

DATE: 01/05/99 AGENDA ITEM # 3
() APPROVED () DENIED
() CONTINUED TO _____

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR *RAL*

SUBJECT: TENTATIVE PARCEL MAP PR 98-135 (BRYANT)

DATE: JANUARY 5, 1999

Needs: To consider an Appeal filed by Dr. B.R. Bryant, relating to the Planning Commission's decision of November 24, 1998, to approve a Tentative Parcel Map PR 98-135.

- Facts:
1. The parcel map was filed by Daniel J. Stewart on behalf of Jaqueline Bryant, to subdivide two existing parcels into three residential lots.
 2. The site is located at 1025 Olive Street, on the west side of the street between 10th and 11th Streets.
 3. Attached is a copy of the staff report, presented to the Planning Commission at it's meeting of November 24, 1998, providing background to the applicant's request.
 4. The Planning Commission at it's meeting on November 24, 1998 approved the applicant's request to subdivide the property into three residential lots.

Analysis and Conclusions:

Dr. B.R. Bryant submitted an application to appeal PR 98-135 on November 25, 1998. He is supportive of the parcel map, but feels that an easement should be recorded on Lot 1 of the parcel map for access to his property to the north. An apartment complex exists on Dr. Bryant's property, which uses an existing driveway (located on Lot 1 of Pr 98-135) as the sole access to the site.

At the time of the development of the apartment complex, Dr. Bryant and Jaqueline Bryant were co-owners of both the properties. Now, she owns the subject Parcel Map PR 98-135.

RIMC CODE: Community Development Department
DATE: January 5, 1999
FILE PLAN/GE CAT.: Current Planning/Planned Developments
SUBJECT: Appeal of PR 98-135 (Bryant) CC Report
LOCATION: Development Services File Room
RETENTION: Permanent

Dr. Bryant had requested the Planning Commission to require Mrs. Bryant to grant him an access easement over Parcel 1 of her property, which has been the sole access of his property. Consistent with the City Attorney's advice, the Planning Commission declined to add a condition of approval to Mrs. Bryant's parcel map that did not relate to the subdivision of her property.

The City Attorney has stated that this type of access easement and questions of prescriptive rights are Civil matters and suggested that the City not become involved (This would be a matter for mutual agreement between the parties, or a judicial action).

Policy

Reference: City of Paso Robles Zoning Code.

Fiscal

Impact: None

Options:

After consideration of all public testimony, the City Council should consider by separate actions, the following options:

- Nov. 24th*
- a). Uphold the Planning Commission decision of ~~December 8, 1998~~ to approve Tentative Parcel Map 98-135.
 - b). Amend, modify, or reject the above options.

Attachments:

1. Vicinity Map
2. Dr. Bryant's Letter of Appeal
3. Tent. Parcel Map 98-135, Appeal Diagram
4. Draft Resolution Approving Tent. Parcel Map 98-135.
5. Planning Commission Staff Report of November 24, 1998
6. Mail and News Notice Affidavits

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 98-135 (BRYANT)
APN: 009-082-024 & 027

WHEREAS, Parcel Map PR 98-135, an application filed by Dan Stewart, on behalf of Jacqueline Bryant, to subdivide two parcels with an approximate total area of 1.29 acres into three lots, located at 1025 Olive Street, and

WHEREAS, a public hearing was conducted by the Planning Commission on November 24, 1998 to consider facts as presented in the staff report prepared for the parcel map application, and to accept public testimony regarding the proposed parcel split, and

WHEREAS, the Planning Commission on November 24, 1998, granted the approval of Tentative Parcel Map 98-135, and

WHEREAS, An appeal was filed by Dr. B.R. Bryant on November 25, 1998, to request the City to require a recorded easement on Lot 1 of PR 98-135 in favor of his property to the north, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative parcel maps are consistent with the adopted General Plan for the City of El Paso de Robles;
2. The design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;
5. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the land division and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;

