

RESOLUTION NO. 91-131

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT A ONE YEAR TIME EXTENSION
FOR TENTATIVE TRACT 1581
(MIDLAND PACIFIC BUILDING CORP./EDA)

WHEREAS, on August 2, 1988, the City Council adopted Resolution 88-64 granting tentative tract map approval to Tract 1581, a 214 lot residential subdivision located on the northeast corner of Union Road and North River Road, and

WHEREAS, on March 6, 1989, the City Council adopted Resolution 89-25, amending the conditions of tentative tract map approval for tract 1581, and

WHEREAS, on October 16, 1990, the City Council adopted Resolution 90-179, granting a 90 day time extension for tentative tract 1581, and

WHEREAS, on March 5, 1991, the City Council adopted Resolution 91-19, granting an additional 90 day time extension for tentative tract 1581 as measured from the March 5, 1991 time extension approval date, and

WHEREAS, on July 2, 1991, the City Council adopted Resolution 91-84, granting an additional 90 day time extension for tentative tract 1581 as measured from the June 5, 1991 expiration date, and

WHEREAS, on August 13, 1991, a request for a one year time extension was filed by Midland Pacific Building Corporation and EDA to extend the life of the last four phases of the six phase residential subdivision, and

WHEREAS, a public hearing was conducted by the City Council on September 17, 1991, to consider facts as presented in the staff report prepared for this time extension request, and to accept public testimony regarding the extension, and

WHEREAS, the subject properties are located within the Union/46 Specific Plan Area, the for which was adopted in 1988, and

WHEREAS, the basis for adoption of the Union/46 Specific Plan has changed since its adoption, including but not limited to considerations of traffic and public safety impacts on streets, highways, and bridges, and adequacy of other public facilities and services necessary to serve development within the subject area; specific examples of impacts being generated from the subject tract and specific plan area include but are not limited to the need for a traffic interchange at the intersection of Highway 46 East and Golden Hill Road to service the plan area, inadequate capacities on

the 13th Street Bridge which cause that bridge to need to be expanded to a four traffic lane configuration to serve this tract and other development from the plan area, more detailed studies of the costs of providing adequate street improvements along Union Road, and drainage improvement to Union and North River Roads, and

WHEREAS, the aforementioned unmitigated impacts within the Union/46 Specific Plan Area which will be considered under separate public hearings by both the Planning Commission and City Council, and

WHEREAS, the outcome of future hearings on revisions to the Union/46 Specific Plan may result in the levying of additional mitigation fees and/or measures for projects which are within the Union/46 Specific Plan Area, and

WHEREAS, a Draft EIR for the General Plan update has identified certain health and safety related unmitigated environmental impacts for which adequate finding to mitigate impacts is not available, and

WHEREAS, pending Development Impact Fees are under consideration to adequately address said unmitigated impacts;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles, does hereby grant a one year time extension (as measured from the most current expiration date of September 30, 1991) to tentative tract map 1581, subject to the following conditions:

1. In the absence of any further time extensions, this map shall expire on September 30, 1992.
2. All conditions adopted within resolutions 88-64 and 89-25 shall remain in full force and effect (on file in the Community Development Department).
3. The applicant shall agree in a manner acceptable to the City Attorney to pay impact mitigation fees and comply with adjustments in timing of installation of improvements, as may be established through a resolution adopted by the City Council for the Union/46 Specific Plan Area and General Plan update, which are in effect at the time of issuance of building permits for units within the subject four phases. The agreement shall be entered into before recordation of the final map.
4. The developer shall install a public storm drain and catch basin from North River Road to the Salinas River to drain the existing sump area on the easterly side of said road. The developer shall provide the design and construction of said drain, all to the satisfaction of the City Engineer and reimburse the City for easement acquisition. The limit of cost to the developer of said acquisition, design and construction shall not exceed

\$15,000.00, which the developer has previously committed toward providing said drain. The applicant shall enter into an agreement to complete the above noted improvements and shall post securities for such improvements within 60 days from approval of this time extension.

