

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

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

**SUBJECT:** Acceptance of Tract 2411, (CS Nino Construction, Inc.) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District

**DATE:** May 18, 2004

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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, CS Nino Construction, Inc., has requested that Tract 2411 be accepted by the City for recordation. Tract 2411 is a 12-lot subdivision of a 2.29-acre site located on the west side of Vine Street from Fein Street to 36<sup>th</sup> Street (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 2411 was originally approved by the Planning Commission on March 27, 2001. 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.

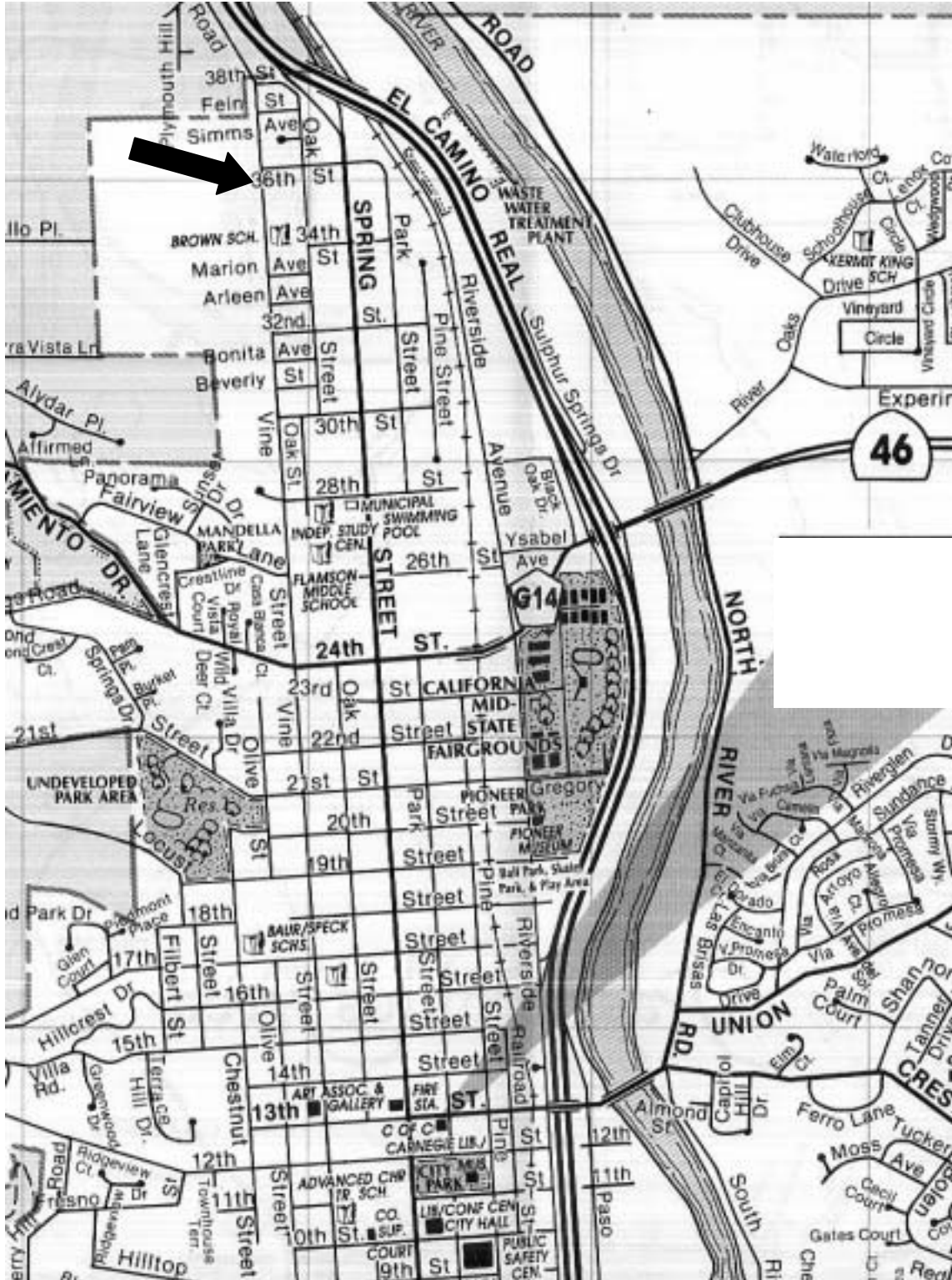
**Options:** That the City Council accept the subject map and agreement by taking the following actions:

- a. **(1)** Adopt Resolution No. 04-xxx accepting the recordation of Tract 2411, a 12-lot subdivision located on the west side of Vine Street from Fein Street to 36<sup>th</sup> Street, and approving the Subdivision Improvement Agreement for Tract 2411 guaranteeing the construction of the subdivision improvements, with an established deadline of May 18, 2005, to complete these improvements, and authorizing the Mayor to execute the Agreement; and
- (2)** Adopt Resolution No. 04-xx annexing Tract 2411 into the Landscape and Lighting District.
- b. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity and Tract Maps
- 2) Resolution Final Map
- 3) Resolution L & L

VICINITY MAP  
TRACT 2411  
CS NINO CONSTRUCTION, INC.



