

# City of El Paso de Robles

RESOLUTION NO. 90-186  
A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 1892  
(OWNER: MARK PENDER / APPLICANT CALMONT ASSOCIATES)

WHEREAS, Calmont Associates has filed an application to subdivide an approximate 60 acre parcel into 310 air space condominium units with common areas, located on the north side of Sherwood Road at its intersection with Commerce Way (commonly known as the Quail Run Mobile Home Park), and

WHEREAS, a public hearing was conducted by the Planning Commission on June 26, 1990 and August 14, 1990, and by City Council on September 4, 1990 and November 6, 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 Rezone, Planned Development and Conditional Use Permit applications 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 (Section 21.21.010);
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;

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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 1892 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.

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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 public sewer mains and manholes not within the street or paved area shall be within an easement and accessible by an all-water road.
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' wide travel lane and 8' 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' travel lane and 4' 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

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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.

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' 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.

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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.

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. 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

35. 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 Home Owner's Association.

Landscaping and irrigation systems shall be installed by the developer at the same time as all other public improvements.

The landscaping within public parkways (Sherwood Road) shall be the applicant's responsibility for maintenance for a period of 12 months following installation. City acceptance following the 12 month maintenance period shall be subject to the approval of the Director of Community Services.

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

37. 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.

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

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

## FINANCE

40. 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

41. 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

42. 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.

43. 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.

44. 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.

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## 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.

45. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map attached as Exhibit A (reduction attached; full size copies are on file in the Community Development Department). All conditions of Planned Development B9010 shall be complied with in conjunction with tract compliance.

46. 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.

47. Maintenance of on-site private utilities, street lights, water and sanitary sewer facilities, road and fire access, drainage improvements including retention basin and landscaping, fencing and common areas, shall be assured through the formation of a Home Owner's Association. The formation (Articles of Incorporation) of the Home Owner's Association and the Covenants, Conditions and Restrictions (CC&Rs) established for the project shall be in a form and manner acceptable to City Attorney.

48. The subdivider shall upgrade the existing water system to provide minimum fire flow requirements (1,000 gallon per minute flows) prior to issuance of any building permits for units within phase two.

49. The subdivider shall provide two sources of water. The connection between public and private shall be protected with a double check valve assembly with master meters.

50. All future units shall pay City Standard sewer and water connection fees.

51. All on site water mains constructed in conjunction with phase two of the project shall be constructed to conform to the same Public Works Standards utilized in standard subdivisions.

52. Prior to recording the Final Map, the subdivider shall pay fair share cost for the upgrading of the downstream improvements known as the Meadowlark Sewer project. The exact amount of reimbursement shall be in accordance with benefit (fair share) as

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determined by the City Engineer, in accordance with City Municipal Codes.

53. The applicant's engineer shall establish that the existing sanitary sewers are adequate in their capacity and in compliance with the codes which were in effect at the time of initial project approval. The Engineer's findings shall be subject to review and approval by the City's Building Official, prior to recording of the final map.

54. On site sewers constructed in conjunction with Phase two shall be constructed to conform to the same Public Works Standards utilized in standard subdivisions.

55. Prior to recording the final map, the applicant shall establish a program for tenants within phase one which would provide voluntary tenants the ability to install smoke alarms and seismic anchorage systems at the same cost which is made available to the applicant.

56. Prior to recording the final map, the applicant shall establish rear yard and side yard access acceptable to the Fire Department for all units.

57. All units within phase two shall be provided with smoke alarms and be equipped with a seismic anchorage system.

58. The subdivider shall dedicate to the City, for public road purposes, right-of-way on Sherwood Road necessary to provide for a 50 foot half street from centerline.

59. Interior private streets shall be developed to the minimum of 32 feet as shown on the tentative map submittal and where landscaped medians are proposed, a 52 foot private street section shall be used. The subdivider shall be required to record easements across all interior streets in order to allow for Emergency Service and other City access.

60. The recorded easement which connects the western boundary of the project to Creston Road shall be improved through to Creston Road with an all weather base and new crash gates in a manner to be approved by the Fire Department.

61. A 20 foot all weather access road, connecting Blue Jay Court and Sherwood Road shall be improved with an all weather base, crash gates at both ends, and posted as a fire lane in a manner to be approved by the Fire Department. The radius at the connection point with Blue Jay Court shall be increased to accommodate fire apparatus vehicles, to be approved by the Fire and Engineering Departments. Any redesign of lot 199 shall be subject to review of City staff for substantial conformance with the original tentative map.



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Optionally, the applicant could relocate the access easement to the adjacent property to the east, improving that access to a minimum of a 24 foot asphalt or concrete width. A recorded easement for such relocation would have to be provided.

