

City of El Paso de Robles

RESOLUTION NO. 87-97
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 1526 (KEN MASSEY)

WHEREAS, Ken Massey has filed an application to subdivide an approximate 11 acre parcel into twenty-nine (29) parcels within the R-1 district, located north of Palomino Lane, west of Appaloosa Drive, and

WHEREAS, a public hearing was conducted by the Planning Commission on November 24 and December 8, 1987 and by the City Council on December 15, 1987 to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision, and

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

1. The proposed tentative subdivision map is 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 subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the subdivision 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;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles does hereby grant tentative map approval to Tract 1526 subject to the following conditions:

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STANDARD CONDITIONS OF APPROVAL:

1. This subdivision is subject to all of the Standard Conditions for Single Family Residential Tracts, dated September 16, 1987, attached as exhibit "A" with the following amendments:

a. Standard Condition 9 shall be amended to require that grading and drainage plans be submitted for review and approval by the City Engineer, whose opinion will be appealable to the Tree Committee and Architectural Review Committee, for lots 22-26 to ensure oak tree preservation. The site grading shall match the existing ground elevations under drip lines at all oak tree locations;

b. Standard Condition 15 is amended so that the existing oak tree located on the corner of lot 16 shall create credit for one street tree on that same lot.

2. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map attached as Exhibit "B". All conditions shall be complied with in a manner subject to approval of the City of El Paso De Robles.

SITE SPECIFIC CONDITIONS:

3. The applicant shall, at no cost to the City, relocate all public utilities which conflict with public improvement.

4. The applicant shall agree, in a form subject to approval by the City Attorney, that all lots within this subdivision shall be included within a benefit maintenance district, should the City Council approve the establishment of same, for the payment of operating and maintenance costs for the following:

- a. Street lights;
- b. Storm drains and drainage ways;

5. Any phasing plan is subject to Planning Commission and City Council approval. Prior to granting approval of any amendment to the phasing plan, the City may impose additional conditions upon this subdivision relative to phasing which are necessary to protect the public health, safety and welfare and orderly development of the City.

✓ 6. The applicant shall offer to dedicate rights-of-way for interior streets to be 60 feet wide with corner cut-offs at all intersections. Paving widths shall be constructed at 40 foot curb to curb. All dedications and improvements shall be designed in a manner to be approved by the City Engineer.

7. A six foot high fence of equal or greater value shall be installed along the easterly property lines of lots 1-4 and 14-

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16 in the event the existing fences are damaged during grading of this tract. The applicant shall consult with the adjacent property owners within Tracts 613 and 833 in order to obtain their consent to construct a new, shared privacy fence. If the applicant is unable to obtain property owner permission for a shared fence, then a new six foot wooden fence (as measured from highest adjacent grade) shall be constructed directly abutting the existing property line fence.

8. Street names for this subdivision shall be approved by the Subdivision Review Committee prior to Final Map Approval.

9. Along the south, east and west tract boundaries, the applicant shall grade proposed pads to match the adjacent natural slope in order to avoid fill slopes with toes adjacent to the tract boundary.

10. Construction of storm drainage shall be completed in a manner approved by the City Engineer. Storm drain along rear of lots 1-4 and 14-16 and individual drop inlets, shall be designed and installed in a manner acceptable to the City Engineer.

11. Any oversizing of water and sewer mains shall be subject to reimbursement provisions as specified by Municipal Code.

12. The applicant shall conduct an Archaeological Survey on this site prior to final map approval. In the event that this site is determined to be of significant cultural and/or historical value, those mitigation measures as identified by the report shall be implemented.

13. Prior to recordation of Phase II of this tract, the applicant shall connect the existing residence on Lot 28 to the City sewer and abandon the septic system in a manner to be approved by the City Engineer and Building Official.

14. The applicants shall pay a proportional share, as determined by the City Council and City Engineer, into a trust fund for the relief sewer and lift station along Niblick Road or other alternative acceptable to the City Engineer, prior to final map approval.

15. The applicant shall install water pressure regulators for each developable lot within this subdivision in accordance with the requirements of the Uniform Plumbing Code.

✓ 17. The applicant shall grade the lots along the eastern tract boundary (14-16 & 1-4) so as to reflect the terraced grades of the lots to the east, providing the same pad elevations (as compared to the directly adjacent lots to the east) for at least the rear thirty-five (35) feet of each specified residential parcel. Exact grading and elevations on each specified parcel,

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shall be subject to approval of the City Engineer in order to insure both adequate slopes for drainage and compliance with the intent of this condition to protect adjacent and abutting property owners.

18. The final grading plan shall indicate that there is to be no grading within the drip line of the oak trees along the northern tract boundary (lots 22-26). Some padding elsewhere on the lot will be acceptable if soil under the drip line of the trees remains undisturbed by grading or drainage. The grading on these lots will be subject to the City Engineer and City Planner's approval.

19. Under the provisions of Municipal Code Section 21.20.430, the applicant/property owner may make building permit applications which reflect modifications to the front yard setbacks as follows:

a) Garages facing a public right-of-way may have a twenty-five foot setback, including within that distance any public utility easement or right-of-way located to the rear of sidewalk.

b) Residences and attached structures without garage doors facing a public right-of-way may have a twenty foot setback, including within that distance any public utility easement or right-of-way located to the rear of sidewalk.


20. The applicant shall dedicate Lot 29 to the City as Open Space.

PASSED AND ADOPTED THIS 15TH Day of December, 1987 by the following Roll Call Vote:

AYES: Cousins, Ovitt, Dolan, Martin and Russell
NOES: None
ABSENT: None


MAYOR NICK RUSSELL

ATTEST:


JERRY BANKSTON, CITY CLERK