



Legislation Details (With Text)

**File #:** ID17-1345    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Passed

**File created:** 9/22/2017    **In control:** City Council

**On agenda:** 10/12/2017    **Final action:** 10/12/2017

**Title:** RESOLUTION - Approving the Final Map of Tract No. 6130 and accepting dedicated public uses offered therein - Southeast corner of N. Fowler Avenue and E. Grant Avenue (Council District 5)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution - Tract No. 6130.pdf, 2. Final Map of Tract No. 6130.pdf

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**REPORT TO THE CITY COUNCIL**

**October 12, 2017**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
Public Works Department, Traffic Operations and Planning Division

JONATHAN BARTEL, Supervising Engineering Technician  
Public Works Department, Traffic Operations and Planning Division

**SUBJECT**

**RESOLUTION** - Approving the Final Map of Tract No. 6130 and accepting dedicated public uses offered therein - Southeast corner of N. Fowler Avenue and E. Grant Avenue (Council District 5)

**RECOMMENDATION**

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 6130 and accepting the dedicated public uses offered therein, to authorize the Public Works Director or his designee to execute the subdivision agreement on behalf of the City.

**EXECUTIVE SUMMARY**

The Subdivider, BN 5499 LP, a California Limited Partnership, (John A. Bonadelle, President), has filed for approval, the Final Map of Tract No. 6130 of Vesting Tentative Map No. 6130, for a 156-lot single-family residential planned unit development subdivision with one outlot for private streets and public utility purposes, three outlots for landscaping, open space and public utility purposes and nine outlots for landscaping, open space, parking and public utility purposes, located on the Southeast corner of North Fowler Avenue and East Grant Avenue on 15.17 gross acres.

## **BACKGROUND**

The Fresno City Council on December 15, 2016, adopted a resolution approving Vesting Tentative Map No. 6130 (Tentative Map) for a 158-lot single-family residential planned unit development subdivision on 13.78 net acres at an overall density of 11.46 dwelling units per acre. On May 10, 2017, the Director of the Development and Resource Management Department approved a minor revision to the Tentative Map reducing the number of lots from 158 lots to 156 lots. The Tentative Map was approved consistent with the Fresno General Plan and the Roosevelt Community Plan to comply with the provisions of the Subdivision Map Act. The approval of Vesting Tentative Map No. 6130 will expire on December 15, 2018. The Final Map is technically correct and conforms to the approved Tentative Map, the Subdivision Map Act and the Fresno Municipal Code. The provisions of Section 66474.1 of the Subdivision Map Act require a final map that is in substantial compliance with the approved tentative map to be approved by the City Council.

The Subdivider has satisfied all other conditions of approval by executing the Subdivision Agreement for Tract No. 6130, submitted securities in the total amount of \$932,000.00 to guarantee the completion and acceptance of the public improvements and \$466,000.00 for a payment security and has paid the miscellaneous and development impact fees due as a condition of approval for the Final Map in the amount of \$1,454,057.03. Covenants have been executed to defer eligible development impact fees totaling \$623,391.40 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification and for deferring payment of the Fowler interim fee surety to the time of occupancy. The City Attorney's Office has approved all documents as to form and the Risk Management Division has approved all security bonds and insurance certificates.

**MAINTENANCE DISTRICT:** A condition of approval of the Tentative Map is to maintain one-half of the median island landscaping, trees, irrigation systems, concrete capping and maintenance band in North Fowler Avenue, concrete curbs and gutters, curb ramps, sidewalks and emergency vehicle access drive, interior local street paving, and street lights within and adjacent to the Final Map in accordance with the adopted standards of the City. The Subdivider has satisfied the maintenance requirement by annexing the subdivision into the City's Community Facilities District No. 11 (CFD-11) on September 28, 2017.

The Subdivider has executed the covenant for Maintenance of Certain Improvements and as a condition of the Subdivision Agreement, is required to provide every prospective purchaser of each lot of the subdivision the "Notice of Special Tax", in accordance with the provision of Section 53341.5 of the California Government Code. The maximum annual assessment is \$41.75 per lot with an annual 3% adjustment plus the increase, if any, in the construction cost index for the San Francisco Region.

## **ENVIRONMENTAL FINDINGS**

Pursuant to CEQA Guidelines Section 15268(b)(3), approval of final subdivision maps is a ministerial

action and is exempt from the requirements of CEQA.

## **LOCAL PREFERENCE**

Local preference was not considered because this resolution does not include a bid or award of a construction or services contract.

## **FISCAL IMPACT**

The Final Map is located in Council District 5. There will be no impact to the City's General Fund. Approval by the Council will result in timely deliverance of the review and processing of the Final Map as is reasonably expected by the Subdivider. Prudent financial management is demonstrated by the expeditious completion of this Final Map inasmuch as the Subdivider has paid the City a fee for the processing of this Final Map and that fee is, in turn, funding the respective operations of the Public Works Department.

Attachments:

-Resolution

-Final Map of Tract No. 6130