8. The construction of the required improvements noted herein, within the specified time frames noted herein, are necessary to assure orderly development of the surrounding area;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles, does hereby grant tentative map approval for Parcel Map PR 98-135 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS OF APPROVAL:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

COMMUNITY DEVELOPMENT

2. The project shall be constructed so as to substantially conform with the following listed exhibit and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Parcel Map PR 98-135

ENGINEERING

3. Prior to the recordation of the final map, the applicant shall provide separate sewer and water laterals to serve each parcel.
4. Olive Street shall be dedicated to a 30-foot one-half width local roadway. Chestnut Street shall be dedicated to a 25-foot one-half width Hillside Street. Prior to the recordation of the parcel map, curb, gutter, sidewalk, parkway landscaping and/or streetlights shall be installed per City Standards and Specifications for that portion of the applicant's property along Olive Street and Chestnut Street. Chestnut Street final design shall be reviewed and approved by the Development Review Committee (DRC).
5. A separate grading plan for each parcel shall be approved by the City Engineer concurrent with the application for a building permit.
6. All utilities to serve this property shall be installed underground.

PASSED AND ADOPTED THIS 5th day of January, 1999 by the following roll call vote:

AYES:

NOES:

ABSENT:

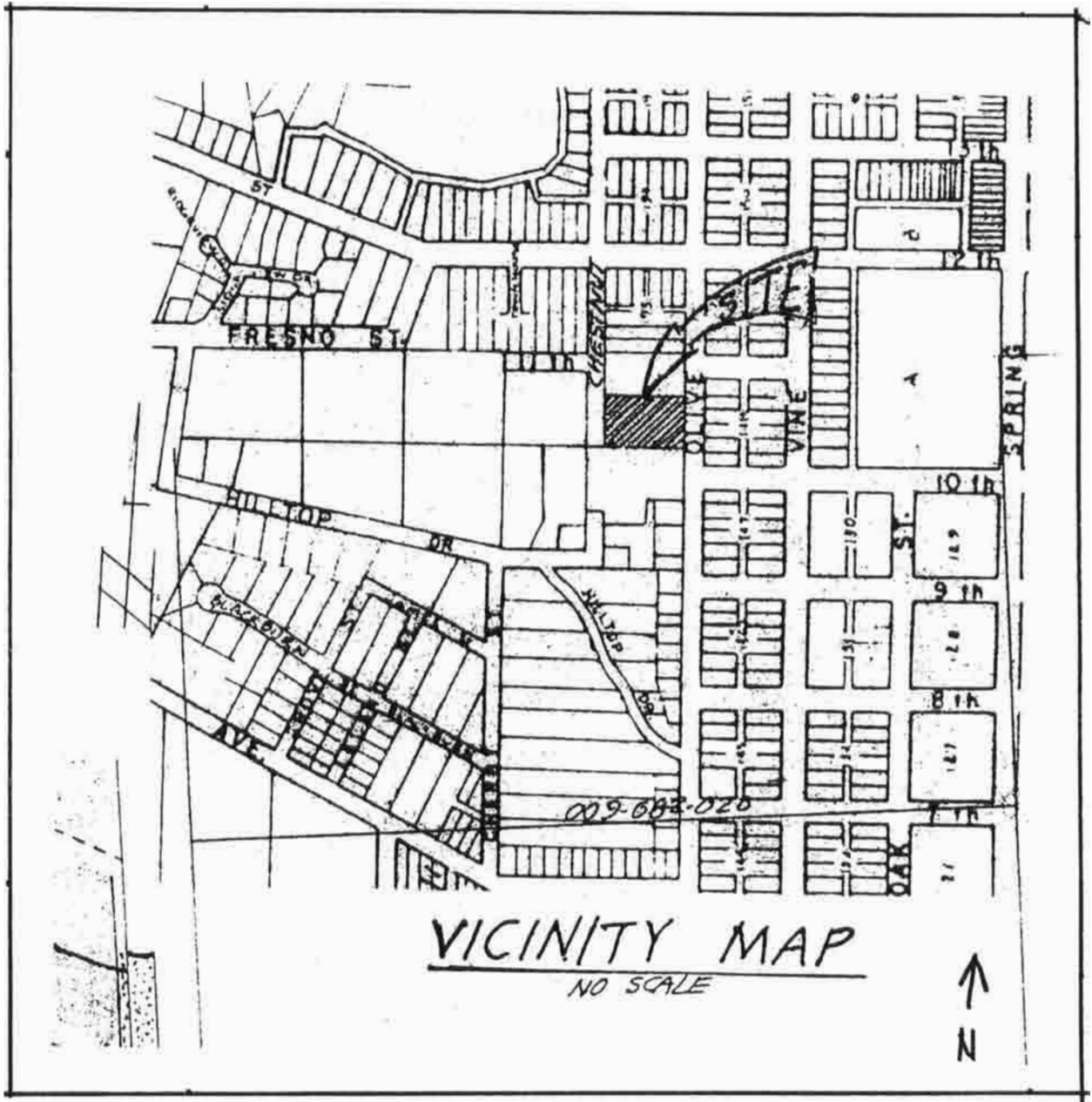
ABSTAIN:

