



REPORT TO THE CITY COUNCIL

December 2, 2008

AGENDA ITEM NO. 1D  
COUNCIL MEETING 12/2/08

APPROVED BY

DEPARTMENT DIRECTOR

*[Handwritten signatures: Alan Katakami and Andrew Rosenberg]*

FROM: KEITH BERGTHOLD, Interim Director  
Planning and Development Department

DARRELL UNRUH, Planning Manager *DM*  
Planning Division

BY: ALAN KAWAKAMI, Chief Engineering Technician *AK*  
Land Division and Engineering

SUBJECT: APPROVING THE FINAL MAP OF TRACT NO. 5730

KEY RESULT AREA

One Fresno

Presented to City Council  
Date 12/2/08  
Disposition Rev. 08-325  
adopted

RECOMMENDATIONS

1. ADOPT the attached Resolution:
  - a. Approving the Final Map of Tract No. 5730 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 Maintenance of Certain Improvements.
3. 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, Centex Homes, A Nevada General Partnership, has filed for approval, the Final Map of Tract No. 5730. The project, a Final Map of Vesting Tentative Map No. 5730/UGM, an 18 lot single-family residential subdivision with 2 outlots for a landscaped open space and for future development purposes on 4.7 acres, is located on the west side of North Bryan Avenue, between West Shaw and West Gettysburg 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 Final Map of Tract No. 5730, pursuant to Vesting Tentative Map No. 5730/UGM, an 18 lot single-family residential subdivision with 2 outlots for a landscaped open space and for future development purposes on 4.7 acres.
LOCATION	West side of North Bryan Avenue, between West Shaw and West Gettysburg Avenues. <i>(Council District 2, Council Member Calhoun)</i>
SUBDIVIDER	CENTEX HOMES, A Nevada General Partnership Aaron York, Division Manager, Central Valley Division
LAND USE & ZONING	Medium density residential; R-1/UGM (single-family residential/Urban Growth Management Area) is effective.
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 Vesting Tentative Map No. 5730/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 August 2, 2006 adopted Resolution No. 12555 approving Vesting Tentative Map No. 5730/UGM for an 18 lot single-family residential subdivision, at an overall density of 3.8 units per acre. Subsequently, at the request of the subdivider, the Director of the Planning and Development Department on March 5, 2007 pursuant to the provisions of FMC 12-1005.2(b)(3), approved a minor revision to Vesting Tentative Map No. 5730 to increase the number of outlots from 1 to 2.

The approval of Vesting Tentative Map No. 5730/UGM was initially effective until August 2, 2008. However, the State of California on July 15, 2008 approved Senate Bill 1185 to provide for a 12-months extension of the expiration date of eligible approved tentative maps. As an eligible approved tentative map, the effective date of Vesting Tentative Map No. 5730/UGM has been extended to August 2, 2009.

**Subdivision Agreement, Securities, Fees & Covenants:** The Subdivider has executed the Subdivision Agreement and has posted securities in the amount of \$74,000 for performance and \$37,000 for labor and materials to guarantee the installation of the required public improvements. The Subdivider has paid cash in the amount of \$101,515.58 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 \$46,801.96 to the time of issuance of Certificates of Occupancy. The Subdivider has also entered into a covenant providing for Maintenance of Certain Improvements.

