



Legislation Details (With Text)

**File #:** 19-594      **Version:** 1      **Name:**  
**Type:** Consent Item      **Status:** Passed  
**File created:** 9/24/2019      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority  
**On agenda:** 10/21/2019      **Final action:** 10/21/2019  
**Title:** SUBJECT: Adoption of Resolution Approving the Final Map for Moraga of Merced, Unit No. 2 Subdivision - Final Map #5370 for 233 Single-Family Lots, Generally Located on the South Side of Yosemite Avenue, East of Via Moraga

REPORT IN BRIEF

Considers the approval of Final Map #5370 for 233 single-family lots, generally located on the south side of Yosemite Avenue, east of Via Moraga.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving Resolution 2019-69, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Moraga of Merced, Unit No. 2 Subdivision (#5370); and,
- B. Approving the Subdivision Agreement for the Moraga of Merced, Unit 2 Subdivision; and,
- C. Authorizing the City Manager or the Assistant City Manager to execute the Subdivision Agreement.

Sponsors:

Indexes:

Code sections:

**Attachments:** 1. Location Map.pdf, 2. Final Subdivision Map #5370, 3. Planning Commission Resolution #2817, 4. Subdivision Agreement, 5. Draft CC Res\_Add Approved Map.pdf

Date	Ver.	Action By	Action	Result
10/21/2019	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Julie Nelson, Associate Planner, Development Services Department*

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## **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 (Moraga of Merced, Unit 2) is generally located on the south side of Yosemite Avenue, east of Via Moraga (Attachment 1). This is the second phase of the Moraga of Merced Subdivision and includes 233 single-family lots.

The owner/developer, Lennar Homes, Inc., has substantially complied with the previously approved tentative map for this site (Tentative Map #1271), and has complied with the Conditions of Approval listed in Planning Commission Resolution #2817 (Attachment 3), adopted by the Planning Commission on May 4, 2005.

Section 66474.1 of the Subdivision Map Act, states that a legislative body shall not deny a Final Map if the Final Map is in substantial compliance with the previously approved Tentative Subdivision Map. As previously stated, the proposed Final Map has been found to be in substantial compliance with the Tentative Map for this subdivision. Therefore, it is now appropriate to approve the Final Map (Attachment 2) and Subdivision Agreement (Attachment 4).

The subdivision was annexed into the Community Facilities District (CFD) for Services (CFD No. 2003-2) as part of Annexation No. 3 in 2006.

## City Council Action

The proposed Final Subdivision Map substantially complies with the approved Tentative Map for this site (TSM #1271). Therefore, the City Council should adopt the Resolution found at Attachment 5 approving Final Map #5370 for Moraga of Merced, Unit 2 and approve the Subdivision Agreement (Attachment 4) for this subdivision.

## ATTACHMENTS

1. Location Map
2. Final Subdivision Map #5370
3. Planning Commission Resolution #2817
4. Subdivision Agreement
5. Draft City Council Resolution approving Final Map #5370