-intensity

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development on the rural landscape, and would mitigate potentially significant environmental impacts.”

This finding is inherently false with respect to social impacts associated with Commercial Lot 7, its liquor store and the new intersection as it is just on the other side of the street from residences.

The overall findings iterate that adequate setbacks and mitigations are proposed, however none address Commercial Lot 7, its proposed liquor store and the new intersection. For this reason and those itemized above, both of these project elements should be eliminated.

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