



## Legislation Details (With Text)

**File #:** ID16-1365    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Passed  
**File created:** 11/14/2016    **In control:** City Council  
**On agenda:** 12/1/2016    **Final action:** 12/1/2016  
**Title:** RESOLUTION - Approving the Final Map of Tract No. 6124 and accepting dedicated public uses offered therein - north and south sides of East California Avenue between South Armstrong and South Temperance Avenues (Council District 5)  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Resolution - Tract No. 6124.pdf, 2. Final Map of Tract No. 6124.pdf

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**December 1, 2016**

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

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

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

## SUBJECT

**RESOLUTION** - Approving the Final Map of Tract No. 6124 and accepting dedicated public uses offered therein - north and south sides of East California Avenue between South Armstrong and South Temperance Avenues (Council District 5)

## RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 6124 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, Centex Homes, a Nevada General Partnership, (Gregory S. Van Dam, Division Vice President of Land Planning and Development), has filed for approval, the Final Map of Tract No. 6124, Phase 2 of Vesting Tentative Map No. 5531, for a 157-lot single-family residential subdivision with one outlot for open space purposes, located on the north and south sides of East California Avenue between South Armstrong and South Temperance Avenues on 38.67 acres.

## BACKGROUND

The Fresno City Planning Commission on November 16, 2005 adopted Resolution No. 12358 approving Vesting Tentative Map No. 5531 (Tentative Map) for a 328-lot single-family residential subdivision with one outlot on 76 acres at an overall density of 4.9 units per acre. The Fresno City Planning Commission on November 16, 2005 adopted Resolution No. 12359 approving Conditional Use Permit Application No. C-05-218 for a single family residential planned development with reduced lot sizes for a portion of the subdivision. The Tentative Map was approved consistent with the 2025 General Plan and the Roosevelt Community Plan to comply with the provisions of the Subdivision Map Act. The approval of Vesting Tentative Map No. 5531 will expire on November 16, 2018. 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. 6124 including addendum for rights-of-way acquisition, submitted securities in the total amount of \$6,954,000.00 to guarantee the completion and acceptance of the public improvements and \$3,477,000.00 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 \$544,707.33. Covenants have been executed to defer eligible development impact fees totaling \$1,029,546.81 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification and for special solid waste disposal services. 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.

Addendum to Subdivision Agreement for Acquisitions of Street Easements. The conditions of approval of the Tentative Map imposed the requirement to improve two parcels along South Temperance Avenue. The Subdivider has been unable to acquire and/or facilitate the dedication of such easements to the City prior to the date the Final Maps are approved by Council. To satisfy such easement requirements, the Subdivider has executed the Subdivision Agreement with an addendum that provides for the City to negotiate and/or exercise its power of eminent domain, to acquire the necessary rights-of-way easements and requires the Subdivider to post an initial deposit in the amount of \$110,000.00 for the estimated acquisitions and legal costs.

**MAINTENANCE DISTRICT:** A condition of approval of the Tentative Map is to maintain all landscaped areas, trees, irrigation systems located within the street rights-of-way, landscape easements, and Outlots, concrete curbs and gutters, major street median capping and maintenance band, valley gutters, curb ramps and sidewalks, street name signage, street lighting, and local street paving within and adjacent to 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 CFD-11 on September 22, 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 \$948.32 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. 6124