

# City of El Paso de Robles

RESOLUTION NO. 90-125  
A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 1942  
(KBAD INVESTORS)

WHEREAS, KBAD Investors has filed an application to subdivide an approximate 5 acre parcel into eighteen (18) single family residential parcels, located on the northwest corner of Niblick and Creston Roads, and

WHEREAS, a public hearing was conducted by the Planning Commission on May 22, 1990 and June 26, 1990, and by City Council on July 17, 1990, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision, and

WHEREAS, a resolution was adopted by the City Council granting a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed subdivision and accompanying Planned Development application in accordance with the California Environmental Quality Act, 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;

# City of El Paso de Robles

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 1942 subject to the following conditions:

## STANDARD CONDITIONS OF APPROVAL:

### ENGINEERING CONDITIONS:

1. The applicant shall pay for the following fees prior to final map approval: drainage, recreation, subdivision map and improvement plan checking, subdivision improvement construction inspection, any outstanding annexation fees for public safety impact and bridge development, and street trees.
2. All subdivision improvement plans shall be prepared by a Registered Civil Engineer and shall be submitted to the City Engineer for approval. The improvements shall be designed and installed in accordance with the City of Paso Robles standards and specifications.
3. A Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soil or other soil problems and shall make recommendations regarding grading of the proposed site. A final soils report shall be submitted prior to the final inspection and shall certify that all grading was inspected and approved and that all work done will be in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
4. The applicant shall submit a composite utility plan signed and approved by a representative for each public utility company, together with the improvement plans.
5. The applicant shall install all utilities (sewer, water, gas, electric, cable TV and telephone) underground. Street lights shall be installed at locations as required by the City Engineer. Fire hydrants shall be installed at locations as required by the City Engineer and Fire Chief. All existing overhead utilities adjacent to or within the subdivision shall be relocated underground unless the Planning Commission and the City Council determine that such under-grounding is not economically feasible.
6. Water meters must be installed at developer's expense prior to final of subdivision improvements.
7. All utilities shall be extended to the boundaries of the project, unless the City Engineer determines that no need for future extension exists.
8. All sewer mains and manholes not within the street or paved area shall be within an easement and accessible by an all-water road.

# City of El Paso de Robles

9. Prior to paving any street, the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by means of a mandrel and televised inspection, with a copy of the video tape provided to the City.

10. Building permits shall not be issued until the water system, including hydrants, has been completed and approved, and a based access road installed sufficient to support the City's fire trucks (HS-20 truck loading). Fire access roads shall be kept clear to minimum width of 24 feet.

11. Each tract or phase shall provide two sources of water and two points of access, unless the City Engineer and Fire Chief determine this not to be feasible.

12. All underground construction shall be completed and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted before paving the streets.

13. Any cost reimbursement for oversizing and extensions of water and sewer mains shall be included in the subdivision agreement prior to any work undertaken.

14. The existing Oak trees located on the project site shall be protected and preserved as required in Municipal Code Chapter 10.01 ("Oak Tree Preservation").

15. If the adjoining existing City street is inadequate for the traffic generated by the subdivision, or will be severely damaged by the tract construction, the applicant shall remove the entire roadway along the tract frontage and replace it with a full half-width street plus a 12 foot wide travel lane and an 8 foot graded shoulder adequate to provide for two-way traffic.

16. If the development includes a phased street construction along the tract boundary for future completion by the adjacent property owner, the applicant shall provide a half-width street plus a 12 foot travel lane and 4 foot graded shoulder adequate for two-way traffic.

17. When the subdivision fronts an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid.

18. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring rather than trenching may be required on newly constructed or heavily traveled City streets.

# City of El Paso de Robles

19. All property corners shall be monumented for construction control and shall be promptly replaced if disturbed. All final property corners and street monument shall be installed before acceptance of the public improvements. Benchmarks shall be placed for vertical at approximately 1000 foot intervals on U.S.G.S. datum as required by the City Engineer.

20. A complete Grading and Drainage Plan by a civil engineer shall be included with the Improvement Plans. Drainage calculations shall be submitted with provisions made for on-site retention if adequate disposal facilities are not available.

21. The proposed structures and tract grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations."

22. All top soil removed shall be stockpiled and evenly distributed over all lots and slopes upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected by hydroseeding or landscaping.

23. Any grading during the rainy season will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property.

24. No buildings shall be occupied until all improvements are completed and accepted by the City Engineer, and accepted by the City Council for maintenance.

25. The applicant shall plant approved street trees throughout the subdivision within the easement provided. One tree shall be planted on each interior lot; two trees shall be planted on each corner lot (one on each street).

