



Legislation Details (With Text)

File #: ID16-1142 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 9/23/2016 **In control:** City Council
On agenda: 10/13/2016 **Final action:** 10/13/2016
Title: RESOLUTION - Approving the Final Map of Tract No. 6097 and accepting dedicated public uses offered therein - northeast corner of N. Fowler Avenue and E. Clinton Avenue (Council District 4)
Sponsors: Public Works Department
Indexes:
Code sections:
Attachments: 1. Resolution - Tract No. 6097.pdf, 2. Final Map of Tract No. 6097.pdf

Date	Ver.	Action By	Action	Result
10/13/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

October 13, 2016

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

THROUGH: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic and Engineering Services Division

BY: JONATHAN BARTEL, Supervising Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT

RESOLUTION - Approving the Final Map of Tract No. 6097 and accepting dedicated public uses offered therein - northeast corner of N. Fowler Avenue and E. Clinton Avenue (Council District 4)

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 6097 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, Fowler Development Company, Inc., a California Corporation (Darius Assemi, Senior Vice-President), has filed for approval, the Final Map of Tract No. 6097, Phase 2 of Vesting Tentative Map No. 6033, for a 37-lot single-family residential subdivision, located on the northeast corner of North Fowler Avenue and East Clinton Avenue on 6.87 acres.

BACKGROUND

The Fresno City Planning Commission on April 16, 2014 adopted Resolution No. 13281 approving Vesting Tentative Map No. 6033 (Tentative Map) for a 169-lot single-family residential public street planned development subdivision with one outlot on 34.01 net acres at an overall density of 5.30 units per acre. The Fresno City Planning Commission on April 16, 2014 adopted Resolution No. 13280 approving Conditional Use Permit Application No. C-13-092 for the establishment of a single family residential public street planned development with modified property development standards. The Tentative Map was approved consistent with the 2025 General Plan and the McLane Community Plan to comply with the provisions of the Subdivision Map Act. The approval of Vesting Tentative Map No. 6033 expired on April 16, 2016. Pursuant to the provisions of Section 66452.6 (d) of the Subdivision Map Act, processing, approving and recording of a final map may lawfully occur after the date of expiration of the tentative map if a timely filing of a final map is made. This Final Map was timely filed prior to the expiration date of the Tentative Map. 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. 6097, submitted securities in the total amount of \$499,000.00 to guarantee the completion and acceptance of the public improvements and \$249,500.00 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 \$128,692.83. Covenants have been executed to defer eligible development impact fees totaling \$384,923.39 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification, for maintenance of landscape improvements for certain lots 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 all above ground infrastructure within the public easements; including concrete curbs and gutters, valley gutters, curb ramps and sidewalks, street name signage, street lighting, and local street paving associated with the Final Map and will share the costs for all services in common with all final maps annexed to the Community Facilities District No. 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 April 28, 2016.

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 \$776.33 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 4. 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. 6097