



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. **V-C-2**
COMMISSION MEETING 12-16-15

December 16, 2015

APPROVED BY

DEPARTMENT DIRECTOR

FROM: MIKE SANCHEZ, Assistant Director 
Development & Resource Management Department

BY: BRUCE BARNES, Project Manager 
Development Services Division

SUBJECT

Consider approval of a two-year extension of time to January 15, 2018, for the filing of a final map of Vesting Tentative Tract Map No. 6054/UGM, filed by Brent McCaffrey, on behalf of The McCaffrey Group, to subdivide approximately 9.27 net acres of property into a 69-lot single family residential subdivision with private streets located on the east side of North Polk Avenue between West Corona Avenue and North Dante Avenue.

INFORMATION

Vesting Tentative Tract Map No. 6054/UGM is a request to subdivide approximately 9.27 net acres of the subject property for the purposes of creating 69 single family residential lots for the proposed private street planned development at a density of approximately 7.44 units per acre. The subject property is located on the east side of North Polk Avenue between West Corona Avenue and North Dante Avenue. On January 15, 2014, the Fresno City Planning Commission, by a vote of 6 to 0, approved the subdivision map for an initial two years, subject to the conditions noted in Planning Commission Resolution No. 13263.

In accordance with Section 12-1005.1.a of the Fresno Municipal Code (FMC), a final tract map must be filed within two years of the approval date of the tentative tract map. However, Section 12-1005.1.b the FMC allows for an extension of time for the filing of a final map, subject to the applicant requesting an extension and approval of the extension by the Planning Commission. The applicant has requested a two-year extension for the filing of Vesting Tentative Tract Map No. 6054/UGM as described in the attached letter dated October 16, 2015. If approved, the filing date will be extended to January 15, 2018.

RECOMMENDATION

Based upon the above information, staff recommends that the Planning Commission:

- 1. APPROVE the request for a two-year extension of time to January 15, 2018, for the filing of the final map of Vesting Tentative Tract No. 6054/UGM, subject to compliance with the original conditions of approval as noted in Planning Commission Resolution No. 13263.

Attachments: Aerial Photo
Vesting Tentative Tract Map No. 6054/UGM
Letter from The McCaffrey Group of dated October 16, 2015
Planning Commission Resolution No. 13263

Aerial Photograph



**SUBJECT
PROPERTY**

W Menlo Ave

N Constance Ave

W Sierra Ave

N Genoa Ave

W ... Ave

N Polk Ave

W Ellery Ave

W Corona Ave

Vesting Tentative Tract Map No. 6054/UGM

PHASED VESTING TENTATIVE TRACT MAP NO. 6054

A SINGLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT

IN THE CITY OF FRESNO

FRESNO COUNTY, CALIFORNIA

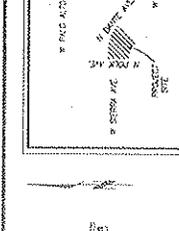
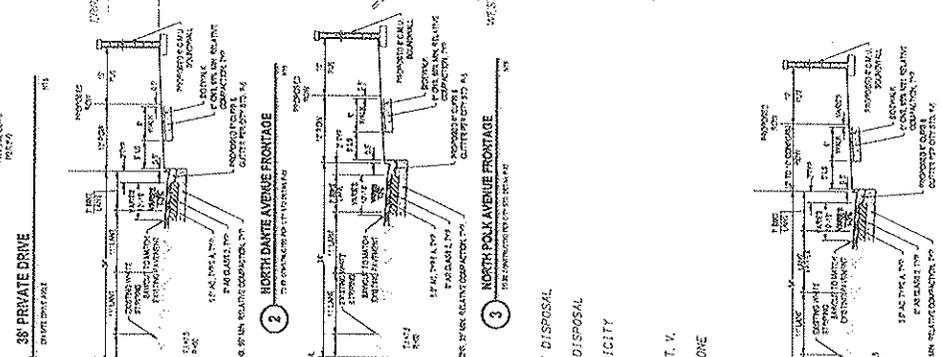
DECEMBER 13, 2013

