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**Title:** RESOLUTION - Approving the Final Map of Tract No. 6222 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Southwest corner of North Temperance Avenue and East Hamilton Avenue (Council District 5)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 18-1204 Resolution.pdf, 2. 18-1204 Final Map.pdf

Date	Ver.	Action By	Action	Result
10/25/2018	1	City Council	approved	

**REPORT TO THE CITY COUNCIL**

**October 25, 2018**

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Public Works Department

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**SUBJECT**

**RESOLUTION** - Approving the Final Map of Tract No. 6222 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Southwest corner of North Temperance Avenue and East Hamilton Avenue (Council District 5)

**RECOMMENDATION**

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 6222 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, KB Home Sacramento, Inc., a California Corporation, (Leo Pantoja, Vice President Forward Planning and Land Development), has filed for approval, the Final Map of Tract No. 6222, Phase 2 of Vesting Tentative Map No. 5464, for a 144-lot single-family residential planned development subdivision with one outlot for landscape and multi-purpose trail purposes, located on the southwest corner of North Temperance Avenue and East Hamilton Avenue on 31.33 acres.

## BACKGROUND

The Fresno City Planning Commission on August 31, 2005 adopted Resolution No. 12282 approving Vesting Tentative Map No. 5464 (Tentative Map) for a 173-lot single-family residential planned development subdivision with one outlot on 34.80 acres at an overall density of 4.97 dwelling units per acre. The Development and Resource Management Department approved revisions to the Tentative Map on June 21, 2006, March 30 2018 and July 9, 2018. 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. 5464 expired on August 31, 2018, however, prior to the expiration date the Subdivider formally submitted a letter requesting an extension which gives the Tentative Map an automatic 60-day extension. 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. 6222, submitted securities in the total amount of \$3,518,000.00 to guarantee the completion and acceptance of the public improvements and \$1,759,000.00 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 \$319,139.79. Covenants have been executed to defer eligible development impact fees totaling \$358,100.54 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification and for 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, certain above ground infrastructure located within the public easements and outlots, concrete curbs and gutters, valley gutters, sidewalks, curb ramps, entrance median curbs, South Temperance Avenue median capping, local street paving, trail paving, street name signage and street lights within the Final Map in accordance with the adopted standards of the City. The Final Map will share costs for all services in common with all final maps annexed to the Community Facilities District No. 11 (CFD-11) within the Tentative Map. The Subdivider has satisfied the maintenance requirement by annexing the subdivision into the City's Community Facilities District No. 11 (CFD-11) on July 26, 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 \$530.53 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. 6222