

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director

SUBJECT: Approval of Final Map of Tract 2745, (H & D Highlands, LLC) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation No. 05-005 to Community Facilities District No. 2005-1

DATE: October 4, 2005

Needs: That the City Council consider taking a series of steps toward recordation of the Final Tract Map for Tract 2745, a commercial and mixed use subdivision.

Facts:

1. The applicants H & D Highlands, LLC, have requested that Tract 2745 be authorized by the City for recordation. Tract 2745 is a 7-lot subdivision of a 8.83-acre site located between Oak Hill Road and Niblick Road, east of South River Road (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. Lots 1, 2 and 4 through 7 are commercially zoned. Lot 3 will be a residential condominium subdivision.
3. The applicants have signed the documents needed for annexation of Lot 3 into the Community Facilities District (CFD).

**Analysis
and**

Conclusion: Tract 2745 was originally approved by the Planning Commission on June 28, 2005. Annexation of Lot 3 in to the City's Community Facilities District 2005-1 is necessary to mitigate projected adverse fiscal impacts of new residential development.

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

Fiscal

Impact: With annexation to the CFD, none.

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

- a. (1)** Adopt Resolution No. 05-xxx authorizing the recordation of Tract 2745, a 7-lot subdivision located between Niblick and Oak Hill Roads, east of South River Road, and authorizing the Mayor to execute the Subdivision Improvement Agreement for Tract 2745 guaranteeing the construction of the subdivision improvements, with an established deadline of October 4, 2006, to complete these improvements, and
- (2)** Adopt Resolution No. 05-xx annexing Lot 3 of Tract 2745 into Community Facilities District No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien
- b.** Amend, modify or reject the above option.

Attachments: (3)

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

LEGEND

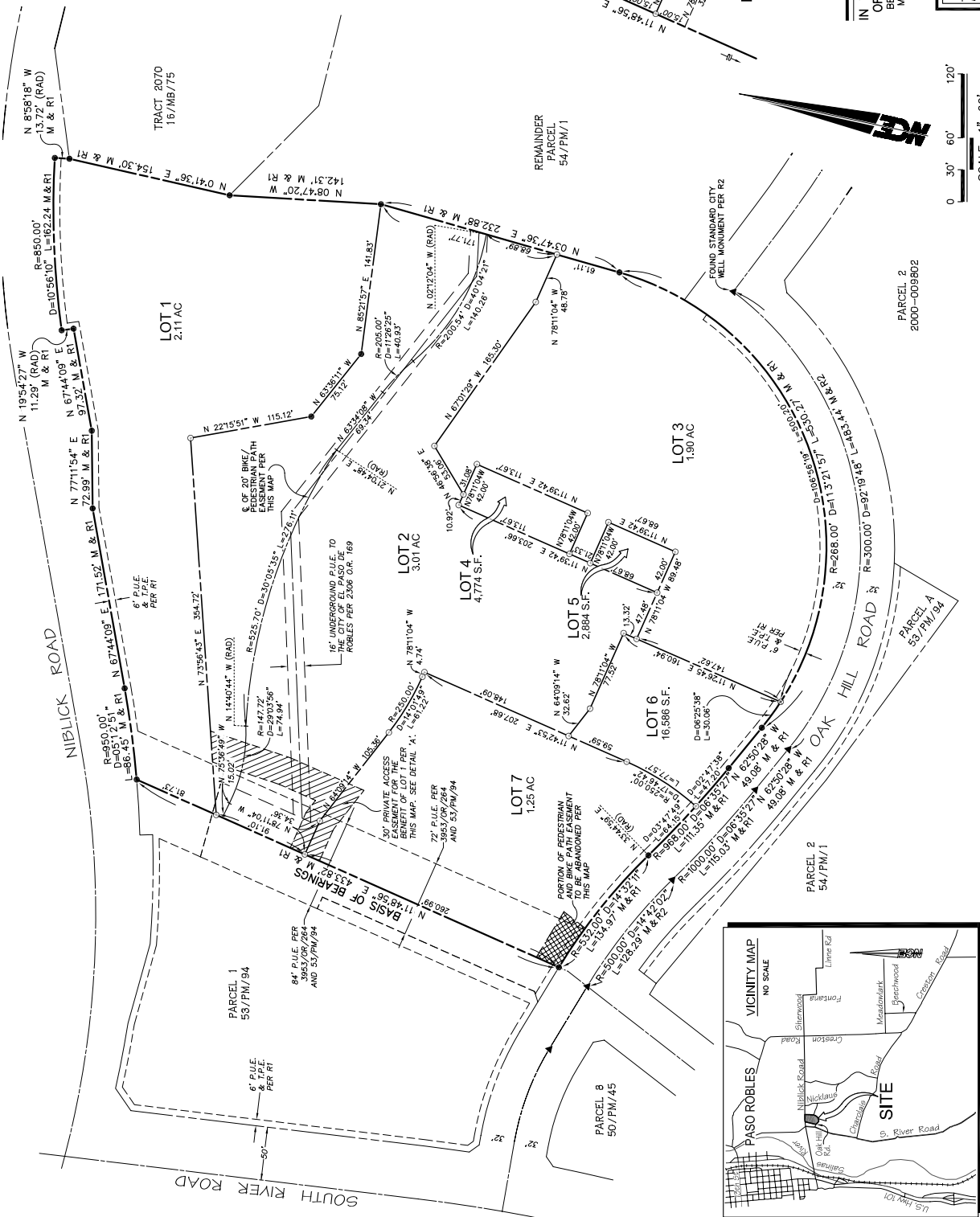
- FOUND 5/8" REBAR "RCE 29743" PER R1 UNLESS OTHERWISE NOTED
- ▲ FOUND STANDARD CITY WELL MONUMENT PER R1 UNLESS OTHERWISE NOTED
- SET 5/8" REBAR WITH PLASTIC CAP "RCE 29743"
- ⊙ SET NAIL & TAG "RCE 29743" ON TOP OF CURB AT PROPERTY LINE EXTENSION
- M MEASURED
- P.U.E. PUBLIC UTILITY EASEMENT
- T.P.E. TREE PLANTING EASEMENT