PASSED AND ADOPTED THIS 17th Day of September, 1991 by the following Roll Call Vote:

AYES: Martin, Picanco and Russell

NOES: None

ABSENT: Reneau

ABSTAINED: Iversen



MAYOR CHRISTIAN E. IVERSEN

ATTEST:



DEPUTY CITY CLERK

G:\MEG\TRACTS\RIVERGLN\9-17CC.RES

AGENDA REPORT

TO: COMMUNITY DEVELOPMENT DEPARTMENT
FROM: DIRECTOR OF PUBLIC WORKS
SUBJECT: TIME EXTENSION, TENTATIVE TRACT 1581 (Phases III thru VI)
(Midland Pacific Building Corp.)

SUMMARY OF REQUEST:

The current owners of the balance of Tentative Tract 1581 (Phases III - VI) have requested a one-year time extension to the tentative tract.

DISCUSSION:

July 22, 1991 the City Council granted only a three month time extension for the subject Tentative Map. The Council's stated concern was center around drainage along the easterly side of North River Road.

During the interim time Mr. Dennis Moresco, the Developer's representative met with the City Engineer and committed to investing up to \$15,000.00 toward providing a permanent solution to said drainage problem. (See attached letter)

The City Engineer directed Warren Reeder and Associates to prepare an appraisal for a fair-market value of a permanent public storm-drain easement and a temporary construction easement along the southerly boundary of the Stemper Brothers' property between the westerly side of North River Road and the Salinas River. The appraisal was shared with the Developer.

To date the easement has not been acquired nor final engineered drawings developed.

RECOMMENDATION:

The Engineering Division recommends that the one-year time extension be granted and that the following condition be added to the approval of Tentative Map no 1581:

Added Condition:

"The Developer shall install a public storm drain and catch basin from North River Road to the Salinas River to drain the existing sump area on the easterly side of said road. The developer shall provide the design and construction of said

drain, all to the satisfaction of the City Engineer and reimburse the City for easement acquisition. The limit of cost to the developer of said acquisition, design and construction shall not exceed \$15,000.00, which the developer has previously committed toward providing said drain."

Prepared by: A.C.E. Johnson, Civil Engr. *AJ*

Reviewed by: J. R. McCarthy, City Engineer/Director of Pub. Wks.

TRACT 1581

Time Extension Request: Phases 3 through 6 RIVERGLEN TENTATIVE TRACT # 1581

LEGAL DESCRIPTION

1. The portion of the Tract 1581, as shown on the map, which is bounded on the north by the center line of Buena Vista Drive, on the east by the center line of Riverglen Drive, on the south by the center line of Street A, and on the west by the center line of Street B, and containing approximately 100 acres, more or less, and being more particularly described as follows:

2. The portion of the Tract 1581, as shown on the map, which is bounded on the north by the center line of Buena Vista Drive, on the east by the center line of Riverglen Drive, on the south by the center line of Street C, and on the west by the center line of Street D, and containing approximately 100 acres, more or less, and being more particularly described as follows:

3. The portion of the Tract 1581, as shown on the map, which is bounded on the north by the center line of Buena Vista Drive, on the east by the center line of Riverglen Drive, on the south by the center line of Street E, and on the west by the center line of Street F, and containing approximately 100 acres, more or less, and being more particularly described as follows:

4. The portion of the Tract 1581, as shown on the map, which is bounded on the north by the center line of Buena Vista Drive, on the east by the center line of Riverglen Drive, on the south by the center line of Street G, and on the west by the center line of Street H, and containing approximately 100 acres, more or less, and being more particularly described as follows:

