



Legislation Details (With Text)

**File #:** 24-206      **Version:** 1      **Name:**

**Type:** Report Item      **Status:** Passed

**File created:** 2/21/2024      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority

**On agenda:** 3/4/2024      **Final action:** 3/4/2024

**Title:** SUBJECT: Adoption of a Resolution Approving Final Map #5405 for Capella Terrace Subdivision for 45 Single-Family Lots, Generally Located on the West Side of S. Coffee Street, 300 Feet North of E. Gerard Avenue and the Approval of the Subdivision Agreement for the Capella Terrace

REPORT IN BRIEF

Considers adopting a Resolution approving the Final Map #5405 for 45 single-family lots, located on the west side of S. Coffee Street, approximately 300 feet north of E. Gerard Avenue, and approving the Subdivision Agreement for the Capella Terrace Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting Resolution 2024-28, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Capella Terrace Subdivision (#5405); and,
- B. Approving the Subdivision Agreement for the Capella Terrace Subdivision; and,
- C. Authorizing the City Manager to execute all necessary documents.

Sponsors:

Indexes:

Code sections:

**Attachments:** 1. Location Map.pdf, 2. Final Subdivision Map #5405, 3. Tentative Subdivision Map #1323, 4. Planning Commission Resolution #4102, 5. Resolution 2024-28.pdf, 6. Subidivison Agreement.pdf

Date	Ver.	Action By	Action	Result
3/4/2024	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Francisco Mendoza-Gonzalez, Senior Planner, Development Services Department*

**SUBJECT:** Adoption of a Resolution Approving Final Map #5405 for Capella Terrace Subdivision for 45 Single-Family Lots, Generally Located on the West Side of S. Coffee Street, 300 Feet North of E. Gerard Avenue and the Approval of the Subdivision Agreement for the Capella Terrace

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## RECOMMENDATION

**City Council** - Adopt a motion:

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- B. Approving the Subdivision Agreement for the Capella Terrace Subdivision; and,
- C. Authorizing the City Manager to execute all necessary documents.

## ALTERNATIVES

- 1. Approve the request as recommended by staff; or,
- 2. Deny the request; or,
- 3. Approve, subject to modifications as conditioned by Council; or
- 4. Refer back to staff for reconsideration of specific items (specific items to be addressed in City Council motion); or,
- 5. Continue to a future City Council meeting (date and time to be specified in City Council motion).

## AUTHORITY

Chapter 24 of Title 18, Subdivisions, of the Merced Municipal Code (MMC) deals with final maps. Section 18.24.120 gives the City Council authority to approve the final map and agreements as long as it is consistent with the Tentative Map.

## DISCUSSION

The proposed subdivision (Capella Terrace) is generally located on the west side of S. Coffee Street, approximately 300 feet north of E. Gerard Avenue (Attachment 1). The Capella Terrace, Final Map #5405 would approve 45 single-family lots (Attachment 2). The subdivision would be developed in one phase. The lots within this phase of the subdivision would range in size from approximately 6,000 square feet to approximately 8,750 square feet.

The owner/developer, Fortis General Construction, Inc., has substantially complied with the approved tentative map for this site (Tentative Map #1323), and has complied with the Conditions of Approval listed in Planning Commission Resolution #4102 (Attachment 4), adopted by the Planning Commission on December 7, 2022. The owner/developer has submitted an application for a final map approval in compliance with the Subdivision Map Act and City Subdivision Ordinance. It is now appropriate to approve the Final Map (Attachment 2) and Subdivision Agreement (Attachment 6).

The subdivision is in the process of being annexed into the Community Facilities District (CFD) for Services (CFD No. 2003-2) as part of Annexation No. 26 to be considered by the City Council on March 4, 2024.

Typically, final subdivision maps are approved as part of consent calendar portion of the City Council agenda. However, because the public hearing and election for the Community Facilities District (CFD) was also on the City Council agenda for March 4, 2024, the approval of the final map was moved to the Reports section of the agenda to allow the Council to take action on the CFD prior to the final map. If the CFD was approved, the City Council may approve the final map as well. If the CFD was not approved, the City Council should refer the final map back to staff until the annexation into CFD can be completed.

### City Council Action

The proposed Final Subdivision Map substantially complies with the approved Tentative Map for this site (TSM #1323). Therefore, the City Council should adopt the Resolution found at Attachment 5 approving Final Map #5405 for the Capella Estates Subdivision and approve the Subdivision Agreement (Attachment 6) for the subdivision.

### **ATTACHMENTS**

1. Location Map
2. Final Subdivision Map #5405
3. Tentative Subdivision Map #1323
4. Planning Commission Resolution #4102
5. Resolution 2024-28
6. Subdivision Agreement