62. The parking/landscaping islands within the cul-de-sac bulbs shall be reconstructed in order to provide a radius acceptable for fire apparatus turn around. The design of these bulb islands shall be in a manner to be approved by the Fire Department and Architectural Review Committee.

63. The applicant shall submit a detailed grading and drainage plan to the Public Works Department for review and approval. Specifically the drainage plan must provide hydrology and hydraulics to address detention basin storage. The final design of the detention basin must meet the City's current standards for an unfenced (park) detention basin, which may not exceed 4:1 side slopes, or a 4 foot depth. In the event that the drainage study reveals that the basin must be made larger to maintain this standard, the applicant shall be required to redesign the map accordingly. The redesigned map, depending on level of substantial compliance with tentative map, could be required to be reconsidered by Planning Commission and City Council.

64. The document titled "Tenant Impact Report", as labeled and dated November 6, 1990 and contained in the Planning Division file, shall be adopted as an exhibit to this tract map approval. The mitigation measures and applicant commitments contained in the Tenant Impact Report are conditions of approval of the Tentative and Final Map.

65. The applicant shall, prior to recording the final map for either phase, install permanent space markers (not required to be legal survey monuments) as follows:

Phase one: Both front corner markers shall be installed.

Phase two: All four corner markers shall be installed.

66. The applicant shall clearly post the streets with legible street signs which shall include indication of street number ranges for that street, in a manner to be approved by the Fire Department. In addition, all units within both phases, shall be provided with visible contrasting street numbers.

67. The applicant shall design and construct a bus shelter structure prior to recording the final map for phase one. The design and location of the shelter shall be subject to review and approval by the City's Architectural Review Committee.

68. Interior street lighting shall be designed and installed in a manner subject to the approval of the City Engineer.

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69. The existing stop sign at the intersection of Sherwood Road and Quail Run Drive shall be relocated in a manner acceptable to the City Engineer.

70. The subdivision of the subject property cannot be finalized and recorded until the applicant has complied with the applicable requirements of the Planned Development and Conditional Use Permit that regulate the condominium conversion process, in a manner to be approved by the City Planner.

71. Prior to finalizing and recording the subdivision map, the applicant shall, in a manner to be approved by the City Planner:

a. Provide the City with adequate assurances that financing will be available to all existing residents, as of November 6, 1990, during the statutory first right of refusal period, who wish to purchase their individual spaces in the Quail Run Mobile Home Park. In the event that a resident cannot qualify for the State assisted low income program, moderate income program, or any conventional lender program due to a lack of credit worthiness, then Calmont/CalPark shall act as guarantors for any such loan. said financing shall be provided regardless of the resident's credit worthiness.

b. That, as a condition of the tentative map, the applicant shall prepare and submit an application all paperwork relating to the State of California Mobilehome Park Assistance Program (MPAP) and that as a condition of the final map the applicant shall implement said program, both conditions to be satisfied pursuant to the regulations and guidelines of the MPAP program. That the applicant or any third party processor shall prepare and implement all individual loan origination and related documents pursuant to the regulations of said program and application, including but not limited to contracting for required eligibility work with a State-approved contractor, based on the understanding that the City will not provide any City staff or financial resources in support of the conversion process.

c. That the moderate income program in the Tenant Impact Report shall be amended to provide financing during the statutory first right of refusal period for a term of seven (7) years as stated but with an additional term of seven (7) years, at the same interest rate, amortized over twenty-five (25) years, paid monthly during the second seven (7) year term. All deferred interest and unpaid principal due and payable at the end of the total term of fourteen (14) years. the applicant's financing program for persons who cannot qualify for State assistance shall be based on fully amortized loans, with down payments consistent with the State's assistance program, and shall not require balloon payments of any kind, and that said financing program shall be available to any resident of the park as of November 6,

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1990 who chooses to purchase his/her individual space within a three year period starting with recordation of the tract map.

d. That the applicant shall provide certification to the City, in a manner consistent with the State of California MPAP specifications, in a form to be approved by the City Attorney, that two-thirds (2/3) of the residents occupying the park as of November 6, 1990 are supportive of the conversion process, and that no displacement (defined, for these purposes, as persons unable to afford adjusted rents on an economic basis) of said residents will occur as a result of the condominium conversion.

e. That for those residents occupying the park as of November 6, 1990 who are economically displaced as a result of the condominium conversion and therefore elect to move their mobile home to a new space, the applicant shall provide a relocation assistance program in accordance with the following schedule, which shall apply from the date of recordation of the tract map:

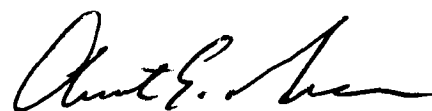
If resident vacates before end of	Portion of Expenses paid by applicant	Up to max. of
12 months	80 percent	\$2,000.
18 months	60 percent	\$1,500.
24 months	40 percent	\$1,000.
30 months	20 percent	\$ 500.
36 months or longer	-0- percent	-0-

Residents as of November 6, 1990, who decide to move prior to recordation of the tract map, shall be entitled to the maximum moving expense.

f. That all provisions of the Tenant Impact Report shall be in a form that would guarantee their implementation upon recordation of the proposed subdivision.