ATTEST:

Duane J. Picanco, Mayor

Madelyn Paasch, City Clerk

h:darren/P-Maps/Bryant/1-5CCres.



VICINITY MAP
TENT. PARCEL MAP PR 98-135
(BRYANT)

B.R.BRYANT LIVING TRUST
725 WALNUT DRIVE
PASO ROBLES, CA 93446
(805)238-9622

RECEIVED
NOV 25 1998
COMMUNITY DEVELOPMENT

November 25, 1998

City Council
El Paso De Robles, CA

Dear Sirs:

As owner of the property immediately adjacent to the property being subdivided, I support the subdivision of the parcels in Map PR98-135.

However I protest the conditions approved by the Planning Commission on November 24, 1998.

Thank you for the opportunity to be heard at the earliest possible time.

Sincerely yours,


B.R. Bryant

TENTATIVE
PARCEL MAP (REVISED 10/11/98)
 PR 98-135 11/17/98
 BEING A SUBDIVISION OF PARCELS
 A & D OF 20-PM-3 IN
 BLOCK 195
 CITY OF PASO ROBLES
 SAN LUIS OBISPO COUNTY
 STATE OF CALIFORNIA
 APN 005-002-024,027



Existing
 Apartments
 (Dr. B.R. BRYANT)

OWNER'S STATEMENT
 I DO HEREBY APPLY FOR THE APPROVAL OF THE SUBDIVISION OF REAL PROPERTY SHOWN ON THIS TENTATIVE MAP AND STATE THAT I AM THE LEGAL OWNER AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
 SIGNED Jaqueline D. Bryant
 ADDRESS 10011 11th St, Paso Robles, Ca 93244
 P.O. Box 9344

ENGINEER'S STATEMENT
 I DO HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE CITY ORDINANCE OF THE CITY OF PASO ROBLES.
 SIGNED Daniel J. Stewart
 DANIEL J. STEWART P.E. 11558
 EXP. 3/31/01

Existing driveway
 where Dr. Bryant
 currently takes his
 access.

RECEIVED

NOV 12 1998

COMMUNITY DEVELOPMENT

DANIEL J. STEWART
 PO BOX 2038
 PASO ROBLES, CA 93447

PR 98-135
 (Jaqueline Bryant)

TENT. PARCEL MAP PR 98-135
 APPEAL (BRYANT)

Chestnut St.

Olive St.

11TH ST

11TH ST

VICINITY MAP
 1" = 600"



10TH ST

Date _____ Item # _____
() Approved () Denied
() Continued To _____

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR *RLA*

SUBJECT: PARCEL MAP PR 98-135
(BRYANT)

DATE: NOVEMBER 24, 1998

Needs: To consider Parcel Map application, PR 98-135, filed by Daniel J. Stewart on behalf of Jaqueline Bryant, to subdivide two existing parcels into three residential lots.

