



## Legislation Details (With Text)

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**Title:** RESOLUTION - Approving the Final Map of Tract No. 6079 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. 6079.pdf, 2. Final Map of Tract No. 6079.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. 6079 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. 6079 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. 6079 of Vesting Tentative Map No. 6079, for a 24-lot single-family residential, public street, planned development subdivision located on the northeast corner of North Fowler Avenue and East Clinton Avenue on 3.52 acres.

## BACKGROUND

The Fresno City Planning Commission on December 16, 2015 adopted Resolution No. 13359 approving Vesting Tentative Map No. 6079 (Tentative Map) for a 24-lot single-family residential, public street, planned development subdivision, on 3.07 net acres at an overall density of 7.82 dwelling units per acre. The Fresno City Planning Commission on December 16, 2015 adopted Resolution No. 13358 approving Conditional Use Permit Application No. C-15-149 for a single-family residential, public street, planned development. The Tentative Map was approved consistent with the Fresno General Plan and the McLane Community Plan to comply with the provisions of the Subdivision Map Act. The approval of Vesting Tentative Map No. 6079 will expire on December 16, 2017. 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. 6108, submitted securities in the total amount of \$315,000.00 to guarantee the completion and acceptance of the public improvements and \$157,500.00 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 \$223,141.42. Covenants have been executed to defer eligible development impact fees totaling \$161,097.12 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 all landscaped areas, irrigation systems, and trees within the public street rights-of-way, landscape easements and Outlots associated with Tract Nos. 6033, 6079, 6097 and 6108, this is to include the North Fowler Avenue median island fronting these maps. Other facilities include without limitation, all concrete curbs and gutters, valley gutters, sidewalks, curb ramps, path parkways, interior local street paving, street name signage, street lights, and park amenities associated with Tract Nos. 6033, 6079, 6097 and 6108 in accordance with the adopted standards of the City. All final maps annexed to the Community Facilities District No. 11 will share the costs for all services in common. The Subdivider has satisfied the maintenance requirement by annexing the subdivision into the City's Community Facilities District No. 11 (CFD-11) on July 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 \$681.27 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. 6079