- LEGEND**
- MANHOLE
 - SWALE INLET
 - SWALE
 - INSET
 - LANDSCAPE PLANTING
 - L.C. LANDSCAPE CURB
 - P.E.D. PUBLIC UTILITY EXPOSURE
 - S.M. STREET MARKER
 - UNDERGROUND SEWER PIPE
 - UNDERGROUND WATER PIPE
 - AREA TO BE VESTED FROM STREET PURPOSES
 - PHASE BOUNDARY

GENERAL NOTES

1. THE MAP IS UNLIT AND NO STRUCTURES ARE ON SITE.
2. SITE AREA IS 9.825 (AC).
3. TRACT IS NOT WITHIN ZONING OF ANY JURISDICTION.
4. NO INFORMATION CONC. IS ON FILE.
5. ALL PUBLIC UTILITIES (GAS & ELECTRIC - PUBLIC TELEPHONE - FIBER, CABLE TELEVISION - COMCAST, AND CITY OF FRESNO WATER & SEWER) ARE SHOWN AS EXISTING ABOVE GROUND AND STRUCTURES SUCH AS BENCHES, WATER METER, POWER LINES, TRENCHES, ETC., WITHIN THE TRACT ARE TO BE REMOVED AND REINSTALLED AS SHOWN ON THIS MAP.
6. THIS AREA IS NOT SUBJECT TO FLOOD INUNDATION.
7. THERE ARE NO EXISTING UNDERGROUND FEATURES SUCH AS WELLS, UNDERGROUND STRUCTURES WITHIN THE PROPOSED SUBDIVISION.
8. ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF FRESNO AND SHALL INCLUDE SANITARY SEWER, WATER MAINS, STORMWATER, REMAINING STREET PAVEMENT, STREET LIGHTS, ETC.
9. PRIVATE STREETS SHALL BE PRIVATE AND AS SHOWN ON THIS MAP.
10. THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE TO THE CITY OF FRESNO THE NECESSARY INFORMATION FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC AND PRIVATE UNDERGROUND UTILITIES.
11. ALL STREETS ADJACENT TO THE BOUNDARIES OF THIS SUBDIVISION HAVE BEEN PREVIOUSLY DESIGNATED FOR PUBLIC STREET PURPOSES AND THERE WILL NOT BE GRADE DIFFERENTIALS GREATER THAN SIX INCHES BETWEEN THE STREET AND ADJACENT PROPERTIES.
12. THE CITY OF FRESNO SHALL BE ADVISED OF ANY CHANGES TO THE TRACT MAP AND THE CITY OF FRESNO SHALL BE ADVISED OF ANY CHANGES TO THE TRACT MAP AND THE CITY OF FRESNO SHALL BE ADVISED OF ANY CHANGES TO THE TRACT MAP.
13. THE CITY OF FRESNO SHALL BE ADVISED OF ANY CHANGES TO THE TRACT MAP AND THE CITY OF FRESNO SHALL BE ADVISED OF ANY CHANGES TO THE TRACT MAP.

| | |
|-----------------------------------|---------------------------|
| EXISTING BUILDINGS | NUMBER OF LOTS |
| EXISTING TREES | DENSITY |
| ASSESSOR'S PARCEL NUMBER | RESIDENTIAL |
| EXISTING USE | 2.4 UNITS/ACRE |
| EXISTING GENERAL PLAN DESIGNATION | SOURCE OF WATER |
| PROPOSED GENERAL PLAN DESIGNATION | CITY OF FRESNO |
| SITE AREA | SOURCE OF SEWAGE DISPOSAL |
| EXISTING ZONING | CITY OF FRESNO |
| PROPOSED ZONING | SOURCE OF WASTE DISPOSAL |
| PROPOSED USE | CITY OF FRESNO |
| PROPOSED ZONING | SOURCE OF ELECTRICITY |
| | PUE |
| | SOURCE OF GAS |
| | PUE |
| | SOURCE OF CABLE T.V. |
| | COMCAST |
| | SOURCE OF TELEPHONE |
| | ATT |