26. Any construction within an existing street shall require a traffic control plan. The plan shall include any necessary detours, flagging, signing, or road closures requested.

27. The applicant shall install all necessary street name and traffic signs as well as all necessary traffic striping.

28. A blackline clear Mylar (0.4 MIL) copy of a blue line print of the tract map shall be provided to the City Engineer upon recordation.

29. A Mylar copy and a blue line print of as-built improvement plans, signed by the registered engineer who prepared said plans, shall be provided to the City Engineer prior to the Final Inspection. A certification shall be included that all survey monuments have been set as shown on the tract map.

# City of El Paso de Robles

30. The applicant's engineer shall furnish a reproducible Mylar of the tentative map stamped with the date of approval by the City Council to the City Engineer.

31. The subdivider shall pay any outstanding assessment or provide evidence that the assessment has been reapportioned.

32. Prior to recordation of the tract map, a computer-aided-program containing the digitized map (Auto Cad or equal) for the subdivision map in a format acceptable to the City Engineer, shall be submitted to the Engineering Division.

33. The street monuments and property corners listed in the closure calculations for the tract map shall be tied into the California Coordinate System.

34. Prior to recording a final map, the developer shall annex to the City's Benefit Maintenance District for payment of the operating and maintenance costs of the following:

- a. Street lights;
- b. Parkway landscaping (along Niblick and Creston Roads, including the corner cut off section);
- c. Wall maintenance in conjunction with landscaping;
- d. Median landscaping (if applicable).

The property owner shall pay all fees and costs associated with annexation to the benefit maintenance district.

35. When retaining walls are shown on the Grading Plan, all such walls shall be completed before approval of the rough grade and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.

## COMMUNITY DEVELOPMENT DEPARTMENT

36. All required landscaping shall be installed with automatic irrigation systems. The system design and water meter shall be located at the cost of the developer in a manner subject to approval by the Director of Community Services.

Responsibility for funding of landscaping maintenance shall be under a Benefit Maintenance District.

Landscaping and irrigation systems shall be installed by the developer at the same time as all other public improvements and shall be the applicant's responsibility for maintenance for a period of 6 months following approval. City acceptance on behalf of the benefit maintenance district following the 6 month maintenance period shall be subject to the approval of the Director of Community Services.

# City of El Paso de Robles

37. The applicant shall install decorative walls and landscaping along arterials in a manner subject to the approval of the Architectural Review Committee.

38. The applicant shall provide a 1 foot non-access easement along the rear/side of all lots that back up/side against a collector or arterial.

39. All residential development accessing off a collector shall provide circular or hammer-head driveway design.

40. The developer shall provide constructive notice to future buyers that residences shall be required to be equipped with trash compactor units.

## FINANCE

41. The developer shall provide constructive notice to buyers that all homes are required to utilize 90 gallon automated trash containers as provided by the City's franchisee for solid waste collection.

## POLICE DEPARTMENT

42. The applicant shall meet with the City's Community Service Officer prior to Final Map approval or Building Permit issuance, whichever comes first, for recommendations on security measures to be incorporated into the design of any structures to be built in this subdivision.

## FIRE DEPARTMENT

43. If the development includes phased street construction, then temporary turnarounds shall be provided at the end of these streets. The temporary turnaround shall meet the city's requirements as set forth in the Engineering Department's standards.

44. All open space areas that are to be dedicated to the city will be inspected by the Fire Department prior to acceptance and a report will be submitted recommending action needed regarding debris and weed removal, tree trimming and brush removal. The developer shall clean out debris, dead limbs, and trash from areas to be recorded as open area prior to acceptance on behalf of a benefit maintenance district.

45. Prior to issuance of any building permit on any lot within this tract, a graded and based all-weather emergency access road shall be extended to each lot. This road shall be capable of supporting a 40,000 pound vehicle.

# City of El Paso de Robles

## SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

46. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan attached as Exhibit A; full size copies are on file in the Community Development Department.

47. Any significant amendments to the phasing plan (as determined by the City Engineering, Fire and Planning staff) shall be subject to Planning Commission and City Council consideration and approval. Prior to granting approval of any phasing, 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.

48. The applicant shall submit detailed landscaping and irrigation plans to the Architectural Review Committee for approval of the Niblick and Creston Road frontages and the corner cut off. The corner cut off dedication shall be up to 25 feet (as shown on the attached exhibit B), and as determined by the Architectural Review Committee. Adequate plan stock size and spacing shall be used to achieve screening of the wall and coverage of the parkway within a one year time period. Planting materials shall include street trees, shrubs and groundcover.

