

**RESOLUTION NO. 3699**

**AMENDED VESTING TENTATIVE MAP NO. 2002-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD  
ANNOUNCING FINDINGS AND RECOMMENDING APPROVAL OF THE VESTING  
TENTATIVE SUBDIVISION MAP FOR MIRAVALLE II**

**WHEREAS**, the Mathews Company and Nader Agha are applicant and owner of the subject property, known as Miravale II, consisting of approximately 134 74 +/- acres and located east of Metz Road and lying between Orchard Lane and Bryant Canyon Road on Assessor's Parcel Numbers 257-111-021 and part of -027, and

**WHEREAS**, on October 15, 2003, after fully-noticed public hearings before the Planning Commission and the City Council, the receipt of written Staff reports and public testimony, and consideration of the certified EIR and proposed mitigation measures for the Project, the City Council approved the Miravale II Vesting Tentative Subdivision Map ("VTM"); and

**WHEREAS**, subsequent to approval of the VTM, the applicant was compelled to propose a number of changes to the VTM in order to obtain Project approval from Monterey County and the Monterey County LAFCO; and

**WHEREAS**, in order to gain approval of the Project Final Map, the applicant must process an amendment to the VTM showing the Project changes in order for the VTM and the Final Map to be in substantial compliance with one another; and

**WHEREAS**, the City Council reviewed the proposed amendments to the VTM at a noticed public hearing on November 2, 2005, and received public testimony and a Staff report concerning the same.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Soledad as follows.

1 The City Council hereby finds.

A. All of the recitals set forth above are true and correct to the best of its knowledge and by this reference are incorporated herein as findings.

B The Miravale II Amended Vesting Tentative Subdivision Map is substantially in compliance with the original Project as described in the Certified EIR together with the approved Mitigation Measures and Conditions of Approval, and with the exception noted below, none of the proposed amendments will result in a significant environmental impact or require addition mitigations.

C The Miravale II Amended Vesting Tentative Subdivision Map will result in a Project which remains consistent with the Soledad General Plan Land Use Map Diagram (Plan Map). Upon annexation, the General Plan designations and corresponding zoning categories will automatically become effective.

2. A New Special Condition is hereby added to the VTM Conditions, requiring the Project Proponents to form a maintenance assessment district, or annex to an existing maintenance assessment district, for the maintenance of the Toledo and Gabilan Street storm drain retention basin. Said district must be formed prior to the time that ownership of any parcel in the subdivision is conveyed to a third party. By agreeing to the addition of this condition, the applicant waives the right to protest the formation of the aforesaid assessment district at some later date.

3 Based on the record as a whole, the City Council hereby approves the Miravale II Amended Vesting Tentative Subdivision Map, with the following stipulations.

A. Applicant shall provide and maintain reimbursement fees to the City in an amount to cover Staff processing of the VTM.

B Applicant and City shall proceed with necessary applications to LAFCO to complete a Sphere of Influence Study for subject property at applicant's expense;

C Applicant shall complete, and City shall support, all LAFCO annexation requirements with any fees and other costs to be borne by Applicant.

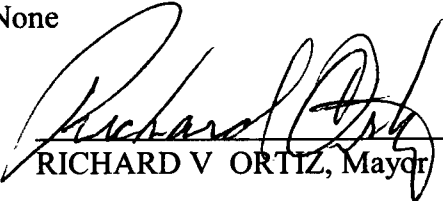
**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Soledad duly held on the 2nd day of November, 2005, by the following vote:

AYES, and in favor thereof, Councilmembers. Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem Juan Saavedra

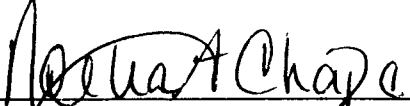
NOES, Councilmembers. None

ABSENT, Councilmembers. Mayor Richard Ortiz

ABSTAIN, Councilmembers. None

  
RICHARD V. ORTIZ, Mayor

ATTEST

  
NOELIA F. CHAPA, City Clerk