| | | |
|--|--|---|
| <p>OWNER/SUBDIVIDER</p> <p>MP - DANTE L. LLC 700 W. WYMAN AVENUE FRESNO, CA 93711 (559) 239-0000</p> | <p>APPLICANT</p> <p>THE MORTON GROUP 700 W. WYMAN AVENUE FRESNO, CA 93711 (559) 239-0000</p> | <p>CIVIL DESIGN CONSULTANT</p> <p>LANDSCAPE DESIGN CONSULTANT PROLOGOS ASSOCIATES 300 NORTH VAN ACRES DRIVE, SUITE 200 FRESNO, CA 93722 (559) 239-7200</p> |
| <p>SEARCH MAP</p> <p>CITY 244 688 P-244 (70) COUNTY 040 040 (10) ADDRESS 00000 00000 (10)</p> | | |
| <p>SCALE</p> <p>HORIZ. 1" = 100'</p> | | |
| <p>DATE</p> <p>DESIGNED 12/13/13</p> | | |



MORTON & PITALO, INC.
 CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / LAND SURVEYING / LANDSCAPE ARCHITECTURE / TELEPHONE ENGINEERING

PHASED VESTING TENTATIVE TRACT MAP NO. 6054
 6350 NORTH DANTE AVENUE
 FRESNO, CA 93722

DATE DESIGNED 12/13/13
 SHEET 188-1
 OF 1

DATE 12/13/13

Letter from The McCaffrey Group



RECEIVED

OCT 16 2015

DARM - DEVELOPMENT SERVICES
CITY OF FRESNO

October 16, 2015

Jennifer Clark
City of Fresno
Director of Development and Resource Management
2600 Fresno Street, Room 3065
Fresno, CA 93721

Dear Ms. Clark:

Subject: Tract 6054 Vesting Tentative Map Extension

This letter is to request for a two year extension of Vesting Tentative Tract Map No. 6054. This map along with Vesting Tract Map No. 6052 and Vesting Tentative Tract Map No. 6053 were approved January 15, 2014. All three maps are infill projects and are designed with similar product. Final Maps are recorded for Tract 6053 and Phase One of Tract 6052 and we are currently working on the development of the final phase of Tract 6052.

We plan on proceeding with the development of Tentative Tract Map No. 6054 in 2016. The requested extension will allow us the time to complete the necessary improvements and proceed with the recordation of this map.

Thank you in advance for your assistance with this request. Should you have any questions, please do not hesitate to contact me at (559) 256-7022.

Sincerely,

A handwritten signature in blue ink, appearing to be "GL" or "Goldie Lewis".

Goldie Lewis
Director of Land Development
McCaffrey Homes

cc: Mike Sanchez

Planning Commission Resolution

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13263**

The Fresno City Planning Commission at its regular meeting on January 15, 2014, adopted the following resolution pursuant to the Subdivision Map Act of the Government Code of the State of California and the Municipal Code of the City of Fresno.

WHEREAS, Vesting Tentative Tract Map No. 6054/UGM was filed with the City of Fresno by Brent McCaffrey, on behalf of The McCaffrey Group, and proposes to subdivide the subject property for the purposes of a 69-lot, single family residential private street planned development on approximately 9.27 net acres of property located on the east side of North Polk Avenue between West Corona and North Dante Avenue; and,

WHEREAS, on December 16, 2013, the District 2 Plan Implementation Committee reviewed the vesting tentative tract map and recommended approval; and,

WHEREAS, the Development and Resource Management Department staff recommended approval of the proposed project subject to all conditions of approval contained in the staff report dated January 15, 2014; and,

WHEREAS, the Fresno City Planning Commission conducted a public hearing on January 15, 2014 to review the proposed subdivision and considered the staff report and invited testimony with respect to the proposed subdivision; and,

WHEREAS, at the hearing one person spoke in support to the proposed vesting tentative tract map; and,

WHEREAS, at that same hearing the Planning Commission also reviewed related Plan Amendment Application No. A-13-006, Rezone Application No. R-13-013, and Conditional Use Permit Application No. C-13-151 to allow for the development of a 69-lot single family residential private street planned development on the subject property.