The landscaping shall be installed in accordance with ARC approvals and timed in conjunction with all other tract improvements.

49. The applicant shall construct a decorative masonry wall along the Niblick Road and Creston Road frontages, as well as along the northern tract boundary. Along Niblick Road the wall shall be eight feet in height, tapering down to six feet in height for the Creston Road frontage and the northern tract boundary.

The applicant shall submit detailed plans for the walls to the Architectural Review Committee where the Committee shall pay special attention to decorative and three dimensional attributes to the wall, in addition to compatibility with the existing wall on Niblick Road.

The walls along Creston and Niblick Roads shall be constructed to provide recessed well areas to accommodate trees and utility vault areas in a manner to be coordinated by the developer with the utility companies and City Engineer. The walls shall be

# City of El Paso de Robles

installed in accordance with ARC approvals and timed in conjunction with all other tract improvements.

50. The applicant shall improve and grade the western tract boundary as proposed within the tentative design and negotiate with the adjoining property owners how disturbance and replacement of fence and/or landscape materials would be replaced if disturbed by such grading improvements. The applicant shall reconstruct a solid wood fence (of equal or superior quality) for the full western tract boundary consistent with the conceptual design presented to the adjoining home owners (6 foot high wooden fence constructed of 8-inch redwood dog eared planks on top of a slumpstone block wall with moisture sealant, with wall not to exceed 4 feet in height). The wall design shall include the option to set the fence back to the east side of the block retaining wall in order to create a "shelf" feature.

51. Prior to recording the final map the subdivider shall provide a downstream drainage study by a registered civil engineer. The subdivider shall justify adequate capacity of storm drain facilities or provide an on-site retention basin. Design of retention basin shall be done in accordance with City Standards and be subject to review and approval by the Architectural Review Committee and City Engineer. Retention basin will be included in a benefit maintenance district for landscaping.

52. The developer shall provide a detailed grading plan prepared by a registered civil engineer for review and approval by the City Engineer. Dedication for any drainage easements necessary to convey storm water through the subdivision shall be made.

53. The developer shall widen Niblick Road on the north side from centerline to curb face 32 feet with a 5 foot sidewalk (and 5 foot landscape strip). The developer shall reconstruct storm drain drainage inlet to City Standards. The A.C. pavement shall be removed and reconstructed to centerline if necessary to provide structural section per City Standards. A.C. paving over centerline may be required to provide a smooth transition.

54. The applicant shall widen Creston Road from centerline to curb face width 40 feet with a 5 foot wide sidewalk. A.C. pavement east of centerline of Creston Road shall be widened as necessary to provide a 45 mph lane taper with 4 foot A.C. shoulder and 4 foot aggregate based shoulder. Creston Road, south of Niblick Road, shall be re-striped as necessary to transition to raised median.

55. The developer shall install a 10-inch water line in Niblick Road from Creston Road to the westerly tract boundary.



# City of El Paso de Robles

56. Traffic loops, which require relocation because of widening or re-striping, shall be done by the subdivider.

57. Prior to final map approval, the applicant shall provide an area sound study and mitigation design plan pursuant to State Housing Law Section 17922.6 and Title 25, Chapter 4, commencing with Section 18934 of part 2.5. Mitigation measures outlined by this study shall be implemented in a manner subject to the approval of the Building Official. Findings and mitigation measures within the report shall be disclosed to future property owners in a manner subject to the approval of the City Attorney.

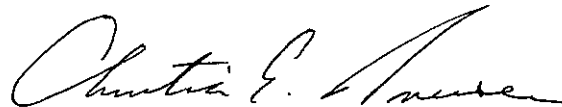
58. The applicant shall coordinate grading with the School District in order to eliminate the need for construction of a retaining wall along the property's northern boundary.

PASSED AND ADOPTED THIS 17th Day of July, 1990 by the following Roll Call Vote:

AYES: Russell, Reneau and Martin

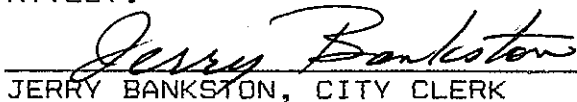
NOES: Picanco and Iversen

ABSENT: None



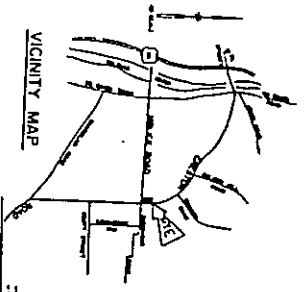
MAYOR CHRISTIAN E. IVERSEN

ATTEST:

