

**TO:** James L. App, City Manager

**FROM:** Robert A. Lata, Community Development Director

**SUBJECT:** Acceptance of Tract 2369-2 (Fallingstar Homes) for recordation, execution of Subdivision Improvement Agreement, and annexation into the Landscape and Lighting Maintenance District

**DATE:** March 18, 2003

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**Needs:** That the City Council consider taking a series of three steps toward finalizing development plans for a residential subdivision.

- Facts:**
1. The applicant, Fallingstar Homes Inc., has requested that Tract 2369-2 be accepted by the City for recordation. Tract 2369-2 is a 35-lot subdivision of a 15.6-acre site, located on Skyview Drive and Christina Court, north of Union Road and along the south side of Montebello Oaks Drive (see Attachment 1).
  2. Since the required public improvements have not been completed, the applicants have signed a Subdivision Improvement Agreement guaranteeing the construction of these improvements within a one-year period. Payment and Performance Bonds have been submitted and are on file in the office of the City Engineer.
  3. The applicants have signed a petition and voted in favor of annexation into the Landscape and Lighting District.

**Analysis  
and**

**Conclusion:** Tract 2369-2 was originally approved by the Planning Commission on August 8, 2000. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission have been satisfied.

The Subdivision Map Act and the City of Paso Robles Municipal Code authorizes acceptance of final maps when securities have been posted guaranteeing construction of public improvements.

Acceptance of public improvements and release of the securities occurs only after these improvements have been constructed to the satisfaction of the City Engineer and following the adoption of a resolution of acceptance by the City Council.

**Policy**

**Reference:** California Government Code Section 66462 ("Subdivision Map Act")  
Paso Robles Municipal Code Section 22.16.160

**Fiscal**

**Impact:** None.

**Options:**

- a.** Adopt Resolution No. 03-xxx:
  - (1)** Accepting the recordation of Tract 2369-2, a 35-lot subdivision located on Skyview Drive and Christina Court, north of Union Road along the south side of Montebello Oaks Drive, and
  - (2)** Approving the Subdivision Improvement Agreement for Tract 2369-2, authorizing deferred construction of the subdivision improvements, with an established deadline of March 18, 2004 to complete these improvements, and that the Mayor be authorized to execute the Agreement; and
- b.** Adopting Resolution No. 03-xx annexing Tract 2369-2 into the Landscape and Lighting District.
- c.** Amend, modify or reject the above options.

Attachments: (3)

- 1) Vicinity Map
- 2) Resolution Final Map
- 3) Resolution L & L

RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING AND APPROVING THE EXECUTION AND RECORDATION  
OF THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR  
TRACT 2369-2 (FALLINGSTAR HOMES, INC.)

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WHEREAS, the Developer has met all conditions of the tentative map and has posted payment and performance securities to guarantee the installation of public improvements. A certificate of insurance has been submitted and all final map fees have been paid; and

WHEREAS, City staff has reviewed the final tract map and finds it to be in substantial conformance with the approved tentative map and technically correct.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby approve the final map for Tract 2369-2 and authorize the execution and recordation of the tract map.

SECTION 2. That the City Council of the City of Paso Robles does hereby accept the Performance and Payment securities posted to guarantee the installation of the public improvements.

SECTION 3. That the City Council of the City of Paso Robles accept the offers of dedication for portions of Montebello Oaks Drive, Skyview Drive, Christina Court and Kayla Court for public streets and easements for tree purposes as shown on the final map.

SECTION 4. That the City Council of the City of Paso Robles order the abandonment of the irrevocable and perpetual offer to dedicate for public road purposes recorded as document No. 2002-024451 of official records on March 26, 2002, in the County Clerk-Recorders Office.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of March 2003 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

