



CITY OF STOCKTON

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall • 425 N. El Dorado Street • Stockton, CA 95202-1997

937-8444

October 12, 2006

Morada Property Investors
P. O. Box 747
Lockeford, CA 95237

MORADA PROPERTY INVESTORS (TM5-06)

At its regular scheduled meeting of September 14, 2006, the City Planning Commission approved your request to subdivide a 2.7-acre site into 14 parcels for single-family residential development, for property located on the east side of Ijams Road, approximately 560 feet north of the Calaveras River. This approval is subject to the following conditions:

1. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
2. Pursuant to Section 15074 of the State CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the City-adopted Final Mitigated Negative Declaration/Initial Study (IS4-06) and the "Findings and Mitigation Monitoring/Reporting Program for the Ijams Road Tentative Subdivision Map Project."
3. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the establishment of Covenants, Conditions and Restrictions (CC&Rs) for the maintenance of landscaping, structures and walls/fences (using consistent material and designs) on private property and common areas within the subdivision area. The CC&Rs shall be subject to review and approval by the City Attorney and the Community Development Director prior to their recordation. The ODS shall be responsible for recordation of the CC&Rs and payment of recording expenses prior to or in conjunction with the recordation of any final map for this subdivision. The City shall be declared to be a third-party beneficiary of the CC&Rs and shall be entitled, without obligation, to take appropriate legal action to enforce the CC&Rs.

FILE COPY

4. In order to minimize any adverse financial impact on the City of Stockton (COS) associated with development and/or use of the subject site, the ODS agrees that it will not challenge or protest any applicable fees associated with the development of the site, but if such fees are amended or modified, the ODS agrees to pay such fees as they may be amended or modified from time to time.
5. A development restriction shall be placed on lots adjoining the railroad right-of-way to prohibit the construction of habitable structures within 85 feet of the westernmost track of the UPRR Company. This restriction shall be incorporated into the project CC&Rs.
6. The ODS shall be responsible for the installation and maintenance of a soundwall subject to the following requirements:
 - a. The masonry soundwall shall be 10.5 feet in height along the eastern property line of Parcels 7, 8 and 9 and eight feet in height along a portion of the northern property line of Parcel 7 and a portion of the southern property line of Parcel 9. The masonry wall along the eastern property line of the site shall be set back a minimum of three feet into the project site to facilitate its maintenance. The masonry soundwalls shall be installed and the exterior of the soundwalls shall be painted with graffiti-resistant paint prior to the issuance of building permits for any residential structures within this subdivision.
 - b. Plans for the soundwalls, including access doors, shall be prepared by an acoustical engineer and submitted to the Community Development Director for review and approval prior to recordation of any final map.
 - c. Plans for the soundwalls shall be accompanied by a report, including construction details, stating that the wall's noise attenuation value will not be compromised by the installation of access doors.
 - d. The final map shall designate a five-foot wide City landscape maintenance easement along the eastern boundary of the subdivision (i. e., along rear property lines of Parcels 7, 8 and 9). Prior to recordation of any final map, the ODS shall obtain from the adjoining property owners, and dedicate to the City, a minimum three-foot wide City landscape maintenance easement along a portion of the north property line of Parcel 7 and the south property line of Parcel 9 in order to facilitate any required maintenance of the wall. If the easement cannot be acquired, the masonry wall shall be offset a minimum of three feet south of the northerly property line of Parcel 7 and three feet north of the southerly property line of Parcel 9. The City landscape maintenance easement along the north property line of Parcel 7 and the south property line of Parcel 9 may be abandoned at such time as the properties to the north and south develop

and the masonry soundwall is extended to the north and south along the railroad tracks. In order to provide points of access for maintenance to the exterior of the soundwall, the final map shall designate a five-foot wide City landscape maintenance easement along the southeast property line of Parcel 7. An access door (through the soundwall) shall be required, if necessary, at the point of access to the south wall. The ODS shall be responsible for recordation of the City landscape maintenance easements and payment of recording expenses at such time as the final map is recorded.