PROJECT INFORMATION

PREPARED BY: JAMES H. HARRIS, JR., CIVIL ENGINEER, 1000 W. 10TH STREET, SUITE 100, DENVER, CO. 80202

DATE: 10/15/88

PROJECT NO.: 1581-003

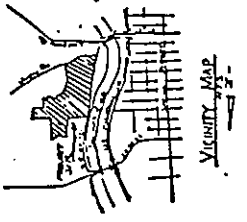
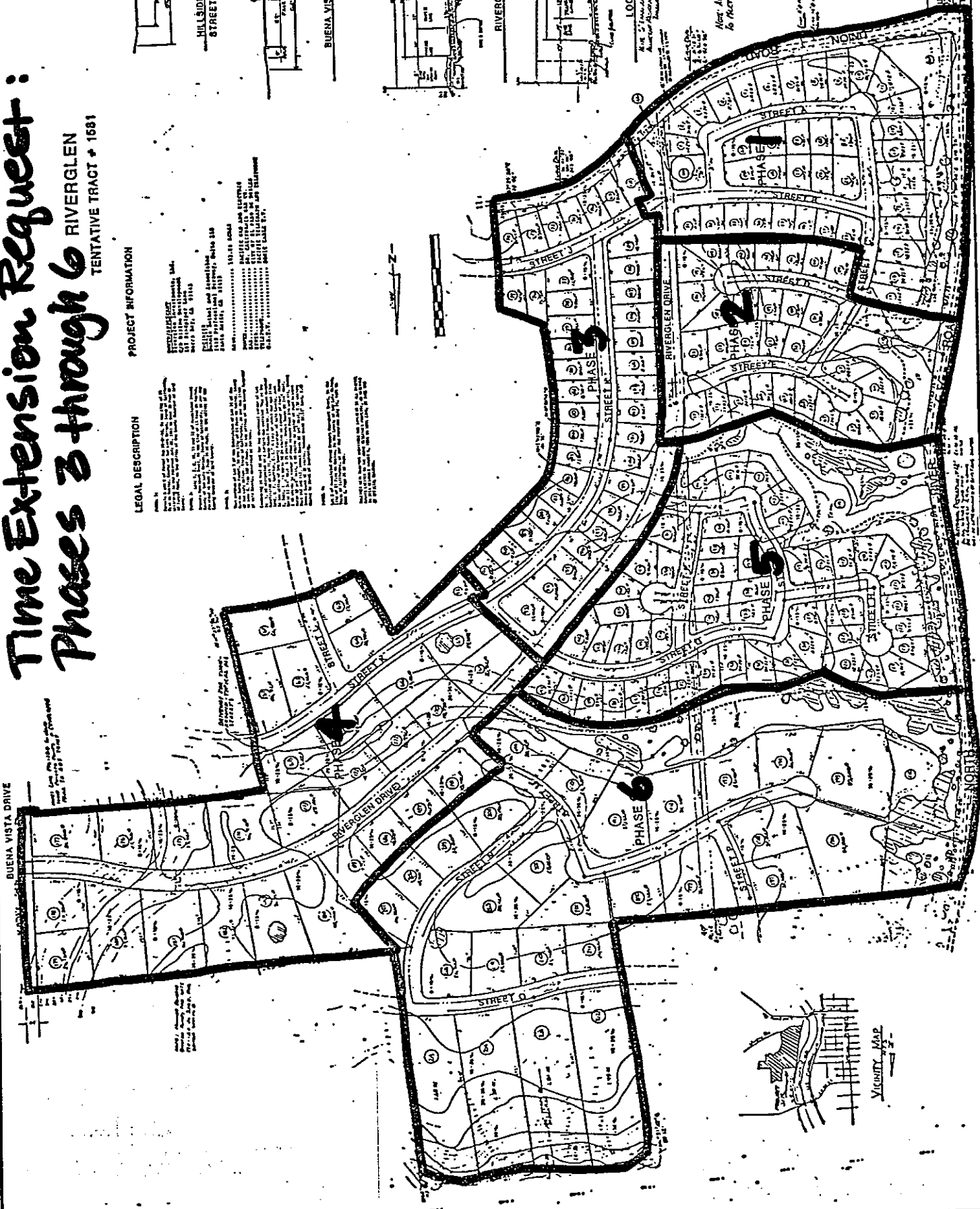
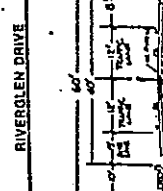
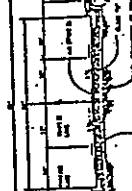
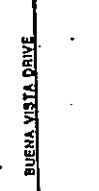
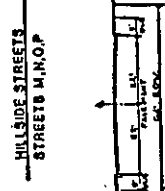
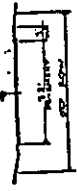
SCALE: AS SHOWN

NOTES: 1. THIS MAP IS A TENTATIVE MAP AND IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

2. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE TRACT AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.