- Facts:
1. The site is located at 1025 Olive Street, on the west side of the street between 10th and 11th Streets.
 2. The General Plan land use designation is Residential Single Family(RSF) and the zoning is R1 (single family residential).
 3. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement CEQA.
 4. This project application was found to be complete on September 9, 1998. Under State Law, in the absence of a mutually agreed upon 90 day time extension or a voluntary withdrawal and resubmittal as a new project, this project must be acted upon by the decision making body by March 9, 1998.
 5. Attached to this report is an analysis of the proposed parcel maps by the Engineering Division.
 6. A Technical Review Committee (TRC) meeting was held between Dan Stewart and Staff on November 6, 1998, to discuss the proposed conditions of approval.

RIMC CODE:	Community Development Department
DATE:	November 24, 1998
FILE PLAN/GE CAT.:	Current Planning/Parcel Maps
SUBJECT:	Parcel Map PR 98-135(Bryant) PC Report
LOCATION:	Development Services File Room
RETENTION:	Permanent

Analysis
and

Conclusion: The applicant's request to subdivide these parcels would meet lot design and development criteria established by the municipal code.

Policy

Reference: City of Paso Robles Zoning Code; Land Use Element of the General Plan.

Fiscal

Impact: There would not be a fiscal impact anticipated from the approval of this application.

Options:

After consideration of all public testimony, the Planning Commission consider the following options:

Option A: Approve the Parcel Map applications; by separate actions, the Planning Commission should:

1. Adopt the attached resolution granting tentative approval to Parcel Map PR 98-135.
2. Reach a consensus on the bases for denial of Parcel Map PR 98-135 and direct staff to prepare a resolution with findings for denial for consideration at the December 8, 1998 meeting.

Option B: For the Planning Commission to amend, modify or reject the above noted options.

Attachments:

1. Location map
2. Resolution approving Tentative Parcel Maps PR 98-135
 - Exhibit A, Standard Conditions
 - Exhibit B, Reduction of Tentative Parcel Map PR 98-135
3. Engineering Division Analysis
4. News Affidavits

H:\darren\p-maps\PR 98-135 pc.rpt.

PROJECT DEVELOPMENT
ENGINEERING STAFF REPORT

TO: COMMUNITY DEVELOPMENT DEPT./PLANNING DIVISION
FROM: DEPT. OF PUBLIC WORKS/ENGINEERING DIVISION *DAS*
DATE: November 12, 1998
PROJECT NO.: PARCEL MAP 98-135
PROJECT NAME: N/A
APPLICANT: JACQUELINE BRYANT
REPRESENTATIVE: DANIEL J. STEWART
LOCATION: APN'S 009-082-024 AND 009-082-027
SCHEDULED: TECHNICAL REVIEW COMMITTEE - NOVEMBER 5, 1998

APPLICATION PROPOSAL:

The applicant proposes to subdivide the existing two parcels on Olive Street into three residential parcels.

II. SITE DESCRIPTION/OAK TREES:

The property is bordered to the west by Chestnut Street, to the north by the Presidio apartment complex, to the east by Olive Street, and to the South by two private residential lots. The property boundary is rectangular in shape and about 190-feet of the property fronts Chestnut Street, 297-feet borders the Presidio apartment complex, 190-feet fronts on Olive Street and 297-feet borders residential lots 009-131-020 and 009-131-005. The eastern half of the property (tentative parcels 2 and 3) is relatively flat in slope, however it steps up in elevation from 104-feet to 114-feet. The western half (tentative parcel 1) rises in elevation at an approximate 30% slope.

An oak tree exists in the City right of way on the south west corner of the property. The drip lines of several oak trees are located within the property boundary. According to the City's Oak Tree Preservation Ordinance, protection measures must be taken to preserve the trees during construction.