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

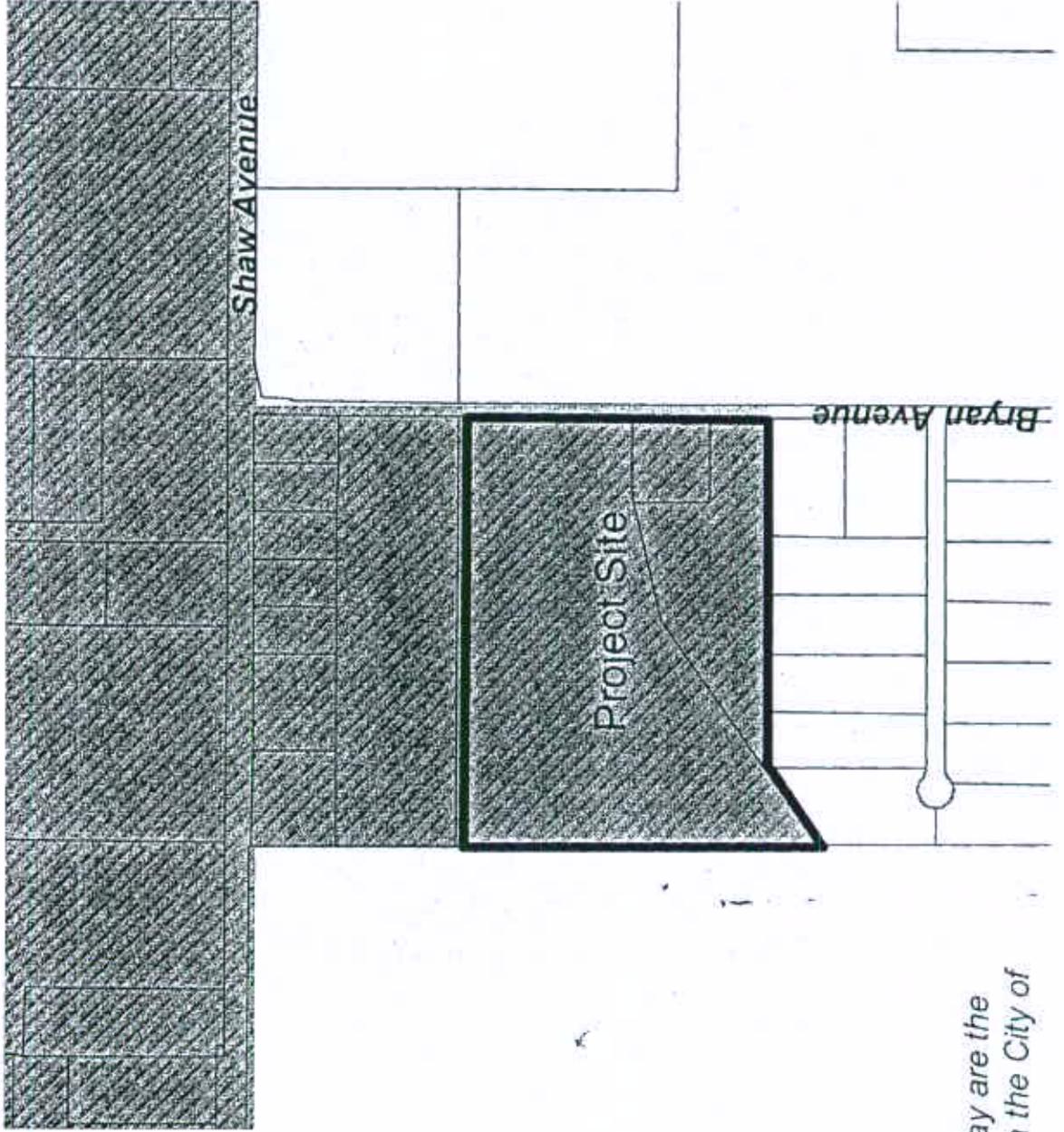
**Maintenance District:** A condition of approval of the Tentative Map is to install and maintain the landscaping and irrigation systems, curbs, gutters, sidewalks, street signs, street lights and block walls within and adjacent to the Final Map along North Bryan Avenue between West Shaw and West Gettysburg Avenues 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 July 31, 2007.

