



Legislation Details (With Text)

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Title: RESOLUTION - Approving the Final Map of Tract No. 6214, Phase 1 of Vesting Tentative Tract Map No. 6214, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - East side of North Fowler Avenue between East Clinton Avenue and the East McKinley Avenue alignment (Council District 4)
Sponsors: Public Works Department
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Attachments: 1. 20-00708 Resolution, 2. 20-00708 Final Map of Tract No. 6214

Date	Ver.	Action By	Action	Result
6/18/2020	1	City Council	adopted	

REPORT TO THE CITY COUNCIL

June 18, 2020

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

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

BY: RANDY GUILL, Supervising Engineering Technician
Public Works Department, Traffic Operations and Planning Division

SUBJECT

RESOLUTION - Approving the Final Map of Tract No. 6214, Phase 1 of Vesting Tentative Tract Map No. 6214, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - East side of North Fowler Avenue between East Clinton Avenue and the East McKinley Avenue alignment (Council District 4)

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 6214 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, Woodside 06N, LP, a California Limited Partnership by WDS GP, Inc., a California corporation, Its General Partner (Chris Williams, Vice President), has filed for approval, the Final Map of Tract No. 6214, Phase 1 of Vesting Tentative Map No. 6214, for a 138 lot single-family residential subdivision with four outlots for open space, bike, pedestrian, landscaping trail purposes, located on the East side of North Fowler Avenue between East Clinton Avenue and the East McKinley Avenue alignment on 28.26 acres.

BACKGROUND

The Fresno City Planning Commission on August 15, 2018 approved Vesting Tentative Map No. 6214 (Tentative Map) for a 210-lot single-family residential subdivision on 43.22 acres. 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 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. 6214, submitted securities in the total amount of \$7,793,000.00 to guarantee the completion and acceptance of the public improvements and \$3,896,500.00 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 \$299,733.00. Covenants have been executed to defer eligible development impact fees totaling \$2,374,047.85 to the time of issuance of building permit and final occupancy of each unit, for annual CFD-11 assessment notification, for deferring payment of the Fowler interim fee surety to the time of occupancy, acknowledging right-to-farm law, for temporary storm drainage facilities and for relinquishing access rights for certain lots. 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 the West side of North Fowler Avenue South of East Clinton Avenue and one parcel along East McKinley Avenue East of North Fowler 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 \$102,200.00 for the estimated acquisitions and legal costs along North Fowler Avenue and an initial deposit of \$157,000.00 for the estimated acquisitions and legal costs along East McKinley Avenue.

MAINTENANCE DISTRICT: A condition of approval of the Tentative Map is to maintain all landscaped areas, trees and irrigation systems located within Outlots A through D, including the entrance medians, concrete curbs and gutters, valley gutters, entrance median curb, Shields Avenue

median capping and maintenance band, sidewalks and curb ramps, hardscaping and park amenities, local street paving, street name signage and street lights associated with the Final Map in accordance with the adopted standards of the City. The Subdivider has satisfied the maintenance requirement by annexing the subdivision into the City's CFD-11 on August 15, 2019.

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 \$764.42 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. 6214