7. The ODS shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.
8. As required by the Stormwater Quality Control Criteria Plan (SWQCCP) Plan, the ODS must establish a maintenance entity, prior to the recordation of any Final Map, acceptable to the City to provide funding for the operation, maintenance, and replacement costs of the proposed treatment devices built for the subject site.
9. The ODS shall be responsible for installation and maintenance of landscaping on, and adjacent to, the exterior of the soundwall along the eastern boundary of this subdivision, subject to the following requirements:
 - a. Landscaping and irrigation plans shall be prepared by a registered landscape architect and submitted to the Community Development Director and City Landscape Architect for review and approval prior to recordation of any final map;
 - b. The landscaping plan shall include a recommendation on the type and spacing of vines necessary to effectively screen the outside of the soundwall within three years of planting; the irrigation plan shall include details of a system that will allow irrigation by a single, common source from the time the vines are planted; and
 - c. All required landscaping and irrigation on the outside of the soundwall shall be installed within 60 days following the construction of required soundwall and before the issuance of any building permits for residences on individual lots.
10. The ODS shall annex to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2 and approve an assessment providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision.

11. Prior to recordation of any final map, the ODS shall submit an engineer's report, including the cost of graffiti removal, wall replacement cost, amortization information, annual assessment amount and an annual inflation adjustment to the assessment [based on an amount equal to the greater of: 1) three percent (3%); or 2) the percentage increase of the Consumer Price Index (CPI) for the San Francisco – Oakland –San Jose County Area for All Urban Consumers, as developed by the U. S. Bureau of Labor Statistics, for a similar period].

In addition, the following notes and ordinance requirements are provided to assist in the submittal of a final or parcel map, as applicable, for review by the Public Works Department.

1. The project comes under the requirements of the City of Stockton's Stormwater Quality Control Criteria Plan (SWQCCP), as outlined in the City's Phase 1 Stormwater NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2002-0181). The implementation of SWQCCP became effective on November 25, 2003.
2. The ODS shall comply with any and all requirement, and pay all associated fees, as required by the City's Storm Water Pollution Prevention Program, as set forth in its NPDES Storm Water Permit.
 - A signed Notice of Intent (NOI) or Waste Discharger Identification number (WDID) shall be submitted to the City of Stockton.
 - Prior to project approval, the City of Stockton will require an Erosion Control Plan to be submitted with improvement plans.
3. All on-site septic tanks and/or wells shall be abandoned in accordance with San Joaquin County Development Title Standards.
4. All existing overhead utility distribution facilities shall be placed underground in accordance with Stockton Municipal Code, Section 16-355.240. Any relocation or under-grounding of existing overhead utility lines will be at the property owner's expense.
5. The installation of any above ground utility structures within the City right-of-way is subject to City approval.
6. The site lies within Area of Benefit (AOB) No. 62, March Lane SS Trunk Line, which was adopted by the Stockton City Council on August 13, 1984, Resolution No. 40943. The property owner should be aware that this AOB fee, currently about \$683 per acre (July 2006 ENR) is due and payable prior to map recordation or permit issuance, whichever occurs first, and shall be adjusted by the ENR Index at the time of payment.

7. The site lies within Area of Benefit (AOB) No. 83, Ijams Road Improvements, which was adopted by the Stockton City Council on January 8, 1990, Resolution No. 90-0028. The property owner should be aware that this AOB fee, currently about \$20,760 per acre (July 2006 ENR) is due and payable prior to map recordation or permit issuance, whichever occurs first, and shall be adjusted by the ENR Index at the time of payment.
8. Hydrant shall be installed according to City of Stockton Standards and should be shown on the final map.
9. Improvements along Ijams Road should be in conformance with City Standard Drawing No. 11D whereby a 4 foot sidewalk and planter strip should be constructed in side yards adjacent to Ijams Road.

Enclosed is a copy of the approved Tentative Parcel Map, which will expire on September 14, 2008. Any request for an extension shall be made in writing, filed with this office and accompanied by the appropriate fees prior to expiration of the Tentative Parcel Map and clearly stating the reasons for requesting the extension. In granting an extension, new conditions may be imposed and existing conditions may be revised.