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 \$723.78 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. 5730/UGM  
Final Map of Tract No. 5730  
Resolution Approving the Final Map of Tract No. 5730

# Vicinity Map



*Shaded areas in gray are the areas located within the City of Fresno boundaries*

REVISED  
VESTING TENTATIVE SUBDIVISION MAP  
TRACT NO. 5A  
MAPLE RUN ADDITION

IN THE CITY OF PUEBLO, COUNTY OF PUEBLO, STATE OF COLORADO

OFFICE OF RECORDS  
1000 WEST 10TH AVENUE, SUITE 100  
PUEBLO, COLORADO 81002

RECORDED IN BOOK 18 OF RECORDS, PAGE 18 OF RECORDS, COUNTY OF PUEBLO, STATE OF COLORADO

RECEIVED

January 2017

BOOK 18 OF RECORDS  
PAGE 18 OF RECORDS

CITY OF PUEBLO, COLORADO  
PLANNING DEPARTMENT

PROJECT NAME: MAPLE RUN ADDITION

PROJECT ADDRESS: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT OWNER: CENTEX HOMES, INC.

PROJECT TYPE: RESIDENTIAL SUBDIVISION

PROJECT STATUS: TENTATIVE

PROJECT DATE: 1/10/17

PROJECT AREA: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT CONTACT: CENTEX HOMES, INC.

PROJECT PHONE: (719) 544-2200

PROJECT FAX: (719) 544-2201

PROJECT EMAIL: CENTEX@CENTEX.COM

PROJECT WEBSITE: CENTEX.COM

PROJECT MAP: MAPLE RUN ADDITION

PROJECT PLAN: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT DRAWING: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT SCALE: 1" = 40'

PROJECT DATE: 1/10/17

PROJECT DRAWN BY: CENTEX HOMES, INC.

PROJECT CHECKED BY: CENTEX HOMES, INC.

PROJECT APPROVED BY: CENTEX HOMES, INC.

PROJECT REVISIONS: 1.0

PROJECT COMMENTS: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT NOTES: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT LEGEND: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT INDEX: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT APPENDIX: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT GLOSSARY: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT REFERENCES: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT BIBLIOGRAPHY: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT INDEXING: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT ARCHIVING: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT SECURITY: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT COMPLIANCE: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT LEGAL: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

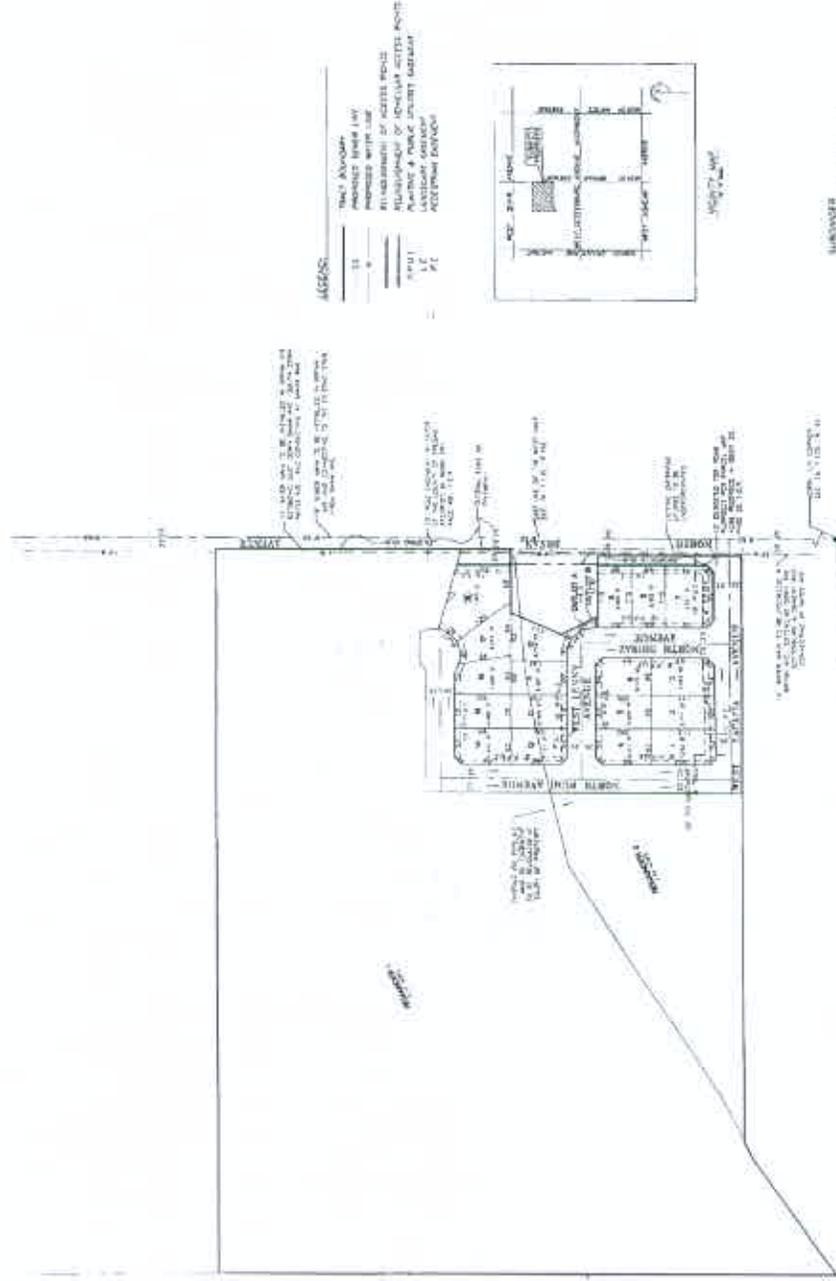
PROJECT FINANCIAL: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT OPERATIONAL: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT MAINTENANCE: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT REPAIRS: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002

