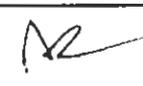


AGENDA ITEM NO. COUNCIL MEETING
APPROVED BY
DEPARTMENT DIRECTOR 
CITY MANAGER

January 30, 2007

FROM: KEITH BERGTHOLD, Acting Director
Planning and Development Department

BY: RICK SOMMERVILLE, Supervising Engineering Technician
Building & Safety Services Division 

SUBJECT: APPROVING THE FINAL MAP OF TRACT NO. 5614 

KEY RESULT AREA

One Fresno

RECOMMENDATIONS

1. ADOPT the attached Resolution:
 - a. Approving the Final Map of Tract No. 5614 and accepting the dedicated public uses therein.
2. AUTHORIZE the Public Works Director to execute the:
 - a. Subdivision Agreement.
 - b. Statement of Covenants Affecting Land Development for Landscape Maintenance.
3. AUTHORIZE the Public Utilities Director to execute the:
 - a. Statement of Covenants Affecting Land Development Providing Special Solid Waste Disposal Services for Certain Lots.
4. AUTHORIZE the Planning and Development Director to execute the:
 - a. Statement of Covenants Affecting Land Development Deferring Certain Sewer Connection Charges, Water Connection Charges, Urban Growth Management Fees and Development Fees to the time of issuance of Certificate of Occupancy and Creation of Lien.

EXECUTIVE SUMMARY

The Subdivider, Fresno Park Communities II, LLC., A California Limited Liability Company, has filed for approval the Final Map of Tract No. 5614. The project, a Final Map of Phase 2 of Vesting Tentative Map No. 5338/UGM, a 14 lot single-family residential subdivision on 6.25 acres, is located on the south side of West Bullard Avenue between North Grantland and North Garfield Avenues. The Final Map is technically correct and conforms to the conditionally approved tentative map, the Subdivision Map Act and local ordinances. It is consistent with, and implements the 2025 General Plan and the West Area Community Plan. The provisions of Sections 66457 and 66474.1 of the Subdivision Map Act require that such final map be approved by the City Council.

KEY OBJECTIVE BALANCE

Council action regarding this final map optimizes the three Key Objectives of Customer Satisfaction, Employee Satisfaction, and Financial Management. Affirmative action by the Council will result in timely deliverance of the technical review, processing and filing of the final map as is reasonably expected by the customer. Prudent financial management is demonstrated by the expeditious completion of this final map in as much as the customer has paid to the City a fee for the processing of this final map and that fee is, in turn, funding the operations of the Planning and Development Department. Employee satisfaction is derived from the fact that the staff, who have reviewed and made a recommendation on this final map, have done so in a thorough and professional manner, thereby enhancing the sense of accomplishment in the completion of the final map process.

PROJECT INFORMATION

PROJECT	The project, a Final Map of Phase 2 of Vesting Tentative Map No. 5338/UGM, a 14 lot single-family residential subdivision on 6.25 acres .
LOCATION	South side of West Bullard Avenue, between North Grantland and North Chateau Avenues. <i>(Council District 2, Council Member Calhoun)</i>
SUBDIVIDER	Fresno Park Communities II, LLC., a California Limited Liability Company Tim Spate, Managing Member
LAND USE & ZONING	Medium density residential; R-1/UGM (single-family residential/Urban Growth Management Area) is effective pursuant to Rezone Application No. R-04-65.
PLAN CONSISTENCY	The project is consistent with the Medium density residential land use designation of the West Area Community Plan.
COMPLIANCE WITH SUBDIVISION MAP ACT AND LOCAL ORDINANCES	The Final Map conforms to all requirements of the Subdivision Map Act and local subdivision ordinances applicable to the conditions of approval of Tentative Map No. 5614/UGM; the completion of all public improvement requirements have been guaranteed and applicable fees paid.

BACKGROUND

Tentative Map Approval: The Fresno City Planning Commission on February 16, 2005 adopted Resolution No. 12179 approving Vesting Tentative Map No. 5338 for a 123 lot single-family residential subdivision, at an overall density of 2.74 units per acre.

