

City of El Paso de Robles

RESOLUTION NO. 88-85
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
TRACT 1575 (THOMAS ERSKINE)

WHEREAS, Thomas Erskine has filed an application to subdivide an approximate 10 acre parcel into twenty-three parcels within the R-1 zoning district, located on the south side of Pacific Avenue at its intersection with Merryhill Drive, and

WHEREAS, at its meetings of June 14, 1988 and September 13, 1988, the Planning Commission took the following actions regarding the proposed subdivision:

a. Considered the facts and analysis, as presented in the staff reports prepared for this subdivision;

b. Conducted a public hearing to obtain public testimony on the proposed subdivision;

c. Based on the information contained in the initial study prepared for this subdivision, found that, subject to incorporation of mitigation measures into the recommended conditions of approval, there was no substantial evidence that the proposed subdivision would have a significant effect on the environment and recommended that the City Council adopt a Negative Declaration in accordance with the California Environmental Quality Act; and

d. Based on the above actions, found that the proposed subdivision complied with the findings required by Government Code Section 66474 and recommended that the City Council approve this subdivision, and

WHEREAS, at meetings conducted on July 5, 1988 and October 4, 1988, the City Council took the following actions:

a. Considered the facts and analysis, as presented in the staff reports prepared for this subdivision;

b. Considered the recommendation of the Planning Commission regarding this subdivision;

c. Conducted a public hearing to obtain public testimony on the proposed subdivision;

d. Based on the information contained in the initial study prepared for this subdivision, found that, subject to incorporation of mitigation measures into the recommended conditions of approval, there was no substantial evidence that the proposed subdivision would have a significant effect on the

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environment and adopted a Negative Declaration in accordance with the California Environmental Quality Act,

e. Based upon the above actions, found that the proposed subdivision complies with 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:

1. Find that there is no substantial evidence that the proposed change to the grading and drainage plan would have a significant effect on the environment and thus would not necessitate a new environmental assessment;
2. Grant tentative map approval to Tract 1575 subject to the following conditions:

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 #4 is amended to require the preparation of a soils and geology report.

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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 drain and detention basin maintenance including access roads, drainage channels and swales;
- c. Water booster pump maintenance;
- d. Slope landscaping as necessary for erosion control.

5. The property owner shall petition the City Council for the formation of a benefit maintenance district. The City Council may adopt a resolution which approves the petition and appoints an engineer and an attorney to handle the proceedings.

The engineer's report shall be prepared which includes plans and specifications, boundaries of the benefit district and approximate cost of the assessment and other pertinent matters.

The City Council may confirm the assessment roll. When the work required under the assessment has been completed, then the appropriate completion papers are to be filed and recorded.

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

An agreement to ensure the establishment of a Benefit Maintenance District or equivalent vehicle for common area maintenance, including funding of expenses for landscaping maintenance, street lighting and other services attributed to the development of all phases of the tract, shall be executed by the applicant in a form to be approved by the City Attorney.

6. Conditions, Covenants and Restrictions (CC&R's) shall be recorded for this subdivision and shall include the following notices:

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a. That all fencing along tract boundaries and individual lot development plans shall be subject to Architectural Review approval; and

b. That the City shall be held harmless for any costs related to meeting City standards in the development of hillside lots.

The City shall be party to these CC&R's, only in so far as its ability to preclude amendments to occur, but has no obligation to enforce the CC&R's except for that which is required under Municipal Code.

7. Any phasing plan shall be subject to the approval of the Planning Commission and City Council. Prior to granting approval of any 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.

8. The applicant shall offer to dedicate to the City, for public road purposes, a minimum of 2 additional feet with appropriate slope easements along the Pacific Avenue tract frontage. The exact dedication widths will be determined in conjunction with the tract improvement plans.

9. A water booster pump, servicing this subdivision, shall be constructed and fully operational, prior to issuance of any building permits within this subdivision.

10. The applicant/property owner shall record an agreement with the City, in a manner subject to approval of the City Attorney, to participate in a future assessment district for the upgrade of the water service/infrastructure to this area, of which this parcel may be part.