If you have any questions, you may contact Senior Planner Jenny Liaw at 937-8316.



for CHRISTINE TIEN, DEPUTY CITY MANAGER
INTERIM DIRECTOR OF CDD

CT:JL:cmf

Enclosure

cc: Pablo A. Zeiter
6102 East Roberta Court
Stockton, CA 952121

Public Works w/sepia
Building Division

NOTICE: To protest the imposition of any development fee, dedication, reservation or other exaction imposed on your project, you must file written notice with the City Clerks' office within 90 days after approval of the project or imposition of the fees, dedications, reservations or other exactions stating that the required payment is tendered or will be tendered when due, or that any conditions which have been imposed are provided for or satisfied, under protest, along with a statement of the factual elements of the dispute and the legal theory forming the basis for the protest.

LEGEND

- SS SANITARY SEWER LINE
- SD STORM DRAIN LINE
- 6" W WATER LINE
- PROPERTY LINE
- EASEMENT LINE
- ⊙ SEWER MANHOLE
- ⊙ STORM DRAIN MANHOLE

NOTE:

ALL ON-SITE SEPTIC TANKS AND/OR WELLS IF EXISTING SHALL BE ABANDONED AND DESTROYED IN ACCORDANCE WITH SAN JOAQUIN COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

ACCESS TO ALL LOTS SHALL BE LIMITED TO ONE (1) ACCESS PER LOT.

ANY RELOCATION OR UNDERGROUNDING OF OVERHEAD UTILITIES LINES WILL BE AT THE PROPERTY OWNER'S EXPENSE. ALL EXISTING AND PROPOSED UTILITY DISTRIBUTION FACILITIES INSTALLED IN AND FOR THE PURPOSE OF SUPPLYING SERVICE TO THIS SUBDIVISION SHALL BE INSTALLED UNDERGROUND.

NO OAK TREES ARE PRESENT ON SITE.

ALL EXISTING BUILDINGS AND STRUCTURES TO BE REMOVED

BENCHMARK DESCRIPTION:

CITY OF STOCKTON BENCHMARK No. 44
ELEVATION 17.93

IJAMS COURT TENTATIVE SUBDIVISION MAP

A PORTION OF SECTION 29 OF THE C.M.
WEBER GRANT

MAY 2006

OWNERS:

MORADA PROPERTY INVESTORS
PO BOX 747
LOCKEFORD, CA 95237
(209) 986-9198

ENGINEERS:

MICHAEL FARLEY, PLS 6939
7500 N. WEST LANE
STOCKTON, CA 95210
(209) 473-3645

PROJECT DESCRIPTION:

CREATE FOURTEEN (14)
RESIDENTIAL LOTS OF
MINIMUM SIZE OF 5,000
SQ.FT. TO INCLUDE FIFTY (50)
FOOT FRONTAGES ON EACH
LOT.

TOTAL ACREAGE: 2.72± ACRES

APN: 096-050-09, 096-050-10

LAND USE: VACANT RESIDENTIAL

UTILITIES AND FACILITIES:

WATER: CITY OF STOCKTON

SEWAGE DISPOSAL: CITY OF STOCKTON

STORM DRAINAGE: CITY OF STOCKTON

ELECTRICITY: P.C.&E. GAS: P.C.&E.

TELEPHONE: ATT

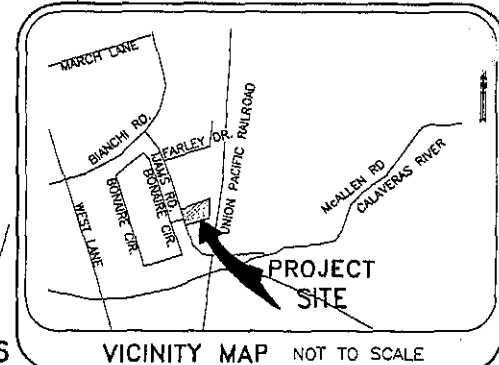
1. PREPARED AS A TENTATIVE MAP THIS 20th DAY OF
JULY 2006.

FEE: \$5,172.00
CITY OF STOCKTON PLANNING COMMISSION

2. APPROVED BY THE CITY ENGINEER OF THE CITY OF
STOCKTON THIS 22nd DAY OF AUGUST 2006.

3. APPROVED BY THE CITY OF STOCKTON PLANNING COMMISSION
THIS 22nd DAY OF AUGUST 2006.

CHAIRMAN SHEET 1 OF 1



TM 5-06

VICINITY MAP NOT TO SCALE

Revised 7-20-06