Vicinity Map

HWY 46

GOLDEN HILL ROAD

UNION RD

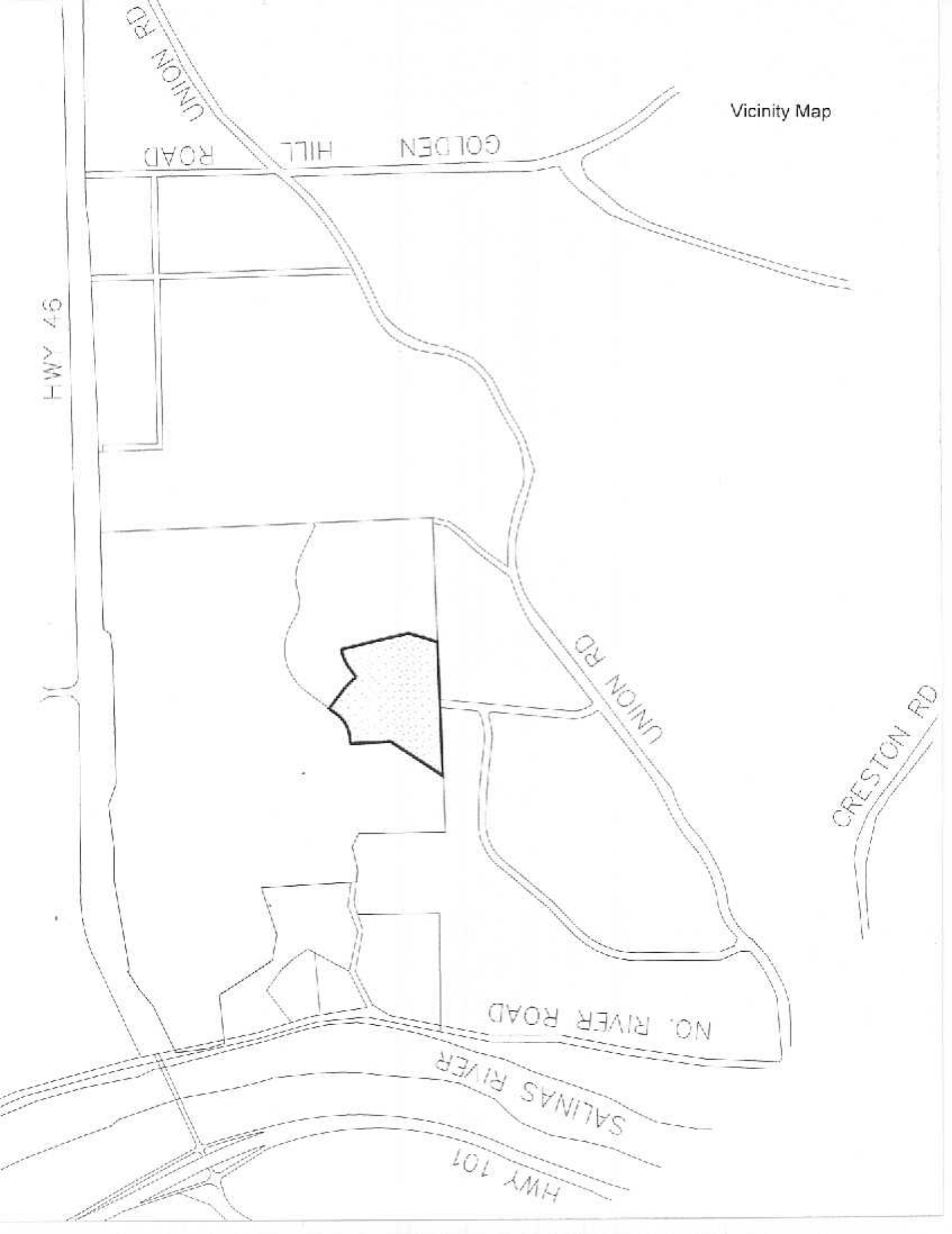
UNION RD

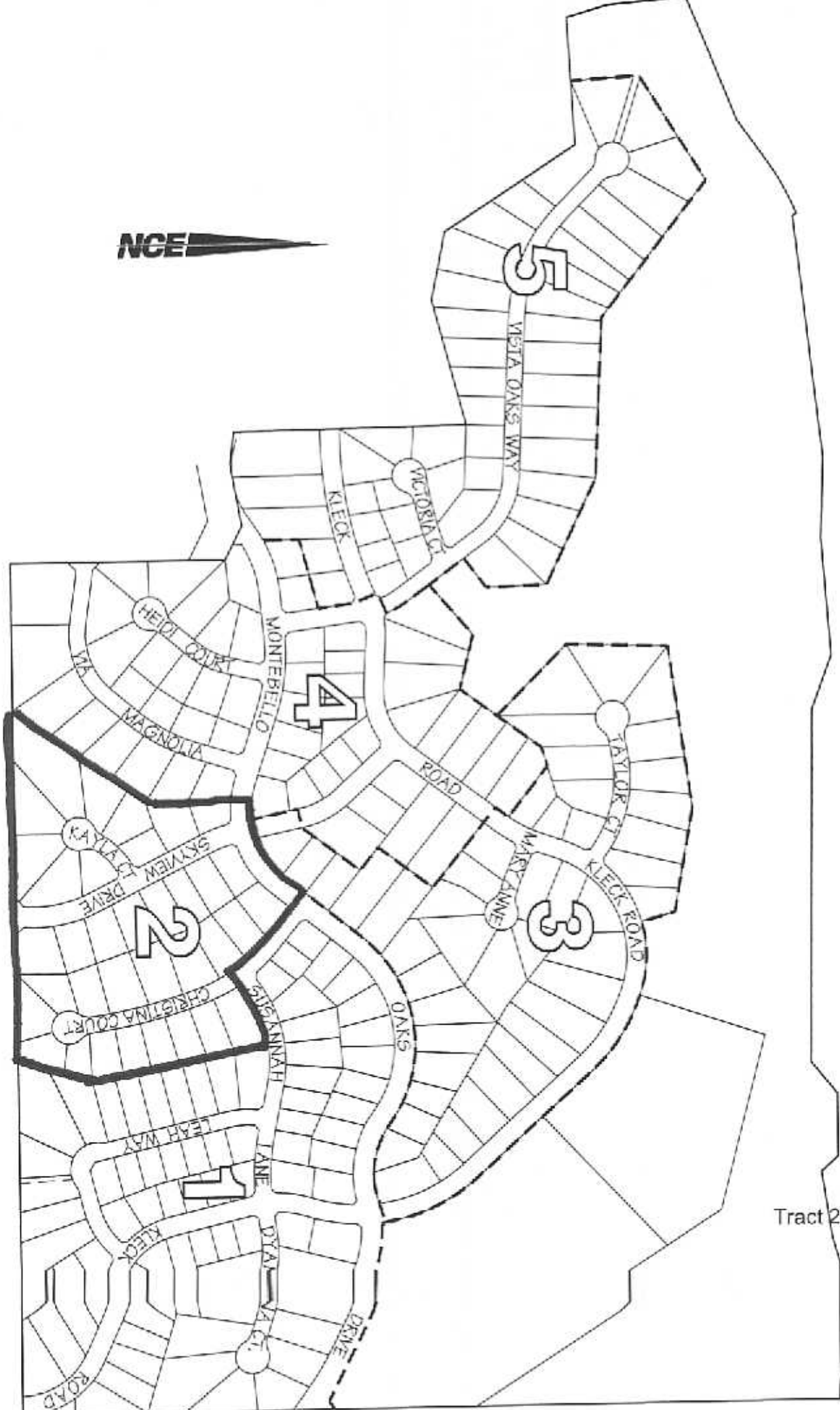
CRESTON RD

NO. RIVER ROAD

SALINAS RIVER

HWY 101





Tract 2369-2

## Exhibit A

All that land described in the certificate of compliance recorded December 12, 2000, as instrument no. 2000-073529 of official records. Being a portion of lots 10, 11 and 12 in the City of Paso Robles, County of San Luis Obispo, and State Of California, as recorded on June 1, 1891, in book B of maps, page 100 in the Office of the County Recorder of said County, more particular described as follows:

Commencing at the Southeasterly Corner of lot 13 as shown on said map. Recorded on June 1, 1891, said point being "SY 146" as shown on said map; Thence, along the Southerly line of said lot 12 and 13, North 89 degrees 57'00" West, 1008.18 feet to the point of beginning; thence North 20 degrees 15'43" East, 133.17 feet; thence North 17 degrees 48'21" East 106.92 feet; thence North 10 degrees 23'30" West, 185.79 feet; thence North 11 degrees 37'4" West, 87.40 feet; thence 11 degrees 43'22" West, 277.32 feet to the beginning of a curve concave to the Southeast and having a radius of 375.00 feet, to which point a radial line bears North 07 degrees 45'04" West; thence westerly along said curve through a central angle of 29 degrees 39'30" an arc distance of 194.11 feet; thence South 56 degrees 13'26" West, 63.30 feet to the beginning of a curve concave to the Southwest and having a radius of 475.00 feet, to which point a radial line bears North 56 degrees 13'26" East; thence Northerly along said curve through a central angle of 17 degrees 06'43" an arc distance of 141.86 feet; thence North 50 degrees 53'17" West, 192.32 feet; thence South 39 degrees 06'43" West, 74.48 feet to the beginning of a curve concave to the North and having a radius of 268.00 feet; thence Westerly along said curve through a central angle of 58 degrees 03'12" an arc distance of 271.54 feet; thence South 00 degrees 24'41" East, 325.23 feet; thence South 36 degrees 00'07" West, 497.81 feet to a point on the Southerly line of said lot 11; thence, along the Southerly line of lots 11 and 12, South 89 degrees 57'00" East, 1081.54 feet to the point of beginning.