11. The applicant shall offer to dedicate to the City (for public road purposes) rights-of-way for interior streets to be 50 feet wide with corner cut-offs at all intersections and appropriate slope easements. All dedications shall be designed in a manner to be approved by the City Engineer.

12. Merryhill Drive, within the subject tract, shall be improved with a minimum paved width of 32 feet, a minimum 3 foot paved pedestrian walkway (location to be approved by the City Engineer) and a fire lane along the east side.

13. The northerly half-width of "B" Street shall be constructed to hillside street standards with a minimum of 20 feet of paved width and shall include a turn-around for vehicle access.

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14. The applicant shall, with permission from the County of San Luis Obispo, grade the south side of the right-of-way for Peachy Canyon Road in order to provide a safe sight distance and shall align all four legs of the intersection, as determined by the City Engineer.

15. A name for Street "B" shall be approved by the Planning Commission prior to Final Map Approval.

16. The applicant shall dedicate lot 23 to the city for use as a water tank site which shall be credited towards the "fair share" cost of the off-site water system improvements. In the event that the tank site is determined not to be needed, the City may sell the property to be used as a single family residential lot. If used as a residential lot, its development would be subject to Architectural Review Committee approval and must conform to all applicable codes, including minimum access width requirements.

17. Prior to commencing any grading or development on this site, the applicant shall submit grading plans showing access roads necessary to service the detention basin. The design of these roads are to be subject to review and approval by the City Engineer and the Architectural Review Committee.ity Council.

18. The applicant shall provide drainage calculations for on and off-site drainage improvements which shall be subject to approval of the City Engineer. Drainage improvements shall be constructed in accordance with those approved plans. No increase in total run-off shall be permitted.

Detention basins shall be described in the form of easements provided in a manner subject to approval of the City Engineer; provisions shall be included for ongoing maintenance in a manner subject to approval of the City Engineer.

19. The development of all lots and any fencing on tract boundaries shall be subject to Architectural Review approval. Grading shall be minimized for development of homes on each lot and erosion control plans shall be prepared.

20. The applicant shall offer on the final map to dedicate to the City, appropriate water line and ingress and egress easements associated with the tank site. Exact locations to be determined in conjunction with the tract improvement plans.

21. In the event that the applicant and Mr. Ernst desire to incorporate the driveway/easement with Merryhill Street extension, thus altering its current alignment, this subdivision shall be reviewed by staff for determination that the new street alignment is in substantial compliance with the tentative map shown in Exhibit "B". (Planning Commission consideration is not

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required unless the map is not found to be in substantial compliance).

22. Lots #21 and 22 shall be placed within a second phase of this subdivision, which shall not receive final map approval until the applicant has demonstrated to the City Attorney that legal access has been provided.

23. The applicant shall submit detailed landscaping and, as applicable, fencing plans for both detention basins, for review and approval by the Architectural Review Committee. The intent is to mitigate visual impact of both basins from views from either Merryhill Drive or Pacific Avenue.

PASSED AND ADOPTED THIS 4th Day of October, 1988 by the following Roll Call Vote:

AYES: Dolan, Reneau and Ovitt

NOES: Russell and Martin

ABSENT: None



MAYOR STEVE MARTIN

ATTEST:



JERRY BANKSTON, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)SS.
CITY OF EL PASO DE ROBLES)

I,Jerry Bankston..... , City Clerk/~~Deputy City Clerk~~
of the City of El Paso de Robles, California, do hereby certify
that the foregoingResolution No. 88-85.....
was duly and regularly adopted, passed and approved by the City
Council of the City of El Paso de Robles, California, at a
.....regular..... meeting of said City Council held at the
regular meeting place thereof, on the4th..... day of
.....October....., 19.88....., by the following vote:

AYES:Dolan, Reneau and Ovitt.....
NOES:Russell and Martin.....
ABSENT:None.....
ABSTAINED:None.....

Dated this4th..... day ofOctober....., 19.88.....

Jerry Bankston
City Clerk and Ex-Officio Clerk of the
City Council, City of El Paso de Robles,
State of California