



## Legislation Details (With Text)

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**Title:** RESOLUTION - Approving the Final Map of Tract No. 5493 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Northeast corner of West Gettysburg Avenue and North Bryan Avenue (Council District 1)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 19-11288 Resolution, 2. 19-11288 Final Map of Tract No. 5493

Date	Ver.	Action By	Action	Result
9/26/2019	1	City Council	adopted	

## REPORT TO THE CITY COUNCIL

**September 26, 2019**

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Public Works Department

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## SUBJECT

**RESOLUTION** - Approving the Final Map of Tract No. 5493 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Northeast corner of West Gettysburg Avenue and North Bryan Avenue (Council District 1)

## RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 5493 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, BMCH California, LLC, a Delaware Limited Liability Company (James W. Fletcher, Division President, Central Valley Division), has filed for approval, the Final Map of Tract No. 5493, Phase 1 of Vesting Tentative Map No. 5493, for a 120-lot single-family residential planned development subdivision with one outlot for open space, landscaping, bike, pedestrian, recreational and public utility easement purposes and one outlot for future development, located on the northeast corner of West Gettysburg Avenue and North Bryan Avenue on 45.64 acres.

## BACKGROUND

The Fresno City Planning Commission on August 31, 2005 adopted Resolution No. 12285 approving Vesting Tentative Map No. 5493 (Tentative Map) for a 243-lot single-family residential planned development subdivision on 45.64 acres. The Tentative Map was approved consistent with the Fresno General Plan to comply with the provisions of the Subdivision Map Act. 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. 5493, submitted securities in the total amount of \$7,197,000.00 to guarantee the completion and acceptance of the public improvements and \$3,598,500.00 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 \$295,956.15. Covenants have been executed to defer eligible development impact fees totaling \$573,269.82 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification, for landscape maintenance, for special solid waste disposal services and acknowledging right-to-farm law. 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 all landscaped areas, trees and irrigation systems located within the public easements and Outlot A, concrete curbs and gutters, valley gutters, sidewalks and curb ramps, street name signage, street lighting and bus bay improvements associated with the Final Map in accordance with the adopted standards of the City. The Final Map is a phase of the Tentative Map and will share the costs for all services in common with all final maps annexed to the CFD within the Tentative Map. The Subdivider has satisfied the maintenance requirement by annexing the subdivision into the City's CFD-11 on November 29, 2018.

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 \$471.23 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 1. 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. 5493