



Legislation Details (With Text)

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Title: Consideration of a request for a two-year time extension for the filing of the subsequent phases of Vesting Tentative Tract Map No. 6131/UGM pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. (Council District 4)

1. APPROVE the request for a two-year time extension to October 5, 2020, for the filing of the subsequent phases of Vesting Tentative Tract Map No. 6131/UGM, subject to compliance with the original conditions of approval as contained in Planning Commission Resolution No. 13412, and the attached Development Impact Fees dated February 5, 2020.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A Vicinity Map, 2. Exhibit B Current Aerial Photo, 3. Exhibit C Planning Commission Reso No 13412, 4. Exhibit D Rev Vesting Tent Map No. 6131UGM, 5. Exhibit E Subdivider Request for Extension of Time, 6. Exhibit F Development Fees and Chrages Feb 5 2020, 7. Exhibit G FMC Findings

Date	Ver.	Action By	Action	Result
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REPORT TO THE PLANNING COMMISSION

February 5, 2020

FROM: DANIEL ZACK, Assistant Director
Development Services Division

BY: ISRAEL TREJO, Supervising Planner
Development Services Division

SUBJECT

Consideration of a request for a two-year time extension for the filing of the subsequent phases of Vesting Tentative Tract Map No. 6131/UGM pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. (Council District 4)

1. **APPROVE** the request for a two-year time extension to October 5, 2020, for the filing of the subsequent phases of Vesting Tentative Tract Map No. 6131/UGM, subject to compliance with the original conditions of approval as contained in Planning Commission Resolution No. 13412, and the attached Development Impact Fees dated February 5, 2020.

EXECUTIVE SUMMARY

Jeff Callaway, on behalf of Lennar Homes, has filed a request for a discretionary two-year time extension for the filing of subsequent phases of Vesting Tentative Tract Map No. 6131/UGM, pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. Based upon the application and the circumstances, staff has determined that the findings required for such an extension, as codified in Fresno Municipal Code (FMC) Section 15-3316(C)(2) (Extensions of Time), can be made.

BACKGROUND / PROJECT ANALYSIS

Vesting Tentative Tract Map No. 6131/UGM proposed a 402 lot single-family residential subdivision on approximately 74.31 acres at a density of 5.40 dwelling units per acre. On October 5, 2016, the Fresno City Planning Commission, by a vote of 4-0, approved the subdivision for an initial two years, subject to the conditions noted in Planning Commission Resolution No. 13412 (Exhibit C). The first phase of Vesting Tentative Tract Map No. 6131/UGM is currently under construction and is close to build-out.

On September 13, 2019, after expiration of Vesting Tentative Tract Map No. 6131/UGM on October 5, 2018, the Planning and Development Department inadvertently approved a major revision to Tentative Tract Map No. 6131/UGM dated August 27, 2019, which proposed an increase in the number of approved lots from 402 to 413 (Exhibit D). The developer has since relied upon said City - approved revision in preparation for project completion.

On December 24, 2019, the City of Fresno received a request from the subdivider for an extension of time to extend expiration Vesting Tentative Tract Map No. 6131/UGM to October 5, 2020 (Exhibit E). Therefore, if this request is approved, the tentative map expiration date will be extended to October 5, 2020. The applicant is now ready to move forward with the recordation and development of Phase II of Vesting Tentative Tract Map No. 6131/UGM, however, an extension of time is required.

Staff recommends an extension as stated above which would preserve vested rights to proceed with development in substantial compliance with the ordinances, policies and standards in effect at the date the City originally accepted Vesting Tentative Tract Map No. 6131/UGM, with the exception that the developer shall pay contemporary development fees and charges, as necessary to achieve a fiscal sustainability balance through recuperation of costs for the expansion of the public facilities, services and infrastructure as necessary to support growth (Exhibit F).

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications and the circumstances of the 2019 major revision, staff has deemed the application, for extension of time, timely and concludes that the required findings contained within FMC 15-3316(C)(2) (Extensions of Time) can be made and therefore recommends approval of the requested extension of time for the vesting tentative map.

The required findings are set forth below and explained within Exhibit G attached to this report:

- a) **No Change to General Plan.** There have been no changes to the provisions of the General Plan or any operative plan, or development plan that would cause the map to no longer be in

conformity with the General Plan, operative plan, or development plan.

- b) No Material Change to Development Code.** There have been no changes to the provisions of this Development Code that would cause the map to no longer be in conformity with this Development Code.
- c) No Changes Affecting Application of the General Plan and Development Code.** There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project.
- d) No Change Detrimentally Affecting Availability of Public Facilities to Serve Project.** There have been no changes to the capacities of community resources, including roads, schools, sewage treatment or disposal facilities, or water supply, so that there is no longer sufficient remaining capacity to serve the project.

CONCLUSION

The appropriateness of the proposed request for an extension of time has been examined with respect to its conformity with the goals, objectives and policies of the Fresno General Plan and the Citywide Development Code; its continued compatibility with surrounding existing or proposed uses and character of the site and its surrounding; and with respect to any changes to capacities of community resources which may have occurred since the vesting tentative map was originally approved. These factors have been evaluated as described herein above. Upon consideration of this evaluation, it can be concluded that the additional two-year extension of time to the expiration date of the Vesting Tentative Tract Map No. 6131/UGM is appropriate at this time, with the condition that the developer pay contemporary fees and charges.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Current Aerial Photograph
- Exhibit C - Planning Commission Resolution No. 13412
- Exhibit D - Revised Vesting Tentative Tract Map No. 6131/UGM
- Exhibit E - Subdivider Request for Extension of Time
- Exhibit F - Development Fees and Charges dated February 5, 2020
- Exhibit G - Fresno Municipal Code Findings