



RESOLUTION NO. 2009-36

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO  
CONDITIONALLY APPROVING VESTING TENTATIVE TRACT  
MAP NO. 5938 ("MAROA VILLAGE" CONDOMINIUM  
CONVERSION)

The Fresno City Council, at its regular meeting on February 3, 2009, 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. 5938 and related Condominium Conversion Application was filed with the City of Fresno and proposes to subdivide the 13-unit "Maroa Village" apartment complex into a one common lot condominium subdivision on approximately 2 acres of land located north of the northeast corner of North Maroa and West Barstow Avenues; and,

WHEREAS, the Fresno City Planning Commission conducted a public hearing on November 19, 2008, to review the proposed subdivision and considered the staff report and invited testimony with respect to the proposed subdivision and concluded that the vesting tentative map is consistent with the 2025 Fresno General Plan and Bullard Community Plan and is in conformance with the purposes of the Condominium Conversion Ordinance of the City of Fresno and recommends its approval; and,

WHEREAS, the Planning and Development Department staff recommended approval of the proposed project subject to all conditions of approval contained in the staff report dated November 19, 2008; and,

WHEREAS, on February 3, 2009, the Fresno City Council held a public hearing to consider Vesting Tentative Tract Map No. 5938 and received both oral testimony and written information presented at the hearing regarding the proposed conversion of the "Maroa Village" apartment complex to a condominium project; and,

Adopted \_\_\_\_\_  
Approved 2/3/09  
Effective \_\_\_\_\_

2009-36



WHEREAS, the condominium conversion project was properly noticed pursuant to Sections 66452.8 and 66452.9 of the Subdivision Map Act and Section 12-905 (c) (4) of the Fresno Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Council hereby finds and determines based upon its independent judgment that there is no substantial evidence in the record to indicate that Vesting Tentative Tract Map No. 5938 may have a significant effect on the environment and that the project falls within the categorical exemption set forth in CEQA Guidelines Section 15301(k)/Class1 as identified by the Categorical Exemption dated November 7, 2008, prepared for Environmental Assessment No. T-5938.

BE IT FURTHER RESOLVED that the Fresno City Council finds that approval of the vesting tentative tract map subject to Section 12-905-E of the Fresno Municipal Code is consistent with the adopted 2025 Fresno General Plan and Bullard Community Plan and the findings required pursuant to Section 66427.2 of the Government Code, and is in conformance with the purposes of the Condominium Conversion Ordinance of the City of Fresno.

BE IT FURTHER RESOLVED that the Fresno City Council finds that none of the findings for denying a condominium conversion application set forth in Fresno Municipal Code, Section 12-905 (e) can be made based upon the evidence set forth in the staff report to Council pertaining to this application and provided before or at the Council hearing on this matter whether verbal or documentary.



BE IT FURTHER RESOLVED that the Fresno City Council hereby approves Vesting Tentative Tract Map No. 5938 ("Maroa Village" Condominium Conversion) subject to compliance with the following conditions:

1. Planning and Development Department Conditions of Approval dated November 19, 2008.
2. Compliance with requirements of the Condominium Conversion Investigation Report dated January 31, 2006.



CLERK'S CERTIFICATION

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 3rd day of February, 2009, by the following vote:

Ayes: Borgeas, Brand, Dages, Perea, Xiong, Sterling  
Noes: None  
Absent: Caprioglio  
Abstain: None

REBECCA E. KLISCH, CMC  
City Clerk

By Rebecca E. Klisch

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
City Attorney

By [Signature]  
Kathryn Phelan  
Deputy City Attorney

Date 2/2/09

Vesting Tentative Tract Map No. 5938  
("Maroa Village" Condominium Conversion)  
Filed by Finamore and Battaglia  
Assessor's Parcel No. 416-300-1, 16