1. NOW, THEREFORE, BE IT RESOLVED that Fresno City Planning Commission finds in accordance with its own independent judgment that there is no substantial evidence in the record that, with the project specific mitigation imposed, Vesting Tentative Tract Map No. T-6054/UGM may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 ("MEIR") or Mitigated Negative Declaration No. A-09-02 (Air Quality MND); and, that no new or additional mitigation measures or alternatives may be required. In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), the Commission finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR or Air Quality MND were certified as complete, has become available. Accordingly, the Commission recommends approval of the mitigated negative declaration prepared for Environmental Assessment No. A-13-006/R-13-013/C-13-151/T-6054.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that approval of the subject vesting tentative tract map is consistent with the adopted 2025 Fresno General Plan and the Bullard Community Plan and the findings required pursuant to Section 66410 et. seq. of the Government Code.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves Vesting Tentative Tract Map No. 6054/UGM subject to the Development and Resource Management Department Conditions of Approval dated January 15, 2014 with the following modification and additions:

- 1) #23-a: Modify eight foot living area setback to five feet
- 2) #39 & 41: The following conditions shall be added to the memorandums dated October 21 & 23, 2013, which reflect the allowance of public utilities within private streets. Any reference to private utilities shall be removed.

Public sewer and water service is allowed within private streets for Vesting Tentative Tract Map Nos. 6054/UGM subject to the following:

1. The granting of a public utility easement (P.U.E.).
2. The Subdivider shall include at a minimum, the following terms in the Covenants, Conditions, and Restrictions, subject to approval as to form by the City Attorney:
3. Compliance with Section 12-1026 of the Fresno Municipal Code, as may be amended.
4. Compliance with Chapter 6 of the Fresno Municipal Code, relating to municipal services, as may be amended.
5. City Easements: Subdivider shall include a section of the Declaration entitled "City Easements" wherein Declarant reserves, for the benefit of the City, non-exclusive easements to enter the Community for the maintenance, repair and replacement of the public water and sewer mains and lines that are to be located within the private streets, and other public utility facilities. This section shall also allow the City, at a minimum, to engage in any and all traffic control measures necessary to preserve public health and safety during such maintenance, repair and replacement of the facilities. Finally, this section shall provide that neither the Association nor any Owner may interfere with the City's right to exercise this easement.
6. Costs of repair and/or replacement of asphalt and other street improvements within the community due to repair of public utilities within the streets is at the expense of the Homeowner's Association. These repairs and/or replacement will be to City Standards.

7. The Homeowner's Association agrees to hold harmless, indemnify and defend the City of Fresno, and its officers, officials, employees, agents and volunteers, against any claims or causes of action on account of or arising out of the City's maintenance, repair or replacement of utilities or related replacement of asphalt or street or other improvements. The Homeowner's Association waives and releases any and all claims or causes of action against the City related to such repairs.
8. Insurance provisions consistent with City requirements as determined by Risk Management.
9. Amendments Requiring City Approval. Proposed amendments to Section _____ of this Declaration, entitled "City Easements," shall be approved as to form by the City Attorney prior to the amendments to such Section being valid. No later than the date that is thirty (30) calendar days after its receipt of a proposed amendment, the City shall deliver written notice of its approval or disapproval of the proposed amendment to the party who delivered the proposed amendment to the City. If the City fails to deliver such written notice within such thirty (30) calendar day period, the City shall be deemed to have approved the proposed amendment.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Hansen-Smith, seconded by Commissioner Vasquez.

VOTING: Ayes - Hansen-Smith, Vasquez, Medina, Torossian, Reed, Holt
 Noes - None
 Not Voting - None
 Absent - None

DATED: January 15, 2014



Jennifer K. Clark, Secretary
Fresno City Planning Commission

Resolution No. 13263
Vesting Tentative Tract Map No.
6054/UGM
Filed by Brent McCaffrey, on behalf of
The McCaffrey Group
Action: Approved