The approval of the Vesting Tentative Map remains in effect until February 16, 2007

Subdivision Agreement, Securities, Fees & Covenants: The Subdivider has executed the Subdivision Agreement and has posted securities in the amount of \$193,000.00 for performance and \$96,500.00 for labor and materials to guarantee the installation of the required public improvements. The Subdivider has paid cash in the amount of \$73,686.82 for applicable fees and has entered into a covenant to defer the payment of certain sewer connection charges, water connection charges, Urban Growth Management fees and development fees in the amount of \$42,115.23 to the time of issuance of Certificates of Occupancy. The Subdivider has also entered into covenants providing for Land Development for Landscape Maintenance, Special Solid Waste Disposal Services for Certain Lots and Fee Deferral.

The subdivision documents, securities and resolutions have been reviewed and approved by the City Attorney's office.

REPORT TO THE CITY COUNCIL

Final Map of Tract No. 5614

January 30, 2007

Page 3

Maintenance District: A condition of approval of the Tentative Map is to install and maintain the landscaping and irrigation system within the landscape easements along West Bullard Avenue in accordance with the adopted standards of the City. The Subdivider has satisfied the maintenance requirement by annexing the subdivision into the City's Community Facility District No. 11 (CFD-11) on October 3, 2006.

The Subdivider has executed the covenant for Landscape Maintenance 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 \$515.00 per lot with an annual 3% adjustment plus the increase, if any, in the construction cost index for the San Francisco Region.

Street Improvements: All interior streets, shall be dedicated in accordance with the 50-foot standards and will be fully improved with standard curb, gutter, street lighting, permanent pavement, and sidewalks on both sides of the streets.

Attachments: Vicinity Map
 Vesting Tentative Map No. 5614
 Final Map of Tract No. 5614
 Resolution Approving the Final Map of Tract No. 5614



LEGEND



Subject Property



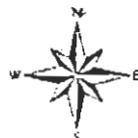
U.G.M. Area

VICINITY MAP

VESTING TENTATIVE TRACT MAP NO. 5338/UGM
 REZONING APPLICATION NO. R-04-065
 From RR (County) to R-1/UGM

Southwest corner Bullard and Grantland Aves.

PLANNING & DEVELOPMENT DEPARTMENT



NOT TO SCALE

A.P.N.: 505-040-06S.07S.09.14.15S.16

ZONE MAP: 1843 _____

BY/DATE: J.S. / 9-20-04 _____

RESOLUTION NO. _____

**RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, APPROVING THE FINAL MAP OF TRACT NO. 5614 AND
ACCEPTING DEDICATED PUBLIC USES THEREIN**

WHEREAS, Fresno Park Communities II, LLC., a California Limited Liability Company, has offered for approval a Final Map designated as Tract No. 5614, ("map"), pursuant to approved Tentative Map No. 5338 ("tentative map"); and,

WHEREAS, all the certificates which appear on the map (except the approval certificate of the Council of the City of Fresno and the recording certificate of the Recorder of the County of Fresno) have been signed and acknowledged and said map has been filed for approval; and,

WHEREAS, the subdivision lies within the boundaries of the City of Fresno; and,

WHEREAS, the map conforms to all of the requirements of the Subdivision Map Act of the State of California, and City ordinances, resolutions and standards, except that Section 66492 and 66493 of the Subdivision Map Act may not be fully complied with at the time of passage of this resolution and owner having previously filed with the Clerk of the Board of Supervisors of Fresno County a Tax Compliance Certificate Request along with copies of the map considered herewith by the Council; and,

WHEREAS, the Council finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with all applicable general and specific plans of the City; and,

WHEREAS, the Subdivider and the Owners, whose signatures appear on the map, and others have offered for dedication certain streets, public utility easements, access rights and other public properties and uses as shown and delineated upon said map; and,

WHEREAS, the Planning Commission of the City of Fresno, by formal resolution, approved said tentative map.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. That the map is hereby approved and all of the streets, public utility easements, access rights and other public properties and uses offered for dedication on the map are hereby accepted, unless it is stated on the Final Map that said dedications are subject to improvement, subject to complete compliance with Sections 66492 and 66493 of the Subdivision Map Act prior to release of the map for recordation.
2. The Council finds that the map is in substantial compliance with said tentative map, any deviations therefrom being deemed to be approved by the Council.

* * * * *

CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the _____ day of _____, 2007.

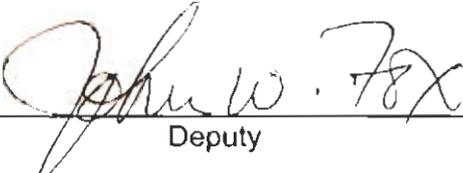
- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

REBECCA E. KLISCH, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By:  _____
Deputy