

RESOLUTION NO. 91-109

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 2004 (MAYNARD POTTER)

WHEREAS, Tract 2004 has been filed by Maynard Potter for the subdivision of approximately 5.75 acres of land generally located on the south side of Experimental Station Road between North River Road and Buena Vista Road, into 5 buildable single family residential lots, and

WHEREAS, a public hearing was conducted by the Planning Commission on July 23, 1991, and by the City Council on August 20, 1991, to consider facts as presented in the staff report prepared for this subdivision map application, and to accept public testimony regarding the proposed subdivision, and

WHEREAS, based on the information contained in the staff report prepared for this subdivision, the City Council found that the project was consistent with the Borkey Area Specific Plan and the Environmental Impact Report which was prepared for that project, and adopted a resolution finding that additional environmental review was not necessary in accordance with the California Environmental Quality Act; and

WHEREAS, the project is located within the boundaries of the Borkey Area Specific Plan where Specific Plan fees will be collected prior to issuance of each individual building permit, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings as required by Government Code Sections 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 would be consistent with the General Plan and Zoning Ordinance;
3. The site would be physically suitable for the type of development proposed;
4. The site would be 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 when and if the required facilities are provided;

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 2004 subject to the following conditions:

STANDARD CONDITIONS OF APPROVAL:

ENGINEERING DEPARTMENT

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.

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"), unless specifically shown for removal on the approved tentative map to be removed. An Oak Tree Inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required.

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 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.

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

33. 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 street lights.

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.

35. Wood and gypsum board construction materials, generated within this project, shall be separated and disposed of to the City Landfill, all at the expense of the developer.

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 2 years or until such time that the landscaping is accepted for maintenance under the Benefit Maintenance District, whichever comes first. City acceptance on behalf of the benefit maintenance district shall be after a minimum of 6 months following the landscape installation and shall be subject to the approval of the Director of Community Services.

37. The applicant shall install decorative walls/fencing 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 or arterial 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.

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 (Exhibit A - reduction attached; full size copy is on file in the Community Development Department).

47. Any phasing of the project shall require additional consideration by the Planning Commission and City Council after conducting additional public hearings.

48. The tentative map shall be revised to reflect the reconstruction of experimental Station Road to the Borkey Specific Plan "Local Rural Street" specification (40 feet pavement on 60 foot right of way and 6 inch A.C. berms). To do this there will need to be a small amount of public road dedication on the northerly side of lot 3. Said dedication shall have a minimum radius of 220 feet.

49. The existing septic wastewater disposal system on lot 3 shall be abandoned to the satisfaction of the City Engineer and the house connected to City sewer and water. The existing well shall be properly abandoned or limited to non-domestic uses and not connected in any manner to the City's water supply.

50. In the event that the Developer elects to proceed with recordation of this subdivision prior to construction of Experimental Station Road within northerly tract 1895 (French), the developer shall provide engineered plans for all required public improvements, construct cul de sac "A" Street and Experimental Station Road, bring all utilities (i.e., sewer, water, gas, cable television) to the project, and underground both power and telephone. At the City's option, the developer may bond for Experimental Station Road improvements along with French Brothers and sign a subdivision agreement. Said agreement shall be worded to the satisfaction of the City Engineer and City Attorney.

51. Street trees shall be planted along the Experimental Station Road frontage as approved by the Architectural Review Committee (and outlined in condition no. 5 of the resolution granting approval of the development plan).

52. All sewer, water, streets and utilities shall be constructed in accordance with the Borkey Specific Plan standards.

53. The developer shall be required to extend sewer, water, and utilities to each lot in this project to the nearest available location in accordance with City standards.

54. Subdivider is to pay proportionate cost to the Airport Sewer Main prior to recordation of Final Map.

55. The final map shall reflect a 50 foot wide open space/landscape easement along the full Highway 46 frontage.

56. One foot non-access easements shall be recorded along the Experimental Station Road frontage of lots 2 and 3.

57. Where oak trees are located in proximity to the right-of-way, so that trenching for utility line and public improvements construction would occur within the dripline of the trees, such trenching shall be either:

- a. Planned to be constructed on the opposite side of the street so as not to affect the tree wherever possible; or
- b. Done manually (no large machinery) under the supervision of a certified arborist.

All oak trees within and adjacent to the project are to be preserved during and after project construction.

58. The applicant shall record avigation easements (easements which grant the right of air travel above the property) with the recording of the final map.

59. All conditions and improvement requirements set forth in the resolution approving Planned Development 90012 shall be complied with in a manner subject to the approval of the City of Paso Robles.

60. The applicant and/or individual lot owner shall pay all applicable development impact fees in effect at the time of final map recordation, building permit issuance, and building occupancy as in effect at the respective point of fee collection.

61. The applicant shall record avigation easements (easements which grant the right of air travel above the property) with the recording of the final map, in a form approved by the City Attorney.