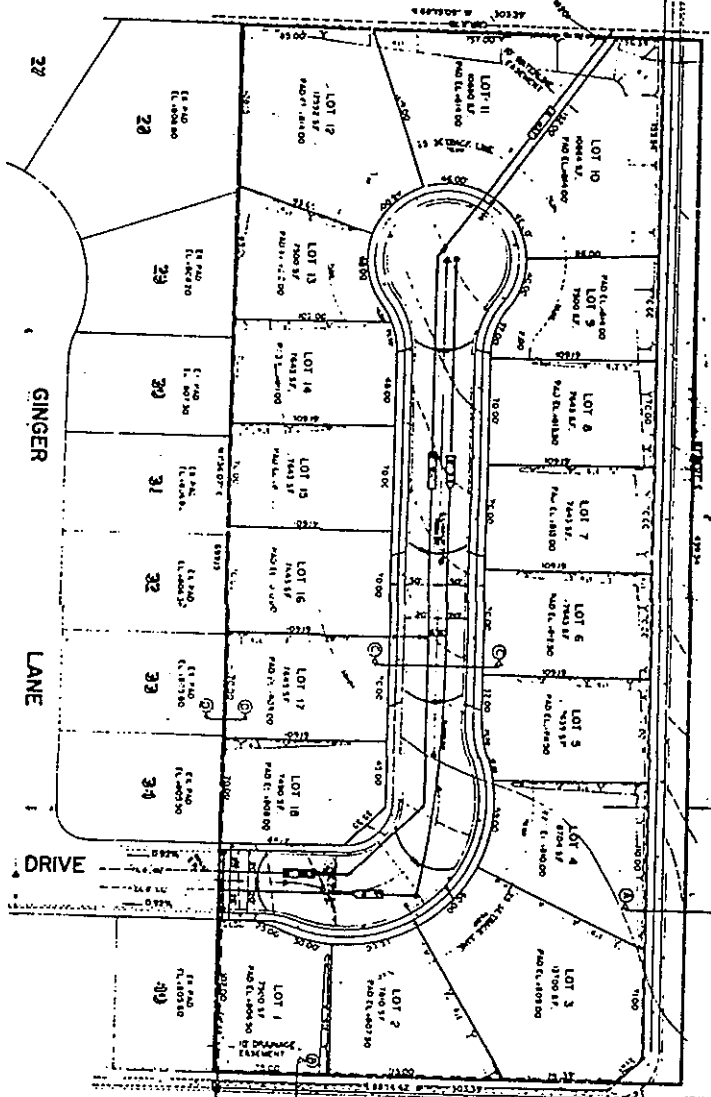
  
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JERRY BANKSTON, CITY CLERK

NOTE: Any judicial review of this decision must be made within the time set forth in Code of Civil Procedure Section 1094.6.

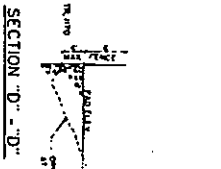
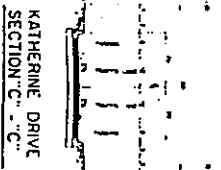
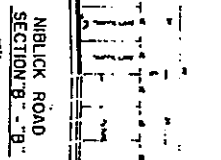
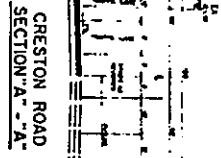
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MIDDLE SCHOOL  
 OLIVE PARK TRACT  
 FOR LOT 22