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DEAN'S RETAIL & ASSOCIATES, INC.

REVISED 6-1-88

CHRONOLOGY OF TRACT 1581

- o **August 2, 1988:** City Council adopted Resolution 88-64 granting tentative tract map approval to Tract 1581. (Two year life on map is established).
- o **March 6, 1989:** City Council adopted Resolution 89-25 amending conditions of the tentative tract. (Map life dates do not change).
- o **October 16, 1990:** City Council adopted Resolution 90-179 granting a 90 day time extension in response to first request for a time extension.
- o **March 5, 1991:** City Council adopted Resolution 91-19 granting a 90 day time extension after holding a series of public hearings.
- o **May 30, 1991:** Applicant files for a one year time extension.
- o **July 2, 1991:** City Council adopted Resolution 91-84 granting a 90 day time extension after holding public hearing; drainage concerns noted.
- o **August 13, 1991:** Applicant filed for a one year time extension.
- o **September 3, 1991:** Deadline on which the map will expire if the Council does not grant current time extension request.

EDA

ENGINEERING
DEVELOPMENT
ASSOCIATES

August 14, 1991

Robert A. Lata
Planning Director
City of Paso Robles
P.O. Box 307
Paso Robles, Ca. 93447

RE: RIVER GLEN ESTATES, TRACT 1581 - PHASES 3 THROUGH 6
REQUEST FOR TIME EXTENSION

Dear Bob:

When we last appeared before the City Council on July 2, 1991, we requested a one year time extension in order to allow the project to move forward. At that time, the Council granted another 90 day time extension in order to give the Developer and ourselves time to work with City Engineering Staff in developing a solution for the localized drainage problem near the intersection of North River Road and Union Road.

The proposed solution by the City Engineer's office is to install a drainage inlet, where the ponding occurs on North River Road, and to pipe the water to the Salinas River. The pipe would be installed in an easement along the southerly property line of the Stemper Brothers property. To meet this end, a plan has been reviewed by the City Engineering staff showing the above mentioned improvements, an appraisal of the easement has been done by Reeder, Gilman and Ass., and the owner of phases 3 - 6 of Tract 1581 has committed \$15,000 toward the drainage solution. By the time Council hears this time extension request the Engineering Department will have talked to Stemper Brothers concerning the easement.

All the ground work has been set for resolving the drainage issue. City Council now can approve a one year time extension with the condition that the drainage problem be resolved in a matter that is acceptable to all concerned.

It has been a pleasure to work with the city staff on this issue and we look forward to moving ahead with the project. If you have any question, please feel free to contact me.

Sincerely,

ENGINEERING DEVELOPMENT ASSOCIATES


Daniel R. Lloyd

RECEIVED
AUG 13 1991
ENGINEERING DEVELOPMENT

ENGINEERING ■ LAND SURVEYING ■ PROJECT ADMINISTRATION

1320 NIPOMO ST. ■ SAN LUIS OBISPO, CA 93401 ■ 805-549-8658 ■ FAX 805-549-8704
744-B OAK ST. ■ PASO ROBLES, CA 93446 ■ 805-237-1033 ■ FAX 805-237-3797

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, ANDREA OUSE, employee of the City of
El Paso de Robles, California, do hereby certify that the
mail notices have been processed as required for project
..... TIME EXTENSION FOR TRACT 1581 (MIDLAND PACIFIC)
for the meeting on SEPTEMBER 17, 1991
mailed on this.....5TH.....day of SEPTEMBER19.91..

City of El Paso de Robles
Planning Division

Signed:

