



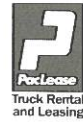
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Attachment 5



February 26, 2023

Mayor Martin
Councilmember Bausch
Councilmember Gregory
Councilmember Hamon
Councilmember Strong

RE: Request to Amend No. 16 of City Council Resolution 21-0145 regarding a condition of approval for a road maintenance agreement
Hearing Date: March 7, 2023
Applicant: ABI Construction
Location: 70 Nutwood Circle, Paso Robles, CA

Dear Mayor and Councilmembers,

I am in support of amending the condition of approval for ABI Construction's project. I do not support Planning Commission's recommendation to eliminate the condition. Instead of eliminating the requirement, the condition could be stated to "Prior to Occupancy."

ABI proposes to develop the site with a new 6,000 sq. ft. industrial building located off of Nutwood Circle. The project is required to satisfy the following condition:

Applicant shall take the steps necessary to work with the property owners of Assessor Parcel Numbers: 009-851-022 and 009-851-023 (properties on Nutwood Circle within the City limits) to develop a road maintenance agreement. This City is not in the position to be part of this process. Provide a letter to the City that verifies how the maintenance agreement has been resolved.

Timing: Prior to Grading Permit Issuance.

The Planning Commission recommended to City Council that the project proceed without a road maintenance agreement. This recommendation is not fair to the future developers of Nutwood Circle. Two other commercial projects are proposed on the south side of Nutwood Circle. Mr. Doug Ayres is proposing a mini-storage development on APN 009-851-023, and I am proposing a Peterbilt facility on APN 009-851-022.

As stated above, I would support the condition on ABI's project being amended to:

Timing: Prior to Occupancy

This would allow ABI's construction to begin. No further delays would be caused by the condition.

It is my understanding that Mr. Brown has tried to include the neighbor's whose properties use Nutwood for ingress and egress to their residences. Although that appears to be a fair and reasonable request, there is no legal requirement for the residents to sign a road maintenance agreement. Their properties are not within the city limits but in the county. No road maintenance agreement was required for the residential subdivision at the time it was created.

The 3 commercial parcels undergoing development front on the portion of Nutwood that lies within the City's limits. The condition places the burden of road maintenance on these 3 properties. I am in support of sharing the cost of the maintenance with my neighbors. I would support an amendment to the condition as stated above, but not elimination of the condition. If the condition was eliminated as proposed by the Planning Commission, the cost of road maintenance would fall on two commercial property owners instead of the 3 that are utilizing Nutwood Circle.

If you have questions, please contact me at 408-210-4634. Thank you for your consideration.

Sincerely,



Craig Archer

cc Warren Frace / Director

Pamela Jardini / Planning Solutions

Scott Romaine / Studio 2G