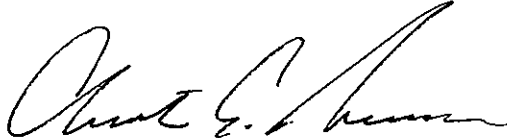
PASSED AND ADOPTED THIS 20th day of August, 1991 by the following Roll Call Vote:

AYES: Martin, Reneau, Russell and Iversen

NOES: None

ABSENT: None

ABSTAIN: Picanco



MAYOR CHRISTIAN E. IVERSEN

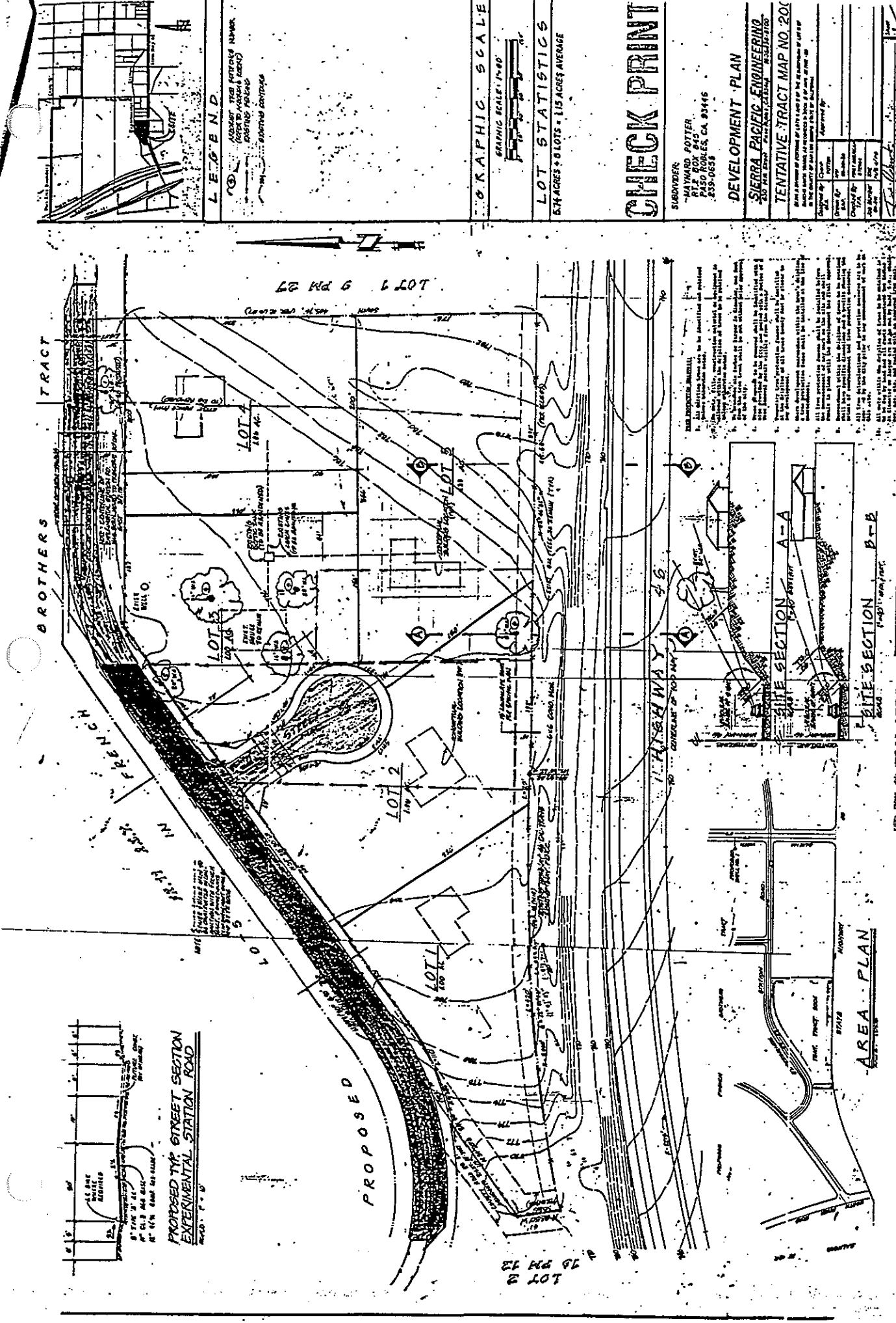
ATTEST:



CITY CLERK, DEPUTY

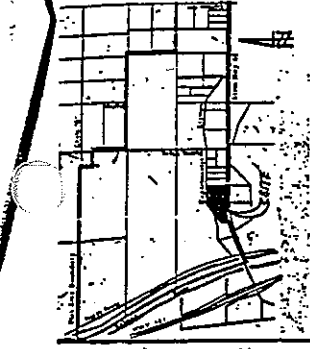
NOTE: Any judicial review of this decision must be made within the time set forth in Code of Civil Procedure Section 1094.6.

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TRACT 2004/PD 90012 EXHIBIT 'A'

RECEIVED
APR 9 1991
COMMUNITY
DEVELOPMENT



ADJUST THE POINTS NUMBER
(BASED ON POINTS NUMBER)
EXISTING POINTS
ADJUSTED POINTS



LOT STATISTICS

54 ACRES ± 9 LOTS = 115 ACRES AVERAGE

CHECK PRINT

SUBMITTER:
"HAYWARD POTTER"
P.O. BOX 845
PASO ROBLES, CA 93446
833-0628

DEVELOPMENT PLAN

SIERRA PACIFIC ENGINEERING
250 THE BRIDGE
PASO ROBLES, CALIF. 93426

TENTATIVE TRACT MAP NO. 2004

THE ENGINEER HAS REVIEWED THE INFORMATION OF THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ACT AND THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA.

Approved By: _____
Checked By: _____
Checked By: _____
Checked By: _____
Checked By: _____
Checked By: _____

RECEIVED

APR 9 1991

COMMUNITY DEVELOPMENT