CRESTON ROAD  
 ROAD 1.14  
 GINGER LANE  
 ROAD 1.14



KATHERINE DRIVE

TENTATIVE TRACT 1942

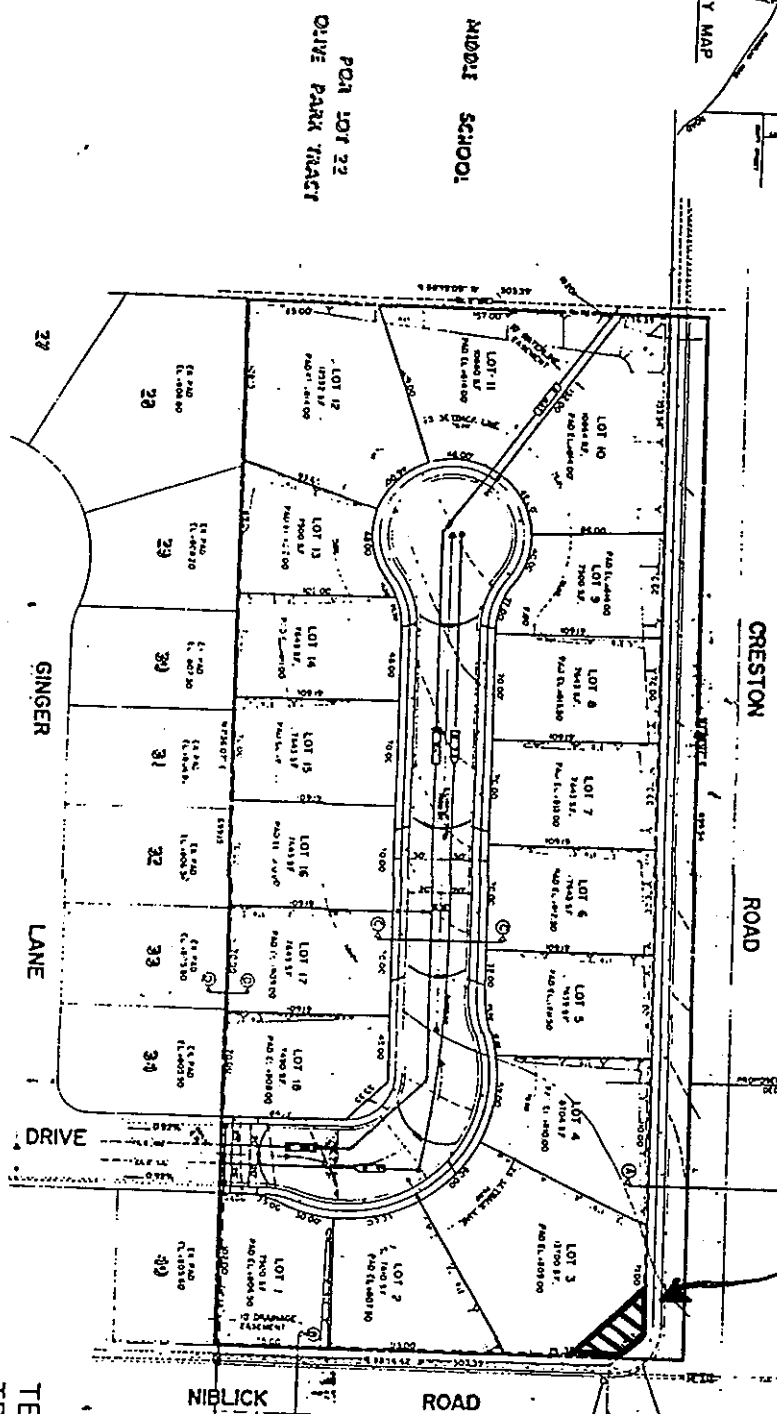
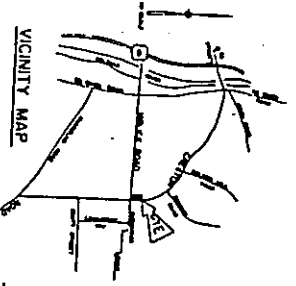
PREPARED FOR: JAMES H. ...  
 428 001-143-001

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 COMMUNITY DEVELOPMENT

TRACT 1042 EXHIBIT "A"

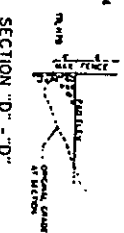
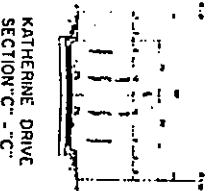
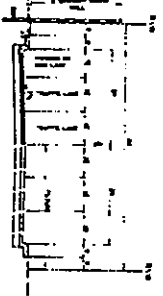
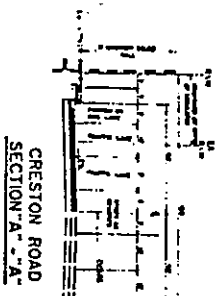
<p>TENTATIVE TRACT 1942</p>	<p><b>AP</b> Associated Professions Inc.          ENGINEERS • ARCHITECTS • SURVEYORS • PLANNERS</p> <p>4200 EAST AVE • LIVERMORE, CA 94550 • 415/447-4017          1005 RAILROAD ST • PASO ROBLES, CA 93248 • 805/234-5427</p>	
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Corner cut-off dedication required of  
 up to 25 feet as determined by ARC.



Area subject  
 to dedication

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 COMMUNITY DEVELOPMENT



TENTATIVE  
 TRACT 1942

TRACT "A" EXHIBIT "B"

TENTATIVE TRACT  
 1942

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