RESOLUTION NO. 2007-154

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO CONDITIONALLY APPROVING VESTING TENTATIVE TRACT MAP NO. 5742 (THE "LAKEVIEW I" CONDOMINIUM CONVERSION)

The Fresno City Council, at its regular meeting on April 17, 2007 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. 5742 and related Condominium Conversion Application was filed with the City of Fresno and proposes to subdivide the 100-unit "Lakeview I" apartment complex into a one common lot condominium subdivision on five acres of land located on the northwest corner of North Teilman Avenue and West Griffith Way; and,

WHEREAS, the Fresno City Planning Commission conducted a public hearing on January 24, 2007, 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, Freeway 99 Golden State Corridor Redevelopment Plan, Fresno-High Roeding 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 January 24, 2007; and,

WHEREAS, on April 17, 2007 the Fresno City Council held a public hearing to consider Vesting Tentative Tract Map No. 5742 and received both oral testimony and written information presented at the hearing regarding the proposed conversion of the "Lakeview I" apartments to a condominium project; and,

Adopted 4/17/07
Approved
Effective

2007-154

WHEREAS, the condominium conversion project was properly noticed pursuant to Section 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 that there is no substantial evidence in the record to indicate that Vesting Tentative Tract Map No. 5742 may have a significant effect on the environment as identified by the Categorical Exemption issued on January 16, 2007, prepared for Environmental Assessment No. T-5742/T-5743.

BE IT FUTHER 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, Freeway 99 Golden State Corridor Redevelopment Plan, Fresno-High Roeding Community Plan and the findings required pursuant to Section 66427.2 of the Government Code, and is conformance with the purposes of the Condominium Conversion Ordinance of the City of Fresno.

BE IT FURTHER RESOLVED that the Fresno City Council hereby approves Vesting Tentative Tract Map No. 5742 (The "Lakeview I" Condominium Conversion) subject to compliance with the following conditions:

1. Planning and Development Department Conditions of Approval dated January 24, 2007.

2. Each tenant that received the 60 day "Notice of Intent to Convert" (pursuant to Section §66427.1(a) of the Government Code) will be refunded their full security deposit upon receiving the 180 day "Notice of Conversion" (pursuant to Section §66427.1(c) of the Government Code) prior to termination of tenancy (or pursuant to Section 12-911 of the Fresno Municipal Code upon the occurrence of the granting of the final map by the Fresno City Council), which is in addition to the benefits indicated in the Tenant Relocation and Assistance Plan on file with the Planning and Development Department, Planning Division.

3. Compliance with requirements of the Change of Occupancy Investigation Report dated May 8, 2006.

4. The applicant/owner shall permit tenants with Enhanced Housing Vouchers from the Department of Housing and Urban Development (HUD) to remain in their unit for a minimum of one year after the termination of the HUD Housing Voucher Contract for the property.

///

///

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 17th day of April, 2007, by the following vote:

Ayes: Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea
Noes: None
Absent: None
Abstain: None

REBECCA E. KLISCH
City Clerk

By Rebecca E. Klisch

APPROVED AS TO FORM:

JAMES SANCHEZ
City Attorney

By _____
Deputy

Vesting Tentative Tract Map No. 5742
(The "Lakeview I" Condominium Conversion)
Filed by Dirk Poeschel Land Development Services Inc.,
on behalf of United Development Group, Inc.
Assessor's Parcel No. 434-020-63

K:\Master Files - Tract Maps\`Condominium Conversions & Condominium Maps\Tract 5742 Lake View I Condominium Conversion -- PB\Council Resolution\City Council Resolution.doc