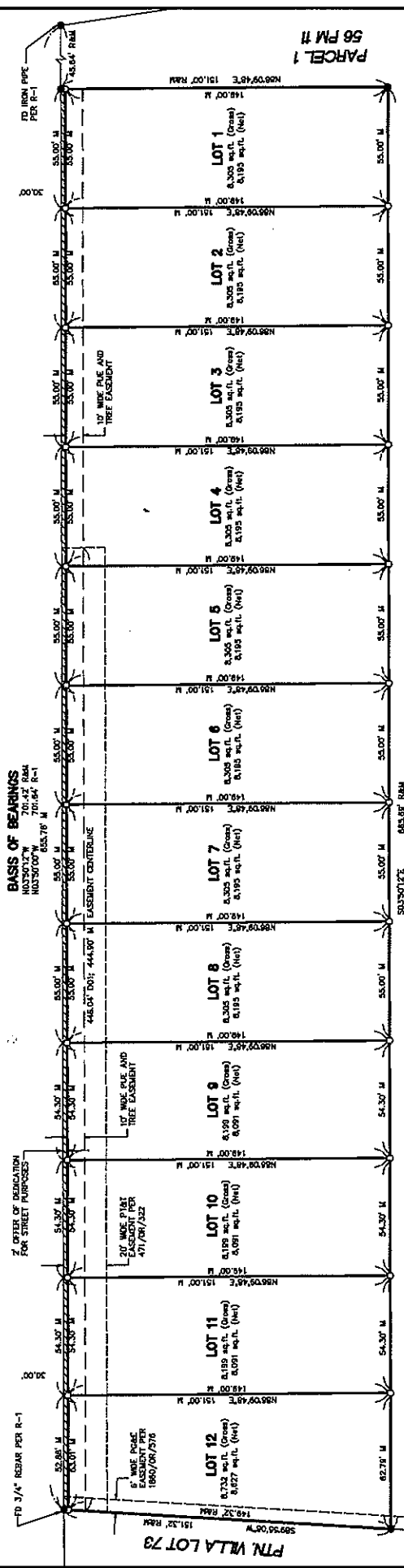


**BLOCK 210**  
A MS 189

**BLOCK 209**  
A MS 189

3614 ST.

**VINE STREET**



**PARCEL 1**  
**56 PM 11**

**LEGEND**

- FD 5/8" REBAR LS 4071 PER R. UNLESS NOTED OTHERWISE
- SET 5/8" REBAR WITH CAP LS 4577
- R 56 7/4 11
- R-1 7 RS 121
- 001 471 OR 322

**BASIS OF BEARINGS**

BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 032012° WEST PER R BEING THE BEARING BETWEEN TWO FOUND MONUMENTS.

**GRAPHIC SCALE**



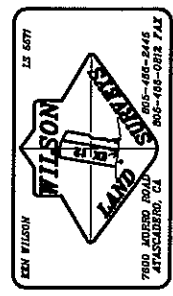
**TRACT 2411**

AS REQUESTED BY:  
**CS NINO CONSTRUCTION, INC.**

LOCAL RESOLUTION 99-028 AND A PORTION OF VILLA PARCEL 2 OF PARCEL 99-028 AND A PORTION OF VILLA LOT 72 IN THE CITY OF PALO ALTO, IN THE COUNTY OF SAN JOSE, STATE OF CALIFORNIA

DATE: 06-30-02, 068  
OFFICE: APRIL 2004  
REQUIRE: P-185 1180 WINE STREET FTM 2411

PROJECT	P-185	JOB NUMBER	P-185	SHEET	2 OF 2
SCALE	1" = 30'	DRAWN BY	SKM / SJM	DATE	06-30-02



7800 AVENUE 100  
PALO ALTO, CA 94303  
800-165-0122 FAX

RESOLUTION NO. 04-

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 2411 (CS NINO CONSTRUCTION, INC.)

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WHEREAS, the Developer has met all conditions of the tentative map, has posted payment and performance securities to guarantee the installation of public improvements, and submitted a certificate of insurance; 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 2411, 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 Vine Street, public tree planting, and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of May 2004 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

**RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:**

CITY OF EL PASO DE ROBLES  
PUBLIC WORKS DEPARTMENT  
1000 SPRING STREET  
PASO ROBLES, CA 93446

ATTN.: DITAS ESPERANZA

**FOR RECORDERS USE ONLY**

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ANNEXING TRACT 2411 AS PART OF SUBAREAS 74 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 to annex Tract 2411 into the Paso Robles Landscape and Lighting District No. 1 ("District").

THEREFORE, BE IT RESOLVED 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 2411 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 CS Nino Construction, Inc.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Tract 2411 shall begin with Fiscal Year 2005-2006.

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 74.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18<sup>th</sup> day of May 2004 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Frank R. Mecham, Mayor

ATTEST:

\_\_\_\_\_  
Sharilyn M. Ryan, Deputy City Clerk