PASSED AND ADOPTED THIS 6th Day of November, 1990 by the following Roll Call Vote:

AYES: Russell, Reneau, Martin and Iversen  
NOES: Picanco  
ABSENT: None  
ABSTAIN: None



MAYOR CHRISTIAN E. IVERSEN

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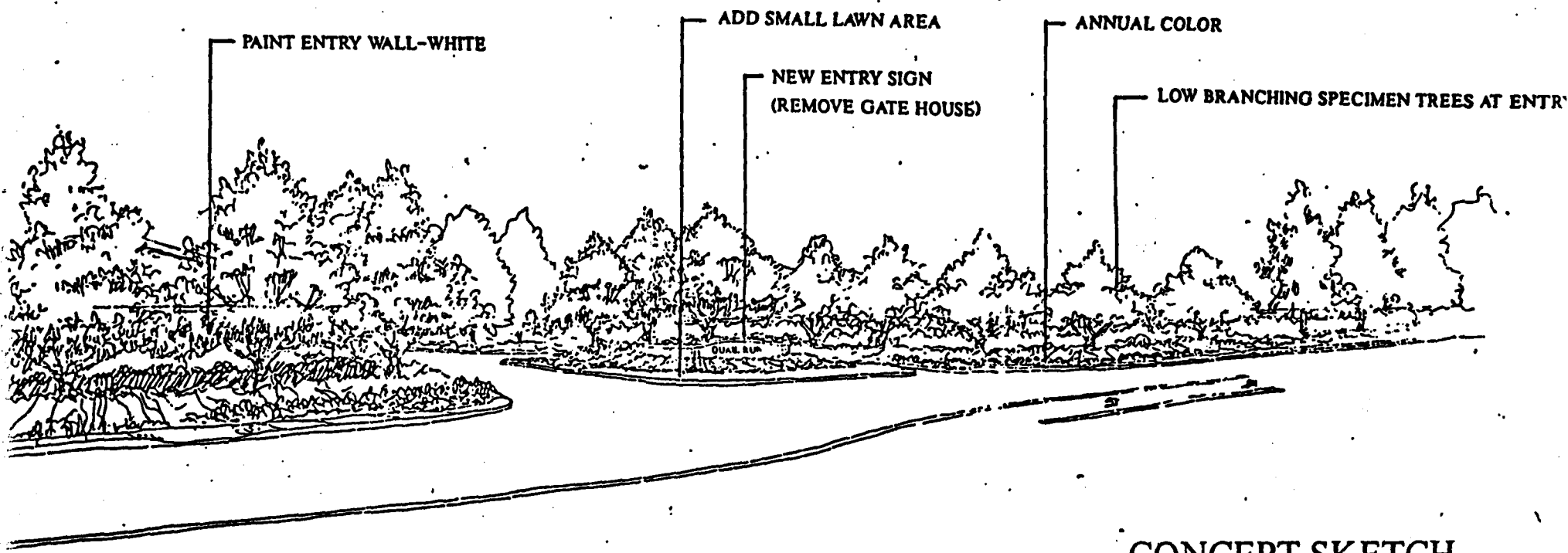
ATTEST:

  
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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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CONCEPT SKETCH  
ENTRY

PD 89010

EXHIBIT "B"

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Paul Run Club house  
Site Plan 1"=20'  
12-15-09 CLARK & GREENE P

