

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director

SUBJECT: Acceptance of Tract 2430 (Terrabella ABD, LLC) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District

DATE: June 17, 2003

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

- Facts:**
1. The applicant, Terrabella ABD, LLC has requested that Tract 2430 be accepted by the City for recordation. Tract 2430 is a 9-lot subdivision of a 4.78-acre site, located at the southwest corner of Bella Vista Court and Arciero Way (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 placed 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 2430 was originally approved by the Planning Commission on January 8, 2002. 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. That the City Council accept the subject map and agreement by taking the following actions:

- (1)** Adopt Resolution No. 03-xxx accepting the recordation of Tract 2430, a 9-lot subdivision located at the southwest corner of Bella Vista Court and Arciero Way, and
- (2)** Approving the Subdivision Improvement Agreement for Tract 2430, authorizing deferred construction of the subdivision improvements, with an established deadline of June 17, 2004 to complete these improvements, and authorizing the Mayor to execute the Agreement; and
- (3)** Adopt Resolution No. 03-xx annexing Tract 2430 into the Landscape and Lighting District.

b. Amend, modify or reject the above option.

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 2430 (TERRABELLA ABD, LLC)

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 2430 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 Arciero Way, open space Parcel "A" and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of June 2003 by the following vote:

AYES:

NOES:

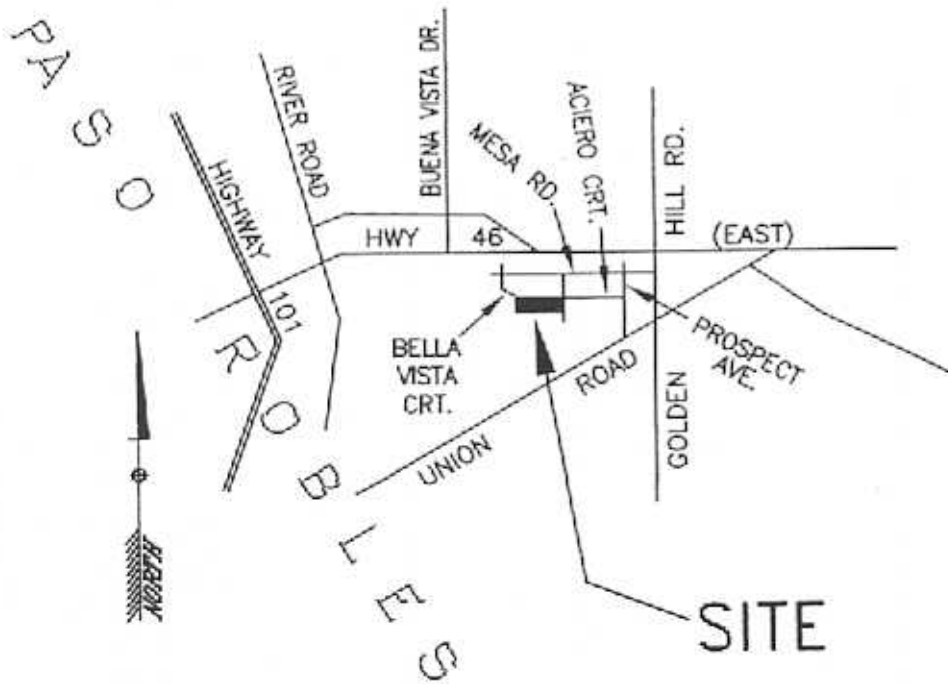
ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk



VICINITY MAP

NOT TO SCALE

TRACT 2430

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

The City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

Attn: DITAS ESPERANZA

RESOLUTION NO. 03-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING TRACT 2430 AS PART OF SUBAREA 76B TO THE
“PASO ROBLES LANDSCAPE AND LIGHTING DISTRICT NO. 1”
(STREETS AND HIGHWAYS CODE SECTIONS 22500, ET SEQ.)

WHEREAS, the owner of the real property described in Exhibit ‘A’ has petitioned for annex Tract 2430 into the Paso Robles Landscape and Lighting District No. 1 (“District”).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

SECTION 1. That the City Council of the City of Paso Robles does hereby declare that the real property located in the City of Paso Robles, County of San Luis Obispo, as more particularly described in Exhibit ‘A’ hereto, is hereby annexed into the District and that all landscape and lighting improvements required as conditions of approval of Tract 2430 be installed by the developer.

SECTION 2. That the City Council of the City of Paso Robles does hereby declare that the current owner of the real property, according to the Petition for Formation of the District, is Anthony L. Ritter.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Tract 2430 shall begin with Fiscal Year 2004-2005.

SECTION 4. That the City Council for the City of Paso Robles does hereby declare that the area annexed shall be designated Paso Robles Landscape and Lighting District No. 1, as part of Sub-Area 76B.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of June 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk