



City of Manteca
Development Services Department
Conditions of Approval
April 18, 2024

Project File Number: **SDX-24-21 (originally SDN-21-128)**
Project Name: **Extension of Aretakis Tentative Parcel Map**
Project Address: **1437 & 1533 S. Main St., Manteca, CA**
Project APN: **224-021-17 & 224-021-16**
Property Owner: **John & Galatia Aretakis**
565 S. Austin Rd, Manteca, CA 95337
Project Applicant: **John & Galatia Aretakis**
565 S. Austin Rd, Manteca, CA 95337

NOTE: This list of conditions is not intended to be all-inclusive or a comprehensive list of City regulations. All conditions are referenced to the Aretakis Tentative Parcel Map (dated January, 10, 2022) on file with the City of Manteca, Development Services Department, Planning Division.

City of Manteca Development Services Department: Planning Division

The extension of the approved Tentative Parcel Map dated August, 19, 2021 is approved subject to the following Conditions:

1. **Acceptance of Tentative Parcel Map.** Unless the Subdivider formally objects to these conditions prior to approval of the Tentative Parcel Map by the Planning Commission, the Subdivider is bound by, to comply with, and to do all things required of or by the Subdivider pursuant to all of the terms, provisions, and conditions of these Conditions of Approval. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
2. **Expiration of Tentative Parcel Map.** This Tentative Parcel Map Extension approval shall automatically expire on **April 18, 2026 or 24 months from and after the date of issuance.** Prior to the expiration date, the applicant may apply for an extension not to exceed one year.
3. **Vested Rights.** This approval does not vest Subdivider's rights regarding future development. All ordinances, resolutions, rules, regulations and official policies governing design, improvement and construction standards and specifications applicable to the project and public improvements to be constructed by the

Developer shall be those in force and effect at the time the applicable plan or permit approval is granted.

4. **Vesting Fees.** This approval does not vest Subdivider's rights regarding the payment of any development impact fees, exactions and dedications, processing fees, inspection fees, plan checking fees or charges, or any other fee or charge that could have been legally imposed by the City when the original application was deemed complete. All fees and charges shall be paid at the rate in effect at the time such fees are customarily due.
5. **Fees.** The developer shall pay all applicable processing fees, permit fees, City development fees, fire fees, school fees, drainage fees, habitat conservation fees and other public entity fees in effect at the time of the issuance of the applicable permit.
6. **Outside Agency Fees.** It is the responsibility of the owner/developer to contact all outside agencies and pay applicable fees associated with this project.
7. **Conformance to Plans.** This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents or presentations is subject to review and approval prior to implementation.
8. **Conformance with Subdivision Ordinance.** The final map shall comply with all of the requirements for final maps in Chapter 16 of the Manteca Municipal Code and shall show and contain all of the data required by Section 16.13.020.
9. **Substantial Conformance.** Site development plans shall be in substantial conformance to the approved tentative map/site plan and must be submitted, in English units, to the City Engineering Department for review and approval. Maps shall be prepared, wet signed and sealed by a civil engineer, land surveyor, or architect registered in the State of California and licensed to prepare final maps and/or site development plans.
10. **Subsequent Development.** All activities undertaken in accordance with this approval shall comply with the City's General Plan and Municipal Code. In cases of conflict between the City's Municipal Code or map-specific conditions of approval, the governing priority shall be, to the extent legally permitted, as follows: 1) Municipal Code regulations; 2) project-specific conditions; 3) standard conditions. The applicant shall comply with all regulations and code requirements of the Development Services Director, City Engineer, Building Official, Fire Chief, the Police Chief and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans and building plans.
11. **Structure Conformance.** Applicant shall ensure all future homes and/or structures will be built in compliance with the City's Zoning Ordinance.
12. **Utility Companies.** The applicant is responsible for contacting all appropriate utility companies to obtain agreements for extension and/or relocation of services necessary for the proposed development.
13. **Other Requirements.** The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.

14. **Failure to Comply.** Should the project be found, at any time, not to be in compliance with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting documents or presentations to staff, Planning Commission or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.
15. **Indemnification.** The applicant shall indemnify and hold harmless the City, its council members and commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs and fees, including without limitation attorneys' fees, incurred by the City and/or awarded to any plaintiff in any action related to or arising out of the City's approval of this project or subdivision Map or any environmental or other documentation related to this project or subdivision Map. The applicant further agrees to provide a defense for the City in any such action.
16. **Limits of Approval.** Approval of this application does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
17. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the Manteca Municipal Code. This Tentative Parcel Map shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
18. **Erosion Prevention.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site, either wind or water, during the construction and operation of the project covered by this approval.

City of Manteca Public Works Department: Engineering Division
General

1. Developer shall provide easements, requested by the respective utility companies, within the subdivision and shall show said easements on the Parcel Map.
2. Developer shall dedicate ten-foot (10') wide public utility easements on all street frontages for underground facilities and appurtenances, upon approval and recordation of the Parcel Map.
3. Submit Parcel Map to the Engineering Department for checking, approval and recordation. The Parcel Map shall be prepared by, or under the direction of, a registered civil engineer authorized to practice surveying or licensed land surveyor. The Parcel Map shall be based upon a field survey. Any existing easements affecting this Tentative Parcel Map shall be shown on the Parcel Map and shall be referenced to the property lines and corners. The Parcel Map review fee and a title report dated within six months of the Parcel Map submittal must also be submitted with the Parcel Map.
4. Developer shall submit said Parcel Map to the San Joaquin County Surveyor's Office concurrently with submittal to the City for checking. Fees for map checking by the San Joaquin County Surveyor's Office are the responsibility of the Applicant.
5. The Parcel Map shall include the following note: This map is drafted in accordance with City of Manteca Tentative Parcel Map No. SDN 21-128.

6. The Parcel Map shall be prepared in accordance with the Subdivision Map Act and San Joaquin County's Guide to the Preparation of Maps.
7. Owner shall grant cross access between all lots within the boundary of this Tentative Map on the Parcel Map.
8. The Parcel Map shall include the Improvement Certificate below.

IMPROVEMENT CERTIFICATE:

When the first parcel within the boundary of this Parcel Map applies for a development application, the street improvements listed below shall be installed. At the City Engineer's discretion, some improvements may be deferred to future developments.

a. E. Atherton Drive

- i. Developer shall dedicate and/or obtain right-of-way along the north side of Atherton Drive to accommodate a sixty-two foot (62') half-width street section.
- ii. Developer shall install a twelve foot (12') meandering bike path behind the existing sidewalk for the Tentative Map's full frontage of E. Atherton Drive.

b. S. Main Street

- i. Developer shall dedicate and/or obtain right-of-way on S. Main Street to accommodate a one hundred thirty-five foot (135') full-width street section, including the right-of-way from 1532 S. Main Street (APN 224-040-03).
- ii. Developer shall ensure the structural section of the existing roadway which is adjacent to this project are designed using a traffic index of 11.0. The developer may remove and replace the existing pavement with a new structural section, in accordance with the specified traffic index or the Developer may core the existing pavement and submit the results to the City Engineer for approval to leave the existing structural section in place. The surface of the roadway where the existing pavement structural section is approved to remain shall be removed and replaced with an overlay, which is done at the same time as the adjacent new pavement.
- iii. If the improvements on the east side of S. Main Street, from Atherton Drive north to the State Route (SR) 120 eastbound access ramp have not been constructed by others, the developer shall construct the improvements on the east side of S. Main Street, including new street structural section, curb, gutter, five foot (5') wide sidewalk (except for east side), raised landscaped median (final location and limits of the median to be determined by the Director of Engineering/City Engineer at the time of Improvement Plan submittal) and left turn pocket(s), as shown on the PFIP Modified 6 Lane Street Section, Plate E-2.10 H2 (south end) transitioning to Plate E2.10 H1 (north end), from Atherton Drive north to the SR 120 eastbound access ramp. Developer shall also construct street lights, signage, striping and landscaping with trees and automatic irrigation system in the raised median.
- iv. Developer shall modify the traffic signal at the intersection of S. Main Street and W. Atherton Drive, as needed to support the installation of the required

improvements in accordance with the City's PFIP. Developer shall also modify the signal timing and install upgraded controllers, software, and cameras with video and radar capabilities for all approaches at the S. Main Street and W. Atherton Drive intersection to optimize the traffic flow at the intersection.

9. Prior to recordation of the Parcel Map, the Owner shall submit a plan to the Engineering Department showing how the entirety of the Tentative Map will be complying with the City's Storm Drain Master Plan in a single solution. The proposed plan is subject to review and approval of the City Engineer. Once the solution is approved, the easements over the location of the solution must be shown on the Parcel Map and access to it shall granted to all lots. Review and approval of the storm drain solution shall be completed prior to finalization and recordation of the Parcel Map.

Ongoing operation and maintenance of the storm drain solution shall be done privately by the owners of the properties which outfall to the solution. The Owner of the Tentative Map shall enter into an agreement with the City of Manteca agreeing to the ongoing operation and maintenance of the storm drain solution and shall install a financing mechanism for said operation and maintenance.

If an interim solution is desired to support a portion of the Tentative Map until the full map area develops, the Developer shall submit a plan for this interim solution to the City Engineer. Allowance of an interim solution and the design of an interim solution will be allowed solely at the City Engineer's discretion.

City of Manteca Fire Department

Hydrants on both sides of the street: Whenever one or more of the following exist:

1. Streets have median center dividers that make access to hydrants difficult, cause time delays, or create undue hazard or both.
2. Major arterials when there are four lanes or more of traffic, or the width of the street is in excess of 60 feet.
3. The existing street shall be widened or have a raised median center divider in the future, pursuant to the General Plan for the City of Manteca

South San Joaquin Irrigation District

1. Site development is subject to SSJID oversight. See attached Response Letter.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

1. This project is subject to the SJMSCP and is required to adhere to the SJMSCP permitting process. See attached Response Letter.

San Joaquin County Environmental Health Department

1. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 &

9-1110-4).

2. Any geotechnical drilling shall be conducted under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).

ACKNOWLEDGEMENT OF TERMS AND CONDITIONS

The City reserves the right to withhold the finalization of the structure(s) and/or terminate City utilities (i.e., shut off water and sewer) until all conditions of the City-approved site plan have been completed. Please contact the Development Services Department if you are unable to complete the site plan improvements prior to occupancy of the project.

The fees associated with this project are payable at the time of building permit issuance. For information on fees associated with the project, please contact the Building Safety Division at 209-456-8550.

I, as the site plan applicant, or authorized agent for the site plan applicant, have read and understand the conditions of approval and requirements for this development project. I, further, understand that this site plan runs with the ownership of the land and any transfer of ownership must include all uncompleted site plan requirements. I hereby acknowledge all conditions and requirements of the site plan approval.

_____	_____
Date	Authorized Signature
_____	_____
Date	Authorized Signature