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Title: RESOLUTION - Approving the Final Map of Tract No. 6216 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 Dakota Avenue (Council District 4)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 18-1082 Resolution.pdf, 2. 18-1082 Final Map of Tract No. 6216.pdf

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

REPORT TO THE CITY COUNCIL

October 25, 2018

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

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SUBJECT

RESOLUTION - Approving the Final Map of Tract No. 6216 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 Dakota Avenue (Council District 4)

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 6216 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, Lennar Homes of California, Inc., a California Corporation (Mike Miller, Vice President) and The Patrick Vincent Ricchiuti Family Trust, (Patrick Vincent Ricchiuti, Trustee), has filed for approval, the Final Map of Tract No. 6216, Phase 3 of Vesting Tentative Map No. 5571, for a 92-lot single-family residential subdivision with one outlot for trail access purposes, located on the southwest corner of North Temperance Avenue and East Dakota Avenue on 19.08 acres.

BACKGROUND

The Fresno City Planning Commission on November 6, 2013 adopted Resolution No. 13237 approving Vesting Tentative Map No. 5571 (Tentative Map) for a 273-lot single-family residential subdivision with two outlots on 53.54 net acres at an overall density of 5.09 units per acre. 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. 5571 will expire on November 6, 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. 6216, submitted securities in the total amount of \$4,822,000.00 to guarantee the completion and acceptance of the public improvements and \$2,411,000.00 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 \$517,058.60. Covenants have been executed to defer eligible development impact fees totaling \$545,263.75 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification, for special solid waste disposal services, for deferring payment of the Fowler interim fee surety to the time of occupancy and for acknowledgement of 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.

The Subdivider has elected to satisfy the maintenance requirements for the landscaping and irrigation systems within the Final Map by a homeowner's association.

MAINTENANCE DISTRICT: A condition of approval of the Tentative Map is to maintain the landscaped area, trees, irrigation and concrete capping and maintenance band with the North Temperance Avenue median island, all concrete curbs and gutters, valley gutters, sidewalks and curb ramps, interior local street paving, street name signage and street lights associated with 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 20, 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 \$268.42 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. 6216