III. GRADING:

No grading work is proposed with this parcel map application. A separate application will need to be reviewed and approved prior to any grading on any of the parcels at the time a building permit is required for each lot.

IV. WATER SYSTEM:

There is an existing 6-inch diameter water line in Olive Street and an existing 6-inch diameter water line in Chestnut Street. In accordance to City policies, each parcel will need its own service line installed prior to recordation of the final parcel map.

V. SEWER SYSTEM:

There is an existing 6-inch diameter sewer line in Olive Street. In accordance to the Sewer Ordinance each parcel will need its own sewer lateral installed prior to recordation of the final parcel map.

VI. DRAINAGE/FLOODING:

A grading plan for each lot will need to be submitted at the time of a building permit application in order to insure that drainage of each lot remains on-site and is discharged in accordance to the City's Standards and Specifications (Dwg. No. M3.1) and as approved by the City Engineer.

VII. STREETS/SIGNALIZATION

Approximately 297-feet of the property fronts on Olive Street and 297-feet fronts on Chestnut Street. Olive Street is classified as a Local Street (Dwg. No. A-5). The appropriate right of way has already been dedicated to establish a 30-foot wide (one-half width) roadway along the property frontage. Chestnut Street is classified as a Hillside Street (Dwg. No. A-8). The appropriate right of way has already been dedicated to establish a 25-foot wide (one-half width) roadway along the property frontage. Further, per City Policy, these roads will need to be improved with curb, gutter, sidewalk, pavement, parkway landscaping and/or streetlights to their respective half-widths or they must match the existing improvements with the approval of the City Engineer.

VIII. UTILITIES:

In accordance to Municipal Code Section 22.24.190, all utilities that serve this property shall be installed underground.

IX. ENGINEERING RECOMMENDATIONS:

The Engineering Division recommends approval of this application subject to the following attached Public Works Standard Conditions and Site Specific Conditions of Approval.

X. SITE SPECIFIC CONDITIONS:

1. Prior to the recordation of the final map, the applicant shall provide separate sewer and water laterals to serve each parcel.
2. Olive Street shall be dedicated to a 30-foot one-half width local roadway. Chestnut Street shall be dedicated to a 25-foot one-half width Hillside Street. Prior to the recordation of the parcel map, curb, gutter, sidewalk, parkway landscaping and/or streetlights shall be installed per City Standards and Specifications for that portion of the applicant's property along Olive Street and Chestnut Street.
3. A separate grading plan for each parcel shall be approved by the City Engineer concurrent with the application for a building permit.
4. All utilities to serve this property shall be installed underground.

PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

APPLICANT: JACQUELINE BRYANT
PREPARED BY: DARIO SENOR
REPRESENTATIVE: DANIEL J. STEWART
PROJECT: PR 98-135

C. PRIOR TO ANY PLAN CHECK:

X 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR TO RECORDING OF THE FINAL OR PARCEL MAP:

X 1. The owner shall pay all Final Map fees, and current and outstanding fees for Engineering Plan Check and Construction and Inspection services and any annexation fees due.

X 2. If, at the time of approval of the final/record parcel map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act, prior to recordation. The owner shall also be required to post securities to guarantee the installation and completion of said improvements as specified in the Subdivision Map Act and submit a Certificate of Insurance as required by the City. The owner shall also be required to post securities for grading in accordance with Section 7008 of the Uniform Building Code, latest edition. This bond shall be of sufficient amount to ensure completion of the grading and drainage facilities. (A finding of "orderly development" has been made for this condition on parcel maps).

Bonds required and the amount shall be as follows:
Performance Bond.....100% of improvement costs.
Labor and Materials Bond.....50% of performance bond.

3. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
 a. Street lights;
 b. Parkway and open space landscaping;
 c. Wall maintenance in conjunction with landscaping;
 d. Graffiti abatement;

X 4. The owner shall offer to dedicate to the City a 6 foot public utilities and 6 foot tree easement adjacent to all road right-of-ways. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
 X a. Public Utilities Easement;
 b. Water Line Easement;
 c. Sewer Facilities Easement;
 d. Landscape Easement;
 e. Storm Drain Easement.