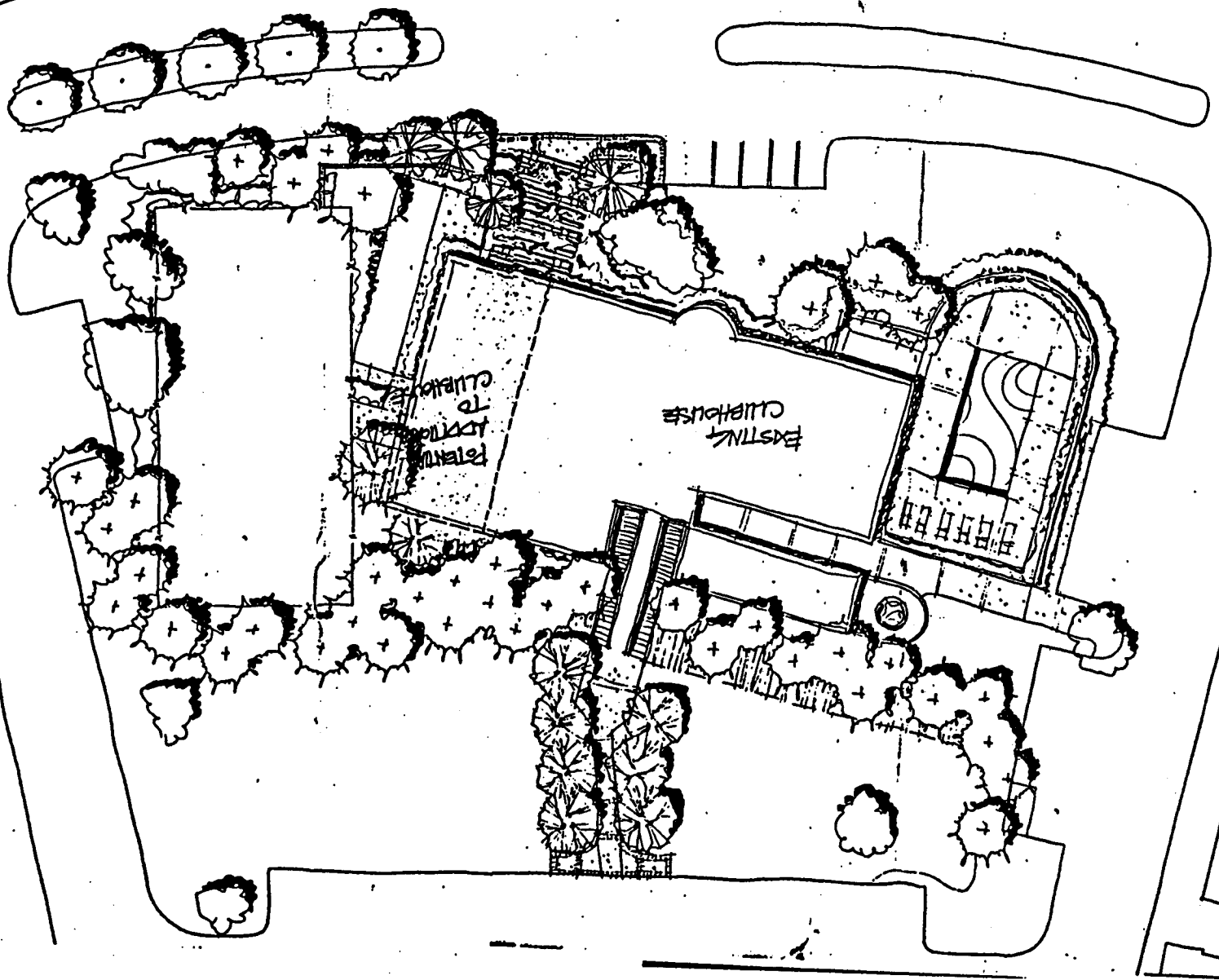
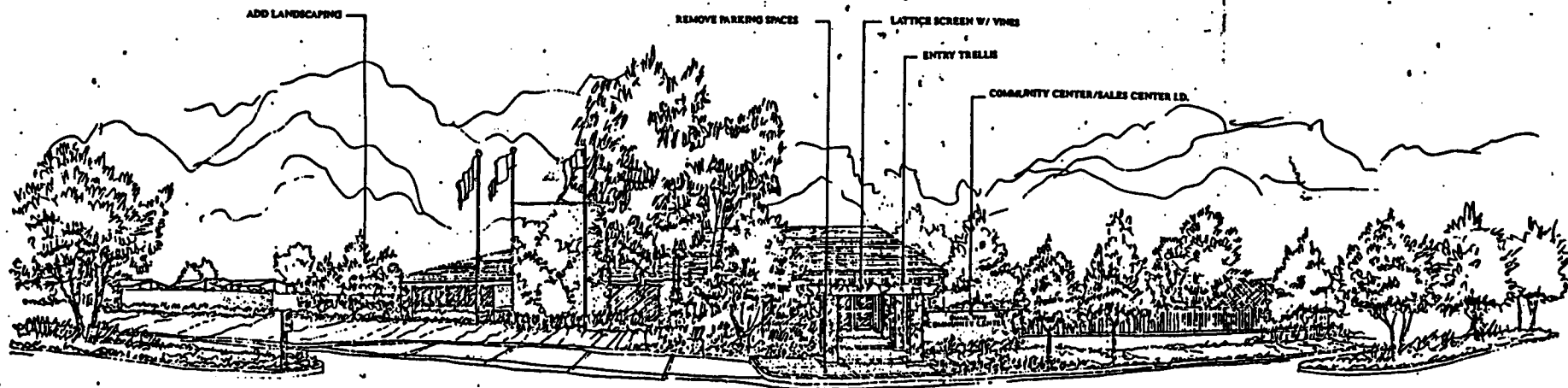


EXHIBIT "C"



CONCEPT SKETCH  
COMMUNITY CENTER

PD 89010

EXHIBIT "D"