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Title: RESOLUTION - Approving the Final Map of Tract No. 5434 and accepting dedicated public uses offered therein - Northeast corner of North Temperance Avenue and East McKinley Avenue (Council District 4)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 20-001233 Resolution, 2. 20-001233 Tract 5434 Final Map 11x17

Date	Ver.	Action By	Action	Result
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REPORT TO THE CITY COUNCIL

September 24, 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. 5434 and accepting dedicated public uses offered therein - Northeast corner of North Temperance Avenue and East McKinley Avenue (Council District 4)

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving the Final Map of Tract No. 5434 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, KB Home Sacramento, Inc., a California Corporation, (Chris Reder, Senior Vice President), has filed for approval, the Final Map of Tract No. 5434, of Vesting Tentative Map No. 5434, for a 140-lot single-family residential subdivision with seven outlots, two for bike, pedestrian, landscaping and trail purposes, four for landscaping, public utility and pedestrian purposes, and one for Fresno Irrigation District purposes, located on the Northeast corner of North Temperance Avenue and East McKinley Avenue on 33.48 gross acres.

BACKGROUND

The Fresno City Planning Commission on July 5, 2017 adopted Resolution No. 13470 approving Vesting Tentative Map No. 5434 (Tentative Map) for a 140-lot single-family residential subdivision on 28.81 net acres. on October 15, 2019, the Planning and Development Department approved a six-month extension, extending the expiration of the map to February 17, 2020. The Fresno City Planning Commission on June 3, 2020 adopted Resolution No. 13657 further extending Vesting Tentative Map No. 5434. 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. 5434, submitted securities in the total amount of \$7,637,000.00 to guarantee the completion and acceptance of the public improvements and \$3,818,500.00 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 \$734,604.40. Covenants have been executed to defer eligible development impact fees totaling \$549,550.00 to the time of issuance of building permit and final occupancy of each unit, for deferring payment of the Fowler interim fee surety to the time of occupancy, for maintenance of landscape improvements for certain lots, for annual CFD-11 and CFD-17 assessment notification 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.

MAINTENANCE DISTRICT: A condition of approval of the Tentative Map is to maintain all landscaped areas, irrigation systems, trees, hardscaping, concrete curbs and gutters, valley gutters, sidewalks and curb ramps, local street paving, street name signage and street lighting 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 February 27, 2020. This final map also includes a sewer lift station and satisfied its maintenance requirements by annexing the subdivision into the City's CFD-17 on May 21, 2020, specifically for sewer lift station maintenance.

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 for CFD-11 is \$436.63 per lot

with an annual 3% adjustment plus the increase, if any, in the construction cost index for the San Francisco Region. The maximum annual assessment for CFD-17 is \$18,000 for the subdivision, 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. 5434