REFERENCES

- R1 RECORD DATA PER 53/PM/94
- R2 RECORD DATA PER 89/RS/33

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN TWO FOUND MONUMENTS ALONG THE WEST LINE OF PARCEL 2 OF PARCEL MAP PR 98-0038, SHOWN NOTED TO BE N 114°56' E PER R1.



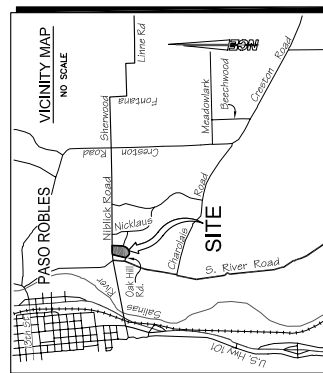
TRACT 2745

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
BEING SUBDIVISION OF PARCELS AND 3 OF PARCEL MAP PR 98-0038, SHOWING LOCATIONS OF FOUND MONUMENTS, AT PAGE 94 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

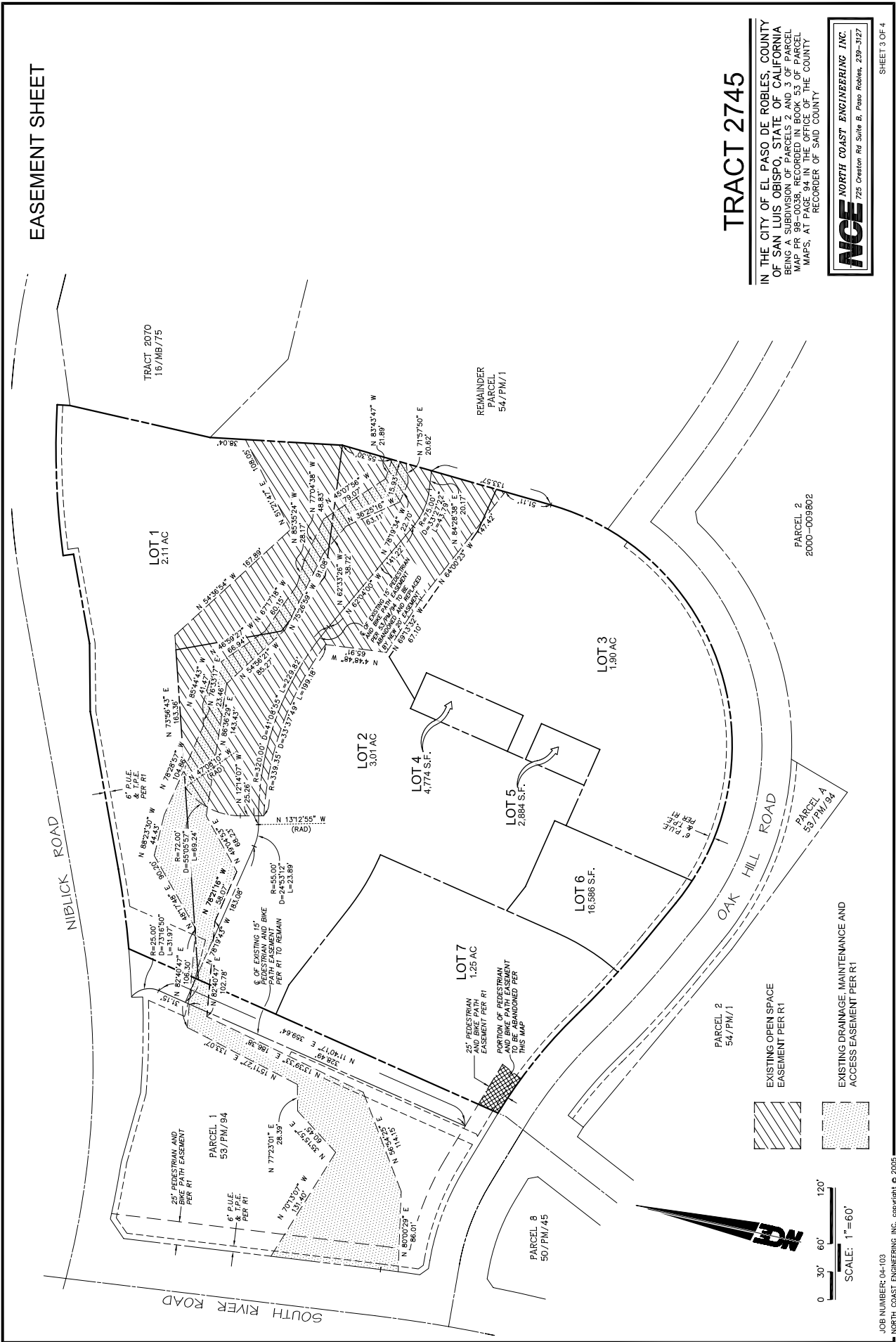
NCE NORTH COAST ENGINEERING, INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

SHEET 2 OF 4

SCALE: 1"=60'
0 30' 60' 120'