PROJECT REPLACEMENT: 1000 WEST 10TH AVENUE, SUITE 100, PUEBLO, CO 81002



LEGEND

1.0 Single-Family Residential

2.0 Single-Family Residential (Special Use)

3.0 Single-Family Residential (Special Use)

4.0 Single-Family Residential (Special Use)

5.0 Single-Family Residential (Special Use)

6.0 Single-Family Residential (Special Use)

7.0 Single-Family Residential (Special Use)

8.0 Single-Family Residential (Special Use)

9.0 Single-Family Residential (Special Use)

10.0 Single-Family Residential (Special Use)



CENTEX HOMES  
1000 WEST 10TH AVENUE, SUITE 100  
PUEBLO, CO 81002  
(719) 544-2200

QUAD KNOPF  
1000 WEST 10TH AVENUE, SUITE 100  
PUEBLO, CO 81002  
(719) 544-2200

SCALE: 1" = 40'

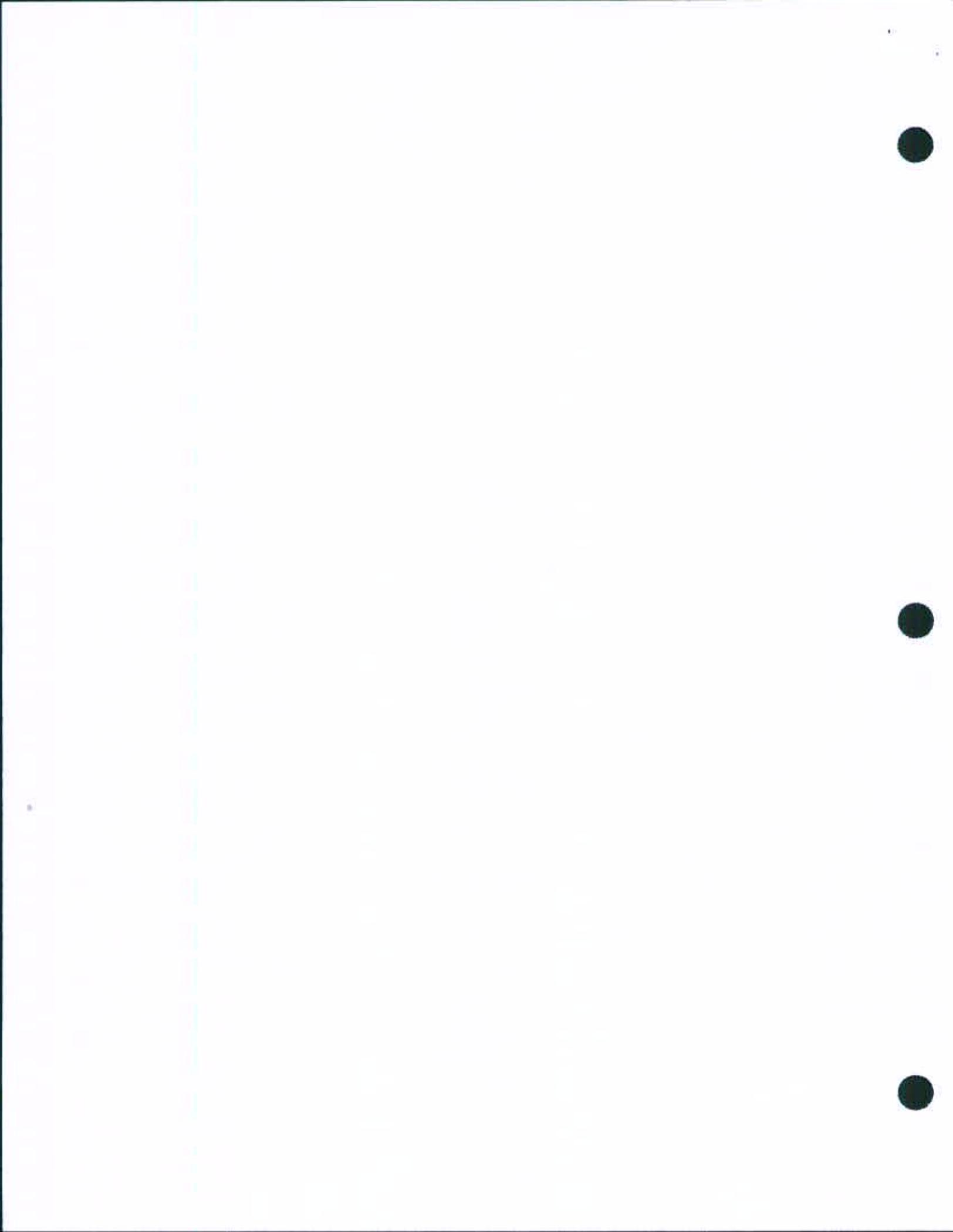
DATE: 1/10/17

SHEET 1 OF 1

NO.	DESCRIPTION	DATE	BY
1.0	Initial Design	1/10/17	Centex Homes
2.0	Final Design	1/10/17	Centex Homes
3.0	Construction	1/10/17	Centex Homes
4.0	Final Inspection	1/10/17	Centex Homes
5.0	Final Approval	1/10/17	Centex Homes







RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,  
CALIFORNIA, APPROVING THE FINAL MAP OF TRACT NO. 5730 AND  
ACCEPTING DEDICATED PUBLIC USES THEREIN**

**WHEREAS**, CENTEX HOMES, A Nevada General Partnership, has offered for approval a Final Map designated as Tract No. 5730, ("map"), pursuant to approved Vesting Tentative Map No. 5730/UGM ("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 City acceptance of Developer installed improvements, 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.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA        )  
COUNTY 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 \_\_\_\_\_, 2008.

AYES:

NOES:

ABSENT:

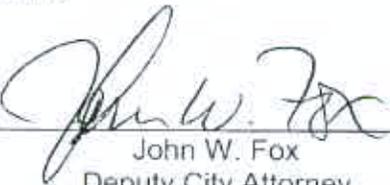
ABSTAIN:

REBECCA E. KLISCH, CMC  
City Clerk, City of Fresno

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
City Attorney

By:  \_\_\_\_\_  
John W. Fox  
Deputy City Attorney

Date: 11/19/2008