X 5. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:

OLIVE STREET	LOCAL	A-5
Street Name	City Standard	Standard Drawing No.
CHESTNUT STREET	HILLSIDE	A-8
Street Name	City Standard	Standard Drawing No.

- X 6. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
- X 7. All improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to Public Works Department Standards and Specifications.
- X 8. Prior to any site work a Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
- X 9. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater and Street Division managers.
- X 10. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.
- _____ 11. The owner shall provide an additional map sheet to record concurrently with the final map or parcel map showing the lot configuration, and the area subject to inundation by the 100 year storm with base flood elevations shown in feet, in relation to the National Geodetic Vertical Datum of 1929.
- X 12. The owner shall install all utilities (sewer, water, gas, electricity, cable TV, and telephone) underground to each lot in the subdivision. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground, except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project, unless it is determined that no need for future extension exists. All underground construction shall be completed and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
- X 13. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City Streets.
- X 14. Prior to paving any street, the water and sewer systems shall successfully pass a City pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
- X 15. The owner shall install all street name, streetlight, traffic signs and traffic striping as directed by the City Engineer.
- _____ 16. The adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the

construction. The applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide base shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)

- _____ 17. The development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' travel lane and 4' wide base shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- X 18. The project fronts on an existing street. The applicant shall pave-out from the proposed gutter to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement, structural sections or geometrics are inadequate per current City Standards, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition.)

E. PRIOR TO ANY SITE WORK:

- X 1. The applicant shall obtain a Grading Permit from the City Building Division.
- _____ 2. Prior to issuance of a Grading Permit the developer shall apply, through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- X 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- X 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- X 5. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- X 6. Any construction within an existing street shall require a traffic control plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.

F. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- X 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- X 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- _____ 3. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks, in a manner approved by the Fire Chief.

- 4. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
- 5. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

G. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- 1. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. All disturbed areas not slated for development shall be protected against erosion in a manner acceptable to the City Engineer which may include hydroseeding or landscaping.
- 4. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection Services and any outstanding annexation fees.
- 5. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- 6. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood, gypsum board, etc.) and removed from the project to a recycling facility in accordance with the City's Source Reduction and Recycling Element.
- 7. If any of the public improvements or conditions of approval are not completed or met, then the subdivider may, at the discretion of the City Engineer, enter into a Performance Agreement with the City to complete said improvements at a later date and post securities to cover the cost of the improvements. The form of the agreement and amount of the securities are subject to the approval of the City Engineer.
- 8. A blackline clear Mylar (0.4 MIL) copy and two (2) blue-line prints of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- 9. A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer.

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 project Parcel Map PR 98-135 (J. Bryant) for the meeting on November 24, 1998 (Planning Commission).

Mailed on this 10th day of November 1998.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: TELEGRAM-TRIBUNE

Date of Publication: December 23, 1998

Meeting Date: January 5, 1999
(City Council)

Project: Tentative Parcel Map PR 98-135
Appeal (Bryant)

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 HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles, will hold a Public Hearing to consider an Appeal filed by Dr. B.R. Bryant. The Appeal relates to the Planning Commission's decision at it's meeting of November 24, 1998, to approve Tentative Parcel Map PR 98-135. The application, filed by Daniel J. Stewart on behalf of Jaqueline Bryant, would subdivide two existing parcels into three residential lots. The site is located at 1025 Olive Street, on the west side of the street between 10th and 11th Streets.

Comments on the Appeal 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.

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

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, January 5, 1999, at which time all interested parties may appear and be heard.

Comments on the proposed Appeal 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. Please contact Darren Nash at 237-3970 should you have questions or information needs regarding this matter.

Darren R. Nash, Assistant Planner
Dec. 23, 1998 5112028