EASEMENT SHEET



TRACT 2745

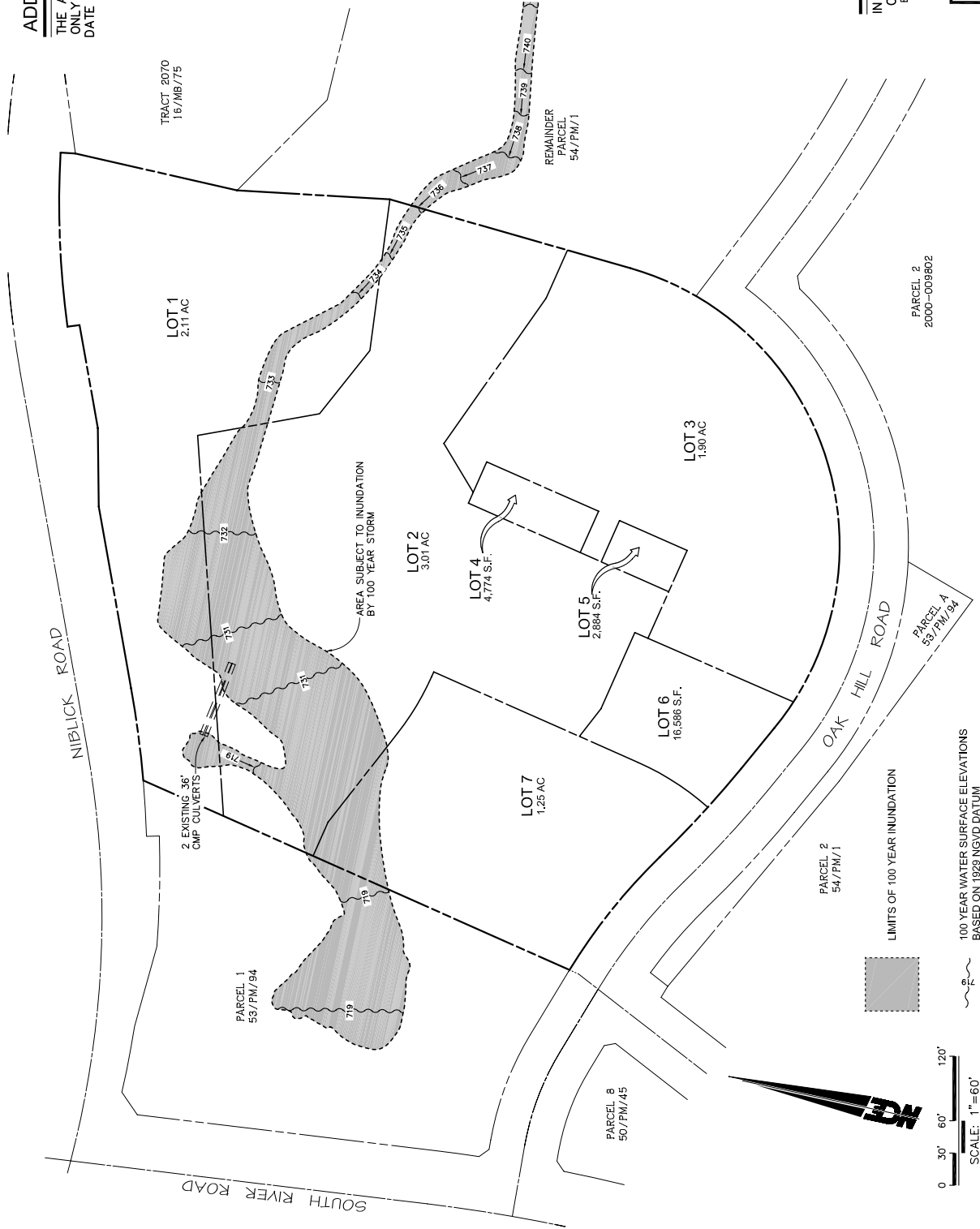
IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF PARCELS 2 AND 3 OF PARCEL 16/MB/75, AS SHOWN ON MAPS OF PARCEL MAPS, AT PAGE 94 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

SHEET 3 OF 4

ADDITIONAL INFORMATION SHEET

THE ATTACHED IS FOR INFORMATIONAL PURPOSES ONLY AND IS DESCRIBING CONDITIONS AS OF THE DATE OF FILING AND IS NOT INTENDED TO AFFECT RECORD TITLE INTEREST.



TRACT 2745

IN THE CITY OF EL PASO DE ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION OF PARCELS 2 AND 3 OF PARCEL 16/MB/75, TRACT 2070, AS SHOWN ON THE MAPS, AT PAGE 94 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3727

RESOLUTION NO. 05-

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 2745, (H & D HIGHLANDS, LLC)

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 2745, 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 a bike and pedestrian path easement, tree planting easements, and public utility easements as shown on the final map.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 4th day of October 2005 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING LOT 3 OF TRACT 2745 TO THE CITY'S
COMMUNITY FACILITIES DISTRICT NO. 2005-1

WHEREAS, the owner of the real property described in Exhibit 'A' has petitioned to annex Lot 3 of Tract 2745 into the Paso Robles Community Facilities District No. 2005-1 (Public Services).

NOW, 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 Community Facilities District 2005-1 and that the subject properties shall be subject to a tax lien of \$657 per dwelling unit per year, which, in turn, is subject to escalation based on a blend of the San Francisco Urban Consumer Price Index and Los Angeles Urban Consumer Price Index or two percent, whichever is greater.

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 Consent and Election to Annex Real Property to an Existing Community Facilities District Petition for Formation of the District, is H & D Highlands, LLC.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Lot 3 of Tract 2745 shall begin with Fiscal Year 2006-2007.

SECTION 4. That the City Council for the City of Paso Robles does hereby declare that the area annexed shall be designated as Annexation No. 05-005 to the Paso Robles Community Facilities District No. 2005-1.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 4th day of October, 2005 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk